

This letter identifies a discrepancy between 10 CFR part 37 and 10 CFR parts 71 and 73 regarding advance notification of Tribal Governments for certain radioactive material shipments. The NRC regulations in § 71.79, “Advance notification of shipment of irradiated reactor fuel and nuclear waste,” require licensees provide advance notification to the NRC, States, and participating Tribes for irradiated fuel and for the shipment of licensed material, other than irradiated fuel, meeting the certain conditions. The NRC regulations in § 73.37, “Requirements for physical protection of irradiated reactor fuel in transit,” require licensees provide advance notification to the NRC, States and participating Tribes for spent nuclear fuel. While § 37.77 requires licensees provide advance notice to the NRC and States for the shipment of licensed material in a category 1 quality, there is no requirement for licensees to provide advance notification to Tribes for such shipments.

#### IV. Conclusion

The NRC has determined that the petition meets the sufficiency requirements for docketing a PRM under § 2.803, “Petition for rulemaking-NRC action.” The NRC will examine the issues raised in PRM-37-2 and any comments received in response to this comment request to determine whether these issues should be considered in rulemaking.

Dated: April 5, 2021.

For the Nuclear Regulatory Commission.

**Annette L. Vietti-Cook,**

*Secretary of the Commission.*

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## DEPARTMENT OF ENERGY

### 10 CFR Part 430

[EERE-2019-BT-STD-0036]

RIN 1904-AE82

#### **Energy Conservation Program: Energy Conservation Standards for Consumer Products; Early Assessment Review; Boilers**

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

**ACTION:** Extension of public comment period.

**SUMMARY:** On March 25, 2021, the U.S. Department of Energy (DOE or the Department) published in the **Federal**

**Register** an early assessment request for information (RFI) pertaining to the potential amendment of energy conservation standards for consumer boilers. The early assessment RFI provided an opportunity for submission of written comments, data, and information to the Department by April 26, 2021. Prior to the end of the comment period for the RFI, DOE received requests from the Air-Conditioning, Heating and Refrigeration Institute (AHRI), as well as from the American Public Gas Association (APGA), seeking additional time to consider the issues raised in the early assessment RFI. In light of these requests, DOE is announcing its decision to extend the comment period on the subject RFI for an additional 30 days.

**DATES:** The comment period for the consumer boilers early assessment RFI published in the **Federal Register** on March 25, 2021 (86 FR 15804) is extended to May 26, 2021. Written comments, data, and information are requested and will be accepted on or before May 26, 2021.

**ADDRESSES:** Interested persons are encouraged to submit comments using the Federal eRulemaking Portal at <http://www.regulations.gov>. Follow the instructions for submitting comments. Alternatively, interested persons may submit comments by email to the following address: *Email: ConsumerBoilers2019STD0036@ee.doe.gov*. Include “Consumer Boilers RFI” and docket number EERE-2019-BT-STD-0036 and/or RIN 1904-AE82 in the subject line of the message. Submit electronic comments in WordPerfect, Microsoft Word, PDF, or ASCII file format, and avoid the use of special characters or any form of encryption. No telefacsimiles (faxes) will be accepted.

Although DOE has routinely accepted public comment submissions through a variety of mechanisms, including postal mail and hand delivery/courier, the Department has found it necessary to make temporary modifications to the comment submission process in light of the ongoing Covid-19 pandemic. DOE is currently accepting only electronic submissions at this time. If a commenter finds that this change poses an undue hardship, please contact Appliance Standards Program staff at (202) 586-1445 to discuss the need for alternative arrangements. Once the Covid-19 pandemic health emergency is resolved, DOE anticipates resuming all of its regular options for public comment submission, including postal mail and hand delivery/courier.

*Docket:* The docket for this activity, which includes **Federal Register** notices, comments, and other supporting documents/materials, is available for review at <http://www.regulations.gov>. All documents in the docket are listed in the <http://www.regulations.gov> index. However, some documents listed in the index, such as those containing information that is exempt from public disclosure, may not be publicly available.

The docket web page can be found at: <http://www.regulations.gov/#!docketDetail;D=EERE-2019-BT-STD-0036>. The docket web page contains instructions on how to access all documents, including public comments, in the docket.

**FOR FURTHER INFORMATION CONTACT:** Ms. Catherine Rivest, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Office, EE-5B, 1000 Independence Avenue SW, Washington, DC 20585-0121. Telephone: (202) 586-7335. Email: [ApplianceStandardsQuestions@ee.doe.gov](mailto:ApplianceStandardsQuestions@ee.doe.gov).

Mr. Eric Stas, U.S. Department of Energy, Office of the General Counsel, GC-33, 1000 Independence Avenue SW, Washington, DC 20585-0121. Telephone: (202) 586-5827. Email: [Eric.Stas@hq.doe.gov](mailto:Eric.Stas@hq.doe.gov).

For further information on how to submit a comment or review other public comments and the docket, contact the Appliance and Equipment Standards Program staff at (202) 287-1445 or by email: [ApplianceStandardsQuestions@ee.doe.gov](mailto:ApplianceStandardsQuestions@ee.doe.gov).

**SUPPLEMENTARY INFORMATION:** DOE published an early assessment RFI pertaining to energy conservation standards for consumer boilers in the **Federal Register** on March 25, 2021. 86 FR 15804. The early assessment RFI initiated a data collection process and seeks input from the public to assist DOE in evaluating whether amended energy conservation standards for consumer boilers would result in significant savings of energy, be technologically feasible, and be economically justified. In that early assessment RFI, DOE requested submission of written comment, data, and information pertaining to that subject by April 26, 2021.

On March 31, 2021, AHRI, an interested party in the matter, submitted a request<sup>1</sup> for a 30-day extension of the public comment period for the early assessment RFI for consumer boilers that DOE previously published in the

<sup>1</sup> Available at <https://www.regulations.gov/comment/EERE-2019-BT-STD-0036-0002>.

**Federal Register** on March 25, 2021. More specifically, AHRI requested additional time to consider the issues raised in the early assessment RFI for consumer boilers.

On April 2, 2021, APGA also submitted a request<sup>2</sup> for a 30-day extension of the public comment period for the consumer boilers early assessment RFI, for similar reasons to those expressed in the AHRI request.

After carefully considering these submissions, DOE has determined that it is appropriate to grant these requests to extend the comment period by 30 days to allow additional time for interested parties to prepare and submit comments. Therefore, DOE is extending the comment period for the consumer boilers early assessment RFI and will accept comments, data, and information on this matter received on and before May 26, 2021. Accordingly, DOE will consider any comments received by this date to be timely submitted.

#### Signing Authority

This document of the Department of Energy was signed on April 2, 2021, by Kelly Speakes-Backman, Principal Deputy Assistant Secretary and Acting Assistant Secretary for Energy Efficiency and Renewable 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 6, 2021.

**Treena V. Garrett,**

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

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2021-0263; Project Identifier AD-2020-01702-T]

RIN 2120-AA64

#### Airworthiness Directives; The Boeing Company Airplanes

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

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

**SUMMARY:** The FAA proposes to adopt a new airworthiness directive (AD) for all The Boeing Company Model 777 airplanes. This proposed AD was prompted by a report that an operator found solid rivets with missing heads at the left buttock line 25 on the sloping pressure deck web. This proposed AD would require doing a detailed inspection of the left and right side sloping pressure deck at certain stations for any damaged solid rivets, and applicable on-condition actions. The FAA is proposing this AD to address the unsafe condition on these products.

**DATES:** The FAA must receive comments on this proposed AD by May 24, 2021.

**ADDRESSES:** You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- *Federal eRulemaking Portal:* Go to <https://www.regulations.gov>. Follow the instructions for submitting comments.

- *Fax:* 202-493-2251.

- *Mail:* U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

- *Hand Delivery:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this NPRM, 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; internet <https://www.myboeingfleet.com>. You may view this referenced 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 on the internet at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2021-0263.

#### Examining the AD Docket

You may examine the AD docket at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2021-0263; 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 NPRM, any comments received, and other information. The street address for Docket Operations is listed above.

**FOR FURTHER INFORMATION CONTACT:** Luis Cortez, Aerospace Engineer, Airframe Section, FAA, Seattle ACO Branch, 2200 South 216th St., Des Moines, WA 98198; phone and fax: (206) 231-3958; email: [Luis.A.Cortez-Muniz@faa.gov](mailto:Luis.A.Cortez-Muniz@faa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

The FAA invites you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under **ADDRESSES**. Include "Docket No. FAA-2021-0263; Project Identifier AD-2020-01702-T" at the beginning of your comments. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend this proposal because of those comments.

Except for Confidential Business Information (CBI) as described in the following paragraph, and other information as described in 14 CFR 11.35, the FAA will post all comments received, without change, to <https://www.regulations.gov>, including any personal information you provide. The agency will also post a report summarizing each substantive verbal contact received about this NPRM.

##### Confidential Business Information

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this NPRM contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this NPRM, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as "PROPIN." The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this NPRM. Submissions containing CBI

<sup>2</sup> Available at <https://www.regulations.gov/comment/EERE-2019-BT-STD-0036-0003>.