

TABLE 1—CRITERIA FOR QUALIFYING CONDUIT HYDROPOWER FACILITY

Statutory provision	Description	Satisfies (Y/N)
FPA 30(a)(3)(A) .....	The conduit the facility uses is a tunnel, canal, pipeline, aqueduct, flume, ditch, or similar manmade water conveyance that is operated for the distribution of water for agricultural, municipal, or industrial consumption and not primarily for the generation of electricity.	Y
FPA 30(a)(3)(C)(i) ....	The facility is constructed, operated, or maintained for the generation of electric power and uses for such generation only the hydroelectric potential of a non-federally owned conduit.	Y
FPA 30(a)(3)(C)(ii) ...	The facility has an installed capacity that does not exceed 40 megawatts .....	Y
FPA 30(a)(3)(C)(iii) ..	On or before August 9, 2013, the facility is not licensed, or exempted from the licensing requirements of Part I of the FPA.	Y

*Preliminary Determination:* The proposed Emmett Main Canal Hydro Project will not alter the primary purpose of the conduit, which is for irrigation. Therefore, based upon the above criteria, Commission staff preliminarily determines that the operation of the project described above satisfies the requirements for a qualifying conduit hydropower facility, which is not required to be licensed or exempted from licensing.

*Comments and Motions to Intervene:* Deadline for filing comments contesting whether the facility meets the qualifying criteria is 30 days from the issuance date of this notice. Deadline for filing motions to intervene is 30 days from the issuance date of this notice.

Anyone may submit comments or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210 and 385.214. Any motions to intervene must be received on or before the specified deadline date for the particular proceeding.

*Filing and Service of Responsive Documents:* All filings must (1) bear in all capital letters the “COMMENTS CONTESTING QUALIFICATION FOR A CONDUIT HYDROPOWER FACILITY” or “MOTION TO INTERVENE,” as applicable; (2) state in the heading the name of the applicant and the project number of the application to which the filing responds; (3) state the name, address, and telephone number of the person filing; and (4) otherwise comply with the requirements of sections 385.2001 through 385.2005 of the Commission’s regulations.<sup>1</sup> All comments contesting Commission staff’s preliminary determination that the facility meets the qualifying criteria must set forth their evidentiary basis.

The Commission strongly encourages electronic filing. Please file motions to intervene and comments using the Commission’s eFiling system at <https://www.ferc.gov/docs-filing/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior

registration, using the eComment system at <https://www.ferc.gov/docs-filing/ecomment.asp>. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, you may send a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, MD 20852. A copy of all other filings in reference to this application must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 385.2010.

*Locations of Notice of Intent:* 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 website at <https://www.ferc.gov/docs-filing/elibrary.asp>. Enter the docket number (*i.e.*, CD25–1) in the docket number field to access the document. You may also register online at <https://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. Copies of the notice of intent can be obtained directly from the applicant. For assistance, call toll-free 1–866–208–3676 or email [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov). For TTY, call (202) 502–8659.

Dated: November 25, 2024.

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

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**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

[Docket No. AD25–4–000]

**Interregional Transfer Capability Study: Strengthening Reliability Through the Energy Transformation; Notice of Request for Comments**

On November 19, 2024, the North American Electric Reliability Corporation (NERC) submitted to the Federal Energy Regulatory Commission (Commission) an Interregional Transfer Capability Study (ITC Study) pursuant to section 322 of the Fiscal Responsibility Act of 2023 (Fiscal Responsibility Act).<sup>1</sup> All interested persons are invited to file comments on this ITC Study no later than 60 days after the date of publication in the **Federal Register**. We request the public to submit comments in the format indicated below.

In June 2023, Congress passed the Fiscal Responsibility Act, which requires the Commission-approved Electric Reliability Organization (*i.e.*, NERC),<sup>2</sup> in consultation with each regional entity and each transmitting utility<sup>3</sup> that has facilities interconnected with a transmitting utility in a neighboring transmission planning region, to conduct a study of total transfer capability<sup>4</sup> between

<sup>1</sup> Fiscal Responsibility Act of 2023, Public Law 118–5, 137 Stat 10, sec. 322 (2023).

<sup>2</sup> Federal Power Act (FPA) section 215 provides that the Commission may certify an Electric Reliability Organization, the purpose of which is to develop mandatory and enforceable Reliability Standards, subject to Commission review and approval. 16 U.S.C. 824o(c). The Commission subsequently certified NERC as the Electric Reliability Organization. *N. Am. Elec. Reliability Corp.*, 116 FERC ¶ 61,062, *order on reh’g and compliance*, 117 FERC ¶ 61,126 (2006), *aff’d sub nom. Alcoa, Inc. v. FERC*, 564 F.3d 1342 (D.C. Cir. 2009).

<sup>3</sup> Transmitting utility is defined in 16 U.S.C. 796 as “an entity (including an entity described in section 824(f) of [title 16]) that owns, operates, or controls facilities used for the transmission of electric energy—(A) in interstate commerce; (B) for the sale of electric energy at wholesale.”

<sup>4</sup> 18 CFR 37.6(b)(1)(vi) (2024).

<sup>1</sup> 18 CFR 385.2001–2005 (2024).

transmission planning regions. The Fiscal Responsibility Act requires the ITC Study to include:

(1) Current total transfer capability between each pair of neighboring transmission planning regions.

(2) A recommendation of prudent additions to total transfer capability between each pair of neighboring transmission planning regions that would demonstrably strengthen reliability within and among such neighboring transmission planning regions.

(3) Recommendations to meet and maintain total transfer capability together with such recommended prudent additions to total transfer capability between each pair of neighboring transmission planning regions.

The Fiscal Responsibility Act requires NERC to submit the ITC Study to the Commission no later than 18 months after the date of enactment of the Act (*i.e.*, by December 2, 2024). After the ITC Study is submitted to the Commission, the Commission must publish the study for public comment and, no later than 12 months after the end of the public comment period, submit a report on its conclusions to Congress and include recommendations, if any, for statutory changes.<sup>5</sup>

Comments may be filed electronically via the internet.<sup>6</sup> Instructions are available on the Commission's website <https://www.ferc.gov/docs-filing/efiling.asp>. For assistance, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll free at 1-866-208-3676, or for TTY, (202) 502-8659. Although the Commission strongly encourages electronic filing, documents may also be paper-filed. To paper-file, submissions sent via the U.S. Postal Service must be addressed to: Federal Energy Regulatory Commission, Office of the Secretary, 888 First Street NE, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Federal Energy Regulatory Commission, Office of the Secretary, 12225 Wilkins Avenue, Rockville, Maryland 20852.

For more information about this Notice, please contact Jessica L. Cockrell at [jessica.cockrell@ferc.gov](mailto:jessica.cockrell@ferc.gov) or 202-502-8190. For legal information, please contact Gonzalo E. Rodriguez at [gonzalo.rodriguez@ferc.gov](mailto:gonzalo.rodriguez@ferc.gov) or 202-502-8568.

Dated: November 25, 2024.

**Debbie-Anne A. Reese,**

*Secretary.*

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPPT-2021-0254; FRL-9347-07-OCSPP]

### Asbestos Part 2 Supplemental Evaluation Including Legacy Uses and Associated Disposals; Risk Evaluation Under the Toxic Substances Control Act (TSCA); Notice of Availability

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

**ACTION:** Notice.

**SUMMARY:** The Environmental Protection Agency (EPA or Agency) is announcing the availability of the final supplemental risk evaluation under the under the Toxic Substances Control Act (TSCA) for asbestos Part 2: addressing legacy uses and associated disposal. The purpose of risk evaluations under TSCA is to determine whether a chemical substance presents an unreasonable risk of injury to health or the environment, without consideration of costs or non-risk factors, including unreasonable risk to potentially exposed or susceptible subpopulations identified as relevant to the risk evaluation by EPA, under the conditions of use. For the part 2 supplemental risk evaluation, the Agency evaluated legacy uses and associated disposals of asbestos including chrysotile asbestos, five additional fiber types, conditions of use for asbestos-containing talc that are subject to TSCA, and Libby asbestos. EPA used the best available science to prepare this final supplemental risk evaluation and determined, based on the weight of scientific evidence, that asbestos poses unreasonable risk to human health. Under TSCA, EPA must initiate risk management actions to address the unreasonable risk.

**ADDRESSES:** The docket for this action, identified by docket identification (ID) number EPA-EPA-HQ-OPPT-2021-0254, is available online at <https://www.regulations.gov>. Additional information about dockets generally, along with instructions for visiting the docket in-person, is available at <https://www.epa.gov/dockets>.

#### FOR FURTHER INFORMATION CONTACT:

For technical information: Peter Gimlin, Existing Chemicals Risk Management Division (7404M), Office of Pollution Prevention and Toxics,

Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460-0001; telephone number: (202) 566-0515; email address: [gimlin.peter@epa.gov](mailto:gimlin.peter@epa.gov).

For general information: The TSCA-Hotline, ABVI-Goodwill, 422 South Clinton Ave., Rochester, NY 14620; telephone number: (202) 554-1404; email address: [TSCA-Hotline@epa.gov](mailto:TSCA-Hotline@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Executive Summary

###### A. Does this action apply to me?

This action is directed to the public in general and may be of particular interest to those involved in the manufacture, processing, distribution, use, and disposal of asbestos-containing materials (ACMs), including construction professionals and individuals completing do-it-yourself (DIY) activities in buildings with ACMs, related industry trade organizations, non-governmental organizations with an interest in human and environmental health, state and local governments, Tribal Nations, and/or those interested in the assessment of risks involving chemical substances and mixtures regulated under TSCA. As such, the Agency has not attempted to describe all the specific entities that this action might apply to. If you need help determining applicability, consult the technical contact listed under **FOR FURTHER INFORMATION CONTACT**.

###### B. What is the Agency's authority for taking this action?

TSCA section 6, 15 U.S.C. 2605, requires the Agency to conduct risk evaluations on chemical substances and identifies the minimum components EPA must include in all chemical substance risk evaluations. Each risk evaluation must be conducted consistent with the best available science, be based on the weight of scientific evidence, and consider reasonably available information per 15 U.S.C. 2625(h), (i), and (k). See also the implementing procedural regulations at 40 CFR part 702.

###### C. What action is the Agency taking?

EPA is announcing the availability of the final supplemental risk evaluation for asbestos legacy uses and associated disposals of Asbestos (also referred to as the Asbestos Part 2 Risk Evaluation) (Ref. 1). The purpose of risk evaluations under TSCA is to determine whether a chemical substance presents an unreasonable risk of injury to health or the environment, without consideration of costs or non-risk factors, including unreasonable risk to potentially exposed

<sup>5</sup> Fiscal Responsibility Act of 2023, Public Law 118-5, 137 Stat 10, sec. 322 (2023).

<sup>6</sup> See 18 CFR 385.2001(a)(1)(iii) (2024).