this document corrects 10 CFR 430.3(i) and 10 CFR 430.3(q) and (p).

Procedural Issues and Regulatory Review

The regulatory reviews conducted for this rulemaking are those set forth in the June 1, 2016 and December 16, 2016 final rules that originally codified the amendments to DOE's test procedures for portable air conditioners and cooking products. The amendments in the June 1, 2016 rulemaking became effective July 1, 2016 and the December 16, 2016 final rule amendments became effective January 17, 2017.

Pursuant to the Administrative Procedure Act, 5 U.S.C. 553(b), DOE has determined that notice and prior opportunity for comment on this rule are unnecessary and contrary to the public interest. Neither the errors nor the corrections in this document affect the substance of the rulemakings or any of the conclusions reached in support of the final rule. For these reasons, DOE has also determined that there is good cause to waive the 30-day delay in effective date.

List of Subjects in 10 CFR Part 430

Administrative practice and procedure, Confidential business information, Energy conservation, Household appliances, Imports, Incorporation by reference, Intergovernmental relations, Small businesses.

Signed in Washington, DC, on February 11, 2019.

Steven Chalk,

Acting Deputy Assistant Secretary for Energy Efficiency and Renewable Energy.

For the reasons set forth in the preamble, DOE amends part 430 of title 10 of the Code of Federal Regulations by making the following correcting amendments:

PART 430—ENERGY CONSERVATION PROGRAM FOR CONSUMER PRODUCTS

■ 1. The authority citation for part 430 continues to read as follows:

Authority: 42 U.S.C. 6291–6309; 28 U.S.C. 2461 note.

■ 2. Section 430.3 amended by:
■ a. Revising paragraph (i); and
■ b. Redesignating paragraphs (q) and (p) as paragraphs (p) and (q), respectively.

The revision reads as follows:

§ 430.3 Materials incorporated by reference.

* * * * *

(i) *AHAM.* Association of Home Appliance Manufacturers, 1111 19th Street NW, Suite 402, Washington, DC 20036, 202–872–5955, or go to *http://www.aham.org.*

(1) ANSI/AHAM DH–1–2008 (''ANSI/AHAM DH–1''), Dehumidifiers, ANSI approved May 9, 2008, IBR approved for appendices X and X1 to subpart B of this part.

(2) ANSI/AHAM DW–1–2010, Household Electric Dishwashers, (ANSI approved September 18, 2010), IBR approved for appendix C1 to subpart B of this part.

(3) AHAM HLD–1–2009 (''AHAM HLD–1''), Household Tumble Type Clothes Dryers, (2009), IBR approved for appendices D1 and D2 to subpart B of this part.

(4) AHAM HRF–1–2008, (''HRF–1–2008''), Association of Home Appliance Manufacturers, Energy and Internal Volume of Refrigerating Appliances (2008), including Errata to Energy and Internal Volume of Refrigerating Appliances, Correction Sheet issued November 17, 2009, IBR approved for appendices A and B to subpart B of this part.

(5) ANSI/AHAM PAC–1–2015, (''ANSI/AHAM PAC–1–2015''), Portable Air Conditioners, June 19, 2015, IBR approved for appendix CC to subpart B of this part.

(6) ANSI/AHAM RAC–1–2008 (''ANSI/AHAM RAC–1''), Room Air Conditioners, (2008; ANSI approved July 7, 2008), IBR approved for appendix F to subpart B of this part.

* * * * *

[FR Doc. 2019–02973 Filed 2–20–19; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

10 CFR Part 903

RIN 1901–AB49

Administrative Updates to Personnel References

AGENCY: Office of Electricity, U.S. Department of Energy.

ACTION: Final rule.

SUMMARY: The Department of Energy (''DOE'') publishes this final rule to update personnel references to correspond with the Secretary's delegation of authority. This final rule is needed to reflect changes to the Secretary's delegation of authority and does not otherwise substantively change the current regulations.

DATES: This rule is effective February 21, 2019.

FOR FURTHER INFORMATION CONTACT: Mr. Lawrence Mansueti, U.S. Department of Energy, Office of Electricity, OE–20, 1000 Independence Avenue SW, Washington, DC 20585–0121. Telephone: (202) 586–2588. Email: *Lawrence.Mansueti@hq.doe.gov;* Ms. Sarah Butler, U.S. Department of Energy, Office of the General Counsel, GC–33, 1000 Independence Avenue SW, Washington, DC 20585–0121. Telephone: (202) 586–1777. Email: *sarah.butler@hq.doe.gov.*

SUPPLEMENTARY INFORMATION:

Table of Contents

I. Background and Summary of Final Rule

The authority to confirm, approve, and place into effect interim power and transmission rates for the power marketing administrations has been delegated by the Secretary through various DOE Orders. *See* DOE Delegation Order No. 0204–33 (43 FR 60636 (Jan. 1, 1979), as amended Mar. 19, 1981) and Delegation Order No. 0204–108 (Dec. 14, 1983 (48 FR 55664), as amended 51 FR 19744 (May 30, 1986), 56 FR 41835 (Aug. 23, 1991), and 58 FR 59716 (Nov. 10, 1993)). Most recently, the Secretary delegated this authority to the Under Secretary of Energy. *See* DOE Delegation Order No. 00–002.00Q (Nov. 1, 2018). The administrative updates to personnel references in this final rule are needed to make the procedures for public participation in power and transmission rate adjustments and extensions at 10 CFR part 903 consistent with the Secretary's delegations of authority and the amended language will allow for future changes in delegations of authority. Specifically, this final rule revises DOE regulations at 10 CFR part 903 by changing certain references to ''Deputy Secretary'' to ''the Secretary or his or her designee.'' This final rule also makes corresponding changes to the

definitions section at 10 CFR 903.2 by adding the definition of ''Secretary'' and removing the definition of ''Deputy Secretary.''

II. Final Rulemaking

In accordance with the Administrative Procedure Act's provisions at 5 U.S.C. 553(b), DOE generally publishes a rule in a proposed form and solicits public comment on it before issuing the rule in final. However, 5 U.S.C. 553(b)(B) provides an exception to the public comment requirement if the agency finds good cause to omit advance notice and public participation. Good cause is shown when public comment is ''impracticable, unnecessary, or contrary to the public interest.''

For the aforementioned administrative updates, DOE finds that providing an opportunity for public comment prior to publication of this rule is not necessary because DOE is carrying out an administrative change that does not substantively alter the existing 10 CFR part 903 regulatory framework. For the same reason, DOE is waiving the 30-day delay in effective date.

III. Regulatory Review

A. Review Under Executive Order 12866

This final rule has been determined not to be a ''significant regulatory action'' under section 3(f) of Executive Order 12866, ''Regulatory Planning and Review,'' 58 FR 51735 (Oct. 4, 1993). Accordingly, this action was not subject to review under that Executive Order by the Office of Information and Regulatory Affairs (OIRA) in the Office of Management and Budget (OMB).

B. Review Under Executive Orders 13771 and 13777

On January 30, 2017, the President issued Executive Order 13771, ''Reducing Regulation and Controlling Regulatory Costs.'' That Order stated that the policy of the executive branch is to be prudent and financially responsible in the expenditure of funds, from both public and private sources. The Order stated that it is essential to manage the costs associated with the governmental imposition of private expenditures required to comply with Federal regulations.

Additionally, on February 24, 2017, the President issued Executive Order 13777, ''Enforcing the Regulatory Reform Agenda.'' The Order required the head of each agency to designate an agency official as its Regulatory Reform Officer (RRO). Each RRO oversees the implementation of regulatory reform initiatives and policies to ensure that agencies effectively carry out regulatory reforms, consistent with applicable law. Further, E.O. 13777 requires the establishment of a regulatory task force at each agency. The regulatory task force is required to make recommendations to the agency head regarding the repeal, replacement, or modification of existing regulations, consistent with applicable law. At a minimum, each regulatory reform task force must attempt to identify regulations that:

(i) Eliminate jobs, or inhibit job creation;

(ii) Are outdated, unnecessary, or ineffective;

(iii) Impose costs that exceed benefits;

(iv) Create a serious inconsistency or otherwise interfere with regulatory reform initiatives and policies;

(v) Are inconsistent with the requirements of the Information Quality Act, or the guidance issued pursuant to that Act, particularly those regulations that rely in whole or in part on data, information, or methods that are not publicly available or that are insufficiently transparent to meet the standard for reproducibility; or

(vi) Derive from or implement Executive Orders or other Presidential directives that have been subsequently rescinded or substantially modified.

DOE concludes that this final rule is consistent with the directives set forth in these executive orders. This final rule does not substantively change the existing regulations and is intended only to make personnel references in the regulations at 10 CFR part 903 consistent with the Secretary's delegation of authority.

C. Review Under the National Environmental Policy Act of 1969

DOE has determined that this final rule is covered under the Categorical Exclusion found in DOE's National Environmental Policy Act regulations at paragraph A.5 of appendix A to subpart D, 10 CFR part 1021, which applies to a rulemaking that amends an existing rule or regulation and that does not change the environmental effect of the rule or regulation being amended. Accordingly, neither an environmental assessment nor an environmental impact statement is required.

D. Review Under the Regulatory Flexibility Act

The Regulatory Flexibility Act (5 U.S.C. 601 *et seq.)* requires preparation of an initial regulatory flexibility analysis for any rule that by law must be proposed for public comment, unless the agency certifies that the rule, if promulgated, will not have a significant economic impact on a substantial number of small entities. As required by Executive Order 13272, ''Proper Consideration of Small Entities in Agency Rulemaking,'' 67 FR 53461 (Aug. 16, 2002), DOE published procedures and policies on February 19, 2003, to ensure that the potential impacts of its rules on small entities are properly considered during the DOE rulemaking process. 68 FR 7990. DOE has made its procedures and policies available on the Office of the General Counsel's website: *http://energy.gov/gc/office-general-counsel.* As discussed above, DOE has determined that prior notice and opportunity for public comment is unnecessary for this final rule. In accordance with 5 U.S.C. 604(a), no regulatory flexibility analysis has been prepared for this rule.

E. Review Under the Paperwork Reduction Act of 1995

This final rule imposes no new information collection requirements subject to the Paperwork Reduction Act.

F. Review Under the Unfunded Mandates Reform Act of 1995

Title II of the Unfunded Mandates Reform Act of 1995 (UMRA) requires each Federal agency to assess the effects of Federal regulatory actions on State, local, and Tribal governments and the private sector. Public Law 104–4, sec. 201 (codified at 2 U.S.C. 1531). For a proposed regulatory action likely to result in a rule that may cause the expenditure by State, local, and Tribal governments, in the aggregate, or by the private sector of $100 million or more in any one year (adjusted annually for inflation), section 202 of UMRA requires a Federal agency to publish a written statement that estimates the resulting costs, benefits, and other effects on the national economy. 2 U.S.C. 1532(a), (b). UMRA also requires a Federal agency to develop an effective process to permit timely input by elected officers of State, local, and Tribal governments on a proposed ''significant intergovernmental mandate,'' and requires an agency plan for giving notice and opportunity for timely input to potentially affected small governments before establishing any requirements that might significantly or uniquely affect small governments. On March 18, 1997, DOE published a statement of policy on its process for intergovernmental consultation under UMRA. 62 FR 12820; available at: *https://www.energy.gov/sites/prod/files/gcprod/documents/umra_97.pdf.*

UMRA sections 202 and 205 do not apply to this action because they apply only to rules for which a general notice

of proposed rulemaking is published. Nevertheless, DOE has determined that this final rule contains neither an intergovernmental mandate, nor a mandate that may result in the expenditure of $100 million or more in any year.

G. Review Under the Treasury and General Government Appropriations Act, 1999

Section 654 of the Treasury and General Government Appropriations Act, 1999 (Pub. L. 105–277), requires Federal agencies to issue a Family Policymaking Assessment for any proposed rule that may affect family well-being. This final rule would not have any impact on the autonomy or integrity of the family as an institution. Accordingly, DOE has concluded that it is not necessary to prepare a Family Policymaking Assessment.

H. Review Under Executive Order 13132

Executive Order 13132, ''Federalism,'' 64 FR 43255 (Aug. 4, 1999), imposes certain requirements on agencies formulating and implementing policies or regulations that preempt State law or that have federalism implications. The Executive Order requires agencies to examine the constitutional and statutory authority supporting any action that would limit the policymaking discretion of the States and carefully assess the necessity for such actions. The Executive Order also requires agencies to have an accountable process to ensure meaningful and timely input by State and local officials in the development of regulatory policies that have Federalism implications. On March 14, 2000, DOE published a statement of policy describing the intergovernmental consultation process it will follow in the development of such regulations. 65 FR 13735. DOE has examined this rule and has determined that it would not preempt State law and would not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. No further action is required by Executive Order 13132.

I. Review Under Executive Order 12988

With respect to the review of existing regulations and the promulgation of new regulations, section 3(a) of Executive Order 12988, ''Civil Justice Reform,'' 61 FR 4729 (Feb. 7, 1996), imposes on Executive agencies the general duty to adhere to the following requirements: (1) Eliminate drafting errors and ambiguity; (2) write regulations to minimize litigation; and (3) provide a clear legal standard for affected conduct rather than a general standard and promote simplification and burden reduction. With regard to the review required by section 3(a), section 3(b) of Executive Order 12988 specifically requires that Executive agencies make every reasonable effort to ensure that the regulation: (1) Clearly specifies the preemptive effect, if any; (2) clearly specifies any effect on existing Federal law or regulation; (3) provides a clear legal standard for affected conduct while promoting simplification and burden reduction; (4) specifies the retroactive effect, if any; (5) adequately defines key terms; and (6) addresses other important issues affecting clarity and general draftsmanship under any guidelines issued by the Attorney General. Section 3(c) of Executive Order 12988 requires Executive agencies to review regulations in light of applicable standards in section 3(a) and section 3(b) to determine whether they are met or it is unreasonable to meet one or more of them. DOE has completed the required review and determined that, to the extent permitted by law, this rule meets the relevant standards of Executive Order 12988.

J. Review Under the Treasury and General Government Appropriations Act, 2001

Section 515 of the Treasury and General Government Appropriations Act, 2001 (44 U.S.C. 3516 note), provides for agencies to review most disseminations of information to the public under guidelines established by each agency pursuant to general guidelines issued by OMB. OMB's guidelines were published at 67 FR 8452 (Feb. 22, 2002), and DOE's guidelines were published at 67 FR 62446 (Oct. 7, 2002). DOE has reviewed this final rule under the OMB and DOE guidelines and has concluded that it is consistent with applicable policies in those guidelines.

K. Review Under Executive Order 13211

Executive Order 13211, ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use,'' 66 FR 28355 (May 22, 2001), requires Federal agencies to prepare and submit to OMB a Statement of Energy Effects for any proposed significant energy action. A ''significant energy action'' is defined as any action by an agency that promulgated or is expected to lead to promulgation of a final rule or regulation, and that: (1) Is a significant regulatory action under Executive Order 12866, or any successor order; and (2) is likely to have a significant adverse effect on the supply, distribution, or use of energy, or (3) is designated by the Administrator of OIRA as a significant energy action. For any proposed significant energy action, the agency must give a detailed statement of any adverse effects on energy supply, distribution, or use should the proposal be implemented, and of reasonable alternatives to the action and their expected benefits on energy supply, distribution, and use.

This final rule is not a significant regulatory action under Executive Order 12866. Moreover, it would not have a significant adverse effect on the supply, distribution, or use of energy, nor has it been designated as a significant energy action by the Administrator of OIRA. Therefore, it is not a significant energy action, and, accordingly, DOE has not prepared a Statement of Energy Effects.

L. Congressional Notification

As required by 5 U.S.C. 801, DOE will submit to Congress a report regarding the issuance of this final rule prior to the effective date set forth at the outset of this rulemaking. The report will state that it has been determined that the rule is not a ''major rule'' as defined by 5 U.S.C. 801(2).

IV. Approval of the Office of the Secretary

The Secretary of Energy has approved publication of this final rule.

List of Subjects in 10 CFR Part 903

Electric power rates.

Signed in Washington, DC, on February 12, 2019.

Bruce J. Walker,

Assistant Secretary, Office of Electricity.

For the reasons stated in the preamble, DOE amends part 903 of chapter III of title 10 of the Code of Federal Regulations as set forth below:

PART 903—POWER AND TRANSMISSION RATES

■ 1. The authority citation for part 903 continues to read as follows:

Authority: Secs. 301(b), 302(a), and 644 of the Department of Energy Organization Act, Pub. L. 95–91 (42 U.S.C. 7101 *et seq.*); sec. 5 of the Flood Control Act of 1944 (16 U.S.C. 825s); the Reclamation Act of 1902 (43 U.S.C. 372 *et seq.*), as amended and supplemented by subsequent enactments, particularly sec. 9(c) of the Reclamation Project Act of 1939 (43 U.S.C. 485h(c)); and the Acts specifically applicable to individual projects or power systems.

§ 903.1 [Amended]

■ 2. Section 903.1(a) is amended by:

■ a. Removing the words ''Deputy Secretary of the Department of Energy'' and adding in their place the words ''Secretary or his or her designee''.

■ b. Removing the words ''Deputy Secretary'' and adding in their place the words ''Secretary or his or her designee''.

■ 3. Section 903.2 is amended by:

■ a. Removing paragraph (c).

■ b. Redesignating paragraphs (d) through (n) as paragraphs (c) through (m);

■ c. In newly redesignated paragraph (j), removing the words ''Deputy Secretary'' and adding in their place the words ''Secretary or his or her designee''; and

■ d. Adding a new paragraph (n).

The addition reads as follows:

§ 903.2 Definitions.

* * * * *

(n) *Secretary* means the Secretary of the United States Department of Energy.

* * * * *

§ 903.21 [Amended]

■ 4. Section 903.21 is amended by:

■ a. In paragraphs (a) and (b), removing the words ''Deputy Secretary's'' and adding in their place the words ''Secretary's or his or her designee's''.

■ b. In paragraphs (b), (c), and (d), removing the words ''Deputy Secretary'' and adding in their place the words ''Secretary or his or her designee''.

§ 903.22 [Amended]

■ 5. Section 903.22(b), (d), and (h) is amended by removing the words ''Deputy Secretary'' and adding in their place the words ''Secretary or his or her designee''.

§ 903.23 [Amended]

■ 6. Section 903.23(a)(3) and (b) is amended by removing the words ''Deputy Secretary'' and adding in their place the words ''Secretary or his or her designee''.

[FR Doc. 2019–02805 Filed 2–20–19; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2018–0385; Product Identifier 2018–CE–019–AD; Amendment 39–19554; AD 2019–03–02]

RIN 2120–AA64

Airworthiness Directives; Pacific Aerospace Limited Airplanes

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for Pacific Aerospace Limited Model 750XL airplanes. This AD results from mandatory continuing airworthiness information (MCAI) issued by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as an incorrect size bolt may have been used to assemble the elevator bellcrank pivot joint. We are issuing this AD to require actions to address the unsafe condition on these products.

DATES: This AD is effective March 28, 2019.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in the AD as of March 28, 2019.

ADDRESSES: You may examine the AD docket on the internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2018–0385; or in person at Docket Operations, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.

For service information identified in this AD, contact Pacific Aerospace Limited, Airport Road, Hamilton, Private Bag 3027, Hamilton 3240, New Zealand; phone: +64 7843 6144; fax: +64 843 6134; email: *pacific@aerospace.co.nz;* internet: *www.aerospace.co.nz.* You may view this referenced service information at the FAA, Policy and Innovation Division, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call (816) 329–4148. It is also available on the internet at *http://www.regulations.gov* by searching for Docket No. FAA–2018–0385.

FOR FURTHER INFORMATION CONTACT: Mike Kiesov, Aerospace Engineer, FAA, Small Airplane Standards Branch, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329–4144; fax: (816) 329–4090; email: *mike.kiesov@faa.gov.*

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to Pacific Aerospace Limited Model 750XL airplanes. The NPRM was published in the **Federal Register** on May 11, 2018 (83 FR 21951). The NPRM proposed to correct an unsafe condition for the specified products and was based on mandatory continuing airworthiness information (MCAI) originated by the Civil Aviation Authority (CAA), which is the aviation authority of New Zealand. The MCAI states:

> It is possible that the elevator bellcrank pivot joint could be assembled with a bolt P/N AN4–20 that is a little too short, leaving threads inside the working area of the section of the joint.

The MCAI requires inspecting the elevator bellcrank pivot joint to determine the length of the bolt installed to determine if it is the proper size and taking all necessary corrective actions. The MCAI can be found in the AD docket on the internet at: *https://www.regulations.gov/document?D=FAA-2018-03850-002.*

Incorrectly sized bolts that are too short can cause damage from the threads of the bolt on the internal bore of the cross tube hinge plate, which could result in reduced control.

Comments

We gave the public the opportunity to participate in developing this AD. We received no comments on the NPRM or on the determination of the cost to the public.

Conclusion

We reviewed the relevant data and determined that air safety and the public interest require adopting the AD as proposed except for minor editorial changes and changes to clarify the incorporation by reference of the service information. We have determined that these minor changes:

- Are consistent with the intent that was proposed in the NPRM for correcting the unsafe condition; and
- Do not add any additional burden upon the public than was already proposed in the NPRM.