DOE/EA-1643

FINDING OF NO SIGNIFICANT IMPACT FOR

10 CFR Part 431

Energy Conservation Program for Commercial and Industrial Equipment: Energy Conservation Standards for Commercial Ice-Cream Freezers; Self-Contained Commercial Refrigerators, Commercial Freezers, and Commercial Refrigerator-Freezers without Doors; and Remote Condensing Commercial Refrigerators, Commercial Freezers, and Commercial Refrigerator-Freezers

December 31, 2008

[6450-01-P]

DEPARTMENT OF ENERGY

10 CFR Part 431

[Docket Number: EERE-2006-STD-0126]

RIN 1904-AB59

Energy Conservation Program for Commercial and Industrial Equipment: Energy Conservation Standards for Commercial Ice-Cream Freezers; Self-Contained Commercial Refrigerators, Commercial Freezers, and Commercial Refrigerator-Freezers without Doors; and Remote Condensing Commercial Refrigerators, Commercial Freezers, and Commercial Refrigerator-Freezers

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

ACTION: Finding of No Significant Impact: Energy Conservation Program for Commercial and Industrial Equipment

SUMMARY: The Energy Policy and Conservation Act (EPCA), as amended, establishes mandatory energy conservation standards for certain commercial and industrial equipment, including commercial refrigeration equipment (CRE). (42 U.S.C.6291 *et seq.*) Based on an Environmental Assessment (EA), Chapter 16 of the final rule Technical Support Document (TSD) for CRE, the U.S. Department of Energy (DOE) has determined that the adoption of energy conservation standards for CRE, as adopted

by the final rule entitled the "Energy Conservation Standards for Commercial Ice-Cream Freezers; Self-Contained Commercial Refrigerators, Commercial Freezers, and Commercial Refrigerator-Freezers without Doors; and Remote Condensing Commercial Refrigerators, Commercial Freezers, and Commercial Refrigerator-Freezers," would not be a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 (NEPA). Therefore, an environmental impact statement (EIS) is not required, and DOE is issuing this Finding of No Significant Impact (FONSI).

ADDRESSES: *Public Availability:* Copies of the final rule TSD are available from the U.S. Department of Energy, Resource Room of the Building Technologies Program, 950 L'Enfant Plaza, SW, 6th Floor, Washington, DC 20024, (202) 586-2945, between 9 a.m. and 4 p.m., Monday through Friday, except Federal holidays. You may also obtain copies of the final rule TSD from the Office of Energy Efficiency and Renewable Energy's website at: http://www.eere.energy.gov/buildings/appliance_standards/commercial/refrigeration_equipment.html.

FOR FURTHER INFORMATION CONTACT: Charles Llenza, Project Manager, Energy Conservation Standards for Commercial Refrigeration Equipment, U.S. Department of Energy, Energy Efficiency and Renewable Energy, Building Technologies Program, EE-2J, 1000 Independence Avenue, SW, Washington, DC 20585-0121. Phone: (202) 586-2192. E-mail: Charles.Llenza@ee.doe.gov; Francine Pinto, Esq., U.S.

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For further information regarding the DOE NEPA process contact: Ms. Carol M. Borgstrom, Director, Office of NEPA Policy and Compliance (GC-20), U.S. Department of Energy, 1000 Independence Avenue, SW, Washington, DC 20585, (202) 586-4600, or leave a message at (800) 472-2756. Additional information regarding DOE NEPA activities and access to many DOE NEPA documents are available on the Internet through the DOE NEPA Website at: http://www.gc.energy.gov/nepa/.

SUPPLEMENTARY INFORMATION:

Description of the Proposed Action: The proposed action is the establishment of new energy conservation standards for commercial refrigeration equipment. DOE is adopting Trial Standard Level (TSL) 4 for CRE.

Environmental Impacts: The EA evaluates the environmental impacts of a range of energy conservation standards for CRE. The results are presented for each TSL DOE considered for CRE. Each TSL is an alternative action and the environmental impacts of each alternative are compared to what would be expected to happen if no new standard were adopted, i.e., the "no action" alternative.

The primary environmental impact is decreased emissions from fossil fuel use and from fossil-fueled electricity generation. All of the TSLs considered for the equipment classes

covered under this regulation would result in decreased fossil fuel use and in a reduction in emissions. The energy conservation standards adopted in the final rule would generally decrease air pollution by decreasing future energy demand. The environmental impact analysis considers emissions of carbon dioxide (CO_2) and three criteria pollutants—nitrogen oxides (NO_X), sulfur dioxide (SO_2), and mercury (Hg). The energy savings from new energy conservation standards for CRE are expected to result in reduced power sector emissions of CO_2, NO_X, and Hg. Reduced NO_X emissions could also provide an economic benefit in the form of emission allowance credits. The results of this analysis show that the emissions reductions in the CRE final rule are projected to be 52.59 million metric tons (Mt) of CO_2, between 3.64 and 89.97 kilotons (kt) of NO_X and between 0 and 1.381 tons of Hg. These emissions reductions and those from the other TSLs are not substantial enough to significantly affect the quality of the human environment. See chapter 16 of the CRE TSD Table 16.2.3 and Table 16.7.1 for more information on the emissions reductions at all TSLs.

Determination

Based upon the EA, DOE has determined that the adoption of the energy conservation standard for CRE would not constitute a major Federal action significantly affecting the quality of the human environment, within the meaning of NEPA. Therefore, an EIS is not required, and DOE is issuing this FONSI.

Issued in Washington, DC, on December 31, 2008.

John F. Mizroch
Acting Assistant Secretary
Energy Efficiency and Renewable Energy