

revise the project boundary around the impoundment to follow a contour elevation of 711.6 NGVD 29, which would result in a reduction in the total acreage of the project boundary upstream of the dam from 76.5 to 41.2 acres; (2) revise the project boundary downstream of the dam to remove approximately 38.8 acres of land north of the access road to the powerhouse and non-project substation and approximately 12 acres of land northeast of the powerhouse; and (3) revise the project boundary downstream of the dam to include approximately 0.3 acre of land associated with a non-project substation, approximately 0.6 acre of land associated with an access road, approximately 1.3 acres of water downstream of the project, and approximately 0.3 acre east of the south earthen embankment.

The applicant proposes to: (1) continue to operate the project in a run-of-river mode to protect aquatic resources; (2) continue to maintain the impoundment elevation between 710.4 and 711.6 feet NGVD 29; (3) continue to release a minimum flow of 16 cfs or inflow, whichever is less, to the bypassed reach at all times; (4) develop an operation compliance monitoring plan; (5) consult with resource agencies and the Bad River Band of Lake Superior Tribe of Chippewa Indians

prior to temporary modifications of project operation, including non-emergency impoundment drawdowns, and file a report with the Commission within 14 days after the planned deviation; (6) conduct shoreline erosion surveys every ten years; (7) develop an invasive species monitoring plan; (8) pass woody debris from the impoundment to the bypassed reach; (9) replace recreational signage; (10) maintain project recreation facilities; (11) implement the State of Wisconsin's broad incidental take permits/authorizations for Wisconsin cave bats and wood turtles; (12) avoid vegetation management and construction activities within 660 feet of bald eagle nests during the nesting season; and (13) develop a historic properties management plan.

o. At this time, the Commission has suspended access to the Commission's Public Reference Room. Copies of the application can be viewed on the Commission's website at <https://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 (P-2444). In addition to publishing the full text of this notice in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this notice, as well

as other documents in the proceeding (e.g., license application) via the internet through the Commission's Home Page (<http://www.ferc.gov>) using the "eLibrary" link. For assistance, contact FERC at FERCOnlineSupport@ferc.gov or call toll-free, (866) 208-3676 or (202) 502-8659 (TTY).

You may also register online at <https://ferconline.ferc.gov/FERCOnline.aspx> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

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.

q. *Procedural Schedule:* The application will be processed according to the following preliminary schedule. Revisions to the schedule will be made as appropriate.

Issue Deficiency Letter	August 2023.
Request Additional Information	August 2023.
Issue Scoping Document 1	November 2023.
Request Additional Information (if necessary)	November 2023.
Issue Acceptance Letter	December 2023.
Issue Scoping Document 2	January 2024.
Issue Notice of Ready for Environmental Analysis	January 2024.

r. Final amendments to the application must be filed with the Commission no later than 30 days from the issuance date of the notice of ready for environmental analysis.

Dated: August 4, 2023.

Kimberly D. Bose,
Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2336-101]

Georgia Power Company; Notice of Waiver of Water Quality Certification

On January 3, 2022, Georgia Power Company (Georgia Power) filed an

application for a new license for the Lloyd Shoals Hydroelectric Project (project) in the above captioned docket. On June 24, 2022, Georgia Power filed with the Georgia Department of Natural Resources, Environmental Protection Division (Georgia EPD), a request for water quality certification for the project under section 401(a)(1) of the Clean Water Act.

On July 19, 2022, staff provided the certifying authority with written notice pursuant to 40 CFR 121.6(b) that the applicable reasonable period of time for the state to act on the certification request was one (1) year from the date of receipt of the request, and that the certification requirement for the license would be waived if the certifying authority failed to act by June 24, 2023. Because the state did not act by June 24, 2023, we are notifying you pursuant to 40 CFR 121.9(c), and section 401(a)(1) of

the Clean Water Act, 33 U.S.C. 1341(a)(1), that waiver of the certification requirement has occurred.

Dated: August 4, 2023.

Kimberly D. Bose,
Secretary.

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ENVIRONMENTAL PROTECTION AGENCY

[EPA-R08-SFUND-2023-0366; FRL-11165-01-R8]

Proposed CERCLA Administrative Cashout Settlement for Peripheral Parties, Colorado Smelter Site, Pueblo, Colorado

AGENCY: Environmental Protection Agency (EPA).