

DOE Retrospective Review Plan and Burden Reduction Report
December 18, 2012

Agency/ Sub- agency	RIN/ OMB Control Number	Title of Initiative/ Rule/ICR	Brief Description	Actual or Target Completion Date	Anticipated savings in costs and/or information collection burdens, together with any anticipated changes in benefits	Progress updates and anticipated accomplish- ments	Notes
DOE/GC	N/A	Request for information on reducing regulatory burden	DOE is continually engaging in review of its rules to determine whether there are burdens on the public that can be avoided by amending or rescinding existing requirements. To that end, while DOE is always open to receiving information about the impact of its regulations, it published this RFI to solicit public input.	August 8, 2012 (77 FR 47328)	This information solicitation is expected to lead to savings in costs and/or information collection burdens that will be accomplished through and quantified in future actions.	This is the fourth comment solicitation conducted pursuant to DOE's EO 13563 Retrospective Review Plan.	
DOE/EE	1904- AB57	Proposed Energy Conservation Standards for Battery Chargers and External Power	DOE proposed amended energy conservation standards for Class A EPSs and new energy conservation standards for non-Class A EPSs and battery chargers.	Mar. 27, 2012 (77 FR 18478)	These nationwide standards would be expected to eliminate industry burden in complying with a patchwork of state standards – for publicly available information on standards development in California, see .e.g, http://www.energy.ca.gov/appliances/battery_chargers/ and	DOE is considering comments on the proposed rule in determining how to proceed with	

		Supplies			http://www.energy.ca.gov/2011publications/CEC-400-2011-001/CEC-400-2011-001-SD.PDF .	establishing any final standards.	
DOE/EE	1904-AC04	Energy Conservation Standards for Distribution Transformers	DOE conducted a negotiated rulemaking to develop proposed standards for distribution transformers.	77 FR 7282 (Feb. 10, 2012)	DOE was required by consent decree to publish amended standards for distribution transformers by February 1, 2012. DOE conducted a negotiated rulemaking to develop the proposed standards. DOE believes that the negotiated rulemaking process provided valuable information to DOE and led to proposed standards that minimize the burden on manufacturers and consumers of distribution transformers.	DOE is currently considering comments received on the proposed rule. DOE also held a public meeting on February 23, 2012.	
DOE/EE	1904-AC46	Alternative Efficiency Determination Methods and Alternate Rating Methods rule	DOE issued a request for information on April 18, 2011, considering the use alternative efficiency determination methods (AEDMs), such as computer modeling. On May 24, 2012, DOE issued a proposed rule to amend its existing regulations governing the use of	In progress	If adopted, this proposal is expected to reduce testing burden and eliminate as much as \$500 million dollars of testing costs. It is particularly significant as industry has suggested that testing under the current rule could take several years to complete and undermine their research and development efforts.	DOE continues to evaluate comments received on the RFI. DOE held a public meeting on June 5, 2012 to receive additional input on the	

			particular methods as alternatives to testing for the purposes of certifying compliance with the applicable energy conservation standards and the reporting of related ratings for certain consumer products and commercial and industrial equipment.			NOPR. DOE is now considering all comments received and determining whether to proceed with further rulemaking.	
DOE/FE		Strategic Petroleum Reserve rule	DOE is considering revisions to its regulation concerning sales from the Strategic Petroleum Reserve (SPR) in the event that the SPR is drawn down to respond to a severe energy supply interruption or to meet obligations of the United States under the International Energy Program.	In progress	This rule is expected to reduce the burden on applicants for sales from the SPR by streamlining the process for periodic review and publication of the standard contract provisions.	This rule is currently under development at DOE.	

DOE/EE		Consumer welfare and use of price forecasts made in applying learning curve analyses	DOE seeks comment in its energy conservation standards rulemakings on how to assess the potential impact of energy conservation standards on consumer choice and how to quantify any such impact in its regulatory analysis.	In progress	As required by the Energy Policy and Conservation Act (EPCA), DOE considers impacts to manufacturers and consumers, as well as other factors, in determining whether a new or amended standard achieves the maximum improvement in energy efficiency that is technologically feasible and economically justified.	DOE continues to work with OMB during review of its energy conservation standards under Executive Order 12866/13563 to determine how best to assess and quantify the potential impact of energy conservation standards on consumer choice.	
DOE/EE	1904-AC60	Federal Building Standards Rule-Update-90.1-2010	EPCA, as amended, requires DOE to update the baseline Federal energy efficiency performance standards for the construction of new Federal buildings, including commercial and	In progress.	This rule is intended to establish a baseline energy efficiency standard for the construction of new Federal buildings and result in corresponding energy savings and emissions reductions. The standards must contain energy efficiency measures that are	Pending E.O. 12866 review. More information is available at reginfo.gov .	

			multi-family high-rise residential buildings. This action updates the baseline Federal commercial standard to the American Society of Heating, Refrigerating, and Air-Conditioning Engineers (ASHRAE) Standard 90.1-2010.		technologically feasible, economically justified, and meet the energy efficiency levels in the applicable voluntary consensus energy codes specified in EPCA. DOE will consider all comments and information received from interested parties in developing standards that meet these requirements.		
DOE/EE	1904-AC63	Test Procedure for Residential Clothes Dryers	DOE issued an RFI to determine whether to amend the test procedures for clothes dryers to measure the energy use/energy savings from automatic termination controls. DOE is now considering comments received and determining whether to proceed with a rulemaking.	76 FR 50145 (Aug. 12, 2011)	In response to comments from stakeholders, DOE is considering amending the test procedures for clothes dryers to accurately account for the energy use/energy savings from automatic termination controls. Such test procedures would allow for the accurate measurement of the energy efficiencies resulting from automatic termination controls, where a moisture or temperature sensor shuts off the dryer when the desired moisture or temperature level is reached.	This item is currently under development at DOE.	
DOE/EE	1904-AC70	Test Procedure Waiver Regulations	DOE is considering amendments to its waiver regulations at 10 CFR 430.27 and 10 CFR 431.401 to restore inadvertently deleted text and make other improvements to the	September/October 2013	In response to comments from stakeholders, DOE is considering amendments to its regulations that allow manufacturers to petition for a waiver from the applicable DOE test procedure if their product or equipment cannot be tested under the DOE test procedure, or if testing under the DOE test procedure	This item is currently under development at DOE.	

<p>Department of Energy/Office of Management</p>	<p>1910-4100</p>	<p>Procurement Reporting and Record-keeping Burdens</p>	<p>DOE has initiated the use of asset management software to ease the reporting of property inventories required by the Department of Energy Acquisition Regulation (48 CFR 970.5245-1). The software will reduce burden hours on DOE contractors as it automates the inventory planning, reconciliation, and reporting.</p>	<p>This burden reduction initiative will be included in DOE's next submission for information collection 1910-1400.</p>	<p>This initiative is estimated to reduce the reporting burden by 225,166 hours for DOE property management and operating contractors.</p>		
<p>Department of Energy/Office of Electricity Delivery and Energy Reliability</p>	<p>1910-5148</p>	<p>Reliability Survivability and Resiliency Project</p>	<p>The project focused on possible supply chain constraints and vulnerabilities of energy sector asset owners and operators. As a voluntary program, it required cooperation from participants. The sensitivity of the possible information and protection of that information were major concerns from the sector. Results of the pilot and the memorandum, "Reducing Reporting and Paperwork Burden" issued</p>	<p>The discontinuation of this program is expected in December 2012.</p>	<p>This initiative will eliminate the entire reporting burden of the collection on the energy sector, which is 30,000 hours.</p>		

			<p>by OMB on June 22, 2012, were key elements in determining the need for a project assessment. This project was found to be non essential to the mission of this program and imposed unjustified burden on the public. As a result of these findings, the project is no longer required.</p>				
<p>Department of Energy/Office of Efficiency and Renewable Energy</p>	<p>1910-5150</p>	<p>Energy Efficiency Conservation Block Grant Program</p>	<p>This program, established by the Energy Independence and Security Act of 2007 and funded by the American Recovery and Reinvestment Act, authorizes DOE to issue or award formula-based and competitive grants under the program to States, units of local government, and Indian tribes to create and implement strategies to:</p> <p>Reduce fossil fuel</p>	<p>DOE expects to submit this burden reduction in 2013.</p>	<p>This initiative will reduce the reporting burden on state, local, and tribal government agencies by 77,344 hours and also reduce the cost burden on the federal government by \$ 40,680 per year.</p>		

			<p>emissions in a manner that is environmentally sustainable and, to the maximum extent practicable, maximize benefits for local and regional communities;</p> <p>Reduce the total energy use of the eligible entities; and</p> <p>Improve energy efficiency in the building sector, the transportation sector, and other appropriate sectors.</p> <p>DOE is planning to reduce the frequency of reporting for grantees from quarterly to semi-annually, which would reduce the number of responses by 50 percent, from 12,504 to 6,252.</p>				
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<p>Department of Energy/Office of Efficiency and Renewable Energy</p>	<p>1910-5168, 1910-5151</p>	<p>Weatherization Assistance Program (WAP) Evaluation</p>	<p>This information collection evaluates the energy savings and progress made with the weatherization of homes in 2007-2008 and during the American Recovery and Reinvestment Act funding period from 2009-2011. DOE will be reducing the number of surveys administered to households as well as reducing the questions covered in certain surveys to reduce the burden on the public.</p>	<p>The burden reduction for 1910-5168 was approved on June 29, 2012. DOE expects to review 1910-5151 and submit burden reductions for approval, as appropriate, in 2013.</p>	<p>This initiative is estimated to reduce the reporting burden on state, local, and tribal government agencies by 16,488 hours.</p>		
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Completed Actions

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DOE/GC	1990- AA34	National Environ- mental Policy Act Implementing Procedures	DOE finalized changes to its existing National Environmental Policy Act (NEPA) regulations. The changes, proposed primarily for the categorical exclusions provisions, are intended to better align DOE's categorical exclusions with current activities and recent experiences, and to update the	October 13, 2011 (76 FR 63764)	Changes made by this rulemaking are expected to save the taxpayers as much as \$100 million over ten years and provide greater transparency to the public as to the NEPA standards that DOE employs in analyzing particular technologies.	More information is available at http://energy.gov/nepa/office-nepa-policy-and-compliance .	

			provisions with respect to current technologies and regulatory requirements.				
DOE/EE	1904-AC58	Test Procedure Compliance Date for Walk-In Coolers and Freezers and Metal Halide Ballasts and Fixtures	DOE published a final rule to, among other things: (1) clarify the compliance date by which manufacturers must use portions of the test procedure published on April 15, 2011 when certifying walk-in coolers and walk-in freezers; and (2) adopt an extension to the compliance date for which manufacturers, including importers, need to certify compliance to the Department of metal halide lamp ballasts and fixtures.	October 21, 2011 (76 FR 65362)	In response to concerns raised by manufacturers, this rule clarifies when use of the amended test procedure is required to certify walk-in coolers and freezers. The rule also provides additional time before submission of certification reports is required metal halide lamp ballasts and fixtures.	The rule was issued in October 2011.	

DOE-EE	N/A	DOE Showerhead Enforcement Guidance	DOE established water conservation standards for showerheads to implement the Energy Policy Conservation Act. DOE learned that some manufacturers had misinterpreted the definition of the types of showerheads affected by the rule and therefore were manufacturing products that were out of compliance. DOE provided a two year enforcement grace period for the water conservation standards for showerheads to allow manufacturers to sell any remaining non-compliant products and to give manufacturers additional time to adjust their product designs to meet the	DOE issued the guidance on March 4, 2011, providing a 2 year enforcement grace period that ends on March 3, 2013.	Industry estimated a one-time \$400 million reduction in compliance costs to manufacturers due to the two year extension of the enforcement grace period.	Guidance is available at: http://www1.eere.energy.gov/buildings/appliance_standards/residential/pdfs/showerhead_guidance_3-4-2011.pdf	
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			2.5 gpm standard.				
DOE/EE	1904-AC23	Energy Conservation Program: Certification, Compliance, and Enforcement for Consumer Products and Commercial and Industrial Equipment	DOE established an extension of compliance dates for some commercial products subject to final energy efficiency certification and enforcement rule. Commercial products affected include: commercial refrigeration equipment; commercial heating, ventilating, air-conditioning (HVAC) equipment; commercial water heating equipment; and automatic commercial ice makers. Manufacturers of	June 30, 2011 (76 FR 38287)	The extension of the compliance dates is particularly significant as industry has suggested that testing under the current rule could take several years to complete and undermine their research and development efforts.	More information is available at http://www1.eere.energy.gov/buildings/appliance_standards/certification_enforcement.html .	

			these products and equipment are not required to certify until December 31, 2012.				
DOE/EE	1904-AC08	Test Procedure for Residential Clothes Washers	DOE published a final rule to amend the test procedure for clothes washers.	77 FR 13888 (Mar. 7, 2012)	In response to comments from interested parties, DOE amended the test procedures for clothes washers to, among other things, incorporate the most recent version of the applicable industry test method, provide a test method for large-capacity machines, and clarify the definition of “energy test cycle”.	DOE believes that the final test procedure will reduce manufacturer test burden by using the most recent industry test method, clarifying ambiguous provisions and providing a means to test large-capacity clothes washers. Previously, manufacturers of large-capacity units had to apply for a DOE waiver to test and market these	

						machines.	
DOE/EE	1910-5156	Utility Billing information collection request (ICR)	DOE reduced the number of responses for its utility billing ICR 608,424 to 60,629. Burden hours for this ICR were reduced from 312,500 to 29,998. The cost of the ICR December 8, 2011, was reduced from \$428,000 to \$37,000.	December 8, 2011	As a result in the reduction of responses for this ICR, burden hours for this ICR were reduced from 312,500 to 29,998. The cost of the ICR was also reduced from \$428,000 to \$37,000.	More information is available at reginfo.gov .	
DOE/EE	1904-AB90	Energy Conservation Standards for Residential Clothes Washers	DOE issued a direct final rule to establish amended energy conservation standards for residential clothes washers and, after the required 110-day comment period, confirmed adoption of the standards	May 11, 2012 http://www1.eere.energy.gov/buildings/appliance_standards/pdfs/rcw_direct_final_rule_5_14_2012.pdf ; 77 FR	These standards were developed and submitted to DOE as a consensus agreement signed on behalf of all major manufacturers of these products, as well as energy advocates and consumer groups. DOE believes that the consensus agreement process will lead to standards that minimize manufacturer burden	DOE requested comment on the direct final rule for 110 days, as required by Energy Policy and Conservation Act (EPCA). DOE considered all	

			established direct final rule.	59719 (Oct. 1, 2012).	while reducing energy consumption and maintaining product quality for consumers.	comments received and published a notice on October 1, 2012 affirming the direct final rule.	
DOE/EE	1904-AC64	Energy Conservation Standards for Residential Dishwashers	DOE issued a direct final rule to establish amended energy conservation standards for residential dishwashers and, after the required 110-day comment period, confirmed adoption of the standards established direct final rule.	May 11, 2012 http://www1.eere.energy.gov/buildings/appliance_standards/pdfs/dw_direct_final_rule_5_14_2012.pdf ; 77 FR 59712 (Oct. 1, 2012).	These standards were developed and submitted to DOE as a consensus agreement signed on behalf of all major manufacturers of these products, as well as energy advocates and consumer groups. DOE believes that the consensus agreement process will lead to standards that minimize manufacturer burden while reducing energy consumption and maintaining product quality for consumers.	DOE requested comment on the direct final rule for 110-days, as required by EPCA. DOE considered all comments received and published a notice on October 1, 2012 affirming the direct final rule.	