



Federal Register

**Monday,
April 30, 2007**

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 to 612.

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: Diana L. Dean, Room 6E-078, Forrestal Building, 1000 Independence Avenue SW., Washington, DC 20585, (202) 586-7440.

SUPPLEMENTARY INFORMATION: Entries appended to this notice reflect the status of activities as of approximately April

30, 2007. 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 20, 2007.

David R. Hill,
General Counsel.

Energy Efficiency and Renewable Energy—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
724	Energy Efficiency Standards for Fluorescent and Incandescent Reflector and General Service Lamps	1904-AA92
725	Energy Conservation Standards for Residential Electric and Gas Ranges and Ovens and Microwave Ovens, Dishwashers, Dehumidifiers, and Commercial Clothes Washers	1904-AB49
726	Energy Efficiency Standards for Refrigerated Bottled or Canned Beverage Vending Machines	1904-AB58
727	Energy Efficiency Standards for Commercial Refrigeration Equipment	1904-AB59

Energy Efficiency and Renewable Energy—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
728	Energy Efficiency Standards for Certain Commercial Air Conditioners and Heat Pumps; Commercial Oil and Gas Fired Package Boilers; and Tankless Gas Fired Instantaneous Water Heaters	1904-AB44
729	Test Procedure Waiver Requirements for Manufacturers of Consumer Products and Certain Industrial Equipment, and Additional Prohibited Acts	1904-AB65
730	Federal Procurement of Energy Efficient Products	1904-AB68
731	Private and Local Government Fleet Determination	1904-AB69

Energy Efficiency and Renewable Energy—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
732	Energy Efficiency Standards for Residential Furnaces and Boilers	1904-AA78
733	Energy Efficiency Standards for Electric Distribution Transformers	1904-AB08
734	Energy Standards for New Federal Buildings	1904-AB13
735	Rulemaking To Adopt a Definition of Household	1904-AB52
736	Test Procedures for Residential Air Conditioners and Heat Pumps	1904-AB55
737	Efficiency Certification, Compliance, and Enforcement Requirements for Commercial Heating, Air Conditioning, and Water Heating Equipment	1904-AB64

Energy Efficiency and Renewable Energy—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
738	Determination for High-Intensity Discharge Lamps	1904-AA86
739	Energy Efficiency Standards for Clothes Dryers and Room Air Conditioners	1904-AA89

DOE

Energy Efficiency and Renewable Energy—Long-Term Actions (Continued)

Sequence Number	Title	Regulation Identifier Number
740	Energy Efficiency Standards for Pool Heaters and Direct Heating Equipment and Water Heaters	1904-AA90
741	Energy Efficiency Standards for 1-200 HP Electric Motors	1904-AA91
742	Energy Conservation Standards for Residential Central Air Conditioners and Air Conditioning Heat Pumps	1904-AB47
743	Energy Conservation Standards for Fluorescent Lamp Ballasts	1904-AB50
744	Determination and Energy Efficiency Standards for Battery Chargers and External Power Supplies	1904-AB57

Energy Efficiency and Renewable Energy—Completed Actions

Sequence Number	Title	Regulation Identifier Number
745	Rulemaking To Codify Test Procedures Prescribed in EPACT 2005 Into the Code of Federal Regulations	1904-AB53
746	Energy Efficiency Standards for Ceiling Fan Light Kits	1904-AB61
747	Compliance Waivers for the Alternative Fuel Transportation Program	1904-AB66
748	Alternative Fuel Transportation Program Replacement Fuel Goal Modification	1904-AB67

Defense and Security Affairs—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
749	Identification and Protection of Unclassified Controlled Nuclear Information	1992-AA35
750	Criteria and Procedures for Determining Eligibility for Access to Classified Matter or Special Nuclear Material	1992-AA36

Departmental and Others—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
751	Freedom of Information Act	1901-AA32
752	Radiation Protection of the Public and the Environment	1901-AA38
753	Loan Guarantees for Projects That Employ Innovative Technologies	1901-AB21

Departmental and Others—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
754	Economic Development Transfers of Real Property	1901-AA82
755	Research Misconduct	1901-AA89
756	Occupational Radiation Protection	1901-AA95
757	Technical Guidelines IBR Update for Voluntary Greenhouse Gas Reporting Program	1901-AB23

Departmental and Others—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
758	Annotation of Land Records for Remediated Properties in the Uranium Mill Tailings Remedial Action Project (UMTRA)	1901-AA57
759	Coordination of Federal Authorization of Electric Transmission	1901-AB18

DOE

Departmental and Others—Completed Actions

Sequence Number	Title	Regulation Identifier Number
760	Occupational Radiation Protection	1901-AB20
761	Technical Amendments	1901-AB22

Office of Procurement and Assistance Policy—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
762	Priorities and Allocations—Domestic Energy Supplies	1991-AB69
763	Security Considerations—Background Checks	1991-AB71
764	Rescission of Obsolete Property Management Regulations	1991-AB73
765	DEAR—Price Anderson Amendments	1991-AB75
766	DEAR—National Nuclear Security Administration Supplement	1991-AB76

Office of Procurement and Assistance Policy—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
767	Technical Amendment to the Department of Energy Acquisition Regulation	1991-AB62
768	DEAR Changes To Delete Provisions for Facilities Management and Add Work Authorization Clause	1991-AB65
769	Cooperative Audit Strategy	1991-AB67

Office of Procurement and Assistance Policy—Completed Actions

Sequence Number	Title	Regulation Identifier Number
770	Organizational Conflict of Interest Disclosure	1991-AB52
771	Revisions to Intellectual Property Provisions for Management Contracts	1991-AB70
772	Nonprocurement Debarment and Suspension—Common Rule	1991-AB74

Office of General Counsel—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
773	Procedural Rules for DOE Nuclear Activities	1990-AA30

Department of Energy (DOE)

Prerule Stage

Energy Efficiency and Renewable Energy (EE)

724. ENERGY EFFICIENCY STANDARDS FOR FLUORESCENT AND INCANDESCENT REFLECTOR AND GENERAL SERVICE LAMPS

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(i)(1)(A) and (B)(3)–(5)

CFR Citation: 10 CFR 430.32

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

Abstract: The Energy Policy and Conservation Act, as amended, establishes initial energy efficiency

standard levels for many types of major residential appliances and generally requires DOE to undertake 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 standards for fluorescent and incandescent lamps. The Department is also directed to consider whether

DOE—EE

Prerule Stage

standards should be amended so that they would be applicable to additional general service fluorescent and general service incandescent lamps.

Timetable:

Action	Date	FR Cite
ANPRM	11/00/07	
NPRM	10/00/08	
Final Action	06/00/09	

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

Agency Contact: Linda Graves, EE-2J, Office of Building Technologies Program, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., Washington, DC 20585
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RIN: 1904-AA92

725. ENERGY CONSERVATION STANDARDS FOR RESIDENTIAL ELECTRIC AND GAS RANGES AND OVENS AND MICROWAVE OVENS, DISHWASHERS, DEHUMIDIFIERS, AND COMMERCIAL CLOTHES WASHERS

Priority: Economically Significant. Major under 5 USC 801.**Unfunded Mandates:** Undetermined**Legal Authority:** 42 USC 6295(g) to (h)(cc); 42 USC 6313(e)**CFR Citation:** 10 CFR 430**Legal Deadline:** Final, Statutory, January 1, 1997.

Abstract: The Department is committed to becoming current on all energy standards rulemakings, including the current standards for residential electric and gas ranges and ovens, microwave ovens, dishwashers, dehumidifiers, and commercial clothes washers. The Energy Policy Act of 2005 amendments to the Energy Policy and Conservation Act (EPCA), established initial energy efficiency standards for commercial clothes washers.

Timetable:

Action	Date	FR Cite
ANPRM	08/00/07	
NPRM	07/00/08	
Final Action	03/00/09	

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

Additional Information: Merged dishwashers from RIN 1904-AA89 and added residential dehumidifiers and commercial clothes washers.

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Related RIN: Merged with 1904-AA89**RIN:** 1904-AB49

726. ENERGY EFFICIENCY STANDARDS FOR REFRIGERATED BOTTLED OR CANNED BEVERAGE VENDING MACHINES

Priority: Economically Significant. Major under 5 USC 801.**Legal Authority:** PL 109-58**CFR Citation:** 10 CFR 430**Legal Deadline:** None

Abstract: The Energy Policy Act of 2005 requires that DOE establish an energy conservation standard for refrigerated bottled or canned beverage vending machines.

Timetable:

Action	Date	FR Cite
ANPRM	02/00/08	
NPRM	12/00/08	
Final Action	08/00/09	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** None

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RIN: 1904-AB58

727. ENERGY EFFICIENCY STANDARDS FOR COMMERCIAL REFRIGERATION EQUIPMENT

Priority: Economically Significant. Major under 5 USC 801.**Unfunded Mandates:** Undetermined**Legal Authority:** 42 USC 6313(c)**CFR Citation:** 10 CFR 431**Legal Deadline:** Final, Statutory, January 1, 2009.

Abstract: The Energy Policy Act of 2005 (EPACT 2005) amendments to the Energy Policy and Conservation Act (EPCA) require that DOE establish standards for ice cream freezers; self-contained commercial refrigerators, freezers, and refrigerator-freezers without doors; and remote-condensing commercial refrigerators, freezers, and refrigerator-freezers.

Timetable:

Action	Date	FR Cite
ANPRM	07/00/07	
NPRM	05/00/08	
Final Action	01/00/09	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** None

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RIN: 1904-AB59

Department of Energy (DOE)
Energy Efficiency and Renewable Energy (EE)

Proposed Rule Stage

728. ENERGY EFFICIENCY STANDARDS FOR CERTAIN COMMERCIAL AIR CONDITIONERS AND HEAT PUMPS; COMMERCIAL OIL AND GAS FIRED PACKAGE BOILERS; AND TANKLESS GAS FIRED INSTANTANEOUS WATER HEATERS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 42 USC 6313(a)(6)(A)

CFR Citation: 10 CFR 431

Legal Deadline: None

Abstract: The Energy Policy and Conservation Act provides that if the energy efficiency levels in ASHRAE/IESNA Standard 90.1 for certain commercial and industrial equipment are amended after specified dates, the Secretary of Energy must establish an amended uniform national standard for such equipment at the new minimum level in Standard 90.1, unless the Secretary of Energy determines that a more stringent standard is technologically feasible and economically justified and would result in significant additional energy conservation. Additionally, the Secretary may not prescribe any amended standard that increases the maximum allowable energy use or decreases the minimum required energy efficiency of a covered product. This rulemaking was begun to consider whether DOE should adopt amended ASHRAE/IESNA efficiency levels for commercial 3-phase air conditioners and heat pumps less than 65,000 BTU; commercial packaged terminal air conditioners and heat pumps; large commercial packaged boilers and gas-fired instantaneous water heaters, small commercial packaged boilers, single-package vertical air conditioners and single-package vertical heat pumps less than 65,000 BTU/h, and single-package vertical air conditioners and single-package vertical heat pumps greater than or equal to 65,000 BTU/h and less than 240,000 BTU/h.

Timetable:

Action	Date	FR Cite
Notice of Availability	03/13/06	71 FR 12634
Comment Period End	04/27/06	
Final Rule (except PTAC/PTHP)	03/07/07	72 FR 10038
NPRM (PTAC/PTHP)	01/00/08	
Final Action	09/00/08	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Local, State

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Related RIN: Merged with 1904-AB16, Merged with 1904-AB17

RIN: 1904-AB44

729. TEST PROCEDURE WAIVER REQUIREMENTS FOR MANUFACTURERS OF CONSUMER PRODUCTS AND CERTAIN INDUSTRIAL EQUIPMENT, AND ADDITIONAL PROHIBITED ACTS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 6293; 42 USC 6296; 42 USC 6298 to 6299; 42 USC 6302 to 6303; 42 USC 6314; 42 USC 6316

CFR Citation: 10 CFR 430; 10 CFR 431

Legal Deadline: None

Abstract: Since DOE codified test procedures for consumer products and certain industrial products, some products have been introduced that the test procedures do not clearly address. Currently, manufacturers can petition DOE for a waiver when the manufacturer believes the test procedure does not evaluate the product in a manner that reflects the product's true energy consumption. However, manufacturers cannot request an interpretation of the test procedure, or be required to petition for a waiver, if the test procedure underestimates the product's true energy consumption. This rulemaking would provide such procedures. DOE is also considering amendments that would prevent circumvention of test procedures that may result from product design features.

Timetable:

Action	Date	FR Cite
NPRM	10/00/07	
Final Action	05/00/08	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 1904-AB65

730. FEDERAL PROCUREMENT OF ENERGY EFFICIENT PRODUCTS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 8259b

CFR Citation: 10 CFR 436

Legal Deadline: NPRM, Statutory, February 8, 2007.

Abstract: The Energy Policy Act of 2005 amended part 3 of the National Energy Conservation Policy Act by adding section 553 which requires each Federal agency to procure Energy Star or FEMP designated products in all procurements involving energy consuming products and systems. In addition, all inventories and listings of products by GSA and DLA must identify and prominently display Energy Star and FEMP designated products. GSA and DLA are also required to supply only Energy Star and FEMP designated products in all covered product categories.

Timetable:

Action	Date	FR Cite
NPRM	05/00/07	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Cyrus Nasser, EE-2L, Office of Federal Energy Management Program (FEMP), Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., Washington, DC 20585
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RIN: 1904-AB68

731. • PRIVATE AND LOCAL GOVERNMENT FLEET DETERMINATION

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

DOE—EE

Proposed Rule Stage

Legal Authority: 42 USC 13257

CFR Citation: 10 CFR 490

Legal Deadline: NPRM, Judicial, September 6, 2007.
Final, Judicial, March 6, 2008.

Abstract: The Department must determine if a Private and Local Government Fleet Mandate is necessary to achieve the Replacement Fuel Goal. If the Private and Local Fleet Mandate is determined to be necessary, then the Government must issue regulations

implementing an alternative vehicle acquisition program for private and local government fleets.

Timetable:

Action	Date	FR Cite
NPRM	09/00/07	
Final Action	03/00/08	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Federalism: Undetermined

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RIN: 1904-AB69

Department of Energy (DOE)

Final Rule Stage

Energy Efficiency and Renewable Energy (EE)

732. ENERGY EFFICIENCY STANDARDS FOR RESIDENTIAL FURNACES AND BOILERS

Priority: Economically Significant. Major under 5 USC 801.

Legal Authority: 42 USC 6295(f)

CFR Citation: 10 CFR 430

Legal Deadline: Final, Statutory, January 1, 1994.

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 undertake 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 residential furnaces and boilers.

Timetable:

Action	Date	FR Cite
ANPRM	09/08/93	58 FR 47326
ANPRM	07/29/04	69 FR 45419
ANPRM Comment Period End	11/10/04	
NPRM	10/06/06	71 FR 59204
NPRM Comment Period End	01/15/07	
Final Action	09/00/07	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Local, State

Agency Contact: Mohammed Khan EE-2J, Department of Energy, Energy Efficiency and Renewable Energy, Office of Building Technologies Program, 1000 Independence Avenue SW., Washington, DC 20585
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RIN: 1904-AA78

733. ENERGY EFFICIENCY STANDARDS FOR ELECTRIC DISTRIBUTION TRANSFORMERS

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 6317(a)(2)

CFR Citation: 10 CFR 431

Legal Deadline: Final, Statutory, October 24, 1996.

Abstract: Prior to enactment of the Energy Policy Act of 2005 (EPACT 2005), the Energy Policy and Conservation Act, as amended, (EPCA) did not establish energy efficiency standards for electric distribution transformers. EPCA directed DOE to determine whether standards for electric distribution transformers were warranted. However, as a result of amendments adopted in EPACT 2005, Public Law No. 109-58, section 135(c)(4), EPCA now contains standards for low voltage dry-type electric distribution transformers, but not other types of distribution transformers. This rulemaking will determine whether it is appropriate to establish standards for these other types of electric distribution transformers.

Timetable:

Action	Date	FR Cite
Determination Notice	10/22/97	62 FR 54809
ANPRM	07/29/04	69 FR 45375
ANPRM Comment Period End	11/09/04	
NPRM	08/04/06	71 FR 44356

Action	Date	FR Cite
NPRM Comment Period End	10/13/06	
Final Action	09/00/07	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None

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RIN: 1904-AB08

734. ENERGY STANDARDS FOR NEW FEDERAL BUILDINGS

Priority: Other Significant

Legal Authority: 42 USC 6834; PL 109-58, sec 109

CFR Citation: 10 CFR 434; 10 CFR 435

Legal Deadline: Final, Statutory, August 8, 2006.

Abstract: Title III of the Energy Conservation and Production Act as amended by the Energy Policy Act of 1992 directs DOE to establish Federal building energy standards that require in new Federal buildings those energy efficiency measures that are technologically feasible and economically justified. The Energy Policy Act of 2005 directs DOE to establish amended standards that, if life-cycle cost-effective, would be at least 30 percent better than the ASHRAE Standard 90.1-2004 and IECC 2004 levels.

DOE—EE

Final Rule Stage

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/04/06	71 FR 70275
Interim Final Rule Effective	01/02/07	
Interim Final Rule Comment Period End	02/02/07	
Final Action	06/00/07	

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

Agency Contact: Cyrus Nasser, EE-2L, Office of Federal Energy Management Program (FEMP), Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., Washington, DC 20585

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Related RIN: Merged with 1904-AA53**RIN:** 1904-AB13**735. RULEMAKING TO ADOPT A DEFINITION OF HOUSEHOLD**

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 42 USC 6292(b)(2)(C)**CFR Citation:** 10 CFR 430**Legal Deadline:** None

Abstract: To implement the Secretary's authority to designate additional covered products, the Department must define the term "household" and set procedures under which products would be added.

Timetable:

Action	Date	FR Cite
NPRM	05/04/06	71 FR 26275
NPRM Comment Period End	06/19/06	
Final Action	10/00/07	

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

Additional Information: The Secretary may consider other products for coverage at any time in the future.

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RIN: 1904-AB52**736. TEST PROCEDURES FOR RESIDENTIAL AIR CONDITIONERS AND HEAT PUMPS****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 6293**CFR Citation:** 10 CFR 430**Legal Deadline:** None

Abstract: With this rulemaking, the Department of Energy (DOE) is amending its test procedure for residential central air conditioners and heat pumps. The rulemaking implements test procedure changes in such areas as small-duct, high-velocity systems, multiple-split systems, two-capacity units, and the referencing of current ASHRAE standards. The amendments also clarify issues associated with sampling and rating both tested and untested systems. DOE believes that the amendments will not cause products to fail to meet the energy standards in effect either before or after January 23, 2006.

Timetable:

Action	Date	FR Cite
NPRM	07/20/06	71 FR 41320
NPRM Comment Period End	09/18/06	
NPRM Correction	10/10/06	71 FR 59410
NPRM Comment Period End	11/09/06	
Final Action	09/00/07	

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

Undetermined

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RIN: 1904-AB55**737. EFFICIENCY CERTIFICATION, COMPLIANCE, AND ENFORCEMENT REQUIREMENTS FOR COMMERCIAL HEATING, AIR CONDITIONING, AND WATER HEATING EQUIPMENT**

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined**Legal Authority:** 42 USC 6311 to 6316; 42 USC 6313(a); 42 USC 6316(b)**CFR Citation:** 10 CFR 431**Legal Deadline:** None

Abstract: This rulemaking is to adopt requirements for manufacturers to assure their compliance with energy conservation requirements specifically mandated under the Energy Policy and Conservation Act, as amended (EPCA), for commercial warm air furnaces and covered commercial heating, air conditioning, and water heating equipment, including furnaces. These requirements include the use of testing and calculation methods for manufacturers to rate the efficiency of their equipment, the role of voluntary independent certification programs in assuring the accuracy of the ratings, and the testing regimen and criteria that DOE would use in enforcement proceedings.

Timetable:

Action	Date	FR Cite
NPRM	12/13/99	64 FR 69598
NPRM Comment Period End	02/28/00	
Supplemental NPRM	04/28/06	71 FR 25103
Supplemental NPRM Comment Period End	06/12/06	
Final Action	10/00/07	

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

Undetermined

Additional Information: Certification, compliance and enforcement requirements are included in RIN 1904-AB53.

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DOE—EE

Final Rule Stage

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Related RIN: Related to 1904-AB53

RIN: 1904-AB64

Department of Energy (DOE)**Long-Term Actions****Energy Efficiency and Renewable Energy (EE)****738. DETERMINATION FOR HIGH-INTENSITY DISCHARGE LAMPS****Priority:** Substantive, Nonsignificant**CFR Citation:** 10 CFR 431**Timetable:**

Action	Date	FR Cite
Determination Notice	06/00/10	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Linda Graves, EE-2J

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RIN: 1904-AA86**739. ENERGY EFFICIENCY STANDARDS FOR CLOTHES DRYERS AND ROOM AIR CONDITIONERS****Priority:** Economically Significant.

Major under 5 USC 801.

CFR Citation: 10 CFR 430**Timetable:**

Action	Date	FR Cite
ANPRM	11/00/09	
NPRM	10/00/10	
Final Action	06/00/11	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** Local, State**Agency Contact:** Bryan Berringer, EE-2J

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Related RIN: Merged with 1904-AB51**RIN:** 1904-AA89**740. ENERGY EFFICIENCY STANDARDS FOR POOL HEATERS AND DIRECT HEATING EQUIPMENT AND WATER HEATERS****Priority:** Economically Significant.

Major under 5 USC 801.

CFR Citation: 10 CFR 430**Timetable:**

Action	Date	FR Cite
ANPRM	09/00/08	
NPRM	07/00/09	
Final Action	04/00/10	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** Local, State**Agency Contact:** Mohammed Khan

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Related RIN: Merged with 1904-AB48**RIN:** 1904-AA90**741. ENERGY EFFICIENCY STANDARDS FOR 1-200 HP ELECTRIC MOTORS****Priority:** Economically Significant.

Major under 5 USC 801.

CFR Citation: 10 CFR 431**Timetable:**

Action	Date	FR Cite
ANPRM	12/00/09	
NPRM	10/00/10	
Final Action	06/00/11	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Antonio Bouza, EE-2J

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RIN: 1904-AA91**742. ENERGY CONSERVATION STANDARDS FOR RESIDENTIAL CENTRAL AIR CONDITIONERS AND AIR CONDITIONING HEAT PUMPS****Priority:** Economically Significant.

Major under 5 USC 801.

CFR Citation: 10 CFR 430**Timetable:**

Action	Date	FR Cite
ANPRM	11/00/09	

Action	Date	FR Cite
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NPRM	10/00/10	
Final Action	06/00/11	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** Local, State**Federalism:** Undetermined**Agency Contact:** Michael Raymond, EE-2J

Phone: 202 586-9611

Email: michael.raymond@ee.doe.gov

RIN: 1904-AB47**743. ENERGY CONSERVATION STANDARDS FOR FLUORESCENT LAMP BALLASTS****Priority:** Economically Significant.

Major under 5 USC 801.

CFR Citation: 10 CFR 430**Timetable:**

Action	Date	FR Cite
ANPRM	11/00/09	
NPRM	10/00/10	
Final Action	06/00/11	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** Local, State**Federalism:** Undetermined**Agency Contact:** Linda Graves, EE-2J

Phone: 202 586-1851

Email: linda.graves@ee.doe.gov

RIN: 1904-AB50**744. DETERMINATION AND ENERGY EFFICIENCY STANDARDS FOR BATTERY CHARGERS AND EXTERNAL POWER SUPPLIES****Priority:** Economically Significant.

Major under 5 USC 801.

CFR Citation: 10 CFR 430**Timetable:**

Action	Date	FR Cite
Determination Notice	08/00/08	

DOE—EE

Long-Term Actions

Action	Date	FR Cite
ANPRM	02/00/10	
NPRM	12/00/10	
Final Action	08/00/11	

Regulatory Flexibility Analysis Required: Undetermined
Government Levels Affected: None
Agency Contact: Victor Petrolati, EE-2J

Phone: 202 586-4549
 Email: victor.petrolati@ee.doe.gov
RIN: 1904-AB57

Department of Energy (DOE)
Energy Efficiency and Renewable Energy (EE)

Completed Actions

745. RULEMAKING TO CODIFY TEST PROCEDURES PRESCRIBED IN EPACT 2005 INTO THE CODE OF FEDERAL REGULATIONS

Priority: Info./Admin./Other

CFR Citation: 10 CFR 430; 10 CFR 431

Completed:

Reason	Date	FR Cite
Supplemental NPRM	10/03/06	71 FR 58308
Final Action	12/08/06	71 FR 71340

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Local, State

Agency Contact: James Raba, EE-2J
 Phone: 202 586-8654
 Email: jim.raba@ee.doe.gov

Related RIN: Merged with 1904-AB60

RIN: 1904-AB53

Completed:

Reason	Date	FR Cite
Final Action	01/11/07	72 FR 1270
Standards Effective Date (for products manufactured after 01/01/2009)	01/01/09	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Linda Graves, EE-2J
 Phone: 202 586-1851
 Email: linda.graves@ee.doe.gov

RIN: 1904-AB61

747. COMPLIANCE WAIVERS FOR THE ALTERNATIVE FUEL TRANSPORTATION PROGRAM

Priority: Substantive, Nonsignificant

CFR Citation: 10 CFR 490

Completed:

Reason	Date	FR Cite
Final Action	03/20/07	72 FR 12958

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State

Agency Contact: Linda Bluestein
 Phone: 202 586-6116
 Email: linda.bluestein@ee.doe.gov

RIN: 1904-AB66

748. ALTERNATIVE FUEL TRANSPORTATION PROGRAM REPLACEMENT FUEL GOAL MODIFICATION

Priority: Other Significant

CFR Citation: 10 CFR 490

Completed:

Reason	Date	FR Cite
Final Action	03/15/07	72 FR 12041

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Dana O'Hara, EE-34
 Phone: 202 586-8063
 Email: dana.o'hara@ee.doe.gov

RIN: 1904-AB67

Department of Energy (DOE)
Defense and Security Affairs (DSA)

Proposed Rule Stage

749. IDENTIFICATION AND PROTECTION OF UNCLASSIFIED CONTROLLED NUCLEAR INFORMATION

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 2168

CFR Citation: 10 CFR 1017

Legal Deadline: None

Abstract: Revises 10 CFR part 1017, clarifying and streamlining requirements to reflect organizational changes, and abolishing the "May Contain UCNI" marking. Adds the name of the Reviewing Official and guidance for using the UCNI marking,

and updating physical protection requirements.

Timetable:

Action	Date	FR Cite
NPRM	05/00/07	
Final Action	10/00/07	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Emily Anne Puhl, Security Specialist, Department of Energy, Office of Classification, HS-91, Germantown Building, 1000 Independence Avenue SW., Washington, DC 20585-1290

Phone: 301 903-9048
 Fax: 301 903-1230
 Email: emily.puhl@hq.doe.gov

RIN: 1992-AA35

750. • CRITERIA AND PROCEDURES FOR DETERMINING ELIGIBILITY FOR ACCESS TO CLASSIFIED MATTER OR SPECIAL NUCLEAR MATERIAL

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 2165; EO 12968

CFR Citation: 10 CFR 710

Legal Deadline: None

DOE—DSA

Proposed Rule Stage

Abstract: This rulemaking will revise 10 CFR 710 to adopt the “concerns” from the Adjudicative Guidelines published pursuant to E.O. 12968 as the DOE criteria for adjudicating adverse information concerning an access authorization applicant or holder (10 CFR 719.8). The criteria will be numbered to correlate with the Adjudicative Guidelines. Other

revisions will streamline requirements, tighten time limits, and clarify provisions.

Timetable:

Action	Date	FR Cite
NPRM	02/00/08	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Loren Evenson, Security Specialist, Department of Energy, HS-71, Germantown Building, 1000 Independence Avenue SW., Washington, DC 20585-1290
Phone: 301 903-4803
Email: loren.evenson@hq.doe.gov

RIN: 1992-AA36

**Department of Energy (DOE)
Departmental and Others (ENDEP)**

Proposed Rule Stage

751. FREEDOM OF INFORMATION ACT

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 552

CFR Citation: 10 CFR 1004

Legal Deadline: None

Abstract: The Freedom of Information Act (FOIA), as amended, permits any person to request access to agency records. DOE has promulgated a regulation at part 1004 of title 10 of the Code of Federal Regulations to implement the FOIA. DOE will revise its FOIA regulation to reflect current procedures for processing requests for information that are submitted to the Agency, to ensure compliance with the Electronic Freedom of Information Act Amendments of 1996, and to make the regulation more user friendly.

Timetable:

Action	Date	FR Cite
NPRM	06/00/07	
Final Action	12/00/07	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Abel Lopez, 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

752. 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 include a dose limitation system for protection of the public; requirements for application optimization (As Low As is Reasonably Achievable, ALARA) process; 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
Second NPRM	10/02/95	
Comment Period End		
Integrate New EPA Guidance	10/00/07	
Final Action	10/00/08	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Additional Information: The Environmental Protection Agency (EPA) is considering revising the Federal Guidance for Radiation Protection of the Public. This Presidential-level guidance would refine the radiation protection and dose limitation framework for the public, and may include numerical Radiation Protection

Goals (i.e., dose limits). Because it is DOE's preference to be consistent with Federal radiation protection policy, the Department is adjusting the schedule for part 834 in anticipation of revised Federal Guidance and will issue the rule following EPA action on the guidance. This will allow DOE to be consistent with the most current Presidential-level guidance upon its release.

Agency Contact: Andrew Wallo III, Deputy Director, Office of Nuclear Safety and Environment, Department of Energy, Office of Nuclear Safety and Environment, HS-20, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-4996

RIN: 1901-AA38

753. LOAN GUARANTEES FOR PROJECTS THAT EMPLOY INNOVATIVE TECHNOLOGIES

Priority: Economically Significant. Major under 5 USC 801.

Legal Authority: 42 USC 16511; 42 USC 16514

CFR Citation: Not Yet Determined

Legal Deadline: Final, Statutory, August 15, 2007.

Abstract: Title XVII of the Energy Policy Act of 2005 authorizes the Secretary of Energy, after consultation with the Secretary of the Treasury, to make loan guarantees for projects that “avoid, reduce, or sequester air pollutants or anthropogenic emissions of greenhouse gases; and employ new or significantly improved technologies as compared to commercial technologies in service in the United States at the time the guarantee is issued.” This rulemaking will establish policies and procedures applicable to the title XVII program.

DOE—ENDEP

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	04/00/07	
Final Action	08/00/07	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Warren Belmar, Deputy General Counsel for Energy Policy, Department of Energy, Office ofthe General Counsel, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-6758
Email: warren.belmar@hq.doe.gov**RIN:** 1901-AB21**Department of Energy (DOE)
Departmental and Others (ENDEP)****Final Rule Stage****754. 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 establishes procedures for indemnifying and disposing of real property by sale or lease at the Department's defense nuclear facilities for the purpose of permitting economic development. It also establishes 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. All comments received on the interim final rule have been reviewed and will be considered in the final rule.

Timetable:

Action	Date	FR Cite
Interim Final Rule	02/29/00	65 FR 10685
Interim Final Rule Comment Period End	04/14/00	
Final Action	11/00/07	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** John C. Watson, Senior Realty Officer, MA-50, Department of Energy, Office of Management, Room 4B-122, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-0072
Fax: 202 586-4500
Email: john.watson@hq.doe.gov**RIN:** 1901-AA82**755. RESEARCH MISCONDUCT****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 2201; 42 USC 7101 et seq; 42 USC 7454; 50 USC 2401 et seq; 42 USC 2282a to c; 41 USC 418b; 31 USC 6301 to 6308**CFR Citation:** 10 CFR 600; 10 CFR 733; 48 CFR 935; 48 CFR 952**Legal Deadline:** None**Abstract:** This action would establish policies and procedures for handling research misconduct allegations.**Timetable:**

Action	Date	FR Cite
Interim Final Rule and Opportunity for Comment	06/28/05	70 FR 37010
Interim Final Rule Effective	07/28/05	
Interim Final Rule Comment Period End	08/29/05	
Final Action	06/00/07	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal**Agency Contact:** Christine Chalk, Division of Planning and Analysis, SC-5, Department of Energy, Office of Science, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-7203
Email: christine.chalk@science.doe.gov**RIN:** 1901-AA89**756. OCCUPATIONAL RADIATION
PROTECTION****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 2201; 42 USC 7191; 42 USC 2282(a); 28 USC 2461 note; 50 USC 2410**CFR Citation:** 10 CFR 835; 10 CFR 820**Legal Deadline:** None**Abstract:** This action would amend 10 CFR part 820, Procedural Rules for DOE

Nuclear Activities, to take into account the establishment of the National Nuclear Security Administration. This action would also amend 10 CFR part 835, Occupation Radiation Protection, to provide additional flexibility in meeting requirements, to update the dosimetric models and dose terms, to establish certain concentration values and limits, and to clarify requirements for radioactive material transportation not subject to DOT regulations.

Timetable:

Action	Date	FR Cite
NPRM	08/10/06	71 FR 45996
NPRM Comment Period End	10/10/06	
Final Action	04/00/07	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Peter V. O'Connell, Department of Energy, HS-11/ Germantown Building, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 301 903-5641
Email: peter.o'connel@eh.doe.gov**RIN:** 1901-AA95**757. • TECHNICAL GUIDELINES IBR
UPDATE FOR VOLUNTARY
GREENHOUSE GAS REPORTING
PROGRAM****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 13385(b)**CFR Citation:** 10 CFR 300**Legal Deadline:** None**Abstract:** This rulemaking corrects and updates Technical Guidelines used for reporting under the DOE Voluntary Reporting of Greenhouse Gases Program, which are incorporated by reference in the Department's General Guidelines at 10 CFR part 300.

DOE—ENDEP

Final Rule Stage

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/31/07	72 FR 4411
Interim Final Rule Comment Period End	02/20/07	
Final Action	04/00/07	

**Regulatory Flexibility Analysis
Required:** No**Government Levels Affected:** None**Agency Contact:** Mark Friedrichs,
Office of Policy and International
Affairs, PI-40, Department of Energy,1000 Independence Avenue SW.,
Washington, DC 20585
Phone: 202 586-0124
Email: mark.friedrichs@hq.doe.gov**RIN:** 1901-AB23**Department of Energy (DOE)
Departmental and Others (ENDEP)**

Long-Term Actions

**758. ANNOTATION OF LAND
RECORDS FOR REMEDIATED
PROPERTIES IN THE URANIUM MILL
TAILINGS REMEDIAL ACTION
PROJECT (UMTRA)****Priority:** Substantive, Nonsignificant**CFR Citation:** Not Yet Determined**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:** Federal,
State**Agency Contact:** Christopher J. Clayton
Phone: 202 586-9034
Email: christopher.clayton@hq.doe.gov**RIN:** 1901-AA57**759. COORDINATION OF FEDERAL
AUTHORIZATION OF ELECTRIC
TRANSMISSION****Priority:** Substantive, Nonsignificant.
Major status under 5 USC 801 is
undetermined.**CFR Citation:** Not Yet Determined**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

**Regulatory Flexibility Analysis
Required:** Undetermined**Government Levels Affected:**
Undetermined**Federalism:** Undetermined**Agency Contact:** David Meyer
Phone: 202 586-3118
Fax: 202 586-5391
Email: david.meyer@hq.doe.gov**RIN:** 1901-AB18**Department of Energy (DOE)
Departmental and Others (ENDEP)**

Completed Actions

**760. OCCUPATIONAL RADIATION
PROTECTION****Priority:** Substantive, Nonsignificant**CFR Citation:** 10 CFR 835**Completed:**

Reason	Date	FR Cite
Withdrawn	02/26/07	

**Regulatory Flexibility Analysis
Required:** No**Government Levels Affected:** None**Agency Contact:** Peter V. O'Connell
Phone: 301 903-5641
Email: peter.o'connell@eh.doe.gov**RIN:** 1901-AB20**761. • TECHNICAL AMENDMENTS****Priority:** Info./Admin./Other**Legal Authority:** 42 USC 2201 et seq**CFR Citation:** 10 CFR 602; 10 CFR 820;
10 CFR 835; 10 CFR 850; 10 CFR 851;
10 CFR 1004; 10 CFR 1021**Legal Deadline:** None**Abstract:** The Department of Energy
has merged the Office of Security and
Safety Performance Assurance and the
Office of Environment, Safety, and
Health and established a new Office of
Health, Safety, and Security. This final
rule removes obsolete office and
position titles from the Code of Federal
Regulations and adds new titles for theresponsible agency offices and
positions.**Timetable:**

Action	Date	FR Cite
Final Action	11/28/06	71 FR 68727

**Regulatory Flexibility Analysis
Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Steve Duarte, GC-71,
Department of Energy, Office of the
General Counsel, 1000 Independence
Avenue SW., Washington, DC 20585
Phone: 202 586-2951
Email: steve.duarte@hq.doe.gov**RIN:** 1901-AB22

Department of Energy (DOE)
Office of Procurement and Assistance Policy (PR)

Proposed Rule Stage

762. PRIORITIES AND ALLOCATIONS—DOMESTIC ENERGY SUPPLIES

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c); 41 USC 418b; 50 USC app 2071(c)

CFR Citation: 48 CFR 911.602; 10 CFR 216

Legal Deadline: None

Abstract: This action would update the Department of Energy regulations and clauses exercising statutory authorities to allocate the supplies of materials, equipment, services, and facilities and establish priorities for the acceptance and performance of contracts and orders to (1) promote the national defense and (2) maximize domestic energy supplies as authorized by the Defense Production Act of 1950 as amended (50 U.S.C. app. 2061 et seq.); the Department of Commerce Defense Priorities and Allocations System Program (15 CFR 700); and Executive Order 12919, National Defense Resource Preparedness.

Timetable:

Action	Date	FR Cite
NPRM	05/00/07	
Direct Final Rule	05/00/07	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Lisa Jones, Procurement Analyst, Department of Energy, Office of Procurement and Assistance Policy, 1000 Independence Avenue SW., Washington, DC 20585
 Phone: 202 287-1470
 Email: lisa.jones@hq.doe.gov

RIN: 1991-AB69

763. SECURITY CONSIDERATIONS—BACKGROUND CHECKS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 2011; 41 USC 418b

CFR Citation: 48 CFR 904.4

Legal Deadline: None

Abstract: The rulemaking would amend the DOE Acquisition Regulation security clause to include the Department's requirement that employers do background checks before employment of persons who will require access authorizations to perform

contract duties and that they and their employees agree to the use of mediation services as may be required to ensure continuity of operations.

Timetable:

Action	Date	FR Cite
NPRM	05/00/07	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Richard B. Langston, Procurement Analyst, Department of Energy, Office of Procurement and Assistance Policy, 1000 Independence Avenue SW., Washington, DC 20585
 Phone: 202 287-1339
 Email: richard.langston@pr.doe.gov

RIN: 1991-AB71

764. RESCISSION OF OBSOLETE PROPERTY MANAGEMENT REGULATIONS

Priority: Info./Admin./Other

Legal Authority: 42 USC 2201; 42 USC 7101; 50 USC 2401

CFR Citation: 41 CFR 109

Legal Deadline: None

Abstract: This action would rescind obsolete DOE property management provisions.

Timetable:

Action	Date	FR Cite
NPRM	05/00/07	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Jerry G. Hanley, Director, Personal Property Policy Office, Department of Energy, Office of Procurement and Assistance Policy, 1000 Independence Avenue SW., Washington, DC 20585
 Phone: 202 287-1563
 Email: jerry.hanley@hq.doe.gov

RIN: 1991-AB73

765. DEAR—PRICE ANDERSON AMENDMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 2210

CFR Citation: 48 CFR 950.70

Legal Deadline: None

Abstract: To implement the Price Anderson Amendments Act of 2005 provisions on nuclear indemnification.

Timetable:

Action	Date	FR Cite
NPRM	05/00/07	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Kevin M. Smith, Procurement Analyst, Department of Energy, Office of Procurement and Assistance Policy, 1000 Independence Avenue SW., Washington, DC 20585
 Phone: 202 287-1614
 Email: kevin.m.smith@hq.doe.gov

RIN: 1991-AB75

766. DEAR—NATIONAL NUCLEAR SECURITY ADMINISTRATION SUPPLEMENT

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 50 USC 2402

CFR Citation: 48 CFR 909; 48 CFR 911; 48 CFR 912; 48 CFR 919; 48 CFR 952; 48 CFR 970

Legal Deadline: None

Abstract: The Department of Energy and the National Nuclear Security Administration (NNSA) are proposing to issue regulations that implement and supplement the Department of Energy Acquisition Regulations (DEAR) in areas where further guidance is necessary or to provide guidance unique to NNSA requirements.

Timetable:

Action	Date	FR Cite
NPRM	06/00/07	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Stephen Law NE-63, Procurement Analyst, Department of Energy, Office of Procurement and Assistance Policy, 1000 Independence Avenue SW., Washington, DC 20585
 Phone: 202 586-4321
 Email: stephen.law@nnsa.doe.gov

RIN: 1991-AB76

Department of Energy (DOE)
Office of Procurement and Assistance Policy (PR)

Final Rule Stage

767. TECHNICAL AMENDMENT TO THE DEPARTMENT OF ENERGY ACQUISITION REGULATION

Priority: Info./Admin./Other

Legal Authority: 42 USC 2201; 42 USC 7101; 50 USC 2401

CFR Citation: 48 CFR 030; 48 CFR 952; 48 CFR 970

Legal Deadline: None

Abstract: This action would make technical amendments and corrections to various parts of the Department of Energy Acquisition Regulation.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/00/07	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Stephen Zvolensky, Department of Energy, Office of Procurement and Assistance Policy, 1000 Independence Avenue SW., Washington, DC 20585
 Phone: 202 287-1307
 Email: stephen.zvolensky@hq.doe.gov

RIN: 1991-AB62

768. DEAR CHANGES TO DELETE PROVISIONS FOR FACILITIES MANAGEMENT AND ADD WORK AUTHORIZATION CLAUSE

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 42 USC 2201; 42 USC 7101; 50 USC 2401

CFR Citation: 48 CFR 907; 48 CFR 952; 48 CFR 970

Legal Deadline: None

Abstract: This action would delete 48 CFR part 970.5237-2, Facilities Management, and add a new clause dealing with work authorization.

Timetable:

Action	Date	FR Cite
NPRM	07/29/05	70 FR 43832
NPRM Comment Period End	08/29/05	
Final Action	05/00/07	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Sandra Cover, Procurement Analyst, ME-61, Department of Energy, Office of Procurement and Assistance Policy, 1000 Independence Avenue SW., Washington, DC 20585
 Phone: 202 287-1334

RIN: 1991-AB65

769. COOPERATIVE AUDIT STRATEGY

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 2201; 42 USC 7101; 50 USC 2401

CFR Citation: 48 CFR 970

Legal Deadline: None

Abstract: The Department is amending its acquisition regulation to more fully describe the audit procedures to be followed under its management and operating contracts. The revised procedures call for an annual audit plan and audit report as explained under the Accounts, Records, and Inspection clause at 48 CFR 970.5232-3.

Timetable:

Action	Date	FR Cite
NPRM	05/08/06	71 FR 26723
NPRM Comment Period End	07/07/06	
Final Action	05/00/07	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Helen Oxberger, Procurement Analyst, Department of Energy, Office of Procurement and Assistance Policy, 1000 Independence Avenue SW., Washington, DC 20585
 Phone: 202 287-1332

RIN: 1991-AB67

Department of Energy (DOE)
Office of Procurement and Assistance Policy (PR)

Completed Actions

770. ORGANIZATIONAL CONFLICT OF INTEREST DISCLOSURE

Priority: Substantive, Nonsignificant

CFR Citation: 48 CFR 909; 48 CFR 970

Completed:

Reason	Date	FR Cite
Withdrawn	02/20/07	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Kevin M. Smith
 Phone: 202 287-1614
 Email: kevin.m.smith@hq.doe.gov

RIN: 1991-AB52

771. REVISIONS TO INTELLECTUAL PROPERTY PROVISIONS FOR MANAGEMENT CONTRACTS

Priority: Substantive, Nonsignificant

CFR Citation: 48 CFR 970.27; 48 CFR 970.5227

Completed:

Reason	Date	FR Cite
Withdrawn	02/20/07	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Kevin M. Smith
 Phone: 202 287-1614

Email: kevin.m.smith@hq.doe.gov

RIN: 1991-AB70

772. NONPROCUREMENT DEBARMENT AND SUSPENSION—COMMON RULE

Priority: Info./Admin./Other

CFR Citation: 2 CFR 900; 10 CFR 600

Completed:

Reason	Date	FR Cite
Final Action	12/05/06	71 FR 70457

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

DOE—PR

Completed Actions

Agency Contact: Cynthia Yee

Phone: 202 586-1140

RIN: 1991-AB74

**Department of Energy (DOE)
Office of General Counsel (OGC)**

Proposed Rule Stage

**773. PROCEDURAL RULES FOR DOE
NUCLEAR ACTIVITIES****Priority:** Substantive, Nonsignificant**Legal Authority:** PL 109-58, sec 610**CFR Citation:** 10 CFR 820.20**Legal Deadline:** None**Abstract:** Amends provisions on civil penalties with respect to certain DOE contractors, subcontractors, and suppliers to conform with statutory changes. Section 610 of the Energy

Policy Act of 2005 removed exemptions from civil penalties for certain named nonprofit educational institutions. It also established a cap on the total amount of fees a not-for-profit contractor, subcontractor, or supplier could be required to pay in any year.

Timetable:

Action	Date	FR Cite
NPRM	06/00/07	

**Regulatory Flexibility Analysis
Required:** No**Government Levels Affected:** None**Agency Contact:** C. Russell H. Shearer, Deputy Chief for Enforcement and Technical Matters, Department of Energy, Office of Health, Safety, and Security, HS-1, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-4693

Email: russell.shearer@hq.doe.gov

RIN: 1990-AA30

[FR Doc. 07-01641 Filed 04-27-07; 8:45 am]

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