

up to the initially published MTOW of 30,000 pounds.

### FAA's Conclusions

Upon further consideration, the FAA has determined that AD 2023–13–07 is no longer necessary. Accordingly, this proposed AD would remove AD 2023–13–07. Removal of AD 2023–13–07 would not preclude the FAA from issuing another related action or commit the FAA to any course of action in the future. This proposed AD would remove all actions of AD 2023–13–07. Therefore, this proposed AD would terminate all requirements of AD 2023–13–07.

### Related Costs of Compliance

This proposed AD would add no cost. This proposed AD would remove AD 2023–13–07 from 14 CFR part 39; therefore, operators would no longer be required to show compliance with that AD.

### 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.

### Regulatory Findings

The FAA has 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 that the 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:
  - a. Removing Airworthiness Directive (AD) 2023–13–07, Amendment 39–22492 (88 FR 43052, July 6, 2023), and
  - b. Adding the following new AD:

**Saab AB, Support and Services (formerly known as Saab AB, Saab Aeronautics):**  
Docket No. FAA–2024–0220; Project Identifier MCAI–2023–00760–T.

#### (a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by March 25, 2024.

#### (b) Affected ADs

This AD replaces AD 2023–13–07, Amendment 39–22492 (88 FR 43052, July 6, 2023) (AD 2023–13–07).

#### (c) Applicability

This AD applies to Saab AB, Support and Services (formerly known as Saab AB, Saab Aeronautics) Model SAAB 340B airplanes, certificated in any category, as identified in European Union Aviation Safety Agency (EASA) AD 2023–0121, dated June 13, 2023: airplanes not having SAAB modification 2571 (extended wingtip modification) embodied and having GE Aviation Systems LTD (Dowty Propellers) installed.

#### (d) Subject

Air Transport Association (ATA) of America Code 51, Standard practices/structures.

#### (e) Terminating Action

This AD terminates all requirements of AD 2023–13–07.

#### (f) Related Information

For more information about this AD, contact Shahram Daneshmandi, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 206–231–3220; email [shahram.daneshmandi@faa.gov](mailto:shahram.daneshmandi@faa.gov).

#### (g) Material Incorporated by Reference

None.

Issued on February 1, 2024.

**Victor Wicklund,**

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

[FR Doc. 2024–02433 Filed 2–8–24; 8:45 am]

**BILLING CODE 4910–13–P**

## CONSUMER PRODUCT SAFETY COMMISSION

### 16 CFR Chapter 1461

[Docket No. CPSC–2022–0017]

#### Notice of Availability of Updated ASTM Standard Under the Portable Fuel Container Safety Act

**AGENCY:** Consumer Product Safety Commission.

**ACTION:** Notice of availability and request for comment.

**SUMMARY:** In August 2023, the U.S. Consumer Product Safety Commission (Commission or CPSC) determined under the Portable Fuel Container Safety Act of 2020 (PFCSA) that ASTM F3429/F3429M–23 is a consumer product safety standard that impedes the propagation of flames into pre-filled portable fuel containers, and therefore incorporated the voluntary standard by reference as a mandatory rule. ASTM has since notified the Commission that it has revised this voluntary standard. CPSC seeks comment on whether the revision meets the PFCSA's requirements for adoption in the mandatory rule.

**DATES:** Comments must be received by February 23, 2024.

**ADDRESSES:** Submit comments, identified by Docket No. CPSC–2022–0017, by any of the following methods:

**Electronic Submissions:** Submit electronic comments to the Federal eRulemaking Portal at: <https://www.regulations.gov>. Follow the instructions for submitting comments. Do not submit through this website: confidential business information, trade secret information, or other sensitive or protected information that you do not want to be available to the public. CPSC typically does not accept comments submitted by email, except as described below.

**Mail/Hand Delivery/Courier/Confidential Written Submissions:** CPSC encourages you to submit electronic comments by using the Federal eRulemaking Portal. You may, however, submit comments by mail, hand delivery, or courier to: Office of the Secretary, Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814; telephone: (301) 504–7479.

*Instructions:* All submissions must include the agency name and docket number. CPSC may post all comments without change, including any personal identifiers, contact information, or other personal information provided, to <https://www.regulations.gov>. If you wish to submit confidential business information, trade secret information, or other sensitive or protected information that you do not want to be available to the public, you may submit such comments by mail, hand delivery, or courier, or you may email them to: [cpsc-osc@cpsc.gov](mailto:cpsc-osc@cpsc.gov).

*Docket:* For access to the docket to read background documents or comments received, go to: <https://www.regulations.gov>, and insert the docket number, CPSC–2022–0017, into the “Search” box, and follow the prompts.

**FOR FURTHER INFORMATION CONTACT:** Scott Ayers, U.S. Consumer Product Safety Commission, 5 Research Place, Rockville, MD 20850; telephone: 301–987–2030; email: [sayers@cpsc.gov](mailto:sayers@cpsc.gov).

**SUPPLEMENTARY INFORMATION:** The PFCSA requires the Commission to promulgate a final rule to require flame mitigation devices in portable fuel containers that impede the propagation of flame into the container. 15 U.S.C. 2056d(b)(1)–(2). However, the Commission is not required to promulgate a final rule for a class of portable fuel containers within the scope of the PFCSA if the Commission determines that:

- there is a voluntary standard for flame mitigation devices for those containers that impedes the propagation of flame into the container;
- the voluntary standard is or will be in effect not later than 18 months after the date of enactment of the PFCSA; and
- the voluntary standard is developed by ASTM International or such other standard development organization that the Commission determines to have met the intent of the PFCSA.

15 U.S.C. 2056d(b)(3)(A). After publication of the **Federal Register** notification announcing the Commission’s positive determination, the requirements of such a voluntary standard “shall be treated as a consumer product safety rule.” 15 U.S.C. 2056d(b)(2)(B) and (b)(4). Under this authority, on January 13, 2023, the Commission published a notification determining that three voluntary standards for portable fuel containers meet the requirements of the PFCSA and would be treated as consumer product safety rules: ASTM F3429/F3429M–20 (pre-filled containers); ASTM F3326–21 (containers sold

empty); and section 18 of UL 30:2022 (safety cans). 88 FR 2206.

Portable fuel containers sold pre-filled are within the scope of ASTM F3429/F3429M, *Standard Specification for Performance of Flame Mitigation Devices Installed in Disposable and Pre-Filled Flammable Liquid Containers*. ASTM lists the standard as a dual standard in inch-pound units (F3429 designation) and metric units (F3429M designation). ASTM F3429/F3429M was first published in 2020. ASTM published a revised version of ASTM F3429/F3429M–20 in May 2023, as ASTM F3429/F3429M–23. On August 22, 2023, the Commission determined that the 2023 revisions met the requirements of section 2056d(b)(3)(A) of the PFCSA. Accordingly, ASTM F3429/F3429M–23 is the current mandatory consumer product safety rule for pre-filled-portable fuel containers. On October 31, 2023, the Commission published a direct final rule creating 16 CFR part 1461 for portable fuel containers to incorporate by reference the revised ASTM F3429/F3429M–23, as well as ASTM F3326–21 and section 18 of UL 30:2022.5. 88 FR 74342.

Under section (b)(5) of the PFCSA, if the requirements of a voluntary standard that meet the requirements of section (b)(3) are subsequently revised, the organization that revised the standard shall notify the Commission after the final approval of the revision. 15 U.S.C. 2056d(b)(5). Any such revision to the voluntary standard shall become enforceable as the new consumer product safety rule not later than 180 days after the Commission is notified of a revised voluntary standard that meets the conditions of section (b)(3) (or such later date as the Commission determines appropriate), unless the Commission determines, within 90 days after receiving the notification, that the revised voluntary standard does not meet the requirements described in section (b)(3) of the PFCSA. 15 U.S.C. 2056d(b)(5).

On January 29, 2024, ASTM notified the Commission that it had approved and published ASTM F3429/F3429M–24. CPSC staff is assessing the revised voluntary standard to determine, consistent with section (b)(5) of the PFCSA, whether the revisions in ASTM F3429/F3429M–24 meet the requirements of section (b)(3)(A) of the PFCSA listed above. The Commission invites public comment on that question to inform staff’s assessment and any subsequent Commission consideration

of the revisions in ASTM F3429/F3429M–24.<sup>1</sup>

ASTM F3429/F3429M–24 is available for review in several ways. ASTM has provided on its website (at [www.astm.org/CPSC.htm](http://www.astm.org/CPSC.htm)), at no cost, a read-only copy of ASTM F3429/F3429M–24, including a red-lined version that identifies the changes made to ASTM F3429/F3429M–23. A read-only copy of the existing standard (ASTM F3429/F3429M–23) is available for viewing, at no cost, on the ASTM website at: [www.astm.org/READINGLIBRARY/](http://www.astm.org/READINGLIBRARY/). Interested parties can also download copies of the standards by purchasing them from ASTM International, 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA 19428–2959; phone: 610–832–9500; <https://www.astm.org>. Alternatively, interested parties can schedule an appointment to inspect copies of the standards at CPSC’s Office of the Secretary, U.S. Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814, telephone: 301–504–7479.

Comments must be received by February 23, 2024. Because of the short statutory time frame Congress established for the Commission to consider revised voluntary standards under section (b)(5) of the PFCSA, CPSC will not consider comments received after this date.

**Alberta E. Mills,**

*Secretary, Consumer Product Safety Commission.*

[FR Doc. 2024–02562 Filed 2–8–24; 8:45 am]

**BILLING CODE 6355–01–P**

## DEPARTMENT OF DEFENSE

### Department of the Army, Corps of Engineers

#### 33 CFR Parts 325 and 330

[Docket ID: COE–2023–0004]

RIN 0710–AB46

#### Processing of Department of the Army Permits; Procedures for the Protection of Historic Properties

**AGENCY:** Army Corps of Engineers, Department of Defense (DoD).

**ACTION:** Proposed rule.

**SUMMARY:** To demonstrate the greatest possible consistency between the procedures used by the U.S. Army Corps of Engineers (Corps) Regulatory Program to comply with the National

<sup>1</sup> The Commission voted 4–0 to publish this notification.