

Proposed Rules

Federal Register

Vol. 86, No. 207

Friday, October 29, 2021

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.

NUCLEAR REGULATORY COMMISSION

10 CFR Part 50

[NRC-2020-0036]

RIN 3150-AK71

Reporting Requirements for Nonemergency Events at Nuclear Power Plants

AGENCY: Nuclear Regulatory Commission.

ACTION: Public meeting.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) plans to hold a public meeting to discuss a rulemaking activity related to reporting requirements for nonemergency events at nuclear power plants. The purpose of the meeting is to provide information on the background and status of the rulemaking and to obtain input from interested stakeholders.

DATES: The public meeting will be held on November 4, 2021. See Section II, Public Meeting, of this document for more information on the meeting.

ADDRESSES: Please refer to Docket ID NRC-2020-0036 when contacting the NRC about the availability of information regarding this public meeting. You may obtain publicly available information related to this action by any of the following methods:

- *Federal Rulemaking Website:* Go to <https://www.regulations.gov> and search for Docket ID NRC-2020-0036. Address questions about NRC dockets to Dawn Forder; telephone: 301-415-3407; email: Dawn.Forder@nrc.gov. For technical questions contact the individuals listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the ADAMS Public Documents collection at <https://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "Begin Web-based ADAMS Search." For

problems with ADAMS, please contact the NRC's Public Document Room reference staff at 1-800-397-4209, at 301-415-4737, or by email to PDR.Resource@nrc.gov.

- *Attention:* The Public Document Room, where you may examine and order copies of public documents, is currently closed. You may submit your request via email at PDR.Resource@nrc.gov or call 1-800-397-4209 between 8:00 a.m. and 4:00 p.m. (ET), Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT:

George Tartal, Office of Nuclear Material Safety and Safeguards, telephone: 301-415-0016, email: George.Tartal@nrc.gov, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

SUPPLEMENTARY INFORMATION:

I. Background

On August 12, 2021, the NRC published a notice in the **Federal Register** informing the public that it will consider in the rulemaking process the issues raised in a petition for rulemaking regarding reporting requirements for nonemergency events at nuclear power plants (86 FR 44290). The NRC is in the early stages of developing a regulatory basis document that will discuss the regulatory issues, alternatives to resolve those issues, and the NRC staff's recommended alternative. The NRC will consider the information shared at the meeting in the development of the regulatory basis document.

II. Public Meeting

The public meeting will be on November 4, 2021, from 2:00 p.m. to 5:00 p.m. (ET). Interested stakeholders may attend via telephone or online seminar. The purpose of the meeting is to provide background information on this rulemaking activity and obtain stakeholder input to enhance the NRC's understanding of the associated issues. Further, the staff will describe the various opportunities for the public to participate in the rulemaking process. The NRC will not provide formal written responses to the oral comments made at this meeting.

Information for the teleconference and online seminar is available in the meeting notice, which can be accessed through the NRC's public website at: <https://www.nrc.gov/pmns/mtg> or in

ADAMS under accession number ML21288A427. The meeting notice includes questions for discussion to support development of the regulatory basis.

Dated: October 25, 2021.

For the Nuclear Regulatory Commission.

John R. Tappert,

Director, Division of Rulemaking, Environmental, and Financial Support, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 2021-23550 Filed 10-28-21; 8:45 am]

BILLING CODE 7590-01-P

DEPARTMENT OF ENERGY

10 CFR Parts 429 and 431

[EERE-2014-BT-CE-0019]

RIN 1904-AD25

Energy Conservation Program: Certification, Compliance, Labeling, and Enforcement for Electric Motors and Small Electric Motors; Withdrawal

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

ACTION: Proposed rule; withdrawal.

SUMMARY: The U.S. Department of Energy ("DOE" or the "Department") is withdrawing a notice of proposed rulemaking (NOPR) issued on June 24, 2016 that proposed to revise its certification, compliance, and enforcement regulations for electric motors and small electric motors to conform to the enforcement regulations for all other covered products and equipment and to consolidate, to a limited extent, the certification and compliance regulations for electric motors and small electric motors with those for other types of covered products and equipment.

DATES: The proposed rule that published in the **Federal Register** on June 24, 2016 at 81 FR 41377 is withdrawn as of October 29, 2021.

ADDRESSES: The docket for this rulemaking, which includes **Federal Register** notices, comments, and other supporting documents/materials, is available for review at www.regulations.gov. All documents in the docket are listed in the www.regulations.gov index. However, not all documents listed in the index may be publicly available, such as

information that is exempt from public disclosure.

The docket web page can be found at <https://www.regulations.gov/docket?D=EERE-2014-BT-CE-0019>. The docket web page contains simple instructions on how to access all documents, including public comments, in the docket.

FOR FURTHER INFORMATION CONTACT:

Mr. Jeremy Domm, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Office, EE-5B, 1000 Independence Avenue SW, Washington, DC 20585-0121. Telephone: (202) 586-9870. Email: Jeremy.Dommu@ee.doe.gov.

Ms. Lucy Lee, U.S. Department of Energy, Office of the General Counsel, GC-32, 1000 Independence Avenue SW, Washington, DC 20585-0121. Telephone: (202) 287-6395. Email: lucy.lee@hq.doe.gov.

SUPPLEMENTARY INFORMATION: Title III of the Energy Policy and Conservation Act of 1975, as amended (“EPCA” or, in context, “the Act”) sets forth a variety of provisions designed to improve energy efficiency. Part B of Title III (42 U.S.C. 6291–6309) provides for the Energy Conservation Program for Consumer Products Other Than Automobiles. The National Energy Conservation Policy Act (NECPA), Public Law 95-619, amended EPCA to add Part C of Title III, which established an energy conservation program for certain industrial equipment. (42 U.S.C. 6311–6317)¹ Included among the various equipment types addressed by EPCA² are electric motors and small electric motors.

As relevant here, DOE’s energy conservation program under EPCA consists essentially of four parts: (1) Testing, (2) labeling, (3) Federal energy conservation standards, and (4) certification and enforcement procedures. The testing requirements consist of test procedures that manufacturers of covered products and covered equipment must use as the basis for: (1) Certifying to DOE that their products comply with the applicable energy conservation standards adopted under EPCA; and (2) making representations about the efficiency of those products. Similarly, DOE must use these test procedures to determine whether the products comply with any

relevant standards promulgated under EPCA.³ Further, 42 U.S.C. 6299–6305, 6316, and 6317 authorize DOE to enforce compliance with the energy conservation standards related to a variety of consumer products and commercial equipment, including electric motors and small electric motors.

On June 24, 2016, DOE published a notice of proposed rulemaking (NOPR) proposing to revise its certification and enforcement regulations for electric motors and small electric motors. 81 FR 41377. DOE proposed to: (1) Move and amend certification and sampling provisions for electric motors to 10 CFR 429.12 and 10 CFR 429.63, (2) replace the currently used compliance certification number with a new manufacturer’s identification number (3) move the sampling and certification testing provisions for small electric motors to 10 CFR 429.12 and 10 CFR 429.64, (4) add certification provisions specific to small electric motors to 10 CFR 429.64, (5) move and amend existing AEDM provisions for electric motors and for small electric motors to 10 CFR 429.70, (6) move and amend the administrative process for recognizing certification programs to new sections 10 CFR 429.73 and 10 CFR 429.75, (7) add an administrative process for recognizing testing laboratories, either directly or through recognition of accreditation organizations, to new sections 10 CFR 429.74 and 10 CFR 429.75, (8) move the electric motor labeling requirements from 10 CFR 431.31 to 10 CFR 429.76, (9) add labeling requirements for small electric motors, (10) add a definition for “independent” to describe how DOE would evaluate the independence of testing laboratories and certification programs, (11) revise the definition of basic model for electric motors and small electric motors, (12) add a definition for “equipment class”, (13) remove definitions related to accreditation as a result of the proposed changes regarding laboratory accreditation, (14) apply the enforcement procedure found at subpart C of part 429 to electric motors and small electric motors, (15) address how to treat electric motors and small electric motors that are capable of operation at multiple voltages, and (16) clarify the exclusion for small electric motors found at 42 U.S.C. 6317(b)(3).

DOE received negative comment on a variety of its proposals, and DOE had

expected to solicit further comment on those issues. For the proposals on which DOE received supportive comment, DOE prepared a final rule, which was issued on January 11, 2017 (“pre-publication final rule”). On January 20, 2017, the heads of executive departments were directed to withdraw any rules immediately that were not yet published. 82 FR 8346 (January 24, 2017). Accordingly, DOE withdrew the pre-publication final rule from the **Federal Register** for further review. On March 9, 2017, NEMA requested that DOE not return the pre-publication final rule to the **Federal Register** for publication. The pre-publication final rule was never published in the **Federal Register**.

In the intervening time, DOE has undertaken a few different rulemakings and activities related to electric motors and small electric motors. For example, DOE published a final rule pertaining to test procedures for electric motors and small electric motor. 86 FR 4 (January 4, 2021). DOE also classified North Carolina Advanced Energy Corporation as a nationally recognized certification program. 85 FR 40270 (July 6, 2020).

In addition, Issue 14 from the NOPR is now being addressed through a new enforcement rulemaking. See Docket EERE-2019-BT-CE-0015 (available at <https://www.regulations.gov/docket?D=EERE-2019-BT-CE-0015>). On that issue, DOE published a notice of proposed rulemaking proposing changes to enforcement procedures for all products, including electric motors and small electric motors. 85 FR 53691 (August 31, 2020).

Over four years have passed since the drafting of the pre-publication final rule and even more time has passed since DOE received comment on its proposals. In addition, commenters opposed the publication of the pre-publication final rule in the **Federal Register**.

After consideration of comments and the prolonged interlude since the publication of DOE’s proposals, the Department is withdrawing this rulemaking proposal. The purpose of this rulemaking was to provide more consistency in DOE’s certification and enforcement regulations across all types of covered products and covered equipment. It was also intended to provide greater clarity with respect to a number of issues industry and test facilities had raised. While the Department believes that there is a benefit to addressing certification of electric motors and small electric motors, DOE also takes seriously industry concerns about the potential burden of this proposal. DOE also notes that the enforcement regulations will be

¹ For editorial reasons, Parts B (consumer products) and C (commercial equipment) of Title III of EPCA were codified as parts A and A-1, respectively, in the United States Code.

² All references to EPCA in this document refer to the statute as amended through the Energy Act of 2020, Public Law 116-260 (Dec. 27, 2020).

³ The test procedures for electric motors are described in appendix B to subpart B of 10 CFR part 431; the test procedures for small electric motors are described in 10 CFR 431.444.

addressed through a different rulemaking.

Accordingly, DOE withdraws the June 24, 2016 NOPR published at 81 FR 41377.

Signing Authority

This document of the Department of Energy was signed on October 26, 2021, by Kelly Speakes-Backman, Principal Deputy Assistant Secretary and Acting Assistant Secretary for Energy Efficiency and Renewable Energy, pursuant to delegated authority from the Secretary of Energy. That document with the original signature and date is maintained by DOE. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DOE Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of the Department of Energy. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Signed in Washington, DC, on October 26, 2021.

Treena V. Garrett,

Federal Register Liaison Officer, U.S. Department of Energy.

[FR Doc. 2021-23595 Filed 10-28-21; 8:45 am]

BILLING CODE 6450-01-P

DEPARTMENT OF ENERGY

10 CFR Part 430

[EERE-2017-BT-STD-0014]

RIN 1904-AD98

Energy Conservation Program: Energy Conservation Standards for Residential Clothes Washers, Webinar and Availability of the Preliminary Technical Support Document

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

ACTION: Extension of public comment period.

SUMMARY: The U.S. Department of Energy (“DOE”) is extending the public comment period for the preliminary analysis regarding proposals to amend the energy conservation standards for residential clothes washers. DOE published the notification of a webinar and availability of preliminary technical support document in the **Federal Register** on September 29, 2021, establishing a 75-day public comment period ending December 13, 2021. On October 11, 2021, DOE received a comment requesting extension of the

comment period by an additional 64 days to February 15, 2022. DOE is extending the public comment period for submitting comments and data on the preliminary analysis documents by an additional 45 days, to January 27, 2022, for a total of a 120-day comment period.

DATES: The comment period for the preliminary analysis published on September 29, 2021 (86 FR 53886), is extended. DOE will accept comments, data, and information regarding this preliminary analysis no later than January 27, 2022.

ADDRESSES: Interested persons are encouraged to submit comments using the Federal eRulemaking Portal at www.regulations.gov. Follow the instructions for submitting comments. Alternatively, interested persons may submit comments by email to the following address: ConsumerClothesWasher2017STD0014@ee.doe.gov. Include the docket number EERE-2017-BT-STD-0014 and/or RIN number 1904-AD98 in the subject line of the message. Submit electronic comments in WordPerfect, Microsoft Word, PDF, or ASCII file format, and avoid the use of special characters or any form of encryption.

Although DOE has routinely accepted public comment submissions through a variety of mechanisms, including postal mail and hand delivery/courier, the Department has found it necessary to make temporary modifications to the comment submission process in light of the ongoing corona virus (COVID-19) pandemic. DOE is currently accepting only electronic submissions at this time. If a commenter finds that this change poses an undue hardship, please contact Appliance Standards Program staff at (202) 586-1445 to discuss the need for alternative arrangements. Once the COVID-19 pandemic health emergency is resolved, DOE anticipates resuming all of its regular options for public comment submission, including postal mail and hand delivery/courier.

No telefacsimilies (faxes) will be accepted.

Docket: The docket for this activity, which includes **Federal Register** notices, comments, and other supporting documents/materials, is available for review at www.regulations.gov. All documents in the docket are listed in the www.regulations.gov index. However, some documents listed in the index, such as those containing information that is exempt from public disclosure, may not be publicly available.

The docket web page can be found at www.regulations.gov/docket/EERE-2017-BT-STD-0014. The docket web

page contains instructions on how to access all documents, including public comments in the docket.

FOR FURTHER INFORMATION CONTACT: Mr. Bryan Berringer, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Office, EE-5B, 1000 Independence Avenue SW, Washington, DC 20585-0121. Telephone: (202) 586-0371. Email: ApplianceStandardsQuestions@ee.doe.gov.

Ms. Kathryn McIntosh, U.S. Department of Energy, Office of the General Counsel, GC-33, 1000 Independence Avenue SW, Washington, DC 20585-0121. Telephone: (202) 586-2002. Email: KathrynMcIntosh@hq.doe.gov.

For further information on how to submit a comment or review other public comments and the docket contact the Appliance and Equipment Standards Program staff at (202) 287-1445 or by email: ApplianceStandardsQuestions@ee.doe.gov.

SUPPLEMENTARY INFORMATION: On September 29, 2021, DOE published the notification of a webinar and availability of preliminary technical support document in the **Federal Register** soliciting public comment on its proposed amendments to the energy conservation standards for residential clothes washers. 86 FR 53886. Comments were originally due on December 13, 2021. On October 11, 2021, DOE received a comment from the Association of Home Appliance Manufacturers to extend the comment period by an additional 64 days to February 15, 2022.¹

DOE has reviewed the request and considered the benefit to stakeholders in providing additional time to review the preliminary analysis and gather information/data that DOE is seeking. Accordingly, DOE has determined that an extension of the comment period is appropriate and is hereby extending the comment period by an additional 45 days to January 27, 2022 for a total of a 120 day comment period.

Signing Authority

This document of the Department of Energy was signed on October 19, 2021, by Kelly Speakes-Backman, Principal Deputy Assistant Secretary and Acting Assistant Secretary for Energy Efficiency and Renewable Energy, pursuant to delegated authority from the Secretary of Energy. That document with the original signature and date is

¹ DOE has posted this comment to the docket at www.regulations.gov/comment/EERE-2016-BT-TP-0011-0020.