

**§ 457.121 Arizona-California citrus crop insurance provisions.**

\* \* \* \* \*

3. Insurance Guarantees, Coverage Levels, and Prices

\* \* \* \* \*

(b) Instead of reporting your production of marketable fresh fruit for the current crop year, as required by section 3(f)(1) of the Basic Provisions, there is a lag year and you are required to report production from two crop years ago by the production reporting date, e.g., 2023 crop year production must be reported by the production reporting date for the 2025 crop year.

\* \* \* \* \*

■ 5. In § 457.131 in the “Macadamia Nut Crop Provisions”, section 3:

■ i. In paragraph (c), remove the words “The yield used to compute your production guarantee will be determined in accordance with Actual Production History (APH) regulations, 7 CFR part 400, subpart G, and applicable policy provisions” and add “Your approved yield will be determined in accordance with sections 3 and 5 of the Basic Provisions” in their place; and

■ ii. Revise paragraph (d).  
The revision reads as follows:

**§ 457.131 Macadamia nut crop insurance provisions.**

\* \* \* \* \*

3. Insurance Guarantees, Coverage Levels, and Prices

\* \* \* \* \*

(d) Instead of reporting your production for the current crop year, as required by section 3(f)(1) of the Basic Provisions, there is a lag year and you are required to report production from two crop years ago by the production reporting date, e.g., 2023 crop year production must be reported by the production reporting date for the 2025 crop year.

\* \* \* \* \*

■ 6. In § 457.175, in the “California Avocado Crop Provisions”, in section 3, revise paragraph (e) and the last two sentences of paragraph (f)(2) to read as follows:

**§ 457.175 California avocado crop insurance provisions.**

\* \* \* \* \*

3. Insurance Guarantees, Coverage Levels, and Prices

\* \* \* \* \*

(e) Instead of reporting your production for the current crop year as required by section 3(f)(1) of the Basic Provisions, you are required to report the production for the crop year that

ended on the October 31 immediately preceding the cancellation date, e.g., 2023 crop year production must be reported by the production reporting date for the 2025 crop year.

(f) \* \* \*

(2) \* \* \* The percentages will be those described in sections 3 and 5 of the Basic Provisions. All other provisions of sections 3 and 5 of the Basic Provisions apply.

\* \* \* \* \*

**Marcia Bunger,**  
*Manager, Federal Crop Insurance Corporation.*

[FR Doc. 2023-18689 Filed 8-29-23; 8:45 am]

**BILLING CODE 3410-08-P**

**DEPARTMENT OF ENERGY**

**10 CFR Part 430**

**[EERE-2017-BT-TP-0012]**

**RIN 1904-AD47**

**Energy Conservation Program: Test Procedure for Room Air Conditioners**

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

**ACTION:** Correcting amendments.

**SUMMARY:** On March 29, 2021, the U.S. Department of Energy (“DOE”) published a final rule that amended the test procedure for room air conditioners (“room ACs”). This document corrects errors in the amended regulatory text as it appeared in the March 2021 final rule. Neither the errors nor the corrections in this document affect the substance of the rulemaking or any conclusions reached in support of the final rule.

**DATES:** Effective August 30, 2023.

**FOR FURTHER INFORMATION CONTACT:**

Mr. Lucas Adin, 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) 287-5904. Email: [ApplianceStandardsQuestions@ee.doe.gov](mailto:ApplianceStandardsQuestions@ee.doe.gov).

Ms. Sarah Butler, U.S. Department of Energy, Office of the General Counsel, GC-33, 1000 Independence Avenue SW, Washington, DC 20585-0121. Telephone: (202) 586-1777. Email: [sarah.butler@hq.doe.gov](mailto:sarah.butler@hq.doe.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Background**

DOE published a final rule in the **Federal Register** on March 29, 2021, amending the procedure for room ACs

at title 10 of the Code of Federal Regulations (“CFR”), part 430, subpart B, appendix F (“appendix F”). 86 FR 16446. Since publication of the final rule, DOE identified errors in the regulatory text for the room AC test procedure. The first identified error in the regulatory text is in section 4.2.1 of appendix F, which states, “If the unit has an inactive mode, as defined in section 2.14 of this appendix, as defined in section 2.17 of this appendix, measure and record the average inactive mode power, *P*<sub>ia</sub>, in watts.” Since the term “inactive mode” is defined in section 2.14, the phrase “as defined in section 2.17” is erroneous and should be removed from that sentence. The second error is in section 5.3.6, in which the term “AEC<sub>ia/om</sub>” is defined to mean “annual energy consumption in inactive mode of off mode, in kWh/year, determined in section 5.1 of this appendix.” Section 5.1 correctly defines “AEC<sub>ia/om</sub>” as annual energy consumption in inactive mode and off mode. Thus, the definition in section 5.3.6 should read “annual energy consumption in inactive mode and off mode, in kWh/year, determined in section 5.1 of this appendix.” Similarly, the definition for “AEC<sub>ia/om</sub>” in sections 5.2.2 and 5.3.7 should also read “annual energy consumption in inactive mode and off mode, in kWh/year, determined in section 5.1 of this appendix.”

**II. Need for Correction**

As published, the regulatory text in the March 2021 final rule may result in confusion as to the meaning of these terms and the references to provisions elsewhere in the test procedure. Because this final rule would simply correct errors in the text without making substantive changes in the March 2021 final rule, the changes addressed in this document are technical in nature.

**III. Procedural Issues and Regulatory Review**

DOE has concluded that the determinations made pursuant to the various procedural requirements applicable to the March 2021 final rule remain unchanged for this final rule technical correction. These determinations are set forth in the March 2021 final rule. 86 FR 16446, 16472.

Pursuant to the Administrative Procedure Act, 5 U.S.C. 553(b)(3)(B), DOE finds that there is good cause to not issue a separate notice to solicit public comment on the changes contained in this document. Issuing a separate notice to solicit public comment would be impracticable, unnecessary, and contrary to the public

interest. Neither the errors nor the corrections in this document affect the substance of the March 2021 final rule or any of the conclusions reached in support of the final rule. Providing prior notice and an opportunity for public comment on correcting objective, typographical errors that do not change the substance of the test procedure serves no useful purpose.

Further, this rule correcting a regulatory text error makes non-substantive changes to the test procedure. 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.

#### List of Subjects in 10 CFR Part 430

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

#### Signing Authority

This document of the Department of Energy was signed on August 23, 2023, by Francisco Alejandro Moreno, 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 August 23, 2023.

**Treana V. Garrett,**

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

For the reasons stated in the preamble, DOE corrects part 430 of chapter II, subchapter D, of title 10 of the Code of Federal Regulations by making the following correcting amendments:

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

■ 1. The authority citation for part 430 continues to read as follows:

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

■ 2. Amend Appendix F to subpart B of part 430 by:

- a. Revising section 4.2.1;
- b. In section 5.2.2, revising the definitions of “AEC<sub>ia/om</sub>”;
- c. In section 5.3.6, revising the definitions of “AEC<sub>ia/om</sub>”; and
- d. In section 5.3.7, revising the definitions of “AEC<sub>ia/om</sub>”.

The revisions read as follows:

#### Appendix F to Subpart B of Part 430—Uniform Test Method for Measuring the Energy Consumption of Room Air Conditioners

\* \* \* \* \*

4. \* \* \*

4.2 \* \* \*

4.2.1 If the unit has an inactive mode, as defined in section 2.14 of this appendix, measure and record the average inactive mode power,  $P_{ia}$ , in watts.

\* \* \* \* \*

5. \* \* \*

5.2 \* \* \*

5.2.2 \* \* \*

AEC<sub>ia/om</sub> = annual energy consumption in inactive mode and off mode, in kWh/year, determined in section 5.1 of this appendix.

\* \* \* \* \*

5.3 \* \* \*

\* \* \* \* \*

5.3.6 \* \* \*

AEC<sub>ia/om</sub> = annual energy consumption in inactive mode and off mode, in kWh/year, determined in section 5.1 of this appendix.

\* \* \* \* \*

5.3.7 \* \* \*

AEC<sub>ia/om</sub> = annual energy consumption in inactive mode and off mode, in kWh/year, determined in section 5.1 of this appendix.

\* \* \* \* \*

[FR Doc. 2023–18529 Filed 8–29–23; 8:45 am]

**BILLING CODE 6450–01–P**

#### DEPARTMENT OF COMMERCE

#### Bureau of Industry and Security

#### 15 CFR Part 766

[Docket No. 230824–0204]

RIN 0694–AJ36

#### Revisions of Temporary Denial Order Provisions To Allow for Extended Renewals in Certain Circumstances

**AGENCY:** Bureau of Industry and Security, Department of Commerce.

**ACTION:** Final rule.

**SUMMARY:** In this final rule, the Bureau of Industry and Security (BIS) amends the Export Administration Regulations (EAR) to create an additional option for the renewal of temporary denial orders (TDOs) by allowing BIS, under certain circumstances, to request that the

Assistant Secretary for Export Enforcement renew an existing TDO for a period of no more than one year, rather than the current renewal period of no more than 180 days. This final rule also makes some conforming changes to remove references to the “EAA,” the Export Administration Act (EAA), and add in their place references to “ECRA,” the Export Control Reform Act (ECRA), to reflect the EAR’s current statutory authority.

**DATES:** This rule is effective on August 29, 2023.

**FOR FURTHER INFORMATION CONTACT:** John Sonderman, Director, Office of Export Enforcement, Bureau of Industry and Security, Phone: (202) 482–5079, Email: [EEinquiry@bis.doc.gov](mailto:EEinquiry@bis.doc.gov).

#### SUPPLEMENTARY INFORMATION:

#### Background

#### A. Amendment of Temporary Denial Order Provisions To Allow for Extended Renewals in Certain Circumstances

This final rule amends § 766.24 of the EAR (15 CFR parts 730 through 774) by adding an additional sentence after the first sentence of paragraph (d)(1). Specifically, this final rule creates an additional option for the renewal of temporary denial orders (TDOs) by allowing BIS, under certain circumstances, to request that the Assistant Secretary for Export Enforcement renew an existing TDO for a period of no more than one year, rather than the current renewal period of no more than 180 days.

This final rule does not change the current language set forth in the first sentence of paragraph (d)(1), which allows BIS to request the renewal of a TDO for a period of 180 days by demonstrating that such a renewal is necessary in the public interest to prevent an imminent violation of the EAR. Rather, this final rule allows BIS to request the renewal of a TDO for an extended period by demonstrating that a party that is subject to an existing TDO has engaged in a pattern of repeated, ongoing and/or continuous apparent violations of the EAR.

Under the current standard set forth in § 766.24(d)(1), a “violation may be ‘imminent’ either in time or degree of likelihood” (15 CFR 766.24(b)(3)), and BIS may show “either that a violation is about to occur, or that the general circumstances of the matter under investigation or case under criminal or administrative charges demonstrate a likelihood of future violations.” *Id.* As to the likelihood of future violations, BIS may show that the violation under investigation or charge “is significant, deliberate, covert and/or likely to occur