



Wednesday
October 29, 1997

Part VII

**Department of
Energy**

Semiannual Regulatory Agenda

DEPARTMENT OF ENERGY (DOE)

DEPARTMENT OF ENERGY

10 CFR Chs. II, III, and X

48 CFR Ch. 9

Regulatory Agenda

AGENCY: Department of Energy.

ACTION: Semiannual regulatory agenda.

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

FOR FURTHER INFORMATION CONTACT: For further information about any particular

item on the regulatory agenda, please contact the individual listed under that item. For further information on the regulatory agenda in general, please contact: Richard L. Farman, Room 6E-078, Forrestal Building, 1000 Independence Avenue SW., Washington, DC 20585, (202) 586-8145.

SUPPLEMENTARY INFORMATION: Entries appended to this notice reflect the status of activities as of approximately August 15, 1997. They are divided into categories, first by subagencies and then according to their stage of rulemaking action: Prerule, proposed rulemaking, final rulemaking, long-term action, or completed action.

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).

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

Issued in Washington, DC, on September 4, 1997.

Eric J. Fygi,
Acting General Counsel.

Energy Efficiency and Renewable Energy—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
1025	Energy Efficiency Standards for Central Air Conditioners and Heat Pumps	1904-AA77
1026	Determination for Electric Distribution Transformers	1904-AA85

Energy Efficiency and Renewable Energy—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1027	Equivalent Petroleum-Based Fuel Economy Calculation for Electric and Hybrid Electric Vehicles	1904-AA40
1028	Test Procedures for Central Air Conditioners and Heat Pumps— Amendments	1904-AA46
1029	Energy Efficiency Standards for Lamp Ballasts	1904-AA75
1030	Energy Efficiency Standards for Water Heaters	1904-AA76

Energy Efficiency and Renewable Energy—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1031	Test Procedures for Kitchen Ranges, Ovens and Microwaves	1904-AA52
1032	Energy Efficiency Code for New Federal Residential Low Rise Buildings	1904-AA53
1033	State and Local Incentives Program: Alternative Fuels	1904-AA66
1034	Energy Efficiency Standards Rulemakings and Determinations for High Priority Consumer Products and Commercial Equipment (Reg Plan Seq. No. 19)	1904-AA67
1035	Energy Code for New Federal Commercial and Multi-Family High Rise Residential Buildings	1904-AA69
1036	Test Procedures and Certification Requirements for Plumbing Products; and Certification Requirements for Residential Appliances	1904-AA71
1037	Energy Conservation Program for Certain Commercial and Industrial Equipment: Test Procedures, Labeling, and Certification Requirements for Electric Motors	1904-AA82
1038	Energy Efficiency Standards for Kitchen Ranges, Ovens and Microwave Ovens	1904-AA84
1039	Test Procedures for Water Heaters—Amendment	1904-AA88
1040	Test Procedures for Refrigerators and Refrigerator-Freezers	1904-AA93

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

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Energy Efficiency and Renewable Energy—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
1041	National Voluntary Residential Energy Efficiency Rating Guidelines	1904-AA74
1042	Energy Efficiency Standards for Residential Furnaces and Mobile Home Furnaces	1904-AA78
1043	Determination for High Intensity Discharge Lamps	1904-AA86
1044	Determination for Small Electric Motors	1904-AA87
1045	Energy Efficiency Standards for Clothes Dryers and Dishwashers	1904-AA89
1046	Energy Efficiency Standards for Pool Heaters and Direct Heating Equipment	1904-AA90
1047	Energy Efficiency Standards for 1-200 HP Electric Motors	1904-AA91
1048	Energy Efficiency Standards for Fluorescent and Incandescent Lamps	1904-AA92

Energy Efficiency and Renewable Energy—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1049	Energy Efficiency Standards for Room Air Conditioners	1904-AA38
1050	Test Procedures for Furnaces/Boilers, Vented Home Heating Equipment, and Pool Heaters—Amendment	1904-AA45
1051	Energy Efficiency Standards for Refrigerators, Refrigerator-Freezers, and Freezers	1904-AA47
1052	Test Procedures for Fluorescent and Incandescent Reflector Lamps	1904-AA61
1053	Clothes Washer Test Procedure Amendments	1904-AA68
1054	Private/Local Alternative Fuels Fleet Program	1904-AA72
1055	State Energy Program	1904-AA81

Defense and Security Affairs—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1056	General Criteria and Procedures for Determining Eligibility for Access to Classified Matters or Special Nuclear Material	1992-AA22

Defense and Security Affairs—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1057	Personnel Assurance Program	1992-AA14
1058	Information Classification	1992-AA21

Defense and Security Affairs—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
1059	Physical Protection of Security Interests	1992-AA23

Departmental and Others—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1060	Freedom of Information Act	1901-AA32
1061	Enforcement of Employee Safety Standards at Nuclear Weapons Facilities	1901-AA44
1062	The Office of Energy Research Financial Assistance Program	1901-AA54
1063	Payments for Special Burdens and in Lieu of Taxes	1901-AA58

DOE

Departmental and Others—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
1064	Privacy Act Exemption of Certain Contractor Employee Reprisal Complaint and Investigation System of Records ..	1901-AA66
1065	Privacy Act System of Records Update	1901-AA69
1066	Occupational Protection Program for Exposures to Beryllium (Reg Plan Seq. No. 20)	1901-AA75
1067	Community Transition Activities	1901-AA77

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

Departmental and Others—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1068	Nuclear Safety Management (Reg Plan Seq. No. 21)	1901-AA34
1069	Radiation Protection of the Public and the Environment (Reg Plan Seq. No. 22)	1901-AA38
1070	Annotation of Land Records for Remediated Properties in the Uranium Mill Tailings Remedial Action Project (UMTRA)	1901-AA57
1071	Occupational Radiation Protection—Amendment (Reg Plan Seq. No. 23)	1901-AA59
1072	Privacy Act—Exemption of an Inspector General System of Records	1901-AA62
1073	General Guidelines for the Recommendation of Sites for Nuclear Waste Repository	1901-AA72

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
1074	Electric Power System Permits and Reports; Applications; Administrative Procedures and Sanctions	1901-AA19
1075	Environmental Management Financial Assistance Program	1901-AA71

Departmental and Others—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1076	Energy Board of Contract Appeals; Organization, Functions, and Authorities; Rules of Practice	1901-AA30
1077	Allocation of Canadian Entitlement to Mid-Columbia Project Owners	1901-AA73
1078	Inflation Adjustment of Civil Monetary Penalties	1901-AA76

Office of Procurement and Assistance Management—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1079	DEAR: Financial Management Clauses	1991-AB02
1080	Fee Policy	1991-AB32
1081	DEAR: Implementation of FASA and FARA Statutes	1991-AB35
1082	DEAR: Management and Operating Contract Whistleblower Costs	1991-AB36

Office of Procurement and Assistance Management—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1083	Department of Energy Property Management Regulations; Miscellaneous Personal Property	1991-AA28
1084	FASA 1994, Sections 2051, 2151, and 2192	1991-AB29

DOE

Office of Procurement and Assistance Management—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
1085	Security, Counterintelligence, and Options	1991-AB30
1086	FARA, DOE Certification Requirements	1991-AB31
1087	DEAR Amendment for Rights in Data	1991-AB33
1088	DEAR: Department of Energy Management and Operating Contracts	1991-AB37
1089	Agency Implementation of Revised OMB Circular A-133	1991-AB38

Office of Procurement and Assistance Management—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
1090	Amendment to Workplace Substance Abuse Programs at DOE Sites	1991-AA90

Office of Procurement and Assistance Management—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1091	DEAR: Security Procedures	1991-AA86
1092	DEAR: Amendment to Workplace Substance Abuse Programs at DOE Sites	1991-AA97
1093	DEAR: Review of M&O Contractor Purchasing Systems	1991-AB07
1094	Competition for Management and Operating Contracts	1991-AB09
1095	Small Business Subcontracting Program	1991-AB17
1096	Revisions to Organizational Conflicts of Interest	1991-AB26
1097	Contract Reform	1991-AB28

Office of General Counsel—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
1098	Payment of Travel Expenses of Persons Who Are Not Government Employees	1990-AA15
1099	Conduct of Employees	1990-AA19

DEPARTMENT OF ENERGY (DOE)

Prerule Stage

Energy Efficiency and Renewable Energy (EE)

1025. ENERGY EFFICIENCY STANDARDS FOR CENTRAL AIR CONDITIONERS AND HEAT PUMPS

Priority: Economically Significant. Major under 5 USC 801.

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

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

Legal Authority: 42 USC 6295

CFR Citation: 10 CFR 430.32

Legal Deadline: Final, Statutory, January 1, 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 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 central air conditioners and heat pumps.

Timetable:

Action	Date	FR Cite
ANPRM	09/08/93	58 FR 47326
Screening Workshop	07/00/98	
Supplemental ANPRM	04/00/00	
NPRM	05/00/01	
Final Action	11/00/01	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local

DOE—EE

Prerule Stage

Additional Information: Due to the Department's limited staff and financial resources, the regulatory actions related to energy efficiency standards have been categorized as high, medium, and low priority based on significant input from the public. This action is a high priority, and the Department is actively working on this action.

This action is covered in the Regulatory Plan entry 1904-AA67, which appears in part II of this issue of the Federal Register.

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

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RIN: 1904-AA77

1026. DETERMINATION FOR ELECTRIC DISTRIBUTION TRANSFORMERS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 6317

CFR Citation: 10 CFR 430

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

Determination Notice

Abstract: The Energy Policy Act of 1992 requires the Department to prescribe testing requirements for electric distribution transformers for which the Secretary makes a determination that energy conservation standards would be technologically feasible and economically justified, and would result in significant energy savings.

Timetable:

Action	Date	FR Cite
Determination Notice	12/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Due to the Department's limited staff and financial resources, regulatory actions related to energy efficiency standards have been categorized as high, medium, and low priority based on significant input from the public. This action is a high priority, and the Department is working actively on this action.

This action is covered in the Regulatory Plan entry 1904-AA67, which appears elsewhere in part II of this issue of the Federal Register.

Agency Contact: Kathi Epping, Program Manager, Office of Codes and Standards, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., 1J-018, Washington, DC 20585

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RIN: 1904-AA85

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

Proposed Rule Stage

1027. 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
Reopen Comment Period	10/00/97	
Final Action	07/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: David Hamilton, Program Manager, Electric and Hybrid Propulsion Division, Department of Energy, Energy Efficiency and Renewable Energy, EE-321, 1000 Independence Ave. SW., Washington, DC 20585

Phone: 202 586-2314

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RIN: 1904-AA40

1028. 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

DOE—EE

Proposed Rule Stage

references. The revisions include an updated nomenclature compatible with the eventual test procedure for conamed appliances, additional tables listing tests tolerances, a clearer specification for the demand defrost credit, and test methods for ECM blowers and history-dependent defrosts. Due to higher priority rulemakings, the Department does not plan to work on this test procedure until Fiscal Year 1998.

Timetable:

Action	Date	FR Cite
NPRM	02/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Michael Raymond, Program Manager, Office of Codes and Standards, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Ave. SW., Washington, DC 20585
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RIN: 1904-AA46

1029. ENERGY EFFICIENCY STANDARDS FOR LAMP BALLASTS

Priority: Economically Significant. Major under 5 USC 801.

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

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

Legal Authority: 42 USC 6295

CFR Citation: 10 CFR 430.32

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

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

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

This is the initial review of the statutory standards for fluorescent lamp ballasts.

Timetable:

Action	Date	FR Cite
ANPRM	09/28/90	55 FR 39624
NPRM	03/04/94	59 FR 10464
Ballast Analysis Workshop	03/18/97	
Reissue NPRM	08/00/98	
Final Action	02/00/99	

Small Entities Affected: None

Government Levels Affected: State, Local

Additional Information: Due to the Department's limited staff and financial resources, regulatory actions related to energy efficiency standards have been categorized as high, medium, and low priority based on significant input from the public. This action is a high priority, and the Department is working actively on this action.

This action is covered in the Regulatory Plan entry 1904-AA67, which appears elsewhere in part II of this issue of the Federal Register.

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RIN: 1904-AA75

1030. ENERGY EFFICIENCY STANDARDS FOR WATER HEATERS

Priority: Economically Significant. Major under 5 USC 801.

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

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

Legal Authority: 42 USC 6295

CFR Citation: 10 CFR 430.32

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

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

This is the initial review of the statutory standards for electric water heaters.

Timetable:

Action	Date	FR Cite
ANPRM	09/28/90	55 FR 39624
NPRM	03/04/94	59 FR 10464
Screening Workshop	06/24/97	
Notice of Availability	01/00/98	
Impact Workshop	03/00/98	
Reissue NPRM	07/00/98	
Final Action	07/00/99	

Small Entities Affected: None

Government Levels Affected: State, Local

Additional Information: Due to the Department's limited staff and financial resources, regulatory actions related to energy efficiency standards have been categorized as high, medium, and low priority based on significant input from the public. This action is a high priority, and the Department is working actively on this action.

This action is covered in the Regulatory Plan entry 1904-AA67, which appears elsewhere in part II of this issue of the Federal Register

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RIN: 1904-AA76

DEPARTMENT OF ENERGY (DOE)

Final Rule Stage

Energy Efficiency and Renewable Energy (EE)

1031. TEST PROCEDURES FOR KITCHEN RANGES, OVENS AND MICROWAVES

Priority: Substantive, Nonsignificant

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

Legal Authority: 42 USC 6293

CFR Citation: 10 CFR 430

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	03/23/95	60 FR 15330
NPRM Comment Period End	08/31/95	
Final Action	10/00/97	

Small Entities Affected: None

Government Levels Affected: Undetermined

Agency Contact: Terry Logee, Program Manager, Office of Codes and Standards, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., 1J-018, Washington, DC 20585
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RIN: 1904-AA52

1032. ENERGY EFFICIENCY CODE FOR NEW FEDERAL RESIDENTIAL LOW RISE BUILDINGS

Priority: Other Significant

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

Legal Authority: 42 USC 6834

CFR Citation: 10 CFR 435

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

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

Timetable:

Action	Date	FR Cite
NPRM	05/02/97	62 FR 24164
NPRM Comment Period End	07/14/97	
Final Action	04/00/98	

Small Entities Affected: None

Government Levels Affected: Federal

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

RIN: 1904-AA53

1033. STATE AND LOCAL INCENTIVES PROGRAM: ALTERNATIVE FUELS

Priority: Other Significant

Legal Authority: 42 USC 13235

CFR Citation: 10 CFR 490

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

Abstract: The Energy Policy Act of 1992 requires DOE to issue regulations establishing the State and Local Incentives Program. Under this Program DOE may grant financial assistance to States for projects in DOE-approved State plans to promote use of alternative fuels and alternative fueled vehicles. With the publication of an integrated State Energy Program (61 FR 35890), the alternative fuel grant programs may be a part of the state grant special projects, depending on funding availability. The next action

will be a cancellation notice of any separate state grant program.

Timetable:

Action	Date	FR Cite
NPRM	03/21/95	60 FR 15020
NPRM Comment Period End	05/22/95	
Final Action	12/00/97	

Small Entities Affected: None

Government Levels Affected: State, Local

Agency Contact: Marcy A. Rood (EE-34), Program Manager, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Ave SW., Washington, DC 20585
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RIN: 1904-AA66

1034. ENERGY EFFICIENCY STANDARDS RULEMAKINGS AND DETERMINATIONS FOR HIGH PRIORITY CONSUMER PRODUCTS AND COMMERCIAL EQUIPMENT

Regulatory Plan: This entry is Seq. No. 19 in Part II of this issue of the **Federal Register**.

RIN: 1904-AA67

1035. ENERGY CODE FOR NEW FEDERAL COMMERCIAL AND MULTI-FAMILY HIGH RISE RESIDENTIAL BUILDINGS

Priority: Other Significant

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

Legal Authority: 42 USC 6834

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

Legal Deadline: Final, Statutory, November 14, 1997.

Abstract: Title III of the Energy Conservation and Production Act as amended by the Energy Policy Act of 1992 (PL 102-486) 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

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Final Rule Stage

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	08/06/96	61 FR 40882
NPRM Comment Period End	11/04/96	
Final Action	12/00/97	

Small Entities Affected: None

Government Levels Affected: Federal

Agency Contact: Ronald B. Majette, Program Manager, Office of Codes and Standards, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., Washington, DC 20585
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RIN: 1904-AA69

1036. TEST PROCEDURES AND CERTIFICATION REQUIREMENTS FOR PLUMBING PRODUCTS; 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; 42 USC 6296

CFR Citation: 10 CFR 430.2; 10 CFR 430.32; 10 CFR 430.62

Legal Deadline: None

Abstract: This action would codify water conservation standards and test procedures established in EPCA for plumbing products, incorporate by reference water conservation standards and test procedures for faucets and test procedures for showerheads revised by the American Society of Mechanical Engineers/American National Standards Institute (ASME/ANSI), and provide for certification of compliance with plumbing products standards. The proposed rule would also clarify the

certification requirements applicable to all residential appliances.

Timetable:

Action	Date	FR Cite
NPRM	02/20/97	62 FR 7834
Final Action	12/00/97	

Small Entities Affected: Businesses, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: William W. Hui, Program Manager, Office of Codes and Standards, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., Washington, DC 20585
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RIN: 1904-AA71

1037. ENERGY CONSERVATION PROGRAM FOR CERTAIN COMMERCIAL AND INDUSTRIAL EQUIPMENT: TEST PROCEDURES, LABELING, AND CERTIFICATION REQUIREMENTS FOR ELECTRIC MOTORS

Priority: Other Significant

Legal Authority: 42 USC 6311 to 6317

CFR Citation: 10 CFR 431

Legal Deadline: Final, Statutory, October 24, 1997.

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

Timetable:

Action	Date	FR Cite
NPRM	11/27/96	61 FR 60440
NPRM Comment Period End	03/10/97	62 FR 6888
Final Action	10/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: James Raba, Energy Technology Program Specialist,

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RIN: 1904-AA82

1038. ENERGY EFFICIENCY STANDARDS FOR KITCHEN RANGES, OVENS AND MICROWAVE OVENS

Priority: Economically Significant. Major under 5 USC 801.

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

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

Legal Authority: 42 USC 6295

CFR Citation: 10 CFR 430.32

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

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

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

Timetable:

Action	Date	FR Cite
ANPRM	09/28/93	55 FR 39624
NPRM	03/04/94	59 FR 10464
Final Action	11/00/97	

Small Entities Affected: None

Government Levels Affected: State, Local

Additional Information: Due to the Department's limited staff and financial resources, regulatory actions related to energy efficiency standards have been categorized as high, medium, and low priority based on significant input from the public. This action is a high priority, and the Department is working actively on this action.

DOE—EE

Final Rule Stage

This action is covered in the Regulatory Plan entry 1904-AA67, which appears elsewhere in part II of this issue of the Federal Register.

Agency Contact: Kathi Epping, Program Manager, Office of Codes and Standards, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-7425
Fax: 202 586-4617

RIN: 1904-AA84

1039. TEST PROCEDURES FOR WATER HEATERS—AMENDMENT

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 6293

CFR Citation: 10 CFR 430

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	03/23/95	60 FR 15330
NPRM Comment	08/31/95	
Period End		
Final Action	10/00/97	

Small Entities Affected: None

Government Levels Affected: None

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

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

Email: terry.logee@hq.doe.gov

RIN: 1904-AA88

1040. TEST PROCEDURES FOR REFRIGERATORS AND REFRIGERATOR-FREEZERS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 6291 to 6309

CFR Citation: 10 CFR 430

Legal Deadline: None

Abstract: This action is to amend 10 CFR part 430 to include test procedures for externally vented refrigerators. The proposed amendment would not change the test procedures for existing classes of refrigerators or refrigerator-freezers nor would it affect existing or future energy use standards.

Timetable:

Action	Date	FR Cite
NPRM	04/08/97	62 FR 16739
Final Action	10/00/97	

Small Entities Affected: None

Government Levels Affected: None

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

Fax: 202 586-4617

Email: michael.raymond@hq.doe.gov

RIN: 1904-AA93

DEPARTMENT OF ENERGY (DOE)

Long-Term Actions

Energy Efficiency and Renewable Energy (EE)

1041. NATIONAL VOLUNTARY RESIDENTIAL ENERGY EFFICIENCY RATING GUIDELINES

Priority: Substantive, Nonsignificant

CFR Citation: 10 CFR 437

Timetable:

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

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: John Reese
Phone: 202 586-7819

RIN: 1904-AA74

1042. ENERGY EFFICIENCY STANDARDS FOR RESIDENTIAL FURNACES AND MOBILE HOME FURNACES

Priority: Economically Significant. Major under 5 USC 801.

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

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

CFR Citation: 10 CFR 430.32

Timetable:

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

Small Entities Affected: None

Government Levels Affected: State, Local

Agency Contact: Cyrus Nasseri
Phone: 202 586-9138

RIN: 1904-AA78

1043. DETERMINATION FOR HIGH INTENSITY DISCHARGE LAMPS

Priority: Substantive, Nonsignificant

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

CFR Citation: 10 CFR 430

Timetable: Next Action Undetermined

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Terry Logee
Phone: 202 586-1689
Fax: 202 586-4617

RIN: 1904-AA86

DOE—EE

Long-Term Actions

1044. DETERMINATION FOR SMALL ELECTRIC MOTORS

Priority: Substantive, Nonsignificant

CFR Citation: 10 CFR 430

Timetable:

Action	Date	FR Cite
Determination Notice	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Jim Raba

Phone: 202 586-8654

Fax: 202 586-4617

RIN: 1904-AA87

1045. ENERGY EFFICIENCY STANDARDS FOR CLOTHES DRYERS AND DISHWASHERS

Priority: Economically Significant.

Major under 5 USC 801.

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

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

CFR Citation: 10 CFR 430.32

Timetable: Next Action Undetermined

Small Entities Affected: None

Government Levels Affected: State, Local

Agency Contact: Anthony Balducci

Phone: 202 586-8459

Fax: 202 586-4617

RIN: 1904-AA89

1046. ENERGY EFFICIENCY STANDARDS FOR POOL HEATERS AND DIRECT HEATING EQUIPMENT

Priority: Economically Significant.

Major under 5 USC 801.

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

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

CFR Citation: 10 CFR 430.32

Timetable: Next Action Undetermined

Small Entities Affected: None

Government Levels Affected: State, Local

Agency Contact: Bill Hui

Phone: 202 586-9145

Fax: 202 586-4617

RIN: 1904-AA90

1047. ENERGY EFFICIENCY STANDARDS FOR 1-200 HP ELECTRIC MOTORS

Priority: Economically Significant.

Major under 5 USC 801.

CFR Citation: 10 CFR 431

Timetable: Next Action Undetermined

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: James Raba

Phone: 202 586-8654

Fax: 202 586-4617

RIN: 1904-AA91

1048. ENERGY EFFICIENCY STANDARDS FOR FLUORESCENT AND INCANDESCENT LAMPS

Priority: Economically Significant.

Major under 5 USC 801.

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

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

CFR Citation: 10 CFR 430.32

Timetable: Next Action Undetermined

Small Entities Affected: None

Government Levels Affected: State, Local

Agency Contact: Terry Logee

Phone: 202 586-1689

Fax: 202 586-4617

RIN: 1904-AA92

DEPARTMENT OF ENERGY (DOE)

Completed Actions

Energy Efficiency and Renewable Energy (EE)

1049. ENERGY EFFICIENCY STANDARDS FOR ROOM AIR CONDITIONERS

Priority: Economically Significant.

Major under 5 USC 801.

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

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

Legal Authority: 42 USC 6295; 42 USC 6313

CFR Citation: 10 CFR 430.32

Legal Deadline: Final, Statutory,

January 1, 1992.

Abstract: The Energy Policy and Conservation Act (EPCA), as amended, establishes initial energy efficiency 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 standard for room room air conditioners.

Timetable:

Action	Date	FR Cite
ANPRM	09/28/90	55 FR 39624
NPRM	03/04/94	59 FR 10464
Final Action	09/24/97	62 FR 50122

Small Entities Affected: None

Government Levels Affected: State, Local

Agency Contact: Michael McCabe, Director, Office of Codes and Standards, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Ave. SW., Washington, DC 20585
Phone: 202 586-9127

RIN: 1904-AA38

DOE—EE

Completed Actions

1050. TEST PROCEDURES FOR FURNACES/BOILERS, VENTED HOME HEATING EQUIPMENT, AND POOL HEATERS—AMENDMENT

Priority: Substantive, Nonsignificant

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

Legal Authority: 42 USC 6293

CFR Citation: 10 CFR 430

Legal Deadline: None

Abstract: These revisions to the test procedures for furnaces and boilers, vented home heating equipment and pool heaters in accordance with the Energy Policy and Conservation Act, as amended, would incorporate by reference ASHRAE Standard 103-1993 and would include waivers granted to manufacturers. This revision is prompted by the ASHRAE revision of Standard 103-1983 and the need to include waivers granted to manufacturers. DOE reopened the comments period on January 20, 1995, regarding new energy descriptors and a cost factor for the production and use of electricity. Based on the comments received, DOE has decided to eliminate the new energy descriptors and to issue a final rule based on the existing energy descriptor.

Timetable:

Action	Date	FR Cite
NPRM	08/23/93	58 FR 44583
NPRM Comment Period End	03/21/95	60 FR 4348
Final Action	05/12/97	62 FR 26140

Small Entities Affected: None

Government Levels Affected: None

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

RIN: 1904-AA45

1051. ENERGY EFFICIENCY STANDARDS FOR REFRIGERATORS, REFRIGERATOR-FREEZERS, AND FREEZERS

Priority: Economically Significant. Major under 5 USC 801.

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

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

Legal Authority: 42 USC 6295

CFR Citation: 10 CFR 430.32

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

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

Initial standard levels were effective in 1990. Revised standards were issued by the DOE effective 1993. This final rule will revise again the standards.

Timetable:

Action	Date	FR Cite
ANPRM	09/08/93	58 FR 47326
NPRM	07/20/95	60 FR 37338
Final Action	04/28/97	62 FR 23101

Small Entities Affected: None

Government Levels Affected: State, Local

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

RIN: 1904-AA47

1052. TEST PROCEDURES FOR FLUORESCENT AND INCANDESCENT REFLECTOR LAMPS

Priority: Substantive, Nonsignificant

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

Legal Authority: 42 USC 6293

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 the Energy Policy and Conservation Act.

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/28/94	59 FR 49468
Interim Final Rule Effective	10/28/94	
Interim Final Rule Comment Period End	12/12/94	
Final Action	05/29/97	62 FR 29222
Final Action Effective	10/18/97	62 FR 35067

Small Entities Affected: None

Government Levels Affected: State

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

RIN: 1904-AA61

1053. CLOTHES WASHER TEST PROCEDURE AMENDMENTS

Priority: Substantive, Nonsignificant

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

Legal Authority: 42 USC 6293

CFR Citation: 10 CFR 430

Legal Deadline: None

Abstract: The current test procedure requires revision to address the issue of temperature selections which are not offered (locked out) of the normal cycle. The test procedure also is being updated to incorporate waivers regarding water heating clothes washers and to address the testing of innovative clothes washers (i.e. high spin speed and automatic water fill).

DOE—EE

Completed Actions

Timetable:

Action	Date	FR Cite
NPRM	11/08/96	61 FR 57794
NPRM Comment Period End	11/25/96	
Final Action	08/27/97	62 FR 45484

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Bryan Berringer, Program Manager, Office of Codes and Standards, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Ave. SW., Washington, DC 20585
Phone: 202 586-0371
Fax: 202 586-4617

RIN: 1904-AA68

1054. PRIVATE/LOCAL ALTERNATIVE FUELS FLEET PROGRAM

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: This action may affect State, local or tribal governments and the private sector.

Legal Authority: 42 USC 13257

CFR Citation: 10 CFR 490

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

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.

The Department has two options under the local and private fleet program: an early rule, which must have been published in the Federal Register by December 15, 1996; and a late rule, which must be proposed by May 1, 1999, and be finalized by January 1, 2000. The early rule is no longer being considered as an option. The Department is planning on entering into discussions with stakeholders as to whether the late rule will be pursued or whether the Department will pursue other voluntary or incentive measures.

Timetable:

Action	Date	FR Cite
ANPRM	08/07/96	61 FR 41032
ANPRM Comment Period End	11/05/96	
Withdrawn	04/23/97	62 FR 19701

Small Entities Affected: None

Government Levels Affected: Local

Agency Contact: Kenneth Katz, Program Manager, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-6116
Fax: 202 586-1610
Email: kenneth.katz@hq.doe.gov

RIN: 1904-AA72

1055. STATE ENERGY PROGRAM

Priority: Substantive, Nonsignificant

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

duplication, or streamline requirements.

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

CFR Citation: 10 CFR 420

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/08/96	61 FR 35890
Final Action	05/14/97	62 FR 26724
Final Action Effective	06/13/97	

Small Entities Affected: None

Government Levels Affected: State, Local, Tribal

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

RIN: 1904-AA81

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

Proposed Rule Stage

1056. GENERAL CRITERIA AND PROCEDURES FOR DETERMINING ELIGIBILITY FOR ACCESS TO CLASSIFIED MATTERS OR SPECIAL NUCLEAR MATERIAL

Priority: Info./Admin./Other

Legal Authority: EO 12968; 42 USC 2201

CFR Citation: 10 CFR 710 subpart A

Legal Deadline: None

Abstract: 10 CFR part 710, which stipulates DOE access authorization "due process" procedures, will be revised to comply with Section 5.2(a) of EO 12968. This section requires

three decision levels in the process of determining whether an individual's access to classified matter will be denied or revoked, with the final decision being made by a three member high level appeal panel. While the DOE decision structure will be revised, the DOE will continue to offer the individual the right to a hearing before a hearing officer in such cases. These revisions are not expected to significantly impact the costs, time intervals, or risks associated with DOE's administrative review process. There are no alternatives to the Department for assuring full compliance with the new requirements.

Timetable:

Action	Date	FR Cite
NPRM	10/00/97	
Final Action	04/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Barry Dalinsky, Personnel Security Specialist, Office of Safeguards and Security, Department of Energy, Germantown, MD 20874-1290
Phone: 301 903-5010
Fax: 301 903-6545

RIN: 1992-AA22

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

Final Rule Stage

1057. PERSONNEL ASSURANCE PROGRAM

Priority: Substantive, Nonsignificant

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

CFR Citation: 10 CFR 711

Legal Deadline: None

Abstract: The Department of Energy (DOE) conducts a Personnel Assurance Program (PAP) under DOE Order 452.2A, "Safety of Nuclear Explosive Operations", and 10 CFR part 711, "Personnel Assurance Program." The PAP was created in order to assure the reliability and safety of individuals in certain critical positions and is a part of the DOE nuclear weapons and explosives safety program. To further minimize the potential risks to personnel, public health and safety, and national security, the Department now proposes these procedures and standards for DOE and DOE contractor employees who are assigned nuclear explosives duties at DOE facilities. The PAP is a systematic program, previously established by internal DOE directive, to prevent accidental or unauthorized detonation of nuclear explosives as a result of assignment of nuclear explosive duties to employees who have become emotionally, mentally, or physically incapacitated. The proposed rule includes medical standards for evaluating DOE and contractor employees in the PAP. The DOE employees under the PAP are part of the DOE Drug-Free Workplace Program (DOE 3792.3). The DOE contractors under the PAP are part of

the Workplace Substance Abuse Programs at DOE facilities (10 CFR part 707).

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/09/96	61 FR 53018
NPRM	06/04/97	62 FR 30469
Final Action	01/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Barry Rich, Office of Weapons Surety, Defense Programs, Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 301 903-3462
Fax: 301 903-8628

Randall Weidman, Office of Weapons Surety, Defence Programs, Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 301 903-3154
Fax: 301 903-8628

RIN: 1992-AA14

1058. INFORMATION CLASSIFICATION

Priority: Other Significant

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

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

CFR Citation: 10 CFR 1045

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

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

Timetable:

Action	Date	FR Cite
NPRM	01/15/97	62 FR 2252
NPRM Comment Period End	03/17/97	
Final Action	10/00/97	

Small Entities Affected: None

Government Levels Affected: None

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

RIN: 1992-AA21

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

Long-Term Actions

1059. PHYSICAL PROTECTION OF SECURITY INTERESTS

Priority: Routine and Frequent

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

Timetable: Next Action Undetermined

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Russell Showers

Phone: 301 903-5122
Fax: 301 903-8717

RIN: 1992-AA23

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

Proposed Rule Stage

1060. FREEDOM OF INFORMATION ACT

Priority: Other Significant

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

Legal Authority: 5 USC 552

CFR Citation: 10 CFR 1004

Legal Deadline: None

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

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

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

Timetable:

Action	Date	FR Cite
Final Rule (Contractor Records)	12/12/94	59 FR 63882
NPRM	10/00/97	

Small Entities Affected: None

Government Levels Affected: None

Sectors Affected: All

Agency Contact: GayLa Sessoms, Director, FOIA and Privacy Act Division, Department of Energy, 1000 Independence Ave. SW., Washington, DC 20585
 Phone: 202 586-5955

RIN: 1901-AA32

1061. ENFORCEMENT OF EMPLOYEE SAFETY STANDARDS AT NUCLEAR WEAPONS FACILITIES

Priority: Other Significant

Legal Authority: PL 102-190, sec 3131

CFR Citation: Not yet determined

Legal Deadline: None

Abstract: Public Law 102-190, section 3131, directs the Department of Energy to assess civil penalties against contractors at DOE nuclear weapons facilities who fail either to provide training to employees engaged in hazardous substance response and emergency response or fail to certify that such workers have been adequately trained.

Timetable:

Action	Date	FR Cite
ANPRM	08/26/94	59 FR 44139
NPRM	10/00/97	
Final Action	06/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Martin S. Mathamel, Associate Deputy Assistant Secretary, Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585
 Phone: 301 903-5639
 Fax: 301 903-2582

RIN: 1901-AA44

1062. THE OFFICE OF ENERGY RESEARCH FINANCIAL ASSISTANCE PROGRAM

Priority: Info./Admin./Other

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

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

CFR Citation: 10 CFR 605

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	

Small Entities Affected: None

Government Levels Affected: State, Local

Agency Contact: John A. Alleva, Director, Grants and Contracts Division, Department of Energy, Office of Energy Research, 1000 Independence Avenue SW., Washington, DC 20585
 Phone: 301 903-5212

RIN: 1901-AA54

1063. 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: 10 CFR 610

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	10/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: Local

Agency Contact: Helen O. Sherman, Director, Office of Financial Policy, Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585
 Phone: 202 586-4860

RIN: 1901-AA58

DOE—ENDEP

Proposed Rule Stage

1064. PRIVACY ACT EXEMPTION OF CERTAIN CONTRACTOR EMPLOYEE REPRISAL COMPLAINT AND INVESTIGATION SYSTEM OF RECORDS

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

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

Timetable:

Action	Date	FR Cite
NPRM	03/00/98	

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

1065. PRIVACY ACT SYSTEM OF RECORDS UPDATE

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

Abstract: This action will amend the Department's Privacy Act Regulations, 10 CFR 1008, by deleting Privacy Act system notices no longer used by the Department. It will also update the remaining systems, many of which require minor amendments to location, authority, purpose, storage, or system manager.

Timetable:

Action	Date	FR Cite
NPRM	10/00/97	

Small Entities Affected: None
Government Levels Affected: None

Agency Contact: GayLa D. Sessoms, Director, FOIA and Privacy Act Division, Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585
 Phone: 202 586-5955
 Fax: 202 586-0575
 Email: gayla.sessoms@hq.doe.gov

RIN: 1901-AA69

1066. OCCUPATIONAL PROTECTION PROGRAM FOR EXPOSURES TO BERYLLIUM

Regulatory Plan: This entry is Seq. No. 20 in Part II of this issue of the **Federal Register**.

RIN: 1901-AA75

1067. • COMMUNITY TRANSITION ACTIVITIES

Priority: Substantive, Nonsignificant
Legal Authority: 42 USC 7274h
CFR Citation: 10 CFR Not yet determined
Legal Deadline: None

Abstract: Section 3161 of the National Defense Authorization Act for Fiscal Year 1993, 42 U.S.C. 7274h, provides authority for DOE to provide impact assistance to communities that are adversely affected by work force restructuring. This action would establish the regulations governing the community transition program.

Timetable:

Action	Date	FR Cite
NPRM	10/00/97	

Small Entities Affected: None
Government Levels Affected: None

Agency Contact: Deborah Swichkow, Deputy Director, Office of Worker and Community Transition, Department of Energy, 1000 Independence SW., Washington, DC 20585
 Phone: 202 586-0876
 Fax: 202 586-8403

RIN: 1901-AA77

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

Final Rule Stage

1068. NUCLEAR SAFETY MANAGEMENT

Regulatory Plan: This entry is Seq. No. 21 in Part II of this issue of the **Federal Register**.

RIN: 1901-AA34

1069. RADIATION PROTECTION OF THE PUBLIC AND THE ENVIRONMENT

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

RIN: 1901-AA38

1070. ANNOTATION OF LAND RECORDS FOR REMEDIATED PROPERTIES IN THE URANIUM MILL TAILINGS REMEDIAL ACTION PROJECT (UMTRA)

Priority: Info./Admin./Other
Legal Authority: PL 95-604, sec 104(d); PL 104-259, sec 4(a)

CFR Citation: Not yet determined
Legal Deadline: None

Abstract: Under section 104(d) of the Uranium Mill Tailings Radiation Control Act of 1978, the Department of Energy (DOE) is required to issue appropriate rules and regulations

concerning the annotation of land records of designated inactive uranium mill sites and vicinity properties included for remedial action under the Act. The annotation is intended to ensure that future purchasers of remediated inactive uranium mill sites and vicinity properties will be notified, prior to such purchase, of the condition of the land.

Timetable:

Action	Date	FR Cite
NPRM	04/14/89	54 FR 29732
Interim Final Rule	08/00/98	

Small Entities Affected: None

DOE—ENDEP

Final Rule Stage

Government Levels Affected: State, Federal

Additional Information: Public Law 104-259, signed into law on October 9, 1996, amended the annotation requirement to provide for States to receive certification from the Secretary for "a program which would achieve the purposes" of the annotation under section 104(d) of the UMTRCA in regards to vicinity properties. Letters have been sent to the affected States regarding the amendment language.

Agency Contact: Loretta Fahy, Environmental Protection Spec. UMTRA Team, Department of Energy, Cloverleaf Building, 19901 Germantown Rd., Germantown, MD 20874-1290
Phone: 301 903-3895
Fax: 301 903-3877

RIN: 1901-AA57

1071. OCCUPATIONAL RADIATION PROTECTION—AMENDMENT

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

RIN: 1901-AA59

1072. PRIVACY ACT—EXEMPTION OF AN INSPECTOR GENERAL SYSTEM OF RECORDS

Priority: Info./Admin./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	01/29/97	62 FR 4404
NPRM Comment Period End	03/31/97	
Final Action	10/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: GayLa D. Sessoms, Director, FOIA/Privacy Act Division, Office of the Executive Secretariat, Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-5955

RIN: 1901-AA62

1073. GENERAL GUIDELINES FOR THE RECOMMENDATION OF SITES FOR NUCLEAR WASTE REPOSITORY

Priority: Other Significant

Legal Authority: 42 USC 10132

CFR Citation: 10 CFR 960

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	12/16/96	61 FR 66158
NPRM Comment Period End	03/17/97	
Final Action	03/00/98	

Small Entities Affected: None

Government Levels Affected: Federal

Agency Contact: Susan Rives, Counsel, Department of Energy, Yucca Mountain Site Characterization Office, PO Box 98608, Las Vegas, NV 89193
Phone: 702 794-5519
Fax: 702 794-7907

RIN: 1901-AA72

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

Long-Term Actions

1074. ELECTRIC POWER SYSTEM PERMITS AND REPORTS; APPLICATIONS; ADMINISTRATIVE PROCEDURES AND SANCTIONS

Priority: Info./Admin./Other

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

CFR Citation: 10 CFR 205.300

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
Fax: 202 586-5736
Email: ellen.russell@hq.doe.gov

RIN: 1901-AA19

1075. ENVIRONMENTAL MANAGEMENT FINANCIAL ASSISTANCE PROGRAM

Priority: Substantive, Nonsignificant

CFR Citation: 10 CFR 600

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

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

Agency Contact: Malika S. Hobbs
Phone: 202 586-6174
Fax: 202 586-9469

RIN: 1901-AA71

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

Completed Actions

1076. ENERGY BOARD OF CONTRACT APPEALS; ORGANIZATION, FUNCTIONS, AND AUTHORITIES; RULES OF PRACTICE

Priority: Info./Admin./Other

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

Legal Authority: 41 USC 601 et seq

CFR Citation: 10 CFR 1023

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	10/30/96	61 FR 55932
NPRM Comment Period End	12/30/96	
Final Action	05/07/97	62 FR 24804

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

1077. ALLOCATION OF CANADIAN ENTITLEMENT TO MID-COLUMBIA PROJECT OWNERS

Priority: Info./Admin./Other

Legal Authority: EO 11177

CFR Citation: Not applicable

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
Withdrawn	04/29/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Phil Mesa, Hydraulic Engineer, Bonneville Power Authority, Department of Energy, 911 NE 11th Avenue, MGHO-DITT2, Portland, OR 97232
 Phone: 360 418-2152

RIN: 1901-AA73

1078. • INFLATION ADJUSTMENT OF CIVIL MONETARY PENALTIES

Priority: Substantive, Nonsignificant

Legal Authority: 28 USC 2461 note

CFR Citation: 10 CFR 207; 10 CFR 218; 10 CFR 430; 10 CFR 490; 10 CFR 501; 10 CFR 601; 10 CFR 820; 10 CFR 1013; 10 CFR 1017; 10 CFR 1050

Legal Deadline: Final, Statutory, October 23, 1996.

Abstract: Federal Civil Penalties Inflation Act of 1990, as amended by the Debt Collection Improvement Act of 1996, requires that each agency adjust for inflation the civil penalties within its jurisdiction. This rule adjusts the civil monetary penalties of Title 10 of the Code of Federal Regulations.

Timetable:

Action	Date	FR Cite
Final Action	09/02/97	62 FR 46181

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Stephen Duarte, Attorney, Department of Energy, Office of General Counsel, 1000 Independence Avenue SW., Washington, DC 20585
 Phone: 202 586-9507

RIN: 1901-AA76

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

Proposed Rule Stage

1079. DEAR: FINANCIAL MANAGEMENT CLAUSES

Priority: Info./Admin./Other

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

CFR Citation: 48 CFR 970

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	10/00/97	
Final Action	04/00/98	

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

1080. FEE POLICY

Priority: Info./Admin./Other

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

Legal Authority: 42 USC 7254

CFR Citation: 48 CFR 970

Legal Deadline: None

Abstract: This action will redefine the Department's policy regarding fees paid to nonprofit entities, incentives paid to contractors for cost avoidance and cost reduction, and the use of multiple fee arrangements. It is an integral part of the Department's contract reform

DOE—PR

Proposed Rule Stage

initiative to improve contractor performance and reduce overall program costs.

Timetable:

Action	Date	FR Cite
NPRM	10/00/97	

Small Entities Affected: None

Government Levels Affected: None

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

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

RIN: 1991-AB32

1081. DEAR: IMPLEMENTATION OF FASA AND FARA STATUTES

Priority: Info./Admin./Other

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

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

CFR Citation: 48 CFR 901 to 952

Legal Deadline: None

Abstract: This action represents the Department's supplemental implementation of the regulations set forth at 48 CFR parts 1 through 52, which implement the provisions of the Federal Acquisition Streamlining Act of 1996 (FASA) and the Federal Acquisition Reform Act of 1996 (FARA).

Timetable:

Action	Date	FR Cite
NPRM	11/00/97	
Final Action	05/00/98	

Small Entities Affected: None

Government Levels Affected: None

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

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

RIN: 1991-AB35

1082. DEAR: MANAGEMENT AND OPERATING CONTRACT WHISTLEBLOWER COSTS

Priority: Info./Admin./Other

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

CFR Citation: 48 CFR 922; 48 CFR 952; 48 CFR 970

Legal Deadline: None

Abstract: The Department's acquisition regulation is being amended to implement a recommendation of its Department-wide contract reform initiative concerning allowability of costs in whistleblower actions.

Timetable:

Action	Date	FR Cite
NPRM	10/00/97	
Final Action	09/00/98	

Small Entities Affected: None

Government Levels Affected: None

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

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

RIN: 1991-AB36

DEPARTMENT OF ENERGY (DOE)

Final Rule Stage

Office of Procurement and Assistance Management (PR)

1083. DEPARTMENT OF ENERGY PROPERTY MANAGEMENT REGULATIONS; MISCELLANEOUS PERSONAL PROPERTY

Priority: Info./Admin./Other

Legal Authority: 42 USC 7254

CFR Citation: 41 CFR 109

Legal Deadline: None

Abstract: Updates the Property Management Regulations regarding management of the Department's personal property. DOE Property Management Regulations will be updated to incorporate recently developed policy in the areas of High Risk personal property, math and science equipment gifts program and

the transfer of personal property identified for economic development near DOE sites that are being reconfigured or closed. Revision also includes coverage on contractor self-assessment program, and expanded duties of the Organizational Property Management Officers. Many of these changes are a result of Contract Reform, streamlining and reinvention initiatives.

Timetable:

Action	Date	FR Cite
NPRM	09/11/96	61 FR 48006
NPRM Comment Period End	11/12/96	
Final Action	10/00/97	

Small Entities Affected: None

Government Levels Affected: None

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

RIN: 1991-AA28

1084. FASA 1994, SECTIONS 2051, 2151, AND 2192

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7254

CFR Citation: 48 CFR 9

DOE—PR

Final Rule Stage

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	06/04/97	62 FR 30558
NPRM Comment Period End	08/04/97	
Final Action	02/00/98	

Small Entities Affected: None

Government Levels Affected: None

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

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

RIN: 1991-AB29

1085. SECURITY, COUNTERINTELLIGENCE, AND OPTIONS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7254

CFR Citation: 48 CFR 917; 48 CFR 970

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	11/20/96	61 FR 59072
NPRM Comment Period End	01/21/97	
Final Action	10/00/97	

Small Entities Affected: None

Government Levels Affected: None

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

Agency Contact: Richard Langston, Procurement Analyst, Department of

Energy, Office of Procurement and Assistance Management, 1000 Independence Ave SW., HR-51, Washington, DC 20585
Phone: 202 586-8247
Fax: 202 586-0545

RIN: 1991-AB30

1086. FARA, DOE CERTIFICATION REQUIREMENTS

Priority: Info./Admin./Other

Legal Authority: 42 USC 7254

CFR Citation: 48 CFR 9

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

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

Timetable:

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

Small Entities Affected: Undetermined

Government Levels Affected: None

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

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

RIN: 1991-AB31

1087. DEAR AMENDMENT FOR RIGHTS IN DATA

Priority: Info./Admin./Other

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

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

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	03/31/97	62 FR 1513
NPRM Comment Period End	05/30/97	
Final Action	10/00/97	

Small Entities Affected: None

Government Levels Affected: None

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

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

RIN: 1991-AB33

1088. DEAR: DEPARTMENT OF ENERGY MANAGEMENT AND OPERATING CONTRACTS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 2201; 42 USC 2254

CFR Citation: 48 CFR 970

Legal Deadline: None

Abstract: This action is to codify the Department's practice since 1993 of incorporating model special contract clauses on diversity in individual management and operating contracts.

Timetable:

Action	Date	FR Cite
NPRM	08/20/97	62 FR 44350
NPRM Comment Period End	09/19/97	
Final Action	12/00/97	

Small Entities Affected: None

Government Levels Affected: None

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

Agency Contact: Romulo L. Diaz Jr., Department of Energy, Office of General Counsel, 1000 Independence Avenue SW., Washington, DC 20385
Phone: 202 586-2902
Fax: 202 586-0722

RIN: 1991-AB37

DOE—PR

Final Rule Stage

1089. • AGENCY IMPLEMENTATION OF REVISED OMB CIRCULAR A-133

Priority: Info./Admin./Other

Legal Authority: PL 104-156

CFR Citation: 10 CFR 600.126; 10 CFR 600.226

Legal Deadline: None

Abstract: Agency implementation of revised OMB circular A-133 pursuant to Single Audit Act Amendments.

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/00/97	
Final Action	06/00/98	

Small Entities Affected: None

Government Levels Affected: State, Local

Agency Contact: Cherlyn Seckinger, Department of Energy, Office of Procurement and Assistance Management, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-8241
Fax: 202 586-0545

RIN: 1991-AB38

DEPARTMENT OF ENERGY (DOE)

Long-Term Actions

Office of Procurement and Assistance Management (PR)

1090. AMENDMENT TO WORKPLACE SUBSTANCE ABUSE PROGRAMS AT DOE SITES

Priority: Other Significant

CFR Citation: 10 CFR 707

Timetable:

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

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: John Edmondson
Phone: 202 586-9008

RIN: 1991-AA90

DEPARTMENT OF ENERGY (DOE)

Completed Actions

Office of Procurement and Assistance Management (PR)

1091. DEAR: SECURITY PROCEDURES

Priority: Info./Admin./Other

Legal Authority: 42 USC 7254

CFR Citation: 48 CFR 904; 48 CFR 952

Legal Deadline: None

Abstract: Revise security procedures regarding foreign ownership, control and influence to clarify requirements and simplify approval process.

Timetable:

Action	Date	FR Cite
Withdrawn	08/11/97	

Small Entities Affected: None

Government Levels Affected: None

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

Agency Contact: Richard Langston, Procurement Analyst, Department of Energy, Office of Procurement and Assistance Management, 1000 Independence Ave. SW., Washington, DC 20585
Phone: 202 586-8247

RIN: 1991-AA86

1092. DEAR: AMENDMENT TO WORKPLACE SUBSTANCE ABUSE PROGRAMS AT DOE SITES

Priority: Info./Admin./Other

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

CFR Citation: 48 CFR 923.5; 48 CFR 970.2305

Legal Deadline: None

Abstract: To implement revised requirements of 10 CFR part 707 concerning alcohol abuse in contracts subject to DOE's Workplace Substance Abuse Programs. This rule would conform the Department of Energy Acquisition Regulation to 10 CFR part 707 in this respect. See RIN 1991-AA90.

Timetable:

Action	Date	FR Cite
Withdrawn	08/11/97	

Small Entities Affected: None

Government Levels Affected: None

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

Agency Contact: Richard Langston, Procurement Analyst, Office of Policy, Department of Energy, Office of

Procurement and Assistance Management, Washington, DC 20585
Phone: 202 586-8247

RIN: 1991-AA97

1093. DEAR: REVIEW OF M&O CONTRACTOR PURCHASING SYSTEMS

Priority: Info./Admin./Other

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

CFR Citation: 48 CFR 944; 48 CFR 970

Legal Deadline: None

Abstract: This action is being reviewed in light of the "Federal norm" rulemaking, which was proposed March 2, 1995 (60 FR 11646). See RIN 1991-AB20. This action then may amend the DOE Acquisition Regulation (DEAR) to provide changed coverage on management and operating (M&O) contractor purchasing system reviews and new coverage on M&O contractor self-assessment reviews of their purchasing systems.

Timetable:

Action	Date	FR Cite
Withdrawn	08/11/97	

Small Entities Affected: None

Government Levels Affected: None

DOE—PR

Completed Actions

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

Additional Information: This action was incorrectly reported as withdrawn in the October 1994 edition of the Department of Energy regulatory agenda.

Agency Contact: P. Devers Weaver, Department of Energy, Office of Procurement and Assistance Management, Procurement Policy Division, Washington, DC 20585
Phone: 202 586-8250

RIN: 1991-AB07

1094. COMPETITION FOR MANAGEMENT AND OPERATING CONTRACTS

Priority: Routine and Frequent

Legal Authority: 42 USC 7254

CFR Citation: 48 CFR 970

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/24/96	61 FR 32584
Final Action	06/27/97	62 FR 34872

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

1095. SMALL BUSINESS SUBCONTRACTING PROGRAM

Priority: Info./Admin./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
Withdrawn	08/11/97	

Small Entities Affected: Businesses

Government Levels Affected: None

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

1096. REVISIONS TO ORGANIZATIONAL CONFLICTS OF INTEREST

Priority: Info./Admin./Other

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

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

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	08/06/96	61 FR 40775
NPRM Comment	10/07/96	
Final Action	07/30/97	62 FR 40748

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

1097. CONTRACT REFORM

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

Legal Deadline: None

Abstract: This action would amend the Department of Energy Acquisition Regulation to implement certain key recommendations of the Department's contract reform initiative. Changes are made to the following areas: fines, penalties, third-party liability and property liability; requirements for contractor make-or-buy plans; payment of fee; laws, regulations, and Department directives; environment; ownership of records; and contractor overtime. A related action, RIN 1991-AB09 on Competition for Management and Operating Contracts, completes the Department's contract reform changes.

Timetable:

Action	Date	FR Cite
NPRM	06/24/96	61 FR 32588
NPRM Comment	08/23/96	
Final Action	06/27/97	62 FR 34842
Final Action Effective	08/26/97	

Small Entities Affected: None

Government Levels Affected: None

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

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

RIN: 1991-AB28

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

Long-Term Actions

1098. PAYMENT OF TRAVEL EXPENSES OF PERSONS WHO ARE NOT GOVERNMENT EMPLOYEES

Priority: Info./Admin./Other

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

CFR Citation: 10 CFR 1060

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: MaryAnn Shebek
 Phone: 202 586-1522

RIN: 1990-AA15

1099. CONDUCT OF EMPLOYEES

Priority: Info./Admin./Other

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

CFR Citation: 10 CFR 1010; 5 CFR 2635

Timetable:

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

Small Entities Affected: None

Government Levels Affected: Undetermined

Agency Contact: Susan Beard
 Phone: 202 586-1522

RIN: 1990-AA19

[FR Doc. 97-24020 Filed 10-28-97; 8:45 am]

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