

places of production must be hired, trained, and supervised by the NPPO of Colombia. APHIS may monitor the place of production if necessary.

(2) In addition to conducting fruit inspections at the packinghouses, the NPPO of Colombia must monitor packinghouse operations to verify that the packinghouses are complying with the requirements of this section.

(3) If the NPPO of Colombia finds that a place of production or packinghouse is not complying with the requirements of this section, no avocados from the place of production or packinghouse will be eligible for export to the United States until APHIS and the NPPO of Colombia conduct an investigation and agree that appropriate remedial actions have been implemented.

(4) The NPPO of Colombia must retain all forms and documents related to export program activities in places of production and packinghouses for at least 1 year and, as requested, provide them to APHIS for review.

(c) *Grove sanitation.* Avocado fruit that has fallen from the trees must be removed from each place of production at least once every 7 days, starting 2 months before harvest and continuing to the end of harvest. Fallen avocado fruit may not be included in field containers of fruit brought to the packinghouse to be packed for export.

(d) *Mitigation measures for *H. lauri*, *H. trifasciatus*, and *S. catenifer*.* Avocados must either be grown in places of production located in departments of Colombia that are designated as free of *H. lauri*, *H. trifasciatus*, and *S. catenifer* in accordance with § 319.56–5 of this chapter, or be grown in places of production that have been surveyed by the NPPO of Colombia and have been determined to be free of these pests. If the latter, the NPPO must maintain a buffer zone of 1 kilometer around the perimeter of the place of production, and must survey representative areas of the place of production and buffer zone for *H. lauri*, *H. trifasciatus*, and *S. catenifer* monthly, beginning no more than 2 months before harvest, in accordance with a survey protocol approved by APHIS. If one or more *H. lauri*, *H. trifasciatus*, or *S. catenifer* is detected during a survey of the place of production or buffer zone, the place of production will be suspended from the export program for avocados to the continental United States until APHIS and the NPPO of Colombia conduct an investigation and agree that appropriate remedial actions to reestablish pest freedom have been implemented.

(e) *Harvesting requirements.* Harvested avocados must be placed in

field cartons or containers that are marked with the official registration number of the place of production. The place of production where the avocados were grown must remain identifiable when the fruit leaves the grove, at the packinghouse, and throughout the export process. The fruit must be moved to a registered packinghouse within 3 hours of harvest or must be protected from fruit fly introduction until moved. The fruit must be safeguarded in accordance with the operational workplan while in transit to the packinghouse and while awaiting packing.

(f) *Packinghouse requirements.* (1) During the time registered packinghouses are in use for packing avocados for export to the United States, the packinghouses may only accept avocados that are from registered places of production and that are produced in accordance with the requirements of this section.

(2) Avocados must be packed within 24 hours of harvest in a pest-exclusionary packinghouse. All openings to the outside of the packinghouse must be screened or covered by a barrier that prevents pests from entering, as specified within the operational workplan. The packinghouse must have double doors at the entrance to the facility and at the interior entrance to the area where the avocados are packed.

(3) Fruit must be packed in insect-proof packaging, or covered with insect-proof mesh or a plastic tarpaulin, for transport to the United States. These safeguards must remain intact until arrival in the United States.

(4) Shipping documents accompanying consignments of avocados from Colombia that are exported to the United States must specify the place of production at which the avocados were grown as well as the packing shed or sheds in which the fruit was processed and packed. This identification must be maintained until the fruit is released for entry into the United States.

(g) *NPPO of Colombia inspection.* Following any post-harvest processing, inspectors from the NPPO of Colombia must visually inspect a biometric sample of fruit from each place of production at a rate to be determined by APHIS. The inspectors must visually inspect for quarantine pests, including *M. hirsutus*, and must cut a portion of the fruit to inspect for *H. lauri*, *H. trifasciatus*, and *S. catenifer*. If a single quarantine pest is detected during this inspection protocol, the consignment from which the sample was taken is prohibited from being shipped to the

United States. Additionally, if a single *H. lauri*, *H. trifasciatus*, or *S. catenifer* at any life stage is detected during this inspection, the place of production of the infested avocados will be suspended from the export program for avocados to the continental United States until APHIS and the NPPO of Colombia conduct an investigation and agree that appropriate remedial actions to reestablish pest freedom have been implemented.

(h) *Phytosanitary certificate.* Each consignment of Hass avocados from Colombia must be accompanied by a phytosanitary certificate issued by the NPPO of Colombia with an additional declaration stating that the avocados in the consignment were produced in accordance with this section and the operational workplan.

Done in Washington, DC, this 21st day of October 2016.

**Michael C. Gregoire,**

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 2016–26033 Filed 10–26–16; 8:45 am]

**BILLING CODE 3410–34–P**

## DEPARTMENT OF ENERGY

### 10 CFR Part 431

[Docket Number EERE–2014–BT–STD–0048]

RIN 1904–AD37

#### Energy Conservation Standards for Residential Central Air Conditioners and Heat Pumps: Availability of Provisional Analysis Results

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

**ACTION:** Notice of data availability (NODA).

**SUMMARY:** The U.S. Department of Energy (DOE) has completed a provisional analysis to translate the residential central air conditioner and heat pump energy conservation standard levels recommended by the CAC/HP ECS Working Group—expressed in terms of the test procedure at the time of the Working Group negotiations—into levels consistent with the DOE test procedure proposed in the August 2016 test procedure SNOPR. At this time, DOE is not proposing any energy conservation standard for residential central air conditioners and heat pumps. However, it is publishing these analysis results and the underlining assumptions and calculations that might ultimately support a proposed standard. DOE

encourages stakeholders to provide any additional data or information that may improve the analysis.

**DATES:** DOE will accept comments, data, and information regarding this notice of data availability (NODA) no later than November 14, 2016.

Any comments submitted must identify the NODA for central air conditioners and heat pumps, and provide docket number EERE-2014-BT-STD-0048 and/or regulatory information number (RIN) number 1904-AD37. 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. Email: [CACHeatPump2016TP0029@ee.doe.gov](mailto:CACHeatPump2016TP0029@ee.doe.gov) Include the docket number and/or RIN in the subject line of the message.

*Mail:* Ms. Ashley Armstrong, U.S. Department of Energy, Building Technologies Office, Mailstop EE-2J, 1000 Independence Avenue SW., Washington, DC 20585-0121. If possible, please submit all items on a CD, in which case it is not necessary to include printed copies.

*Hand Delivery/Courier:* Ms. Ashley Armstrong, U.S. Department of Energy, Building Technologies Office, 950 L'Enfant Plaza SW., Suite 600, Washington, DC 20024. Telephone: (202) 586-6590. If possible, please submit all items on a CD, in which case it is not necessary to include printed copies.

For further information on how to submit a comment, review other public comments and the docket, contact the Appliance and Equipment Standards Program staff at (202) 586-6636 or by email: [central\\_air\\_conditioners\\_and\\_heat\\_pumps@ee.doe.gov](mailto:central_air_conditioners_and_heat_pumps@ee.doe.gov).

**ADDRESSES:** The Docket Number EERE-2014-BT-STD-0048, is available for review at [www.regulations.gov](http://www.regulations.gov), including **Federal Register** notices, 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-0048>. The [www.regulations.gov](http://www.regulations.gov) Web page contains instructions on how to access all documents in the docket, including public comments.

**FOR FURTHER INFORMATION CONTACT:** Ms. Ashley Armstrong, U.S. Department of

Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies, EE-2J, 1000 Independence Avenue SW., Washington, DC 20585-0121. Telephone: (202) 586-6590. Email: [central\\_air\\_conditioners\\_and\\_heat\\_pumps@ee.doe.gov](mailto:central_air_conditioners_and_heat_pumps@ee.doe.gov).

Ms. Johanna Jochum, U.S. Department of Energy, Office of the General Counsel, GC-33, 1000 Independence Avenue SW., Washington, DC 20585-0121. Telephone: (202) 287-6307. Email: [Johanna.Jochum@hq.doe.gov](mailto:Johanna.Jochum@hq.doe.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **Table of Contents**

- I. Background
- II. Summary of the Analyses Performed by DOE
- III. Issues on Which DOE Seeks Public Comment

##### **I. Background**

On June 27, 2011, DOE published in the **Federal Register** a direct final rule amending the energy conservation standard for residential furnaces and central air conditioners and heat pumps. 76 FR 37408. (The standards set forth in the June 27, 2011 DFR were confirmed in a notice of effective date and compliance dates published in the **Federal Register** on October 31, 2011. 76 FR 67037.)

DOE is amending its energy conservation standards for central air conditioners pursuant to 42 U.S.C. 6295(m)(1), which requires DOE to periodically review its already established energy conservation standards for a covered product. More specifically, the Energy Policy and Conservation Act of 1975 (EPCA), as amended by the Energy Independence and Security Act of 2007 (EISA 2007), requires that not later than 6 years after issuance of any final rule establishing or amending a standard, DOE must publish either a notice of determination that standards for the product do not need to be amended, or a notice of proposed rulemaking including new proposed energy conservation standards. As DOE's last final rule for residential central air conditioners and heat pumps energy conservation standards was issued on June 27, 2011, DOE must act by June 27, 2017.

On July 14, 2015, DOE published a notice of intent to form a working group to negotiate energy conservation standards for central air conditioners and heat pumps and requested nominations from parties interested in serving as members of that working group. 80 FR 40938. This working group ("CAC/HP ECS Working Group"), which ultimately consisted of 15 members in

addition to one member from the Appliance Standards and Rulemaking Federal Advisory Committee (ASRAC), and one DOE representative, came to a consensus on January 19, 2016 to recommend the energy conservation standard levels outlined in the ASRAC Working Group Final Term Sheet ("the Term Sheet"). (ASRAC Working Group Term Sheet, Docket No. EERE-2014-BT-STD-0048, No. 0076). On August 24, 2016, DOE published a supplemental notice of proposed rulemaking (the August 2016 SNOPR) that incorporates some of those recommendations into DOE's test procedure for central air conditioners and heat pumps. 81 FR 58164.

Several of the Term Sheet recommendations are relevant to this NODA. Recommendation #8 of the Term Sheet recommended standard levels, in terms of SEER, EER, and HSPF, based on the test procedure that was in place at the time of the CAC/HP ECS Working Group negotiations. Recommendation #9 of the Term Sheet provided translated values, in terms of SEER2 and EER2, for some of the recommended standard levels in Recommendation #8 that would be consistent with the proposed amendments to the test procedure outlined in the November 2015 test procedure SNOPR.<sup>1</sup> 80 FR 69278 (Nov. 9, 2015). The Term Sheet also provided translated values for heating efficiency of split system and single-package heat pumps, in terms of HSPF2, using an alternative test procedure favored by some of the Working Group members. Recommendation #9 of the Term Sheet stated that the energy conservation standards for small-duct high velocity and space constrained products should remain unchanged from current levels (*i.e.* that there would be no change in stringency), but did not provide translated values. (ASRAC Term Sheet, No. 76 at pp. 4-5)

Based on comments received on the November 2015 test procedure SNOPR, DOE continued work on the concurrent rulemaking to amend the CAC/HP test procedure while the CAC/HP ASRAC Working Group was negotiating the standard levels for CACs and HPs. DOE published a test procedure SNOPR on August 24, 2016 proposing revisions to the amendments of the November 2015 SNOPR. 81 FR 58164. The August 2016 test procedure SNOPR included translated HSPF2 levels for split-system and single-package heat pumps, but did not include translated levels for small-

<sup>1</sup> DOE proposed similar amendments most recently in the August 2016 SNOPR published on August 24, 2016. 81 FR 58164.

duct high velocity and space constrained products.

This NODA provides provisional translations of the CAC/HP Working Group’s recommended energy conservation standard levels for small-duct high velocity and space

constrained products (which are in terms of the test procedure at the time of the 2015–2016 Negotiations) into levels consistent with the test procedure proposed in the August 2016 test procedure SNO PR. As mentioned, translated values for all other product

classes can be found in the Term Sheet<sup>2</sup> or August 24, 2016 test procedure SNO PR. 81 FR 58164.

**II. Summary of the Analyses Performed by DOE**

**TABLE 1—PROVISIONAL TRANSLATIONS OF CAC/HP WORKING GROUP-RECOMMENDED ENERGY CONSERVATION STANDARD LEVELS**

Product class	CAC/HP working group recommendation		August 2016 test procedure SNO PR translation	
	SEER	HSPF	SEER2	HSPF2
Small-Duct High-Velocity Systems .....	12	7.2	12	6.1
Space-Constrained Air Conditioners .....	.....	.....	11.6*/11.8**	.....
Space-Constrained Heat Pumps .....	12	.....	11.5*/11.9**	6.3

\* Estimated SEER2 at 0.50 in. wc.

\*\* Estimated SEER2 at 0.30 in. wc.

**A. Small-Duct High-Velocity**

The August 2016 test procedure SNO PR made minor changes to the procedure for measuring SEER in SDHV systems. Specifically, rather than testing with external static pressure that varies with capacity from 1.1 to 1.2 inches water column (in. wc.), consistent with term sheet Recommendation #2, the August 2016 SNO PR proposed testing all SDHV units with 1.15 in. wc. external static pressure. 81 FR 58163 (Aug. 24, 2016). Translation of SEER for this test procedure change would involve a slight reduction for low-capacity unit, no change for medium-capacity units, and a slight increase for high-capacity units. Rather than setting three different SEER levels for these products, DOE’s translated level represents an average translation, equivalent to no change in the value. Consequently, current SEER ratings would not change should DOE adopt the test procedure proposed in the August 2016 SNO PR, per the CAC/HP Working Group’s Recommendation #8 to keep the current 12 SEER standard.

The August 2016 test procedure SNO PR proposes changes to the test procedure for determining heating performance, including for SDHV systems. Consequently, HSPF2 numerical values for SDHV will be different than the current HSPF numerical values. In the August 2016 test procedure, DOE interpolated between the HSPF2 values resulting from the heating load line slope factor options presented by the CAC/HP Working Group in the Term Sheet to translate current HSPF standard levels to HSPF2 levels in terms of the proposed heating load line slope factor

for split-system heat pumps. DOE found that this methodology resulted in a 15% reduction from HSPF to HSPF2 ratings. 81 FR at 58191. For SDHV heat pump products, DOE reviewed split-system heat pump test data to determine the appropriate HSPF to HSPF2 translation and found that the same 15% reduction in HSPF to HSPF2 would be appropriate to apply to SDHV heat pump products as well. Thus, to translate the CAC/HP Working Group recommendation a HSPF2 value consistent with the August 2016 test procedure SNO PR achieve the HSPF2 values presented in this NODA, DOE applied a 15% reduction to the current SDHV HSPF standard.

**B. Space-Constrained Products**

For the space-constrained air conditioner SEER standard level translation, DOE reviewed existing test data, adjusted relevant measurements based on indoor fan performance data to account for the test procedure changes (e.g., increased ESP), and translated the levels based on the average impact. DOE reviewed test data for multiple blower-coil split-system space-constrained air conditioners. Because these data are for blower-coil systems tested at static pressures lower than those proposed in the August 2016 test procedure SNO PR, DOE had to adjust the data for a relevant translation. Under 10 CFR 429.16, ratings for split-system space-constrained products must include a coil-only efficiency representation of the least efficient coil-only combination. To derive a space-constrained coil-only SEER rating based on the test data, DOE replaced the tested indoor fan power with 365 W/1000 CFM, and recalculated the SEER rating. The 365 W/1000 CFM

is the default fan power value in the current test procedure, which represents indoor fan performance at the operating conditions specified in the current test procedure.

The August 2016 test procedure SNO PR proposed that split-system coil-only products be tested at a minimum external static pressure of 0.5 in. wc. To adjust for this change, DOE replaced the tested indoor fan power with 441 W/1000 CFM, and recalculated the SEER rating. The 441 W/1000 CFM is the default fan power value recommended in the CAC/HP Working Group Term Sheet and proposed in the August 2016 test procedure SNO PR to represent split-system coil-only blower power consumption at 0.5 in. wc., which reduced the space-constrained coil-only SEER value by an average of 4%. ASRAC Term Sheet, No. 76 at p. 3; 81 FR at 58185 (Aug. 24, 2016). DOE applied this 4% reduction to the SEER standard level recommended by the CAC/HP Working Group (to maintain stringency equivalent to the current space constrained air conditioner 12 SEER standard) to derive the translated SEER2 level in Table 1. DOE also evaluated the impact on SEER assuming operation at 0.30 in. wc., as recommended by the CAC/HP ECS Working Group, given that the test procedure is not finalized and DOE’s proposals may change. To estimate SEER at 0.30 in. wc., DOE replaced the tested indoor fan power with 406 W/1000 CFM, and recalculated the SEER rating. The 406 W/1000 CFM is the default fan power value recommended in the CAC/HP Working Group Term Sheet and proposed in the August 2016 test procedure SNO PR to represent split-

<sup>2</sup> Available at <https://www.regulations.gov/document?D=EERE-2014-BT-STD-0048-0076>.

system mobile home coil-only blower power consumption at 0.30 in. wc. (ASRAC Term Sheet, No. 76 at p. 3) 81 FR at 58185 (Aug. 24, 2016). The space-constrained coil-only SEER reduced by an average of 2%. DOE applied this 2% reduction to the SEER standard level recommended by the CAC/HP Working Group (to maintain stringency equivalent to the current space constrained air conditioner 12 SEER standard) to derive the translated SEER2 level in Table 1.

For the space-constrained heat pump SEER translation, DOE used a similar methodology as it used for space-constrained air conditioners, but the adjustments to blower power were slightly different. Section 429.16 requires that split-system heat pumps have blower-coil efficiency representations. In addition, the August 2016 test procedure SNOPT proposed that split-system coil-only products be tested at a minimum external static pressure of 0.5 in. wc., which is higher than the 0.1 to 0.2 in. wc. at which these products are currently. DOE replaced the tested indoor fan power with fan power at 0.5 in. wc. determined from product specification sheets and recalculated SEER. The tested SEER reduced by an average of 4% to 11.5, as listed in Table 1 of this preamble. DOE also evaluated the impact on SEER reduction, assuming operation at 0.30 in. wc., as recommended by the CAC/HP ECS Working Group, given that the test procedure is not finalized and DOE's proposals may change. DOE replaced the tested indoor fan power with fan power at 0.30 in. wc. determined from product specification sheets and recalculated SEER. The tested SEER reduced by an average of 1% to 11.9, as listed in Table 1 of this preamble.

For the space-constrained heat pump HSPF translation, DOE used the same methodology as it used for its SDHV system HSPF translation (*i.e.*, applying a 15% reduction). See section II.A.

### III. Issues on Which DOE Seeks Public Comment

DOE is interested in receiving comments and views of interested parties concerning the translation of SEER and HSPF values to SEER2 and HSPF2 values shown in Table 1 for spaced-constrained and SDHV products.

The purpose of this NODA is to notify industry, manufacturers, consumer groups, efficiency advocates, government agencies, and other stakeholders of the publication of an analysis of potential energy conservation standards for commercial and industrial fans and blowers.

Stakeholders should contact DOE for any additional information pertaining to the analyses performed for this NODA.

Issued in Washington, DC, on October 21, 2016.

**Kathleen B. Hogan,**

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

[FR Doc. 2016-26007 Filed 10-26-16; 8:45 am]

**BILLING CODE 6450-01-P**

## FEDERAL HOUSING FINANCE AGENCY

### 12 CFR Part 1207

**RIN 2590-AA78**

### Minority and Women Inclusion Amendments

**AGENCY:** Federal Housing Finance Agency.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Federal Housing Finance Agency (FHFA or Agency) is issuing notice and providing an opportunity for the public to comment on proposed amendments to its regulations on minority and women inclusion. Those regulations, require the Federal National Mortgage Association (Fannie Mae), the Federal Home Loan Mortgage Corporation (Freddie Mac) (together, Enterprises), and the Federal Home Loan Banks (Banks or Bank System) (collectively, the regulated entities) and the Bank System's Office of Finance to promote diversity and ensure the inclusion and utilization of minorities, women, and individuals with disabilities and minority-, women-, and disabled-owned businesses in all business and activities at all levels, including management, employment, and contracting. The proposed amendments would clarify the scope of the regulated entities' obligation to promote diversity and ensure the inclusion and utilization of minorities, women, and individuals with disabilities in all business and activities; require each regulated entity to develop and adopt strategies for promoting diversity and ensuring the inclusion of minorities, women, and individuals with disabilities; and improve the usefulness and comparability of the information the regulated entities report to FHFA about their efforts to advance diversity and inclusion.

**DATES:** Written comments must be received on or before December 27, 2016.

**ADDRESSES:** You may submit your comments, identified by Regulatory

Information Number (RIN) 2590-AA78, by any of the following methods:

- *Agency Web site:* [www.fhfa.gov/open-for-comment-or-input](http://www.fhfa.gov/open-for-comment-or-input).
- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments. If you submit your comment to the *Federal eRulemaking Portal*, please also send it by email to FHFA at [RegComments@fhfa.gov](mailto:RegComments@fhfa.gov) to ensure timely receipt by the Agency. Please include Comments/RIN 2590-AA78 in the subject line of the message.

- *Courier/Hand Delivery:* The hand delivery address is: Alfred M. Pollard, General Counsel, Attention: Comments/RIN 2590-AA78, Federal Housing Finance Agency, 400 Seventh Street SW., Eighth Floor, Washington, DC 20219. Deliver the package to the Seventh Street entrance Guard Desk, First Floor, on business days between 9 a.m. to 5 p.m.

- *U.S. Mail, United Parcel Service, Federal Express or Other Mail Service:* The mailing address for comments is: Alfred M. Pollard, General Counsel, Attention: Comments/RIN 2590-AA78, Federal Housing Finance Agency, 400 Seventh Street SW., Eighth Floor, Washington, DC 20219.

**FOR FURTHER INFORMATION CONTACT:** Sharron P. A. Levine, Director, Office of Minority and Women Inclusion, [Sharron.Levine@fhfa.gov](mailto:Sharron.Levine@fhfa.gov), (202) 649-3496; Eric Howard, Deputy Director, Office of Minority and Women Inclusion, [Eric.Howard@fhfa.gov](mailto:Eric.Howard@fhfa.gov), (202) 649-3009; or James Jordan, Assistant General Counsel, [James.Jordan@fhfa.gov](mailto:James.Jordan@fhfa.gov), (202) 649-3075 (not toll-free numbers), Federal Housing Finance Agency, 400 Seventh Street SW., Washington, DC 20219. The telephone number for the Telecommunications Device for the Hearing Impaired is (800) 877-8339.

### SUPPLEMENTARY INFORMATION:

#### I. Comments

FHFA invites comments on all aspects of the proposed amendments and will take all comments into consideration before issuing a final rule. Copies of all comments received will be posted without change on the FHFA Web site at <http://www.fhfa.gov> and will include any personal information you provide, such as your name, address, email address, and telephone number. Copies of all comments received will be made available for examination by the public on business days between the hours of 10 a.m. and 3 p.m., at the Federal Housing Finance Agency, 400 Seventh Street SW., Eighth Floor, Washington, DC 20219. To make an appointment to