

# 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 ENERGY

### 10 CFR Part 431

[EERE-2017-BT-STD-0022]

RIN 1904-AE47

### Energy Conservation Program: Energy Conservation Standards for Automatic Commercial Ice Makers; Reopening of Public Comment Period

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

**ACTION:** Notification of availability of preliminary technical support document; reopening of public comment period.

**SUMMARY:** On March 25, 2022, the U.S. Department of Energy (“DOE”) published in the **Federal Register** a notification of a webinar and availability of preliminary technical support document for automatic commercial ice makers (“ACIMs”), with a deadline for submitting comments of May 24, 2022. Since publication of the proposed rule, DOE has received four requests to extend the comment period. DOE has reviewed these requests and is reopening the comment period until June 7, 2022.

**DATES:** The comment period for the notification of a preliminary analysis regarding energy conservation standards for ACIMs published in the **Federal Register** on March 25, 2022 (87 FR 17025) is reopened to June 7, 2022. Written comments, data, and information are requested and will be accepted on and before June 7, 2022.

**ADDRESSES:** Interested persons are encouraged to submit comments using the Federal eRulemaking Portal at [www.regulations.gov](http://www.regulations.gov) under docket number EERE-2017-BT-STD-0022. Follow the instructions for submitting comments. Alternatively, comments may be submitted by email to: [ACIM2017STD0022@ee.doe.gov](mailto:ACIM2017STD0022@ee.doe.gov). Include docket number EERE-2017-BT-STD-0022 in the subject line of the message.

No telefacsimiles (“faxes”) will be accepted. For detailed instructions on submitting comments and additional information on this process, see section IV of this document.

Although DOE has routinely accepted public comment submissions through a variety of mechanisms, including the Federal eRulemaking Portal, email, postal mail and hand delivery/courier, the Department has found it necessary to make temporary modifications to the comment submission process in light of the ongoing COVID-19 pandemic. DOE is currently suspending receipt of public comments via postal mail and hand delivery/courier. If a commenter finds that this change poses an undue hardship, please contact Appliance Standards Program staff at (202) 586-1445 to discuss the need for alternative arrangements. Once the COVID-19 pandemic health emergency is resolved, DOE anticipates resuming all of its regular options for public comment submission, including postal mail and hand delivery/courier.

To inform interested parties and to facilitate this rulemaking process, DOE has prepared an agenda, a preliminary TSD, and briefing materials, which are available on the DOE website at: [www.regulations.gov/docket/EERE-2020-BT-STD-0014](http://www.regulations.gov/docket/EERE-2020-BT-STD-0014).

**Docket:** The docket for this activity, which includes **Federal Register** notices, comments, and other supporting documents/materials, is available for review at [www.regulations.gov](http://www.regulations.gov). All documents in the docket are listed in the [www.regulations.gov](http://www.regulations.gov) index. However, not all documents listed in the index may be publicly available, such as those containing information that is exempt from public disclosure.

The docket web page can be found at [www.regulations.gov/#!docketDetail;D=EERE-2017-BT-STD-0022](http://www.regulations.gov/#!docketDetail;D=EERE-2017-BT-STD-0022). The docket web page contains instructions on how to access all documents, including public comments in the docket. See section IV for information on how to submit comments through [www.regulations.gov](http://www.regulations.gov).

#### FOR FURTHER INFORMATION CONTACT:

Dr. Stephanie Johnson, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies, EE-2J, 1000 Independence Avenue SW, Washington,

DC 20585-0121. Telephone: (202) 287-1943 Email:

[ApplianceStandardsQuestions@ee.doe.gov](mailto:ApplianceStandardsQuestions@ee.doe.gov).

Ms. Sarah Butler, U.S. Department of Energy, Office of the General Counsel, GC-33, 1000 Independence Avenue SW, Washington, DC 20585-0121.

Telephone: (202) 586-1777. Email: [Sarah.Butler@hq.doe.gov](mailto:Sarah.Butler@hq.doe.gov).

For further information on how to submit a comment, review other public comments and the docket, contact the Appliance and Equipment Standards Program staff at (202) 287-1445 or by email: [Stephanie.johnson@ee.doe.gov](mailto:Stephanie.johnson@ee.doe.gov).

**SUPPLEMENTARY INFORMATION:** On March 25, 2022, DOE published a notification of a webinar and availability of preliminary technical support document for ACIMs. This document announced a public meeting webinar would be held on April 25, 2022, and a comment period deadline of May 24, 2022.

Additionally, on March 24, 2022, DOE received a request from the Hoshizaki America, Inc. to move the webinar date due to a conflict with an industry-wide Conference. To accommodate these scheduling issues, DOE moved the public meeting webinar for ACIMs to Thursday, May 5, 2022. On May 16, 2022, DOE received a comment from the American Heating, Refrigeration, and Air Conditioning Institute (AHRI) seeking a 60-day extension of the public comment period for ACIMs. AHRI justified their request citing a need for more time to gather data and to avoid other meeting conflicts. On May 17, 2022, DOE received a comment from the North American Association of Food Equipment Manufacturers (NAFEM) seeking a 60-day extension of the public comment period for ACIMs. NAFEM justified their request citing a need for more time to gather data and to avoid other meeting conflicts. On May 18, 2022, DOE received a comment from the Association of Home Appliance Manufacturers (AHAM) seeking a 60-day extension of the public comment period for ACIMs. AHAM justified their request citing that this comment period overlaps with other DOE comment periods and a need for a response from DOE on a question regarding the shipments analysis that came up during the May 5, 2022, ACIM webinar. The response to question about the shipments analysis that was raised by AHAM on the May 5, 2022, webinar is

in the docket EERE-2017-BT-STD-0022-0010.

Through this notification, DOE will reopen the comment period and accept submissions of comments, data, information until June 7, 2022. Accordingly, DOE will now accept written comments and information on the notification of a preliminary analysis regarding energy conservation standards for ACIMs submitted on and before June 7, 2022.

#### Signing Authority

This document of the Department of Energy was signed on May 23, 2022, by Kelly J. Speakes-Backman, Principal Deputy 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 23, 2022.

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

[FR Doc. 2022-11323 Filed 5-25-22; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR 52

[EPA-HQ-OAR-2015-0072; FRL-8635-04-OAR]

#### Release of the Policy Assessment for the Reconsideration of the National Ambient Air Quality Standards for Particulate Matter

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of availability; policy assessment.

**SUMMARY:** On or about May 23, 2022, the Environmental Protection Agency (EPA) will make available the document, *Policy Assessment for the Reconsideration of the National Ambient Air Quality Standards for Particulate Matter* (PA). This document was prepared as a part of the current

reconsideration of the 2020 final decision on the National Ambient Air Quality Standards (NAAQS) for Particulate Matter (PM). The PA serves to “bridge the gap” between the currently available scientific and technical information and the judgments required of the Administrator in determining whether to retain or revise the existing PM NAAQS.

**DATES:** This document will be available on or about May 23, 2022.

**ADDRESSES:** This document will be available on the EPA’s website at <https://www.epa.gov/naaqs/particulate-matter-pm-air-quality-standards>. The document will be accessible under “Policy Assessments” from the current review.

**FOR FURTHER INFORMATION CONTACT:** Dr. Lars Perlmutter, Office of Air Quality Planning and Standards, (Mail Code C539-04), U.S. Environmental Protection Agency, Research Triangle Park, NC 27711; telephone number: 919-541-3037, fax number: 919-541-5315; or email: [perlmutter.lars@epa.gov](mailto:perlmutter.lars@epa.gov).

**SUPPLEMENTARY INFORMATION:** Two sections of the Clean Air Act (CAA or the Act) govern the establishment and revision of the NAAQS. Section 108 directs the Administrator to identify and list certain air pollutants and then issue “air quality criteria” for those pollutants. The air quality criteria are to “accurately reflect the latest scientific knowledge useful in indicating the kind and extent of all identifiable effects on public health or welfare which may be expected from the presence of such pollutant in the ambient air . . .” (CAA section 108(a)(2)). Under section 109 of the Act, the EPA is then to establish primary (health-based) and secondary (welfare-based) NAAQS for each pollutant for which the EPA has issued air quality criteria. Section 109(d)(1) of the Act requires periodic review and, if appropriate, revision of existing air quality criteria. Revised air quality criteria are to reflect advances in scientific knowledge on the effects of the pollutant on public health and welfare. Under the same provision, the EPA is also to periodically review and, if appropriate, revise the NAAQS, based on the revised air quality criteria.

The Act additionally requires appointment of an independent scientific review committee that is to periodically review the existing air quality criteria and NAAQS and to recommend any new standards and revisions of existing criteria and standards as may be appropriate (CAA section 109(d)(2)(A)–(B)). Since the early 1980s, the requirement for an independent scientific review

committee has been fulfilled by the Clean Air Scientific Advisory Committee (CASAC). In December 2020, the EPA announced its final decision to retain the primary and secondary PM<sub>2.5</sub> and PM<sub>10</sub> standards, without revision (85 FR 82684, December 18, 2020).<sup>1</sup> On June 10, 2021, the Agency announced its decision to reconsider the 2020 p.m. NAAQS final action.<sup>2</sup> In its announcement of the reconsideration of the PM NAAQS, the Agency explained that, in support of the reconsideration, it would develop a supplement to the 2019 Integrated Science Assessment (ISA Supplement)<sup>3</sup> and an updated PA. A draft of the ISA Supplement was released in September 2021 (86 FR 54186, September 30, 2021) and a draft of the PA was released in October 2021 (86 FR 56263, October 8, 2021). The draft ISA Supplement and the draft PA were reviewed by the seven-member chartered CASAC, with support from the PM CASAC Panel.<sup>4,5</sup> The final PA reflects consideration of the advice and comments from the CASAC, as well as public comments, on the draft PA. The PA serves to “bridge the gap” between the scientific and technical information in the 2019 ISA and ISA Supplement and any air quality, exposure and risk analyses available in the reconsideration, and the judgments required of the Administrator in determining whether to retain or revise the existing PM NAAQS. The PA builds upon the information presented in the 2019 ISA, the ISA Supplement, and the 2020 PA. The PA document will be available on or about May 23, 2022, on the EPA’s website at <https://www.epa.gov/naaqs/particulate-matter-pm-air-quality-standards>.

The document briefly described above does not represent and should not be construed to represent any final EPA policy, viewpoint, or determination.

<sup>1</sup> The welfare effects considered in this reconsideration include visibility impairment, climate effects, and materials effects (*i.e.*, damage and soiling). Ecological effects of PM, such as those related to deposition of nitrogen- and sulfur-containing compounds in vulnerable ecosystems, are being considered in the separate, on-going review of the secondary NAAQS for oxides of nitrogen and oxides of sulfur.

<sup>2</sup> The press release for this announcement is available at: <https://www.epa.gov/newsreleases/epa-reexamine-health-standards-harmful-soot-previous-administration-left-unchanged>

<sup>3</sup> The 2019 ISA and the ISA Supplement are available at: <https://www.epa.gov/naaqs/particulate-matter-pm-standards-integrated-science-assessments-current-review>

<sup>4</sup> For more information, see: [https://casac.epa.gov/ords/sab/f?p=105:18:667108909508::RP,18:P18\\_ID:2606](https://casac.epa.gov/ords/sab/f?p=105:18:667108909508::RP,18:P18_ID:2606)

<sup>5</sup> For more information, see: [https://casac.epa.gov/ords/sab/f?p=105:18:13023836743815::RP,18:P18\\_ID:2607#meeting](https://casac.epa.gov/ords/sab/f?p=105:18:13023836743815::RP,18:P18_ID:2607#meeting).