

# Colorado River Storage Project Management Center

WESTERN AREA POWER ADMINISTRATION



## Customer Brochure for Proposed Olmsted Project Rate Order No. WAPA-205

November 10, 2022



Western Area Power Administration

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Materials Posted on website:

<https://www.wapa.gov/regions/CRSP/rates/Pages/rate-order-205.aspx>

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## I. INTRODUCTION

This brochure provides information on Western Area Power Administration's (WAPA) proposed power formula rate for the Olmsted Hydroelectric Powerplant Replacement Project (Olmsted) under Rate Order No. WAPA-205.

There are no proposed changes to the Rate Schedule Olmsted Formula Rate F-1, under Rate Order No. WAPA-177; that will be used to determine the annual energy charge. This rate action, under Rate Order No. WAPA-205, proposes to establish a new effective period of May 1, 2023, through April 30, 2028.

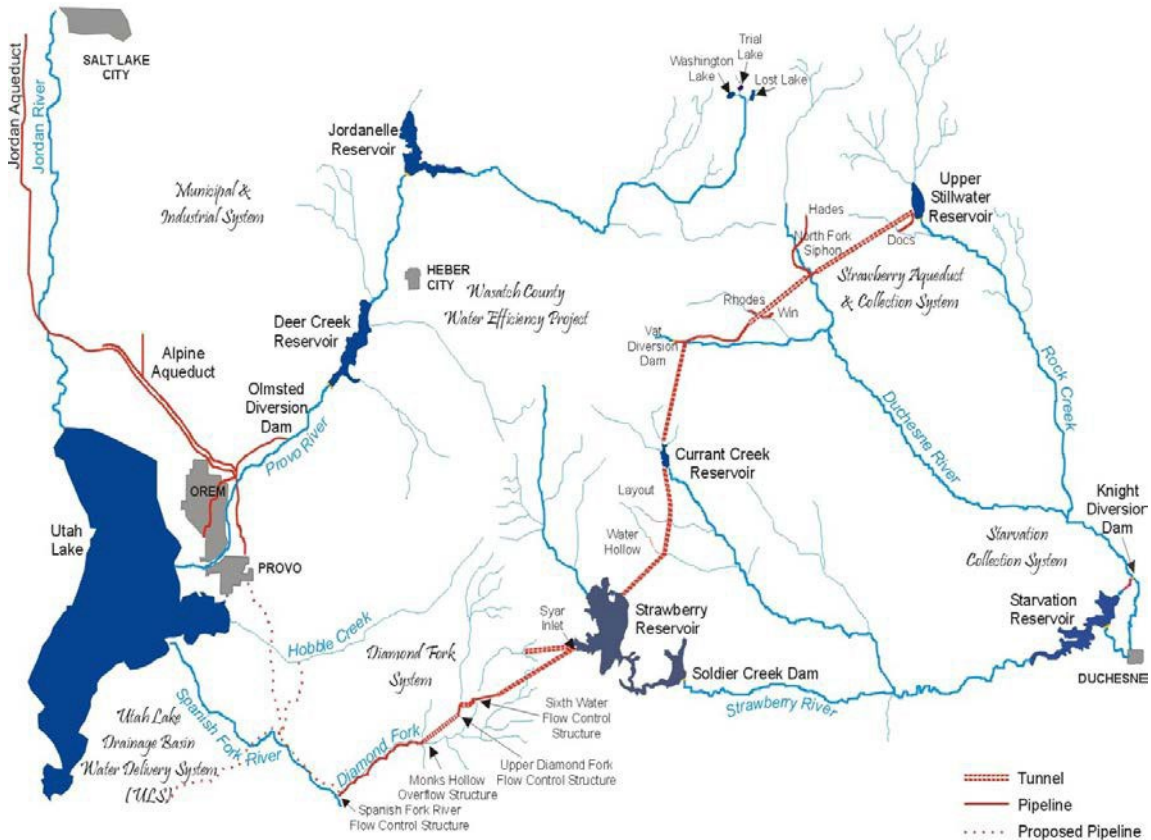
This action was announced in a Federal Register notice (FRN), published November 10, 2022 (see appendix for the FRN). The formula rate is explained in greater detail in Section V: Installment Calculations, of this brochure. The Olmsted Project is a take all pay all project; customers pay all operation, maintenance, and replacement (OM&R) expenses and in return receive all marketable energy produced by the Project.



## II. PROJECT DESCRIPTION/HISTORY

The Olmsted Powerplant Project, located in northern Utah, is over 100 years old and was acquired from PacifiCorp in condemnation proceedings by the United States in 1990. As part of the condemnation proceedings, PacifiCorp continued Olmsted operations until 2015, after which time the operation of the facility became the responsibility of the Department of the Interior. As agreed upon in an implementation agreement executed February 4, 2015, among the Central Utah Water Conservancy District (District), Department of the Interior (Interior), Bureau of Reclamation (Reclamation), and WAPA, the District constructed a replacement facility for power generation. The District operates and maintains the Olmsted facilities in connection with its Central Utah Project operations.

Bonneville Unit Area Map



Central Utah Project (CUP) – CRSP Participating Project



### III. RATE CALCULATIONS

Commercial operation began July 2018. WAPA markets an energy-only product, as no capacity is available to market from Olmsted. Power production is non-dispatchable and incidental to the delivery of water. It is expected that annual energy production will average approximately 21,700,000 kilowatt hour (kWh) per year.

Each customer will be billed for its proportional share of the total project annual installment. The payment will be calculated every Fiscal Year (FY), payable in 12 equal monthly payments. WAPA will estimate Olmsted FY expenses by preparing a Power Repayment Study (PRS) which will include estimates of OM&R costs. The amount of each monthly payment will be established in advance by WAPA and submitted to the Customers on or before August 31 of the year preceding the appropriate FY. This repayment schedule does not depend upon the energy made available for sale or the amount of generation each year. Customers are to pay reimbursable investment as well as the OM&R costs of Olmsted and, in return, will receive all the energy produced.

WAPA will calculate the annual installment based on 2 years of data. The calculation includes the projected costs of the rate installment year (future FY) and an adjustment from the last historic FY. The adjustment is the surplus or deficit that occurs in the last historic year when actual costs and repayment obligations are subtracted from actual revenues. This surplus or deficit is combined with the projected rate installment year costs to arrive at the rate installment. Each annual installment pays the annual amortized portion of the United States' investment in Olmsted with interest and the associated OM&R.

To date, all investments not currently in progress (or in progress and not yet complete), are accounted for as Construction in Progress (CIP) costs and have not been transferred to plant accounts for capitalization. Once transferred, an amortization schedule will be calculated for repayment. Historical financial data is available through FY 2021, and projections are based on the FY 2023 Reclamation and WAPA work plans received in February 2022, as indicated in Table 1. WAPA will post updates to these projections on the website as data become available.



**Table 1 - Actual & Projected Investment and OM&R Costs Requiring Repayment**

<b>FY</b>	<b>2021 (Actuals)</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>	<b>2028</b>
Capital Repayment	\$310,552	\$385,144	\$408,263	\$408,973	\$408,898	\$408,821	\$408,742	\$568,550
CUWCD Olmsted O&M	\$473,366	\$709,657	\$1,029,299	\$1,017,876	\$483,559	\$562,421	\$543,187	\$563,722
USBR O&M	\$ -	\$ 27,500	\$ 10,000	\$ 27,500	\$ 27,500	\$ 10,000	\$ 10,000	\$ 27,500
WAPA O&M	\$ 18,801	\$ 17,357	\$ 19,177	\$ 19,560	\$ 19,951	\$ 20,350	\$ 20,757	\$ 21,173
Provo Facility Use	\$118,836	\$118,841	\$ 118,841	\$ 118,841	\$118,841	\$118,841	\$118,841	\$118,841
<b>FY Totals</b>	<b>\$ 921,555</b>	<b>\$1,258,498</b>	<b>\$1,585,580</b>	<b>\$1,575,250</b>	<b>\$1,058,749</b>	<b>\$1,120,434</b>	<b>1,101,527\$</b>	<b>\$1,299,785</b>

The FY 2023 annual installment includes all projected FY 2023 OM&R costs requiring repayment through FY 2023. The FY 2023 installment is divided by 12 months of service. The annual installment amount, in 12 monthly payments, was established in advance by WAPA and submitted to the Olmsted power customers on August 31 prior to the new FY (see sample letter below). The FY 2024 annual installment will include all actual OM&R costs requiring repayment from the FY 2023 final financial data and the projected FY 2024 OM&R costs in addition to amortized payments on capital investments plus interest.





**Department of Energy**  
 Western Area Power Administration  
 1800 South Rio Grande Avenue  
 Montrose, CO 81401

August 31, 2022

Dear Customer A:

Under Section X of Contract No. XX-SLC-XXXX between Western Area Power Administration (WAPA) and Customer A, WAPA is to inform Customer A of the monthly payment for Olmsted energy for the upcoming fiscal year (FY).

WAPA completed a power repayment study that projects Olmsted expenses and repayment for FY 2023 (October 1, 2022, through September 30, 2023). Estimates are based on the FY 2023 Congressional Budget submission for WAPA and the Bureau of Reclamation. The enclosures further explain the costs associated with Olmsted for this evaluation period.

The study shows \$1,585,580.09 will be needed for Olmsted during FY 2023. Customers have agreed to apply 100% of Olmsted’s current carryover balance, in the amount of \$327,763, as a credit to the Total Project Revenue Requirement:

Operation & Maintenance Expense	\$	1,058,475.99	
Provo City Facility Use	\$	118,841.00	
Principle Payment on Replacements	\$	81,323.95	
Interest on Replacements for FY 2023	\$	326,939.15	
Adjustment for FY 2022	\$	(327,763.00)	
<b>Total Project Revenue Requirement</b>	\$	1,257,817.09	
		<b>Annually</b>	<b>Monthly</b>
<b>Customer A’s Share at 70% of Total Project Revenue Requirement</b>	\$	<b>880,471.97</b>	\$ <b>73,372.66</b>

Starting with the October 2022 billing, the invoice from WAPA to Customer A will reflect the monthly charge of \$73,372.66 for Project Revenue Requirements. Customer A will receive 70 percent of the marketable energy produced by the Olmsted Powerplant for FY 2023.

If there are any questions, please contact Christiana Kelley at (801) 524-3526 or cfkelley@wapa.gov.

Sincerely,

J. Adam Arellano  
 Vice President of Power Marketing  
 CRSP Management Center



#### IV. TRUE-UP

The True-Up adjustment is the surplus or deficit that occurs in the last historic year when actual costs and repayment obligations are subtracted from actual revenues. The formula for the True-Up is:

$$\text{True-Up Adjustment} = \text{Revenues} - \text{OM\&R Costs} - \text{Interest} - \text{Principal Repayment}$$

FY2021 Installment True-Up	
<b>Revenue: 1/</b>	
<b>Power (should match installment)</b>	-\$5,194,668.00
<b>Adjustment</b>	\$5,884,365.00
<b>Other</b>	\$0.00
<b>Total</b>	\$689,697.00
<b>Expense: 2/</b>	
<b>O&amp;M</b>	\$936,983.00
<b>Interest</b>	\$252,580.00
<b>Adjustment</b>	-\$1.00
<b>Total</b>	\$1,189,562.00
<b>Net Available for Repayment</b>	-\$499,865.00
<b>Repayment:</b>	\$57,972.00
<b>Net Revenue/(Deficit) 3/</b>	-\$557,837.00
<b>FY2020 Status of Repayment (Surplus)</b>	\$885,600
<b>FY2021 Status of Repayment</b>	\$327,763
<b>Surplus/Deficit Applied FY2022 Installment</b>	\$0.00
<b>Surplus/Deficit to Apply</b>	\$327,763

## V. INSTALLMENT CALCULATIONS

The installment distributes the Annual Revenue Requirement across all customers based on the allocated percentage of generation. Allocations will be determined based on the Olmsted Marketing Plan and Call for Applications criteria that was published October 11, 2017. Cost allocations will be updated for the FY2025 installment after the 2025 Olmsted Power Marketing Plan is finalized and new power contracts are effective October 1, 2024. The formula for the Annual Revenue Requirement is:

**Annual Revenue Requirement = Projected OM&R Costs + Projected Interest + Projected Principal Payments – True-Up Adjustment**



## Comparison of Olmsted Rate Installment

### Installment Calculation

	Components	FY 2022	FY 2023
	<b>O&amp;M</b>		
<b>CUWCD</b>			
	Power Plant	\$ 212,180.00	\$ 218,545.40
	Intake and Pipeline	\$ 172,576.60	\$ 177,753.90
	Intake and Pipeline CRP	\$ 174,900.00	\$ 583,000.00
	Historic Preservation	\$ 150,000.00	\$ 50,000.00
	<b>Total CUWCD O&amp;M</b>	<b>\$ 709,656.60</b>	<b>\$ 1,029,299.30</b>
<b>RECLAMATION</b>			
	O&M	\$ 27,500.00	\$ 10,000.00
	<b>Total Reclamation O&amp;M</b>	<b>\$ 27,500.00</b>	<b>\$ 10,000.00</b>
<b>WAPA</b>			
	L0000 - Misc Services	\$ 686.76	\$ 341.58
	Summary Payroll	\$ 8,805.13	\$ 10,280.48
	AGE CSO	\$ 2,822.04	\$ 3,367.29
	AGE Region	\$ 4,324.20	\$ 4,082.53
	O&M ADE CSO	\$ 191.95	\$ 337.20
	Unfunded Benefits	\$ 527.02	\$ 767.62
	<b>Total WAPA O&amp;M</b>	<b>\$ 17,357.11</b>	<b>\$ 19,176.69</b>
<b>TOTAL O&amp;M</b>		<b>\$ 754,513.71</b>	<b>\$ 1,058,475.99</b>
<b>Facility Use</b>			
	Provo City Facility Use	\$ 118,841.00	\$ 118,841.00
<b>TOTAL FACILITY USE EXPENSE</b>		<b>\$ 118,841.00</b>	<b>\$ 118,841.00</b>
<b>CAPITAL INVESTMENTS (Booked to Plant)</b>			
	Principal Payment	\$ 73,964.01	\$ 81,323.95
	Interest	\$ 311,179.77	\$ 326,939.15
<b>TOTAL CAPITAL INVESTMENTS</b>		<b>\$ 385,143.78</b>	<b>\$ 408,263.10</b>
<b>ADJUSTMENT FOR PRIOR YEAR ACTUALS</b>		<b>\$ -</b>	<b>\$ -</b>
<b>TOTAL PROJECT ANNUAL REVENUE REQUIREMENT</b>		<b>\$ 1,258,498.49</b>	<b>\$ 1,585,580.09</b>
	<b>Allocated Installment</b>		
	<b>Customer A at 70% - Annually</b>	<b>\$ 880,948.94</b>	<b>\$ 1,109,906.07</b>
	<b>Monthly</b>	<b>\$ 73,412.41</b>	<b>\$ 92,492.17</b>
	<b>Customer B at 30% - Annually</b>	<b>\$ 377,549.55</b>	<b>\$ 475,674.03</b>
	<b>Monthly</b>	<b>\$ 31,462.46</b>	<b>\$ 39,639.50</b>



## **VI. CUSTOMER MEETINGS**

Customer meetings are held annually to discuss prior year execution and projected costs for future installments. Representatives from Central Utah Project Completion Act (CUPCA), Reclamation, and WAPA will provide updates on budget work plans, capital improvement plans, and forecasted capital repayment. WAPA will also review the Status of Repayment (SOR).



**FINAL STATUS OF REPAYMENT  
OLMSTED PROJECT**

(Dollars)

		Cumulative		Annual	Cumulative
		2020	<sup>1</sup> Adjustment	2021	2021
<b>Revenue:</b>					
	Gross Operating Revenue	9,073,084	0	(4,777,668)	4,295,416
	Income transfers (net)	467,000	5,884,365	<sup>3</sup> (417,000)	5,934,365
	<b>Total Operating Revenue (A)</b>	<b>9,540,084</b>	<b>5,884,365</b>	<b>(5,194,668)</b>	<b>10,229,781</b>
<b>Expenses:</b>					
	O & M and other	8,341,665	(1)	936,982	9,278,646
	Purchase power and other	0	0	0	0
<b>Interest</b>					
	Federally financed	257,554	0	252,580	510,134
	Non-Federally financed	0	0	0	0
	<b>Total Interest</b>	<b>257,554</b>	<b>0</b>	<b>252,580</b>	<b>510,134</b>
	<b>Total Expense (B)</b>	<b>8,599,219</b>	<b>(1)</b>	<b>1,189,562</b>	<b>9,788,780</b>
	<b>(Deficit)/Surplus revenue (C)</b>	<b>885,600</b>	<b>5,884,367</b>	<b>(6,442,202)</b>	<b>327,765</b>
<b>Investment:</b>					
	Federally financed power	5,785,773	1,753,850	<sup>4</sup> 29,395	7,569,018
	Non-Federally financed power	0	0	0	0
	Nonpower	0	0	0	0
	<b>Total Investment (D)</b>	<b>5,785,773</b>	<b>1,753,850</b>	<b>29,395</b>	<b>7,569,018</b>
<b>Investment repaid:</b>					
	Federally financed power	55,265	(1)	57,972	113,236
	Non-Federally financed power	0	0	0	0
	Nonpower	0	0	0	0
	<b>Total Investment repaid (E)</b>	<b>55,265</b>	<b>(1)</b>	<b>57,972</b>	<b>113,236</b>
<b>Investment unpaid:</b>					
	Federally financed power	5,730,508	1,753,851	(28,577)	7,455,782
	Non-Federally financed power	0	0	0	0
	Nonpower	0	0	0	0
	<b>Total Investment unpaid (F)</b>	<b>5,730,508</b>	<b>1,753,851</b>	<b>(28,577)</b>	<b>7,455,782</b>
<b>Fund Balances:</b>					
	Colorado River Development (G)	0	0	0	0
	Working capital (H)	0	0	0	0



## VII. RATE ADJUSTMENT PROCEDURES

### Public Process

Procedures adopted by Department of Energy (DOE) give interested parties an opportunity to participate in the development of power and transmission rates. The published procedures for rate adjustments, as amended, are available upon request from the Colorado River Storage Project (CRSP) Management Center (MC).

An FRN announcing the proposed rate and the 30-day comment period was published on November 10, 2022. The published FRN is enclosed in the appendix of this brochure.

The formal public comment period will begin with the publication of the FRN and will end December 12, 2022, 30 days after the publication of the FRN. Since this is a minor rate action, Public Information and Comment Forums will not be held. During this time, interested parties may consult with, and obtain information from, WAPA representatives about the rate proposal. Requests for review of material can be made by phone, mail, or email at:

CRSP Management Center  
Western Area Power Administration  
1800 South Rio Grande Avenue  
Montrose, CO 81401

Telephone: 970-252-3000  
Email: [RBailey@wapa.gov](mailto:RBailey@wapa.gov)

### Written Comments

All interested parties may submit written comments to WAPA any time during the 30-day Consultation and Comment Period. WAPA must receive comments by the end of the Consultation and Comment Period, December 12, 2022, to ensure consideration. Comments should be sent to Mr. Rodney Bailey, CRSP Manager, at the address above or by email to [RBailey@wapa.gov](mailto:RBailey@wapa.gov). Please copy (cc) to [CRSPMC-rate-adj@wapa.gov](mailto:CRSPMC-rate-adj@wapa.gov).

### Deputy Secretary's Confirmation of Provisional Formula Rates

Following the end of the Consultation and Comment Period(s), WAPA will develop proposed rates. WAPA will request that the Administrator confirm, approve, and place this formula rate into effect on a provisional basis. The decision and an explanation of the principal factors leading to the decision will be announced in the *Federal Register*



notice. WAPA proposes to place the proposed formula rates into effect on May 1, 2023.

### **FERC's Approval of the Formula Rates**

The Administrator will submit all information concerning the rate to the Federal Energy Regulatory Commission (FERC) and request approval of the methodologies used in their development. FERC may then confirm and approve the rate permanently, remand them to WAPA, or disapprove them.



## CRSP MC's Anticipated Schedule

<u>Procedure</u>	<u>Schedule</u>
<b>Federal Register Notice of Proposed Rate (begins 30-day comment period)</b>	<b>November 10, 2022</b>
<b>End of Comment Period</b>	<b>December 12, 2022</b>
<b>Rate Effective</b>	<b>May 1, 2023</b>

### VIII. LEGAL AND ENVIRONMENTAL REQUIREMENTS

#### Environmental Compliance

WAPA has determined this action fits within the following categorical exclusions listed in appendix B to subpart D of 10 CFR part 1021.410: B4.3 (Electric power marketing services activities). Categorically excluded projects and activities do not require preparation of either an environmental impact statement or an environmental assessment.

#### 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.





**DEPARTMENT OF ENERGY**

**Western Area Power Administration**

**Olmsted Powerplant Replacement Project—Rate Order No. WAPA–205**

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

**ACTION:** Notice of proposed formula rate for electric power service.

**SUMMARY:** The Colorado River Storage Project Management Center (CRSP MC) of the Western Area Power Administration (WAPA) proposes a new formula rate for the Olmsted Powerplant Replacement Project (Olmsted Project). The existing rate for this service under Rate Order WAPA–177 expires on May 6, 2023. There are no proposed changes to the existing formula rate in effect under Rate Order WAPA–177. WAPA proposes the new formula rate under Rate Order WAPA–205 will be effective May 1, 2023, through April 30, 2028.

**DATES:** A consultation and comment period will begin November 10, 2022 and end December 12, 2022.

CRSP MC will accept comments any time during the consultation and comment period.

**ADDRESSES:** Written comments and requests to be informed of Federal Energy Regulatory Commission (FERC) actions concerning the proposed formula rate submitted by WAPA to FERC for approval should be sent to: Rodney Bailey, Manager, CRSP MC, Western Area Power Administration, 1800 South Rio Grande Avenue, Montrose, CO 81401, or email: [RBailey@wapa.gov](mailto:RBailey@wapa.gov). CRSP MC will post information about the proposed formula rate and written comments received to its website at: [www.wapa.gov/regions/CRSP/rates/Pages/rate-order-205.aspx](http://www.wapa.gov/regions/CRSP/rates/Pages/rate-order-205.aspx).

**FOR FURTHER INFORMATION CONTACT:** Thomas Hackett, Rates Manager, CRSP MC, Western Area Power Administration, 801–524–5503 or email: [hackett@wapa.gov](mailto:hackett@wapa.gov).

**SUPPLEMENTARY INFORMATION:** On August 30, 2018, FERC approved and confirmed Rate Schedule F–1 under Rate Order No. WAPA–177 on a final basis through May 6, 2023.<sup>1</sup> This schedule applies to

the Olmsted Project electric power service.

The existing formula rate provides sufficient revenue to recover annual costs within the cost recovery criteria set forth in Department of Energy (DOE) Order RA 6120.2. The proposed rate continues the formula-based

methodology that includes an annual update to the financial data in the rate formula. CRSP MC intends the proposed formula-based rate go into effect May 1, 2023. Each WAPA customer who receives an allocation of power from the Olmsted Project will pay its proportional share of the amortized portion of the United States' investment in the hydroelectric facilities with

interest and the associated operation,

maintenance, and replacement (OM&R) costs in an annual installment. The proportional share is based on each customer's share of the Olmsted Project's marketable energy production.

This proposed formula-based rate does not depend on the power and energy available to sell or the rate of generation each year. Each customer pays a proportional share of all investment and OM&R expenses of the Olmsted Project in return for its share of the marketable energy produced by the Olmsted Project. Each fiscal year (FY), CRSP MC will estimate the Olmsted Project expenses by preparing a power repayment study, which will include estimates of OM&R costs for the Olmsted Project. Cost allocations will be updated for the FY 2025 installment after the 2025 Olmsted Power Marketing Plan is finalized and new power contracts are effective October 1, 2024. The proposed formula rate would remain in effect until April 30, 2028, or until WAPA changes the formula rate through another public rate process pursuant to 10 CFR part 903, whichever occurs first.

**Legal Authority**

Existing DOE procedures for public participation in power and transmission rate adjustments (10 CFR part 903) were published on September 18, 1985, and February 21, 2019.<sup>2</sup> The proposed action constitutes a minor rate adjustment, as defined by 10 CFR 903.2(e). In accordance with 10 CFR 903.15(a) and 10 CFR 903.16(a), CRSP MC has determined it is not necessary to hold public information and public comment forums for this rate action but is initiating a 30-day consultation and comment period to give the public an

opportunity to comment on the

proposed formula rate. CRSP MC will review and consider all timely public comments at the conclusion of the consultation and comment period and make amendments or adjustments to the proposal as appropriate. Proposed rates will then be approved on an interim basis.

WAPA is establishing the formula rate for the Olmsted Project in accordance with section 302 of the DOE Organization Act (42 U.S.C. 7152).<sup>3</sup>

By Delegation Order No. S1–DEL–RATES–2016, effective November 19, 2016, the Secretary of Energy delegated: (1) the authority to develop power and transmission rates to the WAPA Administrator; (2) the authority to

confirm, approve, and place such rates into effect on an interim basis to the Deputy Secretary of Energy; and (3) the authority to confirm, approve, and place into effect on a final basis, or to remand or disapprove such rates, to FERC. By Delegation Order No. S1–DEL–S3–2022–2, effective June 13, 2022, the Secretary of Energy also delegated the authority to confirm, approve, and place such rates into effect on an interim basis to the Under Secretary for Infrastructure. By Redelegation Order No. S3–DEL–WAPA1–2022, effective June 13, 2022, the Under Secretary for Infrastructure further redelegated the authority to confirm, approve, and place such rates into effect on an interim basis to WAPA's Administrator.

**Availability of Information**

All brochures, studies, comments, letters, memoranda, or other documents that CRSP MC initiates or uses to develop the proposed formula rate are available for inspection and copying at the CRSP MC, located at 1800 South Rio Grande Avenue, Montrose, CO. Many of these documents and supporting information are also available on WAPA's website at: [www.wapa.gov/regions/CRSP/rates/Pages/rate-order-205.aspx](http://www.wapa.gov/regions/CRSP/rates/Pages/rate-order-205.aspx).

**Ratemaking Procedure Requirements**

**Environmental Compliance**

WAPA has determined this action fits within the following categorical exclusions listed in appendix B to subpart D of 10 CFR part 1021.410: B4.3 (Electric power marketing rate changes) and B4.4 (Power marketing services activities). Categorically excluded projects and activities do not require preparation of either an environmental impact statement or an environmental assessment.<sup>4</sup> Specifically, WAPA has

<sup>3</sup> This Act transferred to, and vested in, the Secretary of Energy the power marketing functions of the Secretary of the Department of the Interior and the Bureau of Reclamation (Reclamation) under the Reclamation Act of 1902 (ch. 1093, 32 Stat. 388), as amended and supplemented by subsequent laws, particularly section 9(c) of the Reclamation Project Act of 1939 (43 U.S.C. 485h(c)); and other acts that specifically apply to the project involved.

<sup>4</sup> The determination was done compliance with the National Environmental Policy Act (NEPA) of 25 FR 37835 (Sept. 18, 1985) and 84 FR 5347

<sup>1</sup> Order Confirming and Approving Rate Schedule on a Final Basis, FERC Docket No. EF18–4–000, 164

FERC ¶ 62,116 (2018).

determined that this activity is consistent with activities identified in B4, Categorical Exclusions Applicable to Specific Agency Actions (see 10 CFR part 1021 appendix B to subpart D, part B4). A copy of the categorical exclusion determination is available on WAPA's website at: [www.wapa.gov/regions/CRSP/rates/Pages/rate-order-205.aspx](http://www.wapa.gov/regions/CRSP/rates/Pages/rate-order-205.aspx).

#### 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.

#### Signing Authority

This document of the Department of Energy was signed on October 28, 2022, by Tracey A. LeBeau, Administrator, Western Area Power Administration, pursuant to delegated authority from the Secretary of Energy. That document, with the original signature and date, is maintained by DOE. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DOE Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of the Department of Energy. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Signed in Washington, DC, on November 7, 2022.

Treena V. Garrett,

*Federal Register Liaison Officer, U.S. Department of Energy.*

[FR Doc. 2022-24571 Filed 11-9-22; 8:45 am]

BILLING CODE 6450-01-P

#### ENVIRONMENTAL PROTECTION AGENCY

[EPA-R08-SFUND-2022-0881; FRL-10392-01-R8]

#### Amendment to Prospective Purchaser Agreement, Anaconda Smelter Superfund Site, Anaconda, Deer Lodge County, Montana

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

**ACTION:** Notice of proposed agreement; request for public comment.

**SUMMARY:** Notice is hereby given by the U.S. Environmental Protection Agency (EPA), Region 8, of a proposed

implementing NEPA (40 CFR parts 1500-1508); and DOE NEPA Implementing Procedures and Guidelines (10 CFR part 1021).

amendment to a prospective purchaser agreement originally agreed to in 1994. The 1994 agreement, with the Montana Department of Environmental Quality on behalf of the State of Montana (the "State"), Anaconda-Deer Lodge County, and the Old Works Golf Course Authority, Inc., ("Purchasers"), provided liability protection to the Purchasers in return for the implementation of certain institutional controls such as the Development Permit System, a county zoning system that regulates development in the county, and restrictive covenants limiting the use of certain properties affected by contamination, and also provided for the operation and maintenance of the Old Works Golf Course. The amended agreement, entitled Amendment to Agreement and Covenant Not to Sue, provides for the implementation of updated institutional controls, including an updated Development Permit System and modified restrictive covenants. Other work under the amended agreement includes updated operations and maintenance plans for the Old Works Golf Course, the Residential Attic Abatement Implementation Plan that provides for cleaning of attics, the Interior/Exterior Dust Program that provides for cleanup of contaminated dusts, and the Community Protective Measures Plan, an information program.

**DATES:** Comments must be submitted on or before December 12, 2022.

**ADDRESSES:** The proposed agreement and additional background information relating to the agreement will be available upon request. To reduce the risk of COVID-19 transmission, for this action we do not plan to offer hard copy

review of the docket. Comments and requests for a copy of the proposed

agreement should be addressed to Anntasia Copeland, Enforcement Specialist, Superfund and Emergency Management Division, Environmental Protection Agency—Region 8, Mail Code 8SEM-PAC, 1595 Wynkoop Street, Denver, Colorado 80202, telephone number: (303) 312-6343, email address: [copeland.anntasia@epa.gov](mailto:copeland.anntasia@epa.gov) and should reference the Anaconda Smelter Superfund Site. You may also send comments, identified by Docket ID No. EPA-R08-SFUND-2022-0881 to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

#### FOR FURTHER INFORMATION CONTACT:

Andy Lensink, Assistant Regional Counsel, Office of Regional Counsel, Environmental Protection Agency, Region 8, Mail Code 8 ORC-LEC, 1595 Wynkoop, Denver, Colorado 80202,

telephone number: (303) 312-6908, email address: [lensink.andy@epa.gov](mailto:lensink.andy@epa.gov).

**SUPPLEMENTARY INFORMATION:** For thirty (30) days following the date of publication of this document, the Agency will receive written comments relating to the agreement. The Agency will consider all comments received and may modify or withdraw its consent to the agreement if comments received disclose facts or considerations that indicate that the agreement is inappropriate, improper, or inadequate.

**Betsy Smidinger,**

*Division Director, Superfund and Emergency Management Division, Region 8.*

[FR Doc. 2022-24489 Filed 11-9-22; 8:45 am]

BILLING CODE 6560-50-P

#### ENVIRONMENTAL PROTECTION AGENCY

[EPA-R01-RCRA-2022-0802; 10223-01-R1]

#### Lead-Based Paint Renovation, Repair and Painting Activities in Target Housing and Child-Occupied Facilities; State of Vermont; Notice of Self-Certification Program Authorization

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

**ACTION:** Notice.

**SUMMARY:** This document announces that on October 1, 2022, the State of Vermont was deemed authorized under section 404(a) of the Toxic Substances Control Act (TSCA) to administer and enforce requirements for the lead-based paint pre-renovation education and renovation, repair and painting (RRP) program. This document also announces that the Environmental Protection Agency (EPA) is seeking comment

during a 45-day public comment period, and it is providing an opportunity to

request a public hearing within the first 15 days of this comment period on whether Vermont's program is at least as protective as the federal program and provides for adequate enforcement. This document also announces that the authorization of the Vermont pre-renovation education and renovation, repair and painting program, which was deemed authorized by regulation and statute, will continue without further notice unless the EPA, based on its own review and/or comments received during the comment period, disapproves the Vermont program application.

**DATES:** Comments must be received on or before December 27, 2022. In addition, a public hearing request must be submitted on or before November 25, 2022.

**UNITED STATES DEPARTMENT OF ENERGY  
WESTERN AREA POWER ADMINISTRATION**

**Olmsted Project**

**Formula Rate Calculation**

Effective:

The first day of the first full billing period beginning on or after May 1, 2023, through April 30, 2028, or until superseded by another formula, whichever occurs earlier.

Available:

Customers of the Olmsted Project.

Applicable:

To preference customers who are under contract (Contractor) with Western Area Power Administration.

Power Formula Rate:

Rate Formula Provisions are contained in Contract No. **XXXX**, as supplemented.

Billing:

Billing will be as specified in the service agreement.

