

the case to the Attorney General of the United States, or his or her delegate, for collection of the civil penalty. In any such action, the validity and appropriateness of the Order assessing the civil penalty shall not be subject to review.

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## DEPARTMENT OF ENERGY

### 10 CFR Part 1021

[DOE–HQ–2023–0063]

RIN 1990–AA48

#### National Environmental Policy Act Implementing Procedures; Extension of Comment Period

**AGENCY:** Office of the General Counsel, Department of Energy.

**ACTION:** Notice of proposed rulemaking; extension of comment period.

**SUMMARY:** On November 16, 2023, the U.S. Department of Energy (DOE or the Department) published a notice of proposed rulemaking proposing to amend its implementing procedures (regulations) governing compliance with the National Environmental Policy Act (NEPA). DOE requested public comments by January 2, 2024. DOE is now extending the comment period until January 16, 2024, to allow the public additional review and submission time for any comments on the proposed changes.

**DATES:** The comment period for the notice of proposed rulemaking published on November 16, 2023 (88 FR 78681) is extended. DOE must receive comments by January 16, 2024, to ensure consideration.

**ADDRESSES:** Documents relevant to this proposed rulemaking are posted at [www.regulations.gov](http://www.regulations.gov) (Docket: DOE–HQ–2023–0063). Documents posted to this docket include: the notice of proposed rulemaking and DOE’s Technical Support Document, which provides additional information regarding certain proposed changes and a redline/strikeout version of affected sections of the DOE NEPA regulations indicating the changes in the proposed rule.

Submit comments, labeled “DOE NEPA Implementing Procedures, RIN 1990–AA48,” by one of the following methods:

1. [www.regulations.gov](http://www.regulations.gov): Enter “Docket ID DOE–HQ–2023–0063” in the search box. Click on “Comment” to submit comments, which you may enter directly on the web page or by uploading in a file.

2. *Postal Mail:* Mail comments to NEPA Rulemaking Comments, Office of NEPA Policy and Compliance (GC–54), U.S. Department of Energy, 1000 Independence Avenue SW, Washington, DC 20585. Because security screening may delay mail sent through the U.S. Postal Service, DOE encourages electronic submittal of comments through [www.regulations.gov](http://www.regulations.gov).

3. *Email:* send comments to [DOE-NEPA-Rulemaking@hq.doe.gov](mailto:DOE-NEPA-Rulemaking@hq.doe.gov).

*Instructions:* For detailed instructions on submitting comments and additional information on the rulemaking process, see the “Public Participation—Submission of Comments” (section IV) of the **SUPPLEMENTARY INFORMATION** section of DOE’s notice of proposed rulemaking.

**FOR FURTHER INFORMATION CONTACT:** For questions concerning how to comment on this proposed rule, contact Ms. Carrie Abravanel, Office of NEPA Policy and Compliance, at [DOE-NEPA-Rulemaking@hq.doe.gov](mailto:DOE-NEPA-Rulemaking@hq.doe.gov) or (202) 586–4600.

**SUPPLEMENTARY INFORMATION:** On November 16, 2023, the U.S. Department of Energy (DOE or the Department) published a notice of proposed rulemaking proposing to amend its implementing procedures (regulations) governing compliance with the National Environmental Policy Act (NEPA) (88 FR 78681). The proposed changes would add a categorical exclusion for certain energy storage systems and revise categorical exclusions for upgrading and rebuilding transmission lines and for solar photovoltaic systems, as well as make conforming changes to related sections of DOE’s NEPA regulations.

DOE has decided to extend the public comment period for 14 days to allow for additional review and submission time. Therefore, the public comment period for the notice of proposed rulemaking will now close on January 16, 2024.

#### Signing Authority

This document of the Department of Energy was signed on December 20, 2023, by Samuel T. Walsh, General Counsel, 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 December 20, 2023.

**Treena V. Garrett,**

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

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA–2023–2360; Airspace Docket No. 23–AEA–24]

RIN 2120–AA66

#### Amendment of Class D and Class E Airspace; Huntington, WV

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This action proposes to amend Class D airspace and E airspace extending upward from 700 feet above the surface for Tri-State/Milton J. Ferguson Field, Huntington, WV, and removes unnecessary verbiage from the descriptor header.

**DATES:** Comments must be received on or before February 9, 2024.

**ADDRESSES:** Send comments identified by FAA Docket No. FAA–2023–2360 and Airspace Docket No. 23–AEA–24 using any of the following methods:

\* *Federal eRulemaking Portal:* Go to [www.regulations.gov](http://www.regulations.gov) and follow the online instructions to send your comments electronically.

\* *Mail:* Send comments to Docket Operations, M–30; U.S. Department of Transportation, 1200 New Jersey Avenue SE, Room W12–140, West Building Ground Floor, Washington, DC 20590–0001.

\* *Hand Delivery or Courier:* Take comments to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except for Federal holidays.

\* *Fax:* Fax comments to Docket Operations at (202) 493–2251.

*Docket:* Background documents or comments received may be read at [www.regulations.gov](http://www.regulations.gov) anytime. Follow the online instructions for accessing the docket or go to the Docket Operations in Room W12–140 of the West Building