characteristics as to provide materially inaccurate comparative data. 10 CFR 430.27(a)(1). Petitioners must include in their petition any alternate test procedures known to the petitioner to evaluate the basic model in a manner representative of its energy consumption characteristics. 10 CFR 430.27(b)(1)(iii).

The Assistant Secretary for Energy Efficiency and Renewable Energy (the Assistant Secretary) may grant a waiver subject to conditions, including adherence to alternate test procedures. 10 CFR 430.27(l). Waivers remain in effect pursuant to the provisions of 10 CFR 430.27(m).

The waiver process also allows any interested person who has submitted a petition for waiver to file an application for an interim waiver of the applicable test procedure requirements. 10 CFR 430.27(a)(2). The Assistant Secretary will grant an interim waiver request if it is determined that the applicant will experience economic hardship if the interim waiver is denied, if it appears likely that the petition for waiver will be granted, and/or the Assistant Secretary determines that it would be desirable for public policy reasons to grant immediate relief pending a determination on the petition for waiver. 10 CFR 430.27(g).

On July 14, 2009, GE filed a petition for waiver from the test procedures applicable to its DCVH480E* and DCVH485E* product models (the two models differ only in color) of condensing clothes dryer. On March 2, 2010, GE informed DOE that it had made a typographical error in the model numbers listed in its petition for waiver. The correct model numbers of the products for which GE seeks a waiver, and that DOE analyzed in determining whether to grant the interim waiver and this petition for waiver, are DCCH480E* and DCCH485E*. The applicable test procedures are contained in 10 CFR part 430, subpart B, appendix D—Uniform Test Method for Measuring the Energy Consumption of Clothes Dryers. GE seeks a waiver from the applicable test procedures for its DCCH480E* and DCCH485E* basic product models because, GE asserts, design characteristics of this model prevent testing according to the currently prescribed test procedures. DOE previously granted Miele Appliance, Inc. (Miele), a waiver from test procedures for two similar condenser clothes dryer models (T1565CA and T1570C). (60 FR 9330 (Feb. 17, 1995)) GE claims that its condenser clothes dryers cannot be tested pursuant to the DOE procedure and requests that the same waiver granted to Miele in 1995 be granted for GE's DCCH480E* and DCCH485E* models.

In support of its petition, GE claims that the current clothes dryer test procedures apply only to vented clothes dryers because the test procedures require the use of an exhaust restrictor on the exhaust port of the clothes dryer during testing. Because condenser clothes dryers operate by blowing air through the wet clothes, condensing the water vapor in the airstream, and pumping the collected water into either a drain line or an in-unit container, these products do not use an exhaust port like a vented dryer does. GE plans to market a condensing clothes dryer for situations in which a conventional vented clothes dryer cannot be used, such as high-rise apartments and condominiums, neither of whose construction permits the use of external venting.

Assertions and Determinations

GE's Petition for Waiver

On July 14, 2009, GE filed a petition for waiver from the test procedure applicable to residential clothes dryers set forth in 10 CFR part 430, subpart B, appendix D for particular models of condensing clothes dryer. On December 15, 2009, DOE published GE's petition for waiver and granted GE an interim waiver from the current test procedure. 74 FR 66335. DOE did not receive any comments on the GE petition.

DOE previously granted Miele a waiver from test procedures for condensing clothes dryers after determining that the clothes dryer test procedure was not applicable to the company's condenser clothes dryers because of the lack of an exhaust port for mounting the required exhaust restrictor, which is an element of the test procedure. 60 FR 9332 (February 17, 1995). Subsequently, in 2008, DOE granted LG a similar waiver for its DLEC733W condenser clothes dryer. 73 FR 66641 (Nov. 10, 2008). In 2009, DOE granted a similar waiver to Whirlpool. 74 FR 66334 (December 15, 2009).

Therefore, for the reasons discussed above and in light of the long-standing waiver granted to Miele, and the recent waivers to LG and Whirlpool, DOE grants GE's petition for waiver from testing of its condenser clothes dryers.

Consultations With Other Agencies

DOE consulted with the Federal Trade Commission (FTC) staff concerning the GE petition for waiver. The FTC staff did not have any objections to granting a waiver to GE.

Conclusion

After careful consideration of all the material that was submitted by GE and consultation with the FTC staff, it is ordered that:

(1) The petition for waiver submitted by the General Electric Co. (Case No. CD–004) is hereby granted as set forth in the paragraphs below.

(2) GE shall not be required to test or rate its DCCH480E* and DCCH485E* condensing clothes dryer models on the basis of the test procedures at 10 CFR part 430, subpart B, appendix D.

(3) This waiver shall remain in effect from the date this decision and order consistent with the provisions of 10 CFR 430.27(m).

(4) This waiver is issued on the condition that the statements, representations, and documentary materials provided by the petitioner are valid. DOE may revoke or modify this waiver at any time if it determines the factual basis underlying the petition for waiver is incorrect.

Issued in Washington, DC, on March 10, 2010.

Cathy Zoi

Assistant Secretary, Energy Efficiency and Renewable Energy.

[FR Doc. 2010–5937 Filed 3–17–10; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Office of Energy Efficiency and Renewable Energy

Energy Conservation Program for Consumer Products: Representative Average Unit Costs of Energy

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

ACTION: Notice.

SUMMARY: In this notice, the U.S. Department of Energy (DOE) is forecasting the representative average unit costs of five residential energy sources for the year 2010 pursuant to the Energy Policy and Conservation Act. The five sources are electricity, natural gas, No. 2 heating oil, propane, and kerosene.

DATES: The representative average unit costs of energy contained in this notice will become effective April 19, 2010 and will remain in effect until further notice.

FOR FURTHER INFORMATION CONTACT:

Mohammed Khan, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy Forrestal Building, Mail Station EE–2J 1000 Independence Avenue, SW.,

Washington, DC 20585–0121, (202) 586–7892, *Mohammed.Khan@ee.doe.gov*

Francine Pinto, Esq. U.S. Department of Energy, Office of General Counsel Forrestal Building, Mail Station GC–72, 1000 Independence Avenue, SW., Washington, DC 20585–0103, (202) 586–7432, *Francine.pinto@hq.doe.gov*

SUPPLEMENTARY INFORMATION: Section 323 of the Energy Policy and Conservation Act (Act) requires that DOE prescribe test procedures for the measurement of the estimated annual operating costs or other measures of energy consumption for certain consumer products specified in the Act. (42 U.S.C. 6293(b)(3)) These test procedures are found in Title 10 of the Code of Federal Regulations (CFR) part 430, subpart B.

Section 323(b)(3) of the Act requires that the estimated annual operating costs of a covered product be calculated from measurements of energy use in a representative average use cycle or period of use and from representative average unit costs of the energy needed to operate such product during such cycle. (42 U.S.C. 6293(b)(3)) The section further requires that DOE provide information to manufacturers regarding the representative average unit costs of energy. (42 U.S.C. 6293(b)(4)) This cost information should be used by manufacturers to meet their obligations under section 323(c) of the Act. Most notably, these costs are used to comply with Federal Trade Commission (FTC) requirements for labeling. Manufacturers are required to use the revised DOE representative average unit costs when the FTC publishes new ranges of comparability for specific covered products, 16 CFR part 305. Interested parties can also find information covering the FTC labeling requirements at *http://www.ftc.gov/appliances.*

DOE last published representative average unit costs of residential energy in a **Federal Register** notice entitled, "Energy Conservation Program for Consumer Products: Representative Average Unit Costs of Energy", dated June 3, 2009, 74 FR 26675. Effective April 19, 2010, the cost figures published on June 3, 2009, will be superseded by the cost figures set forth in this notice.

DOE's Energy Information Administration (EIA) has developed the 2010 representative average unit after-tax costs found in this notice. The representative average unit after-tax costs for electricity, natural gas, No. 2 heating oil, and propane are based on simulations used to produce the January, 2010, EIA *Short-Term Energy Outlook.* (EIA releases the *Outlook* monthly.) The representative average unit after-tax cost for kerosene is derived from its price relative to that of heating oil, based on the 2004–2008 averages for these two fuels. The source for these price data is the December 2009, *Monthly Energy Review* DOE/EIA–0035(2010/01). The *Short-Term Energy Outlook* and the *Monthly Energy Review* are available on the EIA Web site at *http://www.eia.doe.gov*. For more information on the two sources, contact the National Energy Information Center, Forrestal Building, EI–30, 1000 Independence Avenue, SW., Washington, DC 20585, (202) 586–8800, e-mail: *infoctr@eia.doe.gov*.

The 2010 representative average unit costs under section 323(b)(4) of the Act are set forth in Table 1, and will become effective April 19, 2010. They will remain in effect until further notice.

Issued in Washington, DC, on March 10, 2010.

Cathy Zoi,

Assistant Secretary, Energy Efficiency and Renewable Energy.

TABLE 1—REPRESENTATIVE AVERAGE UNIT COSTS OF ENERGY FOR FIVE RESIDENTIAL ENERGY SOURCES

[2010]

Type of energy	Per million Btu [1]	In commonly used terms	As required by test procedure
Electricity	$33.70	11.50¢/kWh [2 3]	$.1150/kWh
Natural Gas	11.94	$1.194/therm [4] or $12.29/MCF [5 6]	.00001194/Btu
No. 2 Heating Oil	20.76	$2.88/gallon [7]	.00002076/Btu
Propane	24.31	$2.22/gallon [8]	.00002431/Btu
Kerosene	23.03	$3.11/gallon [9]	.00002303/Btu

Sources: U.S. Energy Information Administration, *Short-Term Energy Outlook* (January 2010) and *Monthly Energy Review* (December 2009)
1. Btu stands for British thermal units.
2. kWh stands for kilowatt hour.
3. 1 kWh = 3,412 Btu.
4. 1 therm = 100,000 Btu. Natural gas prices include taxes.
5. MCF stands for 1,000 cubic feet.
6. For the purposes of this table, one cubic foot of natural gas has an energy equivalence of 1,029 Btu.
7. For the purposes of this table, one gallon of No. 2 heating oil has an energy equivalence of 138,690 Btu.
8. For the purposes of this table, one gallon of liquid propane has an energy equivalence of 91,333 Btu.
9. For the purposes of this table, one gallon of kerosene has an energy equivalence of 135,000 Btu.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL–9128–2]

Science Advisory Board Staff Office; Notification of a Public Meeting of the Science Advisory Board; Environmental Engineering Committee Augmented for the Evaluation and Comment on EPA's Proposed Research Approach for Studying the Potential Relationships Between Hydraulic Fracturing and Drinking Water Resources

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Environmental Protection Agency (EPA or Agency) Science Advisory Board (SAB) Staff Office announces a public face-to-face meeting of the SAB Environmental Engineering Committee (EEC). The SAB EEC, augmented with other SAB members, will evaluate and comment on EPA's proposed approach to study the potential public health and environmental protection issues that may be associated with hydraulic fracturing.

DATES: The meeting will be held on April 7, 2010 from 8:30 a.m. to 5 p.m., and April 8, 2010 from 8 a.m. to 12 noon (Eastern Daylight Time).

ADDRESSES: The Committee meeting will be held at the St. Regis Hotel located at 923 16th Street Northwest, Washington, DC 20006.

FOR FURTHER INFORMATION CONTACT: Members of the public who wish to obtain additional information regarding this meeting may contact Mr. Edward Hanlon, Designated Federal Officer (DFO), EPA Science Advisory Board (1400F), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460; telephone/voice mail: (202) 343–9946; fax (202) 233–0643; or via e-mail at *hanlon.edward@epa.gov*. General information about the EPA SAB, as well as any updates concerning the meeting announced in this notice, may be found on the SAB Web site at *http://www.epa.gov/sab*. Any inquiry regarding EPA's planned research approach to study the potential public health and environmental protection issues that may be associated with hydraulic fracturing should be directed to Teri Richardson, EPA Office of Research and Development (ORD), at *richardson.teri@epa.gov* or (513) 569–7949.

SUPPLEMENTARY INFORMATION:

Background: Pursuant to the Federal Advisory Committee Act (FACA), 5 U.S.C., App. 2, notice is hereby given that the SAB EEC augmented with other SAB members will hold a public meeting to evaluate and comment on EPA's proposed approach to study the potential public health and environmental protection issues that may be associated with hydraulic fracturing performed for extraction of natural gas from geologic formations. The SAB was established pursuant to 42 U.S.C. 4365 to provide independent scientific and technical advice to the Administrator on the technical basis for Agency positions and regulations. The SAB is a Federal Advisory Committee chartered under FACA. The SAB will comply with the provisions of FACA and all appropriate SAB Staff Office procedural policies.

In its Fiscal Year 2010 Appropriation Conference Committee Directive to EPA, the U.S. House of Representatives approved a provision that urges EPA to conduct analyses to assess the potential risks to drinking water posed by hydraulic fracturing of formations including coalbeds and shale for extraction of natural gas. Hydraulic fracturing (or hydrofracking) generates vertical and horizontal fractures in underground geologic formations to facilitate extraction of gas (or oil) from the subsurface. While each formation has unique characteristics and features, the general process involves drilling a vertical well, extending the well bore horizontally into the formation, removing water, injecting hydrofracking fluids and then extracting the natural gas along with separation and management of fluids. To meet the Congressional request, EPA's ORD has initiated a draft approach to gather existing data and information including a stakeholder input process; to catalog potential risks to drinking water supplies from hydraulic fracturing; to identify data gaps; and to develop research questions, research needs, and research products.

ORD is seeking evaluation and comment from the SAB regarding EPA's proposed approach. Accordingly, the SAB EEC augmented with other SAB members will hold a public meeting to evaluate and comment on ORD's planned research approach to study the potential public health and environmental protection issues that may be associated with hydraulic fracturing.

Availability of Meeting Materials: The agenda and EPA's ORD proposed research approach will be available on the SAB Web site at *http://www.epa.gov/sab* in advance of the meeting.

Interested members of the public may submit relevant written or oral information on the topic of this advisory activity for the SAB to consider during the advisory process.

Oral Statements: In general, individuals or groups requesting an oral presentation at this public meeting will be limited to five minutes per speaker, with no more than a total of one hour for all speakers. Interested parties should contact Edward Hanlon, DFO, in writing (preferably via e-mail), at the contact information noted above, by March 29, 2010 to be placed on the list of public speakers for the meeting. *Written Statements:* Written statements should be received in the SAB Staff Office by March 29, 2010 so that the information may be made available to the SAB EEC augmented with other SAB members for their consideration. Written statements should be supplied to the DFO in the following formats: one hard copy with original signature, and one electronic copy via e-mail (acceptable file format: Adobe Acrobat PDF, WordPerfect, MS Word, MS PowerPoint, or Rich Text files in IBM–PC/Windows 98/2000/XP format). Submitters are requested to provide two versions of each document submitted with and without signatures, because the SAB Staff Office does not publish documents with signatures on its Web sites.

Accessibility: For information on access or services for individuals with disabilities, please contact Edward Hanlon at the phone number or e-mail address noted above, preferably at least ten days prior to the meeting, to give EPA as much time as possible to process your request.

Dated: March 11, 2010.

Anthony F. Maciorowski,

Deputy Director, EPA Science Advisory Board Staff Office.

[FR Doc. 2010–5956 Filed 3–17–10; 8:45 am]
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ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPP–2010–0229; FRL–8816–8]

Pet Spot-On Analysis and Mitigation Plan Available for Public Comment; Notice of Availability

AGENCY: Environmental Protection Agency (EPA).