



**Monday,
November 22, 1999**

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 31, 1999. 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 7, 1999.

Mary Anne Sullivan,
General Counsel.

Energy Efficiency and Renewable Energy—Prerule Stage

Sequence Number	Title	Regulation Identification Number
1029	Energy Efficiency Standards for Central Air Conditioners and Heat Pumps	1904-AA77

Energy Efficiency and Renewable Energy—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1030	Equivalent Petroleum-Based Fuel Economy Calculation for Electric and Hybrid Electric Vehicles	1904-AA40
1031	Test Procedures for Central Air Conditioners and Heat Pumps—Amendments	1904-AA46
1032	State and Local Incentives Program: Alternative Fuels	1904-AA66
1033	Energy Efficiency Standards Rulemakings and Determinations for High Priority Consumer Products and Commercial Equipment (Reg Plan Seq. No. 22)	1904-AA67
1034	Energy Efficiency Standards for Lamp Ballasts	1904-AA75
1035	Energy Efficiency Standards for Water Heaters	1904-AA76
1036	Test Procedures for Commercial Water Heaters	1904-AA95
1037	Test Procedures for Commercial Heating Equipment	1904-AA96
1038	Test Procedures for Commercial Air Conditioning Equipment	1904-AA97
1039	Alternate Fueled Vehicle Acquisition Requirements for Private and Local Government Fleets	1904-AA98
1040	Test Procedures for Commercial Package Boilers	1904-AB02
1041	Test Procedures for Dishwashers—Amendment	1904-AB04

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

Energy Efficiency and Renewable Energy—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1042	Energy Efficiency Code for New Federal Residential Low Rise Buildings	1904-AA53
1043	Energy Code for New Federal Commercial and Multi-Family High Rise Residential Buildings	1904-AA69
1044	Test Procedures for Electric Distribution Transformers	1904-AA85
1045	Alternate Fuel Program: Biodiesel	1904-AB00
1046	State Energy Program	1904-AB01
1047	Amendments to the Refrigeration Standards	1904-AB03

DOE

Energy Efficiency and Renewable Energy—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
1048	National Voluntary Residential Energy Efficiency Rating Guidelines	1904-AA74
1049	Energy Efficiency Standards for Residential Furnaces, Boilers and Mobile Home Furnaces	1904-AA78
1050	Determination for High Intensity Discharge Lamps	1904-AA86
1051	Determination for Small Electric Motors	1904-AA87
1052	Energy Efficiency Standards for Clothes Dryers and Dishwashers	1904-AA89
1053	Energy Efficiency Standards for Pool Heaters and Direct Heating Equipment	1904-AA90
1054	Energy Efficiency Standards for 1-200 HP Electric Motors	1904-AA91
1055	Energy Efficiency Standards for Fluorescent and Incandescent Lamps	1904-AA92

Energy Efficiency and Renewable Energy—Completed Actions

Sequence Number	Title	Regulation Identification Number
1056	Energy Conservation Program for Certain Commercial and Industrial Equipment: Test Procedures, Labeling, and Certification Requirements for Electric Motors	1904-AA82
1057	Alternative Fuel Transportation Program: P-Series Fuels	1904-AA99

Defense and Security Affairs—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1058	Physical Protection of Security Interests	1992-AA23

Defense and Security Affairs—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1059	General Criteria and Procedures for Determining Eligibility for Access to Classified Matters or Special Nuclear Material	1992-AA22
1060	Polygraph Examination Program (Reg Plan Seq. No. 23)	1992-AA24
1061	Assistance to Foreign Atomic Energy Activities	1992-AA25

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

Departmental and Others—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1062	Freedom of Information Act	1901-AA32
1063	Privacy Act System of Records Update	1901-AA69
1064	Environmental Management Financial Assistance Program	1901-AA71
1065	Redesign and Revision of Wholesale Power Rates and Resolution of Certain Transmission-Related Issues	1901-AA83

Departmental and Others—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1066	Nuclear Safety Management (Reg Plan Seq. No. 24)	1901-AA34
1067	Radiation Protection of the Public and the Environment (Reg Plan Seq. No. 25)	1901-AA38
1068	Chronic Beryllium Disease Prevention Program (Reg Plan Seq. No. 26)	1901-AA75

DOE

Departmental and Others—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
1069	Criteria and Procedures for Contractor Employee Protection Program	1901-AA78
1070	Economic Development Transfers of Real Property	1901-AA82

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 Identification Number
1071	Enforcement of Employee Safety Standards at Nuclear Weapons Facilities	1901-AA44
1072	Annotation of Land Records for Remediated Properties in the Uranium Mill Tailings Remedial Action Project (UMTRA)	1901-AA57
1073	Payments for Special Burdens and in Lieu of Taxes	1901-AA58
1074	General Guidelines for the Recommendation of Sites for Nuclear Waste Repository	1901-AA72
1075	Community Transition Activities	1901-AA77

Office of Procurement and Assistance Management—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1076	Acquisition Regulation: Project Management	1991-AB39
1077	DEAR: Mentor-Protege Program	1991-AB45
1078	DEAR: Cost Principles	1991-AB46
1079	DEAR: Recycling	1991-AB47
1080	DEAR: Work for Others	1991-AB48
1081	DEAR: Part 970 Rewrite	1991-AB49
1082	DEAR: Management and Operating Contract Clause Updates	1991-AB50
1083	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
1084	DEAR: Financial Management Clauses	1991-AB02
1085	DEAR: Management and Operating Contract Whistleblower Costs	1991-AB36
1086	Classified National Security Information—E.O. 12958	1991-AB42
1087	DEAR: Technical Amendments	1991-AB51
1088	DEAR: Purchasing by DOE Management and Operating Contractors From Affiliated Sources	1991-AB52

Office of Procurement and Assistance Management—Completed Actions

Sequence Number	Title	Regulation Identification Number
1089	Fee Policy	1991-AB32
1090	Acquisition Regulations: Guarantees of Performance	1991-AB44
1091	Assistance Regulation: Technical and Administrative Amendments	1991-AB53

DOE

Office of General Counsel—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1092	Conduct of Employees	1990-AA19

Department of Energy (DOE)

Prerule Stage

Energy Efficiency and Renewable Energy (EE)

1029. 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 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	11/00/99	
NPRM	04/00/00	
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.

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, Conservation and Renewable Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-9611
Email: michael.raymond@ee.doe.gov

RIN: 1904-AA77

Department of Energy (DOE)

Proposed Rule Stage

Energy Efficiency and Renewable Energy (EE)

1030. 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: 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. Hybrid vehicles are not covered by this action. This rulemaking would update the methodology for calculating the CAFE credits for electric vehicles that are recharged by stationary sources only. 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

Action	Date
Revised NPRM	11/00/99
Final Action	04/00/00

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Rogelio Sullivan, Program Manager, Electric and Hybrid Propulsion Division, Department of Energy, Conservation and Renewable Energy, EE-32, 1000 Independence Avenue SW, Washington, DC 20585
Phone: 202 586-8042

RIN: 1904-AA40

1031. TEST PROCEDURES FOR CENTRAL AIR CONDITIONERS AND HEAT PUMPS—AMENDMENTS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing