Colombia into the United States under a systems approach.

One of the provisions of the systems approach, found in paragraph (b)(1) of § 319.56–67, required the cape gooseberry to be produced in places of production that are registered with the national plant protection organization (NPPO) of Colombia. Another, found in paragraph (c)(1) of § 319.56–67, required trapping for Mediterranean fruit fly (Medfly, *Ceratitis capitata)* at registered places of production. Finally, paragraph (c)(2) of § 319.56–67 specified that capture of Medfly at a registered place of production would result in immediate cancellation of exports from farms within 5 square kilometers of the detection site, and required an additional 50 traps to be placed in the 5 square kilometer area surrounding the detection site.

Our intent was to prohibit exports from farms within a 5 kilometer radius (78.54 square kilometers) of a detection site, rather than 5 square kilometers. Cancelling exports from within 5 square kilometers of the detection site, however, would prohibit exports only from within a 1.26 kilometer radius of the detection site.

The additional trapping would have to occur in this 5 square kilometers area surrounding the detection site. In other words, our intent was to specify that additional trapping would have to occur in an area circumscribed by a larger area from which exports would be prohibited. Due to drafting errors, however, neither the rule nor its supporting documents reflected this intent.

Accordingly, we are amending paragraph (c)(2) of § 319.56–67 to specify that capture of Medfly at a registered place of production will result in immediate cancellation of exports from farms within a 5 kilometer radius (78.54 square kilometers) of the detection site, and to specify that an additional 50 traps must be placed within an area with a 1.26 kilometer radius (5 square kilometers) surrounding the detection site.

List of Subjects in 7 CFR Part 319

Coffee, Cotton, Fruits, Imports, Logs, Nursery stock, Plant diseases and pests, Quarantine, Reporting and recordkeeping requirements, Rice, Vegetables.

Accordingly, we are amending 7 CFR part 319 as follows:

PART 319—FOREIGN QUARANTINE NOTICES

■ 1. The authority citation for part 319 continues to read as follows:

Authority: 7 U.S.C. 450, 7701–7772, and 7781–7786; 21 U.S.C. 136 and 136a; 7 CFR 2.22, 2.80, and 371.3.

■ 2. In § 319.56–67, paragraph (c)(2) is revised to read as follows:

§ 319.56–67 Cape gooseberry from Colombia.

* * * * *

(c) * * *

(2) All fruit flies trapped must be reported to APHIS immediately. Capture of *C. capitata* will result in immediate cancellation of exports from farms within a 5 kilometer radius (78.54 square kilometers) of the detection site. An additional 50 traps must be placed within an area with a 1.26 kilometer radius (5 square kilometers) surrounding the detection site. If a second detection is made within 30 days of a previous capture, eradication using a bait spray agreed upon by APHIS and the NPPO of Colombia must be initiated in the detection area. Treatment must continue for at least 2 months. Exports may resume from the detection area when APHIS and the NPPO of Colombia agree the risk has been mitigated.

* * * * *

Done in Washington, DC, this 26th day of September 2014.

Kevin Shea,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 2014–23402 Filed 9–30–14; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF ENERGY

10 CFR Part 431

[Docket Number EERE–2014–BT–PET–0041]

Energy Conservation Program for Certain Commercial and Industrial Equipment: Energy Conservation Standards for Walk-in Coolers and Freezers; Air-Conditioning, Heating, & Refrigeration Institute Petition for Reconsideration

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

ACTION: Petition for reconsideration; agency response.

SUMMARY: The Department of Energy (DOE) received a petition from the Air-Conditioning, Heating, and Refrigeration Institute (AHRI), requesting that DOE reconsider its June 3, 2014 final rule setting energy conservation standards for walk-in coolers and freezers. AHRI sought reconsideration of the final rule based on its view that errors purportedly committed by DOE led to the adoption of standards that were neither technologically feasible nor economically justified. DOE is denying the petition.

DATES: This denial is effective on October 1, 2014.

FOR FURTHER INFORMATION:

John Cymbalsky, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Program, EE–5B, 1000 Independence Avenue SW., Washington, DC 20585–0121, (202) 287–1692, or *email: john.cymbalsky@ee.doe.gov*.

Michael Kido, U.S. Department of Energy, Office of General Counsel, GC–71, 1000 Independence Avenue SW., Washington, DC 20585, (202) 586–8145, *email: Michael.Kido@hq.doe.gov*.

SUPPLEMENTARY INFORMATION: The U.S. Department of Energy (DOE) received a petition from the Air-Conditioning, Heating, and Refrigeration Institute (AHRI) dated July 30, 2014, requesting that DOE reconsider its final rule setting energy conservation standards for walk-in coolers and freezers (''WICFs'' or ''walk-ins''). Energy Conservation Standards for Walk-In Coolers and Freezers, Docket No. EERE–2008–BT–STD–0015, RIN 1904–AB86, 79 FR 32050 (June 3, 2014) (''WICF Final Rule'' or, in context, ''the Rule'').

DOE adopted the WICF Final Rule in accordance with the Energy Policy and Conservation Act of 1975, as amended (''EPCA''). EPCA, as amended, governs the manner in which DOE will implement its rulemaking process for prescribing energy conservation standards for various consumer products and certain commercial and industrial equipment. At issue in AHRI's petition is the stringency of the energy conservation standards DOE adopted for refrigeration systems of WICFs. Those standards relied in part on certain modifications made to the walk-in test procedure that DOE adopted to ease the testing burden on refrigeration system manufacturers. *See* 79 FR 27387 (May 14, 2014). DOE determined these standards would result in the significant conservation of energy and are technologically feasible and economically justified, thereby meeting the statutorily required elements for an energy conservation standard. 42 U.S.C. 6295(o)(2)(A). AHRI asserted that the standards adopted by DOE for walk-in refrigeration systems were based on what AHRI characterizes as ''errors'' that resulted in standards that were neither technologically feasible nor economically justified.

Unlike some other statutes governing standard-setting through rulemaking, EPCA contains no provision setting forth a procedure for agency reconsideration of already prescribed final rules that established or revised energy conservation standards. Instead, the legal framework established in EPCA by Congress provides a means to enable a person to seek amendment of DOE's existing rules under certain circumstances, not reconsideration of a newly promulgated rule. *See* 42 U.S.C. 6295(n). Accordingly, AHRI's self-styled ''petition for reconsideration'' is procedurally improper.

Alternatively, even if DOE were to construe AHRI's petition for reconsideration as seeking amendment, rather than reconsideration of the WICF rule, pursuant to 42 U.S.C. 6295(n), AHRI would still fail to establish a valid basis for granting the petition. First, consistent with the statutory structure described above and the general requirement that agencies provide an interested person the right to petition for ''the issuance, amendment, or repeal of a rule,'' *see* 5 U.S.C. 553(e), EPCA permits interested persons to petition DOE to amend its standards. See 42 U.S.C. 6295(n). While that provision applies to any final rule, it also requires that the petition satisfy certain criteria. With regard to these criteria, DOE may only grant such a petition if, assuming no other information were considered, the petition provides evidence providing an adequate basis to amend the standard if the amended standard would result in the significant conservation of energy, would be technologically feasible, and would be cost effective, as described under 42 U.S.C. 6295(o)(2)(B)(i)(II) (*i.e.,* ''the savings in operating costs throughout the estimated average life of the covered product in the type (or class) compared to any increase in the price of, or in the initial charges for, or maintenance expenses of, the covered products which are likely to result from the imposition of the standard''). *See* 42 U.S.C. 6295(n)(2). AHRI's petition, which focuses on newly issued standards, which are not yet in effect, and makes claims regarding those standards and certain procedural steps, does not meet the prescribed criteria under the statute. Moreover, even if AHRI's petition satisfied the criteria under 42 U.S.C. 6295(n), it does not establish a valid basis for amendment of the final rule because AHRI seeks an amended standard that would increase the maximum allowable energy use or decrease the minimum required energy efficiency of a covered product, contrary to EPCA. *See* 42 U.S.C. 6295(o)(1).

Further, DOE notes that AHRI's petition appears to reflect a fundamental misunderstanding of how to perform the calculations required to rate a given refrigeration component. Accordingly, AHRI's petition is predicated on a flawed set of calculations and assumptions.

While the issues raised in AHRI's petition do not warrant amending the WICF standards, DOE believes that it would be beneficial to hold a public meeting to demonstrate how DOE's test procedure and refrigeration system standards interact with each other and how manufacturers must calculate the efficiency of their respective refrigeration systems. The public meeting, which DOE had already planned to hold in response to inquiries regarding this interaction, will help ensure that stakeholders properly apply the test procedure when assessing the compliance of their equipment with the applicable standard. A parallel notice is also being published in the **Federal Register** today which contains details regarding this public meeting.

Issued in Washington, DC, on September 23, 2014.

Kathleen B. Hogan,

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

[FR Doc. 2014–23416 Filed 9–30–14; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2014–0164; Directorate Identifier 2014–NE–02–AD; Amendment 39–17973; AD 2014–19–05]

RIN 2120–AA64

Airworthiness Directives; Turbomeca S.A. Turboshaft Engines

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for all Turbomeca S.A. Arriel 1A1, 1A2, 1B, 1C, 1C1, 1C2, 1D, 1D1, 1E2, 1K1, 1S, 1S1, 2B, 2B1, 2C, 2C1, 2C2, 2S1, and 2S2 turboshaft engines. This AD requires an initial one-time vibration check of the engine accessory gearbox (AGB) on certain higher risk Arriel 1 and Arriel 2 model engines. This AD also requires repetitive vibration checks of the engine AGB for all Arriel 1 and Arriel 2 engines at every engine shop visit. This AD was prompted by reports of uncommanded in-flight shutdowns on Turbomeca S.A. Arriel 1 and Arriel 2 engines following rupture of the 41-tooth gear forming part of the 41/23-tooth bevel gear located in the engine AGB. We are issuing this AD to prevent failure of the engine AGB, which could lead to in-flight shutdown and damage to the engine, which may result in damage to the aircraft.

DATES: This AD becomes effective November 5, 2014.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of November 5, 2014.

ADDRESSES: For service information identified in this AD, contact Turbomeca, S.A., 40220 Tarnos, France; phone: 33 (0)5 59 74 40 00; telex: 570 042; fax: 33 (0)5 59 74 45 15. You may view this service information at the FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA. For information on the availability of this material at the FAA, call 781–238–7125.

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2014–0164; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the mandatory continuing airworthiness information (MCAI), the regulatory evaluation, any comments received, and other information. The address for the Docket Office (phone: 800–647–5527) is Document Management Facility, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: Mark Riley, Aerospace Engineer, Engine Certification Office, FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; phone: 781–238–7758; fax: 781–238–7199; email: *mark.riley@faa.gov.*

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to the specified products. The NPRM was published in the **Federal Register** on June 4, 2014 (79 FR 32195).