

for such decision shall be that, given the configuration of the Customer's and Southwestern's systems, Southwestern will determine, in its sole judgment and at its sole option, whether the power factor calculation more accurately assesses the detrimental impact on Southwestern's system when the above formula is calculated for a single physical point of delivery, a combination of physical points of delivery, or for an interconnection as specified by an Interconnection Agreement.

Southwestern, at its sole option, may reduce or waive Power Factor Penalties when, in Southwestern's sole judgment, low power factor conditions were not detrimental to the System of Southwestern due to particular loading and voltage conditions at the time the power factor dropped below 95 percent lagging.

4.

**Hydro Peaking Power Miscellaneous Rates, Terms, and Conditions**

**4.1. Real Power Losses**

Customers are required to self-provide all Real Power Losses for non-Federal

energy transmitted by Southwestern on behalf of such Customers under the provisions detailed below.

Real Power Losses are computed as four (4) percent of the total amount of non-Federal energy transmitted by Southwestern. The Customer's monthly Real Power Losses are computed each month on a megawatthour basis as follows:

$$ML = 0.04 \times NFE$$

with the factors defined as follows:

ML = The total monthly loss energy, rounded to the nearest megawatthour, to be scheduled by a Customer for receipt by Southwestern for Real Power Losses associated with non-Federal energy transmitted on behalf of such Customer; and

NFE = The amount of non-Federal energy that was transmitted by Southwestern on behalf of a Customer during a particular month.

The Customer must schedule or cause to be scheduled to Southwestern, Real Power Losses for which it is responsible subject to the following conditions:

**4.1.1.** The Customer shall schedule and deliver Real Power Losses back to Southwestern during the second month after they were incurred by Southwestern in the transmission of the Customer's non-Federal power and energy over the System of Southwestern unless such Customer has accounted for Real Power Losses as part of a metering arrangement with Southwestern.

**4.1.2.** On or before the twentieth day of each month, Southwestern shall determine the amount of non-Federal loss energy it provided on behalf of the Customer during the previous month and provide a written schedule to the Customer setting forth hour-by-hour the quantities of non-Federal energy to be delivered to Southwestern as losses during the next month.

**4.1.3.** Real Power Losses not delivered to Southwestern by the Customer, according to the schedule provided, during the month in which such losses are due shall be billed by Southwestern to the Customer to adjust the end-of-month loss energy balance to zero (0) megawatthours and the Customer shall be obliged to purchase such energy at the following rates:

Months associated with charge	Rate per kilowatthour
March, April, May, October, November, December .....	\$0.15
January, February, June, July, August, September .....	0.30

**4.1.4.** Real Power Losses delivered to Southwestern by the Customer in excess of the losses due during the month shall be purchased by Southwestern from the Customer at a rate per megawatthour equal to Southwestern's rate per megawatthour for Supplemental Peaking Energy, as set forth in Southwestern's then-effective Rate Schedule for Hydro Peaking Power to adjust such hourly end-of-month loss energy balance to zero (0) megawatthours.

**4.2. Peaking Energy Schedule Submission Time**

Southwestern's Peaking Energy Schedule Submission Time is on or before 2:30 p.m. Central Prevailing Time (CPT), as adjusted by the Administrator, Southwestern, in accordance with Section 4.2.2 in this Rate Schedule, of the day preceding the day for the delivery of Peaking Energy. The Peaking Energy Schedule Submission Time supersedes the Peaking Energy schedule submission time provided in the Customer's Power Sales Contract, pursuant to Section 4.2.1 of this Rate Schedule.

**4.2.1 Applicability of Peaking Energy Schedule Submission Time**

The Peaking Energy Schedule Submission Time shall apply to the scheduling of Peaking Energy. The Peaking Energy Schedule Submission Time shall not apply to the scheduling of Supplemental Peaking Energy or to Contract Support Arrangements.

**4.2.2 Procedure for Adjusting the Peaking Energy Schedule Submission Time**

Not more than once annually, the Peaking Energy Schedule Submission Time of 2:30 p.m. CPT, as noted in Section 4.2 of this Rate Schedule, may be adjusted by the Administrator, Southwestern, to a time no earlier than 2:00 p.m. CPT and no later than 3:00 p.m. CPT.

**4.2.2.1 Determination of Need to Adjust the Peaking Energy Schedule Submission Time**

The Administrator, Southwestern, will make a determination on the need to adjust the Peaking Energy Schedule Submission Time based on Southwestern's studies involving

financial analysis, regional energy market conditions, and/or operational considerations.

**4.2.2.2 Notification of Peaking Energy Schedule Submission Time Adjustment**

The Administrator, Southwestern, will notify customers of the determination to adjust the Peaking Energy Schedule Submission Time in writing no later than 30 calendar days prior to the effective date of the Peaking Energy Schedule Submission Time adjustment.

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BILLING CODE 6450-01-P

**DEPARTMENT OF ENERGY**

**Western Area Power Administration**

**2025 Resource Pool—Sierra Nevada Customer Service Region**

**AGENCY:** Western Area Power Administration, DOE.

**ACTION:** Final power allocations from Central Valley and Washoe Projects.

**SUMMARY:** Western Area Power Administration (WAPA) announces the final 2025 Resource Pool allocations from the Central Valley and Washoe Projects under its 2025 Power Marketing Plan (Marketing Plan) for the Sierra Nevada Customer Service Region (SNR). This notice includes a summary of the comments received on WAPA’s proposed 2025 Resource Pool allocations and WAPA’s responses.

**DATES:** The final 2025 Resource Pool allocations begin July 17, 2019.

**FOR FURTHER INFORMATION CONTACT:** Ms. Sandee Peebles, Public Utilities Specialist, Western Area Power Administration, Sierra Nevada Customer Service Region, 114 Parkshore Drive, Folsom, CA 95630–4710, (916) 353–4454, *peebles@wapa.gov*.

**SUPPLEMENTARY INFORMATION:**

**Background**

WAPA published the Marketing Plan on August 15, 2017 (82 FR 38675) to define how SNR will market hydropower from the Central Valley and Washoe projects beginning January 1, 2025, and ending December 31, 2054. SNR’s current marketing plan and contracts expire on December 31, 2024. As part of the Marketing Plan, SNR will withdraw 2 percent of the existing marketable resource from existing customers, also known as Base

Resource, to create a resource pool. WAPA is marketing the 2-percent resource pool to eligible preference entities.

WAPA published the Call for 2025 Resource Pool Applications in the **Federal Register** on March 8, 2018 (83 FR 9851), and applications were due by May 7, 2018. On July 13, 2018, WAPA extended the deadline to file applications to August 13, 2018 (83 FR 32664). In response to the Call for 2025 Resource Pool Applications, WAPA received 37 applications. After reviewing and considering the applications, WAPA published the Proposed 2025 Resource Pool Allocations in the **Federal Register** on February 12, 2019 (84 FR 3441) and opened a 30-day comment period. The comment period ended on March 14, 2019. Summaries of the comments received and WAPA’s responses are provided below. After considering all comments, WAPA has finalized the proposed power allocations as discussed herein.

**Responses to Comments Received on the Proposed 2025 Resource Pool Allocations**

During the comment period, WAPA received three letters commenting on the proposed allocations from the 2025 Resource Pool. WAPA reviewed and

considered all comments made. Summaries of the comments and responses are provided below.

*Comment:* All commenters expressed appreciation and support for the proposed 2025 Resource Pool allocations.

*Response:* WAPA notes the comments of support for its 2025 Resource Pool allocations.

*Comment:* All commenters requested additional allocations if additional Base Resource becomes available.

*Response:* WAPA will allocate any additional available power, as discussed below, in the Additional Base Resource section.

**Final 2025 Resource Pool Allocations**

The final 2025 Resource Pool allottees are listed below. The allocations are expressed as percentages of the Base Resource with an estimated megawatt-hour (MWh) amount of each allocation. The estimated MWh for each allocation assumes an estimated average annual Base Resource of 3,342,000 MWh and are rounded to the nearest MWh. The actual amount of Base Resource a customer will receive will vary hourly, daily, monthly, and annually depending on hydrology and other constraints governing Central Valley Project operations. The final allocations are as follows:

Allottee	Base Resource allocation (%)	Estimated MWh
Army Air Force Exchange .....	0.03960	1,323
California State University, Sacramento .....	0.01106	370
Cawelo Water District .....	0.00373	125
Eastside Power Authority .....	0.00362	121
Fallon, City of .....	0.01988	664
Hoop Valley Tribe .....	0.00158	53
Kirkwood Meadows Public Utilities District .....	0.03793	1,268
Lower Tule Irrigation District .....	0.00197	66
Merced Irrigation District .....	0.10079	3,368
Modesto Irrigation District .....	0.30470	10,183
Monterey Bay Community Power .....	0.35347	11,813
Orange Cove Irrigation District .....	0.02382	796
Placer County Water Agency .....	0.00394	132
Reclamation District 108 .....	0.00072	24
Regents of the University of California .....	0.14688	4,909
Roseville, City of .....	0.00979	327
Sacramento Municipal Utility District .....	0.01735	580
Santa Clara Water District .....	0.00365	122
Silicon Valley Clean Energy Authority .....	0.32467	10,850
Sonoma County Water Agency .....	0.00360	120
Stockton, Port of .....	0.01155	386
Truckee Donner Public Utility District .....	0.03716	1,242
Turlock Irrigation District .....	0.32956	11,014
University of California, Davis .....	0.01949	651
Water Resources, California Department of .....	0.14398	4,812
Woodland Davis Clean Water Agency .....	0.04371	1,461
Zone 7, Alameda County Flood Control & Water Conservation District .....	0.00180	60
	2.00000	66,840

### Additional Base Resource

Under the Marketing Plan, there may be future opportunities for entities to receive a Base Resource allocation from WAPA, for instance:

1. If an allocation is withdrawn because an allottee or an existing customer is unable to execute a contract or secure transmission arrangements for the delivery of power by the prescribed dates.

2. A customer surrenders an allocation.

3. An allottee's or existing customer's base resource allocation is greater than its need.

If additional base resource is available for reallocation prior to the creation of the next resource pool in 2040, WAPA, at its discretion and sole determination, reserves the right to reallocate the additional base resource through bilateral negotiations. WAPA also reserves the right to offer any additional base resource to (1) eligible entities who submitted applications during the 2025 Call for Applications, (2) existing customers, (3) new preference entities, or (4) any entity on a short-term basis.

### Contracting Process

SNR will offer existing customers 98 percent of their current base resource allocations. For existing customers who received a resource pool allocation, the additional allocation will be included with their remaining base resource allocations.

After the effective date of this notice, SNR will begin the contracting process. WAPA will send all existing customers and new allottees a *pro forma* electric service contract to purchase the base resource. All existing customers and new allottees must execute and return SNR's *pro forma* electric service contract within 6 months of the date of WAPA's letter submitting the *pro forma* contract, unless otherwise agreed to in writing by SNR. SNR reserves the right to withdraw and reallocate any power allocation if an existing customer or allottee does not execute the electric service contract within the 6-month period. The date of initial service under these contracts is January 1, 2025, and these contracts will remain in effect until midnight of December 31, 2054.

SNR solely determines the terms, conditions, rates, or charges of its power contracts. SNR will work with existing customers and new allottees to develop customized products, if requested, to meet their needs. Each existing customer and new allottee is responsible for obtaining transmission arrangements for delivery of power to its load. Upon request, SNR may assist in

obtaining transmission arrangements for delivery of power; however, it is the customer's or allottee's ultimate responsibility to secure necessary transmission arrangements.

### Authorities

The Marketing Plan, published in the **Federal Register** (82 FR 38675) on August 15, 2017, was established under the Department of Energy Organization Act (42 U.S.C. 7101 *et seq.*); the Reclamation Act of June 17, 1902 (Pub. L. 57-161, 32 Stat. 388), as amended and supplemented by subsequent enactments, particularly section 9(c) of the Reclamation Project Act of 1939 (43 U.S.C. 485h(c)); and other acts specifically applicable to the projects involved. Allocating power from the resource pool falls within the Marketing Plan and is covered by this authority.

### Regulatory Procedure Requirements

#### Environmental Compliance

In accordance with DOE National Environmental Policy Act Implementing Procedures (10 CFR 1021), WAPA has determined this action falls within a class of action B4.1 contracts, policies, marketing, and allocation plans for electric power, in Appendix B to Subpart D to Part 1021—Categorical Exclusion Applicable to Specific Agency Actions.

#### Determination Under Executive Order 12866

WAPA has an exemption from centralized regulatory review under Executive Order 12866; accordingly, no clearance of this notice by the Office of Management and Budget is required.

Dated: June 4, 2019.

**Mark A. Gabriel,**

*Administrator.*

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2019-0050; FRL-9994-71]

### Pesticide Emergency Exemptions; Agency Decisions and State and Federal Agency Crisis Declarations

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

**ACTION:** Notice.

**SUMMARY:** EPA has granted emergency exemptions under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) for use of pesticides as listed in this notice. The exemptions were granted during the period October

1, 2018 to March 30, 2019, except for one granted in September 2018, to control unforeseen pest outbreaks. The item for the exemption granted in September 2018 was issued to the Wyoming Department of Agriculture for the use of indaziflam on rangeland, pastures, and areas subject to the conservation reserve program to control Medusahead and Ventenata. From the previous notice for this exemption, published in the notice for pesticide emergency exemption decisions from the February 14, 2019 **Federal Register** (84 FR 4063) (FRL-9987-70), the effective dates are corrected to be September 14, 2018 to September 14, 2019.

#### FOR FURTHER INFORMATION CONTACT:

Michael L. Goodis, Director, Registration Division (7505P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460-0001; main telephone number: (703) 305-7090; email address: [RDFRNotices@epa.gov](mailto:RDFRNotices@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. General Information

###### A. Does this action apply to me?

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. The following list of North American Industrial Classification System (NAICS) codes is not intended to be exhaustive, but rather provides a guide to help readers determine whether this document applies to them. Potentially affected entities may include:

- Crop production (NAICS code 111).
- Animal production (NAICS code 112).
- Food manufacturing (NAICS code 311).
- Pesticide manufacturing (NAICS code 32532).

If you have any questions regarding the applicability of this action to a particular entity, consult the person listed at the end of the emergency exemption.

###### B. How can I get copies of this document and other related information?

The docket for this action, identified by docket identification (ID) number EPA-HQ-OPP-2019-0050, is available at <http://www.regulations.gov> or at the Office of Pesticide Programs Regulatory Public Docket (OPP Docket) in the Environmental Protection Agency Docket Center (EPA/DC), West William Jefferson Clinton Bldg., Rm. 3334, 1301 Constitution Ave. NW, Washington, DC 20460-0001. The Public Reading Room