

Federal Reserve

**Tuesday
November 28, 1995**

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: October 1995 regulatory agenda.

item on the regulatory agenda, please contact the individual listed under that item. For general information on DOE's regulatory agenda, please contact: Romulo L. Diaz, Jr., Room 6B-234, Forrestal Building, 1000 Independence Avenue SW., Washington, DC 20585, (202) 586-2902 (telephone), (202) 586-0722 (fax).

For this edition of DOE'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.

SUMMARY: The Department of Energy (DOE) is publishing its October 1995 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

SUPPLEMENTARY INFORMATION: Entries appended to this notice reflect the status of activities as of approximately September 29, 1995. They are divided into categories, first by subagencies and then according to their stage of rulemaking action: Prerule, proposed rulemaking, final rulemaking, or completed action.

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 October 13, 1995.
Robert R. Nordhaus,
General Counsel.

Energy Efficiency and Renewable Energy—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
1108	Private/Local Alternative Fuels Fleet Program	1904-AA72

Energy Efficiency and Renewable Energy—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1109	Energy Efficiency Standards for Residential Appliances (Reg Plan Seq. No. 22)	1904-AA38
1110	Test Procedures for Central Air Conditioners and Heat Pumps—Amendments	1904-AA46
1111	Energy Efficiency Standards for Refrigerators, Refrigerator- Freezers, and Freezers	1904-AA47
1112	Energy Efficiency Performance Code for New Federal Residential Buildings	1904-AA53
1113	Energy Efficiency Standards for Federal Commercial Buildings	1904-AA69
1114	Test Procedures and Certification Requirements for Faucets, Showerheads, and Certain Other Fixtures; and Certification Requirements for Residential Appliances	1904-AA71
1115	National Voluntary Residential Energy Efficiency Rating Guidelines	1904-AA74

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

Energy Efficiency and Renewable Energy—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1116	Equivalent Petroleum-Based Fuel Economy Calculation for Electric and Hybrid Electric Vehicles	1904-AA40
1117	Test Procedures for Furnaces/Boilers, Vented Home Heating Equipment, and Pool Heaters—Amendment	1904-AA45
1118	Test Procedures for Water Heaters, Kitchen Ranges, Ovens and Microwaves, and Clothes Washers—Amendment	1904-AA52
1119	Test Procedures for Fluorescent and Incandescent Reflector Lamps	1904-AA61
1120	Alternative Fuel Provider Vehicle Acquisition Mandate, State Fleet Mandate, and the Alternative Fuel Vehicle Credit Program	1904-AA64
1121	Clarification of Existing Clothes Washer Test Procedure	1904-AA68
1122	Definitions for Certain Fluorescent and Incandescent Lamps	1904-AA70
1123	Weatherization Assistance Program—Amendment	1904-AA73
1124	Methodology and Procedures for Life Cycle Costing Under the Energy Policy Act of 1992	1904-AA80
1125	State Energy Program	1904-AA81

DOE

Energy Efficiency and Renewable Energy—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
1126	State and Local Incentives Program: Alternative Fuels	1904-AA66
1127	Energy Efficiency Standards for Dishwashers, Clothes Washers, and Clothes Dryers	1904-AA67
1128	Energy Efficiency Standards for Lamp Ballasts	1904-AA75
1129	Energy Efficiency Standards for Water Heaters	1904-AA76
1130	Energy Efficiency Standards for Central Air Conditioners and Heat Pumps	1904-AA77
1131	Energy Efficiency Standards for Furnaces	1904-AA78

Energy Efficiency and Renewable Energy—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1132	Federal Sector Energy Savings Performance Contracting	1904-AA62
1133	Renewable Energy Production Incentive	1904-AA65
1134	Energy Efficiency Standards for Television Sets	1904-AA79

Defense and Security Affairs—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
1135	Policies on Information Classification	1992-AA21

Defense and Security Affairs—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
1136	Personnel Assurance Program	1992-AA14

Defense and Security Affairs—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1137	Personnel Security Assurance Program: Substance-Abuse Testing Procedures	1992-AA13
1138	Assistance to Foreign Atomic Energy Activities—Listing Updates	1992-AA20

Departmental and Others—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1139	Energy Board of Contract Appeals; Organization, Functions, and Authorities; Rules of Practice	1901-AA30
1140	Freedom of Information	1901-AA32
1141	Nuclear Safety Management (Reg Plan Seq. No. 23)	1901-AA34
1142	The Office of Energy Research Financial Assistance Program	1901-AA54
1143	Payments for Special Burdens and in Lieu of Taxes	1901-AA58
1144	Occupational Radiation Protection—Amendment	1901-AA59
1145	Privacy Act—Exemption of an Inspector General System of Records	1901-AA62
1146	Privacy Act Exemption of Certain Contractor Employee Reprisal Complaint and Investigation System of Records ..	1901-AA66

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

DOE

Departmental and Others—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1147	Radiation Protection of the Public and the Environment (Reg Plan Seq. No. 24)	1901-AA38
1148	Redesign and Revision of Wholesale Power and Transmission Rates	1901-AA64

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
1149	Electric Power System Permits and Reports; Applications; Administrative Procedures and Sanctions	1901-AA19
1150	Enforcement of Employee Safety Standards at Nuclear Weapons Facilities	1901-AA44
1151	Standard Contract for the Disposal of Spent Nuclear Fuel and/or High-Level Radioactive Waste	1901-AA49
1152	Annotation of Land Records for Remediated Properties in the Uranium Mill Tailings Remedial Action Project (UMTRA)	1901-AA57
1153	Financial Assistance Program for Education Purposes	1901-AA61

Departmental and Others—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1154	Review of Administrative Procedures With Respect to Imports and Exports of Natural Gas	1901-AA25
1155	Nuclear Safety Management: Phase II	1901-AA42
1156	Energy Planning and Management Program	1901-AA50
1157	Privacy Act—Exemption of Certain Counterintelligence Systems of Records	1901-AA60
1158	Waste Management	1901-AA65

Office of Procurement and Assistance Management—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1159	Department of Energy Property Management Regulations; Miscellaneous Personal Property	1991-AA28
1160	DEAR: Financial Management Clauses	1991-AB02
1161	Debarment and Suspension	1991-AB24
1162	DEAR: Regulatory Reinvention-Phase III	1991-AB25
1163	Revisions to Organizational Conflicts of Interest	1991-AB26
1164	Federal Acquisition Streamlining Act Implementation	1991-AB27
1165	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**.

Office of Procurement and Assistance Management—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1166	Technology Transfer: DOE Management and Operating Contractors	1991-AA63
1167	Amendment to Workplace Substance Abuse Programs at DOE Sites	1991-AA90
1168	Legislative Lobbying Cost Prohibition	1991-AB08
1169	Competition for Management and Operating Contracts	1991-AB09
1170	Limits on Participation in Certain DOE Research and Development Programs	1991-AB14
1171	Financial Assistance Rules Streamlining and Simplifying Procedures	1991-AB23

DOE

Office of Procurement and Assistance Management—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
1172	DEAR: Security Procedures	1991-AA86
1173	DEAR: Amendment to Workplace Substance Abuse Programs at DOE Sites	1991-AA97
1174	DEAR: Review of M&O Contractor Purchasing Systems	1991-AB07
1175	Small Business Subcontracting Program	1991-AB17

Office of Procurement and Assistance Management—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1176	Debarment and Suspension (Common Rule)	1991-AA69
1177	Acquisition of Federal Information Resources by Contract	1991-AA81
1178	DEAR: Recovered/Recycled Materials	1991-AB05
1179	Procurement Set-Asides for Small Business and Others	1991-AB11
1180	Independent Research and Development/Bid and Proposal Costs and Travel Cost Guidelines	1991-AB12
1181	Uniform Administrative Requirements for Grants With Educational Institutions, Hospitals, and Other Nonprofit Institutions	1991-AB13
1182	Revision to A-102 Common Rule To Raise Threshold for Simplified Small Purchases Under Grants	1991-AB15
1183	DEAR: Regulatory Reduction	1991-AB18
1184	Certified Cost or Pricing Threshold and Determination and Findings for Use of Cost-Reimbursement Contracts	1991-AB19
1185	Acquisition Regulation: Department of Energy Management and Operating Contracts	1991-AB20
1186	Fee Policy for Nonprofit Organizations	1991-AB21
1187	DEAR: Fines and Penalties, Government Property and Third Party Liability	1991-AB22

Office of General Counsel—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1188	Patent Waiver Regulation	1990-AA02
1189	Payment of Travel Expenses of Persons Who Are Not Government Employees	1990-AA15
1190	Conduct of Employees	1990-AA19

Office of General Counsel—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1191	Removal of Obsolete Regulations	1990-AA22

DEPARTMENT OF ENERGY (DOE)

Prerule Stage

Energy Efficiency and Renewable Energy (EE)

1108. PRIVATE/LOCAL ALTERNATIVE FUELS FLEET PROGRAM

Priority: Economically Significant

Legal Authority: 42 USC 13257 Energy Policy Act, sec 507(b)

CFR Citation: 10 CFR 490

Legal Deadline: Final, Statutory, December 15, 1996.

Alternative Final Statutory Deadline is January 1, 2000.

Abstract: The Energy Policy Act of 1992 requires DOE to initiate a rulemaking to determine whether a private and local fleet program is deemed necessary to meet the fuel displacement goals in the Act. The criteria for making this determination are mandated by the Act.

Timetable:

Action	Date	FR Cite
ANPRM	12/00/95	
NPRM	05/00/96	

Small Entities Affected: None

Government Levels Affected: Local

Agency Contact: David Rodgers, Program Manager (EE-33), Department

DOE—EE

Prerule Stage

of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., Washington, DC 20585

Phone: 202 586-7182

Fax: 202 586-1610

RIN: 1904-AA72

**DEPARTMENT OF ENERGY (DOE)
Energy Efficiency and Renewable Energy (EE)**

Proposed Rule Stage

1109. ENERGY EFFICIENCY STANDARDS FOR RESIDENTIAL APPLIANCES

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

RIN: 1904-AA38

1110. 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.

Legal Authority: 42 USC 6293

CFR Citation: 10 CFR 430

Legal Deadline: None

Abstract: These revisions to the test procedures for central air conditioners and heat pumps in accordance with the Energy Policy and Conservation Act, as amended, will reorganize the document in a logical order and update the references.

Timetable:

Action	Date	FR Cite
NPRM	02/00/96	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Michael Raymond, Program Leader, Appliance Standards Division, 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-AA46

1111. ENERGY EFFICIENCY STANDARDS FOR REFRIGERATORS, REFRIGERATOR- FREEZERS, AND FREEZERS

Priority: Economically 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 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.

At the time of publication, it appears that the Department's rulemaking actions with respect to energy efficiency standards for appliances may be restricted in fiscal year 1996 by a rider attached to the Interior and Related Agencies appropriations bill. This rider, if enacted, would prohibit the Department from using fiscal year 1996 appropriations for the issuance of any proposed or final energy efficiency standards for appliances. Because of this rider and an internal review being conducted of the processes and methodologies used to develop and analyze appliance standards, the Department has not developed a revised schedule for this action.

Timetable:

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

Action	Date	FR Cite
NPRM Comment Period End	11/02/95	
Final Action	00/00/00	

Small Entities Affected: None

Government Levels Affected: State, Local

Additional Information:

Originally this rulemaking also included central air conditioners, heat pumps and furnaces. However to allow for more manageable schedules, this rulemaking has been split into separate rulemakings. The two other rulemakings are: 1904-AA77 (central air conditioners and heat pumps) and 1904-AA78 (furnaces).

A coalition of refrigerator manufacturers, electric utilities, and energy conservation advocates negotiated intensively for two conservation standards for refrigerator-freezers. DOE is using this recommendation in its analysis.
-Merged with 1904-AA38, October 1995.

Agency Contact: Edward Pollock, Program Leader, Appliance Standards Division, 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-AA47

1112. ENERGY EFFICIENCY PERFORMANCE CODE FOR NEW FEDERAL 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, sec 101(a)(2)

CFR Citation: 10 CFR 435

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

DOE—EE

Proposed Rule Stage

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	12/00/95	
Final Action	01/00/97	

Small Entities Affected: None

Government Levels Affected: Federal

Agency Contact: Stephen P. Walder, Program Manager, Building Division, Office of Codes and Standards, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Ave. SW., Washington, DC 20585
Phone: 301 586-9209

RIN: 1904-AA53

1113. ENERGY EFFICIENCY STANDARDS FOR FEDERAL COMMERCIAL 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, sec 101(a)(2)

CFR Citation: 10 CFR 434

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

Abstract: Title III of the Energy Conservation and Product 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	01/00/96	

Small Entities Affected: None

Government Levels Affected: Federal

Agency Contact: Ronald B. Majette, Program Manager, Buildings Division, 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

1114. TEST PROCEDURES AND CERTIFICATION REQUIREMENTS FOR FAUCETS, SHOWERHEADS, AND CERTAIN OTHER 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 by reference statutory definitions, test procedures, and standards, and add sampling plans and data submissions for certification reporting requirements, labeling requirements for commercial toilets, and address fixture fittings for multiple users for faucets, showerheads, urinals and water closets. This action would

also clarify the existing certification reporting requirements for all covered residential appliances.

Timetable:

Action	Date	FR Cite
NPRM	11/00/95	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: William W. Hui, Program Manager, Appliance Standard Division, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-7140

RIN: 1904-AA71

1115. NATIONAL VOLUNTARY RESIDENTIAL ENERGY EFFICIENCY RATING GUIDELINES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 8236

CFR Citation: 10 CFR 437

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

Abstract: DOE is required to establish by rule national voluntary guidelines for home energy rating system. The guidelines are designed to encourage uniformity with regard to systems for rating the annual energy efficiency of residential buildings. The guidelines may be used to enable and encourage the assignment of energy efficiency ratings to residential buildings and the development of criteria for attractive financial instruments for energy efficient homes.

Timetable:

Action	Date	FR Cite
NPRM	07/25/95	60 FR 37949
NPRM Comment Period End	10/23/95	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Robert Mackie, Program Manager, EE-432, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-7892

RIN: 1904-AA74

DEPARTMENT OF ENERGY (DOE)

Final Rule Stage

Energy Efficiency and Renewable Energy (EE)

1116. 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	09/00/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Report comparing Alternative Motor Fuels Act with existing rule completed April

1992. Second report recommending new Petroleum Equivalency Factor for NPRM completed May 1992.

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

1117. TEST PROCEDURES FOR FURNACES/BOILERS, VENTED HOME HEATING EQUIPMENT, AND POOL HEATERS—AMENDMENT

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 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, DOE has decided to eliminate the new energy descriptor and to issue a final rule based on the existing energy descriptor.

Timetable:

Action	Date	FR Cite
NPRM	08/23/93	58 FR 44583
NPRM Comment Period End	03/21/95	60 FR 4348
Final Action	12/00/95	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Cyrus Nasser, Program Manager, Appliance Standards

Division, Office of Codes and Standards, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Ave. SW., Washington, DC 20585
Phone: 202 586-9138

RIN: 1904-AA45

1118. TEST PROCEDURES FOR WATER HEATERS, KITCHEN RANGES, OVENS AND MICROWAVES, AND CLOTHES WASHERS—AMENDMENT

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 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, kitchen ranges, ovens, microwaves, and clothes washers are being revised. Rulemaking issues include: with respect to water heater test procedures, inclusion of electric instantaneous water heaters and storage water heaters with less than 20 gallons volume and revision of the first hour rating; with respect to test procedures for kitchen ranges, ovens and microwaves, revision of the constant for annual cooking energy and incorporation by reference of test procedures adopted by the International Electrotechnical Commission; and with respect to clothes washer test procedures, measurements for water usage and water retention.

Timetable:

Action	Date	FR Cite
NPRM	03/23/95	60 FR 15330
NPRM Comment Period End	08/31/95	60 FR 15330
Final Action	04/00/96	

Small Entities Affected: None

Government Levels Affected: Undetermined

Agency Contact: Ingrid Watson, Program Manager, Appliance Standards Division, Office of Codes and Standards, Department of Energy, Energy Efficiency and Renewable

DOE—EE

Final Rule Stage

Energy, 1000 Independence Avenue SW., 1J-018, Washington, DC 20585
 Phone: 202 586-8119
 Fax: 202 586-4617

RIN: 1904-AA52

1119. TEST PROCEDURES FOR FLUORESCENT AND INCANDESCENT REFLECTOR LAMPS

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 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	59 FR 49468
Interim Final Rule Comment Period End	12/12/94	
Final Action	10/00/95	

Small Entities Affected: None

Government Levels Affected: State

Agency Contact: Terry Logee, Program Manager, Appliance Standards Division, Office of Codes and Standards, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Ave. SW., 5E-066, Washington, DC 20585
 Phone: 202 586-1689

RIN: 1904-AA61

1120. 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.

Timetable:

Action	Date	FR Cite
NPRM	02/28/95	60 FR 10970
NPRM Comment Period End	05/01/95	60 FR 10970
Final Action	12/00/95	
Final Action Effective	01/00/96	

Small Entities Affected: Undetermined

Government Levels Affected: State

Agency Contact: Kenneth R. Katz, Program Manager, Office of Alternative Fuels, EE-33, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Ave. SW., Washington, DC 20585
 Phone: 202 586-6116

Fax: 202 586-1610

RIN: 1904-AA64

1121. CLARIFICATION OF EXISTING CLOTHES WASHER TEST PROCEDURE

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 6293

CFR Citation: 10 CFR 430

Legal Deadline: None

Abstract: This rulemaking reviews testing requirements when clothes washers are offered with a warm rinse lock-out design feature. 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.

Timetable:

Action	Date	FR Cite
NPRM	05/24/95	60 FR 27442
NPRM Comment Period End	07/31/95	
Final Action	01/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: P. Marc LaFrance, Program Manager, Appliance Standards Division, 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-AA68

1122. DEFINITIONS FOR CERTAIN FLUORESCENT AND INCANDESCENT 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.

DOE—EE

Final Rule Stage

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

CFR Citation: 10 CFR 430

Legal Deadline: None

Abstract: This action would define certain incandescent and fluorescent lamps—an action that would exempt them from efficiency standards imposed by the Energy Policy Act of 1992 and relieve these product manufacturers from any related regulatory burden.

Timetable:

Action	Date	FR Cite
NPRM	09/28/94	59 FR 49478
NPRM Comment Period End	12/12/94	59 FR 49478
Final Action	12/00/95	

Small Entities Affected: None

Government Levels Affected: State

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

RIN: 1904-AA70

1123. WEATHERIZATION ASSISTANCE PROGRAM—AMENDMENT

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 6861

CFR Citation: 10 CFR 440

Legal Deadline: None

Abstract: Will change the formula for distributing funds among the States under the Weatherization Program. The revised formula will increase equity, among the States, of funded distributions under the program, while preserving existing State program capabilities.

Timetable:

Action	Date	FR Cite
NPRM	01/23/95	60 FR 4480
Interim Final Rule	06/05/95	60 FR 29469
Final Action	10/00/95	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Greg Reamy, Weatherization Assistance Program, EE-532, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 426-1677

RIN: 1904-AA73

1124. • 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	02/00/96	

Small Entities Affected: None

Government Levels Affected: Federal

Agency Contact: K. Dean Devine, PE., Sr. Engineer (EE-92), Department of Energy, Energy Efficiency and Renewable Energy
Phone: 202 586-6784
Fax: 202 586-3000

RIN: 1904-AA80

1125. • 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: In anticipation that Congress will direct the Department to consolidate the Institutional Conservation Program and the State Energy Conservation Program (and possibly other programs now operated separately), the Department will publish an interim final rule. 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	01/00/96	

Small Entities Affected: None

Government Levels Affected: State, Local, Tribal

Agency Contact: Thomas Stapp, Department of Energy, Energy Efficiency and Renewable Energy, EE-531, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-2096

RIN: 1904-AA81

DEPARTMENT OF ENERGY (DOE)
Energy Efficiency and Renewable Energy (EE)
Long-Term Actions
1126. STATE AND LOCAL INCENTIVES PROGRAM: ALTERNATIVE FUELS

Priority: Other Significant

CFR Citation: 10 CFR 490

Timetable:

Action	Date	FR Cite
NPRM	03/21/95	60 FR 15020
Next Action Undetermined		

Small Entities Affected: None

Government Levels Affected: State, Local

Agency Contact: Marcy A. Rood (EE-33)

Phone: 202 586-8161

Fax: 202 586-1558

RIN: 1904-AA66

1127. ENERGY EFFICIENCY STANDARDS FOR DISHWASHERS, CLOTHES WASHERS, AND CLOTHES DRYERS

Priority: Economically 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.

CFR Citation: 10 CFR 430

Timetable:

Action	Date	FR Cite
ANPRM	11/14/94	59 FR 56423
ANPRM Comment Period Extended	04/17/95	60 FR 5880
NPRM	00/00/00	

Small Entities Affected: None

Government Levels Affected: State

Agency Contact: P. Marc LaFrance
Phone: 202 586-7140

RIN: 1904-AA67

1128. ENERGY EFFICIENCY STANDARDS FOR LAMP BALLASTS

Priority: Economically 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.

CFR Citation: 10 CFR 430.32

Timetable:

Action	Date	FR Cite
ANPRM	09/28/90	55 FR 39624
NPRM	03/04/94	59 FR 10464
Revised NPRM	00/00/00	

Small Entities Affected: None

Government Levels Affected: State, Local

Agency Contact: Carl Adams
Phone: 202 586-7140

RIN: 1904-AA75

1129. ENERGY EFFICIENCY STANDARDS FOR WATER HEATERS

Priority: Economically 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.

CFR Citation: 10 CFR 430.32

Timetable:

Action	Date	FR Cite
ANPRM	09/28/90	55 FR 39624
NPRM	03/04/94	59 FR 10464
Revised NPRM	00/00/00	

Small Entities Affected: None

Government Levels Affected: State, Local

Agency Contact: Carl Adams
Phone: 202 586-7140

RIN: 1904-AA76

1130. ENERGY EFFICIENCY STANDARDS FOR CENTRAL AIR CONDITIONERS AND HEAT PUMPS

Priority: Economically 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.

CFR Citation: 10 CFR 430.32

Timetable:

Action	Date	FR Cite
ANPRM	09/08/93	58 FR 47326
NPRM	00/00/00	

Small Entities Affected: None

Government Levels Affected: State, Local

Agency Contact: Edward Pollock
Phone: 202 586-7140

RIN: 1904-AA77

1131. ENERGY EFFICIENCY STANDARDS FOR FURNACES

Priority: Economically 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.

CFR Citation: 10 CFR 430.32

Timetable:

Action	Date	FR Cite
ANPRM	09/08/93	58 FR 47326
NPRM	00/00/00	

Small Entities Affected: None

Government Levels Affected: State, Local

Agency Contact: Edward Pollock
Phone: 202 586-7140

RIN: 1904-AA78

DEPARTMENT OF ENERGY (DOE)
Energy Efficiency and Renewable Energy (EE)
Completed Actions
1132. FEDERAL SECTOR ENERGY SAVINGS PERFORMANCE CONTRACTING

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 8287 Energy Policy Act of 1992, sec 155

CFR Citation: 10 CFR 436

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

Abstract: The regulation would establish standard procedures and methods for use by all Federal agencies

DOE—EE

Completed Actions

to acquire energy savings performance contract services. The regulation would permit Federal agencies to enter into contracts under which contractors would make investments in improving the energy efficiency of Federal facilities, and the savings would be split between the contractor and the Federal Government.

Timetable:

Action	Date	FR Cite
NPRM	04/11/94	59 FR 17204
NPRM Correction	04/22/94	59 FR 19150
NPRM Comment	06/10/94	59 FR 17204
Period End		
Final Action	04/10/95	60 FR 18326
Final Action Effective	04/10/95	60 FR 19343

Small Entities Affected: None

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is a statutory requirement. There is a paperwork burden associated with this action.

Agency Contact: Joan G. Stone, Financing Specialist (EE-92), Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Ave. SW., Washington, DC 20585
Phone: 202 586-5772

RIN: 1904-AA62

1133. RENEWABLE ENERGY PRODUCTION INCENTIVE

Priority: Other Significant

Legal Authority: 42 USC 13317 Energy Policy Act of 1992, sec 1212

CFR Citation: 10 CFR 451

Legal Deadline: None

Abstract: Section 1212 of the Energy Policy Act requires the Department of Energy (DOE) to pay, subject to the availability of appropriations, a production incentive to the owner or operator of a "qualified renewable energy facility" for electric energy generated by the facility.

The need for Federal action was established by the Act. The specific requirements to receive payments are to be established by DOE. The incentive payments to publicly owned utilities provide a complement to the tax credits available to privately held utilities and electric power generators.

Timetable:

Action	Date	FR Cite
NPRM	05/13/94	59 FR 24982
Final Action	07/19/95	60 FR 36959

Small Entities Affected: None

Government Levels Affected: State, Local

Agency Contact: James Spath, Department of Energy, Energy Efficiency and Renewable Energy, Golden Field Office, Golden, CO 80401
Phone: 303 275-4706

RIN: 1904-AA65

1134. • ENERGY EFFICIENCY STANDARDS FOR TELEVISION SETS

Priority: Routine and Frequent

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 television sets.

Television sets were originally included in a multi-product rulemaking (RIN 1904-AA38).

Timetable:

Action	Date	FR Cite
ANPRM	09/28/90	55 FR 39624
NPRM	03/04/94	59 FR 10464
Withdrawn	06/23/95	60 FR 32627

Small Entities Affected: None

Government Levels Affected: State, Local

Agency Contact: Carl Adams, Director, Appliance Standards Division, 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-AA79

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

Prerule Stage

1135. • POLICIES ON 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: The purpose of the proposed regulation is to disseminate the policies and procedures followed by the Department in implementing the requirements of the Atomic Energy Act for the classification and declassification of information. Also, the regulation implements the requirements of EO 12958 "Classified National Security Information" as they affect members of the public. This rule revises 10 CFR 1045.

Timetable:

Action	Date	FR Cite
ANPRM	10/02/95	
ANPRM Comment	10/16/95	
Period End		

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Paul Laplante, Program Manager, Department of Energy, Office of Declassification (NN-521), Washington, DC 20585
Phone: 301 903-4338
Fax: 301 903-1230

RIN: 1992-AA21

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

Long-Term Actions

1136. PERSONNEL ASSURANCE PROGRAM

Priority: Substantive, Nonsignificant

CFR Citation: 10 CFR 711

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: David McConagha or Tom Stepan
Phone: 301 903-3463

RIN: 1992-AA14

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

Completed Actions

1137. PERSONNEL SECURITY ASSURANCE PROGRAM: SUBSTANCE-ABUSE TESTING PROCEDURES

Priority: Other

Legal Authority: 42 USC 2161; 42 USC 2165; 42 USC 2201

CFR Citation: 10 CFR 710

Legal Deadline: None

Abstract: The Department of Energy (DOE) has established the Personnel Security Assurance Program (PSAP) through the publication of the revision to 10 CFR 710, "Criteria and Procedures for Determining Eligibility for Access to Classified Matter or Significant Quantities of Special Nuclear Material." The PSAP was created in order to assure the reliability of individuals in certain positions, defined in Section 710.50(a), and referred to as PSAP positions for purposes of this proposed rule. The Department now proposes to amend this rule to promulgate guidelines for DOE contractors for testing for possible use of illegal drugs by their PSAP-cleared employees.

Timetable:

Action	Date	FR Cite
NPRM	03/08/91	56 FR 10075

Action	Date	FR Cite
NPRM Comment Period End	04/08/91	
Final Action	04/25/95	60 FR 20366

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Lynn Gebrowsky, Office of Nonproliferation and National Security, Department of Energy, Washington, DC 20585
Phone: 301 903-3200

RIN: 1992-AA13

a person subject to U.S. jurisdiction can engage directly or indirectly in the production of special nuclear material outside the United States. The amendment will enable U.S. firms and individuals to assist civilian nuclear power reactor-related activities in these countries under general authorization. This will make the regulations consistent with U.S. foreign policy commitments and reflect the recent significant progress made by these four countries on matters related to nuclear nonproliferation.

1138. ASSISTANCE TO FOREIGN ATOMIC ENERGY ACTIVITIES—LISTING UPDATES

Priority: Routine and Frequent

Legal Authority: 42 USC 2077; 42 USC 2156 to 2158; 42 USC 2201; 42 USC 2273; PL 93-438, sec 104; PL 95-91, sec 301

CFR Citation: 10 CFR 810

Legal Deadline: None

Abstract: The Department of Energy is amending 10 CFR part 810 to remove Argentina, Brazil, Chile, and South Africa from the list of countries for which specific authorization by the Secretary of Energy is required before

Timetable:

Action	Date	FR Cite
NPRM	08/29/94	59 FR 44381
NPRM Comment Period End	09/28/94	
Final Action	08/18/95	60 FR 43002

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Zander Hollander, Export Control Specialist (NN-43), Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-2125

RIN: 1992-AA20

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

Proposed Rule Stage

1139. ENERGY BOARD OF CONTRACT APPEALS; ORGANIZATION, FUNCTIONS, AND AUTHORITIES; RULES OF PRACTICE

Priority: 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	12/00/95	

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

DOE—ENDEP

Proposed Rule Stage

1140. 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.

Timetable:

Action	Date	FR Cite
Final Rule (Contractor Records)	12/12/94	59 FR 63882
NPRM	10/00/95	

Small Entities Affected: None

Government Levels Affected: None

Sectors Affected: All

Agency Contact: Gary Stern, Deputy Assistant General Counsel for Information Law, Office of GC (GC-80), Department of Energy, Office of General Counsel, 1000 Independence Ave. SW., Washington, DC 20585
Phone: 202 586-8618

RIN: 1901-AA32

1141. NUCLEAR SAFETY MANAGEMENT

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

RIN: 1901-AA34

1142. THE OFFICE OF ENERGY RESEARCH FINANCIAL ASSISTANCE PROGRAM

Priority: 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	01/00/96	

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

1143. 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	10/00/95	

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

1144. OCCUPATIONAL RADIATION PROTECTION—AMENDMENT

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 2201; 42 USC 7191

CFR Citation: 10 CFR 835

Legal Deadline: None

Abstract: 10 CFR part 835 establishes the basic requirements for DOE contractor and subcontractor activities to ensure radiation protection of occupational workers at DOE facilities. See 58 FR 65458 (December 14, 1993). The proposed amendment to Part 835 would include several items not previously covered such as sealed radioactive source accountability and control, and surface contamination values for tritium. Sealed source accountability and control requirements currently appear in DOE Notice 5400.9, and tritium surface radioactivity values in the Radiation Control (RADCON) Manual. This rulemaking stems from DOE's ongoing effort to strengthen the protection of health and safety from the nuclear and radiological hazards posed by these DOE facilities.

We are reviewing this action in the context of DOE's recently announced accelerated DOE Order Reduction Initiative. This is to ensure both consistency of approach and consultation with DOE stakeholders.

Timetable:

Action	Date	FR Cite
NPRM	12/00/95	

Small Entities Affected: None

Government Levels Affected: Federal

Agency Contact: Joel Rabovsky, Health Physicist (EH-52), Health Physics

DOE—ENDEP

Proposed Rule Stage

Programs Divisions, Department of Energy, 19901 Germantown Rd., Germantown, MD 20874
Phone: 301 903-3889

RIN: 1901-AA59

1145. PRIVACY ACT—EXEMPTION OF AN INSPECTOR GENERAL SYSTEM OF RECORDS

Priority: Other

Legal Authority: 5 USC 552a

CFR Citation: 10 CFR 1008

Legal Deadline: None

Abstract: The purpose of this action is to exempt one system of records from certain subsections of the Privacy Act (5 U.S.C. 552a). The system of records is Inspection Abstract Report Files of the Office of Inspector General (DOE-83). These rules will enable the Office of the Inspector General to carry out its administrative, analytical, and investigatory duties and responsibilities.

Timetable:

Action	Date	FR Cite
NPRM	10/00/95	

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-AA62

1146. PRIVACY ACT EXEMPTION OF CERTAIN CONTRACTOR EMPLOYEE REPRISAL COMPLAINT AND INVESTIGATION SYSTEM OF RECORDS

Priority: 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-88)." 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	03/00/96	

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

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

Final Rule Stage

1147. 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

1148. REDESIGN AND REVISION OF WHOLESALE POWER AND TRANSMISSION RATES

Priority: 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:

Transmission Rates	
Notice of Intent to Revise Rates	12/28/94 (59 FR 66946)
NPRM	02/14/95 (60 FR 8505)
Draft Record of Decision	03/00/96
Final Record of Decision	04/00/96

Wholesale Power Rates	
Notice of Intent to Revise Rates	12/28/94 (59 FR 66947)
NPRM	02/14/95 (60 FR 8496)
Draft Record of Decision	03/00/96
Final Record of Decision	04/30/96

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

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

Long-Term Actions

1149. ELECTRIC POWER SYSTEM PERMITS AND REPORTS; APPLICATIONS; ADMINISTRATIVE PROCEDURES AND SANCTIONS

Priority: 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

1150. 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: David Smith
 Phone: 301 903-4669

RIN: 1901-AA44

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.

CFR Citation: 10 CFR 961

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: None

Government Levels Affected: Federal

Agency Contact: David Zabransky
 Phone: 202 586-9198

RIN: 1901-AA49

1152. ANNOTATION OF LAND RECORDS FOR REMEDIATED PROPERTIES IN THE URANIUM MILL TAILINGS REMEDIAL ACTION PROJECT (UMTRA)

Priority: 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

1153. FINANCIAL ASSISTANCE PROGRAM FOR EDUCATION PURPOSES

Priority: Other Significant

CFR Citation: 10 CFR 604

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: Organizations

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Michael Wolfe
 Phone: 202 586-5462
 Fax: 202 586-0019

Email: MICHAEL.WOLFE@HQ.DOE.GOV

RIN: 1901-AA61

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

Completed Actions

1154. REVIEW OF ADMINISTRATIVE PROCEDURES WITH RESPECT TO IMPORTS AND EXPORTS OF NATURAL GAS

Priority: Routine and Frequent

Legal Authority: 15 USC 717b

CFR Citation: 10 CFR 590

Legal Deadline: None

Abstract: To review the administrative procedure regulations contained in 10 CFR part 590 in order to determine any amendments needed to the regulations in light of the amendment to the Natural Gas Act of 1938 made by section 201 of the Energy Policy Act of 1992. Section 201 deemed in the public interest, and required DOE to grant, most natural gas import and

export applications for which DOE previously had made a public interest determination.

Timetable:

Action	Date	FR Cite
Withdrawn	08/23/95	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Clifford P. Tomaszewski, Director, Office of Natural Gas (FE-50), Office of Fossil Energy, Department of Energy, 1000 Independence Ave. SW., Washington, DC 20585
 Phone: 202 586-9482

RIN: 1901-AA25

1155. NUCLEAR SAFETY MANAGEMENT: PHASE II

Priority: Other Significant

Legal Authority: 42 USC 2201; 42 USC 7191

CFR Citation: 10 CFR 830

Legal Deadline: None

Abstract: This action would make additions to DOE's requirements concerning DOE contractor and subcontractor activities for ensuring nuclear safety at DOE facilities. These additional rulemaking requirements include nuclear facility design criteria, natural phenomenon hazards, fire protection, and criticality safety.

DOE—ENDEP

Completed Actions

Timetable:

Action	Date	FR Cite
Merged with RIN 1901-AA34	09/06/95	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Richard Black, Director, Office of Nuclear Safety Policy and Standards (EH-31), Office of Environment, Department of Energy, Washington, DC. 20585
Phone: 301 903-3465

RIN: 1901-AA42

1156. ENERGY PLANNING AND MANAGEMENT PROGRAM

Priority: Other Significant

Legal Authority: PL 102-486, sec 114 Energy Policy Act of 1992

CFR Citation: Not yet determined

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

Section 114 of PL 102-486 requires final regulations to be adopted by 10/24/93.

Abstract: Section 114 of PL 102-486 requires the Administrator of Western Area Power Administration (Western) to revise existing guidelines. New regulations, to be in place by 10/24/93, require each customer purchasing energy under a long-term firm power service contract with Western to implement integrated resource planning (IRP) by 10/24/95. Western's proposed rule does not consider alternatives to IRP, due to statutory mandate, although alternatives are being evaluated in the draft EIS. As part of the same rulemaking, where permitted by law, Western proposes to extend a major portion of long-term firm power sold to existing customers pursuant to contracts expiring over the next several years. Extensions of resource commitments will provide long-term resource stability necessary for effective IRP. Western is evaluating alternative lengths of contract extensions and amounts of resource commitments in the draft EIS, as well as a no-action alternative of using existing marketing criteria allocation processes for contract and resource extensions. Costs of compliance with these rules may be considerable, but utilities that have developed IRP have found the resulting benefits outweigh the expense.

Timetable:

Action	Date	FR Cite
NPRM	11/10/94	59 FR 40543
Final Action	10/20/95	60 FR 54151

Small Entities Affected: None

Government Levels Affected: None

Public Compliance Cost: Initial Cost: \$270,000; Yearly Recurring Cost: \$50,000; Base Year for Dollar Estimates: 1993

Sectors Affected: 491 Electric Services

Analysis: Draft EIS 03/31/94 (59 FR 15198)

Agency Contact: Robert C. Fullerton, Director, Division of Marketing & Rates, Western Area Power Administration, Department of Energy, 1627 Cole Boulevard, P.O. Box 3402, Golden, CO 80401-3398
Phone: 303 275-1610

RIN: 1901-AA50

1157. PRIVACY ACT—EXEMPTION OF CERTAIN COUNTERINTELLIGENCE SYSTEMS OF RECORDS

Priority: 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 Part 1008, by adding two systems or records to the list of systems exempted from certain provisions of the Act. The two systems are Counterintelligence Administrative and Analytical Records and Reports (DOE-81) and Counterintelligence Investigative Records (DOE-84). These exemptions are needed to enable the Office of Counterintelligence to perform its administrative, analytical, and investigatory duties and responsibilities. These duties and responsibilities are carried out pursuant to Executive Order 12333, "Department of Energy Procedures for Intelligence Activities," and DOE Order 5670.3, "Counterintelligence Program."

Timetable:

Action	Date	FR Cite
NPRM	09/08/94	59 FR 46522
Final Action	07/12/95	60 FR 35835

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-AA60

1158. WASTE MANAGEMENT

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 2011 to 2297g-4

CFR Citation: Not yet determined

Legal Deadline: None

Abstract: This rule will describe the requirements for managing the different waste types resulting from DOE operations and activities and for performing related waste management functions of characterization, packaging and transportation, treatment, storage and disposal. Specific waste types covered are high-level waste, transuranic waste, low-level waste, mill tailings, mixed waste, hazardous waste, and sanitary waste.

Timetable:

Action	Date	FR Cite
Withdrawn	09/06/95	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: This rule will not apply to DOE management of commercially generated spent nuclear fuel (except where such fuel is owned or in possession of DOE for R&D and other special purposes) or to geologic disposal of spent nuclear fuel or high-level waste.

Also, this rule does not apply to waste disposed in situ, or to media excavated, treated, and disposed of in the location from which it was removed. Facilities or activities licensed by the Nuclear Regulatory Commission are not covered by this rule.

Agency Contact: Michael Kleinrock, Director, Office of Environmental Activities, Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-0338

RIN: 1901-AA65

DEPARTMENT OF ENERGY (DOE)

Proposed Rule Stage

Office of Procurement and Assistance Management (PR)

1159. DEPARTMENT OF ENERGY PROPERTY MANAGEMENT REGULATIONS; MISCELLANEOUS PERSONAL PROPERTY

Priority: 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: 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	01/00/96	
Final Action	11/00/96	

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

1160. DEAR: FINANCIAL MANAGEMENT CLAUSES

Priority: 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	12/00/95	
Final Action	09/00/96	

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: 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

1161. • DEBARMENT AND SUSPENSION

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

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	10/00/95	

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

1162. • 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 4861(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	12/00/95	
Final Action	07/00/96	

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: 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

DOE—PR

Proposed Rule Stage

1163. • REVISIONS TO ORGANIZATIONAL CONFLICTS OF INTEREST

Priority: 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 909; 48 CFR 952; 48 CFR 970

Legal Deadline: None

Abstract: The Department is proposing to amend its regulation to conform the DOE's Organizational Conflicts of Interest (OCI) policy to the extent practical to the Governmentwide requirements of the FAR and OEPP policy letter 89-1.

Public Laws 93-577 and 93-275 establish unique requirements regarding the Department's OCI practices preventing DOE from simply following the FAR.

Timetable:

Action	Date	FR Cite
NPRM	11/00/95	
Final Action	05/00/96	

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, 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

1164. • FEDERAL ACQUISITION STREAMLINING ACT IMPLEMENTATION

Priority: 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: PL 103-355; 42 USC 7254; 40 USC 486(a)

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:

Action	Date	FR Cite
NPRM	02/00/96	
Final Action	07/00/96	

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: 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-AB27

1165. • 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)

Final Rule Stage

Office of Procurement and Assistance Management (PR)

1166. TECHNOLOGY TRANSFER: DOE MANAGEMENT AND OPERATING CONTRACTORS

Priority: Other

Legal Authority: PL 101-189, sec 3133; 42 USC 7256(a); PL 103-160, sec 3160

CFR Citation: 48 CFR 970

Legal Deadline: None

Abstract: Public Law 101-189 amended the Stevenson-Wydler Technology Innovation Act to include DOE management and operating laboratories. Subsequently, PL 103-160 expanded the definition of a laboratory to include DOE Weapon Production Facilities. DOE will need to amend DEAR 970 to standardize the implementation of its technology transfer program.

Timetable:

Action	Date	FR Cite
NPRM	05/22/95	60 FR 27069
Final Action	02/00/96	

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: Howard K. Mitchell, Procurement Analyst, Department of Energy, Office of Procurement and Assistance Management, 1000 Independence Ave. SW., Washington, DC 20585
Phone: 202 586-8190

RIN: 1991-AA63

1167. 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

DOE—PR

Final Rule Stage

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	57 FR 32664
Final Action	12/00/95	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Juanita E. Smith, Special Assistant, Substance Abuse, HR-524, Department of Energy, Office of Procurement and Assistance Management, 1000 Independence Ave. SW., Washington, DC 20585
Phone: 202 586-9033

RIN: 1991-AA90

1168. LEGISLATIVE LOBBYING COST PROHIBITION

Priority: Other

Legal Authority: 42 USC 7256A

CFR Citation: 48 CFR 970

Legal Deadline: None

Abstract: The existing Department of Energy Acquisition Regulation will be amended to preclude any misunderstandings between the Department and its contractors regarding the allowability of costs related to legislative lobbying.

Timetable:

Action	Date	FR Cite
NPRM	10/18/94	59 FR 52505
Final Action	11/00/95	

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: Michel L. Righi, Procurement Analyst (HR-521.1), Department of Energy, Office of Procurement and Assistance Management, 1000 Independence Ave. SW., Washington, DC 20585
Phone: 202 586-8175

RIN: 1991-AB08

1169. COMPETITION FOR MANAGEMENT AND OPERATING CONTRACTS

Priority: Routine and Frequent

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: 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	12/00/95	

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

1170. LIMITS ON PARTICIPATION IN CERTAIN DOE RESEARCH AND DEVELOPMENT PROGRAMS

Priority: Other Significant

Legal Authority: 42 USC 13525 Energy Policy Act of 1992, sec 2306

CFR Citation: 10 CFR 600

Legal Deadline: None

Abstract: To develop guidelines to implement section 2306 of the Energy Policy Act of 1992. Section 2306 imposes eligibility requirements for financial assistance awards under titles XX through XXIII of the Act.

Timetable:

Action	Date	FR Cite
NPRM	02/23/95	60 FR 10296
Final Action	10/00/95	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Robert C. Marlay, Director, Office of Science Policy, (PO-81), Department of Energy, Departmental and Others, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-3900

RIN: 1991-AB14

1171. FINANCIAL ASSISTANCE RULES STREAMLINING AND SIMPLIFYING PROCEDURES

Priority: Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: 42 USC 7254; 42 USC 7256

CFR Citation: 10 CFR 600

Legal Deadline: None

Abstract: This rulemaking will modify the provisions in 10 CFR 600, subparts A and C, to streamline and simplify DOE internal procedures. This action is responsive to Executive Order 12861, "Elimination of One-Half of Executive Branch Internal Regulations."

Timetable:

Action	Date	FR Cite
NPRM	08/08/95	60 FR 40323
Final Action	03/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: CherylN Seckinger, Procurement Analyst, Department of Energy, Office of Procurement and Assistance Management, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-8192

RIN: 1991-AB23

DEPARTMENT OF ENERGY (DOE)

Long-Term Actions

Office of Procurement and Assistance Management (PR)

1172. DEAR: SECURITY PROCEDURES

Priority: 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: 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: Robert Webb
Phone: 202 586-8247

RIN: 1991-AA86

1173. DEAR: AMENDMENT TO WORKPLACE SUBSTANCE ABUSE PROGRAMS AT DOE SITES

Priority: 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

1174. DEAR: REVIEW OF M&O CONTRACTOR PURCHASING SYSTEMS

Priority: 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

1175. • SMALL BUSINESS SUBCONTRACTING PROGRAM

Priority: Other

Legal Authority: 42 USC 7254; 40 USC 486(c); PL 102-486

CFR Citation: 48 CFR 919; 48 CFR 970

Legal Deadline: None

Abstract: This rule would amend the Department's regulations regarding requirements associated with subcontracting plans and goals.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Agency Contact: Gwendolyn Cowan, Procurement Analyst, Department of Energy, Office of Procurement and Assistance Management, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-8159

RIN: 1991-AB17

DEPARTMENT OF ENERGY (DOE)

Completed Actions

Office of Procurement and Assistance Management (PR)

1176. DEBARMENT AND SUSPENSION (COMMON RULE)

Priority: Other Significant

Legal Authority: EO 12689

CFR Citation: 10 CFR 1035; 10 CFR 1036

Legal Deadline: None

Abstract: This conforms procurement debarment procedures and nonprocurement debarment procedures to have reciprocal Governmentwide effect.

Timetable:

Action	Date	FR Cite
NPRM	12/20/94	59 FR 65607
Final Action	06/26/95	60 FR 33037
Final Action Effective	08/26/95	

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-AA69

1177. ACQUISITION OF FEDERAL INFORMATION RESOURCES BY CONTRACT

Priority: Other

Legal Authority: 40 USC 486(c); 42 USC 7101

CFR Citation: 48 CFR 939; 48 CFR 970.39

Legal Deadline: None

Abstract: Provides procedures governing acquisition of Federal information processing resources by contract.

Timetable:

Action	Date	FR Cite
NPRM	12/02/93	58 FR 63556
NPRM Comment Period End	01/31/94	
Final Action	08/04/94	60 FR 39871
Final Action Effective	09/04/94	

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

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Completed Actions

paperwork burden associated with this action.

Agency Contact: P. Devers Weaver, Procurement Analyst, Department of Energy, Office of Procurement and Assistance Management, 1000 Independence Ave. SW., Washington, DC 20585
Phone: 202 586-8250
RIN: 1991-AA81

1178. DEAR: RECOVERED/RECYCLED MATERIALS

Priority: Other

Legal Authority: 42 USC 7254; 42 USC 486(c); 42 USC 6962

CFR Citation: 48 CFR 923; 48 CFR 970

Legal Deadline: None

Abstract: This action is required by section 6002 of the Resource Conservation and Recovery Act, Executive Order 12873 entitled "Federal Acquisition, Recycling, and Waste Prevention," and other authority. This action would amend the Department of Energy Acquisition Regulation to provide for the use of recovered/recycled materials by DOE management and operating contractors.

Timetable:

Action	Date	FR Cite
NPRM	01/11/95	60 FR 2727
Final Action	09/13/95	60 FR 47491
Final Action Effective	10/13/95	

Small Entities Affected: None

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is a statutory requirement. There is a paperwork burden associated with this action.

Agency Contact: P. Devers Weaver, Procurement Policy Division, Department of Energy, Office of Procurement and Assistance Management, 1000 Independence Ave. SW., Washington, DC 20585
Phone: 202 586-8250
RIN: 1991-AB05

1179. PROCUREMENT SET-ASIDES FOR SMALL BUSINESS AND OTHERS

Priority: Other Significant

Legal Authority: PL 102-486, sec 3021 The Energy Policy Act of 1992

CFR Citation: 48 CFR 926; 48 CFR 952; 48 CFR 970

Legal Deadline: None

Abstract: Section 3021 of the Energy Policy Act of 1992 requires agency heads to provide for set aside award preferences for (1) small and disadvantaged businesses, (2) historically black colleges and universities, and (3) colleges and universities with 20 percent or more Hispanic or Native American students.

Timetable:

Action	Date	FR Cite
NPRM	07/11/94	59 FR 35294
Final Action	05/05/95	60 FR 22298

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Robert M. Webb, Procurement Analyst (HR-521.1), Department of Energy, Office of Procurement and Assistance Management, 1000 Independence Ave SW., Washington, DC 20585
Phone: 202 586-8264
Fax: 202 586-0545

RIN: 1991-AB11

1180. INDEPENDENT RESEARCH AND DEVELOPMENT/BID AND PROPOSAL COSTS AND TRAVEL COST GUIDELINES

Priority: Other

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

CFR Citation: 48 CFR 915; 48 CFR 931; 48 CFR 942; 48 CFR 951; 48 CFR 952; 48 CFR 970

Legal Deadline: None

Abstract: The action would make amendments to the Department of Energy Acquisition Regulation to provide guidance to contractors regarding the allowability of independent research and development/bid and proposal and travel costs. It results from the recodification of cost accounting standards into Title 48 of the Code of Federal Regulations.

Timetable:

Action	Date	FR Cite
NPRM	10/31/94	59 FR 54421
Final Action	06/07/95	60 FR 30002

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: Terrence D. Sheppard, Procurement Analyst, Department of Energy, Office of Procurement and Assistance Management, 1000 Independence Ave. SW., Washington, DC 20585
Phone: 202 586-8174

RIN: 1991-AB12

1181. UNIFORM ADMINISTRATIVE REQUIREMENTS FOR GRANTS WITH EDUCATIONAL INSTITUTIONS, HOSPITALS, AND OTHER NONPROFIT INSTITUTIONS

Priority: Other Significant

Legal Authority: 42 USC 7254; 42 USC 7256

CFR Citation: 10 CFR 600

Legal Deadline: None

Abstract: This rulemaking will modify the provisions in 10 CFR 600 dealing with educational institutions, hospitals and other nonprofit organizations to reflect changes made to the recently revised OMB Circular A-110.

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/21/94	59 FR 53260
Final Action	10/21/94	59 FR 53260
Final Action Effective	12/21/94	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Cherrie Seckinger, Procurement Analyst, Department of Energy, Office of Procurement and Assistance Management, 1000 Independence Ave. SW., Washington, DC 20585
Phone: 202 586-8192

RIN: 1991-AB13

1182. REVISION TO A-102 COMMON RULE TO RAISE THRESHOLD FOR SIMPLIFIED SMALL PURCHASES UNDER GRANTS

Priority: 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 600.436

DOE—PR

Completed Actions

Legal Deadline: None

Abstract: Proposed amendment to the common grant rules for State and local Governments, to increase the small purchase threshold under grants to \$100,000.

Timetable:

Action	Date	FR Cite
NPRM	10/25/94	59 FR 53706
Final Action	03/24/95	60 FR 19638

Small Entities Affected: None

Government Levels Affected: State, Local, Tribal

Agency Contact: Cherlyn Seckinger, Procurement Analyst, Department of Energy, Office of Procurement and Assistance Management, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-8192

RIN: 1991-AB15

1183. DEAR: REGULATORY REDUCTION

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

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

CFR Citation: 48 CFR 901 to 971

Legal Deadline: None

Abstract: The Department of Energy Acquisition Regulation is being reduced pursuant to requirements of Executive Order 12861, Elimination of One-Half of Executive Branch Internal Regulations. The DEAR provisions proposed for deletion include material that is for informational purposes only and nonregulatory in nature; recommended internal guidance; regulations that constrain the Department's procuring activities; internal nonregulatory procedures; coverage that is more restrictive than the Federal Acquisition Regulations (FAR); and coverage that is repetitive of the FAR or other regulations.

Timetable:

Action	Date	FR Cite
NPRM	06/08/95	60 FR 30258
Final Action	09/02/95	60 FR 47304

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: Kevin M. Smith, Procurement Analyst (HR-521), Department of Energy, Office of Procurement and Assistance Management, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-8189

RIN: 1991-AB18

1184. CERTIFIED COST OR PRICING THRESHOLD AND DETERMINATION AND FINDINGS FOR USE OF COST-REIMBURSEMENT CONTRACTS

Priority: 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: PL 103-355

CFR Citation: 48 CFR 915; 48 CFR 916; 48 CFR 970

Legal Deadline: None

Abstract: To conform regulations with Federal Acquisition Act, DOE is raising the threshold for certification of cost or pricing data from \$100,000 to \$500,000 and deleting the requirement for a determination and findings when a cost reimbursement contract is contemplated.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/10/95	60 FR 18030
Final Action	10/10/95	60 FR 52632

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: Terry Sheppard, Procurement Analyst, Department of Energy, Office of Procurement and Assistance Management, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-8174

RIN: 1991-AB19

1185. ACQUISITION REGULATION: DEPARTMENT OF ENERGY MANAGEMENT AND OPERATING CONTRACTS

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 2201; 42 USC 7254

CFR Citation: 48 CFR 970.71

Legal Deadline: None

Abstract: This action amends the Department of Energy (DOE) Acquisition Regulation provisions applicable to subcontracting by management and operating (M&O) contractors. The rule provides for greater reliance on commercial-like subcontracting objectives, expectations, and standards; eliminates the so-called "Federal norm" that, in effect, required DOE's M&Os to follow certain Federal-oriented prescribed procedures in their award of subcontracts; and eliminates the reference concerning General Accounting Office protest jurisdiction over such subcontract awards.

Timetable:

Action	Date	FR Cite
NPRM	03/02/95	60 FR 11646
Final Action	09/26/95	60 FR 49512
Final Action Effective	10/26/95	

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: James Cavanagh (HR 525.1), Supervisory Procurement Analyst, Department of Energy, Office of Procurement and Assistance Management
Phone: 202 586-8257

RIN: 1991-AB20

1186. FEE POLICY FOR NONPROFIT ORGANIZATIONS

Priority: Other

Legal Authority: 42 USC 2201

CFR Citation: 48 CFR 915; 48 CFR 970

Legal Deadline: None

DOE—PR

Completed Actions

Abstract: Revise current fee policy that applies to nonprofit organizations to reflect the added risks those institutions will bear when the Department's Contract Reform Initiative is implemented.

A schedule for this action currently is being developed as part of the implementation of the Department's Contract Reform Initiative.

Timetable:

Action	Date	FR Cite
Merged With RIN 1991-AB28	08/16/95	

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 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-AB21

1187. DEAR: FINES AND PENALTIES, GOVERNMENT PROPERTY AND THIRD PARTY LIABILITY

Priority: Other

Legal Authority: 42 USC 2201; 42 USC 7254; 42 USC 420; 42 USC 7256a

CFR Citation: 48 CFR 950; 48 CFR 970

Legal Deadline: None

Abstract: This action would revise current regulations regarding cost allowability of fines and penalties, third party liabilities, and damage or loss of Government property to reflect the Department's contract reform

initiatives to increase contractor accountability. This action would also establish new provisions on preexisting conditions and whistleblower actions.

Timetable:

Action	Date	FR Cite
Merged With RIN 1991-AB28	08/16/95	

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: Laura Fullerton, Attorney Advisor, Department of Energy, Office of General Counsel, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-1900

RIN: 1991-AB22

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

Proposed Rule Stage

1188. PATENT WAIVER REGULATION

Priority: Other

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.

Timetable:

Action	Date	FR Cite
NPRM	02/00/96	

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: 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

1189. PAYMENT OF TRAVEL EXPENSES OF PERSONS WHO ARE NOT GOVERNMENT EMPLOYEES

Priority: 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	01/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Susan Beard, Acting Deputy Assistant General for Standards of Conduct, Department of Energy, Office of General Counsel, 1000 Independence Ave. SW., Washington, DC 20585
Phone: 202 586-1522

RIN: 1990-AA15

1190. CONDUCT OF EMPLOYEES

Priority: 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 7211 et seq; PL 103-160, sec 3161; EO 12674

CFR Citation: 10 CFR 1010; 5 CFR 2635

DOE—OGC

Proposed Rule Stage

Legal Deadline: None

Abstract: The DOE regulation on conduct of employees needs to be revised to reflect the issuance of the Standards of Ethical Conduct for Employees of the Executive Branch (5 CFR 2635) and the repeal of conflict-of-interest provisions formerly applicable to DOE employees.

Timetable:

Action	Date	FR Cite
NPRM	01/00/96	

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

Agency Contact: Susan Beard, Acting Deputy Assistant General Counsel for Standards of Conduct, Department of Energy, Office of General Counsel, 1000 Independence Ave SW., Washington, DC 20585
Phone: 202 586-1522
RIN: 1990-AA19

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

Completed Actions

1191. • REMOVAL OF OBSOLETE REGULATIONS**Priority:** Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: 42 USC 7254

CFR Citation: 10 CFR 210; 10 CFR 211; 10 CFR 212; 10 CFR 303; 10 CFR 305; 10 CFR 459; 10 CFR 465; 10 CFR 730; 10 CFR 761; 10 CFR 763; 10 CFR 790; 10 CFR 791; 10 CFR 792; 10 CFR 794

Legal Deadline: None

Abstract: In connection with the President's Regulatory Reinvention Initiative, the Department of Energy is engaged in a continuing and comprehensive review of its regulatory program. As part of that in depth review, the Department is removing from Title 10 of the CFR regulations for which statutory authority has expired or been superseded by subsequent legislation, as well as regulations governing nonfunctioning and unfunded programs.

Timetable:

Action	Date	FR Cite
Final Action	09/22/95	60 FR 49195

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

Agency Contact: Romulo L. Diaz, Jr., Director, Rulemaking Support (GC-75), Office of the General Counsel, Department of Energy, Office of General Counsel, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-2902

RIN: 1990-AA22

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