

# Proposed Rules

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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.

## DEPARTMENT OF ENERGY

### 10 CFR Part 431

[EERE-2020-BT-TP-0032]

RIN 1904-AE53

### Energy Conservation Program: Test Procedure for Commercial & Industrial Pumps

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

**ACTION:** Request for information; extension of public comment period.

**SUMMARY:** On April 16, 2021, the U.S. Department of Energy (“DOE”) published a request for information (“RFI”) pertaining to the test procedure for commercial and industrial pumps (“pumps”). The notice provided an opportunity for submitting written comments, data, and information by June 1, 2021. On April 19, 2021, DOE received a request from Price Pump Company (“Price Pump”), and on April 20, 2021, DOE received requests from Grundfos and the Hydraulic Institute (“HI”) to extend the public comment period by 90 days. DOE has reviewed these requests and is granting a 30-day extension of the public comment period to allow public comments to be submitted until July 1, 2021.

**DATES:** The comment period for the RFI published on April 16, 2021 (86 FR 20075) is extended. DOE will accept comments, data, and information regarding this RFI received no later than July 1, 2021.

**ADDRESSES:** Interested persons are encouraged to submit comments using the Federal eRulemaking Portal at <http://www.regulations.gov>. Follow the instructions for submitting comments. Alternatively, interested persons may submit comments, identified by docket number EERE-2020-BT-TP-0032 by any of the following methods:

1. *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

2. *Email:* To [Pumps2020TP0032@ee.doe.gov](mailto:Pumps2020TP0032@ee.doe.gov). Include docket number EERE-2020-BT-TP-0032 in the subject line of the message.

No telefacsimilies (“faxes”) will be accepted.

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 Covid-19 pandemic. DOE is currently suspending receipt of public comments via postal mail and hand delivery/courier. 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.

*Docket:* The docket for this activity, which includes **Federal Register** notices, comments, and other supporting documents/materials, is available for review at <http://www.regulations.gov>. All documents in the docket are listed in the <http://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 <http://www.regulations.gov/docket?D=EERE-2020-BT-TP-0032>. The docket web page contains 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-2J, 1000 Independence Avenue SW, Washington, DC 20585-0121. Telephone: (202) 586-9870. Email: [ApplianceStandardsQuestions@ee.doe.gov](mailto:ApplianceStandardsQuestions@ee.doe.gov).

Mr. Michael Kido, U.S. Department of Energy, Office of the General Counsel, GC-33, 1000 Independence Avenue SW, Washington, DC 20585-0121. Telephone: (202) 586-8145. Email: [Michael.Kido@hq.doe.gov](mailto:Michael.Kido@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](mailto:ApplianceStandardsQuestions@ee.doe.gov).

**SUPPLEMENTARY INFORMATION:** On April 16, 2021, DOE published a RFI seeking data and information regarding whether amended test procedures would more accurately or fully comply with the requirement that the test procedure produces results that measure energy use during a representative average use cycle for pumps without being unduly burdensome to conduct, or that reduce testing burden. 86 FR 20075. Interested parties in the matter, Price Pump (on April 19, 2021), HI (on April 20, 2021), and Grundfos (on April 20, 2021), requested a 90-day extension of the public comment period for the RFI. (Price Pump, No. 10 at p. 1; HI, No. 11 at p. 1; Grundfos, No. 12, at p. 1).<sup>1</sup> Grundfos and Price Pump commented that the June 1, 2021 deadline does not provide sufficient time to collect the requested data and information requested in the RFI. (Price Pump, No. 10 at p. 1; Grundfos, No. 12 at p. 1 HI commented that it has developed a committee to review and respond to DOE’s requests for comment, and requires additional time to develop and review member surveys and coordinate a response. (HI, No. 11, p.1)

DOE has reviewed the requests and is extending the comment period to allow additional time for interested parties to submit comments. As noted, the RFI was issued as part of the preliminary stages of rulemaking to consider amendments to the test procedure for pumps. If DOE determines that amended test procedures may be appropriate, additional notices will be published (e.g., a notice of proposed rulemaking) providing interested parties with an additional opportunity to submit comment. As such, DOE has determined that a 30-day extension is sufficient for this preliminary stage. Therefore, DOE is extending the comment period to July 1, 2021.

<sup>1</sup> The parenthetical reference provides a reference for information located in DOE’s test procedure rulemaking docket. (Docket No. EERE-2020-BT-TP-0032, which is maintained at <http://www.regulations.gov/#/docketDetail;D=EERE-2020-BT-TP-0032>). The references are arranged as follows: (Commenter name, comment docket ID number, page of that document).

**Signing Authority**

This document of the Department of Energy was signed on April 27, 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 April 28, 2021.

**Treana V. Garrett,**

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

[FR Doc. 2021-09274 Filed 5-4-21; 8:45 am]

**BILLING CODE 6450-01-P**

**DEPARTMENT OF TRANSPORTATION****Office of the Secretary of Transportation****14 CFR Chapters I, II, and III****23 CFR Chapters I, II, and III****46 CFR Chapter II****48 CFR Chapter 12****49 CFR Chapters I, II, III, V, VI, VII, VIII, X, and XI**

[Docket No. DOT-OST-2021-0036]

**Notification of Regulatory Review**

**AGENCY:** Office of the Secretary of Transportation (OST); U.S. Department of Transportation (DOT).

**ACTION:** Regulatory review.

**SUMMARY:** As directed by Executive Order 13990, “Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis,” and Executive Order 13992, “Revocation of Certain Executive Orders Concerning Federal Regulation,” the U.S. Department of Transportation (Department or DOT) is currently reviewing its existing regulations and other agency actions to determine whether they are consistent with the policies and National objectives set

forth in these executive orders. As part of this review, the Department invites the public to provide input on existing rules and other agency actions for the Department’s consideration regarding consistency with the policies and objectives of these executive orders.

**DATES:** Comments should be received on or before June 4, 2021. Late-filed comments will be considered to the extent practicable.

**ADDRESSES:** You may file comments identified by the docket number DOT-OST-2021-0036 by any of the following methods:

*Federal eRulemaking Portal:* Go to <http://www.regulations.gov> and follow the online instructions for submitting comments.

*Mail:* Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Ave. SE, Room W12-140, Washington, DC 20590-0001.

*Hand Delivery or Courier:* The Docket Management Facility is located on the West Building, Ground Floor, of the U.S. Department of Transportation, 1200 New Jersey Ave. SE, Room W12-140, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

*Fax:* 202-493-2251.

*Instructions:* You must include the Docket Number DOT-OST-2021-0036 at the beginning of your comment. All comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided.

*Privacy Act:* DOT posts public comments, without edit, to [www.regulations.gov](http://www.regulations.gov), as described in the system of records notice, DOT/ALL-14 FDMS, accessible through [www.dot.gov/privacy](http://www.dot.gov/privacy). To facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Regardless of whether commenters identify themselves, timely comments will be considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

*Docket:* For access to the docket to read background documents or comments received, go to <http://www.regulations.gov> or to the street address listed above. Follow the online instructions for accessing the docket.

**FOR FURTHER INFORMATION CONTACT:** Elizabeth Kohl, Attorney-Advisor, U.S. Department of Transportation, 1200 New Jersey Ave. SE, Washington, DC 20590, 202-366-7523 (phone), [elizabeth.kohl@dot.gov](mailto:elizabeth.kohl@dot.gov) (email).

**SUPPLEMENTARY INFORMATION:** On January 20, 2021, the President issued Executive Order (E.O.) 13990, “Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis” (86 FR 7037; Jan. 25, 2021), and E.O. 13992, “Revocation of Certain Executive Orders Concerning Federal Regulation” (86 FR 7049; Jan. 25, 2021).

In E.O. 13990, the President acknowledged the Nation’s “abiding commitment to empower our workers and communities, promote and protect our public health and the environment; and conserve our national treasures and monuments, places that secure our national memory.” The President also set forth the policy of the Administration to “listen to the science; to improve public health and protect our environment; to ensure access to clean air and water; to limit exposure to dangerous chemicals and pesticides; to hold polluters accountable, including those who disproportionately harm communities of color and low-income communities; to reduce greenhouse gas emissions; to bolster resilience to the impacts of climate change; to restore and expand our national treasures and monuments; and to prioritize both environmental justice and the creation of the well-paying union jobs necessary to deliver on these goals.” To that end, the President directed the heads of all executive departments and agencies, including DOT, to immediately review and, as appropriate and consistent with applicable law, address the promulgation of Federal regulations and other actions that conflict with these important national objectives, as well as to immediately commence work to confront the climate crisis.” E.O. 13990 specifically directed the Secretary of Transportation to review and consider publishing for notice and comment a proposed rule suspending, revising, or rescinding: “The Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule Part One: One National Program,” and “The Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule for Model Years 2021–2026 Passenger Cars and Light Trucks.” In a Fact Sheet issued by the President simultaneously with E.O. 13990, the President also directed DOT to review “Hazardous Materials: Liquefied Natural Gas by Rail” (<https://www.whitehouse.gov/briefing-room/statements-releases/2021/01/20/fact-sheet-list-of-agency-actions-for-review/>).

In E.O. 13992, the President set forth the Administration’s policy “to use available tools to confront the urgent challenges facing the Nation, including the coronavirus disease 2019 (COVID-19) pandemic, economic recovery, racial