





unnecessary (5 U.S.C. 553(b)(A)(B) and (d)).

Regulatory Flexibility Act

The provisions of the Regulatory Flexibility Act relating to a Regulatory Flexibility Act analysis (5 U.S.C. 603-604) are not applicable to this proceeding because the amendments do not impose any new obligations on entities regulated by the Appliance Labeling Rule. The amendments merely alter the dates on which compliance is required and do not affect the requirements of the rule nor do the amendments alter the frequency with which regulated entities must comply with these requirements. Thus, the amendments will not have a "significant economic impact on a substantial number of small entities." 5 U.S.C. 605. The Commission has concluded, therefore, that a regulatory flexibility analysis is not necessary, and certifies, under Section 605 of the Regulatory

Flexibility Act (5 U.S.C. 605(b)), that the amendments announced today will not have a significant economic impact on a substantial number of small entities.

Regulatory Flexibility Act

In the 1988 NPR, the Commission stated that the Rule contains disclosure and reporting requirements that constitute "information collection requirements" as defined by 5 CFR 1320.7(c), the regulation that implements the Paperwork Reduction Act ("PRA").<sup>6</sup> The Commission noted that the Rule had been reviewed and approved in 1984 by the Office of Management and Budget ("OMB") and assigned OMB Control No. 3084-0068. OMB has again reviewed the Rule and extended its approval for its recordkeeping and reporting requirements until September 30, 2004. The amendments now being adopted do not change the substance or frequency of the recordkeeping, disclosure, or

reporting requirements and, therefore, do not require further OMB clearance.

16 305

Advertising, Energy conservation, Household appliances, Labeling, Reporting and recordkeeping requirements.

Accordingly, 16 CFR part 305 is amended as follows:

PART 305—[AMENDED]

1. The authority citation for Part 305 continues to read as follows:

Authority: 42 U.S.C. 6294.

2. Section 305.8(b) is revised to read as follows:

§ 305.8 Submission of Data.

\* \* \* \* \*

(b)(1) All data required by § 305.8(a) except serial numbers shall be submitted to the Commission annually, on or before the following dates:

Product category	Deadline for data submission
Refrigerators .....	August 1.
Refrigerator-freezers .....	August 1.
Freezers .....	August 1.
Central air conditioners .....	July 1.
Heat pumps .....	July 1.
Dishwashers .....	* June 1.
Water heaters .....	May 1.
Room air conditioners .....	May 1.
Furnaces .....	May 1.
Pool heaters .....	May 1.
Clothes washers .....	March 1.
Fluorescent lamp ballasts .....	March 1.
Showerheads .....	March 1.
Faucets .....	March 1.
Water closets .....	March 1.
Urinals .....	March 1.
Fluorescent lamps .....	March 1 [Stayed].
Medium Base Compact Fluorescent Lamps .....	March 1 [Stayed].
Incandescent Lamps, incl. Reflector Lamps .....	March 1 [Stayed].

\* Except the submission deadline for Year 2002 is June 17.

(2) All revisions to such data (both additions to and deletions from the preceding data) shall be submitted to the Commission as part of the next annual report period.

3. Section 305.10(a) is revised to read as follows:

§ 305.10 Ranges of estimated annual energy consumption and energy efficiency ratings.

(a) The range of estimated annual energy consumption or energy efficiency ratings for each covered product (except fluorescent lamp ballasts, showerheads, faucets, water closets or urinals) shall be taken from the appropriate appendix to this rule in

effect at the time the labels are affixed to the product. The Commission shall publish revised ranges annually in the ... , if appropriate, or a statement that the specific prior ranges are still applicable for the new year.

Ranges will be changed if the estimated annual energy consumption or energy efficiency ratings of the products within the range change in a way that would alter the upper or lower estimated annual energy consumption or energy efficiency rating limits of the range by 15% or more from that previously published. When a range is revised, all information disseminated after 90 days following the publication of the revision shall conform to the

revised range subject to the following exception. For any standard size dishwasher range revised in 2002, all information disseminated after 60 days following the publication of the revision shall conform to the revised range. Products that have been labeled prior to the effective date of a modification under this section need not be relabeled.

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By direction of the Commission.

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<sup>6</sup> 44 U.S.C. 3501-3520.