

Appropriations Act of 2009, Public Law 110–329, section 312 of Energy and Water Development and Related Agencies Appropriations Act of 2010, Public Law 111–85, section 40401(b) of the Infrastructure Investment and Jobs Act, Public Law 117–58, and section 50142 of the Inflation Reduction Act of 2022, Public Law 117–169. Specifically, section 136(e) directs DOE to promulgate an interim final rule establishing regulations that specify eligibility criteria and that contain other provisions that the Secretary deems necessary to administer this section and any loans made by the Secretary pursuant to this section.

- 3. Amend § 611.2 by:
  - a. Revising the definitions for “Advanced technology vehicle” and;
  - b. Adding, in alphabetical order, definitions for “Nonroad advanced technology vehicle”, “On-road advanced technology vehicle”, and “Ultra efficient vehicle”.

The additions and revision read as follows:

#### § 611.2 Definitions.

\* \* \* \* \*

*Advanced technology vehicle* means an on-road advanced technology vehicle or a nonroad advanced technology vehicle.

\* \* \* \* \*

*Nonroad advanced technology vehicle* means:

- (1) A train or locomotive;
- (2) A maritime vessel;
- (3) An aircraft; and
- (4) Hyperloop technology

That, in each case, emit, under any possible operational mode or condition, low or zero exhaust emissions of greenhouse gases.

*On-road advanced technology vehicle* means

- (1) An ultra efficient vehicle or a light duty vehicle that meets—

(i) The Bin 5 Tier II emission standard established in regulations issued by the Administrator of the Environmental Protection Agency under section 202(i) of the Clean Air Act (the Act) (42 U.S.C. 7521(i)), as of the date of application, or a lower-numbered Bin emission standard;

(ii) Any new emission standard in effect for fine particulate matter prescribed by the Administrator under the Act (42 U.S.C. 7401 *et seq.*), as of the date of application; and

(iii) At least 125 percent of the harmonic production weighted average combined fuel economy, for vehicles with substantially similar attributes in model year 2005.

(2) A medium duty vehicle or heavy duty vehicle that exceeds 125 percent of

the greenhouse gas emissions and fuel efficiency standards established by the final rule of the Environmental Protection Agency entitled “Greenhouse Gas Emissions and Fuel Efficiency Standards for Medium- and Heavy-Duty Engines and Vehicles—Phase 2” (81 FR 73478 (October 25, 2016)).

\* \* \* \* \*

*Ultra efficient vehicle* means a fully closed compartment vehicle designed to carry at least 2 adult passengers that achieves—

(1) At least 75 miles per gallon while operating on gasoline or diesel fuel;

(2) At least 75 miles per gallon equivalent while operating as a hybrid electric-gasoline or electric-diesel vehicle; or

(3) At least 75 miles per gallon equivalent while operating as a fully electric vehicle.

- 4. Amend § 611.3 by revising the section heading, the introductory text, and paragraph (a) to read as follows:

#### § 611.3 On-road advanced technology vehicle.

In order to demonstrate that a light duty vehicle is an “on-road advanced technology vehicle”, an automobile manufacturer must provide the following:

(a) Emissions certification. An automobile manufacturer must certify in writing that the vehicle meets, or will meet, the emissions requirements specified in the definition of “on-road advanced technology vehicle”; and

\* \* \* \* \*

- 5. Add § 611.4 to subpart A to read as follows:

#### § 611.4 Nonroad advanced technology vehicle.

A manufacturer of a nonroad advanced technology vehicle or a manufacturer of a nonroad advanced technology vehicle qualifying component must provide DOE with such information to demonstrate to the satisfaction of DOE that the applicable nonroad advanced technology vehicle emits, under any possible operational mode or condition, low or zero exhaust emissions of greenhouse gases.

- 6. Amend § 611.100 by revising paragraph (a)(1) to read as follows.

#### § 611.100 Eligible applicant.

(a) \* \* \*

(1) Must be—

(i) An on-road advanced technology vehicle manufacturer that, if it is a light duty vehicle manufacturer, can demonstrate an improved fuel economy as specified in paragraph (b) of this section, or otherwise satisfies the

applicable standards set forth in the definition of on-road advanced technology vehicle,

(ii) A manufacturer of a qualifying component, or

(iii) A nonroad advanced technology vehicle manufacturer; and

\* \* \* \* \*

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## DEPARTMENT OF ENERGY

### 10 CFR Part 955

#### RIN 1903–AA12

### Elemental Mercury Management and Storage Fees

**AGENCY:** Office of Environmental Management, U.S. Department of Energy.

**ACTION:** Final rule.

**SUMMARY:** The Department of Energy (DOE) is removing the regulatory provisions established by the final rule Elemental Mercury Management and Storage Fees that was published in the **Federal Register** on December 23, 1990. On September 5, 2020, the U.S. District Court for the District of Columbia issued an order that vacated and remanded the rule to DOE for reconsideration. This action amends the Code of Federal Regulations to reflect the Court’s order.

**DATES:** This rule is effective on April 29, 2024. However, the Court’s order had legal effect immediately upon its issuance on September 5, 2020.

**FOR FURTHER INFORMATION CONTACT:** Timothy Herald, U.S. Department of Energy, Office of Environmental Management, Room B126, 19901 Germantown Road, Germantown, MD 20874; (240) 243–8753 or [timothy.herald@em.doe.gov](mailto:timothy.herald@em.doe.gov).

**SUPPLEMENTARY INFORMATION:** Section 5(a)(1) of the Mercury Export Ban Act (MEBA), as amended, 42 U.S.C. 6939f(a)(1), provides that the Secretary of Energy shall designate a facility or facilities of DOE for the purpose of long-term management and storage of elemental mercury generated within the United States. MEBA section 5(b)(1), 42 U.S.C. 6939f(b)(1), further provides that DOE shall assess and collect a fee at the time of delivery for providing such management and storage, based on the pro rata cost of long-term management and storage of elemental mercury delivered to the facility.

On December 6, 2019, DOE published its Record of Decision (ROD) identifying a portion of two buildings at a Texas facility leased by DOE and owned by

Waste Control Specialists, LLC (WCS facility) as its designated facility under MEBA section 5(a). (84 FR 66890). In accordance with MEBA section 5(b), on December 23, 2019, DOE issued a final rule that established the fee for the management and storage of elemental mercury at the designated facility. (84 FR 70402). The rule, which became effective on January 22, 2020, added 10 CFR part 955 titled “Fee for Long-Term Management and Storage of Elemental Mercury Under the Mercury Export Ban Act of 2008, as Amended.”

On January 17, 2020, Nevada Gold Mines, LLC (NGM) filed suit against DOE in the U.S. District Court for the District of Columbia seeking to vacate both the final rule and the ROD. *Nevada Gold Mines, LLC v. Dan Brouillette, et al.*, Case No. 1:20-cv-00141-RJL (D.D.C. 2020). On August 21, 2020, NGM and DOE executed a settlement agreement in which DOE agreed to move the district court to vacate and remand the fee rule. On September 5, 2020, the district court granted DOE’s motion to vacate the fee rule and ordered the rule vacated and remanded to DOE for reconsideration. Consistent with the agreement, DOE subsequently issued an amended ROD withdrawing the designation of the WCS facility. In this final rule, DOE removes 10 CFR part 955 to reflect the district court’s order.

This final rule is not subject to the requirement to provide prior notice and an opportunity for public comment under 5 U.S.C. 553(b) and (c) because it falls under the good cause exception at 5 U.S.C. 553(b)(3)(B). The good cause exception is satisfied when notice and comment is “impracticable, unnecessary, or contrary to the public interest.” *Id.* This final rule is an administrative step that implements the district court’s order vacating the December 2019 rule. Notice and comment are unnecessary for implementation of the court’s vacatur and would be impracticable and contrary to the public interest in light of DOE’s need to implement the now-effective final judgment. Additionally, because this final rule implements a court order already in effect, DOE has good cause to waive the 30-day effective date. *See* 5 U.S.C. 553(d)(3).

#### 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 955

Elemental Mercury, Hazardous Waste Treatment, Storage, and Disposal, and Reporting and Recordkeeping Requirements.

#### Signing Authority

This document of the Department of Energy was signed on April 23, 2024, by David M. Turk, Deputy Secretary of Energy, 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 April 24, 2024.

**Treena V. Garrett,**

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

#### PART 955—[REMOVED AND RESERVED]

■ For the reasons stated in the preamble, and under the authority of 42 U.S.C. 6939f(b), DOE removes and reserves 10 CFR part 955.

[FR Doc. 2024-09134 Filed 4-26-24; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2023-1989; Project Identifier AD-2023-00512-E; Amendment 39-22719; AD 2024-06-14]

**RIN 2120-AA64**

#### Airworthiness Directives; International Aero Engines, LLC Engines

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

**ACTION:** Final rule.

**SUMMARY:** The FAA is adopting a new airworthiness directive (AD) for certain International Aero Engines, LLC (IAE) Model PW1124G1-JM, PW1127G-JM, PW1127GA-JM, PW1129G-JM, PW1130G-JM, PW1133G-JM, and PW1133GA-JM engines. This AD was prompted by a report that certain high-pressure compressor (HPC) 2nd stage rotors and HPC 4th stage rotors have potentially degraded knife-edge seals and abrasive coating of the rear wing 4th stage rotor due to having been cleaned in alkaline solution without masking the

knife-edge seal coating. Operating in this condition could result in material degradation and fracture of the HPC 2nd stage rotor and HPC 4th stage rotor. This AD requires replacement of certain HPC 2nd stage rotors and HPC 4th stage rotors. The FAA is issuing this AD to address the unsafe condition on these products.

**DATES:** This AD is effective June 3, 2024.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of June 3, 2024.

#### ADDRESSES:

**AD Docket:** You may examine the AD docket at [regulations.gov](https://www.regulations.gov) under Docket No. FAA-2023-1989; 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 final rule, any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

**Material Incorporated by Reference:**

- For Pratt & Whitney (PW) service information identified in this final rule, contact International Aero Engines, LLC, 400 Main Street, East Hartford, CT 06118; phone: (860) 565-0140; email: [help24@pw.utc.com](mailto:help24@pw.utc.com); website: [connect.prattwhitney.com](https://connect.prattwhitney.com).

- You may view this service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 1200 District Avenue, Burlington, MA 01803. For information on the availability of this material at the FAA, call (817) 222-5110.

#### FOR FURTHER INFORMATION CONTACT:

Carol Nguyen, Aviation Safety Engineer, FAA, 2200 South 216th Street, Des Moines, WA 98198; phone: (781) 238-7655; email: [carol.nguyen@faa.gov](mailto:carol.nguyen@faa.gov).

#### SUPPLEMENTARY INFORMATION:

#### Background

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to certain IAE Model PW1124G1-JM, PW1127G-JM, PW1127GA-JM, PW1129G-JM, PW1130G-JM, PW1133G-JM, and PW1133GA-JM engines. The NPRM published in the **Federal Register** on October 5, 2023 (88 FR 69099). The NPRM was prompted by a report of a batch of HPC 2nd stage rotors and HPC 4th stage rotors that could have degraded knife-edge seals and abrasive coating on the rear wing 4th stage rotor due to having been cleaned in alkaline solution without