

4. On page 1764, in the second column, the last complete sentence in the column is corrected to read, "New paragraph (c)(1) requires that potable water be used for ice, except that water and ice used for chilling may be reused in accordance with § 416.2(g), and new paragraph (c)(2)(i) requires that chilling equipment be operated in a manner consistent with applicable pathogen reduction performance standards and the establishment's HACCP plan."

#### § 381.1 [Corrected]

5. On page 1770, in the third column, in § 381.1, paragraph (b) is corrected by removing the paragraph designation "(44)" from the definition for ready-to-cook poultry.

#### § 381.65 [Corrected]

6. On page 1771, in the first column, in § 381.65, paragraph (e) is corrected and paragraph (f) is added, to read as follows:

\* \* \* \* \*

(e) Poultry carcasses contaminated with visible fecal material shall be prevented from entering the chilling tank.

(f) Detached ova may be collected for human food and handled only in accordance with 9 CFR 590.44 and may leave the establishment only to be moved to an official egg product processing plant for processing. Ova from condemned carcasses must be condemned and treated as required in § 381.95.

#### § 381.66 [Corrected]

7. On page 1771, in the second column, in § 381.66, the first sentence in paragraph (c)(1) is corrected to read as follows:

\* \* \* \* \*

(c) \* \* \*

(1) Only ice produced from potable water may be used for ice and water chilling, except that water and ice used for chilling may be reused in accordance with § 416.2(g). \* \* \*

Done at Washington, DC: April 12, 2001.

**Thomas J. Billy,**

*Administrator.*

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## DEPARTMENT OF ENERGY

### 10 CFR Part 430

[Docket No. EE-RM-94-403]

RIN 1940-AB67

#### Office of Energy Efficiency and Renewable Energy; Energy Conservation Program for Consumer Products: Clothes Washer Energy Conservation Standards

**AGENCY:** Department of Energy (DOE).

**ACTION:** Final rule; denial of reconsideration and completion of regulatory review.

**SUMMARY:** In accordance with the memorandum of January 20, 2001, from the Assistant to the President and Chief of Staff, entitled "Regulatory Review Plan," published in the **Federal Register** on January 24, 2001, (66 FR 7702) DOE temporarily delayed for 60 days (66 FR 8744, February 2, 2001) the effective date of appendix J to subpart B of 10 CFR part 430 in the final rule entitled "Energy Conservation Program for Consumer Products: Clothes Washer Energy Conservation Standards" published in the **Federal Register** on January 12, 2001 (66 FR 3314). By petition dated March 13, 2001, the Mercatus Center at George Mason University and the Competitive Enterprise Institute, on behalf of a variety of organizations purporting to represent consumer interests, petitioned for reconsideration of the final rule. DOE has considered the legal and policy arguments in the petition for reconsideration and has completed its review of the final rule. Having concluded that no further rulemaking action is warranted, DOE hereby denies the petition for reconsideration.

**DATES:** The April 13, 2001 effective date of the rule amending appendix J to subpart B of 10 CFR part 430 (66 FR 8744, February 2, 2001) is confirmed.

**FOR FURTHER INFORMATION CONTACT:** Jill Holtzman, Office of General Counsel, (202) 586-3410, [jill.holtzman@hq.doe.gov](mailto:jill.holtzman@hq.doe.gov), or Bryan Berringer, Office of Energy Efficiency and Renewable Energy, (202) 586-0371, [bryan.berringer@ee.doe.gov](mailto:bryan.berringer@ee.doe.gov), or Eugene Margolis, Office of General Counsel, (202) 586-9526, [eugene.margolis@hq.doe.gov](mailto:eugene.margolis@hq.doe.gov).

Issued in Washington, D.C. on April 12, 2001.

**Spencer Abraham,**  
*Secretary of Energy.*

[FR Doc. 01-9568 Filed 4-13-01; 1:00 pm]

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## DEPARTMENT OF ENERGY

### Office of Energy Efficiency and Renewable Energy

### 10 CFR Part 430

[Docket N. EE-RM-97-900]

RIN 1904-AA76

#### Energy Conservation Program for Consumer Products: Energy Conservation Standards for Water Heaters

**AGENCY:** Department of Energy (DOE).

**ACTION:** Final rule; denial of reconsideration and completion of regulatory review.

**SUMMARY:** In accordance with the memorandum of January 20, 2001, from the Assistant to the President and Chief of Staff, entitled "Regulatory Review Plan," published in the **Federal Register** on January 24, 2001, (66 FR 7702) DOE announced that it would be reviewing the rule entitled "Energy Conservation Program for Consumer Products: Energy Conservation Standards for Water Heaters; Final Rule" published in the **Federal Register** on January 17, 2001 (66 FR 4474) to determine whether further action is warranted. DOE has now completed its review of that regulation, and concludes that no further rulemaking action is required. The petitions for reconsideration filed by the Gas Appliance Manufacturers Association and the American Gas Association are denied.

**DATES:** The effective date of the rule remains January 20, 2004.

**FOR FURTHER INFORMATION CONTACT:** Jill Holtzman, (202) 586-3410, [jill.holtzman@hq.doe.gov](mailto:jill.holtzman@hq.doe.gov) or Francine B. Pinto, (202) 586-7432, [francine.pinto@hq.doe.gov](mailto:francine.pinto@hq.doe.gov), Office of the General Counsel.

**SUPPLEMENTARY INFORMATION:** Pursuant to section 325 of the Energy Conservation and Policy Act (ECPA) (42 U.S.C. 6295), DOE published in the **Federal Register** a final amended energy conservation standard for residential water heaters. This final rule did not change the current efficiency levels for oil-fired and instantaneous gas and electric water heaters. The rule creates a new class for tabletop water heaters with no change in standards.

On February 2, 2001, in conformity with President Bush's Regulatory Review Plan, DOE announced that it would be reviewing the water heater rule to determine whether further action is warranted (66 FR 8745). Subsequently, the Gas Appliance Manufacturers Association (GAMA) and