

Department of Energy Retrospective Plan Update as of July 2015

Agency	Sub-agency	Title Of Initiative/Rule or ICR	RIN/OMB Control Number	Summary of Initiative	Status of Initiative -- New to this update, Ongoing, or Completed	Target Completion Date (if completed, please add the publication date and cite in Federal Register for example)	Does the Initiative include regulatory flexibilities such as pilot projects, safe harbor exemptions, sunset provisions, trigger provisions, streamlined requirements, state flexibilities, or other similar strategies?	What methods will you engage in to Identify Improvements (public comment, analyses, third party assessments, etc). Please identify all that apply	If Available, anticipated or realized savings in costs &/or burdens and anticipated or realized changes in benefits
DOE	MA	Administrative Requirements for Grants and Cooperative Agreements	1991-AC02	The rule amends the administrative requirements for grants and cooperative agreements with for-profit organizations. Specifically, the rule modifies title provisions and requirements related to the handling of real property and equipment acquired with federal funds. The rule also adds provisions related to export control requirements and supporting U.S. manufacturing, reporting on utilization of subject inventions, novation of financial assistance agreements, and changes of control of recipients.	New.	DOE expects to publish the final rule in the near future. DOE will then focus on implementation of the rule and its burden reductions for DOE grant recipients.	Yes. The rule will reduce the burden on grant recipients because they will need to file only UCC-1s and will not have to negotiate a separate "priority" term in their individual grant agreements.	DOE sought comment on the proposed rule and considered all comments received in the development of the final rule. As part of its retrospective review efforts, DOE will continue to consider input from affected parties on ways to reduce burdens on its grant recipients and entities with which DOE enters cooperative agreements.	DOE estimates some amount of reduced burden for grant recipients because recipients already file UCC-1s, and as a result of this rule, they will not have to spend the resources to negotiate a separate "priority term" in their grant agreement.
DOE	GC	Request for information on reducing regulatory burden	N/A	DOE is continually engaging in review of its rules to determine whether there are burdens on the public that can be avoided by amending or rescinding existing requirements. To that end, while DOE is always open to receiving information about the impact of its regulations, it published this RFI to solicit public input.	New.	The RFI was published on July 2, 2015 (80 FR 38019). DOE will consider all comments received as part of its retrospective review process.	Yes. DOE seeks comments from the public on appropriate regulatory flexibilities that could be used in DOE regulations.	DOE published this RFI to seek public comment on improvements to DOE regulations.	This information solicitation is expected to lead to savings in costs and/or information collection burdens that will be accomplished through and quantified in future actions.

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DOE	NNSA	Assistance to Foreign Atomic Energy Activities	1994-AA02	DOE issued a comprehensive update of regulations concerning agency authorizations to U.S. companies to provide assistance to nuclear power facilities in foreign countries, making the regulations consistent with current global civil nuclear trade practices and nonproliferation norms. DOE has also initiated a process improvement program to reduce the burden on U.S. companies that wish to obtain nuclear technology export authorizations from DOE.	Ongoing	The rule was published on Feb. 23, 2015 (80 FR 9359) DOE continues to develop the process improvement program.	Yes. In the 10 CFR Part 810 rule, DOE delineates the process for applying for specific authorization from the Secretary of Energy and identifies the reporting requirements for activities subject to part 810. To streamline the process, however, DOE also identifies activities that can be ‘‘generally authorized’’ by the Secretary, requiring no further authorization under part 810. DOE also identified the need to improve its export authorization process and has begun implementing a process improvement program. The program is designed to provide for submission including documentation and tracking requirements.	DOE sought public comment on the proposed revisions to part 810. As a result of the comments received, DOE issued and took further comment on a supplemental proposed rule. DOE considered all comments received in developing the final rule. DOE will continue, as part of its retrospective review efforts, to consider any additional feedback received as the rule is implemented. DOE has also initiated a process improvement program to reduce specific authorization processing time, and to create a guide to part 810 and an electronic application and tracking (e-810) system. Since the Part 810 final rule went into effect on March 25, 2015, DOE has created guidance and FAQs, which are currently posted on the National Nuclear Security Administration website and will ultimately be incorporated in the website for the electronic application and tracking (e-810) system, which is under development. DOE has established weekly Part 810 team meetings to discuss progress and feedback received from interested parties. DOE has streamlined the intake/question process using the new Part 810 email address (Part810@nnsa.doe.gov) in order to ensure all inquiries and requests are catalogued and receive the appropriate response. Finally, DOE has participated in several regional	As a result of the rule revisions, DOE estimates a net benefit, for the period 2013-2030, of \$19,896,142 per year at a 7-percent discount rate and \$19,253,076 per year at a 3-percent discount rate. The process improvement program is expected to reduce the time needed for DOE to process nuclear export authorizations and provide more transparency to submitters regarding process steps and the associated time needed to complete each step.
DOE	EE	Retrospective Analysis of Costs and Benefits of Appliance Efficiency Standards	N/A	DOE has conducted retrospective analyses of the costs of a number of its appliance efficiency standards, to determine if compliance costs were incurred by manufacturers as projected in the rule.	Ongoing	In process. As noted in its monthly updates, DOE is developing a report on this topic, which it expects to be issued in late July of 2015. DOE will consider the findings of its report, as appropriate, in its appliance standards rulemakings.	Yes. This initiative will allow DOE to better predict the costs of manufacturer compliance with its efficiency standards. DOE may also consider retrospective analysis of the benefits of its appliance efficiency standards.	As part of its retrospective review efforts, DOE will seek public comment, as appropriate, on its analyses.	Better cost and benefit predictions could allow DOE to develop more cost-effective standards for manufacturers.

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DOE	OE	Export of Electricity & Permitting of Electricity Transmission Facilities at International Boundaries; New Administrative Procedures; Proposed Rule	Undetermined	DOE is considering amendments to modernize its regulations governing: (i) authorizations to transmit electric energy across international boundaries, and (ii) Presidential permits authorizing activities related to facilities for the transmission of electric energy at international boundaries.	Ongoing	In process	Yes. DOE is considering lesser filing fees for smaller projects with a lower voltage rating. In addition, smaller projects would also potentially require less information during the application process.	DOE will seek public comment on the proposed rule and consider any comments received in the development of any final rule.	For both electricity export authorizations and Presidential permits, the anticipated benefits are to streamline the application process and increase transparency by: (1) providing for increased communication between DOE staff and applicants, and (2) providing applicants with additional details about the project information necessary for a determination on an application.
DOE	EE	Energy Conservation Standards for Battery Chargers	1904-AB57	DOE is considering energy conservation standards for battery chargers.	Ongoing	In process	DOE energy efficiency standards are performance standards that afford manufacturers flexibility in determining how best to meet the standard for their products.	DOE published a proposed rule (77 FR 18478, Mar. 12, 2012) and is considering comments on the proposal in developing any final standards.	Manufacturers are currently complying with California energy efficiency standards for battery chargers published in 2012. For publicly available information on standards development in California, see .e.g, http://www.energy.ca.gov/appliances/battery_chargers/ . In the proposed rule, DOE estimated a net benefit, for the period 2013-2042, of \$128.7 million per year at a 7-percent discount rate and \$156.6 million per year at a 3-percent discount rate. DOE will consider the impact of the California standards on its cost-benefit analysis for any final rule.
DOE	EE	Consumer welfare and use of price forecasts made in applying learning curve analyses	N/A	DOE seeks comment in its energy conservation standards rulemakings on how to assess the potential impact of energy conservation standards on consumer choice and how to quantify any such impact in its regulatory analysis.	Ongoing	In progress	Undetermined.	DOE continues to work with OMB during review of its energy conservation standards under Executive Order 12866/13563 to determine how best to assess and quantify the potential impact of energy conservation standards on consumer choice.	Undetermined
DOE	EE	Negotiated Rulemaking for Commercial/ Industrial Pumps	1904-AC54	A working group was created by the Appliance Standards and Rulemaking Federal Advisory Committee (ASRAC) on June 27, 2013, to negotiate a standard for commercial and industrial pumps. A series of open meetings of the working group were held in 2013 and 2014.	Ongoing	The proposed rule is currently pending EO 12866 review. See reginfo.gov .	Yes. DOE energy efficiency standards are performance standards that afford manufacturers flexibility in determining how best to meet the standard for their products.	DOE will seek comment on the proposed rule and consider any comments received in developing any final standards.	Not yet available. The proposed rule is currently pending EO 12866 review. See reginfo.gov .

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		Weatherization Assistance Program (WAP) Evaluation	1910-5168	This information collection evaluated the energy savings and progress made with the weatherization of homes in 2007-2008 and during the American Recovery and Reinvestment Act funding period from 2009-2011.	Completed	The evaluation is complete, and no further data will be collected under this ICR. Therefore, this collection will be discontinued.	Over 90% of the data collection effort for this study involved some form of electronic exchange, either through the use of online survey instruments or the transfer of utility billing records or other relevant household data via electronic mail and attached files. Requesting utility bills and other relevant household data in electronic format eased the reporting burden of the utilities and local agencies providing the information and yielded information in a form that was easier for the evaluation contractor to process. This approach reduced the response time required by all parties.	The evaluation is complete, and DOE will collect no further data under this ICR.	The evaluation is complete, and DOE will collect no further data under this ICR.
DOE	MA	Procurement Reporting and Record-keeping Burdens	1910-4100	DOE has initiated the use of asset management software to ease the reporting of property inventories required by the Department of Energy Acquisition Regulation (48 CFR 970.5245-1). The software will reduce burden hours on DOE contractors as it automates the inventory planning, reconciliation, and reporting.	Completed	December 2014. See http://www.reginfo.gov/public/do/DownloadNOA?requestID=262191 .	Yes. The use of asset management software streamlines the requirements for submitting information to DOE.	DOE will continue, as part of its retrospective review efforts, to consider any additional feedback received regarding the paperwork collection. DOE will consider any feedback received in its next submission for this information collection.	This initiative is estimated to reduce the reporting burden by 225,166 hours for DOE property management and operating contractors.

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DOE	EE	Energy Efficiency Conservation Block Grant Program	1910-5150	<p>This program, established by the Energy Independence and Security Act of 2007 and funded by the American Recovery and Reinvestment Act, authorizes DOE to issue or award formula-based and competitive grants under the program to States, units of local government, and Indian tribes to create and implement strategies to: Reduce fossil fuel emissions in a manner that is environmentally sustainable and, to the maximum extent practicable, maximize benefits for local and regional communities;</p> <p>Reduce the total energy use of the eligible entities; and</p> <p>Improve energy efficiency in the building sector, the transportation sector, and other appropriate sectors.</p> <p>DOE is planning to reduce the frequency of reporting for grantees from quarterly to semi-annually, which would reduce the number of responses by 50 percent, from 12,504 to 6,252.</p>	Completed	May 2014. See http://www.reginfo.gov/public/do/DownloadNOA?requestID=254695 .	Yes. All EECBG Formula recipients and the 11 EECBG Competitive Topic 2 recipients administered by the Weatherization and Intergovernmental Program report through the online database Performance and Accountability for Grants in Energy (PAGE). PAGE provides all EECBG recipients with the ability to electronically submit and manage grant performance and financial information. This online system allows DOE to administer the EECBG grants and provides all network users access to current program records. PAGE reduces data redundancy and paperwork, offering universal and complementary data collection via electronic forms that enable program-wide mining and analysis of data. DOE has provided technical assistance to tribal entities and has worked closely with tribal councils and the Bureau of Indian Affairs to ensure that all tribal nation recipients can comply. These entities have not been penalized for delays due to any technical difficulties they may have experienced.	DOE will continue, as part of its retrospective review efforts, to consider any additional feedback received regarding the paperwork collection. DOE will consider any feedback received in its next submission for this information collection.	This initiative reduces the reporting burden on state, local, and tribal government agencies by 77,344 hours and also reduce the cost burden on the federal government by \$ 40,680 per year.
DOE	EE	Test Procedure Waiver	1904-AC70	DOE amended its waiver regulations at 10 CFR 430.27 and 10 CFR 431.401 to restore inadvertently deleted text and make other improvements to the process for manufacturers to petition for a waiver from the applicable DOE test procedure.	Completed	79 FR 26591 (May 9, 2014).	Yes. The rule provides a means for manufacturers with innovative products to test those products and distribute them in commerce using an alternate test method.	DOE developed many of the provisions of this rule in response to comments from stakeholders. As part of its retrospective review efforts, DOE will continue to consider comments received on its waiver process and consider whether future amendments to its regulations are warranted as a result of these comments.	In response to comments from stakeholders, DOE promulgated amendments to its regulations that allow manufacturers to petition for a waiver from the applicable DOE test procedure if their product or equipment cannot be tested under the DOE test procedure, or if testing under the DOE test procedure would evaluate the product or equipment in a manner unrepresentative of its true energy or water consumption. The cost savings of this rule are realized through the grant of the waiver authorizing an alternative test method appropriate for the product or equipment at issue. A waiver allows the manufacturer to demonstrate that the product or equipment meets the applicable energy conservation standard and can be distributed in commerce.

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DOE	EE	Alternative Efficiency Determination Methods and Alternate Rating Methods rule	1904-AC46	DOE revised its regulations on the use of alternatives to testing to certify compliance with applicable energy conservation standards and the reporting of related ratings for covered commercial and industrial equipment.	Completed.	Dec. 31, 2013, 78 FR 79579	Yes. This rulemaking provides alternative means to demonstrate compliance with efficiency standards. In addition, as part of this rulemaking, DOE amended the compliance dates for the initial certification of commercial HVAC, water heater, and refrigeration equipment.	As part of its retrospective review efforts, DOE will continue to consider any feedback on its AEDM and ARM procedures and determine whether any revisions to these regulations are warranted as a result of these comments.	These regulations arose from a negotiated rulemaking effort on issues regarding certification of commercial heating, ventilating, air-conditioning (HVAC), water heating, and refrigeration equipment. For details on the rulemaking process, please see http://www.regulations.gov/#!documentDetail;D=EERE-2011-BT-TP-0024-0089 .
DOE	EE	Energy Conservation Standards for Distribution Transformers	1904-AC04	DOE conducted a negotiated rulemaking to develop proposed standards for distribution transformers.	Completed.	Apr. 18, 2013, 78 FR 23335	Yes. DOE energy efficiency standards are performance standards that afford manufacturers flexibility in determining how best to meet the standard for their products.	DOE conducted a negotiated rulemaking to develop the proposed standards. DOE believes that the negotiated rulemaking process provided valuable information to DOE and led to energy conservation standards that minimize the burden on manufacturers and consumers of distribution transformers. DOE will continue to accept feedback from interested parties in determining whether to amend the standards for distribution transformers.	DOE estimated a net benefit, for the period 2013-2042, of \$561 million per year at a 7-percent discount rate and \$950 million per year at a 3-percent discount rate.
DOE	GC	National Environ	1990-AA34	DOE finalized changes to its existing National Environmental Policy Act (NEPA) regulations.	Completed	Oct. 13, 2011; 76 FR 63764	Yes. The changes, proposed primarily for the categorical exclusions provisions, are intended to better align DOE's categorical exclusions with current activities and recent experiences, and to update the provisions with respect to current technologies and regulatory requirements.	As part of its retrospective review efforts, DOE will continue to consider feedback on its NEPA process and determine whether further amendments to its NEPA regulations are warranted as a result of those comments.	Changes made by this rulemaking are expected to save the taxpayers as much as \$100 million over ten years and provide greater transparency to the public as to the NEPA standards that DOE employs in analyzing particular technologies.
DOE	EE	Test Procedure Compliance Date for Walk-In Coolers and Freezers and Metal Halide	1904-AC58	DOE published a final rule to, among other things: (1) clarify the compliance date by which manufacturers must use portions of the test procedure published on April 15, 2011 when certifying walk-in coolers and walk-in freezers; and (2) adopt an extension to the compliance date for which manufacturers, including importers, need to certify compliance to the Department of metal halide lamp ballasts and fixtures.	Completed	Oct. 21, 2011, (76 FR 65362)	Yes. This rule clarified when use of the amended test procedure is required to certify walk-in coolers and freezers. The rule also provided additional time before submission of certification reports was required metal halide lamp ballasts and fixtures.	This rule was developed in response to concerns raised by manufacturers. DOE will continue, as part of its retrospective review process, to consider feedback from interested parties in determining whether amendments to its testing and certification procedures for these products are warranted.	The rule provided additional time and guidance for manufacturers in the certification process.

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DOE	EE	DOE Showerhead Enforcement Guidance	N/A	DOE established water conservation standards for showerheads to implement the Energy Policy Conservation Act and provided this guidance to clarify the definition of the types of showerheads affected by the rule.	Completed	Mar. 4, 2011. Guidance is available at: http://www1.eere.energy.gov/guidance/default.aspx?pid=2&spid=1 .	DOE provided a two year enforcement grace period for the water conservation standards for showerheads to allow manufacturers to sell any remaining non-compliant products and to give manufacturers additional time to adjust their product designs to meet the 2.5 gpm standard.	DOE sought public comment on the guidance before issuance. DOE will continue to consider feedback on its guidance to determine whether changes are warranted.	Industry estimated a one-time \$400 million reduction in compliance costs to manufacturers due to the two year extension of the enforcement grace period.
DOE	EE	Energy Conservation Program: Certification, Compliance, and Enforcement for Consumer Products and Commercial and Industrial Equipment	1904-AC23	DOE established an extension of compliance dates for some commercial products subject to final energy efficiency certification and enforcement rule. Commercial products affected include: commercial refrigeration equipment; commercial heating, ventilating, air-conditioning (HVAC) equipment; commercial water heating equipment; and automatic commercial ice makers. Manufacturers of these products and equipment were not required to certify until December 31, 2012.	Completed	June 30, 2011; 76 FR 38287	Yes. DOE extended compliance dates for a number commercial products.	The rule was developed based on feedback from manufacturers. DOE will continue to consider information from interested parties in determining whether future adjustments to its certification and enforcement procedures are warranted.	The extension of the compliance dates is particularly significant as industry has suggested that testing under the current rule could take several years to complete and undermine their research and development efforts. More information is available at http://www1.eere.energy.gov/buildings/appliance_standards/certification_enforcement.html .
DOE	EE	Test Procedure for Residential Clothes Washers	1904-AC08	DOE published a final rule to amend the test procedure for clothes washers.	Completed	Mar. 7, 2012; 77 FR 13888	Yes. The rule provides for use of the current industry test method already used by manufacturers.	DOE solicited comment on the proposed test procedures before finalizing the rule. DOE will continue, as part of its retrospective review efforts, to consider feedback from interested parties in determining whether further amendments to its test procedures are warranted.	DOE believes that the final test procedure will reduce manufacturer test burden by using the most recent industry test method, clarifying ambiguous provisions and providing a means to test large-capacity clothes washers. Previously, manufacturers of large- capacity units had to apply for a DOE waiver to test and market these machines.
DOE	EE	Utility Billing information collection request (ICR)	1910-5156	DOE reduced the number of responses for its utility billing ICR 608,424 to 60, 629.	Completed	Dec. 8, 2011	Yes. DOE significantly reduced the number of responses for this information collection, by approximately a factor of 10.	DOE solicited comment on the information collection as part of the OMB approval process.	As a result in the reduction of responses for this ICR, burden hours for this ICR were reduced from 312,500 to 29,998. The cost of the ICR was also reduced from \$428,000 to \$37,000.

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DOE	EE	Energy Conservation Standards for Residential Clothes Washers	1904-AB90	DOE issued a direct final rule to establish amended energy conservation standards for residential clothes washers and, after the required 110-day comment period, confirmed adoption of the standards established direct final rule.	Completed	May 11, 2012; http://www1.eere.energy.gov/buildings/appliance_standards/pdfs/rcw_direct_final_rule_5_14_2012.pdf ; 77 FR 59719 (Oct. 1, 2012).	Yes. DOE energy efficiency standards are performance standards that afford manufacturers flexibility in determining how best to meet the standard for their products.	DOE requested comment on the direct final rule for 110 days, as required by Energy Policy and Conservation Act (EPCA). DOE considered all comments received and published a notice on October 1, 2012 affirming the direct final rule.	These standards were developed and submitted to DOE as a consensus agreement signed on behalf of all major manufacturers of these products, as well as energy advocates and consumer groups. DOE believes that the consensus agreement process will lead to standards that minimize manufacturer burden while reducing energy consumption and maintaining product quality for consumers.
DOE	EE	Energy Conservation Standards for Residential Dishwashers	1904-AC64	DOE issued a direct final rule to establish amended energy conservation standards for residential dishwashers and, after the required 110-day comment period, confirmed adoption of the standards established direct final rule.	Completed	May 11, 2012; http://www1.eere.energy.gov/buildings/appliance_standards/pdfs/dw_direct_final_rule_5_14_2012.pdf ; 77 FR 59712 (Oct. 1, 2012).	Yes. DOE energy efficiency standards are performance standards that afford manufacturers flexibility in determining how best to meet the standard for their products.	DOE requested comment on the direct final rule for 110 days, as required by Energy Policy and Conservation Act (EPCA). DOE considered all comments received and published a notice on October 1, 2012 affirming the direct final rule.	These standards were developed and submitted to DOE as a consensus agreement signed on behalf of all major manufacturers of these products, as well as energy advocates and consumer groups. DOE believes that the consensus agreement process will lead to standards that minimize manufacturer burden while reducing energy consumption and maintaining product quality for consumers.
DOE	OE	Reliability Survivability and Resiliency Project	1910-5148	The project focused on possible supply chain constraints and vulnerabilities of energy sector asset owners and operators. As a voluntary program, it required cooperation from participants. The sensitivity of the possible information and protection of that information were major concerns from the sector. Results of the pilot and the memorandum, "Reducing Reporting and Paperwork Burden" issued by OMB on June 22, 2012, were key elements in determining the need for a project assessment. This project was found to be non essential to the mission of this program and imposed unjustified burden on the public. As a result of these findings, the project is no longer required.	Completed	The information collection was discontinued on December 18, 2012.	Yes. A pilot program was used and the information collection was subsequently discontinued.	The program involved the participation of energy sector asset owners and operators.	This initiative eliminated the entire 30,000 hour reporting burden on the energy sector.

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DOE	EE	Federal Building Standards Rule-Update-90.1-2010	1904-AC60	EPCA, as amended, requires DOE to update the baseline Federal energy efficiency performance standards for the construction of new Federal buildings, including commercial and multi-family high-rise residential buildings. This action updates the baseline Federal commercial standard to the American Society of Heating, Refrigerating, and Air-Conditioning Engineers (ASHRAE) Standard 90.1-2010.	Completed	July 9, 2013; 78 FR 70945	Yes. This rule is intended to establish a baseline energy efficiency standard for the construction of new Federal buildings and result in corresponding energy savings and emissions reductions. As with DOE appliance standards, there is flexibility in how the standard is achieved.	The standards must contain energy efficiency measures that are technologically feasible, economically justified, and meet the energy efficiency levels in the applicable voluntary consensus energy codes specified in EPCA. DOE considered all comments and information received from interested parties in developing standards that meet these requirements.	Undetermined
DOE	EE	Waiver of R-Value Door Requirement for Walk-in Cooler/Freezer (WICF)	N/A	DOE worked with a small business that otherwise might have been severely harmed by a rigid application of the existing statutory standard. Using a flexible approach facilitates innovation while still preserving DOE's mission of increasing energy efficiency and reducing overall demand.	Completed	N/A	Yes. DOE developed a waiver of the R-Value door requirement for an affected WICF manufacturer.	DOE worked with the small business manufacturer in developing the waiver.	Absent the waiver, the small business would no longer be permitted to manufacture the subject product. As a result of the waiver, the small business was able to retain over 100 employees. Additionally, similarly situated businesses could also take advantage of this opportunity for requesting regulatory relief.
DOE	EE	Test Procedure for Residential Clothes Dryers	1904-AC63	DOE issued a final rule containing amended test procedures for clothes dryers to measure the energy use/energy savings from automatic termination controls.	Completed	Aug. 14, 2013; 78 FR 49608	Yes. The rule would allow manufacturers of products with automatic termination controls to account for the energy savings of such controls.	DOE adopted the rule in response to comments from stakeholders and will continue to consider feedback received on how best to account for the energy use/energy savings from automatic termination controls.	Undetermined