

**III. Environmental Impact: Categorical Exclusion**

The NRC has determined that this final rule is the type of action described in categorical exclusion 10 CFR 51.22(c)(1). Therefore, neither an environmental impact statement nor an environmental assessment has been prepared for the rule.

**IV. Paperwork Reduction Act Statement**

This final rule does not contain new or amended information collection requirements subject to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et. seq.). Existing requirements were approved by the Office of Management and Budget (OMB), Approval Number 3150-0036.

*Public Protection Notification*

The NRC may not conduct or sponsor, and a person is not required to respond to, a request for information or an information collection requirement unless the requesting document displays a currently valid OMB control number.

**V. Regulatory Analysis**

Addition of South Sudan to the restricted destinations list in § 110.29 means that exports of certain radioactive materials to South Sudan may qualify for the NRC general license specified in §§ 110.21 through 110.24. There is no alternative to amending the regulations for the export and import of nuclear equipment and materials. This final rule is expected to have no changes in the information collection burden or cost to the public.

**VI. Regulatory Flexibility Certification**

As required by the Regulatory Flexibility Act of 1980 (5 U.S.C. 605(b)), the Commission certifies that this final rule will not have a significant economic impact on a substantial number of small entities. This rule affects only companies exporting nuclear equipment and materials to South Sudan which do not fall within the scope of the definition of “small entities” set forth in the Regulatory Flexibility Act (5 U.S.C. 601(3)), or the Size Standards established by the NRC (10 CFR 2.810).

**VII. Backfit and Issue Finality**

The NRC has determined that a backfit analysis is not required for this rule, because these amendments do not include any provisions that would impose backfits as defined in 10 CFR chapter I.

**VIII. Congressional Review Act**

Under the Congressional Review Act of 1996, the NRC has determined that this action is not a major rule and has verified this determination with the Office of Information and Regulatory Affairs of OMB.

**List of Subjects in 10 CFR Part 110**

Administrative practice and procedure, Classified information, Criminal penalties, Export, Import, Intergovernmental relations, Nuclear materials, Nuclear power plants and reactors, Reporting and recordkeeping requirements, Scientific equipment.

For the reasons set out in the preamble and under the authority of the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974, as amended, and 5 U.S.C. 552 and 553, the NRC is adopting the following amendments to 10 CFR part 110.

**PART 110—EXPORT AND IMPORT OF NUCLEAR EQUIPMENT AND MATERIAL**

■ 1. The authority citation for part 110 continues to read as follows:

**Authority:** Atomic Energy Act secs. 51, 53, 54, 57, 63, 64, 65, 81, 82, 103, 104, 109, 111, 126, 127, 128, 129, 161, 181, 182, 183, 187, 189, 223, 234 (42 U.S.C. 2071, 2073, 2074, 2077, 2092–2095, 2111, 2112, 2133, 2134, 2139, 2139a, 2141, 2154–2158, 2201, 2231–2233, 2237, 2239, 2273, 2282); Energy Reorganization Act sec. 201 (42 U.S.C. 5841); Solar, Wind, Waste, and Geothermal Power Act of 1990 sec. 5 (42 U.S.C. 2243); Government Paperwork Elimination Act sec. 1704, 112 Stat. 2750 (44 U.S.C. 3504 note); Energy Policy Act of 2005, 119 Stat. 594.

Sections 110.1(b)(2) and 110.1(b)(3) also issued under 22 U.S.C. 2403. Section 110.11 also issued under Atomic Energy Act secs. 54(c), 57(d), 122 (42 U.S.C. 2074, 2152). Section 110.50(b)(3) also issued under Atomic Energy Act sec. 123 (42 U.S.C. 2153). Section 110.51 also issued under Atomic Energy Act sec. 184 (42 U.S.C. 2234). Section 110.52 also issued under Atomic Energy Act sec. 186, (42 U.S.C. 2236). Sections 110.80–110.113 also issued under 5 U.S.C. 552, 554. Sections 110.130–110.135 also issued under 5 U.S.C. 553. Sections 110.2 and 110.42(a)(9) also issued under Intelligence Authorization Act sec. 903 (42 U.S.C. 2151 *et seq.*).

**§ 110.29 [Amended]**

■ 2. Section 110.29 is amended by adding “South Sudan” to the list of restricted destinations.

Dated at Rockville, Maryland, this 19th day of December, 2012.

For the Nuclear Regulatory Commission.

**R.W. Borchardt,**

*Executive Director for Operations.*

[FR Doc. 2013–02620 Filed 2–5–13; 8:45 am]

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**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Parts 117, 119, and 121**

[Docket No. FAA–2009–1093; Amdt. Nos. 117–1, 119–16, 121–357]

RIN 2120–AJ58

**Flightcrew Member Duty and Rest Requirements; Technical Correction**

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule; technical correction.

**SUMMARY:** The FAA is correcting the final flightcrew member duty and rest rule published on January 4, 2012. In that rule, the FAA amended its existing flight, duty and rest regulations applicable to certificate holders and their flightcrew members operating certain domestic, flag, and supplemental operations. This document corrects several issues requiring a technical correction in the codified text of the final flightcrew member duty and rest rule.

**DATES:** Effective January 14, 2014.

**FOR FURTHER INFORMATION CONTACT:** For technical questions concerning this action, contact Dale E. Roberts, AFS–200, Flight Standards Service, Air Transportation Division Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone (202) 267–5749; email: [dale.e.roberts@faa.gov](mailto:dale.e.roberts@faa.gov).

For legal questions concerning this action, contact Alex Zektser, AGC–220, Office of Chief Counsel, Regulations Division, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone (202) 267–3073; email: [alex.zektser@faa.gov](mailto:alex.zektser@faa.gov).

**SUPPLEMENTARY INFORMATION:**

**Background**

On January 4, 2012, the FAA published a final rule entitled “Flightcrew Member Duty and Rest Requirements” (77 FR 330). In that rule, the FAA created a new part, part 117, which replaced the then-existing flight, duty, and rest regulations for part 121 passenger operations. As part of this rulemaking, the FAA also applied the new part 117 to certain part 91 operations, and it permitted all-cargo operations operating under part 121 to voluntarily opt into the part 117 flight, duty, and rest regulations.

After the final rule was published, the FAA discovered several issues requiring a technical correction in the regulatory

text of the rule. These issues, and the corresponding technical corrections, are as follows.

### Technical Corrections

#### 1. Reporting a Flight Time Extension

Subsections 117.11(c)(2) and (d) contain requirements that are triggered if the certificate holder uses a flight-time extension for circumstances that are within the certificate holder's control. However, pursuant to § 117.11(b), a flight-time extension cannot be taken for unforeseen operational circumstances that are "beyond the certificate holder's control." Because a flight time extension cannot be taken for circumstances that are within the control of the certificate holder, the provisions of § 117.11(c)(2) and (d) are unnecessary and have been removed.

#### 2. Applying § 117.19 Extensions to Short-Call Reserve Limits

The regulatory text of § 117.19 in the final rule permits extensions to flight duty periods but does not permit extensions to the short-call reserve limits specified in § 117.21(c)(3) and (4). Because these short-call-reserve limits were not intended to be more stringent than flight-duty-period limits, § 117.19 has been corrected to provide an extension for the short-call-reserve limits specified in § 117.21(c)(3) and (4).

#### 3. Requirements for the 56-Hour Rest Period

The regulatory text of § 117.25(d) has been corrected to clarify that the rest requirements of that subsection are triggered if a flightcrew member: (1) Travels more than 60 degrees longitude during a flight duty period or series of flight duty periods; and (2) is away from home base for over 168 consecutive hours during this travel.

#### 4. Applying § 117.29 Extensions to Short-Call Reserve Limits

Similar to the § 117.19 discussion above, § 117.29(b) also allows for an extension of flight-duty-period limits but does not allow for an extension of short-call-reserve limits. As such, § 117.29(b) has been corrected to allow short-call reserve to have the same extension as a flight duty period.

Accordingly, in the final rule, FR Doc. 2011-33078, published on January 4, 2012 (77 FR 330), make the following corrections:

#### § 117.11 [Corrected]

- 1. On pages 399 and 400, in the third column on page 399 and the first column of page 400, in § 117.11, revise paragraph (c) and remove paragraph (d). The revision reads as follows:

"(c) Each certificate holder must report to the Administrator within 10 days any flight time that exceeded the maximum flight time limits permitted by this section. The report must contain a description of the extended flight time limitation and the circumstances surrounding the need for the extension.

#### § 117.19 [Corrected]

- 2. On page 400, in the second column, in § 117.19, paragraph (a)(1) is revised to read as follows:

"(1) The pilot in command and the certificate holder may extend the maximum flight duty period permitted in Tables B or C of this part up to 2 hours. The pilot in command and the certificate holder may also extend the maximum combined flight duty period and reserve availability period limits specified in § 117.21(c)(3) and (4) of this part up to 2 hours."

#### § 117.25 [Corrected]

- 3. On page 401, in the second column, in § 117.25, paragraph (d) is revised to read as follows:

"(d) A flightcrew member must be given a minimum of 56 consecutive hours rest upon return to home base if the flightcrew member: (1) Travels more than 60° longitude during a flight duty period or a series of flight duty period, and (2) is away from home base for more than 168 consecutive hours during this travel. The 56 hours of rest specified in this section must encompass three physiological nights' rest based on local time."

#### § 117.29 [Corrected]

- 4. On page 401, in the third column, in § 117.29, paragraph (b) is revised to read as follows:

"(b) The pilot-in-command may determine that the maximum applicable flight duty period, flight time, and/or combined flight duty period and reserve availability period limits must be exceeded to the extent necessary to allow the flightcrew to fly to the closest destination where they can safely be relieved from duty by another flightcrew or can receive the requisite amount of rest prior to commencing their next flight duty period."

Issued in Washington, DC on January 31, 2013.

Mark W. Bury,

Acting Assistant Chief Counsel for International Law, Legislation, and Regulations Division, AGC-200.

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## FEDERAL TRADE COMMISSION

### 16 CFR Part 305

RIN 3084-AB15]

### Energy Labeling Rule

**AGENCY:** Federal Trade Commission (FTC or Commission).

**ACTION:** Final rule.

**SUMMARY:** The Commission issues final amendments for disclosures to help consumers, distributors, contractors, and installers easily determine whether a specific furnace or central air conditioner meets applicable Department of Energy regional efficiency standards.

**DATES:** The amendments published in this document are effective on March 15, 2013.

**ADDRESSES:** Requests for copies of this document should be sent to: Public Reference Branch, Room 130, Federal Trade Commission, 600 Pennsylvania Avenue NW., Washington, DC 20580. The complete record of this proceeding is also available at that address. Relevant portions of the proceeding, including this document, are available at <http://www.ftc.gov>.

**FOR FURTHER INFORMATION CONTACT:** Hampton Newsome, (202) 326-2889, Bureau of Consumer Protection, Federal Trade Commission, Room M-8102B, 600 Pennsylvania Avenue NW., Washington, DC, 20580.

#### SUPPLEMENTARY INFORMATION:

#### I. Background

The Commission's Energy Labeling Rule ("Rule") (16 CFR Part 305), issued pursuant to the Energy Policy and Conservation Act (EPCA),<sup>1</sup> requires energy labeling for major household appliances and other consumer products to help consumers compare competing models.<sup>2</sup> When first published in 1979,<sup>3</sup> the Rule applied to eight product categories: refrigerators, refrigerator-freezers, freezers, dishwashers, water heaters, clothes washers, room air conditioners, and furnaces. The Commission has since expanded the Rule's coverage to include central air conditioners, heat pumps, plumbing products, lighting products,

<sup>1</sup> 42 U.S.C. 6291 *et seq.*

<sup>2</sup> More information about the Rule can be found at: <http://www.ftc.gov/energy>.

<sup>3</sup> 44 FR 66466 (Nov. 19, 1979). The Commission currently has two open proceedings related to other proposed amendments of the Rule in addition to the present one. See 77 FR 15298 (Mar. 15, 2012) (regulatory review of the Rule); 76 FR 45715 (Aug. 1, 2011) (proposed expanded light bulb coverage).