

# 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 AGRICULTURE

### Agricultural Marketing Service

#### 7 CFR Part 959

[Doc. No. AMS–SC–22–0039]

#### Onions Grown in South Texas; Continuance Referendum

**AGENCY:** Agricultural Marketing Service, Department of Agriculture (USDA).

**ACTION:** Referendum order.

**SUMMARY:** This document directs that a referendum be conducted among eligible producers of onions grown in South Texas to determine whether they favor continuance of the marketing order regulating the handling of onions produced in the production area.

**DATES:** The referendum will be conducted from September 1 through October 3, 2022. Only producers of South Texas onions who produced onions within the production area during the period August 1, 2020, through July 31, 2021, are eligible to vote in this referendum. The U.S. Department of Agriculture (Department) will provide the option for ballots to be returned electronically. Further details will be provided in the ballot instructions. Ballots returned via express mail or electronic mail must show proof of delivery by no later than 11:59 p.m. Eastern Time on October 3, 2022, to be counted.

**ADDRESSES:** Copies of the marketing order may be obtained from the Southeast Region Branch, Market Development Division, Specialty Crops Program, AMS, USDA, 1124 First Street South, Winter Haven, FL 33880; Telephone: (863) 324–3375; or from the Market Development Division, Specialty Crops Program, AMS, USDA, 1400 Independence Avenue SW, STOP 0237, Washington, DC 20250–0237; Telephone: (202) 720–2491; or on the internet: <https://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** Abigail Maharaj, Marketing Specialist, or Christian D. Nissen, Regional

Director, Southeast Region Branch, Market Development Division, Specialty Crops Program, AMS, USDA, 1124 First Street South, Winter Haven, FL 33880; Telephone: (863) 324–3375, Fax: (863) 291–8614, or Email: [Abigail.Campos@usda.gov](mailto:Abigail.Campos@usda.gov) or [Christian.Nissen@usda.gov](mailto:Christian.Nissen@usda.gov).

**SUPPLEMENTARY INFORMATION:** Pursuant to Marketing Agreement and Order No. 959, as amended (7 CFR part 959), hereinafter referred to as the “Order,” and the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), hereinafter referred to as the “Act,” it is hereby directed that a referendum be conducted to ascertain whether continuance of the Order is favored by producers. The referendum shall be conducted by mail and email ballot from September 1 through October 3, 2022, among onion producers in the production area. Only Texas onion producers who were engaged in the production of South Texas onions grown in the production area during the period of August 1, 2020, through July 31, 2021, may participate in the continuance referendum. The Department will provide the option for ballots to be returned electronically. Further details will be provided in the ballot instructions.

The results of a referendum the Department conducted of South Texas onion producers in 2020 (85 FR 55388) failed to reach the level of support for continuing the marketing order. The results had 57 percent of the eligible growers voting, representing 53 percent of production volume voted, favoring continuing the program. Voting results prompted the Secretary, as authorized in 7 CFR 959.84(d), to consider termination of this part due to less than two-third of the growers voting in the referendum and growers of less than two-thirds of the volume of onions represented in the referendum voting in support of continuance. Following the results of the continuance referendum, the Department issued a proposed rule (86 FR 42748) inviting comments on the proposed termination of the Order. Feedback received during the public comment period demonstrated support for keeping the Order. AMS received 90 comments, 85 of which opposed termination. Thirty-three of the comments were from the production area, with 31 opposing termination. After reviewing the results of the

continuance referendum, and the comments received in response to the proposed termination, the Secretary of Agriculture has determined a second referendum is appropriate to assess the true level of producer support for the program.

The Department would withdraw the proposed rule to terminate the Order if two-thirds of the producers that cast votes, or producers representing two-thirds of the volume of South Texas onions voted in the referendum, cast ballots in favor of continuance. If the results of the referendum do not favor continuance, the Department will consider the results of the continuance referendum and any other relevant information regarding the operation of the Order and relative benefits and disadvantages to producers, handlers, and consumers in determining whether continued operation of the Order would tend to effectuate the declared policy of the Act.

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the ballots used in the referendum have been approved by the Office of Management and Budget (OMB) and have been assigned OMB No. 0581–0178, Vegetable and Specialty Crops. It has been estimated that it will take an average of 20 minutes for each of the approximately 100 onion producers to cast a ballot. Participation is voluntary. Ballots postmarked after October 3, 2022, will not be included in the vote tabulation. Ballots delivered to the Department via express mail or electronic mail must show proof of delivery by no later than 11:59 p.m. Eastern Time (ET) on October 3, 2022.

Dolores Lowenstine, Abigail Maharaj, and Christian Nissen of the Southeast Region Branch, Market Development Division, Specialty Crops Program, AMS, USDA, are hereby designated as the referendum agents for the Secretary of Agriculture to conduct this referendum. The procedure applicable to the referendum shall be the “Procedure for the Conduct of Referenda in Connection with Marketing Orders for Fruits, Vegetables, and Nuts Pursuant to the Agricultural Marketing Agreement Act of 1937, as Amended” (7 CFR 900.400–7 CFR 900.407).

Ballots and voting instructions will be sent by U.S. mail, United Parcel Service, or through electronic mail to all

producers of record and may also be obtained from the referendum agents or their appointees.

#### List of Subjects in 7 CFR Part 959

Marketing agreements, Onions, Reporting and recordkeeping requirements.

**Authority:** 7 U.S.C. 601–674.

**Melissa Bailey,**

*Associate Administrator, Agricultural Marketing Service.*

[FR Doc. 2022–14574 Filed 7–7–22; 8:45 am]

**BILLING CODE 3410–02–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA–2022–0799; Project Identifier AD–2022–00611–T]

**RIN 2120–AA64**

#### Airworthiness Directives; The Boeing Company Airplanes

**AGENCY:** Federal Aviation Administration (FAA), DOT.

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

**SUMMARY:** The FAA proposes to adopt a new airworthiness directive (AD) for all The Boeing Company Model 787–8, 787–9, and 787–10 airplanes. This proposed AD was prompted by a report indicating that foreign object debris (FOD) could have been introduced during rework of certain engine fire shutoff switches (EFSS). This proposed AD would require determining the serial number of the left and right EFSS and replacing affected parts. This proposed AD would also limit the installation of affected parts under certain conditions. The FAA is proposing this AD to address the unsafe condition on these products.

**DATES:** The FAA must receive comments on this proposed AD by August 22, 2022.

**ADDRESSES:** You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- *Federal eRulemaking Portal:* Go to <https://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:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this NPRM, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminister Blvd., MC 110–SK57, Seal Beach, CA 90740–5600; telephone 562–797–1717; internet <https://www.myboeingfleet.com>. You may view this referenced service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195. It is also available at <https://www.regulations.gov> by searching for and locating Docket No. FAA–2022–0799.

#### Examining the AD Docket

You may examine the AD docket at <https://www.regulations.gov> by searching for and locating Docket No. FAA–2022–0799; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this NPRM, any comments received, and other information. The street address for Docket Operations is listed above.

**FOR FURTHER INFORMATION CONTACT:** Tak Kobayashi, Aerospace Engineer, Propulsion Section, FAA Seattle ACO Branch, 2200 South 216th St., Des Moines, WA 98198; phone and fax: 206–231–3553; email [Takahisa.Kobayashi@faa.gov](mailto:Takahisa.Kobayashi@faa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

The FAA invites you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under **ADDRESSES**. Include “Docket No. FAA–2022–0799; Project Identifier AD–2022–00611–T” at the beginning of your comments. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend this proposal because of those comments.

Except for Confidential Business Information (CBI) as described in the following paragraph, and other information as described in 14 CFR 11.35, the FAA will post all comments received, without change, to <https://www.regulations.gov>, including any personal information you provide. The agency will also post a report

summarizing each substantive verbal contact received about this NPRM.

#### Confidential Business Information

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this NPRM contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this NPRM, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as “PROPIN.” The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this NPRM. Submissions containing CBI should be sent to Tak Kobayashi, Aerospace Engineer, Propulsion Section, FAA Seattle ACO Branch, 2200 South 216th St., Des Moines, WA 98198; phone and fax: 206–231–3553; email [Takahisa.Kobayashi@faa.gov](mailto:Takahisa.Kobayashi@faa.gov). Any commentary that the FAA receives that is not specifically designated as CBI will be placed in the public docket for this rulemaking.

#### Background

The FAA has received a report indicating that FOD could have been introduced in the left or right EFSS having certain serial numbers during rework at a sub-tier supplier. The affected EFSS are part of the engine fire control panel part number (P/N) 412600–003, with left EFSS P/N 417000–104 and right EFSS P/N 417000–105. FOD in an EFSS, if not addressed, could result in a latent failure and loss of intended functions, including the inability to pull the engine fire handle and uncommanded activation of the engine fuel shutoff function. The inability to pull the engine fire handle when an engine fire is detected could lead to an uncontrolled engine fire and subsequent wing failure, and uncommanded activation of the fuel shutoff function for an engine, which if combined with in-flight shutdown of the remaining engine, could lead to total loss of engine thrust. Boeing and the parts supplier have notified operators who received affected EFSS parts and asked operators to return the parts for inspection and rework to address the unsafe condition. Any affected EFSS that has undergone this inspection and rework has been marked with “Inspection Record SB