

GOM. Information supporting the small numbers determinations is provided in Table 1.

TABLE 1—TAKE ANALYSIS

Species	Authorized take	Scaled take <sup>1</sup>	Abundance <sup>2</sup>	Percent abundance
Rice's whale .....	0	n/a	51	n/a
Sperm whale .....	0	n/a	2,207	n/a
<i>Kogia</i> spp. ....	0	n/a	4,373	n/a
Beaked whales .....	0	n/a	3,768	n/a
Rough-toothed dolphin .....	137	39.2	4,853	0.8
Bottlenose dolphin .....	4,756	1,364.9	176,108	0.8
Clymene dolphin .....	0	n/a	11,895	n/a
Atlantic spotted dolphin .....	1,685	n/a	74,785	n/a
Pantropical spotted dolphin .....	0	n/a	102,361	n/a
Spinner dolphin .....	0	n/a	25,114	n/a
Striped dolphin .....	0	n/a	5,229	n/a
Fraser's dolphin .....	<sup>3</sup> 1	0.2	1,665	0.0
Risso's dolphin .....	0	n/a	3,764	n/a
Melon-headed whale .....	0	n/a	7,003	n/a
Pygmy killer whale .....	0	n/a	2,126	n/a
False killer whale .....	<sup>3</sup> 5	1.3	3,204	0.0
Killer whale .....	0	n/a	267	n/a
Short-finned pilot whale .....	0	n/a	1,981	n/a

<sup>1</sup> Scalar ratios were applied to "Authorized Take" values as described at 86 FR 5322, 5404 (January 19, 2021) to derive scaled take numbers shown here.

<sup>2</sup> Best abundance estimate. For most taxa, the best abundance estimate for purposes of comparison with take estimates is considered here to be the model-predicted abundance (Roberts *et al.*, 2016). For those taxa where a density surface model predicting abundance by month was produced, the maximum mean seasonal abundance was used. For those taxa where abundance is not predicted by month, only mean annual abundance is available. For Rice's whale and the killer whale, the larger estimated SAR abundance estimate is used.

<sup>3</sup> Modeled exposure estimate less than assumed average group size (Maze-Foley and Mullin, 2006).

Based on the analysis contained herein of ExxonMobil's proposed survey activity described in its LOA application and the anticipated take of marine mammals, NMFS finds that small numbers of marine mammals will be taken relative to the affected species or stock sizes (*i.e.*, less than one-third of the best available abundance estimate) and therefore the taking is of no more than small numbers.

#### Authorization

NMFS has determined that the level of taking for this LOA request is consistent with the findings made for the total taking allowable under the incidental take regulations and that the amount of take authorized under the LOA is of no more than small numbers. Accordingly, we have issued an LOA to ExxonMobil authorizing the take of marine mammals incidental to its geophysical survey activity, as described above.

Dated: August 21, 2023.

**Kimberly Damon-Randall,**

*Director, Office of Protected Resources,  
National Marine Fisheries Service.*

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**BILLING CODE 3510-22-P**

#### DEPARTMENT OF COMMERCE

##### National Oceanic and Atmospheric Administration

[RTID 0648-XD271]

##### Pacific Fishery Management Council; Public Meetings

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice of public meetings.

**SUMMARY:** The Pacific Fishery Management Council (Pacific Council) and its advisory bodies will meet September 7–14, 2023 in Spokane, Washington and via webinar. The Council meeting will be live streamed with the opportunity to provide public comment remotely.

**DATES:** The Pacific Council meeting will begin on Saturday, September 9, 2023, at 9 a.m. Pacific Daylight Time (PDT), reconvening at 8 a.m. on Sunday, September 10 through Thursday, September 14, 2023. All meetings are open to the public, except for a Closed Session held from 8 a.m. to 9 a.m., Saturday, September 9, to address litigation and personnel matters. The Pacific Council will meet as late as necessary each day to complete its scheduled business.

**ADDRESSES:** Meetings of the Pacific Council and its advisory entities will be held at the Doubletree by Hilton Hotel Spokane City Center, 322 N Spokane Falls Court, Spokane, WA; telephone: (509) 455-9600. Specific meeting information, including directions on joining the meeting, connecting to the live stream broadcast, and system requirements will be provided in the meeting announcement on the Pacific Council's website (see [www.pcouncil.org](http://www.pcouncil.org)). You may send an email to Mr. Kris Kleinschmidt ([kris.kleinschmidt@noaa.gov](mailto:kris.kleinschmidt@noaa.gov)) or contact him at (503) 820-2412 for technical assistance.

**Council address:** Pacific Fishery Management Council, 7700 NE Ambassador Place, Suite 101, Portland, OR 97220-1384.

**FOR FURTHER INFORMATION CONTACT:** Mr. Merrick Burden, Executive Director, Pacific Council; telephone: (503) 820-2418 or (866) 806-7204 toll-free, or access the Pacific Council website, [www.pcouncil.org](http://www.pcouncil.org), for the proposed agenda and meeting briefing materials.

**SUPPLEMENTARY INFORMATION:** The September 7–14, 2023 meeting of the Pacific Council will be streamed live on the internet. The broadcasts begin initially at 9 a.m. PDT Saturday, September 9, 2023, and 8 a.m. PDT Sunday, September 10 through Thursday, September 14, 2023.

Broadcasts end when business for the day is complete. Only the audio portion and presentations displayed on the screen at the Pacific Council meeting will be broadcast. The audio portion for the public is listen-only except that an opportunity for oral public comment will be provided prior to Council Action on each agenda item. Additional information and instructions on joining or listening to the meeting can be found on the Pacific Council's website (see [www.pcouncil.org](http://www.pcouncil.org)).

The following items are on the Pacific Council agenda, but not necessarily in this order. Agenda items noted as "Final Action" refer to actions requiring the Council to transmit a proposed fishery management plan, proposed plan amendment, or proposed regulations to the U.S. Secretary of Commerce, under Sections 304 or 305 of the Magnuson-Stevens Fishery Conservation and Management Act. Additional detail on agenda items, Council action, and advisory entity meeting times, are described in Agenda Item A.3, Proposed Council Meeting Agenda, and will be in the advance September 2023 briefing materials and posted on the Pacific Council website at [www.pcouncil.org](http://www.pcouncil.org) no later than Friday, August 18, 2023.

#### A. Call to Order

1. Opening Remarks
2. Roll Call
3. Agenda
4. Executive Director's Report

#### B. Open Comment Period

1. Comments on Non-Agenda Items

#### C. Salmon Management

1. National Marine Fisheries Service Report
2. Methodology Review—Final Topic Selection
3. Fishery Management Plan (FMP) Amendment 24: Southern Resident Killer Whale Chinook Threshold Clarifications

#### D. Pacific Halibut Management

1. Preliminary Catch Sharing Plan and Regulations for Implementation in 2024 or Later

#### E. Habitat Issues

1. Current Habitat Issues

#### F. Ecosystem Management

1. Initiative 4: Ecosystem and Climate Information—Progress Report

#### G. Groundfish Management

1. National Marine Fisheries Service Report
2. Adopt Stock Assessments
3. Stock Assessment Methodology Review—Final Topics

4. Fixed Gear Marking and Entanglement Risk Reduction; Limited Entry and Follow On Actions
5. Cordell Bank Conservation Area Revisions—Scoping
6. Initial Harvest Specifications and Management Measures Actions for 2025–2026
7. Final Trawl Cost Project Phase 1 Report and Next Steps for the Trawl Catch Share and Allocation Reviews
8. Harvest Specifications Technical Corrections and Inseason Adjustments—Final Action

#### H. Administrative Matters

1. Chumash Heritage National Marine Sanctuary Designation
2. Great Farallones and Monterey Bay National Marine Sanctuaries Coral Restoration and Research Plan—Scoping
3. Marine Planning Update
4. Magnuson-Stevens Act Confidentiality Provisions—Proposed Rule (*Cancelled*)
5. National Marine Fisheries Service Geographic Strategic Plan and Regional Equity and Environmental Justice Implementation Plan
6. National Standards 4, 8, 9, Considerations and National Standard 1 Technical Guidance
7. Fiscal Matters
8. Approval of Council Meeting Record
9. Membership Appointments and Council Operating Procedures
10. Future Council Meeting Agenda and Workload Planning

#### I. Highly Migratory Species Management

1. National Marine Fisheries Service Report
2. International Management Activities
3. Exempted Fishing Permits—Final
4. Driftnet Modernization and Bycatch Reduction Act—Transition Update
5. Highly Migratory Species Essential Fish Habitat (EFH) Amendment—Preliminary

#### Advisory Body Agendas

Advisory body agendas will include discussions of relevant issues that are on the Pacific Council agenda for this meeting and may also include issues that may be relevant to future Council meetings. Proposed advisory body agendas for this meeting will be available on the Pacific Council website, [www.pcouncil.org](http://www.pcouncil.org), no later than Friday, August 18, 2023 by the end of the business day.

#### Schedule of Ancillary Meetings

*Day 1—Thursday, September 7, 2023*

Groundfish Subcommittee Scientific and Statistical Committee—1 p.m.

*Day 2—Friday, September 8, 2023*

Equity and Environmental Justice Committee—8 a.m.

Groundfish Advisory Subpanel—8 a.m.

Groundfish Management Team—8 a.m.

Habitat Committee—8 a.m.

Salmon Advisory Subpanel—8 a.m.

Scientific and Statistical Committee—8 a.m.

Budget Committee—1 p.m.

Enforcement Consultants—2 p.m.

*Day 3—Saturday, September 9, 2023*

California State Delegation—7 a.m.

Oregon State Delegation—7 a.m.

Washington State Delegation—7 a.m.

Ecosystem Advisory Subpanel—8 a.m.

Groundfish Advisory Subpanel—8 a.m.

Groundfish Management Team—8 a.m.

Habitat Committee—8 a.m.

Scientific and Statistical Committee—8 a.m.

Enforcement Consultants—As Necessary

*Day 4—Sunday, September 10, 2023*

California State Delegation—7 a.m.

Oregon State Delegation—7 a.m.

Washington State Delegation—7 a.m.

Groundfish Advisory Subpanel—8 a.m.

Groundfish Management Team—8 a.m.

Highly Migratory Species Advisory Subpanel—8 a.m.

Highly Migratory Species Management Team—8 a.m.

Enforcement Consultants—As Necessary

*Day 5—Monday, September 11, 2023*

California State Delegation—7 a.m.

Oregon State Delegation—7 a.m.

Washington State Delegation—7 a.m.

Groundfish Advisory Subpanel—8 a.m.

Groundfish Management Team—8 a.m.

Highly Migratory Species Advisory Subpanel—8 a.m.

Highly Migratory Species Management Team—8 a.m.

Enforcement Consultants—As Necessary

*Day 6—Tuesday, September 12, 2023*

California State Delegation—7 a.m.

Oregon State Delegation—7 a.m.

Washington State Delegation—7 a.m.

Groundfish Advisory Subpanel—8 a.m.

Groundfish Management Team—8 a.m.

Highly Migratory Species Advisory Subpanel—8 a.m.

Highly Migratory Species Management Team—8 a.m.

Enforcement Consultants—As Necessary

*Day 7—Wednesday, September 13, 2023*

California State Delegation—7 a.m.

Oregon State Delegation—7 a.m.

Washington State Delegation—7 a.m.  
 Highly Migratory Species Advisory  
 Subpanel—8 a.m.  
 Highly Migratory Species Management  
 Team—8 a.m.  
 Enforcement Consultants—As Necessary

*Day 8—Thursday, September 14, 2023*

California State Delegation—7 a.m.  
 Oregon State Delegation—7 a.m.  
 Washington State Delegation—7 a.m.

Although non-emergency issues not contained in the meeting agenda may be discussed, those issues may not be the subject of formal action during these meetings. Action will be restricted to those issues specifically listed in this document and any issues arising after publication of this document that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the intent to take final action to address the emergency.

### Special Accommodations

Requests for sign language interpretation or other auxiliary aids should be directed to Mr. Kris Kleinschmidt ([kris.kleinschmidt@noaa.gov](mailto:kris.kleinschmidt@noaa.gov); (503) 820-2412) at least 10 business days prior to the meeting date.

*Authority:* 16 U.S.C. 1801 *et seq.*

Dated: August 18, 2023.

**Rey Israel Marquez,**

*Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. 2023-18195 Filed 8-23-23; 8:45 am]

**BILLING CODE 3510-22-P**

## CONSUMER PRODUCT SAFETY COMMISSION

[Docket No. CPSC-2023-0032]

### Notice of Availability: Proposed Supplemental Guidance for CPSC Chronic Hazard Guidelines

**AGENCY:** U.S. Consumer Product Safety Commission.

**ACTION:** Notice of availability and request for comment.

**SUMMARY:** The Consumer Product Safety Commission (Commission or CPSC) is announcing the availability of proposed supplemental guidance for its Chronic Hazard Guidelines. The supplements are draft supplemental guidance for the use of benchmark dose methodology in risk assessment, and draft supplemental guidance for the analysis of uncertainty and variability in risk assessment. The Commission requests comments from the public on the proposed supplemental guidance.

**DATES:** Submit comments by October 23, 2023.

**ADDRESSES:** You can submit comments, identified by Docket No. CPSC-2023-0032 by any of the following methods:

*Electronic Submissions:* Submit electronic comments to the Federal eRulemaking Portal at [www.regulations.gov](http://www.regulations.gov). Follow the instructions for submitting comments. Do not submit through this website: confidential business information, trade secret information, or other sensitive or protected information that you do not want to be available to the public. CPSC typically does not accept comments submitted by electronic mail (email), except as described below.

*Mail/Hand Delivery/Courier/Confidential Written Submissions:* CPSC encourages you to submit electronic comments by using the Federal eRulemaking Portal. You may, however, submit comments by mail, hand delivery, or courier to: Office of the Secretary, Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814; telephone: (301) 504-7479.

*Instructions:* All submissions must include the agency name and docket number. CPSC may post all comments without change, including any personal identifiers, contact information, or other personal information provided to [www.regulations.gov](http://www.regulations.gov). If you wish to submit confidential business information, trade secret information, or other sensitive or protected information that you do not want to be available to the public, you may submit such comments by mail, hand delivery, or courier, or you may email them to: [cpsc-os@cpsc.gov](mailto:cpsc-os@cpsc.gov).

*Docket:* For access to the docket to read background documents or comments received, go to [www.regulations.gov](http://www.regulations.gov), and insert the docket number, CPSC-2023-0032 into the “Search” box, and follow the prompts. The proposed supplemental guidance is available under “Supporting and Related Material.” It is also available on the Commission’s website at: [https://www.cpsc.gov/Newsroom/FOIA/ReportList?month=07&year=2023&nfr\\_type=commission&title,](https://www.cpsc.gov/Newsroom/FOIA/ReportList?month=07&year=2023&nfr_type=commission&title,) and from the Commission’s Office of the Secretary.

**FOR FURTHER INFORMATION CONTACT:** Eric Hooker, Directorate for Health Sciences, U.S. Consumer Product Safety Commission, 5 Research Place, Rockville, MD 20850; telephone: (301) 987-2516; email: [ehooker@cpsc.gov](mailto:ehooker@cpsc.gov).

**SUPPLEMENTARY INFORMATION:**

### A. Background

In 1992 the Commission issued guidelines for assessing chronic hazards under the Federal Hazardous Substances Act (FHSA), including carcinogenicity, neurotoxicity, reproductive/developmental toxicity, exposure, bioavailability, risk assessment, and acceptable risk.

Determining whether a product is or contains a hazardous substance involves scientific analysis, legal interpretation, and the application of policy judgment. The Guidelines are intended to assist firms in identifying products that present chronic hazards, to meet their labeling obligations under the FHSA and the Labeling of Hazardous Art Materials Act (LHAMA). They are not binding on industry or the Commission. Indeed, chronic toxicity may be established in various ways. The Commission may determine that a product is a hazardous substance due to a chronic hazard based on any evidence that is relevant and material to such a determination.

For example, peer-reviewed scientific studies by third parties and toxicity assessments from CPSC’s peer agencies may be relevant and material evidence to establish chronic toxicity and that a substance is a “hazardous substance” under the FHSA. Likewise, evidence from third parties may be useful to determine chronic toxicity. For instance, third party studies may indicate that chronic adverse health effects are associated with foreseeable levels of consumer exposure, allowing the Commission to conclude that the FHSA’s criteria for a “hazardous substance” are satisfied. Other cases, however, may require CPSC to undertake original research to fill gaps in knowledge.

In addition, while the Guidelines describe certain toxic endpoints, they do not limit the toxic endpoints the Commission may consider. The Commission may consider all forms of personal injury or illness as potential toxic endpoints.

The chronic hazard guidelines, which should be understood as a set of best practices, are not mandatory for the Commission or for stakeholders. The guidelines describe methods that CPSC staff may use to assess chronic hazards under the FHSA. Furthermore, the guidelines are intended to be sufficiently flexible to incorporate the latest scientific information, such as advances in risk assessment methodology. Risk assessors may deviate from the default assumptions described in the guidelines, provided that their methods and assumptions are