

models when installed as new, matched systems, and will allow for accurate comparisons of energy use between CAC and HP systems that use different refrigerants. Thus, DOE grants JCI's petition for waiver and requires that JCI test and rate the CAC and HP basic models listed in its petition according to the alternate test procedure specified in the Decision and Order, which is identical to the alternate test procedure provided in the interim waiver.

This Decision and Order is applicable only to the basic models listed and does not extend to any other basic models. DOE evaluates and grants waivers for only those basic models specifically set out in the petition, not future models that may be manufactured by the petitioner.

JCI may request that the scope of this waiver be extended to include additional basic models that employ the same technology as those listed in this waiver. 10 CFR 430.27(g). JCI may also submit another petition for waiver from the test procedure for additional basic models that employ a different technology and meet the criteria for test procedure waivers. 10 CFR 430.27(a)(1).

DOE notes that it may modify or rescind the waiver at any time upon DOE's determination that the factual basis underlying the petition for waiver is incorrect, or upon a determination that the results from the alternate test procedure are unrepresentative of the basic models' true energy consumption characteristics. 10 CFR 430.27(k)(1). Likewise, JCI may request that DOE rescind or modify the waiver if the company discovers an error in the information provided to DOE as part of its petition, determines that the waiver is no longer needed, or for other appropriate reasons. 10 CFR 430.27(k)(2).

DOE recognizes that commenters have raised valid concerns about the need to provide information regarding the energy consumption of CACs and HPs when a new outdoor unit is paired with an existing, older indoor unit. DOE is mindful that consumers need accurate comparative data in order to make informed purchasing decisions. Under DOE's waiver regulations, DOE is required to revise the CAC and HP test procedure so as to eliminate the need for this waiver. 10 CFR 430.27(l). During this process, DOE will explore all options within its statutory authority to provide energy consumption information to consumers that accounts for these replacement scenarios for all CAC and HP systems in the market, regardless of refrigerant.

### III. Consultations With Other Agencies

In accordance with 10 CFR 430.27(f)(2), DOE consulted with the Federal Trade Commission ("FTC") staff concerning JCI's petition for waiver.

### IV. Order

After careful consideration of all the material that was submitted by JCI for the models identified in the petition and the comments received, in this matter, it is ordered that:

(1) JCI must, as of the date of publication of this Order in the **Federal Register**, test and rate the CAC and HP basic models listed in paragraph (A) with the alternate test procedure set forth in paragraph (2):

(A) GAW14L18C2\*S,  
GAW14L24C2\*S, GAW14L30C2\*S,  
GAW14L36C2\*S, GAW14L42C2\*S,  
GAW14L48C2\*S, GAW14L60C2\*S

(2) The applicable method of test for the JCI basic models listed in paragraph (1)(A) is the test procedure for CACs and HPs prescribed by DOE at 10 CFR part 430, subpart B, appendix M, except that 10 CFR 429.16(a)(3)(i) shall be as detailed below. All other requirements of 10 CFR 429.16 remain applicable.

In § 429.16(a), *Determination of Represented Value*:

(3) *Refrigerants*. (i) If a model of outdoor unit (used in a single-split, multi-split, multi-circuit, multi-head mini-split, and/or outdoor unit with no match system) is distributed in commerce and approved for use with multiple refrigerants, a manufacturer must determine all represented values for that model using each refrigerant that can be used in an individual combination of the basic model (including outdoor units with no match or "tested combinations"). This requirement may apply across the listed categories in the table in paragraph (a)(1) of this section. A refrigerant is considered approved for use if it is listed on the nameplate of the outdoor unit. If any of the refrigerants approved for use is HCFC-22 or if there are no refrigerants designated as approved for use, a manufacturer must determine represented values (including SEER, EER, HSPF, SEER2, EER2, HSPF2,  $P_{W,OFF}$ , cooling capacity, and heating capacity, as applicable) for, at a minimum, an outdoor unit with no match. If a model of outdoor unit is not charged with a specified refrigerant from the point of manufacture (unless either (a) the factory charge is equal to or greater than 70% of the outdoor unit internal volume times the liquid density of refrigerant at 95 °F or (b) an A2L refrigerant is approved for use and listed in the certification report), a

manufacturer must determine represented values (including SEER, EER, HSPF, SEER2, EER2, HSPF2,  $P_{W,OFF}$ , cooling capacity, and heating capacity, as applicable) for, at a minimum, an outdoor unit with no match.

(3) *Representations*. JCI may not make representations about the efficiency of the basic models identified in paragraph (1) of this Order for compliance, marketing, or other purposes unless the basic model has been tested in accordance with the provisions set forth above and such representations fairly disclose the results of such testing.

(4) This waiver shall remain in effect consistent with the provisions of 10 CFR 430.27.

(5) This waiver is issued on the condition that the statements, representations, and documentation provided by JCI are valid. DOE may rescind or modify this waiver at any time if it determines the factual basis underlying the petition for waiver is incorrect, or the results from the alternate test procedure are unrepresentative of the basic models' true energy consumption characteristics. 10 CFR 430.27(k)(1). Likewise, JCI may request that DOE rescind or modify the waiver if JCI discovers an error in the information provided to DOE as part of its petition, determines that the waiver is no longer needed, or for other appropriate reasons. 10 CFR 430.27(k)(2).

(6) Granting of this waiver does not release JCI from the certification requirements set forth at 10 CFR part 429.

Signed in Washington, DC, on September 27, 2019.

**Alexander Fitzsimmons**

*Acting Deputy Assistant Secretary For Energy Efficiency.*

[FR Doc. 2019-21437 Filed 10-1-19; 8:45 am]

**BILLING CODE 6450-01-P**

## DEPARTMENT OF ENERGY

### Environmental Management Site-Specific Advisory Board Chairs

**AGENCY:** Office of Environmental Management, Department of Energy.

**ACTION:** Notice of open meeting.

**SUMMARY:** This notice announces a meeting of the Environmental Management Site-Specific Advisory Board (EM SSAB) Chairs. The Federal Advisory Committee Act requires that public notice of this meeting be announced in the **Federal Register**.

**DATES:**

Tuesday, October 29, 2019, 8:30 a.m.–5:15 p.m.  
 Wednesday, October 30, 2019, 9:00 a.m.–12:00 p.m.

**ADDRESSES:** Sun Valley Inn, 2 Sun Valley Road, Sun Valley, Idaho 83353.

**FOR FURTHER INFORMATION CONTACT:** David Borak, EM SSAB Designated Federal Officer, U.S. Department of Energy, 1000 Independence Avenue SW, Washington, DC 20585; Phone: (202) 586–9928, or email: [david.borak@em.doe.gov](mailto:david.borak@em.doe.gov).

**SUPPLEMENTARY INFORMATION:**

*Purpose of the Board:* The purpose of the Board is to make recommendations to DOE–EM and site management in the areas of environmental restoration, waste management, and related activities.

**Tentative Agenda Topics**

*Tuesday, October 29, 2019*

- EM Program Update
- EM SSAB Chairs' Round Robin
- EM Budget Update
- Transportation in Environmental Cleanup
- Working with DOE on Transportation Planning
- Public Comment
- Board Business

*Wednesday, October 30, 2019*

- DOE Headquarters News and Views
- Field Operations/Waste Disposition Update
- Public Comment
- Board Business

*Public Participation:* The meeting is open to the public. The EM SSAB Chairs welcome the attendance of the public at their advisory committee meetings and will make every effort to accommodate persons with physical disabilities or special needs. If you require special accommodations due to a disability, please contact David Borak at least seven days in advance of the meeting at the phone number listed above. Written statements may be filed either before or after the meeting with the Designated Federal Officer, David Borak, at the address or telephone listed above. Individuals who wish to make oral statements pertaining to agenda items should also contact David Borak. Requests must be received five days prior to the meeting and reasonable provision will be made to include the presentation in the agenda. The Designated Federal Officer is empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of business. Individuals wishing to make public comment will be provided a maximum of five minutes to present their comments.

*Minutes:* Minutes will be available by writing or calling David Borak at the address or phone number listed above. Minutes will also be available at the following website: <https://energy.gov/em/listings/chairs-meetings>.

Signed in Washington, DC, on September 26, 2019.

**LaTanya Butler,**

*Deputy Committee Management Officer.*

[FR Doc. 2019–21366 Filed 10–1–19; 8:45 am]

**BILLING CODE 6450–01–P**

**DEPARTMENT OF ENERGY**

**DOE Response to Recommendation 2019–2 of the Defense Nuclear Facilities Safety Board, Safety of the Savannah River Site Tritium Facilities**

**AGENCY:** Office of Environment, Health, Safety and Security, Department of Energy.

**ACTION:** Notice.

**SUMMARY:** On June 11, 2019, the Defense Nuclear Facilities Safety Board issued Recommendation 2019–2, *Safety of the Savannah River Site Tritium Facilities*, to the Department of Energy. In accordance with the Atomic Energy Act of 1954, the Secretary of Energy's response to the Recommendation is provided in this notice.

**DATES:** Comments, data, views, or arguments concerning the Secretary's response are due on or before November 1, 2019.

**ADDRESSES:** Please send to: Defense Nuclear Facilities Safety Board, 625 Indiana Avenue NW, Suite 700, Washington, DC 20004.

**FOR FURTHER INFORMATION CONTACT:** Mr. Christopher Chaves, Office of the Departmental Representative to the Defense Nuclear Facilities Safety Board, Office of Environment, Health, Safety and Security, U.S. Department of Energy, 1000 Independence Avenue SW, Washington, DC 20585, or telephone number (301) 903–5999, or email [Christopher.Chaves@hq.doe.gov](mailto:Christopher.Chaves@hq.doe.gov).

**SUPPLEMENTARY INFORMATION:** On June 11, 2019, the Defense Nuclear Facilities Safety Board issued Recommendation 2019–2, *Safety of the Savannah River Site Tritium Facilities*, to the Department of Energy. Recommendation 2019–2 was published in the **Federal Register** on June 19, 2019 (84 FR 28517). In accordance with section 315(c) of the Atomic Energy Act of 1954 (42 U.S.C. 2286d(c)), the Secretary of Energy's response to the Recommendation is printed in full at the conclusion of this notice.

Signed in Washington, DC on September 24, 2019.

**Joe Olencz,**

*Departmental Representative to the Defense Nuclear Facilities Safety Board, Office of Environment, Health, Safety and Security.*

**September 10, 2019**

The Honorable Bruce Hamilton  
 Defense Nuclear Facilities Safety Board

625 Indiana Avenue NW, Suite 700  
 Washington, DC 20004

Dear Mr. Chairman:

I appreciate the Defense Nuclear Facilities Safety Board's (DNFSB) continued support to the Department of Energy's National Nuclear Security Administration (DOE/NNSA) in the safe operation of our facilities. I am committed to ensuring DOE/NNSA continues to remain fully compliant in the safe operations of our defense nuclear facilities in a manner that provides adequate protection to the public, our workforce, and the environment. Secretary Perry has requested that I respond to DNFSB Recommendation 2019–2, *Safety of the Savannah River Site Tritium Facilities*, dated June 11, 2019. In responding, I first want to assure you that DOE/NNSA remains fully compliant and committed in our duties to the American public in the safe operation of these facilities as outlined in the enclosure to this letter. These actions address the concerns of the DNFSB and reflect how DOE/NNSA is providing adequate protection of the public's health and safety at the Tritium Facilities at the Savannah River Site (SRS). Therefore, I do not accept Recommendation 2019–2.

DOE/NNSA's safety programs and policies, and their effective implementation by our well-trained workforce, provide reasonable assurance that adequate protection of public health and safety is provided. Focused ongoing actions at the Tritium Facilities at SRS adequately address DNFSB concerns outlined in Recommendation 2019–2 and make the need for additional actions in response to a DNFSB Recommendation unnecessarily duplicative of that effort, and would, therefore, detract from our continued progress. Our commitment to safety in the Tritium Facilities remains unwavering, and there has been no change in the conservative safety philosophy in the operation of the Tritium Facilities.

The Department believes that the current Tritium Facilities' documented safety analysis contains appropriate safety significant controls and the new analysis, which is nearing completion, will strengthen that safety posture. The