

representative of the applicant specified in the particular application.

*o. Procedural schedule:* The application will be processed according to the following schedule. Revisions to the schedule will be made as appropriate.

Issue Scoping Document 1 for comments—May 2023

Comments on Scoping Document 1 Due—June 2023

Issue Scoping Document 2 (if necessary)—July 2023

Request Additional Information (if necessary)—July 2023

Issue Notice of Ready for Environmental Analysis—August 2023

Dated: April 24, 2023.

**Kimberly D. Bose,**  
Secretary.

[FR Doc. 2023–09028 Filed 4–27–23; 8:45 am]

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Milestone	Target date
Commission issues EA ....	December 2023. <sup>1</sup>
Comments on EA .....	January 2024.

<sup>1</sup>The Council on Environmental Quality's (CEQ) regulations under 40 CFR 1501.10(b)(1) require that EAs be completed within 1 year of the federal action agency's decision to prepare an EA. This notice establishes the Commission's intent to prepare an EA for the Alice Falls Project. Therefore, in accordance with CEQ's regulations, the EA must be issued within 1 year of the issuance date of this notice.

Any questions regarding this notice may be directed to Nicholas Tackett at (202) 502–6783 or [nicholas.tackett@ferc.gov](mailto:nicholas.tackett@ferc.gov).

Dated: April 24, 2023.

**Kimberly D. Bose,**  
Secretary.

[FR Doc. 2023–09027 Filed 4–27–23; 8:45 am]

BILLING CODE 6717–01–P

last three digits in the docket number field to access the document. At this time, the Commission has suspended access to the Commission's Public Reference Room, due to the proclamation declaring a National Emergency concerning the Novel Coronavirus Disease (COVID–19), issued by the President on March 13, 2020. For assistance, contact FERC at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or call toll-free, (886) 208–3676 or TTY, (202) 502–8659.

The Commission strongly encourages electronic filings of comments, protests and interventions in lieu of paper using the “eFile” link at <http://www.ferc.gov>. In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852.

Dated: April 24, 2023.

**Debbie-Anne A. Reese,**  
Deputy Secretary.

[FR Doc. 2023–09037 Filed 4–27–23; 8:45 am]

BILLING CODE 6717–01–P

**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

[Project No. 5867–054]

**Alice Falls Hydro, LLC; Notice of Intent To Prepare an Environmental Assessment**

On September 29, 2021, Alice Falls Hydro, LLC filed an application for a new major license for the 2.1-megawatt Alice Falls Hydroelectric Project (Alice Falls Project or project; FERC No. 5867). The Alice Falls Project is located on the Ausable River, in the Town of Chesterfield, Clinton and Essex counties, New York.

In accordance with the Commission's regulations, on February 16, 2023, Commission staff issued a notice that the project was ready for environmental analysis (REA notice). Based on the information in the record, including comments filed on the REA notice, staff does not anticipate that licensing the project would constitute a major federal action significantly affecting the quality of the human environment. Therefore, staff intends to prepare an Environmental Assessment (EA) on the application to license the Alice Falls Project.

The EA will be issued and circulated for review by all interested parties. All comments filed on the EA will be analyzed by staff and considered in the Commission's final licensing decision.

The application will be processed according to the following schedule. Revisions to the schedule may be made as appropriate.

**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

[Docket No. EL23–52–000]

**MD Solar 2, LLC; Notice of Institution of Section 206 Proceeding and Refund Effective Date**

On April 24, 2023, the Commission issued an order in Docket No. EL23–52–000, pursuant to section 206 of the Federal Power Act (FPA), 16 U.S.C. 824e, instituting an investigation into whether MD Solar 2, LLC's Rate Schedule is unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful. *MD Solar 2, LLC*, 183 FERC ¶ 61,053 (2023).

The refund effective date in Docket No. EL23–52–000, established pursuant to section 206(b) of the FPA, will be the date of publication of this notice in the **Federal Register**.

Any interested person desiring to be heard in Docket No. EL23–52–000 must file a notice of intervention or motion to intervene, as appropriate, with the Federal Energy Regulatory Commission, in accordance with Rule 214 of the Commission's Rules of Practice and Procedure, 18 CFR 385.214 (2022), within 21 days of the date of issuance of the order.

In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's Home Page (<http://www.ferc.gov>) using the “eLibrary” link. Enter the docket number excluding the

**DEPARTMENT OF ENERGY**

**Western Area Power Administration**

**Recommendation for the Western Area Power Administration's Rocky Mountain Region and Colorado River Storage Project Management Center To Pursue Final Negotiations Regarding Membership in the Southwest Power Pool Regional Transmission Organization, and for the Upper Great Plains Region To Expand Its Participation**

**AGENCY:** Western Area Power Administration, DOE.

**ACTION:** Notice of recommendation to pursue final negotiations regarding SPP RTO membership.

**SUMMARY:** Western Area Power Administration (WAPA), a Power Marketing Administration of the Department of Energy (DOE), recommends the Rocky Mountain Region (WAPA–RM) with its Loveland Area Projects Transmission System and the Colorado River Storage Project Management Center (WAPA–CRSP) with its Colorado River Storage Project Transmission System pursue final negotiations regarding transmission

owning membership in the Southwest Power Pool (SPP) Regional Transmission Organization (RTO), and the Upper Great Plains Region (WAPA-UGP) with its Pick-Sloan Missouri Basin Project—Eastern Division facilities in the Western Interconnection expand its participation in SPP. WAPA is seeking public comments from its customers, Indian Tribes, and other stakeholders on the substance of the recommendation.

**DATES:** WAPA-RM, WAPA-CRSP, and WAPA-UGP will hold at least one virtual customer and stakeholder meeting to provide an overview of the recommendation to pursue final negotiations with SPP concerning membership and expansion of membership in SPP. Date(s) for the meetings will be posted on WAPA's website at: [www.wapa.gov/About/keytopics/Pages/southwest-power-pool-membership.aspx](http://www.wapa.gov/About/keytopics/Pages/southwest-power-pool-membership.aspx).

To ensure consideration, all comments should be received by WAPA on or before 4:00 p.m.. Mountain Time June 12, 2023.

**ADDRESSES:** Send written comments via email to [SPP-Comments@wapa.gov](mailto:SPP-Comments@wapa.gov) or via regular mail to Rebecca Johnson, Transmission and Power Markets Advisor, Western Area Power Administration, 12155 West Alameda Parkway, Lakewood, CO 80228-8213. Written comments must be received by the deadline identified above to be considered in WAPA's decision process and should include the following information:

1. Name and general description of the entity submitting the comment.
2. Name, telephone number, and email address of the entity's primary contact.
3. Identification of any specific recommendation the comment references.

**FOR FURTHER INFORMATION CONTACT:** Rebecca Johnson, Transmission and Power Markets Advisor at (720) 376-2400, email at [SPP-Comments@wapa.gov](mailto:SPP-Comments@wapa.gov), or regular mail at Western Area Power Administration, 12155 West Alameda Parkway, Lakewood, CO 80228-8213.

**SUPPLEMENTARY INFORMATION:** In October 2020, WAPA-RM and WAPA-UGP along with Tri-State Generation and Transmission Association, Basin Electric Power Cooperative, Municipal Energy Agency of Nebraska, and Deseret Power each executed non-binding Letters of Interest (LOI) to investigate membership or expanded participation in SPP. In April 2021, WAPA-CRSP executed a non-binding LOI. In May 2021, Colorado Springs Utilities executed a non-binding LOI. In August

2022, Platte River Power Authority executed a non-binding LOI.

The participating entities have completed transmission cost studies, adjusted production cost modeling, and various other analyses. After discussions among these entities, negotiations with SPP, and further analysis by WAPA subject matter experts, and pursuant to its authority under Section 1232(a)(1)(A) of the Energy Policy Act of 2005 (42 U.S.C. 16431), WAPA recommends WAPA-RM and WAPA-CRSP pursue final negotiations regarding membership in SPP, and WAPA-UGP expand its participation in SPP. WAPA will continue to work with our customers both inside and outside of the proposed RTO-West footprint to the greatest extent possible, and continuously monitor the evolution of markets and the operational changes as they develop. The background, basis for the recommendation, and explanatory material are posted on WAPA's website at: [www.wapa.gov/About/keytopics/Pages/southwest-power-pool-membership.aspx](http://www.wapa.gov/About/keytopics/Pages/southwest-power-pool-membership.aspx).

WAPA-RM's membership would include SPP assuming the balancing authority responsibilities for the Western Area Colorado Missouri balancing authority area (BAA) that WAPA-RM operates today, as well as SPP operating a single SPP-West BAA.

In addition, WAPA-UGP, with its Pick-Sloan Missouri Basin Project—Eastern Division facilities in the Western Interconnection, would pursue final negotiations to expand its participation in the SPP RTO. WAPA-UGP's Western Interconnection transmission facilities are already under the SPP tariff and WAPA-UGP's Eastern Interconnection facilities are already in the SPP RTO and SPP's Integrated Marketplace. This recommendation includes SPP also assuming the balancing authority responsibilities for the Western Area Upper Great Plains West (WAUW) BAA that WAPA-UGP operates in the Western Interconnection today in a single SPP-West BAA, as well as SPP implementing its Integrated Marketplace across WAPA-UGP's facilities in the existing WAUW BAA footprint.

Through this process, WAPA is soliciting comments from its customers, Indian Tribes, and other stakeholders regarding its recommendation to pursue final negotiations. At the close of the comment period, WAPA will provide notification of its decision with a letter to stakeholders and by a posting to its website. Concurrent with this comment process, WAPA also will conduct a separate Tribal consultation.

If the decision is made by WAPA to move forward with final negotiations with SPP, and those negotiations are successful, WAPA-RM and WAPA-CRSP would then execute SPP membership agreements and WAPA-UGP would expand its participation in SPP.

### Legal Authority

Any decision by WAPA to move forward with final negotiations with SPP will be consistent with WAPA-RM, WAPA-CRSP, and WAPA-UGP statutory requirements and as outlined in the explanatory material posted on WAPA's website. Section 1232(b) of the Energy Policy Act of 2005 authorizes the appropriate Federal regulatory authority to enter into a contract, agreement, or other arrangement transferring control and use of all or part of the transmission system of a Federal utility to a Transmission Organization (42 U.S.C. 16431(b)). By Delegation Order No. S1-DEL-RATES-2016, effective November 19, 2016, the Secretary of Energy designated the Administrator of WAPA as the appropriate Federal regulatory authority with respect to all or part of WAPA's transmission system.

### Availability of Information

The Recommendation Report and explanatory material to be presented at the public meeting(s), as well as other supporting documents, are available for review and comment on the website at: [www.wapa.gov/About/keytopics/Pages/southwest-power-pool-membership.aspx](http://www.wapa.gov/About/keytopics/Pages/southwest-power-pool-membership.aspx). Comments received as part of this public process, along with WAPA's responses will be posted on the same website after the close of the comment period.

### Environmental Compliance

WAPA has determined this action fits within the following categorical exclusion listed in appendix B to subpart D of 10 CFR part 1021: B4.4 (Power Marketing Services and Activities). Categorically excluded projects and activities do not require preparation of either an environmental impact statement or an environmental assessment.<sup>1</sup> A copy of the categorical exclusion determination is available on the website at: [www.wapa.gov/About/keytopics/Pages/southwest-power-pool-membership.aspx](http://www.wapa.gov/About/keytopics/Pages/southwest-power-pool-membership.aspx).

<sup>1</sup> The determination was done in compliance with the National Environmental Policy Act (NEPA) of 1969, as amended, 42 U.S.C. 4321-4347; the Council on Environmental Quality Regulations for implementing NEPA (40 CFR parts 1500-1508); and DOE NEPA Implementing Procedures and Guidelines (10 CFR part 1021).

**Signing Authority**

This document of the Department of Energy was signed on April 17, 2023, by Tracey A. LeBeau Administrator, Western Area Power Administration, pursuant to delegated authority from the Secretary of Energy. This document, with the original signature and date, is maintained by DOE. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DOE Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of the Department of Energy. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Signed in Washington, DC, on April 25, 2023.

**Treena V. Garrett,**

*Federal Register Liaison Officer, U.S. Department of Energy.*

[FR Doc. 2023-09004 Filed 4-27-23; 8:45 am]

**BILLING CODE 6450-01-P**

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL OP-OFA-067]

**Environmental Impact Statements; Notice of Availability**

*Responsible Agency:* Office of Federal Activities, General Information 202-564-5632 or <https://www.epa.gov/nepa>.

Weekly receipt of Environmental Impact Statements (EIS)

Filed April 17, 2023 10 a.m. EST

Through April 24, 2023 10 a.m. EST

Pursuant to 40 CFR 1506.9

**Notice**

Section 309(a) of the Clean Air Act requires that EPA make public its comments on EISs issued by other Federal agencies. EPA's comment letters on EISs are available at: <https://cdxapps.epa.gov/cdx-enepa-II/public/action/eis/search>.

*EIS No. 20230057, Final, USFS, UT,*

Southern Monroe Mountain Allotments Livestock Grazing Authorization, Review Period Ends: 06/20/2023, Contact: Mike Elson 435-896-9233.

*EIS No. 20230058, Draft, NRCS, GA,*

Draft Supplemental Watershed Plan & Environmental Impact Statement for Etowah River Watershed Dam No. 13-A, Comment Period Ends: 06/12/2023, Contact: Eric Harris 706-546-2217.

Dated: April 25, 2023.

**Cindy S. Barger,**

*Director, NEPA Compliance Division, Office of Federal Activities.*

[FR Doc. 2023-09022 Filed 4-27-23; 8:45 am]

**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-10770-01-R6]

**Notice of Proposed Administrative Settlement Agreement and Order on Consent for Cost Reimbursement**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of proposed settlement; request for public comment.

**SUMMARY:** In accordance with the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), notice is hereby given that a proposed CERCLA Section 122(h)(1) Settlement Agreement ("Proposed Agreement") associated with the ITC Tank Fire Superfund Site in Deer Park, Harris County, Texas ("Site") was executed by the Environmental Protection Agency ("EPA") and is now subject to public comment, after which EPA may modify or withdraw its consent if comments received disclose facts or considerations that indicate that the Proposed Agreement is inappropriate, improper, or inadequate. The Proposed Agreement would resolve potential EPA claims under Section 107(a) of CERCLA, against Intercontinental Terminals Company LLC ("Settling Party") for EPA response costs at the Deer Park Superfund Site in Texas. The settlement is \$5.25 million and was based on negotiations which concluded with the settling party agreeing to make partial payment for EPA response costs.

For thirty (30) days following the date of publication of this notice, EPA will receive electronic comments relating to the Proposed Agreement. EPA's response to any comments received will be available for public inspection by request. Please see the **ADDRESSES** section of this notice for special instructions in effect due to impacts related to the COVID-19 pandemic.

**DATES:** Comments must be received on or before May 30, 2023.

**ADDRESSES:** As a result of impacts related to the COVID-19 pandemic, requests for documents and submission of comments must be via electronic mail except as provided below. The Proposed Agreement and additional background information relating to the Proposed

Agreement are available for public inspection upon request by contacting EPA Assistant Regional Counsel Edwin Quinones at [quinones.edwin@epa.gov](mailto:quinones.edwin@epa.gov). Comments must be submitted via electronic mail to this same email address and should reference the "ITC Tank Fire" Superfund Site, Proposed Settlement Agreement" and "EPA CERCLA Docket No. 06-03-23". Persons without access to electronic mail may call Mr. Quinones at (214) 665-8035 to make alternative arrangements.

**FOR FURTHER INFORMATION CONTACT:** Edwin Quinones at EPA by phone (214) 665-8035 or email at: [quinones.edwin@epa.gov](mailto:quinones.edwin@epa.gov).

**Earthea Nance,**

*Regional Administrator, Region 6.*

[FR Doc. 2023-09046 Filed 4-27-23; 8:45 am]

**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-10669-01-R6]

**Comprehensive Environmental Response, Compensation, and Liability Act; Modified Proposed Administrative Settlement Agreement for Recovery of Response Costs; "Delta Shipyard" Superfund Site in Houma, Terrebonne Parish, LA**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of modified proposed settlement; request for public comment.

**SUMMARY:** In accordance with the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), notice is hereby given that a modified proposed CERCLA Section 122(h)(1) Cashout Settlement Agreement for Ability to Pay Peripheral Parties ("Proposed Agreement") associated with the "Delta Shipyard" Superfund Site in Houma, Terrebonne Parish, Louisiana ("Site") was executed by the Environmental Protection Agency ("EPA") and is now subject to public comment, after which EPA may modify or withdraw its consent if comments received disclose facts or considerations that indicate that the Proposed Agreement is inappropriate, improper, or inadequate. The modified Proposed Agreement would resolve potential EPA claims under Section 107(a) of CERCLA, against Dean Services West, LLC ("Settling Party") for EPA response costs at the Delta Shipyard Superfund Site located in the Southeastern section of Houma, Louisiana. The modified settlement is \$350,000.00 and was based