

SE-M2/95A.1308/07, Issue 4, dated June 2008.

(h) New Requirement of This AD: Maintenance or Inspection Program Revision

Within 3 months the effective date of this AD: Revise the maintenance program or inspection program, as applicable, to incorporate the structural inspections and inspection intervals defined in Airbus A300 ALS Part 2, Damage-Tolerant Airworthiness Limitation Items, Revision 02, dated October 3, 2014. The initial compliance time for the ALI tasks identified in Airbus A300 ALS Part 2, Damage-Tolerant Airworthiness Limitation Items, Revision 02, dated October 3, 2014, is at the applicable times specified in Airbus A300 ALS Part 2, Damage-Tolerant Airworthiness Limitation Items, Revision 02, dated October 3, 2014, or within 3 months after the effective date of this AD, whichever occurs later. Accomplishing the applicable initial ALI tasks constitutes terminating action for the requirements of paragraphs (g) of this AD for that airplane only.

(i) No Alternative Actions and Intervals

After the maintenance or inspection program has been revised as required by paragraph (h) of this AD, no alternative actions (e.g., inspections) or intervals may be used unless the actions or intervals are approved as an AMOC in accordance with the procedures specified in paragraph (j)(1) of this AD.

(j) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) **Authority:** The Manager, International Branch, ANM-116, Transport Airplane Directorate, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the International Branch, send it to ATTN: Dan Rodina, Aerospace Engineer, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA 98057-3356; telephone 425-227-2125; fax 425-227-1149. Information may be emailed to: 9-116-

(i) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office. The AMOC approval letter must specifically reference this AD.

(ii) AMOCs approved previously for AD 2011-10-17 are approved as AMOCs for the corresponding provisions of this AD.

(2) **Obtain corrective actions:** As of the effective date of this AD, for any requirement in this AD to obtain corrective actions from a manufacturer, the action must be accomplished using a method approved by the Manager, International Branch, ANM-116, Transport Airplane Directorate, FAA; or the European Aviation Safety Agency (EASA); or Airbus's EASA Design

Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(k) Related Information

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) EASA Airworthiness Directive 2014-0124R1, dated June 23, 2015, for related information. This MCAI may be found in the AD docket on the Internet at <http://www.faa.gov> by searching for and locating Docket No. FAA-2016-9066.

(2) For service information identified in this AD, contact Airbus SAS, Airworthiness Office—EAW, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; telephone +33 5 61 93 36 96; fax +33 5 61 93 44 51; email airbus.ec@airbus.com; Internet <http://www.airbus.com>. You may view this 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.

Issued in Renton, Washington, on August 24, 2016.

John P. Piccola, Jr.,

(Signature)

[FR Doc. 2016-21149 Filed 9-9-16; 8:45 am]

BILLING CODE 4910-13-P

FEDERAL TRADE COMMISSION

16 CFR Part 305

RIN 3084-AB15

Energy Labeling Rule

AGENCY: Federal Trade Commission

ACTION: Notice of proposed rulemaking.

SUMMARY: The Commission proposes Rule to require labels for portable air

conditioners, large-diameter and high-speed small diameter ceiling fans, and instantaneous electric water heaters.

Additionally, it proposes eliminating

DATES: Written comments must be received by the Commission on or before September 20, 2016.

ADDRESSES: Interested parties may file a comment on this notice by following the instructions in the Request for Comment part of the SUPPLEMENTARY INFORMATION section.

Amendments (16 CFR part 305) (Project No. R611004)

on your comment, and file your comment online at www.ftc.gov. The Department of Energy (DOE) to develop test procedures that measure how much energy appliances use, and to determine the representative average cost a consumer pays for different types of energy.

FOR FURTHER INFORMATION CONTACT: 202)

326-2889, Division

Bureau of Consumer

Trade Commission

Avenue NW., Wash

The Commission issu

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Conservation Act of

home appliances

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The Rule requ

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you prefer to file your comment on

following address: Federal Trade

data submitted pursuant to the Rule’s reporting requirements.³

II. Proposed Amendments to the Energy Labeling Rule

The Commission seeks comments on issues related to recent DOE regulatory actions or new issues raised by commenters in response to a November 2, 2015 Notice of Proposed Rulemaking (“2015 NPRM” or “NPRM”) (80 FR 67351), including portable air conditioner labeling, large-diameter and high-speed small-diameter ceiling fan labels, electric instantaneous water heater labeling, and plumbing disclosures changes.⁴

In the 2015 NPRM, the Commission sought comment on labeling for portable air conditioners (portable ACs) in response to a DOE proposal designating portable air conditioners as covered products under EPCA.⁵ Given the similarity of portable air conditioners to room air conditioners (room ACs), the Commission proposed requiring the same or similar labeling for the two products. In addition, the Commission proposed requiring such labels after DOE completes its portable air conditioner test procedure rulemaking.

In support of this position, the Commission stated that labels for this product category are likely to assist consumers in their purchasing decisions. It is also stated such labels would be economically and technologically feasible.⁶ Portable air conditioners are common in the marketplace, use energy equivalent to already-covered room air conditioners, and vary in their energy use. Specifically, DOE has reported that the aggregate energy use of portable ACs has been increasing as these units have become popular in recent years.⁷ DOE

also estimated that these products have a large efficiency rating range (approximately 8.2–14.3 Energy Efficiency Ratio (EER)). In addition, DOE estimated average per-household annual electricity consumption for these products at approximately 650 kWh/yr (750 kWh/yr for EER 8.2, and 400 kWh/yr for EER 14.3). Thus, the Commission stated in the 2015 NPRM that energy labeling for these products is likely to assist consumers with their purchasing decisions by allowing them to compare competing models’ energy costs. In addition, because these products closely resemble room air conditioners, which are currently labeled under the Rule, the burdens and benefits of labeling these products should not differ significantly from those already applicable to room air conditioners.

Therefore, the Commission proposed requiring labels for portable air conditioners identical to the current room air conditioner label in content and format. The proposed amendments included the DOE’s proposed definition of “portable air conditioner” in section 305.3.⁸ These amendments would include separate ranges for portable air conditioners in the Rule’s appendices, which the Commission would publish after data becomes available. The Commission did not propose combining the ranges with room air conditioners, stating that it was not clear whether consumers routinely compare portable air conditioners to room air conditioners. In addition, consistent with requirements applicable to room air conditioners, the Commission proposed establishing reporting requirements identical to DOE’s for these products. The Commission also explained that it would not make a final determination on labeling until DOE issued a final test procedure and defined “portable air conditioner.”⁹ The NPRM stated that the Commission would provide manufacturers adequate time to test their products and report energy data before they must begin complying with any labeling requirements.¹⁰

Commenters generally supported requiring EnergyGuide labels for portable air conditioners. For instance, the Joint Commenters agreed that requiring EnergyGuide labels for portable air conditioners will likely assist consumers in making purchasing decisions and be economically and technologically feasible. As discussed below, the commenters also addressed the comparative information for these labels and the timing of the potential requirements. Although commenters generally supported labeling for portable ACs, they differed about the comparability information on the label. AHAM agreed with the Commission’s initial proposal not to combine ranges for portable and room air conditioners. The Joint Commenters disagreed and specifically recommended a second range bar comparing room and portable air conditioners of similar capacity. They explained that consumer questions posted on shopping Web sites suggest that many consumers directly compare the two product types and use portable units in a manner similar to room air conditioners. In addition, some retailers market portable air conditioners as energy-efficient alternatives to room air conditioners.

Commenters also addressed the timing of DOE’s test procedure and the

³ 16 CFR 305.10.

⁴ The comments received in response to the 2015 NPRM are here: [http://www.regulations.gov/docket?ID=NPRM-2015-0601](#). The comments included: Association of Home Appliance Manufacturers (AHAM) (#00016); CSA Group (#00007); California Investor Owned Utilities (California IOUs) (#00019); Earthjustice (“Joint Commenters”) (#00018); International Association of Plumbing and Mechanical Officials (IAPMO) (#00022); NSF International (#00005); and Plumbing Manufacturers International (PMI) (#00006).

⁵ 78 FR 40403 (July 5, 2013); 42 U.S.C. 6292. Portable air conditioners are movable units, unlike room air conditioners, which are permanently installed on the wall or in a window.

⁶ 42 U.S.C. 6294(a)(3).

⁷ 78 FR at 40404–05; [http://www.energysavingsandperformancepartners.com/~/media/Files/2015/08/081215_Portal_Air_Conditioners_Report.pdf](#).

⁸ 42 U.S.C. 6293. U.S. Department of Energy—Office of Energy Efficiency and Renewable Energy (Feb. 18, 2015), [http://www.energysavingsandperformancepartners.com/~/media/Files/2015/02/1815_Portal_Air_Conditioners_Test_Procedure.pdf](#).

⁹ [http://www.regulations.gov/docket?ID=NPRM-2015-0033-0007](#).

⁸ To effect new labeling requirements, the proposed amendments insert the term “portable air conditioner” next to “room air conditioner” into appropriate sections of 305.2 (definitions), 305.3 (description of covered products), 305.7 (determinations of capacity), 305.8 (submission of data), 305.11 (labeling for appliances), and 305.20 (catalog requirements).

⁹ DOE published a proposed test procedure on February 25, 2015 (80 FR 10212).

¹⁰ Under EPCA, any energy representations on the label must reflect the DOE test results. 42 U.S.C. 6293(c).

¹¹ 42 U.S.C. 6295(l).

²⁵ The proposed changes to plumbing should impose no additional burden beyond existing estimates because such changes either impose no or additional burdens, or manufacturers should be able to incorporate the proposed changes into their normally scheduled package or label revisions without incurring additional burdens beyond those already accounted for.

²⁶ The PRA analysis for this rulemaking focuses strictly on the information collection requirements created by and/or otherwise affected by the amendments. Unaffected information collection provisions have previously been accounted for in past FTC analyses under the Rule and are covered by the current PRA clearance from OMB.

²⁷ For portable ACs, the estimate assumes 3 units tested at 8 hours apiece consistent with DOE requirements, with an additional 4 hours for data analysis.

disclosures, and perform recordkeeping. Average hourly wages for these labor categories, based on BLS data, are as follows: (1) Electrical engineers (\$46.80); (2) electronic equipment installers (\$24.22); and (3) data entry workers (\$15.79).

Based on the above estimates and assumptions, the total annual labor cost for the five different categories of burden under the Rule, applied to the affected product categories, is derived as follows:

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Thus, the total annual labor cost is approximately \$369,280.

Manufacturers are not likely to require any significant capital costs to comply with the proposed amendments. Industry members, however, will incur the cost of printing labels for each covered unit. The estimated label cost, based on \$.03 per label, is \$114,000 ($3,800,000 \times \$0.03$).

Accordingly, the estimated total hour burden of the proposed amendments is 11,457 with associated labor costs of \$369,280 and annualized capital or other non-labor costs totaling \$114,000.

Pursuant to section 3506(c)(2)(A) of the PRA, the FTC invites comments on: (1) Whether the proposed information collection is necessary, including whether the information will be practically useful; (2) the accuracy of our burden estimates, including whether the methodology and assumptions used are valid; (3) ways to

for room air conditioners, portable air conditioners, and pool heaters must contain the model's energy efficiency rating or thermal efficiency, as applicable, as determined in accordance with § 305.5 and as indicated on the sample labels in appendix L to this part.

* * * * *

7. Amend § 305.13 by revising paragraph (a) to read as follows:

§ 305.13 Labeling for ceiling fans.

(a) ~~EnergyGuide.—~~(1) ~~EnergyGuide.~~ Any covered product that is a ceiling fan shall be labeled clearly and conspicuously on the package's principal display panel with the following information on the label consistent with the sample label in Appendix L to this part:

(i) Headlines, including the title "EnergyGuide," and text as illustrated in the sample labels in Appendix L to this part;

(ii) The product's estimated yearly energy cost based on [12 hours per day for fans greater than 84 inches in diameter and for high velocity small-diameter fans, and 6.4 hours for all

RANGE INFORMATION—Continued

Capacity (maximum flow rate); gallons per minute (gpm)	Range of estimated annual energy costs (dollars/year)	
	Low	High
“Medium”—2.8 to 3.9	*	*
“High”—over 4.0	*	*

11. Revise Appendix E to read as follows:

Appendix E to Part 305—Room and Portable Air Conditioners

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¹ 17 CFR 229.601.

² 17 CFR 249.20f.

³ 17 CFR 239.40.

⁴ 17 CFR 232.11.

⁵ 17 CFR 232.102.

⁶ 17 CFR 232.105.

⁷ 17 CFR 232.10.

⁸ Release No. 33-6519 (Mar. 30, 1984) [49 FR 12707].

⁹ Release No. 33-7855 (Apr. 24, 2000) [65 FR 24788]. Filers also may submit unofficial copies of filings in Portable Document Format (“PDF”). Rule 104 of Regulation S-T [17 CFR 232.104].

¹⁰ Release No. 33-10064 (Apr. 13, 2016) [81 FR 23916] (“S-K Concept Release”). The Division of Corporation Finance is reviewing the disclosure requirements in Regulation S-K [17 CFR 229.] and Regulation S-X [17 CFR 210.], and is considering ways to improve the disclosure regime for the benefit of both public companies and investors.

¹¹ The S-K Study was mandated by Section 108 of the Jumpstart Our Business Startups Act. Public Law 112-106, Sec. 108, 126 Stat. 306 (2012).