

Federal Reserve

Friday
November 29, 1996

Part VII

**Department of
Energy**

Semiannual Regulatory Agenda

DEPARTMENT OF ENERGY (DOE)

DEPARTMENT OF ENERGY

10 CFR Chs. II, III, and X

48 CFR Ch. 9

Regulatory Agenda

AGENCY: Department of Energy.

ACTION: Semiannual regulatory agenda.

SUMMARY: The Department of Energy has prepared and today is publishing its October 1996 regulatory agenda pursuant to instructions of the Administrator, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB).

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: Richard L. Farman, Room 6E-078, Forrestal Building, 1000 Independence Avenue SW., Washington, DC 20585, (202) 586-8145.

SUPPLEMENTARY INFORMATION: Entries appended to this notice reflect the status of activities as of approximately September 15, 1996. They are divided into categories, first by subagencies and then according to their stage of rulemaking action: Prerule, proposed rulemaking, final rulemaking, long-term action, or completed action.

For this edition of the Department of Energy's regulatory agenda, the most

important significant regulatory actions are included in The Regulatory Plan, which appears in Part II of this issue of the Federal Register. The Regulatory Plan entries are listed in the Table of Contents below and are denoted by a bracketed bold reference, which directs the reader to the appropriate Sequence Number in Part II.

A draft of this 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 20, 1996.

Robert R. Nordhaus,
General Counsel.

Energy Efficiency and Renewable Energy—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
1097	Energy Efficiency Standards for Clothes Washers	1904-AA67
1098	Determination for Electric Distribution Transformers	1904-AA85

Energy Efficiency and Renewable Energy—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1099	Energy Efficiency Code for New Federal Residential Low Rise Buildings	1904-AA53
1100	Energy Code for New Federal Commercial and Multi-Family High Rise Residential Buildings	1904-AA69
1101	Test Procedures and Certification Requirements for Certain Plumbing Fixtures; and Certification Requirements for Residential Appliances	1904-AA71
1102	Energy Efficiency Standards for Lamp Ballasts	1904-AA75
1103	Energy Efficiency Standards for Water Heaters	1904-AA76
1104	Energy Conservation Program for Certain Commercial and Industrial Equipment: Test Procedures, Labeling, and Certification Requirements for Electric Motors	1904-AA82

Energy Efficiency and Renewable Energy—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1105	Energy Efficiency Standards and Determinations for High Priority Appliances and Equipment (Reg Plan Seq. No. 21)	1904-AA38
1106	Equivalent Petroleum-Based Fuel Economy Calculation for Electric and Hybrid Electric Vehicles	1904-AA40
1107	Test Procedures for Furnaces/Boilers, Vented Home Heating Equipment, and Pool Heaters—Amendment	1904-AA45
1108	Energy Efficiency Standards for Refrigerators, Refrigerator-Freezers, and Freezers	1904-AA47
1109	Test Procedures for Kitchen Ranges, Ovens and Microwaves	1904-AA52
1110	Test Procedures for Fluorescent and Incandescent Reflector Lamps	1904-AA61
1111	State and Local Incentives Program: Alternative Fuels	1904-AA66
1112	Clothes Washer Test Procedure Amendments	1904-AA68
1113	State Energy Program	1904-AA81
1114	Energy Efficiency Standards for Kitchen Ranges, Ovens and Microwave Ovens	1904-AA84
1115	Test Procedures for Water Heaters—Amendment	1904-AA88

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

DOE

Energy Efficiency and Renewable Energy—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
1116	Test Procedures for Central Air Conditioners and Heat Pumps—Amendments	1904-AA46
1117	Private/Local Alternative Fuels Fleet Program	1904-AA72
1118	National Voluntary Residential Energy Efficiency Rating Guidelines	1904-AA74
1119	Energy Efficiency Standards for Central Air Conditioners and Heat Pumps	1904-AA77
1120	Energy Efficiency Standards for Residential Furnaces and Mobile Home Furnaces	1904-AA78
1121	Determination for High Intensity Discharge Lamps	1904-AA86
1122	Determination for Small Electric Motors	1904-AA87
1123	Energy Efficiency Standards for Clothes Dryers and Dishwashers	1904-AA89
1124	Energy Efficiency Standards for Pool Heaters and Direct Heating Equipment	1904-AA90
1125	Energy Efficiency Standards for 1-200 HP Electric Motors	1904-AA91
1126	Energy Efficiency Standards for Fluorescent and Incandescent Lamps	1904-AA92

Energy Efficiency and Renewable Energy—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1127	Alternative Fuel Provider Vehicle Acquisition Mandate, State Fleet Mandate, and the Alternative Fuel Vehicle Credit Program	1904-AA64
1128	Methodology and Procedures for Life Cycle Costing Under the Energy Policy Act of 1992	1904-AA80
1129	Procedures for Consideration of New or Revised Conservation Standards for Consumer Products	1904-AA83

Defense and Security Affairs—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1130	Personnel Assurance Program	1992-AA14
1131	Information Classification	1992-AA21
1132	General Criteria and Procedures for Determining Eligibility for Access to Classified Matters or Special Nuclear Material	1992-AA22
1133	Physical Security Interests	1992-AA23

Departmental and Others—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1134	Energy Board of Contract Appeals; Organization, Functions, and Authorities; Rules of Practice	1901-AA30
1135	Freedom of Information	1901-AA32
1136	The Office of Energy Research Financial Assistance Program	1901-AA54
1137	Payments for Special Burdens and in Lieu of Taxes	1901-AA58
1138	Occupational Radiation Protection—Amendment (Reg Plan Seq. No. 22)	1901-AA59
1139	Privacy Act Exemption of Certain Contractor Employee Reprisal Complaint and Investigation System of Records ..	1901-AA66
1140	General Guidelines for the Recommendation of Sites for Nuclear Waste Repository	1901-AA72
1141	Allocation of Canadian Entitlement to Mid-Columbia Project Owners	1901-AA73

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

Departmental and Others—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1142	Nuclear Safety Management (Reg Plan Seq. No. 23)	1901-AA34
1143	Radiation Protection of the Public and the Environment (Reg Plan Seq. No. 24)	1901-AA38

DOE

Departmental and Others—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
1144	Amendments to NEPA Regulations	1901-AA74

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

Departmental and Others—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
1145	Electric Power System Permits and Reports; Applications; Administrative Procedures and Sanctions	1901-AA19
1146	Enforcement of Employee Safety Standards at Nuclear Weapons Facilities	1901-AA44
1147	Annotation of Land Records for Remediated Properties in the Uranium Mill Tailings Remedial Action Project (UMTRA)	1901-AA57
1148	Privacy Act—Exemption of an Inspector General System of Records	1901-AA62
1149	Privacy Act System of Records Update	1901-AA69
1150	Environmental Management Financial Assistance Program	1901-AA71

Departmental and Others—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1151	Standard Contract for the Disposal of Spent Nuclear Fuel and/or High-Level Radioactive Waste	1901-AA49
1152	Redesign and Revision of Wholesale Power and Transmission Rates	1901-AA64
1153	Amendments to NEPA Regulations	1901-AA67
1154	Privacy Act System of Records Amendment for Employee Assistance Program	1901-AA70

Office of Procurement and Assistance Management—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1155	DEAR: Financial Management Clauses	1991-AB02
1156	Revisions to Organizational Conflicts of Interest	1991-AB26
1157	FASA 1994, Sections 2051, 2151, and 2192	1991-AB29
1158	Security, Counterintelligence, and Options	1991-AB30
1159	FARA, DOE Certification Requirements	1991-AB31
1160	Fee Policy	1991-AB32
1161	DEAR Amendment for Rights in Data	1991-AB33
1162	DEAR: Technical Amendment	1991-AB34
1163	DEAR: Implementation of FASA and FARA Statutes	1991-AB35

Office of Procurement and Assistance Management—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1164	Department of Energy Property Management Regulations; Miscellaneous Personal Property	1991-AA28
1165	Amendment to Workplace Substance Abuse Programs at DOE Sites	1991-AA90
1166	Competition for Management and Operating Contracts	1991-AB09
1167	Contract Reform (Reg Plan Seq. No. 25)	1991-AB28

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

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Office of Procurement and Assistance Management—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
1168	DEAR: Security Procedures	1991-AA86
1169	DEAR: Amendment to Workplace Substance Abuse Programs at DOE Sites	1991-AA97
1170	DEAR: Review of M&O Contractor Purchasing Systems	1991-AB07
1171	Small Business Subcontracting Program	1991-AB17

Office of Procurement and Assistance Management—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1172	Debarment and Suspension	1991-AB24
1173	DEAR: Regulatory Reinvention-Phase III	1991-AB25
1174	Federal Acquisition Streamlining Act Implementation	1991-AB27

Office of General Counsel—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1175	Payment of Travel Expenses of Persons Who Are Not Government Employees	1990-AA15

Office of General Counsel—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
1176	Conduct of Employees	1990-AA19

Office of General Counsel—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1177	Patent Waiver Regulation	1990-AA02

DEPARTMENT OF ENERGY (DOE)

Prerule Stage

Energy Efficiency and Renewable Energy (EE)

1097. ENERGY EFFICIENCY STANDARDS FOR CLOTHES WASHERS

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: This action may affect the private sector under PL 104-4.

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or

duplication, or streamline requirements.

Legal Authority: 42 USC 6295

CFR Citation: 10 CFR 430

Legal Deadline: Final, Statutory, May 14, 1996.

Abstract: The Energy Policy and Conservation Act, as amended, establishes initial energy-efficiency standard levels for most types of major residential appliances and generally requires DOE to undergo two subsequent rulemakings, at specified

times, to determine whether the extant standard for a covered product should be amended.

This rulemaking reviews the energy conservation standards for clothes washers in order to determine whether the standard levels need to be amended. This is the second reanalysis for clothes washers.

Timetable:

Action	Date	FR Cite
ANPRM	11/14/94	59 FR 56423

DOE—EE

Prerule Stage

Action	Date	FR Cite
ANPRM Comment Period Extended	04/17/95	60 FR 5880
Screening Workshop	11/00/96	
Supplemental ANPRM	04/00/97	
Impact Workshop	06/00/97	
NPRM	04/00/98	
Final Action	10/00/98	

Small Entities Affected: None

Government Levels Affected: State

Additional Information: The action is included in Regulatory Plan 1904-AA38, which appears elsewhere in Part II of this issue of the Federal Register.

Agency Contact: P. Marc LaFrance, Program Manager, Office of Codes and Standards, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Ave. SW., Washington, DC 20585
Phone: 202 586-8423

RIN: 1904-AA67

1098. • DETERMINATION FOR ELECTRIC DISTRIBUTION TRANSFORMERS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 6317

CFR Citation: 10 CFR 430

Legal Deadline: Other, Statutory, April 24, 1995.
Determination Notice

Abstract: The Energy Policy Act of 1992, requires the Department to prescribe testing requirements for electric distribution transformers 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.

Timetable:

Action	Date	FR Cite
Workshop	01/00/97	
Determination Notice	05/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: This action is included in Regulatory Plan entry 1904-AA38, which appears elsewhere in Part II of this issue of the Federal Register.

Agency Contact: Ingrid Watson, Program Manager, Office of Codes and Standards, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., 1J-018, Washington, DC 20585
Phone: 202 586-8119
Fax: 202 586-4617

RIN: 1904-AA85

DEPARTMENT OF ENERGY (DOE)

Proposed Rule Stage

Energy Efficiency and Renewable Energy (EE)

1099. ENERGY EFFICIENCY CODE FOR NEW FEDERAL RESIDENTIAL LOW RISE BUILDINGS

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 6834 Energy Policy Act of 1992, as amended, sec 305(a)

CFR Citation: 10 CFR 435

Legal Deadline: Final, Statutory, October 24, 1994.

Abstract: Title III of the Energy Conservation and Production Act as amended by the Energy Policy Act of 1992 (PL 102-486, October 24, 1992) provides that DOE establish Federal building energy standards that require in new Federal buildings those energy efficiency measures that are technologically feasible and economically justified. The standards for Federal buildings are intended to parallel closely the voluntary building energy codes of the Energy Policy Act for private sector construction. Interim energy performance standards which DOE had issued before enactment of

the Energy Policy Act are to remain in effect for the Federal sector until the new Federal building energy standards become effective.

Timetable:

Action	Date	FR Cite
NPRM	10/00/96	
Final Action	10/00/97	

Small Entities Affected: None

Government Levels Affected: Federal

Agency Contact: Stephen P. Walder, Program Manager, Office of Codes and Standards, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Ave. SW., Washington, DC 20585
Phone: 202 586-9209

RIN: 1904-AA53

1100. ENERGY CODE FOR NEW FEDERAL COMMERCIAL AND MULTI-FAMILY HIGH RISE RESIDENTIAL BUILDINGS

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 6834 Energy Policy Act of 1992, as amended, sec 305(a)

CFR Citation: 10 CFR 434; 10 CFR 435 subpart A

Legal Deadline: Final, Statutory, October 24, 1994.

Abstract: Title III of the Energy Conservation and Production Act as amended by the Energy Policy Act of 1992 (PL 102-486, October 24, 1992) provides that DOE establish Federal building energy standards that require in new Federal buildings those energy efficiency measures that are technologically feasible and economically justified. The standards for Federal buildings are intended to parallel closely the voluntary building energy codes of the Energy Policy Act for private sector construction. Interim energy performance standards which DOE had issued before enactment of the Energy Policy Act are to remain in effect for the Federal sector until the new Federal building energy standards become effective.

This action will remove and reserve Subpart A of Part 435, and add a new part, Part 434.

DOE—EE

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	08/06/96	61 FR 40882
NPRM Comment Period End	11/04/96	
Final Action	06/00/97	

Small Entities Affected: None

Government Levels Affected: Federal

Agency Contact: Ronald B. Majette, Program Manager, Office of Codes and Standards, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-7935

RIN: 1904-AA69

1101. TEST PROCEDURES AND CERTIFICATION REQUIREMENTS FOR CERTAIN PLUMBING FIXTURES; AND CERTIFICATION REQUIREMENTS FOR RESIDENTIAL APPLIANCES

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 6293; 42 USC 6295

CFR Citation: 10 CFR 430.2; 10 CFR 430.32

Legal Deadline: None

Abstract: This action is intended to incorporate statutory plumbing requirements into the Code of Federal Regulations, propose provisions to supplement the statutory requirements to facilitate the monitoring and administration of compliance for plumbing products, and propose amendments to clarify the existing certification and enforcement requirements for all covered residential appliances.

Timetable:

Action	Date	FR Cite
NPRM	10/00/96	
Final Action	08/00/97	

Small Entities Affected: Businesses, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: William W. Hui, Program Manager, Office of Codes and Standards, Department of Energy,

Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-9145
Fax: 202 586-4617
Email: william.hui@hq.doe.gov
RIN: 1904-AA71

1102. ENERGY EFFICIENCY STANDARDS FOR LAMP BALLASTS

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: This action may affect the private sector under PL 104-4.

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 6295

CFR Citation: 10 CFR 430.32

Legal Deadline: Final, Statutory, January 1, 1992.

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 undergo 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 statutory standards for fluorescent lamp ballasts.

Timetable:

Action	Date	FR Cite
ANPRM	09/28/90	55 FR 39624
NPRM	03/04/94	59 FR 10464
Impact Workshop	12/00/96	
Reissue NPRM	09/00/97	
Final Action	03/00/98	

Small Entities Affected: None

Government Levels Affected: State, Local

Additional Information: This action is included in Regulatory Plan entry 1904-AA38, which appears elsewhere in Part II of this issue of the Federal Register.

Agency Contact: Terry Logee, Program Manager, Office of Codes and Standards, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Ave. SW., Washington, DC 20585

Phone: 202 586-1689

RIN: 1904-AA75

1103. ENERGY EFFICIENCY STANDARDS FOR WATER HEATERS

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: This action may affect the private sector under PL 104-4.

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 6295

CFR Citation: 10 CFR 430.32

Legal Deadline: Final, Statutory, January 1, 1992.

Abstract: The Energy Policy and Conservation Act as amended, establishes initial energy-efficiency standard levels for most types of major residential appliances and generally requires DOE to undergo 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 statutory standards for electric water heaters.

Timetable:

Action	Date	FR Cite
ANPRM	09/28/90	55 FR 39624
NPRM	03/04/94	59 FR 10464
Screening Workshop	05/00/97	
Notice of Availability	09/00/97	
Impact Workshop	11/00/97	
Reissue NPRM	06/00/98	
Final Action	12/00/98	

Small Entities Affected: None

Government Levels Affected: State, Local

Additional Information: This action is included in Regulatory Plan entry 1904-AA38, which appears elsewhere in Part II of this issue of the Federal Register.

Agency Contact: Byran Berringer, Program Manager, Office of Codes and Standards, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Ave. SW., Washington, DC 20585
Phone: 202 586-7140

RIN: 1904-AA76

DOE—EE

Proposed Rule Stage

1104. ENERGY CONSERVATION PROGRAM FOR CERTAIN COMMERCIAL AND INDUSTRIAL EQUIPMENT: TEST PROCEDURES, LABELING, AND CERTIFICATION REQUIREMENTS FOR ELECTRIC MOTORS**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 6311 to 6317**CFR Citation:** 10 CFR 431**Legal Deadline:** Final, Statutory, October 24, 1997.**Abstract:** The Energy Policy and Conservation Act of 1975, as amended, establishes energy efficiency standards

for commercial and industrial electric motors, prescribes test procedures, and requires labeling for such equipment. The Department proposes to create a new part (10 CFR Part 431) in the Code of Federal Regulations. This action will establish procedures for energy efficiency testing, labeling, and certification requirements for certain commercial and industrial electric motors.

Timetable:

Action	Date	FR Cite
NPRM	10/00/96	
Final Action	07/00/97	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** James Raba, Energy Technology Program Specialist, Department of Energy, Energy Efficiency and Renewable Energy, EE-43, 1000 Independence Avenue SW., Washington, DC 20585

Phone: 202 586-8654

Fax: 202 586-4617

Email: jim.raba@hq.doe.gov

RIN: 1904-AA82

DEPARTMENT OF ENERGY (DOE)

Final Rule Stage

Energy Efficiency and Renewable Energy (EE)

1105. ENERGY EFFICIENCY STANDARDS AND DETERMINATIONS FOR HIGH PRIORITY APPLIANCES AND EQUIPMENT**Regulatory Plan:** This entry is Seq. No. 21 in Part II of this issue of the Federal Register.**RIN:** 1904-AA38**1106. EQUIVALENT PETROLEUM-BASED FUEL ECONOMY CALCULATION FOR ELECTRIC AND HYBRID ELECTRIC VEHICLES****Priority:** Other Significant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** PL 96-185, sec 18; PL 94-413, sec 13(c); PL 94-163, sec 503(a)(3); PL 103-272**CFR Citation:** 10 CFR 474**Legal Deadline:** None**Abstract:** The final rule on the inclusion of electric vehicles in the Corporate Average Fuel Economy (CAFE) program was issued by DOE on April 15, 1981. It established a methodology for determining the equivalent petroleum-based fuel economy (PEF) for electric vehicles so that they could be included in a manufacturer's overall CAFE program. This methodology was based on several factors including the energy efficiency of the vehicle, the efficiency of electric generation and transmission, the fuels

used to generate electricity, and the driving patterns of electric vehicles. It established a method for determining the PEF of electric vehicles that are recharged from stationary sources only. Hybrid electric vehicles, a type of electric vehicle, are electrically recharged by an on-board mobile generator. This rulemaking would establish a methodology that is necessary for calculating the CAFE credits for electric vehicles that are recharged by mobile sources, and would update the methodology for calculating the CAFE credits for electric vehicles that are recharged by stationary sources. Rulemaking authority for establishing PEF values for electric and hybrid electric vehicles is provided under Public Law 103-272 (49 USC 32904).

Timetable:

Action	Date	FR Cite
NPRM	02/04/94	59 FR 5336
Final Action	11/00/96	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** David Hamilton, Program Manager, Electric and Hybrid Propulsion Division, Department of Energy, Energy Efficiency and Renewable Energy, EE-321, 1000 Independence Ave. SW., Washington, DC 20585

Phone: 202 586-2314

Fax: 202 586-1600

RIN: 1904-AA40**1107. TEST PROCEDURES FOR FURNACES/BOILERS, VENTED HOME HEATING EQUIPMENT, AND POOL HEATERS—AMENDMENT****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 42 USC 6293**CFR Citation:** 10 CFR 430**Legal Deadline:** None**Abstract:** These revisions to the test procedures for furnaces and boilers, vented home heating equipment and pool heaters in accordance with the Energy Policy and Conservation Act, as amended, would incorporate by reference ASHRAE Standard 103-1993 and would include waivers granted to manufacturers. This revision is prompted by the ASHRAE revision of Standard 103-1983 and the need to include waivers granted to manufacturers. DOE reopened the comments period on January 20, 1995, regarding new energy descriptors and a cost factor for the production and use of electricity. Based on the comments received, DOE has decided to eliminate the new energy descriptors and to issue a final rule based on the existing energy descriptor.**Timetable:**

Action	Date	FR Cite
NPRM	08/23/93	58 FR 44583

DOE—EE

Final Rule Stage

Action	Date	FR Cite
NPRM Comment Period End	03/21/95	60 FR 4348
Final Action	10/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Cyrus Nasser, Program Leader, Office of Codes and Standards, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Ave. SW., Washington, DC 20585-0103
Phone: 202 586-9138

RIN: 1904-AA45

1108. ENERGY EFFICIENCY STANDARDS FOR REFRIGERATORS, REFRIGERATOR-FREEZERS, AND FREEZERS

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: This action may affect the private sector under PL 104-4.

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 6295

CFR Citation: 10 CFR 430.32

Legal Deadline: Final, Statutory, November 17, 1994.

Abstract: The Energy Policy and Conservation Act, as amended, establishes initial energy-efficiency standard levels for most types of major residential appliances and generally requires DOE to determine whether the extant standard for a covered product should be amended.

This rulemaking reviews the statutory standards for refrigerators, refrigerator-freezers and freezers to determine whether those levels need to be amended. This is the second reanalysis of the standard levels.

Timetable:

Action	Date	FR Cite
ANPRM	09/08/93	58 FR 47326
NPRM	07/20/95	60 FR 37338
Final Action	11/00/96	

Small Entities Affected: None

Government Levels Affected: State, Local

Additional Information: This action is included in Regulatory Plan entry 1904-AA38, which appears elsewhere in Part II of this issue of the Federal Register.

Agency Contact: Mike Raymond, Program Manager, Office of Codes and Standards, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Ave. SW., Washington, DC 20585
Phone: 202 586-9611

RIN: 1904-AA47

1109. TEST PROCEDURES FOR KITCHEN RANGES, OVENS AND MICROWAVES

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 6293

CFR Citation: 10 CFR 430

Legal Deadline: None

Abstract: In accordance with the Energy Policy and Conservation Act as amended, the test procedures are being revised. The revision will include the constant for annual cooking energy and incorporation by reference of test procedures adopted by the International Electrotechnical Commission.

Timetable:

Action	Date	FR Cite
NPRM	03/23/95	60 FR 15330
NPRM Comment Period End	08/31/95	
Final Action	11/00/96	

Small Entities Affected: None

Government Levels Affected: Undetermined

Agency Contact: Ingrid Watson, Program Manager, Office of Codes and Standards, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., 1J-018, Washington, DC 20585
Phone: 202 586-8119
Fax: 202 586-4617

RIN: 1904-AA52

1110. TEST PROCEDURES FOR FLUORESCENT AND INCANDESCENT REFLECTOR LAMPS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 6293 Energy Policy Act of 1992, sec 123(d)

CFR Citation: 10 CFR 430

Legal Deadline: None

Abstract: The test procedures will require manufacturers to use an accredited laboratory and a standardized method to measure the energy efficiency of fluorescent and incandescent reflector lamps and to measure the color rendering index of fluorescent lamps. These measurements will determine whether products comply with the energy efficiency standards established by PL 102-486 sec 123.

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/28/94	59 FR 49468
Interim Final Rule Effective	10/28/94	
Interim Final Rule Comment Period End	12/12/94	
Final Action	10/00/96	

Small Entities Affected: None

Government Levels Affected: State

Agency Contact: Terry Logee, Program Manager, Office of Codes and Standards, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Ave. SW., Washington, DC 20585
Phone: 202 586-1689

RIN: 1904-AA61

1111. STATE AND LOCAL INCENTIVES PROGRAM: ALTERNATIVE FUELS

Priority: Other Significant

Legal Authority: 42 USC 13235 Energy Policy Act of 1992, sec 409

CFR Citation: 10 CFR 490

Legal Deadline: Final, Statutory, April 24, 1993.

Abstract: The Energy Policy Act of 1992 requires DOE to issue regulations

DOE—EE

Final Rule Stage

establishing the State and Local Incentives Program. Under this Program DOE may grant financial assistance to States for projects in DOE-approved State plans to promote use of alternative fuels and alternative fueled vehicles. With the publication of an integrated State Energy Program (61 FR 35890), the alternative fuel grant programs will now be a part of the state grant special projects. The next action will be a cancellation notice of any separate state grant program.

Timetable:

Action	Date	FR Cite
NPRM	03/21/95	60 FR 15020
NPRM Comment Period End	05/22/95	
Final Action	12/00/96	

Small Entities Affected: None

Government Levels Affected: State, Local

Agency Contact: Marcy A. Rood (EE-34), Program Manager, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Ave SW., Washington, DC 20585
Phone: 202 586-8161
Fax: 202 586-1558
Email: marcy.rood@hq.doe.gov

RIN: 1904-AA66

1112. CLOTHES WASHER TEST PROCEDURE AMENDMENTS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 6293

CFR Citation: 10 CFR 430

Legal Deadline: None

Abstract: Temperature Selection Lockout Issue: Test procedure requires revision to address the issue of temperature selections which are not offered (locked out) of the normal cycle. Clothes washers being sold with these features understate estimated energy consumption. DOE has concluded that an industry interpretation of the clothes washer test procedure, while inconsistent with the underlying purpose of the test procedure, has sufficient legal basis to necessitate an amendment of the test procedure in order to avoid material

understatements of actual energy consumption.

General Test Procedure Revision: The test procedure is being updated to incorporate waivers regarding water heating clothes washers and to address the testing of innovative clothes washers (i.e. high spin speed and automatic water fill). In addition, a future test procedure proposed by AHAM to be effective when the next clothes washer standard goes into effect, is being considered. The significant impact of this test procedure is to update consumer usage habits which will result in approximately a 30 percent reduction in energy use.

Timetable:

Action	Date	FR Cite
NPRM	05/24/95	60 FR 27442
NPRM Comment Period End	07/31/95	
Final Action	11/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: P. Marc LaFrance, Program Manager, Office of Codes and Standards, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Ave. SW., Washington, DC 20585
Phone: 202 586-8423

RIN: 1904-AA68

1113. STATE ENERGY PROGRAM

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 6321 et seq; 42 USC 7101 et seq

CFR Citation: 10 CFR 420

Legal Deadline: None

Abstract: This action is in response to instructions from the Congress to consolidate the Institutional Conservation Program and the State Energy Conservation Program. The consolidated program will be known as the State Energy Program and will be based on the regulations for the State Energy Conservation Program (10 CFR part 420) as revised to effect the consolidation.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/08/96	61 FR 35890
Final Action	12/00/96	

Small Entities Affected: None

Government Levels Affected: State, Local, Tribal

Agency Contact: Thomas Stapp, Department of Energy, Energy Efficiency and Renewable Energy, EE-44, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-2096
Fax: 202 586-7848

RIN: 1904-AA81

1114. ENERGY EFFICIENCY STANDARDS FOR KITCHEN RANGES, OVENS AND MICROWAVE OVENS

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: This action may affect the private sector under PL 104-4.

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 6295

CFR Citation: 10 CFR 430.32

Legal Deadline: Final, Statutory, January 1, 1992.

Abstract: The Energy Policy and Conservation Act, as amended, establishes initial energy efficiency standards levels for most types of major residential appliances and generally requires the Department to determine whether the extant standards for a covered product should be amended.

This action reviews the statutory standards for kitchen ranges, ovens, and microwave ovens to determine whether the standard needs to be amended. This is the first reanalysis of the standard levels.

Timetable:

Action	Date	FR Cite
ANPRM	09/28/93	55 FR 39624
NPRM	03/04/94	59 FR 10464
Final Action	06/00/97	

Small Entities Affected: None

Government Levels Affected: State, Local

DOE—EE

Final Rule Stage

Additional Information: This action is included in Regulatory Plan entry 1904-AA38, which appears elsewhere in Part II of this issue of the Federal Register.

Agency Contact: Ingrid Watson, Program Manager, Office of Codes and Standards, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-8119
Fax: 202 586-4617

RIN: 1904-AA84

1115. • TEST PROCEDURES FOR WATER HEATERS—AMENDMENT

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 6293

CFR Citation: 10 CFR 430

Legal Deadline: None

Abstract: In accordance with the Energy Policy and Conservation Act, as amended, the test procedures for water heaters are being revised. Rulemaking issues include: inclusion of electric instantaneous water heaters and storage water heaters with less than 20 gallons volume and revision of the first hour rating.

Timetable:

Action	Date	FR Cite
NPRM	03/23/95	60 FR 15330
NPRM Comment Period End	08/31/95	
Final Action	03/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: This action was separated from RIN 1904-AA52.

Agency Contact: Bryan Berringer, Program Manager, Office of Codes and Standards, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., 1J-018, Washington, DC 20585
Phone: 202 586-0371
Fax: 202 586-4617
Email: byran.berringer@hq.doe.gov

RIN: 1904-AA88

DEPARTMENT OF ENERGY (DOE)

Energy Efficiency and Renewable Energy (EE)

Long-Term Actions

1116. TEST PROCEDURES FOR CENTRAL AIR CONDITIONERS AND HEAT PUMPS—AMENDMENTS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 10 CFR 430

Timetable: Next Action Undetermined

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Michael Raymond
Phone: 202 586-9611
Fax: 202 586-4617
Email: michael.raymond@hq.doe.gov

RIN: 1904-AA46

Phone: 202 586-7182
Fax: 202 586-1610
Email: david.rodgers@hq.doe.gov

RIN: 1904-AA72

1118. NATIONAL VOLUNTARY RESIDENTIAL ENERGY EFFICIENCY RATING GUIDELINES

Priority: Substantive, Nonsignificant

CFR Citation: 10 CFR 437

Timetable:

Action	Date	FR Cite
NPRM	07/25/95	60 FR 37949
NPRM Comment Period End	05/09/96	
Final Action	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: John Reese
Phone: 202 586-7819

RIN: 1904-AA74

Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 10 CFR 430.32

Timetable:

Action	Date	FR Cite
ANPRM	09/08/93	58 FR 47326
Screening Workshop	00/00/00	
Supplemental ANPRM	00/00/00	
Workshop(Impact)	00/00/00	
NPRM	00/00/00	
Final Action	00/00/00	

Small Entities Affected: None

Government Levels Affected: State, Local

Agency Contact: Michael Raymond
Phone: 202 586-9611

RIN: 1904-AA77

1117. PRIVATE/LOCAL ALTERNATIVE FUELS FLEET PROGRAM

Priority: Economically Significant

CFR Citation: 10 CFR 490

Timetable:

Action	Date	FR Cite
ANPRM	08/07/96	61 FR 41032
Next Action	Undetermined	

Small Entities Affected: None

Government Levels Affected: Local

Agency Contact: David Rodgers

1119. ENERGY EFFICIENCY STANDARDS FOR CENTRAL AIR CONDITIONERS AND HEAT PUMPS

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: This action may affect the private sector under PL 104-4.

Reinventing Government: This rulemaking is part of the Reinventing

1120. ENERGY EFFICIENCY STANDARDS FOR RESIDENTIAL FURNACES AND MOBILE HOME FURNACES

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: This action may affect the private sector under PL 104-4.

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or

DOE—EE

Long-Term Actions

duplication, or streamline requirements.

CFR Citation: 10 CFR 430.32

Timetable:

Action	Date	FR Cite
ANPRM	09/08/93	58 FR 47326
Next Action Undetermined		

Small Entities Affected: None

Government Levels Affected: State, Local

Agency Contact: Cyrus Nasserri
Phone: 202 586-9138

RIN: 1904-AA78

1121. • DETERMINATION FOR HIGH INTENSITY DISCHARGE LAMPS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 6317

CFR Citation: 10 CFR 430

Legal Deadline: Other, Statutory, April 24, 1995.
Determination Notice

Abstract: The Energy Policy Act of 1992, 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.

Timetable: Next Action Undetermined

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Terry Logee, Program Manager, Office of Codes and Standards, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., 1J-018, Washington, DC 20585
Phone: 202 586-1689
Fax: 202 586-4617

RIN: 1904-AA86

1122. • DETERMINATION FOR SMALL ELECTRIC MOTORS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 6317

CFR Citation: 10 CFR 430

Legal Deadline: Other, Statutory, April 24, 1995.

Determination Notice

Abstract: The Energy Policy Act of 1992 requires the Department to prescribe test procedures for small electric motors 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.

Timetable:

Action	Date	FR Cite
Determination Notice	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Jim Raba, Program Manager, Office of Codes and Standards, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., 1J-018, Washington, DC 20585
Phone: 202 586-8654
Fax: 202 586-4617

RIN: 1904-AA87

1123. • ENERGY EFFICIENCY STANDARDS FOR CLOTHES DRYERS AND DISHWASHERS

Priority: Economically Significant.
Major under 5 USC 801.

Unfunded Mandates: This action may affect the private sector under PL 104-4.

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 6295

CFR Citation: 10 CFR 430.32

Legal Deadline: Final, Statutory, May 14, 1996.

Abstract: The statute requires the Department to revise the standards to achieve the maximum improvement in energy efficiency which the Secretary determines is technologically feasible and economically justified. The standards rulemakings have been categorized as high, medium, or low priority. These products are low priority. Low priority products will receive minimal attention during the next two fiscal years. Work will be

limited to basic technology investigation and monitoring of voluntary programs.

Timetable: Next Action Undetermined

Small Entities Affected: None

Government Levels Affected: State, Local

Additional Information: This action was separated from RIN 1904-AA67.

Agency Contact: Marc LaFrance, Program Manager, Office of Codes and Standards, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., 1J-018, Washington, DC 20585
Phone: 202 586-8423
Fax: 202 586-4617

RIN: 1904-AA89

1124. • ENERGY EFFICIENCY STANDARDS FOR POOL HEATERS AND DIRECT HEATING EQUIPMENT

Priority: Economically Significant.
Major under 5 USC 801.

Unfunded Mandates: This action may affect the private sector under PL 104-4.

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 6295

CFR Citation: 10 CFR 430.32

Legal Deadline: Final, Statutory, January 1, 1992.

Abstract: The statute requires the Department to revise the standards to achieve the maximum improvement in energy efficiency which the Secretary determines is technologically feasible and economically justified. The standards rulemakings have been categorized as high, medium, or low priority. These products are low priority. Low priority products will receive minimal attention during the next two fiscal years. Work will be limited to basic technology investigation and monitoring of voluntary programs.

Timetable: Next Action Undetermined

Small Entities Affected: None

Government Levels Affected: State, Local

Additional Information: This action was separated from RIN 1904-AA38.

DOE—EE

Long-Term Actions

Agency Contact: Bill Hui, Program Manager, Office of Codes and Standards, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., 1J-018, Washington, DC 20585
 Phone: 202 586-9145
 Fax: 202 586-4617
RIN: 1904-AA90

1125. • ENERGY EFFICIENCY STANDARDS FOR 1-200 HP ELECTRIC MOTORS

Priority: Economically Significant. Major under 5 USC 801.

Legal Authority: 42 USC 6313

CFR Citation: 10 CFR 431

Legal Deadline: Final, Statutory, October 24, 1999.

Abstract: The statute requires the Department to revise the standards to achieve the maximum improvement in energy efficiency which the Secretary determines is technologically feasible and economically justified. The standards rulemakings have been categorized as high, medium, and low priority. These products are low priority. Low priority products will receive minimal attention during the next two fiscal years. Work will be limited to basic technology

investigation and monitoring of voluntary programs.

Timetable: Next Action Undetermined

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Jim Raba, Program Manager, Office of Codes and Standards, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., 1J-018, Washington, DC 20585
 Phone: 202 586-8654
 Fax: 202 586-4617

RIN: 1904-AA91

1126. • ENERGY EFFICIENCY STANDARDS FOR FLUORESCENT AND INCANDESCENT LAMPS

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: This action may affect the private sector under PL 104-4.

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 6295

CFR Citation: 10 CFR 430.32

Legal Deadline: Final, Statutory, November 15, 1998.

Abstract: The statute requires the Department to revise the standards to achieve the maximum improvement in energy efficiency which the Secretary determines is technologically feasible and economically justified. The standards rulemakings have been categorized as high, medium, or low priority. These products are low priority. Low priority products will receive minimal attention during the next two fiscal years. Work will be limited to basic technology investigation and monitoring of voluntary programs.

Timetable: Next Action Undetermined

Small Entities Affected: None

Government Levels Affected: State, Local

Agency Contact: Terry Logee, Program Manager, Office of Codes and Standards, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., 1J-018, Washington, DC 20585
 Phone: 202 586-1689
 Fax: 202 586-4617

RIN: 1904-AA92

DEPARTMENT OF ENERGY (DOE)

Completed Actions

Energy Efficiency and Renewable Energy (EE)

1127. ALTERNATIVE FUEL PROVIDER VEHICLE ACQUISITION MANDATE, STATE FLEET MANDATE, AND THE ALTERNATIVE FUEL VEHICLE CREDIT PROGRAM

Priority: Other Significant

Legal Authority: 42 USC 13251 Energy Policy Act of 1992, sec 501; 42 USC 13257(o) Energy Policy Act of 1992, sec 507(o); 42 USC 13258 Energy Policy Act of 1992, sec 508; 42 USC 13261 to 13263 Energy Policy Act of 1992, sec 511 to 513

CFR Citation: 10 CFR 490

Legal Deadline: Final, Statutory, January 1, 1994.

In addition, the statute requires final rules by 10/24/93, for electricity providers who purchase electric vehicles.

Abstract: These rules are required by the Energy Policy Act of 1992 in order

to implement statutorily imposed alternative fueled vehicle acquisition requirements that become effective by operation of law on September 1, 1995, when model year 1996 begins. These statutory requirements apply to certain alternative fuel providers and some State government vehicle fleets. The proposed rules principally cover: (1) Required interpretations necessary for affected entities to determine whether and to what extent the statutory requirements apply; (2) required procedures for exemptions and administrative remedies; and (3) a program of marketable credits to reward those who voluntarily acquire vehicles in excess of mandated requirements or before the requirements take effect, and to allow use of such credits in order to demonstrate compliance with those requirements.

The final rules, published March 14, 1996, include a 1 year delay of requirements to September 1, 1996, when model year 1996 begins.

Timetable:

Action	Date	FR Cite
NPRM	02/28/95	60 FR 10970
NPRM Comment Period End	05/01/95	
Final Action	03/14/96	61 FR 10622
Final Action Effective	04/15/96	

Small Entities Affected: None

Government Levels Affected: State

Additional Information: The program will require acquisitions starting with model-year 1997, which begins September 1, 1996. All percentage requirements will also be delayed 1 model-year.

Agency Contact: Kenneth R. Katz, Program Manager, Office of Alternative

DOE—EE

Completed Actions

Fuels, EE-34, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Ave. SW., Washington, DC 20585
 Phone: 202 586-6116
 Fax: 202 586-1610
 Email: kenneth.katz@hq.doe.gov
RIN: 1904-AA64

Government Levels Affected: Federal
Agency Contact: Ted Collins, Energy Technology Specialist, Department of Energy, Energy Efficiency and Renewable Energy
 Phone: 202 586-8017
 Fax: 702 586-3000
RIN: 1904-AA80

procedures, interpretations, and policies that will guide the Department in its efforts to proceed expeditiously with new standards. The publication of this procedural rule is an important step in institutionalizing the procedural improvement effort. The key elements of the procedural rule include: providing for early input from stakeholders, increasing the predictability of the rulemaking timetable, increasing use of outside technical expertise, eliminating problematic design options early in the process, fully considering non-regulatory approaches, conducting thorough analyses of impacts, using more transparent and robust analytical methods, articulating policies to guide selection of standards, supporting efforts to build consensus on standards, reducing the time and cost of developing standards, and establishment of an advisory committee.

Timetable:

Action	Date	FR Cite
Final Action	07/15/96	61 FR 36974
Final Action Effective	08/14/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Bryan Berringer, Program Manager, Office of Codes and Standards, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., Washington, DC 20585
 Phone: 202 586-0371
 Fax: 202 586-4617
 Email: bryan.berringer@hq.doe.gov
RIN: 1904-AA83

1128. METHODOLOGY AND PROCEDURES FOR LIFE CYCLE COSTING UNDER THE ENERGY POLICY ACT OF 1992

Priority: Substantive, Nonsignificant
Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 8287 Energy Policy Act of 1992, Sec 152

CFR Citation: 10 CFR 436

Legal Deadline: None

Abstract: This action amends existing procedures to clarify the application of the life cycle costing methodology to water conservation in Federal buildings. Section 152 amended the legislatively mandated Federal Energy Management Program to include conservation and the efficient use of water. This rulemaking provides Federal energy managers a rational economic basis for evaluation.

Timetable:

Action	Date	FR Cite
NPRM	08/25/95	60 FR 44286
Final Action	06/25/96	61 FR 32647

Small Entities Affected: None

1129. • PROCEDURES FOR CONSIDERATION OF NEW OR REVISED CONSERVATION STANDARDS FOR CONSUMER PRODUCTS

Priority: Info./Admin./Other
Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 6291 to 6309

CFR Citation: 10 CFR 430

Legal Deadline: None

Abstract: In September 1995, the Department initiated an appliance standards process improvement effort. To assist the Department in this effort, a group of interested parties representing conservation groups, manufacturers, trade associations, state agencies, and utilities were asked to provide critical review and guidance in structuring the improvement process. Using their expertise and experience with standards development, essential issues were discussed in a series of preliminary meetings, in-depth interviews, and a public workshop.

On July 15, 1996, the Department published a final rule establishing

**DEPARTMENT OF ENERGY (DOE)
 Defense and Security Affairs (DSA)**

Proposed Rule Stage

1130. PERSONNEL ASSURANCE PROGRAM

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 2012 et seq, Atomic Energy Act of 1954

CFR Citation: 10 CFR 711

Legal Deadline: None

Abstract: The Department of Energy (DOE) conducts a Personnel Assurance Program (PAP) under DOE Order 452.2, "Safety of Nuclear Explosive Operations", and DOE-STD-3016.96,

"Personnel Assurance Program." The PAP was created in order to assure the reliability and safety of individuals in certain critical positions and is a part of the DOE nuclear weapons and explosives safety program. To further minimize the potential risks to personnel, public health and safety, and national security, the Department now proposes this rule which describes the PAP and provides for testing for alcohol under certain circumstances and for possible use of illegal drugs by

DOE Federal and contractor employees requiring PAP certification or recertification. The DOE employees under the PAP are part of the DOE Drug-Free Workplace Program (DOE 3792.3). The DOE contractors under the PAP are a part of the Workplace Substance Abuse Programs at DOE facilities (10 CFR 707).

DOE—DSA

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	10/00/96	
Final Action	01/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: David McConagha, Defense Programs, Department of Energy, Washington, DC 20545
Phone: 301 903-3463 Tom Stepan, Defense Programs, Department of Energy, Washington, DC 20545
Phone: 301 903-3463

RIN: 1992-AA14

1131. INFORMATION CLASSIFICATION

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: EO 12958; 42 USC 2161; 42 USC 2162

CFR Citation: 10 CFR 1045

Legal Deadline: Final, Statutory, October 16, 1995.
EO 12958 requires implementation regulation by 10/16/95

Abstract: This regulation establishes the policies and procedures which implement requirements of the Atomic Energy Act for the classification and declassification of information as Restricted Data and Formerly Restricted Data and which implement the requirements of EO 12958 concerning Classified National Security Information that directly affect the public. This regulation prescribes procedures to be used by all Agencies in dealing with Restricted Data and Formerly Restricted Data, and describes how members of the public may request DOE National Security Information and appeal DOE classification decisions regarding such requests.

Timetable:

Action	Date	FR Cite
NPRM	10/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Janet O'Connell, Security Specialist, Department of Energy, Office of Declassification (NN-521), Washington, DC 20585
Phone: 301 903-1113
Fax: 301 903-1230

RIN: 1992-AA21

1132. • GENERAL CRITERIA AND PROCEDURES FOR DETERMINING ELIGIBILITY FOR ACCESS TO CLASSIFIED MATTERS OR SPECIAL NUCLEAR MATERIAL

Priority: Info./Admin./Other

Legal Authority: EO 12968; 42 USC 2201

CFR Citation: 10 CFR 710 subpart A

Legal Deadline: None

Abstract: 10 CFR part 710, which stipulates DOE access authorization "due process" procedures, will be revised to comply with Section 5.2(a) of EO 12968. This section requires three decision levels in the process of determining whether an individual's access to classified matter will be denied or revoked, with the final decision being made by a three member high level appeal panel. While the DOE decision structure will be revised, the DOE will continue to offer the individual the right to a hearing before a hearing officer in such cases. These revisions are not expected to significantly impact the costs, time intervals, or risks associated with DOE's administrative review process. There are no alternatives to the Department for assuring full compliance with the new requirements.

Timetable:

Action	Date	FR Cite
NPRM	11/00/96	
Final Action	03/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Barry Dalinsky, Personnel Security Specialist, Office of Safeguards and Security, Department of Energy, Germantown, MD 20824-1290
Phone: 301 903-5010
Fax: 301 903-6545

RIN: 1992-AA22

1133. • PHYSICAL SECURITY INTERESTS

Priority: Routine and Frequent

Legal Authority: 42 USC 2011; 42 USC 7101

CFR Citation: 10 CFR 1046 subpart A; 10 CFR 1046 subpart B

Legal Deadline: None

Abstract: 10 CFR part 1046, subparts A and B, establish DOE contractor requirements in the areas of protective force medical, physical fitness, and firearms qualifications and training. The proposed revisions are to ensure protective force personnel receive quality medical services that are consistent with the Americans with Disabilities Act of 1990. They also will enhance communications between Designated Physicians and personnel responsible for supervising physical fitness training and certification to assure better understanding of the risk of injury to Security Police Officers and Security Officers participating in physical fitness activities.

Timetable:

Action	Date	FR Cite
NPRM	12/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Russell Showers, Security Specialist, Office of Safeguards and Security, Department of Energy, Germantown, MD 20874-1290
Phone: 301 903-5122
Fax: 301 903-8717

RIN: 1992-AA23

DEPARTMENT OF ENERGY (DOE)
Departmental and Others (ENDEP)

Proposed Rule Stage

1134. ENERGY BOARD OF CONTRACT APPEALS; ORGANIZATION, FUNCTIONS, AND AUTHORITIES; RULES OF PRACTICE
Priority: Info./Admin./Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 41 USC 601 et seq**CFR Citation:** 10 CFR 1023**Legal Deadline:** None

Abstract: Update statement of Board organization, functions and authorities; update rules of practice for contract appeals to provide for alternative dispute resolution (ADR) and other purposes.

Timetable:

Action	Date	FR Cite
NPRM	10/00/96	
Final Action	05/00/97	

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: E. Barclay Van Doren, Chairman, Board of Contract Appeals, Department of Energy, 4040 N. Fairfax Drive, Rm 1006, Arlington, VA 22203
Phone: 703 235-2700

RIN: 1901-AA30
1135. FREEDOM OF INFORMATION
Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 5 USC 552**CFR Citation:** 10 CFR 1004**Legal Deadline:** None

Abstract: On October 23, 1991, DOE proposed to amend the procedures and principles to be applied in responding to requests for records under the Freedom of Information Act (FOIA) 5 USC 552. The proposal updated names and addresses of organizational entities, and updated guidelines for the schedule of fees associated with processing requests. A proposed section on policies clarified DOE's operation of a first-in, first-out policy in responding to FOIA requests, and the role of the

Office of Hearings and Appeals was clarified. The proposal also included a statement of DOE policy on contractor records.

On December 12, 1994, DOE adopted the contractor records policy, with certain modifications. DOE expects to take final action on the remainder of the proposal in the near future.

The new regulations will clarify the FOIA process by clearly defining the roles of the FOIA Officer and the Denying Official. The new regulations will be written in a more customer-friendly manner in plain English.

Timetable:

Action	Date	FR Cite
Final Rule (Contractor Records)	12/12/94	59 FR 63882
NPRM	11/00/96	

Small Entities Affected: None**Government Levels Affected:** None**Sectors Affected:** All

Agency Contact: GayLa Sessoms, Director, FOIA and Privacy Act Division, Department of Energy, 1000 Independence Ave. SW., Washington, DC 20585
Phone: 202 586-5595

RIN: 1901-AA32
1136. THE OFFICE OF ENERGY RESEARCH FINANCIAL ASSISTANCE PROGRAM
Priority: Info./Admin./Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 2051; 42 USC 5817; 42 USC 5901 et seq; 42 USC 7254; 42 USC 7256; 31 USC 6301 et seq

CFR Citation: 10 CFR 605**Legal Deadline:** None

Abstract: Action to be taken will improve grants administration by providing a more streamlined and uniform approach to post-award requirements, yet maintain stewardship and accountability responsibilities.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None**Government Levels Affected:** State, Local

Agency Contact: Jean A. Morrow, Grants Policy Analyst (ER-64), Department of Energy, Office of Energy Research, Washington, DC 20545
Phone: 301 903-2452

RIN: 1901-AA54
1137. PAYMENTS FOR SPECIAL BURDENS AND IN LIEU OF TAXES
Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 2208 Atomic Energy Act of 1954, sec 168

CFR Citation: Not yet determined**Legal Deadline:** None

Abstract: To revise the Department of Energy's policy on making payments for special burdens and in lieu of taxes to State and local taxing jurisdictions pursuant to the Atomic Energy Act of 1954. Prior to the 1987 issuance of DOE Order 2100.12, the Department and its predecessor agencies approved such payment requests on an ad hoc basis. To ensure all eligible taxing jurisdictions are provided appropriate opportunity to comment, the revised policy is being established through the rulemaking process. The Department anticipates no added costs by issuing the revised policy as a regulation rather than as an internal directive revision.

Timetable:

Action	Date	FR Cite
NPRM	11/00/96	

Small Entities Affected: Undetermined**Government Levels Affected:** Local

Agency Contact: Robert W. Gordon, Financial Policy Analyst, Office of Financial Policy, Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-4860

RIN: 1901-AA58
1138. OCCUPATIONAL RADIATION PROTECTION—AMENDMENT

Regulatory Plan: This entry is Seq. No. 22 in Part II of this issue of the Federal Register.

RIN: 1901-AA59

DOE—ENDEP

Proposed Rule Stage

1139. PRIVACY ACT EXEMPTION OF CERTAIN CONTRACTOR EMPLOYEE REPRISAL COMPLAINT AND INVESTIGATION SYSTEM OF RECORDS

Priority: Info./Admin./Other
Legal Authority: 5 USC 552a
CFR Citation: 10 CFR 1008
Legal Deadline: None

Abstract: This action would amend the Department's Privacy Act Regulations 10 CFR 1008, by adding a new system of records to the list of systems exempted from certain provisions of the Act. The proposed new system of records will be titled "Contractor Employee Reprisal Complaint and Investigation Files (DOE-89)." These exemptions are needed to enable the Office of Contractor Employee Protection to perform its administrative, analytical and investigatory duties and responsibilities.

Timetable:

Action	Date	FR Cite
NPRM	03/00/97	

Small Entities Affected: None
Government Levels Affected: None
Agency Contact: GayLa D. Sessoms, Director, FOIA/Privacy Act Division, Office of the Executive Secretariat, Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585
 Phone: 202 586-5955
RIN: 1901-AA66

1140. GENERAL GUIDELINES FOR THE RECOMMENDATION OF SITES FOR NUCLEAR WASTE REPOSITORY

Priority: Other Significant
Legal Authority: 42 USC 10132
CFR Citation: 10 CFR 960
Legal Deadline: None

Abstract: This action would implement the guidelines that will be used by the Department in deciding whether to recommend a site for the development of the geologic repository for the disposal of high-level radioactive waste and spent nuclear fuel. The amended guidelines will reflect statutory and policy changes that have occurred since the Nuclear Waste Policy Act was passed in 1982. The amendments will also be based on the experience the Department has gained over the last decade of investigative efforts.

Timetable:

Action	Date	FR Cite
NPRM	10/00/96	

Small Entities Affected: None
Government Levels Affected: Federal
Agency Contact: Susan Rives, Counsel, Department of Energy, Yucca Mountain Site Characterization Office, PO Box 98608, Las Vegas, NV 89193
 Phone: 702 794-5519
 Fax: 702 794-7907
RIN: 1901-AA72

1141. • ALLOCATION OF CANADIAN ENTITLEMENT TO MID-COLUMBIA PROJECT OWNERS

Priority: Info./Admin./Other
Legal Authority: EO 11177
CFR Citation: Not applicable
Legal Deadline: None

Abstract: The Columbia River Treaty requires the United States to return to Canada half of the power benefits produced downstream in the U.S. from the storage operation in Canada. These benefits are generated at both federal and non-federal generation projects. This proposed rule would set the Mid-Columbia owner's share of the return obligation, i.e., the non-federal allocation. The rule would also grant to the Mid-Columbia owners the right to use the improved stream flow that results from the Canadian upstream project.

Timetable:

Action	Date	FR Cite
NPRM	10/00/96	

Small Entities Affected: None
Government Levels Affected: None
Agency Contact: Phil Mesa, Hydraulic Engineer, Bonneville Power Authority, Department of Energy, 911 NE 11th Avenue, MGHO-DITT2, Portland, OR 97232
 Phone: 360 418-2152
RIN: 1901-AA73

DEPARTMENT OF ENERGY (DOE) Departmental and Others (ENDEP)

Final Rule Stage

1142. NUCLEAR SAFETY MANAGEMENT

Regulatory Plan: This entry is Seq. No. 23 in Part II of this issue of the Federal Register.
RIN: 1901-AA34

1143. RADIATION PROTECTION OF THE PUBLIC AND THE ENVIRONMENT

Regulatory Plan: This entry is Seq. No. 24 in Part II of this issue of the Federal Register.
RIN: 1901-AA38

1144. • AMENDMENTS TO NEPA REGULATIONS

Priority: Substantive, Nonsignificant
Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 7254; 42 USC 4321 et seq
CFR Citation: 10 CFR 1021
Legal Deadline: None

Abstract: The Department is proposing to amend its NEPA regulations (10 CFR part 1021) to improve the efficiency of

DOE's implementation of NEPA by expanding or clarifying 11 classes of actions relating primarily to power marketing activities. The need to make these changes stems from experience gained under the current regulations, which were issued in 1992.

Timetable:

Action	Date	FR Cite
NPRM	02/20/96	61 FR 6414
NPRM Comment Period End	04/05/96	
Final Action	10/00/96	

Small Entities Affected: None
Government Levels Affected: None

DOE—ENDEP

Final Rule Stage

Agency Contact: Bob Strickler,
Director, Project Activities Division,
Department of Energy, Office of NEPA

Policy and Assistance, 1000
Independence Avenue SW.,
Washington, DC 20585-0119

Phone: 202 586-2410
Fax: 202 586-3915
RIN: 1901-AA74

**DEPARTMENT OF ENERGY (DOE)
Departmental and Others (ENDEP)**

Long-Term Actions

1145. ELECTRIC POWER SYSTEM PERMITS AND REPORTS; APPLICATIONS; ADMINISTRATIVE PROCEDURES AND SANCTIONS

Priority: Info./Admin./Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 10 CFR 205

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Ellen Russell
Phone: 202 586-9624

RIN: 1901-AA19

1146. ENFORCEMENT OF EMPLOYEE SAFETY STANDARDS AT NUCLEAR WEAPONS FACILITIES

Priority: Other Significant

CFR Citation: Not yet determined

Timetable:

Action	Date	FR Cite
ANPRM	08/26/94	59 FR 44139
Next Action Undetermined		

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Martin S. Mathamel
Phone: 301 903-5639

Fax: 301 903-2582
RIN: 1901-AA44

1147. ANNOTATION OF LAND RECORDS FOR REMEDIATED PROPERTIES IN THE URANIUM MILL TAILINGS REMEDIAL ACTION PROJECT (UMTRA)

Priority: Info./Admin./Other

CFR Citation: Not yet determined

Timetable:

Action	Date	FR Cite
NPRM	07/14/89	54 FR 29732
Next Action Undetermined		

Small Entities Affected: None

Government Levels Affected: State, Federal

Agency Contact: Loretta Fahy
Phone: 301 903-3895
Fax: 301 903-3877

RIN: 1901-AA57

1148. PRIVACY ACT—EXEMPTION OF AN INSPECTOR GENERAL SYSTEM OF RECORDS

Priority: Info./Admin./Other

CFR Citation: 10 CFR 1008

Timetable: Next Action Undetermined

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: GayLa D. Sessoms
Phone: 202 586-5955

RIN: 1901-AA62

1149. PRIVACY ACT SYSTEM OF RECORDS UPDATE

Priority: Info./Admin./Other

CFR Citation: 10 CFR 1008

Timetable: Next Action Undetermined

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: GayLa D. Sessoms
Phone: 202 586-5595
Fax: 202 586-0575
Email: gayla.sessoms@hq.doe.gov

RIN: 1901-AA69

1150. ENVIRONMENTAL MANAGEMENT FINANCIAL ASSISTANCE PROGRAM

Priority: Substantive, Nonsignificant

CFR Citation: 10 CFR 600

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Procurement: This is a procurement-related action for which there is a statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Trina M. Porter
Phone: 202 586-7615
Fax: 202 586-9469
Email: trina.porter@em.doe.gov

RIN: 1901-AA71

DEPARTMENT OF ENERGY (DOE)
Departmental and Others (ENDEP)
Completed Actions
1151. STANDARD CONTRACT FOR THE DISPOSAL OF SPENT NUCLEAR FUEL AND/OR HIGH-LEVEL RADIOACTIVE WASTE

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 10222

CFR Citation: 10 CFR 961

Legal Deadline: None

Abstract: On April 18, 1983, DOE published a rule that established the Standard Contract for the Disposal of Spent Nuclear Fuel and/or High-Level Radioactive Waste (Standard Contract) to be used by DOE in furnishing disposal services to the owners and generators of spent nuclear fuel (SNF) and/or high-level radioactive waste (HLW) (48 FR 16590). The Standard Contract represents the sole contractual mechanism for DOE acceptance and disposal of SNF. The Standard Contract establishes the requirements and operational responsibilities of DOE and the owners and generators of SNF regarding administrative matters, fees, terms of payment, waste acceptance criteria and waste acceptance procedures. This rulemaking concerns changes and additions to the Standard Contract.

Timetable:

Action	Date	FR Cite
Withdrawn	09/19/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: David Zabransky, General Engineer, Department of Energy, Office of Civilian Radioactive Waste Management (RW-44), Washington, DC 20585
Phone: 202 586-9198

RIN: 1901-AA49

1152. REDESIGN AND REVISION OF WHOLESALE POWER AND TRANSMISSION RATES

Priority: Info./Admin./Other

Legal Authority: 16 USC 839e

CFR Citation: Not applicable

Legal Deadline: None

Abstract: This is an action by the Bonneville Power Administration (BPA)

to redesign and revise its wholesale power and transmission rates. The principal purposes of this action would be to allow BPA to recover sufficient revenues to timely meet its repayment and other cost recovery obligations, to be a reliable and competitive power supplier, to send appropriate price signals to customers, and to otherwise meet BPA ratemaking standards set forth in various statutes.

Timetable:

Action	Date	FR Cite
Final Record of Decision	06/14/96	

Transmission Rates

Notice of Intent to Revise Rates 12/28/94 (59 FR 66946)
NPRM 02/14/95 (60 FR 8505)

Wholesale Power Rates

Notice of Intent to Revise Rates 12/28/94 (59 FR 66947)
NPRM 02/14/95 (60 FR 8496)

Small Entities Affected: None

Government Levels Affected: None

Additional Information: On February 14, 1995, BPA also proposed comparable transmission terms and conditions (60 FR 8511).

This action would have been excluded from the regulatory agenda since it is being undertaken in accordance with the formal ratemaking provisions of section 7(i) of the Pacific Northwest Electric Power Planning and Conservation Act (16 USC 839e(i)). This action is being included, however, in order to provide the public with the fullest notice of DOE's rulemaking activities.

For these ratemakings, BPA's final action is characterized as the "final proposal," reflected in a final record of decision filed, together with the record, with the Federal Energy Regulatory Commission for confirmation and approval.

Agency Contact: Randy Roach, Attorney/Legal Services, Department of Energy, Bonneville Power Administration - APR, P.O. Box 3621, Portland, OR 97208
Phone: 503 230-4201

RIN: 1901-AA64

1153. AMENDMENTS TO NEPA REGULATIONS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing

Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 7254; 42 USC 4321 et seq

CFR Citation: 10 CFR 1021

Legal Deadline: None

Abstract: The Department is proposing to amend its NEPA regulations (10 CFR 1021) to streamline the NEPA process and make it more useful to decision makers and the public, and to reflect the changing missions of the Department. The most significant amendments include: (1) eliminating the requirement to prepare an environmental impact statement implementation plan; (2) streamlining the requirements for publication of record of decision and the format of findings of no significant impact; and (3) adding 17 new categorical exclusions and modifying or clarifying 27 existing categorical exclusions.

Timetable:

Action	Date	FR Cite
NPRM	02/20/96	61 FR 6414
NPRM Comment Period End	04/05/96	
Final Action	07/09/96	61 FR 36222
Final Action Effective	08/08/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: John Pulliam, Project Leader (EH-422), Department of Energy, Office of NEPA Policy and Assistance, 1000 Independence Avenue SW., Washington, DC 20585-0119
Phone: 202 586-4597

RIN: 1901-AA67

1154. PRIVACY ACT SYSTEM OF RECORDS AMENDMENT FOR EMPLOYEE ASSISTANCE PROGRAM

Priority: Info./Admin./Other

Legal Authority: 5 USC 552a

CFR Citation: 10 CFR 1008

Legal Deadline: None

Abstract: This action will amend the Department's Privacy Act Regulations, 10 CFR 1008, by expanding an existing system of records to include new records. The system, "DOE-34, Employee Assistance Program (Alcohol and Drug Abuse Program)," will be renamed "DOE-34, Employee Assistance Program (EAP) Records" and

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Completed Actions

amended to include assistance given to employees on all behavioral problems or issues. The notice also will propose to increase the number of locations for the system, establish new routine uses, delete some existing routine uses, and update information related to the system.

Timetable:

Action	Date	FR Cite
Final Action	05/13/96	61 FR 22039
Final Action Effective	06/23/96	

Small Entities Affected: None
Government Levels Affected: None
Agency Contact: GayLa D. Sessoms, Director, FOIA and Privacy Act

Division, Office of the Executive Secretariat, Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585
 Phone: 202 586-5595
 Fax: 202 586-0575
 Email: gayla.sessoms@hq.doe.gov
RIN: 1901-AA70

**DEPARTMENT OF ENERGY (DOE)
 Office of Procurement and Assistance Management (PR)**

Proposed Rule Stage

1155. DEAR: FINANCIAL MANAGEMENT CLAUSES

Priority: Info./Admin./Other

Legal Authority: 42 USC 7254; 40 USC 486(c)

CFR Citation: 48 CFR 970

Legal Deadline: None

Abstract: This rule revises selected financial management clauses and clarifies language in existing clauses. It will strengthen M&O contractor financial management and make the regulation easier to understand.

Timetable:

Action	Date	FR Cite
NPRM	02/00/97	
Final Action	09/00/97	

Small Entities Affected: None

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Michael L. Righi, Procurement Analyst, Department of Energy, Office of Procurement and Assistance Management, 1000 Independence Avenue SW., Washington, DC 20585
 Phone: 202 586-8175

RIN: 1991-AB02

1156. REVISIONS TO ORGANIZATIONAL CONFLICTS OF INTEREST

Priority: Info./Admin./Other

Legal Authority: 42 USC 7254; 40 USC 486(c)

CFR Citation: 48 CFR 909; 48 CFR 952; 48 CFR 970

Legal Deadline: None

Abstract: As a result of the repeal of Public Laws 93-577 and 93-275, the Department is proposing to amend its regulation to conform to the DOE's Organizational Conflicts of Interest (OCI) policy to the extent practical to the Governmentwide requirements of the FAR and OFPP policy letter 89-1.

Timetable:

Action	Date	FR Cite
NPRM	12/00/96	
Final Action	05/00/97	

Small Entities Affected: None

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Robert Webb, Department of Energy, Office of Procurement and Assistance Management, 1000 Independence Avenue SW., Washington, DC 20585
 Phone: 202 586-8264
 Fax: 202 586-0545

RIN: 1991-AB26

1157. FASA 1994, SECTIONS 2051, 2151, AND 2192

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7254

CFR Citation: 48 CFR 9

Legal Deadline: None

Abstract: Revises policy to implement FASA statutory provisions related to contract financing and allowable costs.

Timetable:

Action	Date	FR Cite
NPRM	12/00/96	

Small Entities Affected: None

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is a statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Terrence Sheppard, Procurement Analyst, Department of Energy, Office of Procurement and Assistance Management, 1000 Independence Ave SW., HR-51, Washington, DC 20585
 Phone: 202 586-8174
 Fax: 202 586-0545

RIN: 1991-AB29

1158. SECURITY, COUNTERINTELLIGENCE, AND OPTIONS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7254

CFR Citation: 48 CFR 917; 48 CFR 970

Legal Deadline: None

Abstract: Revises policy for processing contractor employee security clearance requests, establishes counterintelligence procedures for contractors involved in classified or sensitive programs and promotes exercise of options as a performance incentive.

Timetable:

Action	Date	FR Cite
NPRM	12/00/96	

Small Entities Affected: None

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Richard Langston, Procurement Analyst, Department of Energy, Office of Procurement and Assistance Management, 1000

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Proposed Rule Stage

Independence Ave SW., HR-51,
Washington, DC 20585
Phone: 202 586-8247
Fax: 202 586-0545
RIN: 1991-AB30

1159. FARA, DOE CERTIFICATION REQUIREMENTS

Priority: Info./Admin./Other

Legal Authority: 42 USC 7254

CFR Citation: 48 CFR 9

Legal Deadline: NPRM, Statutory, September 6, 1996.

Abstract: The Federal Acquisition Reform Act of 1996 requires each agency to review their procurement regulations that contain certification requirements not specifically imposed by statute to determine whether they should be eliminated.

Timetable:

Action	Date	FR Cite
NPRM	08/28/96	61 FR 45391
NPRM Comment Period End	10/28/96	
Final Action	02/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is a statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: John Bashista, Procurement Analyst (HR-51), Department of Energy, Office of Procurement and Assistance Management, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-8192
Fax: 202 586-0545

RIN: 1991-AB31

1160. • FEE POLICY

Priority: Info./Admin./Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 7254

CFR Citation: 48 CFR 970

Legal Deadline: None

Abstract: This action will redefine the Department's policy regarding fees paid

to nonprofit entities, incentives paid to contractors for cost avoidance and cost reduction, and the use of multiple fee arrangements. It is an integral part of the Department's contract reform initiative to improve contractor performance and reduce overall program costs.

Timetable:

Action	Date	FR Cite
NPRM	02/00/97	

Small Entities Affected: None

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Connie Fournier, Procurement Analyst, Department of Energy, Office of Procurement and Assistance Management, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-8245
Fax: 202 586-0545

RIN: 1991-AB32

1161. • DEAR AMENDMENT FOR RIGHTS IN DATA

Priority: Info./Admin./Other

Legal Authority: 42 USC 7254; 42 USC 486(c)

CFR Citation: 48 CFR 915; 48 CFR 927; 48 CFR 952; 48 CFR 970

Legal Deadline: None

Abstract: This action will make changes to the rights in technical data provisions of the DEAR to rely more on FAR technical data coverage.

Timetable:

Action	Date	FR Cite
NPRM	12/00/96	

Small Entities Affected: None

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Robert Webb, Procurement Analyst, Department of Energy, Office of Procurement and Assistance Management, 1000 Independence Avenue SW., Washington, DC 20585

Phone: 202 586-8264
Fax: 202 586-0545

RIN: 1991-AB33

1162. • DEAR: TECHNICAL AMENDMENT

Priority: Info./Admin./Other

Legal Authority: 42 USC 7254; 40 USC 486(c)

CFR Citation: 48 CFR 901 to 970

Legal Deadline: None

Abstract: This action is a technical amendment to conform the Department of Energy Acquisition Regulations (DEAR) to the Federal Acquisition Regulations (FAR) and update authorities, addresses, clause dates, and other references.

Timetable:

Action	Date	FR Cite
NPRM	03/00/97	

Small Entities Affected: None

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: P. Devers Weaver, Procurement Analyst, Department of Energy, Office of Procurement and Assistance Management, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-8250
Fax: 202 586-0545

RIN: 1991-AB34

1163. • DEAR: IMPLEMENTATION OF FASA AND FARA STATUTES

Priority: Info./Admin./Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 7254; 40 USC 486(c)

CFR Citation: 48 CFR 901 to 952

Legal Deadline: None

Abstract: This action represents the Department's supplemental implementation of the regulations set forth at 48 CFR Parts 1 through 52,

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which implement the provisions of the Federal Acquisition Streamlining Act of 1996 (FASA) and the Federal Acquisition Reform Act of 1996 (FARA).

Timetable:

Action	Date	FR Cite
NPRM	03/00/97	
Final Action	09/00/97	

Small Entities Affected: None
Government Levels Affected: None
Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: John R. Bashista, Procurement Analyst, Department of

Energy, Office of Procurement and Assistance Management, 1000 Independence Avenue SW., Washington, DC 20585
 Phone: 202 586-8192
 Fax: 202 586-0545

RIN: 1991—AB35

DEPARTMENT OF ENERGY (DOE)

Final Rule Stage

Office of Procurement and Assistance Management (PR)

1164. DEPARTMENT OF ENERGY PROPERTY MANAGEMENT REGULATIONS; MISCELLANEOUS PERSONAL PROPERTY

Priority: Info./Admin./Other

Legal Authority: 42 USC 7254

CFR Citation: 41 CFR 109

Legal Deadline: None

Abstract: Updates the Property Management Regulations regarding management of the Department's personal property. DOE Property Management Regulations will be updated to incorporate recently developed policy in the areas of High Risk personal property, math and science equipment gifts program and the transfer of personal property identified for economic development near DOE sites that are being reconfigured or closed. Revision also includes coverage on contractor self-assessment program, and expanded duties of the Organizational Property Management Officers. Many of these changes are a result of Contract Reform, streamlining and reinvention initiatives.

Timetable:

Action	Date	FR Cite
NPRM	09/11/96	61 FR 48006
Final Action	08/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Julia Harman, Supply Management Representative, Department of Energy, Office of Procurement and Assistance Management, 1000 Independence Ave. SW., Washington, DC 20585
 Phone: 202 586-1435
 Fax: 202 586-9356

RIN: 1991—AA28

1165. AMENDMENT TO WORKPLACE SUBSTANCE ABUSE PROGRAMS AT DOE SITES

Priority: Other Significant

Legal Authority: 42 USC 2012 et seq., Atomic Energy Act of 1954

CFR Citation: 10 CFR 707

Legal Deadline: None

Abstract: This action will amend the Department's rule governing the use of illegal drugs at DOE sites to ensure that substance abuse programs include provisions that also address misuse and abuse of alcohol. DOE expects to mitigate the potential for harm to the environment and to the public health and safety at DOE sites by contractor employees and other individuals performing health or safety sensitive functions. Cost incurred will affect primarily cost reimbursement type contracts for managing, operating, constructing, and servicing DOE facilities and certain other on-site contractors and subcontractors.

Timetable:

Action	Date	FR Cite
NPRM	07/22/92	57 FR 32664
NPRM Comment Period End	09/21/92	
Final Action	02/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: John Edmondson, Director, Office of Contractor Personnel Management, Department of Energy, Office of Procurement and Assistance Management, 1000 Independence Ave. SW., Washington, DC 20585
 Phone: 202 586-9008

RIN: 1991—AA90

1166. COMPETITION FOR MANAGEMENT AND OPERATING CONTRACTS

Priority: Routine and Frequent

Legal Authority: 42 USC 7254

CFR Citation: 48 CFR 970

Legal Deadline: None

Abstract: Revise policy to place greater emphasis on competition for management and operating contracts. This action is part of the Department's Contract Reform initiative.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/24/96	61 FR 32584
Final Action	02/00/97	

Small Entities Affected: None

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Connie Fournier, Procurement Analyst (HR-51), Department of Energy, Office of Procurement and Assistance Management, 1000 Independence Ave SW., Washington, DC 20585
 Phone: 202 586-8245
 Fax: 202 586-0545

RIN: 1991—AB09

1167. CONTRACT REFORM

Regulatory Plan: This entry is Seq. No. 25 in Part II of this issue of the Federal Register.

RIN: 1991—AB28

DEPARTMENT OF ENERGY (DOE)

Long-Term Actions

Office of Procurement and Assistance Management (PR)

1168. DEAR: SECURITY PROCEDURES

Priority: Info./Admin./Other

CFR Citation: 48 CFR 904; 48 CFR 952

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is a paperwork burden associated with this action.

Agency Contact: Richard Langston
Phone: 202 586-8247

RIN: 1991-AA86

1169. DEAR: AMENDMENT TO WORKPLACE SUBSTANCE ABUSE PROGRAMS AT DOE SITES

Priority: Info./Admin./Other

CFR Citation: 48 CFR 923.5; 48 CFR 970.2305

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is a statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Richard Langston
Phone: 202 586-8247

RIN: 1991-AA97

1170. DEAR: REVIEW OF M&O CONTRACTOR PURCHASING SYSTEMS

Priority: Info./Admin./Other

CFR Citation: 48 CFR 944; 48 CFR 970

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: P. Devers Weaver
Phone: 202 586-8250

RIN: 1991-AB07

1171. SMALL BUSINESS SUBCONTRACTING PROGRAM

Priority: Info./Admin./Other

CFR Citation: 48 CFR 919; 48 CFR 970

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Agency Contact: Gwendolyn Cowan
Phone: 202 586-8159

RIN: 1991-AB17

DEPARTMENT OF ENERGY (DOE)

Completed Actions

Office of Procurement and Assistance Management (PR)

1172. DEBARMENT AND SUSPENSION

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7254; 40 USC 486

CFR Citation: 48 CFR 909.4

Legal Deadline: None

Abstract: This rule removes the current regulation at 10 CFR 1035 and recodifies the regulation at 48 CFR Part 909 to revise and streamline procedures for debarment and suspension of DOE procurement contracts. The rule also amends 10 CFR 1036 which governs DOE nonprocurement and grants program to provide consistency between DOE and E.O. 12689 regarding a contractor or awardee debarred or suspended by one Federal agency shall also be debarred or suspended from contracting with or receiving awards from all other agencies.

Timetable:

Action	Date	FR Cite
NPRM	02/02/96	60 FR 3877
NPRM Comment Period End	04/02/96	

Action	Date	FR Cite
Final Action	07/31/96	61 FR 39854
Final Action Effective	08/30/96	

Small Entities Affected: None

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Cynthia Yee, Procurement Analyst, Department of Energy, Office of Procurement and Assistance Management, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-1140

RIN: 1991-AB24

1173. DEAR: REGULATORY REINVENTION-PHASE III

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or

duplication, or streamline requirements.

Legal Authority: 42 USC 7254; 40 USC 486(c)

CFR Citation: 48 CFR 901 to 971

Legal Deadline: None

Abstract: This action represents the third phase of DOE's effort to reinvent existing regulatory material. It will eliminate unnecessary material; streamline operations; reduce constraints, prescriptive requirements and administrative processes; and make requirements outcome rather than process oriented.

Timetable:

Action	Date	FR Cite
NPRM	05/03/96	61 FR 19891
Final Action	08/09/96	61 FR 41701

Small Entities Affected: None

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

DOE—PR

Completed Actions

Agency Contact: Kevin Smith, Procurement Analyst, Department of Energy, Office of Procurement and Assistance Management, 1000 Independence Avenue SW., Washington, DC 20585
 Phone: 202 586-8189
 Fax: 202 586-0545
RIN: 1991-AB25

CFR Citation: 48 CFR 901 to 971
Legal Deadline: None
Abstract: This action will amend the Department of Energy Acquisition Regulation to conform with the FAR changes which resulted from the Federal Acquisition Streamlining Act.
Timetable:

statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: John Bashista, Procurement Analyst, Department of Energy, Office of Procurement and Assistance Management, 1000 Independence Avenue SW., Washington, DC 20585
 Phone: 202 586-8192
 Fax: 202 586-0545
RIN: 1991-AB27

1174. FEDERAL ACQUISITION STREAMLINING ACT IMPLEMENTATION

Priority: Info./Admin./Other
Legal Authority: PL 103-355; 42 USC 7254; 40 USC 486(a)

Action	Date	FR Cite
Final Action	05/13/96	61 FR 21975

Small Entities Affected: None
Government Levels Affected: None
Procurement: This is a procurement-related action for which there is a

**DEPARTMENT OF ENERGY (DOE)
 Office of General Counsel (OGC)**

Proposed Rule Stage

1175. PAYMENT OF TRAVEL EXPENSES OF PERSONS WHO ARE NOT GOVERNMENT EMPLOYEES
Priority: Info./Admin./Other
Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.
Legal Authority: 42 USC 7254
CFR Citation: 10 CFR 1060

Legal Deadline: None
Abstract: The regulation needs to be revised to reflect the delegation of authority from the Office of Personnel Management to pay travel expenses of certain job applicants in traveling to preemployment interviews required by the Department.
Timetable:

Action	Date	FR Cite
NPRM	02/00/97	

Small Entities Affected: None
Government Levels Affected: None
Agency Contact: MaryAnn Shebek, Deputy Assistant General Counsel, Department of Energy, Office of General Counsel, 1000 Independence Ave. SW., Washington, DC 20585
 Phone: 202 586-1522
RIN: 1990-AA15

**DEPARTMENT OF ENERGY (DOE)
 Office of General Counsel (OGC)**

Long-Term Actions

1176. CONDUCT OF EMPLOYEES
Priority: Info./Admin./Other
Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 10 CFR 1010; 5 CFR 2635
Timetable:

Action	Date	FR Cite
Interim Final Rule	07/05/96	61 FR 35085
Final Action	00/00/00	

Small Entities Affected: None

Government Levels Affected: Undetermined
Agency Contact: Susan Beard
 Phone: 202 586-1522
RIN: 1990-AA19

**DEPARTMENT OF ENERGY (DOE)
 Office of General Counsel (OGC)**

Completed Actions

1177. PATENT WAIVER REGULATION
Priority: Substantive, Nonsignificant
Legal Authority: 42 USC 2182; 42 USC 5908; PL 99-661
CFR Citation: 10 CFR 784
Legal Deadline: None

Abstract: The regulation provides procedures and standards for obtaining a waiver of the Government's rights in inventions made under DOE research and development contracts with entities that are not small businesses or nonprofit institutions, and terms and conditions of such waivers. Currently,

DOE waiver policy is provided in DOE Procurement Regulations (41 CFR 9-9.109-6). This regulation places DOE patent waiver policy in Title 10 of the CFR and also provides updates, revisions and clarifications to waiver policy as contained in 41 CFR 9-9.109-6.

DOE—OGC

Completed Actions

Timetable:

Action	Date	FR Cite
Final Action	07/12/96	61 FR 36611

Small Entities Affected: None

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is a paperwork burden associated with this action.

Agency Contact: Michael P. Hoffman, Patent Attorney (GC-62), Department of

Energy, Office of General Counsel, 1000 Independence Ave. SW., Washington, DC 20585
Phone: 202 586-3441

RIN: 1990-AA02
[FR Doc. 96-24918 Filed 11-27-96; 8:45 am]

BILLING CODE 6450-01-F