

# Proposed Rules

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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 Parts 433 and 435

[EERE–2010–BT–STD–0031]

RIN 1904–AB96

#### Clean Energy for New Federal Buildings and Major Renovations of Federal Buildings; Correction

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

**ACTION:** Supplemental notice of proposed rulemaking; correction.

**SUMMARY:** On December 21, 2022, the U.S. Department of Energy (“DOE”) published a supplemental notice of proposed rulemaking that proposed energy performance standards for certain new Federal buildings and Federal buildings undergoing major renovations. This document corrects errors in the proposed regulatory text published with the supplemental notice of proposed rulemaking. These errors do not affect the substance of the rulemaking or any conclusions reached in support of the proposed rule.

**DATES:** Effective February 26, 2024.

#### FOR FURTHER INFORMATION CONTACT:

Mr. Rick Mears, U.S. Department of Energy, Office of the Under Secretary for Infrastructure, Federal Energy Management Program, FEMP–1, 1000 Independence Avenue SW, Washington, DC 20585–0121. Email: [cer-information@hq.doe.gov](mailto:cer-information@hq.doe.gov).

Ms. Laura Zuber, U.S. Department of Energy, Office of the General Counsel, GC–33, 1000 Independence Avenue SW, Washington, DC 20585–0121. Telephone: (240) 306–7651. Email: [laura.zuber@hq.doe.gov](mailto:laura.zuber@hq.doe.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

On December 21, 2022, DOE published a supplemental notice of proposed rulemaking (2022 SNOPR) that proposed energy performance standards for certain new Federal

buildings and Federal buildings undergoing major renovations. The 2022 SNOPR proposed revisions to the energy performance standards at title 10 of the Code of Federal Regulations (“CFR”) parts 433 and 435. 87 FR 78382. Since publication of the 2022 SNOPR, DOE has identified printing errors in the regulatory text proposed by the 2022 SNOPR. DOE is issuing this correction to address certain errors in the 2022 SNOPR, specifically in 10 CFR 433.200 and 10 CFR 435.1. The corrections are described in the following paragraphs.

In the 2022 SNOPR, DOE proposed a compliance date of one year after the publication of the final rule. The proposed revisions to 10 CFR 433.1 reflect this proposed compliance date. However, the proposed revisions to 10 CFR 433.200(a) do not reflect this proposed compliance date. Instead, proposed 10 CFR 433.200(a) includes a compliance date of December 21, 2023, which was one year after the 2022 SNOPR was published in the **Federal Register**. Similarly, proposed 10 CFR 433.200(b) and 10 CFR 435.1 also reference a compliance date of December 21, 2023. 87 FR 78328, 78421 and 78430. These references to December 21, 2023, in proposed 10 CFR 433.200(a), 433.200(b), and 435.1 should have referenced a compliance date of “[Date one year after date of publication in the **Federal Register**].” This document corrects these printing errors and clarifies the intended proposed compliance dates.

##### II. Need for Correction

As published, the proposed regulatory text in the 2022 SNOPR may lead to confusion on the application of the energy performance standards proposed in the 2022 SNOPR. Because this document would simply correct printing errors in the proposed regulatory text without making substantive changes to energy performance standards proposed in the 2022 SNOPR, the changes addressed in this document are technical in nature.

##### III. Procedural Issues and Regulatory Review

DOE has concluded that the determinations made pursuant to the various procedural requirements applicable to the 2022 SNOPR remain unchanged for these technical corrections to the proposed regulatory text. These determinations are set forth

in the 2022 SNOPR. 87 FR 78328, 78412–78420.

Pursuant to the Administrative Procedure Act, 5 U.S.C. 553(b), DOE finds that there is good cause to not issue a separate notice to solicit public comment on the technical corrections contained in this document. Issuing a separate notice to solicit public comment would be impracticable, unnecessary, and contrary to the public interest. As explained previously, the corrections in this document do not affect the substance of or any of the conclusions reached in support of the 2022 SNOPR. Additionally, given the 2022 SNOPR is a product of an extensive administrative record with numerous opportunities for public comment, DOE finds additional comment on the technical corrections is unnecessary. Therefore, providing prior notice and an opportunity for public comment on correcting objective errors that do not change the substance of the proposed energy performance standards serve no useful purpose.

##### Correction

In the **Federal Register** of December 21, 2022 (87 FR 78382) in FR Doc. 2022–27098, the following corrections are made:

##### § 433.200 [Amended]

■ 1. On page 78421, third column, in § 433.200, paragraphs (a)(1) and (b)(1), remove the words “December 21, 2023” and add in their place the words “[Date one year after date of publication in the **Federal Register**]”.

##### § 435.1 [Amended]

■ 2. One page 78430, first column, in § 435.1 in paragraph (b), remove the words “December 21, 2023” and add, in their place the words “[Date one year after date of publication in the **Federal Register**]”.

##### Signing Authority

This document of the Department of Energy was signed on February 21, 2024, by Mary Sotos, the Director of the Federal Energy Management Program, 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 February 21, 2024.

**Treena V. Garrett,**

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

[FR Doc. 2024-03876 Filed 2-23-24; 8:45 am]

**BILLING CODE 6450-01-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2024-0269; Airspace Docket No. 24-ASW-2]

RIN 2120-AA66

#### Amendment of Class D and Class E Airspace; Beaumont/Port Arthur, TX

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

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

**SUMMARY:** This action proposes to amend the Class D and Class E airspace at Beaumont/Port Arthur, TX. The FAA is proposing this action as the result of airspace reviews conducted as part of the decommissioning of the Beaumont very high frequency omnidirectional range (VOR) as part of the VOR Minimum Operational Network (MON) Program. This action would also update the name and geographic coordinates of various airports. This action will bring the airspace into compliance with FAA orders to support instrument flight rule (IFR) operations.

**DATES:** Comments must be received on or before April 11, 2024.

**ADDRESSES:** Send comments identified by FAA Docket No. FAA-2024-0269 and Airspace Docket No. 24-ASW-2 using any of the following methods:

\* *Federal eRulemaking Portal:* Go to [www.regulations.gov](http://www.regulations.gov) and follow the online instruction for sending 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 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](http://www.regulations.gov) at any time. Follow the online instructions for accessing the docket or go 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 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/](http://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:** Jeffrey Claypool, Federal Aviation Administration, Operations Support Group, Central Service Center, 10101 Hillwood Parkway, Fort Worth, TX 76177; telephone (817) 222-5711.

#### 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 the Class D airspace, Class E surface airspace, and Class E airspace extending upward from 700 feet above the surface at Jack Brooks Regional Airport, Beaumont/Port Arthur, TX, and the Class E airspace extending upward from 700 feet above the surface at Beaumont Municipal Airport, Beaumont, TX, and Orange County Airport, Orange, TX, (Contained within the Beaumont/Port Arthur, TX, airspace legal description.) to support IFR operations at these airports.

##### 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 overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. 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 one time 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, as well as 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 received on or before the closing date for comments. The FAA will consider comments filed after the comment period has closed if it is possible to do so without incurring expense or delay. The FAA may change this proposal in light of the comments it receives.

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

##### Availability of Rulemaking Documents

An electronic copy of this document may be downloaded through the internet at [www.regulations.gov](http://www.regulations.gov). Recently published rulemaking documents can also be accessed through the FAA's web page at [www.faa.gov/air\\_traffic/publications/airspace\\_amendments/](http://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 the **ADDRESSES** section for the address, phone number, and hours of operations). An informal docket may also be examined during normal business hours at the Federal Aviation Administration, Air Traffic Organization, Central Service Center, Operations Support Group, 10101 Hillwood Parkway, Fort Worth, TX 76177.

##### Incorporation by Reference

Class D and E airspace is published in paragraphs 5000, 6002, and 6005 of