

specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: <http://www.ferc.gov/docs-filing/efiling/filing-req.pdf>. For other information, call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, contact the Office of Public Participation at (202) 502-6595 or [OPP@ferc.gov](mailto:OPP@ferc.gov).

Dated: April 21, 2026.

**Carlos D. Clay,**

*Deputy Secretary.*

[FR Doc. 2026-08004 Filed 4-23-26; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 2842-047]

#### City of Idaho Falls, Idaho; Notice of Application for a License Variance Accepted for Filing, 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:* Temporary variance of minimum bypass flow.

b. *Project No:* 2842-047.

c. *Date Filed:* February 13, 2026.

d. *Applicant:* City of Idaho Falls, Idaho.

e. *Name of Project:* Idaho Falls Hydroelectric Project.

f. *Location:* The project is located on the Snake River in Bonneville County, Idaho, and occupies federal lands administered by the Bureau of Land Management.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791a-825r.

h. *Applicant Contact:* Richard Malloy, 140 South Capital, Idaho Falls, Idaho 83402, [rmalloy@ifpower.org](mailto:rmalloy@ifpower.org).

i. *FERC Contact:* Brian Bartos, (202) 502-6679, [brian.bartos@ferc.gov](mailto:brian.bartos@ferc.gov).

j. *Cooperating agencies:* With this notice, the Commission is inviting federal, state, local, and Tribal agencies with jurisdiction and/or special expertise with respect to environmental issues affected by the proposal, that wish to cooperate in the preparation of

any environmental document, if applicable, to follow the instructions for filing such requests described in item k below. Cooperating agencies should note the Commission's policy that agencies that cooperate in the preparation of any environmental document cannot also intervene. See 94 FERC ¶ 61,076 (2001).

k. *Deadline for filing comments, motions to intervene, and protests:* May 21, 2026, 5:00 p.m. Eastern Time.

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>. 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: 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. The first page of any filing should include the docket number P-2842-047. Comments emailed to Commission staff are not considered part of the Commission record.

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person whose name appears on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

l. *Description of Request:* The licensee is requesting a temporary variance of the required minimum flow to the bypassed reach at the Upper Development Dam #1 under Article 40 of the project license, for the construction of a cofferdam to facilitate in-kind maintenance activities on the pelican gates. This request is similar in its scope and timeframe to the licensee's prior request, filed December 2, 2024, supplemented on February 7, 2025, that it withdrew due to delays obtaining local permits and approvals.

The variance would entail cessation of the required minimum flows to the bypass reach, of which approximately 500 feet would be dewatered from approximately August through December 2026. This variance should allow adequate time for cofferdam construction, dewatering, and inspection and repair of the gates. The licensee has reinitiated consultation with the resource/permitting agencies, Tribes, and stakeholders for the work, including consultation for cultural resources. The licensee consulted with Idaho Fish and Game to survey the dewatered reach to capture and relocate any stranded fish and place gravel in the dewatered bypass reach for fisheries spawning restoration and enhancement. The licensee would perform the proposed work using best management practices to protect water quality and prevent erosion of project lands or sedimentation of project waters.

m. *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.

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

o. *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.

p. *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; and (3) 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.

q. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, contact the Office of Public Participation at (202) 502-6595 or *OPP@ferc.gov*.

(Authority: 18 CFR 2.1)

Dated: April 21, 2026.

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

[FR Doc. 2026-08089 Filed 4-23-26; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 4349-033]

#### EONY Generation Limited; Notice of Availability of Environmental Assessment

In accordance with the National Environmental Policy Act of 1969 and the Federal Energy Regulatory Commission's (Commission) regulations, 18 CFR part 380, the Office of Energy Projects has reviewed the application for a new license to continue to operate and maintain the Moose River Hydroelectric Project No. 4349 (project). The project is located on the Moose River in Lewis County, New York. Commission staff has prepared an Environmental Assessment (EA) for the project.<sup>1</sup>

The EA contains staff's analysis of the potential environmental impacts of the project and concludes that licensing the project, with appropriate environmental protective measures, would not constitute a major federal action that would significantly affect the quality of the human environment. The Commission provides all interested persons with an opportunity to view and/or print the EA via the internet through the Commission's Home Page (<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. For assistance, contact FERC Online Support at *FERCOnlineSupport@ferc.gov*, or at (866) 208-3676 (toll-free), 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.

Any comments should be filed on or before 5:00 p.m. Eastern Time on May 21, 2026.

The Commission strongly encourages electronic filing. Please file comments using the Commission's eFiling system at <https://ferconline.ferc.gov/FERCOnline.aspx>. Commenters can submit brief comments up to 10,000 characters, without prior registration, using the eComment system at: <https://ferconline.ferc.gov/QuickComment.aspx>. For assistance, please contact FERC Online Support. In lieu of electronic filing, you may submit 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, Maryland 20852. The first page of any filing should include docket number P-4349-033.

For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, contact the Office of Public Participation at (202) 502-6595 or *OPP@ferc.gov*.

For further information, contact Kelly Wolcott by telephone at (202) 502-6480 or by email at *kelly.wolcott@ferc.gov*.

(Authority: 18 CFR 2.1)

Dated: April 21, 2026.

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

[FR Doc. 2026-08090 Filed 4-23-26; 8:45 am]

**BILLING CODE 6717-01-P**

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OLEM-2026-0232; FRL-12771-01-OLEM]

### Response to Petition To Change Regulation of Phosphogypsum Under RCRA

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

**ACTION:** Petition response.

**SUMMARY:** The Environmental Protection Agency (EPA) is responding to a rulemaking petition from the Center for Biological Diversity (CBD) and People for Protecting Peace River, on behalf of a consortium of non-profit groups. The EPA has been petitioned to promulgate rules that reverse the EPA 1991 Bevill regulatory determination excluding phosphogypsum and phosphoric acid production process wastewater from Resource Conservation and Recovery Act (RCRA) Subtitle C hazardous waste regulations; and govern the safe treatment, storage and disposal of phosphogypsum and process wastewater as hazardous wastes under RCRA Subtitle C. After careful consideration, the EPA is proposing to deny the petition for the reasons discussed in this document. The EPA is also soliciting public comment on this proposed denial.

**DATES:** Comments must be received on or before May 26, 2026.

**ADDRESSES:** You may send comments, identified by Docket ID No. EPA-HQ-OLEM-2026-0232, by any of the following methods:

- **Federal eRulemaking Portal:** <https://www.regulations.gov/> (our preferred method). Follow the online instructions for submitting comments.
- **Mail:** U.S. Environmental Protection Agency, EPA Docket Center, Office of Land and Emergency Management Docket, Mail Code 28221T, 1200 Pennsylvania Avenue NW, Washington, DC 20460.
- **Hand Delivery or Courier:** EPA Docket Center, WJC West Building, Room 3334, 1301 Constitution Avenue NW, Washington, DC 20004. The Docket Center's hours of operations are 8:30 a.m.-4:30 p.m., Monday-Friday (except Federal Holidays).

**Instructions:** All submissions received must include the Docket ID No. for this rulemaking. Comments received may be posted without change to <https://www.regulations.gov/>, including any personal information provided. For detailed instructions on sending comments and additional information on the rulemaking process, see the

<sup>1</sup> For tracking purposes under the National Environmental Policy Act, the unique identification number for documents relating to this environmental review is EAXX-019-20-000-1746098364.