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Signed in Washington, DC, on August 16, 2023.

**Treena V. Garrett,**

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

[FR Doc. 2023-17955 Filed 8-21-23; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2023-1648; Project Identifier AD-2022-01501-T]

RIN 2120-AA64

#### Airworthiness Directives; The Boeing Company Airplanes

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** The FAA proposes to adopt a new airworthiness directive (AD) for certain The Boeing Company Model 787-8, 787-9, and 787-10 airplanes. This proposed AD was prompted by a reported quality escapement where the seat track fitting nuts were under-torqued on some flight attendant seats in production. This proposed AD requires re-torquing each free standing attendant seat track fitting nut. The FAA is proposing this AD to address the unsafe condition on these products.

**DATES:** The FAA must receive comments on this proposed AD by October 6, 2023.

**ADDRESSES:** You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- *Federal eRulemaking Portal:* Go to *regulations.gov*. Follow the instructions for submitting comments.

- *Fax:* 202-493-2251.

- *Mail:* U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

- *Hand Delivery:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

*AD Docket:* You may examine the AD docket at *regulations.gov* under Docket No. FAA-2023-1648; or in person at Docket Operations between 9 a.m. and

5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this NPRM, any comments received, and other information. The street address for Docket Operations is listed above.

*Material Incorporated by Reference:*

- For service information identified in this NPRM, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminister Blvd., MC 110 SK57, Seal Beach, CA 90740-5600; telephone 562-797-1717; website *myboeingfleet.com*.

- You may view this service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206-231-3195.

**FOR FURTHER INFORMATION CONTACT:**

Tony Koung, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA; phone: 206-231-3985; email: *Tony.Koung@faa.gov*.

**SUPPLEMENTARY INFORMATION:**

**Comments Invited**

The FAA invites you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under **ADDRESSES**. Include “Docket No. FAA-2023-1648; Project Identifier AD-2022-01501-T” at the beginning of your comments. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend this proposal because of those comments.

Except for Confidential Business Information (CBI) as described in the following paragraph, and other information as described in 14 CFR 11.35, the FAA will post all comments received, without change, to *regulations.gov*, including any personal information you provide. The agency will also post a report summarizing each substantive verbal contact received about this NPRM.

**Confidential Business Information**

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this NPRM contain commercial or financial information that is customarily treated as private, that you actually treat as

private, and that is relevant or responsive to this NPRM, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as “PROPIN.” The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this NPRM. Submissions containing CBI should be sent to Tony Koung, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; phone: 206-231-3985; email: *Tony.Koung@faa.gov*. Any commentary that the FAA receives that is not specifically designated as CBI will be placed in the public docket for this rulemaking.

**Background**

The FAA has received a report indicating Boeing found a quality escapement where the seat track fitting nuts were under-torqued on some flight attendant seats in production. One flight attendant seat was discovered to be loose after final installation, and a subsequent production line check found similarly under-torqued fitting nuts on other airplanes. An investigation revealed that the attachment nuts were torqued using a yoke-type U-joint adapter, which is not allowed for final torque, as using these adapters can result in inaccurate torque values. While the attachment nuts should be torqued to 140-150 in-lbs, the inspections found a few fitting nuts that were only finger tight (essentially zero torque), and many fitting nuts that were torqued only to the 30-130 in-lbs range. This condition, if not addressed, could result in the forward facing flight attendant seats breaking free in a high load event, causing injury to the flight attendants and blocking the exits during emergency egress.

**FAA’s Determination**

The FAA is issuing this NPRM after determining that the unsafe condition described previously is likely to exist or develop on other products of the same type design.

**Related Service Information Under 14 CFR Part 51**

The FAA reviewed Boeing Service Letter 787-SL-25-025, dated September 6, 2022. This service information specifies procedures for re-torquing each free standing attendant seat track fitting nut to 140-150 in-lbs. This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in **ADDRESSES**.

**Proposed AD Requirements in This NPRM**

This proposed AD would require accomplishing the actions specified in

the service information already described.

**Costs of Compliance**

The FAA estimates that this AD, if adopted as proposed, would affect 134

airplanes of U.S. registry. The FAA estimates the following costs to comply with this proposed AD:

**ESTIMATED COSTS**

| Action                             | Labor cost   | Parts cost | Cost per product     | Cost on U.S. operators |
|------------------------------------|--|------------|----------------------|------------------------|
| Re-Torque seat track fitting nuts. | Up to 2.5 work-hours × \$85 per hour = Up to \$212.50. | \$0        | Up to \$212.50 ..... | Up to \$28,475.        |

The FAA has included all known costs in its cost estimate. According to the manufacturer, however, some or all of the costs of this proposed AD may be covered under warranty, thereby reducing the cost impact on affected operators.

**Authority for This Rulemaking**

Title 49 of the United States Code specifies the FAA’s authority to issue rules on aviation safety. 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.

The FAA is issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: General requirements. Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

**Regulatory Findings**

The FAA determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD 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.

For the reasons discussed above, I certify this proposed regulation:

- (1) Is not a “significant regulatory action” under Executive Order 12866,
- (2) Would not affect intrastate aviation in Alaska, and
- (3) Would not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

**List of Subjects in 14 CFR Part 39**

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

**The Proposed Amendment**

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 14 CFR part 39 as follows:

**PART 39—AIRWORTHINESS DIRECTIVES**

- 1. The authority citation for part 39 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40113, 44701.

**§ 39.13 [Amended]**

- 2. The FAA amends § 39.13 by adding the following new airworthiness directive:

**The Boeing Company:** Docket No. FAA–2023–1648; Project Identifier AD–2022–01501–T.

**(a) Comments Due Date**

The FAA must receive comments on this airworthiness directive (AD) by October 6, 2023.

**(b) Affected ADs**

None.

**(c) Applicability**

This AD applies to The Boeing Company Model 787–8, 787–9, and 787–10 airplanes, certificated in any category, as identified in Boeing Service Letter 787–SL–25–025, dated September 6, 2022.

**(d) Subject**

Air Transport Association (ATA) of America Code 25, Equipment/furnishings.

**(e) Unsafe Condition**

This AD was prompted by a reported quality escapement where the seat track fitting nuts were under-torqued on some flight attendant seats in production. The FAA is issuing this AD to address under-torqued seat track fitting nuts. The unsafe condition, if not addressed, could result in the forward facing flight attendant seats breaking free in a high load event, causing injury to flight attendants and blocking the exits during emergency egress.

**(f) Compliance**

Comply with this AD within the compliance times specified, unless already done.

**(g) Re-torque Seat Track Fitting Nuts**

Within 6 months after the effective date of this AD, re-torque each free standing attendant seat track fitting nut in accordance with Steps 2., 3., and 4. of “Suggested Operator Action” of Boeing Service Letter 787–SL–25–025, dated September 6, 2022.

**(h) Alternative Methods of Compliance (AMOCs)**

(1) The Manager, AIR–520 Continued Operational Safety Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or responsible Flight Standards Office, as appropriate. If sending information directly to the manager of the certification office, send it to the attention of the person identified in paragraph (i) of this AD. Information may be emailed to: [9-ANM-Seattle-ACO-AMOC-Requests@faa.gov](mailto:9-ANM-Seattle-ACO-AMOC-Requests@faa.gov).

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the responsible Flight Standards Office.

(3) An AMOC that provides an acceptable level of safety may be used for any repair, modification, or alteration required by this AD if it is approved by The Boeing Company Organization Designation Authorization (ODA) that has been authorized by the Manager, AIR–520 Continued Operational Safety Branch, FAA, to make those findings. To be approved, the repair method, modification deviation, or alteration deviation must meet the certification basis of the airplane, and the approval must specifically refer to this AD.

**(i) Related Information**

For more information about this AD, contact Tony Koung, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; phone: 206–231–3985; email: [Tony.Koung@faa.gov](mailto:Tony.Koung@faa.gov).

**(j) Material Incorporated by Reference**

(1) The Director of the Federal Register approved the incorporation by reference (IBR) of the service information listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this service information as applicable to do the actions required by this AD, unless the AD specifies otherwise.

(i) Boeing Service Letter 787–SL–25–025, dated September 6, 2022.

(ii) [Reserved]

(3) For service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminister Blvd., MC 110–SK57, Seal Beach, CA 90740–5600; telephone 562–797–1717; website [myboeingfleet.com](http://myboeingfleet.com).

(4) You may view this service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195.

(5) You may view this service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, [fr.inspection@nara.gov](http://fr.inspection@nara.gov), or go to: [www.archives.gov/federal-register/cfr/ibr-locations.html](http://www.archives.gov/federal-register/cfr/ibr-locations.html).

Issued on July 26, 2023.

**Victor Wicklund,**

*Deputy Director, Compliance & Airworthiness Division, Aircraft Certification Service.*

[FR Doc. 2023–17776 Filed 8–21–23; 8:45 am]

**BILLING CODE 4910–13–P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA–R06–OAR–2022–0907; FRL–11174–01–R6]

### Air Plan Approval; Arkansas; Revisions to Rule 19 of the Arkansas Plan

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

**ACTION:** Proposed rule.

**SUMMARY:** Pursuant to the Federal Clean Air Act (CAA or the Act), the Environmental Protection Agency (EPA) is proposing to approve portions of the revisions to the Arkansas State Implementation Plan (SIP) including revisions to the Arkansas Pollution Control and Ecology Commission’s (“Commission” or APC&EC) Rule No. 19, Rules of the Arkansas Plan of Implementation for Air Pollution Control submitted by the Arkansas Department of Energy and Environment, Division of Environmental Quality (DEQ) via the Arkansas Governor’s Office on June 22, 2022. Most of the revisions are administrative in nature and make the SIP current with Federal rules.

**DATES:** Written comments must be received on or before September 21, 2023.

**ADDRESSES:** Submit your comments, identified by Docket No. EPA–R06–OAR–2022–0907, at <https://www.regulations.gov> or via email to [steib.clovis@epa.gov](mailto:steib.clovis@epa.gov). Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov*. The EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.*, on the web, cloud, or other file sharing system). For additional submission methods, please contact Clovis Steib, 214–665–7566, [steib.clovis@epa.gov](mailto:steib.clovis@epa.gov). For the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <https://www.epa.gov/dockets/commenting-epa-dockets>.

**Docket:** The index to the docket for this action is available electronically at [www.regulations.gov](http://www.regulations.gov). While all documents in the docket are listed in the index, some information may not be publicly available due to docket file size restrictions or content (*e.g.*, CBI).

**FOR FURTHER INFORMATION CONTACT:**

Clovis Steib, EPA Region 6 Office, Infrastructure and Ozone Section, Air and Radiation Division, 214–665–7566, [steib.clovis@epa.gov](mailto:steib.clovis@epa.gov). We encourage the public to submit comments via <https://www.regulations.gov>. Please call or email the contact listed above if you need alternative access to material indexed but not provided in the docket.

**SUPPLEMENTARY INFORMATION:**

Throughout this document wherever “we,” “us,” or “our” is used, we mean the EPA.

### I. Background

The SIP is a set of air pollution regulations, control strategies, and technical analyses developed by the state to implement, maintain, and enforce the National Ambient Air Quality Standards, or NAAQS, and to fulfill other requirements of the Clean Air Act. The NAAQS are established

under section 109 of the Act, and they currently address six criteria pollutants: carbon monoxide, lead, nitrogen dioxide, ozone, particulate matter, and sulfur dioxide. The SIP is required by Section 110 of the Act and can be extensive, containing state regulations or other enforceable documents and supporting information such as emission inventories, monitoring networks, and modeling demonstrations.

The Arkansas SIP is the air quality protection strategy implemented by the Department of Energy and Environment’s Division of Environmental Quality (DEQ) pursuant to the CAA. The SIP consists of laws and rules, nonregulatory and quasi-regulatory measures, and other state enforceable requirements codified at 40 CFR 52 subpart E. The Arkansas SIP is federally enforceable. The Arkansas SIP was first approved by the EPA in 1972 (37 FR 10841). All revisions to the SIP require EPA approval.

On June 22, 2022, Arkansas submitted to the EPA revisions to the Arkansas SIP.<sup>1</sup> The submitted revisions address APC&EC Regulation 19, *Rules of the Arkansas Plan of Implementation for Air Pollution Control*, with corresponding chapters and appendices. The revisions restructure the regulations and organize them as rules, such that Regulation 19 becomes Rule 19, *Rules of the Arkansas Plan of Implementation for Air Pollution Control*, with corresponding chapters and appendices. The revisions also remove certain outdated provisions and update other provisions that are incorporated into Regulation 19. Specific provisions to be repealed are those in Chapter 10 of APC&EC Regulation 19 regarding the control of volatile organic compounds (VOC) from certain source categories in Pulaski County, provisions for the Clean Air Interstate Rule (CAIR) in Chapter 14, and informational provisions regarding sources eligible or subject to best available retrofit technology (BART) requirements for Regional Haze in Chapter 15.

Additionally, the submitted revisions address regulatory provisions in Chapters 1, 2, 3, 4, 5, 6, 7, 9, 11, 13, 16, 18, and Appendices A and B of Regulation 19.<sup>2</sup> These changes reflect the current organizational structure of ADEQ, remove outdated information, and make non-substantive formatting edits.

<sup>1</sup> The cover letter on the submitted revisions is dated May 12, 2022, but the submittal package was not submitted to EPA until June 22, 2022.

<sup>2</sup> See accompanying Technical Support Document (TSD) available in the docket for this rulemaking.