

# 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 THE TREASURY

### 5 CFR Chapter XXI

### 12 CFR Chapters I, V, XV, and XVIII

### 17 CFR Chapter IV

### 19 CFR Chapter I

### 26 CFR Chapter I

### 27 CFR Chapter I

### 31 CFR Subtitle A and Chapters I, II, IV through VIII, IX, and X

### 48 CFR Chapter 10

#### Reducing Regulatory Burden; Retrospective Review Under E.O. 13563

**AGENCY:** Department of the Treasury.

**ACTION:** Request for information.

**SUMMARY:** On January 18, 2011, the President issued Executive Order 13563, "Improving Regulation and Regulatory Review," which sets forth principles and requirements designed to promote public participation, improve integration and innovation, increase flexibility, ensure scientific integrity, and increase retrospective analysis of existing rules. The Department of the Treasury, in its effort to improve Treasury regulations, invites interested members of the public to submit comments on its preliminary plan to review retrospectively its regulations and to submit suggestions as to which Treasury regulations should be modified, expanded, streamlined, or repealed.

**DATES:** *Comment due date:* April 29, 2011.

**ADDRESSES:** Interested persons are invited to submit comments regarding this notice according to the instructions below. All submissions must refer to the document title. Treasury encourages the early submission of comments.

*Electronic Submission of Comments.* Interested persons must submit comments electronically through the Federal eRulemaking Portal at <http://www.regulations.gov>. Electronic submission of comments allows the commenter maximum time to prepare and submit a comment, ensures timely receipt, and enables the Department to make them available to the public. Comments submitted electronically through the <http://www.regulations.gov> Web site can be viewed by other commenters and interested members of the public.

Commenters should follow the instructions provided on that site to submit comments electronically.

*Public Inspection of Comments.* All properly submitted comments will be available for inspection and downloading at <http://www.regulations.gov>.

*Additional Instructions.* In general, comments received, including attachments and other supporting materials, are part of the public record and are immediately available to the public. Do not enclose any information in your comment or supporting materials that you consider confidential or inappropriate for public disclosure.

**FOR FURTHER INFORMATION CONTACT:** Office of the Assistant General Counsel for General Law, Ethics, and Regulation at [guidance@treasury.gov](mailto:guidance@treasury.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background—Executive Order 13563

On January 18, 2011, the President signed Executive Order 13563, "Improving Regulation and Regulatory Review," which outlines the following guiding principles:

- Consistent with law, agencies must consider costs and benefits of its regulations and choose the least burdensome path.
  - The regulatory process must be transparent and include public participation.
  - Agencies must attempt to coordinate, simplify, and harmonize regulations to reduce costs and promote certainty for businesses and the public.
  - Agencies must consider approaches that maintain freedom of choice and flexibility, including disclosure of relevant information to the public.
  - Regulations must be guided by objective scientific evidence.
- Section 6 of Executive Order 13563 emphasizes the importance of

retrospective analysis of rules and requires agencies to "develop and submit to the Office of Information and Regulatory Affairs a preliminary plan, consistent with law and its resources and regulatory priorities, under which the agency will periodically review its existing significant regulations to determine whether any such regulations should be modified, expanded, streamlined, or repealed so as to make the agency's regulatory program more effective or less burdensome in achieving the regulatory objectives."

#### Request for Comments

The Department of the Treasury, in implementing Executive Order 13563, invites public comments on two areas of interest. First, comments are invited concerning the development of its preliminary plan to periodically review existing significant regulations. Second, Treasury invites comments about which regulations should be modified, expanded, streamlined, or repealed in order to make the Department's regulations more effective or less burdensome or both. Although Treasury welcomes general comments, in addressing these two areas, commenters are encouraged to respond to the questions below:

1. What factors should Treasury consider in selecting and prioritizing existing rules for retrospective review?
2. Which regulatory programs are working well and should serve as a model for other Treasury programs?
3. Are there Treasury rules that are outdated or contrary to recently enacted statutes, or otherwise in need of updating?
4. In which Treasury regulations are there opportunities to use new information technologies to improve or ease burdens?
5. How often should Treasury review its existing regulations?
6. Are there any Treasury rules that duplicate requirements or contain conflicting requirements, either with another Treasury bureau or another Federal agency? If so, please identify and explain how these duplicative or conflicting requirements could be modified.
7. How can Treasury improve public outreach and increase public participation in the rulemaking process?
8. Please provide any additional information that will help the Department to develop and implement

its preliminary plan for retrospective review of regulations.

The Department advises that this notice and request for comments is issued for information and policy development purposes. Although the Department encourages responses to this notice, such comments do not bind the Department to taking any further actions related to the submission.

**George W. Madison,**

*General Counsel, Department of the Treasury.*

[FR Doc. 2011-7468 Filed 3-29-11; 8:45 am]

**BILLING CODE 4810-25-P**

## DEPARTMENT OF ENERGY

### 10 CFR Part 431

[Docket No. EERE-2010-BT-STD-0003]

RIN 1904-AC19

#### Energy Conservation Standards for Commercial Refrigeration Equipment: Public Meeting and Availability of the Preliminary Technical Support Document

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

**ACTION:** Notice of public meeting and availability of preliminary technical support document.

**SUMMARY:** The U.S. Department of Energy (DOE) will hold a public meeting to discuss and receive comments on the equipment classes that DOE plans to analyze for establishing energy conservation standards for commercial refrigeration equipment; the analytical framework, models, and tools that DOE is using to evaluate standards for this equipment; the results of preliminary analyses performed by DOE for this equipment; the potential energy conservation standard levels derived from these analyses that DOE could consider for this equipment; and any other issues relevant to the development of energy conservation standards for commercial refrigeration equipment. In addition, DOE encourages written comments on these subjects. To inform interested parties and facilitate this process, DOE has prepared an agenda, a preliminary technical support document (preliminary TSD), and briefing materials.

**DATES:** DOE will hold a public meeting on Tuesday, April 19, 2011, from 9 a.m. to 2 p.m. in Washington, DC. Additionally, DOE plans to allow for participation in the public meeting via webinar. DOE will accept comments, data, and other information regarding

this rulemaking before or after the public meeting, but no later than May 16, 2011. See section IV, "Public Participation," of this notice of public meeting (NOPM) for details.

**ADDRESSES:** The public meeting will be held at the U.S. Department of Energy, Forrestal Building, Room 8E-089, 1000 Independence Avenue, SW., Washington, DC 20585-0121. Please note that foreign nationals participating in the public meeting are subject to advance security screening procedures which require advance notice prior to attendance of the public meeting. If a foreign national wishes to participate in the public meeting, please inform DOE of this fact as soon as possible by contacting Ms. Brenda Edwards at (202) 586-2945 so that the necessary procedures can be completed.

Interested persons may submit comments, identified by docket number EERE-2010-BT-STD-0003 or Regulation Identification Number (RIN) 1904-AC19, by any of the following methods:

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

- *E-mail:* [CRE-2010-STD-0003@ee.doe.gov](mailto:CRE-2010-STD-0003@ee.doe.gov). Include the docket number EERE-2010-BT-STD-0003 and/or RIN 1904-AC19 in the subject line of the message.

- *Postal Mail:* Ms. Brenda Edwards, U.S. Department of Energy, Building Technologies Program, Mailstop EE-2J, Public Meeting for Commercial Refrigeration Equipment, EERE-2010-BT-STD-0003, 1000 Independence Avenue, SW., Washington, DC 20585-0121. Telephone (202) 586-2945. Please submit one signed paper original.

- *Hand Delivery/Courier:* Ms. Brenda Edwards, U.S. Department of Energy, Building Technologies Program, 6th Floor, 950 L'Enfant Plaza, SW., Washington, DC 20024. Telephone (202) 586-2945. Please submit one signed paper original.

**Instructions:** All submissions received must include the docket number or RIN for this rulemaking. For detailed instructions on submitting comments and additional information on the rulemaking process, see section IV, "Public Participation," of this document.

**Docket:** For access to the docket to read background documents or a copy of the transcript of the public meeting or comments received, go to the U.S. Department of Energy, 6th Floor, 950 L'Enfant Plaza, SW., Washington, DC 20024, between 9 a.m. and 4 p.m., Monday through Friday, except Federal holidays. Please call Ms. Brenda Edwards at (202) 586-2945 for

additional information regarding visiting the Resource Room.

DOE has prepared an agenda, a preliminary TSD, and briefing materials, which are available at: [http://www1.eere.energy.gov/buildings/appliance\\_standards/commercial/refrigeration\\_equipment.html](http://www1.eere.energy.gov/buildings/appliance_standards/commercial/refrigeration_equipment.html).

#### FOR FURTHER INFORMATION CONTACT:

Direct requests for additional information to Mr. Charles Llenza, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies, EE-2J, 1000 Independence Avenue, SW., Washington, DC 20585-0121, (202) 586-2192. E-mail:

[Charles.Llenza@ee.doe.gov](mailto:Charles.Llenza@ee.doe.gov). In the Office of General Counsel, contact Mr. Michael Kido, U.S. Department of Energy, Office of the General Counsel, GC-71, 1000 Independence Avenue, SW., Washington, DC 20585-0121, (202) 586-8145, [Michael.Kido@hq.doe.gov](mailto:Michael.Kido@hq.doe.gov); or Ms. Elizabeth Kohl, U.S. Department of Energy, Office of the General Counsel, GC-71, 1000 Independence Avenue, SW., Washington, DC 20585-0121, (202) 586-7796, [Elizabeth.Kohl@hq.doe.gov](mailto:Elizabeth.Kohl@hq.doe.gov).

For information on how to submit or review public comments and on how to participate in the public meeting, contact Ms. Brenda Edwards, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Program, EE-2J, 1000 Independence Avenue, SW., Washington, DC 20585-0121. Telephone (202) 586-2945. E-mail: [Brenda.Edwards@ee.doe.gov](mailto:Brenda.Edwards@ee.doe.gov).

#### SUPPLEMENTARY INFORMATION:

- I. Statutory Authority
- II. History of Standards Rulemaking for Commercial Refrigeration Equipment
  - A. Background
  - B. Current Rulemaking Process
- III. Summary of the Analyses Performed by DOE
  - A. Engineering Analysis
  - B. Markups To Determine Installed Price
  - C. Energy Use Analysis
  - D. Life-Cycle Cost and Payback Period Analyses
  - E. National Impact Analysis
  - F. Submission of Comments
- IV. Public Participation
  - A. Attendance at Public Meeting
  - B. Procedure for Submitting Requests To Speak
  - C. Conduct of Public Meeting
  - D. Submission of Comments
- V. Approval of the Office of the Secretary

#### I. Statutory Authority

Title III of the Energy Policy and Conservation Act of 1975, as amended, (EPCA or the Act) sets forth a variety of provisions designed to improve energy efficiency. Part B of Title III (42 U.S.C. 6291-6309) provides for the Energy