amend, among other items, the test procedures for showerheads by incorporating by reference, with the exception of certain provisions regarding rounding of measured values, ASME Standard A112.18.1–2011. 77 FR 31742, 31744. DOE requested comments and information on prospective methods for verifying compliance with the requirement in section 42 U.S.C. 6295(j)(1) of EPCA that a showerhead must be manufactured such that a pushing or pulling force of 8 lbf or more is required to remove the insert.[4] DOE also requested comments and information on showerhead designs that may complicate verification of the force requirement or, alternatively, make verification unnecessary. 77 FR at 31746–31748.

Several comments submitted in response to the NOPR recommended that DOE not adopt a standardized test method (Docket No. EERE–2011–BT–TP–0061, Moen, No. 4 at p. 2; PMI, No. 8 at p. 2; Kohler, No. 9 at p. 3; Kohler, Public Meeting Transcript, No. 11 at p. 47; ICC, Public Meeting Transcript, No. 11 at pp. 48–49; Sloan Valve, No. 12 at p. 2); on the other hand, some comments suggested that such a test would be valuable (NRDC/ASAP, No. 14 at p. 5). DOE did not receive any comments indicating that a standardized method currently exists, however. DOE subsequently conducted testing on a selection of showerhead models to evaluate flow insert designs and developed a pull-force verification test. In an April 8, 2013 supplemental notice of proposed rulemaking (SNOPR), DOE proposed to adopt this test method, which would not be required for certifying compliance with the DOE standards at 10 CFR 430.32(p), but rather, would only be used by DOE for verification or enforcement testing. 78 FR at 20835–20837.

In response to the SNOPR, DOE received several comments opposing adoption of a standardized test, generally indicating that the proposed pull-style test represented a duplication of the requirements in the ASME Standard A112.18.1 test method or that it would conflict with other established industry test methods (NSF, No. 22 at p. 2, PMI, No. 23 at p. 3, Kohler, No. 27 at p. 2, Chicago Faucet, No. 28 at p. 2, and Moen, No. 30 at p. 2). However, DOE notes that A112.18.1 states only that the flow-restricting insert in a showerhead must be mechanically retained at the point of manufacture such that a pulling or pushing force of 8 lbf or more is required to remove the insert, but does not specify a method for verifying that this requirement has been met for a given model. DOE did not receive any comments describing a test method currently in use by manufacturers, test laboratories, or others for verifying compliance with this requirement.

To ensure that all aspects of DOE's proposal for a standardized method of verifying compliance with the requirements for the flow-restricting insert have been considered and to consider whether DOE's proposed method should be adopted in the absence of an industry test method, DOE has scheduled a public meeting to receive additional information, comments, and proposals from manufacturers, testing organizations, and other interested stakeholders. DOE encourages stakeholders to bring examples of products subject to these requirements that may aid in discussions of prospective test methodologies or that illustrate points raised in comments. DOE does not intend to discuss any other aspect of the plumbing products test procedure proposals as part of this meeting.

DOE will conduct the public meeting in an informal, facilitated, conference style. There shall be no discussion of proprietary information, costs or prices, market shares, or other commercial matters regulated by U.S. antitrust laws. A court reporter will record the minutes of the meeting, after which a transcript will be available for purchase from the court reporter and placed on the DOE Web site.

Anyone who wishes to participate in the public meeting, receive meeting materials, or be added to the DOE mailing list to receive future notices and information about showerheads should contact Ms. Brenda Edwards at (202) 586–2945.

Issued in Washington, DC, on July 11, 2013.

Kathleen B. Hogan,

Deputy Assistant Secretary for Energy Efficiency, Energy Efficiency and Renewable Energy.

[FR Doc. 2013–17157 Filed 7–16–13; 8:45 am]

BILLING CODE 6450–01–P

[4] This requirement is also found in 10 CFR 430.32(p) and section 4.11.1 of ASME A112.18.1–2011.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2013–0546; Directorate Identifier 2013–NM–050–AD]

RIN 2120–AA64

Airworthiness Directives; The Boeing Company Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to adopt a new airworthiness directive (AD) for certain The Boeing Company Model 727 airplanes. This proposed AD is intended to complete certain mandated programs intended to support the airplane reaching its limit of validity (LOV) of the engineering data that support the established structural maintenance program. For certain airplanes, this proposed AD would require modification of the web of the horizontal stabilizer center section rear spar. For the other airplanes, this proposed AD would require an inspection for cracks in the web, and repair or modification as applicable. We are proposing this AD to prevent cracking at the upper fastener holes in the riveted web in the horizontal stabilizer center section rear spar, which could result in failure of the spar forging and lead to horizontal stabilizer separation and loss of control of the airplane.

DATES: We must receive comments on this proposed AD by September 3, 2013.

ADDRESSES: You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.
- *Hand Delivery:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this proposed AD, contact Boeing Commercial Airplanes, Attention: Data & Services Management, P.O. Box 3707, MC 2H–65, Seattle, WA 98124–2207; telephone 206–544–5000, extension 1; fax 206–766–5680; Internet *https://*

www.myboeingfleet.com. You may review copies of the referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington. For information on the availability of this material at the FAA, call 425–227–1221.

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov;* or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Office (phone: 800–647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Chandraduth Ramdoss, Aerospace Engineer, Airframe Branch, ANM–120L, FAA, Los Angeles Aircraft Certification Office (ACO), 3960 Paramount Boulevard, Lakewood, California 90712–4137; phone: 562–627–5239; fax: 562–627–5210; email: *chandraduth.ramdoss@faa.gov.*

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under the **ADDRESSES** section. Include ''Docket No. FAA–2013–0546; Directorate Identifier 2013–NM–050–AD'' at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed AD because of those comments.

We will post all comments we receive, without change, to *http://www.regulations.gov,* including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive about this proposed AD.

Discussion

As described in FAA Advisory Circular 120-104 (*http://www.faa.gov/documentLibrary/media/Advisory_Circular/120–104.pdf*), several programs have been developed to support initiatives that will ensure the continued airworthiness of aging airplane structure. The last element of those initiatives is the requirement to establish a limit of validity (LOV) of the engineering data that support the structural maintenance program under 14 CFR 26.21. This proposed AD is the result of an assessment of the previously established programs by Boeing during the process of establishing the LOV for Model 727 airplanes. The actions specified in this proposed AD are necessary to complete certain programs to ensure the continued airworthiness of aging airplane structure and to support an airplane reaching its LOV.

Fatigue tests on Model 727 airplanes indicated that cracking can occur at the upper fastener holes in the riveted web in the horizontal stabilizer center section rear spar, because under-gauge material was used for the web. Such cracking could result in damage to the rear spar forging and lead to horizontal stabilizer separation and loss of control of the airplane.

Relevant Service Information

We reviewed Boeing Service Bulletin 55–46, dated April 8, 1970. For information on the procedures and compliance times, see this service information at *http://www.regulations.gov* by searching for Docket No. FAA–2013–0546.

FAA's Determination

We are proposing this AD because we evaluated all the relevant information and determined the unsafe condition described previously is likely to exist or develop in other products of the same type design.

Proposed AD Requirements

This proposed AD would require accomplishing the actions specified in the service information identified previously, except as discussed under ''Differences Between the Proposed AD and the Service Information.''

Differences Between the Proposed AD and the Service Information

The effectivity of Boeing Service Bulletin 55–46, dated April 8, 1970, includes four groups of Model 727 airplanes. We have determined that only airplanes in Group III and Group IV are still in service. The applicability of this proposed AD therefore is limited to Group III and Group IV airplanes.

Boeing Service Bulletin 55–46, dated April 8, 1970, specifies a compliance time for the modification at a ''major overhaul nearest to 20,000 hours.'' But a Structures Task Group (STG) recommended a threshold of 60,000 total flight cycles for the modification. This proposed AD specifies that threshold, with a grace period of 24 months or 2,500 flight cycles. We have coordinated this compliance time with Boeing.

Boeing Service Bulletin 55–46, dated April 8, 1970, specifies to contact the manufacturer for instructions on how to repair certain conditions, but this proposed AD would require repairing those conditions in one of the following ways:

- In accordance with a method that we approve; or
- Using data that meet the certification basis of the airplane, and that have been approved by the Boeing Commercial Airplanes Organization Designation Authorization (ODA) whom we have authorized to make those findings.

Costs of Compliance

We estimate that this proposed AD affects 106 airplanes of U.S. registry. We estimate the following costs to comply with this proposed AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Modification	32 work-hours × $85 per hour = $2,720	$7,154	$9,874	$1,036,770

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.

We are 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 products identified in this rulemaking action.

Regulatory Findings

We determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would 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 this proposed regulation:

(1) Is not a ''significant regulatory action'' under Executive Order 12866,

(2) Is not a ''significant rule'' under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979),

(3) Will not affect intrastate aviation in Alaska, and

(4) 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 Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 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 (AD):

The Boeing Company: Docket No. FAA–2013–0546; Directorate Identifier 2013–NM–050–AD.

(a) Comments Due Date

We must receive comments by September 3, 2013.

(b) Affected ADs

None.

(c) Applicability

This AD applies to The Boeing Company Model 727 airplanes, certificated in any category, identified as Group III and Group IV in Boeing Service Bulletin 55–46, dated April 8, 1970.

(d) Subject

Joint Aircraft System Component (JASC)/Air Transport Association (ATA) of America Code 55, Stabilizers.

(e) Unsafe Condition

This AD is intended to complete certain mandated programs intended to support the airplane reaching its limit of validity (LOV) of the engineering data that support the established structural maintenance program. We are issuing this AD to prevent cracking at the upper fastener holes in the riveted web in the horizontal stabilizer center section rear spar, which could lead to horizontal stabilizer separation and loss of control of the airplane.

(f) Compliance

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

(g) Group III Airplanes: Inspection

For airplanes identified as Group III in Boeing Service Bulletin 55–46, dated April 8, 1970: At the later of the times specified in paragraphs (g)(1) and (g)(2) of this AD, do an eddy-current inspection for cracks in the web, in accordance with the Accomplishment Instructions of Boeing Service Bulletin 55–46, dated April 8, 1970.

(1) Before the accumulation of 60,000 total flight cycles.

(2) Within 24 months or 2,500 flight cycles after the effective date of this AD, whichever occurs first.

(h) Group III Airplanes: Corrective Actions

For airplanes identified as Group III in Boeing Service Bulletin 55–46, dated April 8, 1970: After the inspection required by paragraph (g) of this AD, do the applicable actions specified in paragraph (h)(1) or (h)(2) of this AD.

(1) If no crack is found, before further flight, modify the web of the horizontal stabilizer center section rear spar, in accordance with the Accomplishment Instructions of Boeing Service Bulletin 55–46, dated April 8, 1970.

(2) If any crack is found, repair before further flight using a method approved in accordance with the procedures specified in paragraph (j) of this AD.

(i) Group IV Airplanes: Modification

For airplanes identified as Group IV in Boeing Service Bulletin 55–46, dated April 8, 1970: At the later of the times specified in paragraphs (i)(1) and (i)(2) of this AD, modify the web of the horizontal stabilizer center section rear spar, in accordance with the Accomplishment Instructions of Boeing 727 Service Bulletin 55–46, dated April 8, 1970.

(1) Before the accumulation of 60,000 total flight cycles.

(2) Within 24 months or 2,500 flight cycles after the effective date of this AD, whichever occurs first.

(j) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Seattle Aircraft Certification Office (ACO), 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 ACO, send it to the attention of the person identified in the Related Information section of this AD. Information may be emailed to: *9-ANM-Seattle-ACO-AMOC-Requests@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.

(3) An AMOC that provides an acceptable level of safety may be used for any repair required by this AD if it is approved by the Boeing Commercial Airplanes Organization Designation Authorization (ODA) that has been authorized by the Manager, Seattle ACO, to make those findings. For a repair method to be approved, the repair must meet the certification basis of the airplane, and the approval must specifically refer to this AD.

(k) Related Information

(1) For more information about this AD, contact Chandraduth Ramdoss, Aerospace Engineer, Airframe Branch, ANM–120L, FAA, Los Angeles Aircraft Certification Office (ACO), 3960 Paramount Boulevard, Lakewood, California 90712–4137; phone: 562–627–5239; fax: 562–627–5210; email: *chandraduth.ramdoss@faa.gov.*

(2) For information about AMOCs, contact Berhane Alazar, Aerospace Engineer, Airframe Branch, ANM–120S, FAA, Seattle Aircraft Certification Office (ACO), 1601 Lind Avenue SW., Renton, Washington 98057–3356; phone: 425–917–6577; fax: 425–917–6590; email: *berhane.alazar@faa.gov.*

(3) For service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Data & Services Management, P.O. Box 3707, MC 2H–65, Seattle, WA 98124–2207; telephone 206–544–5000, extension 1; fax 206–766–5680; Internet *https://www.myboeingfleet.com.* You may review copies of the referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington. For information on the availability of this material at the FAA, call 425–227–1221.

Issued in Renton, Washington, on July 5, 2013.

Jeffrey E. Duven,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2013–17138 Filed 7–16–13; 8:45 am]

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