

FREQUENTLY ASKED QUESTIONS
COMMERCIAL AND INDUSTRIAL EQUIPMENT
JANUARY 28, 2010

The information provided below is intended to help manufacturers of commercial and industrial equipment understand their responsibilities under the energy efficiency/water conservation regulations, with respect to the requirement to certify compliance with the regulations. It is not intended to create or remove any rights or duties, nor is it intended to affect any other aspect of EPCA or DOE regulations. **You should consult the sections of the Code of Federal Regulations cited below for complete information.**

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1) Who is required to submit a certification report and compliance statement?

Currently, manufacturers of electric motors as defined in 10 CFR 431.12 are required to submit certification reports and compliance statements.

On January 4, 2010, DOE issued a final rule that will require manufacturers of additional products to submit certification reports and compliance statements. These requirements must be approved by the Office of Management and Budget and assigned a control number. DOE will publish notice of the approval and the effective date of the certification requirements. Upon approval, manufacturers will have 180 days to submit their certification documents to DOE for the following products:

- Automatic commercial ice makers
- Commercial air conditioning and heating equipment
- Commercial boilers
- Commercial clothes washers
- Commercial furnaces
- Commercial prerinse spray valves
- Commercial refrigerators
- Commercial freezers
- Commercial refrigerator-freezers
- Commercial water heating equipment
- Distribution transformers

- Illuminated exit signs
 - Packaged terminal equipment
 - Traffic sign modules and pedestrian modules
 - Unit heaters
- *What is a manufacturer? What is a private labeler?*

For purposes of the certification requirement, any person who manufactures, produces, assembles, or imports a covered product is a “manufacturer.” A “private labeler” is any entity that owns a trademark or brand name and affixes it to a product that it does not manufacture.

2) What is the purpose of these reporting requirements?

A certification report provides information to DOE to help us verify a manufacturer’s (or private labeler’s) compliance with the applicable energy efficiency or water conservation standard and helps us develop information regarding the products in the marketplace. A manufacturer must provide a certification report for each basic model. A certification report should be filed every time a new basic model is introduced. In addition, a manufacturer is required to report when production of a basic model has ceased and is no longer being distributed.

A compliance statement is the actual certification by the manufacturer or private labeler that its basic models comply with the applicable standards; that it performed the required testing in conformance with the specified testing procedures; that the information it reported in its certification report(s) is true, accurate and complete; and that it is aware of the penalties it faces for noncompliance and/or making false statements.

3) What information is required to be included in the certification report?

In general, the certification report must include, for each basic model:

- the product type
- the product class
- the manufacturer’s name
- the private labeler’s name(s) (if applicable)
- the manufacturer’s model number(s).

In addition, each covered product requires specific additional information. Refer to [Part 431](#), [Subpart T](#), for details for most products. See [10 CFR 431.36](#) for electric motors.

4) What information is required to be included in the compliance statement?

For most products, the compliance statement must contain all the information and be filed in the format set forth in 10 CFR Part 431 [§ 371\(a\)\(5\)](#) (or [Subpart B, Appendix C](#) for electric motors). Please refer to the appropriate appendix to see the format for the statement. The compliance statement must certify:

- The basic model complies with the applicable energy conservation or water conservation standard.
- All required testing has been conducted in accordance with the applicable test requirements.
- All information in the certification report is true, accurate, and complete.
- The manufacturer/private labeler submitting the certification report is aware of the penalties associated with violation of the Act, including the penalties for knowingly filing a false statement to the government.

Please note that the compliance statement **MUST** be signed.

5) May I have a third party submit my certification report and compliance statement?

You may elect to use a third party to submit the certification report.

- *I am a third party representative. What do I need to submit?*

You must submit all the information required on a certification report (see Question 3 above). You must also include the name(s) of the manufacturers or private labelers who authorized you to submit their certification report(s) on their behalf.

6) How do I submit the required information?

Please use certified mail and submit to:
Appliance Standards Program (EE-2J)
U.S. Department of Energy
1000 Independence Ave., SW
Washington, DC 20585-0121

7) Do international companies need to report?

Yes, if your company imports and sells covered products in the United States, you must comply with [10 CFR Part 431](#). Any person who imports a covered product is considered a “manufacturer” under Part 431. Covered products that are not in compliance may be refused admission into the customs territory of the United States. DOE will pursue enforcement actions against foreign manufacturers who distribute covered products in the United States and who fail to comply with the applicable regulations.