

DOE/EA-1774

Finding of No Significant Impact

for

**10 CFR Part 431 Energy Conservation Standards: Energy
Conservation Standards for Residential Water Heaters, Direct
Heating Equipment, and Pool Heaters**

March 2010

DEPARTMENT OF ENERGY

10 CFR Part 431

[Docket Number: EE-2006-BT-STD-0129]

RIN 1904-AA90

Energy Conservation Program: Energy Conservation Standards for Heating Products

AGENCY: Office of Energy Efficiency and Renewable Energy, Department of Energy

ACTION: Finding of No Significant Impact: Energy Conservation Program

SUMMARY: The Energy Policy and Conservation Act (EPCA), as amended, requires the U.S. Department of Energy (DOE) to adopt energy conservation standards for heating products. (42 U.S.C. 6291 et seq.) Based on an Environmental Assessment (EA), chapter 16 of the final rule technical support document (TSD) for heating products, the U.S. Department of Energy (DOE) has determined that the adoption of energy conservation standards for heating products, as adopted by the final rule entitled the “Energy Conservation Program: Energy Conservation Standards for Heating Products,” would not be a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 (NEPA). Therefore, an environmental impact statement (EIS) is not required, and DOE is issuing this Finding of No Significant Impact (FONSI).

ADDRESSES: Public Availability: Copies of the final rule TSD are available from the U.S. Department of Energy, Resource Room of the Building Technologies Program, 950 L’Enfant Plaza, SW., 6th Floor, Washington, DC 20024, (202) 586-2945, between 9 a.m. and 4 p.m., Monday through Friday, except Federal holidays. You may also obtain copies of the final rule TSD from the Office of Energy Efficiency and Renewable Energy’s website at: www1.eere.energy.gov/buildings/appliance_standards/

FOR FURTHER INFORMATION CONTACT: Mohammed Khan, U.S. Department of Energy, Energy Efficiency and Renewable Energy, Building Technologies Program, EE-2J, 1000 Independence Avenue, SW., Washington, DC 20585-0121. Telephone: (202) 586-7892. E-mail: Mohammed.Khan@ee.doe.gov. Eric Stas, U.S. Department of Energy, Office of the General Counsel, GC-71, 1000 Independence Avenue, SW., Washington, DC 20585-0121. Telephone: (202) 586-5827. Email: Eric.Stas@hq.doe.gov.

For further information regarding the DOE NEPA process contact: Carol M. Borgstrom, Director, Office of NEPA Policy and Compliance (GC-20), U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585, (202) 586-4600, or leave a message at (800) 472-2756. Additional information regarding DOE NEPA activities and access to many DOE NEPA documents are available on the Internet through the DOE NEPA website at: <http://www.gc.energy.gov/nepa/>.

SUPPLEMENTARY INFORMATION:

Description of the Proposed Action: The proposed action is the establishment of new energy conservation standards for heating products. DOE is adopting trial standard level (TSL) 5 for water heaters, TSL 2 for direct heating equipment, and TSL 2 for pool heaters.

Environmental Impacts: The EA evaluates the environmental impacts of a range of energy conservation standards for heating products. The results are presented for each TSL DOE considered for heating products. Each TSL is an alternative action and the environmental impacts of each alternative are compared to what would be expected to happen if no new standard were adopted, i.e., the “no action” alternative.

The primary environmental impact is decreased emissions from fossil fuel use and from fossil-fueled electricity generation. All of the TSLs considered for the product classes covered under this regulation would result in decreased fossil fuel use and in a reduction in emissions. The energy conservation standards adopted in the final rule would generally decrease air pollution by decreasing future energy demand. The environmental impact analysis considers emissions of carbon dioxide (CO₂) and three criteria pollutants—nitrogen oxides (NO_x), sulfur dioxide (SO₂), and mercury (Hg). The energy savings from new energy conservation standards for heating products are expected to result in reduced power sector emissions of CO₂, NO_x, and Hg. Reduced NO_x emissions could also provide an economic benefit in the form of emission allowance credits. The results of this analysis show that the cumulative emissions reductions resulting from the heating products final rule are projected to be 164 million metric tons (Mt) of CO₂, 125 kilotons (kt) of NO_x, and 0.54 tons of Hg. These emissions reductions and those from the

other TSLs are not substantial enough to significantly affect the quality of the human environment. See chapter 16 of the heating products TSD Table 16.7.1, Table 16.7.2, and Table 16.7.3 for more information on the emissions reductions at all TSLs.

Determination

Based upon the EA, DOE has determined that the adoption of the energy conservation standard for heating products would not constitute a major Federal action significantly affecting the quality of the human environment, within the meaning of NEPA. Therefore, an EIS is not required, and DOE is issuing this FONSI.

Issued in Washington, DC, on March 22, 2010.

A handwritten signature in black ink, consisting of a large, stylized 'C' followed by a series of loops and a long horizontal stroke extending to the right.

Cathy Zoi
Assistant Secretary
Energy Efficiency and Renewable Energy