

[RESCINDED]

DEPARTMENT OF ENERGY
DELEGATION ORDER NO. 0204-49
TO THE GOVERNOR OF THE STATE OF NEW MEXICO

Pursuant to the authority vested in me as Secretary of the Department of Energy (DOE) by Section 9(c) of “Standby Conservation Plan No. 2, Emergency Building Temperature Restrictions” (the Plan), there is hereby delegated to the Governor of the State of New Mexico, the authority within such State to:

- (a) Assist DOE in distributing forms and instruction packages to affected building owners and operators in the State;
- (b) Undertake public education activities to inform the general public and affected building owners of their obligations under the Plan and the Regulations, including establishing procedures for receiving complaints and responding to questions from the public;
- (c) Conduct compliance inspections, reinspections and related activities with respect to buildings located within the State which are privately owned, or owned or operated by the State or units of local government, and which are subject to the requirements of the Plan and the DOE regulations implementing the Plan (44 FR 39354, July 5, 1979) (the Regulations);
- (d) Conduct inspections and reinspections of the buildings described in paragraph (a) and related activities in response to complaints of possible violations;
- (e) Prepare written reports of all inspections conducted and submit such reports to the DOE regional representative for the region in which the State is located;
- (f) Train inspectors pursuant to guidance provided by DOE;
- (g) Forward to DOE for decision all requests received from individual building owners or operators for specific exceptions under Section 490.32 of the Regulations;
- (h) Further delegate these authorities, in whole or in part, as appropriate; provided, these authorities shall not be further delegated to units of general purpose local government or other units of local government unless the State provides appropriate financial assistance to the unit of local government to assist in defraying the cost of discharging the authorities delegated, unless the unit of local government waives such financial assistance.

In exercising the authority delegated by this Order, the delegate shall be governed by the rules and regulations of DOE and the policies and procedures prescribed by the Secretary or his delegates.

