

Filed Date: 7/31/26.

Accession Number: 20260731–5178.

Comment Date: 5 p.m. ET 8/21/26.

Docket Numbers: ER26–3376–000.

Applicants: PGR 2022 Lessee 9, LLC.

Description: 205(d) Rate Filing:

Revised Market-Based Rate Tariff to be effective 8/1/2026.

Filed Date: 7/31/26.

Accession Number: 20260731–5182.

Comment Date: 5 p.m. ET 8/21/26.

Docket Numbers: ER26–3377–000.

Applicants: Duke Energy Florida, LLC, Duke Energy Carolinas, LLC.

Description: 205(d) Rate Filing: Duke Energy Carolinas, LLC submits tariff filing per 35.13(a)(2)(iii): DEF—Surplus Interconnection Service Revisions to Attachment J to Joint OATT to be effective 10/1/2026.

Filed Date: 7/31/26.

Accession Number: 20260731–5184.

Comment Date: 5 p.m. ET 8/21/26.

Docket Numbers: ER26–3378–000.

Applicants: Duke Energy Progress, LLC, Duke Energy Carolinas, LLC.

Description: 205(d) Rate Filing: Duke Energy Carolinas, LLC submits tariff filing per 35.13(a)(2)(iii): DEC DEP Surplus Interconnection Service Revisions to Attachment K to Joint OATT to be effective 10/1/2026.

Filed Date: 7/31/26.

Accession Number: 20260731–5194.

Comment Date: 5 p.m. ET 8/21/26.

Docket Numbers: ER26–3379–000.

Applicants: ISO New England Inc., New England Power Pool Participants Committee.

Description: 205(d) Rate Filing: ISO New England Inc. submits tariff filing per 35.13(a)(2)(iii): ISO–NE/NEPOOL; Revisions to Charge System-Backed Exports to be effective 10/1/2026.

Filed Date: 7/31/26.

Accession Number: 20260731–5213.

Comment Date: 5 p.m. ET 8/21/26.

The filings are accessible in the Commission's eLibrary system (<https://elibrary.ferc.gov/idmws/search/fercgensearch.asp>) by querying the docket number.

Any person desiring to intervene, to protest, or to answer a complaint in any of the above proceedings must file in accordance with Rules 211, 214, or 206 of the Commission's Regulations (18 CFR 385.211, 385.214, or 385.206) on or before 5:00 p.m. Eastern time on the 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.

Dated: July 31, 2026.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2026–15888 Filed 8–4–26; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2722–023; Project No. 15373–000]

PacifiCorp; Notice of Intent To Prepare an Environmental Assessment

On September 10, 2024, PacifiCorp filed an application seeking an exemption from the licensing requirements of Part 1 of the Federal Power Act (conduit exemption, Pioneer Project No. 15373), and an administrative surrender of the license for the Pioneer Project No. 2722. The project is located along the Ogden Canyon Conduit, near Ogden, in Weber County, Utah, and occupies federal lands within the Uinta-Wasatch-Cache National Forest managed by the U.S. Forest Service.

PacifiCorp's application seeks a conduit exemption for the hydropower project currently licensed as the Pioneer Project No. 597, and an administrative surrender of the project's license. The proposal does not involve any construction, modification, deconstruction, or ground disturbance. PacifiCorp would continue operating the project as it currently does; however, certain currently licensed facilities would be administratively removed from the Commission's jurisdiction as part of the license surrender (*i.e.*, an intake structure; a 75-inch-diameter, 5.5-mile-long flowline (Ogden Canyon Conduit); a 27-foot-high by 35-foot-diameter surge tank; a 6-foot-diameter, 4,564-foot-long steel penstock; a 3,000-foot-long tailrace canal; and other appurtenances). Other facilities would remain under the Commission's jurisdiction as part of the conduit exemption (*i.e.*, a powerhouse containing two generating units with an installed capacity of 5 megawatts and appurtenances).

On May 19, 2025, Commission staff issued public notice of the application and established deadlines for filing comments, motions to intervene, and protests by July 18, 2025, and reply comments by September 2, 2025. On July 1, 2025, the Forest Service filed a notice of intervention.

This notice identifies Commission staff's intention to prepare an environmental assessment (EA) under the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*) for the project.¹ Commission staff plans to issue an EA by November 6, 2026. Revisions to the schedule may be made as appropriate. The EA will be issued for a 30-day comment period. All comments filed on the EA will be reviewed by staff and considered in the Commission's final decision on the proceeding.

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.

Any questions regarding this notice may be directed to Christopher Chaney at (202) 502–6778 or christopher.chaney@ferc.gov.

(Authority: 18 CFR 2.1)

Dated: July 31, 2026.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2026–15880 Filed 8–4–26; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–13217–01–OAR]

Notice of August 3, 2026 Decisions on Petitions for Small Refinery Exemptions Under the Renewable Fuel Standard Program

AGENCY: Environmental Protection Agency (EPA).

ACTION: Decision on petitions.

SUMMARY: The Environmental Protection Agency (EPA) is providing notification of its final action entitled August 3, 2026 Decision on Petitions for RFS Small Refinery Exemptions (“August 3, 2026 SRE Decisions Action”) in which EPA issued decisions on 6 small refinery exemption (SRE) petitions under the Renewable Fuel Standard (RFS) program. EPA is providing this notification for public awareness of, and the basis for, EPA's decision announced on August 3, 2026.

¹ The unique identification number for documents relating to this environmental review is EAXX–019–20–000–1784124356.

DATES: August 5, 2026.

FOR FURTHER INFORMATION CONTACT:

Campbell Martin, Office of Transportation and Air Quality, Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20004; telephone number: (202) 564-5209; email address: *SRE-Petitions@epa.gov*.

SUPPLEMENTARY INFORMATION:

I. Background and Final Action

The Clean Air Act (CAA) provides that a small refinery¹ may at any time petition EPA for an extension of the exemption from the obligations of the RFS program for the reason of disproportionate economic hardship (DEH).² In evaluating such petitions, the EPA Administrator, in consultation with the Secretary of Energy, will consider the findings of a Department of Energy (DOE) study and other economic factors.³

In the August 3, 2026 SRE Decisions Action,⁴ EPA is acting on 6 individual SRE petitions from 4 refineries seeking an exemption from their RFS obligations for the 2023 and 2024 compliance years. In consultation with DOE, EPA reviewed all the information submitted by each individual refinery in support of its petition. After careful consideration of all statutory factors and the information submitted by the refineries, EPA is granting full (100 percent) exemptions to 1 petition, granting partial (50 percent) exemptions to 2 petitions, denying 0 petitions, and determining 3 petitions to be ineligible.

The August 3, 2026 SRE Decisions Action articulates EPA's interpretation of section 211(o)(9) of the CAA and EPA's authority with respect to SRE petitions. As required by CAA section 211(o)(9), EPA's final actions on the pending SRE petitions are based on the legal and factual analysis presented herein, after consulting with DOE, and considering the DOE Small Refinery Study and "other economic factors."

The August 3, 2026 SRE Decisions Action also explains how EPA will implement SRE decisions when an exemption is granted.

II. Judicial Review

Section 307(b)(1) of the CAA governs judicial review of final actions by EPA. This section generally provides that

petitions for judicial review of final actions that are nationally applicable must be filed in the United States Court of Appeals for the District of Columbia Circuit, and petitions for judicial review of actions that are locally or regionally applicable must be filed in the appropriate regional circuit.⁵ However, petitions for judicial review of a final action that is locally or regionally applicable must be filed in the D.C. Circuit when "such action is based on a determination of nationwide scope or effect and if in taking such action the Administrator finds and publishes that such action is based on such a determination."⁶

As the Supreme Court recently articulated in *Calumet*, the first step in determining the appropriate venue for judicial review of an EPA final action is to ascertain whether the action at issue is nationally applicable or locally or regionally applicable.⁷ If the action is nationally applicable, judicial review belongs in the D.C. Circuit. If the action is locally or regionally applicable, then the second step is to determine whether EPA has appropriately invoked the "nationwide scope or effect" exception to "override the default rule" that judicial review of a locally or regionally applicable action belongs in the appropriate regional circuit.⁸ The exception applies, and judicial review of EPA's action belongs in the D.C. Circuit, if EPA invokes the exception for a final action that is "based on a determination of nationwide scope or effect" and accompanied by an EPA finding of this basis.⁹ A determination is "the justification [EPA] gives for it[s] action, which can be found in its explanation of its action."¹⁰ A determination has a nationwide scope when it applies throughout the country as a legal matter, and it has a nationwide effect when it applies throughout the country as a practical matter.¹¹ Finally, an action is "based on" a determination of nationwide scope or effect when the determination "lie[s] at the core of the agency action," so as to form the most important part of the agency's reasoning.¹² Put another way, an EPA action is based on a determination of nationwide scope or effect "only if a justification of nationwide breadth is the primary

explanation for and driver of EPA's action."¹³

In the August 3, 2026 SRE Decisions Action, EPA is adjudicating SRE petitions pursuant to the authority granted to the Agency by CAA section 211(o)(9)(B). Each adjudication is a separate "action" for the purposes of determining venue under CAA section 307(b)(1), and because each adjudication only applies to a single refinery, each action is locally or regionally applicable.¹⁴ However, EPA's adjudication of the relevant petitions is based on several determinations of nationwide scope or effect that formed the core basis for the Agency's decision.

First, these adjudications are based on EPA's determination that CAA section 211(o)(9) provides EPA with the authority to find that a small refinery would experience partial DEH if required to comply with its RFS obligations and to extend a partial exemption. As detailed in section III.H of the August 3, 2026 SRE Decisions Action, CAA section 211(o)(9)(B) grants EPA authority to temporarily extend the exemption from RFS obligations to a small refinery that demonstrates "disproportionate economic hardship," but the statute does not define that phrase or its components, suggesting Congress left it to the Agency's discretion to "fill up the details" when determining how to implement this provision.¹⁵ EPA interprets CAA section 211(o)(9)(B), based on the plain language, structure, and objective of the statute, to provide the Agency with the authority to find that a small refinery would experience partial DEH and to extend a partial exemption. This determination has nationwide scope because it is an interpretation of a federal statute and CAA section 211(o)(9)(B)(i) by its terms applies nationwide.¹⁶ Additionally, this determination has nationwide effect because it applies generically to all refineries nationwide, regardless of their geographic location.¹⁷

Second, these adjudications are based on EPA's determination that the DOE matrix is a reasonable proxy for DEH, and EPA will defer to DOE's findings unless EPA's consideration of other economic factors compels a different result. As detailed in section III.E of the August 3, 2026 SRE Decisions Action, CAA section 211(o)(9)(B) permits a small refinery to petition for an

¹ The CAA defines a small refinery as "a refinery for which the average aggregate daily crude oil throughput for a calendar year . . . does not exceed 75,000 barrels." CAA section 211(o)(1)(K).

² CAA section 211(o)(9)(B)(i).

³ CAA section 211(o)(9)(B)(iii).

⁴ EPA, (Aug. 2026). August 3, 2026 Decision on Petitions for RFS Small Refinery Exemptions. EPA-420-R-26-004.

⁵ CAA section 307(b)(1).

⁶ *Id.*

⁷ *Calumet*, 145 S. Ct. at 1746.

⁸ *Id.* at 1746.

⁹ *Id.* at 1749–50.

¹⁰ *Id.* at 1750 (internal quotations omitted).

¹¹ *Id.*

¹² *Id.* at 1751.

¹³ *Id.*

¹⁴ *Id.* at 1748.

¹⁵ *Loper Bright Enters. v. Raimondo*, 603 U.S. 369, 394–95.

¹⁶ *Calumet*, 145 S. Ct. at 1752.

¹⁷ *Id.*

extension of the exemption from its RFS obligations for the reason of DEH. The statute directs EPA to “consider the findings of the [2011 DOE study] and other economic factors” in evaluating a petition but provides no further instruction as to how to effectuate these obligations.¹⁸ As the author of the study and through its work assessing SRE petitions in conjunction with EPA, DOE has developed extensive expertise in evaluating economic conditions at U.S. refineries that is fundamental to the process both DOE and EPA use to identify whether DEH exists for each petitioner. With limited exceptions, EPA has consistently relied upon DOE’s expertise in the Agency’s adjudication of SRE petitions over the life of the RFS program. Thus, EPA has determined that the best way to fulfill its obligation to “consider the findings of the [2011 DOE study]” under CAA section 211(o)(9)(B) is to defer to DOE’s application of its matrix and resulting findings in evaluating whether a small refinery would experience DEH. EPA has further determined that the best way to fulfill its obligation to consider “other economic factors” is to independently assess all available information and weigh whether this information compels EPA to depart from DOE’s findings. This determination has nationwide scope because it is both an interpretation of a federal statute and CAA section 211(o)(9)(B)(i) by its terms applies nationwide, and it is a rebuttable presumption that DOE’s finding as to whether a given small refinery would experience DEH, based on application of the DOE matrix, is correct, unless EPA’s consideration of other economic factors compels it to depart from DOE’s findings. Additionally, this determination has nationwide effect because it applies generically to all refineries nationwide, regardless of their geographic location.

Third, these adjudications are based on EPA’s determination that, when extending the exemption, either wholly or partially, to a small refinery that has already retired RINs to comply with its RFS obligations, CAA section 211(o) restricts EPA to returning some or all of those retired RINs, commensurate with the degree of the exemption. As detailed in section IV.B of the August 3, 2026 SRE Decisions Action, returning RINs in this manner effectuates the best reading of the statute. CAA section 211(o)(5) requires that every instance of RIN generation be associated with the refining, blending, or importation of renewable fuel. Section 211(o)(5) also requires that RINs expire after a certain

amount of time, while section 211(o)(9)(B) permits small refineries to petition for an extension of the exemption “at any time.” EPA interprets these provisions of CAA section 211(o) to limit EPA to returning RINs retired for compliance, if any, when it grants an extension of the exemption. This determination has nationwide scope because it is an interpretation of a federal statute and CAA sections 211(o)(5) and 211(o)(9)(B) by their terms apply nationwide. Additionally, this determination has nationwide effect because it applies generically to all refineries nationwide, regardless of their geographic location.

This third determination also minimizes disruptions to the RIN market and RFS program, akin to the Fifth Circuit’s review of the April 2022 Alternative Compliance Action¹⁹ in *Wynnewood Refining Co., LLC v. EPA*, 86 F.4th 1114 (5th Cir. 2023). In *Wynnewood*, the Fifth Circuit concluded that the ACA was based on a determination of nationwide scope or effect because the ACA was designed to mitigate the impact of the collective denials from the April 2022 SRE Denial Action²⁰ on the RIN market.²¹ After denying 36 SRE petitions for the 2018 compliance year, EPA estimated that the small refineries would need to retire an additional 1.4 billion RINs to satisfy their 2018 compliance obligations.²² Concerned that such a drastic spike in need for RINs would threaten the viability of the RIN market, EPA issued the ACA, which required that the small refineries file a revised compliance report but did not require them to retire additional RINs.²³ The Fifth Circuit reasoned that, because the purpose of the ACA was to address the continuing viability of the RFS program as a whole, it was based on a determination of nationwide scope or effect.²⁴ Similarly here, EPA’s determination that the only permissible means of implementing the extension of the exemption is by returning retired RINs is based on concerns about the integrity of the RFS program as a whole. As explained in section IV.B of the August 3, 2026 SRE Decisions Action and in the August 2025 SRE Decisions Action, were the Agency to replace the retired RINs with

current vintage RINs, the sudden mass influx of new RINs would result in decreased RIN prices, leading to decreased future investments in renewable fuel production and threatening the stability of the RIN market nationwide. EPA’s approach of returning retired RINs is designed to avoid these negative impacts to the RFS program. Following the reasoning from the *Wynnewood* decision, because the purpose of this determination is to address the continuing viability of the RFS program as a whole, it is a determination of nationwide scope or effect.

The actions discussed within the August 3, 2026 SRE Decisions Action are based on the three determinations outlined above, as these determinations lie “at the core of the agency action[s]” so as to form the most important part of EPA’s reasoning.²⁵ The first and second determinations together form the core basis for EPA’s adjudications because the Agency has used both of them to create a rebuttable presumption that application of the DOE matrix produces the correct DEH finding, and EPA defers to that finding unless the Agency’s consideration of other economic factors, including refinery-specific information, compels the Agency to depart from that rebuttable presumption. EPA’s first determination is the first element of EPA’s rebuttable presumption: because the DOE matrix can result in a finding of full DEH, partial DEH, or no DEH, EPA must first determine that the CAA provides the Agency with authority for finding partial DEH before the Agency can consider deferring to those findings. EPA’s second determination is the second element of EPA’s rebuttable presumption: the DOE matrix is a reasonable proxy for determining whether a small refinery would experience DEH, and deferring to that finding is the best way of fulfilling the Agency’s statutory obligation to “consider the [2011 DOE Study]” and will result in the correct DEH finding for that small refinery. Taken together, these two determinations—that EPA has the authority to find that a small refinery is experiencing partial DEH and that the DOE matrix is a reasonable proxy for determining whether a small refinery would experience DEH—form the rebuttable presumption that is “the primary explanation for and driver of EPA’s action.”²⁶ Under this rebuttable presumption, EPA will defer to DOE’s findings unless the Agency’s

¹⁹ EPA. (Apr. 2022). April 2022 Alternative RFS Compliance Demonstration Approach for Certain Small Refineries. EPA-420-R-22-006. (“ACA”).

²⁰ EPA. (Apr. 2022). April 2022 Denial of Petitions for RFS Small Refinery Exemptions. EPA-420-R-22-006.

²¹ *Wynnewood Refining Co., LLC v. EPA*, 86 F.4th 1114, 1119 (5th Cir. 2023).

²² *Id.* at 1119–20.

²³ *Id.* at 1117, 1120.

²⁴ *Id.* at 1120.

²⁵ *Calumet*, 145 S. Ct. at 1751.

²⁶ *Id.*

¹⁸ CAA section 211(o)(9)(B).

consideration of other economic factors compels a different result.

To fulfill its statutory obligation to consider “other economic factors,” EPA did consider refinery-specific information in its adjudications. However, these confirmatory reviews were not the primary drivers of EPA’s actions on these petitions. EPA considered refinery-specific facts only to determine whether to depart from its rebuttable presumption that application of DOE’s matrix results in the correct DEH finding, and these considerations, for each small refinery, confirmed that none of the refinery-specific facts rebutted the presumptive disposition. For example, EPA considered information presented by small refineries regarding their financial circumstances and found that the information was already considered in the DOE matrix or did not otherwise justify departing from the finding reached by application of the DOE matrix. Thus, EPA’s consideration of refinery-specific facts was peripheral in comparison to EPA’s rebuttable presumption that application of the DOE matrix is the best means of determining whether DEH exists.²⁷ Notably, EPA’s confirmatory review of refinery-specific facts did not change the final decision for any of the SRE petitions.

Additionally, EPA’s third determination—that the only permissible way to implement the extension of the exemption from RFS obligations when a small refinery has retired RINs for compliance is to return those retired RINs—is a core driver of EPA’s actions because EPA’s adjudication of SRE petitions necessarily includes extending the exemption to meritorious petitioners. But how EPA effectuates that extension of the exemption can look different depending on whether the relevant small refinery has already demonstrated compliance with its relevant RFS obligations by retiring RINs. Generally, the RFS statutory and regulatory provisions require all obligated parties to comply with their RFS obligations. However, CAA section 211(o)(9)(B) provides an exception when a small refinery demonstrates that it would experience DEH. In other words, when EPA grants an exemption to a small refinery, that small refinery is not required to retire any RINs to demonstrate compliance if it is a full exemption, and only the number of RINs necessary to meet half of its RFS obligation if it is a partial exemption. However, simply granting a petition

does not necessarily effectuate the exemption in all cases. If the exemption is granted prior to a compliance demonstration by the small refinery, then the exemption is self-implementing. But if the small refinery has already demonstrated compliance by retiring RINs, EPA needs to take an additional step to effectuate the exemption. For the reasons outlined in sections IV.B and V of the August 3, 2026 SRE Decisions Action, EPA has determined, consistent with its interpretation of the Agency’s authority under CAA section 211(o) and its policy interest in treating all refineries that receive an exemption equally, that returning the retired RINs is the only permissible way of implementing the exemption where a small refinery has previously demonstrated compliance with its RFS obligations by retiring RINs. EPA’s adjudications are based on this determination because extending the exemption to meritorious petitioners is necessarily a part of EPA’s action on the SRE petitions and EPA’s statutory interpretation and policy considerations inform its implementation of the exemption for all petitioners.

For the reasons discussed above, EPA finds that the final actions discussed within the August 3, 2026 SRE Decisions Action are based on determinations of nationwide scope or effect for purposes of CAA section 307(b)(1) and is publishing that finding in the **Federal Register**. Under section 307(b)(1) of the CAA, petitions for judicial review of these actions must be filed in the D.C. Circuit by October 5, 2026.

Aaron Szabo,

Assistant Administrator, Office of Air and Radiation.

[FR Doc. 2026–15905 Filed 8–4–26; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL RESERVE SYSTEM

Change in Bank Control Notices; Acquisitions of Shares of a Bank or Bank Holding Company

The notificants listed below have applied under the Change in Bank Control Act (Act) (12 U.S.C. 1817(j)) and § 225.41 of the Board’s Regulation Y (12 CFR 225.41) to acquire shares of a bank or bank holding company. The factors that are considered in acting on the applications are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The public portions of the applications listed below, as well as other related filings required by the Board, if any, are available for

immediate inspection at the Federal Reserve Bank(s) indicated below and at the offices of the Board of Governors. This information may also be obtained on an expedited basis, upon request, by contacting the appropriate Federal Reserve Bank and from the Board’s Freedom of Information Office at <https://www.federalreserve.gov/foia/request.htm>. Interested persons may express their views in writing on the standards enumerated in paragraph 7 of the Act.

Comments received are subject to public disclosure. In general, comments received will be made available without change and will not be modified to remove personal or business information including confidential, contact, or other identifying information. Comments should not include any information such as confidential information that would not be appropriate for public disclosure.

Comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors, Benjamin W. McDonough, Secretary of the Board, 20th Street and Constitution Avenue NW, Washington, DC 20551–0001, not later than August 20, 2026.

A. Federal Reserve Bank of Minneapolis (Mark Nagle, Assistant Vice President) 90 Hennepin Avenue, Minneapolis, Minnesota 55480–0291. Comments can also be sent electronically to MA@mpls.frb.org:

1. *The Judy Harder Irrevocable QSST Trust and the Judy Harder Irrevocable QTIP Trust (together, the “Harder Trusts”)*, both of Odin, Minnesota; *John Fischer, as trustee, New Ulm, Minnesota*; to form the J. Fischer and Harder Trusts Shareholder Control Group, a group acting in concert, to acquire voting shares of Odin Bancshares, and thereby indirectly acquire voting shares of Odin State Bank, both of Odin, Minnesota.

Board of Governors of the Federal Reserve System.

Benjamin W. McDonough,
Secretary of the Board.

[FR Doc. 2026–15875 Filed 8–4–26; 8:45 am]

BILLING CODE 6210–01–P

FEDERAL TRADE COMMISSION

[Docket No. 9437]

Caremark and Zinc Health Services; Analysis of Proposed Agreement Containing Consent Order To Aid Public Comment

AGENCY: Federal Trade Commission.

²⁷ *Id.* at 1752.