

information, call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Dated: May 25, 2023.

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

[FR Doc. 2023-11639 Filed 5-31-23; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 739-034]

#### Appalachian Power Company; Notice of Application Accepted for Filing and Soliciting Comments, Motions to Intervene, and Protests

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

- a. *Application Type*: Revised Shoreline Management Plan (SMP).
- b. *Project No*: 739-034.
- c. *Date Filed*: November 15, 2022.
- d. *Applicant*: Appalachian Power Company.
- e. *Name of Project*: Claytor Hydroelectric Project.
- f. *Location*: Claytor Lake on the New River in Pulaski County, Virginia.
- g. *Filed Pursuant to*: Federal Power Act, 16 U.S.C. 791a-825r.
- h. *Applicant Contact*: Elizabeth Parcell, Appalachian Power Company, (540) 985-2441.
- i. *FERC Contact*: Mark Carter, (678) 245-3083, [mark.carter@ferc.gov](mailto:mark.carter@ferc.gov).
- j. *Deadline for filing comments, motions to intervene, and protests*: June 26, 2023.

The Commission strongly encourages electronic filing. Please file comments, motions to intervene, and protests using the Commission's eFiling system at <http://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 <http://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 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. The first page of any filing should include docket number P-739-034. Comments emailed to Commission staff are not considered part of the Commission record.

k. *Description of Request*: As a result of a required five-year review process, Appalachian Power Company filed a revised SMP for Claytor Lake. The revised SMP, developed in consultation with the various shoreline management stakeholders, proposes various editorial changes to the approved SMP as well as other minor changes to the shoreline classifications, including an appeals process, including a new Floating Enclosed Structure program, modifying certain requirements for shoreline uses (e.g., distance between structures, roof coverage, and increasing allowable dock size), etc.

l. *Locations of the Application*: This filing may be viewed on the Commission's website at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, call 1-866-208-3676 or email [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), for TTY, call (202) 502-8659. Agencies may obtain copies of the application directly from the applicant.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. *Comments, Protests, or Motions to Intervene*: Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214, respectively. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

o. *Filing and Service of Documents*: Any filing must (1) bear in all capital letters the title "COMMENTS", "PROTEST", or "MOTION TO INTERVENE" as applicable; (2) set forth in the heading the name of the applicant and the project number of the

application to which the filing responds; (3) furnish the name, address, and telephone number of the person commenting, protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, motions to intervene, or protests must set forth their evidentiary basis. Any filing made by an intervenor 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.

p. The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, environmental justice communities, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202)502-6595 or [OPP@ferc.gov](mailto:OPP@ferc.gov).

Dated: May 25, 2023.

**Kimberly D. Bose,**  
Secretary.

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-10974-01-R5]

#### Clean Air Act Operating Permit Program; Petition for Objection to State Operating Permits for Premcor Refining Group, Inc., Premcor Alsip Distribution Center, and ExxonMobil Pipeline Company, Des Plaines Terminal, Cook County, Illinois

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

**ACTION**: Notice of final Order on petition for objection to a Clean Air Act title V operating permit.

**SUMMARY**: The Environmental Protection Agency (EPA) Administrator signed an Order dated May 1, 2023, denying two petitions dated July 23, 2022 (the Premcor Petition) and November 14, 2022, (the ExxonMobil Petition), submitted by an anonymous petitioner, C23D32 (the Petitioner). The Petitions requested that EPA object to two Clean Air Act (CAA) title V operating permits issued by the Illinois Environmental Protection Agency (IEPA) to Premcor Refining Group's Alsip Distribution

Center (Premcor) and ExxonMobil Pipeline Company's Des Plaines Terminal (ExxonMobil), both located in Cook County, Illinois.

**ADDRESSES:** The final Order, the Petitions, and other supporting information are available for public inspection during normal business hours at the following address: Environmental Protection Agency, Region 5, Air and Radiation Division, 77 West Jackson Boulevard, Chicago, Illinois 60604. This facility is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding Federal holidays and facility closures due to COVID-19. We recommend that you contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section before visiting the Region 5 office. Additionally, the final Order and Petitions are available electronically at: <https://www.epa.gov/title-v-operating-permits/title-v-petition-database>.

**FOR FURTHER INFORMATION CONTACT:** Danny Marcus, Air Permits Section, Air Programs Branch (AR-18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 353-8781, [marcus.danny@epa.gov](mailto:marcus.danny@epa.gov).

**SUPPLEMENTARY INFORMATION:** Throughout this document whenever "we," "us," or "our" is used, we mean EPA.

The CAA affords EPA a 45-day period to review and object to, as appropriate, operating permits proposed by state permitting authorities under title V of the CAA. Section 505(b)(2) of the CAA authorizes any person to petition the EPA Administrator to object to a title V operating permit within 60 days after the expiration of EPA's 45-day review period if EPA has not objected on its own initiative. Petitions must be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided by the state, unless the petitioner demonstrates that it was impracticable to raise these issues during the comment period or unless the grounds for the issues arose after this period.

On July 23, 2022, EPA received the Premcor Petition from the Petitioner requesting that EPA object to IEPA's July 11, 2022, modification of Premcor's operating permit no. 96030063. The Premcor Petition alleges that IEPA's issuance of the permit modification was unlawful because IEPA improperly processed a significant change to testing requirements in Premcor's permit as a minor modification. The Petitioner structured the Premcor Petition into the following five "claims": (1) IEPA

relaxed testing requirements without public outreach, in violation of IEPA's environmental justice (EJ) practices and policies; (2) IEPA made changes to the permit based on a "secretive template"; (3) the "sheer amount of changes" that IEPA appears to have made to the permit is enough to show a public comment period was warranted; (4) IEPA made changes to title I construction permits that should have been considered a significant change to the permit; and (5) the permit modification allows the facility to delay testing, which is a violation of human rights and will result in "no testing ever being conducted" and no "demonstration of compliance."

On November 14, 2022, EPA received the ExxonMobil Petition from the Petitioner requesting that EPA object to IEPA's July 11, 2022, modification of ExxonMobil's operating permit no. 95060060. Similar to the Premcor Petition, the ExxonMobil Petition alleges that IEPA improperly processed a significant change to testing requirements in ExxonMobil's title V permit as a minor modification. The Petitioner structured the ExxonMobil Petition into the following two "claims": (1) IEPA violated its EJ practices and policies by relaxing a "critical air pollution control device test requirement" without conducting public outreach and failed to give the public an opportunity to comment on the "gross relaxation" of testing at the terminal; and (2) IEPA deleted testing requirements in violation of human rights.

On May 1, 2023, the EPA Administrator issued an Order denying both Petitions. The Order explains the basis for EPA's decision.

Sections 307(b) and 505(b)(2) of the CAA provide that a petitioner may request judicial review of those portions of an order that deny issues in a petition. Any petition for review of the Administrator's May 1, 2023, Order shall be filed in the United States Court of Appeals for the appropriate circuit no later than July 31, 2023.

*Authority:* 42 U.S.C. 7401 *et seq.*

Dated: May 25, 2023.

**Debra Shore,**

*Regional Administrator, Region 5.*

[FR Doc. 2023-11635 Filed 5-31-23; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2011-0374; FRL-10959-01-OCSPF]

### DCPA Registration Review; Draft Occupational and Residential Risk Assessment; Notice of Availability

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

**ACTION:** Notice.

**SUMMARY:** This notice announces the availability of EPA's draft human health occupational and residential risk assessment for the registration review of Dimethyl Tetrachloroterephthalate (DCPA) for the registered uses of DCPA and opens a public comment period on the assessment. The risk assessment is accompanied by several related documents, including an assessment of the benefits associated with the use of DCPA and a companion document to aid in interpretation of the risk assessment and provide an explanation of the approach being considered by EPA to address the potential risks.

**DATES:** Comments must be received on or before July 3, 2023.

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number EPA-HQ-OPP-2011-0374, through the *Federal eRulemaking Portal* at <https://www.regulations.gov>. Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Additional instructions on commenting and visiting the docket, along with more information about dockets generally, is available at <https://www.epa.gov/dockets>.

**FOR FURTHER INFORMATION CONTACT:** James Douglass, Chemical Review Manager, Pesticide Re-Evaluation Division (7508M), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460-0001; telephone number: (202) 566-2343; email address: [douglass.james@epa.gov](mailto:douglass.james@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. General Information

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

This action is directed to the public in general and may be of interest to a wide range of stakeholders including environmental, human health, farm worker, and agricultural advocates; the chemical industry; pesticide users; and members of the public interested in the sale, distribution, or use of pesticides. Since others also may be interested, the