qualify or disqualify the appliance as ''smart?'' In the alternative, should the portion of a given test procedure that verifies the ''smart'' capabilities of the appliance be integrated into the existing test procedure and internalized in the outputted metric on a product-by-product basis?

• The ''smart'' capabilities of an appliance are considered as part of a ''network mode.'' IEC 62301 defines network mode(s) as: ''Any product modes where the energy using product is connected to a mains power source and at least one network function is activated (such as reactivation via network command or network integrity communication) but where the primary function is not active.'' Does this definition apply to all covered products and consumer equipment, or would other definitions apply more appropriately to certain products or equipment?

• EPCA authorizes DOE to set standards in active, standby, and off mode and to amend the EPCA definitions for these modes as appropriate for a given product. DOE requests comments on which of these three modes should be used to capture ''network'' mode energy use, or whether more than one of these modes should be used.

• How do you expect ''smart'' capabilities to change the energy use of an appliance in active and standby modes? What is the energy use impact of ''network mode'' and how should it be accounted for in test procedures?

• How should test procedures deal with various communication standards and protocols?

Implications for Energy Conservation Standards Analyses

DOE recognizes that ''smart'' appliances, however defined, could have implications on the economics and energy use of covered products analyzed during the energy conservation standards rulemakings.

• What costs and benefits of ''smart'' appliances can and should DOE account for within the appliance standards analytical framework? DOE seeks information and data that would help quantify such costs and benefits.

• DOE requests information and data on how, if at all, product and equipment energy usage profiles change when they are equipped with ''smart'' capabilities. DOE specifically seeks data related to covered products and equipment.

• DOE seeks estimates and underlying assumptions for market share penetration estimates of ''smart'' appliances, as well as other complementary technologies (such as smart meters) that may be necessary to the realization of ''smart appliance'' benefits.

• DOE seeks information and data from pilot programs or studies involving ''smart'' appliances. DOE also requests information of international voluntary and regulatory programs addressing ''smart'' appliances.

Issued in Washington, DC, on July 22, 2011.

Kathleen Hogan,

Deputy Assistant Secretary for Energy Efficiency, Office of Technology Development, Energy Efficiency and Renewable Energy.

[FR Doc. 2011–19303 Filed 8–4–11; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2011–0721; Directorate Identifier 2010–NM–217–AD]

RIN 2120–AA64

Airworthiness Directives; ATR–GIE Avions de Transport Régional Model ATR42 and ATR72 Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to adopt a new airworthiness directive (AD) for the products listed above. This proposed AD results from mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as:

One ATR operator has experienced in-flight elevator travel limitations with unusual effort being necessary on pitch axis to control the aeroplane, while the ''pitch mistrim'' message appeared on the ADU [advisory display unit] display. The elevators seemed to be jammed.

During the post-flight inspection, it was discovered that the LH [left-hand] elevator lower stop assembly was broken at the level of the angles, which may have prevented the elevator to respond normally to the flight control input.

This condition, if not detected and corrected, could lead to reduced control of the aeroplane.

* * * * *

The proposed AD would require actions that are intended to address the unsafe condition described in the MCAI.

DATES: We must receive comments on this proposed AD by September 19, 2011.

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 W12–40, 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 ATR–GIE Avions de Transport Régional, 1, Allée Pierre Nadot, 31712 Blagnac Cedex, France; telephone +33 (0) 5 62 21 62 21; fax +33 (0) 5 62 21 67 18; e-mail *continued.airworthiness@atr.fr;* Internet *http://www.aerochain.com.* You may review copies of the referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington. 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: Tom Rodriguez, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057–3356; telephone (425) 227–1137; fax (425) 227–1149.

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–2011–0721; Directorate Identifier 2010–NM–217–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.

Discussion

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, has issued EASA Airworthiness Directive 2010–0138, dated July 1, 2010 (referred to after this as ''the MCAI''), to correct an unsafe condition for the specified products. The MCAI states:

> One ATR operator has experienced in-flight elevator travel limitations with unusual effort being necessary on pitch axis to control the aeroplane, while the ''pitch mistrim'' message appeared on the ADU display. The elevators seemed to be jammed.
>
> During the post-flight inspection, it was discovered that the LH elevator lower stop assembly was broken at the level of the angles, which may have prevented the elevator to respond normally to the flight control input.
>
> This condition, if not detected and corrected, could lead to reduced control of the aeroplane.
>
> For the reasons described above, and as a precautionary measure, this [EASA] AD requires a one-time [general visual and detailed] inspection [for damaged angles] of the elevator hinge fittings and the reporting of all findings. Depending on the results, further action may be considered.

Corrective actions also include replacement of damaged angles with serviceable parts; and a detailed inspection of adjacent areas for damage, and repair if necessary. You may obtain further information by examining the MCAI in the AD docket.

Relevant Service Information

Avions de Transport Régional has issued Service Bulletin ATR42–55–0014, dated May 11, 2010; and Service Bulletin ATR72–55–1006, dated May 11, 2010. The actions described in this service information are intended to correct the unsafe condition identified in the MCAI.

FAA's Determination and Requirements of This Proposed AD

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to our bilateral agreement with the State of Design Authority, we have been notified of the unsafe condition described in the MCAI and service information referenced above. We are proposing this AD because we evaluated all pertinent information and determined an unsafe condition exists and is likely to exist or develop on other products of the same type design.

Differences Between This AD and the MCAI or Service Information

We have reviewed the MCAI and related service information and, in general, agree with their substance. But we might have found it necessary to use different words from those in the MCAI to ensure the AD is clear for U.S. operators and is enforceable. In making these changes, we do not intend to differ substantively from the information provided in the MCAI and related service information.

We might also have proposed different actions in this AD from those in the MCAI in order to follow FAA policies. Any such differences are highlighted in a NOTE within the proposed AD.

Costs of Compliance

Based on the service information, we estimate that this proposed AD would affect about 86 products of U.S. registry. We also estimate that it would take about 4 work-hours per product to comply with the basic requirements of this proposed AD. The average labor rate is $85 per work-hour. Based on these figures, we estimate the cost of the proposed AD on U.S. operators to be $29,240, or $340 per product.

In addition, we estimate that any necessary follow-on actions would take about 60 work-hours and require parts costing up to $960, for a cost of up to $6,060 per product. We have no way of determining the number of products that may need these actions.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. ''Subtitle VII: Aviation Programs,'' describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in ''Subtitle VII, Part A, Subpart III, Section 44701: General requirements.'' Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

We determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify this proposed regulation:

1. Is not a ''significant regulatory action'' under Executive Order 12866;
2. Is not a ''significant rule'' under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and
3. Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

We prepared a regulatory evaluation of the estimated costs to comply with this proposed AD and placed it in the AD docket.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. The FAA amends § 39.13 by adding the following new AD:

ATR–GIE Avions de Transport Régional: Docket No. FAA–2011–0721; Directorate Identifier 2010–NM–217–AD.

Comments Due Date

(a) We must receive comments by September 19, 2011.

Affected ADs

(b) None.

Applicability

(c) This AD applies to ATR–GIE Avions de Transport Régional Model ATR42–200, –300,

–320, and –500 airplanes, all manufacturer serial numbers (MSN) up to MSN 643 inclusive; and Model ATR72–101, –102, –201, –202, –211, –212, and –212A airplanes, all MSNs up to MSN 728 inclusive; certificated in any category.

Subject

(d) Air Transport Association (ATA) of America Code 55: Stabilizers.

Reason

(e) The mandatory continuing airworthiness information (MCAI) states:

One ATR operator has experienced in-flight elevator travel limitations with unusual effort being necessary on pitch axis to control the aeroplane, while the ''pitch mistrim'' message appeared on the ADU [advisory display unit] display. The elevators seemed to be jammed.

During the post-flight inspection, it was discovered that the LH [left-hand] elevator lower stop assembly was broken at the level of the angles, which may have prevented the elevator to respond normally to the flight control input.

This condition, if not detected and corrected, could lead to reduced control of the aeroplane.

* * * * *

Compliance

(f) You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

Actions

(g) Within 6 months after the effective date of this AD, perform a general visual inspection of the inboard hinge fitting area and a detailed inspection of lower stop angles of the inboard hinge fittings on both LH and right-hand (RH) elevators, in accordance with the Accomplishment Instructions of Avions de Transport Régional Service Bulletin ATR42–55–0014, dated May 11, 2010; or Avions de Transport Régional Service Bulletin ATR72–55–1006, dated May 11, 2010; as applicable.

(1) If any damaged angle is found during the inspection required by paragraph (g) of this AD, before further flight, replace the damaged angles with serviceable parts and accomplish a detailed inspection of the adjacent areas to detect any damage, in accordance with the Accomplishment Instructions of Avions de Transport Régional Service Bulletin ATR42–55–0014, dated May 11, 2010; or Avions de Transport Régional Service Bulletin ATR72–55–1006, dated May 11, 2010; as applicable.

(2) If any damage is detected in adjacent areas during the inspection required by paragraph (g)(1) of this AD, before further flight, repair the damage using a method approved by either the Manager, International Branch, ANM 116, Transport Airplane Directorate, FAA; or European Aviation Safety Agency (EASA) (or its delegated agent).

(h) Submit a report of the findings (damaged angles found on the LH and RH side elevator) of the inspection required by paragraph (g) of this AD to ATR Engineering, Service Bulletin Group, 1 Allee Pierre Nadot, 31712 Blagnac Cedex, France, at the applicable time specified in paragraph (h)(1) or (h)(2) of this AD. The report must include the MSN, accomplishment date, registration number, number of flights, flight hours, inspection results, and performed actions. In addition, return any damaged lower stop angles to ATR Engineering, Service Bulletin Group, 1 Allee Pierre Nadot, 31712 Blagnac Cedex, France.

(1) If the inspection was done on or after the effective date of this AD: Submit the report within 30 days after the inspection.

(2) If the inspection was done before the effective date of this AD: Submit the report within 30 days after the effective date of this AD.

FAA AD Differences

Note 1: This AD differs from the MCAI and/or service information as follows: No differences.

Other FAA AD Provisions

(i) The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, International Branch, ANM–116, 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: Tom Rodriguez, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057–3356; telephone (425) 227–1137; fax (425) 227–1149. Information may be e-mailed to: *9-ANM-116-AMOC-REQUESTS@faa.gov.* 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.

(2) *Airworthy Product:* For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

(3) *Reporting Requirements:* A Federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB Control Number. The OMB Control Number for this information collection is 2120–0056. Public reporting for this collection of information is estimated to be approximately 5 minutes per response, including the time for reviewing instructions, completing and reviewing the collection of information. All responses to this collection of information are mandatory. Comments concerning the accuracy of this burden and suggestions for reducing the burden should be directed to the FAA at: 800 Independence Ave., SW., Washington, DC 20591, Attn: Information Collection Clearance Officer, AES–200.

Related Information

(j) Refer to MCAI EASA Airworthiness Directive 2010–0138, dated July 1, 2010; Avions de Transport Régional Service Bulletin ATR42–55–0014, dated

May 11, 2010; and Avions de Transport Régional Service Bulletin ATR72–55–1006, dated May 11, 2010; for related information.

Issued in Renton, Washington, on July 26, 2011.

Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2011–19902 Filed 8–4–11; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2011–0722; Directorate Identifier 2010–NM–262–AD]

RIN 2120–AA64

Airworthiness Directives; The Boeing Company Model 737–100, –200, –200C, –300, –400, and –500 Series Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to supersede an existing airworthiness directive (AD) that applies to certain Model 737–100 and –200 series airplanes. The existing AD currently requires various inspections for cracks in the outboard chord of the frame at body station (BS) 727 and in the outboard chord of stringer (S) 18A, and repair or replacement of cracked parts. Since we issued that AD, there have been several reports of fatigue cracking in the frame outboard chord at BS 727 and in the radius of the auxiliary chord on airplanes that were not affected by the existing AD. This proposed AD would add airplanes to the applicability statement in the existing AD and add inspections for cracks in the BS 727 frame outboard chords and the radius of the auxiliary chord, for certain airplanes. This proposed AD would also remove the inspections of the outboard chord of S–18A required by the existing AD. We are proposing this AD to detect and correct fatigue cracking of the outboard and auxiliary chords, which