

after [insert date 180 days after date of publication of faucets and showerheads test procedure final rule] must be made based upon results generated using this test procedure. Any representation related to water consumption of water closets or urinals made between [insert date 30 days after date of publication of water closets and urinals test procedure final rule] and [insert date 180 days after date of publication of water closets and urinals test procedure final rule] must be based upon results generated either under this test procedure or upon the test procedure as it appeared at 10 CFR part 430, subpart B, appendix T, as contained in the 10 CFR parts 200 to 499 edition revised as of January 1, 2012.

\* \* \* \* \*

### 2. Test Apparatus and General Instructions

a. The test apparatus and instructions for testing water closets shall conform to the requirements specified in section 7.1, "General," in sections 7.1.1, 7.1.2, 7.1.3, 7.1.4, and 7.1.5 of ASME A112.19.2 (incorporated by reference, see § 430.3). Measurements shall be recorded at the resolution of the test instrumentation. Calculations of water consumption for each tested unit shall be rounded off to the same number of significant digits as the previous step.

b. The test apparatus and instructions for testing urinals shall conform to the requirements specified in section 8.2, "Test Apparatus and General Instructions," of ASME A112.19.2-2008 (incorporated by reference, see § 430.3). Measurements shall be recorded at the resolution of the test instrumentation. Calculations of water consumption for each tested unit shall be rounded off to the same number of significant digits as the previous step.

### 3. Test Measurement

#### a. Water closets:

(i) Measurement of water flush volume: The measurement of the water flush volume for water closets, expressed in gallons per flush (gpf) or liters per flush (Lpf), shall be conducted in accordance with the test requirements specified in section 7.4, "Water Consumption Test," of ASME A112.19.2 (incorporated by reference, see § 430.3).

(ii) Static pressure requirements: The water consumption tests of siphonic and blowout water closets shall be conducted at two static pressures. For flushometer valve water closets with a siphonic bowl, the test pressures shall be 80 psi and 35 psi. For flushometer valve water closets with a blowout bowl, the test pressures shall be 80 psi and 45 psi. The test shall be run three times at each pressure as specified in section 7.4.3, "Procedure," of ASME A112.19.2 (incorporated by reference, see § 430.3).

(iii) Flush volume and tank trim component adjustments: For gravity flush tank water closets, trim components that can be adjusted to cause an increase in flush volume, including (but not limited to) the flapper valve, fill valve, and float, shall be set in accordance with the printed installation instructions supplied by the manufacturer. If the installation instructions for the model to be tested do not specify trim setting adjustments, these trim components shall be

adjusted to the maximum water use setting so that the maximum flush volume is produced without causing the water closet to malfunction or leak. The water level in the tank shall be set to the maximum water line designated in the printed installation instructions supplied by the manufacturer or the designated water line on the tank itself, whichever is higher. If the printed installation instructions or the water closet tank do not indicate a water level, the water level shall be adjusted to  $1 \pm 0.1$  inches below the top of the overflow tube or  $1 \pm 0.1$  inches below the top rim of the water containing vessel (for gravity flush tank water closets that do not contain an overflow tube) for each designated pressure specified in Table 5 of ASME A112.19.2 (incorporated by reference, see § 430.3).

[FR Doc. 2013-08073 Filed 4-5-13; 8:45 am]

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## DEPARTMENT OF ENERGY

### 10 CFR Part 430

[Docket Number EERE-2013-BT-STD-0020]

RIN 1904-AC98

### Energy Conservation Program: Energy Conservation Standards for Residential Clothes Dryers and Room Air Conditioners

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

**ACTION:** Proposed rule.

**SUMMARY:** This proposed rule would correct the energy conservation standards for room air conditioners. In the direct final rule establishing amended energy conservation standards for residential clothes dryers and room air conditioners, published in the **Federal Register** on April 21, 2011, and the subsequent notices of effective date and compliance dates for the direct final rule and amendment of compliance dates, published on August 24, 2011, the Department of Energy (DOE) erroneously specified the maximum cooling capacity for product class 5a for room air conditioners without reverse cycle and with louvered sides as 24,999 British thermal units per hour (Btu/h), and the minimum cooling capacity for product class 5b for room air conditioners without reverse cycle and with louvered sides as 25,000 Btu/h, rather than 27,999 Btu/h and 28,000 Btu/h, respectively.

**DATES:** DOE will accept comments, data, and information regarding the proposed standards no later than May 8, 2013.

**ADDRESSES:** Any comments submitted must identify the proposed rule for Energy Conservation Standards for

Residential Clothes Dryers and Room Air Conditioners, and provide docket number EERE-2013-BT-STD-0020 and/or regulatory information number (RIN) number 1904-AC98. Comments may be submitted using any of the following methods:

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

2. **Email:** [DFRCorrRCDRAC@ee.doe.gov](mailto:DFRCorrRCDRAC@ee.doe.gov). Include the docket number and/or RIN in the subject line of the message.

3. **Mail:** Ms. Brenda Edwards, U.S. Department of Energy, Building Technologies Program, Mailstop EE-2J, 1000 Independence Avenue SW., Washington, DC 20585-0121. If possible, please submit all items on a CD. It is not necessary to include printed copies.

4. **Hand Delivery/Courier:** Ms. Brenda Edwards, U.S. Department of Energy, Building Technologies Program, 950 L'Enfant Plaza SW., Suite 600, Washington, DC 20024. Telephone: (202) 586-2945. If possible, please submit all items on a CD. It is not necessary to include printed copies.

**Docket:** The docket for this rulemaking is available for review at [www.regulations.gov](http://www.regulations.gov)/#!docketDetail;D=EERE-2013-BT-STD-0020. The docket for the direct final rule establishing the standards for room air conditioners is also available for review at [www.regulations.gov](http://www.regulations.gov), including **Federal Register** notices, framework documents, 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. Not all documents listed in the index may be publicly available, such as information that is exempt from public disclosure.

For further information on how to submit or review public comments, contact Ms. Brenda Edwards at (202) 586-2945 or email:

[Brenda.Edwards@ee.doe.gov](mailto:Brenda.Edwards@ee.doe.gov).

#### FOR FURTHER INFORMATION CONTACT:

Stephen L. Witkowski, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Program, EE-2J, 1000 Independence Avenue SW., Washington, DC 20585-0121. Telephone: (202) 586-7463. Email: [Stephen.Witkowski@ee.doe.gov](mailto:Stephen.Witkowski@ee.doe.gov).

Elizabeth Kohl, Esq., U.S. Department of Energy, Office of General Counsel, GC-71, 1000 Independence Avenue SW., Washington, DC 20585-0121. Telephone: (202) 586-7796. Email: [Elizabeth.Kohl@hq.doe.gov](mailto:Elizabeth.Kohl@hq.doe.gov).

**SUPPLEMENTARY INFORMATION:** DOE published a direct final rule to establish amended energy conservation standards for residential clothes dryers and room air conditioners on April 21, 2011. 76 FR 22454.

EPCA (42 U.S.C. 6291 *et seq.*), as amended, grants DOE authority to issue a final rule (hereinafter referred to as a “direct final rule”) establishing an energy conservation standard on receipt of a statement submitted jointly by interested persons that are fairly representative of relevant points of view (including representatives of manufacturers of covered products, States, and efficiency advocates) as determined by the Secretary, that contains recommendations with respect to an energy conservation standard that are in accordance with the provisions of 42 U.S.C. 6295(o). EPCA also requires a NOPR that proposes an identical energy conservation standard to be published simultaneously with the final rule. A public comment period of at least 110 days must be provided. 42 U.S.C. 6295(p)(4). Not later than 120 days after issuance of the direct final rule, if one or more adverse comments or an alternative joint recommendation are received relating to the direct final rule, the Secretary must determine whether the comments or alternative recommendation may provide a reasonable basis for withdrawal under 42 U.S.C. 6295(o) or other applicable law. If the Secretary makes such a determination, DOE must withdraw the direct final rule and proceed with the simultaneously published notice of proposed rulemaking. DOE must publish in the **Federal Register** the reason why the direct final rule was withdrawn. *Id.*

During the rulemaking proceeding to develop amended standards for residential clothes dryers and room air conditioners, DOE received the “Agreement on Minimum Federal Efficiency Standards, Smart Appliances, Federal Incentives and Related Matters for Specified Appliances” (the “Joint Petition”), a comment submitted by groups representing manufacturers (the Association of Home Appliance Manufacturers (AHAM), Whirlpool Corporation (Whirlpool), General Electric Company (GE), Electrolux, LG Electronics, Inc. (LG), BSH Home Appliances (BSH), Alliance Laundry

Systems (ALS), Viking Range, Sub-Zero Wolf, Friedrich A/C, U-Line, Samsung, Sharp Electronics, Miele, Heat Controller, AGA Marvel, Brown Stove, Haier, Fagor America, Airwell Group, Arcelik, Fisher & Paykel, Scotsman Ice, Indesit, Kuppersbusch, Kelon, and DeLonghi); energy and environmental advocates (American Council for an Energy Efficient Economy (ACEEE), Appliance Standards Awareness Project (ASAP), Natural Resources Defense Council (NRDC), Alliance to Save Energy (ASE), Alliance for Water Efficiency (AWE), Northwest Power and Conservation Council (NPCC), and Northeast Energy Efficiency Partnerships (NEEP)); and consumer groups (Consumer Federation of America (CFA) and the National Consumer Law Center (NCLC)) (collectively, the “Joint Petitioners”). This collective set of comments, which DOE refers to in this notice as the “Joint Petition”<sup>1</sup> or “Consensus Agreement” recommended specific energy conservation standards for residential clothes dryers and room air conditioners that, in the commenters’ view, satisfied the EPCA requirements in 42 U.S.C. 6295(o). The Joint Petition also set forth compliance dates for these recommended standards of June 1, 2014 (room air conditioners) and January 1, 2015 (clothes dryers).

As discussed in the direct final rule, DOE determined that the relevant criteria under 42 U.S.C. 6295(p)(4) were satisfied and adopted the amended energy conservation standards for clothes dryers and room air conditioners through the direct final rule. 76 FR 22454 (April 21, 2011). After considering comments received, DOE subsequently published a document in the **Federal Register** confirming adoption of the standards set forth in the direct final rule and announcing the effective date of the direct final rule. 76 FR 52856 (Aug. 24, 2011).

In today’s rule, DOE proposes to correct certain room air conditioner product class definitions that were inadvertently different than those that were provided in the Joint Petition and which were the basis of DOE’s analysis for the previous final rules. Specifically, DOE proposes to correct the product

class definitions for room air conditioners without reverse cycle and with louvered sides as follows:

Product class	Definition
5a .....	Without reverse cycle, with louvered sides, and 20,000 to 27,999 Btu/h.
5b .....	Without reverse cycle, with louvered sides, and 28,000 Btu/h or more.

**Procedural Issues and Regulatory Review**

The regulatory reviews conducted for this rulemaking are identical to those set forth in the DOE’s direct final rule published on April 21, 2011 establishing amended energy conservation standards. The amendments in the direct final rule become effective June 1, 2014.

**List of Subjects in 10 CFR Part 430**

Administrative practice and procedure, Confidential business information, Energy conservation, Household appliances, Imports, Intergovernmental relations, Reporting and recordkeeping requirements, and Small businesses.

Issued in Washington, DC, on April 2, 2013.

**Kathleen B. Hogan,**

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

For the reasons stated in the preamble, DOE is proposing to amend part 430 of title 10 of the Code of Federal Regulations, as set forth below:

**PART 430—ENERGY CONSERVATION PROGRAM FOR CONSUMER PRODUCTS**

■ 1. The authority citation for part 430 continues to read as follows:

**Authority:** 42 U.S.C. 6291–6309; 28 U.S.C. 2461 note.

■ 2. Section 430.32 is amended by revising paragraph (b) to read as follows:

**§ 430.32 Energy and water conservation standards and their effective dates.**

\* \* \* \* \*

(b) *Room air conditioners.*

<sup>1</sup> DOE Docket No. EERE–2007–BT–STD–0010, Comment 35.

Product class	Energy efficiency ratio, effective from Oct. 1, 2000 to May 31, 2014	Combined energy efficiency ratio, effective as of June 1, 2014
1. Without reverse cycle, with louvered sides, and less than 6,000 Btu/h .....	9.7	11.0
2. Without reverse cycle, with louvered sides, and 6,000 to 7,999 Btu/h .....	9.7	11.0
3. Without reverse cycle, with louvered sides, and 8,000 to 13,999 Btu/h .....	9.8	10.9
4. Without reverse cycle, with louvered sides, and 14,000 to 19,999 Btu/h .....	9.7	10.7
5a. Without reverse cycle, with louvered sides, and 20,000 to 27,999 Btu/h .....	8.5	9.4
5b. Without reverse cycle, with louvered sides, and 28,000 Btu/h or more .....	.....	9.0
6. Without reverse cycle, without louvered sides, and less than 6,000 Btu/h .....	9.0	10.0
7. Without reverse cycle, without louvered sides, and 6,000 to 7,999 Btu/h .....	9.0	10.0
8a. Without reverse cycle, without louvered sides, and 8,000 to 10,999 Btu/h .....	8.5	9.6
8b. Without reverse cycle, without louvered sides, and 11,000 to 13,999 Btu/h .....	.....	9.5
9. Without reverse cycle, without louvered sides, and 14,000 to 19,999 Btu/h .....	8.5	9.3
10. Without reverse cycle, without louvered sides, and 20,000 Btu/h or more .....	8.5	9.4
11. With reverse cycle, with louvered sides, and less than 20,000 Btu/h .....	9.0	9.8
12. With reverse cycle, without louvered sides, and less than 14,000 Btu/h .....	8.5	9.3
13. With reverse cycle, with louvered sides, and 20,000 Btu/h or more .....	8.5	9.3
14. With reverse cycle, without louvered sides, and 14,000 Btu/h or more .....	8.0	8.7
15. Casement-Only .....	8.7	9.5
16. Casement-Slider .....	9.5	10.4

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**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 39**

[Docket No. FAA-2013-0216; Directorate Identifier 2012-NM-206-AD]

RIN 2120-AA64

**Airworthiness Directives; Bombardier, Inc. 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 Bombardier, Inc. Model CL-600-2B19 (Regional Jet Series 100 & 440) airplanes. This proposed AD was prompted by a determination that certain flap actuators require restoration by installing a redesigned flap actuator inboard pinion seal. This proposed AD would require revising the maintenance program by incorporating new airworthiness limitation tasks. We are proposing this AD to prevent flap system failure, and consequent reduced landing performance of the airplane.

**DATES:** We must receive comments on this proposed AD by May 23, 2013.

**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 proposed AD, contact Bombardier, Inc., 400 Côte-Vertu Road West, Dorval, Québec H4S 1Y9, Canada; telephone 514-855-5000; fax 514-855-7401; email [thd.crj@aero.bombardier.com](mailto:thd.crj@aero.bombardier.com); Internet <http://www.bombardier.com>. You may review copies of the 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>; 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 in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

**FOR FURTHER INFORMATION CONTACT:** Luke Walker, Aerospace Engineer, Airframe and Mechanical Systems Branch, ANE-171, FAA, New York Aircraft Certification Office (ACO), 1600 Stewart Avenue, Suite 410, Westbury, New York 11590; telephone (516) 228-7363; fax (516) 794-5531.

**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-2013-0216; Directorate Identifier 2012-NM-206-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.