



U.S. DEPARTMENT OF
ENERGY

Energy Conservation Standards Activities

Report to Congress

February 2014

United States Department of Energy
Washington, DC 20585

Message from the Assistant Secretary

I am pleased to provide you with the semi-annual Implementation Report on Energy Conservation Standards Activities of the U.S. Department of Energy (DOE). This report meets the requirements of Section 141 of the Energy Policy Act of 2005 (EPACT 2005) and Sections 305 and 321 of the Energy Independence and Security Act of 2007 (EISA 2007). Because the reporting intervals and requirements are similar for the EPACT 2005 and EISA 2007 reports, DOE provides a consolidated report.

DOE is required by EPACT 2005 and EISA 2007 to provide semi-annual implementation reports pertaining to the DOE's deadlines for issuance of new or amended energy conservation standards. The implementation reports include a summary of DOE's progress relative to an initial report provided on January 31, 2006, which set an aggressive rulemaking schedule.

In total, action has been finalized for 22 of the original 22 backlogged products subject to a consent decree. Since the last report, DOE completed a total of 30 rulemaking actions, including 11 final rules. The final rules amended energy conservation standards for metal halide lamp fixtures and test procedures for residential clothes dryers, residential plumbing products, television sets, electric motors, residential furnace fans, and dehumidifiers, as well as certification requirements for commercial heating, ventilation, and air-conditioning (HVAC), water-heating, and refrigeration equipment. There were also two final rules making technical amendments required by statute, and another final rule excluded R20 short incandescent reflector lamps (spa lamps) from coverage under energy conservation standards, as is permitted under an applicable statutory provision. Furthermore, DOE has ongoing efforts to meet energy conservation standards obligations for 34 additional products.

The American Energy Manufacturing Technical Corrections Act (AEMTCA) (Public Law 112-210), further amended the Energy Policy and Conservation Act (EPCA) under which the Appliance Standards Program operates. Among the amendments in AEMTCA, section 5 of the statute clarifies the review requirements for commercial equipment standards first put in place by EISA 2007. Additionally, for covered commercial equipment for which more than six years has elapsed since the standard was last revised, DOE was required by December 31, 2013, to complete the review and publish either: (1) a notice of proposed rulemaking (NOPR) with proposed standards, or (2) a notice of determination that standards for the product do not need to be amended. This change and others made by AEMTCA are summarized in this report.

Pursuant to statutory requirements, this report is being provided to the following Members of Congress:

- **The Honorable Joseph R. Biden Jr.**
President of the Senate

- **The Honorable John Boehner**
Speaker of the House of Representatives
- **The Honorable Ron Wyden**
Chairman, U.S. Senate Committee on Energy and Natural Resources
- **The Honorable Lisa Murkowski**
Ranking Member, U.S. Senate Committee on Energy and Natural Resources
- **The Honorable Fred Upton**
Chairman, U.S. House Committee on Energy and Commerce
- **The Honorable Henry A. Waxman**
Ranking Member, U.S. House Committee on Energy and Commerce

If you have further questions, please contact me at (202) 586-9220 or Mr. Brad Crowell, Assistant Secretary for Congressional and Intergovernmental Affairs, at (202) 586-5450.

Sincerely,



David T. Danielson
Assistant Secretary
Energy Efficiency and Renewable Energy

Executive Summary

This semi-annual implementation report covers past, present, and future DOE rulemaking activities within the Appliance Standards Program. As of this report, action has been finalized for all 22 backlogged products subject to a consent decree and identified in the original multi-year schedule from the January 2006 report to Congress. Since the last report, DOE completed a total of 30 rulemaking actions, including 11 final rules. The final rules amended energy conservation standards for metal halide lamp fixtures and test procedures for residential clothes dryers, residential plumbing products, television sets, electric motors, residential furnace fans, and dehumidifiers, as well as certification requirements for commercial heating, ventilation, and air-conditioning (HVAC), water-heating, and refrigeration equipment. There were also two final rules making technical amendments required by statute, and another final rule excluded R20 short incandescent reflector lamps (spa lamps) from coverage under energy conservation standards, as is permitted under an applicable statutory provision. Included in this report are an updated multi-year schedule and a detailed progress report for each rulemaking team.

List of Acronyms

AC – Air Conditioner
ACEEE – American Council for an Energy-Efficient Economy
ACT – Automatic Cycle Termination
AEDM – Alternative Efficiency Determination Method
AEMTCA – American Energy Manufacturing Technical Corrections Act
AFUE – Annual Fuel Utilization Efficiency
AHAM – Association of Home Appliance Manufacturers
ANSI – American National Standards Institute
ARM – Alternative Rating Method
ASHRAE – American Society of Heating, Refrigerating and Air-Conditioning Engineers
ASME – American Society of Mechanical Engineers
ASRAC – Appliance Standards and Rulemaking Federal Advisory Committee
BR – Bulge Reflector (lamps)
BVM – Beverage Vending Machine
CEC – California Energy Commission
CFL – Compact Fluorescent Lamp
CUAC – Commercial Unitary Air Conditioner
DOE – U.S. Department of Energy
EISA 2007 – Energy Independence and Security Act of 2007
EPACT 2005 – Energy Policy Act of 2005
EPCA – Energy Policy and Conservation Act
ER – Elliptical Reflector (lamps)
FACA – Federal Advisory Committee Act
FR – Federal Register
FTC – Federal Trade Commission
FY – Fiscal Year
GSFL – General Service Fluorescent Lamp
GSIL – General Service Incandescent Lamp
HID – High-Intensity Discharge (lamps)
HP – Heat Pump
HVAC – Heating, Ventilating, and Air-Conditioning
IEC – International Electrotechnical Commission
IESNA – Illuminating Engineering Society of North America
IRL – Incandescent Reflector Lamp
LED – Light-Emitting Diode
MEF – Modified Energy Factor
MV – Medium Voltage
NEMA – National Electrical Manufacturers Association
NODA – Notice of Data Availability
NOPD – Notice of Proposed Determination
NOPM – Notice of Public Meeting
NOPR – Notice of Proposed Rulemaking
NRA – Negotiated Rulemaking Act
OLED – Organic Light-Emitting Diode
OMB – Office of Management and Budget

PTAC – Packaged Terminal Air Conditioner
PTHP – Packaged Terminal Heat Pump
Q – Quarter
RFI – Request for Information
SNOPR – Supplemental Notice of Proposed Rulemaking
SPVAC – Single Package Vertical Air Conditioner
SPVHP – Single Package Vertical Heat Pump
SPVU – Single Package Vertical Unit (air conditioner and/or heat pump)
STB – Set-top Box
TBD – To Be Determined
USC – United States Code
WF – Water Factor
WH – Water Heating



ENERGY CONSERVATION STANDARDS ACTIVITIES

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I. Legislative Language

This report responds to legislative language set forth in section 141 of the Energy Policy Act of 2005 (EPACT 2005), Pub. L. 109-58, and sections 305 and 321 of the Energy Independence and Security Act of 2007 (EISA 2007), Pub. L. 110-140, to provide semi-annual updates of the U.S. Department of Energy's (DOE) progress with respect to rulemaking actions regarding the implementation of energy conservation standards and test procedures.

Section 141 of EPACT 2005 requires both an initial report and semi-annual implementation reports, until such time as DOE has promulgated all of the overdue energy conservation standards. This document represents the fifteenth semi-annual implementation report.

Section 305 of EISA 2007 expands DOE's existing reporting requirements to include progress reports on all rulemaking activities required by EISA 2007. Section 321 of EISA 2007 requires that beginning in July 2013, DOE must submit semi-annual reports to Congress on the lighting rulemakings contained in EISA 2007. It specifically requires a report on whether DOE will meet the deadlines for lighting rulemakings, a description of any impediments to meeting the deadlines, and a specific plan to remedy any failures, including recommendations for additional legislation or resources. At this time, with the exception of the standards rulemaking for metal halide lamp fixtures, DOE is on track to meet all lighting-related rulemaking deadlines in EISA 2007. Metal halide lamp fixtures are discussed in more detail in the Progress Reports section of this report.

Because the topics and reporting intervals in section 141 of EPACT 2005 and sections 305 and 321 of EISA 2007 are substantially similar, DOE began consolidating the reports starting with the first EISA 2007 implementation report in February 2008. This report constitutes the twelfth semi-annual EISA 2007 implementation report.

II. Introduction

Since the last report, DOE completed a total of 30 rulemaking actions, including 11 final rules. These include:

- Eleven final rules for:
 - Standards for metal halide lamp fixtures
 - Test procedures for residential clothes dryers
 - Test procedures for residential plumbing products
 - Test procedures for television sets
 - Test procedures for electric motors
 - Test procedures for residential furnace fans
 - Test procedures for dehumidifiers

- Final rule excluding R20 short incandescent reflector lamps (spa lamps) from coverage under EPCA energy conservation standards
- Final rule technical amendment for certain consumer products and industrial equipment standards, technical corrections, and definitions as required by AEMTCA
- Final rule technical amendment for small-duct, high-velocity system standards and definitions required by AEMTCA
- Certification requirements for commercial heating, ventilation, and air-conditioning (HVAC), water-heating, and refrigeration equipment
- One supplemental notice of proposed rulemaking (SNOPR) for:
 - Certification requirements for commercial HVAC, water-heating, and refrigeration equipment
- Ten notices of proposed rulemaking (NOPR) for:
 - Standards for metal halide lamp fixtures
 - Standards for commercial walk-in coolers and walk-in freezers
 - Standards for commercial refrigeration equipment
 - Standards for residential furnace fans
 - Standards for electric motors
 - Test procedures for residential dehumidifiers
 - Test procedures for residential heating products
 - Test procedures for commercial refrigeration equipment
 - Test procedures for residential water heaters
 - Notice of proposed rulemaking for through-the-wall central air conditioner and through-the-wall central air-conditioning heat pump standards and definitions required by AEMTCA
- Two framework documents for:
 - Standards for general service lamps
 - Standards for commercial packaged boilers
- Six other rulemaking notices including:
 - Notice of proposed determination for hearth products standards
 - Notice of proposed determination for miscellaneous residential refrigeration products standards
 - Notice of proposed determination for natural draft commercial packaged boilers standards
 - Notice of withdrawal of a proposed determination for set-top boxes standards
 - Notice of withdrawal of a proposed rule for set-top boxes test procedures
 - Request for information for ceiling fans standards

This report details the past, current, and future rulemaking actions of the DOE with respect to the implementation of energy conservation standards and test procedures.

III. Backlog and EPACT 2005

DOE began providing semi-annual reports to Congress regarding progress of the Appliance Standards Program with an initial report on January 31, 2006. In the initial report, DOE documented the history of the Appliance Standards Program, which is the program responsible for the development of test procedures and energy conservation standards for residential appliances and commercial equipment subject to regulation. The initial report provided a description of the rulemaking process and detailed the statutory requirements applicable to the Appliance Standards Program. The initial report also explained the historical reasons for DOE's past failure to meet identified statutory deadlines, and described current and planned productivity enhancements that DOE began to implement in order to expedite the standards rulemaking process. Finally, the initial report set an aggressive rulemaking schedule, designed to permit DOE to both address the backlog of rulemakings and to meet deadlines associated with the new requirements of EPACT 2005.

State of New York, et al. v. Bodman; and NRDC, Inc. et al. v. Bodman

This report also provides information regarding DOE's compliance with obligations that existed under a consolidated consent decree. DOE notes that the separate court proceedings (*State of New York, et al. v. Bodman* and *NRDC, Inc. et al. v. Bodman*) mentioned in the August 2006 report resulted in a consolidated consent decree between the plaintiffs and DOE (filed November 6, 2006). The consent decree largely adopted the schedule DOE published in its January 31, 2006, initial report to Congress under section 141 of EPACT 2005. However, the consent decree's rulemaking schedule added the following two additional items:

1. The consent decree required DOE to publish a small electric motors test procedure by June 30, 2009, and required an energy conservation standard final rule for the same product by February 28, 2010. These two actions were not included in the initial report to Congress because DOE was conducting the determination analysis for small electric motors at the time the initial report was written (*i.e.*, DOE had not yet determined whether rulemakings for an energy conservation standard and test procedure were necessary). Both of these actions are now complete.
2. The consent decree put into place a binding schedule for DOE action in response to future amendments of Standard 90.1 by the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE). Specifically, within six months of an ASHRAE amendment, DOE must publish an analysis of the energy savings potential of amended energy conservation standards. DOE must either adopt ASHRAE's amendment within 18 months of ASHRAE's adoption or establish a more-stringent standard within 30 months.

It is noted that the court terminated the consolidated consent decree by order on May 10, 2012, because DOE had completed all of the required actions.

IV. Energy Independence and Security Act of 2007

On December 19, 2007, the President signed into law the Energy Independence and Security Act of 2007, Pub. L. 110-140. This statute, in part, amends the Energy Policy and Conservation Act of 1975 (EPCA), Pub. L. 94-163 (42 United States Code (U.S.C.) 6291 *et seq.*), and increases the number of rulemakings DOE must issue beyond the obligations set forth in EPACT 2005 and the backlogged products mentioned in previous implementation reports. The enactment of EISA 2007 has substantially elevated the level of activity within the Appliance Standards Program. The statute requires DOE to develop new test procedures and energy conservation standards. All energy conservation standards for covered products adopted after July 1, 2010, must also incorporate standby mode and off mode energy consumption. In addition, EISA 2007 prescribes new energy conservation standards and test procedures for certain products, which DOE must also implement.

Also, pursuant to a statutory change in EISA 2007, all energy conservation standards and test procedures established by DOE will now be subject to regular periodic review. Not later than six years after issuance of a final rule establishing or amending a standard, DOE must either publish a notice of proposed rulemaking to amend the standard or a notice of determination that an amended standard is not warranted (42 U.S.C. 6295(m)(1) and 6313(a)(6)(C)(i)). DOE must review all test procedures at least once every seven years (42 U.S.C. 6293(b)(1)(A) and 6314(a)(1)).

V. American Energy Manufacturing Technical Corrections Act of 2012

On December 18, 2012, the President signed into law the American Energy Manufacturing Technical Corrections Act (AEMTCA), Pub. L. 112-210. This statute further amends EPCA, Pub. L. 94-163 (42 U.S.C. 6291 *et seq.*), with the stated purpose to reduce the regulatory burdens for manufacturers of several products, including water heaters, walk-in freezers, deli counter-style refrigerators, and certain types of air conditioners and heat pumps. The statute also promotes energy efficiency and improves the processes of the Department of Energy for updating energy efficiency standards. In addition, it makes a number of technical corrections which are designed to protect jobs without making significant policy changes.

Amendments under the AEMTCA (with a summary of any required rulemaking follow-up actions by DOE) include the following:

Innovative Component Technologies (Section 2): Amends EPCA to allow component manufacturers an exemption from the design standard related to insulation for walk-in coolers and walk-in freezers, if they can demonstrate to DOE that their component reduces energy consumption at least as much as if the design standard were to apply.

DOE incorporated this exemption into its regulations in a final rule technical amendment that DOE issued on September 30, 2013. This notice was published in the *Federal Register* on October 23, 2013 (78 Fed. Reg. 62988).

Uniform Efficiency Descriptor for Covered Water Heaters (Section 3): Amends EPCA to direct DOE to establish a uniform efficiency descriptor and accompanying test methods for covered residential and commercial water heaters within one year of the enactment of the AEMTCA.

DOE initiated this rulemaking by publishing a request for information in the *Federal Register* on January 11, 2013 (78 Fed. Reg. 2340), which was followed by a notice of proposed rulemaking on November 4, 2013 (78 Fed. Reg. 66202). DOE is currently working to complete the final rule as expeditiously as possible. Further details are contained in the Progress Reports section of this report.

Service Over the Counter, Self-Contained, Medium Temperature Commercial Refrigerators (Section 4): Amends EPCA to define and establish a separate and less-stringent standard for service over the counter, self-contained, medium-temperature commercial refrigerators, with direction to DOE to consider amended standards within three years.

DOE issued a final rule technical amendment on September 30, 2013 that incorporated these requirements into DOE regulations. This notice was published in the *Federal Register* on October 23, 2013 (78 Fed. Reg. 62988).

Small-Duct High-Velocity Systems, Through-the-Wall Central Air Conditioners and Heat Pumps, and Administrative Changes (Section 5): Amends EPCA to define and establish a separate standard for “small-duct, high-velocity systems,” which will be updated in subsequent rulemakings for other air conditioner and heat pump standards.

DOE issued a final rule technical amendment on November 25, 2013 that incorporated these definitions and statutorily prescribed standards into DOE regulations. This notice was published in the *Federal Register* on December 3, 2013 (78 Fed. Reg. 72533).

Section 5 also establishes definitions for “through-the-wall air conditioners” and “through-the-wall air conditioning heat pumps.”

DOE issued a NOPR that proposed to incorporate these definitions into DOE regulations on November 26, 2013, which was published in the *Federal Register* on December 20, 2013 (78 Fed. Reg. 77019).

Administrative changes include a clarification to the six-year review requirements for commercial equipment standards and deadlines related to petitions for amending existing standards. Additionally, for covered commercial equipment for which more than six years has elapsed since the standard was last revised, DOE is required by December 31, 2013, to

complete the review and publish either a NOPR with proposed standards or a notice of determination that standards for the product do not need to be amended.

Accordingly, DOE has initiated several rulemakings to review standards for commercial equipment including commercial air-cooled air conditioners, commercial warm-air furnaces, and commercial water heaters. DOE is working to complete the review required by the AEMTCA as expeditiously as possible. More information on the status of each of these rulemakings is available in the Progress Report section of this report.

Coordination of Research and Development of Energy-Efficient Technologies for Industry (Section 6): Directs DOE to establish collaborative research and development partnerships between its Industrial Technologies Program and other programs, including those in the Office of Energy Efficiency and Renewable Energy.

Reducing Barriers to the Deployment of Industrial Energy Efficiency (Section 7): Requires DOE to conduct a study of the legal, regulatory, and economic barriers to the deployment of industrial energy efficiency in all electricity markets and the estimated economic benefits to the national economy of providing the industrial sector with Federal energy efficiency matching grants of \$5 billion for 5-year and 10-year periods. Also requires DOE to develop policy recommendations regarding the deployment of industrial energy efficiency.

Best Practices for Advanced Metering (Section 8): Amends the National Energy Conservation Policy Act to require Federal agencies to submit implementation plans that explain how they will designate personnel responsible for meeting metering requirements and that demonstrate when the use of advanced metering devices is not practicable. Also requires DOE to issue a report on best practices for the use of advanced metering by Federal agencies and specifies minimum components of the report.

Federal Energy Management and Data Collection Standard (Section 9): Amends the National Energy Conservation Policy Act to require energy managers to use web-based tracking systems to certify compliance and to publish energy and water consumption data on an individual facility basis.

Technical Corrections (Section 10): Amends the Energy Independence and Security Act of 2007 and the Energy Policy Act of 2005 with technical corrections for appliance and lighting standards.

DOE issued a final rule technical amendment on September 30, 2013, which incorporated these corrections into DOE regulations. This notice was published in the *Federal Register* on October 23, 2013 (78 Fed. Reg. 62988). This technical amendment specifically addressed standards and definitions for service over the counter commercial refrigerators (as described in AEMTCA Section 4 above), walk-in coolers and walk-in freezers, , and general service incandescent lamps (GSILs).

VI. Multi-Year Schedule and Implementation Update

This section provides a schedule of upcoming DOE rulemakings, along with a detailed description of activities and progress to date. In summary, additional increases in productivity will be required in 2014 to allow DOE to meet all its obligations.

In the first semi-annual implementation report (submitted in August 2006), DOE described the execution of the productivity enhancements (“bundling” and “valley-filling”¹) that were discussed in the initial report. DOE also provided an update on its improved document review and clearance process, identifying the newly established intra-agency Crosscutting Review Team as the cornerstone of this process. As a result of the productivity enhancements and improved document review and clearance process, DOE was able to report in its first semi-annual implementation report that it was meeting all obligations as scheduled in the initial report to Congress. DOE reached a similar conclusion in subsequent implementation reports.

With the addition of the EISA 2007 requirements since the initial report to Congress in 2006, the workload of the Appliance Standards Program substantially increased in 2009. During 2009, while DOE met all of its obligations with respect to energy conservation standards, DOE missed several energy efficiency test procedure deadlines codified in EISA 2007. Additional statutory deadlines for test procedures and energy conservation standards were missed between 2010 and 2013. As a result, DOE has further streamlined standard and test procedure reviews and approvals, and is building additional program capacity. DOE is also working closely with the Office of Management and Budget (OMB) to review key rulemaking documents such as notices of proposed rulemaking (NOPRs) and final rules. Additional detail is provided below.

DOE remains committed to complying with applicable deadlines. Given the aggressive schedule for the rulemaking requirements established in EISA 2007 and now AEMTCA, DOE is working on a greater number of contemporaneous rulemaking proceedings than had been contemplated at the time of the initial report to Congress. As a result, in order to address its expanded rulemaking obligations, DOE has designed further enhancements to program productivity and capacity beyond what was foreseen in the initial report to Congress. In the second half of 2009, DOE implemented a streamlined internal process to accelerate regulatory approvals in the program. In addition, DOE is hiring additional staff and building organizational capacity to address the increased rulemaking workload.

¹ “Bundling” refers to the combination of two or more products within a single rulemaking. “Valley-filling” is a management technique in which an analytical team can divert its resources from one rulemaking to another while waiting for documents to be reviewed.

Update on Backlogged Standards

When DOE developed the original multi-year schedule in the January 31, 2006, report to Congress, it identified 20 products with backlogged standards.² Of these products, seven had two rounds of backlogged standards, bringing the total number of backlogged standards to 27. In addition, DOE had two backlogged determinations (small electric motors and high-intensity discharge (HID) lamps). As discussed above, DOE completed the determination for small electric motors in July 2006, and based upon this positive determination, the consent decree added small electric motors to the list of backlogged standards DOE must issue. In addition, DOE completed a positive determination for HID lamps in 2010. This brought the number of backlogged products to 22, and the number of backlogged standards to 29.

Since the initial report, DOE has issued efficiency standard final rules for 18 of the 22 original backlogged products (residential furnaces; residential boilers; mobile home furnaces; small furnaces; distribution transformers (medium voltage (MV) dry-type and liquid-immersed); packaged terminal air-conditioners and heat pumps; ranges and ovens; microwave ovens; general service fluorescent lamps; incandescent reflector lamps; small electric motors; residential water heaters; direct heating equipment; pool heaters, clothes dryers, room air conditioners, residential central air conditioners, and fluorescent lamp ballasts). In addition, EISA 2007 prescribed standards for another three backlogged products (electric motors (1-200 hp); general service incandescent lamps; and dishwashers); DOE codified these standards in its regulations at Parts 430 and 431. Thus, standards have been completed for 21 of the 22 backlogged products as shown in Table 1.

The one remaining product, HID lamps, is the subject of an ongoing DOE rulemaking. For HID lamps, the obligations under the consent decree were met when DOE issued the final determination. Consequently, all the actions required by the consent decree have been completed. Because DOE issued a positive determination for HID lamps, DOE is pursuing an energy conservation standard rulemaking for that product.

² The original backlog consists of 20 products, counting residential boilers separately from residential furnaces, and microwaves separately from ranges and ovens.

Table 1. Status of Backlogged Rulemakings from the 2006 Report

Backlogged Product	Status of Backlogged Rule
1. Residential furnaces	DOE issued final rule
2. Residential boilers	DOE issued final rule
3. Mobile home furnaces	DOE issued final rule
4. Small furnaces	DOE issued final rule
5. Residential water heaters [Cycle 2 of 2]	DOE issued final rule
6. Direct heating equipment [Cycle 1 of 2]	DOE issued final rule
7. Pool heaters [Cycle 1 of 2]	DOE issued final rule
8. Distribution transformers (MV dry-type and liquid-immersed)	DOE issued final rule
9. Electric motors (1-200 hp) [Cycle 1 of 2]	Standards prescribed by EISA 2007
10. Incandescent reflector lamps [Cycle 1 of 2]	DOE issued final rule
11. Fluorescent lamps [Cycle 1 of 2]	DOE issued final rule
12. General service incandescent lamps ³	Standards prescribed by EISA 2007
13. Fluorescent lamp ballasts	DOE issued final rule
14. Residential dishwashers	Standards prescribed by EISA 2007
15. Ranges and ovens [Gas-powered Cycle 1 of 2] [Electric-powered Cycle 2 of 2]	DOE issued final rule
16. Microwave ovens	DOE issued final rule
17. Residential clothes dryers	DOE issued final rule
18. Room air conditioners	DOE issued final rule
19. Packaged terminal air conditioners and heat pumps	DOE issued final rule
20. Residential central air conditioners and heat pumps	DOE issued final rule
21. Small electric motors	DOE issued final rule
22. HID Lamps	DOE issued final determination; Ongoing energy conservation standards rulemaking

³ The rulemaking for general service incandescent lamps was previously listed as cycle 1 of 2 backlogged rulemakings. However, EISA 2007 prescribed new standards for general service incandescent lamps (42 U.S.C. 6295(i)(1)(A)) and also set a new deadline to complete a rulemaking for these lamps by January 1, 2017 (42 U.S.C. 6295(i)(6)). Therefore, general service incandescent lamps are no longer in the backlog.

Since the August 2008 implementation report, DOE has noted several missed statutory and other deadlines as follows:

- EISA 2007 set a deadline of December 31, 2008 for the battery chargers and external power supplies test procedure final rule (related to standby mode and off mode energy consumption). DOE subsequently issued the test procedure final rule on March 11, 2009, and it was published in the *Federal Register* on March 27, 2009 (74 Fed. Reg. 13318).
- EISA 2007 set a deadline of March 31, 2009, for the test procedure final rule for standby mode and off mode energy consumption for fluorescent lamp ballasts. DOE subsequently issued the test procedure final rule on September 17, 2009, which was published in the *Federal Register* on October 22, 2009 (74 Fed. Reg. 54445).
- EISA 2007 set a deadline of March 31, 2009 for the test procedure final rule for the standby mode and off mode energy consumption for clothes dryers and room air conditioners. DOE subsequently issued the test procedure final rule on December 15, 2010, which was published in the *Federal Register* on January 6, 2011 (76 Fed. Reg. 972).
- EISA 2007 set a deadline of June 30, 2009, for the test procedure final rule for the standby mode and off mode energy consumption for residential clothes washers. DOE subsequently issued the test procedure final rule on February 22, 2012, which was published in the *Federal Register* on March 7, 2012 (77 Fed. Reg. 13888).
- EISA 2007 required DOE to publish a test procedure final rule for residential furnaces and boilers (standby mode and off mode) by September 30, 2009. DOE subsequently issued the test procedure final rule on August 20, 2010, which was published in the *Federal Register* on October 20, 2010 (75 Fed. Reg. 64621).
- EISA 2007 required DOE to issue a determination whether to issue energy conservation standards for non-Class A external power supplies, by December 19, 2009. DOE subsequently issued a final determination on May 7, 2010, which was published in the *Federal Register* on May 14, 2010 (75 Fed. Reg. 27170).
- EISA 2007 required DOE to publish a test procedure final rule for walk-in coolers and walk-in freezers by January 1, 2010. DOE subsequently issued the final rule on March 30, 2011, which was published in the *Federal Register* on April 15, 2011 (76 Fed. Reg. 21580).
- EISA 2007 required DOE to publish a test procedure final rule for the standby mode and off mode energy consumption of residential heating products (residential water heaters, direct heating equipment, and pool heaters) by March 31, 2010. DOE subsequently issued the test procedure final rule on November 16, 2012, which was published in the *Federal Register* on December 17, 2012 (77 Fed. Reg. 74559).

- EISA 2007 required DOE to review the most recently published ASHRAE/Illuminating Engineering Society of North America (IESNA) Standard 90.1 with respect to single package vertical air conditioners and heat pumps no later than December 19, 2010. DOE issued the final rule on April 27, 2012, which was published in the *Federal Register* on May 16, 2012 (77 Fed. Reg. 28928).
- EISA 2007 required DOE to publish an energy conservation standard final rule for refrigerators, refrigerator-freezers, and freezers by December 31, 2010. DOE issued the final rule on August 25, 2011, which was published in the *Federal Register* on September 15, 2011 (76 Fed. Reg. 57516).
- EISA 2007 required DOE to publish a test procedure final rule for the standby mode and off mode energy consumption of microwave ovens by March 31, 2011. DOE issued an interim final rule on February 23, 2011, which was published in the *Federal Register* on March 9, 2011 (76 Fed. Reg. 12825). DOE subsequently issued the test procedure final rule on January 11, 2013, which was published in the *Federal Register* on January 18, 2013 (78 Fed. Reg. 4015).
- EISA 2007 required DOE to publish a test procedure final rule for the standby mode and off mode energy consumption of residential dishwashers, ranges and ovens, and dehumidifiers by March 31, 2011. DOE subsequently issued the test procedure final rule on September 14, 2012, which was published in the *Federal Register* on October 31, 2012 (77 Fed. Reg. 65942).
- EISA 2007 required DOE to issue a final rule prescribing amended energy conservation standards for battery chargers and external power supplies by July 1, 2011. The NOPR for this rulemaking was issued on March 8, 2012 and published in the *Federal Register* on March 27, 2012 (77 Fed. Reg. 18478). DOE is currently preparing the final rule for this rulemaking.
- EISA 2007 required DOE to issue a final rule prescribing amended energy conservation standards for residential clothes washers by December 31, 2011. The direct final rule and accompanying NOPR for this rulemaking were issued on May 11, 2012 and published in the *Federal Register* on May 31, 2012 (77 Fed. Reg. 32308 and 77 Fed. Reg. 32381). DOE issued a notice of effective date and compliance dates for the direct final rule on September 25, 2012, which was published in the *Federal Register* on October 1, 2012 (77 Fed. Reg. 59719).
- EISA 2007 required DOE to issue a final rule prescribing amended energy conservation standards for walk-in coolers and walk-in freezers by January 1, 2012. DOE issued the NOPR for this rulemaking on August 29, 2013, which was published in the *Federal Register* on September 11, 2013 (78 Fed. Reg. 55782). DOE is currently preparing the final rule for this rulemaking.

- EISA 2007 required DOE to issue a final rule prescribing energy conservation standards for metal halide lamp fixtures by January 1, 2012. DOE issued the NOPR for this rulemaking on August 13, 2013, which was published in the *Federal Register* on August 20, 2013 (78 Fed. Reg. 51464). DOE issued the final rule for this rulemaking on January 27, 2014, which has been delivered to the *Federal Register* for publication.
- On September 28, 2007, DOE issued a final rule adopting energy conservation standards for electric distribution transformers, which was published in the *Federal Register* on October 12, 2007 (72 Fed. Reg. 58190). Petitioners brought a lawsuit which challenged the final rule and resulted in a settlement agreement, such that DOE would conduct a review of the standard and publish in the *Federal Register*, no later than October 1, 2012, a final rule including any amendments to the standards for liquid-immersed and medium-voltage dry-type distribution transformers. The final rule for this rulemaking was received by OMB on November 28, 2012. DOE subsequently issued the final rule on April 9, 2013, which was published in the *Federal Register* on April 18, 2013 (78 Fed. Reg. 23336).
- EISA 2007 required DOE to issue a final rule prescribing amended energy conservation standards for electric motors by December 19, 2012. DOE issued a framework document for this rulemaking on September 16, 2010, which was published in the *Federal Register* on September 28, 2010 (75 Fed. Reg. 59657). DOE then conducted a preliminary analysis which was issued on July 10, 2012 and published in the *Federal Register* on July 23, 2012 (77 Fed. Reg. 43015). DOE issued the NOPR for this rulemaking on November 25, 2013, which was published in the *Federal Register* on December 6, 2013 (78 Fed. Reg. 73590). DOE is currently preparing the final rule for this rulemaking.
- EPACT 1992 required DOE to complete a test procedure final rule for HID lamps by January 1, 2013 (within 30 months of the completion of the Secretary's determination that energy conservation standards would be technologically feasible and economically justified and would result in significant energy savings). DOE issued the test procedure NOPR on November 28, 2011, which was published in the *Federal Register* on December 15, 2011 (76 Fed. Reg. 77914). DOE is currently preparing an SNOPR for this rulemaking.
- EPACT 2005 required DOE to issue a final rule determining whether to amend standards for commercial refrigeration equipment by January 1, 2013. DOE issued the NOPR for this rulemaking on August 29, 2013, which was published in the *Federal Register* on September 11, 2013 (78 Fed. Reg. 55890). DOE is currently preparing the final rule for energy conservation standards for commercial refrigeration equipment.
- EISA 2007 required DOE to promulgate a rule to develop and implement an enforcement plan for the residential furnaces and central air conditioners subject to regional standards not later than January 24, 2013. DOE is currently preparing a NOPR for this rulemaking.

Since the last implementation report, DOE has missed four deadlines for energy conservation standards and test procedures. The status of these rulemakings is as follows:

- AEMTCA directs DOE to establish a uniform efficiency descriptor and accompanying test methods for covered residential and commercial water heaters within one year of the enactment of the AEMTCA (*i.e.*, by December 18, 2013). DOE issued a NOPR proposing to amend its test procedure for residential and certain commercial water heaters to establish a uniform descriptor on October 28, 2013, which was published in the *Federal Register* on November 4, 2013 (78 Fed. Reg. 66202). DOE is currently reviewing comments on the NOPR and preparing the final rule.
- AEMTCA required DOE to review the energy conservation standards for commercial unitary air conditioners (CUACs) because more than six years has elapsed since the standards were last revised. AEMTCA required DOE to publish either a NOPR with proposed standards or a notice of determination that the standards do not need to be amended by December 31, 2013. DOE initiated a review of standards for CUACs and is preparing the NOPR for this rulemaking.
- AEMTCA required DOE to review the energy conservation standards for commercial warm air furnaces because more than six years has elapsed since the standards were last revised. AEMTCA required DOE to publish either a NOPR with proposed standards or a notice of determination that the standards do not need to be amended by December 31, 2013. DOE initiated a review of standards for commercial warm-air furnaces and is currently preparing the NOPR for this rulemaking.
- EISA 2007 required DOE to issue an energy conservation standard for residential furnace fans by December 31, 2013. DOE issued a NOPR for furnace fans standards on September 30, 2013, which was published in the *Federal Register* on October 25, 2014 (78 Fed. Reg. 64068). DOE is currently reviewing comments from stakeholders on the NOPR and preparing the final rule for furnace fans standards.

The above actions are described in greater detail in the Progress Report section of this report. For those rulemakings yet to be completed, DOE is working towards completion of the final rules as expeditiously as possible and will prioritize them in the context of DOE's other rulemaking obligations.

Multi-Year Schedule

Table 2 presents DOE's revised multi-year schedule. It is based on the schedule to which DOE committed in its initial report to Congress, modified to also include the requirements of EISA 2007, AEMTCA, and progress to date. Completed rulemakings and rulemakings involving products for which EISA 2007 and AEMTCA prescribed standards were removed from the schedule.

The current schedule addresses the ongoing or upcoming cycle⁴ of standards that DOE must develop to comply with EPCA 2005, EISA 2007, and AEMTCA. In addition, DOE is beginning the first of the periodic reviews of test procedures (at least once every seven years) and energy conservation standards (not later than six years after issuance of a final rule amending standards) as required under sections 302 and 305 of EISA 2007, respectively. These rulemakings are listed as part of the schedule presented in this report.

⁴ For some products, EPCA, as amended by EPCA 2005, EISA 2007, and AEMTCA, requires DOE to develop multiple standards over time.

Table 2. Multi-Year Schedule

Table 2 presents DOE’s currently scheduled rulemaking activities for energy conservation standards and test procedures. It is noted that the test procedure rulemakings listed below for residential products include revisions to all facets of the test procedure unless otherwise specified as a revision to the active mode or standby/off modes only.

Appliance Standards			
Product Categories	Driver	Approx. Rule Initiation Date	Final Action Date
Heating Products Rulemakings			
Furnace Fans Standard	EISA 2007	Fiscal Year (FY) 2010, Quarter (Q)2	Apr. 2014*
Residential and Certain Commercial Water Heaters Test Procedure	AEMTCA	FY 2013, Q2	Dec. 2014*
Furnaces and Boilers Test Procedure	7-Year Review	FY 2013, Q1	Dec. 2014
Residential Direct Heating Equipment and Pool Heaters Test Procedure	7-Year Review	FY 2011, Q3	Dec. 2014
Single-Package Vertical Air Conditioner (AC) and Heat Pump (HP) Standard	EISA 2007	FY 2012, Q1	May 2015*
Commercial Warm Air Furnaces Standard	6-Year Review	FY 2013, Q1	Dec. 2015
Commercial and Industrial Fans and Blowers Standard	Expanded coverage under EPCA	FY 2011, Q3	Feb. 2016*
Residential Boilers Standard	Backlog / 6-Year Review	FY 2013, Q1	July 2016
Commercial Packaged Boilers Standard	6-Year Review	FY 2013, Q2	Dec. 2016
Residential Water Heaters Standard	6-Year Review	FY 2013, Q2	Mar. 2018
Residential Direct Heating Equipment and Pool Heaters Standard	Backlog / 6-Year Review	FY 2014, Q1	Mar. 2018
Residential Furnaces Standard	6-Year Review	FY 2013, Q4	June 2019
Transformers, Motors, and Pumps Rulemakings			
Electric Motors Standard	EISA 2007	FY 2010, Q2	May 2014
Commercial and Industrial Pumps Standard	Expanded coverage under EPCA	FY 2011, Q2	Oct. 2015*
Commercial Compressors Standard	Expanded coverage under EPCA	FY 2013, Q1	Aug. 2016
Lighting Rulemakings			
Metal Halide Lamp Fixtures Standard	EISA 2007	FY 2009, Q2	Feb. 2014*

* Final action dates followed by an asterisk represent a change from the last semi-annual implementation report. For further detail, consult the Progress Reports of Appliance Product Teams in the Implementation Update section of the report to Congress.

General Service Fluorescent Lamps and Incandescent Reflector Lamps Standard	EPACT 1992	FY 2011, Q2	Nov. 2014 ^{5*}
Illuminated Exit Signs Test Procedure	7-Year Review	FY 2012, Q3	Dec. 2014
Light-Emitting Diodes (LED) Test Procedure	7-Year Review	FY 2012, Q1	Dec. 2014
Medium-Base Compact Fluorescent Lamps (CFL) Test Procedure	7-Year Review	FY 2012, Q3	Dec. 2014
Ceiling Fans and Ceiling Fan Light Kits Test Procedure	7-Year Review	FY 2012, Q3	Dec. 2014
Traffic Signal and Pedestrian Modules Test Procedure	7-Year Review	FY 2012, Q2	Dec. 2014
High-Intensity Discharge Lamps Test Procedure	Backlog	FY 2010, Q3	Jan. 2015 [*]
High-Intensity Discharge Lamps Standard	Backlog	FY 2010, Q3	Apr. 2015 [*]
Ceiling Fans and Ceiling Fan Light Kits Standard	6-Year Review	FY2012, Q4	Jan. 2016 [*]
General Service Incandescent Lamps, Compact Fluorescent Lamps, General Service LEDs, and General Service Organic Light-Emitting Diodes (OLEDs) Standard	EISA 2007	FY 2014, Q2	Dec. 2016
Elliptical Reflector (ER), Bulge Reflector (BR), and Small-Diameter Incandescent Reflector Lamps Standard	EPACT 1992	FY 2010, Q1	TBD ⁶
Candelabra-Base Incandescent Lamps and Intermediate-Base Incandescent Lamps Test Procedure	7-Year Review	FY 2012, Q3	TBD ⁷
Home Appliances Rulemakings			
Refrigerators Test Procedure	7-Year Review	FY 2012, Q2	July 2014
Microwave Ovens Test Procedure (Active Mode)	7-Year Review	FY 2012, Q2	Sept. 2014 [*]
Commercial Clothes Washers Test Procedure	EPACT 2005	FY 2013, Q1	Jan. 2015
Commercial Clothes Washers Standard	EPACT 2005	FY 2012, Q2	Jan. 2015
Wine Chillers and Miscellaneous Refrigeration Products Test Procedure	Expanded coverage under EPCA	FY2012, Q2	Jan. 2016 [*]
Wine Chillers and Miscellaneous Refrigeration Products Standard	Expanded coverage under EPCA	FY2011, Q3	Feb. 2016 [*]
Induction Cooking Products Test Procedure	Expanded coverage under EPCA	FY2012, Q1	Sept. 2016
Portable Air Conditioners Test Procedure	Expanded coverage under EPCA	FY 2014, Q1	Oct. 2016
Portable Air Conditioners Standard	Expanded coverage under EPCA	FY2013, Q3	Nov. 2016

⁵ Pursuant to section 315 of Public Law 112-74 (and subsequently reenacted in section 322 of Public Law 113-76), DOE has revised the scope of this rulemaking activity.

⁶ To Be Determined. Pursuant to section 315 of Public Law 112-74 (and subsequently reenacted in section 322 of Public Law 113-76), DOE has ceased work on this rulemaking activity.

⁷ Pursuant to section 315 of Public Law 112-74 (and subsequently reenacted in section 322 of Public Law 113-76), DOE has ceased work on this rulemaking activity.

Kitchen Ranges and Ovens Standard	Backlog / 6-Year Review	FY 2014, Q1	Mar. 2017
Dehumidifiers Standard	6-Year Review	FY 2013, Q1	Mar. 2017
Dehumidifiers Test Procedure	7-Year Review	FY 2012, Q2	Oct. 2017
Residential Clothes Washers Test Procedure	7-Year Review	FY2013, Q2	Mar. 2019
Space Cooling Rulemakings			
Residential Central Air Conditioners and Heat Pumps Test Procedure	7-Year Review	FY 2009, Q3	Dec. 2014*
Packaged Terminal Air Conditioners and Heat Pumps Test Procedure	7-Year Review	FY 2013, Q2	Dec. 2014
Commercial Packaged Air Conditioning and Heating Equipment Standard	6-Year Review	FY 2013, Q1	Dec. 2015
Packaged Terminal Air Conditioners and Heat Pumps Standard	6-Year Review	FY 2013, Q2	Sept. 2016
Commercial Refrigeration Rulemakings			
Commercial Refrigeration Equipment Test Procedure	Discretionary	FY 2013, Q2	Feb. 2014
Commercial Refrigeration Equipment Standard	EPACT 2005	FY 2010, Q2	Feb. 2014
Walk-In Coolers and Walk-In Freezers Standard	EISA 2007	FY 2009, Q1	Apr. 2014*
Commercial Automatic Ice Makers Standard	EPACT 2005	FY 2011, Q3	May 2014
Refrigerated Beverage Vending Machines Test Procedure	7-Year Review	FY 2013, Q2	Dec. 2014
Refrigerated Beverage Vending Machines Standard	6-Year Review	FY 2013, Q2	Aug. 2017*
Commercial Refrigeration Equipment Test Procedure	7-Year Review	FY 2013, Q3	Feb. 2019
Electronics Rulemakings			
Battery Chargers and External Power Supplies Standard	EISA 2007	FY 2008, Q2	July 2015*
Computers Standard	Expanded coverage under EPCA	FY2013, Q4	Sep. 2016
Computer Servers Standard	Expanded coverage under EPCA	FY2013, Q3	Oct. 2016
Enforcement Rulemakings			
Enforcement of Regional Standards for Furnaces and Central Air Conditioners	EISA 2007	FY 2012, Q1	May 2014*

VII. Implementation Update

Since the last implementation report, DOE has continued to explore process efficiency improvements afforded it by EISA 2007. To this point, DOE posted additional changes to its regulatory process on its website on November 16, 2010. Specifically, DOE plans to: (1) gather preliminary data informally and begin the rulemaking process with a NOPR in appropriate cases; (2) move additional analytical information from the energy conservation standards document published in the *Federal Register* (FR) to the technical support document for the rulemaking where appropriate; and (3) consider the use of negotiated rulemaking where appropriate. These changes represent another step in DOE’s effort to save energy for American consumers and businesses by completing all outstanding energy conservation standard rulemakings and ensuring that future statutory deadlines are met. DOE expects that these process improvements will make DOE’s rulemaking process more efficient, while ensuring robust public participation. For further information, see:

http://www1.eere.energy.gov/buildings/appliance_standards/pdfs/changes_standards_process.pdf.

Since the last semi-annual implementation report, DOE has issued 11 final rules. More specifically, these final rule amended energy conservation standards for metal halide lamp fixtures and test procedures for residential clothes dryers, residential plumbing products, television sets, electric motors, residential furnace fans, and dehumidifiers, as well as certification requirements for commercial HVAC, water-heating, and refrigeration equipment. There were also two final rules making technical amendments required by statute, and another final rule excluded R20 short incandescent reflector lamps (spa lamps) from coverage under energy conservation standards, as is permitted under an applicable statutory provision. These final rules, along with other publications since the last implementation report, are listed in greater detail below.

Published Rulemaking Documents Since the Last Implementation Report

Since publication of the last implementation report, DOE has completed the following rulemaking notices as set forth below in chronological order by date of publication.

Product	Type	Event	Issuance Date	Publish Date	Citation
Natural Draft Commercial Packaged Boilers	Energy Conservation Standard	Proposed Determination	8/7/2013	8/13/2013	78 FR 49202
Clothes Dryers	Test Procedure	Final Rule	7/31/2013	8/14/2013	78 FR 49608
Metal Halide Lamp Fixtures	Energy Conservation Standard	NOPR	8/13/2013	8/20/2013	78 FR 51464
Commercial Packaged Boilers	Energy Conservation Standard	Framework Document	8/28/2013	9/3/2013	78 FR 54197

Commercial Refrigerators, Freezers, and Refrigerator-Freezers	Energy Conservation Standard	NOPR	8/29/2013	9/11/2013	78 FR 55890
Walk-In Coolers and Walk-In Freezers	Energy Conservation Standard	NOPR	8/29/2013	9/11/2013	78 FR 55782
Dehumidifiers	Test Procedure	NOPR	9/30/2013	10/22/2013	78 FR 62488
Ceiling Fans	Energy Conservation Standard	Request for Information	9/30/2013	10/22/2013	78 FR 62494
Alternative Efficiency Determination Methods	Test Procedure	SNOPR	9/30/2013	10/22/2013	78 FR 62472
Certain Consumer Products and Industrial Equipment Affected by AEMTCA.	Other	Final Rule; Technical Amendment	9/30/2013	10/23/2013	78 FR 62988
Residential Plumbing Products	Test Procedure	Final Rule	9/30/2013	10/23/2013	78 FR 62970
Residential Direct Heating Equipment and Pool Heaters	Test Procedure	NOPR	9/30/2013	10/24/2013	78 FR 63410
Television Sets	Test Procedure	Final Rule	9/30/2013	10/25/2013	78 FR 63823
Residential Furnace Fans	Energy Conservation Standard	NOPR	9/30/2013	10/25/2013	78 FR 64068
Commercial Refrigerators, Freezers, and Refrigerator-Freezers	Test Procedure	NOPR	9/30/2013	10/28/2013	78 FR 64296
Miscellaneous Residential Refrigeration Products	Energy Conservation Standard	Supplemental Proposed Determination	9/30/2013	10/31/2013	78 FR 65223
Residential and Commercial Water Heaters	Test Procedure	NOPR	10/28/2013	11/4/2013	78 FR 66202
120 Volt, 100 Watt, R20 Short Incandescent Reflector Lamps (Spa Lamps)	Energy Conservation Standard	Final Rule	11/7/2013	11/14/2013	78 FR 68331

Small-Duct High-Velocity Central Air Conditioners and Heat Pumps	Other	Final Rule; Technical Amendment	11/25/2013	12/3/2013	78 FR 72533
Electric Motors	Energy Conservation Standard	NOPR	11/25/2013	12/6/2013	78 FR 73590
General Service Lamps	Energy Conservation Standard	Framework Document	12/2/2013	12/9/2013	78 FR 73737
Electric Motors	Test Procedure	Final Rule	12/6/2013	12/13/2013	78 FR 75962
Through-the-Wall Central Air Conditioners and Heat Pumps	Other	NOPR	11/26/2013	12/20/2013	78 FR 77019
Alternative Efficiency Determination Methods	Test Procedure	Final Rule	12/24/2013	12/31/2013	78 FR 79579
Hearth Products	Energy Conservation Standard	Proposed Determination	12/24/2013	12/31/2013	78 FR 79638
Set Top Boxes	Energy Conservation Standard	Proposed Determination Withdrawal	12/20/2013	12/31/2013	78 FR 79649
Set Top Boxes	Test Procedure	NOPR Withdrawal	12/20/2013	12/31/2013	78 FR 79637
Residential Furnace Fans	Test Procedure	Final Rule	12/24/2014	1/3/2014	79 FR 500
Metal Halide Lamp Fixtures	Energy Conservation Standard	Final Rule	1/27/2014	Delivered to the <i>Federal Register</i>	
Dehumidifiers	Test Procedure	Final Rule	1/29/2014	Delivered to the <i>Federal Register</i>	

Progress Reports of Appliance Product Teams

Heating Team

Heating Products. DOE is evaluating the test procedure for residential water heaters, pool heaters, and direct heating equipment (heating products) in light of the requirement to review all test procedures no later than every 7 years. On September 29, 2011, DOE issued a Request for Information (RFI) to solicit comment on issues regarding any aspect of the test procedure that may warrant modification. The RFI was published in the *Federal Register* on October 12, 2011 (76 Fed. Reg. 63211).

Pursuant to the amendments to EPCA brought about by the American Energy Manufacturing Technical Corrections Act (enacted December 18, 2012), DOE is also developing a uniform

efficiency descriptor for both residential and commercial water heaters. DOE issued an RFI on January 7, 2013 to initiate the rulemaking and data collection process for developing a uniform efficiency descriptor and accompanying test method for residential and commercial water heaters. This RFI was published in the *Federal Register* on January 11, 2013 (78 Fed. Reg. 2340). After reviewing comments on this latest RFI, DOE decided to prepare two NOPRs – one for residential and certain commercial water heaters test procedure and a separate NOPR for the pool heater and direct heating equipment test procedures. Thereafter, the test procedure for residential water heaters was separated from the test procedures for residential pool heaters and direct heating equipment.

DOE issued a NOPR for residential and certain commercial water heaters test procedure on October 28, 2013, which was published in the *Federal Register* on November 4, 2013 (78 Fed. Reg. 66202). A public meeting was held to discuss the contents of the NOPR at DOE headquarters in Washington, DC on December 6, 2013. DOE issued a NOPR for the residential pool heaters and direct heating equipment test procedure on September 30, 2013, which was published in the *Federal Register* on October 24, 2013 (78 Fed. Reg. 63410). A public meeting to discuss the contents of the NOPR was held at DOE headquarters in Washington, DC on December 4, 2013. DOE is currently reviewing comments from interested parties for both rulemakings and preparing the respective final rules.

DOE has also initiated a rulemaking to review the energy conservation standards for residential water heaters in accordance with the requirements of EISA 2007 to review standards no later than six years from the issuance of a final rule establishing or amending standards for a covered product. DOE is currently focusing on completing the water heater test procedure while conducting preparatory work for the standards framework document.

In addition, on June 6, 2012, DOE issued an RFI regarding the impact of its recently amended energy conservation standards for residential electric water heaters on utility programs that use high-storage-volume (above 55 gallons) electric storage water heaters to reduce peak electricity demand. The RFI was published in the *Federal Register* on June 13, 2012 (77 Fed. Reg. 35299). DOE subsequently issued a NOPR on February 15, 2013, which was published in the *Federal Register* on February 26, 2013 (78 Fed. Reg. 12969). DOE held a public meeting to discuss the NOPR contents on March 15, 2013 at its Washington, DC headquarters. DOE is currently considering comments from interested parties regarding the NOPR.

Furnaces and Boilers. EISA 2007 requires that DOE prescribe an amended test procedure for residential furnaces and boilers not later than September 2009 to address standby mode and off mode energy consumption for these products. DOE issued the test procedure final rule on August 20, 2010, which was published in the *Federal Register* on October 20, 2010 (75 Fed. Reg. 64621).

Since issuing the final rule, DOE began a new test procedure rulemaking for furnaces and boilers. DOE issued a test procedure NOPR on August 30, 2011 that was published in the

Federal Register on September 13, 2011 (76 Fed. Reg. 56339). The NOPR proposed to further update the DOE test procedure through incorporation by reference of the latest edition of the relevant industry standard, specifically IEC Standard 62301 (Second Edition), “Household electrical appliances – Measurement of standby power.” DOE held a public meeting to discuss the NOPR contents on October 3, 2013 at its Washington, DC headquarters. On November 16, 2012, DOE issued the test procedure final rule, which was published in the *Federal Register* on December 31, 2012 (77 Fed. Reg. 76831).

DOE also issued a request for information on December 28, 2012 to consider amendments to DOE’s test procedure for residential furnaces and boilers, with a focus on active mode. The RFI was published in the *Federal Register* on January 4, 2013 (78 Fed. Reg. 675). This rulemaking is intended to fulfill DOE’s statutory obligation to review its test procedures for covered products at least once every seven years. Since DOE only recently completed a standby mode and off mode test procedure rulemaking for these products, it is expected that the focus here will be on operation in active mode, although DOE will consider comments on any aspect of these test procedures. DOE is currently preparing a NOPR for this rulemaking.

In the interim, DOE also conducted a more limited test procedure rulemaking for residential furnaces and boilers, which was intended to resolve a problem with certain equations contained therein. In the NOPR, DOE proposed to modify the existing DOE test procedures to address an omission regarding the calculation of annual fuel utilization efficiency (AFUE). The NOPR was issued by DOE on January 25, 2013 and published in the *Federal Register* on February 4, 2013 (78 Fed. Reg. 7681). DOE held a public meeting to discuss the contents of the NOPR on March 13, 2013 at its headquarters in Washington, DC. DOE issued the final rule for this test procedure on June 26, 2013, which was published in the *Federal Register* on July 10, 2013 (78 Fed. Reg. 41265).

DOE has also initiated a rulemaking to review the energy conservation standards for residential boilers in accordance with the requirements of EISA 2007 to regularly review standards for covered products. DOE issued a framework document for this rulemaking on February 5, 2013, which was published in the *Federal Register* on February 11, 2013 (78 Fed. Reg. 9631). DOE held a public meeting to discuss the framework document contents on March 13, 2013 at its Washington, DC headquarters. DOE is currently preparing the next document for this rulemaking.

Furnace Fans. EISA 2007 requires DOE to issue an energy conservation standard for residential furnace fans by December 31, 2013. DOE issued an announcement of the availability of the energy conservation standards framework document for furnace fans on May 27, 2010, which was published in the *Federal Register* on June 3, 2010 (75 Fed. Reg. 31323). A public meeting to discuss the data and methodology was held on June 18, 2010 at DOE headquarters in Washington, DC. DOE issued a notice of public meeting and data availability of the preliminary technical support document on June 28, 2012, which was published in the *Federal Register* on July 10, 2012 (77 Fed. Reg. 40530). DOE held a public meeting to discuss the preliminary

analysis on July 27, 2012 at DOE headquarters in Washington, DC. DOE subsequently issued a NOPR for furnace fan standards on September 30, 2013, which was published in the *Federal Register* on October 25, 2014 (78 Fed. Reg. 64068). DOE held a public meeting to discuss the contents of the NOPR on December 3, 2013 at its headquarters in Washington, DC. DOE issued a comment period extension for the NOPR on December 18, 2013, which was published in the *Federal Register* on December 24, 2013 (78 FR 77607). This notice allowed stakeholders to submit comments until January 23, 2014. DOE is currently reviewing comments from stakeholders and preparing the final rule for furnace fans standards. In light of the statutory deadline, DOE is striving to complete the final rule as expeditiously as possible.

DOE is also currently developing a test procedure for residential furnace fans. DOE issued a test procedure NOPR for furnace fans on May 1, 2012, which was published in the *Federal Register* on May 15, 2012 (77 Fed. Reg. 28674). A public meeting to discuss the test procedure was held on June 15, 2012 at DOE headquarters in Washington, DC. As a result of comments received on the NOPR, DOE developed and issued an SNOPR on March 25, 2013, which was published in the *Federal Register* on April 2, 2013 (78 Fed. Reg. 19606). DOE issued the final rule for the furnace fans test procedure on December 24, 2013, which was published in the *Federal Register* on January 3, 2014 (79 Fed. Reg. 500).

Commercial Warm-Air Furnaces. EPCA, as amended by AEMTCA, requires DOE to review the standards for each class of covered ASHRAE equipment every six years and either publish a notice of determination that standards for that equipment do not need to be amended or a notice of proposed rulemaking with new proposed standards. For any covered equipment as to which more than six years has elapsed since the issuance of the most recent final rule establishing or amending a standard for that equipment, the notice must be published by December 31, 2013. Because the most recent final rule amending energy conservation standards for commercial warm-air furnaces was published more than six years ago, DOE has initiated a rulemaking to review standards for this equipment. DOE issued a request for information for this rulemaking on April 26, 2013, which was published in the *Federal Register* on May 2, 2013 (78 Fed. Reg. 25627). Given the statutory deadline, DOE is currently working as expeditiously as possible to prepare the NOPR for this rulemaking.

Commercial Packaged Boilers. DOE most recently issued a final rule for commercial packaged boilers on July 8, 2009, which was published in the *Federal Register* on July 22, 2009 (74 Fed. Reg. 36312). DOE has initiated a rulemaking to review the standards for commercial packaged boilers in accordance with the requirements of EPCA to review DOE standards for all covered ASHRAE equipment every six years. DOE issued the framework document for this rulemaking on August 28, 2013, which was published in the *Federal Register* on September 3, 2013 (78 Fed. Reg. 54197). (DOE also issued a separate notice of proposed determination for this equipment on August 7, 2013, which was published in the *Federal Register* on August 13, 2013 (78 Fed. Reg. 49202). In this notice, DOE proposed to determine that natural draft commercial packaged boilers meet the criteria for covered equipment under EPCA.) DOE held a public

meeting to discuss the framework on October 1, 2013 at its headquarters in Washington, DC. DOE is currently conducting the preliminary analysis for this rulemaking.

Commercial and Industrial Fans and Blowers. On June 21, 2011, DOE issued a notice of proposed determination (NOPD) that proposed to determine that commercial and industrial fans and blowers are covered equipment under EPCA. The notice was issued on June 21, 2011, and published in the *Federal Register* on June 28, 2011 (76 Fed. Reg. 37678). On January 28, 2013, DOE issued a framework document in further consideration of that determination and any associated energy conservation standards, which was published in the *Federal Register* on February 1, 2013 (78 Fed. Reg. 7306). DOE held a public meeting to discuss the framework document contents on February 21, 2013 at its Washington, DC headquarters. The comment period on the framework document has been extended twice. DOE issued the first extension on February 12, 2013, which was published in the *Federal Register* on February 22, 2013 (78 Fed. Reg. 12251). DOE most recently extended the comment period to June 3, 2013 in a notice issued on May 1, 2013, which was published in the *Federal Register* on May 7, 2013 (78 Fed. Reg. 26544). DOE is currently considering comments from interested parties regarding the framework document.

Hearth Products. In a notice of proposed determination issued on December 24, 2013, DOE tentatively determined that hearth products meet the criteria for covered products under EPCA. This notice was published in the *Federal Register* on December 31, 2013 (78 Fed. Reg. 79638). DOE is currently evaluating comments on the NOPD and conducting further analyses.

Transformers, Motors, and Pumps Team

Electric Motors (1-500 hp). EPCA requires that DOE publish a final rule no later than 24 months after the effective date of the previous final rule to determine whether to amend the motors standards currently in effect (42 U.S.C. 6313(b)(4)(B)). EISA 2007 prescribed standards for electric motors that become effective three years after the date of EISA 2007's enactment (*i.e.*, December 19, 2010). All the prescribed standards were codified in a final rule technical amendment that was issued on March 11, 2009 and published in the *Federal Register* on March 23, 2009 (74 Fed. Reg. 12058). (For a more complete history of this rulemaking, see the August 2009 implementation report.) Thus, DOE is moving forward with a rulemaking to consider amending the standards for all the motor types included in 42 U.S.C. 6313.

DOE issued the framework document for this rulemaking on September 16, 2010, which was published in the *Federal Register* on September 28, 2010 (75 Fed. Reg. 59657). A public meeting to discuss the framework document was held at DOE's Washington, DC headquarters on October 18, 2010. After considering comments received at the framework stage, DOE issued a notice of public meeting (NOPM) and notice of document availability for the preliminary analyses on July 10, 2012, which was published in the *Federal Register* on July 23,

2012 (77 Fed. Reg. 43015). DOE held a public meeting on August 21, 2012 to discuss the preliminary analysis results. DOE issued the NOPR for this rulemaking on November 25, 2013, which was published in the *Federal Register* on December 6, 2013 (78 Fed. Reg. 73590). DOE held a public meeting to discuss the NOPR on December 11, 2013 at its headquarters in Washington, DC. DOE is currently preparing the final rule for this rulemaking. Although DOE was unable to complete this rule by the date specified in EISA 2007, DOE is working to finish it as expeditiously as possible.

EISA 2007 also requires that all test procedures be reviewed at least once every seven years, and as such, DOE is developing an amended test procedure for electric motors. DOE initially bundled the test procedure for electric motors (1-500 hp) with the test procedure for small electric motors. The test procedure NOPR was issued on December 11, 2008 and was published in the *Federal Register* on December 22, 2008 (73 Fed. Reg. 78220). DOE held a public meeting to discuss the NOPR contents on January 29, 2009 at its Washington, DC headquarters. In light of comments received at the public meeting and submitted to DOE during the comment period, DOE reevaluated its course for the 1-500 hp electric motor test procedure final rule. Because the small electric motors test procedure was bound by an upcoming consent decree deadline, DOE split the test procedure rulemaking for 1-500 hp electric motors from the small electric motors test procedure and proceeded to a final rule on the small motors aspect of the rulemaking, which was issued on June 29, 2009, and was published in the *Federal Register* on July 7, 2009 (74 Fed. Reg. 32059).

DOE issued a test procedure SNOPR for electric motors on December 15, 2010, which was published in the *Federal Register* on January 5, 2011 (76 Fed. Reg. 648). DOE issued a test procedure final rule for electric motors on April 25, 2012, which was published in the *Federal Register* on May 4, 2012 (77 Fed. Reg. 26608). The May 4, 2012 test procedure final rule focused on 1-500 hp electric motors, but also clarified certain definitions and procedures related to small electric motors.

DOE initiated another electric motor test procedure rulemaking in light of its plan to expand the scope of electric motor types subject to energy conservation standards. In a test procedure NOPR issued on June 19, 2013 and published in the *Federal Register* on June 26, 2013 (78 Fed. Reg. 38456), DOE proposed new definitions of specific motor types, as well as any test procedure changes necessary for testing the newly-regulated motor types. DOE held a public meeting to discuss the NOPR contents on July 16, 2013 at its Washington, DC headquarters. DOE issued the final rule for this rulemaking on December 6, 2013, which was subsequently published in the *Federal Register* on December 13, 2013 (78 Fed. Reg. 75962).

Commercial and Industrial Pumps. On June 7, 2011, DOE issued an RFI regarding product markets, energy use, test procedures, and energy-efficient product designs for commercial and industrial pumps, which are considered covered equipment under EPCA. The RFI was published in the *Federal Register* on June 13, 2011 (76 Fed. Reg. 34192). On January 25, 2013, DOE issued a framework document to consider new energy conservation standards for commercial and

industrial pumps, which was published in the *Federal Register* on February 1, 2013 (78 Fed. Reg. 7304). DOE held a public meeting to discuss the framework document contents on February 20, 2013 at its Washington, DC headquarters. On July 16, 2013, DOE issued a notice of intent for commercial and industrial pumps, which was published in the *Federal Register* on July 23, 2013 (78 Fed. Reg. 44036). The notice announced DOE's intent to establish a negotiated rulemaking working group under the Appliance Standards and Rulemaking Federal Advisory Committee (ASRAC) in accordance with the Federal Advisory Committee Act (FACA) and the Negotiated Rulemaking Act (NRA) to negotiate proposed Federal standards for the energy efficiency of commercial and industrial pumps. On November 1, 2013, DOE issued a notice announcing a two-day open meeting of the commercial and industrial pumps working group. The notice was published in the *Federal Register* on November 12, 2013 (78 FR 67319), and the meetings were held at DOE headquarters in Washington, D.C. on December 18 and 19, 2013. On January 8, 2014, DOE issued a notice of open meetings that announced an open meeting of the commercial and industrial pumps open working group that was held on January 30-31, 2014, as well as open meetings that will be held on March 4-5; March 26-27; April 29-30; May 28-29; June 18-19; and July 23-24 (79 Fed. Reg. 2383 (Jan. 14, 2014)). DOE is continuing to work with stakeholders to establish a negotiated rulemaking through the working group.

Lighting Team

High-Intensity Discharge Lamps. DOE was directed by the consent decree to make a determination by June 30, 2010 whether energy conservation standards for HID lamps are technologically feasible and economically justified. DOE issued the final determination for HID lamps on June 16, 2010, thereby meeting the deadline set forth in the consent decree. The final determination was published in the *Federal Register* on July 1, 2010 (75 Fed. Reg. 37975). Because DOE made a positive determination that energy conservation standards for HID lamps are warranted, DOE initiated a test procedure rulemaking. DOE issued the test procedure NOPR on November 28, 2011, which was published in the *Federal Register* on December 15, 2011 (76 Fed. Reg. 77914). DOE held a public meeting to discuss the test procedure on January 19, 2012 at DOE headquarters in Washington, DC. DOE is currently preparing an SNOPR for the HID lamps test procedure.

DOE has also initiated a standards rulemaking for HID lamps. DOE issued a framework document for HID lamps on February 21, 2012 which was published in the *Federal Register* on February 28, 2012 (77 Fed. Reg. 11785). DOE held a public meeting to discuss the standards rulemaking at its headquarters in Washington, DC on March 29, 2012. DOE subsequently conducted an interim analysis for HID lamps. DOE issued the interim analysis on February 20, 2013, which was published in the *Federal Register* on February 28, 2013 (78 Fed. Reg. 13566). DOE held a public meeting to discuss the interim analysis at its headquarters in Washington, DC on April 2, 2013. DOE is currently preparing a NOPR for this rulemaking.

ER/BR and Small-Diameter Incandescent Reflector Lamps. As discussed in the August 2010 implementation report, DOE has determined that it has the authority to conduct an energy conservation standards rulemaking on elliptical reflector (ER), bulge reflector (BR), and small-diameter incandescent reflector lamps (IRL) and began work on an accelerated timeframe. On April 23, 2010, DOE issued a notice of public meeting and availability of the framework document, which outlines the analytical approach to this rulemaking. The notice was published in the *Federal Register* on May 3, 2010 (75 Fed. Reg. 23191). A public meeting to discuss the framework document was held on May 26, 2010 at DOE headquarters in Washington, DC. DOE has prepared a draft NOPR for this rulemaking that must be reviewed by the Office of Management and Budget. Pursuant to section 315 of Public Law 112-74 (and subsequently reenacted in section 322 of Public Law 113-76), DOE has ceased work on this rulemaking activity.

General Service Lamps. EPCA directs DOE to initiate a rulemaking no later than January 1, 2014 to determine whether the standards in effect for general service lamps should be amended. (42 U.S.C. 6295(i)(6)A) General service lamps include general service incandescent lamps, compact fluorescent lamps, general service light-emitting diode lamps, general service organic light-emitting diode lamps, and any other lamps that the Secretary determines are used to satisfy lighting applications traditionally served by general service incandescent lamps. Accordingly, DOE issued a framework document for this rulemaking on December 2, 2013, which was published in the *Federal Register* on December 9, 2013 (78 Fed. Reg. 73737). A public meeting to discuss the framework document was held on January 14, 2014 at DOE headquarters in Washington, DC. DOE extended the comment period on the framework document to February 7, 2014 in a notice issued by DOE on January 16, 2014. The notice was published in the *Federal Register* on January 23, 2014 (79 Fed. Reg. 3742). DOE is currently reviewing comments from stakeholders on the framework document and developing the preliminary analysis.

General Service Fluorescent Lamps and Incandescent Reflector Lamps. DOE issued an energy conservation standard final rule for general service fluorescent lamps (GSFL) and IRL on June 26, 2009, which was published in the *Federal Register* on July 14, 2009 (74 Fed. Reg. 34080). The 2009 final rule satisfied the first round of backlogged standards for these products. The second round of backlogged standards is due five years after publication of the previous final rule (42 USC 6295(i)(4)). On September 6, 2011, DOE issued a notice of public meeting and availability of the framework document, which outlines the analytical approach to this rulemaking. The notice was published in the *Federal Register* on September 14, 2011 (76 Fed. Reg. 56678). The public meeting was held at DOE headquarters in Washington, DC on October 4, 2011.

Based on feedback on the framework document, DOE decided to revise its schedule for the standards rulemaking in order to allow the lamp market to adjust to the standards in the 2009 final rule. The standards in the 2009 final rule require compliance on July 14, 2012. By

adjusting its internal analytical timeline for the current rule, DOE will be better able to base its analysis on a market that has already adjusted to the July 2012 standards. This will result in more accurate assessments of product classes, efficacy levels, prices, and energy use. The rule is currently scheduled for completion in November 2014. DOE issued a notice of document availability and public meeting for the preliminary analysis of this rulemaking on February 20, 2013. This notice was published in the *Federal Register* on February 28, 2013 (78 Fed. Reg. 13563). A public meeting to discuss the preliminary analysis was held on April 9, 2013 at DOE headquarters in Washington, DC. DOE has prepared a draft NOPR for this rulemaking that was received by OMB on December 3, 2013 and is currently undergoing OMB review.

Medium-Base Compact Fluorescent Lamps. Because EISA 2007 requires DOE to review test procedures for all products every 7 years and amend them if amendments are warranted (42 USC 6293(b)(1)), DOE has initiated a test procedure rulemaking for medium-base compact fluorescent lamps. DOE is currently preparing the test procedure NOPR for medium-base compact fluorescent lamps. DOE is currently evaluating standards for medium-base compact fluorescent lamps as part of the broader rulemaking on general service lamps (see the progress update in the General Service Lamps section).

Illuminated Exit Signs. Illuminated exit signs are a covered product under EPCA with standards and test procedures prescribed by EPCA 2005 (42 USC 6295(w) and 42 USC 6293(b)(9)). DOE has initiated a rulemaking to review the test procedure for illuminated exit signs in accordance with the provisions for regular test procedure reviews every 7 years. DOE is currently preparing the test procedure NOPR for illuminated exit signs.

Five Exempted Lamp Types. DOE published a NODA announcing the completion of DOE's model of future lamp sales for five exempted lamp types as required by section 321 of EISA 2007 (42 U.S.C. 6295(l)(4)). The notice of data availability was issued on December 18, 2008 and was published in the *Federal Register* on December 24, 2008 (73 Fed. Reg. 79072). The notice announced the availability of historical shipments data for each lamp type and a model forecasting future unit sales. Beginning in calendar year 2010, DOE began to collect actual United States unit sales data for each of the five lamp types, and not later than 90 days after the end of each calendar year, DOE compares the lamp sales in that year to the results of its forecasting model. (42 U.S.C. 6295(l)(4)(C)(i)) When the annual sales rate for any of the five lamp types exceeds the modeled levels by at least 100 percent, DOE will initiate an accelerated rulemaking to establish an energy conservation standard for that lamp type.

DOE acquired the actual unit sales data for calendar year 2010 and, since the actual sales did not exceed the forecasted estimate by 100 percent for any lamp type, DOE determined that no regulatory action was necessary at that time. DOE issued the results of its comparison on March 30, 2011, in accordance with the deadlines in EPCA, and the notice of data availability was published in the *Federal Register* on April 4, 2011 (76 Fed. Reg. 18425). DOE reviewed

actual unit sales for calendar year 2011 and reached the same conclusion that regulatory action is not necessary at this time. The notice of data availability was issued on March 6, 2012 and published in the *Federal Register* on March 20, 2012 (77 Fed. Reg. 16183). DOE reviewed actual unit sales for calendar year 2012 and reached the same conclusion that regulatory action is not necessary at this time. The notice of data availability was issued on March 5, 2013 and published in the *Federal Register* on March 13, 2013 (78 Fed. Reg. 15891).

DOE is currently reviewing unit sales data for calendar year 2013.

Metal Halide Lamp Fixtures. Section 324 of EISA 2007 (42 U.S.C. 6295(hh)(2)) requires DOE to amend energy conservation standards for metal halide lamp fixtures by January 1, 2012. DOE issued a notice of public meeting and availability of the framework document on December 23, 2009, which was published in the *Federal Register* on December 30, 2009 (74 Fed. Reg. 69036). A public meeting to discuss the framework document was held on January 26, 2010 at DOE headquarters in Washington, DC. DOE issued the notice of public meeting and document availability for the preliminary analyses on March 24, 2011, which was published in the *Federal Register* on April 1, 2011 (76 Fed. Reg. 18127). A public meeting to discuss the preliminary analysis was held on April 18, 2011 at DOE headquarters in Washington, DC. After reviewing stakeholder comments and conducting additional analyses, DOE issued the NOPR for this rulemaking on August 13, 2013, which was published in the *Federal Register* on August 20, 2013 (78 Fed. Reg. 51464). A public meeting to discuss the NOPR was held on September 27, 2013 at DOE headquarters in Washington, DC. DOE issued the final rule for this rulemaking on January 27, 2014, which has been delivered to the *Federal Register* for publication.

LED Lamps. DOE initiated a test procedure rulemaking to review the test procedures for light-emitting diodes (LED) in order to ensure that the Federal Trade Commission (FTC) has the required DOE test procedure necessary for its applicable labeling program. DOE issued a test procedure NOPR for LED lamps on April 3, 2012, which was published in the *Federal Register* on April 9, 2012 (77 Fed. Reg. 21038). DOE held a public meeting to discuss the NOPR at DOE headquarters in Washington, DC on May 3, 2012. DOE is currently investigating issues raised by stakeholders in response to the NOPR.

Candelabra Base and Intermediate Base Incandescent Lamps. Because EISA 2007 requires DOE to review test procedures for all products every 7 years and amend them if amendments are warranted (42 USC 6293(b)(1)), DOE planned to initiate a test procedure rulemaking for candelabra base and intermediate base incandescent lamps in 2012. Pursuant to section 315 of Public Law 112-74 (and subsequently reenacted in section 322 of Public Law 113-76), DOE has ceased work on this rulemaking activity.

Ceiling Fans and Ceiling Fan Light Kits. DOE has initiated a rulemaking to review the test procedures for ceiling fans and ceiling fan light kits in accordance with the provisions for regular test procedure reviews every 7 years (42 U.S.C. 6293(b)(1)). DOE is currently preparing a NOPR for the test procedures for ceiling fans and ceiling fan light kits.

DOE has also initiated a rulemaking to consider amended standards for ceiling fans and ceiling fan light kits. DOE issued a framework document for energy conservation standards rulemakings for ceiling fans and ceiling fan light kits on March 8, 2013. The framework document was published in the *Federal Register* on March 15, 2013 (78 Fed. Reg. 16443). DOE held a public meeting to solicit comments on the framework document on March 22, 2013 at its headquarters in Washington, DC. After reviewing comments on the framework document, DOE is currently developing a preliminary analysis for energy conservation standards for ceiling fans and ceiling fan light kits.

Traffic Signal Modules and Pedestrian Modules. DOE has initiated a test procedure rulemaking for traffic signal modules and pedestrian modules, pursuant to the provision in EISA 2007 requiring DOE to review test procedures for all products every 7 years and amend them if amendments are determined to be warranted (42 USC 6293(b)(1)). DOE is currently preparing the NOPR for this rulemaking.

Spa Lamps. EPCA prescribes energy conservation standards for incandescent reflector lamps (IRLs). However, DOE received a petition from the National Electrical Manufacturers Association (NEMA) requesting the initiation of a rulemaking to exclude from coverage under EPCA standards 100-watt R20 short IRLs marketed for use in pool and spa applications. From its evaluation of the petition and careful consideration of the public comments, DOE decided to grant the petition for rulemaking. DOE issued a request for information on August 30, 2011, which was published in the *Federal Register* on September 8, 2011 (76 Fed. Reg. 55609). On December 21, 2012, DOE issued a NOPR proposing to exclude 100-watt R20 short (having a maximum overall length of 3 and 5/8 or 3.625 inches) IRLs (“R20 short lamps”) from coverage under the EPCA energy conservation standards. The NOPR was published in the *Federal Register* on December 31, 2012 (77 Fed. Reg. 76959). DOE issued the final rule on November 7, 2013, and it was published in the *Federal Register* on November 14, 2013 (78 Fed. Reg. 68331). The final rule excluded 100 W R20 short lamps from coverage under the EPCA energy conservation standards.

Home Appliance Team

The August 2010 implementation report contains a detailed history of the rulemaking activity for microwave ovens, dishwashers, dehumidifiers, kitchen ranges and ovens, and commercial clothes washers. These products were previously referred to as “Home Appliances – Group 1” but are listed separately in this report for clarity.

Microwave Ovens. As part of its review of all test procedures, DOE is conducting a test procedure rulemaking for microwave ovens in active mode. DOE published a request for information (RFI) notice in the *Federal Register* on October 24, 2011 (76 FR 65631) to initiate the microwave oven active mode test procedure rulemaking and to request information, data, and comments regarding representative and repeatable methods for measuring the active mode energy use of microwave ovens. DOE issued a notice of data availability (NODA) and request for comment on May 29, 2012 seeking comment on data relevant to active mode microwave test procedures. The NODA was published in the *Federal Register* on June 5, 2012 (77 Fed. Reg. 33106). DOE issued a NOPR for this test procedure on January 18, 2013. The NOPR was published in the *Federal Register* on February 4, 2013 (78 Fed. Reg. 7940). The NOPR proposed, among other things, to incorporate methods for measuring the active mode energy use in microwave-only cooking mode based on the latest available draft version of the International Electrotechnical Commission Standard 60705, “Household microwave ovens – Methods for measuring performance.” (IEC Standard 60705). DOE held a public meeting to solicit comments on the NOPR on March 5, 2013 at its headquarters in Washington, DC. The rulemaking is currently on hold, pending the finalization of revised version of IEC Standard 60705 (expected in August 2014).

Commercial Clothes Washers. For commercial clothes washers, EPCACT 2005 requires that DOE publish a final rule by January 1, 2015 to determine whether the standards previously established should be amended (42 USC 6313(e)(2)(B)). DOE issued a framework document for this rulemaking on July 31, 2012, which was published in the *Federal Register* on August 13, 2012 (77 Fed. Reg. 48108). DOE held a public meeting to discuss the framework document on September 24, 2012. In the framework document, DOE determined it would skip the preliminary analysis stage and develop a NOPR as the next stage of the rulemaking. DOE is reviewing the comments on the framework document and preparing the NOPR.

DOE is also undertaking a commercial clothes washer test procedure rulemaking concurrently with the energy conservation standards rulemaking. The test procedure rulemaking will reconcile differences in the modified energy factor (MEF) and water factor (WF) calculations between the current Appendix J1 test procedure and the new Appendix J2 test procedure, which has a compliance date of March 7, 2015. DOE is currently preparing the NOPR for this rulemaking.

Residential Clothes Washers. DOE is undertaking a residential clothes washer test procedure rulemaking that will: (1) codify test procedure guidance that DOE has issued in response to frequently asked questions; (2) clarify additional provisions within the test procedures; and (3) correct formatting errors. These changes will affect both the Appendix J1 and Appendix J2 clothes washer test procedures. DOE is currently preparing the NOPR for this rulemaking.

Induction Cooking Products. Induction cooking products were not considered in the initial final rule that established the cooking products test procedures in 1978 because of their relatively small market share. Given the increased availability of induction cooking products, DOE believes they now warrant inclusion in the test procedure. Therefore, DOE initiated a rulemaking for test procedures for induction cooking products. DOE issued a NOPR for this rulemaking on January 18, 2013, which was published in the *Federal Register* on January 30, 2013 (78 Fed. Reg. 6232). DOE held a public meeting to solicit comments on the NOPR on March 4, 2013 at its headquarters in Washington, DC. DOE is currently reviewing its analyses and preparing the next document for this rulemaking.

Dehumidifiers

DOE is conducting a rulemaking for dehumidifier energy conservation standards in accordance with the provisions in EISA 2007 that require DOE to publish a NOPR proposing new standards or a notice of determination that existing standards do not need to be amended, no later than 6 years after the issuance of a final rule establishing or amending a standard. On July 31, 2012, DOE issued a framework document for dehumidifiers, which was published in the *Federal Register* on August 17, 2012 (77 Fed. Reg. 49739). The framework public meeting was held in Washington, DC on September 24, 2012. DOE is currently preparing the preliminary analysis for this rulemaking.

On September 14, 2012, DOE issued a final rule to establish a new test procedure for dehumidifiers that references ANSI/AHAM Standard DH- 1-2008, "Dehumidifiers," (ANSI/AHAM DH-1-2008) rather than the ENERGY STAR test criteria for both energy use and capacity measurements. This final rule was published in the *Federal Register* on October 31, 2012 (77 Fed. Reg. 65942). The final rule also adopted standby mode and off mode provisions that satisfy the requirement in EISA 2007 for DOE to include measures of standby mode and off mode energy consumption in its test procedures for residential products. This new DOE test procedure, codified at 10 CFR part 430, subpart B, appendix X1 ("appendix X1"), establishes a new metric, integrated energy factor (IEF), which incorporates measures of active mode, standby mode, and off mode energy use. Prior to the compliance date of any amended energy conservation standards for dehumidifiers, manufacturers could use the test procedure set forth in either appendix X or appendix X1 to make representations related to active mode energy consumption of dehumidifiers; however, manufacturers were required to use the test procedure set forth in appendix X1 to make any representations related to standby mode and off mode energy consumption. On September 30, 2013, DOE issued a NOPR proposing that manufacturers would be required to demonstrate compliance with existing energy conservation standards using appendix X1, and that appendix X would no longer be used. The notice was published in the *Federal Register* on October 22, 2013 (78 Fed. Reg. 62488). DOE issued the final rule for the dehumidifiers test procedure on January 29, 2014, which has been delivered to the *Federal Register* for publication.

Ranges and Ovens. DOE is initiating a rulemaking to review the standards for electric and gas kitchen ranges and ovens in accordance with the six-year review requirements of EISA 2007.

DOE last published a final rule amending standards for these products on April 8, 2009 (74 Fed. Reg. 16040). DOE is currently preparing an RFI to initiate this rulemaking.

Residential Refrigerators. As described in the February 2012 implementation report, DOE completed a final rule for residential refrigerator energy conservation standards which was issued on August 25, 2011 and published in the *Federal Register* on September 15, 2011 (76 Fed. Reg. 57516). In addition to the energy conservation standard, DOE also issued a test procedure final rule on January 9, 2012, which was published in the *Federal Register* on January 25, 2012 (77 Fed. Reg. 3559).

DOE has proposed modifying its test procedure to address a number of issues, including the incorporation of an alternative method for calculating energy usage and the inclusion of a new method to address ice-making energy use. DOE issued a test procedure NOPR on June 28, 2013, which was published in the *Federal Register* on July 10, 2013 (78 Fed. Reg. 41610). DOE held a public meeting to discuss the NOPR contents on July 25, 2013 at its Washington, DC headquarters. DOE extended the comment period on the NOPR to September 23, 2013 in a notice issued by DOE on August 23, 2013. The notice was published in the *Federal Register* on August 29, 2013 (78 Fed. Reg. 53374). DOE is currently preparing the final rule for this rulemaking.

Wine Chillers. During DOE's efforts to amend standards for residential refrigerators, refrigerator-freezers, and freezers, interested parties urged DOE to also establish standards for wine chillers. However, because wine chillers have applications and performance characteristics that are markedly different from those of products covered in the residential refrigerators standards rulemaking, DOE decided that standards for wine chillers, as well as any other residential refrigeration products not covered under existing standards, should be addressed in a separate rulemaking. Therefore, DOE prepared a framework document for wine chillers and miscellaneous refrigeration products. DOE issued the framework document on February 6, 2012, and it was published in the *Federal Register* on February 13, 2012 (77 Fed. Reg. 7547). DOE held a framework public meeting on February 22, 2012 at its headquarters in Washington, DC. DOE issued a proposed determination for miscellaneous refrigeration products on September 30, 2013, which was published in the *Federal Register* on October 31, 2013 (78 Fed. Reg. 65223). In this proposed determination, DOE preliminarily determined that wine chillers and other residential refrigeration products that incorporate a compressor but do not meet the current regulatory definitions for "electric refrigerator, refrigerator-freezer, or freezer" qualify for coverage under EPCA. This proposed determination supplemented an earlier proposed determination (issued on November 1, 2011) in which DOE preliminarily determined that residential refrigeration products that do not incorporate a compressor should be covered under EPCA. (76 Fed. Reg. 69147 (Nov. 8, 2011)) DOE is currently reviewing comments on the October 2013 proposed determination and preparing the preliminary analyses for this rulemaking.

DOE has also initiated a test procedure rulemaking for wine chillers and other residential refrigeration not covered under existing standards. DOE is currently developing the NOPR for this rulemaking.

Clothes Dryers. DOE issued a test procedure final rule for clothes dryers on December 15, 2010, which was published in the *Federal Register* on January 6, 2011 (76 Fed. Reg. 972). The amended test procedure revised certain active mode provisions, as well as added measures of standby mode and off mode energy consumption. DOE considered, but did not adopt, provisions for measuring the energy impacts of automatic cycle termination (ACT). Instead, DOE maintained the approach contained in the previous version of the test procedure, which provides a fixed credit in energy use for clothes dryers equipped with any type of ACT.

On August 9, 2011, DOE issued a request for information notice to publicly announce that it has initiated a test procedure rulemaking for residential dryers and to request information and data on test methodologies for more accurately measuring the effects of clothes dryer automatic cycle termination. The RFI was published in the *Federal Register* on August 12, 2011 (76 Fed. Reg. 50145). In response, on September 8, 2011, DOE received a joint petition submitted by the Association of Home Appliance Manufacturers (AHAM) and the Appliance Standards Awareness Project, on behalf of a number of named parties requesting that the clothes dryer test procedure be amended to address the effectiveness of automatic termination controls such as moisture and temperature sensor controls. The notice of petition was issued on October 4, 2011 and published in the *Federal Register* on October 11, 2011 (76 Fed. Reg. 62644). DOE issued a NOPR for the test procedure on December 14, 2012, which was published in the *Federal Register* on January 2, 2013 (78 Fed. Reg. 152). As a result of comments received on the NOPR, DOE developed an SNOPR to clarify the installation conditions for console lights, the method for measuring the drum capacity, the maximum allowable scale range, and the allowable use of a relative humidity meter. DOE issued the SNOPR on January 31, 2013, which was published in the *Federal Register* on February 7, 2013 (78 Fed. Reg. 8992). A public meeting was held in Washington, DC on February 6, 2013. DOE issued the final rule for this rulemaking on July 31, 2013, which was published in the *Federal Register* on August 14, 2013 (78 Fed. Reg. 49608).

Space Cooling Team

Residential Central Air Conditioners and Heat Pumps. As discussed in the February 2012 implementation report, DOE completed a rulemaking amending energy conservation standards for residential central air conditioners and heat pumps on time, and DOE met the deadline set forth in the consent decree. DOE issued a direct final rule on June 6, 2011, which was accompanied by a NOPR. The direct final rule and NOPR were published in the *Federal Register* on June 27, 2011 (76 Fed. Reg. 37408; 76 Fed. Reg. 37549). DOE issued a notice of effective date and compliance dates on October 24, 2011, which confirmed the standard levels in the direct final rule. The notice was published in the *Federal Register* on October 31, 2011 (76 Fed. Reg. 67037).

DOE also initiated a test procedure rulemaking for residential central air conditioners and heat pumps in support of the energy conservation standards rulemaking. The test procedure will address standby mode and off mode energy consumption in order to meet the requirements of section 310 of EISA 2007. DOE issued a test procedure NOPR on February 12, 2010, which was published in the *Federal Register* on June 2, 2010 (75 Fed. Reg. 31224). A public meeting was held at DOE headquarters in Washington, DC on June 11, 2010 to discuss the proposal. DOE issued a test procedure SNOPR for these products on March 24, 2011, which was published in the *Federal Register* on April 1, 2011 (76 Fed. Reg. 18105). A second SNOPR, which proposed changes to the off mode laboratory test steps and to the calculation algorithm used to determine off mode power consumption, was issued on September 29, 2011 and published in the *Federal Register* on October 24, 2011 (76 Fed. Reg. 65616). DOE is currently working on a third SNOPR to further revise the off mode test procedure, as well as to address some other issues for central air conditioners and heat pumps.

On February 7, 2012, DOE issued a notice of public meeting to discuss methodologies and gather comments on testing residential central air conditioners and heat pumps designed to use hydrochlorofluorocarbon-22 (R-22) refrigerant. The NOPM was published on February 14, 2012 (77 Fed. Reg. 8178), and the meeting was held the same day at DOE headquarters in Washington, DC. DOE is considering the comments received to determine its next step for this rulemaking.

Packaged Terminal Air Conditioners and Heat Pumps. DOE has initiated rulemakings to review the energy conservation standards and test procedures for packaged terminal air conditioners (PTACs) and packaged terminal heat pumps (PTHPs) in accordance with the requirements of EISA 2007 to review standards every 6 years and test procedures every 7 years. DOE issued a framework document for standards on February 15, 2013, which was published in the *Federal Register* on February 22, 2013 (78 Fed. Reg. 12252). DOE held a public meeting to discuss the framework document contents on March 12, 2013 at its Washington, DC headquarters. DOE is currently developing NOPRs for PTACs and PTHPs standards and test procedures respectively.

Single-Package Vertical Air Conditioners (SPVAC) and Heat Pumps (SPVHP). DOE is currently conducting an energy conservation standards rulemaking for single package vertical air conditioners and heat pumps, collectively referred to as single package vertical units (SPVUs). On April 27, 2011, DOE issued a notice of data availability and request for public comment that discusses the results of DOE's analysis of the energy savings potential of amended energy conservation standards for certain types of commercial equipment covered by ASHRAE Standard 90.1, including SPVACs and SPVHPs. This notice was published in the *Federal Register* on May 5, 2011 (76 Fed. Reg. 25622). DOE is currently preparing the NOPR for the standards rulemaking.

Commercial Packaged Air-Conditioning and Heating Equipment. EPCA, as amended by AEMTCA, requires DOE to review the standards for each class of covered commercial equipment every six years and either publish a notice of determination that standards for the product do not need to be amended or a notice of proposed rulemaking with new proposed standards. For any covered equipment as to which more than six years has elapsed since the issuance of the most recent final rule establishing or amending a standard for the product, the notice must be published by December 31, 2013. Because the most recent final rule amending standards for commercial air-cooled air conditioners and heat pumps, also known as commercial unitary air conditioners and heat pumps, was published more than six years ago, DOE is initiating a rulemaking to review standards for this product. DOE issued an RFI on commercial packaged air conditioners and heat pumps on January 25, 2013, which was published in the *Federal Register* on February 1, 2013 (78 Fed. Reg. 7296). DOE is currently working as expeditiously as possible to prepare the NOPR for this rulemaking.

Portable Air Conditioners. On June 27, 2013, DOE issued a notice of proposed determination (NOPD) that tentatively determined that portable air conditioners qualify as a covered product under EPCA. The notice was published in the *Federal Register* on July 5, 2013 (78 Fed. Reg. 40403). DOE is conducting analyses to determine the next steps for portable air conditioner test procedure and standards rulemakings.

Commercial Refrigeration Team

Beverage Vending Machines. DOE has initiated a rulemaking to review the energy conservation standards for beverage vending machines (BVMs) in accordance with the requirements of EISA 2007 to review energy conservation standards every 6 years. (42 U.S.C. 6295(m)(1)) DOE issued a notice of availability of the framework document on May 29, 2013, which was published in the *Federal Register* on June 4, 2013 (78 Fed. Reg. 33262). DOE held the framework document public meeting at DOE headquarters in Washington, DC, on June 13, 2013. DOE is currently preparing the preliminary analysis.

DOE has also initiated a test procedure rulemaking for BVMs in accordance with the 7-year review requirement for test procedures required by EISA 2007 (42 U.S.C. 6293(b)(1)). DOE is currently working on the NOPR for this rulemaking.

Walk-In Coolers and Freezers. EISA 2007 requires DOE to develop an energy conservation standard for walk-in coolers and freezers (42 U.S.C. 6313(f)(4)) which was scheduled for completion no later than January 2012. DOE issued a notice of availability of the framework document on December 24, 2008, which was published in the *Federal Register* on January 6, 2009 (74 Fed. Reg. 411). DOE held the framework document public meeting at DOE headquarters in Washington, DC, on February 4, 2009. DOE issued a notice of public meeting and availability of the preliminary technical support document on March 29, 2010, which was

published in the *Federal Register* on April 5, 2010 (75 Fed. Reg. 17080). DOE held a public meeting to discuss these analyses at its headquarters in Washington, DC on May 14, 2010. DOE issued the NOPR for this rulemaking on August 29, 2013 which was published in the *Federal Register* on September 11, 2013 (78 Fed. Reg. 55782). DOE held a public meeting to discuss the NOPR on October 9, 2013 at its headquarters in Washington, DC. DOE is currently preparing the final rule for walk-in coolers and freezers.

Commercial Refrigeration Equipment. EPCACT 2005 requires DOE to review the existing energy conservation standards for commercial refrigeration equipment by January 1, 2013 (42 U.S.C. 6313(c)(6)(A)). This rulemaking will consider amending standards directly prescribed by EPCACT 2005 (for self-contained commercial refrigerators, freezers, and refrigerator-freezers with doors, as well as for self-contained equipment with transparent doors designed for pull-down temperature applications) and standards included in the commercial refrigeration equipment final rule issued on December 31, 2008 (for self-contained equipment without doors, remote-condensing systems, and ice cream freezers), which was published in the *Federal Register* on January 9, 2009 (74 Fed. Reg. 1092). DOE issued a notice of public meeting and availability of the framework document on April 30, 2010, which was published in the *Federal Register* on May 6, 2010 (75 Fed. Reg. 24824). A public meeting to discuss the rulemaking approach was held at DOE headquarters in Washington, DC on May 18, 2010. On March 24, 2011, DOE issued a notice of public meeting and document availability for the preliminary analyses, which was published in the *Federal Register* on March 30, 2011 (76 Fed. Reg. 17573). The public meeting to discuss the preliminary analyses was held at DOE headquarters in Washington, DC on April 19, 2011. DOE issued the NOPR for this rulemaking on August 29, 2013 which was published in the *Federal Register* on September 11, 2013 (78 Fed. Reg. 55890). A public meeting to discuss the contents of the NOPR was held at DOE headquarters in Washington, D.C. on October 3, 2013. DOE has prepared a draft final rule for this rulemaking that was received by OMB on January 22, 2014 and is currently undergoing OMB review. Although DOE was unable to complete the rule by the date specified in EPCACT 2005, DOE is working to finish it as expeditiously as possible.

Additionally, DOE is conducting a test procedure rulemaking for commercial refrigeration equipment in support of the energy conservation standard rulemaking. DOE issued the test procedure NOPR on September 30, 2013, which was published in the *Federal Register* on October 28, 2013 (78 Fed. Reg. 62496). A public meeting to discuss the proposed test procedure was held at DOE headquarters in Washington, DC on December 5, 2013. DOE is currently reviewing comments on the NOPR.

Commercial Automatic Ice Makers. EPCACT 2005 established energy conservation standards for commercial automatic ice makers and requires DOE to consider revised standards by January 1, 2015 (42 U.S.C. 6313(d)(3)(A)). DOE issued the framework document for this rulemaking on November 4, 2010. The notice of public meeting and availability of the framework document was published in the *Federal Register* on November 19, 2010 (75 Fed. Reg. 70852). A public

meeting to discuss the rulemaking was held at DOE's Washington, DC headquarters on December 16, 2010. DOE issued the preliminary analysis for this rulemaking on January 17, 2012. The notice of public meeting and availability of the preliminary technical support document was issued on January 17, 2012 and published in the *Federal Register* on January 24, 2012 (77 Fed. Reg. 3404). The public meeting was held on February 16, 2012. DOE has prepared a draft NOPR for this rulemaking that was received by OMB on December 3, 2013 and is currently undergoing OMB review.

Electronics Team

Television Sets. DOE is taking the steps necessary to establish a test procedure that is suitable for modern television sets. On December 20, 2011, DOE issued a test procedure NOPR. The NOPR was published in the *Federal Register* on January 19, 2012 (77 Fed. Reg. 2830) and a public meeting was held at DOE headquarters on March 22, 2012. After reviewing comments on the NOPR, DOE determined additional research and analysis were necessary and began to develop an SNOPR. DOE issued an SNOPR for the television set test procedure on February 28, 2013, which was published in the *Federal Register* on March 12, 2013 (78 Fed. Reg. 15808). DOE issued the final rule for the television sets test procedure on September 30, 2013, which was published in the *Federal Register* on October 25, 2013 (78 Fed. Reg. 63823).

Set-Top Boxes. On December 12, 2011, DOE issued an RFI requesting information relevant to energy conservation standards and test procedures for set-top boxes (STBs). The RFI was published in the *Federal Register* on December 16, 2011 (76 Fed. Reg. 78174). DOE held a public meeting to discuss set-top boxes on January 26, 2012 at DOE headquarters in Washington, DC. DOE amended its rulemaking schedule for set-top boxes to suspend a decision on issuance of a proposed rule for a regulatory test procedure or energy conservation standard until after October 1, 2012. This suspension allowed industry representatives and energy efficiency advocates time to negotiate a non-regulatory agreement to improve the energy efficiency of set-top boxes. As a result of these negotiations, DOE issued a withdrawal on December 20, 2013 of the proposed determination published in the *Federal Register* on June 15, 2011 (76 Fed. Reg. 34914) that STBs and network equipment qualify as a covered product under EPCA. DOE took this action in light of a consensus agreement that DOE believes has the potential to achieve significant energy savings in STBs. In September 2013, a broadly representative group made up of advocates from the pay television industry, the consumer electronics industry, and energy efficiency groups announced a Voluntary Agreement for Ongoing Improvement to the Energy Efficiency of Set-Top Boxes. The agreement established a five-year written commitment to continue improvements in the energy efficiency of STBs used in the distribution of digital video signals. Under the terms of the agreement, it is predicted that consumers will realize significant annual residential electricity savings. DOE encourages the development of market-based solutions, but notes that it will continue to monitor the STB market closely and would consider reinitiating the rulemaking if it was found that the energy efficiency gains for STBs and consumer savings envisioned in this agreement were not being realized. As noted above, DOE made this withdrawal announcement in a notice that was issued

on December 20, 2013 and published in the *Federal Register* on December 31, 2013 (78 FR 79649).

DOE issued a test procedure NOPR for set-top boxes on January 11, 2013, which was published in the *Federal Register* on January 23, 2013 (78 Fed. Reg. 5076). DOE held a public meeting to discuss the NOPR contents on February 27, 2013 at its Washington, DC headquarters. On February 28, 2013, DOE also issued a notice of data availability on DOE's initial analysis estimating the potential economic impacts and energy savings that could result from promulgating a regulatory energy conservation standard for set-top boxes. The notice was published in the *Federal Register* on March 7, 2013 (78 Fed. Reg. 14717). As a result of the consensus agreement mentioned above, DOE also issued a withdrawal of the proposed test procedure rule on December 20, 2013. This notice was published in the *Federal Register* on December 31, 2013 (78 FR 79637).

Battery Chargers and External Power Supplies. Pursuant to EISA 2007, DOE is bundling the two requirements to amend standards for Class A external power supplies (42 U.S.C. 6295(u)(3)(D)) and to prescribe energy conservation standards for battery chargers (42 U.S.C. 6295(u)(1)(E)(i)(II)) into a single rulemaking. Because DOE made a positive determination on May 7, 2010 that energy conservation standards are warranted for non-Class A external power supplies (75 Fed. Reg. 27170 (May 14, 2010)), this product is now also bundled in this rulemaking. The EISA 2007 deadline for this rulemaking was July 1, 2011. Although this date was not met, DOE is taking steps to complete the final rule as expeditiously as possible.

DOE issued a notice of availability of the framework document for the energy conservation standard on May 26, 2009, which was published in the *Federal Register* on June 4, 2009 (74 Fed. Reg. 26816). A public meeting to discuss the framework document was held on July 16, 2009 at DOE headquarters in Washington, DC. DOE issued a notice of public meeting and availability of the preliminary analysis on August 27, 2010, which was published in the *Federal Register* on September 15, 2010 (75 Fed. Reg. 56021). A public meeting to discuss it was held at DOE headquarters in Washington, DC on October 13, 2010. The NOPR for this rulemaking was received by OMB for review on July 19, 2011, and review was concluded on March 5, 2012. DOE issued the NOPR on March 8, 2012, which was published in the *Federal Register* on March 27, 2012 (77 Fed. Reg. 18478). DOE held a public meeting to discuss the NOPR at DOE headquarters in Washington, DC on May 2, 2012. To help inform its current rulemaking, DOE issued an RFI on March 19, 2013, which was published in the *Federal Register* on March 26, 2013 (78 Fed. Reg. 18253). Specifically, DOE sought information on battery chargers that manufacturers have certified as compliant with the California Energy Commission (CEC) standards that became effective on February 1, 2013. DOE has prepared a draft final rule for this rulemaking that was received by OMB on September 13, 2013 and is currently undergoing OMB review.

Computers. On July 5, 2013, DOE issued a notice of proposed determination (NOPD) that tentatively determined that computers qualify as covered products under EPCA. The notice was published in the *Federal Register* on July 12, 2013 (78 Fed. Reg. 41873). DOE extended the comment period on the NOPD to September 12, 2013 in a notice that was issued by DOE on August 6, 2013. The notice was published in the *Federal Register* on August 12, 2013 (78 Fed. Reg. 48821). DOE is currently preparing a framework document for this rulemaking.

Computer Servers. On July 5, 2013, DOE issued a notice of proposed determination (NOPD) that tentatively determined that computers servers qualify as a covered product under EPCA. The notice was published in the *Federal Register* on July 12, 2013 (78 Fed. Reg. 41868). DOE extended the comment period on the NOPD to September 12, 2013 in a notice that was issued by DOE on August 6, 2013. The notice was published in the *Federal Register* on August 12, 2013 (78 Fed. Reg. 48821). DOE is currently preparing the framework document.

Plumbing Products Team

Residential Plumbing Products. National standards for water-using products, including faucets, showerheads, water closets, and urinals, are based on the American Society of Mechanical Engineers (ASME)/American National Standards Institute (ANSI) standards A112.18.1M, for showerheads and faucets, and A112.19.6, for water closets and urinals. (42 U.S.C. 6295(j), (k)) EPCA requires that if ASME/ANSI has not amended these faucet, showerhead, water closet, or urinal standards in order to improve water efficiency after a five-consecutive-year period, DOE must publish a final rule waiving Federal preemption under 42 U.S.C. 6297(c) with respect to any State regulation concerning the water use or water efficiency of a particular type or class of showerhead, faucet, water closet, or urinal that is both more stringent than the relevant Federal regulation and is applicable to any sale or installation of all products in that particular type or class. (42 U.S.C. 6295(j)(3)(C) and 6295(k)(3)(C)) ASME/ANSI last made a substantive amendment to its standards regarding the water efficiency requirements for showerheads and faucets on May 29, 1996 (ASME/ANSI A112.18.1M–1996), and for water closets and urinals on April 19, 1996 (ASME/ANSI A112.19.6–1995). Both of these standards were incorporated by reference into the Code of Federal Regulations in a final rule issued by DOE on March 13, 1998, which was published in the *Federal Register* on March 18, 1998 (63 Fed. Reg. 13308). Because more than five years have passed since ASME/ANSI last amended the water efficiency requirements in either of these standards, DOE complied with the above-described provisions of 42 U.S.C. 6297(c) waiving Federal preemption. The waiver final rule was issued on December 15, 2010 and published in the *Federal Register* on December 22, 2010 (75 Fed. Reg. 80289).

On August 16, 2011, DOE issued a request for information (RFI) on State activity undertaken as a result of the 2010 final rule and on any recent actions taken by ASME/ANSI toward amending its water efficiency standards for these products. The RFI was published in the *Federal Register* on August 23, 2011 (76 Fed. Reg. 52644).

DOE has also initiated a test procedure rulemaking for water products including faucets, showerheads, urinals, water closets, and commercial pre-rinse spray valves. The test procedure rulemaking is being conducted to satisfy the 7-year review requirements in EISA 2007. (42 U.S.C. 6293(b)(1)) DOE issued the NOPR for this rule on May 17, 2012, which was published in the *Federal Register* on May 30, 2012 (77 Fed. Reg. 31742). DOE held a public meeting to discuss the NOPR at DOE headquarters in Washington, DC on July 24, 2012. DOE then issued an SNOPR for this rule on April 2, 2013, which was published in the *Federal Register* on April 8, 2013 (78 Fed. Reg. 20832). In a notice published in the *Federal Register* on July 17, 2013 (78 Fed. Reg. 42719), DOE announced a public meeting to be held on July 30, 2013 to address comments on issues raised in the SNOPR and extended the comment period to August 9, 2013. DOE issued the final rule for this rulemaking on September 30, 2013, and it was published in the *Federal Register* on October 23, 2013 (78 Fed. Reg. 62970).

Enforcement Team

Alternative Efficiency Determination Methods and Alternate Rating Methods. DOE has certification, compliance, and enforcement regulations for certain consumer products and commercial and industrial equipment covered under EPCA. DOE is proposing to revise and expand its existing regulations governing the use of particular methods as alternatives to testing for the purposes of certifying compliance with the applicable energy conservation standards and the reporting of related ratings for certain consumer products and commercial and industrial equipment covered by energy conservation standards. On May 24, 2012, DOE issued a NOPR for Alternative Efficiency Determination Methods (AEDMs) and Alternative Rating Methods (ARMs). The NOPR was published in the *Federal Register* on May 31, 2012 (77 Fed. Reg. 32038), and a notice of public meeting and document availability was issued on May 24, 2012 and published in the *Federal Register* on May 30, 2012 (77 Fed. Reg. 31756). The public meeting was held at DOE headquarters on June 5, 2012 to provide interested parties an opportunity to comment on DOE's proposed modifications to the regulations authorizing the use of alternative methods of determining energy efficiency or energy consumption of various consumer products and commercial equipment.

On March 5, 2013, DOE issued a notice of intent announcing that the Appliance Standards and Rulemaking Federal Advisory Committee (ASRAC) intends to establish a working group in accordance with the Federal Advisory Committee Act (FACA) and the Negotiated Rulemaking Act (NRA) to negotiate certification requirements of commercial heating, ventilation, and air-conditioning (HVAC), water heating (WH), and refrigeration equipment. The purpose of the working group is to discuss and, if possible, reach consensus on proposed certification requirements for commercial HVAC, WH, and refrigeration equipment, as authorized by the Energy Policy and Conservation Act of 1975, as amended. The notice was published in the *Federal Register* on March 12, 2013 (78 Fed. Reg. 15653). DOE has subsequently issued four notices of open meeting and one notice announcing a webinar to discuss the proposed certification requirements. The meetings associated with these notices were held at DOE

headquarters in Washington, DC between April 30, 2013 and September 12, 2013. (78 Fed. Reg. 22431 (April 16, 2013); 78 Fed. Reg. 27866 (May 13, 2013); 78 Fed. Reg. 37495 (June 21, 2013); 78 Fed. Reg. 37995 (June 25, 2013); 78 Fed. Reg. 41867 (July 12, 2013); 78 Fed. Reg. 49699 (August 15, 2013); 78 Fed. Reg. 51100 (August 20, 2013)) DOE issued an SNOPR for this rulemaking on September 30, 2013, which was published in the *Federal Register* on October 22, 2013 (78 Fed. Reg. 62472). After reviewing comments on the SNOPR, DOE issued the final rule for this rulemaking on December 24, 2013 and it was published in the *Federal Register* on December 31, 2013 (78 Fed. Reg. 79579).

Regional Enforcement of Furnaces and Central Air Conditioners. As discussed above, on June 27, 2011, a direct final rule amending the energy conservation standards for residential furnaces, central air conditioners, and heat pumps was published in the *Federal Register* (76 Fed. Reg. 37408). On October 24, 2011, DOE issued a notice of effective date and compliance dates that confirmed the standard levels in the direct final rule. The notice was published in the *Federal Register* on October 31, 2011 (76 Fed. Reg. 67037). In addition to the national standard level, this rulemaking also amended the standards for furnaces and central air conditioners by implementing regional standard levels, where the applicable efficiency level is dependent upon the geographic region in which the product is sold. EPCA requires that DOE promulgate a final rule covering the enforcement of regional standards not later than 15 months after the date of issuance of a final rule that establishes regional standards. (42 U.S.C. 6295(o)(6)(G)(ii)(III)) Accordingly, DOE initiated a rulemaking to explore the enforcement of the regional standards for furnaces and central air conditioners. On November 29, 2011, DOE issued a notice of data availability (NODA) that announced possible approaches to the enforcement of regional standards for these products. The NODA was published in the *Federal Register* on December 7, 2011 (76 Fed. Reg. 76328). A public meeting to discuss the approaches was held at DOE's Washington, DC headquarters on December 16, 2011. The comment period closed on February 6, 2012. DOE is currently preparing a NOPR for this rulemaking.