

withdrawals from the decommissioning trust fund could potentially result in future shortfalls in the fund.

Nevertheless, a projected excess is one factor that the NRC would consider in reviewing an exemption request. Other potential factors include: The size of the excess compared to the SSCE, whether the expense is included in a SSCE, evidence that funds have been collected or set aside for the activity in a comingled decommissioning trust fund, and availability of rate collection as a means to resolve a shortfall in radiological decommissioning funding. Any decision on an exemption request to use decommissioning funds to dispose of major radioactive components during operation would be based on a totality of the information in the request and any other information of which the NRC is aware. These circumstances are site-specific and dependent on the unique financial status of each licensee.

The staff believes it would be difficult to develop generally applicable requirements to address the use of decommissioning trust funds for this purpose and therefore, more efficient to review such requests on a case-by-case basis. Therefore, the staff considers an exemption to be an adequate means for licensees to request a withdrawal from their decommissioning trust fund for the disposal of major radioactive components. If the staff sees an increase in exemption requests to withdraw decommissioning funds prior to decommissioning, then the NRC could reconsider whether addressing the issue through rulemaking would reduce the need for exemptions and be more efficient for the agency. Such reconsideration will include any experience and insights the staff has gained in evaluating exemption requests at that time.

Additionally, some licensees successfully pursued reallocating funding streams that would otherwise have been added to their decommissioning trust fund by establishing "sub-accounts" in their decommissioning trust funds. Such sub-accounts are not regulated by the NRC and, therefore, can be used at the discretion of the licensee at any time during operations or decommissioning. For rate-regulated licensees, these sub-accounts are typically funded with Public Utility Commission-authorized rate collections once it is established that the trust dedicated to radiologically decommissioning is sufficiently funded in accordance with NRC regulations. While non-rate-regulated (*i.e.*, merchant) licensees do not have access to rate collection, they may still fund

such sub-accounts through alternate means or request a reallocation of funds across their decommissioning trust fund accounts using the 10 CFR 50.12 exemption process. The NRC is denying the petition because it does not raise a significant safety or security concern and the requested amendments are not necessary to enable licensees to access excess decommissioning funding prior to decommissioning for the purpose of disposal of major radioactive components under existing regulations in 10 CFR part 50.

#### IV. Conclusion

For the reasons cited in this document, the NRC is denying PRM-50-119. The NRC reaffirms that its existing regulations continue to provide reasonable assurance of adequate protection of public health and safety.

Dated: January 24, 2022.

For the Nuclear Regulatory Commission.

**Annette L. Vietti-Cook,**

*Secretary of the Commission.*

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## DEPARTMENT OF ENERGY

### 10 CFR Part 429 and 431

[EERE-2020-BT-TP-0011]

RIN 1904-AE62

#### Energy Conservation Program: Test Procedure for Electric Motors; Extension of Comment Period

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

**ACTION:** Notice of proposed rulemaking; extension of public comment period.

**SUMMARY:** On December 17, 2021, the U.S. Department of Energy ("DOE") published a notice of proposed rulemaking ("NOPR") on potential amendments to its test procedure for electric motors. The NOPR provided an opportunity for submitting written comments, data, and information on the proposal by February 15, 2022. DOE received requests from the National Electrical Manufacturers Association ("NEMA") and the Hydraulic Institute ("HI") on January 25, 2022, and January 26, 2022, respectively, asking DOE to extend the public comment period for 30 additional days. DOE has reviewed these requests and is granting an extension of the public comment period to allow public comments to be submitted until February 28, 2022.

**DATES:** The comment period for the NOPR published on December 17, 2021

(86 FR 71710), is extended. DOE will accept comments, data, and information regarding this request for information (RFI) received no later than February 28, 2022.

**ADDRESSES:** Interested persons are encouraged to submit comments using the Federal eRulemaking Portal at [www.regulations.gov](http://www.regulations.gov). Follow the instructions for submitting comments. Alternatively, interested persons may submit comments, identified by docket number EERE-2020-BT-TP-0011, by any of the following methods:

(1) *Federal eRulemaking Portal:* [www.regulations.gov](http://www.regulations.gov). Follow the instructions for submitting comments.

(2) *Email:* [ElecMotors2020TP0011@ee.doe.gov](mailto:ElecMotors2020TP0011@ee.doe.gov). Include the docket number EERE-2020-BT-TP-0011 or regulatory information number ("RIN") 1904-AE62 in the subject line of the message.

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 suspending receipt of public comments via postal mail and hand delivery/courier. 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, which includes **Federal Register** notices, public meeting attendee lists and transcripts (if a public meeting is held), comments, and other supporting documents/materials, is available for review at [www.regulations.gov](http://www.regulations.gov). All documents in the docket are listed in the [www.regulations.gov](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 [www.regulations.gov/docket?D=EERE-2020-BT-TP-0011](http://www.regulations.gov/docket?D=EERE-2020-BT-TP-0011). The docket web page contains instructions on how to access all documents, including public comments, in the docket.

#### FOR FURTHER INFORMATION CONTACT:

Mr. Jeremy Dommu, 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) 586-9870. Email: [ApplianceStandardsQuestions@ee.doe.gov](mailto:ApplianceStandardsQuestions@ee.doe.gov).

Mr. Michael Kido, U.S. Department of Energy, Office of the General Counsel, GC-33, 1000 Independence Avenue SW, Washington, DC 20585-0121. Telephone: (202) 586-8145. Email: [Michael.Kido@hq.doe.gov](mailto:Michael.Kido@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:** On December 17, 2021, DOE published a NOPR proposing to amend the existing scope of the DOE test procedures for electric motors consistent with related industry changes for nomenclature and test procedure developments (*i.e.*, for air-over electric motors, submersible electric motors, electric motors greater than 500 horsepower, electric motors considered small, inverter-only electric motors, and synchronous electric motors); add test procedures, metric, and supporting definitions for additional electric motors covered under the proposed scope; and update references to industry standards to reference current versions. (86 FR 71710) Furthermore, DOE proposed to adopt industry provisions related to the prescribed test conditions to further ensure the comparability of testing. In addition, DOE proposed to update certain testing instructions to reduce manufacturer burden. Further, DOE proposed to amend the provisions pertaining to certification testing and determination of represented values for electric motors other than dedicated-purpose pool pump motors, apply these provisions to the additional electric motors proposed for inclusion in the scope of the test procedure, and to move both provisions consistent with the location of other certification requirements for other covered products and equipment. Finally, DOE proposed to add provisions pertaining to certification testing and determination of represented values for dedicated-purpose pool pump motors. DOE is seeking comment from interested parties on these proposals.

Interested parties in the matter, NEMA (on January 25, 2022) and the Hydraulic Institute (on January 26, 2022) requested an extension of the public comment period for 30

additional days (NEMA, No. 9 at p. 1; HI, No. 11 at p.1).<sup>1</sup> NEMA commented that the extension is necessary due to delays in developing their responses given the proposed scope of products along with the extent of information to be gathered. HI commented more time is needed for the pump industry to review and provide comment relating to the testing of submersible motors.

DOE has reviewed the requests and is extending the comment period to allow additional time for interested parties to submit comments. The proposed rule was published in the **Federal Register** on December 17, 2021, and a 60-day comment period was provided from the date of publication. In light of the submitted requests, DOE believes that additional time is warranted, and that extending the comment period until the end of the month of February is sufficient. Therefore, DOE is extending the comment period until February 28, 2022.

#### Signing Authority

This document of the Department of Energy was signed on January 28, 2022, by Kelly J. Speakes-Backman, Principal Deputy 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 January 31, 2022.

**Treena V. Garrett,**

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

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<sup>1</sup> The parenthetical reference provides a reference for information located in DOE's rulemaking docket. (Docket No. EERE-2020-BT-TP-0011, which is maintained at [www.regulations.gov/#/docketDetail;D=EERE-2020-BT-TP-0011](http://www.regulations.gov/#/docketDetail;D=EERE-2020-BT-TP-0011)). The references are arranged as follows: (Commenter name, comment docket ID number, page of that document).

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 27

[Docket No. FAA-2021-0943; Special Conditions No. 27-21-01-SC]

#### Special Conditions: Robinson Helicopter Company Model R66 Helicopter; Pressure Refueling Provisions

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

**ACTION:** Notice of proposed special conditions.

**SUMMARY:** This action proposes special conditions for the Robinson Helicopter Company (RHC) Model R66 helicopter. This helicopter will have a novel or unusual design feature when compared to the state of technology envisioned in the airworthiness standards for normal category helicopters. This design feature is a pressure refueling system. The applicable airworthiness regulations do not contain adequate or appropriate safety standards for this design feature. These proposed special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

**DATES:** Send comments on or before March 7, 2022.

**ADDRESSES:** Send comments identified by Docket No. FAA-2021-0943 using any of the following methods:

- **Federal eRegulations Portal:** Go to <http://www.regulations.gov/> and follow the online instructions for sending your comments electronically.

- **Mail:** Send comments to Docket Operations, M-30, U.S. Department of Transportation (DOT), 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.

**Privacy:** Except for Confidential Business Information (CBI) as described in the following paragraph, and other information as described in title 14, Code of Federal Regulations (14 CFR) 11.35, the FAA will post all comments received without change to <http://www.regulations.gov/>, including any personal information you provide. The