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DEPARTMENT OF ENERGY

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[EERE–2025–BT–STD–0010]

RIN 1904–AF80

Energy Conservation Program: Exempt Power Supplies Under the EPS Service Parts Act of 2014

AGENCY: Office of Critical Minerals and Energy Innovation, Department of Energy.

ACTION: Final rule.

SUMMARY: The Department of Energy (''DOE'' or ''the Department'') is revising its existing regulations to remove certain reporting requirements imposed on exempt consumer external power supplies (''EPSs'') adopted under the Energy Policy and Conservation Act, as amended.

DATES: The effective date of this rule is May 28, 2026.

ADDRESSES: The docket, which includes **Federal Register** notices, public meeting attendee lists and transcripts, comments, and other supporting documents and materials, is available for review at *www.regulations.gov.* All documents in the docket are listed in the *www.regulations.gov* index. However, not all documents listed in the index may be publicly available, such as information that is exempt from public disclosure.

The docket web page can be found at *www.regulations.gov/docket/EERE-2025-BT-STD-0010.* The docket web page contains instructions on how to access all documents, including public comments, in the docket, as well as a summary of the rulemaking.

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For further information on how to review other public comments and the docket, contact the Appliance and Equipment Standards Program staff at (202) 287–1445 or by email: *ApplianceStandardsQuestions@ee.doe.gov.*

SUPPLEMENTARY INFORMATION:

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I. Introduction

The following section briefly discusses the statutory authority underlying this final rule, as well as the historical background related to the establishment of reporting requirements for EPSs.

A. Authority

The Energy Policy and Conservation Act, Public Law 94–163, as amended (''EPCA''),[1] authorizes DOE to regulate the energy efficiency of a number of consumer products and certain industrial equipment. (42 U.S.C. 6291–6317, as codified). Title III, Part B,[2] of EPCA established the Energy Conservation Program for Consumer Products Other Than Automobiles. (42 U.S.C. 6291–6309, as codified). These products include EPSs, the subject of this document. (42 U.S.C. 6295(u)).

Under EPCA, DOE's energy conservation program consists essentially of four parts:

1. Testing
2. Labeling
3. Establishing Federal energy conservation standards
4. Certifying and enforcing procedures

Relevant provisions of EPCA specifically include definitions (42 U.S.C. 6291), test procedures (42 U.S.C. 6293), labeling provisions (42 U.S.C. 6294), energy conservation standards (42 U.S.C. 6295), and the authority to require information and reports from manufacturers (42 U.S.C. 6296).

Federal energy conservation requirements for covered products established under EPCA generally supersede State laws and regulations concerning energy use or efficiency of covered products. (42 U.S.C. 6297(b)–(c)). DOE may, however, grant waivers of Federal preemption in limited circumstances for particular State laws or regulations, in accordance with the procedures and other provisions set forth under EPCA. (42 U.S.C. 6297(d)).

Subject to certain criteria and conditions, DOE is required to develop test procedures to measure the energy efficiency, energy use, water use (as applicable), or estimated annual operating cost of each covered product during a representative average use cycle or period of use, and the statute further requires that the test procedure not be unduly burdensome to conduct. (42 U.S.C. 6293, 42 U.S.C. 6295(o)(3)(A), and 42 U.S.C. 6295(r)). Manufacturers of covered products must use the

[1] All references to EPCA in this document refer to the statute as amended through the Energy Act of 2020, Public Law 116–260 (Dec. 27, 2020), which reflect the last statutory amendments that impact Parts A and A–1 of EPCA.

[2] For editorial reasons, on codification in the U.S. Code, Part B was redesignated Part A.

prescribed DOE test procedure as the basis for certifying to DOE that their product complies with the applicable energy conservation standards and as the basis for any representations regarding the energy use or energy efficiency of the product. (42 U.S.C. 6293(c) and 42 U.S.C. 6295(s)). Similarly, DOE must use these test procedures to evaluate whether a basic model of the product complies with the applicable energy conservation standard(s) adopted according to EPCA. (42 U.S.C. 6295(s)). The DOE test procedures for EPSs appear in the Code of Federal Regulations (''CFR'') at 10 CFR 430.23(bb) and 10 CFR part 430, subpart B, appendix Z.

DOE notes that on December 19, 2007, Congress amended EPCA by enacting the Energy Independence and Security Act of 2007 (''EISA 2007''; Pub. L. 110–140). Section 301 of EISA 2007 established minimum energy conservation standards for Class A EPSs manufactured on or after July 1, 2008. (42 U.S.C. 6295(u)(3)(A); see also 42 U.S.C. 6291(36)(C)(i)–(ii)). EISA 2007 exempts Class A EPSs from meeting these statutorily prescribed standards if the devices were manufactured before July 1, 2015, and made available by the manufacturer as service parts or spare parts for end-use consumer products that were manufactured prior to July 1, 2008. (42 U.S.C. 6295(u)(3)(B)). Congress created this limited (and temporary) exemption as part of a broad range of amendments to EPCA under EISA 2007. The provision did not grant DOE with the authority to expand or extend the length of this exemption, and Congress did not grant DOE with the general authority to exempt any already covered product from the requirements set by Congress.

Subsequently, on December 18, 2014, Congress further amended EPCA by enacting the EPS Service Parts Act of 2014 (''Service Parts Act''; Pub. L. 113–263). That law amended section 325(u) of EPCA (42 U.S.C. 6295(u)) to create a time-limited exemption from the amended energy conservation standards for certain EPSs made available exclusively as service or spare parts. To be exempt under the Service Parts Act, an EPS must meet four separate criteria (codified at 42 U.S.C. 6295(u)(5)(A)(i)). Specifically, the EPS must:

- Be manufactured during the four-year period beginning on February 10, 2016, and ending on February 10, 2020.
- Be marked in accordance with the External Power Supply International Efficiency Marking Protocol, as in effect on February 10, 2016.
- Meet, where applicable, the standards under 42 U.S.C. 6295(u)(3)(A) (*i.e.,* the standards for Class A EPSs) and be certified to DOE as meeting at least International Efficiency Level IV or higher of the External Power Supply International Efficiency Marking Protocol, as in effect on February 10, 2016.
- Be made available by the manufacturer as a service part or spare part for an end-use product that constitutes the primary load and was manufactured before February 10, 2016.

Additionally, the Service Parts Act allowed DOE to limit the applicability of the exemption if the Secretary determines that the exemption is resulting in a significant reduction in the energy savings that would result in the absence of the exemption. (See 42 U.S.C. 6295(u)(5)(A)(iii)). The statute also authorized DOE to provide a similar exemption for EPSs from future energy conservation standards. (See 42 U.S.C. 6295(u)(5)(B)). Finally and most relevant here, the Service Parts Act granted DOE discretionary authority to require manufacturers of exempted EPSs to report to DOE the total number of such EPS units that are shipped annually as service and spare parts and that do not meet those standards. (See 42 U.S.C. 6295(u)(5)(A)(ii)). Congress, therefore, authorized—but did not require—DOE to impose a reporting obligation for exempt EPSs.

DOE is publishing this final rule pursuant to the authority granted under 42 U.S.C. 6295(u)(5)(A)(ii).

B. Background

1. Current Reporting Requirements for Exempted EPSs

The current certification reporting requirements for EPSs are set forth in DOE's regulations at 10 CFR 429.37(b). Reporting requirements directly addressing exempted EPSs are set forth in DOE's regulations at 10 CFR 429.37(b)(3) and (c). More specifically, 10 CFR 429.37(b)(3) provides that (according to 10 CFR 429.12(b)(13)) a certification report for EPSs that are exempt from the energy conservation standards at 10 CFR 430.32(w)(1)(ii) according to 10 CFR 430.32(w)(2) of this chapter must include the total number of units of exempt EPSs sold during the most recent 12-calendar-month period ending on July 31, starting with the annual report due on September 1, 2017, if, in aggregate, the total number of exempt EPSs sold as spare and service parts by the certifier exceeds 1,000 units across all models.

Furthermore, 10 CFR 429.37(c) provides that for external power supplies that are exempt from energy conservation standards according to 10 CFR 430.32(w)(2) of this chapter and are not required to be certified according to 10 CFR 429.12(a) as compliant with an applicable standard, the importer or domestic manufacturer must, no later than September 1, 2017, and annually by each September 1 thereafter, submit a report if, in aggregate, the total number of exempt EPSs sold as spare and service parts by the importer or manufacturer exceeds 1,000 units across all models. This report must include:

- The importer or domestic manufacturer's name and address
- The brand name
- The number of units sold during the most recent 12-calendar-month period ending on July 31

The report must be submitted to DOE in accordance with the submission procedures set forth in 10 CFR 429.12(h).

2. History of Reporting Requirements Rulemakings for Exempted EPSs

DOE exercised its discretionary authority to require exempted EPS reporting in 2015. On November 18, 2015, DOE published a notice of proposed rulemaking (''NOPR'') in the **Federal Register** proposing to codify the provisions of the EPS Service Parts Act of 2014 within the CFR and solicited comment from the public. (80 FR 71984). As part of that NOPR, DOE sought comment on a number of specific issues, including how manufacturers produce spare or service parts as compared with how manufacturers produce EPS units provided with a new product, the specific language that should be codified regarding the exemption of certain EPSs sold as service or spare parts, and the reporting timeframe for importers and domestic manufacturers to report the total number of units sold in the prior year. DOE analyzed and addressed all of the public comments received in response to the 2015 NOPR when preparing the final rule.

On May 16, 2016, DOE published a final rule in the **Federal Register** (''May 2016 Final Rule''), which incorporated the statutory provisions into its regulations at 10 CFR 430.32(w)(2)(i), as well as provided some clarification on the circumstances under which EPSs would be considered spare or service parts. More specifically, DOE clarified that although exempt EPSs are not required to meet the amended Level VI standards, they remain subject, as applicable, to the existing Class A EPS standards at International Efficiency Level IV and must be certified in accordance with 10 CFR 430.32(w)(2)(iii). Most relevant here,

DOE's final rule also required manufacturers who manufacture 1,000 or more exempt EPSs to annually report to DOE the total number of units of exempt EPSs shipped as service and spare parts that do not meet the 2016 standards. (81 FR 30157, 30163). As noted previously, these annual reporting requirements are currently codified in DOE's regulations at 10 CFR 429.37(b)(3) and (c).

Most recently, on May 16, 2025, DOE published in the **Federal Register** a notice of proposed rulemaking (''May 2025 NOPR''), proposing to rescind, in part, the reporting requirements for exempt EPSs adopted by DOE in the May 2016 Final Rule. In the May 2025 NOPR, DOE stated that it was proposing a new policy to reduce regulatory burden wherever possible and that, unless a reporting requirement is required by statute, the Secretary would propose eliminating that requirement. (90 FR 20831, 20832). Therefore, in the May 2025 NOPR, DOE proposed to rescind the reporting requirements for exempted EPS specified in the EPS Service Parts Act of 2014 in their entirety and sought comment on all aspects of that proposal, including but not limited to the prior rule's consistency with statutory authority and the Constitution, the prior rule's costs and benefits, and the prior rule's effect on innovation, development, and private enterprise. (*Id*).

DOE received comments in response to the May 2025 NOPR from the interested parties listed in Table I.1.

TABLE I.1—LIST OF COMMENTERS WITH WRITTEN SUBMISSIONS IN RESPONSE TO THE MAY 2025 NOPR

Commenter(s)	Reference in this final rule	Comment No. in the docket	Commenter type
Association of Home Appliance Manufacturers, Consumer Technology Association, Information Technology Industry Council, National Electrical Manufacturers Association, Power Tool Institute.	AHAM *et al*	12	Trade Associations.
Center for Biological Diversity	CBD	9	Advocacy Organization.
District of Columbia Department of Energy and Environment, Maine Governor's Energy Office, Maryland Energy Administration, Massachusetts Department of Energy Resources, Minnesota Department of Commerce, New York State Energy Research and Development Authority, and Washington State Department of Commerce.	DOEE *et al*	10	State Agencies.
Anonymous	Anonymous	2	Individual.
Daniel Simpson	Simpson	7	Individual.

A parenthetical reference at the end of a comment quotation or paraphrase provides the location of the item in the public record and page number of that document.[3] To the extent that interested parties have provided written comments that are substantively consistent with any oral comments provided during the May 29, 2025, public meeting, DOE cites the written comments throughout this final rule. DOE did not identify any oral comments provided during the May 29, 2025, public meeting that are not also substantively addressed by written comments.[4]

II. General Discussion and Rationale for Action

DOE has determined that it has a good reason to consider rescission of the existing reporting requirements for exempted EPSs. The scope of the exemption was inherently limited by the fixed manufacturing window ending February 10, 2020, and by the requirement that exempt EPSs be used only to support end-use products manufactured before February 10, 2016. With time, the number of EPSs eligible for the exemption has naturally declined because no EPSs manufactured after February 10, 2020, can qualify and because the population of end-use products manufactured before February 10, 2016, has continued to decrease as they age and are retired from use. Correspondingly, DOE has observed that the number of exempt EPSs reported under 10 CFR 429.37 has diminished significantly in recent years. As of November 2025, DOE's research revealed that 17 exempt EPSs are certified by five different manufacturers out of approximately 13,000 EPS basic models by 750 different manufacturers in DOE's Compliance Certification Database. Given these conditions, the exemption and more so the reporting requirements established by the EPS Service Parts Act currently have limited practical effect. Moreover, because the Act did not provide any exemption for EPSs manufactured after February 10, 2020, all EPSs manufactured today are required to meet the current Level VI energy conservation standards and must be certified accordingly.

In response to the May 2025 NOPR, CBD and DOEE *et al.* generally opposed the proposal to rescind the reporting requirements for exempted EPSs, while AHAM *et al.* generally supported the proposal. (CBD, No. 9 at p. 1; DOEE *et al.,* No. 10 at p. 1; AHAM *et al.,* No. 12 at p. 1). Two individuals also expressed opposition, although their concerns focused on rescission of EPS standards, an action not proposed in the subject May 16, 2025, NOPR. (Anonymous, No. 2 at p. 1; Simpson, No. 7 at p. 1). Specific comments are discussed in detail in the following sections.

A. Legal Issues

In response to the May 2025 NOPR, DOE received several comments on the legal impacts of the proposed changes. CBD commented that DOE's proposed rulemaking to rescind EPS reporting requirements ignores congressional mandates. (CBD, No. 9 at p. 2). In particular, CBD commented that DOE's action violates EPCA's anti-backsliding provision at 42 U.S.C. 6295(o)(1) because it weakens existing standards. (CBD, No. 9 at p. 2).

In response, DOE believes that CBD miscomprehends the nature and purpose of DOE's proposal, as well as the related provisions of EPCA that gave rise to the existing reporting requirements. As EPCA makes clear at 42 U.S.C. 6295(u)(5)(A)(ii), Congress provided the Secretary of Energy with discretion to require manufacturers of exempted EPSs to report annual total units shipped as service and spare parts that fall below International Efficiency

[3] The parenthetical reference provides a reference for information located in the docket of DOE's rulemaking to rescind reporting requirements for exempted EPSs. (Docket No. EERE–2025–BT–STD–0010, which is maintained at: *www.regulations.gov*). The references are arranged as follows: (commenter name, comment docket ID number at page of that document).

[4] DOE also received one comment extension request from the Association of Home Appliance Manufacturers (AHAM). (AHAM, No. 8 at pp. 1–2)

Level VI. However, the statute does not require DOE to impose such reporting requirement, so it is incorrect to suggest that DOE's action to rescind such reporting requirements would ignore any congressional mandate. It is likewise incorrect that DOE's action would weaken existing standards in violation of EPCA's anti-backsliding provision because this rulemaking would not affect the energy conservation standards for EPSs. Instead, this rule simply acknowledges changed circumstances regarding a time-limited exemption whose period of relevance has largely waned. The number of EPSs that continue to qualify for exemption has decreased significantly since 2020, and DOE has received declining reports of exempt EPS shipments in recent years. Because the reporting requirement concerns a category of products that are no longer being manufactured and that are diminishing in market relevance, DOE has determined that continued reporting will not result in any additional meaningful insight. Accordingly, DOE is removing this regulatory reporting burden, which no longer provides an appreciable benefit.

CBD also argued that the May 2025 NOPR is procedurally flawed, commenting that while DOE provided justification for these regulations when they were established, it has not provided justification for the proposed change to rescind them. (CBD, No. 9 at p. 2). Further, CBD stated that DOE's proposal violates the Administrative Procedure Act's (''APA'') requirement that agencies implement statutory objectives in line with the language and purpose of the statute (*see Loper Bright Enterprises* v. *Raimondo*, 603 U.S. 369 (2024)). (*Id.*). Additionally, CBD commented that DOE's proposed rule violates the APA because it states that an agency action must not be arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law (*see* 5 U.S.C. 706(2)(A)). (CBD, No. 9 at p. 2). CBD stated that when agencies take action or rescind a standard, they must examine relevant data and articulate a rational connection between facts and the policy choice made (*see Motor Vehicle Mfrs. Ass'n* v. *State Farm Mut. Auto. Ins. Co.,* 463 U.S. 29 (1983)), and the commenter asserted that in the present case, DOE did not provide any reasoned explanation or evidence for rescinding the EPS reporting requirements. (CBD, No. 9 at p. 2). CBD also stated DOE has not followed the legal requirement that a policy reversal must be based on factual findings and account for reliance interests. (*Id.*). CBD commented that, at a minimum, DOE should issue a new proposed rulemaking and allow public comments before moving forward. (*Id.*).

In response, DOE disagrees with CBD's contention that it has not articulated a rationale to justify its proposal to rescind the subject reporting requirements for exempted EPSs. In the May 16, 2025, NOPR, DOE clearly stated its new policy to reduce regulatory burden wherever possible, including reporting requirements not required by statute. (90 FR 20831, 20832). As noted previously, under the relevant provision of EPCA, Congress permitted but did not require DOE to report annual shipments of EPSs, so removal of those reporting provisions cannot run counter to the language and purpose of the statute, given that DOE was never required to adopt such provisions in the first place. DOE reasoned that the time-limited nature of the exemption and the passage of significant time offer a *prima facie* case demonstrating why the reporting requirement is no longer needed. What was once a useful source of information now represents an administrative burden that no longer provides an appreciable benefit. Furthermore, given rapidly dwindling shipments of the exempted EPSs, DOE has found no significant reliance interest in continued reporting of shipment of the subject exempted EPSs. For these reasons, DOE has concluded that it is legally permissible and appropriate to promulgate this final rule without the need for further proceedings.

CBD further commented that DOE must comply with the National Environmental Policy Act (''NEPA'') when carrying out the proposed deregulatory action, and the commenter asserted that contrary to DOE's claims, none of the NEPA's categorical exclusions are applicable in this case. (CBD, No. 9 at p. 2).

Contrary to CBD's view, in the May 2025 NOPR, DOE analyzed the proposed rule in accordance with NEPA and DOE's NEPA implementing regulations (10 CFR part 1021) in effect at the time of the May 2025 NOPR's publication. As discussed elsewhere in this document, the May 2025 NOPR proposed to relieve manufacturers of an administrative reporting requirement. As an administrative action, it is unlikely to affect the environment. In the May 2025 NOPR, DOE anticipated that the proposal would qualify for a categorical exclusion under appendices A or B to subpart D of part 1021 because the NOPR was an interpretation or ruling with respect to an existing regulation and otherwise met the requirements for application of a categorical exclusion. (90 FR 20831, 20832 (May 16, 2025)). In the May 2025 NOPR, DOE specifically referenced consideration of categorical exclusion B5.1 (Actions to conserve energy or water), although the agency also was open to considering other potential categorical exclusions (*e.g.,* A5 (Interpretive rulemakings with no change in environmental effect) or A6 (Procedural rulemakings)).

In July 2025, DOE amended part 1021 to contain only administrative and routine actions excepted from NEPA review in appendix A (formerly categorical exclusions) based on the definition of ''major Federal action'' in section 111(10) of NEPA (*see* 90 FR 29676 (July 3, 2025)), and, concurrently, DOE issued Implementing Procedures.[5] DOE has determined that this final rule to revise the reporting requirements for exempt EPSs is not a rulemaking to establish energy conservation standards for consumer products and industrial equipment and categorical exclusion B5.1 (Actions to conserve energy or water) is not applicable, and it is an administrative and routine action. Therefore, it is not a major Federal action significantly affecting the quality of the human environment within the meaning of NEPA, and no further environmental review is needed.

B. Consumer Impacts

In response to the May 2025 NOPR, DOE received comments regarding the impacts for consumers due to the proposed changes. DOEE *et al.* commented that rescinding EPS reporting requirements would end a valuable data reporting program that helps provide a better understanding of the market for exempt EPSs. (DOEE *et al.,* No. 10 at pp. 1–2).

DOE acknowledges the interest expressed by DOEE *et al.* in continued access to market data; however, the statutory exemption underlying the reporting requirement applied only to EPSs manufactured between February 10, 2016, and February 10, 2020. The number of EPSs that continue to qualify for exemption has decreased significantly since 2020, and DOE has received declining reports of exempt EPS shipments in recent years. As noted previously, as of November 2025, DOE's research revealed that there are 17 exempt EPSs certified by five different manufacturers out of a total of approximately 13,000 EPS basic models by 750 different manufacturers in DOE's Compliance Certification Database. Because the reporting requirement

[5] Available at: *https://www.energy.gov/sites/default/files/2025-06/2025-06-30-DOE-NEPA-Procedures.pdf.*

concerns a category of products that are no longer being manufactured and that are diminishing in market relevance, DOE has determined that continued reporting will not result in any additional meaningful insight.

CBD commented that the proposed recission would increase energy consumption and costs for consumers. (CBD, No. 9 at pp. 1–2). An individual, stating opposition to the proposed recission, commented that sound regulations that promote conservation help fight inflation and tariffs, keeping products inexpensive. (Anonymous, No. 2 at p. 1).

In response, DOE does not agree with these comments, because they appear to misconstrue the purpose and effect of the May 2016 proposal. This final rule does not alter any energy conservation standard applicable to EPSs, nor does it expand the statutory exemption created by the EPS Service Parts Act. EPSs manufactured after February 10, 2020, must continue to meet the applicable Level VI standards and be certified accordingly. As the rescission solely impacts a reporting obligation without changing any product efficiency requirements, DOE does not expect this final rule to result in increased energy use or consumer costs nor to have any bearing on inflation, tariffs, or product prices.

C. Manufacturer Impacts

In response to the May 2025 NOPR, DOE received comments on the impacts for manufacturers due to the proposed changes. DOEE *et al.* opposed the proposal to rescind the EPS reporting requirements, arguing that it would negatively impact businesses in their States. (DOEE *et al.,* No. 10 at p. 1). DOEE *et al.* stated that manufacturers have already invested time and money into complying with these requirements. (*Id.*). An individual stated that the time, cost, and research to develop a standard that benefits consumers, industry, and the national economy have already been invested, and regressing the standard disregards the resources and efforts put into developing it. (Simpson, No. 7 at p. 1). An individual additionally stated that the current regulations ensure the U.S. remains competitive with global markets, and rescinding standards would diminish both U.S. standing in the international market and the potential for addressing the ''trade imbalance.'' (Simpson, No. 7 at p. 1).

In response, DOE once again notes that this final rule does not modify any existing energy conservation standard for EPSs. Instead, it addresses a reporting requirement that applied only to EPSs manufactured between 2016 and 2020 that qualified for a statutory exemption, one which is no longer available today. Manufacturers of current EPS models are subject to the same requirements before and after this final rule and, therefore, will not experience regulatory changes affecting competitiveness or product development. DOE has concluded that this final rule will benefit manufacturers and their competitiveness by eliminating the regulatory burden associated with a largely outdated reporting requirement.

AHAM *et al.* supported DOE's proposal to eliminate the reporting requirement for exempted EPSs. (AHAM *et al.,* No. 12 at p. 1). AHAM *et al.* stated that these data are not necessary to demonstrate compliance with energy conservation standards and the collection places an undue burden on manufacturers. (*Id.*). AHAM *et al.* stated that this proposal is a meaningful step towards reducing regulatory burden without affecting clarity regarding which EPSs are exempt. (*Id.*).

DOE acknowledges the support of AHAM *et al.* As explained, DOE determined that continued reporting of exempt EPS shipments is no longer necessary due to the expiration of the manufacturing window in 2020 and the diminishing population of EPSs that qualify for the exemption. Eliminating the reporting requirement reduces burden while having no effect on any existing efficiency standards for EPSs.

D. Infrastructure and Environmental Impacts

In response to the May 2025 NOPR, DOE received comments on the infrastructure and environmental impacts due to the proposed changes. CBD commented that the proposed recission would increase pollution that is harmful to communities across the country and exacerbate the climate emergency. (CBD, No. 9 at pp. 1–2). An individual commented that fossil fuel consumption has contributed to increased frequency and intensity of natural disasters. (Anonymous, No. 2 at p. 1).

As noted previously, the action of this final rule does not modify any energy conservation standards for EPSs. Because this rule affects only reporting requirements and has no impact on product efficiency or performance, it does not alter emissions or energy consumption, so it should not have any environmental or infrastructure impacts.

E. Conclusion

After carefully considering public comments and for the reasons explained in this document, DOE has decided to finalize its proposal to rescind the reporting requirements for exempt EPSs as originally proposed.

III. Procedural Issues and Regulatory Review

A. Review Under Executive Order 12866

Section 6(a) of Executive Order (E.O.) 12866, ''Regulatory Planning and Review,'' 58 FR 51735 (Oct. 4, 1993), requires agencies to submit ''significant regulatory actions'' to the Office of Information and Regulatory Affairs (''OIRA'') in the Office of Management and Budget (''OMB'') for review. OIRA has determined that this final rule does not constitute a ''significant regulatory action'' under section 3(f) of E.O. 12866. Accordingly, this action was not submitted to OIRA for review under E.O. 12866.

B. Review Under the Regulatory Flexibility Act

The Regulatory Flexibility Act (5 U.S.C. 601 *et seq.,* as amended by the Small Business Regulatory Enforcement Fairness Act of 1996) requires preparation of an initial regulatory flexibility analysis (''IRFA'') and a final regulatory flexibility analysis (''FRFA'') for any rule that by law must be proposed for public comment, unless the agency certifies that the rule, if promulgated, will not have a significant economic impact on a substantial number of small entities. As required by E.O. 13272, ''Proper Consideration of Small Entities in Agency Rulemaking,'' 67 FR 53461 (August 16, 2002), DOE published procedures and policies on February 19, 2003, to ensure that the potential impacts of its rules on small entities are properly considered during the rulemaking process. (68 FR 7990). DOE has made its procedures and policies available on the Office of the General Counsel's website (*www.energy.gov/gc/office-general-counsel*).

DOE reviewed this final rule under the provisions of the Regulatory Flexibility Act and the policies and procedures published on February 19, 2003. This final rule is limited in effect to rescinding an administrative reporting requirement. Therefore, on the basis of the foregoing, DOE concludes that the impacts of its burden-reducing proposal would not have a ''significant economic impact on a substantial number of small entities,'' and, therefore, the preparation of a FRFA is not warranted. DOE has transmitted this certification and supporting statement of factual basis to the Chief Counsel for Advocacy of the Small Business

Administration for review under 5 U.S.C. 605(b).

C. Review Under the Paperwork Reduction Act of 1995

This final rule would impose no new information or record-keeping requirements. Under existing provisions, manufacturers of covered products/equipment must certify to DOE that their products comply with any applicable energy conservation standards. In certifying compliance, manufacturers must test their products according to the DOE test procedures for such products/equipment, including any amendments adopted for those test procedures, on the date that compliance is required. DOE has established regulations for the certification and recordkeeping requirements for all covered consumer products and commercial equipment (see generally 10 CFR part 429). The collection-of-information requirement for certification and recordkeeping is subject to review and approval by OMB under the Paperwork Reduction Act (''PRA''). This requirement has been approved by OMB under OMB control number 1910–1400. Public reporting burden for the certification is estimated to average 35 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

Notwithstanding any other provision of the law, no person is required to respond to, nor must any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the PRA, unless that collection of information displays a currently valid OMB Control Number.

Specifically, this final rule would remove a reporting requirement for exempted EPSs, so accordingly, it does not add any collection of information requirement that would trigger the PRA. Accordingly, OMB clearance is not required under the Paperwork Reduction Act. (44 U.S.C. 3501 *et seq.*).

D. Review Under the National Environmental Policy Act of 1969

In the May 2025 NOPR, DOE analyzed the proposed rule in accordance with the National Environmental Policy Act of 1969 (''NEPA'') and DOE's NEPA implementing regulations (10 CFR part 1021) in effect at the time of the May 2025 NOPR's publication. As discussed elsewhere in this document, the May 2025 NOPR proposed to relieve manufacturers of an administrative reporting requirement; as an administrative action, it is unlikely to have any impact on the environment. In the May 2025 NOPR, DOE anticipated that the proposal would qualify for a categorical exclusion under appendices A or B to subpart D of part 1021 because the NOPR was an interpretation or ruling with respect to an existing regulation and otherwise met the requirements for application of a categorical exclusion. (90 FR 20831, 20832 (May 16, 2025)). In the May 2025 NOPR, DOE specifically referenced consideration of categorical exclusion B5.1 (Actions to conserve energy or water), although the agency also was open to considering other potential categorical exclusions (*e.g.,* A5 (Interpretive rulemakings with no change in environmental effect) or A6 (Procedural rulemakings).

In July 2025, DOE amended part 1021, in relevant part, by revising appendix A (formerly categorical exclusions) (see 90 FR 29676 (July 3, 2025)), and, concurrently, DOE issued Implementing Procedures.[6] The actions formally identified in appendix A to part 1021 now represent administrative and routine actions that are excepted from NEPA based on the definition of ''major Federal action'' in section 111(10) of NEPA. DOE has determined that this final rule to revise the reporting requirements for exempt EPSs is not a rulemaking to establish energy conservation standards for consumer products and industrial equipment, and so categorical exclusion B5.1 (Actions to conserve energy or water) is not applicable. This final rule is an administrative and routine action. Therefore, it is not a major Federal action significantly affecting the quality of the human environment within the meaning of NEPA, and no further environmental review is needed.

E. Review Under Executive Order 13132

E.O. 13132, ''Federalism,'' 64 FR 43255 (August 10, 1999), imposes certain requirements on Federal agencies formulating and implementing policies or regulations that preempt State law or that have federalism implications. The Executive order requires agencies to examine the constitutional and statutory authority supporting any action that would limit the policymaking discretion of the States and to carefully assess the necessity for such actions. The Executive order also requires agencies to have an accountable process to ensure meaningful and timely input by State and local officials in the development of regulatory policies that have federalism implications. On March 14, 2000, DOE published a statement of policy describing the intergovernmental consultation process it will follow in the development of such regulations. (65 FR 13735).

DOE examined this final rule and determined that it will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. EPCA governs and prescribes Federal preemption of State regulations as to energy conservation for the products that are the subject of this final rule. States can petition DOE for exemption from such preemption based on criteria set forth in EPCA. (42 U.S.C. 6297(d)). No further action is required by E.O. 13132.

F. Review Under Executive Order 12988

With respect to the review of existing regulations and the promulgation of new regulations, section 3(a) of E.O. 12988, ''Civil Justice Reform,'' 61 FR 4729 (Feb. 7, 1996), imposes on Federal agencies the general duty to adhere to the following requirements:

- Eliminate drafting errors and ambiguity
- Write regulations to minimize litigation
- Provide a clear legal standard for affected conduct rather than a general standard
- Promote simplification and burden reduction

Regarding the review required by section 3(a), section 3(b) of E.O. 12988 specifically requires that Executive agencies make every reasonable effort to ensure that the regulation:

- Clearly specifies the preemptive effect, if any
- Clearly specifies any effect on existing Federal law or regulation
- Provides a clear legal standard for affected conduct while promoting simplification and burden reduction
- Specifies the retroactive effect, if any
- Adequately defines key terms
- Addresses other important issues affecting clarity and general draftsmanship under any guidelines issued by the Attorney General

Section 3(c) of E.O. 12988 requires Executive agencies to review regulations in light of applicable standards in section 3(a) and section 3(b) to determine whether they are met or if it is unreasonable to meet one or more of them. DOE has completed the required review and determined that, to the extent permitted by law, this final rule

[6] Available at: *https://www.energy.gov/sites/default/files/2025-06/2025-06-30-DOE-NEPA-Procedures.pdf.*

meets the relevant standards of E.O. 12988.

G. Review Under the Unfunded Mandates Reform Act of 1995

Title II of the Unfunded Mandates Reform Act of 1995 (''UMRA'') requires each Federal agency to assess the effects of Federal regulatory actions on State, local, and Tribal governments and the private sector. Public Law 104–4, sec. 201 (codified at 2 U.S.C. 1531). For a regulatory action likely to result in a rule that may cause the expenditure by State, local, and Tribal governments, in the aggregate, or by the private sector of $100 million or more in any one year (adjusted annually for inflation), section 202 of UMRA requires a Federal agency to publish a written statement that estimates the resulting costs, benefits, and other effects on the national economy. (2 U.S.C. 1532(a), (b)). The UMRA also requires a Federal agency to develop an effective process to permit timely input by elected officers of State, local, and Tribal governments on a ''significant intergovernmental mandate,'' and it requires an agency plan for giving notice and opportunity for timely input to potentially affected small governments before establishing any requirements that might significantly or uniquely affect them. On March 18, 1997, DOE published a statement of policy on its process for intergovernmental consultation under UMRA. (62 FR 12820). DOE's policy statement is also available at *www.energy.gov/sites/prod/files/gcprod/documents/umra_97.pdf.*

DOE examined this final rule according to UMRA and DOE's statement of policy and has determined that the rule, which reduces regulatory burdens, does not contain a Federal intergovernmental mandate nor is it expected to require expenditures of $100 million or more in any one year by State, local, and Tribal governments, in the aggregate, or by the private sector. As a result, no further assessment or analysis is required under UMRA.

H. Review Under the Treasury and General Government Appropriations Act, 1999

Section 654 of the Treasury and General Government Appropriations Act, 1999 (Pub. L. 105–277), requires Federal agencies to issue a Family Policymaking Assessment for any policy or regulation that may affect family well-being. When developing a Family Policymaking Assessment, agencies must assess whether:

- The action strengthens or erodes the stability or safety of the family and, particularly, the marital commitment.
- The action strengthens or erodes the authority and rights of parents in the education, nurture, and supervision of their children.
- The action helps the family perform its functions or substitutes governmental activity for the function.
- The action increases or decreases disposable income or poverty of families and children.
- The proposed benefits of the action justify the financial impact on the family.
- The action may be carried out by State or local government or by the family.
- The action establishes an implicit or explicit policy concerning the relationship between the behavior and personal responsibility of youth and the norms of society.

This final rule, which eliminates an administrative reporting requirement for exempted EPSs, would not have any financial impact on families nor any impact on the autonomy or integrity of the family as an institution. Accordingly, DOE has concluded that it does not need to prepare a Family Policymaking Assessment.

I. Review Under Executive Order 12630

Pursuant to E.O. 12630, ''Governmental Actions and Interference with Constitutionally Protected Property Rights,'' 53 FR 8859 (March 18, 1988), DOE has determined that this final rule would not result in any takings that might require compensation under the Fifth Amendment to the U.S. Constitution.

J. Review Under the Treasury and General Government Appropriations Act, 2001

Section 515 of the Treasury and General Government Appropriations Act, 2001 (44 U.S.C. 3516 note), provides for Federal agencies to review most disseminations of information to the public under information quality guidelines established by each agency according to general guidelines issued by OMB. OMB's guidelines were published at 67 FR 8452 (Feb. 22, 2002), and DOE's guidelines were published at 67 FR 62446 (Oct. 7, 2002). According to OMB Memorandum M–19–15, ''Improving Implementation of the Information Quality Act'' (April 24, 2019), DOE published updated guidelines, which are available at: *www.energy.gov/cio/department-energy-information-quality-guidelines.*

DOE has reviewed this final rule under the OMB and DOE guidelines and has concluded that it is consistent with applicable policies in those guidelines.

K. Review Under Executive Order 13211

E.O. 13211, ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use,'' 66 FR 28355 (May 22, 2001), requires Federal agencies to prepare and submit to OIRA at OMB, a Statement of Energy Effects for any significant energy action. A ''significant energy action'' is defined as any action by an agency that promulgates or is expected to lead to promulgation of a final rule and that:

- Is a significant regulatory action under E.O. 12866, or any successor E.O., and is likely to have a significant adverse effect on the supply, distribution, or use of energy.
- Is designated by the Administrator of OIRA as a significant energy action.

For any significant energy action, the agency must give a detailed statement of any adverse effects on energy supply, distribution, or use should the regulation be implemented and of reasonable alternatives to the action and their expected benefits on energy supply, distribution, and use.

DOE has concluded that this regulatory action, which removes an administrative reporting requirement for exempted EPSs, is not a significant energy action because it is not significant regulatory action under E.O. 12866. Moreover, it would not have a significant adverse effect on the supply, distribution, or use of energy, nor has it been designated as such by the Administrator at OIRA. Accordingly, DOE has not prepared a Statement of Energy Effects for this final rule.

L. Review Under the Information Quality Bulletin for Peer Review

On December 16, 2004, OMB, in consultation with the Office of Science and Technology Policy (''OSTP''), issued its Final Information Quality Bulletin for Peer Review (''the Bulletin''). 70 FR 2664 (Jan. 14, 2005). The Bulletin establishes that certain scientific information must be peer reviewed by qualified specialists before it is disseminated by the Federal Government, including influential scientific information related to agency regulatory actions. The purpose of the Bulletin is to enhance the quality and credibility of the Government's scientific information. Under the Bulletin, the rulemaking analyses for energy conservation standards are ''influential scientific information,'' which the Bulletin defines as ''scientific information the agency reasonably can determine will have, or does have, a clear and substantial impact on important public policies or private sector decisions.'' (*Id.* at 70 FR 2667).

In response to OMB's Bulletin, DOE conducted formal peer reviews of the energy conservation standards development process and the analyses that are typically used and prepared a Peer Review report pertaining to the rulemaking analyses for energy conservation standards.[7] Generation of this report involved a rigorous, formal, and documented evaluation using objective criteria and qualified and independent reviewers to judge the technical/scientific/business merit, the actual or anticipated results, and the productivity and management effectiveness of programs and/or projects. Because available data, models, and technological understanding have changed since 2007, DOE has engaged with the National Academy of Sciences to review DOE's analytical methodologies to ascertain whether modifications are needed to improve the Department's analyses. DOE is in the process of evaluating the resulting report.[8]

M. Review Under Additional Executive Orders and Presidential Memoranda

DOE has examined this final rule and has determined that it is consistent with the policies and directives outlined in E.O. 14154, ''Unleashing American Energy,'' 90 FR 8353 (Jan. 29, 2025); E.O. 14192, ''Unleashing Prosperity Through Deregulation,'' 90 FR 9065 (Feb. 6, 2025); and Presidential Memorandum, ''Delivering Emergency Price Relief for American Families and Defeating the Cost-of-Living Crisis,'' 90 FR 8245 (Jan. 28, 2025).

This final rule has been determined to be an ''E.O. 14192 deregulatory action'' because it intends to reduce the burden to society by streamlining the regulatory framework and improving efficiency for regulated entities. The primary impact from the final rule is to eliminate the regulatory burden associated with a largely outdated administrative reporting requirement for exempted EPSs. This final rule allows manufacturers to focus their resources on matters of importance to them. These benefits are difficult to quantify, although DOE believes them to be positive. Even small positive changes, when aggregated, can result in meaningful burden reduction for industry.

[7] The 2007 ''Energy Conservation Standards Rulemaking Peer Review Report'' is available at *energy.gov/eere/buildings/downloads/energy-conservation-standards-rulemaking-peer-review-report-0* (Last accessed Dec. 9, 2025).

[8] The report is available at *www.nationalacademies.org/our-work/review-of-methods-for-setting-building-and-equipment-performance-standards* (Last accessed Dec. 9, 2025).

IV. Approval of the Office of the Secretary

The Secretary of Energy has approved publication of this final rule.

List of Subjects in 10 CFR Part 429

Administrative practice and procedure, Confidential business information, Energy conservation, Household appliances, Imports, Intergovernmental relations, Reporting and recordkeeping requirements, Small businesses.

Signing Authority

This document of the Department of Energy was signed on March 27, 2026, by Audrey Robertson, Assistant Secretary (EERE) for Critical Minerals and Energy Innovation, 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 April 24, 2026.

Treena V. Garrett,

Federal Register Liaison Officer, U.S. Department of Energy.

For the reasons set forth in the preamble, DOE is amending part 429 of chapter II, subchapter D, of title 10 of the Code of Federal Regulations, as set forth below:

PART 429—CERTIFICATION, COMPLIANCE, AND ENFORCEMENT FOR CONSUMER PRODUCTS AND COMMERCIAL AND INDUSTRIAL EQUIPMENT

■ 1. The authority citation for part 429 continues to read as follows:

Authority: 42 U.S.C. 6291–6317; 28 U.S.C. 2461 note.

§ 429.37 [Amended]

■ 2. Amend § 429.37 by removing paragraphs (b)(3) and (c).

[FR Doc. 2026–08201 Filed 4–27–26; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2026–0016; Project Identifier MCAI–2025–01450–E; Amendment 39–23320; AD 2026–08–12]

RIN 2120–AA64

Airworthiness Directives; Safran Helicopter Engines, S.A. (Type Certificate Previously Held by Turbomeca, S.A.) Engines

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is superseding Airworthiness Directive (AD) 2024–24–02 for all Safran Helicopter Engines, S.A. (Safran) Model ARRIUS 2F engines. AD 2024–24–02 required removal of the affected fuel control unit (FCU) from service and replacement with a serviceable part. Since the FAA issued AD 2024–24–02, it was determined that certain serial numbers of the affected FCUs are not subject to the unsafe condition. This AD requires removal of the affected FCU from service and replacement with a serviceable part. This AD also reduces the number of affected FCUs. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective June 2, 2026.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of June 2, 2026.

ADDRESSES:

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA–2026–0016; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.

Material Incorporated by Reference:

• For European Union Aviation Safety Agency (EASA) material identified in this AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; phone: +49 221 8999 000; email: *ADs@easa.europa.eu;* website: *easa.europa.eu.* You may find this material on the EASA website at *ad.easa.europa.eu.*