



Federal Register

**Monday,
April 24, 2006**

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 (1988).

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, 2006. 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 16, 2006.

David R. Hill,
General Counsel.

National Nuclear Security Agency—Completed Actions

Sequence Number	Title	Regulation Identifier Number
770	Initial Parts of NNSA Acquisition Regulation (NAR)	1994-AA00
771	Computer Security: Access to Information on Department of Energy Computer Systems	1994-AA01

Energy Efficiency and Renewable Energy—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
772	Energy Efficiency Standards for Residential Furnaces and Boilers	1904-AA78
773	Energy Efficiency Standards for Electric Distribution Transformers	1904-AB08
774	Rulemaking To Adopt a Definition of Household	1904-AB52
775	Rulemaking To Codify Test Procedures Prescribed in EPACT 2005 Into the Code of Federal Regulations	1904-AB53
776	Test Procedures for Residential Air Conditioners and Heat Pumps	1904-AB55
777	Renewable Energy Production Incentive	1904-AB62

Energy Efficiency and Renewable Energy—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
778	Test Procedures for Electric Distribution Transformers	1904-AA85
779	Determination for Small Electric Motors	1904-AA87
780	Weatherization Assistance Program for Low-Income Persons	1904-AB56
781	Energy Efficiency Standards for Ceiling Fan Light Kits	1904-AB61
782	State Energy Program	1904-AB63

Energy Efficiency and Renewable Energy—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
783	Energy Efficiency Code for New Federal Residential Low-Rise Buildings	1904-AA53
784	National Voluntary Residential Energy Efficiency Rating Guidelines	1904-AA74
785	Determination for High-Intensity Discharge Lamps	1904-AA86
786	Energy Efficiency Standards for Clothes Dryers and Room Air Conditioners	1904-AA89
787	Energy Efficiency Standards for Pool Heaters and Direct Heating Equipment and Water Heaters	1904-AA90
788	Energy Efficiency Standards for 1-200 HP Electric Motors	1904-AA91
789	Energy Efficiency Standards for Fluorescent and Incandescent Reflector and General Service Lamps	1904-AA92

DOE

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

Sequence Number	Title	Regulation Identifier Number
790	Energy Standards for New Federal Commercial and Multi-Family High-Rise Residential Buildings	1904-AB13
791	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
792	Energy Conservation Standards for Residential Central Air Conditioners and Air Conditioning Heat Pumps	1904-AB47
793	Energy Conservation Standards for Residential Electric and Gas Ranges and Ovens and Microwave Ovens, Dishwashers, Dehumidifiers, and Commercial Clothes Washers	1904-AB49
794	Energy Conservation Standards for Fluorescent Lamp Ballasts	1904-AB50
795	Determination and Energy Efficiency Standards for Battery Chargers and External Power Supplies	1904-AB57
796	Energy Efficiency Standards for Refrigerated Bottled or Canned Beverage Vending Machines	1904-AB58
797	Energy Efficiency Standards for Commercial Refrigeration Equipment	1904-AB59
798	Test Procedures for Commercial Refrigeration Equipment	1904-AB60

Energy Efficiency and Renewable Energy—Completed Actions

Sequence Number	Title	Regulation Identifier Number
799	State and Local Incentives Program: Alternative Fuels	1904-AA66
800	Coverage of Certain Incandescent Reflector Lamps	1904-AB15
801	Rulemaking To Determine Whether the Energy Conservation Standards for Residential Water Heaters Should Be Amended	1904-AB48
802	Rulemaking To Determine Whether the Energy Conservation Standards for Room Air Conditioners Should Be Amended	1904-AB51

Defense and Security Affairs—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
803	Physical Protection of Security Interests	1992-AA23
804	Identification and Protection of Unclassified Controlled Nuclear Information	1992-AA35

Defense and Security Affairs—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
805	Counterintelligence Evaluation Regulations	1992-AA33

Departmental and Others—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
806	Coordination of Federal Authorization of Electric Transmission	1901-AB18

Departmental and Others—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
807	Freedom of Information Act	1901-AA32
808	Occupational Radiation Protection	1901-AA95

DOE

Departmental and Others—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
809	Acquisition of Petroleum for Strategic Petroleum Reserve	1901-AB16

Departmental and Others—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
810	Radiation Protection of the Public and the Environment	1901-AA38
811	Economic Development Transfers of Real Property	1901-AA82
812	Research Misconduct	1901-AA89
813	Guidelines for Voluntary Greenhouse Gas Reporting	1901-AB11
814	Standby Support for Advanced Nuclear Facility Delays	1901-AB17
815	Computer Security: Access to Information on Department of Energy Computer Systems	1901-AB19

Departmental and Others—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
816	Annotation of Land Records for Remediated Properties in the Uranium Mill Tailings Remedial Action Project (UMTRA)	1901-AA57

Departmental and Others—Completed Actions

Sequence Number	Title	Regulation Identifier Number
817	Worker Safety and Health	1901-AA99

Office of Procurement and Assistance Policy—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
818	Technical Amendment of the Department of Energy Acquisition Regulation	1991-AB62
819	Cooperative Audit Strategy	1991-AB67
820	Priorities and Allocations—Domestic Energy Supplies	1991-AB69
821	Revisions to Intellectual Property Provisions for Management Contracts	1991-AB70
822	Security Considerations—Background Checks	1991-AB71
823	Rescission of Obsolete Property Management Regulations	1991-AB73

Office of Procurement and Assistance Policy—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
824	Organizational Conflict of Interest Disclosure	1991-AB52
825	Department of Energy Acquisition Regulation: Management Contractor Compensation for Personal Services	1991-AB61
826	DEAR Changes to Provisions for Facilities Management; Work Authorization; Contractor's Organization; Contractor Relations; and Laws, Regulations, and Directives	1991-AB65
827	Assistance Regulations	1991-AB72

DOE

Office of Procurement and Assistance Policy—Completed Actions

Sequence Number	Title	Regulation Identifier Number
828	DEAR: Make or Buy Plans	1991-AB63
829	DEAR: Work for Others	1991-AB64
830	DEAR: Biobased Content Products	1991-AB68

Office of General Counsel—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
831	Conduct of Employees	1990-AA19
832	Procedural Rules for DOE Nuclear Activities	1990-AA30

Department of Energy (DOE)

Completed Actions

National Nuclear Security Agency (NNSA)

770. INITIAL PARTS OF NNSA ACQUISITION REGULATION (NAR)

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

CFR Citation: 48 CFR ch 11

Completed:

Reason	Date	FR Cite
Withdrawn	02/13/06	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: James J. Cavanagh
Phone: 202 586-8559

RIN: 1994-AA00

771. COMPUTER SECURITY: ACCESS TO INFORMATION ON DEPARTMENT OF ENERGY COMPUTER SYSTEMS

Timetable:

Action	Date	FR Cite
Transferred to RIN 1901-AB19	03/09/06	

RIN: 1994-AA01

Department of Energy (DOE)

Proposed Rule Stage

Energy Efficiency and Renewable Energy (EE)

772. ENERGY EFFICIENCY STANDARDS FOR RESIDENTIAL FURNACES AND BOILERS

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(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
Framework Workshop	07/17/01	
Venting Workshop	05/08/02	
ANPRM	07/29/04	69 FR 45419
ANPRM Comment Period End	11/10/04	
DOE Review of Technical Support Documents	08/11/05	
NPRM	09/00/06	
Final Action	09/00/07	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Local, State

Agency Contact: Mohammed Kahn, EE-2J, Department of Energy, Energy

Efficiency and Renewable Energy, Office of Building Technologies Program, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-7892
Email: mohammed.kahn@ee.doe.gov

RIN: 1904-AA78

773. ENERGY EFFICIENCY STANDARDS FOR ELECTRIC DISTRIBUTION TRANSFORMERS

Priority: Economically Significant. Major under 5 USC 801.

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

CFR Citation: 10 CFR 431

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

Abstract: Prior to enactment of EPACT 2005, the Energy Policy and Conservation Act, as amended, (EPCA) did not establish energy efficiency

DOE—EE

Proposed Rule Stage

standards for electric distribution transformers. EPCA directed DOE to determine whether standards for electric distribution transformers were warranted. However, as a result of amendments recently 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	
DOE Review of Technical Support Documents	08/11/05	
NPRM	09/00/06	
Final Action	09/00/07	

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

Agency Contact: Antonio Bouza, EE-2J, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., Washington, DC 20676
Phone: 202 586-0854
Fax: 202 586-4617
Email: antonio.bouza@ee.doe.gov

RIN: 1904-AB08**774. RULEMAKING TO ADOPT A DEFINITION OF HOUSEHOLD****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Unfunded Mandates:** 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	07/00/06	

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.

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
Phone: 202 586-1851
Email: linda.graves@ee.doe.gov

RIN: 1904-AB52**775. RULEMAKING TO CODIFY TEST PROCEDURES PRESCRIBED IN EPACT 2005 INTO THE CODE OF FEDERAL REGULATIONS****Priority:** Info./Admin./Other**Legal Authority:** PL 109-58, sec 135; PL 109-58, sec 136**CFR Citation:** 10 CFR 430; 10 CFR 431**Legal Deadline:** None

Abstract: EPACT 2005 establishes test procedures for numerous consumer products and commercial equipment. In order to maintain the consistency and completeness of the Department's appliance test procedure regulations codified in 10 CFR 430 and 431 and to aid interested parties in locating and using the new regulatory information, DOE plans to promulgate test procedures for the products in EPACT 2005. However, DOE will need to review these test procedures to determine their adequacy for adoption in the Code of Federal Regulations and may conduct multiple rulemakings to adopt test procedures for these products. This rulemaking(s) encompasses the following products and equipment: Commercial refrigerators, freezers, and refrigerator-freezers; remote condensing commercial refrigerators, refrigerator-freezers, and freezers; commercial icemakers; residential dehumidifiers; commercial clothes washers; ceiling fans; illuminated exit signs; medium base compact fluorescent lamps; torchieres; traffic signal modules and pedestrian modules; small commercial package air-conditioning and heating equipment; large commercial package air-conditioning and heating equipment; very large commercial package air-

conditioning and heating equipment; commercial prerinse spray valves; and low-voltage dry-type distribution transformers; and battery charges and external power supplies.

Timetable:

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

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

Additional Information: As the Department reviews the requirements cited in EPACT 2005, DOE may determine that separate rulemakings may be warranted for some of these individual products or equipment.

Agency Contact: James Raba, EE-2J, Office of Building Technologies Program, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-8654
Email: jim.raba@ee.doe.gov

RIN: 1904-AB53**776. 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	06/00/06	
Final Action	09/00/07	

DOE—EE

Proposed Rule Stage

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

Undetermined

Agency Contact: Michael Raymond, EE-2J, Department of Energy, Energy Efficiency and Renewable Energy, Office of Building Technologies Program, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-9611
Email: michael.raymond@ee.doe.gov

RIN: 1904-AB55**777. • RENEWABLE ENERGY PRODUCTION INCENTIVE****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 13317; PL 109-58, sec 202**CFR Citation:** 10 CFR 451**Legal Deadline:** None**Abstract:** The Department of Energy (DOE), Office of Energy Efficiency and

Renewable Energy, defines rule modifications to implement changes to the Renewable Energy Production Incentives (REPI) program required by section 202 of the Energy Policy Act of 2005, Public Law 109-58. REPI provides for production incentive payments to owners or operators of qualified renewable energy facilities, subject to the availability of appropriations. These Energy Policy Act modifications relate primarily to allocation of available funds between owners or operators of two distinct groups of qualified facilities, incorporation of additional ownership categories, extension of the eligibility window and program termination date, and expansion of applicable renewable technologies. In addition to the changes required by the Energy Policy Act of 2005, the DOE is modifying the method for accrued energy accounting. Other minor changes are incorporated, as needed, to update the rule.

Timetable:

Action	Date	FR Cite
NPRM	04/00/06	

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

Undetermined

Agency Contact: Daniel T. Berckley, EE-2K, Energy Technology Program Specialist, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-1510
Fax: 202 586-1233
Email: dan.berckley@ee.doe.gov

Kimberly J. Graber, Department of Energy, Office of General Counsel, 1617 Cole Boulevard, Golden, CO 80401
Phone: 303 275-4700
Email: kim.graber@go.doe.gov

RIN: 1904-AB62

Department of Energy (DOE)

Final Rule Stage

Energy Efficiency and Renewable Energy (EE)

778. TEST PROCEDURES FOR ELECTRIC DISTRIBUTION TRANSFORMERS**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 6317; PL 109-58, sec 135(b)(1)**CFR Citation:** 10 CFR 431**Legal Deadline:** Other, Statutory, April 24, 1995, Determination Notice.

Abstract: EPCA requires the Department to prescribe testing requirements for those electric distribution transformers for which the Secretary makes a determination that energy conservation standards would be technologically feasible and economically justified, and would result in significant energy savings. Section 135 of EPCA 2005 amends EPCA to provide that DOE must base these test procedures on a specified industry test procedures on a specified industry test procedure. The Department is evaluating the impact of this provision on its pending rulemaking for distribution transformer test procedures.

Timetable:

Action	Date	FR Cite
Determination Notice	10/22/97	62 FR 54809

Action	Date	FR Cite
NPRM	11/12/98	63 FR 63359
NPRM Comment Period End	02/05/99	
Supplemental NPRM	07/29/04	69 FR 45506
Supplemental NPRM Comment Period End	11/08/04	
Final Action	04/00/06	

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

Agency Contact: Cyrus Nasser, EE-2J, Office of Building Technologies Program, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-9138
Email: cyrus.nasser@ee.doe.gov

RIN: 1904-AA85**779. DETERMINATION FOR SMALL ELECTRIC MOTORS****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 6317(b)**CFR Citation:** 10 CFR 431**Legal Deadline:** Other, Statutory, April 24, 1995, Determination Notice.

Abstract: The Energy Policy and Conservation Act (EPCA), as amended, requires the Department to prescribe test procedures for small electric motors for which the Secretary makes a determination that energy conservation standards would be technologically feasible and economically justified, and would result in significant energy savings.

Timetable:

Action	Date	FR Cite
Determination Notice	06/00/06	

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

Additional Information: The Department is conducting an analysis in preparation for a determination under 42 U.S.C. 6317(b). The timetable for this action will be determined during the annual priority-setting of rulemakings for the fiscal year.

Agency Contact: Antonio Bouza, EE-2J, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., Washington, DC 20676
Phone: 202 586-0854
Fax: 202 586-4617

DOE—EE

Final Rule Stage

Email: antonio.bouza@ee.doe.gov

RIN: 1904-AA87

780. • WEATHERIZATION ASSISTANCE PROGRAM FOR LOW-INCOME PERSONS**Priority:** Other Significant**Legal Authority:** PL 109-58**CFR Citation:** 10 CFR 440**Legal Deadline:** None

Abstract: The amendments are necessitated by changes mandated in EPACK 2005. These changes specify definitions for renewable energy systems eligible for funding in the weatherization program; establish criteria for performance and quality standards for eligible renewable energy systems; establish procedures for evaluating application for eligibility of renewable energy technologies and systems from manufacturers, including procedures to be used in denying such applications; and establish new ceilings for funding.

Timetable:

Action	Date	FR Cite
Direct Final Rule	10/00/06	

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

Undetermined

Agency Contact: John B. Atcheson, Senior Analyst, EE-2K, Department of

Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-0771

RIN: 1904-AB56

781. • ENERGY EFFICIENCY STANDARDS FOR CEILING FAN LIGHT KITS**Priority:** Economically Significant. Major under 5 USC 801.**Legal Authority:** PL 109-58**CFR Citation:** 10 CFR 430**Legal Deadline:** None

Abstract: EPACK 2005 requires that standards be established for ceiling fan light kits (other than those with prescribed standards in EPACK 2005).

Timetable:

Action	Date	FR Cite
Final Action	01/00/07	

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

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
Phone: 202 586-1851
Email: linda.graves@ee.doe.gov

RIN: 1904-AB61

782. • STATE ENERGY PROGRAM**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 6321 et seq**CFR Citation:** 10 CFR 420**Legal Deadline:** None

Abstract: DOE is amending its State Energy Program formula grant regulations to incorporate new statutory provisions enacted in the Energy Policy Act of 2005. The new law includes a new energy efficiency goal that must be included in State energy conservation plans and requires DOE to invite State governors to review the State plans every 3 years.

Timetable:

Action	Date	FR Cite
Final Action	05/00/06	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** State

Agency Contact: Eric W. Thomas EE-2K, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-2242
Email: eric.thomas@ee.doe.gov

RIN: 1904-AB63

Department of Energy (DOE)**Energy Efficiency and Renewable Energy (EE)****Long-Term Actions****783. ENERGY EFFICIENCY CODE FOR NEW FEDERAL RESIDENTIAL LOW-RISE BUILDINGS****Priority:** Other Significant**CFR Citation:** 10 CFR 435**Timetable:**

Action	Date	FR Cite
NPRM	05/02/97	62 FR 24164
NPRM Comment Period End	07/14/97	
Final Action	To Be	Determined

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

Agency Contact: Stephen P. Walder, EE-2J
Phone: 202 586-9209

Fax: 202 586-4617
Email: stephen.walder@ee.doe.gov

RIN: 1904-AA53

784. NATIONAL VOLUNTARY RESIDENTIAL ENERGY EFFICIENCY RATING GUIDELINES**Priority:** Substantive, Nonsignificant**CFR Citation:** 10 CFR 437**Timetable:**

Action	Date	FR Cite
NPRM	07/25/95	60 FR 37949
NPRM Comment Period End	10/23/95	
Final Action	To Be	Determined

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:**

Undetermined

Agency Contact: Stephen P. Walder, EE-2J

Phone: 202 586-9209

Fax: 202 586-4617

Email: stephen.walder@ee.doe.gov

RIN: 1904-AA74

785. DETERMINATION FOR HIGH-INTENSITY DISCHARGE LAMPS**Priority:** Substantive, Nonsignificant**CFR Citation:** 10 CFR 431**Timetable:**

Action	Date	FR Cite
Determination Notice	06/00/10	

DOE—EE

Long-Term Actions

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Linda Graves,
Phone: 202 586-1851
Email: linda.graves@ee.doe.gov**RIN:** 1904-AA86**786. 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
Phone: 202 586-0371
Fax: 202 586-4617
Email: bryan.berringer@ee.doe.gov**Related RIN:** Merged with 1904-AB51**RIN:** 1904-AA89**787. 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	03/00/10	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** Local,
State**Agency Contact:** Mohammed Kahn,
EE-2J
Phone: 202 586-7892
Email: mohammed.kahn@ee.doe.gov**Related RIN:** Merged with 1904-AB48**RIN:** 1904-AA90**788. 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
Phone: 202 586-0854
Fax: 202 586-4617
Email: antonio.bouza@ee.doe.gov**RIN:** 1904-AA91**789. ENERGY EFFICIENCY STANDARDS FOR FLUORESCENT AND INCANDESCENT REFLECTOR AND GENERAL SERVICE LAMPS****Priority:** Economically Significant.
Major under 5 USC 801.**CFR Citation:** 10 CFR 430.32**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,
Phone: 202 586-1851
Email: linda.graves@ee.doe.gov**RIN:** 1904-AA92**790. ENERGY STANDARDS FOR NEW FEDERAL COMMERCIAL AND MULTI-FAMILY HIGH-RISE RESIDENTIAL BUILDINGS****Priority:** Substantive, Nonsignificant**CFR Citation:** 10 CFR 434**Timetable:**

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Cyrus Nasser, EE-2J
Phone: 202 586-9138
Email: cyrus.nasser@ee.doe.gov**RIN:** 1904-AB13**791. 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.**CFR Citation:** 10 CFR 431**Timetable:**

Action	Date	FR Cite
Notice of Availability	03/13/06	71 FR 12634
NPRM	01/00/08	
Final Action	09/00/08	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Local,
State**Agency Contact:** Maureen Murphy,
EE-2J
Phone: 202 586-0598
Fax: 202 586-4617
Email: maureen.murphy@ee.doe.gov**Related RIN:** Merged with 1904-AB16,
Merged with 1904-AB17**RIN:** 1904-AB44**792. 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	
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

DOE—EE

Long-Term Actions

Email: michael.raymond@ee.doe.gov

RIN: 1904-AB47

793. 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.

CFR Citation: 10 CFR 430

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

Agency Contact: Bryan Berringer, EE-2J

Phone: 202 586-0371

Fax: 202 586-4617

Email: bryan.berringer@ee.doe.gov

Related RIN: Merged with 1904-AA89

RIN: 1904-AB49

794. 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,

Phone: 202 586-1851

Email: linda.graves@ee.doe.gov

RIN: 1904-AB50

795. • DETERMINATION AND ENERGY EFFICIENCY STANDARDS FOR BATTERY CHARGERS AND EXTERNAL POWER SUPPLIES

Priority: Economically Significant. Major under 5 USC 801.

Legal Authority: PL 109-58

CFR Citation: 10 CFR 430

Legal Deadline: None

Abstract: EPACT 2005 requires that first a determination be conducted for battery chargers and power supplies. The standards activity is contingent on the outcome of the determination.

Timetable:

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

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: None

Agency Contact: Antonio Bouza, EE-2J, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., Washington, DC 20676

Phone: 202 586-0854

Fax: 202 586-4617

Email: antonio.bouza@ee.doe.gov

RIN: 1904-AB57

796. • 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: EPACT 2005 requires that a standard be established 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

Agency Contact: James Raba, EE-2J, Office of Building Technologies

Program, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., Washington, DC 20585

Phone: 202 586-8654

Email: jim.raba@ee.doe.gov

RIN: 1904-AB58

797. • ENERGY EFFICIENCY STANDARDS FOR COMMERCIAL REFRIGERATION EQUIPMENT

Priority: Economically Significant. Major under 5 USC 801.

Legal Authority: PL 109-58

CFR Citation: 10 CFR 431

Legal Deadline: None

Abstract: EPACT 2005 requires that standards be established 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

Agency Contact: James Raba, EE-2J, Office of Building Technologies

Program, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., Washington, DC 20585

Phone: 202 586-8654

Email: jim.raba@ee.doe.gov

RIN: 1904-AB59

798. • TEST PROCEDURES FOR COMMERCIAL REFRIGERATION EQUIPMENT

Priority: Substantive, Nonsignificant

Legal Authority: PL 109-58

CFR Citation: 10 CFR 431

Legal Deadline: None

Abstract: EPACT 2005 requires that test procedures be established for ice cream freezers; self-contained commercial refrigerators, freezers, and refrigerator-freezers without doors; and remote-condensing commercial refrigerators, freezers, and refrigerator-freezers.

DOE—EE

Long-Term Actions

Timetable:

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

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: None

Agency Contact: James Raba, EE-2J,
Office of Building Technologies
Program, Department of Energy, Energy

Efficiency and Renewable Energy, 1000
Independence Avenue SW.,
Washington, DC 20585
Phone: 202 586-8654
Email: jim.raba@ee.doe.gov

RIN: 1904-AB60

Department of Energy (DOE)

Completed Actions

Energy Efficiency and Renewable Energy (EE)

799. STATE AND LOCAL INCENTIVES PROGRAM: ALTERNATIVE FUELS

Priority: Other Significant

CFR Citation: 10 CFR 409

Completed:

Reason	Date	FR Cite
Withdrawn	03/02/06	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Local, State

Agency Contact: Marcy Rood
Phone: 202 586-8161

RIN: 1904-AA66

Phone: 202 586-1851
Email: linda.graves@ee.doe.gov

RIN: 1904-AB15

801. RULEMAKING TO DETERMINE WHETHER THE ENERGY CONSERVATION STANDARDS FOR RESIDENTIAL WATER HEATERS SHOULD BE AMENDED

Priority: Economically Significant. Major under 5 USC 801.

CFR Citation: 10 CFR 430

Completed:

Reason	Date	FR Cite
Merged with RIN 1904-AA90	02/14/06	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Local, State

Federalism: Undetermined

Agency Contact: Bryan Berringer,
EE-2J

Phone: 202 586-0371

Fax: 202 586-4617

Email: bryan.berringer@ee.doe.gov

Related RIN: Merged with 1904-AA90

RIN: 1904-AB48

802. RULEMAKING TO DETERMINE WHETHER THE ENERGY CONSERVATION STANDARDS FOR ROOM AIR CONDITIONERS SHOULD BE AMENDED

Priority: Economically Significant. Major under 5 USC 801.

CFR Citation: 10 CFR 430

Completed:

Reason	Date	FR Cite
Merged With RIN 1904-AA89	02/15/06	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Local, State

Federalism: Undetermined

Agency Contact: Bryan Berringer,
EE-2J

Phone: 202 586-0371

Fax: 202 586-4617

Email: bryan.berringer@ee.doe.gov

Related RIN: Merged with 1904-AA89

RIN: 1904-AB51

Department of Energy (DOE)

Proposed Rule Stage

Defense and Security Affairs (DSA)

803. PHYSICAL PROTECTION OF SECURITY INTERESTS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 2011; 42 USC 7101

CFR Citation: 10 CFR 1046, subpart A; 10 CFR 1046, subpart B

Legal Deadline: None

Abstract: 10 CFR part 1046, subparts A and B, establishes DOE contractor requirements in the areas of protective force, medical, physical fitness, and

firearms qualifications and training. This revision would address matters concerning physical training of Security Police Officers and Security Officers, to more clearly define Security Police Officer I and Security Police Officer II positions, and to revise physical fitness qualifications requirements.

Timetable:

Action	Date	FR Cite
NPRM	01/00/07	
Final Action	06/00/07	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: John Cronin, Office of
Security and Safety Performance
Assurance, SP-61, Department of
Energy, Germantown Building, 1000
Independence Avenue SW.,
Washington, DC 20585
Phone: 301 903-6209

RIN: 1992-AA23

DOE—DSA

Proposed Rule Stage

804. 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, 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	04/00/06	
Final Action	10/00/06	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Emily Anne Puhl, Security Specialist, Department of Energy, Office of Security and Safety Performance Assurance, SP-51, 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**Department of Energy (DOE)
Defense and Security Affairs (DSA)**

Long-Term Actions

805. COUNTERINTELLIGENCE EVALUATION REGULATIONS**Priority:** Substantive, Nonsignificant**CFR Citation:** 10 CFR 709; 10 CFR 710**Timetable:**

Action	Date	FR Cite
NPRM	04/14/03	68 FR 17886

Action	Date	FR Cite
Correction to NPRM	04/18/03	68 FR 19166
NPRM Comment Period End	06/13/03	
Revised NPRM	01/07/05	70 FR 1383
Revised NPRM Comment Period End	03/08/05	
Final Action	To Be Determined	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Douglas Hinckley
Phone: 202 586-5901**RIN:** 1992-AA33**Department of Energy (DOE)
Departmental and Others (ENDEP)**

Prerule Stage

806. COORDINATION OF FEDERAL AUTHORIZATION OF ELECTRIC TRANSMISSION**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.**Unfunded Mandates:** Undetermined**Legal Authority:** PL 109-58 sec 1221(a)**CFR Citation:** Not Yet Determined**Legal Deadline:** Final, Statutory, February 7, 2007.**Abstract:** Subsection 216(h) of the Federal Power Act (FPA) requires the Department of Energy (Department) to act as lead agency for purposes of coordinating all applicable Federal authorizations and related environmental reviews as may be

required under Federal law in order to site transmission facilities. Subsection 216(h)(7)(A) further authorizes the Department to issue any regulations necessary to implement the provisions of section 1221(a) of Energy Policy Act of 2005 and FPA 216, including provisions providing for pre-application mechanisms to facilitate streamlining applicable Federal authorizations. Pursuant to this authority, the Department intends to promulgate regulations to facilitate the coordination of such permits, special use authorizations, certifications, opinions, or other approvals necessary to site transmission facilities.

Timetable:

Action	Date	FR Cite
Notice of Inquiry	04/00/06	

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** Undetermined**Federalism:** Undetermined**Agency Contact:** David Meyer, Senior Policy Advisor, OE-21, Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585
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)**

Proposed Rule Stage

807. FREEDOM OF INFORMATION ACT**Priority:** Other Significant**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. The DOE has promulgated a

regulation at part 1004 of title 10 of the Code of Federal Regulations to implement the FOIA. The DOE will revise its FOIA regulation to reflect current procedures for processing requests for information that are

DOE—ENDEP

Proposed Rule Stage

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	06/00/06	
Final Action	08/00/06	

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

808. 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 in 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	06/00/06	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Peter V. O'Connell, Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 301 903-5641
Fax: 301 903-3445
Email: peter.o'connel@eh.doe.gov

RIN: 1901-AA95

809. ACQUISITION OF PETROLEUM FOR STRATEGIC PETROLEUM RESERVE

Priority: Other Significant

Legal Authority: 42 USC 6240

CFR Citation: Not Yet Determined

Legal Deadline: NPRM, Statutory, December 6, 2005.

Final, Statutory, February 6, 2006.

Abstract: This action would establish procedures for the acquisition of petroleum to fill the Strategic Petroleum Reserve to the one billion barrel capacity authorized under section 154(a) of the Energy Policy and Conservation Act. The procedures must include criteria for reviewing requests for deferral of scheduled deliveries.

Timetable:

Action	Date	FR Cite
NPRM	04/00/06	
Final Action	06/00/06	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Additional Information: Congress has been notified of delays to legislated deadlines caused by the impact of Hurricane Katrina on the Strategic Petroleum Reserve Program.

Agency Contact: Lynnette H. LeMat, Director, Operations and Readiness, Office of Petroleum Reserves, Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585-0340
Phone: 202 586-4398
Fax: 202 586-0835
Email: lynnette.lemat@hq.doe.gov

RIN: 1901-AB16

**Department of Energy (DOE)
Departmental and Others (ENDEP)****Final Rule Stage****810. 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		

Action	Date	FR Cite
Integrate new EPA guidance	12/00/06	
Final Action	10/00/08	

Regulatory Flexibility Analysis

Required: 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

DOE—ENDEP

Final Rule Stage

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, Director, Office of Air, Water and Radiation Protection, Policy and Guidance, Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-4996
Fax: 202 586-3915

RIN: 1901-AA38

811. 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	04/00/06	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: John C. Watson, Senior Realty Officer, ME-90, Department of Energy, 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

812. RESEARCH MISCONDUCT

Priority: Other Significant

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	12/00/06	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal

Agency Contact: Christine Chalk, Division of Planning and Analysis, SC-5, Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-7203
Email: christine.chalk@science.doe.gov

RIN: 1901-AA89

813. GUIDELINES FOR VOLUNTARY GREENHOUSE GAS REPORTING

Priority: Other Significant

Legal Authority: 42 USC 13385(b)

CFR Citation: 10 CFR 300

Legal Deadline: None

Abstract: This action would revise the procedures and reporting requirements for the Voluntary Greenhouse Gas Reporting Program under section 1605(b) of the Energy Policy Act of 1992. The revisions would enhance the measurement accuracy, reliability, and verifiability of reported data.

Timetable:

Action	Date	FR Cite
NPRM	12/05/03	68 FR 68204

Action	Date	FR Cite
NPRM Comment Period End	02/17/04	
Draft Technical Guidelines	03/24/05	70 FR 15164
Interim Final Rule General Guidelines	03/24/05	70 FR 15169
Comment Period Extended	05/09/05	70 FR 24302
Interim Final Rule Effective Date Extended	09/19/05	70 FR 54835
Final Action	04/00/06	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Mark Friedrichs, Office of Policy and International Affairs, Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-0124

RIN: 1901-AB11

814. STANDBY SUPPORT FOR ADVANCED NUCLEAR FACILITY DELAYS

Priority: Other Significant

Unfunded Mandates: This action may affect the private sector under PL 104-4.

Legal Authority: PL 109-58, sec 638

CFR Citation: Not Yet Determined

Legal Deadline: Final, Statutory, August 8, 2005.
Other, Statutory, May 6, 2006, Interim Final Rule.

Abstract: The Energy Policy Act of 2005 (EPACT 2005) authorizes the Secretary to provide standby support for sponsors of advanced nuclear power facilities for certain unexpected delays such as those caused by litigation or Nuclear Regulatory Commission (NRC) licensing problems that delay a facility from obtaining full power operation.

Timetable:

Action	Date	FR Cite
Notice of Inquiry	11/25/05	70 FR 71107
Workshop	12/15/05	
Comments posted on Web site	01/05/06	
Interim Final Rule	05/00/06	
Final Action	08/00/06	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

DOE—ENDEP

Final Rule Stage

Government Levels Affected: None**Additional Information:** Timetable reflects program priorities.**Agency Contact:** K. Chuck Wade, Office of Nuclear Energy, Science, and Technology, Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 301 903-6509
Email: kenneth.wade@nuclear.energy.gov**RIN:** 1901-AB17**815. COMPUTER SECURITY: ACCESS TO INFORMATION ON DEPARTMENT OF ENERGY COMPUTER SYSTEMS****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7101 et seq; 42 USC 2001 et seq; 50 USC 2425; 50 USC 2483(c)**CFR Citation:** Not Yet Determined**Legal Deadline:** None**Abstract:** This action would codify rules governing access by any individual to information on Department of Energy computer systems.**Timetable:**

Action	Date	FR Cite
NPRM	03/17/05	70 FR 12974

Action	Date	FR Cite
NPRM Comment Period End	05/16/05	
Final Action	10/00/06	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Gordon Errington, Deputy Chief Information Officer, IM-1, Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 586-0166**Related RIN:** Previously reported as 1994-AA01**RIN:** 1901-AB19Department of Energy (DOE)
Departmental and Others (ENDEP)

Long-Term Actions

816. 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
Fax: 202-586-1588
Email: christopher.clayton@hq.doe.gov**RIN:** 1901-AA57Department of Energy (DOE)
Departmental and Others (ENDEP)

Completed Actions

817. WORKER SAFETY AND HEALTH**Priority:** Other Significant**CFR Citation:** 10 CFR 851**Completed:**

Reason	Date	FR Cite
Final Action	02/09/06	71 FR 6858

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Bill McArthur
Phone: 301 930-9674**RIN:** 1901-AA99Department of Energy (DOE)
Office of Procurement and Assistance Policy (PR)

Proposed Rule Stage

818. TECHNICAL AMENDMENT OF 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 Regulations.

Timetable:

Action	Date	FR Cite
NPRM	07/00/06	

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**819. COOPERATIVE AUDIT STRATEGY****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 2201; 42 USC 7101; 50 USC 2401

DOE—PR

Proposed Rule Stage

CFR Citation: 48 CFR 970**Legal Deadline:** None

Abstract: The Department of Energy 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	06/00/06	

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**820. 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 the 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	05/00/06	

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**821. REVISIONS TO INTELLECTUAL PROPERTY PROVISIONS FOR MANAGEMENT CONTRACTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 2201; 42 USC 2282(a) to 2282(c); 41 USC 418(b); 50 USC 2401**CFR Citation:** 48 CFR 970.27; 48 CFR 970.5227**Legal Deadline:** None

Abstract: This action would amend the DOE Acquisition Regulation to make provision for creation and use of software subject to open source copyright licenses. Other technical changes to the existing intellectual property clauses used in DOE's management and operating contracts will also be proposed.

Timetable:

Action	Date	FR Cite
NPRM	07/00/06	

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

Agency Contact: Robert M. Webb, Procurement Analyst, Department of Energy, Office of Procurement and Assistance Policy, 1000 Independence Avenue SW., Washington, DC 20585
Phone: 202 287-1338
Email: robert.webb@pr.doe.gov

RIN: 1991-AB70**822. 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: This action would amend the DOE Acquisition Regulation (DEAR) to

add Protective Services to the types of contracts covered by the DEAR. The security clause would be amended to describe 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	05/00/06	

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**823. • 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	09/00/06	

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

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

Final Rule Stage

824. ORGANIZATIONAL CONFLICT OF INTEREST DISCLOSURE

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7254

CFR Citation: 48 CFR 909; 48 CFR 970

Legal Deadline: None

Abstract: This action would amend provisions that cover organizational conflicts of interest and purchases from affiliated sources to protect the Department in transactions involving a DOE M&O contractor and its affiliates.

Timetable:

Action	Date	FR Cite
NPRM	10/13/99	64 FR 55453
NPRM Comment Period End	11/12/99	
Final Action	06/00/06	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Robert M. Webb, Procurement Analyst, Department of Energy, Office of Procurement and Assistance Policy, 1000 Independence Avenue SW., Washington, DC 20585
 Phone: 202 287-1338
 Email: robert.webb@pr.doe.gov

RIN: 1991-AB52

825. DEPARTMENT OF ENERGY ACQUISITION REGULATION: MANAGEMENT CONTRACTOR COMPENSATION FOR PERSONAL SERVICES

Priority: Substantive, Nonsignificant

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

CFR Citation: 48 CFR 970.22; 48 CFR 970.31; 48 CFR 970.52

Legal Deadline: None

Abstract: This action would amend the policy and procedures regarding compensation for personal services under contracts for management of Department of Energy facilities.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/00/06	

Regulatory Flexibility Analysis

Required: 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-AB61

826. DEAR CHANGES TO PROVISIONS FOR FACILITIES MANAGEMENT; WORK AUTHORIZATION; CONTRACTOR'S ORGANIZATION; CONTRACTOR RELATIONS; AND LAWS, REGULATIONS, AND DIRECTIVES

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; add new clauses dealing with work authorization and Government-contractor relations; and incorporate other revisions that would emphasize the contractor's responsibility for effective cost management in flowing down prime contract requirements to its subcontractors.

Timetable:

Action	Date	FR Cite
NPRM	07/29/05	70 FR 43832
NPRM Comment Period End	08/29/05	
Final Action	07/00/06	

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

827. ASSISTANCE REGULATIONS

Priority: Substantive, Nonsignificant

Legal Authority: PL 109-58, sec 1007

CFR Citation: 10 CFR 603

Legal Deadline: Final, Statutory, November 7, 2005, 90 days after enactment.

Abstract: This action will implement section 1007 of the Energy Policy Act of 2005, which authorizes DOE to enter into transactions other than contracts, cooperative agreements, and grants.

Timetable:

Action	Date	FR Cite
Interim Final Rule	11/15/05	70 FR 69250
Interim Final Rule Comment Period End	12/15/05	
Interim Final Rule Effective	03/15/06	
Final Action	05/00/06	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Trudy Wood, Procurement Analyst, Department of Energy, Office of Procurement and Assistance Policy, 1000 Independence Avenue SW., Washington, DC 20585
 Phone: 202 586-5625
 Email: trudy.wood@pr.doe.gov

RIN: 1991-AB72

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

Completed Actions

828. DEAR: MAKE OR BUY PLANS

Priority: Substantive, Nonsignificant

CFR Citation: 48 CFR 901; 48 CFR 970

Completed:

Reason	Date	FR Cite
Final Action	03/31/06	71 FR 16241

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Richard B. Langston

DOE—PR

Completed Actions

Phone: 202 287-1339
 Email: richard.langston@pr.doe.gov
RIN: 1991-AB63

829. DEAR: WORK FOR OTHERS

Priority: Substantive, Nonsignificant

CFR Citation: 48 CFR 970.1707; 48 CFR 970.5217-1

Completed:

Reason	Date	FR Cite
Final Action	11/25/05	70 FR 71038

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: A. Scott Geary
 Phone: 202 287-1507

RIN: 1991-AB64

830. DEAR: BIOBASED CONTENT PRODUCTS

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

CFR Citation: 48 CFR 923; 48 CFR 952; 48 CFR 970.23; 48 CFR 970.2370

Completed:

Reason	Date	FR Cite
Withdrawn	01/31/06	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Richard B. Langston
 Phone: 202 287-1339
 Email: richard.langston@pr.doe.gov

RIN: 1991-AB68

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

Final Rule Stage

831. CONDUCT OF EMPLOYEES

Priority: Info./Admin./Other

Legal Authority: 42 USC 7211 et seq; PL 103-160, sec 3161; EO 12674

CFR Citation: 10 CFR 1010; 5 CFR 2635

Legal Deadline: None

Abstract: The DOE regulation on conduct of employees needs to be revised to reflect the issuance of the Standards of Ethical Conduct for Employees of the executive branch (5 CFR 2635) and the repeal of conflict-of-interest provisions formerly applicable to DOE employees.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/05/96	61 FR 35085
Interim Final Rule Comment Period End	09/03/96	
Final Action	04/00/06	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Undetermined

Agency Contact: Susan Beard,
 Assistant General Counsel for General Law, Department of Energy, Office of General Counsel, 1000 Independence Avenue SW., Washington, DC 20585
 Phone: 202 586-1522

RIN: 1990-AA19

832. • 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 change.

Timetable:

Action	Date	FR Cite
Direct Final Rule	05/00/06	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Howard Wilchins,
 Senior Litigator, Office of Price-Anderson Enforcement, EH-6, Department of Energy, Office of General Counsel, Germantown, 270-CC, 1000 Independence Avenue SW., Washington, DC 20585
 Phone: 301 903-0100
 Fax: 301 903-0081
 Email: howard.wilchins@hq.doe.gov

RIN: 1990-AA30

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