

The Council discussed other alternatives to this action, including making no changes to the current reporting requirements. However, having the information on handler price paid and shelled pecan yield will provide important information for the industry.

Another alternative considered was to create a new report for the collection of this information. However, the industry recently implemented a series of monthly reports that increased the reporting burden on handlers. Rather than add to the burden by creating a new report, the Council believed it would be more efficient to ask handlers for this information as part of the existing year-end reporting requirement. Therefore, the alternatives were rejected.

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the Order's information collection requirements have been previously approved by OMB and assigned OMB No. 0581-0291 "Federal Marketing Order for Pecans." This final rule will require changes to the Council's existing APC Form 7. However, the changes are minor and the currently approved burden for the form will not be altered by the changes to the form. The revised form has been submitted to OMB for approval.

As with all Federal marketing order programs, reports and forms are periodically reviewed to reduce information requirements and duplication by industry and public sector agencies. As noted in the initial regulatory flexibility analysis, USDA has not identified any relevant Federal rules that duplicate, overlap, or conflict with this rule. Further, no public comments were received regarding the initial regulatory flexibility analysis.

AMS is committed to complying with the E-Government Act, to promote the use of the internet and other information technologies to provide increased opportunities for citizen access to Government information and services, and for other purposes.

The Council's meetings were widely publicized throughout the pecan industry and all interested persons were invited to attend the meetings and participate in Council deliberations on all issues. The Council's meetings held on January 24, 2018, and April 17, 2018, were also public meetings and all entities, both large and small, were able to express views on this issue.

A proposed rule concerning this action was published in the **Federal Register** on October 9, 2018, (83 FR 50531). Copies of the rule were sent via email to Council members and known

pecan handlers. The rule was also made available through the internet by USDA and the Office of the **Federal Register**. A 30-day comment period ending November 8, 2018, was provided to allow interested persons to respond to the proposal. No comments were received. Accordingly, no changes will be made to the rule as proposed.

A small business guide on complying with fruit, vegetable, and specialty crop marketing agreements and orders may be viewed at: <http://www.ams.usda.gov/rules-regulations/moa/small-businesses>. Any questions about the compliance guide should be sent to Richard Lower at the previously-mentioned address in the **FOR FURTHER INFORMATION CONTACT** section.

After consideration of all relevant matter presented, including the information and recommendation submitted by the Council and other available information, it is hereby found that this rule, as hereinafter set forth, will tend to effectuate the declared policy of the Act.

#### List of Subjects in 7 CFR Part 986

Marketing agreements, Nuts, Pecans, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR part 986 is amended as follows:

#### **PART 986—PECANS GROWN IN THE STATES OF ALABAMA, ARKANSAS, ARIZONA, CALIFORNIA, FLORIDA, GEORGIA, KANSAS, LOUISIANA, MISSOURI, MISSISSIPPI, NORTH CAROLINA, NEW MEXICO, OKLAHOMA, SOUTH CAROLINA, AND TEXAS**

■ 1. The authority citation for 7 CFR part 986 continues to read as follows:

**Authority:** 7 U.S.C. 601–674.

■ 2. Section 986.175 is amended by revising paragraphs (a) introductory text, (a)(7) and (8), and adding paragraphs (a)(9) and (10) to read as follows:

#### **§ 986.175 Handler inventory.**

(a) Handlers shall submit to the Council a year-end inventory report following August 31 each fiscal year. Handlers shall file such reports by September 10. Should September 10 fall on a weekend, reports are due by the first business day following September 10. Such reports shall be reported to the Council on APC Form 7. For the purposes of this form, "crop year" is the same as the "fiscal year." The report shall include:

\* \* \* \* \*

(7) Total weight and type of domestic pecans handled for the fiscal year;

(8) Total assessments owed, assessments paid to date, and remaining assessments due to be paid by the due date of the year-end inventory report for the fiscal year;

(9) The average price paid for all inshell pecans purchased during the fiscal year regardless of how the pecans are handled, including pecans from outside the production area; and

(10) The average yield of shelled pecans per pound of inshell pecans shelled during the fiscal year.

Dated: March 5, 2019.

**Bruce Summers,**  
Administrator, Agricultural Marketing Service.

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## **DEPARTMENT OF ENERGY**

### **10 CFR Parts 429 and 430**

**[EERE-2012-BT-STD-0045]**

**RIN 1904-AC87**

#### **Energy Conservation Program: Energy Conservation Standards for Ceiling Fan Light Kits; Correction**

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

**ACTION:** Final rule; correcting amendments.

**SUMMARY:** The U.S. Department of Energy (DOE) is publishing this final rule to correct references to the compliance date for energy conservation standards for ceiling fan light kits (CFLKs) and correct inaccurate cross-references to these standards. On May 16, 2018, DOE published a final rule that amended the energy conservation standards for CFLKs, which contained some inadvertent errors. This document corrects those errors.

**DATES:** *Effective* March 8, 2019.

#### **FOR FURTHER INFORMATION CONTACT:**

Ms. Lucy deButts, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Program, EE-2J, 1000 Independence Avenue SW, Washington, DC 20585-0121. Telephone: (202) 287-1604. Email:

[ApplianceStandardsQuestions@ee.doe.gov](mailto:ApplianceStandardsQuestions@ee.doe.gov).

Elizabeth Kohl, U.S. Department of Energy, Office of the General Counsel, GC-33, 1000 Independence Avenue SW, Washington, DC 20585-0121. Telephone: (202) 586-7796. Email: [Elizabeth.Kohl@hq.doe.gov](mailto:Elizabeth.Kohl@hq.doe.gov).

**SUPPLEMENTARY INFORMATION:** Title III, Part B<sup>1</sup> of the Energy Policy and Conservation Act of 1975, as amended (EPCA),<sup>2</sup> established the Energy Conservation Program for Consumer Products Other Than Automobiles. (42 U.S.C. 6291–6309) These products include CFLKs, the subject of this document. Section 325(ff)(5) of EPCA authorizes DOE to consider amended standards for CFLKs. (42 U.S.C. 6295(ff)(5)) On January 6, 2016 DOE published a final rule amending energy conservation standard for CFLKs with a compliance date of 3 years after the date of issuance, *i.e.*, January 7, 2019. 81 FR 580. Section 325(ff)(5) required that the compliance date of the standards be at least 2 years after the date of issuance, and the 3 year lead time DOE specified in the final standards rule is consistent with other provisions of EPCA that require a 3-year lead time for some products. (42 U.S.C. 6295(ff)(5)(B)) Section 325(ff)(6) of EPCA also authorizes DOE to consider amended standards for ceiling fans, as a separate product under the statute. (42 U.S.C. 6295(ff)(6)) On January 19, 2017 DOE published a final rule amending energy conservation standards for ceiling fans with a compliance date of January 21, 2020. 82 FR 6826. Section 325(ff)(6) did not have a similar provision regarding the compliance date for ceiling fan standards; however, as with the CFLK rule, the 3 year lead time DOE specified in the final standards rule is consistent with other provisions of EPCA that require a 3-year lead time for some products.

After DOE's promulgation of final rules establishing energy conservation standards for CFLKs and ceiling fans, Congress enacted S. 2030, the "Ceiling Fan Energy Conservation Harmonization Act" ("the Act"), which was signed into law as Public Law 115–161 on April 3, 2018. The Act amended the compliance date for the CFLK standards to establish a single compliance date for the energy conservation standards for both CFLKs and ceiling fans. The Act also required that DOE, not later than 60 days after the date of enactment, make any technical and conforming changes to any regulation, guidance document, or procedure necessary to implement the changed compliance date. On May 16, 2018 DOE published a final rule that amended the compliance date for CFLKs at 10 CFR 430.32(s)(3), (4), (5), and (6) by replacing "January 7, 2019" with

"January 21, 2020" (hereafter 2018 CFLK Correction final rule). 83 FR 22587. DOE also updated a cross reference in 10 CFR 430.32(s)(5), changing the reference to paragraphs "(s)(2) or (3)" to paragraphs "(s)(3) or (4)." Paragraph (s)(5) provides requirements for ceiling fan light kits other than those specified in the cross-referenced paragraphs, which were not updated when the new ceiling fan standards were codified as paragraph (s)(2). However, in that rule certain sections of the CFR that should also have been corrected to reflect the accurate compliance date and cross-references to energy conservation standards were not.

In this final rule, DOE is amending 10 CFR 430.23 and 10 CFR 429.33 to reference uniformly the correct compliance date for CFLK energy conservation standards. Specifically, DOE is amending the CFLK test procedure provisions at 10 CFR 430.23(x)(2) and certification provisions at 10 CFR 429.33(a)(3) by replacing in these paragraphs the text "January 7, 2019" with "January 21, 2020."

In addition, DOE is amending incorrect cross-references to CFLK energy conservation standards. Specifically, the certification provisions at 10 CFR 429.33(a)(2)(v) currently cite 10 CFR 430.32(s)(4) in reference to energy conservation standards for CFLKs with sockets or packaged with lamps other than medium screw bases or pin-bases. However, 10 CFR 430.32(s)(4) specifies energy conservation requirements for CFLKs with pin-based sockets for fluorescent lamps. Energy conservation requirements for CFLKs with socket types other than medium screw base or pin-based are specified in 10 CFR 430.32(s)(5). Therefore, DOE is amending 10 CFR 429.33(a)(2)(v) by replacing "10 CFR 430.32(s)(4)" with "10 CFR 430.32(s)(5)." Further 10 CFR 430.32(s)(3)(i) and (ii) respectively, reference paragraphs (s)(2)(ii) and (s)(2)(i) in that section with regards to requirements for compact fluorescent lamps. However, 10 CFR 430.32(s)(2)(i) and (ii) only specify requirements related to ceiling fans. The requirements for compact fluorescent lamps are specified in 10 CFR 430.32(s)(3)(i) and (ii). Therefore, DOE is amending 10 CFR 430.32(s)(3) by replacing "(s)(2)(ii)" with "(s)(3)(ii)" and replacing "(s)(2)(i)" with "(s)(3)(i)."

#### Procedural Issues and Regulatory Review

The regulatory reviews conducted for this rulemaking are those set forth in the 2018 CFLK Correction final rule. In light

of the applicable statutory requirement enacted by Congress to deem the compliance date for CFLK standards to be January 21, 2020, the absence of any benefit in providing comment given that the rule incorporates the specific requirement established by Public Law 115–161, DOE finds that there is good cause under 5 U.S.C. 553(b)(B) to not provide prior notice and an opportunity for public comment on the actions outlined in this document to implement Public Law 115–161. DOE similarly finds good cause under 5 U.S.C. 553(b)(B) to not provide prior notice and an opportunity for public comment on the update to the erroneous cross-reference. For these reasons, providing prior notice and an opportunity for public comment would, in this instance, be unnecessary and contrary to the public interest. For the same reason, DOE finds good cause pursuant to 5 U.S.C. 553(d)(3) to waive the 30-day delay in effective date for this rule. Neither the errors nor the corrections in this document affect the substance of the rulemaking that amended standards of CFLKs (81 FR 580; January 6, 2016) or any of the conclusions reached in support of the final rule.

#### List of Subjects

##### 10 CFR Part 429

Administrative practice and procedure, Confidential business information, Energy conservation, Household appliances, Reporting and recordkeeping requirements.

##### 10 CFR Part 430

Administrative practice and procedure, Confidential business information, Energy conservation, Household appliances, Imports, Intergovernmental relations, Reporting and recordkeeping requirements, and Small businesses.

Issued in Washington, DC, on February 28, 2019.

**Steven Chalk,**

*Acting Deputy Assistant Secretary For Energy Efficiency, Energy Efficiency and Renewable Energy.*

For the reasons stated in the preamble, parts 429 and 430 of title 10 of the Code of Federal Regulations are corrected by making the following correcting amendments:

#### **PART 429—CERTIFICATION, COMPLIANCE, AND ENFORCEMENT FOR CONSUMER PRODUCTS AND COMMERCIAL AND INDUSTRIAL EQUIPMENT**

■ 1. The authority citation for part 429 continues to read as follows:

<sup>1</sup> For editorial reasons, upon codification in the U.S. Code, Part B was redesignated Part A.

<sup>2</sup> All references to EPCA in this document refer to the statute as amended through America's Water Infrastructure Act of 2018, Public Law 115–270 (October 23, 2018).

Authority: 42 U.S.C. 6291–6317.

#### § 429.33 [Amended]

- 2. Section 429.33 is amended:
  - a. In paragraph (a)(2)(v) by removing the language “§ 430.32(s)(4)” and adding in its place “§ 430.32(s)(5)”; and
  - b. In paragraph (a)(3) by removing the language “January 7, 2019” and adding in its place “January 21, 2020”.

#### PART 430—ENERGY CONSERVATION PROGRAM FOR CONSUMER PRODUCTS

- 3. The authority citation for part 430 continues to read as follows:

Authority: 42 U.S.C. 6291–6309; 28 U.S.C. 2461 note.

#### § 430.23 [Amended]

- 4. Section 430.23 is amended in paragraph (x)(2) introductory text by removing the language a “January 7, 2019” and adding in its place “January 21, 2020”.

#### § 430.32 [Amended]

- 5. Section 430.32 is amended:
  - a. In paragraph (s)(3)(i) introductory text by removing the language “(s)(2)(ii)” and adding in its place “(s)(3)(ii)”; and
  - b. In paragraph (s)(3)(ii) by removing the language “(s)(2)(i)” and adding in its place “(s)(3)(i)”.

[FR Doc. 2019–04244 Filed 3–7–19; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA–2018–0917; Airspace Docket No. 18–ASW–14]

RIN 2120–AA66

#### Revocation of Class E Airspace; Beeville-Chase Field, TX

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

**SUMMARY:** This action removes Class E airspace extending upward from 700 feet above the surface at Chase Field Industrial Airport, Beeville-Chase Field, TX. This action is due to the cancellation of the instrument procedures at the airport making this airspace no longer necessary.

**DATES:** Effective 0901 UTC, April 25, 2019. The Director of the Federal Register approves this incorporation by reference action under Title 1 Code of

Federal Regulations part 51, subject to the annual revision of FAA Order 7400.11 and publication of conforming amendments.

**ADDRESSES:** FAA Order 7400.11C, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at [http://www.faa.gov/air\\_traffic/publications/](http://www.faa.gov/air_traffic/publications/). For further information, you can contact the Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267–8783. The Order is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of FAA Order 7400.11C at NARA, call (202) 741–6030, or go to <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

FAA Order 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

#### FOR FURTHER INFORMATION CONTACT:

Rebecca Shelby, Federal Aviation Administration, Operations Support Group, Central Service Center, 10101 Hillwood Parkway, Fort Worth, TX 76177; telephone (817) 222–5857.

#### 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 supports the removal of Class E airspace extending upward from 700 feet above the surface at Chase Field Industrial Airport, Beeville-Chase Field, TX.

##### History

The FAA published a notice of proposed rulemaking in the **Federal Register** (83 FR 55306; November 5, 2018) for Docket No. FAA–2018–0917 to remove Class E airspace extending upward from 700 feet above the surface at Chase Field Industrial Airport, Beeville-Chase Field, TX. Interested parties were invited to participate in this rulemaking effort by submitting

written comments on the proposal to the FAA. No comments were received.

Class E airspace designations are published in paragraphs 6005 of FAA Order 7400.11C, dated August 13, 2018, and effective September 15, 2018, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document will be published subsequently in the Order.

#### Availability and Summary of Documents for Incorporation by Reference

This document amends FAA Order 7400.11C, Airspace Designations and Reporting Points, dated August 13, 2018, and effective September 15, 2018. FAA Order 7400.11C is publicly available as listed in the **ADDRESSES** section of this document. FAA Order 7400.11C lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

#### The Rule

This amendment to Title 14 Code of Federal Regulations (14 CFR) part 71 removes the Class E airspace extending upward from 700 feet above the surface at Chase Field Industrial Airport, Beeville-Chase Field, TX.

This action due to the cancellation of the instrument procedures at the airport making the airspace no longer necessary.

#### Regulatory Notices and Analyses

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current, is non-controversial and unlikely to result in adverse or negative comments. It, therefore: (1) Is not a “significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under 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 only affects air traffic procedures and air navigation, it is certified that this rule, when promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

#### Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1F, “Environmental Impacts: Policies and Procedures,”