

is 10 years old. NRPC will destroy the record when 40 years old.

**SYSTEM MANAGER(S) AND ADDRESS:**

Commander, U.S. Army Training Center, Training Capability Manager—Army Training Information System (TCM-ATIS), 3308 Wilson Avenue (ATIC-SD), Fort Eustis, VA 23604-5166.

**NOTIFICATION PROCEDURE:**

Individuals seeking to determine if information about themselves is contained in this system should address written inquiries to the Commander, U.S. Army Training Support Center (ATIC), 3308 Wilson Avenue, Fort Eustis, VA 23604-5166.

For verification purposes, individual should provide their full name, Social Security Number (SSN), any details, which may assist in locating records, and their signature. In addition, the requestor must provide a notarized statement or an unsworn declaration made in accordance with 28 U.S.C. 1747, in the following format:

If executed outside the United States:

'I declare (or certify, verify, or state) under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on (date). (Signature)'.

If executed within the United States, its territories, possessions, or commonwealths:

'I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature)'.

**RECORD ACCESS PROCEDURES:**

Individuals seeking access to information about themselves contained in this system should address written inquiries to the Commander, U.S. Army Training Support Center (ATIC), 3308 Wilson Avenue, Fort Eustis, VA 23604-5166.

For verification purposes, individual should provide their full name, Social Security Number (SSN), any details, which may assist in locating records, and their signature. In addition, the requestor must provide a notarized statement or an unsworn declaration made in accordance with 28 U.S.C. 1747, in the following format:

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If executed within the United States, its territories, possessions, or commonwealths:

'I declare (or certify, verify, or state) under penalty of perjury that the

foregoing is true and correct. Executed on (date). (Signature)'.

**CONTESTING RECORD PROCEDURES:**

The Army's rules for accessing records, and for contesting contents and appealing initial agency determinations are contained in Army Regulation 340-21; 32 CFR part 505; or may be obtained from the system manager.

**RECORD SOURCE CATEGORIES:**

Information is received from the individual, DoD staff, personnel, training systems, and faculty.

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

None.

[FR Doc. 2010-28750 Filed 11-12-10; 8:45 am]

**BILLING CODE 5001-06-P**

**DEPARTMENT OF ENERGY**

**National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling**

**AGENCY:** Department of Energy, Office of Fossil Energy.

**ACTION:** Notice of open meeting.

**SUMMARY:** This notice announces an open meeting of the National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling (the Commission). The Commission was organized pursuant to the Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770) (the Act). The Act requires that agencies publish these notices in the **Federal Register**. The Charter of the Commission can be found at: <http://www.OilSpillCommission.gov>.

**DATES:** December 2, 2010, 9 a.m.–5 p.m., and December 3, 2010, 9 a.m.–4 p.m.

**ADDRESSES:** 1777 F St., NW., Washington, DC 20006; telephone number: 1-202-254-2600.

**FOR FURTHER INFORMATION CONTACT:**

Christopher A. Smith, Designated Federal Officer, Mail Stop: FE-30, U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585; telephone 1-202-586-0716 or facsimile 1-202-586-6221; e-mail: [BPDeepwaterHorizonCommission@hq.doe.gov](mailto:BPDeepwaterHorizonCommission@hq.doe.gov).

**SUPPLEMENTARY INFORMATION:**

*Background:* The President directed that the Commission be established to examine the relevant facts and circumstances concerning the root cause of the BP Deepwater Horizon explosion, fire, and oil spill and to develop options to guard against, and mitigate the impact of, any oil spills associated with offshore drilling in the future.

The Commission is composed of seven members appointed by the President to serve as special Government employees. The members were selected because of their extensive scientific, legal, engineering, and environmental expertise, and their knowledge of issues pertaining to the oil and gas industry. Information on the Commission can be found at its Web site: <http://www.OilSpillCommission.gov>.

*Purpose of the Meeting:* To discuss relevant facts and circumstances concerning the root causes of the Deepwater Horizon explosion, fire, and oil spill, and options to guard against, and mitigate the impact of, any oil spills associated with offshore drilling in the future.

*Tentative Agenda:* The meeting is expected to start on December 2, 2010 at 9 a.m. Commission discussions are expected to begin shortly thereafter and will conclude at approximately 4:30 p.m. Public comments can be made on December 2, 2010 from 4:30 p.m. to 5 p.m. The meeting will continue on December 3, 2010 at 9 a.m. and conclude around 4 p.m. The final agenda will be available at the Commission's Web site: <http://www.OilSpillCommission.gov>.

*Public Participation:* The meeting is open to the public, with seats available on a first-come, first-serve basis. Those not able to attend the meeting may view the meeting live on the Commission's Web site: <http://www.OilSpillCommission.gov>. The Designated Federal Officer is empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of business.

Approximately thirty minutes will be reserved for public comments. Time allotted per speaker will be three minutes. Opportunity for public comment will be available on December 2, 2010 tentatively from 4:30 p.m. to 5 p.m. Registration for those wishing to request an opportunity to speak opens onsite at 8 a.m. on December 2.

Speakers will register to speak on a first-come, first-serve basis. Members of the public wishing to provide oral comments are encouraged to provide a written copy of their comments for collection at the time of onsite registration.

Those individuals who are not able to attend the meeting, or who are not able to provide oral comments during the meeting, are invited to send a written statement to Christopher A. Smith, Mail Stop FE-30, U.S. Department of Energy, 1000 Independence Ave., SW., Washington, DC 20585, or e-mail:

*BPDeepwaterHorizonCommission@hq.doe.gov.*

**Minutes:** The minutes of the meeting will be available at the Commission's Web site: <http://www.OilSpillCommission.gov> or by contacting Mr. Smith. He may be reached at the postal or e-mail addresses above.

**Accommodation for the hearing impaired:** A sign language interpreter will be onsite for the duration of the meeting.

Issued in Washington, DC, on November 9, 2010.

**Rachel Samuel,**

*Deputy Committee Management Officer.*

[FR Doc. 2010-28645 Filed 11-12-10; 8:45 am]

**BILLING CODE 6450-01-P**

## DEPARTMENT OF ENERGY

### Office of Energy Efficiency and Renewable Energy

[Case No. CW-015]

#### Energy Conservation Program for Consumer Products: Decision and Order Granting a Waiver to Whirlpool From the Department of Energy Residential Clothes Washer Test Procedure

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

**ACTION:** Decision and order.

**SUMMARY:** The U.S. Department of Energy (DOE) gives notice of the decision and order (Case No. CW-015) that grants to Whirlpool Corporation (Whirlpool) a waiver from the DOE clothes washer test procedure for determining the energy consumption of clothes washers. Under today's decision and order, Whirlpool shall be required to test and rate its clothes washers with larger clothes containers using an alternate test procedure that takes this technology into account when measuring energy consumption.

**DATES:** This Decision and Order is effective November 15, 2010.

**FOR FURTHER INFORMATION CONTACT:** Dr. Michael G. Raymond, U.S. Department of Energy, Building Technologies Program, Mailstop EE-2J, 1000 Independence Avenue, SW., Washington, DC 20585-0121. Telephone: (202) 586-9611, E-mail: [Michael.Raymond@ee.doe.gov](mailto:Michael.Raymond@ee.doe.gov).

Jennifer Tiedeman, U.S. Department of Energy, Office of the General Counsel, Mail Stop GC-71, 1000 Independence Avenue, SW., Washington, DC 20585-0103. Telephone: (202) 287-6111, E-mail: [Jennifer.Tiedeman@hq.doe.gov](mailto:Jennifer.Tiedeman@hq.doe.gov).

**SUPPLEMENTARY INFORMATION:** In accordance with Title 10 of the Code of Federal Regulations (10 CFR 430.27(l)), DOE gives notice of the issuance of its decision and order as set forth below. The decision and order grants Whirlpool a waiver from the applicable clothes washer test procedure in 10 CFR part 430, subpart B, appendix J1 for certain basic models of clothes washers with capacities greater than 3.8 cubic feet, provided that Whirlpool tests and rates such products using the alternate test procedure described in this notice. Today's decision prohibits Whirlpool from making representations concerning the energy efficiency of these products unless the product has been tested consistent with the provisions and restrictions in the alternate test procedure set forth in the decision and order below, and the representations fairly disclose the test results. Distributors, retailers, and private labelers are held to the same standard when making representations regarding the energy efficiency of these products. 42 U.S.C. 6293(c).

Issued in Washington, DC, on November 4, 2010.

**Cathy Zoi,**

*Assistant Secretary, Energy Efficiency and Renewable Energy.*

#### Decision and Order

*In the Matter of:* Whirlpool Corporation (Case No. CW-015).

#### I. Background and Authority

Title III of the Energy Policy and Conservation Act (EPCA) sets forth a variety of provisions concerning energy efficiency. Part A of Title III provides for the "Energy Conservation Program for Consumer Products Other Than Automobiles." 42 U.S.C. 6291-6309. Part A includes definitions, test procedures, labeling provisions, energy conservation standards, and the authority to require information and reports from manufacturers. Further, Part A authorizes the Secretary of Energy to prescribe test procedures that are reasonably designed to produce results that measure energy efficiency, energy use, or estimated operating costs, and that are not unduly burdensome to conduct. 42 U.S.C. 6293(b)(3). The test procedure for residential clothes washers, the subject of today's notice, is contained in 10 CFR part 430, subpart B, appendix J1.

DOE's regulations for covered products contain provisions allowing a person to seek a waiver for a particular basic model from the test procedure requirements for covered consumer products when (1) the petitioner's basic model for which the petition for waiver

was submitted contains one or more design characteristics that prevent testing according to the prescribed test procedure, or (2) when prescribed test procedures may evaluate the basic model in a manner so unrepresentative of its true energy consumption 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).

Any interested person who has submitted a petition for waiver may also file an application for 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).

#### II. Whirlpool's Petition for Waiver: Assertions and Determinations

On November 21, 2005, Whirlpool filed a petition for waiver from the test procedure applicable to automatic and semi-automatic clothes washers set forth in 10 CFR part 430, subpart B, appendix J1. In particular, Whirlpool requested a waiver to test its clothes washers on the basis of the residential test procedures contained in 10 CFR part 430, Subpart B, Appendix J1, with a revised Table 5.1 extended to larger container volumes. Whirlpool's petition was published in the **Federal Register** on August 22, 2006. 71 FR 48913. DOE received one comment on the Whirlpool petition, from a private citizen who opined that the purpose of waivers is to evade regulations.

In its petition, Whirlpool pointed out that the required mass of the test load used in DOE's test procedure is based on the basket volume of the test specimen. However, the test procedure does not define required test load masses for the basket sizes of Whirlpool's basic models cited in its