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Part VI

Department of Energy

Semiannual Regulatory Agenda

DEPARTMENT OF ENERGY**10 CFR Chs. II, III, and X****48 CFR Ch. 9****Fall 2019 Unified Agenda of Regulatory and Deregulatory Actions****AGENCY:** Department of Energy.**ACTION:** Semi-annual regulatory agenda.

SUMMARY: The Department of Energy (DOE) has prepared and is making available its portion of the semi-annual Unified Agenda of Federal Regulatory and Deregulatory Actions (Agenda), including its Regulatory Plan (Plan), pursuant to Executive Order 12866, "Regulatory Planning and Review," and the Regulatory Flexibility Act.

SUPPLEMENTARY INFORMATION: The Agenda is a government-wide compilation of upcoming and ongoing regulatory activity, including a brief description of each rulemaking and a timetable for action. The Agenda also includes a list of regulatory actions completed since publication of the last Agenda. The Department of Energy's portion of the Agenda includes regulatory actions called for by statute, including amendments contained in the Energy Independence and Security Act of 2007 (EISA) and the American Energy Manufacturing Technical Corrections Act (AEMTCA), and programmatic needs of DOE offices.

The internet is the basic means for disseminating the Agenda and providing users the ability to obtain

information from the Agenda database. DOE's entire Fall 2019 Regulatory Agenda can be accessed online by going to www.reginfo.gov.

Publication in the **Federal Register** is mandated by the Regulatory Flexibility Act (5 U.S.C. 602) only for Agenda entries that require either a regulatory flexibility analysis or periodic review under section 610 of that Act. The Plan appears in both the online Agenda and the **Federal Register** and includes the most important of DOE's significant regulatory actions and a Statement of Regulatory and Deregulatory Priorities.

Bill Cooper,
General Counsel.

ENERGY EFFICIENCY AND RENEWABLE ENERGY—PROPOSED RULE STAGE

| Sequence No. | Title | Regulation Identifier No. |
|--------------|--|---------------------------|
| 224 | Energy Conservation Standards for Residential Conventional Cooking Products | 1904–AD15 |
| 225 | Energy Conservation Standards for Residential Non-Weatherized Gas Furnaces and Mobile Home Gas Furnaces. | 1904–AD20 |

ENERGY EFFICIENCY AND RENEWABLE ENERGY—FINAL RULE STAGE

| Sequence No. | Title | Regulation Identifier No. |
|--------------|--|---------------------------|
| 226 | Energy Conservation Standards for General Service Lamps | 1904–AD09 |
| 227 | Energy Conservation Standards for Commercial Water Heating Equipment | 1904–AD34 |

ENERGY EFFICIENCY AND RENEWABLE ENERGY—LONG-TERM ACTIONS

| Sequence No. | Title | Regulation Identifier No. |
|--------------|--|---------------------------|
| 228 | Energy Conservation Standards for Commercial Packaged Boilers | 1904–AD01 |
| 229 | Modifying the Energy Conservation Program to Implement a Market-Based Approach | 1904–AE11 |

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

Proposed Rule Stage

224. Energy Conservation Standards for Residential Conventional Cooking Products

E.O. 13771 Designation: Regulatory.
Legal Authority: 42 U.S.C. 6295(m)(1); 42 U.S.C. 6292 (a)(10); 42 U.S.C. 6295(h)

Abstract: The Energy Policy and Conservation Act (EPCA), as amended by Energy Independence and Security Act of 2007 (EISA), requires the Secretary to determine whether updating the statutory energy conservation standards for residential conventional cooking products would yield a significant savings in energy use and is technologically feasible and

economically justified. DOE is reviewing the current standards to make such determination.

Timetable:

| Action | Date | FR Cite |
|-----------------------------------|----------|-------------|
| Request for Information (RFI). | 02/12/14 | 79 FR 8337 |
| RFI Comment Period End. | 03/14/14 | |
| RFI Comment Period Extended. | 03/03/14 | 79 FR 11714 |
| RFI Comment Period Extended End. | 04/14/14 | |
| NPRM and Public Meeting. | 06/10/15 | 80 FR 33030 |
| NPRM Comment Period Extended. | 07/30/15 | 80 FR 45452 |
| NPRM Comment Period Extended End. | 09/09/15 | |

| Action | Date | FR Cite |
|------------------------------------|----------|-------------|
| Supplemental NPRM. | 09/02/16 | 81 FR 60784 |
| SNPRM Comment Period Extended. | 09/30/16 | 81 FR 67219 |
| SNPRM Comment Period Extended End. | 11/02/16 | |
| Supplemental NPRM. | 12/00/19 | |

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Stephanie Johnson, General Engineer, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW, Building Technologies Office, EE5B, Washington, DC 20002, Phone: 202 287–1943, Email: stephanie.johnson@ee.doe.gov.

RIN: 1904-AD15

225. Energy Conservation Standards for Residential Non-Weatherized Gas Furnaces and Mobile Home Gas Furnaces*E.O. 13771 Designation:* Regulatory.*Legal Authority:* 42 U.S.C.

6295(f)(4)(C); 42 U.S.C. 6295(m)(1); 42 U.S.C. 6295(gg)(3)

Abstract: The Energy Policy and Conservation Act, as amended, (EPCA) prescribes energy conservation standards for various consumer products and certain commercial and industrial equipment, including residential furnaces. EPCA also requires the DOE to determine whether more stringent amended standards would be technologically feasible and economically justified and would save a significant amount of energy. DOE is considering amendments to its energy conservation standards for residential non-weatherized gas furnaces and mobile home gas furnaces in partial fulfillment of a court-ordered remand of DOE's 2011 rulemaking for these products.

Timetable:

| Action | Date | FR Cite |
|---|----------|-------------|
| Notice of Public Meeting. | 10/30/14 | 79 FR 64517 |
| NPRM and Notice of Public Meeting. | 03/12/15 | 80 FR 13120 |
| NPRM Comment Period Extended. | 05/20/15 | 80 FR 28851 |
| NPRM Comment Period Extended End. | 07/10/15 | |
| Notice of Data Availability (NODA). | 09/14/15 | 80 FR 55038 |
| NODA Comment Period End. | 10/14/15 | |
| NODA Comment Period Reopened. | 10/23/15 | 80 FR 64370 |
| NODA Comment Period Reopened End. | 11/06/15 | |
| Supplemental NPRM and Notice of Public Meeting. | 09/23/16 | 81 FR 65720 |
| Supplemental NPRM Comment Period End. | 11/22/16 | |
| SNPRM Comment Period Reopened. | 12/05/16 | 81 FR 87493 |
| SNPRM Comment Period End. | 01/06/17 | |
| Supplemental NPRM. | 02/00/20 | |

*Regulatory Flexibility Analysis**Required:* Yes.

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RIN: 1904-AD20

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

Final Rule Stage

226. Energy Conservation Standards for General Service Lamps*E.O. 13771 Designation:* Derregulatory.*Legal Authority:* 42 U.S.C.

6295(i)(6)(A)

Abstract: The U.S. Department of Energy (DOE) will issue a Supplemental Notice of Proposed Rulemaking that includes a proposed determination with respect to whether to amend or adopt standards for general service light-emitting diode (LED) lamps and that may include a proposed determination with respect to whether to amend or adopt standards for compact fluorescent lamps. According to the Settlement Agreement between the National Electrical Manufacturers Association (NEMA) and DOE will use its best efforts to issue the GSL SNOPR by May 28, 2018.

Timetable:

| Action | Date | FR Cite |
|--|----------|-------------|
| Framework Document Availability; Notice of Public Meeting. | 12/09/13 | 78 FR 73737 |
| Framework Document Comment Period End. | 01/23/14 | |
| Framework Document Comment Period Extended. | 01/23/14 | 79 FR 3742 |
| Framework Document Comment Period Extended End. | 02/07/14 | |
| Preliminary Analysis and Notice of Public Meeting. | 12/11/14 | 79 FR 73503 |
| Preliminary Analysis Comment Period Extended. | 01/30/15 | 80 FR 5052 |
| Preliminary Analysis Comment Period Extended End. | 02/23/15 | |
| Notice of Public Meeting; Webinar. | 03/15/16 | 81 FR 13763 |
| NPRM | 03/17/16 | 81 FR 14528 |

| Action | Date | FR Cite |
|---|----------|-------------|
| NPRM Comment Period End. | 05/16/16 | |
| Notice of Public Meeting; Webinar. | 10/05/16 | 81 FR 69009 |
| Proposed Definition and Data Availability. | 10/18/16 | 81 FR 71794 |
| Proposed Definition and Data Availability Comment Period End. | 11/08/16 | |
| Final Rule Adopting a Definition for GSL. | 01/19/17 | 82 FR 7276 |
| Final Rule Adopting a Definition for GSL Effective. | 01/01/20 | |
| Final Rule Adopting a Definition for GSL Including IRL. | 01/19/17 | 82 FR 7322 |
| Final Rule Adopting a Definition for GSL Including IRL Effective. | 01/01/20 | |
| Supplemental NPRM. | 11/00/19 | |

*Regulatory Flexibility Analysis**Required:* Yes.

Agency Contact: Lucy deButts, Buildings Technologies Office, EE-5B, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW, Washington, DC 20585, *Phone:* 202 287-1604, *Email:* lucy.debutts@ee.doe.gov.

RIN: 1904-AD09

227. Energy Conservation Standards for Commercial Water Heating Equipment*E.O. 13771 Designation:* Regulatory.*Legal Authority:* 42 U.S.C.

6313(a)(6)(C)(i) and (vi)

Abstract: Once completed, this rulemaking will fulfill the U.S. Department of Energy's (DOE) statutory obligation under the Energy Policy and Conservation Act, as amended, (EPCA) to either propose amended energy conservation standards for commercial water heaters and hot water supply boilers, or determine that the existing standards do not need to be amended. (Unfired hot water storage tanks and commercial heat pump water heaters are being considered in a separate rulemaking.) DOE must determine whether national standards more stringent than those that are currently in place would result in a significant additional amount of energy savings and whether such amended national standards would be technologically feasible and economically justified.

Timetable:

| Action | Date | FR Cite |
|-------------------------------------|----------|-------------|
| Request for Information (RFI). | 10/21/14 | 79 FR 62899 |
| RFI Comment Period End. | 11/20/14 | |
| NPRM | 05/31/16 | 81 FR 34440 |
| NPRM Comment Period End. | 08/01/16 | |
| NPRM Comment Period Re-opened. | 08/05/16 | 81 FR 51812 |
| NPRM Comment Period Re-opened End. | 08/30/16 | |
| Notice of Data Availability (NODA). | 12/23/16 | 81 FR 94234 |
| NODA Comment Period End. | 01/09/17 | |
| Final Action | 02/00/20 | |

*Regulatory Flexibility Analysis
Required: Yes.*

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RIN: 1904-AD34

DEPARTMENT OF ENERGY (DOE)

Energy Efficiency and Renewable Energy (EE)

Long-Term Actions

228. Energy Conservation Standards for Commercial Packaged Boilers

E.O. 13771 Designation: Other.
Legal Authority: 42 U.S.C. 6313(a)(6)(C); 42 U.S.C. 6311(11)(B)
Abstract: The Energy Policy and Conservation Act (EPCA), as amended by the American Energy Manufacturing

Technical Corrections Act (AEMTCA), requires the Secretary to determine whether updating the statutory energy conservation standards for commercial packaged boilers is technically feasible and economically justified and would save a significant amount of energy. If justified, the Secretary will issue amended energy conservation standards for such equipment. DOE last updated the standards for commercial packaged boilers on July 22, 2009. DOE issued a NOPR pursuant to the 6-year-look-back requirement on March 24, 2016. Under EPCA, DOE has 2 years to issue a final rule after publication of the NOPR.

Timetable:

| Action | Date | FR Cite |
|---|----------|-------------|
| Notice of Proposed Determination (NOPD). | 08/13/13 | 78 FR 49202 |
| NOPD Comment Period End. | 09/12/13 | |
| Notice of Public Meeting and Framework Document Availability. | 09/03/13 | 78 FR 54197 |
| Framework Document Comment Period End. | 10/18/13 | |
| Notice of Public Meeting and Preliminary Analysis. | 11/20/14 | 79 FR 69066 |
| Preliminary Analysis Comment Period End. | 01/20/15 | |
| Withdrawal of NOPD. | 08/25/15 | 80 FR 51487 |
| NPRM | 03/24/16 | 81 FR 15836 |
| NPRM Comment Period Extended. | 05/04/16 | 81 FR 26747 |
| NPRM Comment Period Extended End. | 06/22/16 | |

| Action | Date | FR Cite |
|---------------------------|------|---------|
| Next Action Undetermined. | | |

*Regulatory Flexibility Analysis
Required: Yes.*

Agency Contact: Catherine Rivest, Phone: 202 586-7335, Email: catherine.rivest@ee.doe.gov.
RIN: 1904-AD01

229. Modifying the Energy Conservation Program To Implement a Market-Based Approach

E.O. 13771 Designation: Deregulatory.

Legal Authority: 42 U.S.C. 6291

Abstract: The U.S. Department of Energy (DOE) is evaluating the potential use of some form of a market-based approach such as an averaging, trading, fee-base or other type of market-based policy mechanism for the U.S. Appliance and Equipment Energy Conservation Standards (ECS) program.

Timetable:

| Action | Date | FR Cite |
|----------------------------------|----------|-------------|
| Request for Information (RFI). | 11/28/17 | 82 FR 56181 |
| RFI Comment Period Extended. | 02/23/18 | 83 FR 8016 |
| RFI Comment Period Extended End. | 03/26/18 | |
| Next Action Undetermined. | | |

*Regulatory Flexibility Analysis
Required: Yes.*

Agency Contact: John Cymbalsky, Phone: 202 287-1692, Email: john.cymbalsky@ee.doe.gov.
RIN: 1904-AE11

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