contrary to the public interest. Neither the errors nor the corrections in this document affect the substance of the March 2021 final rule or any of the conclusions reached in support of the final rule. Providing prior notice and an opportunity for public comment on correcting objective, typographical errors and omissions that do not change the substance of the test procedure serves no useful purpose. As such, this rule is not subject to the 30-day delay in effective date requirement of 5 U.S.C. 553(d) otherwise applicable to rules that make substantive changes.

List of Subjects in 10 CFR Part 430

Administrative practice and procedure, Confidential business information, Energy conservation, Household appliances, Imports, Incorporation by reference, Intergovernmental relations, Small businesses.

Signing Authority

This document of the Department of Energy was signed on May 2, 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 May 4, 2021.

Treena V. Garrett,
Federal Register Liaison Officer, U.S. Department of Energy.

For the reasons stated in the preamble, DOE corrects part 430 of chapter II, subchapter D, of title 10 of the Code of Federal Regulations by making the following correcting amendments:

PART 430—ENERGY CONSERVATION PROGRAM FOR CONSUMER PRODUCTS

§ 430.1 The authority citation for part 430 continues to read as follows:


2. Appendix F to subpart B of part 430 is amended by revising sections 2.12 and 5.1 to read as follows:

Appendix F to Subpart B of Part 430—Uniform Test Method for Measuring the Energy Consumption of Room Air Conditioners

2.12 “Full compressor speed (full)” means the compressor speed at which the unit operates at full load test conditions, when using user settings with a unit thermostat setpoint of 75 °F to achieve maximum cooling capacity, according to the instructions in ANSI/ASHRAE Standard 16–2016.

5.1 Annual energy consumption in inactive mode and off mode. Calculate the annual energy consumption in inactive mode and off mode, AE_{cool}\_{\text{iam/om}}, expressed in kilowatt-hours per year (kWh/year), as follows:

\[ AE_{\text{cool}} = (P_{\text{ia}} \times t_{\text{ia}} + P_{\text{om}} \times t_{\text{om}}) \times \frac{1}{kW/Wh} \]

Where:

- \( P_{\text{ia}} \) = average power in inactive mode, in watts, determined in section 4.2 of this appendix.
- \( P_{\text{om}} \) = average power in off mode, in watts, determined in section 4.2 of this appendix.
- \( t_{\text{ia}} \) = annual operating hours in inactive mode and multiplied by a 0.001 kWh/Wh conversion factor from watt-hours to kilowatt-hours. This value is 5.115 kWh/W if the unit has inactive mode and no off mode, 2.5575 kWh/W if the unit has both inactive and off mode, and 0 kWh/W if the unit does not have inactive mode.
- \( t_{\text{om}} \) = annual operating hours in off mode and multiplied by a 0.001 kWh/Wh conversion factor from watt-hours to kilowatt-hours. This value is 5.115 kWh/W if the unit has off mode and no inactive mode, 2.5575 kWh/W if the unit has both inactive and off mode, and 0 kWh/W if the unit does not have off mode.

ACTION: Final rule; correction.

SUMMARY: On December 16, 2020, the U.S. Department of Energy (“DOE”) published a final rule adopting separate product classes for top-loading consumer (residential) clothes washers and consumer clothes dryers that offer cycle times for a normal cycle of less than 30 minutes, and for front-loading residential clothes washers that offer cycle times for a normal cycle of less than 45 minutes (“December 2020 final rule”). This document corrects an omission in the amended regulatory text as it appeared in the December 2020 final rule. Neither the error nor the correction in this document affect the substance of the rulemaking or any conclusions reached in support of the final rule.

DATES: Effective May 7, 2021.


SUPPLEMENTARY INFORMATION:

I. Background

DOE published a final rule in the Federal Register on December 16, 2020, establishing separate product classes for top-loading consumer (residential) clothes washers and consumer clothes dryers that offer cycle times for a normal cycle of less than 30 minutes, and for front-loading residential clothes washers that offer cycle times for a normal cycle of less than 45 minutes. 85 FR 81359. In a review of the December 2020 final rule, DOE identified an omission in the amended regulatory text for consumer clothes dryers. Specifically, the regulatory text that establishes separate product classes for vented electric standard clothes dryers and vented gas clothes dryers with a cycle time of less than 30 minutes omitted the distinction that the 30-minute cycle time is determined when conducting the test procedure at title 10 of the Code of Federal Regulations (“CFR”), part 430, subpart B, appendix D2 (“appendix D2”). This distinction was provided in the regulatory text of the notice of proposed rulemaking published on August 13, 2020 (85 FR
III. Procedural Issues and Regulatory Review

DOE has concluded that the determinations made pursuant to the various procedural requirements applicable to the December 2020 final rule remain unchanged for this final rule technical correction. These determinations are set forth in the December 2020 final rule, 85 FR 81359, 81373.

Pursuant to the Administrative Procedure Act, 5 U.S.C. 553(b)(3)(B), DOE finds that there is good cause to not issue a separate notice to solicit public comment on the changes contained in this document. Issuing a separate notice to solicit public comment would be impracticable, unnecessary, and contrary to the public interest. Neither the errors nor the corrections in this document affect the substance of the December 2020 final rule or any of the conclusions reached in support of the final rule. Providing prior notice and an opportunity for public comment on correcting objective, typographical errors that do not change the substance of the test procedure serves no useful purpose.

Further, this rule correcting a regulatory text omission makes non-substantive changes to the test procedure. As such, this rule is not subject to the 30-day delay in effective date requirement of 5 U.S.C. 553(d) otherwise applicable to rules that make substantive changes.

List of Subjects in 10 CFR Part 430

Administrative practice and procedure, Confidential business information, Energy conservation, Household appliances, Imports, Incorporation by reference, Intergovernmental relations, Small businesses.

Signing Authority

This document of the Department of Energy was signed on May 3, 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 May 4, 2021.

Treena V. Garrett,
Federal Register Liaison Officer, U.S. Department of Energy.

For the reasons stated in the preamble, DOE corrects part 430 of chapter II, subchapter D, of title 10 of the Code of Federal Regulations by making the following correcting amendments:

PART 430—ENERGY CONSERVATION PROGRAM FOR CONSUMER PRODUCTS

1. The authority citation for part 430 continues to read as follows:


2. Section 430.32 is amended by revising paragraph (h)(3)(ii) to read as follows:

§ 430.32 Energy and water conservation standards and their compliance dates.

(h) * * * * 

(ii) Vented, electric standard clothes dryers and vented gas clothes dryers with a cycle time of less than 30 minutes, when tested according to appendix D2 in subpart B of this part, are not currently subject to energy conservation standards.

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