

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF ENERGY

### 10 CFR Part 440

[Docket No. EEWAP0515]

RIN 1904-AB97

#### Weatherization Assistance Program for Low-Income Persons

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

**ACTION:** Proposed rule; extension of comment period, notice of public meeting.

**SUMMARY:** The U.S. Department of Energy (DOE) will be holding a public meeting on the Notice of Proposed Rulemaking (NOPR) for the Weatherization Assistance Program (WAP) published on May 21, 2009. In the NOPR, DOE proposed to amend the eligibility requirements applicable to multi-unit buildings under the Weatherization Assistance Program for Low-Income Persons. Under the proposed rule, if a multi-unit building is under the Qualified Assistance Housing Program or Public Housing Program, identified by the U.S. Department of Housing and Urban Development (HUD), and included on a list published by DOE, that building would meet certain income and benefit eligibility requirements under the Weatherization Assistance Program without the need for further evaluation or verification. Also under the proposed rule, if a multi-unit building includes units that participate in the Low Income Housing Tax Credit Program, is identified by HUD, and included on a list published by DOE, that building would meet the income eligibility requirements of the Weatherization Assistance Program without the need for further evaluation or verification. The proposed rule is intended reduce the procedural burdens on evaluating applications from buildings that are part of HUD public and assisted housing and U.S. Department of Treasury tax credit programs.

**DATES:** The comment period for the NOPR published at 74 FR 23804, May 21, 2009, is extended to July 6, 2009. DOE will hold a public meeting, on Thursday, June 18, 2009, from 11 a.m. to 5 p.m. EDT to discuss the WAP proposed rule. This meeting is open to the public and will also be available as a webinar/conference call.

**ADDRESSES:** The public meeting and webinar will be held at the U.S. Department of Energy, Forrestal Building, Room 8E-069, 1000 Independence Avenue, SW., Washington, DC 20585-0121.

**FOR FURTHER INFORMATION CONTACT:** Gil Sperling, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Weatherization Assistance Program, EE-2K, 1000 Independence Avenue, SW., Washington, DC 20585-0121, (202) 287-1644, e-mail: [Gil.Sperling@ee.doe.gov](mailto:Gil.Sperling@ee.doe.gov), or Chris Calamita, U.S. Department of Energy, Office of the General Counsel, Forrestal Building, GC-72, 1000 Independence Avenue, SW., Washington, DC 20585, (202) 586-9507, e-mail: [Christopher.Calamita@hq.doe.gov](mailto:Christopher.Calamita@hq.doe.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

On May 21, 2009, DOE published a NOPR proposing to amend the regulations for the Weatherization Assistance Program. 74 FR 23804. DOE believes that the proposed rule would reduce the procedural burdens on evaluating the eligibility of buildings that are part of HUD assisted housing and U.S. Department of Treasury tax credit programs for the purpose of the Weatherization Assistance Program.

##### II. Meeting Participation

DOE must receive requests to present or speak at the public meeting/webinar no later than 4 p.m., Wednesday, June 17, 2009. DOE must receive a signed original and an electronic copy of statements to be given at the public meeting no later than 4 p.m., Tuesday, June 16, 2009. Please note that foreign nationals visiting DOE Headquarters are subject to advance security screening procedures, requiring advance notice. If you are a foreign national and wish to participate in the public meeting, please inform DOE as soon as possible and no later than 5 p.m. Friday, June 12, 2009, by contacting Ms. Brenda Edwards at

(202) 586-2945, or e-mail: [brenda.edwards@ee.doe.gov](mailto:brenda.edwards@ee.doe.gov).

The meeting is open to the public. DOE invites participation by all interested parties. For information on the agenda, bridge line and Web link for the conference call of June 18, 2009, please send an e-mail to [wxfudnopr@ee.doe.gov](mailto:wxfudnopr@ee.doe.gov). For information on facilities or services for individuals with disabilities or to request special assistance, please e-mail your request to [wxfudnopr@ee.doe.gov](mailto:wxfudnopr@ee.doe.gov) by Tuesday, June 16, 2009. Please note that participants will need to be pre-cleared in advance of the meeting in order to enter the DOE headquarters building. By 4 p.m. EDT, Wednesday, June 17, 2009, e-mail [wxfudnopr@ee.doe.gov](mailto:wxfudnopr@ee.doe.gov), if you plan to attend the meeting to facilitate the pre-clearance process.

**Conduct of Public Meeting:** DOE will designate a DOE official to preside at the public meeting and may also use a professional facilitator to aid discussion. Representatives from HUD will participate in the discussions. The meeting will not be a judicial or evidentiary-type public hearing. A court reporter will be present to record and transcribe the proceedings. DOE reserves the right to schedule the order of presentations and to establish the procedures governing the conduct of the public meeting. After the public meeting, interested parties may submit further comments about the proceedings, and any other aspect of the proposed rulemaking, by 5 p.m. EDT, Monday, July 6, 2009. The public meeting will be conducted in an informal, conference style. Each participant will be allowed to make a prepared general statement (within time limits determined by DOE) before discussion of a particular topic. DOE will permit other participants to comment briefly on any general statements. At the end of all prepared statements on a topic, DOE will permit participants to clarify their statements briefly and comment on statements made by others. Participants should be prepared to answer questions by DOE and by other participants concerning these issues. DOE representatives may also ask questions of participants concerning other matters relevant to the proposed rulemaking. The official conducting the public meeting will accept additional comments or

questions from those attending, as time permits. The presiding official will announce any further procedural rules or modification of the above procedures that may be needed for proper conduct of the public meeting.

Issued in Washington, DC, on June 8, 2009.

**John M. Lushetsky,**

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

[FR Doc. E9-13836 Filed 6-11-09; 8:45 am]

BILLING CODE 6450-01-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2009-0503; Directorate Identifier 2009-NE-12-AD]

RIN 2120-AA64

#### Airworthiness Directives; Turbomeca S.A. Model Arriel 1B, 1D, and 1D1 Turboshaft Engines

**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) issued 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:

The rupture of the Reduction Gear Box Intermediate Pinion may result in an overspeed of the Power Turbine and, subsequently, an uncommanded engine in-flight shutdown. This could lead to an emergency autorotation landing on a single-engine helicopter.

We are proposing this AD to prevent the rupture of the reduction gear box intermediate pinion, which could result in an overspeed of the power turbine, an uncommanded in-flight shutdown of the engine, and an emergency autorotation landing.

**DATES:** We must receive comments on this proposed AD by July 13, 2009.

**ADDRESSES:** You may send comments by any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically.
- *Mail:* Docket Management Facility, U.S. Department of Transportation, 1200

New Jersey Avenue, SE., West Building Ground Floor, Room W12-140, Washington, DC 20590-0001.

• *Hand Delivery:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

• *Fax:* (202) 493-2251.

Contact Turbomeca, 40220 Tarnos, France; telephone 33 05 59 74 40 00; fax 33 05 59 74 45 15, for the service information identified in this proposed AD.

#### 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 the same as the Mail address provided in the ADDRESSES section. Comments will be available in the AD docket shortly after receipt.

#### FOR FURTHER INFORMATION CONTACT:

James Lawrence, Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; e-mail: [james.lawrence@faa.gov](mailto:james.lawrence@faa.gov); telephone (781) 238-7176; fax (781) 238-7199.

#### 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-2009-0503; Directorate Identifier 2009-NE-12-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 with FAA personnel concerning this proposed AD. Using the search function of the Web site, anyone can find and read the comments in any of our dockets, including, if provided, the name of the individual who sent the comment (or signed the comment on behalf of an

association, business, labor union, etc.). You may review the DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477-78).

#### 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 2009-0002, dated January 7, 2009, (referred to after this as "the MCAI"), to correct an unsafe condition for the specified products. The MCAI states:

Several events of rupture of the Arriel 1 Reduction Gear Box Intermediate Pinion have been reported in service. The ruptures have been determined to be originated at the pinion teeth root due to increased vibratory stresses. This increase in vibratory stresses is mainly caused by increased teeth wear over engine life time.

The rupture of the Reduction Gear Box Intermediate Pinion may result in an overspeed of the Power Turbine and, subsequently, an uncommanded engine in-flight shutdown. This could lead to an emergency autorotation landing on a single-engine helicopter.

To reduce the level of vibratory stresses and improve tooth resistance, Turboméca modification incorporates the addition of a damping ring below the teeth and a shot peening of the teeth roots. These modifications reduce the risk of incipient fatigue cracks.

This AD requires the replacement of all Reduction Gear Box Intermediate Pinions with Pinions incorporating Turboméca modification TU 232.

You may obtain further information by examining the MCAI in the AD docket.

#### Relevant Service Information

Turbomeca has issued Mandatory Service Bulletin No. 292 72 0276, Version B, dated November 6, 2008. 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 France, and is approved for operation in the United States. Pursuant to our bilateral agreement with France, they have notified us of the unsafe condition described in the MCAI and service information referenced above. We are proposing this AD because we evaluated all information provided by EASA and determined the unsafe condition exists and is likely to exist or develop on other products of the same type design.