likelihood of dam failure as defined below; projects at higher risk will receive a greater score:

Low risk: low or significant hazard potential combined with a low likelihood of failure; or low hazard potential combined with a medium likelihood of failure.

Moderate Risk: low hazard potential combined with a high likelihood of failure; or significant hazard potential combined with medium likelihood of failure; or high hazard potential combined with a Low likelihood of failure.

High Risk: high or significant hazard potential combined with a high likelihood of failure; or high hazard potential combined with a medium likelihood of failure.

(B) *0 points:* The extent to which the project financing plan includes public or private financing in addition to WIFIA credit assistance. The Corps will assess this as a threshold criterion for creditworthiness and will assess the financing plan to ensure that the project and borrower are creditworthy. Considerations will include relevant factors such as the dedicated revenue sources that will secure or fund the project obligations; the financial assumptions upon which the project is based; and the financial soundness and credit history of the obligor.

(C) *5 points:* The likelihood that WIFIA credit assistance would enable the project to proceed at an earlier date than the project would otherwise be able to proceed

(D) *1 point:* The extent to which the project uses new or innovative approaches.

(E) *10 points:* The extent to which the project—(i) protects against extreme weather events, such as floods or hurricanes; or (ii) helps maintain or protect the environment. The Corps will assess the risk associated with the dam and how the proposed project minimizes that risk by considering the ability of the dam to pass the Inflow Design Flood (IDF) which is used as a proxy to evaluate the probability of an event occurring (*i.e.,* dams not able to pass the IDF are more likely to have failures). The scoring will favor those projects that are increasing their capacity to successfully pass the IDF, which includes dam removal.

(F) *1 point:* The extent to which a project serves regions with significant clean energy exploration, development, or production areas.

(G) *5 points:* The extent to which a project serves regions with significant water resource challenges, including the need to address—(i) water quality concerns in areas of regional, national, or international significance; (ii) water quantity concerns related to groundwater, surface water, or other water sources; (iii) significant flood risk; (iv) water resource challenges identified in existing regional, State, or multistate agreements; or (v) water resources with exceptional recreational value or ecological importance.

(H) *1 point:* The extent to which the project addresses identified municipal, State, or regional priorities.

(I) *5 points:* The readiness of the project to proceed toward development, including a demonstration by the obligor that there is a reasonable expectation that the contracting process for construction of the project can commence by not later than 90 days after the date on which a Federal credit instrument is obligated for the project under WIFIA.

(J) *1 point:* The extent to which WIFIA credit assistance reduces the overall Federal contributions to the project. As noted above, a project is not eligible to receive CWIFP credit assistance if it is a congressionally authorized federal project authorized by an Act of Congress to be built by the Army Corps of Engineers or the Bureau of Reclamation.

(K) *17 points:* The extent to which the project serves economically disadvantaged communities and spurs economic opportunity for, and minimally adversely impacts, disadvantaged communities and their populations, which meet at least one of the following criteria: (i) low-income (the area has a per capita income of 80 percent or less of the national average), (ii) unemployment rate above national average (the area has an unemployment rate that is, for the most recent 24-month period for which data are available, at least 1 percent greater than the national average unemployment rate), (iii) Indian country as defined in 18 U.S.C. 1151 or in the proximity of an Alaska Native Village, (iv) U.S. Territories, or (v) identified as disadvantaged by the Climate and Economic Justice Screening Tool (developed by the Council on Environmental Quality and currently available at *https://screeningtool.geoplatform.gov*).

(L) *0 points:* The project is non-federally owned, operated or maintained. This criterion, which is being treated as a threshold criterion, was added for the purposes of this NOFA to be consistent with FR 39189. FR 39189 indicates that a project authorized by an Act of Congress to be built by the Army Corps of Engineers or Bureau of Reclamation is ineligible for WIFIA financing. However, a project that may connect to, or be tangentially related to, such a project, may be eligible depending on the factual circumstances (*e.g.,* a project to upgrade a water distribution system that is connected to an Army Corps of Engineers or Bureau of Reclamation constructed water source may be eligible for WIFIA financing in some circumstances). Furthermore, a project at a local municipal facility might not be deemed ineligible simply because it was originally built by the Army Corps of Engineers or Bureau of Reclamation. Such questions will need to be resolved on a case-by-case basis.

(M): *0 points:* The amount of budget authority required to fund the Federal credit instrument made available under this chapter. *Note:* Corps will use this to verify that there will be sufficient budget authority to invite an applicant to apply for credit assistance.

(N) *14 points:* The project is for dam removal. This selection criterion was added for the purposes of this NOFA to ensure proper consideration for dam removal projects in the selection process.

In addition to the selection criteria score, the Corps is required by 33 U.S.C. 3902(a) to ''ensure a diversity of project types and geographical locations.''

Following analysis by the Corps staff, a final score is calculated for each project. Projects will be selected in order of score, subject to the requirement to ensure a diversity of project types and geographical locations.

(Authority: 33 U.S.C. 3901–3914, 33 CFR 386)

Michael L. Connor,

Assistant Secretary of the Army (Civil Works).

[FR Doc. 2023–20286 Filed 9–19–23; 8:45 am]

BILLING CODE 3720–58–P

DEPARTMENT OF ENERGY

Notice of Availability of Interim Guidance on Packaging, Transportation, Receipt, Management, Short-Term and Long-Term Storage of Elemental Mercury

AGENCY: Office of Environmental Management, U.S. Department of Energy.

ACTION: Notice of availability of guidance.

SUMMARY: The U.S. Department of Energy (DOE or the Department) gives notice of interim guidance *U.S. Department of Energy Interim Guidance on Packaging, Transportation, Receipt, Management, Short-Term and Long-Term Storage of Elemental Mercury.* The

interim guidance updates DOE's 2009 *U.S. Department of Energy Interim Guidance on Packaging, Receipt, Management, and Long-Term Storage of Elemental Mercury* (2009 Long-Term Storage Guidance) and 2019 *Guidance for Short-Term Storage of Elemental Mercury by Ore Processors* (2019 Short-Term Storage Guidance).

DATES: A 30-day public comment period began on May 2, 2023, with the issuance of the Notice of Availability of the Interim Guidance (88 FR 27495) and following a request to extend the comment period, was later extended to July 3, 2023 (88 FR 34491).

FOR FURTHER INFORMATION CONTACT: David Haught, U.S. Department of Energy, Office of Environmental Management, Office of Waste Disposal (EM–4.22), 1000 Independence Avenue SW, Washington, DC 20585, (202) 586–5000, or by email at *david.haught@hq.doe.gov.*

SUPPLEMENTARY INFORMATION:

Background

The *Mercury Export Ban Act of 2008* (Pub. L. 110–414) (MEBA of 2008) as amended by the *Frank R. Lautenberg Chemical Safety for the 21st Century Act* (Pub. L. 114–182) (Chemical Safety Act of 2016) banned the export of elemental mercury and certain mercury compounds and provided for long-term and interim (*i.e.,* short-term) management and storage of elemental mercury. Specifically, MEBA of 2008 required the U.S. Department of Energy (DOE) to designate a facility or facilities for the long-term management and storage of elemental mercury (referred to herein as the Long-Term Elemental Mercury Storage Facility (LTEMSF)) and to issue guidance on recommended standards and procedures for receipt, management, and long-term storage of elemental mercury. 42 U.S.C. 6939f(a)(1), (d)(1). In accordance with these requirements, DOE, after consultation with the EPA and appropriate State agencies in potentially affected States, issued the 2009 Long-Term Storage Guidance on November 13, 2009. The Chemical Safety Act of 2016 provided for interim onsite storage of elemental mercury for certain generators, while awaiting availability of the DOE-designated LTEMSF. 42 U.S.C. 6939f(g)(2)(D). It further required DOE to issue guidance on recommended standards and procedures for management and short-term onsite storage. 42 U.S.C. 6939f(g)(2)(E). In accordance with this requirement, DOE issued the 2019 Short-Term Storage Guidance.

Interim Guidance Document

Both the 2009 Long-Term and 2019 Short-Term Storage Guidance documents were based on certain planning assumptions. However, in recognition that some key underlying assumptions of the guidance documents had changed since the issuance of those documents, DOE decided to revise both documents in a new, combined guidance document. On May 2, 2023, after both consultation with EPA and DOT and an opportunity for consultation with potentially affected States, DOE issued draft *U.S. Department of Energy Interim Guidance on Packaging, Transportation, Receipt, Management, Short-Term and Long-Term Storage of Elemental Mercury* and requested comments on that draft guidance (88 FR 27495). Following a request to extend the comment period, DOE extended the period for public comment to July 3, 2023 (88 FR 34491).

DOE received a total of about 50 comments from eight entities, including EPA, DOT, and potentially affected States, and has made certain changes in the interim guidance to reflect responses to the comments received. The interim guidance document, *U.S. Department of Energy Interim Guidance on Packaging, Transportation, Receipt, Management, Short-Term and Long-Term Storage of Elemental Mercury,* may be found at: *https://www.energy.gov/em/long-term-management-and-storage-elemental-mercury.* This interim guidance document supersedes and rescinds the 2009 Long-Term Storage Guidance and the 2019 Short-Term Storage Guidance.

Signing Authority

This document of the Department of Energy was signed on September 14, 2023, by Kristin G. Ellis, Acting Associate Principal Deputy Assistant Secretary for Regulatory and Policy Affairs, Office of Environmental Management, pursuant to delegated authority from the Secretary of Energy. That 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 September 15, 2023.

Treena V. Garrett,

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

[FR Doc. 2023–20319 Filed 9–19–23; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

President's Council of Advisors on Science and Technology (PCAST)

AGENCY: Office of Science, Department of Energy.

ACTION: Notice of closed meeting.

SUMMARY: This notice announces a closed meeting of the President's Council of Advisors on Science and Technology (PCAST). The Federal Advisory Committee Act (FACA) requires that public notice of these meetings be announced in the **Federal Register**.

DATES: Thursday, September 26, 2023; 1:30 p.m. PT.

ADDRESSES: San Francisco, CA

FOR FURTHER INFORMATION CONTACT: Dr. Reba Bandyopadhyay, Designated Federal Officer, PCAST, email: *PCAST@ostp.eop.gov;* telephone: (202) 881–7163.

SUPPLEMENTARY INFORMATION: PCAST is an advisory group of the nation's leading scientists and engineers, appointed by the President to augment the science and technology advice available to him from the White House, cabinet departments, and other Federal agencies. See the Executive Order at *www.whitehouse.gov.* PCAST is consulted on and provides analyses and recommendations concerning a wide range of issues where understanding of science, technology, and innovation may bear on the policy choices before the President. The Designated Federal Officer is Dr. Reba Bandyopadhyay. Information about PCAST can be found at: *www.whitehouse.gov/PCAST.*

Tentative Agenda

Closed portion of the meeting: PCAST may hold a closed meeting of approximately one hour with the President on September 26, 2023, which must take place at the scheduling convenience of the President and to maintain Secret Service protection. This meeting will be closed to the public because the meeting is likely to disclose matters that are to be kept secret in the interest of national defense or foreign policy under 5 U.S.C. 552b(c)(1).

This notice is being published less than 15 days prior to the meeting due to scheduling difficulties.