



Energy Conservation Program for
Consumer Products and Commercial
and Industrial Equipment

Appliance Standards
Program Schedule - CCE
Overview and Update
October 26, 2011

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How to Submit Questions

Next Scheduled Document for Active DOE Standards Rulemakings

Product	Stage	Scheduled Issuance
Set-Top Boxes	Coverage Determination	Issued
Fans, Blowers, and Fume Hoods	Request for Information	Issued
Commercial/Industrial Pumps	Coverage Determination	Issued
Lighting Systems/Luminaires	Request for Information	Issued
GSFL and IRL Lamps	Framework Document	Issued
Spa Lamps	Request for Information	Issued
Fluorescent Lamp Ballasts	Final Rule	Friday
Battery Chargers and External Power Supplies	NOPR	Nov-2011
Walk-in Coolers and Freezers	NOPR	Nov-2011
Metal Halide Lamp Fixtures	NOPR	Nov-2011
Microwave Ovens	SNOPR	Nov-2011
ER/BR Incandescent Reflector Lamps	NOPR	Nov-2011

Next Scheduled Document for Active DOE Standards Rulemakings

Product	Stage	Scheduled Issuance
Medium Electric Motors	Preliminary Analysis	Nov-2011
Commercial Ice Makers	Preliminary Analysis	Nov-2011
Residential Clothes Washers	Final Rule	Dec-2011
Commercial/Industrial Equipment in ASHRAE 90.1	NOPR	Dec-2011
Commercial Clothes Washers	Framework Document	Dec-2011
Distribution Transformers	Notice of Preliminary Determination or NOPR	Feb-2012
HID Lamps	NOPR	Feb-2012
Packaged Terminal Air Conditioners	Framework Document	Feb-2012
Commercial Refrigeration Equipment	NOPR	Mar-2012
Furnace Fans	Preliminary Analysis	Apr-2012

Next Scheduled Document for Active DOE TP Rulemakings

Product	Stage	Scheduled Issuance
Microwave Ovens	TP Final Rule	Fall-2011
Refrigerators	TP Final Rule	Fall-2011
Electric Motors	TP Final Rule	Fall-2011
Television Sets	TP NOPR	Fall-2011
Clothes Washers	TP Final Rule	Winter-2011
Central Air Conditioners	TP Final Rule	Winter-2011
Furnace Fans	TP NOPR	Winter-2011
Commercial Refrigeration Equipment	TP Final Rule	Winter-2012
Ice Makers	TP Final Rule	Spring-2012
Illuminated Exit Signs	TP NOPR	Spring-2012

Next Scheduled Document for Active DOE TP Rulemakings

Product	Stage	Scheduled Issuance
Commercial Package Air Conditioners and Heat Pumps TP	TP NOPR	Summer-2012
Commercial Pre-Rinse Spray Valves	TP NOPR	Summer-2012
Microwave Ovens	TP NOPR	Summer-2012
Commercial Warm Air Furnaces	TP NOPR	Fall-2012
Commercial Water Heaters	TP NOPR	Fall-2012

A Manufacturer

- Is the domestic manufacturer or an importer.
- May produce equipment at multiple facilities in various locations with the same model characteristics.
- May group individual models into basic models at the manufacturer's discretion.
- May elect to use a third-party (e.g., certified laboratory) for testing and certification purposes.
- Must determine certified ratings through testing.
- Is responsible for certification to the Department.

Test the Minimum Number of Units of a Basic Model Specified in Sections 429.14 to 429.54 Using the DOE Test Procedure
(Maximum Number of Units is at the Discretion of the Manufacturer)

Determine which Federal Conservation Standards Apply to the Product

Consumer products: 430.32

Commercial equipment: 431

Calculate the Product Specific Certification Statistics, 429.14 to 429.54

Consumer 430.32,
Commercial 431

Sample Mean (x)

Upper Confidence Limit
(UCL)

Lower Confidence Limit
(LCL)

Determine Minimum and Maximum Rating Values

Compare Mean and UCL or LCL to Consumption or Efficiency Standard Per Regulations

Generate Certified Rating Between Minimum and Maximum Values

- Effective date for compliance with certification provisions is July 5, 2011, for any model not previously certified with DOE.
 - This includes those models entered into commerce on or after July 5th and those currently offered on the market that were not previously certified.
- Only electronic submission accepted. Submit online at <https://www.regulations.doe.gov/ccms> using product-specific, Excel templates provided by DOE.
- Submit certification report before distribution in commerce for all new models.
- Annual submittal of carry-over basic models on or before the 1st of the month specified in the annual certification table (429.12(d)).
- No additional certification testing required for annual submission.
- During the year, recertify if the redesign of an existing model increases energy consumption or decreases energy efficiency resulting in re-rating.

DOE Office of the General Counsel, Office of Enforcement	Enforces the energy conservation, water conservation, and design standards.
Certification	<ul style="list-style-type: none">• Seeking civil penalties for failure to certify and improper certification.• Certification must be based on testing in accordance with the applicable test procedure and sampling plan or a valid AEDM/ARM.
Standards	<ul style="list-style-type: none">• Seeking civil penalties for distribution of products that do not meet Federal standards.• Testing products suspected of failing to meet Federal standards.

Civil Penalty	<ul style="list-style-type: none">• Failure to meet applicable efficiency standards and certification violations.• Penalties for violations of standards calculated per unit offered for distribution in commerce.• Penalties for certification violations calculated per day for each basic model improperly certified or not certified.• DOE has issued guidance on the imposition of civil penalties.
Subpoena	DOE issues a subpoena in order to obtain test data and to obtain information regarding distribution of regulated products.
Noncompliance Determination	DOE makes a determination of noncompliance based on certification information, on test data provided by a manufacturer, or on test data obtained through DOE testing.
Injunction	DOE may seek a court order to ensure compliance with any regulatory requirement.

- ENERGY STAR Verification Testing Program (FY2011)
 - Test approximately 100 ENERGY STAR-listed products purchased from retail, including refrigerators, room air conditioners, central air conditioners, clothes washers, dishwashers, and water heaters.
- Assessment Testing
 - Target testing from retail that encompass a variety of covered product types.
 - 80-percent of units selected have resulted in an enforcement action.
- Test Data Reviews
 - Review manufacturer test data underlying the certified ratings.
- Enforcement Testing
 - Test a minimum sample of four when DOE has a reason to believe potential noncompliance.
- Complaints
 - Investigate all complaints using one of the methods described above.
 - Follow-up on all failures/notifications from Industry Verification Programs.
- Outreach
 - Conduct webinars and presentation seminars to answer questions and explain obligations to the manufacturers.

- **Certifications**
 - Over 1 million products have been certified to DOE since January 1, 2010.
 - 100-percent of certifications are reviewed by DOE.
- **Enforcement Cases**
 - 200+ Enforcement Actions.
 - Removed 80+ Products from the market.
 - Collected over \$800,000 in civil penalties for violations.
 - Currently, DOE has approximately 100 open enforcement cases.
 - Enforcement news: <http://energy.gov/gc/enforcement-news>
- **Online, Public, Searchable Certification Database**
 - DOE is prepared to launch by the end of the year (2011).
- **Guidance Database**
 - DOE released a guidance database in September 2011, which makes houses questions DOE has received regarding scope of coverage, definitions, test procedures, standards applicability, certification, and enforcement.
 - <http://www1.eere.energy.gov/guidance/default.aspx?pid=2&spid=1>

- Aerosys (Space-constrained air conditioners)
 - 3 Notices of noncompliance determination issued; \$25,000 civil penalty assessed for 2 of the 3.
- Fuzhou Sunlight Lighting Electrical Appliance Co., Ltd. & Westinghouse (IRLs)
 - Notice of noncompliance determination issued; \$50,000 civil penalty assessed.
- Hudson Reed (Showerheads)
 - Notice of failure to certify; \$80,000. Notice of noncompliance determination issued.
- Goodman (Commercial air conditioners)
 - Notice of noncompliance determination issued.
- Midea and Summit Appliance (Residential freezers)
 - Notice of noncompliance determination issued.
- National Comfort Products
 - Improper certification.
- Two large batches of failure to certify cases
 - 50 manufacturers

Notice of Proposed Rulemaking on Alternative Methods of Determining Efficiency, Tentative Fall 2011

Issues under consideration:

- Current procedures used by industry to rate low-volume, custom built commercial equipment;
- Current applications of DOE's AEDM/ARM procedures;
- Products to which AEDM/ARM should apply;
- Data to demonstrate ability of AEDM/ARM to estimate energy efficiency/consumption; and
- Procedures governing substantiation and verification of AEDMs and ARMs.

**Notice of Proposed
Rulemaking for
Certification,
Compliance, and
Enforcement
Provisions, Tentative
Winter 2011**

Issues under consideration:

- Electric Motors CCE
- Industry Verification Programs
- Expanding and Refining Certification Requirements
- Laboratory Accreditation
- Implementing “Lessons-Learned” from the Past Year

**Notice of Availability
of a Framework
Document for
Regional Standards
Enforcement of
Residential HVAC
Equipment, Tentative
Fall 2011**

Issues under consideration:

- Regional Standards Enforcement Schemes
- Certification of Regional Standards

Submit a Question:	<ul style="list-style-type: none">DOE Test Procedure Website: http://www.eere.energy.gov/guidance/default.aspx?pid=2&spid=1Ashley Armstrong: Ashley.Armstrong@EE.Doe.Gov
Request a Test Procedure Waiver:	<ul style="list-style-type: none">DOE's regulations allow manufacturers to apply for a waiver when a manufacturer determines that a given basic model contains one or more design features that prevent testing in accordance with DOE's test procedure.Email: AS_Waiver_Requests@ee.doe.gov
File a Complaint:	<p>Email: energyefficiencyenforcement@hq.doe.gov.</p> <p>The Office of Enforcement will protect the identity of complainants to the maximum extent permitted by law.</p>
DOE's Certification, Compliance, and Enforcement Website:	http://www.eere.energy.gov/buildings/appliance_standards/certification_enforcement.html
DOE's Online Certification System:	https://www.regulations.doe.gov/ccms/
Enforcement Information:	http://gc.doe.gov/energy_efficiency_enforcement.htm