

approximately 1,760 feet above mean sea level (msl) created through construction of new roller-compacted concrete or rock-filled dams and/or dikes; (2) excavating a new lower reservoir with a surface area of 131 acres and a total storage capacity of 5,040 acre-feet at a surface elevation of 1,099 feet msl; (3) a new 900-foot-long, 48-inch-diameter penstock connecting the upper reservoirs; (4) a new 3,387-foot-long, 48-inch-diameter penstock connecting the upper and lower reservoirs; (5) a new 150-foot-long, 50-foot-wide powerhouse containing two turbine-generator units with a total rated capacity of 300 megawatts; (6) a new transmission line connecting the powerhouse to a nearby electric grid interconnection point with options to evaluate multiple grid interconnection locations; and (7) appurtenant facilities. Possible initial fill water and make-up water would come from Catawissa Creek. The proposed project would have an annual generation of 867,187 megawatt-hours.

*Applicant Contact:* Adam Rousselle, Merchant Hydro Developers, LLC, 5710 Oak Crest Drive, Doylestown, PA 18902; phone: (267) 254-6107.

*FERC Contact:* Tim Looney; phone: (202) 502-6096.

Deadline for filing comments, motions to intervene, competing applications (without notices of intent), or notices of intent to file competing applications: 60 days from the issuance of this notice. Competing applications and notices of intent must meet the requirements of 18 CFR 4.36.

The Commission strongly encourages electronic filing. Please file comments, motions to intervene, notices of intent, and competing applications 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, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426. The first page of any filing should include docket number P-14807-000.

More information about this project, including a copy of the application, can be viewed or printed on the "eLibrary" link of the Commission's Web site at <http://www.ferc.gov/docs-filing/elibrary.asp>. Enter the docket number

(P-14807) in the docket number field to access the document. For assistance, contact FERC Online Support.

Dated: February 14, 2017.

**Kimberly D. Bose,**  
*Secretary.*

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPPT-2017-0026; FRL-9959-39]

### Statutory Requirements for Substantiation of Confidential Business Information (CBI) Claims Under the Toxic Substances Control Act (TSCA); Delay of Effective Date

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

**ACTION:** Delay of effective date.

**SUMMARY:** In accordance with the Presidential directive as expressed in the memorandum of January 20, 2017, from the Assistant to the President and Chief of Staff, entitled "Regulatory Freeze Pending Review", this action delays until March 21, 2017, the effective date of the **Federal Register** Notice entitled "Statutory Requirements for Substantiation of Confidential Business Information (CBI) Claims Under the Toxic Substances Control Act (TSCA)", published in the **Federal Register** on January 19, 2017 (82 FR 6522, FRL-9958-34).

**DATES:** This action is effective February 21, 2017. The effective date of the **Federal Register** Notice entitled "Statutory Requirements for Substantiation of Confidential Business Information (CBI) Claims Under the Toxic Substances Control Act (TSCA)", published in the **Federal Register** on January 19, 2017 (82 FR 6522, FRL-9958-34), is delayed from March 20, 2017 to a new effective date of March 21, 2017.

**FOR FURTHER INFORMATION CONTACT:** Scott M. Sherlock, Attorney Advisor, Environmental Assistance Division, Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460-0001; telephone number: (202) 564-8257; email address: [sherlock.scott@epa.gov](mailto:sherlock.scott@epa.gov).

**SUPPLEMENTARY INFORMATION:** EPA bases this action on the Presidential directive as expressed in the memorandum of January 20, 2017, from the Assistant to the President and Chief of Staff, entitled "Regulatory Freeze Pending Review". That memorandum directed the heads

of Executive Departments and Agencies to temporarily postpone for sixty days from the date of the memorandum the effective dates of all regulations (defined in the January 20, 2017 memorandum to include "an interpretation of a statutory or regulatory issue") that had been published in the **Federal Register** but had not yet taken effect. The **Federal Register** Notice entitled "Statutory Requirements for Substantiation of Confidential Business Information (CBI) Claims Under the Toxic Substances Control Act (TSCA)" is subject to the effective date delay. The new effective date for this action is March 21, 2017.

If deemed appropriate, EPA may consider delaying the effective date of this action beyond March 21, 2017.

*Authority:* 15 U.S.C. 2601 *et seq.*

Dated: February 13, 2017.

**Wendy Cleland-Hamnett,**  
*Acting Assistant Administrator, Office of Chemical Safety and Pollution Prevention.*

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9959-09-Region 10]

### Washington State Department of Ecology Prohibition of Discharges of Vessel Sewage; Final Affirmative Determination

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

**ACTION:** Notice of determination.

**SUMMARY:** The Regional Administrator of the Environmental Protection Agency, Region 10, has determined that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for all marine waters of Washington State inward from the line between New Dungeness Lighthouse and the Discovery Island Lighthouse to the Canadian border, and fresh waters of Lake Washington, Lake Union, and connecting waters between and to Puget Sound. This notice constitutes EPA's final determination on the petition submitted by the Washington State Department of Ecology on July 21, 2016, pursuant to Section 312(f)(3) of the Clean Water Act, 33 U.S.C. 1322, for a determination that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for the waters of Puget Sound. This determination does not itself constitute the designation of a no-discharge zone, rather, the State of Washington may now in its discretion