



441 G St. N.W.  
Washington, DC 20548

B-334300

May 23, 2022

The Honorable Joe Manchin  
Chairman  
The Honorable John Barrasso  
Ranking Member  
Committee on Energy and Natural Resources  
United States Senate

The Honorable Frank Pallone, Jr.  
Chairman  
The Honorable Cathy McMorris Rodgers  
Republican Leader  
Committee on Energy and Commerce  
House of Representatives

Subject: *Department of Energy: Energy Conservation Program: Definitions for General Service Lamps*

Pursuant to section 801(a)(2)(A) of title 5, United States Code, this is our report on a major rule promulgated by the Department of Energy (DOE) entitled “Energy Conservation Program: Definitions for General Service Lamps” (RIN: 1904-AF22). We received the rule on May 10, 2022. It was published in the *Federal Register* as a final rule on May 9, 2022. 87 Fed. Reg. 27461. The effective date is July 8, 2022.

According to DOE, the final rule amends the current definitions of general service lamp (GSL) and general service incandescent lamp (GSIL). DOE has determined that the definitions are consistent with the congressional direction provided in the Energy Policy and Conservation Act (‘EPCA’), Pub. L. 94-163, 89 Stat. 871 (Dec. 22, 1975), and further the purposes set forth in EPCA, as well as in Executive Order 13990, *Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis*, 86 Fed. Reg. 7037 (Jan. 25, 2021). Additionally, DOE states the rule adopts the supplemental definitions which relate to the definitions of GSL and GSIL.

Enclosed is our assessment of DOE’s compliance with the procedural steps required by section 801(a)(1)(B)(i) through (iv) of title 5 with respect to the rule. If you have any questions about this report or wish to contact GAO officials responsible for the evaluation work relating to the

subject matter of the rule, please contact Shari Brewster, Assistant General Counsel, at (202) 512-6398.

A handwritten signature in black ink that reads "Shirley A. Jones". The signature is written in a cursive, flowing style.

Shirley A. Jones  
Managing Associate General Counsel

Enclosure

cc: Ami Grace-Tardy  
Assistant General Counsel  
Legislation, Regulation & Energy Efficiency  
Department of Energy

REPORT UNDER 5 U.S.C. § 801(a)(2)(A) ON A MAJOR RULE  
ISSUED BY THE  
DEPARTMENT OF ENERGY  
ENTITLED  
“ENERGY CONSERVATION PROGRAM:  
DEFINITIONS FOR GENERAL SERVICE LAMPS”  
(RIN: 1904-AF22)

(i) Cost-benefit analysis

The Department of Energy (DOE) conducted an analysis of the economic costs and benefits of this final rule. DOE stated that it estimated the monetized benefits of the reductions in emissions of CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O by using a measure of the social cost of each pollutant. DOE went on to state that these estimates represent the monetary value of the net harm to society associated with a marginal increase in emissions of these pollutants in a given year, or the benefit of avoiding that increase. In its analysis, DOE converted the time-series of costs and benefits into annualized values based on the present value in 2021 and calculated the present value using discount rates of three and seven percent. DOE determined that the primary estimate of costs is \$181.7 million, and benefits is \$3,606.7 million, at the three percent discount rate. Finally, at the seven percent discount rate, DOE determined that the primary estimate of costs is \$205.8 million, and benefits is \$3,355.9 million.

(ii) Agency actions relevant to the Regulatory Flexibility Act (RFA), 5 U.S.C. §§ 603–605, 607, and 609

DOE certified that this final rule would not have a significant economic impact on a substantial number of small entities.

(iii) Agency actions relevant to sections 202–205 of the Unfunded Mandates Reform Act of 1995, 2 U.S.C. §§ 1532–1535

In its submission to us, DOE indicated it did not prepare a written statement under the Act.

(iv) Other relevant information or requirements under acts and executive orders

Administrative Procedure Act, 5 U.S.C. §§ 551 *et seq.*

On August 19, 2021, DOE published a proposed rule. 86 Fed. Reg. 46611. DOE stated it received 17 written comments in response to the proposed rule. DOE went on to state that the comments were from private citizens, an interstate compact agency, state government officials, an industry association, efficiency organizations, manufacturers, consumer advocacy organizations, a utility, and environmental non-profit organizations. DOE responded to comments in this final rule.

Paperwork Reduction Act (PRA), 44 U.S.C. §§ 3501–3520

DOE determined that this final rule contains information collection requirements under the Act. DOE stated the requirement has been approved by the Office of Management and Budget

(OMB) under OMB Control Number 1910-1400, which has an estimated burden of an average of 35 hours per response.

Statutory authorization for the rule

DOE promulgated this final rule pursuant to section 2461 note of title 28, United States Code, and sections 6291–6309 of title 42, United States Code.

Executive Order No. 12866 (Regulatory Planning and Review)

DOE stated OMB determined this final rule is economically significant under the Order.

Executive Order No. 13132 (Federalism)

DOE determined this final rule would 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.