

# 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 Part 429

[Docket No. EERE-2010-BT-CE-0014]

RIN 1904-AC24

#### Energy Conservation Program: Certification, Compliance, and Enforcement for Consumer Products and Commercial and Industrial Equipment

##### Correction

In proposed rule document 2010-22353 beginning on page 56796 in the issue of Thursday, September 16, 2010 make the following correction:

##### **§429.9 [Corrected]**

On page 56816, in §429.9(c), in the first column, §429.9(c)(9) through (10) is being printed in its entirety:

(9)(i) For each basic model of direct heating equipment (not including furnaces) a sample of sufficient size shall be tested to insure that—

(A) Any represented value of estimated annual operating cost, energy consumption or other measure of energy consumption of a basic model for which consumers would favor lower values shall be no less than the higher of:

- (1) The mean of the sample, or
- (2) The upper 97½ percent confidence limit of the true mean divided by 1.05, and

(B) Any represented value of the fuel utilization efficiency or other measure of energy consumption of a basic model for which consumers would favor higher values shall be no greater than the lower of:

- (1) The mean of the sample or
- (2) The lower 97½ percent confidence limit of the true mean divided by 0.95.

(ii) In calculating the measures of energy consumption for each unit tested, use the design heating requirement corresponding to the mean of the capacities of the units of the sample.

(10) For each basic model of conventional cooking tops, conventional ovens and microwave ovens a sample of

sufficient size shall be tested to insure that—

(i) Any represented value of estimated annual operating cost, energy consumption or other measure of energy consumption of a basic model for which consumers would favor lower values shall be no less than the higher of:

- (A) The mean of the sample, or
- (B) The upper 97½ percent

confidence limit of the true mean divided by 1.05, and

(ii) Any represented value of the energy factor or other measure of energy consumption of a basic model for which consumers would favor higher values shall be no greater than the lower of:

- (A) The mean of the sample, or
- (B) The lower 97½ percent

confidence limit of the true mean divided by 0.95.

[FR Doc. C1-2010-22353 Filed 10-4-10; 8:45 am]

BILLING CODE 1505-01-D

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2010-0994; Directorate Identifier 2009-NE-39-AD]

RIN 2120-AA64

#### Airworthiness Directives; Rolls-Royce plc (RR) RB211-535 Series 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 the products listed above. This proposed AD results from mandatory continuing airworthiness information (MCAI) issued by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as:

There have been several findings of cracking at the firtrees of LP Turbine discs. Fatigue crack initiation and subsequent crack propagation at the firtree may result in multiple LP Turbine blade release. The latter may potentially be beyond the containment capabilities of the engine casings. Thus, cracking at the firtrees of LP Turbine discs constitutes a potentially unsafe condition.

We are proposing this AD to detect cracks in the low-pressure turbine stage 1, 2, and 3 discs, which could result in an uncontained release of LP turbine blades and damage to the airplane.

**DATES:** We must receive comments on this proposed AD by November 19, 2010.

**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.

Contact Rolls-Royce plc., P.O. Box 31, Derby, DE24 8BJ, United Kingdom; Telephone: 011 44 1332 242424, Fax: 011 44 1332 249936; *e-mail:* [tech.help@rolls-royce.com](mailto:tech.help@rolls-royce.com) for the service information identified in this proposed AD or download the publication from <https://www.aeromanager.com/>.

#### Examining the AD Docket

You may examine the AD docket on the Internet at <http://www.regulations.gov>; 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 regulatory evaluation, any comments received, and other information. The street address for the Docket Operations office (telephone (800) 647-5527) is the same as the Mail address provided in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

**FOR FURTHER INFORMATION CONTACT:** Ian Dargin, Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; *e-mail:* [ian.dargin@faa.gov](mailto:ian.dargin@faa.gov); telephone (781) 238-7178; fax (781) 238-7199.

#### 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–2010–0994; Directorate Identifier 2009–NE–39–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. Using the search function of the Web site, anyone can find and read the comments in any of our dockets, including, if provided, the name of the individual who sent the comment (or signed the comment on behalf of an association, business, labor union, etc.). You may review the DOT’s complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477–78).

#### Discussion

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, has issued EASA Airworthiness Directive 2009–0244, dated November 9, 2009 (referred to after this as “the MCAI”), to correct an unsafe condition for the specified products. The MCAI states:

There have been several findings of cracking at the firtrees of LP Turbine discs. Fatigue crack initiation and subsequent crack propagation at the firtree may result in multiple LP Turbine blade release. The latter may potentially be beyond the containment capabilities of the engine casings. Thus, cracking at the firtrees of LP Turbine discs constitutes a potentially unsafe condition.

Therefore this Airworthiness Directive requires a change to the inspection intervals of LP Turbine Discs.

You may obtain further information by examining the MCAI in the AD docket.

#### Relevant Service Information

Rolls-Royce plc has issued Alert Service Bulletin (ASB) RB.211–72–AG272, dated August 5, 2009. The actions described in this service information are intended to correct the unsafe condition identified in the MCAI.

#### 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 United Kingdom, they have 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.

#### Costs of Compliance

Based on the service information, we estimate that this proposed AD would affect about 90 products of U.S. registry. We also estimate that it would take about 30 work-hours per product to comply with this proposed AD. The average labor rate is \$85 per work-hour. No parts are required. Based on these figures, we estimate the cost of the proposed AD on U.S. operators to be \$229,500.

#### 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); and

3. 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.

We prepared a regulatory evaluation of the estimated costs to comply with this proposed AD and placed it in the AD docket.

#### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, 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 AD:

**Rolls-Royce plc:** Docket No. FAA–2010–0994; Directorate Identifier 2009–NE–39–AD.

#### Comments Due Date

(a) We must receive comments by November 19, 2010.

#### Affected Airworthiness Directives (ADs)

(b) None.

#### Applicability

(c) This AD applies to Rolls-Royce plc RB211–535E4–37, –535E4–B–37, –535E4–B–75, and –535E4–C–37 turbofan engines. These engines are installed on, but not limited to, Boeing 757–200 series, –200PF series, –200CB series, and –300 series airplanes and Tupolev Tu204 series airplanes.

#### Reason

(d) This AD results from several findings of cracking at the firtrees of low-pressure (LP) turbine discs. Fatigue crack initiation and subsequent crack propagation at the firtree may result in multiple LP turbine blade release. We are issuing this AD to detect cracks in the LP turbine stage 1, 2, and 3 discs, which could result in an uncontained release of LP turbine blades and damage to the airplane.

#### Actions and Compliance

(e) Unless already done, do the following actions.

#### Initial Inspection Requirements

(1) At the next engine shop visit after the effective date of this AD, perform a visual and a fluorescent penetrant inspection (FPI) of the LP turbine stage 1, 2, and 3 disc. You can find guidance on the visual and FPI in Section 3, Accomplishment Instructions, of

Rolls-Royce Alert Service Bulletin (ASB) No. RB.211 72-AG272.

### Repeat Inspection Requirements

(2) At each engine shop visit after accumulating 1,500 cycles since the last inspection of the LP turbine stage 1, 2 and 3 discs, repeat the inspections specified in paragraph (e)(1) of this AD.

### Remove Cracked Discs

(3) If you find cracks, remove the disc from service.

### Definitions

(f) For the purpose of this AD, an "engine shop visit" is the induction of an engine into the shop for maintenance involving the separation of pairs of major mating engine flanges, except that the separation of engine flanges solely for the purposes of transportation without subsequent engine maintenance does not constitute an engine shop visit.

### FAA AD Differences

(g) This AD differs from the Mandatory Continuing Airworthiness Information (MCAI) and or service information as follows in that while the MCAI compliance requires action at a current shop visit, this AD requires compliance at the next shop visit after the effective date of this AD.

### Other FAA AD Provisions

(h) *Alternative Methods of Compliance (AMOCs)*: The Manager, Engine Certification Office, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19.

### Related Information

(i) Refer to MCAI European Aviation Safety Agency Airworthiness Directive 2009-0244, dated November 9, 2009, and Rolls-Royce plc ASB No. RB.211-72-AG272 for related information. Contact Rolls-Royce plc., P.O. Box 31, Derby, DE24 8BJ, United Kingdom; phone: 011 44 1332 242424, fax: 011 44 1332 249936; e-mail: [tech.help@rolls-royce.com](mailto:tech.help@rolls-royce.com), for a copy of this service information or download the publication from <https://www.aeromanager.com>.

(j) Contact Ian Dargin, Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; e-mail: [ian.dargin@faa.gov](mailto:ian.dargin@faa.gov); telephone (781) 238-7178; fax (781) 238-7199, for more information about this AD.

Issued in Burlington, Massachusetts, on September 27, 2010.

**Peter A. White,**

Assistant Manager, Engine and Propeller Directorate, Aircraft Certification Service.  
[FR Doc. 2010-24887 Filed 10-4-10; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2010-0993; Directorate Identifier 2010-NE-08-AD]

RIN 2120-AA64

#### Airworthiness Directives; Rolls-Royce plc RB211-524 Series, -535 Series, RB211 Trent 700 Series, and RB211 Trent 800 Series 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 the products listed above. This proposed AD results from mandatory continuing airworthiness information (MCAI) issued by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as:

Cracking has been found on the inner wall between intermediate dilution chutes on a total of five front combustion liners of the standard corresponding to Rolls-Royce RB211 Service Bulletin No. 72-D133. The lives of two of these liners were confirmed to be below the currently valid borescope inspection interval. Ultimately, crack propagation could result in hot gas breakout with potential of downstream component distress and multiple turbine blade release beyond containment capabilities of the engine casings. Thus, cracking of this nature constitutes a potentially unsafe condition.

Since Rolls-Royce Service Bulletin No. 72-E902 introduces further developments of Rolls-Royce RB211 Service Bulletin No. 72-D133, engines incorporating Rolls-Royce RB211 Service Bulletin No. 72-E902 are also considered to be potentially affected and are therefore included in the applicability of this AD.

We are proposing this AD to detect cracks in the front combustion liner, which could result in hot section blade release, uncontained multiple blade release and possible damage to the aircraft.

**DATES:** We must receive comments on this proposed AD by November 19, 2010.

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- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically.
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Ground Floor, Room W12-140, Washington, DC 20590-0001.

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• *Fax:* (202) 493-2251.

Contact Rolls-Royce plc, P.O. Box 31, Derby, DE24 8BJ, United Kingdom; telephone: 011-44-1332-242424; fax: 011-44-1332-249936 for the service information identified in this proposed AD.

### Examining the AD Docket

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