

a.m. and 4 p.m. eastern time (ET), Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:**

Stephen Poy, Office of Nuclear Material Safety and Safeguards, telephone: 301–415–3175, email: [Stephen.Poy@nrc.gov](mailto:Stephen.Poy@nrc.gov); or Harriet Karagiannis, Office of Nuclear Regulatory Research, telephone: 301–415–2493, email: [Harriet.Karagiannis@nrc.gov](mailto:Harriet.Karagiannis@nrc.gov). Both are staff of the U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

**SUPPLEMENTARY INFORMATION:**

**Discussion**

The NRC is withdrawing RG 3.25, Revision 1, “Standard Format and Content of Safety Analysis Reports for Uranium Enrichment Facilities.” RG 3.25, Revision 1, provided guidance on the standard format and content of a safety analysis report (SAR) for uranium enrichment facilities and related documents submitted as part of an application to construct or modify and operate a nuclear fuel cycle facility. This RG revision endorsed the standard format and content for SARs and integrated safety analysis (ISA) summaries described in NUREG–1520, “Standard Review Plan for the Review of a License Application for a Fuel Cycle Facility,” as a process that the NRC staff found acceptable for meeting the regulatory requirements. Applicants use NUREG–1520 while developing fuel cycle facility applications, and NRC staff use NUREG–1520 while reviewing these applications.

NUREG–1520 provides current guidance to applicants and NRC staff reviewers on the acceptable content and format of SARs and ISA summaries. Therefore, the NRC determined that RG 3.25, Revision 1 is no longer needed to simply refer to NUREG–1520 and is being withdrawn. Revision 0 of RG 3.25 is also still available but is not the most recent acceptable guidance for developing and reviewing these license applications.

The withdrawal of RG 3.25, Revision 1, does not alter any prior or existing NRC licensing approval or the acceptability of licensee commitments to RG 3.25, Revision 1. Although RG 3.25, Revision 1 is withdrawn, current licensees may continue to use it and withdrawal does not affect any existing licenses or agreements. However, RG 3.25, Revision 1 should not be used in future requests or applications for NRC licensing actions. The NRC is considering the withdrawal of RG 3.25, Revision 0.

**Additional Information**

As noted in the **Federal Register** on December 9, 2022 (87 FR 75671), this document is being published in the “Rules” section of the **Federal Register** to comply with publication requirements under chapter I of title 1 of the Code of Federal Regulations.

**Submitting Suggestions for Improvement of Regulatory Guides**

A member of the public may, at any time, submit suggestions to the NRC for improvement of existing RGs or for the development of new RGs. Suggestions can be submitted on the NRC’s public website at <https://www.nrc.gov/reading-rm/doc-collections/reg-guides/contactus.html>. Suggestions will be considered in future updates and enhancements to the “Regulatory Guide” series.

Dated: March 14, 2024.

For the Nuclear Regulatory Commission.

**Meraj Rahimi,**

*Chief, Regulatory Guide and Programs Management Branch, Division of Engineering, Office of Nuclear Regulatory Research.*

[FR Doc. 2024–05786 Filed 3–18–24; 8:45 am]

**BILLING CODE 7590–01–P**

**DEPARTMENT OF ENERGY**

**10 CFR Part 436**

**RIN 1901–AB63**

**Energy Savings Performance Contract Procedures and Methods Technical Amendment**

**AGENCY:** Federal Energy Management Program, Department of Energy.

**ACTION:** Final rule; technical amendment.

**SUMMARY:** The U.S. Department of Energy (DOE) is publishing this technical amendment to remove a regulatory provision specifying that the energy savings performance contract (ESPC) regulations apply only to ESPCs awarded on or before September 30, 2003. DOE’s technical amendment to remove the regulatory sunset date will make the regulations consistent with the statutory authority.

**DATES:** The effective date of this technical amendment is March 19, 2024.

**FOR FURTHER INFORMATION CONTACT:**

Mr. Ira Birnbaum, U.S. Department of Energy, Office of Infrastructure, Federal Energy Management Program (FEMP–1), 1000 Independence Avenue SW, Washington, DC 20585–0121. Telephone: (202) 304–4940. [Ira.Birnbaum@hq.doe.gov](mailto:Ira.Birnbaum@hq.doe.gov).

Ms. Ani Esenyan, U.S. Department of Energy, Office of the General Counsel, Forrestal Building (GC–33), 1000 Independence Avenue SW, Washington, DC 20585. Telephone: (240) 961–7713. Email: [ani.esenyan@hq.doe.gov](mailto:ani.esenyan@hq.doe.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Background**

Section 155(a) of the Energy Policy Act of 1992 (EPAct 1992, Pub. L. 102–486) directed DOE, with the concurrence of the Federal Acquisition Regulatory Council, to “establish procedures and methods for use by Federal agencies to select, monitor, and terminate contracts with energy service contractors.” On April 10, 1995, DOE published a final rule implementing the current ESPC regulations (the 1995 Final Rule) (60 FR 18326), which included the sunset date originally in section 155 of the Energy Policy Act of 1992 (Pub. L. 102–486). Specifically, section 155(c)(1) of EPAct 1992 provided, “The authority to enter into new contracts under this section shall cease to be effective five years after the date procedures and methods are established. . . .” The statutory sunset date was subsequently extended several times<sup>1</sup> until the ESPC statutory authority was permanently reauthorized by section 514 of the Energy Independence and Security Act of 2007 (Pub. L. 110–140), which removed the sunset language from 42 U.S.C. 8287.

In this rule, DOE is removing from 10 CFR 436.30(a) the provision specifying that subpart B applies only to ESPCs awarded on or before September 30, 2003. DOE’s removal of the regulatory sunset date will make the regulations consistent with the statutory authority.

**II. Need for Correction**

Currently, 10 CFR 436.30(a) specifies that subpart B applies only to ESPCs awarded on or before September 30, 2003. This provision is not consistent with current ESPC statutory authority, which was permanently reauthorized by EISA section 514. The regulatory amendment in this final rule makes the regulations consistent with statutory authority and therefore is technical in nature. DOE has historically updated the sunset language in the regulations to mirror the statutory language. (65 FR 39784; June 28, 2000). This final rule similarly updates the regulatory language to be consistent with statutory authority.

<sup>1</sup> Energy Conservation Reauthorization Act of 1998 (Pub. L. 105–388); Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Pub. L. 108–375); Energy Policy Act of 2005 (Pub. L. 109–58).

### III. Procedural Issues and Regulatory Review

Pursuant to the Administrative Procedure Act, 5 U.S.C. 553(b)(3)(B), DOE finds that there is good cause not to issue a separate notice to solicit public comment on the change made by this rule. Issuing a separate notice to solicit public comment is unnecessary. This rule makes a non-substantive change to the regulations and simply provides consistency between the regulation and statutory authority. Providing prior notice and an opportunity for public comment on such a change serves no useful purpose.

As such, this rule is not subject to the 30-day delay in effective date requirement of 5 U.S.C. 553(d) otherwise applicable to rules that make substantive changes.

### VI. Approval of the Office of the Secretary

The Secretary of Energy has approved publication of this final rule; technical amendment.

#### List of Subjects in 10 CFR Part 436

Energy conservation; Energy Savings Performance Contracts, Federal buildings and facilities, Reporting and recordkeeping requirements.

#### Signing Authority

This document of the Department of Energy was signed on March 13, 2024, by Mary Sotos, 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 March 14, 2024.

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

For the reasons set forth in the preamble, DOE amends part 436 of chapter II, of title 10 of the Code of Federal Regulations, as set forth below:

### PART 436—FEDERAL ENERGY MANAGEMENT AND PLANNING PROGRAMS

The authority citation for part 436 is revised to read as follows:

**Authority:** 42 U.S.C. 7101 *et seq.*; 42 U.S.C. 8254; 42 U.S.C. 8258; 42 U.S.C. 8259b; 42 U.S.C. 8287, *et seq.*

■ 2. Amend § 436.30 by revising paragraph (a) to read as follows:

#### § 436.30 Purpose and scope.

(a) *General.* This subpart provides procedures and methods which apply to Federal agencies with regard to the award and administration of energy savings performance contracts. This subpart applies in addition to the Federal Acquisition Regulation at Title 48 of the CFR and related Federal agency regulations. The provisions of this subpart are controlling with regard to energy savings performance contracts notwithstanding any conflicting provisions of the Federal Acquisition Regulation and related Federal agency regulations.

\* \* \* \* \*

[FR Doc. 2024-05762 Filed 3-18-24; 8:45 am]

BILLING CODE 6450-01-P

### DEPARTMENT OF TRANSPORTATION

#### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2022-0598; Project Identifier AD-2021-01322-T; Amendment 39-22688; AD 2024-04-09]

RIN 2120-AA64

#### Airworthiness Directives; The Boeing Company Airplanes

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

**ACTION:** Final rule.

**SUMMARY:** The FAA is adopting a new airworthiness directive (AD) for certain The Boeing Company Model 777-200, 777-200LR, 777-300, 777-300ER, and 777F series airplanes. This AD was prompted by reports of wing anti-ice (WAI) valve failure that can result in undetected structural damage to leading edge (LE) slat assemblies, and separately a failure of the autothrottle (A/T) to disconnect after the pilot manually advanced the throttle levers, which caused a low-speed condition during a go-around. This AD was also prompted by a determination that insufficient low-speed protection exists in the 777 fleet and a determination that the flightcrew may not recognize and properly respond

to a multi-channel unreliable airspeed event. This AD requires installing certain new software and doing a software configuration check. The FAA is issuing this AD to address the unsafe condition on these products.

**DATES:** This AD is effective April 23, 2024.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of April 23, 2024.

#### ADDRESSES:

**AD Docket:** You may examine the AD docket at [regulations.gov](https://www.regulations.gov) under Docket No. FAA-2022-0598; 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 service information identified in this final rule, 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](https://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. It is also available at [regulations.gov](https://www.regulations.gov) under Docket No. FAA-2022-0598.

#### FOR FURTHER INFORMATION CONTACT:

Doug Tsuji, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; phone: 206-231-3548; email: [douglas.tsuji@faa.gov](mailto:douglas.tsuji@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 The Boeing Company Model 777-200, 777-200LR, 777-300, 777-300ER, and 777F series airplanes. The NPRM published in the **Federal Register** on June 22, 2022 (87 FR 37249). The NPRM was prompted by reports of WAI valve failure that can result in undetected structural damage to LE slat assemblies, and separately a failure of the A/T to disconnect after the pilot manually advanced the throttle levers, which caused a low-speed condition