

# Proposed Rules

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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.

## DEPARTMENT OF ENERGY

### 10 CFR Parts 429 and 431

[Docket Number EERE-2014-BT-STD-0042]

RIN 1904-AD34

#### Energy Conservation Program: Energy Conservation Standards for Commercial Water Heating Equipment; Reopening of Comment Period

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

**ACTION:** Reopening of public comment period.

**SUMMARY:** On May 31, 2016, the U.S. Department of Energy (DOE) published in the **Federal Register** a notice of proposed rulemaking (NOPR) that proposed amended energy conservation standards for commercial water heaters. DOE published this NOPR so stakeholders can review and provide input on these proposed revisions. The comment period for the NOPR pertaining to the subject commercial water heating equipment was scheduled to end August 1, 2016. After receiving a number of requests for additional time to comment, DOE has decided to reopen the public comment period until August 30, 2016 for the purposes of submitting comments on the NOPR or any other aspect of the energy conservation standards rulemaking for commercial water heating equipment.

**DATES:** The comment period for the proposed rule published on May 31, 2016 (81 FR 34440) is reopened. DOE will accept comments, data, and information regarding the notice of proposed rulemaking received no later than August 30, 2016.

**ADDRESSES:** *Instructions:* Any comments submitted must identify the NOPR on Energy Conservation Standards for Commercial Water Heating Equipment, and provide docket number EERE-2014-BT-STD-0042 and/or regulatory information number (RIN) 1904-AD34.

Comments may be submitted using any of the following methods:

1. *Federal eRulemaking Portal:* [www.regulations.gov](http://www.regulations.gov). Follow the instructions for submitting comments.

2. *Email:* [ComWaterHeating2014STD0042@ee.doe.gov](mailto:ComWaterHeating2014STD0042@ee.doe.gov). Include the docket number and/or RIN in the subject line of the message. Submit electronic comments in WordPerfect, Microsoft Word, PDF, or ASCII file format, and avoid the use of special characters or any form of encryption.

3. *Postal Mail:* Ms. Ashley Armstrong, U.S. Department of Energy, Building Technologies Office, Mailstop EE-5B, 1000 Independence Avenue SW., Washington, DC 20585-0121. If possible, please submit all items on a compact disc (CD), in which case it is not necessary to include printed copies.

4. *Hand Delivery/Courier:* Appliance and Equipment Standards Staff, U.S. Department of Energy, Building Technologies Office, 950 L'Enfant Plaza SW., Suite 600, Washington, DC 20024. Telephone: (202) 586-6656. If possible, please submit all items on a CD, in which case it is not necessary to include printed copies.

No telefacsimilies (faxes) will be accepted. For detailed instructions on submitting comments and additional information on the rulemaking process, see the "Public Participation" section of the May 31, 2016 NOPR. 81 FR 34440, 34532-33.

*Docket:* The docket is available for review at [www.regulations.gov](http://www.regulations.gov), including **Federal Register** notices, public meeting attendee lists and transcripts, comments, and other supporting documents/materials. All documents in the docket are listed in the [www.regulations.gov](http://www.regulations.gov) index. However, not all documents listed in the index may be publicly available, such as information that is exempt from public disclosure.

A link to the docket Web page can be found at: <https://www.regulations.gov/docket?D=EERE-2014-BT-STD-0042>. This Web page contains a link to the docket for this document on the [www.regulations.gov](http://www.regulations.gov) site. The [www.regulations.gov](http://www.regulations.gov) Web page contains simple instructions on how to access all documents, including public comments, in the docket. See section VII, "Public Participation," of the May 31, 2016 NOPR for further information on how to

submit comments through [www.regulations.gov](http://www.regulations.gov).

#### FOR FURTHER INFORMATION CONTACT:

Ms. Ashley Armstrong, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Office, EE-5B, 1000 Independence Avenue SW., Washington, DC 20585-0121.

Telephone: (202) 586-6590. Email: [Ashley.Armstrong@ee.doe.gov](mailto:Ashley.Armstrong@ee.doe.gov).

Mr. Eric Stas, U.S. Department of Energy, Office of the General Counsel, GC-33, 1000 Independence Avenue SW., Washington, DC 20585-0121.

Telephone: (202) 586-9507. Email: [Eric.Stas@hq.doe.gov](mailto:Eric.Stas@hq.doe.gov).

**SUPPLEMENTARY INFORMATION:** On May 31, 2016, DOE published in the **Federal Register** a notice of proposed rulemaking (NOPR) that proposed amended energy conservation standards for commercial water heaters. 81 FR 34440. The NOPR provided opportunity for submitting written comments, data, and information regarding the proposed amendments for the subject equipment by August 1, 2016. However, DOE received a request from the Air-Conditioning, Heating, and Refrigeration Institute (AHRI), dated July 22, 2016, to provide an additional 90 days in which to submit comments pertaining to the rulemaking for commercial water heaters. AHRI's request can be found at: <http://www.regulations.gov/document?D=EERE-2014-BT-STD-0042-0023>. AHRI and its members stated that they need more time to sufficiently review and digest the information in order to provide substantive comments. A reopening of the comment period would allow additional time for AHRI and its members and other interested parties to examine the data, information, and analysis presented in the Commercial Water Heaters Technical Support Document, to gather any additional data and information to address the proposed standards, and to submit comments to DOE. DOE also received requests from Raypak on July 25, 2016 and Spire on July 28, 2016 asking for additional time to carefully review the information provided by DOE and to provide substantive comments. Raypak's request can be found at: <http://www.regulations.gov/document?D=EERE-2014-BT-STD-0042-0025>. Spire's request can be found at: <http://www.regulations.gov/document?D=EERE-2014-BT-STD-0042-0025>.

0026. After carefully considering the requests for additional time, DOE has determined that a reopening of the public comment period is appropriate, based upon the foregoing reasons. DOE believes that reopening the comment period until August 30, 2016 will provide the public with sufficient time to submit comments responding to DOE's proposed energy conservation standards. Accordingly, DOE is reopening the comment period to midnight of August 30, 2016 and will deem any comments received by that date to be timely submitted. DOE further notes that any submissions of comments or other information submitted between the original comment end date and the reopening of the comment period will be deemed timely filed.

Issued in Washington, DC, on July 28, 2016.

**Kathleen B. Hogan,**

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

[FR Doc. 2016-18674 Filed 8-4-16; 8:45 am]

**BILLING CODE 6450-01-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2016-8185; Directorate Identifier 2016-NM-050-AD]

RIN 2120-AA64

#### Airworthiness Directives; Airbus Airplanes

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

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

**SUMMARY:** We propose to supersede Airworthiness Directive (AD) 2003-18-06, for certain Airbus Model A319-131 and -132 airplanes; Model A320-231, -232, and -233 airplanes; and Model A321-131 and -231 airplanes. AD 2003-18-06 currently requires installing new anti-swivel plates and weights on the engine fan cowl door (FCD) latches and a new cowl door hold-open device. Since we issued AD 2003-18-06, we have received reports of additional engine FCD in-flight losses, and a new FCD front latch and keeper assembly has been developed to address this unsafe condition. This proposed AD would retain the current actions and require modifying the engine FCDs, installing placards, and re-identifying the FCDs with the new part numbers. This proposed AD would also revise the

applicability to include all Model A319-131 and -132 airplanes; Model A320-231, -232, and -233 airplanes; and Model A321-131 and -231 airplanes. We are proposing this AD to prevent in-flight loss of an engine FCD and possible consequent damage to the airplane and hazards to persons or property on the ground.

**DATES:** We must receive comments on this proposed AD by September 19, 2016.

**ADDRESSES:** You may send comments 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:* U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this NPRM, contact Airbus, Airworthiness Office—EIAS, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; telephone +33 5 61 93 36 96; fax +33 5 61 93 44 51; email [account.airworth-eas@airbus.com](mailto:account.airworth-eas@airbus.com); Internet <http://www.airbus.com>. You may view this referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. 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> by searching for and locating Docket No. FAA-2016-8185; 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 Operations office (telephone 800-647-5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

**FOR FURTHER INFORMATION CONTACT:** Sanjay Ralhan, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, WA

98057-3356; telephone: 425-227-1405; fax: 425-227-1149.

#### 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-2016-8185; Directorate Identifier 2016-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 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 we receive about this proposed AD.

##### Discussion

On August 29, 2003, we issued AD 2003-18-06, Amendment 39-13297 (68 FR 53501, September 11, 2003) ("AD 2003-18-06"). AD 2003-18-06 requires actions intended to address an unsafe condition on certain Airbus Model A319-131 and -132 airplanes; Model A320-231, -232, and -233 airplanes; and Model A321-131 and -231 airplanes.

Since we issued AD 2003-18-06, we have received reports of additional engine FCD in-flight losses, and a new FCD front latch and keeper assembly has been developed to address this unsafe condition.

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Union, has issued EASA Airworthiness Directive 2016-0053, dated March 14, 2016 (referred to after this as the Mandatory Continuing Airworthiness Information, or "the MCAI"), to correct an unsafe condition for all Airbus Model A319-131 and -132; A320-231, -232, and -233; and A321-131 and -231 airplanes. The MCAI states:

Fan Cowl Door (FCD) losses during take-off were reported on aeroplanes equipped with IAE V2500 engines. Prompted by these occurrences, [Direction Générale de l'Aviation Civile] DGAC France issued AD 2000-444-156(B), mandating FCD latch improvements. This [DGAC] AD was later superseded by AD 2001-381(B) [which corresponds to FAA AD 2003-18-06], requiring installation of additional fan cowl latch improvement by installing a hold open device.

Since that [DGAC] AD was issued, further FCD in flight losses were experienced in service. Investigations confirmed that in all