This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF ENERGY

10 CFR Parts 430 and 431


ACTION: Notice of petition for rulemaking; extension of public comment period.

SUMMARY: On November 1, 2018, the U.S. Department of Energy (“DOE”) published in the Federal Register a notice of petition for rulemaking and request for comment regarding whether DOE should issue an interpretive rule stating that DOE’s proposed energy conservation standards for residential furnaces and commercial water heaters would result in the unavailability of “performance characteristics” within the meaning of the Energy Policy and Conservation Act of 1975 (EPCA), as amended (42 U.S.C. 6291 et seq.) and withdraw its proposals for amended standards for such products/equipment based upon such findings (the “notice of petition”). 83 FR 54883. (The notice of petition can be found at https://www.regulations.gov/document?D=EEERE-2018-BT-STD-0018-0002.) The document provided for submitting written comments and information by January 30, 2019. In the intervening period, DOE has received a request from the Natural Resources Defense Council; Earthjustice; Appliance Standards Awareness Project; American Council for an Energy-Efficient Economy; Consumer Federation of America; Alliance to Save Energy; National Consumer Law Center; and Northeast Energy Efficiency Partnerships (jointly the “Joint Commenters”) dated January 18, 2019, to provide an additional 30 days to submit comments pertaining to the notice of petition. DOE also received a separate request from the Northwest Energy Efficiency Alliance (NEEA) dated January 18, 2019, which similarly requested a 30-day comment period extension until March 1, 2019. These requests can be found at https://www.regulations.gov/document?D=EEERE-2018-BT-STD-0018-0008 and https://www.regulations.gov/document?D=EEERE-2018-BT-STD-0018-0009, respectively. Both requests stated that additional time is needed to develop data and information relevant to consideration of the petition, and NEEA specifically referenced a market research study they had commissioned which is nearing completion.

An extension of the comment period would allow additional time for the Joint Commenters, NEEA, and other interested parties to consider the issues presented in the notice of petition, gather any additional data and information, and submit comments to DOE.

In light of the requests from the Joint Commenters and NEEA, DOE has determined that a 30-day extension of
the public comment period is appropriate. Accordingly, the comment period is extended to March 1, 2019.


Daniel R Simmons,
Assistant Secretary, Energy Efficiency and Renewable Energy.

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