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[6450-01-P]

DEPARTMENT OF ENERGY

10 CFR Part 430

[Docket No. EERE-2012-BT-TP-0013]

RIN 1904-AC71

Energy Conservation Program: Test Procedures for Cooking Products; Correction

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

ACTION: Final rule; correction.

SUMMARY: On December 16, 2016, the U.S. Department of Energy (DOE) published a final rule amending the test procedures for conventional cooking products. This correction republishes several amendments from the final rule that could not be incorporated into the Code of Federal Regulations (CFR) due to inaccurate amendatory instructions. Neither the errors nor the corrections in this document affect the substance of the rulemaking or any of the conclusions reached in support of this final rule.

DATES: Effective Date: **[INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER].**

FOR FURTHER INFORMATION CONTACT:

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SUPPLEMENTARY INFORMATION: DOE published a final rule in the Federal Register on December 16, 2016 (the “December 2016 final rule”), amending the test procedures for conventional cooking products. 81 FR 91418. In the rule, which becomes effective on January 17, 2017, DOE amended certain paragraphs in 10 CFR 430.3. The regulatory text instructions for these amendments refer to paragraph numbering in 10 CFR 430.3 that will change due to amendments established by another final rule published on December 13, 2016, addressing residential dishwasher energy conservation standards. 81 FR 90072. The amendments from the residential dishwasher final rule will be codified in the CFR on January 12, 2017. Therefore, this final rule correction specifies the amendments to 10 CFR 430.3 that were established in the December 2016 final rule, referencing the revised paragraph numbering in the CFR after January 12, 2017. Specifically, the regulatory text instructions are corrected as shown in Table 1. The unaffected remainder of the regulatory text instructions for amendments to 10 CFR

430.3 that were included in the December 2016 final rule are also included in this rule for clarity.

Table 1 Corrections to Instructions for 10 CFR 430.3 Amendments

Instructions in December 2016 Final Rule	Correct Instructions
Remove paragraphs (i)(6) and (i)(8)	Remove paragraphs (i)(5) and (i)(7)
Redesignate paragraphs (i)(7) and (i)(9) as (i)(6) and (i)(7)	Redesignate paragraphs (i)(6) and (i)(8) as (i)(5) and (i)(6)

Procedural Issues and Regulatory Review

The regulatory reviews conducted for this rulemaking are those set forth in the December 2016 final rule that originally codified the amendments to DOE’s test procedures for conventional cooking products. The amendments in the December 2016 final rule become effective January 17, 2016.

Pursuant to the Administrative Procedure Act, 5 U.S.C. 553(b), DOE has determined that notice and prior opportunity for comment on this rule are unnecessary and contrary to the public interest. Neither the errors nor the corrections in this document affect the substance of the rulemakings or any of the conclusions reached in support of the final rule. For these reasons, DOE has also determined that there is good cause to waive the 30-day delay in effective date.

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.

Issued in Washington, DC, on January 4, 2017.

A handwritten signature in black ink, appearing to read 'KB Hogan', written over a horizontal line.

Kathleen B. Hogan
Deputy Assistant Secretary
Energy Efficiency and Renewable Energy

For the reasons set forth in the preamble, DOE amends part 430 of title 10 of the Code of Federal Regulations by making the following correcting amendment:

PART 430--ENERGY CONSERVATION PROGRAM FOR CONSUMER PRODUCTS

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

Authority: 42 U.S.C. 6291–6309; 28 U.S.C. 2461 note.

§430.3 [Corrected]

2. Section 430.3 is corrected by:
 - a. Removing paragraphs (i)(5) and (i)(7); and
 - b. Redesignating paragraphs (i)(6) and (i)(8) as (i)(5) and (i)(6).