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DEPARTMENT OF ENERGY

10 CFR Part 430

[EERE-2020-BT-TP-0012]

RIN 1904-AE49

Energy Conservation Program: Test Procedure for Battery Chargers; Correction

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

ACTION: Final rule; correction.

SUMMARY: The U.S. Department of Energy (“DOE”) is correcting a final rule that appeared in the **Federal Register** on September 8, 2022. The document amended test procedures for battery chargers. This document corrects amendatory errors in that final rule.

DATES: Effective October 11, 2022.

FOR FURTHER INFORMATION CONTACT: Mr. Jeremy Domm, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Office, EE-2J, 1000 Independence Avenue SW, Washington, DC 20585-0121. Telephone: (202) 586-9870. Email: ApplianceStandardsQuestions@ee.doe.gov.

Mr. Nolan Brickwood, U.S. Department of Energy, Office of the General Counsel, GC-33, 1000 Independence Avenue SW, Washington, DC 20585-0121. Telephone: (202) 586-5709. Email: nolan.brickwood@hq.doe.gov.

SUPPLEMENTARY INFORMATION:

I. Background

DOE published a final rule in the **Federal Register** on September 8, 2022 (September 2022 Final Rule), amending the test procedure for battery chargers. 87 FR 55090. This correction addresses numbering errors in the amendatory language in that final rule.

First, DOE noted in the amendatory instructions that it was replacing the text “appendix Y” with the text “appendices Y and Y1” in paragraph (p)(3) of 10 CFR 430.3 and replacing the text “Y, Z” with the text “Y, Y1, Z” in paragraph (p)(6) of 10 CFR 430.3. However, these paragraphs have recently been redesignated to paragraphs (p)(4) and (p)(7), respectively. Second, the instruction amending the introductory text of appendix Y to subpart B instructs to revise a note that does not currently exist. Instead, the instruction should have said to “add a note before the introductory text and revise the introductory paragraph”. Finally, the instruction to revise the definition of C-Rate in appendix Y erroneously refers to amending section 2.1.0 when the instruction should have stated to amend section 2.10. of appendix Y to subpart B of part 430.

II. Need for Correction

As published, the regulatory text in September 2022 Final Rule may result in confusion due to incorrect section references. Because this final rule would simply correct errors in the text without making substantive changes in the September 2022 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 September 2022 Final Rule remain unchanged for this final rule technical correction. These determinations are set forth in the September 2022 Final Rule. 87 FR 55090, 55117-55122.

Pursuant to the Administrative Procedure Act, 5 U.S.C. 553(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 September 2022 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 typographical errors 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.

In final rule FR Doc. 2022-18717, published in the issue of Thursday, September 8, 2022, (87 FR 55090), the following corrections are made:

§ 430.3 [Corrected]

- 1. On page 55122, second column, amendatory instructions 4.b. and 4.c. are corrected to read as follows:
 - b. In paragraph (p)(4) introductory text, removing the text “appendix Y”, and adding in its place the text “appendices Y and Y1”; and
 - c. In paragraph (p)(7), removing the text “Y, Z,”, and adding in its place the text “Y, Y1, Z”.
- 2. On page 55122, third column, amendatory instructions 6.a. and 6.b. are corrected to read as follows:
 - a. Adding a note before the introductory text and revising the introductory paragraph;
 - b. Revising sections 2.10., 3.1.4.(b), 3.2.5.(f), 3.3.4, 3.3.6.(c)(5), and 3.3.8.

Signing Authority

This document of the Department of Energy was signed on September 28, 2022, 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 September 30, 2022.

Treena V. Garrett,

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

[FR Doc. 2022–21695 Filed 10–6–22; 8:45 am]

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FEDERAL RESERVE SYSTEM

12 CFR Part 201

[Docket No. R–1780]

RIN 7100–AG38

Regulation A: Extensions of Credit by Federal Reserve Banks

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Final rule.

SUMMARY: The Board of Governors of the Federal Reserve System (“Board”) has adopted final amendments to its Regulation A to reflect the Board’s approval of an increase in the rate for primary credit at each Federal Reserve Bank. The secondary credit rate at each Reserve Bank automatically increased by formula as a result of the Board’s primary credit rate action.

DATES:

Effective date: The amendments to part 201 (Regulation A) are effective October 7, 2022.

Applicability date: The rate changes for primary and secondary credit were applicable on September 22, 2022.

FOR FURTHER INFORMATION CONTACT: M. Benjamin Snodgrass, Senior Counsel (202–263–4877), Legal Division, or Kristen Payne, Lead Financial Institution & Policy Analyst (202–452–2872), or Margaret DeBoer, Senior Associate Director (202–452–3139), Division of Monetary Affairs; for users of telephone systems via text telephone (TTY) or any TTY-based Telecommunications Relay Services (TRS), please call 711 from any telephone, anywhere in the United States; Board of Governors of the Federal Reserve System, 20th and C Streets NW, Washington, DC 20551.

SUPPLEMENTARY INFORMATION: The Federal Reserve Banks make primary and secondary credit available to depository institutions as a backup source of funding on a short-term basis, usually overnight. The primary and secondary credit rates are the interest rates that the twelve Federal Reserve Banks charge for extensions of credit under these programs. In accordance with the Federal Reserve Act, the

primary and secondary credit rates are established by the boards of directors of the Federal Reserve Banks, subject to review and determination of the Board.

On September 21, 2022, the Board voted to approve a 0.75 percentage point increase in the primary credit rate, thereby increasing the primary credit rate from 2.50 percent to 3.25 percent. In addition, the Board had previously approved the renewal of the secondary credit rate formula, the primary credit rate plus 50 basis points. Under the formula, the secondary credit rate increased by 0.75 percentage points as a result of the Board’s primary credit rate action, thereby increasing the secondary credit rate from 3.00 percent to 3.75 percent. The amendments to Regulation A reflect these rate changes.

The 0.75 percentage point increase in the primary credit rate was associated with a 0.75 percentage point increase in the target range for the federal funds rate (from a target range of 2¼ percent to 2½ percent to a target range of 3 percent to 3¼ percent) announced by the Federal Open Market Committee on September 21, 2022, as described in the Board’s amendment of its Regulation D published elsewhere in today’s **Federal Register**.

Administrative Procedure Act

In general, the Administrative Procedure Act (“APA”) ¹ imposes three principal requirements when an agency promulgates legislative rules (rules made pursuant to Congressionally-delegated authority): (1) publication with adequate notice of a proposed rule; (2) followed by a meaningful opportunity for the public to comment on the rule’s content; and (3) publication of the final rule not less than 30 days before its effective date. The APA provides that notice and comment procedures do not apply if the agency for good cause finds them to be “unnecessary, impracticable, or contrary to the public interest.” ² Section 553(d) of the APA also provides that publication at least 30 days prior to a rule’s effective date is not required for (1) a substantive rule which grants or recognizes an exemption or relieves a restriction; (2) interpretive rules and statements of policy; or (3) a rule for which the agency finds good cause for shortened notice and publishes its reasoning with the rule. ³ The APA further provides that the notice, public comment, and delayed effective date requirements of 5 U.S.C. 553 do not

apply “to the extent that there is involved . . . a matter relating to agency management or personnel or to public property, loans, grants, benefits, or contracts.” ⁴

Regulation A establishes the interest rates that the twelve Reserve Banks charge for extensions of primary credit and secondary credit. The Board has determined that the notice, public comment, and delayed effective date requirements of the APA do not apply to these final amendments to Regulation A. The amendments involve a matter relating to loans and are therefore exempt under the terms of the APA. Furthermore, because delay would undermine the Board’s action in responding to economic data and conditions, the Board has determined that “good cause” exists within the meaning of the APA to dispense with the notice, public comment, and delayed effective date procedures of the APA with respect to the final amendments to Regulation A.

Regulatory Flexibility Analysis

The Regulatory Flexibility Act (“RFA”) does not apply to a rulemaking where a general notice of proposed rulemaking is not required. ⁵ As noted previously, a general notice of proposed rulemaking is not required if the final rule involves a matter relating to loans. Furthermore, the Board has determined that it is unnecessary and contrary to the public interest to publish a general notice of proposed rulemaking for this final rule. Accordingly, the RFA’s requirements relating to an initial and final regulatory flexibility analysis do not apply.

Paperwork Reduction Act

In accordance with the Paperwork Reduction Act (“PRA”) of 1995, ⁶ the Board reviewed the final rule under the authority delegated to the Board by the Office of Management and Budget. The final rule contains no requirements subject to the PRA.

List of Subjects in 12 CFR Part 201

Banks, banking, Federal Reserve System, Reporting and recordkeeping.

Authority and Issuance

For the reasons set forth in the preamble, the Board is amending 12 CFR Chapter II to read as follows:

⁴ 5 U.S.C. 553(a)(2) (emphasis added).

⁵ 5 U.S.C. 603, 604.

⁶ 44 U.S.C. 3506; see 5 CFR part 1320 Appendix A.1.

¹ 5 U.S.C. 551 *et seq.*

² 5 U.S.C. 553(b)(3)(A).

³ 5 U.S.C. 553(d).