

Proposed Rules

Federal Register

Vol. 79, No. 128

Thursday, July 3, 2014

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

Issued in Washington, DC, on June 27, 2014.

Kathleen B. Hogan,

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

[FR Doc. 2014-15646 Filed 7-2-14; 8:45 am]

BILLING CODE 6450-01-P

DEPARTMENT OF ENERGY

10 CFR Part 429

[Docket No. EERE-2013-BT-NOC-0039]

Appliance Standards and Rulemaking Federal Advisory Committee: Cancellation of Open Meetings

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

ACTION: Notice of cancellation of open meetings.

SUMMARY: The Department of Energy (DOE) announces the cancellation of open meetings for the Commercial and Industrial Pumps Working Group of the Appliance Standards and Rulemaking Federal Advisory Committee (ASRAC) scheduled for July 23 through July 25, 2014.

DATES: The open meetings scheduled for July 23, July 24, and July 25, 2014 are cancelled.

FOR FURTHER INFORMATION CONTACT: John Cymbalsky, ASRAC Designated Federal Officer, U.S. Department of Energy (DOE), Office of Energy Efficiency and Renewable Energy, 950 L'Enfant Plaza SW., Washington, DC, 20024, (202) 287-1692. Email: asrac@ee.doe.gov.

SUPPLEMENTARY INFORMATION: DOE published a notice of open meetings for the Commercial and Industrial Pumps Working Group of the ASRAC to be held in June and July of 2014 (79 FR 2383, Jan. 14, 2014) and a second notice adding an extra day to both series of meetings (79 FR 29692, May 23, 2014). Since that time, the working group has concluded its activities and determined the second series of meetings, scheduled for July 23 through July 25, is no longer necessary. Through this notice, DOE announces cancellation of those meetings.

DEPARTMENT OF ENERGY

5 CFR Chapter XXII

10 CFR Chapters II, III, and X

Reducing Regulatory Burden

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

ACTION: Request for information.

SUMMARY: As part of its implementation of Executive Order 13563, "Improving Regulation and Regulatory Review," issued by the President on January 18, 2011, the Department of Energy (Department or DOE) is seeking comments and information from interested parties to assist DOE in reviewing its existing regulations to determine whether any such regulations should be modified, streamlined, expanded, or repealed. The purpose of DOE's review is to make the agency's regulatory program more effective and less burdensome in achieving its regulatory objectives. In this request for information (RFI), DOE also highlights its regulatory review and reform efforts conducted to date in light of comments from interested parties.

DATES: Written comments and information are requested on or before July 18, 2014.

ADDRESSES: Interested persons are encouraged to submit comments, identified by "Regulatory Burden RFI," by any of the following methods:

White House Web site: <http://www.whitehouse.gov/advise>.

Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.

Email: Regulatory.Review@hq.doe.gov. Include "Regulatory Burden RFI" in the subject line of the message.

Mail: U.S. Department of Energy, Office of the General Counsel, 1000 Independence Avenue SW., Room 6A245, Washington, DC 20585.

Docket: For access to the docket to read background documents, or

comments received, go to the Federal eRulemaking Portal at <http://www.regulations.gov>.

That Department's plan for retrospective review of its regulations and its subsequent update reports can be accessed at <http://energy.gov/gc/services/open-government/restrospective-regulatory-review>.

FOR FURTHER INFORMATION CONTACT:

Jengeih Tamba, U.S. Department of Energy, Office of the General Counsel, 1000 Independence Avenue SW., Washington, DC 20585, 202-586-5000. Email: Regulatory.Review@hq.doe.gov.

SUPPLEMENTARY INFORMATION: On

January 18, 2011, the President issued Executive Order 13563, "Improving Regulation and Regulatory Review," to ensure that Federal regulations seek more affordable, less intrusive means to achieve policy goals, and that agencies give careful consideration to the benefits and costs of those regulations. To that end, the Executive Order requires, among other things, that:

- Agencies propose or adopt a regulation only upon a reasoned determination that its benefits justify its costs; and that agencies tailor regulations to impose the least burden on society, consistent with obtaining the regulatory objectives, taking into account, among other things, and to the extent practicable, the costs of cumulative regulations; and that, consistent with applicable law, agencies select, in choosing among alternative regulatory approaches, those approaches that maximize net benefits (including potential economic, environmental, public health and safety, and other advantages; distributive impacts; and equity).

- The regulatory process encourages public participation and an open exchange of views, with an opportunity for the public to comment.

- Agencies coordinate, simplify, and harmonize regulations to reduce costs and promote certainty for businesses and the public.

- Agencies consider low-cost approaches that reduce burdens and maintain flexibility.

- Regulations be guided by objective scientific evidence.

Additionally, the Executive Order directs agencies to consider how best to promote retrospective analyses of existing rules. Specifically, agencies were required to develop a plan under

which the agency will periodically review existing regulations to determine which should be maintained, modified, strengthened, or repealed to increase the effectiveness and decrease the burdens of the agency's regulatory program. DOE's plan and its subsequent update reports can be accessed at <http://energy.gov/gc/services/open-government/restrospective-regulatory-review>.

The Department is committed to maintaining a consistent culture of retrospective review and analysis. DOE will continually engage in review of its rules to determine whether there are burdens on the public that can be avoided by amending or rescinding existing requirements. To that end, DOE is publishing today's RFI to again explicitly solicit public input. In addition, DOE is always open to receiving information about the impact of its regulations. To facilitate both this RFI and the ongoing submission of comments, interested parties can identify regulations that may be in need of review at the following recently established White House Web site: <http://www.whitehouse.gov/advise>. DOE has also created a link on the Web page of DOE's Office of the General Counsel to an email in-box for the submission of comments, Regulatory.Review@hq.doe.gov.

While the Department promulgates rules in accordance with the law and to the best of its analytic capability, it is difficult to be certain of the consequences of a rule, including its costs and benefits, until it has been tested. Because knowledge about the full effects of a rule is widely dispersed in society, members of the public are likely to have useful information and perspectives on the benefits and burdens of existing requirements and how regulatory obligations may be updated, streamlined, revised, or repealed to better achieve regulatory objectives, while minimizing regulatory burdens. Interested parties may also be well-positioned to identify those rules that are most in need of review and, thus, assist the Department in prioritizing and properly tailoring its retrospective review process. In short, engaging the public in an open, transparent process is a crucial step in DOE's review of its existing regulations.

Recent Successes

Two items on the most recent, January 2014 update are the Alternative Efficiency Determination Methods and Alternate Rating Methods rule (AEDM), and the Test Procedure Waiver rule. Just prior to release of the update, DOE published the final AEDM rule; the final

test procedure waiver rule was published shortly after release of the update. Both of these final rules were issued in furtherance of DOE's commitment to the retrospective review of its regulations. In the AEDM rule, DOE revised its regulations on the use of alternatives to testing to certify compliance with applicable energy conservation standards and the reporting of related ratings for covered commercial and industrial equipment. These regulations arose from a negotiated rulemaking effort on issues regarding certification of commercial heating, ventilating, air-conditioning (HVAC), water heating (WH), and refrigeration equipment. In addition, DOE extended the compliance dates for the initial certification of commercial HVAC, WH, and refrigeration equipment. In the Test Procedure Waiver rule, DOE amends portions of its regulations governing petitions for waiver and interim waiver from DOE test procedures to improve the waiver process. The final rule restores, with minor amendments, text inadvertently omitted in the March 7, 2011 certification, compliance, and enforcement final rule. Additionally, the rule adopts a process by which other manufacturers of a product employing a specific technology or characteristic, for which DOE has granted a waiver to another manufacturer for a product employing that particular technology, would petition for a waiver. The rule also sets forth a process for manufacturers to request rescission or modification of a waiver if they determine that the waiver is no longer needed, or for other appropriate reasons; adopts other minor modifications to the waiver provisions for both consumer products and industrial equipment; and clarifies certain aspects related to the submission and processing of a waiver petition.

List of Questions for Commenters

The following list of questions is intended to assist in the formulation of comments and not to restrict the issues that may be addressed. In addressing these questions or others, DOE requests that commenters identify with specificity the regulation or reporting requirement at issue, providing legal citation where available. The Department also requests that the submitter provide, in as much detail as possible, an explanation why a regulation or reporting requirement should be modified, streamlined, expanded, or repealed, as well as specific suggestions of ways the Department can better achieve its regulatory objectives.

(1) How can the Department best promote meaningful periodic reviews of its existing rules and how can it best identify those rules that might be modified, streamlined, expanded, or repealed?

(2) What factors should the agency consider in selecting and prioritizing rules and reporting requirements for review?

(3) Are there regulations that are or have become unnecessary, ineffective, or ill advised and, if so, what are they? Are there rules that can simply be repealed without impairing the Department's regulatory programs and, if so, what are they?

(4) Are there rules or reporting requirements that have become outdated and, if so, how can they be modernized to accomplish their regulatory objectives better?

(5) Are there rules that are still necessary, but have not operated as well as expected such that a modified, stronger, or slightly different approach is justified?

(6) Does the Department currently collect information that it does not need or use effectively to achieve regulatory objectives?

(7) Are there regulations, reporting requirements, or regulatory processes that are unnecessarily complicated or could be streamlined to achieve regulatory objectives in more efficient ways?

(8) Are there rules or reporting requirements that have been overtaken by technological developments? Can new technologies be leveraged to modify, streamline, or do away with existing regulatory or reporting requirements?

(9) How can the Department best obtain and consider accurate, objective information and data about the costs, burdens, and benefits of existing regulations? Are there existing sources of data the Department can use to evaluate the post-promulgation effects of regulations over time? We invite interested parties to provide data that may be in their possession that documents the costs, burdens, and benefits of existing requirements.

(10) Are there regulations that are working well that can be expanded or used as a model to fill gaps in other DOE regulatory programs?

The Department notes that this RFI is issued solely for information and program-planning purposes. Responses to this RFI do not bind DOE to any further actions related to the response. All submissions will be made publically available on <http://www.regulations.gov>.

Issued in Washington, DC on June 25, 2014.

Steven P. Croley,
General Counsel.

[FR Doc. 2014-15644 Filed 7-2-14; 8:45 am]

BILLING CODE 6450-01-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2014-0363; Directorate Identifier 2014-NE-08-AD]

RIN 2120-AA64

Airworthiness Directives; Rolls-Royce plc Turbofan Engines

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to adopt a new airworthiness directive (AD) for all Rolls-Royce plc (RR) RB211 Trent 768-60, 772-60, and 772B-60 turbofan engines. This proposed AD was prompted by fuel leaks caused by damage to the fan case low-pressure (LP) fuel tube. This proposed AD would require inspection of the fan case LP fuel tubes and associated clips and the fuel oil heat exchanger (FOHE) mounts and associated hardware. We are proposing this AD to prevent failure of the fan case LP fuel tube, which could lead to an in-flight shutdown of one or more engines due to fuel starvation, loss of thrust control, and damage to the airplane.

DATES: We must receive comments on this proposed AD by September 2, 2014.

ADDRESSES: You may send comments by any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically.
- *Mail:* Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12-140, Washington, DC 20590-0001.
- *Hand Delivery:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.
- *Fax:* 202-493-2251.

For service information identified in this proposed AD, contact Rolls-Royce plc, Corporate Communications, P.O. Box 31, Derby, England, DE248BJ; phone: 011-44-1332-242424; fax: 011-44-1332-249936; email: http://www.rolls-royce.com/contact/civil_team.jsp; Web site: <https://www.aeromanager.com>. You may view this service information at the FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA. For information on the availability of this material at the FAA, call 781-238-7125.

Examining the AD Docket

You may examine the AD docket on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2014-0363; or in person at the Docket Operations office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the mandatory continuing airworthiness information (MCAI), the regulatory evaluation, any comments received, and other information. The 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:

Wego Wang, Aerospace Engineer, Engine Certification Office, FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; phone: 781-238-7134; fax: 781-238-7199; email: wego.wang@faa.gov.

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposed AD. Send your comments to an address listed under the **ADDRESSES** section. Include "Docket No. FAA-2014-0363; Directorate Identifier 2014-NE-08-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 based on 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 with FAA personnel concerning this proposed AD.

Discussion

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, has issued EASA AD 2014-0089, dated April 15, 2014 (referred to hereinafter as "the MCAI"), to correct an unsafe condition for the specified products. The MCAI states:

Fuel leaks from the engine have occurred in-service due to damage to sections of the fan case low-pressure (LP) fuel tube which runs between the fuel oil heat exchanger (FOHE) and the high pressure fuel pump. Fretting damage between the securing clips and the tube outer surface has been caused by excessive movement within the system that resulted from deterioration of the FOHE mounting hardware. The thinning of the tube wall causes the tube to fracture and fuel loss to occur.

This condition, if not detected and corrected, could lead to a critical fuel imbalance or in-flight fuel starvation, possibly resulting engine in-flight shut-down and, consequently, reduced control of the aeroplane.

For the reasons described above, this AD requires repetitive on-wing and in-shop inspections and, depending on findings, replacement of fan case LP fuel tubes, clips and FOHE mounting hardware.

You may obtain further information by examining the MCAI in the AD docket on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2014-0363.

Relevant Service Information

RR has issued Alert Non-Modification Service Bulletin (NMSB) No. RB.211-73-AH522, Revision 1, dated March 18, 2014. The Alert NMSB describes procedures for on-wing and in-shop inspection and replacement if necessary, of the LP fuel tubes and FOHE mounts and associated hardware.

FAA's Determination and Requirements of This Proposed AD

This product has been approved by the aviation authority of the United Kingdom and is approved for operation in the United States. Pursuant to our bilateral agreement with the European Community, EASA has notified us of the unsafe condition described in the MCAI and service information referenced above. We are proposing this AD because we evaluated all information provided by EASA and determined the unsafe condition exists and is likely to exist or develop on other products of the same type design. This proposed AD would require inspection of affected LP fuel tubes and FOHE mounts and associated hardware and, if necessary, replacement with a part eligible for installation.

Costs of Compliance

We estimate that this proposed AD would affect about 50 engines installed on airplanes of U.S. registry. We also estimate that it would take about 6 hours per engine to comply with this proposed AD. The average labor rate is \$85 per hour. Based on these figures, we