

DEPARTMENT OF ENERGY
DELEGATION ORDER NO. 0204-85
TO OFFICIALS WITHIN THE DEPARTMENT OF ENERGY
POSSESSING RULEMAKING AUTHORITY

Pursuant to the authority vested in me as Secretary of Energy (“Secretary”) by the Regulatory Flexibility Act, Pub. L. No. 96-354, and Sections 501 and 642 of the Department of Energy Organization Act, Pub. L. No. 95-91, there is hereby delegated to those officials within the Department of Energy possessing the authority to issue regulations on its behalf, the authority:

- (1) to certify, in accordance with section 605(b) of the Regulatory Flexibility Act, that a proposed or final rule will not have a significant economic impact on a substantial number of small entities;
- (2) to consider as one rule a series of closely related rules for the purposes of sections 602, 603, 604, and 610 of the Regulatory Flexibility Act;
- (3) to determine, in accordance with section 501(c)(1) of the Department of Energy Organization Act, that a proposed rule is unlikely to have a substantial impact on the Nation's economy or large numbers of individuals or businesses; and
- (4) to determine, in accordance with section 501(c)(1) of the Department of Energy Organization Act, that a substantial issue of law or fact does not exist with respect to a proposed rule.

The authority delegated by the Order shall not be redelegated.

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

All actions pursuant to any authority delegated prior to this Order or pursuant to any authority delegated by this Order taken prior to and in effect on the date of this Order are hereby confirmed and ratified, and shall remain in full force and effect as if taken under this Order, unless or until rescinded, amended or superseded.

Nothing in this Order shall preclude the Secretary from exercising any of the authority so delegated whenever, in his judgment, his exercise of such authority is necessary or appropriate to administer the functions vested in him.

This Order is effective April 3, 1981.

/s/
James B. Edwards
Secretary of Energy