

**Enforcement Policy Statement: Compliance Period for Regional Standards
Applicable to Central Air Conditioners**

April 24, 2014

On June 27, 2011, the U.S. Department of Energy (DOE) published in the Federal Register a direct final rule (DFR) under the Energy Policy and Conservation Act (EPCA), 42 U.S.C. §§ 6291-6309, which set forth amended energy conservation standards for residential furnaces, central air conditioners, and heat pumps, including regional standards for different product types in indicated States. 76 FR 37408. The American Public Gas Association (APGA) challenged the stricter 90% Annual Fuel Utilization Efficiency standard applying to non-weatherized gas furnaces in the northern region of the United States. A number of other entities intervened in that suit, challenging DOE's standards for air conditioners and heat pumps in addition to furnaces.

On March 11, 2014, the parties and interveners entered an agreement to settle APGA's challenge. Due to the uncertainty created by the litigation and in an exercise of its enforcement discretion, DOE will not seek civil penalties for violations of the regional standards applicable to central air conditioners that occur prior to July 1, 2016, provided that the violations are related to the distribution in commerce (including sales by retailers and installation) of units manufactured prior to January 1, 2015.

DOE will continue to enforce the base national standard for central air conditioners and central air conditioning heat pumps.