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NUCLEAR REGULATORY COMMISSION

10 CFR Parts 50 and 52

[NRC–2023–0028]

Regulatory Guide: Sizing Large Lead-Acid Storage Batteries

AGENCY: Nuclear Regulatory Commission.

ACTION: Final guide; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is issuing Revision 2 to Regulatory Guide (RG) 1.212, ''Sizing Large Lead-Acid Storage Batteries''. This RG describes an approach that is acceptable to the staff of the NRC to meet regulatory requirements for sizing large lead-acid storage batteries for production and utilization facilities.

DATES: Revision 2 to RG 1.212 is available on June 21, 2023.

ADDRESSES: Please refer to Docket ID NRC–2023–0028 when contacting the NRC about the availability of information regarding this document. You may obtain publicly available information related to this document using any of the following methods:

- *Federal Rulemaking Website:* Go to *https://www.regulations.gov* and search for Docket ID NRC–2023–0028. Address questions about Docket IDs in *Regulations.gov* to Stacy Schumann; telephone: 301–415–0624; email: *Stacy.Schumann@nrc.gov.* For technical questions, contact the individuals listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the ADAMS Public Documents collection at *https://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''Begin Web-based ADAMS Search.'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email to *PDR.Resource@nrc.gov.* The ADAMS accession number for each document referenced (if it is available in ADAMS) is provided the first time that it is mentioned in this document.
- *NRC's PDR:* You may examine and purchase copies of public documents, by appointment, at the NRC's PDR, Room P1 B35, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852. To make an appointment to visit the PDR, please send an email to *PDR.Resource@nrc.gov* or call 1–800–397–4209 or 301–415–4737, between 8 a.m. and 4 p.m. eastern time (ET), Monday through Friday, except Federal holidays.

Revision 2 to RG 1.212 and the regulatory analysis may be found in ADAMS under Accession Nos. ML23118A344 and ML22307A144, respectively.

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FOR FURTHER INFORMATION CONTACT: Michael Eudy, Office of Nuclear Regulatory Research, telephone: 301–415–3104; email: *Michael.Eudy@nrc.gov* and Liliana Ramadan, Office of Nuclear Reactor Regulation, telephone: 301–415–2463; email: *Liliana.Ramadan@nrc.gov.* Both are staff of the U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

SUPPLEMENTARY INFORMATION:

I. Discussion

The NRC is issuing a revision in the NRC's ''Regulatory Guide'' series. This series was developed to describe methods that are acceptable to the NRC staff for implementing specific parts of the agency's regulations, to explain techniques that the staff uses in evaluating specific issues or postulated events, and to describe information that the staff needs in its review of applications for permits and licenses.

The proposed Revision 2 to RG 1.212 was issued with a temporary identification of Draft Regulatory Guide, (DG)–1418. This revision of the RG (Revision 2) endorses, with some limitations and a clarification, IEEE Std. 485–2020, ''IEEE Recommended Practice for Sizing Lead-Acid Batteries for Stationary Applications,'' and applies to production and utilization facilities licensed under parts 50 and 52 of title 10 of the *Code of Federal Regulations* (10 CFR) within the scope of this RG.

II. Additional Information

The NRC published a notice of the availability of DG–1418 in the **Federal Register** on March 6, 2023 (88 FR 13735) for a 30-day public comment period. The public comment period closed on April 5, 2023. Public comments on DG–1418 and the staff responses to the public comments are available in ADAMS under Accession No. ML23118A345.

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 in 1 CFR chapter I.

III. Congressional Review Act

This RG is a rule as defined in the Congressional Review Act (5 U.S.C. 801–808). However, the Office of Management and Budget has not found it to be a major rule as defined in the Congressional Review Act.

IV. Backfitting, Forward Fitting, and Issue Finality

Issuance of RG 1.212, Revision 2, does not constitute backfitting as defined in 10 CFR 50.109, ''Backfitting,'' and as described in NRC Management Directive (MD) 8.4, ''Management of Backfitting, Forward Fitting, Issue Finality, and Information Requests''; affect the issue finality of an approval issued under 10 CFR part 52; or constitute forward fitting as defined in MD 8.4 because, as explained in this RG, licensees are not required to comply with the positions set forth in this RG.

V. 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: June 15, 2023.

For the Nuclear Regulatory Commission.

Meraj Rahimi,

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

[FR Doc. 2023–13143 Filed 6–20–23; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2023–0921; Project Identifier AD–2022–01430–T; Amendment 39–22471; AD 2023–12–13]

RIN 2120–AA64

Airworthiness Directives; The Boeing Company Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is superseding Airworthiness Directive (AD) 2022–05–04, which applied to all The Boeing Company Model 737–100, –200, –200C, –300, –400, –500, –600, –700, –700C, –800, –900, and –900ER series airplanes, except for Model 737–200 and –200C series airplanes equipped with a certain flight control system. AD 2022–05–04 required revising the limitations and operating procedures sections of the existing airplane flight manual (AFM) to incorporate specific operating procedures for instrument landing system (ILS) approaches, speedbrake deployment, go-arounds, and missed approaches, when in the presence of interference from wireless broadband operations in the 3.7–3.98 GHz frequency band (5G C-Band) as identified by Notices to Air Missions (NOTAMs). Since the FAA issued AD 2022–05–04, the FAA determined that additional limitations are needed due to the continued deployment of new 5G C-Band base stations whose signals are expected to cover most of the contiguous United States at transmission frequencies between 3.7–3.98 GHz. This AD requires revising the limitations and operating procedures sections of the existing AFM to incorporate specific operating procedures for ILS approaches, speedbrake deployment, go-arounds, and missed approaches, due to the presence of 5G C-Band interference. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective June 21, 2023.

ADDRESSES: *AD Docket:* You may examine the AD docket at *regulations.gov* under Docket No. FAA–2023–0921; 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.

FOR FURTHER INFORMATION CONTACT: Brett Portwood, Continued Operational Safety Technical Advisor, COS Program Management Section, Operational Safety Branch, FAA, 3960 Paramount Boulevard, Lakewood, CA 90712–4137; phone: 817–222–5390; email: *operationalsafety@faa.gov.*

SUPPLEMENTARY INFORMATION:

Background

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to supersede AD 2022–05–04, Amendment 39–21955 (87 FR 10299, February 24, 2022) (AD 2022–05–04). AD 2022–05–04 applied to all The Boeing Company (Boeing) Model 737–100, –200, –200C, –300, –400, –500, –600, –700, –700C, –800, –900, and –900ER series airplanes, except for Model 737–200 and –200C series airplanes equipped with a certain flight control system. The NPRM published in the **Federal Register** on May 3, 2023 (88 FR 27725). The NPRM was prompted by a determination that radio altimeters cannot be relied upon to perform their intended function if they experience 5G C-Band interference, and a determination that, during approach, landings, and go-arounds, as a result of this interference, certain airplane systems may not properly function, resulting in increased flightcrew workload while on approach with the flight director, autothrottle, or autopilot engaged.

In the NPRM, the FAA proposed to retain the AFM revisions required by AD 2022–05–04 until June 30, 2023. On or before June 30, 2023, the FAA proposed to require replacing those AFM revisions with limitations requiring the same procedures for dispatch or release to airports, and approach, landing, and go-around on runways, at all airports for non-radio altimeter tolerant airplanes. For radio altimeter tolerant airplanes, the FAA proposed to allow the procedures at 5G CMAs as identified in an FAA Domestic Notice. The FAA proposed this AD to address 5G C-Band interference that could result in increased flightcrew workload and could lead to reduced ability of the flightcrew to maintain safe flight and landing of the airplane.

Discussion of Final Airworthiness Directive

Comments

The FAA provided the public with an opportunity to comment on the proposed AD and received comments from seven commenters. The following presents the comments received on the NPRM and the FAA's response to each comment.

Support for NPRM

Boeing, the Air Line Pilots Association, International (ALPA), and an individual supported the NPRM without change.

The supportive comments from ALPA included additional viewpoints without a suggestion specific to the AD or a request the FAA can act on. These comments are outside the scope of this AD.

Request To Clarify AD Issue Dates

Comment summary: FlyPersia Airlines commented that the issue dates referenced for AD 2022–23–12 and AD 2022–05–04 in the background section of the proposed AD are incorrect. The commenter stated that where ''The FAA issued AD 2022–23–12 (86 FR 69984, December 9, 2021)'' is stated, the correct date should be December 7, 2021; in same section where the proposed AD specifies ''AD 2022–05–04 (87 FR 10299, February 24, 2022),'' the commenter stated the correct date should be February 16, 2022.

FAA response: The dates quoted by the commenter are within the parenthetical citations for referencing documents published in the **Federal Register** by volume, page, and publication date. These dates represent the dates each AD published in the **Federal Register**. The December 7, 2021, and February 24, 2022, dates the commenter referenced are the issuance dates specified in the signature block at the end of each AD (*i.e.,* the dates on which the ADs were issued by the FAA). No change to this AD is necessary because the citation dates are the correct publication dates.

Request To Extend Compliance Time

Comment summary: Southwest Airlines and American Airlines expressed concern regarding the compliance time for the proposed actions and requested the FAA revise the AD to provide a minimum of 30 days from the effective date of the AD.