



Federal Register

**Monday,
April 24, 2000**

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 Executive Order 12866 "Regulatory Planning and Review," 58 FR 51735,

and the Regulatory Flexibility Act, 5 U.S.C. sections 601-612 (1988).

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

February 28, 2000. 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).

Issued in Washington, DC, on March 10, 2000.

Mary Anne Sullivan,
General Counsel.

Energy Efficiency and Renewable Energy—Prerule Stage

Sequence Number	Title	Regulation Identification Number
850	Energy Efficiency Standards for Commercial Heating, Air Conditioning, and Water Heating Equipment	1904-AB06

Energy Efficiency and Renewable Energy—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
851	Test Procedures for Central Air Conditioners and Heat Pumps—Amendments	1904-AA46
852	Energy Efficiency Standards for Clothes Washers	1904-AA67
853	Energy Efficiency Standards for Lamp Ballasts	1904-AA75
854	Energy Efficiency Standards for Water Heaters	1904-AA76
855	Energy Efficiency Standards for Central Air Conditioners and Heat Pumps	1904-AA77
856	Test Procedures for Commercial Water Heaters	1904-AA95
857	Test Procedures for Commercial Air Conditioning Equipment	1904-AA97
858	Alternate Fueled Vehicle Acquisition Requirements for Private and Local Government Fleets	1904-AA98
859	Test Procedures for Commercial Package Boilers	1904-AB02

Energy Efficiency and Renewable Energy—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
860	Equivalent Petroleum-Based Fuel Economy Calculation for Electric and Hybrid Electric Vehicles	1904-AA40
861	Energy Efficiency Code for New Federal Residential Low Rise Buildings	1904-AA53
862	State and Local Incentives Program: Alternative Fuels	1904-AA66
863	Energy Code for New Federal Commercial and Multi-Family High Rise Residential Buildings	1904-AA69
864	Test Procedures for Electric Distribution Transformers	1904-AA85
865	Test Procedures for Commercial Warm Air Furnaces, and Efficiency Certification, Compliance, and Enforcement for Commercial Heating, Air Conditioning, and Water Heating Equipment	1904-AA96
866	Alternate Fuel Program: Biodiesel	1904-AB00
867	State Energy Program	1904-AB01
868	Amendments to the Refrigeration Standards	1904-AB03
869	Test Procedures for Dishwashers—Amendment	1904-AB04
870	Weatherization Assistance Program for Low-Income Persons	1904-AB05

DOE

Energy Efficiency and Renewable Energy—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
871	National Voluntary Residential Energy Efficiency Rating Guidelines	1904-AA74
872	Energy Efficiency Standards for Residential Furnaces, Boilers, and Mobile Home Furnaces	1904-AA78
873	Determination for High Intensity Discharge Lamps	1904-AA86
874	Determination for Small Electric Motors	1904-AA87
875	Energy Efficiency Standards for Clothes Dryers and Dishwashers	1904-AA89
876	Energy Efficiency Standards for Pool Heaters and Direct Heating Equipment	1904-AA90
877	Energy Efficiency Standards for 1-200 HP Electric Motors	1904-AA91
878	Energy Efficiency Standards for Fluorescent and Incandescent Lamps	1904-AA92

Defense and Security Affairs—Prerule Stage

Sequence Number	Title	Regulation Identification Number
879	Computer Security; Access to Information on Government-Owned Systems	1992-AA27

Defense and Security Affairs—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
880	Physical Protection of Security Interests	1992-AA23
881	Procedural Rules for DOE Nuclear Security Activities	1992-AA28

Defense and Security Affairs—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
882	General Criteria and Procedures for Determining Eligibility for Access to Classified Matters or Special Nuclear Material	1992-AA22
883	Assistance to Foreign Atomic Energy Activities	1992-AA25
884	Security Requirements for Disclosure of Classified and Other Sensitive Information	1992-AA26

Defense and Security Affairs—Completed Actions

Sequence Number	Title	Regulation Identification Number
885	Polygraph Examination Program	1992-AA24

Departmental and Others—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
886	Freedom of Information Act	1901-AA32
887	Privacy Act System of Records Update	1901-AA69
888	Community Transition Activities	1901-AA77
889	Redesign and Revision of Transmission Rates and Open Access Transmission Terms and Conditions	1901-AA84

DOE

Departmental and Others—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
890	Nuclear Safety Management	1901-AA34
891	Radiation Protection of the Public and the Environment	1901-AA38
892	General Guidelines for the Recommendation of Sites for Nuclear Waste Repository	1901-AA72
893	Economic Development Transfers of Real Property	1901-AA82
894	Redesign and Revision of Wholesale Power Rates and Resolution of Certain Transmission-Related Issues	1901-AA83
895	Revised Integrated Resource Planning Approval Criteria	1901-AA85

Departmental and Others—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
896	Enforcement of Employee Safety Standards at Nuclear Weapons Facilities	1901-AA44
897	Annotation of Land Records for Remediated Properties in the Uranium Mill Tailings Remedial Action Project (UMTRA)	1901-AA57
898	Payments for Special Burdens and in Lieu of Taxes	1901-AA58
899	Environmental Management Financial Assistance Program	1901-AA71

Departmental and Others—Completed Actions

Sequence Number	Title	Regulation Identification Number
900	Chronic Beryllium Disease Prevention Program	1901-AA75
901	Criteria and Procedures for Contractor Employee Protection Program	1901-AA78

Office of Procurement and Assistance Management—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
902	DEAR: Cost Principles	1991-AB46
903	DEAR: Recycling	1991-AB47
904	DEAR: Work for Others	1991-AB48
905	DEAR: Part 970 Rewrite	1991-AB49
906	Acquisition Regulation: Payment of Fee Relating to Security Issues	1991-AB54

Office of Procurement and Assistance Management—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
907	DEAR: Financial Management Clauses	1991-AB02
908	DEAR: Management and Operating Contract Whistleblower Costs	1991-AB36
909	Classified National Security Information—E.O. 12958	1991-AB42
910	DEAR: Mentor-Protege Program	1991-AB45
911	DEAR: Technical Amendments	1991-AB51
912	DEAR: Purchasing by DOE Management and Operating Contractors From Affiliated Sources	1991-AB52

DOE

Office of Procurement and Assistance Management—Completed Actions

Sequence Number	Title	Regulation Identification Number
913	Acquisition Regulation: Project Management	1991-AB39
914	DEAR: Management and Operating Contract Clause Updates	1991-AB50

Office of General Counsel—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
915	Conduct of Employees	1990-AA19

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

Prerule Stage

850. • ENERGY EFFICIENCY STANDARDS FOR COMMERCIAL HEATING, AIR CONDITIONING, AND WATER HEATING EQUIPMENT

Priority: Economically Significant. Major under 5 USC 801.

Legal Authority: 42 USC 6293

CFR Citation: 10 CFR 431

Legal Deadline: Final, Statutory, October 29, 2003.

Abstract: This action would determine whether to adopt the ASHRAE 90.1-1999 efficiency levels as a uniform national standard, or to set a more stringent standard.

Timetable:

Action	Date	FR Cite
Preliminary Screening Analysis	04/00/00	
Final Action	07/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Cyrus Nasser, EE-41, Program Manager, Office of Building Research and Standards, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., Washington, DC 20585
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RIN: 1904-AB06

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

Proposed Rule Stage

851. 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 will reorganize the document in a logical order and update the references. The revisions include an updated nomenclature compatible with the

eventual test procedure for combined (domestic hot water and central air conditioners or heat pumps) appliances, additional tables listing tests tolerances, a clearer specification for the demand defrost credit, and test methods for ECM (electronically commutated motor) blowers and history-dependent defrosts.

Timetable:

Action	Date	FR Cite
NPRM	04/00/00	
Final Action	02/00/01	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

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RIN: 1904-AA46

852. ENERGY EFFICIENCY STANDARDS FOR CLOTHES WASHERS

Priority: Economically Significant. Major under 5 USC 801.

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

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

DOE—EE

Proposed Rule Stage

Legal Authority: 42 USC 6295

CFR Citation: 10 CFR 430

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

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 current standard for a covered product should be amended.

This is the second review of the standard for clothes washers.

Timetable:

Action	Date	FR Cite
ANPRM	11/14/94	59 FR 56423
Supplemental ANPRM	11/18/98	63 FR 64343
Workshop	12/15/98	
NPRM	07/00/00	
Final Action	12/00/00	

Regulatory Flexibility Analysis

Required: No

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.

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RIN: 1904-AA67

853. 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.

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	06/01/99	
Reissue NPRM	04/00/00	
Final Action	08/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Local, State

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.

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RIN: 1904-AA75

854. 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.

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	01/14/98	63 FR 2186
Impact Workshop	11/09/98	
Workshop	07/23/99	
Reissue NPRM	04/00/00	
Final Action	10/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Local, State

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.

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RIN: 1904-AA76

855. 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.

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

DOE—EE

Proposed Rule Stage

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	06/30/98	
Supplemental ANPRM	11/24/99	64 FR 66305
NPRM	06/00/00	
Final Action	12/00/00	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Local, State

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.

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RIN: 1904-AA77

856. TEST PROCEDURES FOR COMMERCIAL WATER HEATERS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 6293

CFR Citation: 10 CFR 431

Legal Deadline: None

Abstract: The Energy Policy and Conservation Act (EPCA), as amended, establishes energy conservation standards for commercial water heaters, prescribes test procedures, and requires labeling for such equipment. This action would codify the energy conservation standards and test procedures established in the EPCA for commercial water heaters. This action will incorporate by reference energy

conservation standards and test procedures, revised by the American Society of Heating, Refrigerating, and Air Conditioning Engineers (ASHRAE).

Timetable:

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

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Cyrus Nasser, EE-41, Program Manager, Office of Building Research and Standards, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., Washington, DC 20585
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RIN: 1904-AA95

857. TEST PROCEDURES FOR COMMERCIAL AIR CONDITIONING EQUIPMENT

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 6293

CFR Citation: 10 CFR 431

Legal Deadline: None

Abstract: The Energy Policy and Conservation Act (EPCA), as amended, establishes energy conservation standards for commercial air conditioning equipment, prescribes test procedures, and requires labeling for such equipment. This action would codify the energy conservation standards and test procedures established in the EPCA for commercial air conditioning equipment. This action will also incorporate by reference energy conservation standards and test procedures, revised by the Air Conditioning and Refrigeration Institute or by the American Society of Heating, Refrigeration and Air Conditioning Engineers (ARI/ASHRAE).

Timetable:

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

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Cyrus Nasser, EE-41, Program Manager, Office of Building Research and Standards, Department of Energy, Energy Efficiency and

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RIN: 1904-AA97

858. ALTERNATE FUELED VEHICLE ACQUISITION REQUIREMENTS FOR PRIVATE AND LOCAL GOVERNMENT FLEETS

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 13257

CFR Citation: 10 CFR 490

Legal Deadline: NPRM, Statutory, May 1, 1999.

Final, Statutory, April 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 of the Act. The criteria for making this determination is mandated by the Act. The Department held discussions with stakeholders as to whether the rule will be promulgated or whether the Department will pursue other voluntary or incentive programs. The Department is currently considering whether to issue a proposed rule, and what elements would be included in a proposed rule.

Timetable:

Action	Date	FR Cite
ANPRM	04/17/98	63 FR 19372
NPRM	05/00/00	
Final Action	01/00/01	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Governmental Jurisdictions, Businesses

Government Levels Affected: Local

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RIN: 1904-AA98

DOE—EE

Proposed Rule Stage

859. TEST PROCEDURES FOR COMMERCIAL PACKAGE BOILERS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 6293

CFR Citation: 10 CFR 431

Legal Deadline: None

Abstract: The Energy Policy and Conservation Act (EPCA), as amended, establishes energy conservation standards for commercial heating equipment, prescribes test procedures,

and requires labeling for such equipment. This action would codify these provisions. It would also incorporate by reference energy conservation standards and test procedures revised by the American Society of Heating, Refrigerating, and Air Conditioning Engineers.

Timetable:

Action	Date	FR Cite
NPRM	04/00/00	
Final Action	08/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Cyrus Nasser, EE-41, Program Manager, Office of Building Research and Standards, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., Washington, DC 20585
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RIN: 1904-AB02

DEPARTMENT OF ENERGY (DOE)

Final Rule Stage

Energy Efficiency and Renewable Energy (EE)

860. EQUIVALENT PETROLEUM-BASED FUEL ECONOMY CALCULATION FOR ELECTRIC AND HYBRID ELECTRIC VEHICLES

Priority: Other Significant

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: This action would establish 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. The methodology would be 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 would establish a method for determining the PEF of electric vehicles that are recharged from stationary sources only. Hybrid vehicles are not covered by this action.

Timetable:

Action	Date	FR Cite
NPRM	02/04/94	59 FR 5336
Revised NPRM	07/14/99	64 FR 37905
Final Action	04/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Rogelio Sullivan, EE-32, Program Manager, Electric and Hybrid Propulsion Division, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue, SW., Washington, DC 20585

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RIN: 1904-AA40

861. 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

Timetable:

Action	Date	FR Cite
NPRM Comment Period End	07/14/97	
Final Action	12/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal

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RIN: 1904-AA53

862. STATE AND LOCAL INCENTIVES PROGRAM: ALTERNATIVE FUELS

Priority: Other Significant

Legal Authority: 42 USC 13235

CFR Citation: 10 CFR 409

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.

DOE—EE

Final Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	03/21/95	60 FR 15020
NPRM Comment Period End	05/22/95	
Notice Withdrawing NPRM	06/00/00	

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

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RIN: 1904-AA66**863. 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 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

Action	Date	FR Cite
NPRM Comment Period End	11/04/96	
Final Action	04/00/00	

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

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RIN: 1904-AA69**864. TEST PROCEDURES 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	10/22/97	62 FR 54809
NPRM	11/12/98	63 FR 63359
Final Action	04/00/00	

Regulatory Flexibility Analysis**Required:** No**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.

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RIN: 1904-AA85**865. TEST PROCEDURES FOR COMMERCIAL WARM AIR FURNACES, COMPLIANCE, AND ENFORCEMENT FOR COMMERCIAL HEATING, AIR CONDITIONING, AND WATER HEATING EQUIPMENT****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 6293**CFR Citation:** 10 CFR 431**Legal Deadline:** None

Abstract: The Energy Policy and Conservation Act (EPCA), as amended, establishes energy conservation standards for commercial heating equipment, prescribes test procedures, and requires labeling for such equipment. This action would codify the energy conservation standards and test procedures established in the EPCA for commercial heating equipment. This action will also incorporate by reference energy conservation standards and test procedures, revised by the American Society of Heating, Refrigerating, and Air Conditioning Engineers (ASHRAE), and will establish certification and compliance requirements commercial heating equipment.

Timetable:

Action	Date	FR Cite
NPRM	12/13/99	64 FR 69597
Final Action	06/00/00	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

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RIN: 1904-AA96**866. ALTERNATE FUEL PROGRAM: BIODIESEL****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 13211(2); 42 USC 13211(14); 42 USC 13252(b)(2)**CFR Citation:** 10 CFR 490

DOE—EE

Final Rule Stage

Legal Deadline: Final, Statutory, January 1, 1999.

Abstract: This action would implement the biodiesel fuel use credit created by the Energy Conservation Reauthorization Act of 1998. It would provide for the allocation of an alternative fuel vehicle acquisition credit for a specified amount of biodiesel fuel use by those required to purchase alternative fuel vehicles under titles III and V of the Energy Policy Act of 1992.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/19/99	64 FR 27169
Final Action	04/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Paul McArdle, EE-34, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-4445
Email: paul.mcardle@eee.doe.gov

RIN: 1904-AB00

867. STATE ENERGY PROGRAM

Priority: Info./Admin./Other

Legal Authority: 42 USC 6321; 42 USC 7101

CFR Citation: 10 CFR 420

Legal Deadline: None

Abstract: This action would clarify the applicability of requirements under parts B and C.

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/24/99	64 FR 46111
Final Action	05/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Thomas P. Stapp, EE-42, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-2096

RIN: 1904-AB01

868. AMENDMENTS TO THE REFRIGERATION STANDARDS

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 6295

CFR Citation: 10 CFR 430

Legal Deadline: None

Abstract: This action would amend the definition of electric refrigerator used in DOE's energy conservation program to exclude units whose physical configuration makes them unsuitable for general storage of perishable foods.

Timetable:

Action	Date	FR Cite
NPRM	07/13/99	64 FR 37706
Final Action	04/00/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Michael Raymond, EE-41, Program Manager, Office of Building Research and Standards, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-9611
Email: michael.raymond@ee.doe.gov

RIN: 1904-AB03

869. TEST PROCEDURES FOR DISHWASHERS—AMENDMENT

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 6293

CFR Citation: 10 CFR 430

Legal Deadline: None

Abstract: This action would add test procedures for dishwashers with soil-sensing technology, revise the calculation of estimated annual operating cost, and change the definitions of compact and standard models.

Timetable:

Action	Date	FR Cite
NPRM	09/28/99	64 FR 52248
NPRM Comment Period End	02/14/00	65 FR 2077
Final Action	09/00/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Barbara Twigg, EE-41, Program Manager, Office of Building Research and Standards, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-8714
Email: barbara.twigg@ee.doe.gov

RIN: 1904-AB04

870. • WEATHERIZATION ASSISTANCE PROGRAM FOR LOW-INCOME PERSONS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 6861; 42 USC 7101

CFR Citation: 10 CFR 440

Legal Deadline: None

Abstract: This would amend the Weatherization Assistance Program for Low-Income Persons. The changes would add clarifying language, delete obsolete provisions, improve the overall operation of the program, and give State and local agencies additional flexibility.

Timetable:

Action	Date	FR Cite
NPRM	01/26/00	65 FR 4331
NPRM Comment Period End	03/27/00	
Final Action	06/00/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: State, Local, Tribal

Agency Contact: Gregory Reamy, Office of Technology Assistance, EE-42, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-4074

RIN: 1904-AB05

DEPARTMENT OF ENERGY (DOE)
Energy Efficiency and Renewable Energy (EE)
Long-Term Actions
871. 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.

In response to the directives of the Energy Policy Act of 1992, DOE collaborated with hundreds of stakeholders and organizations, including the Home Energy Rating System (HERS) Council, the National Association of State Energy Officials, and HERS providers, many of whom had been meeting regarding HERS since about 1987. Based on input from all the stakeholders, DOE issued for public comment a Notice of Proposed Rulemaking on voluntary guidelines.

Most of the comments that DOE received on the proposed rule were readily resolved. But the issue of "fuel neutrality" was not easily incorporated into the rule. "Fuel neutrality" involved an interpretation of the requirement that the rule not "discriminate among fuel types" for which the EPACT legislation provided no clarification. Yet, in spite of an intensive effort by DOE to work with both the electric and gas industries, a definition regarding fuel neutrality was not resolved and remains hotly disputed.

In late Spring of 2000, DOE plans to issue a Report to Congress on the HERS and Energy Efficient Mortgages, as required by Congress. This report will note that despite the fact that DOE has not issued a final rule, home energy raters are now available in 47 states, and the guidelines used by these raters are generally consistent in content to DOE's Notice of Proposed Rulemaking on voluntary HERS guidelines.

Timetable:

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

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected:

Undetermined

Agency Contact: David Boomsma, EE-40, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue, SW., Washington, DC 20585
 Phone: 202 586-7086
 Fax: 202 586-5557
 Email: david.boomsma@ee.doe.gov

RIN: 1904-AA74

872. ENERGY EFFICIENCY STANDARDS FOR RESIDENTIAL FURNACES, BOILERS, 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.

Legal Authority: 42 USC 6295

CFR Citation: 10 CFR 430

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 furnaces.

Timetable:

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

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Local, State

Additional Information: Due to the Department's limited financial resources, regulatory actions related to energy efficiency standards have been categorized as high, medium, or low priority based on significant input from the public. This action is low priority, and the Department does not plan to begin substantive work on this action for the next two fiscal years.

Agency Contact: Cyrus Nasser, EE-41, Program Manager, Office of Building Research and Standards, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., Washington, DC 20585
 Phone: 202 586-9138
 Email: cyrus.nasser@ee.doe.gov

RIN: 1904-AA78

873. DETERMINATION FOR HIGH INTENSITY DISCHARGE LAMPS

Priority: Substantive, Nonsignificant

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

Legal Authority: 42 USC 6317

CFR Citation: 10 CFR 430

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

Abstract: The Energy Policy Act of 1992 requires the Department to prescribe test procedures and efficiency standards for high intensity discharge lamps for which the Secretary makes a determination that energy conservation standards would be technologically feasible and economically justified, and would result in significant energy savings.

Timetable:

Action	Date	FR Cite
Determination Notice	To Be Determined	

Regulatory Flexibility Analysis

Required: No

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 low priority

DOE—EE

Long-Term Actions

and the Department does not plan to work on it this year.

Agency Contact: Terry Logee, EE-41, Program Manager, Office of Building Research and Standards, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-1689
Email: terry.logee@ee.doe.gov

RIN: 1904-AA86

874. DETERMINATION FOR SMALL ELECTRIC MOTORS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 6317

CFR Citation: 10 CFR 431

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

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

Timetable:

Action	Date	FR Cite
Determination Notice	To Be	Determined

Regulatory Flexibility Analysis Required: No

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 low priority and the Department plans to do only limited work on it this year.

Agency Contact: James Raba, EE-41, Energy Technology Program Specialist, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-8654
Email: jim.raba@ee.doe.gov

RIN: 1904-AA87

875. ENERGY EFFICIENCY STANDARDS FOR CLOTHES DRYERS AND DISHWASHERS

Priority: Economically Significant. Major under 5 USC 801.

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

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

Legal Authority: 42 USC 6295

CFR Citation: 10 CFR 430.32

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

Abstract: The statute requires the Department to revise the standards to achieve the maximum improvement in energy efficiency which the Secretary determines is technologically feasible and economically justified.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis Required: No

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 low priority, and the Department does not plan to begin substantive work on this action for the next two fiscal years.

Agency Contact: Bryan Berringer, EE-41, Office of Building Research and Standards, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-0371
Fax: 202 586-4617
Email: bryan.berringer@ee.doe.gov

RIN: 1904-AA89

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

Priority: Economically Significant. Major under 5 USC 801.

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

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

Legal Authority: 42 USC 6295

CFR Citation: 10 CFR 430

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

Abstract: The statute requires the Department to revise the standards to achieve the maximum improvement in energy efficiency which the Secretary determines is technologically feasible and economically justified.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local

Additional Information: Due to the Department's limited 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 low priority, and the Department does not plan to begin substantive work on this action for the next two fiscal years.

Agency Contact: Cyrus Nasser, EE-41, Program Manager, Office of Building Research and Standards, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., Washington, DC 20585
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RIN: 1904-AA90

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

Priority: Economically Significant. Major under 5 USC 801.

Legal Authority: 42 USC 6313

CFR Citation: 10 CFR 431

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

Abstract: The statute requires the Department to revise the standards to achieve the maximum improvement in energy efficiency which the Secretary determines is technologically feasible and economically justified.

DOE—EE

Long-Term Actions

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

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 low priority, and the Department does not plan to begin substantive work on this action for the next two fiscal years.

Agency Contact: James Raba, EE-41, Energy Technology Program Specialist, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-8654
Email: jim.raba@ee.doe.gov

RIN: 1904-AA91

878. ENERGY EFFICIENCY STANDARDS FOR FLUORESCENT AND INCANDESCENT LAMPS

Priority: Economically Significant. Major under 5 USC 801.

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

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

Legal Authority: 42 USC 6295

CFR Citation: 10 CFR 430.32

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

Abstract: The statute requires the Department to revise the standards to achieve the maximum improvement in energy efficiency which the Secretary determines is technologically feasible and economically justified.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

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 low priority, and the Department does not plan to begin substantive work on this action for at least the next two fiscal years.

Agency Contact: Terry Logee, EE-41, Program Manager, Office of Building Research and Standards, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., Washington, DC 20585
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RIN: 1904-AA92

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

Prerule Stage

879. • COMPUTER SECURITY; ACCESS TO INFORMATION ON GOVERNMENT-OWNED SYSTEMS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7101 et seq; 42 USC 2011 et seq; 50 USC 2425; 50 USC 2483(c)

CFR Citation: Not Yet Determined

Legal Deadline: NPRM, Statutory, January 3, 2000.

Abstract: This action would codify rules governing access to information in computer systems used by DOE employees and the employees of DOE prime contractors who perform defense nuclear-related activities at DOE headquarters or at DOE national laboratories at various locations around the United States.

Timetable:

Action	Date	FR Cite
ANPRM	05/00/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: JoAnn Williams, Attorney, Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 252-6975

RIN: 1992-AA27

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

Proposed Rule Stage

880. PHYSICAL PROTECTION OF SECURITY INTERESTS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 2011; 42 USC 7101

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

Legal Deadline: None

Abstract: 10 CFR part 1046, subparts A and B, establishes DOE contractor requirements in the areas of protective

force medical, physical fitness, and firearms qualifications and training. The proposed revisions are to ensure protective force personnel receive quality medical services that are consistent with the Americans with Disabilities Act of 1990. They also will enhance communications between Designated Physicians and personnel responsible for supervising physical fitness training and certification to assure better understanding of the risk

of injury to Security Police Officers and Security Officers participating in physical fitness activities.

Timetable:

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

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

DOE—DSA

Proposed Rule Stage

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

RIN: 1992-AA23

881. • PROCEDURAL RULES FOR DOE NUCLEAR SECURITY ACTIVITIES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 2011 et seq; 42 USC 7101 et seq; 42 USC 2282(b)

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: This action would provide for the imposition of civil penalties on contractors for violations relating to the safeguarding or security of classified or sensitive data.

Timetable:

Action	Date	FR Cite
NPRM	08/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: JoAnn Williams, Attorney, Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585
Phone: 202 586-6975

RIN: 1992-AA28

DEPARTMENT OF ENERGY (DOE)

Final Rule Stage

Defense and Security Affairs (DSA)

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

Priority: Substantive, Nonsignificant

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	08/16/99	64 FR 44433
Final Action	04/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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

RIN: 1992-AA22

883. ASSISTANCE TO FOREIGN ATOMIC ENERGY ACTIVITIES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7254

CFR Citation: 10 CFR 810

Legal Deadline: None

Abstract: This action would amend the Department's regulations concerning unclassified assistance to foreign atomic energy activities.

Timetable:

Action	Date	FR Cite
NPRM	07/02/99	64 FR 35959
NPRM Comment Period End	08/31/99	
Final Action	04/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Zander Hollander, Office of Arms Control and Nonproliferation, Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-2125

RIN: 1992-AA25

884. • SECURITY REQUIREMENTS FOR DISCLOSURE OF CLASSIFIED AND OTHER SENSITIVE INFORMATION

Priority: Substantive, Nonsignificant

Legal Authority: PL 106-65, section 3164

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: This action would prescribe the security requirements and procedures that a DOE or DOE contractor employee must follow to make a protected disclosure of classified or other sensitive information under the whistleblower protection provisions of section 3164 of the National Defense Authorization Act for Fiscal Year 2000.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Linda Brightwell, Office of Nuclear and National Security Information, Department of Energy, 19901 Germantown Road, Germantown, MD 20874
Phone: 301 903-5454

RIN: 1992-AA26

DEPARTMENT OF ENERGY (DOE)
Defense and Security Affairs (DSA)
Completed Actions
885. POLYGRAPH EXAMINATION PROGRAM

Priority: Other Significant

Legal Authority: 42 USC 2201; 42 USC 7254

CFR Citation: 10 CFR 709; 10 CFR 710; 10 CFR 711

Legal Deadline: None

Abstract: This action would establish regulations for the use of polygraph examinations for certain DOE and contractor employees, applicants for

employment, and other individuals assigned or detailed to Federal positions at DOE. The regulations would describe the categories of individuals who would be eligible for polygraph testing and controls for the use of such testing and for the prevention of unwarranted intrusion into the privacy of individuals.

Timetable:

Action	Date	FR Cite
NPRM	08/18/99	64 FR 45062
Final Action	12/17/99	64 FR 70961

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Douglas Hinckley, Program Director, Department of Energy, Office of Counterintelligence, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-5901

RIN: 1992-AA24

DEPARTMENT OF ENERGY (DOE)
Departmental and Others (ENDEP)
Proposed Rule Stage
886. 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 and comply with the new requirements of the Electronic Freedom of Information Act Amendment of 1996. 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	04/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Abel Lopez, Acting Director, FOIA and Privacy Act Division, Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-5955
Email: abel.lopez@hq.doe.gov

RIN: 1901-AA32

887. 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	04/00/00	

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: None

Agency Contact: Abel Lopez, Acting Director, FOIA and Privacy Act Division, Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-5955
Email: abel.lopez@hq.doe.gov

RIN: 1901-AA69

888. COMMUNITY TRANSITION ACTIVITIES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7274h

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: Section 3161 of the National Defense Authorization Act for Fiscal Year 1993, 42 USC 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	08/00/00	

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: None

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

RIN: 1901-AA77

DOE—ENDEP

Proposed Rule Stage

889. • REDESIGN AND REVISION OF TRANSMISSION RATES AND OPEN ACCESS TRANSMISSION TERMS AND CONDITIONS

Priority: Info./Admin./Other

Legal Authority: PL 96-501, sec. 7; PL 102-486, sec. 824k(i)(2)

CFR Citation: None

Legal Deadline: Final, Statutory, October 1, 2000.

Abstract: This is an action by the Bonneville Power Administration (BPA) to redesign and revise its electric transmission rates and its open access transmission terms and conditions. The

principle purpose of the action is to allow BPA to recover sufficient revenues to timely meet its repayment and other cost recovery obligations, to equitably allocate transmission costs between Federal and non-Federal users of the transmission system, and to establish transmission terms and conditions which are equal or superior to those contained in the Federal Energy Regulatory Commission's pro forma tariff.

Timetable:

Action	Date	FR Cite
NPRM	04/00/00	

Action	Date	FR Cite
Draft Record of Decision	08/00/00	
Final Record of Decision	09/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Dennis Metcalf, Transmission Rate Case Manager, Department of Energy, TMP, 905 NE 11th, Portland, OR 97232
Phone: 360 418-8679

RIN: 1901-AA84

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

Final Rule Stage

890. NUCLEAR SAFETY MANAGEMENT

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 7191

CFR Citation: 10 CFR 830

Legal Deadline: None

Abstract: This action will add regulations under 10 CFR 830 to establish nuclear safety management requirements for the Department's nuclear facilities. These requirements stem from the Department's obligations to assure adequate protection and to hold contractors who manage and operate these facilities accountable and responsible for safe operations. Quality assurance requirements were issued in 1994. Additional nuclear safety management requirements are expected to be issued by June 1, 2000.

Timetable:

Action	Date	FR Cite
NPRM	12/01/91	56 FR 64316
Second NPRM	08/31/95	60 FR 45381
Final Action	06/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Richard L. Black, Director, Office of Nuclear Safety and

Policy Standards, Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 301 903-3465

RIN: 1901-AA34

891. RADIATION PROTECTION OF THE PUBLIC AND THE ENVIRONMENT

Priority: Other Significant

Legal Authority: 42 USC 2201; 42 USC 7191

CFR Citation: 10 CFR 834

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	03/25/93	58 FR 16268
Second NPRM	08/31/95	60 FR 45381
Final Action	09/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

Agency Contact: Andrew Wallo III, Director, Air, Water and Radiation Division, Department of Energy, Office of Environmental Guidance, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-4996

RIN: 1901-AA38

892. 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 amend 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 would reflect statutory and policy changes that have occurred since the Nuclear Waste Policy Act was passed in 1982. The amendments would 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

DOE—ENDEP

Final Rule Stage

Action	Date	FR Cite
Supplemental NPRM Final Action	11/30/99 12/00/00	64 FR 67054

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal

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

RIN: 1901-AA72

893. ECONOMIC DEVELOPMENT TRANSFERS OF REAL PROPERTY**Priority:** Substantive, Nonsignificant**Legal Authority:** PL 105-85, sec 3158**CFR Citation:** 10 CFR 770**Legal Deadline:** None

Abstract: This action would establish procedures for identifying and disposing of real property by sale or lease at the Department's defense nuclear facilities for the purpose of permitting economic development. It would also establish procedures for reporting actions to Congress, informing those acquiring the property of the availability of indemnification for injury to people or property from releases or threatened releases of hazardous materials, requesting indemnification, and making claims for indemnification.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/00/00	
Final Action	08/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Andrew Duran, General Engineer, Office of Field

Integration, Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-4548

Email: andrew.duran@hq.doe.gov

RIN: 1901-AA82

894. REDESIGN AND REVISION OF WHOLESALE POWER RATES AND RESOLUTION OF CERTAIN TRANSMISSION-RELATED ISSUES**Priority:** Info./Admin./Other**Legal Authority:** PL 96-501, sec 7**CFR Citation:** None**Legal Deadline:** None

Abstract: This is an action by the Bonneville Power Administration (BPA) to redesign and revise its wholesale power rates and to resolve certain transmission-related issues. The principal purpose of this action is 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, to provide a methodology for treatment and allocation of inter-business line costs, and to otherwise meet BPA ratemaking standards set forth in various statutes.

Timetable:

Action	Date	FR Cite
NPRM	08/13/99	64 FR 44318
NPRM Comment Period End	11/05/99	
Final Record of Decision	04/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Diane Cherry, Manager for Power Products, Pricing and Rates, Power Business Line,

Department of Energy, PSP-5, 905 NE 11th Street, Portland, OR 97232
Phone: 503 230-5648

RIN: 1901-AA83

895. REVISED INTEGRATED RESOURCE PLANNING APPROVAL CRITERIA**Priority:** Info./Admin./Other**Legal Authority:** 42 USC 7152; 42 USC 7275 et seq**CFR Citation:** 10 CFR 905.1 to 905.25**Legal Deadline:** None

Abstract: This action would revise Western Area Power Administration regulations that require its long-term firm power customers to prepare integrated resource plans. It would amend the criteria for approval of such plans and reduce reporting burdens. This action would revise the Western Area Power Administration regulations that require its long-term firm power customers to prepare integrated resource plans. It would amend the criteria for approval of such plans and reduce reporting burdens.

Timetable:

Action	Date	FR Cite
NPRM	11/17/99	64 FR 54174
Final Action	04/00/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No**Government Levels Affected:** State, Local, Tribal, Federal

Agency Contact: Simmons B. Buntin, Energy Services Specialist, Department of Energy, Office of Environment, WAPA, 12155 W. Alameda Parkway, Lakewood, CO 80228-2802
Phone: 720 962-7419

RIN: 1901-AA85

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

Long-Term Actions

896. 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	To Be Determined	

DOE—ENDEP

Long-Term Actions

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:**

Undetermined

Agency Contact: Harry Pettengill, Director, Occupational Health and Safety Policy, Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 301 903-4343

RIN: 1901-AA44

897. ANNOTATION OF LAND RECORDS FOR REMEDIATED PROPERTIES IN THE URANIUM MILL TAILINGS REMEDIAL ACTION PROJECT (UMTRA)
Priority: Substantive, Nonsignificant**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
Final Action	To Be	Determined

Regulatory Flexibility Analysis**Required:** No**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 Road, Germantown, MD 20874-1290
Phone: 301 903-3895

RIN: 1901-AA57

898. 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: This action will 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	To Be	Determined

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** State, Local**Federalism:** Undetermined

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

899. ENVIRONMENTAL MANAGEMENT FINANCIAL ASSISTANCE PROGRAM
Priority: Substantive, Nonsignificant**Legal Authority:** 31 USC 6301 to 6308; 42 USC 7254; 42 USC 7256**CFR Citation:** 10 CFR 600**Legal Deadline:** None

Abstract: The purpose of this action is to establish and implement policies and procedures applicable to the award and administration of grants and cooperative agreements by the Office of Environmental Management (EM) in the areas of: environmental waste management, environmental restoration, pollution prevention and supporting technologies, decommissioning and decontamination activities, technology integration and transfer, environmental education and transportation technologies as they relate to environmental restoration and waste management.

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis**Required:** 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, Contract Management Specialist, Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-6174

RIN: 1901-AA71

DEPARTMENT OF ENERGY (DOE)
Departmental and Others (ENDEP)
Completed Actions
900. CHRONIC BERYLLIUM DISEASE PREVENTION PROGRAM
Priority: Other Significant

Legal Authority: 42 USC 2201; 42 USC 7191

CFR Citation: 10 CFR 850

Legal Deadline: None

Abstract: This action will add requirements for the control of occupational exposures to beryllium at DOE and DOE contractor facilities and operations. This action reflects the Department's ongoing commitment to strengthen the protection of health, safety, and the environment from the hazards posed by its facilities.

Timetable:

Action	Date	FR Cite
NPRM	12/03/98	63 FR 66940
Final Action	12/08/99	64 FR 68854

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: None

Agency Contact: C. Rick Jones, Director, Office of Worker Protection Programs and Hazards Management, Department of Energy, 19901 Germantown Road, Germantown, MD 20874-1290
Phone: 301 903-6061

RIN: 1901-AA75

901. CRITERIA AND PROCEDURES FOR CONTRACTOR EMPLOYEE PROTECTION PROGRAM
Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7254

CFR Citation: 10 CFR 708

Legal Deadline: None

Abstract: This action will amend the Department's contractor employee protection program to include employees who perform work directly related to the operation of programs and activities at DOE-owned and -leased sites, even if the contractor is located, or the work is performed, off-site.

Timetable:

Action	Date	FR Cite
NPRM	01/05/98	63 FR 374
Interim Final Rule	03/15/99	64 FR 12861
Interim Final Rule Effective	04/14/99	
Interim Final Rule Comment Period End	05/14/99	
Interim Final Rule Amendment	07/12/99	64 FR 37396
Final Action	02/09/00	65 FR 6314

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: None

Agency Contact: Roger Klurfeld, Assistant Director, Office of Hearings and Appeals, Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 426-1449
Email: roger.klurfeld@hq.doe.gov

RIN: 1901-AA78

DEPARTMENT OF ENERGY (DOE)
Office of Procurement and Assistance Management (PR)
Proposed Rule Stage
902. DEAR: COST PRINCIPLES
Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7254

CFR Citation: 49 CFR 970

Legal Deadline: None

Abstract: This action would amend various clauses that address cost principles.

Timetable:

Action	Date	FR Cite
NPRM	05/00/00	

Regulatory Flexibility Analysis
Required: No

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 Avenue SW., Washington, DC 20585

Phone: 202 586-8193

RIN: 1991-AB46

903. DEAR: RECYCLING
Priority: Substantive, Nonsignificant

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

CFR Citation: 48 CFR 923; 48 CFR 970.52; 48 CFR 970.23

Legal Deadline: None

Abstract: This action would implement E.O. 13101, Greening the Government Through Recycling, Waste Prevention, and Federal Acquisition. It would increase the procurement of products containing recycled materials and reduce waste generation at DOE facilities.

Timetable:

Action	Date	FR Cite
NPRM	04/00/00	

Regulatory Flexibility Analysis
Required: No

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 B. Langston, Procurement Analyst, Department of Energy, Office of Procurement and Assistance Management, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-8247
Email: richard.langston@pr.doe.gov

RIN: 1991-AB47

904. DEAR: WORK FOR OTHERS
Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7254

CFR Citation: 48 CFR 970

Legal Deadline: None

Abstract: This action would provide policies and procedures governing work for others by DOE contractors and would ensure that authorization is consistent and uniform.

Timetable:

Action	Date	FR Cite
NPRM	06/00/00	

DOE—PR

Proposed Rule Stage

Regulatory Flexibility Analysis**Required:** No**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:** A. Scott Geary, Program Analyst, Department of Energy, Office of Procurement and Assistance Management, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-3299**RIN:** 1991-AB48**905. DEAR: PART 970 REWRITE****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7254; 42 USC 2201**CFR Citation:** 48 CFR 970**Legal Deadline:** None**Abstract:** This action would revise part 970 of the Department of Energy Acquisition Regulations to eliminate provisions that are unnecessary, obsolete, or duplicated elsewhere in title 48.**Timetable:**

Action	Date	FR Cite
NPRM	05/00/00	

Regulatory Flexibility Analysis**Required:** No**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
Email: john.bashista@hq.doe.gov**RIN:** 1991-AB49**906. ACQUISITION REGULATION: PAYMENT OF FEE RELATING TO SECURITY ISSUES****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7254; 40 USC 486(c)**CFR Citation:** 48 CFR 970**Legal Deadline:** None**Abstract:** This action would make the payment of fees to the Department's major operating contractors conditional on meeting safeguard and security requirements.**Timetable:**

Action	Date	FR Cite
NPRM	04/00/00	

Regulatory Flexibility Analysis**Required:** No**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 Mitchell, Procurement Analyst, Department of Energy, Office of Procurement and Assistance Management, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-0416
Email: john.mitchell@pr.doe.gov**RIN:** 1991-AB54**DEPARTMENT OF ENERGY (DOE)**

Final Rule Stage

Office of Procurement and Assistance Management (PR)**907. DEAR: FINANCIAL MANAGEMENT CLAUSES****Priority:** Substantive, Nonsignificant**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	11/18/98	63 FR 64024
Final Action	04/00/00	

Regulatory Flexibility Analysis**Required:** No**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**908. 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	01/05/98	63 FR 386
Revised NPRM	03/24/99	64 FR 14206
Final Action	09/00/00	

Regulatory Flexibility Analysis**Required:** No**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 Avenue SW., Washington, DC 20585

DOE—PR

Final Rule Stage

Phone: 202 586-8193

RIN: 1991-AB36

909. CLASSIFIED NATIONAL SECURITY INFORMATION—E.O. 12958**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7254; 42 USC 486(c)**CFR Citation:** 48 CFR 904; 48 CFR 952; 48 CFR 970**Legal Deadline:** None**Abstract:** This action implements Executive Order 12958, which prescribes a uniform system for classifying, safeguarding, and declassifying national security information.**Timetable:**

Action	Date	FR Cite
Interim Final Rule	06/00/00	

Regulatory Flexibility Analysis Required: No**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 B. Langston, Procurement Analyst, Department of Energy, Office of Procurement and Assistance Management, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-8247
Email: richard.langston@pr.doe.gov

RIN: 1991-AB42

910. DEAR: MENTOR-PROTEGE PROGRAM**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7254; 40 USC 486(c)**CFR Citation:** 48 CFR 919**Legal Deadline:** None**Abstract:** This action would amend the Department of Energy Acquisition

Regulations (DEAR) to formally encourage DOE prime contractors to assist small disadvantaged firms certified by the Small Business Administration under section 8(a) of the Small Business Act, other small disadvantaged businesses, and small businesses owned and controlled by women in enhancing their capabilities to perform contracts and subcontracts for DOE and other Federal agencies.

Timetable:

Action	Date	FR Cite
NPRM	12/06/99	64 FR 68072
Final Action	05/00/00	

Regulatory Flexibility Analysis Required: No**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 M. Webb, Procurement Analyst, Department of Energy, Office of Procurement and Assistance Management, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-8264

RIN: 1991-AB45

911. DEAR: TECHNICAL AMENDMENTS**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7254**CFR Citation:** 48 CFR 900 to 970**Legal Deadline:** None**Abstract:** This action would make corrections and technical changes to the Department of Energy Acquisition Regulations.**Timetable:**

Action	Date	FR Cite
Final Action	05/00/00	

Regulatory Flexibility Analysis Required: No**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, Department of Energy, Office of Procurement and Assistance Management, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-8189

RIN: 1991-AB51

912. DEAR: PURCHASING BY DOE MANAGEMENT AND OPERATING CONTRACTORS FROM AFFILIATED SOURCES**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7254**CFR Citation:** 48 CFR 909; 48 CFR 970**Legal Deadline:** None**Abstract:** This action would amend provisions that cover organizational conflicts of interest and purchases from affiliated sources to protect the Department in transactions involving a DOE M&O contractor and its affiliates.**Timetable:**

Action	Date	FR Cite
NPRM	10/13/99	64 FR 55453
Final Action	04/00/00	

Regulatory Flexibility Analysis Required: No**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 M. Webb, Procurement Analyst, Department of Energy, Office of Procurement and Assistance Management, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-8264

RIN: 1991-AB52

DEPARTMENT OF ENERGY (DOE)

Completed Actions

Office of Procurement and Assistance Management (PR)

913. ACQUISITION REGULATION: PROJECT MANAGEMENT

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7254

CFR Citation: 48 CFR 970

Legal Deadline: None

Abstract: Revises the contractual language for management of the Department's projects and facilities by contractors to more closely reflect industry practices.

Timetable:

Action	Date	FR Cite
Withdrawn	02/07/00	

Regulatory Flexibility Analysis Required: No

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, Department of Energy, Office of Procurement and Assistance Management, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-8189

RIN: 1991-AB39

914. DEAR: MANAGEMENT AND OPERATING CONTRACT CLAUSE UPDATES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7254

CFR Citation: 48 CFR 970

Legal Deadline: None

Abstract: This action would update management and operating contract clauses to eliminate unnecessary or

obsolete provisions. It would also standardize commonly used alterations.

Timetable:

Action	Date	FR Cite
Merged With RIN 1991-AB49	02/07/00	

Regulatory Flexibility Analysis Required: No

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-AB50

DEPARTMENT OF ENERGY (DOE)

Final Rule Stage

Office of General Counsel (OGC)

915. 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.

Legal Authority: 42 USC 7211 et seq; PL 103-160, sec 3161; EO 12674

CFR Citation: 10 CFR 1010; 5 CFR 2635

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

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

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

RIN: 1990-AA19

[FR Doc. 00-7489 Filed 04-21-00; 8:45 am]

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