

Rules and Regulations

Federal Register

Vol. 89, No. 18

Friday, January 26, 2024

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents.

NUCLEAR REGULATORY COMMISSION

10 CFR Parts 50 and 52

[NRC–2023–0088]

Regulatory Guide: Qualification of Safety-Related Actuators in Production and Utilization Facilities

AGENCY: Nuclear Regulatory Commission.

ACTION: Final guide; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is issuing Revision 2 to Regulatory Guide (RG) 1.73, “Qualification of Safety-Related Actuators in Production and Utilization Facilities.” This RG describes an approach that is acceptable to the staff of the NRC to meet regulatory requirements for the qualification of safety-related actuators for production and utilization facilities.

DATES: Revision 2 to RG 1.73 is available on January 26, 2024.

ADDRESSES: Please refer to Docket ID NRC–2023–0088 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–2023–0088. 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, at 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:* The PDR, where you may examine and order copies of publicly available documents, is open by appointment. 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 1.73 and the regulatory analysis may be found in ADAMS under Accession Nos. ML23198A311 and ML23055B028, respectively.

Regulatory guides are not copyrighted, and NRC approval is not required to reproduce them.

FOR FURTHER INFORMATION CONTACT:

Amir Mobasheran, Office of Nuclear Regulatory Research, telephone: 301–415–8112; email: Amir.Mobasheran@nrc.gov and Kayleh Hartage, Office of Nuclear Reactor Regulation, telephone: 301–415–3563; email: Kayleh.Hartage@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 1.73 was issued with a temporary identification of Draft Regulatory Guide, (DG)–1386 (ADAMS Accession No. ML23055B024). This revision endorses, with exceptions, additions, and clarifications, the methods described in the Institute of Electrical and Electronics Engineers (IEEE) Standard (Std.) 382–2019, “IEEE Standard for Qualification of Safety-Related

Actuators for Nuclear Power Generating Stations and Other Nuclear Facilities.”

II. Additional Information

The NRC published notice of the availability of DG–1386 in the **Federal Register** on May 22, 2023 (88 FR 32693), for a 30-day public comment period. The public comment period closed on June 21, 2023. Public comments on DG–1386 and the staff responses to the public comments are available under ADAMS under Accession No. ML23198A312.

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 under 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 1.73 Revision 2, would not constitute backfitting as defined in § 50.109 of title 10 of the *Code of Federal Regulations* (10 CFR), “Backfitting,” and as described in NRC Management Directive (MD) 8.4, “Management of Backfitting, Forward Fitting, Issue Finality, and Information Requests”; affect issue finality of any approval issued under 10 CFR part 52, “Licenses, Certificates, and Approvals for Nuclear Power Plants”; or constitute forward fitting as defined in MD 8.4, because, as explained in this RG, licensees would not be 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: January 22, 2024.

For the Nuclear Regulatory Commission.

Meraj Rahimi,

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

[FR Doc. 2024-01540 Filed 1-25-24; 8:45 am]

BILLING CODE 7590-01-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2023-1502; Project
Identifier MCAI-2023-00380-T; Amendment
39-22634; AD 2023-25-07]

RIN 2120-AA64

Airworthiness Directives; Dassault Aviation Airplanes

AGENCY: Federal Aviation
Administration (FAA), DOT.

ACTION: Final rule.

Editorial Note: Rule document R1-2023-28853 published on pages 3342-3344 in the issue of Thursday, January 18, 2024. In that publication, on page 3343, in the second column, in the paragraph “(a) Effective Date,” on the second line, “February 16, 2024” should read “February 7, 2024”. The rule is republished here corrected and in its entirety.

SUMMARY: The FAA is superseding Airworthiness Directive (AD) 2023-04-10, which applied to all Dassault Aviation Model MYSTERE-FALCON 900 airplanes. AD 2023-04-10 required revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations. This AD was prompted by a determination that new or more restrictive airworthiness limitations are necessary. This AD continues to require the actions in AD 2023-04-10, and requires revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations; as specified in a European Union Aviation Safety Agency (EASA) AD, which is incorporated by reference. The FAA is issuing this AD to address the unsafe condition on these products. **DATES:** This AD is effective February 7, 2024.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of February 7, 2024.

The Director of the Federal Register approved the incorporation by reference of a certain other publication listed in this AD as of May 12, 2023 (88 FR 20743, April 7, 2023).

ADDRESSES:

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA-2023-1502; 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, the mandatory continuing airworthiness information (MCAI), 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.

Material Incorporated by Reference:

- For material incorporated by reference in this AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 8999 000; email ADs@easa.europa.eu; website easa.europa.eu. You may find this material on the EASA website at ad.easa.europa.eu.

- You may view this material 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 in the AD docket at *regulations.gov* under Docket No. FAA-2023-1502.

FOR FURTHER INFORMATION CONTACT: Tom Rodriguez, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone: 206-231-3226; email tom.rodriguez@faa.gov.

SUPPLEMENTARY INFORMATION:

Background

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to supersede AD 2023-04-10, Amendment 39-22357 (88 FR 20743, April 7, 2023) (AD 2023-04-10). AD 2023-04-10 applied to all Dassault Aviation Model MYSTERE-FALCON 900 airplanes. AD 2023-04-10 required revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations. The FAA issued AD 2023-04-10 to address reduced structural integrity of the airplane. AD 2023-04-10 specifies that accomplishing the revision required by that AD terminates the requirements of paragraph (g)(1) of AD 2010-26-05, Amendment 39-16544 (75 FR 79952, December 21, 2010) (AD 2010-26-05) for Dassault Aviation Model MYSTERE-FALCON 900 airplanes only. This AD therefore continues to allow that terminating action.

The NPRM published in the **Federal Register** on July 21, 2023 (88 FR 47086);

corrected August 14, 2023 (88 FR 54933). The NPRM was prompted by AD 2023-0046, dated March 2, 2023, issued by EASA, which is the Technical Agent for the Member States of the European Union (EASA AD 2023-0046) (also referred to as the MCAI).

The MCAI states that new or more restrictive airworthiness limitations have been developed.

In the NPRM, the FAA proposed to continue to require the actions in AD 2023-04-10 and to require revising the existing maintenance or inspection program, as specified in EASA AD 2023-0046. The FAA is issuing this AD to address reduced structural integrity of the airplane.

You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA-2023-1502.

Discussion of Final Airworthiness Directive

Comments

The FAA received no comments on the NPRM or on the determination of the cost to the public.

Conclusion

This product has been approved by the aviation authority of another country and is approved for operation in the United States. Pursuant to the FAA's bilateral agreement with this State of Design Authority, it has notified the FAA of the unsafe condition described in the MCAI referenced above. The FAA reviewed the relevant data and determined that air safety requires adopting this AD as proposed. Accordingly, the FAA is issuing this AD to address the unsafe condition on this product. Except for minor editorial changes, this AD is adopted as proposed in the NPRM. None of the changes will increase the economic burden on any operator.

Related Service Information Under 14 CFR Part 51

The FAA reviewed EASA AD 2023-0046. This service information specifies new or more restrictive airworthiness limitations for airplane structures and safe life limits.

This AD also requires EASA AD 2022-0137, dated July 6, 2022, which the Director of the Federal Register approved for incorporation by reference as of May 12, 2023 (88 FR 20743, April 7, 2023).

This material is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.