

**10 CFR Part 430****[Docket No. EE-RM-94-230]****RIN 1904-AA88****Energy Conservation Program for Consumer Products: Notice of Public Workshop on Residential Water Heater Test Procedures****AGENCY:** Office of Energy Efficiency and Renewable Energy, Department of Energy.**ACTION:** Notice of public workshop.

**SUMMARY:** In today's notice, the Department of Energy (the Department or DOE) is convening a public workshop for water heaters to discuss comments received on its notice of proposed rulemaking and from the public hearing. All persons are hereby given notice of the opportunity to attend and participate in the public workshop.

**DATES:** The public workshop will be held on Wednesday, February 12, 1997, from 9:00 a.m. to 4:00 p.m.

**ADDRESSES:** A copy of the comments may be obtained from: U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Forrestal Building, Mail Stop: EE-43, 1000 Independence Avenue, SW, Washington, DC 20585, (202) 586-7574. These documents may be read at the DOE Freedom of Information Reading Room, U.S. DOE, Forrestal Building, Room 1E-190, 1000 Independence Avenue, SW, Washington, DC 20585, (202) 586-6020, between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday, except Federal holidays.

The public workshop will be held at the U.S. Department of Energy, Room 1E-245, 1000 Independence Avenue, SW, Washington, DC 20585.

**FOR FURTHER INFORMATION CONTACT:**

Mr. Bryan Berringer, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Forrestal Building, Mail Stop EE-43, 1000 Independence Avenue, SW., Washington, DC 20585-0121, (202) 586-0371; or

Ms. Sandy Beall, Office of Energy Efficiency and Renewable Energy, U.S. Department of Energy, Mail Stop EE-43, 1000 Independence Avenue, SW., Washington, DC 20585-0121, (202) 586-7574.

**SUPPLEMENTARY INFORMATION:** On March 23, 1995, the Department of Energy published a notice of Proposed Rule and Public Hearing on proposed amendments to clarify the water heater; kitchen range, oven, and microwave; and clothes washer test procedures. (60 FR 15330, March 23, 1995) The notice

requested data and comments until the close of comment period on August 31, 1995 (Docket No: EE-RM-94-230). A public hearing was held on July 12, 1995.

The Department is convening a public workshop for water heaters to discuss the large number of comments received on the notice and from the public hearing. The Department seeks to gather additional information and/or data on certain unresolved issues being considered by the Department in its development of the Final Rule for Water Heater Test Procedure.

The tentative topics and issues to be discussed at the February 12, 1997, public workshop include the following:

**1. First Hour Rating for Storage-Type Water Heaters**

- Should DOE consider the 1979 test method (44 FR 52632, September 7, 1979) for measuring first hour rating?
- Should DOE retain the current test method (55 FR 42162, October 17, 1990) for measuring first hour rating?
- Should DOE adopt the 1995 proposed test method (60 FR 15330, March 23, 1995) for measuring first hour rating (with revision to include a temperature correction factor of 120°F for each draw if an internal mixing device is used)?
- Should DOE adopt the alternate test method proposed by Dr. Carl Hiller of Electric Power Research Institute (EPRI) (EE-RM-94-230, No. 17)?

**2. Instantaneous water heaters**

- Do oil-fired instantaneous water heaters exist in the marketplace, and, if so, should test procedures be developed for them?
- Should test procedures be developed for single point-of-use type electric instantaneous water heaters?
- Should DOE adopt an alternate first-hour rating method for instantaneous water heaters using a maximum draw rate at a temperature rise of 77 °F as proposed by Gas Appliance Manufacturers Association (GAMA) (EE-RM-94-230, No. 1 & 35), or a temperature rise of 50 °F as proposed by Edison Electric Institute (EEI) (EE-RM-94-230, No. 2 & 27) and EPRI (EE-RM-94-230, No. 17)?

**3. Storage-type water heaters with rated storage capacities of less than 20 gallons**

- Should test procedures developed for storage-type water heaters be applied to storage-type water heaters with rated storage capacities of less than 20 gallons?
- If so, should the draw rate and daily draw volume in ASHRAE Standard 118.2—1993, as referenced in the 1995

DOE proposed rule, be used in the 24-hour simulated use test for storage-type water heaters with rated storage capacities of less than 20 gallons? Or should some other draw rate and total daily drawn volume be used?

- Should test procedures be developed for storage-type water heaters with rated storage capacities of less than 10 gallons (single point-of-use type heaters)?

**4. Daily hot water usage**

- Does the daily usage assumed in the current test procedures, 64.3 gallons, reflect realistic daily hot water usage, and if not, what volume should it be?
- How will the Energy Factor be affected if testing were conducted at a daily hot water usage volume other than 64.3 gallons?

**5. Thermostat settings**

- Should the current setting of 135 °F be lowered to 120 °F to reflect manufacturers' recommendation that thermostat setting be set at a lower setting to avoid potential scalding?
- How will the Energy Factor be effected if testing were conducted at a thermostat setting of 120 °F?

**6. Test procedures for heat pump water heaters**

- Does the current test procedure (draw schedule of six hourly draws of 10.7 gallons per draw) provide operating conditions which would allow the resistance element(s) to be activated?
- Should DOE consider an alternate draw schedule to be used in the 24-hr simulated use test for heat pump water heaters and if so, what should this draw schedule be?
- How will the Energy Factor be effected if testing were conducted using different alternate draw schedules?

**7. Definitions for heat pump water heaters, add-on heat pump water heaters, integral heat pump water heaters, solar water heaters, and heat pump water heater storage tanks**

- Should any of the proposed definition be adopted by DOE?
- Should any proposed definition be revised and if so, which one(s) and how should it (they) be revised?
- Which, if any proposed definition should be completely deleted?

After completion of the workshop, the Department will review all of the findings and other recommendations. The Department will use this information to develop the final rule for the water heater test procedures. The workshop will be professionally facilitated.

Please notify Mr. Bryan Berringer at the above listed address of your

intention to attend the workshop, or if you wish to be added to the DOE mailing list for receipt of future rules and information concerning water heater matters relating to energy efficiency.

Issued in Washington, DC on January 22, 1997.

Christine A. Ervin,

*Assistant Secretary, Energy Efficiency and Renewable Energy.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 96-CE-65-AD]

RIN 2120-AA64

#### **Airworthiness Directives; Fairchild Aircraft, Inc. SA226 and SA227 Series Airplanes**

**AGENCY:** Federal Aviation Administration, DOT.

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

**SUMMARY:** This document proposes to supersede AD 96-21-05, which currently requires the following on certain Fairchild Aircraft, Inc. (Fairchild) SA226 and SA227 series airplanes that do not have a certain elevator torque tube installed: drilling inspection access holes in the elevator torque tube arm, inspecting the elevator torque tube for corrosion, replacing any corroded elevator torque tube, and applying a corrosion preventive compound. AD 96-21-05 resulted from several reports of corrosion found in the elevator torque tube area on the affected airplanes. The proposed AD would retain the actions required by AD 96-21-05, and would add certain Fairchild Model SA227-BC airplanes to the Applicability section of that AD. The actions specified by the proposed AD are intended to prevent failure of the flight control system caused by a corroded elevator torque tube, which could result in loss of control of the airplane.

**DATES:** Comments must be received on or before April 1, 1997.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 96-CE-65-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106. Comments may be inspected at this location

between 8 a.m. and 4 p.m., Monday through Friday, holidays excepted.

Service information that applies to the proposed AD may be obtained from Fairchild Aircraft, Inc., P.O. Box 790490, San Antonio, Texas 78279-0490; telephone (210) 824-9421. This information also may be examined at the Rules Docket at the address above.

**FOR FURTHER INFORMATION CONTACT:** Mr. Hung Viet Nguyen, Aerospace Engineer, FAA, Airplane Certification Office, 2601 Meacham Boulevard, Fort Worth, Texas 76193-0150; telephone (817) 222-5155; facsimile (817) 222-5960.

#### **SUPPLEMENTARY INFORMATION:**

##### Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 96-CE-65-AD." The postcard will be date stamped and returned to the commenter.

##### Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 96-CE-65-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

##### Events Leading to the Proposed AD

AD 96-21-05, Amendment 39-9782 (61 FR 54538, October 21, 1996), currently requires the following on certain Fairchild Aircraft SA226 and SA227 series airplanes that do not have

a part number (P/N) 27-44026-007 elevator torque tube installed:

- Drilling inspection access holes in the elevator torque tube arm;
- Inspecting the elevator torque tube for corrosion and replacing any corroded elevator torque tube; and
- Applying a corrosion preventive compound.

Accomplishment of the inspection access hole drilling, the inspection, and the corrosion preventive compound application is in accordance with either Fairchild Aircraft Service Bulletin (SB) 226-27-050 or Fairchild Aircraft SB 227-27-028, both issued: January 22, 1990.

AD 96-21-05 resulted from several reports of corrosion found in the elevator torque tube area on the affected airplanes.

The FAA has since determined that the requirements of AD 96-21-05 should also apply to certain Fairchild Model SA227-BC airplanes. In addition, Fairchild has issued an engineering order that provides instructions for reworking the elevator torque tube. When reworked, the elevator torque tube is identified as P/N 27-44026-SEO-1-03.

The FAA has also determined that airplane owners/operators should not have to accomplish the actions of AD 96-21-05 if the affected airplane incorporates an elevator torque tube with either P/N 27-44026-005, P/N 27-44026-007, or P/N 27-44026-SEO-1-03.

##### The FAA's Determination

After examining the circumstances and reviewing all available information related to the incidents described above, the FAA has determined that AD action should be taken to prevent failure of the flight control system caused by a corroded elevator torque tube, which could result in loss of control of the airplane.

##### Explanation of the Provisions of the Proposed AD

Since an unsafe condition has been identified that is likely to exist or develop in other Fairchild SA226 and SA227 series airplanes of the same type design, the FAA is proposing an AD that would supersede AD 96-21-05. The proposed AD would (1) retain the requirements of drilling inspection access holes in the elevator torque tube arm, inspecting the elevator torque tube for corrosion and replacing any corroded elevator torque tube, and applying a corrosion preventive compound; (2) add certain Fairchild