

DEPARTMENT OF ENERGY**Semiannual Regulatory Agenda****10 CFR Chs. II, III, and X****48 CFR Ch. 9****Regulatory Agenda**

AGENCY: Department of Energy.

ACTION: Notice of semiannual regulatory agenda.

SUMMARY: The Department of Energy (DOE) has prepared and is making available its semiannual regulatory agenda pursuant to Executive Order 12866 "Regulatory Planning and Review," 58 FR 51735, and the Regulatory Flexibility Act, 5 U.S.C. sections 601 to 612.

FOR FURTHER INFORMATION CONTACT: For further information about any particular item on the regulatory agenda, please contact the individual listed under that item. For further information on the regulatory agenda in general, please contact: Diana L. Dean, Room 6E-078, Forrestal Building, 1000 Independence Avenue SW., Washington, DC 20585, (202) 586-7440.

SUPPLEMENTARY INFORMATION: Significant changes have been made to the manner and form of publication of the Unified Agenda of Federal Regulatory and Deregulatory Actions (Agenda). Beginning with this edition of the Agenda, the Internet will be the basic means for disseminating the Unified Agenda in a format that offers users an enhanced ability to obtain information from the Agenda database. Publication in the **Federal Register** is mandated by the Regulatory Flexibility Act (5 U.S.C. 602) for only Agenda entries that are for rulemakings that require either a regulatory flexibility analysis or periodic review under section 610 of that act. DOE currently has one rulemaking for which a flexibility analysis was conducted. DOE's printed agenda consists of this entry and contains the information that is required to be published by the Regulatory Flexibility Act.

DOE's entire semiannual regulatory agenda is published electronically and can be accessed online by going to: www.reginfo.gov. The agenda entries reflect the status of activities as of approximately September 30, 2007.

For this edition of the DOE's regulatory agenda, the most important significant regulatory actions and a Statement of Regulatory Priorities are included in The Regulatory Plan, which appears in both the online Unified Agenda and in part II of this issue of the **Federal Register**.

A draft of DOE's regulatory agenda has been transmitted to the Chief Counsel for Advocacy of the U.S. Small Business Administration for comment, if any, pursuant to 5 U.S.C. 602(b).

Issued in Washington, DC, on September 11, 2007.

NAME: David R. Hill,
General Counsel.

The 47 Regulatory Agendas

Departmental and Others - Proposed Rule

Title	Regulation Identifier Number
Freedom of Information Act	1901-AA32
Radiation Protection of the Public and the Environment	1901-AA38
Energy Planning and Management Program; Integrated Resource Planning	1901-AB24

Departmental and Others - Final Rule

Title	Regulation Identifier Number
Research Misconduct	1901-AA89

Departmental and Others - Long-term Action

Title	Regulation Identifier Number
Economic Development Transfers of Real Property	1901-AA82
Coordination of Federal Authorization of Electric Transmission	1901-AB18

Departmental and Others - Completed Action

Title	Regulation Identifier Number
Annotation of Land Records for Remediated Properties in the Uranium Mill Tailings Remedial Action Project (UMTRA)	1901-AA57
Occupational Radiation Protection	1901-AA95
Loan Guarantees for Projects That Employ Innovative Technologies	1901-AB21
Technical Guidelines IBR Update for Voluntary Greenhouse Gas Reporting Program	1901-AB23

Energy Efficiency and Renewable Energy - PreRule

Title	Regulation Identifier Number
Energy Efficiency Standards for Pool Heaters and Direct Heating Equipment and Water Heaters	1904-AA90
Energy Efficiency Standards for Fluorescent and Incandescent Reflector and General Service Lamps	1904-AA92
Energy Conservation Standards for Residential Electric and Gas Ranges and Ovens and Microwave Ovens, Dishwashers, Dehumidifiers, and Commercial Clothes Washers	1904-AB49
Determination and Energy Efficiency Standards for Battery Chargers and External Power Supplies	1904-AB57
Energy Efficiency Standards for Refrigerated Bottled or Canned Beverage Vending Machines	1904-AB58

Energy Efficiency and Renewable Energy - Proposed Rule

Title	Regulation Identifier Number
Energy Efficiency Standards for Packaged Terminal Air Conditioners and Packaged Terminal Heat Pumps	1904-AB44
Energy Efficiency Standards for Commercial Refrigeration Equipment	1904-AB59
Test Procedure Waiver Requirements for Manufacturers of Consumer Products and Certain Industrial Equipment, and Additional Prohibited Acts	1904-AB65
Private and Local Government Fleet Determination	1904-AB69
Test Procedures for Small Electric Motors	1904-AB71
Test Procedures for General Service Fluorescent Lamps, General Service Incandescent Lamps, and Incandescent Reflector Lamps	1904-AB72

Energy Efficiency and Renewable Energy - Final Rule

Title	Regulation Identifier Number
Energy Efficiency Standards for Residential Furnaces and Boilers	1904-AA78
Energy Standards for New Federal Buildings	1904-AB13
Rulemaking To Adopt a Definition of Household	1904-AB52
Efficiency Certification, Compliance, and Enforcement Requirements for Commercial Heating, Air Conditioning, and Water Heating Equipment	1904-AB64
Federal Procurement of Energy Efficient Products	1904-AB68

Energy Efficiency and Renewable Energy - Long-term Action

Title	Regulation Identifier Number
Determination for High-Intensity Discharge Lamps	1904-AA86
Energy Efficiency Standards for Clothes Dryers and Room Air Conditioners	1904-AA89
Energy Efficiency Standards for 1-200 HP Electric Motors	1904-AA91
Energy Conservation Standards for Residential Central Air Conditioners and Air Conditioning Heat Pumps	1904-AB47
Energy Conservation Standards for Fluorescent Lamp Ballasts	1904-AB50
Energy Conservation Standards for Small Electric Motors	1904-AB70

Energy Efficiency and Renewable Energy - Completed Action

Title	Regulation Identifier Number
Energy Efficiency Standards for Electric Distribution Transformers	1904-AB08
Test Procedures for Residential Air Conditioners and Heat Pumps	1904-AB55

Office of General Counsel - Proposed Rule

Title	Regulation Identifier Number
Procedural Rules for DOE Nuclear Activities	1990-AA30

Office of Procurement and Assistance Policy - Proposed Rule

Title	Regulation Identifier Number
Priorities and Allocations--Domestic Energy Supplies	1991-AB69
Security Considerations--Background Checks	1991-AB71
Rescission of Obsolete Property Management Regulations	1991-AB73
DEAR--Price Anderson Amendments	1991-AB75
DEAR--National Nuclear Security Administration Supplement	1991-AB76
Financial Assistance Rules and Procedures for Financial Assistance Appeals	1991-AB77
Department of Energy Acquisition Regulation--Amendment To Implement Executive Order 13423	1991-AB78

Office of Procurement and Assistance Policy - Final Rule

Title	Regulation Identifier Number
Technical Amendment to the Department of Energy Acquisition Regulation	1991-AB62

Office of Procurement and Assistance Policy - Completed Action

Title	Regulation Identifier Number
DEAR Changes To Delete Provisions for Facilities Management and Add Work Authorization Clause	1991-AB65
Cooperative Audit Strategy	1991-AB67

Defense and Security Affairs - Proposed Rule

Title	Regulation Identifier Number
Identification and Protection of Unclassified Controlled Nuclear Information	1992-AA35
Criteria and Procedures for Determining Eligibility for Access to Classified Matter or Special Nuclear Material	1992-AA36

Department of Energy (DOE) Departmental and Others (ENDEP)

RIN: 1901-AA32

Title: Freedom of Information Act

Abstract: The Freedom of Information Act (FOIA), as amended, permits any person to request access to agency records. DOE has promulgated a regulation at part 1004 of title 10 of the Code of Federal Regulations to implement the FOIA. DOE will revise its FOIA regulations to reflect current procedures for processing requests for information that are submitted to the Agency, to ensure compliance with the Electronic Freedom of Information Act Amendments of 1996, and to make the regulation more user friendly.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 10 CFR 1004 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 5 USC 552

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/00/2007	
Final Action	04/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Verlette Gatlin

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Department of Energy (DOE)**Departmental and Others (ENDEP)****RIN:** 1901-AA38**Title:** Radiation Protection of the Public and the Environment

Abstract: This action would add a new 10 CFR 834 to DOE's regulations establishing a body of rules setting forth the basic requirements for ensuring radiation protection of the public and environment in connection with DOE nuclear activities. These requirements stem from the Department's ongoing effort to strengthen the protection of health, safety, and the environment from the nuclear and chemical hazards posed by these DOE activities. Major elements of the proposal include a dose limitation system for protection of the public; requirements for application optimization (As Low As is Reasonably Achievable, ALARA) process; requirements for liquid discharges; reporting and monitoring requirements; and residual radioactive material requirements.

Priority: Other Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 10 CFR 834 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 42 USC 2201; 42 USC 7191**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	03/25/1993	58 FR 16268
Second NPRM	08/31/1995	60 FR 45381
Second NPRM COmment Period End	10/02/1995	
Other	11/00/2007	
Final Action	10/00/2008	

Additional Information: The Environmental Protection Agency (EPA) is considering revising the Federal Guidance for Radiation Protection of the Public. This Presidential-level guidance would refine the radiation protection and dose limitation framework for the public, and may include numerical Radiation Protection Goals (i.e., dose limits). Because it is DOE's preference to be consistent with Federal radiation protection policy, the Department is adjusting the schedule for part 834 in anticipation of revised Federal Guidance and will issue the rule following EPA action on the guidance. This will allow DOE to be consistent with the most current Presidential-level guidance upon its release.

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No

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Department of Energy (DOE)**Departmental and Others (ENDEP)****RIN:** 1901-AB24**Title:** Energy Planning and Management Program; Integrated Resource Planning

Abstract: The Western Area Power Administration (Western) is amending regulations that require customers to prepare integrated resource plans (IRP). These changes will facilitate public review of customer IRPs by making them more readily available, such as by posting customer IRPs on Western's external Web site. Western is also proposing language to encourage participation in regional IRPs by customers who may not be members of a member-based association (MBA). Finally, Western proposes to modify the requirement that each member of an MBA and the governing body of an MBA approve the IRP.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 10 CFR 905 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 42 USC 7152; 42 USC 7192; 42 USC 7275 to 7276c; 5 USC 552**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	08/21/2007	72 FR 46570
NPRM Comment Period End	11/19/2007	
Final Action	01/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal; Local; State; Tribal**Small Entities Affected:** No**Federalism:** No**Agency Contact:** Ron W. Horstman

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Department of Energy (DOE)**Departmental and Others (ENDEP)****RIN:** 1901-AA89**Title:** Research Misconduct**Abstract:** This action would establish policies and procedures for handling research misconduct allegations.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No

CFR Citation: 10 CFR 600; 10 CFR 733; 48 CFR 935; 48 CFR 952 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 42 USC 2201; 42 USC 7101 et seq; 42 USC 7454; 50 USC 2401 et seq; 42 USC 2282a to c; 41 USC 418b; 31 USC 6301 to 6308

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/28/2005	70 FR 37010
Interim Final Rule Effective	07/28/2005	
Interim Final Rule Comment Period End	08/29/2005	
Final Action	12/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

Federalism: No

Energy Affected: No

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Department of Energy (DOE)

Departmental and Others (ENDEP)

RIN: 1901-AA82

Title: Economic Development Transfers of Real Property

Abstract: This action establishes procedures for indemnifying and disposing of real property by sale or lease at the Department's defense nuclear facilities for the purpose of permitting economic development. It also establishes procedures for reporting actions to Congress, informing those acquiring the property of the availability of indemnification for injury to people or property from releases or threatened releases of hazardous materials, requesting indemnification, and making claims for indemnification. All comments received on the interim final rule have been reviewed and will be considered in the final rule.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Long-term Action

Major: No

Unfunded Mandates: No

CFR Citation: 10 CFR 770 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: PL 105-85, sec 3158

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Interim Final Rule	02/29/2000	65 FR 10685
Interim Final Rule Comment Period End	04/14/2000	
Final Action	11/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Federalism: No

Energy Affected: No

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**Department of Energy (DOE)
 Departmental and Others (ENDEP)**

RIN: 1901-AB18

Title: Coordination of Federal Authorization of Electric Transmission

Abstract: Subsection 216(h) of the Federal Power Act (FPA) requires the Department of Energy (Department) to act as lead agency for purposes of coordinating all applicable Federal authorizations and related environmental reviews as may be required under Federal law in order to site transmission facilities. Subsection 216(h)(7)(A) further authorizes the Department to issue any regulations necessary to implement the provisions of section 1221(a) of Energy Policy Act of 2005 and FPA 216, including provisions providing for pre-application mechanisms to facilitate streamlining applicable Federal authorizations. Pursuant to this authority, the Department is considering whether to promulgate regulations to facilitate the coordination of such permits, special use authorizations, certifications, opinions, or other approvals necessary to site transmission facilities. The Department notes that it has delegated to the Federal Energy Regulatory Commission certain of the Department's authorities under FPA section 216(h) and that the Commission has promulgated regulations concerning how it will carry out that authority. 71 FR 69440.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Long-term Action

Major: No

Unfunded Mandates: Undetermined

CFR Citation: Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: PL 109-58 sec 1221(a)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	00/00/0000	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

Energy Affected: Undetermined

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**Department of Energy (DOE)
 Departmental and Others (ENDEP)**

RIN: 1901-AA57

Title: Annotation of Land Records for Remediated Properties in the Uranium Mill Tailings Remedial Action Project (UMTRA)

Abstract: Under section 104(d) of the Uranium Mill Tailings Radiation Control Act of 1978, the Department of Energy (DOE) is required to issue appropriate rules and regulations concerning the annotation of land records of designated inactive uranium mill sites and vicinity properties included for remedial action under the Act. The annotation is intended to ensure that future purchasers of remediated inactive uranium mill sites and vicinity properties will be notified, prior to such purchase, of the condition of the land.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: PL 95-604, sec 104(d); PL 104-259, sec 4(a)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	04/14/1989	54 FR 29732
Withdrawn	08/20/2007	

Additional Information: Public Law 104-259, signed into law on October 9, 1996, amended the annotation requirement to provide for States to receive certification from the Secretary for "a program which would achieve the purposes" of the annotation under section 104(d) of the UMTRCA in regards to vicinity properties. DOE sent letters to the affected States regarding the amendment language. Some States expressed concerns about the land annotation requirements. The Department and the States have had informal discussions regarding those concerns, and as a result, several of the States are working together to pursue a legislative change to the annotation requirement. DOE will defer this action pending the outcome of the States' effort.

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal; State

Federalism: No

Energy Affected: No

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Department of Energy (DOE)

Departmental and Others (ENDEP)

RIN: 1901-AA95

Title: Occupational Radiation Protection

Abstract: This action would amend 10 CFR part 820, Procedural Rules for DOE Nuclear Activities, to take into account the establishment of the National Nuclear Security Administration. This action would also amend 10 CFR part 835, Occupation Radiation Protection, to provide additional flexibility in meeting requirements, to update the dosimetric models and dose terms, to establish certain concentration values and limits, and to clarify requirements for radioactive material transportation not subject to DOT regulations.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 10 CFR 835; 10 CFR 820 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 42 USC 2201; 42 USC 7191; 42 USC 2282(a); 28 USC 2461 note; 50 USC 2410

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	08/10/2006	71 FR 45996
NPRM Comment Period End	10/10/2006	
Final Action	06/08/2007	72 FR 31904

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Energy (DOE)

Departmental and Others (ENDEP)

RIN: 1901-AB21

Title: Loan Guarantees for Projects That Employ Innovative Technologies

Abstract: Title XVII of the Energy Policy Act of 2005 authorizes the Secretary of Energy, after consultation with the Secretary of the Treasury, to make loan guarantees for projects that "avoid, reduce, or sequester air pollutants or anthropogenic emissions of greenhouse gases; and employ new or significantly improved technologies as compared to commercial technologies in service in the United States at the time the guarantee is issued." This rulemaking will establish policies and procedures applicable to the title XVII program.

Priority: Other Significant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 10 CFR 609 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 42 USC 16511; 42 USC 16514

Legal Deadline:

Action	Source	Date
Other	Statutory	08/15/2007

Timetable:

Action	Date	FR Cite
NPRM	05/16/2007	72 FR 27471
NPRM Comment Period End	07/02/2007	
Final Action	10/23/2007	72 FR 60116

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Federalism: No

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Department of Energy (DOE)
Departmental and Others (ENDEP)

RIN: 1901-AB23

Title: Technical Guidelines IBR Update for Voluntary Greenhouse Gas Reporting Program

Abstract: This rulemaking corrects and updates Technical Guidelines used for reporting under the DOE Voluntary Reporting of Greenhouse Gases Program, which are incorporated by reference in the Department's General Guidelines at 10 CFR part 300.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 10 CFR 300 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 42 USC 13385(b)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/31/2007	72 FR 4411
Interim Final Rule Comment Period End	02/20/2007	
Final Action	04/02/2007	72 FR 15598

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Federalism: No

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Department of Energy (DOE)
Energy Efficiency and Renewable Energy (EE)

RIN: 1904-AA90

Title: Energy Efficiency Standards for Pool Heaters and Direct Heating Equipment and Water Heaters

Abstract: The Energy Policy and Conservation Act, as amended, establishes initial energy efficiency standard levels for many types of major residential appliances and generally requires DOE to undertake two subsequent rulemakings, at specified times, to determine whether the existing standard for a covered product should be amended. This is the initial review of the statutory standards for pool heaters and direct heating equipment. Water heaters were previously addressed under RIN 1904-AB48. This is the second review for water heaters.

Priority: Economically Significant

Agenda Stage of Rulemaking: PreRule

Major: Yes**Unfunded Mandates:** Undetermined**CFR Citation:** 10 CFR 430 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 42 USC 6295(e)**Legal Deadline:**

Action	Source	Date
Other	Judicial	03/31/2010

Timetable:

Action	Date	FR Cite
ANPRM	09/00/2008	
NPRM	07/00/2009	
Final Action	03/00/2010	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Local; State**Federalism:** No**Energy Affected:** No**Related RINs:** Merge with 1904-AB48**Agency Contact:** Mohammed Khan

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Department of Energy (DOE)**Energy Efficiency and Renewable Energy (EE)****RIN:** 1904-AA92**Title:** Energy Efficiency Standards for Fluorescent and Incandescent Reflector and General Service Lamps

Abstract: The Energy Policy and Conservation Act, as amended, establishes initial energy efficiency standard levels for many types of major residential appliances and generally requires DOE to undertake two subsequent rulemakings, at specified times, to determine whether the extant standard for a covered product should be amended. This is the initial review of the standards for fluorescent and incandescent lamps. The Department is also directed to consider whether standards should be amended so that they would be applicable to additional general service fluorescent and general service incandescent lamps.

Priority: Economically Significant**Agenda Stage of Rulemaking:** PreRule**Major:** Yes**Unfunded Mandates:** Undetermined**CFR Citation:** 10 CFR 430.32 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 42 USC 6295(i)(1)(A) and (B)(3)-(5)**Legal Deadline:**

Action	Source	Date
Other	Judicial	06/30/2009

Timetable:

Action	Date	FR Cite
ANPRM	11/00/2007	
NPRM	10/00/2008	
Final Action	06/00/2009	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Local; State

Federalism: No

Energy Affected: No

Related RINs: Related to 1904-AB72

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Department of Energy (DOE)

Energy Efficiency and Renewable Energy (EE)

RIN: 1904-AB49

Title: Energy Conservation Standards for Residential Electric and Gas Ranges and Ovens and Microwave Ovens, Dishwashers, Dehumidifiers, and Commercial Clothes Washers

Abstract: The Energy Policy and Conservation Act (EPCA), as amended, establishes initial energy efficiency standard levels for most types of major residential appliances, as well as certain commercial appliances. The statute generally requires DOE to undertake two subsequent rulemakings to determine whether the existing standard for a covered product should be amended. Through this combined rulemaking, the Department is evaluating potential amendments to update the current energy efficiency standards for residential electric and gas ranges and ovens (including a new provision specific to microwave ovens) and dishwashers. The Department is also considering establishing initial energy efficiency standards for dehumidifiers and commercial clothes washers, as required by the Energy Policy Act of 2005, which further amended EPCA.

Priority: Other Significant

Agenda Stage of Rulemaking: PreRule

Major: No

Unfunded Mandates: No

CFR Citation: 10 CFR 430 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 42 USC 6295(g) to (h)(cc); 42 USC 6313(e)

Legal Deadline:

Action	Source	Date
Other	Judicial	03/31/2009

Regulatory Plan:

Statement of Need: EPCA requires minimum energy efficiency standards for appliances, which has the effect of eliminating inefficient appliances and equipment from the market.

Legal Basis: EPCA establishes initial energy efficiency standards for most types of major residential appliances and certain commercial equipment. EPCA generally requires DOE to subsequently undertake rulemaking, at specified times, to determine whether the standard for a covered product should be made more stringent. Pursuant to EPCA, the Department has established energy efficiency standards for residential electric and gas ranges and ovens, as well as dishwashers. In addition, the Energy Policy Act of 2005 amended EPCA to authorize the Department to set standards for energy (and water, where appropriate) used in the operation of dehumidifiers and commercial clothes washers.

Alternatives: The statute requires the Department to conduct rulemakings to review standards and to revise standards to achieve the maximum improvement in energy efficiency that the Secretary determines is technologically feasible and economically justified. In making this determination, the Department conducts a thorough analysis of the alternative standard levels, including the existing standard, based on the criteria specified by statute.

Costs and Benefits: The specific costs and benefits for this rulemaking have not been established because the Department is still in the early stages of rulemaking and has not yet determined candidate standard levels for these products. As a general matter, in setting any efficiency standard different than those set by statute, the Secretary must first determine that such standard is both technologically feasible and economically justified.

Risks:

Timetable:

Action	Date	FR Cite
ANPRM	11/00/2007	
NPRM	07/00/2008	
Final Action	03/00/2009	

Additional Information: Merged dishwashers from RIN 1904-AA89 and added residential dehumidifiers and commercial clothes washers.

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Local; State

Federalism: No

Related RINs: Merge with 1904-AA89

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Department of Energy (DOE)

Energy Efficiency and Renewable Energy (EE)

RIN: 1904-AB57

Title: Determination and Energy Efficiency Standards for Battery Chargers and External Power Supplies

Abstract: The Energy Policy Act of 2005 requires DOE to make a determination concerning the adoption of energy conservation standards for battery chargers and power supplies. The standards activity is contingent on the outcome of the determination.

Priority: Economically Significant

Agenda Stage of Rulemaking: PreRule

Major: Yes

Unfunded Mandates: No

CFR Citation: 10 CFR 430 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: PL 109-58

Legal Deadline:

Action	Source	Date
Other	Statutory	08/08/2008

Timetable:

Action	Date	FR Cite
Notice	08/00/2008	
ANPRM	02/00/2010	
NPRM	12/00/2010	
Final Action	08/00/2011	

Regulatory Flexibility Analysis

Required: Undetermined

Federalism: No

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Government Levels Affected: Local; State

Department of Energy (DOE)

Energy Efficiency and Renewable Energy (EE)

RIN: 1904-AB58

Title: Energy Efficiency Standards for Refrigerated Bottled or Canned Beverage Vending Machines

Abstract: The Energy Policy Act of 2005 requires that DOE establish an energy conservation standard for refrigerated bottled or canned beverage vending machines.

Priority: Economically Significant

Agenda Stage of Rulemaking: PreRule

Major: Yes

Unfunded Mandates: Undetermined

CFR Citation: 10 CFR 430 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: PL 109-58

Legal Deadline: None

Timetable:

Action	Date	FR Cite
ANPRM	02/00/2008	
NPRM	12/00/2008	
Final Action	08/00/2009	

Regulatory Flexibility Analysis

Required: Undetermined

Federalism: No

Government Levels Affected: Local; State

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Department of Energy (DOE)
Energy Efficiency and Renewable Energy (EE)
RIN: 1904-AB44

Title: Energy Efficiency Standards for Packaged Terminal Air Conditioners and Packaged Terminal Heat Pumps

Abstract: The Energy Policy and Conservation Act (EPCA) provides that if the energy efficiency levels in ASHRAE/IESNA Standard 90.1 for certain commercial and industrial equipment are amended after specified dates, the Department of Energy (DOE) must establish an amended uniform national standard for such equipment at the new minimum level in Standard 90.1, unless the Secretary determines that a more stringent standard is technologically feasible and economically justified and would result in significant additional energy conservation. This rulemaking was initiated to consider whether DOE should adopt amended ASHRAE/IESNA efficiency levels for certain commercial air conditioners and heat pumps. On March 7, 2007, DOE published a final rule addressing standards for five categories of products, but decided to consider if evidence supported higher standards for packaged terminal air conditioners and heat pumps (PTAC/PTHP). As required by EPCA, DOE has undertaken this further rulemaking to determine standards for packaged terminal air conditioners and heat pumps.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 10 CFR 431 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 42 USC 6313(a)(6)(A)

Legal Deadline:

Action	Source	Date
Other	Judicial	09/30/2008

Regulatory Plan:

Statement of Need: EPCA requires minimum energy efficiency standards for appliances, which has the effect of eliminating inefficient appliances and equipment from the market

Legal Basis: The Energy Policy and Conservation Act (EPCA) provides that if the energy efficiency levels in ASHRAE/IESNA Standard 90.1 for certain commercial and industrial equipment are amended after specified dates, the Department of Energy (DOE) must establish an amended uniform national standard for such equipment at the new minimum level in Standard 90.1, unless the Secretary determines that a more stringent standard is technologically feasible and economically justified and would result in significant additional energy conservation. This rulemaking was initiated to consider whether DOE should adopt amended ASHRAE/IESNA efficiency levels for certain commercial air conditioners and heat pumps. On March 7, 2007, DOE published a final rule addressing standards for five categories of products, but decided to consider if evidence supported higher standards for packaged terminal air conditioners and heat pumps. As required by EPCA, DOE has undertaken this further rulemaking to determine standards for packaged terminal air conditioners and heat pumps.

Alternatives: The statute requires the Department to conduct rulemakings to review standards and to revise standards to achieve the maximum improvement in energy efficiency that the Secretary determines is technologically feasible and economically justified. In making this determination, the Department conducts a thorough analysis of the alternative standard levels, including the existing standard, based on the criteria specified by statute.

Costs and Benefits: The specific costs and benefits for this rulemaking have not been established because the Department is still in the early stages of rulemaking and has not yet determined candidate standard levels for these products. As a general matter, in setting any efficiency standard different than those set by statute, the Secretary must first determine

that such standard is both technologically feasible and economically justified.

Risks:

Timetable:

Action	Date	FR Cite
Other	03/13/2006	71 FR 12634
Comment Period End	04/27/2006	
Other	03/07/2007	72 FR 10038
NPRM	01/00/2008	
Final Action	09/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Local; State

Small Entities Affected: No

Federalism: No

Energy Affected: No

Related RINs: Merge with 1904-AB16; Merge with 1904-AB17

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Department of Energy (DOE)

Energy Efficiency and Renewable Energy (EE)

RIN: 1904-AB59

Title: Energy Efficiency Standards for Commercial Refrigeration Equipment

Abstract: The Energy Policy Act of 2005 (EPACT 2005) amendments to the Energy Policy and Conservation Act (EPCA) require that DOE establish standards for ice cream freezers; self-contained commercial refrigerators, freezers, and refrigerator-freezers without doors; and remote-condensing commercial refrigerators, freezers, and refrigerator-freezers.

Priority: Economically Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: Yes

Unfunded Mandates: Undetermined

CFR Citation: 10 CFR 431 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 42 USC 6313(c)

Legal Deadline:

Action	Source	Date
Other	Statutory	01/01/2009

Regulatory Plan:

Statement of Need: EPCA requires minimum energy efficiency standards for appliances, which has the effect of eliminating inefficient appliances and equipment from the market.

Legal Basis: The EPCA 2005 amendments to EPCA authorize DOE to establish energy conservation standards for commercial refrigeration equipment.

Alternatives: The statute requires the Department to conduct rulemakings to review standards and to revise standards to achieve the maximum improvement in energy efficiency that the Secretary determines is technologically feasible and economically justified. In making this determination, the Department conducts a thorough analysis of the alternative standard levels, including the existing standard, based on the criteria specified by statute.

Costs and Benefits: The specific costs and benefits for this rulemaking have not been established because the Department is still in the early stages of rulemaking and has not yet determined candidate standard levels for these products. As a general matter, in setting any efficiency standard different than those set by statute, the Secretary must first determine that such standard is both technologically feasible and economically justified.

Risks:

Timetable:

Action	Date	FR Cite
ANPRM	07/26/2007	72 FR 41162
ANPRM Comment Period End	10/09/2007	
NPRM	05/00/2008	
Final Action	01/00/2009	

Regulatory Flexibility Analysis

Required: Undetermined

Federalism: No

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Government Levels Affected: Local; State

Department of Energy (DOE)

Energy Efficiency and Renewable Energy (EE)

RIN: 1904-AB65

Title: Test Procedure Waiver Requirements for Manufacturers of Consumer Products and Certain Industrial Equipment, and Additional Prohibited Acts

Abstract: Since DOE codified test procedures for consumer products and certain industrial products, some products have been introduced that the test procedures do not clearly address. Currently, manufacturers can petition DOE for a waiver when the manufacturer believes the test procedure does not evaluate the product in a manner that reflects the product's true energy consumption. However, currently there are no procedures for manufacturers to request an interpretation of the test procedure, or to be required to petition for a waiver, if the test procedure underestimates the product's true energy consumption. This rulemaking would provide such procedures. DOE is also considering amendments that would prevent circumvention of test procedures that may result from product design features.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 10 CFR 430; 10 CFR 431 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 42 USC 6293; 42 USC 6296; 42 USC 6298 to 6299; 42 USC 6302 to 6303; 42 USC 6314; 42 USC 6316

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	11/00/2007	
Final Action	05/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

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Department of Energy (DOE)

Energy Efficiency and Renewable Energy (EE)

RIN: 1904-AB69

Title: Private and Local Government Fleet Determination

Abstract: The Department must determine if a Private and Local Government Fleet Mandate is necessary to achieve the Replacement Fuel Goal. If the Private and Local Fleet Mandate is determined to be necessary, then the Government must issue regulations implementing an alternative vehicle acquisition program for private and local government fleets.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 10 CFR 490 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 42 USC 13257

Legal Deadline:

Action	Source	Date
NPRM	Judicial	09/06/2007
Other	Judicial	03/06/2008

Timetable:

Action	Date	FR Cite
Other	09/14/2007	72 FR 52490
Comment Period End	11/13/2007	
Final Action	03/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Federalism: No

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Department of Energy (DOE)
Energy Efficiency and Renewable Energy (EE)

RIN: 1904-AB71

Title: Test Procedures for Small Electric Motors

Abstract: The Energy Policy Act of 1992 amended the Energy Policy and Conservation Act to provide that the Secretary of Energy prescribe testing requirements and energy conservation standards for those small electric motors for which the Secretary determines that standards would be technologically feasible and economically justified, and would result in significant energy savings. As a result of DOE's analysis, on July 10, 2006, the Secretary preliminarily made such a determination for small electric motors. This rulemaking will develop test procedures for small electric motors.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 10 CFR 431 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 42 USC 6291 to 6309; 42 USC 6311 to 6317

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	06/00/2008	
Final Action	06/00/2009	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Local; State

Federalism: No

Related RINs: Related to 1904-AB70

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Department of Energy (DOE)
Energy Efficiency and Renewable Energy (EE)

RIN: 1904-AB72

Title: Test Procedures for General Service Fluorescent Lamps, General Service Incandescent Lamps, and Incandescent Reflector Lamps

Abstract: These amendments to test procedures, mandated under the Energy Policy and Conservation Act for fluorescent and incandescent lamps, correct the citations and references to industry standards that are out of date or not longer exist. This rulemaking is being issued concurrently with a parallel rulemaking (RIN 1904-AA92) to amend standards for certain general service fluorescent lamps and incandescent reflector lamps and to consider expanding the scope of standards to cover additional general service fluorescent and incandescent lamps. This rulemaking will ensure that appropriate test procedures are in place to support those standards.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 10 CFR 430 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 42 USC 6291 to 6309; 28 USC 2461 note

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	11/00/2007	
Final Action	06/00/2009	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Local; State

Small Entities Affected: No

Federalism: No

Related RINs: Related to 1904-AA92

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Department of Energy (DOE)

Energy Efficiency and Renewable Energy (EE)

RIN: 1904-AA78

Title: Energy Efficiency Standards for Residential Furnaces and Boilers

Abstract: The Energy Policy and Conservation Act (EPCA), as amended, establishes initial energy efficiency standard levels for most types of major residential appliances and generally requires DOE to undertake two subsequent rulemakings to determine whether the existing standard for a covered product should be amended. This is the initial review of the statutory standards for residential furnaces and boilers.

Priority: Economically Significant

Agenda Stage of Rulemaking: Final Rule

Major: Yes

Unfunded Mandates: No

CFR Citation: 10 CFR 430 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 42 USC 6295(f)

Legal Deadline:

Action	Source	Date
Other	Judicial	09/30/2007

Timetable:

Action	Date	FR Cite
ANPRM	09/08/1993	58 FR 47326
ANPRM	07/29/2004	69 FR 45419
ANPRM Comment Period End	11/10/2004	
NPRM	10/06/2006	71 FR 59204
NPRM Comment Period End	01/15/2007	
Final Action	11/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Local; State

Federalism: No

Energy Affected: No

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Department of Energy (DOE)

Energy Efficiency and Renewable Energy (EE)

RIN: 1904-AB13

Title: Energy Standards for New Federal Buildings

Abstract: Title III of the Energy Conservation and Production Act as amended by the Energy Policy Act of 1992 directs DOE to establish Federal building energy standards that require in new Federal buildings those energy efficiency measures that are technologically feasible and economically justified. The Energy Policy Act of 2005 directs DOE to establish amended standards that, if life-cycle cost-effective, would be at least 30 percent better than the ASHRAE Standard 90.1-2004 and IECC 2004 levels.

Priority: Other Significant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 10 CFR 434; 10 CFR 435 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 42 USC 6834; PL 109-58, sec 109

Legal Deadline:

Action	Source	Date
Other	Statutory	08/08/2006

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/04/2006	71 FR 70275
Interim Final Rule Effective	01/02/2007	
Interim Final Rule Comment Period End	02/02/2007	
Final Action	12/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

Federalism: No

Energy Affected: No

Related RINs: Merge with 1904-AA53

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Department of Energy (DOE)
Energy Efficiency and Renewable Energy (EE)

RIN: 1904-AB52

Title: Rulemaking To Adopt a Definition of Household

Abstract: To implement the Secretary's authority to designate additional covered products, the Department must define the term "household" and set procedures under which products would be added.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 10 CFR 430 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 42 USC 6292(b)(2)(C)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	05/04/2006	71 FR 26275
NPRM Comment Period End	06/19/2006	
Final Action	11/00/2007	

Additional Information: The Secretary may consider other products for coverage at any time in the future.

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

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Department of Energy (DOE)
Energy Efficiency and Renewable Energy (EE)

RIN: 1904-AB64

Title: Efficiency Certification, Compliance, and Enforcement Requirements for Commercial Heating, Air Conditioning, and Water Heating Equipment

Abstract: This rulemaking is to adopt requirements for manufacturers to assure their compliance with energy conservation requirements specifically mandated under the Energy Policy and Conservation Act, as amended (EPCA), for commercial warm air furnaces and covered commercial heating, air conditioning, and water heating equipment, including furnaces. These requirements include the use of testing and calculation methods for manufacturers to rate the efficiency of their equipment, the role of voluntary independent certification programs in assuring the accuracy of the ratings, and the testing regimen and criteria that DOE would use in enforcement proceedings.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 10 CFR 431 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 42 USC 6311 to 6316; 42 USC 6313(a); 42 USC 6316(b)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/13/1999	64 FR 69598
NPRM Comment Period End	02/28/2000	
NPRM	04/28/2006	71 FR 25103
Supplemental NPRM	06/12/2006	
Final Action	11/00/2007	

Additional Information: Certification, compliance, and enforcement requirements are included in RIN 1904-AB53.

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Federalism: No

Related RINs: Related to 1904-AB53

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Department of Energy (DOE)

Energy Efficiency and Renewable Energy (EE)

RIN: 1904-AB68

Title: Federal Procurement of Energy Efficient Products

Abstract: The Energy Policy Act of 2005 amended part 3 of the National Energy Conservation Policy Act by adding section 553, which requires each Federal agency to procure Energy Star or FEMP-designated products in all procurements involving energy-consuming products and systems. In addition, all inventories and listings of products by GSA and DLA must identify and prominently display Energy Star and FEMP-designated products. GSA and DLA are also required to supply only Energy Star and FEMP-designated products in all covered product categories.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 10 CFR 436 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 42 USC 8259b

Legal Deadline:

Action	Source	Date
NPRM	Statutory	02/08/2007

Timetable:

Action	Date	FR Cite
NPRM	06/19/2007	72 FR 33693
NPRM Comment Period End	08/20/2007	
Final Action	02/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Cyrus Nasseri

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Department of Energy (DOE)**Energy Efficiency and Renewable Energy (EE)****RIN:** 1904-AA86**Title:** Determination for High-Intensity Discharge Lamps**Abstract:** The Energy Policy and Conservation Act requires the Department to prescribe test procedures and efficiency standards for high-intensity discharge lamps for which the Secretary makes a determination that energy conservation standards would be technologically feasible and economically justified and would result in significant energy savings.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 10 CFR 431 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 42 USC 6317(a)(1)**Legal Deadline:**

Action	Source	Date
Other	Judicial	06/30/2010

Timetable:

Action	Date	FR Cite
Other	06/00/2010	

Additional Information: EPACT 2005 prohibits the manufacture of mercury vapor lamp ballasts after January 1, 2008, which will affect the energy savings potential of standards for HID lamps. DOE has concluded that the analysis to determine whether standards are technologically feasible and economically justified must be redone as a result of EPACT 2005.**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No

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Department of Energy (DOE)
Energy Efficiency and Renewable Energy (EE)
RIN: 1904-AA89

Title: Energy Efficiency Standards for Clothes Dryers and Room Air Conditioners

Abstract: The Energy Policy and Conservation Act, as amended, establishes initial energy efficiency standard levels for many types of major residential appliances and generally requires DOE to undertake two subsequent rulemakings, at specified times, to determine whether the existing standard for a covered product should be amended. This is the second review of the standards for clothes dryers and room air conditioners.

Priority: Economically Significant

Agenda Stage of Rulemaking: Long-term Action

Major: Yes

Unfunded Mandates: Undetermined

CFR Citation: 10 CFR 430 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 42 USC 6295(c); 42 USC 6295(g)

Legal Deadline:

Action	Source	Date
Other	Judicial	06/30/2011

Timetable:

Action	Date	FR Cite
ANPRM	11/00/2009	
NPRM	10/00/2010	
Final Action	06/00/2011	

Additional Information: This rulemaking is the second of two rulemakings required for this equipment.

Regulatory Flexibility Analysis Required: No **Government Levels Affected:** Local; State

Federalism: No

Energy Affected: No

Related RINs: Merge with 1904-AB51

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Department of Energy (DOE)
Energy Efficiency and Renewable Energy (EE)
RIN: 1904-AA91

Title: Energy Efficiency Standards for 1-200 HP Electric Motors

Abstract: The Energy Policy and Conservation Act, as amended, establishes initial energy efficiency standards and test procedures for commercial and industrial electric motors. EPCA requires the Department to revise the standards periodically to achieve the maximum improvement in energy efficiency that the Secretary determines is technologically feasible and economically justified.

Priority: Economically Significant

Agenda Stage of Rulemaking: Long-term Action

Major: Yes

Unfunded Mandates: Undetermined

CFR Citation: 10 CFR 431 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 42 USC 6313(b)(3)

Legal Deadline:

Action	Source	Date
Other	Judicial	06/30/2011

Timetable:

Action	Date	FR Cite
ANPRM	12/00/2009	
NPRM	10/00/2010	
Final Action	06/00/2011	

Additional Information: This rulemaking is the first of two rulemakings required for this equipment.

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Local; State

Federalism: No

Energy Affected: No

RIN Information URL: www.eere.energy.gov/building/appliance_standards/commercial/electric_motors.html

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Department of Energy (DOE)

Energy Efficiency and Renewable Energy (EE)

RIN: 1904-AB47

Title: Energy Conservation Standards for Residential Central Air Conditioners and Air Conditioning Heat Pumps

Abstract: DOE is reviewing and updating energy conservation standards, as required by the Energy Policy and Conservation Act, to reflect technological advances that make amended standards feasible and economically justified. This is the second review of the statutory standards for residential central air conditioners and air conditioning heat pumps.

Priority: Economically Significant

Agenda Stage of Rulemaking: Long-term Action

Major: Yes

Unfunded Mandates: Undetermined

CFR Citation: 10 CFR 430 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 42 USC 6295(d)

Legal Deadline:

Action	Source	Date
Other	Judicial	06/30/2011

Timetable:

Action	Date	FR Cite
ANPRM	11/00/2009	
NPRM	10/00/2010	
Final Action	06/00/2011	

Additional Information: This rulemaking is the second of two rulemakings required for this equipment.

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Local; State

Federalism: No

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Department of Energy (DOE)**Energy Efficiency and Renewable Energy (EE)**

RIN: 1904-AB50

Title: Energy Conservation Standards for Fluorescent Lamp Ballasts

Abstract: DOE is reviewing and updating energy conservation standards, as required by the Energy Policy and Conservation Act, to reflect technological advances that make amended energy efficiency standards technologically feasible and economically justified. This is the second review of the statutory standards for fluorescent lamp ballasts.

Priority: Economically Significant

Agenda Stage of Rulemaking: Long-term Action

Major: Yes

Unfunded Mandates: Undetermined

CFR Citation: 10 CFR 430 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 42 USC 6295(g)

Legal Deadline:

Action	Source	Date
Other	Judicial	06/30/2011

Timetable:

Action	Date	FR Cite
ANPRM	11/00/2009	
NPRM	10/00/2010	
Final Action	06/00/2011	

Additional Information: This rulemaking is the second of two rulemakings required for this equipment.

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Local; State

Federalism: No

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Department of Energy (DOE)
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RIN: 1904-AB70

Title: Energy Conservation Standards for Small Electric Motors

Abstract: The Energy Policy Act of 1992 amended the Energy Policy and Conservation Act to provide that the Secretary of Energy prescribe testing requirements and energy conservation standards for those small electric motors for which the Secretary determines that standards would be technologically feasible and economically justified, and would result in significant energy savings. As a result of DOE's analysis, on July 10, 2006, the Secretary preliminarily made such a determination for small electric motors. This rulemaking will determine whether it is appropriate to establish energy conservation standards for small electric motors.

Priority: Economically Significant

Agenda Stage of Rulemaking: Long-term Action

Major: Undetermined

Unfunded Mandates: Undetermined

CFR Citation: 10 CFR 431 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 42 USC 6291 to 6309; 41 USC 6311 to 6317

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	02/00/2009	
Final Action	02/00/2010	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Local; State

Federalism: No

Energy Affected: Undetermined

Related RINs: Related to 1904-AB71

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Department of Energy (DOE)
Energy Efficiency and Renewable Energy (EE)

RIN: 1904-AB08

Title: Energy Efficiency Standards for Electric Distribution Transformers

Abstract: Prior to enactment of the Energy Policy Act of 2005 (EPACT 2005), the Energy Policy and Conservation Act (EPCA) did not establish energy efficiency standards for electric distribution transformers. EPCA directed DOE to determine whether standards for electric distribution transformers were warranted. However, as a result of amendments adopted in EPACT 2005, Public Law No. 109-58, section 135(c)(4), EPCA now contains standards for low voltage dry-type electric distribution transformers, but not other types of distribution transformers. This rulemaking will determine whether it is appropriate to establish standards for these other types of electric distribution transformers.

Priority: Economically Significant

Agenda Stage of Rulemaking: Completed Action

Major: Yes

Unfunded Mandates: Private Sector

CFR Citation: 10 CFR 431 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 42 USC 6317(a)(2)

Legal Deadline:

Action	Source	Date
Other	Judicial	09/30/2007

Timetable:

Action	Date	FR Cite
Other	10/22/1997	62 FR 54809
ANPRM	07/29/2004	69 FR 45375
ANPRM Comment Period End	11/09/2004	
NPRM	08/04/2006	71 FR 44356
NPRM Comment Period End	10/18/2006	
Final Action	10/12/2007	72 FR 58190

Regulatory Flexibility Analysis Required: Business **Government Levels Affected:** Local; State

Federalism: No

Energy Affected: No

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Department of Energy (DOE)

Energy Efficiency and Renewable Energy (EE)

RIN: 1904-AB55

Title: Test Procedures for Residential Air Conditioners and Heat Pumps

Abstract: With this rulemaking, the Department of Energy (DOE) is amending its test procedure for residential central air conditioners and heat pumps. The rulemaking implements test procedure changes in such areas as small-duct, high-velocity systems, multiple-split systems, two-capacity units, and the referencing of current ASHRAE standards. The amendments also clarify issues associated with sampling and rating both tested and untested systems. DOE believes that the amendments will not cause products to fail to meet the energy standards in effect either before or after January 23, 2006.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 10 CFR 430 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 42 USC 6293

Legal Deadline: None**Timetable:**

Action	Date	FR Cite
NPRM	07/20/2006	71 FR 41320
NPRM Comment Period End	09/18/2006	
Correction	10/10/2006	71 FR 59410
NPRM Comment Period End	11/09/2006	
Final Action	10/22/2007	72 FR 59906

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Local; State**Federalism:** No**Agency Contact:** Michael Raymond

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Department of Energy (DOE)**Office of General Counsel (OGC)****RIN:** 1990-AA30**Title:** Procedural Rules for DOE Nuclear Activities

Abstract: Amends provisions on civil penalties with respect to certain DOE contractors, subcontractors, and suppliers to conform with statutory changes. Section 610 of the Energy Policy Act of 2005 removed exemptions from civil penalties for certain named nonprofit educational institutions. It also established a cap on the total amount of fees a not-for-profit contractor, subcontractor, or supplier could be required to pay in any year.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 10 CFR 820.20 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** PL 109-58, sec 610**Legal Deadline: None****Timetable:**

Action	Date	FR Cite
NPRM	11/00/2007	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Federalism:** No**Agency Contact:** C. Russell H. Shearer

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Department of Energy (DOE)**Office of Procurement and Assistance Policy (PR)****RIN:** 1991-AB69**Title:** Priorities and Allocations--Domestic Energy Supplies

Abstract: This action would update the Department of Energy regulations and clauses exercising statutory authorities to allocate the supplies of materials, equipment, services, and facilities, and establish priorities for the acceptance and performance of contracts and orders to: (1) Promote the national defense and (2) maximize domestic energy supplies as authorized by the Defense Production Act of 1950 as amended (50 U.S.C. app. 2061 et seq.); the Department of Commerce Defense Priorities and Allocations System Program (15 CFR 700); and Executive Order 12919, National Defense Resource Preparedness.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 48 CFR 911.602; 10 CFR 216 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 40 USC 486(c); 41 USC 418b; 50 USC app 2071(c)**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Direct final Rule	11/00/2007	
NPRM	11/00/2007	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No

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Department of Energy (DOE)**Office of Procurement and Assistance Policy (PR)****RIN:** 1991-AB71**Title:** Security Considerations--Background Checks

Abstract: The rulemaking would amend the DOE Acquisition Regulation security clause to include the Department's requirement that employers do background checks before employment of persons who will require access authorizations to perform contract duties and that they and their employees agree to the use of mediation services as may be required to ensure continuity of operations.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 48 CFR 904.4 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 42 USC 2011; 41 USC 418b**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	11/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Energy (DOE)

Office of Procurement and Assistance Policy (PR)

RIN: 1991-AB73

Title: Rescission of Obsolete Property Management Regulations

Abstract: This action would rescind obsolete DOE property management provisions.

Priority: Info./Admin./Other

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 41 CFR 109 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 42 USC 2201; 42 USC 7101; 50 USC 2401

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	11/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Federalism: No

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Department of Energy (DOE)

Office of Procurement and Assistance Policy (PR)

RIN: 1991-AB75

Title: DEAR--Price Anderson Amendments

Abstract: To implement the Price Anderson Amendments Act of 2005 provisions on nuclear indemnification.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 48 CFR 950.70 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 42 USC 2210

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	11/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

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Department of Energy (DOE)

Office of Procurement and Assistance Policy (PR)

RIN: 1991-AB76

Title: DEAR--National Nuclear Security Administration Supplement

Abstract: The Department of Energy and the National Nuclear Security Administration (NNSA) are proposing to issue regulations that implement and supplement the Department of Energy Acquisition Regulation (DEAR) in areas where further guidance is necessary or to provide guidance unique to NNSA requirements.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 48 CFR 909; 48 CFR 911; 48 CFR 912; 48 CFR 919; 48 CFR 952; 48 CFR 970 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 50 USC 2402

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	11/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Energy (DOE)**Office of Procurement and Assistance Policy (PR)**

RIN: 1991-AB77

Title: Financial Assistance Rules and Procedures for Financial Assistance Appeals

Abstract: The Department of Energy (DOE) is streamlining and simplifying its procedures for soliciting, awarding, and administering its financial assistance agreements. These changes are technical corrections and revisions to sections affected by the Energy Policy Act of 2005, as well as further implementation of the Federal Financial Assistance Management Improvement Act of 1999. DOE is also deleting 10 CFR part 1024, Procedures for Financial Assistance Appeals. These procedures provided for appeals to the DOE Financial Assistance Board, which was abolished. DOE now provides for appeals to the Senior Procurements Executive.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 10 CFR 600; 10 CFR 1024 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 42 USC 7101 et seq; 31 USC 6301 to 6308; EO 10789; 41 USC 501 to 509**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	
Final Action	06/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Jacqueline Kniskern

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RIN: 1991-AB78

Title: Department of Energy Acquisition Regulation--Amendment To Implement Executive Order 13423

Abstract: This rulemaking implements Executive Order 13423 on Federal environmental, energy, and transportation management by requiring all DOE management contractors who operate Government-owned facilities and vehicles to comply with the provisions of the Executive order. It will also update references to prior Executive orders revoked by this more recent order.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 48 CFR 923; 48 CFR 970 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 42 USC 2201; 42 USC 7101; 50 USC 2401**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	11/00/2007	

Regulatory Flexibility Analysis Required: No **Government Levels Affected:** No

Federalism: No

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Department of Energy (DOE)

Office of Procurement and Assistance Policy (PR)

RIN: 1991-AB62

Title: Technical Amendment to the Department of Energy Acquisition Regulation

Abstract: This action would make technical amendments and corrections to various parts of the Department of Energy Acquisition Regulation.

Priority: Info./Admin./Other

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 48 CFR 931; 48 CFR 952; 48 CFR 970 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 42 USC 2201; 42 USC 7101; 50 USC 2401

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Interim Final Rule	11/00/2007	

Regulatory Flexibility Analysis Required: No **Government Levels Affected:** No

Federalism: No

Energy Affected: No

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Department of Energy (DOE)

Office of Procurement and Assistance Policy (PR)

RIN: 1991-AB65

Title: DEAR Changes To Delete Provisions for Facilities Management and Add Work Authorization Clause

Abstract: This action would delete 48 CFR part 970.5237-2, Facilities Management, and add a new clause dealing with work authorization.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 48 CFR 907; 48 CFR 952; 48 CFR 970 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 42 USC 2201; 42 USC 7101; 50 USC 2401

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	07/29/2005	70 FR 43832
NPRM Comment Period End	08/29/2005	
Final Action	05/29/2007	72 FR 29431

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Energy (DOE)

Office of Procurement and Assistance Policy (PR)

RIN: 1991-AB67

Title: Cooperative Audit Strategy

Abstract: The Department is amending its acquisition regulation to more fully describe the audit procedures to be followed under its management and operating contracts. The revised procedures call for an annual audit plan and audit report as explained under the Accounts, Records, and Inspection clause at 48 CFR 970.5232-3.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 48 CFR 970 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 42 USC 2201; 42 USC 7101; 50 USC 2401

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	05/08/2006	71 FR 26723
NPRM Comment Period End	07/07/2006	
Final Action	05/24/2007	72 FR 29077

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Energy (DOE)
Defense and Security Affairs (DSA)

RIN: 1992-AA35

Title: Identification and Protection of Unclassified Controlled Nuclear Information

Abstract: Revises 10 CFR part 1017, clarifying and streamlining requirements to reflect organizational changes, and abolishing the "May Contain UCNI" marking. Adds the name of the Reviewing Official and guidance for using the UCNI marking, and updating physical protection requirements.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 10 CFR 1017 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 42 USC 2168

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	11/00/2007	
Final Action	01/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Federalism: No

Energy Affected: No

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Department of Energy (DOE)
Defense and Security Affairs (DSA)

RIN: 1992-AA36

Title: Criteria and Procedures for Determining Eligibility for Access to Classified Matter or Special Nuclear Material

Abstract: This rulemaking will revise 10 CFR 710 to adopt the "concerns" from the Adjudicative Guidelines published pursuant to E.O. 12968 as the DOE criteria for adjudicating adverse information concerning an access authorization applicant or holder. The criteria will be numbered to correlate with the Adjudicative Guidelines. Other revisions will streamline requirements, tighten time limits, and clarify provisions.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 10 CFR 710 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 42 USC 2165; EO 12968

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	02/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Federalism: No

Energy Affected: No

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