

# Notices

Federal Register

Vol. 84, No. 20

Wednesday, January 30, 2019

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

## AFRICAN DEVELOPMENT FOUNDATION

### Public Quarterly Meeting of the Board of Directors

**AGENCY:** United States African Development Foundation.

**ACTION:** Notice of meeting.

**SUMMARY:** The U.S. African Development Foundation (USADF) will hold its quarterly meeting of the Board of Directors to discuss the agency's programs and administration. This meeting will occur via telephone as a conference call.

**DATES:** The meeting date is Tuesday, February 5, 2019, 10:00 a.m. to 12:00 noon.

**ADDRESSES:** The meeting location is USADF, 1400 I St. NW, Suite 1000, Washington, DC 20005.

**FOR FURTHER INFORMATION CONTACT:** June Brown, (202) 577-5713.

**Authority:** Public Law 96-533 (22 U.S.C. 290h).

Dated: January 25, 2019.

**June B. Brown,**

*General Counsel.*

[FR Doc. 2019-00301 Filed 1-29-19; 8:45 am]

**BILLING CODE 6117-01-P**

## DEPARTMENT OF ENERGY

[Case Number 2018-001]

### Energy Conservation Program: Notice of Decision and Order Denying an Exemption to Aero-Tech Light Bulb Co. From the Department of Energy Rough Service Lamps Energy Conservation Standards

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

**ACTION:** Notice of decision and order.

**SUMMARY:** The U.S. Department of Energy (DOE) gives notice of a Decision

and Order (Case Number 2018-001) that denies Aero-Tech Light Bulb Co.'s (Aero-Tech) application for a two-year small business exemption from compliance with the DOE rough service lamp energy conservation standards.

**DATES:** The Decision and Order is effective on January 17, 2019.

**ADDRESSES:** The docket, which includes **Federal Register** notices, comments, and other supporting documents/materials, is available for review at <https://www.regulations.gov>. All documents in the docket are listed in the <https://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-2018-BT-PET-0016>. The docket web page contains simple instruction on how to access all documents, including public comments, in the docket.

#### FOR FURTHER INFORMATION CONTACT:

Dr. Stephanie Johnson, U.S. Department of Energy, Building Technologies Program, Mailstop EE-2J, 1000 Independence Avenue SW, Washington, DC 20585-0121. Telephone: (202) 287-1943. E-mail: [AeroTech2018PET0016@ee.doe.gov](mailto:AeroTech2018PET0016@ee.doe.gov).

Ms. Celia Sher, U.S. Department of Energy, Office of the General Counsel, Mail Stop GC-33, Forrestal Building, 1000 Independence Avenue SW, Washington, DC 20585-0103. Telephone: (202) 287-6122. E-mail: [Celia.Sher@hq.doe.gov](mailto:Celia.Sher@hq.doe.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

On December 26, 2017, DOE issued a final rule codifying at 10 CFR 430.32(bb) statutory backstop requirements applicable to rough service lamps and vibration service lamps. Prior to the rule, these backstop requirements were triggered as a result of rough and vibration service lamps exceeding a previously announced sales threshold and in the absence of any other energy conservation regulation issued by DOE for these lamps. In particular, the final rule applies a statutorily established 40-watt maximum energy use and packaging limitation to rough and vibration service lamps manufactured

on or after January 25, 2018. 82 FR 60845.

On May 23, 2018, Aero-Tech submitted an application, pursuant to Subpart E of 10 CFR part 430, requesting a two-year small business exemption from the DOE rough service lamps energy conservation standards found in 10 CFR 430.32(bb). Aero-Tech requested an exemption from the standards on the basis of its status as a small business. According to Aero-Tech, failure to receive a small business exemption would likely result in a lessening of competition in the market for lighting companies.

Under 42 U.S.C. 6295(t), DOE may grant to a manufacturer a temporary exemption from an applicable energy conservation standard if DOE finds that the annual gross revenues of such manufacturer from all its operations (including the manufacture and sale of covered products) does not exceed \$8,000,000 for the 12-month period preceding the date of the application. In making this finding, DOE must account for the annual gross revenues of any other person who controls, is controlled by, or is under common control with, such manufacturer. (42 U.S.C. 6295(t)(1)) The Secretary of Energy (Secretary) may not grant an exemption with respect to any type (or class) of covered product subject to an energy conservation standard unless the Secretary finds, after obtaining the written views of the Attorney General, that a failure to allow an exemption would likely result in a lessening of competition. (42 U.S.C. 6295(t)(2)) *See also*, subpart E of 10 CFR part 430. A notice of the decision of the Secretary must be published in the **Federal Register** along with the reason for denying or granting the application. 10 CFR 430.56(c)

On October 15, 2018, DOE issued a notice announcing the receipt of and publishing Aero-Tech's application for exemption. 83 FR 51931. In accordance with its regulations, DOE also transmitted Aero-Tech's application for exemption to the Attorney General by the Secretary along with: (a) A statement of the facts and of the reasons for the exemption, and (b) copies of all documents submitted. 10 CFR 430.54. DOE received one comment submitted by the National Electrical Manufacturers Association (NEMA) which provided data and supporting factual information