

Proposed Rules

Federal Register

Vol. 86, No. 205

Wednesday, October 27, 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.

DEPARTMENT OF ENERGY

10 CFR Parts 429 and 431

[EERE-2021-BT-TP-0021]

Energy Conservation Program: Test Procedures for Fans and Blowers

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

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

SUMMARY: On October 1, 2021, the U.S. Department of Energy (“DOE”) published a request for information (“RFI”) undertaking the preliminary stages of a rulemaking to consider potential test procedures for fans and blowers, including air circulating fan heads. The RFI provided an opportunity for submitting written comments, data, and information by November 1, 2021. DOE received requests from the Air Movement and Control Association (AMCA) International asking for a 21-day extension of the public comment period. DOE has reviewed this request and is granting an extension of the public comment period for 14 days to allow public comments to be submitted until November 15, 2021.

DATES: The comment period for the RFI published on October 1, 2021 (86 FR 54412) is extended. DOE will accept comments, data, and information regarding this RFI received no later than November 15, 2021.

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, identified by docket number EERE-2021-BT-TP-0021, by any of the following methods:

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

2. *Email:* To FansBlowers2021TP0021@ee.doe.gov. Include docket number EERE-2021-BT-

TP-0021 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 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.

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: www1.eere.energy.gov/buildings/appliance_standards/product.aspx/productid/65. 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-5B, 1000 Independence Avenue SW, Washington, DC 20585-0121. Telephone: (202) 586-9870. Email: ApplianceStandardsQuestions@ee.doe.gov.

Ms. Amelia Whiting, U.S. Department of Energy, Office of the General Counsel, GC-33, 1000 Independence Avenue SW, Washington, DC 20585-0121. Telephone: (202) 586-2588. Email: Amelia.Whiting@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 October 1, 2021, DOE published a RFI undertaking the preliminary stages of a rulemaking to consider potential test procedures for fans and blowers, including air circulating fan heads. DOE is seeking data and information to evaluate whether new test procedures would accurately and fully comply with the requirement that a test procedure measures energy use during a representative average use cycle for the equipment without being unduly burdensome to conduct. Specifically, DOE is seeking information regarding the definition, scope, test procedure and metrics for air circulating fan heads. 86 FR 54412. On October 15, 2021, AMCA requested an extension of the public comment period for the RFI. AMCA commented that the extension is necessary to research the issues that DOE is asking about and to collaborate with other organizations responding to the RFI. AMCA stated that they believe an extension will serve the public interest through improving not only the quality of the information industry submits to the department, but also increasing the likelihood of presenting the department with consensus recommendations on many of the questions being asked. (AMCA, No. 2 at p. 1)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 a rulemaking to consider potential test procedures for fans and blowers, including air circulating fan heads. If DOE determines that test procedures may be appropriate, additional notifications will be published (e.g., a notice of proposed rulemaking) providing interested parties with an additional opportunity to submit comment. DOE has determined

¹ The parenthetical reference provides a reference for information located in DOE’s rulemaking docket. (Docket No. EERE-2021-BT-TP-0021, which is maintained at www.regulations.gov/comment/EERE-2021-BT-TP-0021-0002). The references are arranged as follows: (Commenter name, comment docket ID number, page of that document).

that an extension of 14 days is sufficient for this preliminary stage. Therefore, DOE is extending the comment period until November 15, 2021.

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 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 20, 2021.

Treena V. Garrett,

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

[FR Doc. 2021-23229 Filed 10-26-21; 8:45 am]

BILLING CODE 6450-01-P

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

29 CFR Parts 1910, 1915, 1917, 1918, 1926, and 1928

[Docket No. OSHA-2021-0009]

RIN 1218-AD39

Heat Injury and Illness Prevention in Outdoor and Indoor Work Settings

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Advance notice of proposed rulemaking (ANPRM).

SUMMARY: OSHA is initiating rulemaking to protect indoor and outdoor workers from hazardous heat and is interested in obtaining additional information about the extent and nature of hazardous heat in the workplace and the nature and effectiveness of interventions and controls used to prevent heat-related injury and illness. This ANPRM provides an overview of the problem of heat stress in the workplace and of measures that have been taken to prevent it. This ANPRM also seeks information on issues that

OSHA can consider in developing the standard, including the scope of the standard and the types of controls that might be required.

DATES: Submit comments on or before December 27, 2021.

ADDRESSES: You may submit comments and attachments, identified by Docket No. OSHA-2021-0009, electronically at www.regulations.gov, which is the Federal e-Rulemaking Portal. Follow the instructions online for making electronic submissions.

Instructions: All submissions must include the agency's name and the docket number for this ANPRM (Docket No. OSHA-2021-0009). When submitting comments or recommendations on the issues that are raised in this ANPRM, commenters should explain their rationale and, if possible, provide data and information to support their comments or recommendations. Wherever possible, please indicate the title of the person providing the information and the type and number of employees at your worksite.

All comments, including any personal information you provide, will be placed in the public docket without change and will be publicly available online at www.regulations.gov. Therefore, OSHA cautions commenters about submitting information they do not want to be made available to the public or submitting materials that contain personal information (either about themselves or others) such as Social Security Numbers and birthdates.

Docket: To read or download comments or other material in the docket, go to Docket No. OSHA-2021-0009 at www.regulations.gov. All comments and submissions are listed in the www.regulations.gov index; however, some information (e.g., copyrighted material) is not publicly available to read or download through that website. All submissions, including copyrighted material, are available for inspection at the OSHA Docket Office. Documents submitted to the docket by OSHA or stakeholders are assigned document identification numbers (Document ID) for easy identification and retrieval. The full Document ID is the docket number plus a unique four-digit code. OSHA is identifying supporting information in this ANPRM by author name and publication year, when appropriate. This information can be used to search for a supporting document in the docket at www.regulations.gov. Contact the OSHA Docket Office at 202-693-2350 (TTY number: 877-889-5627) for assistance in locating docket submissions.

FOR FURTHER INFORMATION CONTACT:

Press Inquiries: Contact Frank Meilinger, Director, Office of Communications, U.S. Department of Labor; telephone (202) 693-1999; email meilinger.francis@dol.gov.

General and technical information: Contact Andrew Levinson, Acting Director, Directorate of Standards and Guidance, U.S. Department of Labor; telephone (202) 693-1950.

SUPPLEMENTARY INFORMATION: This ANPRM on Heat Injury and Illness Prevention in Outdoor and Indoor Work Settings follows this outline:

Table of Contents

- I. Background
 - A. Occupational Illnesses, Injuries, and Fatalities Due to Hazardous Heat
 - B. Under Reporting of Occupational Illnesses, Injuries, and Fatalities Due to Hazardous Heat
 - C. Scope
 - 1. Industries, Occupations, and Job Tasks
 - 2. Structure of Work and Work Arrangements
 - 3. Business Size
 - 4. Geographic Region
 - 5. Inequality in Exposures and Outcomes
 - 6. Climate Change
- II. Existing Heat Illness Prevention Efforts
 - A. OSHA Efforts
 - 1. OSHA's Heat Illness Prevention Campaign and Other Guidance Efforts
 - 2. Stakeholder Engagement—NACOSH Work Group
 - 3. General Duty Clause
 - 4. Other Enforcement Efforts
 - 5. Applicable OSHA Standards
 - B. Petitions for Rulemaking
 - C. NIOSH Criteria Documents
 - D. History and Requirements of State Standards
 - E. Other Standards
 - F. Employer Efforts
- III. Key Issues in Occupational Heat-Related Illness
 - A. Determinants of Occupational Heat Exposure
 - 1. Heat Exposure
 - 2. Contributions to Heat Stress in the Workplace
 - B. Strategies To Reduce Occupational Heat-Related Injury and Illness
 - 1. Heat Injury and Illness Prevention Programs
 - 2. Engineering Controls, Administrative Controls, and Personal Protective Equipment
 - 3. Acclimatization
 - 4. Monitoring
 - 5. Planning and Responding to Heat-Related Illness Emergencies
 - 6. Worker Training and Engagement
- IV. Costs, Economic Impacts, and Benefits
 - A. Overview
 - B. Impacts on Small Entities
- V. References

I. Background

Heat is the leading cause of death among all weather-related phenomena (NWS, September 8, 2021a; NWS,