

49297, 49311) and is supported by the discussion in the preamble of the December 2020 final rule.<sup>1</sup>

DOE published a correction notice on January 19, 2021 (“January 2021 correction notice”) responding to specific comments submitted by the Pacific Gas and Electric Company, San Diego Gas and Electric, and Southern California Edison in response to DOE’s notice of proposed rulemaking published on August 13, 2020, which were inadvertently omitted from the December 2020 final rule. 86 FR 4883. DOE considered these comments and determined that in most instances, these comments raised issues substantially similar to those raised by other commenters that DOE had considered and addressed in the December 2020 final rule. To the extent that these comments raised issues not explicitly addressed in the December 2020 final rule, DOE determined that the comments did not alter any of the conclusions reached in support of the final rule and would not have resulted in an outcome different than as set forth in the final rule. *Id.* This omission in the amended regulatory text also appeared in the January 2021 correction.

The substance of this final rule correction is distinct from the substance of the January 2021 correction notice.

## II. Need for Correction

As published, the regulatory text in the December 2020 final rule may result in confusion as to the required test procedure for determining cycle time due to the omission of the distinction that the 30-minute cycle time for clothes dryers is determined when conducting the test procedure at appendix D2. Because this final rule would simply correct errors in the text without making substantive changes in the December 2020 final rule, the changes addressed in this document are technical in nature.

<sup>1</sup> The separate product classes for clothes dryers were based, in part, on data generated from testing in accordance with appendix D2. 85 FR 81359, 81360. Additionally, as explained in the December 2020 final rule, the clothes dryer test procedure at 10 CFR part 430, subpart B, appendix D1 does not provide data that can be used to determine a “cycle time” because the drying cycle is artificially terminated. As explained in the final rule, the artificially-terminated cycle has a field use factor applied to calculate representative energy consumption. 85 FR 81359, 81360 (footnote 2). DOE relied on appendix D2 as the basis for defining the 30-minute cycle time distinction because appendix D2 provides representative energy use and a corresponding cycle time, as the cycle is run from start to completion without being artificially terminated. *Id.*

## III. Procedural Issues and Regulatory Review

DOE has concluded that the determinations made pursuant to the various procedural requirements applicable to the December 2020 final rule remain unchanged for this final rule technical correction. These determinations are set forth in the December 2020 final rule. 85 FR 81359, 81373.

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 December 2020 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 omission 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, Incorporation by reference, Intergovernmental relations, Small businesses.

### Signing Authority

This document of the Department of Energy was signed on May 3, 2021, by Kelly Speakes-Backman, Principal Deputy Assistant Secretary and 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 May 4, 2021.

**Treena 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. Section 430.32 is amended by revising paragraph (h)(3)(ii) to read as follows:

### § 430.32 Energy and water conservation standards and their compliance dates.

\* \* \* \* \*

(h) \* \* \*

(3) \* \* \*

(ii) Vented, electric standard clothes dryers and vented gas clothes dryers with a cycle time of less than 30 minutes, when tested according to appendix D2 in subpart B of this part, are not currently subject to energy conservation standards.

\* \* \* \* \*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA–2006–25084; Project Identifier 2005–SW–38–AD; Amendment 39–21541; AD 2021–10–08]

RIN 2120–AA64

### Airworthiness Directives; Bell Textron Canada Limited (Type Certificate Previously Held by Bell Helicopter Textron Canada Limited) Helicopters

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

**ACTION:** Final rule.

**SUMMARY:** The FAA is adopting a new airworthiness directive (AD) for certain Bell Textron Canada Limited (type certificate previously held by Bell Helicopter Textron Canada Limited) Model 206L series helicopters. This AD

was prompted by a manufacturing flaw that could cause low fuel level detector switch units (switch units) to hang in the high position and fail to indicate a low fuel condition. This AD requires removing certain switch units from service and prohibits installing those switch units. This AD also requires accomplishing an operational test of certain other switch units, and depending on the results, removing the switch unit from service. This AD also prohibits installing those certain other switch units unless they pass an operational test. The FAA is issuing this AD to address the unsafe condition on these products.

**DATES:** This AD is effective June 11, 2021.

**ADDRESSES:** For service information identified in this final rule, contact Bell Textron Canada Limited, 12,800 Rue de l'Avenir, Mirabel, Quebec J7J1R4; telephone (450) 437-2862 or (800) 363-8023; fax (450) 433-0272; or at <https://www.bellcustomer.com>. You may view the referenced service information at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Pkwy, Room 6N-321, Fort Worth, TX 76177.

#### Examining the AD Docket

You may examine the AD docket at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2006-25084; 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 Transport Canada AD, any comments received, and other information. The street 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:** Hal Jensen, Aerospace Engineer, Operational Safety Branch, FAA, 950 L'Enfant Plaza N SW, Washington, DC 20024; telephone (202) 267-9167; email [hal.jensen@faa.gov](mailto:hal.jensen@faa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

The FAA issued a supplemental notice of proposed rulemaking (SNPRM) to amend 14 CFR part 39 by adding an AD that would apply to Bell Textron Canada Limited (type certificate previously held by Bell Helicopter Textron Canada Limited) Model 206L, 206L-1, 206L-3, and 206L-4 helicopters, with certain switch units part number (P/N) 206-063-613-003

installed. The SNPRM published in the **Federal Register** on March 12, 2021 (86 FR 14020). The FAA preceded the SNPRM with a notice of proposed rulemaking (NPRM) that published in the **Federal Register** on June 22, 2006 (71 FR 35836).

The NPRM was prompted by Canadian AD CF-2004-24, dated November 24, 2004, issued by Transport Canada, which is the aviation authority for Canada, to correct an unsafe condition for Model 206L series helicopters. Transport Canada advised that eight low fuel level detectors of listed serial numbers (S/Ns) may have been installed on Model 206L series helicopters. These detectors could hang in the high position and fail to indicate the low fuel condition. Accordingly, Transport Canada advised removing the affected switch units from service.

The SNPRM was prompted by a significant lapse of time since publication of the NPRM. The SNPRM also revised the NPRM by updating the type certificate holder's name, updating the estimated cost information, clarifying and expanding the applicability, clarifying the requirements, adding a compliance time, adding parts installation prohibitions, and updating the AD format.

The SNPRM proposed to require removing switch unit P/N 206-063-613-003 with S/N 1413, 1414, 1415, 1424, 1428, 1430, 1432, and 1433 from service and prohibit installing those switch units. The SNPRM proposed to require accomplishing an operational test of switch unit P/N 206-063-613-003 with a missing or illegible switch unit S/N or with an S/N that cannot be determined, and if the operational test fails, removing the switch unit from service. The SNPRM also proposed to prohibit installing switch unit P/N 206-063-613-003 with a missing or illegible switch unit S/N or with an S/N that cannot be determined unless it passes an operational test.

#### Discussion of Final Airworthiness Directive

##### Comments

The FAA received no comments on the SNPRM or on the determination of the costs.

##### Conclusion

These helicopters have been approved by the aviation authority of Canada and are approved for operation in the United States. Pursuant to the FAA's bilateral agreement with Canada, Transport Canada, its technical representative, has notified the FAA of the unsafe condition

described in its AD. 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 these helicopters.

#### Related Service Information

The FAA reviewed Bell Helicopter Textron Alert Service Bulletin No. 206L-04-132, Revision A, dated October 4, 2004. This service information specifies procedures for determining whether any of eight specified serial-numbered detector switch units are installed because they may fail to indicate a low fuel condition. If the S/N is missing or unreadable, the service information specifies inspecting the switch unit to determine if it is an affected switch unit. The service information also specifies removing each affected switch unit.

#### Differences Between This AD and the Transport Canada

This AD applies to switch units with a missing or illegible S/N or with an S/N that cannot be determined, and requires certain actions for those switch units, whereas the Transport Canada AD does not.

#### Costs of Compliance

The FAA estimates that this AD affects up to 558 helicopters of U.S. Registry. Labor rates are estimated at \$85 per work-hour. Based on these numbers, the FAA estimates the following costs to comply with this AD.

Replacing a switch unit takes about 4 work-hours and parts cost about \$921 for an estimated cost of \$1,261 per switch unit and up to \$703,638 for the U.S. fleet. Accomplishing an operational test takes about 4 work-hours for an estimated cost of \$340 per switch unit and up to \$189,720 for the U.S. fleet.

#### Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. Subtitle VII: Aviation Programs, describes in more detail the scope of the Agency's authority.

The FAA is issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: General requirements. Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of

that authority because it addresses an unsafe condition that is likely to exist or develop on helicopters identified in this rulemaking action.

### Regulatory Findings

This AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify that this AD:

- (1) Is not a "significant regulatory action" under Executive Order 12866,
- (2) Will not affect intrastate aviation in Alaska, and
- (3) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

### The Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

### PART 39—AIRWORTHINESS DIRECTIVES

- 1. The authority citation for part 39 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40113, 44701.

#### § 39.13 [Amended]

- 2. The FAA amends § 39.13 by adding the following new airworthiness directive:

**2021-10-08 Bell Textron Canada Limited (Type Certificate Previously Held by Bell Helicopter Textron Canada Limited):** Amendment 39-21541 Docket No. FAA-2006-25084; Project Identifier 2005-SW-38-AD.

#### (a) Effective Date

This airworthiness directive (AD) is effective June 11, 2021.

#### (b) Affected ADs

None.

#### (c) Applicability

This AD applies to Bell Textron Canada Limited (type certificate previously held by Bell Helicopter Textron Canada Limited) Model 206L, 206L-1, 206L-3, and 206L-4 helicopters, certificated in any category, with a low fuel level detector switch unit (switch unit) part number (P/N) 206-063-613-003:

(1) With a switch unit serial number (S/N) 1413, 1414, 1415, 1424, 1428, 1430, 1432, or 1433 installed, or

(2) With a missing or illegible switch unit S/N or if the S/N cannot be determined, installed.

**Note 1 to paragraph (c):** Helicopters with a 206L-1+ designation are Model 206L-1 helicopters. Helicopters with a 206L-3+ designation are Model 206L-3 helicopters.

**Note 2 to paragraph (c):** The switch unit is located on the aft fuel boost pump assembly. The P/N and S/N for the switch unit could be on the outside face of the attachment flange, in the cross hatched area of the switch unit.

#### (d) Subject

Joint Aircraft Service Component (JASC) Code: 2842, Fuel Quantity Sensor.

#### (e) Unsafe Condition

This AD was prompted by a manufacturing flaw that could cause a switch unit to hang in the high position and fail to indicate a low fuel condition. The FAA is issuing this AD to prevent failure of the switch unit to indicate a low fuel condition that could lead to fuel exhaustion and which if not addressed, could result in a subsequent forced landing.

#### (f) Compliance

Comply with this AD within the compliance times specified, unless already done.

#### (g) Required Actions

(1) For a switch unit identified in paragraph (c)(1) of this AD, on or before the next 100-hour time-in-service inspection after the effective date of this AD, remove the switch unit from service.

(2) For a switch unit identified in paragraph (c)(2) of this AD, on or before the next 100-hour time-in-service inspection after the effective date of this AD:

(i) Determine the color of the switch unit mounting flange. If the mounting flange color is any color other than red, determine the purchase date. If the purchase date of the switch unit is between April 19 and July 26, 2004, or cannot be determined, do an operational test.

(ii) If the switch unit fails the operational test, before further flight, remove the switch unit from service.

(3) As of the effective date of this AD, do not install a switch unit identified in paragraph (c)(1) of this AD on any helicopter.

(4) As of the effective date of this AD, do not install a switch unit identified in paragraph (c)(2) of this AD on any helicopter unless the actions in paragraphs (g)(2)(i) and (ii) of this AD have been accomplished.

#### (h) Alternative Methods of Compliance (AMOCs)

(1) The Manager, International Validation Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the International Validation

Branch, send it to the attention of the person identified in paragraph (i)(1) of this AD. Information may be emailed to: 9-AVS-AIR-730-AMOC@faa.gov.

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

#### (i) Related Information

(1) For more information about this AD, contact Hal Jensen, Aerospace Engineer, Operational Safety Branch, FAA, 950 L'Enfant Plaza N SW, Washington, DC 20024; telephone (202) 267-9167; email [hal.jensen@faa.gov](mailto:hal.jensen@faa.gov).

(2) Bell Helicopter Textron Alert Service Bulletin No. 206L-04-132, Revision A, dated October 4, 2004, which is not incorporated by reference, contains additional information about the subject of this AD. For service information identified in this AD, contact Bell Textron Canada Limited, 12,800 Rue de l'Avenir, Mirabel, Quebec J7J1R4; telephone (450) 437-2862 or (800) 363-8023; fax (450) 433-0272; or at <https://www.bellcustomer.com>. You may view this referenced service information at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Pkwy., Room 6N-321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222-5110.

(3) The subject of this AD is addressed in Transport Canada AD CF-2004-24, dated November 24, 2004. You may view the Transport Canada AD on the internet at <https://www.regulations.gov> in Docket No. FAA-2006-25084.

#### (j) Material Incorporated by Reference

None.

Issued on April 28, 2021.

**Lance T. Gant,**

*Director, Compliance & Airworthiness Division, Aircraft Certification Service.*

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## DEPARTMENT OF JUSTICE

### Drug Enforcement Administration

#### 21 CFR Part 1308

[Docket No. DEA-808]

#### Schedules of Controlled Substances: Placement of Serdexmethylphenidate in Schedule IV

**AGENCY:** Drug Enforcement Administration, Department of Justice.

**ACTION:** Interim final rule with request for comments.

**SUMMARY:** On March 2, 2021, the United States Food and Drug Administration approved a new drug application for AZSTARYS capsules for oral use, a combination drug product containing serdexmethylphenidate chloride and