

the case to the Attorney General of the United States, or his or her delegate, for collection of the civil penalty. In any such action, the validity and appropriateness of the Order assessing the civil penalty shall not be subject to review.

[FR Doc. 2023-27182 Filed 12-22-23; 8:45 am]

BILLING CODE 6450-01-P

DEPARTMENT OF ENERGY

10 CFR Part 1021

[DOE-HQ-2023-0063]

RIN 1990-AA48

National Environmental Policy Act Implementing Procedures; Extension of Comment Period

AGENCY: Office of the General Counsel, Department of Energy.

ACTION: Notice of proposed rulemaking; extension of comment period.

SUMMARY: On November 16, 2023, the U.S. Department of Energy (DOE or the Department) published a notice of proposed rulemaking proposing to amend its implementing procedures (regulations) governing compliance with the National Environmental Policy Act (NEPA). DOE requested public comments by January 2, 2024. DOE is now extending the comment period until January 16, 2024, to allow the public additional review and submission time for any comments on the proposed changes.

DATES: The comment period for the notice of proposed rulemaking published on November 16, 2023 (88 FR 78681) is extended. DOE must receive comments by January 16, 2024, to ensure consideration.

ADDRESSES: Documents relevant to this proposed rulemaking are posted at www.regulations.gov (Docket: DOE-HQ-2023-0063). Documents posted to this docket include: the notice of proposed rulemaking and DOE's Technical Support Document, which provides additional information regarding certain proposed changes and a redline/strikeout version of affected sections of the DOE NEPA regulations indicating the changes in the proposed rule.

Submit comments, labeled "DOE NEPA Implementing Procedures, RIN 1990-AA48," by one of the following methods:

1. www.regulations.gov: Enter "Docket ID DOE-HQ-2023-0063" in the search box. Click on "Comment" to submit comments, which you may enter directly on the web page or by uploading in a file.

2. *Postal Mail:* Mail comments to NEPA Rulemaking Comments, Office of NEPA Policy and Compliance (GC-54), U.S. Department of Energy, 1000 Independence Avenue SW, Washington, DC 20585. Because security screening may delay mail sent through the U.S. Postal Service, DOE encourages electronic submittal of comments through www.regulations.gov.

3. *Email:* send comments to DOE-NEPA-Rulemaking@hq.doe.gov.

Instructions: For detailed instructions on submitting comments and additional information on the rulemaking process, see the "Public Participation—Submission of Comments" (section IV) of the **SUPPLEMENTARY INFORMATION** section of DOE's notice of proposed rulemaking.

FOR FURTHER INFORMATION CONTACT: For questions concerning how to comment on this proposed rule, contact Ms. Carrie Abravanel, Office of NEPA Policy and Compliance, at DOE-NEPA-Rulemaking@hq.doe.gov or (202) 586-4600.

SUPPLEMENTARY INFORMATION: On November 16, 2023, the U.S. Department of Energy (DOE or the Department) published a notice of proposed rulemaking proposing to amend its implementing procedures (regulations) governing compliance with the National Environmental Policy Act (NEPA) (88 FR 78681). The proposed changes would add a categorical exclusion for certain energy storage systems and revise categorical exclusions for upgrading and rebuilding transmission lines and for solar photovoltaic systems, as well as make conforming changes to related sections of DOE's NEPA regulations.

DOE has decided to extend the public comment period for 14 days to allow for additional review and submission time. Therefore, the public comment period for the notice of proposed rulemaking will now close on January 16, 2024.

Signing Authority

This document of the Department of Energy was signed on December 20, 2023, by Samuel T. Walsh, General Counsel, 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 December 20, 2023.

Treena V. Garrett,

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

[FR Doc. 2023-28429 Filed 12-22-23; 8:45 am]

BILLING CODE 6450-01-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2023-2360; Airspace Docket No. 23-AEA-24]

RIN 2120-AA66

Amendment of Class D and Class E Airspace; Huntington, WV

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to amend Class D airspace and E airspace extending upward from 700 feet above the surface for Tri-State/Milton J. Ferguson Field, Huntington, WV, and removes unnecessary verbiage from the descriptor header.

DATES: Comments must be received on or before February 9, 2024.

ADDRESSES: Send comments identified by FAA Docket No. FAA-2023-2360 and Airspace Docket No. 23-AEA-24 using any of the following methods:

* *Federal eRulemaking Portal:* Go to www.regulations.gov and follow the online instructions to send your comments electronically.

* *Mail:* Send comments to Docket Operations, M-30; U.S. Department of Transportation, 1200 New Jersey Avenue SE, Room W12-140, West Building Ground Floor, Washington, DC 20590-0001.

* *Hand Delivery or Courier:* Take comments to Docket Operations in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except for Federal holidays.

* *Fax:* Fax comments to Docket Operations at (202) 493-2251.

Docket: Background documents or comments received may be read at www.regulations.gov anytime. Follow the online instructions for accessing the docket or go to the Docket Operations in Room W12-140 of the West Building

Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except for Federal holidays.

FAA Order JO 7400.11H Airspace Designations and Reporting Points and subsequent amendments can be viewed online at www.faa.gov/air_traffic/publications/. You may also contact the Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267-8783.

FOR FURTHER INFORMATION CONTACT: Justin T. Rhodes, Operations Support Group, Eastern Service Center, Federal Aviation Administration, 1701 Columbia Avenue, College Park, GA 30337; Telephone: (404) 305-5478.

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 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 amend Class D and E airspace in Huntington, WV. An airspace evaluation determined that this update is necessary to support IFR operations in the area.

Comments Invited

The FAA invites interested persons to participate in this rulemaking by submitting written comments, data, or views. Comments are specifically invited on the proposal's overall regulatory, aeronautical, economic, environmental, and energy-related aspects. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. To ensure the docket does not contain duplicate comments, commenters should submit only once if comments are filed electronically, or commenters should send only one copy of written comments if comments are filed in writing.

The FAA will file in the docket all comments it receives and a report summarizing each substantive public contact with FAA personnel concerning

this proposed rulemaking. Before acting on this proposal, the FAA will consider all comments it receives on or before the closing date for comments. The FAA will consider comments filed after the comment period has closed if it is possible without incurring expense or delay. The FAA may change this proposal in light of the comments it receives.

Privacy: In accordance with 5 U.S.C. 553(c), the DOT solicits comments from the public to improve its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to www.regulations.gov, as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at www.dot.gov/privacy.

Availability of Rulemaking Documents

An electronic copy of this document may be downloaded through the internet at www.regulations.gov. Recently published rulemaking documents can be accessed through the FAA's web page at 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 for Federal holidays. An informal docket may also be examined between 8:00 a.m. and 4:30 p.m., Monday through Friday, except on federal holidays at the office of the Eastern Service Center, Federal Aviation Administration, Room 350, 1701 Columbia Avenue, College Park, GA 30337.

Incorporation by Reference

Class D and Class E airspace designations are published in Paragraphs 5000 and 6005 of FAA Order JO 7400.11, Airspace Designations and Reporting Points, which is incorporated by reference in 14 CFR 71.1 annually. This document proposes to amend the current version of that order, FAA Order JO 7400.11H, dated August 11, 2023, effective September 15, 2023. These updates will be published in the next FAA Order JO 7400.11 update. That order is publicly available as listed in the **ADDRESSES** section of this document. FAA Order JO 7400.11H lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Proposal

The FAA proposes an amendment to 14 CFR part 71 to amend Class D

airspace by adding that airspace extending upward from the surface within 1 mile on each side of the Tri-State/Milton J. Ferguson Field 112° bearing extending from the 4-mile radius to 5.7 southeast of the airport and 292° bearing from the airport extending from the 4-mile radius to 5.8 miles northwest of the airport.

The Class E airspace extending from 700 feet above the surface would be amended by increasing the radius to 8.3 miles (previously 8.2 miles) and adding that airspace within 2 miles on each side of the Tri-State/Milton J. Ferguson Field 112° bearing extending from the 8.3-mile radius to 10.2 miles southeast of the airport.

The Tri-State/Milton J. Ferguson Field Class D and Class E airspace would be amended, in accordance with the 7400.2, by removing the city name from the descriptor header.

Controlled airspace is necessary for the safety and management of instrument flight rules (IFR) operations in the area.

Regulatory Notices and Analyses

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore, (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

This proposal will be subject to an environmental analysis per FAA Order 1050.1F, "Environmental Impacts: Policies and Procedures," before any FAA final regulatory action.

Lists of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

■ 1. The authority citation for part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11H, Airspace Designations and Reporting Points, dated August 11, 2023, and effective September 15, 2023, is amended as follows:

Paragraph 5000 Class D Airspace.

* * * * *

AEA WV D, Huntington, WV [Amended]

Tri-State/Milton J. Ferguson Field, WV
(Lat. 38°22'00" N, long. 82°33'29" W)

That airspace extending upward from the surface to and including 3,400 feet MSL within a 4-mile radius of Tri-State/Milton J. Ferguson Field and 1 mile each side of the airport's 292° bearing extending from the 4-mile radius to 5.8 miles northwest of the airport and 1 mile each side of the airport's 112° bearing extending from the 4-mile radius to 5.7 miles southeast of the airport.

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Paragraph 6005 Class E Airspace Areas Extending Upward From 700 Feet or More Above the Surface of the Earth.

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AEA WV E5, Huntington, WV [Amended]

Tri-State/Milton J. Ferguson Field, WV
(Lat. 38°22'01" N, long. 82°33'31" W)

That airspace extending upward from 700 feet above the surface within an 8.3-mile radius of the Tri-State/Milton J. Ferguson Field Airport and 2 miles on each side of the airport's 112° bearing extending from the 8.3-mile radius to 10.2 miles southeast of the airport.

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Issued in College Park, Georgia, on December 18, 2023.

Andrese C. Davis,

Manager, Airspace & Procedures Team South, Eastern Service Center, Air Traffic Organization.

[FR Doc. 2023–28308 Filed 12–22–23; 8:45 am]

BILLING CODE 4910–13–P

GENERAL SERVICES ADMINISTRATION

48 CFR Parts 502, 538, and 552

[GSAR Case 2022–G517; Docket No. GSA–GSAR–2023–0028; Sequence No. 1]

RIN 3090–AK60

General Services Administration Acquisition Regulation; Reduction of Single-Use Plastic Packaging

AGENCY: Office of Acquisition Policy, General Services Administration (GSA).

ACTION: Proposed rule.

SUMMARY: The General Services Administration is proposing to amend the General Services Administration Acquisition Regulation (GSAR) to add a new provision and clause to identify single-use plastic free (SUP-free) packaging availability for products under the Federal Supply Schedules with the goal of reducing single-use plastic packaging.

DATES: Interested parties should submit written comments to the Regulatory Secretariat Division at the address shown below on or before February 26, 2024 to be considered in the formation of the final rule.

ADDRESSES: Submit comments in response to GSAR Case 2022–G517 to: Regulations.gov: <https://www.regulations.gov> via the Federal eRulemaking portal by searching for “GSAR Case 2022–G517”. Select the link “Comment Now” that corresponds with GSAR Case 2022–G517. Follow the instructions provided at the “Comment Now” screen. Please include your name, company name (if any), and “GSAR Case 2022–G517” on your attached document. If your comment cannot be submitted using <https://www.regulations.gov>, call or email the points of contact in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions.

Instructions: Please submit comments only and cite GSAR Case 2022–G517, in all correspondence related to this case. Comments received generally will be posted without change to <https://www.regulations.gov>, including any personal and/or business confidential information provided. To confirm receipt of your comment(s), please check <https://www.regulations.gov>, approximately two-to-three days after submission to verify posting.

FOR FURTHER INFORMATION CONTACT: For clarification of content, contact Ms. Adina Torberntsson, Procurement Analyst, at gsarpolicy@gsa.gov or 720–475–0568. For information pertaining to status or publication schedules, contact

the Regulatory Secretariat at gsaregsec@gsa.gov or 202–501–4755. Please cite GSAR Case 2022–G517.

SUPPLEMENTARY INFORMATION:

I. Background

As one of the largest Federal purchasing agencies, the General Services Administration (GSA) purchases an enormous variety of different products. Despite product diversity, one element that is consistent across these acquisitions is the presence of product packaging and shipment packaging. Single-use plastic packaging has an additional cost that is often built into the proposed price, or the price is later realized in the cost of waste management. In addition, the cost of cleaning up environmental pollution and the cost of impacts to human health created by single-use plastics are often not accounted for in the price of the product.

A large portion of plastic waste comes from plastic packaging alone, and much of this packaging is designed to be used only once. This rule represents a small step in addressing the larger problem of too much plastic waste.

GSA amended internal policy guidance in the GSA Acquisition Manual (GSAM) Change 138, Case 2021–G528¹ to address acquisition planning as it relates to waste, sourcing, efficiency, and content management. GSA is now seeking a regulatory action that will be applied to its Federal Supply Schedules (FSS).

Multiple factors contributed to the decision to propose this regulatory action. These factors include: (a) existing policy and guidance, (b) GSA Acquisition Policy Federal Advisory Committee (GAP FAC) recommendations, (c) Advanced Notice of Proposed Rule (ANPR) public comments, and (d) current industry practices. More detailed information is provided below on the various information reviewed in the development of this rule.

Objectives

This proposed rule addresses the following:

- Defines SUP-free packaging and single-use plastic packaging in 502.101 *Definitions*.
- Adds a new FSS provision to identify SUP-free packaging at 552.238–XXX. This provision requires the offeror to identify whether they do or do not offer SUP-free packaging. If the offeror provides SUP-free packaging, it will also identify whether the SUP-free packaging

¹ <https://www.acquisition.gov/archives/change-138-gsam-case-2021-g528>.