

EA
0113**10 CFR Part 430****Energy Conservation Program for Consumer Products****AGENCY:** Department of Energy.**ACTION:** Notice of availability of environmental assessment and finding of no significant impact.

SUMMARY: The Department of Energy (DOE) announces the availability of its environmental assessment (EA) of its Energy Conservation Program for Consumer Products (DOE/EA-0113). DOE has determined, based on the EA, that this Program does not constitute a major Federal action significantly affecting the quality of the human environment, within the meaning of section 102(2)(C) of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. 4321 *et seq.* Therefore, a finding of no significant impact, pursuant to 40 CFR 1501.4(e), is hereby issued to notify the public that an environmental impact statement is not required for this action.

ADDRESSES: For copies of the EA: Department of Energy, Office of Hearings and Dockets, Forrestal Building, Room 1F-085, Mail Station 6B-025, 1000 Independence Avenue, S.W., Washington, D.C. 20585, Phone: 202-252-9319.

Department of Energy, Freedom of Information Reading Room, Forrestal Building, Room 5B-180, 1000 Independence Avenue, S.W., Washington, D.C. 20585, Phone: 202-252-6020.

Mr. James A. Smith, Department of Energy, Office of Conservation and Solar Energy, Forrestal Building, Room GH-085, Mail Station GH-068, 1000 Independence Avenue, S.W., Washington, D.C. 20585, Phone: 202-252-9127.

SUPPLEMENTARY INFORMATION:**I. Background**

The Energy Policy and Conservation Act (EPCA) (Pub. L. 94-163), as amended by the National Energy Conservation Policy Act (NECPA) (Pub. L. 95-619), requires that the Department of Energy (DOE) prescribe energy efficiency standards for thirteen types of consumer products. These consumer products are sometimes referred to as "covered products." Standards for nine of these product types are required to be published in the *Federal Register* no later than December 24, 1980. The nine product types given priority by EPCA as amended, by NECPA, and for which a rule is hereby proposed today, are refrigerators and refrigerator-freezers, freezers, clothes dryers, water heaters,

room air conditioners, home heating equipment, not including furnaces, kitchen ranges and ovens, central air conditioners (cooling only), and furnaces. Standards for dishwashers, television sets, clothes washers, and humidifiers and dehumidifiers are required to be published in the *Federal Register* no later than November 9, 1981. Standards for central air conditioners (heat pumps) are required to be published in the *Federal Register* no later than January 23, 1982.

DOE's first in prescribing energy efficiency standards for the thirteen product types was to publish three advance notices of proposed rulemaking in the *Federal Register*. The first, covering nine product types, was published on January 2, 1979 (44 FR 49). The second, covering dishwashers, television sets, clothes washers, and humidifiers and dehumidifiers, was published on December 13, 1979 (44 FR 72276). The third, covering heat pumps, was published on January 23, 1980 (45 FR 5602).

The notice of proposed rulemaking for energy efficiency standards for nine types of consumer products presents a discussion of DOE's basis for the proposed standards and the process for implementing the regulation. Ensuing sections deal with the legislative background, the standards implementation process, the phase-in period for standards, a discussion of the comments received as a result of the advance notice, a discussion of the product types and classes to which the proposed standards will apply, the certification and enforcement procedures proposed, a summary of the basis for arriving at maximum technologically feasible efficiency levels for each class of product, a summary of the basis for arriving at the minimum energy efficiency standards (intermediate and final) for each class of product, a discussion of state pre-emption petitions, small business exemptions, and a request for comments on various standards-related issues. In support of this proposed rule, the Department had developed six Technical Support Documents. These documents provide detailed information on important aspects of the proposed rule.

In accordance with its obligations under the National Environmental Policy Act (NEPA) (42 U.S.C. 4321, *et seq.*) and the Council of Environmental Quality regulations implementing the procedural provisions of NEPA (40 CFR 1500-1508), DOE stated in the advance notice of January 2, 1979 that it would prepare an Environmental Assessment on the

impact of setting energy efficiency standards for the nine types of consumer products covered by the notice. Subsequent to publication of this advance notice, advance notices were published indicating that DOE is considering energy efficiency standards for dishwashers, television sets, clothes washers, humidifiers and dehumidifiers, and heat pumps. In order to produce a full environmental review of generically similar actions, thereby averting program segmentation, the Environmental Assessment being made available at this time addresses the potential environmental impacts of all thirteen types of consumer products.

The analyses in the Environmental Assessment indicated that air pollution and commitments of land and energy resources decreased as a result of decreasing future energy demand. Indoor air quality was found to be at worst unaffected by implementation of standards and at best somewhat improved; the exact effect could not be measured because the design options that will be selected by manufacturers for improving the efficiency of gas-burning appliances could not be ascertained. The program was found to have no significant effect on water quality, noise levels or solid waste levels.

A maximum ("worst case") increase of about 4 percent (29 million pounds) in the production/consumption of chlorofluorocarbons in the United States is projected to occur by the year 1990 as a result of implementing the proposed standards, when compared to 1977 consumption levels. This increase is not considered to be significant for the following reasons:

- The "worst case" projection uses 1977 chlorofluorocarbon consumption in the appliances covered by the proposed standards as a baseline reference and assumes that, absent the proposed standards, there would not be any increase in the use of chlorofluorocarbons in those appliances. However, given the present trends in improving the energy efficiency of a number of these products, some increase in chlorofluorocarbon usage is likely to occur even without implementation of the proposed standards.
- The 4 percent projected increase in United States consumption represents only about 1 percent of world consumption of chlorofluorocarbons.
- The projected increase is small when compared to the approximately 470 million pound decrease in chlorofluorocarbon consumption that has occurred in the United States since 1973 with the phasing out (and, beginning in 1978, the total ban) of the use of chlorofluorocarbons in aerosol sprays. As a result of this decrease, total United States consumption of chlorofluorocarbons has dropped by over

150 million pounds per year since the peak year of 1973.

- The Environmental Protection Agency is currently developing strategies for the control of the release of chlorofluorocarbons into the atmosphere, and has been informed of the projected increase in consumption due to the implementation of this proposed program. The Agency has informally stated that they believe that this potential increase can be mitigated through implementation of one or more of the control strategies presently under development. These strategies are discussed in the program environmental assessment.

Projected increases in the use of copper, steel, iron, aluminum, plastic and fiberglass were not considered to be significant, when compared to total U.S. production. In addition, it was found that money saved from lower operating costs would be likely to be spent on goods and services in the general economy and might therefore stimulate additional pollution which would not have occurred without the program. This amount was estimated to be minimal and to have no significant impact on future environmental quality.

The Environmental Assessment also summarized the socioeconomic impacts of the program in a number of areas: Change in the life cycle costs for consumers; The differential impact of the program on various income groups; Change in the profitability of manufacturers of consumer products; The value of the program to the Nation as a whole and to various regions of the country; Effects of the program on the health and safety of workers in the consumer product manufacturing industry; and Secondary effects of the program on the national economy, including effects on employment, inflation, gross national product, and balance of trade.

Alternatives to the energy efficiency standards as proposed were assessed from the perspective of environmental impact. None of the alternatives analyzed was found to vary significantly from the program with respect to its impact on the environment.

Based on the results of the Environmental Assessment, DOE has determined that the Energy Conservation Program for Consumer Products does not represent a major Federal action significantly affecting the quality of the human environment within the meaning of Section 120(2)(C) of NEPA.

II. Public Access to Information

Single copies of the EA may be obtained from the Office of Hearings and Dockets at the address listed above. Copies of the EA are also available for

public review in the DOE Freedom of Information Reading Room at the address listed above, between the hours of 8 a.m., and 4 p.m., Monday through Friday, except Federal holidays.

Interested parties should be aware that a public meeting will be held on the Notice of Proposed Rulemaking on July 9, 1980 and that public hearings are scheduled to be held in Washington, D.C. over the period July 21-August 1, 1980 and in Chicago, Illinois over the period August 4-8, 1980. Mr. James A. Smith, whose address is listed above, can provide any additional information desired.

Issued in Washington, D.C. June 15, 1980.

Ruth C. Clusen,

Assistant Secretary for Environment.

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