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**Michael R. Beckles,**  
Manager, Rules and Regulations Group.  
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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### 18 CFR Part 12

[Docket No. RM20-9-000; Order No. 880]

#### Safety of Water Power Projects and Project Works

**AGENCY:** Federal Energy Regulatory Commission, Department of Energy.  
**ACTION:** Final rule; correction.

**SUMMARY:** The Federal Energy Regulatory Commission (Commission) is correcting a final rule that appeared in the **Federal Register** on January 11, 2022. The final rule revised the Commission's regulations governing the safety of hydroelectric projects licensed by the Commission under the Federal Power Act.

**DATES:** The rule is effective April 11, 2022.

**FOR FURTHER INFORMATION CONTACT:** Tara DiJohn (Legal Information), Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426, (202) 502-8671, [tara.dijohn@ferc.gov](mailto:tara.dijohn@ferc.gov).

**SUPPLEMENTARY INFORMATION:** In FR Doc. 2021-27736 appearing on pages 1490-1520, in the **Federal Register** of Tuesday, January 11, 2022, the following corrections are made:

#### § 12.3 [Corrected]

■ 1. On page 1513, in the second column, in amendatory instruction 2.b. for § 12.3, the instruction "Redesignating paragraph (b)(4)(xiii) as (b)(4)(xix);" is corrected to read "Redesignating paragraph (b)(4)(xiii) as paragraph (b)(4)(xiv);".

■ 2. On page 1514, in the second column, in amendatory instruction 4 for § 12.10, paragraph (a)(1) and the first sentence of paragraph (a)(2) are corrected to read as follows:

#### § 12.10 [Corrected]

(a) \* \* \* (1) *Initial reports.* An applicant or licensee must report by email or telephone to the Regional Engineer any condition affecting the safety of a project or projects works, as defined in § 12.3(b)(4). The initial report must be made as soon as practicable

after that condition is discovered, preferably within 72 hours, without unduly interfering with any necessary or appropriate emergency repair, alarm, or other emergency action procedure.

(2) \* \* \* Following the initial report required in paragraph (a)(1) of this section, the applicant or licensee must submit to the Regional Engineer a written report on the condition affecting the safety of the project or project works verified in accordance with § 12.13.

\* \* \*  
\* \* \* \* \*

#### §§ 12.40 through 12.44 [Redesignated as §§ 12.50 through 12.54] [Corrected].

■ 3. On page 1519, in the second column, remove amendatory instruction 10.

■ 4. On page 1515, in the first column, redesignate amendatory instruction 9, revising subpart D to part 12, as amendatory instruction 10.

■ 5. On page 1515, in the first column, add a new amendatory instruction 9 to read as follows:

#### §§ 12.40 through 12.44 [Redesignated as §§ 12.50 through 12.54]

■ 9. Redesignate §§ 12.40 through 12.44 as §§ 12.50 through 12.54, respectively.

#### § 12.31 [Corrected]

■ 6. Starting on page 1515, in the second column, § 12.31 is corrected as follows:

■ i. On page 1515, in the second column, in paragraph (d), the term "Gross storage capacity" is corrected to read "*Gross storage capacity*".

■ ii. On page 1515, in the third column, in paragraph (e), the term "Periodic inspection" is corrected to read "*Periodic inspection*".

■ iii. On page 1515, in the third column, in paragraph (f), the term "Comprehensive assessment" is corrected to read "*Comprehensive assessment*".

■ iv. On page 1515, in the third column, in paragraph (g), the term "Previous Part 12D Inspection" is corrected to read "*Previous Part 12D Inspection*".

■ v. On page 1515, in the third column, in paragraph (h), the term "Previous Part 12D Report" is corrected to read "*Previous Part 12D Report*".

Dated: February 8, 2022.

**Debbie-Anne A. Reese,**

Deputy Secretary.

[FR Doc. 2022-03072 Filed 2-14-22; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### 23 CFR Part 1

RIN 2125-AG04

#### Diversion of Highway Revenues; Removal of Obsolete Regulation

**AGENCY:** Federal Highway Administration (FHWA), U.S. Department of Transportation (DOT).

**ACTION:** Final rule.

**SUMMARY:** Through this final rule, FHWA will remove a regulation from the CFR that has been rendered obsolete by the passage of subsequent legislation. The FHWA believes that because the underlying statutory authority for this regulation has substantially changed since adopted, this final rule eliminates any confusion that may be caused by its existence in the CFR.

**DATES:** This final rule is effective February 15, 2022.

**FOR FURTHER INFORMATION CONTACT:** Steven Frankel, Office of Budget (HCFB-10), (202) 366-9649, or via email at [Steven.Frankel@dot.gov](mailto:Steven.Frankel@dot.gov) or Adam Sleeter, Office of the Chief Counsel, (202) 366-8839, or via email at [Adam.Sleeter@dot.gov](mailto:Adam.Sleeter@dot.gov). Office hours are from 8 a.m. to 4:30 p.m., e.t., Monday through Friday, except Federal holidays.

#### SUPPLEMENTARY INFORMATION:

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##### Background

The regulation at 23 CFR 1.28 is obsolete. It relates to the implementation of a provision of law that was repealed in 1998. Prior to 1998, 23 U.S.C. 126 contained a provision that required the reduction of Federal-aid Highway Program apportionments (funds distributed by statutory formula) to a State if the State diverted State vehicle-related fees and taxes for uses other than construction, improvement, and maintenance of highways. This provision of law was repealed by Section 1226(d) of Public Law (Pub. L.) 105-178 ("Transportation Equity Act for the 21st Century" or TEA-21), as added by Public Law 105-206, title IX, sec.