

Proposed Rules

Federal Register

Vol. 87, No. 100

Tuesday, May 24, 2022

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF ENERGY

10 CFR Part 430

[EERE-2021-BT-TP-0030]

RIN 1904-AF29

Energy Conservation Program: Test Procedure for Central Air Conditioners and Heat Pumps

AGENCY: Office of Energy Efficiency and Renewable Energy, Department of Energy.

ACTION: Notice of proposed rulemaking; reopening of public comment period.

SUMMARY: On March 24, 2022, the U.S. Department of Energy (“DOE”) published in the **Federal Register** a notice of proposed rulemaking (“NOPR”) to amend test procedure for central air conditioners and heat pumps, with a deadline for submitting comments of May 23, 2022. Since publication of the proposed rule, DOE has received two requests to extend the comment period. DOE has reviewed these requests and is reopening the comment period until June 6, 2022.

DATES: The comment period for the NOPR published in the **Federal Register** on March 24, 2022 (87 FR 16830) is reopened until June 6, 2022. Written comments, data, and information are requested and will be accepted on and before June 6, 2022.

ADDRESSES: Interested persons are encouraged to submit comments using the Federal eRulemaking Portal at www.regulations.gov. Follow the instructions for submitting comments. Alternatively, interested persons may submit comments, identified by docket number EERE-2021-BT-TP-0030, by any of the following methods:

(1) *Federal eRulemaking Portal:* www.regulations.gov. Follow the instructions for submitting comments.

(2) *Email:* CentralACHeatPumps2021TP0030@ee.doe.gov. Include the docket number EERE-2021-BT-TP-0030 regulatory information number (“RIN”) 1904-AF29 in the subject line of the message.

No telefacsimiles (“faxes”) will be accepted.

Although DOE has routinely accepted public comment submissions through a variety of mechanisms, including postal mail and hand delivery/courier, the Department has found it necessary to make temporary modifications to the comment submission process in light of the ongoing COVID-19 pandemic. DOE is currently suspending receipt of public comments via postal mail and hand delivery/courier. If a commenter finds that this change poses an undue hardship, please contact Appliance Standards Program staff at (202) 586-1445 to discuss the need for alternative arrangements. Once the COVID-19 pandemic health emergency is resolved, DOE anticipates resuming all of its regular options for public comment submission, including postal mail and hand delivery/courier.

Docket: The docket for this activity, which includes **Federal Register** notices, comments, and other supporting documents/materials, is available for review at www.regulations.gov. All documents in the docket are listed in the www.regulations.gov index. However, some documents listed in the index, such as those containing information that is exempt from public disclosure, may not be publicly available.

The docket web page can be found at www.regulations.gov/docket/EERE-2021-BT-TP-0030. The docket web page will contain simple instructions on how to access all documents, including public comments, in the docket.

FOR FURTHER INFORMATION CONTACT:

Mr. Lucas Adin, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Office, EE-5B, 1000 Independence Avenue SW, Washington, DC 20585-0121. Telephone: (202) 586-9870. Email: ApplianceStandardsQuestions@ee.doe.gov.

Mr. Pete Cochran, U.S. Department of Energy, Office of the General Counsel, GC-33, 1000 Independence Avenue SW, Washington, DC 20585-0121. Telephone: (202) 586-9496. Email: peter.cochran@hq.doe.gov.

SUPPLEMENTARY INFORMATION: DOE published a NOPR in the **Federal Register** on March 24, 2022, proposing amendments to the DOE test procedures for central air conditioners and heat

pumps at Title 10 of the Code of Federal Regulations (“CFR”), part 430, subpart B, appendices M (“appendix M”) and M1 (“appendix M1”). In that NOPR, DOE stated it would receive written comments, data, and information on the proposal by May 23, 2022. 87 FR 16830.

On May 6, 2022, DOE received separate written comments from National Comfort Products (NCP) and The American Heating, Refrigeration, and Air Conditioning Institute (AHRI) requesting an extension of the comment period. In their comment, NCP requested a 45-day extension of the comment period, citing their need for additional time to address specific impacts of the proposed rule on their company. AHRI stated its support for NCP’s extension request, also indicating that the originally provided comment period “deviates from the Process Rule’s 75-day comment period” and that the original comment deadline conflicts with several other rulemakings affecting AHRI members.¹

DOE has reviewed these requests, and is reopening the comment period to allow additional time for interested parties to submit comments. In light of the potentially more significant impacts of certain provisions of the proposal on NCP, and the coincidental rulemaking activity cited by AHRI, DOE believes that additional time is warranted, and that reopening the comment period until June 6, 2022, is sufficient. In determining the appropriate extension, DOE notes that the Energy Policy and Conservation Act, as amended (“EPCA”),² specifically requires that the comment period for a proposed test procedure shall be not less than 60-day, and may be extended for good cause to be not more than 270 days (42 U.S.C. 6293(b)(2)). DOE also clarifies that, contrary to AHRI’s assertion, the Process Rule (10 CFR part 430, subpart C, appendix A) does not provide a minimum comment period for test procedure proposed rules. Therefore,

¹ DOE understands AHRI’s reference to the “Process Rule” to mean the regulatory provisions entitled “Procedures, Interpretations, and Policies for Consideration of New or Revised Energy Conservation Standards and Test Procedures for Consumer Products and Certain Commercial/Industrial Equipment,” found at appendix A to subpart C of 10 CFR part 430.

² All references to EPCA in this document refer to the statute as amended through the Energy Act of 2020, Public Law 116-260 (Dec. 27, 2020).

DOE is reopening the comment period until June 6, 2022.

Signing Authority

This document of the Department of Energy was signed on May 18, 2022, by Kelly J. Speakes-Backman, Principal Deputy Assistant Secretary for Energy Efficiency and Renewable Energy, 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 May 18, 2022.

Treena V. Garrett,

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

[FR Doc. 2022-11056 Filed 5-23-22; 8:45 am]

BILLING CODE 6450-01-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2022-0617; Airspace Docket No. 22-ASW-4]

RIN 2120-AA66

Proposed Amendment of VOR Federal Airway V-573 and Area Navigation (RNAV) Route T-398 in the Vicinity of Sulphur Springs, TX

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to amend VHF Omnidirectional Range (VOR) Federal airway V-573 and Area Navigation (RNAV) route T-398. The FAA is proposing this action due to the planned decommissioning of the VOR portion of the Sulphur Springs, TX (SLR), VOR/Distance Measuring Equipment (VOR/DME) navigational aid (NAVAID). The Sulphur Springs VOR is being decommissioned in support of the FAA's VOR Minimum Operational Network (MON) program.

DATES: Comments must be received on or before July 8, 2022.

ADDRESSES: Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, 1200 New Jersey Avenue SE, West Building Ground Floor, Room W12-140, Washington, DC 20590; telephone: 1(800) 647-5527, or (202) 366-9826. You must identify FAA Docket No. FAA-2022-0617; Airspace Docket No. 22-ASW-4 at the beginning of your comments. You may also submit comments through the internet at <https://www.regulations.gov>.

FAA Order JO 7400.11F, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at https://www.faa.gov/air_traffic/publications/. For further information, you can contact the Rules and Regulations Group, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267-8783.

FOR FURTHER INFORMATION CONTACT: Colby Abbott, Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267-8783.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would modify the National Airspace System (NAS) as necessary to preserve the safe and efficient flow of air traffic.

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal.

Communications should identify both docket numbers (FAA Docket No. FAA-

2022-0617; Airspace Docket No. 22-ASW-4) and be submitted in triplicate to the Docket Management Facility (see **ADDRESSES** section for address and phone number). You may also submit comments through the internet at <https://www.regulations.gov>.

Commenters wishing the FAA to acknowledge receipt of their comments on this action must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to FAA Docket No. FAA-2022-0617; Airspace Docket No. 22-ASW-4." The postcard will be date/time stamped and returned to the commenter.

All communications received on or before the specified comment closing date will be considered before taking action on the proposed rule. The proposal contained in this action may be changed in light of comments received. All comments submitted will be available for examination in the public docket both before and after the comment closing date. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRMs

An electronic copy of this document may be downloaded through the internet at <https://www.regulations.gov>. Recently published rulemaking documents can also be accessed through the FAA's web page at https://www.faa.gov/air_traffic/publications/airspace_amendments/.

You may review the public docket containing the proposal, any comments received and any final disposition in person in the Dockets Office (see **ADDRESSES** section for address and phone number) between 9:00 a.m. and 5:00 p.m., Monday through Friday, except federal holidays. An informal docket may also be examined during normal business hours at the office of the Operations Support Group, Central Service Center, Federal Aviation Administration, 10101 Hillwood Parkway, Fort Worth, TX 76177.

Availability and Summary of Documents for Incorporation by Reference

This document proposes to amend FAA Order JO 7400.11F, Airspace Designations and Reporting Points, dated August 10, 2021, and effective September 15, 2021. FAA Order JO 7400.11F is publicly available as listed in the **ADDRESSES** section of this document. FAA Order JO 7400.11F lists Class A, B, C, D, and E airspace areas,