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Title 10
Energy

Parts 431 to 499

Revised as of January 1, 2026

Containing a codification of documents
of general applicability and future effect

As of January 1, 2026

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To cite the regulations in this volume use title, part and section number. Thus, 10 CFR 431.1 *refers to title 10, part 431, section 1.*

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Title 17 through Title 27.....as of April 1
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OLIVER A. POTTS,
Director,
Office of the Federal Register
January 1, 2026

THIS TITLE

Title 10—ENERGY is composed of five volumes. The parts in these volumes are arranged in the following order: Parts 1–50, 51–199, 200–430, 431–499, and part 500–End. The first and second volumes containing parts 1–199 are comprised of chapter I—Nuclear Regulatory Commission. The third and fourth volumes containing part 200–430, and 431–499, are comprised of a portion of chapter II—the Department of Energy regulations. The fifth volume containing part 500–End is comprised of the remainder of chapter II, chapters III and X—Department of Energy, chapter XIII—Nuclear Waste Technical Review Board, chapter XVII—Defense Nuclear Facilities Safety Board, and chapter XVIII—Northeast Interstate Low-Level Radioactive Waste Commission. The contents of these volumes represent all current regulations codified under this title of the CFR as of January 1, 2026.

For this volume, Michele Bugenhagen was Chief Editor. The Code of Federal Regulations publication program is under the direction of John Hyrum Martinez, assisted by Stephen J. Frattini.

Title 10—Energy

(This book contains parts 431 to 499)

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EDITORIAL NOTE: At 90 FR 43371, Sept. 9, 2025, as required by the Congressional Review Act and Pub. L. 119-8, the Department of Energy removed the amendments to several sections in part 431 made effective on Dec. 23, 2024, at 89 FR 91163, Oct. 9, 2024. As of Sept. 9, 2025, the affected sections reverted to the Dec. 22, 2024 version.

Subpart A—General Provisions

§ 431.1 Purpose and scope.

This part establishes the regulations for the implementation of provisions relating to commercial and industrial equipment in Part B of Title III of the Energy Policy and Conservation Act (42 U.S.C. 6291–6309) and in Part C of Title III of the Energy Policy and Conservation Act (42 U.S.C. 6311–6317), which establishes an energy conservation program for certain commercial and industrial equipment.

[70 FR 60414, Oct. 18, 2005]

§ 431.2 Definitions.

The following definitions apply for purposes of this part. Any words or terms not defined in this Section or elsewhere in this part shall be defined as provided in Section 340 of the Act.

Act means the Energy Policy and Conservation Act of 1975, as amended, 42 U.S.C. 6291–6316.

Alternate efficiency determination method or AEDM means a method of calculating the efficiency of a commercial HVAC and WH product, in terms of the descriptor used in or under section 342(a) of the Act to state the energy conservation standard for that product.

Btu means British thermal unit, which is the quantity of heat required to raise the temperature of one pound of water by one degree Fahrenheit.

Commercial HVAC & WH product means any small, large, or very large commercial package air-conditioning and heating equipment (as defined in § 431.92), packaged terminal air conditioner (as defined in § 431.92), packaged terminal heat pump (as defined in § 431.92), single package vertical air conditioner (as defined in § 431.92), single package vertical heat pump (as defined in § 431.92), computer room air conditioner (as defined in § 431.92), variable refrigerant flow multi-split air conditioner (as defined in § 431.92), variable refrigerant flow multi-split heat pump (as defined in § 431.92), unitary dedicated outdoor air system (as defined in § 431.92), commercial packaged boiler (as defined in § 431.82), hot water supply boiler (as defined in § 431.102), commercial warm air furnace (as defined in § 431.72), instantaneous water heater (as defined in § 431.102), storage water heater (as defined in § 431.102), or unfired hot water storage tank (as defined in § 431.102).

Covered equipment means any electric motor, as defined in § 431.12; commercial heating, ventilating, and air conditioning, and water heating product (HVAC & WH product), as defined in § 431.172; commercial refrigerator, freezer, or refrigerator-freezer, as defined in § 431.62; automatic commercial ice maker, as defined in § 431.132; commercial clothes washer, as defined in § 431.152; distribution transformer, as defined in § 431.192; illuminated exit sign, as defined in § 431.202; traffic signal module or pedestrian module, as defined in § 431.222; unit heater, as defined in § 431.242; commercial prerinse spray valve, as defined in § 431.262; mercury vapor lamp ballast, as defined in § 431.282; refrigerated bottled or canned beverage vending machine, as defined in § 431.292; walk-in cooler and walk-in freezer, as defined in § 431.302; metal halide ballast and metal halide lamp fixture, as defined in § 431.322.

DOE or *the Department* means the U.S. Department of Energy.

Energy conservation standard means any standards meeting the definitions of that term in 42 U.S.C. 6291(6) and 42 U.S.C. 6311(18) as well as any other water conservation standards and design requirements found in this part or parts 430 or 431.

EPCA means the Energy Policy and Conservation Act, as amended, 42 U.S.C. 6291–6316.

Flue loss means the sum of the sensible heat and latent heat above room temperature of the flue gases leaving the appliance.

Gas means propane or natural gas as defined by the Federal Power Commission.

Import means to import into the customs territory of the United States.

Independent laboratory means a laboratory or test facility not controlled by, affiliated with, having financial ties with, or under common control with the manufacturer or distributor of the covered equipment being evaluated.

Industrial equipment means an article of equipment, regardless of whether it is in fact distributed in commerce for industrial or commercial use, of a type which:

(1) In operation consumes, or is designed to consume energy;

(2) To any significant extent, is distributed in commerce for industrial or commercial use; and

(3) Is not a ''covered product'' as defined in Section 321(2) of EPCA, 42 U.S.C. 6291(2), other than a component of a covered product with respect to which there is in effect a determination under Section 341(c) of EPCA, 42 U.S.C. 6312(c).

ISO means International Organization for Standardization.

Manufacture means to manufacture, produce, assemble, or import.

Manufacturer means any person who manufactures industrial equipment, including any manufacturer of a commercial packaged boiler.

Manufacturer's model number means the identifier used by a manufacturer to uniquely identify the group of identical or essentially identical commercial equipment to which a particular unit belongs. The manufacturer's model number typically appears on equipment nameplates, in equipment catalogs and in other product advertising literature.

Private labeler means, with respect to any product covered under this part, an owner of a brand or trademark on the label of a covered product which bears a private label. A covered product bears a private label if:

(1) Such product (or its container) is labeled with the brand or trademark of a person other than a manufacturer of such product;

(2) The person with whose brand or trademark such product (or container) is labeled has authorized or caused such product to be so labeled; and

(3) The brand or trademark of a manufacturer of such product does not appear on such label.

Secretary means the Secretary of Energy.

State means a State, the District of Columbia, Puerto Rico, or any territory or possession of the United States.

State regulation means a law or regulation of a State or political subdivision thereof.

[69 FR 61923, Oct. 21, 2004, as amended at 71 FR 71369, Dec. 8, 2006; 74 FR 12071, Mar. 23, 2009; 75 FR 666, Jan. 5, 2010; 76 FR 12503, Mar. 7, 2011; 77 FR 28987, May 16, 2012; 79 FR 26601, May 9, 2014; 87 FR 45197, July 27, 2022; 89 FR 82071, Oct. 9, 2024; 90 FR 43384, Sept. 9, 2025]

§ 431.3 Error Correction procedure for energy conservation standards rules.

Requests for error corrections pertaining to an energy conservation standard rule for commercial or industrial equipment shall follow those procedures and provisions detailed in 10 CFR 430.5 of this chapter.

[81 FR 57758, Aug. 24, 2016]

§ 431.4 Procedures, interpretations, and policies for consideration of new or revised energy conservation standards and test procedures for commercial/industrial equipment.

The procedures, interpretations, and policies for consideration of new or revised energy conservation standards and test procedures set forth in appendix A to subpart C of part 430 of this chapter shall apply to the consideration of new or revised energy conservation standards and test procedures considered for adoption under this part.

[85 FR 8711, Feb. 14, 2020]

Subpart B—Electric Motors

SOURCE: 69 FR 61923, Oct. 21, 2004, unless otherwise noted.

§ 431.11 Purpose and scope.

This subpart contains energy conservation requirements for electric motors. It contains test procedures that EPCA requires DOE to prescribe, related requirements, energy conservation standards prescribed by EPCA, labeling rules, and compliance procedures. It also identifies materials incorporated by reference in this part. This subpart does not cover ''small electric motors,'' which are addressed in subpart X of this part. This subpart does not cover electric motors that are ''dedicated-purpose pool pump motors,'' which are addressed in subpart Z of this part.

[77 FR 26633, May 4, 2012, as amended at 86 FR 40774, July 29, 2021]

§ 431.12 Definitions.

The following definitions apply for purposes of this subpart, and of subparts U and V of this part. Any words or terms not defined in this Section or elsewhere in this part shall be defined as provided in Section 340 of the Act.

Accreditation means recognition by an accreditation body that a laboratory is competent to test the efficiency of electric motors according to the scope and procedures given in IEEE 112–2017 Test Method B, CSA C390–10, or IEC 60034–2–1:2014 Method 2–1–1B (incorporated by reference, see § 431.15).

Accreditation body means an organization or entity that conducts and administers an accreditation system and grants accreditation.

Accreditation system means a set of requirements to be fulfilled by a testing laboratory, as well as rules of procedure and management, that are used to accredit laboratories.

Accredited laboratory means a testing laboratory to which accreditation has been granted.

Air-over electric motor means an electric motor that does not reach thermal equilibrium (*i.e.*, thermal stability), during a rated load temperature test according to section 2 of appendix B, without the application of forced cooling by a free flow of air from an external device not mechanically connected to the motor within the motor enclosure.

Alternative efficiency determination method or *AEDM* means, with respect to an electric motor, a method of calculating the total power loss and average full load efficiency.

Average full load efficiency means the arithmetic mean of the full load efficiencies of a population of electric motors of duplicate design, where the full load efficiency of each motor in the population is the ratio (expressed as a percentage) of the motor's useful power output to its total power input when the motor is operated at its full rated load, rated voltage, and rated frequency.

Basic model means all units of electric motors manufactured by a single manufacturer, that are within the same equipment class, have electrical characteristics that are essentially identical, and do not have any differing physical or functional characteristics that affect energy consumption or efficiency.

Brake electric motor means a motor that contains a dedicated mechanism for speed reduction, such as a brake, either within or external to the motor enclosure

Certificate of conformity means a document that is issued by a certification program, and that gives written assurance that an electric motor complies with the energy efficiency standard applicable to that motor, as specified in § 431.25.

Certification program means a certification system that determines conformity by electric motors with the energy efficiency standards prescribed by and pursuant to the Act.

Certification system means a system, that has its own rules of procedure and management, for giving written assurance that a product, process, or service conforms to a specific standard or other specified requirements, and that is operated by an entity independent of both the party seeking the written assurance and the party providing the product, process or service.

Component set means a combination of motor parts that require the addition of more than two endshields (and their associated bearings) to create an operable motor. These parts may consist of any combination of a stator frame, wound stator, rotor, shaft, or endshields. For the purpose of this definition, the term ''operable motor'' means an electric motor engineered for performing in accordance with nameplate ratings.

CSA means Canadian Standards Association.

Definite purpose electric motor means any electric motor that cannot be used in most general purpose applications and is designed either:

(1) To standard ratings with standard operating characteristics or standard mechanical construction for use under service conditions other than usual, such as those specified in NEMA MG 1–2016, Paragraph 14.3, ''Unusual Service Conditions,'' (incorporated by reference, *see* § 431.15); or

(2) For use on a particular type of application.

Definite purpose motor means any electric motor that cannot be used in most general purpose applications and is designed either:

(1) To standard ratings with standard operating characteristics or standard mechanical construction for use under service conditions other than usual, such as those specified in NEMA MG 1–2016, Paragraph 14.3, ''Unusual Service Conditions,'' (incorporated by reference, *see* § 431.15); or

(2) For use on a particular type of application.

Electric motor means a machine that converts electrical power into rotational mechanical power.

Electric motor with encapsulated windings means an electric motor capable of passing the conformance test for water resistance described in NEMA MG 1–2016, Paragraph 12.62 (incorporated by reference, *see* § 431.15).

Electric motor with moisture resistant windings means an electric motor that is capable of passing the conformance test for moisture resistance generally described in NEMA MG 1–2016, paragraph 12.63 (incorporated by reference, *see* § 431.15).

Electric motor with sealed windings means an electric motor capable of passing the conformance test for water resistance described in NEMA MG 1–2016, paragraph 12.62 (incorporated by reference, *see* § 431.15).

Enclosed motor means an electric motor so constructed as to prevent the free exchange of air between the inside and outside of the case but not sufficiently enclosed to be termed airtight.

Equipment class means one of the combinations of an electric motor's horsepower (or standard kilowatt equivalent), number of poles, and open or enclosed construction, with respect to a category of electric motor for which § 431.25 prescribes nominal full-load efficiency standards.

Fire pump electric motor means an electric motor, including any IEC-equivalent, that meets the requirements of section 9.5 of NFPA 20 (incorporated by reference, see § 431.15).

General purpose electric motor means any electric motor that is designed in standard ratings with either:

(1) Standard operating characteristics and mechanical construction for use under usual service conditions, such as those specified in NEMA MG 1–2016, paragraph 14.2, ''Usual Service Conditions,'' (incorporated by reference, *see* § 431.15) and without restriction to a particular application or type of application; or

(2) Standard operating characteristics or standard mechanical construction for use under unusual service conditions, such as those specified in NEMA MG 1–2016, paragraph 14.3, ''Unusual Service Conditions,'' (incorporated by reference, *see* § 431.15) or for a particular type of application, and which can be used in most general purpose applications.

General purpose electric motor (subtype I) means a general purpose electric motor that:

(1) Is a single-speed, induction motor;

(2) Is rated for continuous duty (MG1) operation or for duty type S1 (IEC);

(3) Contains a squirrel-cage (MG1) or cage (IEC) rotor;

(4) Has foot-mounting that may include foot-mounting with flanges or detachable feet;

(5) Is built in accordance with NEMA T-frame dimensions or their IEC metric equivalents, including a frame size that is between two consecutive NEMA frame sizes or their IEC metric equivalents;

(6) Has performance in accordance with NEMA Design A (MG1) or B (MG1) characteristics or equivalent designs such as IEC Design N (IEC);

(7) Operates on polyphase alternating current 60-hertz sinusoidal power, and:

(i) Is rated at 230 or 460 volts (or both) including motors rated at multiple voltages that include 230 or 460 volts (or both), or

(ii) Can be operated on 230 or 460 volts (or both); and

(8) Includes, but is not limited to, explosion-proof construction.

NOTE 1 TO DEFINITION OF ''GENERAL PURPOSE ELECTRIC MOTOR (SUBTYPE I)'': References to ''MG1'' above refer to NEMA Standards Publication MG 1–2016 (incorporated by reference in § 431.15). References to ''IEC'' above refer to IEC 60034–1, 60034–12:2016, 60050–411, and 60072–1 (incorporated by reference in § 431.15), as applicable.

General purpose electric motor (subtype II) means any general purpose electric motor that incorporates design elements of a general purpose electric motor (subtype I) but, unlike a general purpose electric motor (subtype I), is configured in one or more of the following ways:

(1) Is built in accordance with NEMA U-frame dimensions as described in NEMA MG 1–1967 (incorporated by reference, *see* § 431.15) or in accordance with the IEC metric equivalents, including a frame size that is between two consecutive NEMA frame sizes or their IEC metric equivalents;

(2) Has performance in accordance with NEMA Design C characteristics as described in MG1 or an equivalent IEC design(s) such as IEC Design H;

(3) Is a close-coupled pump motor;

(4) Is a footless motor;

(5) Is a vertical solid shaft normal thrust motor (as tested in a horizontal configuration) built and designed in a manner consistent with MG1;

(6) Is an eight-pole motor (900 rpm); or

(7) Is a polyphase motor with a voltage rating of not more than 600 volts, is not rated at 230 or 460 volts (or both), and cannot be operated on 230 or 460 volts (or both).

NOTE 2 TO DEFINITION OF ''GENERAL PURPOSE ELECTRIC MOTOR (SUBTYPE II)'': With the exception of the NEMA Motor Standards MG1–1967 (incorporated by reference in § 431.15), references to ''MG1'' above refer to NEMA MG 1–2016 (incorporated by reference in § 431.15). References to ''IEC'' above refer to IEC 60034–1, 60034–12, 60050–411, and 60072–1 (incorporated by reference in § 431.15), as applicable.

IEC means the International Electrotechnical Commission.

IEC Design H motor means an electric motor that:

(1) Is an induction motor designed for use with three-phase power;

(2) Contains a cage rotor;

(3) Is capable of direct-on-line starting

(4) Has 4, 6, or 8 poles;

(5) Is rated from 0.12 kW to 160 kW at a frequency of 60 Hz; and

(6) Conforms to Sections 9.1, 9.2, and 9.3 of the IEC 60034–12:2016 (incorporated by reference, *see* § 431.15) specifications for starting torque, locked rotor apparent power, and starting requirements, respectively.

IEC Design HE means an electric motor that:

(1) Is an induction motor designed for use with three-phase power;

(2) Contains a cage rotor;

(3) Is capable of direct-on-line starting;

(4) Has 4, 6, or 8 poles;

(5) Is rated from 0.12 kW to 160 kW at a frequency of 60 Hz; and

(6) Conforms to section 9.1, Table 3, and Section 9.3 of the IEC 60034–12:2016 (incorporated by reference, *see* § 431.15) specifications for starting torque, locked rotor apparent power, and starting requirements, respectively.

IEC Design HEY means an electric motor that:

(1) Is an induction motor designed for use with three-phase power;

(2) Contains a cage rotor;

(3) Is capable of star-delta starting;

(4) Has 4, 6, or 8 poles;

(5) Is rated from 0.12 kW to 160 kW at a frequency of 60 Hz; and

(6) Conforms to section 5.7, Table 3 and Section 9.3 of the IEC 60034–12:2016 (incorporated by reference, *see* § 431.15) specifications for starting torque, locked rotor apparent power, and starting requirements, respectively.

IEC Design HY means an electric motor that:

(1) Is an induction motor designed for use with three-phase power;

(2) Contains a cage rotor;

(3) Is capable of star-delta starting;

(4) Has 4, 6, or 8 poles;

(5) Is rated from 0.12 kW to 160 kW at a frequency of 60 Hz; and

(6) Conforms to Section 5.7, Section 9.2 and Section 9.3 of the IEC 60034–12:2016 (incorporated by reference, *see* § 431.15) specifications for starting torque, locked rotor apparent power, and starting requirements, respectively.

IEC Design N motor means an electric motor that:

(1) Is an induction motor designed for use with three-phase power;

(2) Contains a cage rotor;

(3) Is capable of direct-on-line starting;

(4) Has 2, 4, 6, or 8 poles;

(5) Is rated from 0.12 kW to 1600 kW at a frequency of 60 Hz; and

(6) Conforms to Sections 6.1, 6.2, and 6.3 of the IEC 60034–12:2016 (incorporated by reference, *see* § 431.15) specifications for torque characteristics, locked rotor apparent power, and starting requirements, respectively. If a motor has an increased safety designation of type ''e,'', the locked rotor apparent power shall be in accordance with the appropriate values specified in IEC 60079–7:2015 (incorporated by reference, *see* § 431.15).

IEC Design NE means an electric motor that:

(1) Is an induction motor designed for use with three-phase power;

(2) Contains a cage rotor;

(3) Is capable of direct-on-line starting;

(4) Has 2, 4, 6, or 8 poles;

(5) Is rated from 0.12 kW to 1600 kW at a frequency of 60 Hz; and

(6) Conforms to section 6.1, Table 3 and Section 6.3 of the IEC 60034–12:2016 (incorporated by reference, *see* § 431.15) specifications for starting torque, locked rotor apparent power, and starting requirements, respectively.

IEC Design NEY means an electric motor that:

(1) Is an induction motor designed for use with three-phase power;

(2) Contains a cage rotor;

(3) Is capable of star-delta starting;

(4) Has 2, 4, 6, or 8 poles;

(5) Is rated from 0.12 kW to 1600 kW at a frequency of 60 Hz; and

(6) Conforms to section 5.4, Table 3 and Section 6.3 of the IEC 60034–12:2016 (incorporated by reference, *see* § 431.15) specifications for starting torque, locked rotor apparent power, and starting requirements, respectively.

IEC Design NY means an electric motor that:

(1) Is an induction motor designed for use with three-phase power;

(2) Contains a cage rotor;

(3) Is capable of star-delta starting;

(4) Has 2, 4, 6, or 8 poles;

(5) Is rated from 0.12 kW to 1600 kW at a frequency of 60 Hz; and

(6) Conforms to Section 5.4, Section 6.2 and Section 6.3 of the IEC 60034–12:2016 (incorporated by reference, *see* § 431.15) specifications for starting torque, locked rotor apparent power, and starting requirements, respectively.

IEEE means the Institute of Electrical and Electronics Engineers, Inc.

Immersible electric motor means an electric motor primarily designed to operate continuously in free-air, but is also capable of temporarily withstanding complete immersion in liquid for a continuous period of no less than 30 minutes.

Inverter means an electronic device that converts an input AC or DC power into a controlled output AC or DC voltage or current. An inverter may also be called a converter.

Inverter-capable electric motor means an electric motor designed for direct online starting and is suitable for operation on an inverter without special filtering.

Inverter-only electric motor means an electric motor designed specifically for operation fed by an inverter with a temperature rise within the specified insulation thermal class or thermal limits.

Liquid-cooled electric motor means a motor that is cooled by liquid circulated using a designated cooling apparatus such that the liquid or liquid-filled conductors come into direct contact with the parts of the motor but is not submerged in a liquid during operation.

NEMA means the National Electrical Manufacturers Association.

NEMA Design A motor means a squirrel-cage motor that:

(1) Is designed to withstand full-voltage starting and developing locked-rotor torque as shown in NEMA MG 1–2016, paragraph 12.38.1 (incorporated by reference, *see* § 431.15);

(2) Has pull-up torque not less than the values shown in NEMA MG 1–2016, paragraph 12.40.1;

(3) Has breakdown torque not less than the values shown in NEMA MG 1–2016, paragraph 12.39.1;

(4) Has a locked-rotor current higher than the values shown in NEMA MG 1–2016, Paragraph 12.35.2 for 60 hertz and NEMA MG 1–2016, Paragraph 12.35.4 for 50 hertz; and

(5) Has a slip at rated load of less than 5 percent for motors with fewer than 10 poles.

NEMA Design B motor means a squirrel-cage motor that is:

(1) Designed to withstand full-voltage starting;

(2) Develops locked-rotor, breakdown, and pull-up torques adequate for general application as specified in Sections 12.38, 12.39 and 12.40 of NEMA MG 1–2016 (incorporated by reference, *see* § 431.15);

(3) Draws locked-rotor current not to exceed the values shown in Section 12.35.2 for 60 hertz and 12.35.4 for 50 hertz of NEMA MG 1–2016; and

(4) Has a slip at rated load of less than 5 percent for motors with fewer than 10 poles.

NEMA Design C motor means a squirrel-cage motor that:

(1) Is designed to withstand full-voltage starting and developing locked-rotor torque for high-torque applications up to the values shown in NEMA MG 1–2016, paragraph 12.38.2 (incorporated by reference, *see* § 431.15);

(2) Has pull-up torque not less than the values shown in NEMA MG 1–2016, paragraph 12.40.2;

(3) Has breakdown torque not less than the values shown in NEMA MG 1–2016, paragraph 12.39.2;

(4) Has a locked-rotor current not to exceed the values shown in NEMA MG 1–2016, paragraphs 12.35.2 for 60 hertz and 12.35.4 for 50 hertz; and

(5) Has a slip at rated load of less than 5 percent.

Nominal full-load efficiency means, with respect to an electric motor, a representative value of efficiency selected from the ''nominal efficiency'' column of Table 12–10, NEMA MG 1–2016, (incorporated by reference, *see* § 431.15), that is not greater than the average full-load efficiency of a population of motors of the same design.

Open motor means an electric motor having ventilating openings which permit passage of external cooling air over and around the windings of the machine.

Partial electric motor means an assembly of motor components necessitating the addition of no more than two endshields, including bearings, to create an electric motor capable of operation in accordance with the applicable nameplate ratings.

Rated frequency means 60 Hz and corresponds to the frequency of the electricity supplied either:

(1) Directly to the motor, in the case of electric motors capable of operating without an inverter; or

(2) To the inverter in the case on inverter-only electric motors.

Rated load (or *full-load, full rated load,* or *rated full-load*) means the rated output power of an electric motor.

Rated voltage means the input voltage of a motor or inverter used when making representations of the performance characteristics of a given electric motor and selected by the motor's manufacturer to be used for testing the motor's efficiency.

Special purpose motor means any motor, other than a general purpose motor or definite purpose motor, which has special operating characteristics or special mechanical construction, or both, designed for a particular application.

Special purpose electric motor means any electric motor, other than a general purpose motor or definite electric purpose motor, which has special operating characteristics or special mechanical construction, or both, designed for a particular application.

Specialized frame size means an electric motor frame size for which the rated output power of the motor exceeds the motor frame size limits specified for standard frame size. Specialized frame sizes have maximum diameters corresponding to the following NEMA Frame Sizes:

Motor horsepower/standard kilowatt equivalent	Maximum NEMA frame diameters							
	2 Pole		4 Pole		6 Pole		8 Pole	
	Enclosed	Open	Enclosed	Open	Enclosed	Open	Enclosed	Open
1/.75	48	.....	48	48	48	48	140	140
1.5/1.1	48	48	48	48	140	140	140	140
2/1.5	48	48	48	48	140	140	180	180
3/2.2	140	48	140	140	180	180	180	180
5/3.7	140	140	140	140	180	180	210	210
7.5/5.5	180	140	180	180	210	210	210	210
10/7.5	180	180	180	180	210	210		
15/11	210	180	210	210	.....	.....		
20/15	210	210	210	210	.....	.....	.....	.....

Standard frame size means a motor frame size that aligns with the specifications in NEMA MG 1–2016, section 13.2 for open motors, and NEMA MG 1–2016, section 13.3 for enclosed motors (incorporated by reference, see § 431.15).

Submersible electric motor means an electric motor that:

(1) Is intended to operate continuously only while submerged in liquid;

(2) Is capable of operation while submerged in liquid for an indefinite period of time; and

(3) Has been sealed to prevent ingress of liquid from contacting the motor's internal parts.

Total power loss means that portion of the energy used by an electric motor not converted to rotational mechanical power, expressed in percent.

Totally enclosed non-ventilated (TENV) electric motor means an electric motor that is built in a frame-surface cooled, totally enclosed configuration that is designed and equipped to be cooled only by free convection.

[69 FR 61923, Oct. 21, 2004, as amended at 74 FR 12071, Mar. 23, 2009; 77 FR 26633, May 4, 2012; 78 FR 75993, Dec. 13, 2013; 79 FR 31009, May 29, 2014; 86 FR 21, Jan. 4, 2021; 87 FR 63654, Oct. 19, 2022; 87 FR 64689, Oct. 26, 2022; 88 FR 36150, Sept. 29, 2023]

TEST PROCEDURES, MATERIALS INCORPORATED AND METHODS OF DETERMINING EFFICIENCY

§ 431.14 [Reserved]

§ 431.15 Materials incorporated by reference.

(a) Certain material is incorporated by reference into this subpart with the approval of the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in this section, the U.S. Department of Energy (DOE) must publish a document in the FEDERAL REGISTER and the material must be available to the public. All approved incorporation by reference (IBR) material is available for inspection at DOE and at the National Archives and Records Administration (NARA). Contact DOE at: the U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Program, Sixth Floor, 950 L'Enfant Plaza SW, Washington, DC 20024, (202) 586–9127, *Buildings@ee.doe.gov*, *https://www.energy.gov/eere/buildings/building-technologies-office*. For information on the availability of this material at NARA, email: *fr.inspection@nara.gov*, or go to: *www.archives.gov/federal-register/cfr/ibr-locations.html*. The material may be obtained from the sources in the following paragraphs:

(b) *CSA*. Canadian Standards Association, Sales Department, 5060 Spectrum Way, Suite 100, Mississauga, Ontario, L4W 5N6, Canada; (800) 463–6727; *www.shopcsa.ca/onlinestore/welcome.asp*.

(1) CSA C390–10 (reaffirmed 2019), (''CSA C390–10''), *Test methods, marking requirements, and energy efficiency levels for three-phase induction motors*, including Updates No. 1 through 3, Revised January 2020; IBR approved for § 431.12 and appendix B to this subpart.

(2) CSA C747–09 (reaffirmed 2019) (''CSA C747–09''), *Energy efficiency test methods for small motors*, including Update No. 1 (August 2016), October 2009; IBR approved for appendix B to this subpart.

(c) *IEC*. International Electrotechnical Commission Central Office, 3, rue de Varembé, P.O. Box 131, CH–1211 GENEVA 20, Switzerland; + 41 22 919 02 11; *webstore.iec.ch*.

(1) IEC 60034–1 Edition 12.0 2010–02, (''IEC 60034–1''), Rotating Electrical Machines, Part 1: Rating and Performance, February 2010, IBR approved as follows: section 4: Duty, clause 4.2.1 and Figure 1, IBR approved for § 431.12.

(2) IEC 60034–1, Edition 12.0 2010–02, (''IEC 60034–1:2010''), Rotating Electrical Machines—Part 1: Rating and Performance, IBR approved for appendix B to this subpart.

(3) IEC 60034–2–1:2014, *Rotating electrical machines—Part 2–1: Standard methods for determining losses and efficiency from tests (excluding machines for traction vehicles)*, Edition 2.0, 2014–06; IBR approved for § 431.12 and appendix B to this subpart.

(4) IEC 60034–12:2016, *Rotating electrical machines, Part 12: Starting performance of single-speed three-phase cage induction motors*, Edition 3.0, 2016–11; IBR approved for § 431.12.

(5) IEC 60050–411, International Electrotechnical Vocabulary Chapter 411: Rotating machines, 1996, IBR approved as follows: sections 411–33–07 and 411–37–26, IBR approved for § 431.12.

(6) IEC 60051–1:2016, Edition 6.0 2016–02, (''IEC 60051–1:2016''), Direct acting indicating analogue electrical measuring instruments and their accessories—Part 1: Definitions and general requirements common to all parts, IBR

approved for appendix B to this subpart.

(7) IEC 60072–1, *Dimensions and Output Series for Rotating Electrical Machines—Part 1: Frame numbers 56 to 400 and flange numbers 55 to 1080*, Sixth edition, 1991–02; IBR approved as follows: clauses 2, 3, 4.1, 6.1, 7, and 10, and Tables 1, 2 and 4; IBR approved for § 431.12 and appendix B to this subpart.

(8) IEC 60079–7:2015, *Explosive atmospheres—Part 7: Equipment protection by increased safety ''e''*, Edition 5.0, 2015–06; IBR approved for § 431.12.

(9) IEC 61800–9–2:2017, *Adjustable speed electrical power drive systems—Part 9–2: Ecodesign for power drive systems, motor starters, power electronics and their driven applications—Energy efficiency indicators for power drive systems and motor starters*, Edition 1.0, 2017–03; IBR approved for appendix B to this subpart.

(d) *IEEE*. Institute of Electrical and Electronics Engineers, Inc., 445 Hoes Lane, P.O. Box 1331, Piscataway, NJ 08855–1331; (800) 678–IEEE (4333); *www.ieee.org/web/publications/home/index.html*.

(1) IEEE Std 112–2017 (''IEEE 112–2017''), *IEEE Standard Test Procedure for Polyphase Induction Motors and Generators*, approved December 6, 2017; IBR approved for § 431.12 and appendix B to this subpart.

(2) IEEE Std 114–2010 (''IEEE 114–2010''), *Test Procedure for Single-Phase Induction Motors*, December 23, 2010; IBR approved for appendix B to this subpart.

(e) *NEMA*. National Electrical Manufacturers Association, 1300 North 17th Street, Suite 1752, Rosslyn, Virginia 22209; (703) 841–3200; *www.nema.org/*.

(1) ANSI/NEMA MG 1–2016 (Revision 1, 2018) (''NEMA MG 1–2016''), *Motors and Generators*, ANSI-approved June 15, 2021; IBR approved for § 431.12 and appendix B to this subpart.

(2) NEMA Standards Publication MG1–1967 (''NEMA MG1–1967''), *Motors and Generators*, January 1968; as follows:

(i) *Part 11, Dimension;* IBR approved for § 431.12.

(ii) *Part 13, Frame Assignments—A–C Integral-Horsepower Motors;* IBR approved for § 431.12.

(f) *NFPA*. National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02169–7471; (617) 770–3000; *www.nfpa.org/*.

(1) NFPA 20, *Standard for the Installation of Stationary Pumps for Fire Protection*, 2022 Edition, ANSI-approved April 8, 2021. IBR approved for § 431.12.

(2) [Reserved]

[77 FR 26634, May 4, 2012, as amended at 78 FR 75994, Dec. 13, 2013; 86 FR 21, Jan. 4, 2021; 87 FR 63656, Oct. 19, 2022]

§ 431.16 Test procedures for the measurement of energy efficiency.

For purposes of 10 CFR part 431 and EPCA, the test procedures for measuring the energy efficiency of an electric motor shall be the test procedures specified in appendix B to this subpart B.

§ 431.17 [Reserved]

§ 431.18 Testing laboratories.

(a) Testing pursuant to § 431.17(a)(5)(ii) must be conducted in an accredited laboratory for which the accreditation body was:

(1) The National Institute of Standards and Technology/National Voluntary Laboratory Accreditation Program (NIST/NVLAP); or

(2) A laboratory accreditation body having a mutual recognition arrangement with NIST/NVLAP; or

(3) An organization classified by the Department, pursuant to § 431.19, as an accreditation body.

(b) NIST/NVLAP is under the auspices of the National Institute of Standards and Technology (NIST)/National Voluntary Laboratory Accreditation Program (NVLAP), which is part of the U.S. Department of Commerce. NIST/NVLAP accreditation is granted on the basis of conformance with criteria published in 15 CFR part 285. The National Voluntary Laboratory Accreditation Program, ''Procedures and General Requirements,'' NIST Handbook 150–10, April 2020, (referenced for guidance only, *see* § 429.3 of this subchapter) present the technical requirements of NVLAP for the Efficiency of Electric Motors field of accreditation. This handbook supplements NIST Handbook 150, National Voluntary Laboratory Accreditation Program ''Procedures and General Requirements,'' which contains 15 CFR

part 285 plus all general NIST/NVLAP procedures, criteria, and policies. Information regarding NIST/NVLAP and its Efficiency of Electric Motors Program (EEM) can be obtained from NIST/NVLAP, 100 Bureau Drive, Mail Stop 2140, Gaithersburg, MD 20899–2140, (301) 975–4016 (telephone), or (301) 926–2884 (fax).

[69 FR 61923, Oct. 21, 2004, as amended at 77 FR 26635, May 4, 2012; 87 FR 63657, Oct. 19, 2022]

ENERGY CONSERVATION STANDARDS

§ 431.25 Energy conservation standards and effective dates.

(a) Except as provided for fire pump electric motors in paragraph (b) of this section, each general purpose electric motor (subtype I) with a power rating of 1 horsepower or greater, but not greater than 200 horsepower, including a NEMA Design B or an equivalent IEC Design N motor that is a general purpose electric motor (subtype I), manufactured (alone or as a component of another piece of equipment) on or after December 19, 2010, but before June 1, 2016, shall have a nominal full-load efficiency that is not less than the following:

TABLE 1—NOMINAL FULL-LOAD EFFICIENCIES OF GENERAL PURPOSE ELECTRIC MOTORS (SUBTYPE I), EXCEPT FIRE PUMP ELECTRIC MOTORS

Motor horsepower/Standard kilowatt equivalent	Nominal full-load efficiency					
	Open motors (number of poles)			Enclosed motors (number of poles)		
	6	4	2	6	4	2
1/.75	82.5	85.5	77.0	82.5	85.5	77.0
1.5/1.1	86.5	86.5	84.0	87.5	86.5	84.0
2/1.5	87.5	86.5	85.5	88.5	86.5	85.5
3/2.2	88.5	89.5	85.5	89.5	89.5	86.5
5/3.7	89.5	89.5	86.5	89.5	89.5	88.5
7.5/5.5	90.2	91.0	88.5	91.0	91.7	89.5
10/7.5	91.7	91.7	89.5	91.0	91.7	90.2
15/11	91.7	93.0	90.2	91.7	92.4	91.0
20/15	92.4	93.0	91.0	91.7	93.0	91.0
25/18.5	93.0	93.6	91.7	93.0	93.6	91.7
30/22	93.6	94.1	91.7	93.0	93.6	91.7
40/30	94.1	94.1	92.4	94.1	94.1	92.4
50/37	94.1	94.5	93.0	94.1	94.5	93.0
60/45	94.5	95.0	93.6	94.5	95.0	93.6
75/55	94.5	95.0	93.6	94.5	95.4	93.6
100/75	95.0	95.4	93.6	95.0	95.4	94.1
125/90	95.0	95.4	94.1	95.0	95.4	95.0
150/110	95.4	95.8	94.1	95.8	95.8	95.0
200/150	95.4	95.8	95.0	95.8	96.2	95.4

(b) Each fire pump electric motor that is a general purpose electric motor (subtype I) or general purpose electric motor (subtype II) manufactured (alone or as a component of another piece of equipment) on or after December 19, 2010, but before June 1, 2016, shall have a nominal full-load efficiency that is not less than the following:

TABLE 2—NOMINAL FULL-LOAD EFFICIENCIES OF FIRE PUMP ELECTRIC MOTORS

Motor horsepower/standard kilowatt equivalent	Nominal full-load efficiency							
	Open motors (number of poles)				Enclosed motors (number of poles)			
	8	6	4	2	8	6	4	2
1/.75	74.0	80.0	82.5	.....	74.0	80.0	82.5	75.5
1.5/1.1	75.5	84.0	84.0	82.5	77.0	85.5	84.0	82.5
2/1.5	85.5	85.5	84.0	84.0	82.5	86.5	84.0	84.0

TABLE 2—NOMINAL FULL-LOAD EFFICIENCIES OF FIRE PUMP ELECTRIC MOTORS—Continued

Motor horsepower/standard kilowatt equivalent	Nominal full-load efficiency							
	Open motors (number of poles)				Enclosed motors (number of poles)			
	8	6	4	2	8	6	4	2
3/2.2	86.5	86.5	86.5	84.0	84.0	87.5	87.5	85.5
5/3.7	87.5	87.5	87.5	85.5	85.5	87.5	87.5	87.5
7.5/5.5	88.5	88.5	88.5	87.5	85.5	89.5	89.5	88.5
10/7.5	89.5	90.2	89.5	88.5	88.5	89.5	89.5	89.5
15/11	89.5	90.2	91.0	89.5	88.5	90.2	91.0	90.2
20/15	90.2	91.0	91.0	90.2	89.5	90.2	91.0	90.2
25/18.5	90.2	91.7	91.7	91.0	89.5	91.7	92.4	91.0
30/22	91.0	92.4	92.4	91.0	91.0	91.7	92.4	91.0
40/30	91.0	93.0	93.0	91.7	91.0	93.0	93.0	91.7
50/37	91.7	93.0	93.0	92.4	91.7	93.0	93.0	92.4
60/45	92.4	93.6	93.6	93.0	91.7	93.6	93.6	93.0
75/55	93.6	93.6	94.1	93.0	93.0	93.6	94.1	93.0
100/75	93.6	94.1	94.1	93.0	93.0	94.1	94.5	93.6
125/90	93.6	94.1	94.5	93.6	93.6	94.1	94.5	94.5
150/110	93.6	94.5	95.0	93.6	93.6	95.0	95.0	94.5
200/150	93.6	94.5	95.0	94.5	94.1	95.0	95.0	95.0
250/186	94.5	95.4	95.4	94.5	94.5	95.0	95.0	95.4
300/224	.....	95.4	95.4	95.0	.....	95.0	95.4	95.4
350/261	.....	95.4	95.4	95.0	.....	95.0	95.4	95.4
400/298	.....	.....	95.4	95.4	.....	.....	95.4	95.4
450/336	.....	.....	95.8	95.8	.....	.....	95.4	95.4
500/373	.....	.....	95.8	95.8	.....	.....	95.8	95.4

(c) Except as provided for fire pump electric motors in paragraph (b) of this section, each general purpose electric motor (subtype II) with a power rating of 1 horsepower or greater, but not greater than 200 horsepower, including a NEMA Design B or an equivalent IEC Design N motor that is a general purpose electric motor (subtype II), manufactured (alone or as a component of another piece of equipment) on or after December 19, 2010, but before June 1, 2016, shall have a nominal full-load efficiency that is not less than the following:

TABLE 3—NOMINAL FULL-LOAD EFFICIENCIES OF GENERAL PURPOSE ELECTRIC MOTORS (SUBTYPE II), EXCEPT FIRE PUMP ELECTRIC MOTORS

Motor horsepower/ Standard kilowatt equivalent	Nominal full-load efficiency							
	Open motors (number of poles)				Enclosed motors (number of poles)			
	8	6	4	2	8	6	4	2
1/.75	74.0	80.0	82.5	.....	74.0	80.0	82.5	75.5
1.5/1.1	75.5	84.0	84.0	82.5	77.0	85.5	84.0	82.5
2/1.5	85.5	85.5	84.0	84.0	82.5	86.5	84.0	84.0
3/2.2	86.5	86.5	86.5	84.0	84.0	87.5	87.5	85.5
5/3.7	87.5	87.5	87.5	85.5	85.5	87.5	87.5	87.5
7.5/5.5	88.5	88.5	88.5	87.5	85.5	89.5	89.5	88.5
10/7.5	89.5	90.2	89.5	88.5	88.5	89.5	89.5	89.5
15/11	89.5	90.2	91.0	89.5	88.5	90.2	91.0	90.2
20/15	90.2	91.0	91.0	90.2	89.5	90.2	91.0	90.2
25/18.5	90.2	91.7	91.7	91.0	89.5	91.7	92.4	91.0
30/22	91.0	92.4	92.4	91.0	91.0	91.7	92.4	91.0
40/30	91.0	93.0	93.0	91.7	91.0	93.0	93.0	91.7
50/37	91.7	93.0	93.0	92.4	91.7	93.0	93.0	92.4
60/45	92.4	93.6	93.6	93.0	91.7	93.6	93.6	93.0
75/55	93.6	93.6	94.1	93.0	93.0	93.6	94.1	93.0
100/75	93.6	94.1	94.1	93.0	93.0	94.1	94.5	93.6
125/90	93.6	94.1	94.5	93.6	93.6	94.1	94.5	94.5
150/110	93.6	94.5	95.0	93.6	93.6	95.0	95.0	94.5
200/150	93.6	94.5	95.0	94.5	94.1	95.0	95.0	95.0

(d) Each NEMA Design B or an equivalent IEC Design N motor that is a general purpose electric motor (subtype I) or general purpose electric motor (subtype II), excluding fire pump electric motors, with a power rating of more than 200 horsepower, but not greater than 500 horsepower, manufactured (alone or as a component of another piece of equipment) on or after December 19, 2010, but before June 1, 2016 shall have a nominal full-load efficiency that is not less than the following:

TABLE 4—NOMINAL FULL-LOAD EFFICIENCIES OF NEMA DESIGN B GENERAL PURPOSE ELECTRIC MOTORS (SUBTYPE I AND II), EXCEPT FIRE PUMP ELECTRIC MOTORS

Motor horsepower/ standard kilowatt equivalent	Nominal full-load efficiency							
	Open motors (number of poles)				Enclosed motors (number of poles)			
	8	6	4	2	8	6	4	2
250/186	94.5	95.4	95.4	94.5	94.5	95.0	95.0	95.4
300/224	.....	95.4	95.4	95.0	.....	95.0	95.4	95.4
350/261	.....	95.4	95.4	95.0	.....	95.0	95.4	95.4
400/298	.....	.....	95.4	95.4	.....	.....	95.4	95.4
450/336	.....	.....	95.8	95.8	.....	.....	95.4	95.4
500/373	.....	.....	95.8	95.8	.....	.....	95.8	95.4

(e) For purposes of determining the required minimum nominal full-load efficiency of an electric motor that has a horsepower or kilowatt rating between two horsepower or two kilowatt ratings listed in any table of energy conservation standards in paragraphs (a) through (d) of this section, each such motor shall be deemed to have a listed horsepower or kilowatt rating, determined as follows:

(1) A horsepower at or above the midpoint between the two consecutive horsepowers shall be rounded up to the higher of the two horsepowers;

(2) A horsepower below the midpoint between the two consecutive horsepowers shall be rounded down to the lower of the two horsepowers; or

(3) A kilowatt rating shall be directly converted from kilowatts to horsepower using the formula 1 kilowatt = $(^{1}/_{0.746})$ horsepower. The conversion should be calculated to three significant decimal places, and the resulting horsepower shall be rounded in accordance with paragraph (e)(1) or (e)(2) of this section, whichever applies.

(f) The standards in Table 1 through Table 4 of this section do not apply to definite purpose electric motors, special purpose electric motors, or those motors exempted by the Secretary.

(g) The standards in Table 5 through Table 7 of this section apply only to electric motors, including partial electric motors, that satisfy the following criteria:

(1) Are single-speed, induction motors;

(2) Are rated for continuous duty (MG 1) operation or for duty type S1 (IEC);

(3) Contain a squirrel-cage (MG 1) or cage (IEC) rotor;

(4) Operate on polyphase alternating current 60-hertz sinusoidal line power;

(5) Are rated 600 volts or less;

(6) Have a 2-, 4-, 6-, or 8-pole configuration,

(7) Are built in a three-digit or four-digit NEMA frame size (or IEC metric equivalent), including those designs between two consecutive NEMA frame sizes (or IEC metric equivalent), or an enclosed 56 NEMA frame size (or IEC metric equivalent),

(8) Produce at least one horsepower (0.746 kW) but not greater than 500 horsepower (373 kW), and

(9) Meet all of the performance requirements of one of the following motor types: A NEMA Design A, B, or C motor or an IEC Design N, NE, NEY, NY or H, HE, HEY, HY motor.

(h) Each NEMA Design A motor, NEMA Design B motor, and IEC Design N (including NE, NEY, or NY variants) motor that is an electric motor meeting the criteria in paragraph (g) of this section and with a power rating from 1 horsepower through 500 horsepower,

but excluding fire pump electric motors, manufactured (alone or as a component of another piece of equipment) on or after June 1, 2016, but before June 1, 2027, shall have a nominal full-load efficiency of not less than the following:

TABLE 5 TO PARAGRAPH (h)—NOMINAL FULL-LOAD EFFICIENCIES OF NEMA DESIGN A, NEMA DESIGN B AND IEC DESIGN N, NE, NEY OR NY MOTORS (EXCLUDING FIRE PUMP ELECTRIC MOTORS) AT 60 HZ

Motor horsepower/ standard kilowatt equivalent	Nominal full-load efficiency (%)							
	2 Pole		4 Pole		6 Pole		8 Pole	
	Enclosed	Open	Enclosed	Open	Enclosed	Open	Enclosed	Open
1/.75	77.0	77.0	85.5	85.5	82.5	82.5	75.5	75.5
1.5/1.1	84.0	84.0	86.5	86.5	87.5	86.5	78.5	77.0
2/1.5	85.5	85.5	86.5	86.5	88.5	87.5	84.0	86.5
3/2.2	86.5	85.5	89.5	89.5	89.5	88.5	85.5	87.5
5/3.7	88.5	86.5	89.5	89.5	89.5	89.5	86.5	88.5
7.5/5.5	89.5	88.5	91.7	91.0	91.0	90.2	86.5	89.5
10/7.5	90.2	89.5	91.7	91.7	91.0	91.7	89.5	90.2
15/11	91.0	90.2	92.4	93.0	91.7	91.7	89.5	90.2
20/15	91.0	91.0	93.0	93.0	91.7	92.4	90.2	91.0
25/18.5	91.7	91.7	93.6	93.6	93.0	93.0	90.2	91.0
30/22	91.7	91.7	93.6	94.1	93.0	93.6	91.7	91.7
40/30	92.4	92.4	94.1	94.1	94.1	94.1	91.7	91.7
50/37	93.0	93.0	94.5	94.5	94.1	94.1	92.4	92.4
60/45	93.6	93.6	95.0	95.0	94.5	94.5	92.4	93.0
75/55	93.6	93.6	95.4	95.0	94.5	94.5	93.6	94.1
100/75	94.1	93.6	95.4	95.4	95.0	95.0	93.6	94.1
125/90	95.0	94.1	95.4	95.4	95.0	95.0	94.1	94.1
150/110	95.0	94.1	95.8	95.8	95.8	95.4	94.1	94.1
200/150	95.4	95.0	96.2	95.8	95.8	95.4	94.5	94.1
250/186	95.8	95.0	96.2	95.8	95.8	95.8	95.0	95.0
300/224	95.8	95.4	96.2	95.8	95.8	95.8		
350/261	95.8	95.4	96.2	95.8	95.8	95.8		
400/298	95.8	95.8	96.2	95.8				
450/336	95.8	96.2	96.2	96.2				
500/373	95.8	96.2	96.2	96.2	.....	.....	.....	.....

(i) Starting on June 1, 2016, each NEMA Design C motor and IEC Design H (including HE, HEY, or HY variants) motor that is an electric motor meeting the criteria in paragraph (g) of this section and with a power rating from 1 horsepower through 200 horsepower manufactured (alone or as a component of another piece of equipment) shall have a nominal full-load efficiency that is not less than the following:

TABLE 6 TO PARAGRAPH (i)—NOMINAL FULL-LOAD EFFICIENCIES OF NEMA DESIGN C AND IEC DESIGN H, HE, HEY OR HY MOTORS AT 60 HZ

Motor horsepower/standard kilowatt equivalent	Nominal full-load efficiency (%)					
	4 Pole		6 Pole		8 Pole	
	Enclosed	Open	Enclosed	Open	Enclosed	Open
1/.75	85.5	85.5	82.5	82.5	75.5	75.5
1.5/1.1	86.5	86.5	87.5	86.5	78.5	77.0
2/1.5	86.5	86.5	88.5	87.5	84.0	86.5
3/2.2	89.5	89.5	89.5	88.5	85.5	87.5
5/3.7	89.5	89.5	89.5	89.5	86.5	88.5
7.5/5.5	91.7	91.0	91.0	90.2	86.5	89.5
10/7.5	91.7	91.7	91.0	91.7	89.5	90.2
15/11	92.4	93.0	91.7	91.7	89.5	90.2
20/15	93.0	93.0	91.7	92.4	90.2	91.0
25/18.5	93.6	93.6	93.0	93.0	90.2	91.0
30/22	93.6	94.1	93.0	93.6	91.7	91.7
40/30	94.1	94.1	94.1	94.1	91.7	91.7
50/37	94.5	94.5	94.1	94.1	92.4	92.4
60/45	95.0	95.0	94.5	94.5	92.4	93.0

TABLE 6 TO PARAGRAPH (i)—NOMINAL FULL-LOAD EFFICIENCIES OF NEMA DESIGN C AND IEC DESIGN H, HE, HEY OR HY MOTORS AT 60 HZ—Continued

Motor horsepower/standard kilowatt equivalent	Nominal full-load efficiency (%)					
	4 Pole		6 Pole		8 Pole	
	Enclosed	Open	Enclosed	Open	Enclosed	Open
75/55	95.4	95.0	94.5	94.5	93.6	94.1
100/75	95.4	95.4	95.0	95.0	93.6	94.1
125/90	95.4	95.4	95.0	95.0	94.1	94.1
150/110	95.8	95.8	95.8	95.4	94.1	94.1
200/150	96.2	95.8	95.8	95.4	94.5	94.1

(j) Starting on June 1, 2016, each fire pump electric motor meeting the criteria in paragraph (g) of this section and with a power rating of 1 horsepower through 500 horsepower, manufactured (alone or as a component of another piece of equipment) shall have a nominal full-load efficiency that is not less than the following:

TABLE 7—NOMINAL FULL-LOAD EFFICIENCIES OF FIRE PUMP ELECTRIC MOTORS AT 60 HZ

Motor horsepower/ standard kilowatt equivalent	Nominal full-load efficiency (%)							
	2 Pole		4 Pole		6 Pole		8 Pole	
	Enclosed	Open	Enclosed	Open	Enclosed	Open	Enclosed	Open
1/.75	75.5	.....	82.5	82.5	80.0	80.0	74.0	74.0
1.5/1.1	82.5	82.5	84.0	84.0	85.5	84.0	77.0	75.5
2/1.5	84.0	84.0	84.0	84.0	86.5	85.5	82.5	85.5
3/2.2	85.5	84.0	87.5	86.5	87.5	86.5	84.0	86.5
5/3.7	87.5	85.5	87.5	87.5	87.5	87.5	85.5	87.5
7.5/5.5	88.5	87.5	89.5	88.5	89.5	88.5	85.5	88.5
10/7.5	89.5	88.5	89.5	89.5	89.5	90.2	88.5	89.5
15/11	90.2	89.5	91.0	91.0	90.2	90.2	88.5	89.5
20/15	90.2	90.2	91.0	91.0	90.2	91.0	89.5	90.2
25/18.5	91.0	91.0	92.4	91.7	91.7	91.7	89.5	90.2
30/22	91.0	91.0	92.4	92.4	91.7	92.4	91.0	91.0
40/30	91.7	91.7	93.0	93.0	93.0	93.0	91.0	91.0
50/37	92.4	92.4	93.0	93.0	93.0	93.0	91.7	91.7
60/45	93.0	93.0	93.6	93.6	93.6	93.6	91.7	92.4
75/55	93.0	93.0	94.1	94.1	93.6	93.6	93.0	93.6
100/75	93.6	93.0	94.5	94.1	94.1	94.1	93.0	93.6
125/90	94.5	93.6	94.5	94.5	94.1	94.1	93.6	93.6
150/110	94.5	93.6	95.0	95.0	95.0	94.5	93.6	93.6
200/150	95.0	94.5	95.0	95.0	95.0	94.5	94.1	93.6
250/186	95.4	94.5	95.0	95.4	95.0	95.4	94.5	94.5
300/224	95.4	95.0	95.4	95.4	95.0	95.4		
350/261	95.4	95.0	95.4	95.4	95.0	95.4		
400/298	95.4	95.4	95.4	95.4				
450/336	95.4	95.8	95.4	95.8				
500/373	95.4	95.8	95.8	95.8	.....	.....	.....	.....

(k) For purposes of determining the required minimum nominal full-load efficiency of an electric motor that has a horsepower or kilowatt rating between two horsepower or two kilowatt ratings listed in any table of energy conservation standards in paragraphs (h) through (l) of this section, each such motor shall be deemed to have a listed horsepower or kilowatt rating, determined as follows:

(1) A horsepower at or above the midpoint between the two consecutive horsepowers shall be rounded up to the higher of the two horsepowers;

(2) A horsepower below the midpoint between the two consecutive horsepowers shall be rounded down to the lower of the two horsepowers; or

(3) A kilowatt rating shall be directly converted from kilowatts to horsepower using the formula 1 kilowatt = $(^{1}/_{0.746})$ horsepower. The conversion

should be calculated to three significant decimal places, and the resulting horsepower shall be rounded in accordance with paragraph (k)(1) or (k)(2) of this section, whichever applies.

(l) The standards in Table 5 through Table 7 of this section do not apply to the following electric motors exempted by the Secretary, or any additional electric motors that the Secretary may exempt:

(1) Air-over electric motors;

(2) Component sets of an electric motor;

(3) Liquid-cooled electric motors;

(4) Submersible electric motors; and

(5) Inverter-only electric motors.

(m) The standards in tables 8 through 10 of this section apply only to electric motors, including partial electric motors, that satisfy the following criteria:

(1) Are single-speed, induction motors;

(2) Are rated for continuous duty (MG 1) operation or for duty type S1 (IEC);

(3) Contain a squirrel-cage (MG 1) or cage (IEC) rotor;

(4) Operate on polyphase alternating current 60-hertz sinusoidal line power;

(5) Are rated 600 volts or less;

(6) Have a 2-, 4-, 6-, or 8-pole configuration,

(7) Are built in a three-digit or four-digit NEMA frame size (or IEC metric equivalent), including those designs between two consecutive NEMA frame sizes (or IEC metric equivalent), or an enclosed 56 NEMA frame size (or IEC metric equivalent),

(8) Produce at least one horsepower (0.746 kW) but not greater than 750 horsepower (559 kW), and

(9) Meet all of the performance requirements of one of the following motor types: A NEMA Design A, B, or C motor or an IEC Design N, NE, NEY, NY or H, HE, HEY, HY motor.

(n) Starting on June 1, 2027, each NEMA Design A motor, NEMA Design B motor, and IEC Design N (including NE, NEY, or NY variants) motor that is an electric motor meeting the criteria in paragraph (m) of this section and with a power rating from 1 horsepower through 750 horsepower, but excluding fire pump electric motors and air-over electric motors, manufactured (alone or as a component of another piece of equipment) shall have a nominal full-load efficiency of not less than the following:

TABLE 8 TO PARAGRAPH (n)—NOMINAL FULL-LOAD EFFICIENCIES OF NEMA DESIGN A, NEMA DESIGN B AND IEC DESIGN N, NE, NEY OR NY MOTORS (EXCLUDING FIRE PUMP ELECTRIC MOTORS AND AIR-OVER ELECTRIC MOTORS) AT 60 Hz

Motor horsepower/standard kilowatt equivalent	Nominal full-load efficiency (%)							
	2 Pole		4 Pole		6 Pole		8 Pole	
	Enclosed	Open	Enclosed	Open	Enclosed	Open	Enclosed	Open
1/.75	77.0	77.0	85.5	85.5	82.5	82.5	75.5	75.5
1.5/1.1	84.0	84.0	86.5	86.5	87.5	86.5	78.5	77.0
2/1.5	85.5	85.5	86.5	86.5	88.5	87.5	84.0	86.5
3/2.2	86.5	85.5	89.5	89.5	89.5	88.5	85.5	87.5
5/3.7	88.5	86.5	89.5	89.5	89.5	89.5	86.5	88.5
7.5/5.5	89.5	88.5	91.7	91.0	91.0	90.2	86.5	89.5
10/7.5	90.2	89.5	91.7	91.7	91.0	91.7	89.5	90.2
15/11	91.0	90.2	92.4	93.0	91.7	91.7	89.5	90.2
20/15	91.0	91.0	93.0	93.0	91.7	92.4	90.2	91.0
25/18.5	91.7	91.7	93.6	93.6	93.0	93.0	90.2	91.0
30/22	91.7	91.7	93.6	94.1	93.0	93.6	91.7	91.7
40/30	92.4	92.4	94.1	94.1	94.1	94.1	91.7	91.7
50/37	93.0	93.0	94.5	94.5	94.1	94.1	92.4	92.4
60/45	93.6	93.6	95.0	95.0	94.5	94.5	92.4	93.0
75/55	93.6	93.6	95.4	95.0	94.5	94.5	93.6	94.1
100/75	95.0	94.5	96.2	96.2	95.8	95.8	94.5	95.0
125/90	95.4	94.5	96.2	96.2	95.8	95.8	95.0	95.0
150/110	95.4	94.5	96.2	96.2	96.2	95.8	95.0	95.0
200/150	95.8	95.4	96.5	96.2	96.2	95.8	95.4	95.0
250/186	96.2	95.4	96.5	96.2	96.2	96.2	95.4	95.4
300/224	95.8	95.4	96.2	95.8	95.8	95.8		
350/261	95.8	95.4	96.2	95.8	95.8	95.8		
400/298	95.8	95.8	96.2	95.8	.....	.....		
450/336	95.8	96.2	96.2	96.2	.....	.....		
500/373	95.8	96.2	96.2	96.2	.....	.....		

TABLE 8 TO PARAGRAPH (n)—NOMINAL FULL-LOAD EFFICIENCIES OF NEMA DESIGN A, NEMA DESIGN B AND IEC DESIGN N, NE, NEY OR NY MOTORS (EXCLUDING FIRE PUMP ELECTRIC MOTORS AND AIR-OVER ELECTRIC MOTORS) AT 60 Hz—Continued

Motor horsepower/standard kilowatt equivalent	Nominal full-load efficiency (%)							
	2 Pole		4 Pole		6 Pole		8 Pole	
	Enclosed	Open	Enclosed	Open	Enclosed	Open	Enclosed	Open
550/410	95.8	96.2	96.2	96.2				
600/447	95.8	96.2	96.2	96.2				
650/485	95.8	96.2	96.2	96.2				
700/522	95.8	96.2	96.2	96.2				
750/559	95.8	96.2	96.2	96.2				

(o) Starting on June 1, 2027, each NEMA Design A motor, NEMA Design B motor, and IEC Design N (including NE, NEY, or NY variants) motor that is an air-over electric motor meeting the criteria in paragraph (m) of this section and with a power rating from 1 horsepower through 250 horsepower, built in a standard frame size, but excluding fire pump electric motors, manufactured (alone or as a component of another piece of equipment) shall have a nominal full-load efficiency of not less than the following:

TABLE 9 TO PARAGRAPH (o)—NOMINAL FULL-LOAD EFFICIENCIES OF NEMA DESIGN A, NEMA DESIGN B AND IEC DESIGN N, NE, NEY OR NY STANDARD FRAME SIZE AIR-OVER ELECTRIC MOTORS (EXCLUDING FIRE PUMP ELECTRIC MOTORS) AT 60 Hz

Motor horsepower/standard kilowatt equivalent	Nominal full-load efficiency (%)							
	2 Pole		4 Pole		6 Pole		8 Pole	
	Enclosed	Open	Enclosed	Open	Enclosed	Open	Enclosed	Open
1/.75	77.0	77.0	85.5	85.5	82.5	82.5	75.5	75.5
1.5/1.1	84.0	84.0	86.5	86.5	87.5	86.5	78.5	77.0
2/1.5	85.5	85.5	86.5	86.5	88.5	87.5	84.0	86.5
3/2.2	86.5	85.5	89.5	89.5	89.5	88.5	85.5	87.5
5/3.7	88.5	86.5	89.5	89.5	89.5	89.5	86.5	88.5
7.5/5.5	89.5	88.5	91.7	91.0	91.0	90.2	86.5	89.5
10/7.5	90.2	89.5	91.7	91.7	91.0	91.7	89.5	90.2
15/11	91.0	90.2	92.4	93.0	91.7	91.7	89.5	90.2
20/15	91.0	91.0	93.0	93.0	91.7	92.4	90.2	91.0
25/18.5	91.7	91.7	93.6	93.6	93.0	93.0	90.2	91.0
30/22	91.7	91.7	93.6	94.1	93.0	93.6	91.7	91.7
40/30	92.4	92.4	94.1	94.1	94.1	94.1	91.7	91.7
50/37	93.0	93.0	94.5	94.5	94.1	94.1	92.4	92.4
60/45	93.6	93.6	95.0	95.0	94.5	94.5	92.4	93.0
75/55	93.6	93.6	95.4	95.0	94.5	94.5	93.6	94.1
100/75	95.0	94.5	96.2	96.2	95.8	95.8	94.5	95.0
125/90	95.4	94.5	96.2	96.2	95.8	95.8	95.0	95.0
150/110	95.4	94.5	96.2	96.2	96.2	95.8	95.0	95.0
200/150	95.8	95.4	96.5	96.2	96.2	95.8	95.4	95.0
250/186	96.2	95.4	96.5	96.2	96.2	96.2	95.4	95.4

(p) Starting on June 1, 2027, each NEMA Design A motor, NEMA Design B motor, and IEC Design N (including NE, NEY, or NY variants) motor that is an air-over electric motor meeting the criteria in paragraph (m) of this section and with a power rating from 1 horsepower through 20 horsepower, built in a specialized frame size, but excluding fire pump electric motors, manufactured (alone or as a component of another piece of equipment) shall have a nominal full-load efficiency of not less than the following:

TABLE 10 TO PARAGRAPH (p)—NOMINAL FULL-LOAD EFFICIENCIES OF NEMA DESIGN A, NEMA DESIGN B AND IEC DESIGN N, NE, NEY OR NY SPECIALIZED FRAME SIZE AIR-OVER ELECTRIC MOTORS (EXCLUDING FIRE PUMP ELECTRIC MOTORS) AT 60 Hz

Motor horsepower/standard kilowatt equivalent	Nominal full-load efficiency (%)							
	2 Pole		4 Pole		6 Pole		8 Pole	
	Enclosed	Open	Enclosed	Open	Enclosed	Open	Enclosed	Open
1/.75	74.0	.....	82.5	82.5	80.0	80.0	74.0	74.0
1.5/1.1	82.5	82.5	84.0	84.0	85.5	84.0	77.0	75.5
2/1.5	84.0	84.0	84.0	84.0	86.5	85.5	82.5	85.5
3/2.2	85.5	84.0	87.5	86.5	87.5	86.5	84.0	86.5
5/3.7	87.5	85.5	87.5	87.5	87.5	87.5	85.5	87.5
7.5/5.5	88.5	87.5	89.5	88.5	89.5	88.5	85.5	88.5
10/7.5	89.5	88.5	89.5	89.5	89.5	90.2		
15/11	90.2	89.5	91.0	91.0	.....	.....		
20/15	90.2	90.2	91.0	91.0	.....	.....	.....	.....

(q) For purposes of determining the required minimum nominal full-load efficiency of an electric motor that has a horsepower or kilowatt rating between two horsepower or two kilowatt ratings listed in any table of energy conservation standards in paragraphs (n) through (p) through of this section, each such motor shall be deemed to have a listed horsepower or kilowatt rating, determined as follows:

(1) A horsepower at or above the midpoint between the two consecutive horsepowers shall be rounded up to the higher of the two horsepowers;

(2) A horsepower below the midpoint between the two consecutive horsepowers shall be rounded down to the lower of the two horsepowers; or

(3) A kilowatt rating shall be directly converted from kilowatts to horsepower using the formula 1 kilowatt = ($^1/_{0.746}$) horsepower. The conversion should be calculated to three significant decimal places, and the resulting horsepower shall be rounded in accordance with paragraphs (q)(1) or (2) of this section, whichever applies.

(r) The standards in tables 8 through 10 of this section do not apply to the following electric motors exempted by the Secretary, or any additional electric motors that the Secretary may exempt:

(1) Component sets of an electric motor;

(2) Liquid-cooled electric motors;

(3) Submersible electric motors; and

(4) Inverter-only electric motors.

[79 FR 31010, May 29, 2014, as amended at 87 FR 63657, Oct. 19, 2022; 88 FR 36150, Sept. 29, 2023]

§ 431.26 Preemption of State regulations.

Any State regulation providing for any energy conservation standard, or other requirement with respect to the energy efficiency or energy use, of an electric motor that is not identical to a Federal standard in effect under this subpart is preempted by that standard, except as provided for in Section 345(a) and 327(b) and (c) of the Act.

LABELING

§ 431.31 Labeling requirements.

(a) *Electric motor nameplate*—(1) *Required information.* The permanent nameplate of an electric motor for which standards are prescribed in § 431.25 must be marked clearly with the following information:

(i) The motor's nominal full load efficiency (as of the date of manufacture), derived from the motor's average full load efficiency as determined pursuant to this subpart; and

(ii) A Compliance Certification number (''CC number'') supplied by DOE to the manufacturer or private labeler, pursuant to § 431.36(f), and applicable to that motor. Such CC number must be on the nameplate of a motor beginning 90 days after either:

(A) The manufacturer or private labeler has received the number upon submitting a Compliance Certification covering that motor, or

(B) The expiration of 21 days from DOE's receipt of a Compliance Certification covering that motor, if the manufacturer or private labeler has not

been advised by DOE that the Compliance Certification fails to satisfy § 431.36.

(2) *Display of required information.* All orientation, spacing, type sizes, type faces, and line widths to display this required information shall be the same as or similar to the display of the other performance data on the motor's permanent nameplate. The nominal full-load efficiency shall be identified either by the term ''Nominal Efficiency'' or ''Nom. Eff.'' or by the terms specified in paragraph 12.58.2 of NEMA MG1–2009, (incorporated by reference, see § 431.15) as for example ''NEMA Nom. Eff. ____.'' The Compliance Certification number issued pursuant to § 431.36 shall be in the form ''CC ____.''

(3) *Optional display.* The permanent nameplate of an electric motor, a separate plate, or decalcomania, may be marked with the encircled lower case letters ''ee'', for example,



or with some comparable designation or logo, if the motor meets the applicable standard prescribed in § 431.25, as determined pursuant to this subpart, and is covered by a Compliance Certification that satisfies § 431.36.

(b) *Disclosure of efficiency information in marketing materials.* (1) The same information that must appear on an electric motor's permanent nameplate pursuant to paragraph (a)(1) of this section, shall be prominently displayed:

(i) On each page of a catalog that lists the motor; and

(ii) In other materials used to market the motor.

(2) The ''ee'' logo, or other similar logo or designations, may also be used in catalogs and other materials to the same extent they may be used on labels under paragraph (a)(3) of this section.

[69 FR 61923, Oct. 21, 2004, as amended at 77 FR 26637, May 4, 2012]

§ 431.32 Preemption of State regulations.

The provisions of § 431.31 supersede any State regulation to the extent required by Section 327 of the Act. Pursuant to the Act, all State regulations that require the disclosure for any electric motor of information with respect to energy consumption, other than the information required to be disclosed in accordance with this part, are superseded.

CERTIFICATION

§ 431.35 Applicability of certification requirements.

Section 431.36 sets forth the procedures for manufacturers to certify that electric motors comply with the applicable energy efficiency standards set forth in this subpart.

§ 431.36 Compliance Certification.

(a) *General.* A manufacturer or private labeler shall not distribute in commerce any basic model of an electric motor which is subject to an energy efficiency standard set forth in this subpart unless it has submitted to the Department a Compliance Certification certifying, in accordance with the provisions of this section, that the basic model meets the requirements of the applicable standard. The representations in the Compliance Certification must be based upon the basic model's energy efficiency as determined in accordance with the applicable requirements of this subpart. This means, in part, that either:

(1) The representations as to the basic model must be based on use of a certification organization; or

(2) Any testing of the basic model on which the representations are based must be conducted at an accredited laboratory.

(b) *Required contents*—(1) *General representations.* Each Compliance Certification must certify that:

(i) The nominal full load efficiency for each basic model of electric motor distributed is not less than the minimum nominal full load efficiency required for that motor by § 431.25;

(ii) All required determinations on which the Compliance Certification is based were made in compliance with the applicable requirements prescribed in this subpart;

(iii) All information reported in the Compliance Certification is true, accurate, and complete; and

(iv) The manufacturer or private labeler is aware of the penalties associated with violations of the Act and the regulations thereunder, and of 18 U.S.C. 1001 which prohibits knowingly making false statements to the Federal Government.

(2) *Specific data.* (i) For each rating of electric motor (as the term ''rating'' is defined in the definition of basic model) which a manufacturer or private labeler distributes, the Compliance Certification must report the nominal full load efficiency, determined pursuant to §§ 431.16 and 431.17, of the least efficient basic model within that rating.

(ii) The Compliance Certification must identify the basic models on which actual testing has been performed to meet the requirements of § 431.17.

(iii) The format for a Compliance Certification is set forth in appendix C of this subpart.

(c) *Optional contents.* In any Compliance Certification, a manufacturer or private labeler may at its option request that DOE provide it with a unique Compliance Certification number (''CC number'') for any brand name, trademark or other label name under which the manufacturer or private labeler distributes electric motors covered by the Certification. Such a Compliance Certification must also identify all other names, if any, under which the manufacturer or private labeler distributes electric motors, and to which the request does not apply.

(d) *Signature and submission.* A manufacturer or private labeler must submit the Compliance Certification either on its own behalf, signed by a corporate official of the company, or through a third party (for example, a trade association or other authorized representative) acting on its behalf. Where a third party is used, the Compliance Certification must identify the official of the manufacturer or private labeler who authorized the third party to make representations on the company's behalf, and must be signed by a corporate official of the third party. The Compliance Certification must be submitted to the Department electronically at *https://www.regulations.doe.gov/ccms.* Alternatively, the Compliance Certification may be submitted by certified mail to: Certification and Compliance Reports, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Program, EE–2J, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC 20585–0121.

(e) *New basic models.* For electric motors, a Compliance Certification must be submitted for a new basic model only if the manufacturer or private labeler has not previously submitted to DOE a Compliance Certification, that meets the requirements of this section, for a basic model that has the same rating as the new basic model, and that has a lower nominal full load efficiency than the new basic model.

(f) *Response to Compliance Certification; Compliance Certification Number (CC number)*—(1) DOE processing of Certification. Promptly upon receipt of a Compliance Certification, the Department will determine whether the document contains all of the elements required by this section, and may, in its discretion, determine whether all or part of the information provided in the document is accurate. The Department will then advise the submitting party in writing either that the Compliance Certification does not satisfy the requirements of this section, in which case the document will be returned, or that the Compliance Certification satisfies this section. The Department will also advise the submitting party of the basis for its determination.

(2) *Issuance of CC number(s).* (i) Initial Compliance Certification. When DOE advises that the initial Compliance Certification submitted by or on behalf of a manufacturer or private labeler is acceptable, either:

(A) DOE will provide a single unique CC number, ''CC_____,'' to the manufacturer or private labeler, and such CC number shall be applicable to all electric motors distributed by the manufacturer or private labeler, or

(B) When required by paragraph (f)(3) of this section, DOE will provide more than one CC number to the manufacturer or private labeler.

(ii) Subsequent Compliance Certification. When DOE advises that any other Compliance Certification is acceptable, it will provide a unique CC

number for any brand name, trademark or other name when required by paragraph (f)(3) of this section.

(iii) When DOE declines to provide a CC number as requested by a manufacturer or private labeler in accordance with §431.36(c), DOE will advise the requester of the reasons for such refusal.

(3) *Issuance of two or more CC numbers.* (i) DOE will provide a unique CC number for each brand name, trademark or other label name for which a manufacturer or private labeler requests such a number in accordance with §431.36(c), except as follows. DOE will not provide a CC number for any brand name, trademark or other label name

(A) For which DOE has previously provided a CC number, or

(B) That duplicates or overlaps with other names under which the manufacturer or private labeler sells electric motors.

(ii) Once DOE has provided a CC number for a particular name, that shall be the only CC number applicable to all electric motors distributed by the manufacturer or private labeler under that name.

(iii) If the Compliance Certification in which a manufacturer or private labeler requests a CC number is the initial Compliance Certification submitted by it or on its behalf, and it distributes electric motors not covered by the CC number(s) DOE provides in response to the request(s), DOE will also provide a unique CC number that shall be applicable to all of these other motors.

[69 FR 61923, Oct. 21, 2004, as amended at 76 FR 59006, Sept. 23, 2011; 77 FR 26638, May 4, 2012]

APPENDIX A TO SUBPART B OF PART 431 [RESERVED]

APPENDIX B TO SUBPART B OF PART 431—UNIFORM TEST METHOD FOR MEASURING THE EFFICIENCY OF ELECTRIC MOTORS

NOTE: Manufacturers of electric motors subject to energy conservation standards in §431.25 must test in accordance with this appendix.

For any other electric motor that is not currently covered by the energy conservation standards at §431.25, manufacturers of this equipment must test in accordance with this appendix 180 days after the effective date of the final rule adopting energy conservation standards for such motor. For any other electric motor that is not currently covered by the energy conservation standards at §431.25, manufacturers choosing to make any representations respecting of energy efficiency for such motors must test in accordance with this appendix.

0. INCORPORATION BY REFERENCE

In §431.15, DOE incorporated by reference the entire standard for CSA C390–10, CSA C747–09, IEC 60034–1:2010, IEC 60034–2–1:2014, IEC 60051–1:2016, IEC 61800–9–2:2017, IEEE 112–2017, IEEE 114–2010, and NEMA MG 1–2016; however, only enumerated provisions of those documents are applicable as follows. In cases where there is a conflict, the language of this appendix takes precedence over those documents. Any subsequent amendment to a referenced document by the standard-setting organization will not affect the test procedure in this appendix, unless and until the test procedure is amended by DOE.

0.1. CSA C390–10

(a) Section 1.3 ''Scope,'' as specified in sections 2.1.1 and 2.3.3.2 of this appendix;

(b) Section 3.1 ''Definitions,'' as specified in sections 2.1.1 and 2.3.3.2 of this appendix;

(c) Section 5 ''General test requirements—Measurements,'' as specified in sections 2.1.1 and 2.3.3.2 of this appendix;

(d) Section 7 ''Test method,'' as specified in sections 2.1.1 and 2.3.3.2 of this appendix;

(e) Table 1 ''Resistance measurement time delay,'' as specified in sections 2.1.1 and 2.3.3.2 of this appendix;

(f) Annex B ''Linear regression analysis,'' as specified in sections 2.1.1 and 2.3.3.2 of this appendix; and

(g) Annex C ''Procedure for correction of dynamometer torque readings'' as specified in sections 2.1.1 and 2.3.3.2 of this appendix.

0.2. CSA C747–09

(a) Section 1.6 ''Scope'' as specified in sections 2.3.1.2 and 2.3.2.2 of this appendix;

(b) Section 3 ''Definitions'' as specified in sections 2.3.1.2 and 2.3.2.2 of this appendix;

(c) Section 5 ''General test requirements'' as specified in sections 2.3.1.2 and 2.3.2.2 of this appendix; and

(d) Section 6 ''Test method'' as specified in sections 2.3.1.2 and 2.3.2.2 of this appendix.

0.3. IEC 60034–1:2010

(a) Section 4.2.1 as specified in section 1.2 of this appendix;

(b) Section 7.2 as specified in sections 2.1.2, 2.3.1.3, 2.3.2.3, and 2.3.3.3 of this appendix;

(c) Section 8.6.2.3.3 as specified in sections 2.1.2, 2.3.1.3, 2.3.2.3, and 2.3.3.3 of this appendix; and

(d) Table 5 as specified in sections 2.1.2, 2.3.1.3, 2.3.2.3, and 2.3.3.3 of this appendix.

0.4. IEC 60034–2–1:2014

(a) Method 2–1–1A (which also includes paragraphs (b) through (f) of this section) as specified in sections 2.3.1.3 and 2.3.2.3 of this appendix;
(b) Method 2–1–1B (which also includes paragraphs (b) through (e), (g), and (i) of this section) as specified in sections 2.1.2 and 2.3.3.3 of this appendix;
(c) Section 3 ''Terms and definitions'' as specified in sections 2.1.2, 2.3.1.3, 2.3.2.3, 2.3.3.3, and 2.4.1 of this appendix;
(d) Section 4 ''Symbols and abbreviations'' as specified in sections 2.1.2, 2.3.1.3, 2.3.2.3, 2.3.3.3 and 2.4.1 of this appendix;
(e) Section 5 ''Basic requirements'' as specified in sections 2.1.2, 2.3.1.3, 2.3.2.3, 2.3.3.3, and 2.4.1 of this appendix;
(f) Section 6.1.2 ''Method 2–1–1A—Direct measurement of input and output'' (except Section 6.1.2.2, ''Test Procedure'') as specified in sections 2.3.1.3 and 2.3.2.3 of this appendix;
(g) Section 6.1.3 ''Method 2–1–1B—Summations of losses, additional load losses according to the method of residual losses'' as specified in sections 2.1.2 and 2.3.3.3 of this appendix; and
(h) Section 7.1. ''Preferred Testing Methods'' as specified in section 2.4.1 of this appendix;
(i) Annex D, ''Test report template for 2–1–1B'' as specified in sections 2.1.2 and 2.3.3.3 of this appendix.

0.5. IEC 60051–1:2016

(a) Section 5.2 as specified in sections 2.1.2, 2.3.1.3, 2.3.2.3, and 2.3.3.3 of this appendix; and
(b) [Reserved].

0.6. IEC 61800–9–2:2017

(a) Section 3 ''Terms, definitions, symbols, and abbreviated terms'' as specified in sections 2.4.2 and 2.4.3 of this appendix;
(b) Section 7.7.2, ''Input-output measurement of PDS losses'' as specified in sections 2.4.2 and 2.4.3 of this appendix;
(c) Section 7.7.3.1, ''General'' as specified in sections 2.4.2 and 2.4.3 of this appendix;
(d) Section 7.7.3.2. ''Power analyser and transducers'' as specified in sections 2.4.2 and 2.4.3 of this appendix;
(e) Section 7.7.3.3, ''Mechanical Output of the motor'' as specified in sections 2.4.2 and 2.4.3 of this appendix;
(f) Section 7.7.3.5, ''PDS loss determination according to input-output method'' as specified in sections 2.4.2 and 2.4.3 of this appendix;
(g) Section 7.10 ''Testing Conditions for PDS testing'' as specified in sections 2.4.2 and 2.4.3 of this appendix.

0.7. IEEE 112–2017

(a) Test Method A (which also includes paragraphs (c) through (g), (i), and (j) of this section) as specified in section 2.3.2.1 of this appendix;
(b) Test Method B (which also includes paragraphs (c) through (f), (h), (k) and (l) of this section) as specified in sections 2.1.3 and 2.3.3.1 of this appendix;
(c) Section 3, ''General'' as specified in sections 2.1.3, 2.3.2.1, and 2.3.3.1 of this appendix;
(d) Section 4, ''Measurements'' as specified in sections 2.1.3, 2.3.2.1, and 2.3.3.1 of this appendix;
(e) Section 5, ''Machine losses and tests for losses'' as specified in sections 2.1.3, 2.3.2.1, and 2.3.3.1 of this appendix;
(f) Section 6.1, ''General'' as specified in sections 2.1.3, 2.3.2.1, and 2.3.3.1 of this appendix;
(g) Section 6.3, ''Efficiency test method A—Input-output'' as specified in section 2.3.2.1 of this appendix;
(h) Section 6.4, ''Efficiency test method B—Input-output'' as specified in sections 2.1.3 and 2.3.3.1 of this appendix;
(i) Section 9.2, ''Form A—Method A'' as specified in section 2.3.2.1 of this appendix;
(j) Section 9.3, ''Form A2—Method A calculations'' as specified in section 2.3.2.1 of this appendix;
(k) Section 9.4, ''Form B—Method B'' as specified in sections 2.1.3, and 2.3.3.1 of this appendix; and
(l) Section 9.5, ''Form B2—Method B calculations'' as specified in sections 2.1.3 and 2.3.3.1 of this appendix.

0.8. IEEE 114–2010

(a) Section 3.2, ''Test with load'' as specified in section 2.3.1.1 of this appendix;
(b) Section 4, ''Testing Facilities as specified in section 2.3.1.1 of this appendix;
(c) Section 5, ''Measurements'' as specified in section 2.3.1.1 of this appendix;
(d) Section 6, ''General'' as specified in section 2.3.1.1 of this appendix;
(e) Section 7, ''Type of loss'' as specified in section 2.3.1.1 of this appendix;
(f) Section 8, ''Efficiency and Power Factor'' as specified in section 2.3.1.1 of this appendix;
(g) Section 10 ''Temperature Tests'' as specified in section 2.4.1.1 of this appendix;
(h) Annex A, Section A.3 ''Determination of Motor Efficiency'' as specified in section 2.4.1.1 of this appendix; and
(i) Annex A, Section A.4 ''Explanatory notes for form 3, test data'' as specified in section 2.4.1.1 of this appendix.

0.9. NEMA MG 1–2016

(a) Paragraph 1.40.1, ''Continuous Rating'' as specified in section 1.2 of this appendix;
(b) Paragraph 12.58.1, ''Determination of Motor Efficiency and Losses'' as specified in the introductory paragraph to section 2.1 of this appendix, and

(c) Paragraph 34.1, ''Applicable Motor Efficiency Test Methods'' as specified in section 2.2 of this appendix;

(d) Paragraph 34.2.2 ''AO Temperature Test Procedure 2—Target Temperature with Airflow'' as specified in section 2.2 of this appendix;

(e) Paragraph 34.4, ''AO Temperature Test Procedure 2—Target Temperature with Airflow'' as specified in section 2.2 of this appendix.

1. SCOPE AND DEFINITIONS

1.1 *Scope.* The test procedure applies to the following categories of electric motors: Electric motors that meet the criteria listed at §431.25(g); Electric motors above 500 horsepower; Small, non-small-electric-motor electric motor; and Electric motors that are synchronous motors; and excludes the following categories of motors: inverter-only electric motors that are air-over electric motors, component sets of an electric motor, liquid-cooled electric motors, and submersible electric motors.

1.2 *Definitions.* Definitions contained in §§431.2 and 431.12 are applicable to this appendix, in addition to the following terms (''MG1'' refers to NEMA MG 1–2016 and IEC refers to IEC 60034–1:2010 and IEC 60072–1):

Electric motors above 500 horsepower is defined as an electric motor having a rated horsepower above 500 and up to 750 hp that meets the criteria listed at §431.25(g), with the exception of criteria §431.25(g)(8).

Small, non-small-electric-motor electric motor (''SNEM'') means an electric motor that:

(a) Is not a small electric motor, as defined §431.442 and is not a dedicated-purpose pool pump motor as defined at §431.483;

(b) Is rated for continuous duty (MG 1) operation or for duty type S1 (IEC);

(c) Operates on polyphase or single-phase alternating current 60-hertz (Hz) sinusoidal line power; or is used with an inverter that operates on polyphase or single-phase alternating current 60-hertz (Hz) sinusoidal line power;

(d) Is rated for 600 volts or less;

(e) Is a single-speed induction motor capable of operating without an inverter or is an inverter-only electric motor;

(f) Produces a rated motor horsepower greater than or equal to 0.25 horsepower (0.18 kW); and

(g) Is built in the following frame sizes: any two-, or three-digit NEMA frame size (or IEC metric equivalent) if the motor operates on single-phase power; any two-, or three-digit NEMA frame size (or IEC metric equivalent) if the motor operates on polyphase power, and has a rated motor horsepower less than 1 horsepower (0.75 kW); or a two-digit NEMA frame size (or IEC metric equivalent), if the motor operates on polyphase power, has a rated motor horsepower equal to or greater than 1 horsepower (0.75 kW), and is not an enclosed 56 NEMA frame size (or IEC metric equivalent).

Synchronous Electric Motor means an electric motor that:

(a) Is not a dedicated-purpose pool pump motor as defined at §431.483 or is not an air-over electric motor;

(b) Is a synchronous electric motor;

(c) Is rated for continuous duty (MG 1) operation or for duty type S1 (IEC);

(d) Operates on polyphase or single-phase alternating current 60-hertz (Hz) sinusoidal line power; or is used with an inverter that operates on polyphase or single-phase alternating current 60-hertz (Hz) sinusoidal line power;

(e) Is rated 600 volts or less;

(f) Produces at least 0.25 hp (0.18 kW) but not greater than 750 hp (559 kW).

2. TEST PROCEDURES

2.1. Test Procedures for Electric Motors that meet the criteria listed at §431.25(g), and electric motors above 500 horsepower that are capable of operating without an inverter. Air-over electric motors must be tested in accordance with Section 2.2. Inverter-only electric motors must be tested in accordance with 2.4.

Efficiency and losses must be determined in accordance with NEMA MG 1–2016, Paragraph 12.58.1, ''Determination of Motor Efficiency and Losses,'' or one of the following testing methods:

2.1.1. CSA C390–10 (see section 0.1 of this appendix)

2.1.2. IEC 60034–2–1:2014, Method 2–1–1B (see section 0.4(b) of this appendix). The supply voltage shall be in accordance with Section 7.2 of IEC 60034–1:2010. The measured resistance at the end of the thermal test shall be determined in a similar way to the extrapolation procedure described in Section 8.6.2.3.3 of IEC 60034–1:2010, using the shortest possible time instead of the time interval specified in Table 5 to IEC 60034–1:2010, and extrapolating to zero. The measuring instruments for electrical quantities shall have the equivalent of an accuracy class of 0,2 in case of a direct test and 0,5 in case of an indirect test in accordance with Section 5.2 of IEC 60051–1:2016, or

2.1.3. IEEE 112–2017, Test Method B (see section 0.7(b) of this appendix).

2.2. Test Procedures for Air-Over Electric Motors

Except noted otherwise in section 2.2.1 and 2.2.2 of this appendix, efficiency and losses of air-over electric motors must be determined in accordance with NEMA MG 1–2016 (excluding Paragraph 12.58.1).

2.2.1. The provisions in Paragraph 34.4.1.a.1 of NEMA MG 1–2016 related to the determination of the target temperature for polyphase motors must be replaced by a single target temperature of 75 °C for all insulation classes.

2.2.2. The industry standards listed in Paragraph 34.1 of NEMA MG 1–2016, ''Applicable Motor Efficiency Test Methods'' must correspond to the versions identified in section 0 of this appendix, specifically IEEE 112–2017, IEEE 114–2010, CSA C390–10, CSA C747–09, and IEC 60034–2–1:2014. In addition, when testing in accordance with IEC 60034–2–1:2014, the additional testing instructions in section 2.1.2 of this appendix apply.

2.3. Test Procedures for SNEMs capable of operating without an inverter. Air-over SNEMs must be tested in accordance with section 2.2. of this appendix. Inverter-only SNEMs must be tested in accordance with section 2.4. of this appendix.

2.3.1. The efficiencies and losses of single-phase SNEMs that are not air-over electric motors and are capable of operating without an inverter, are determined using one of the following methods:

2.3.1.1. IEEE 114–2010 (see section 0.8 of this appendix);

2.3.1.2. CSA C747–09 (see section 0.2 of this appendix), or

2.3.1.3. IEC 60034–2–1:2014 Method 2–1–1A (see section 0.4(a) of this appendix),. The supply voltage shall be in accordance with Section 7.2 of IEC 60034–1:2010. The measured resistance at the end of the thermal test shall be determined in a similar way to the extrapolation procedure described in Section 8.6.2.3.3 of IEC 60034–1:2010, using the shortest possible time instead of the time interval specified in Table 5 of IEC 60034–1:2010, and extrapolating to zero. The measuring instruments for electrical quantities shall have the equivalent of an accuracy class of 0,2 in case of a direct test and 0,5 in case of an indirect test in accordance with Section 5.2 of IEC 60051–1:2016.

2.3.1.3.1. *Additional IEC 60034–2–1:2014 Method 2–1–1A Torque Measurement Instructions.* If using IEC 60034–2–1:2014 Method 2–1–1A to measure motor performance, follow the instructions in section 2.3.1.3.2. of this appendix, instead of Section 6.1.2.2 of IEC 60034–2–1:2014;

2.3.1.3.2. Couple the machine under test to a load machine. Measure torque using an in-line, shaft-coupled, rotating torque transducer or stationary, stator reaction torque transducer. Operate the machine under test at the rated load until thermal equilibrium is achieved (rate of change 1 K or less per half hour). Record U, I, Pel, n, T, θc.

2.3.2. The efficiencies and losses of polyphase electric motors considered with rated horsepower less than 1 that are not air-over electric motors, and are capable of operating without an inverter, are determined using one of the following methods:

2.3.2.1. IEEE 112–2017 Test Method A (see section 0.7(a) of this appendix);

2.3.2.2. CSA C747–09 (see section 0.2 of this appendix); or

2.3.2.3. IEC 60034–2–1:2014 Method 2–1–1A (see section 0.4(a) of this appendix). The supply voltage shall be in accordance with Section 7.2 of IEC 60034–1:2010. The measured resistance at the end of the thermal test shall be determined in a similar way to the extrapolation procedure described in Section 8.6.2.3.3 of IEC 60034–1:2010 using the shortest possible time instead of the time interval specified in Table 5 of IEC 60034–1:2010, and extrapolating to zero. The measuring instruments for electrical quantities shall have the equivalent of an accuracy class of 0,2 in case of a direct test and 0,5 in case of an indirect test in accordance with Section 5.2 of IEC 60051–1:2016.

2.3.2.3.1. *Additional IEC 60034–2–1:2014 Method 2–1–1A Torque Measurement Instructions.* If using IEC 60034–2–1:2014 Method 2–1–1A to measure motor performance, follow the instructions in section 2.3.2.3.2. of this appendix, instead of Section 6.1.2.2 of IEC 60034–2–1:2014;

2.3.2.3.2. Couple the machine under test to load machine. Measure torque using an in-line shaft-coupled, rotating torque transducer or stationary, stator reaction torque transducer. Operate the machine under test at the rated load until thermal equilibrium is achieved (rate of change 1 K or less per half hour). Record U, I, Pel, n, T, θc.

2.3.3. The efficiencies and losses of polyphase SNEMs with rated horsepower equal to or greater than 1 that are not air-over electric motors, and are capable of operating without an inverter, are determined using one of the following methods:

2.3.3.1. IEEE 112–2017 Test Method B (see section 0.7(b) of this appendix);

2.3.3.2. CSA C390–10 (see section 0.1 of this appendix); or

2.3.3.3. IEC 60034–2–1:2014 Method 2–1–1B (see section 0.4(b) of this appendix). The supply voltage shall be in accordance with Section 7.2 of IEC 60034–1:2010. The measured resistance at the end of the thermal test shall be determined in a similar way to the extrapolation procedure described in Section 8.6.2.3.3 of IEC 60034–1:2010 using the shortest possible time instead of the time interval specified in Table 5 of IEC 60034–1:2010, and extrapolating to zero. The measuring instruments for electrical quantities shall have the equivalent of an accuracy class of 0,2 in case of a direct test and 0,5 in case of an indirect test in accordance with Section 5.2 of IEC 60051–1:2016.

2.4. Test Procedures for Electric Motors that are Synchronous Motors and Inverter-only Electric Motors

Section 2.4.1 of this appendix applies to electric motors that are synchronous motors that do not require an inverter to operate. Sections 2.4.2. and 2.4.3. of this appendix apply to electric motors that are synchronous motors and are inverter-only; and

to induction electric motors that are inverter-only electric motors.

2.4.1. The efficiencies and losses of electric motors that are synchronous motors that do not require an inverter to operate, are determined in accordance with IEC 60034–2–1:2014, Section 3 ''Terms and definitions,'' Section 4 ''Symbols and abbreviations,'' Section 5 ''Basic requirements,'' and Section 7.1. ''Preferred Testing Methods.''

2.4.2. The efficiencies and losses of electric motors (inclusive of the inverter) that are that are inverter-only and do not include an inverter, are determined in accordance with IEC 61800–9–2:2017. Test must be conducted using an inverter that is listed as recommended in the manufacturer's catalog or that is offered for sale with the electric motor. If more than one inverter is available in manufacturer's catalogs or if more than one inverter is offered for sale with the electric motor, test using the least efficient inverter. Record the manufacturer, brand and model number of the inverter used for the test. If there are no inverters specified in the manufacturer catalogs or offered for sale with the electric motor, testing must be conducted using an inverter that meets the criteria described in section 2.4.2.2. of this appendix.

2.4.2.1. The inverter shall be set up according to the manufacturer's instructional and operational manual included with the product. Manufacturers shall also record switching frequency in Hz, max frequency in Hz, Max output voltage in V, motor control method (*i.e.,* V/f ratio, sensor less vector, etc.), load profile setting (constant torque, variable torque, etc.), and saving energy mode (if used). Deviation from the resulting settings, such as switching frequency or load torque curves for the purpose of optimizing test results shall not be permitted.

2.4.2.2. If there are no inverters specified in the manufacturer catalogs or offered for sale with the electric motor, test with a two-level voltage source inverter. No additional components influencing output voltage or output current shall be installed between the inverter and the motor, except those required for the measuring instruments. For motors with a rated speed up to 3 600 min–1, the switching frequency shall not be higher than 5 kHz. For motors with a rated speed above 3 600 min–1, the switching frequency shall not be higher than 10 kHz. Record the manufacturer, brand and model number of the inverter used for the test.

2.4.3. The efficiencies and losses of electric motors (inclusive of the inverter) that are inverter-only and include an inverter are determined in accordance with IEC 61800–9–2:2017.

2.4.3.1. The inverter shall be set up according to the manufacturer's instructional and operational manual included with the product. Manufacturers shall also record switching frequency in Hz, max frequency in Hz, Max output voltage in V, motor control method (*i.e.,* V/f ratio, sensor less vector, etc.), load profile setting (constant torque, variable torque, etc.), and saving energy mode (if used). Deviation from the resulting settings, such as switching frequency or load torque curves for the purpose of optimizing test results shall not be permitted.

3. Procedures for the Testing of Certain Electric Motor Categories

Prior to testing according to section 2 of this appendix, each basic model of the electric motor categories listed below must be set up in accordance with the instructions of this section to ensure consistent test results. These steps are designed to enable a motor to be attached to a dynamometer and run continuously for testing purposes. For the purposes of this appendix, a ''standard bearing'' is a 600- or 6000-series, either open or grease-lubricated double-shielded, single-row, deep groove, radial ball bearing.

3.1. Brake Electric Motors:

Brake electric motors shall be tested with the brake component powered separately from the motor such that it does not activate during testing. Additionally, for any 10-minute period during the test and while the brake is being powered such that it remains disengaged from the motor shaft, record the power consumed (*i.e.,* watts). Only power used to drive the motor is to be included in the efficiency calculation; power supplied to prevent the brake from engaging is not included in this calculation. In lieu of powering the brake separately, the brake may be disengaged mechanically, if such a mechanism exists and if the use of this mechanism does not yield a different efficiency value than separately powering the brake electrically.

3.2. Close-Coupled Pump Electric Motors and Electric Motors with Single or Double Shaft Extensions of Non-Standard Dimensions or Design:

To attach the unit under test to a dynamometer, close-coupled pump electric motors and electric motors with single or double shaft extensions of non-standard dimensions or design must be tested using a special coupling adapter.

3.3. Electric Motors with Non-Standard Endshields or Flanges:

If it is not possible to connect the electric motor to a dynamometer with the non-standard endshield or flange in place, the testing laboratory shall replace the non-standard endshield or flange with an endshield or flange meeting NEMA or IEC specifications. The replacement component should be obtained from the manufacturer or, if the manufacturer chooses, machined by the testing laboratory after consulting with the manufacturer regarding the critical characteristics of the endshield.

3.4. Electric Motors with Non-Standard Bases, Feet or Mounting Configurations:

An electric motor with a non-standard base, feet, or mounting configuration may be mounted on the test equipment using adaptive fixtures for testing as long as the mounting or use of adaptive mounting fixtures does not have an adverse impact on the performance of the electric motor, particularly on the cooling of the motor.

3.5. Electric Motors with a Separately-Powered Blower:

For electric motors furnished with a separately-powered blower, the losses from the blower's motor should not be included in any efficiency calculation. This can be done either by powering the blower's motor by a source separate from the source powering the electric motor under test or by connecting leads such that they only measure the power of the motor under test.

3.6. Immersible Electric Motors:

Immersible electric motors shall be tested with all contact seals removed but be otherwise unmodified.

3.7. Partial Electric Motors:

Partial electric motors shall be disconnected from their mated piece of equipment. After disconnection from the equipment, standard bearings and/or endshields shall be added to the motor, such that it is capable of operation. If an endshield is necessary, an endshield meeting NEMA or IEC specifications should be obtained from the manufacturer or, if the manufacturer chooses, machined by the testing laboratory after consulting with the manufacturer regarding the critical characteristics of the endshield.

3.8. Vertical Electric Motors and Electric Motors with Bearings Incapable of Horizontal Operation:

Vertical electric motors and electric motors with thrust bearings shall be tested in a horizontal or vertical configuration in accordance with the applicable test procedure under section 2 through section 2.4.3. of this appendix, depending on the testing facility's capabilities and construction of the motor, except if the motor is a vertical solid shaft normal thrust general purpose electric motor (subtype II), in which case it shall be tested in a horizontal configuration in accordance with the applicable test procedure under section 2 through section 2.4.3. of this appendix. Preference shall be given to testing a motor in its native orientation. If the unit under test cannot be reoriented horizontally due to its bearing construction, the electric motor's bearing(s) shall be removed and replaced with standard bearings. If the unit under test contains oil-lubricated bearings, its bearings shall be removed and replaced with standard bearings. If necessary, the unit under test may be connected to the dynamometer using a coupling of torsional rigidity greater than or equal to that of the motor shaft.

[87 FR 63657, Oct. 19, 2022]

APPENDIX C TO SUBPART B OF PART 431—COMPLIANCE CERTIFICATION

CERTIFICATION OF COMPLIANCE WITH ENERGY EFFICIENCY STANDARDS FOR ELECTRIC MOTORS (OFFICE OF MANAGEMENT AND BUDGET CONTROL NUMBER: 1910–1400. EXPIRES FEBRUARY 13, 2014)

An electronic form is available at *https://www.regulations.doe.gov/ccms/.*

1. Name and Address of Company (the ''company''):

_____

_____

_____

_____

2. Name(s) to be Marked on Electric Motors to Which this Compliance Certification Applies:

_____

_____

_____

_____

3. If manufacturer or private labeler wishes to receive a unique Compliance Certification number for use with any particular brand name, trademark, or other label name, fill out the following two items:

A. List each brand name, trademark, or other label name for which the company requests a Compliance Certification number:

_____

_____

_____

B. List other name(s), if any, under which the company sells electric motors (if not listed in item 2 above):

_____

_____

_____

Submit electronically at *https://www.regulations.doe.gov/ccms.*

Submit paper form by Certified Mail to: U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies (EE–2J), Forrestal Building, 1000 Independence Avenue, SW., Washington, DC 20585–0121.

This Compliance Certification reports on and certifies compliance with requirements contained in 10 CFR Part 431 (Energy Conservation Program for Certain Commercial and Industrial Equipment) and Part C of the Energy Policy and Conservation Act (Pub. L. 94–163), and amendments thereto. It is signed by a responsible official of the above named company. Attached and incorporated as part

of this Compliance Certification is a Listing of Electric Motor Efficiencies. For each rating of electric motor* for which the Listing specifies the nominal full load efficiency of a basic model, the company distributes no less efficient basic model with that rating and all basic models with that rating comply with the applicable energy efficiency standard.

*For this purpose, the term ''rating'' means one of the combinations of an electric motor's horsepower (or standard kilowatt equivalent), number of poles, motor type, and open or enclosed construction, with respect to which § 431.25 of 10 CFR Part 431 prescribes nominal full load efficiency standards.

Person to Contact for Further Information:

Name: _____

Address: _____

_____

_____

_____

Telephone Number: _____

Facsimile Number: _____

If any part of this Compliance Certification, including the Attachment, was prepared by a third party organization under the provisions of 10 CFR 431.36, the company official authorizing third party representations:

Name: _____

Address: _____

_____

_____

_____

Telephone Number: _____

Facsimile Number: _____

Third Party Organization Officially Acting as Representative:

Third Party Organization: _____

Responsible Person at the Organization: _____

_____

Address: _____

_____

_____

_____

Telephone Number: _____

Facsimile Number: _____

All required determinations on which this Compliance Certification is based were made in conformance with the applicable requirements in 10 CFR Part 431, subpart B. All information reported in this Compliance Certification is true, accurate, and complete. The company is aware of the penalties associated with violations of the Act and the regulations thereunder, and is also aware of the provisions contained in 18 U.S.C. 1001, which prohibits knowingly making false statements to the Federal Government.

Signature: _____

Date: _____

Name: _____

Title: _____

Firm or Organization: _____

ATTACHMENT OF CERTIFICATION OF COMPLIANCE WITH ENERGY EFFICIENCY STANDARDS FOR ELECTRIC MOTOR EFFICIENCIES

Date: _____

Name of Company: _____

Motor Type (i.e., general purpose electric motor (subtype I), fire pump electric motor, general purpose electric motor (subtype II), NEMA Design B general purpose electric motor)

_____

Motor horsepower/standard kilowatt equivalent	Least efficient basic model—(model numbers(s)) Nominal full-load efficiency							
	Open motors (number of poles)				Enclosed motors (number of poles)			
	8	6	4	2	8	6	4	2
1/.75								
1.5/1.1								
2/1.5								
3/2.2								
5/3.7								

Motor horsepower/standard kilowatt equivalent	Least efficient basic model—(model numbers(s)) Nominal full-load efficiency							
	Open motors (number of poles)				Enclosed motors (number of poles)			
	8	6	4	2	8	6	4	2
Etc								

Note: Place an asterisk beside each reported nominal full load efficiency that is determined by actual testing rather than by application of an alternative efficiency determination method. Also list below additional basic models that were subjected to actual testing.

Basic Model means all units of a given type of electric motor (or class thereof) manufactured by a single manufacturer, and which (i) have the same rating, (ii) have electrical design characteristics that are essentially identical, and (iii) do not have any differing physical or functional characteristics that affect energy consumption or efficiency.

Rating means one of the combinations of an electric motor's horsepower (or standard kilowatt equivalent), number of poles, motor type, and open or enclosed construction, with respect to which §431.25 of 10 CFR Part 431 prescribes nominal full load efficiency standards.

MODELS ACTUALLY TESTED AND NOT PREVIOUSLY IDENTIFIED

Motor horsepower/standard kilowatt equivalent	Least efficient basic model—(model numbers(s)) Nominal full-load efficiency							
	Open motors (number of poles)				Enclosed motors (number of poles)			
	8	6	4	2	8	6	4	2
_____								
_____								
_____								
_____								
_____								
_____								
Etc								

[69 FR 61923, Oct. 21, 2004, as amended at 76 FR 59006, Sept. 23, 2011]

Subpart C—Commercial Refrigerators, Freezers and Refrigerator-Freezers

SOURCE: 70 FR 60414, Oct. 18, 2005, unless otherwise noted.

§ 431.61 Purpose and scope.

This subpart contains energy conservation requirements for commercial refrigerators, freezers and refrigerator-freezers, pursuant to Part C of Title III of the Energy Policy and Conservation Act, as amended, 42 U.S.C. 6311–6317.

§ 431.62 Definitions concerning commercial refrigerators, freezers and refrigerator-freezers.

Air-curtain angle means:

(1) For equipment without doors and without a discharge air grille or discharge air honeycomb, the angle between a vertical line extended down from the highest point on the manufacturer's recommended load limit line and the load limit line itself, when the equipment is viewed in cross-section; and

(2) For all other equipment without doors, the angle formed between a vertical line and the straight line drawn by connecting the point at the inside edge of the discharge air opening with the point at the inside edge of the return air opening, when the equipment is viewed in cross-section.

Basic model means all commercial refrigeration equipment manufactured by one manufacturer within a single equipment class, having the same primary energy source, and that have essentially identical electrical, physical, and functional characteristics that affect energy consumption.

Blast chiller means commercial refrigeration equipment, other than a blast freezer, that is capable of the rapid temperature pull-down of hot food products from 135 °F to 40 °F within a period of four hours, when measured according to the test procedure at appendix D to subpart C of part 431.

Blast freezer means commercial refrigeration equipment that is capable of the rapid temperature pull-down of hot food products from 135 °F to 40 °F within a period of four hours and capable of achieving a final product temperature of less than 32 °F, when measured according to the test procedure at appendix D to subpart C of this part.

Buffet table or preparation table means a commercial refrigerator with an open-top refrigerated area, that may or may not include a lid, for displaying or storing merchandise and other perishable materials in pans or other removable containers for customer self-service or food production and assembly. The unit may or may not be equipped with a refrigerated storage compartment underneath the pans or other removable containers that is not thermally separated from the open-top refrigerated area.

Chef base or griddle stand means commercial refrigeration equipment that has a maximum height of 32 in., including any legs or casters, and that is designed and marketed for the express purpose of having a griddle or other cooking appliance placed on top of it that is capable of reaching temperatures hot enough to cook food.

Closed solid means equipment with doors, and in which more than 75 percent of the outer surface area of all doors on a unit are not transparent.

Closed transparent means equipment with doors, and in which 25 percent or more of the outer surface area of all doors on the unit are transparent.

Commercial freezer means a unit of commercial refrigeration equipment in which all refrigerated compartments in the unit are capable of operating below 32 °F (±2 °F).

Commercial hybrid means a unit of commercial refrigeration equipment:

(1) That consists of two or more thermally separated refrigerated compartments that are in two or more different equipment families, and

(2) That is sold as a single unit.

Commercial refrigerator means a unit of commercial refrigeration equipment in which all refrigerated compartments in the unit are capable of operating at or above 32 °F (±2 °F).

Commercial refrigerator-freezer means a unit of commercial refrigeration equipment consisting of two or more refrigerated compartments where at least one refrigerated compartment is capable of operating at or above 32 °F (±2 °F) and at least one refrigerated compartment is capable of operating below 32 °F (±2 °F).

Commercial refrigerator, freezer, and refrigerator-freezer means refrigeration equipment that—

(1) Is not a consumer product (as defined in § 430.2 of this chapter);

(2) Is not designed and marketed exclusively for medical, scientific, or research purposes;

(3) Operates at a chilled, frozen, combination chilled and frozen, or variable temperature;

(4) Displays or stores merchandise and other perishable materials horizontally, semi-vertically, or vertically;

(5) Has transparent or solid doors, sliding or hinged doors, a combination of hinged, sliding, transparent, or solid doors, or no doors;

(6) Is designed for pull-down temperature applications or holding temperature applications; and

(7) Is connected to a self-contained condensing unit or to a remote condensing unit.

Customer order storage cabinet means a commercial refrigerator, freezer, or refrigerator-freezer that stores customer orders and includes individual, secured compartments with doors that are accessible to customers for order retrieval.

Door means a movable panel that separates the interior volume of a unit of commercial refrigeration equipment from the ambient environment and is designed to facilitate access to the refrigerated space for the purpose of loading and unloading product. This includes hinged doors, sliding doors, and drawers. This does not include night curtains.

Door angle means:

(1) For equipment with flat doors, the angle between a vertical line and the line formed by the plane of the door, when the equipment is viewed in cross-section; and

(2) For equipment with curved doors, the angle formed between a vertical line and the straight line drawn by connecting the top and bottom points where the display area glass joins the cabinet, when the equipment is viewed in cross-section.

Fully open (for drawers) means opened not less than 80% of their full travel.

High-temperature refrigerator means a commercial refrigerator that is not capable of an operating temperature at or below 40.0 °F.

Holding temperature application means a use of commercial refrigeration equipment other than a pull-down temperature application, except a blast chiller or freezer.

Horizontal Closed means equipment with hinged or sliding doors and a door angle greater than or equal to 45°.

Horizontal Open means equipment without doors and an air-curtain angle greater than or equal to 80° from the vertical.

Ice-cream freezer means:

(1) Prior to the compliance date(s) of any amended energy conservation standard(s) issued after January 1, 2023 for ice-cream freezers (see § 431.66), a commercial freezer that is capable of an operating temperature at or below −5.0 °F and that the manufacturer designs, markets, or intends specifically for the storing, displaying, or dispensing of ice cream or other frozen desserts; or

(2) Upon the compliance date(s) of any amended energy conservation standard(s) issued after January 1, 2023 for ice-cream freezers (see § 431.66), a commercial freezer that is capable of an operating temperature at or below −13.0 °F and that the manufacturer designs, markets, or intends specifically for the storing, displaying, or dispensing of ice cream or other frozen desserts.

Integrated average temperature means the average temperature of all test package measurements taken during the test.

Lighting occupancy sensor means a device which uses passive infrared, ultrasonic, or other motion-sensing technology to automatically turn off or dim lights within the equipment when no motion is detected in the sensor's coverage area for a certain preset period of time.

Lowest application product temperature means the integrated average temperature (or for buffet tables or preparation tables, the average pan temperature of all measurements taken during the test) at which a given basic model is capable of consistently operating that is closest to the integrated average temperature (or for buffet tables or preparation tables, the average pan

temperature of all measurements taken during the test) specified for testing under the DOE test procedure (see § 431.64).

Low-temperature freezer means a commercial freezer that is not an ice-cream freezer.

Medium-temperature refrigerator means a commercial refrigerator that is capable of an operating temperature at or below 40.0 °F.

Mobile refrigerated cabinet means commercial refrigeration equipment that is designed and marketed to operate only without a continuous power supply.

Night curtain means a device which is temporarily deployed to decrease air exchange and heat transfer between the refrigerated case and the surrounding environment.

Operating temperature means the range of integrated average temperatures at which a self-contained commercial refrigeration unit or remote-condensing commercial refrigeration unit with a thermostat is capable of operating or, in the case of a remote-condensing commercial refrigeration unit without a thermostat, the range of integrated average temperatures at which the unit is marketed, designed, or intended to operate.

Pull-down temperature application means a commercial refrigerator with doors that, when fully loaded with 12-ounce beverage cans at 90 degrees F, can cool those beverages to an average stable temperature of 38 degrees F in 12 hours or less.

Rating temperature means the integrated average temperature a unit must maintain during testing (*i.e.*, either as listed in the table at § 431.66(d)(1) or the lowest application product temperature).

Remote condensing unit means a factory-made assembly of refrigerating components designed to compress and liquefy a specific refrigerant that is remotely located from the refrigerated equipment and consists of one or more refrigerant compressors, refrigerant condensers, condenser fans and motors, and factory supplied accessories.

Scheduled lighting control means a device which automatically shuts off or dims the lighting in a display case at scheduled times throughout the day.

Self-contained condensing unit means a factory-made assembly of refrigerating components designed to compress and liquefy a specific refrigerant that is an integral part of the refrigerated equipment and consists of one or more refrigerant compressors, refrigerant condensers, condenser fans and motors, and factory-supplied accessories.

Semivertical Open means equipment without doors and an air-curtain angle greater than or equal to 10° and less than 80° from the vertical.

Service over counter means equipment that has sliding or hinged doors in the back intended for use by sales personnel, with glass or other transparent material in the front for displaying merchandise, and that has a height not greater than 66 in. and is intended to serve as a counter for transactions between sales personnel and customers.

Test package means a packaged material that is used as a standard product temperature-measuring device.

Transparent means greater than or equal to 45 percent light transmittance, as determined in accordance with ASTM E1084–86 (Reapproved 2009) (incorporated by reference, see § 431.63) at normal incidence and in the intended direction of viewing.

Vertical Closed means equipment with hinged or sliding doors and a door angle less than 45°.

Vertical Open means equipment without doors and an air-curtain angle greater than or equal to 0° and less than 10° from the vertical.

Wedge case means a commercial refrigerator, freezer, or refrigerator-freezer that forms the transition between two regularly shaped display cases.

[88 FR 66222, Sept. 26, 2023]

TEST PROCEDURES

§ 431.63 Materials incorporated by reference.

(a) Certain material is incorporated by reference into this subpart with the approval of the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in this section, the DOE must publish a document in the FEDERAL REGISTER and the material must be available to

the public. All approved incorporation by reference (IBR) material is available for inspection at DOE and at the National Archives and Records Administration (NARA). Contact DOE at: the U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Program, 1000 Independence Avenue SW, EE–5B, Washington, DC 20024, (202)-586–9127, *Buildings@ee.doe.gov*, *www.energy.gov/eere/buildings/building-technologies-office*. For information on the availability of this material at NARA, visit *www.archives.gov/federal-register/cfr/ibr-locations.html* or email: *fr.inspection@nara.gov*. The material may be obtained from the sources in the following paragraphs of this section:

(b) *ANSI*. American National Standards Institute, 25 W. 43rd Street, 4th Floor, New York, NY 10036, 212–642–4900, or go to *http://www.ansi.org:*

(1) ANSI /AHAM HRF–1–2004, *Energy, Performance and Capacity of Household Refrigerators, Refrigerator-Freezers and Freezers*, approved July 7, 2004, IBR approved for § 431.64 and appendices A and B to subpart C to part 431.

(2) AHAM HRF–1–2008 (''HRF–1–2008''), Association of Home Appliance Manufacturers, *Energy and Internal Volume of Refrigerating Appliances* (2008) including *Errata to Energy and Internal Volume of Refrigerating Appliances*, Correction Sheet issued November 17, 2009, IBR approved for § 431.64 and appendices A and B to subpart C to part 431.

(c) *AHRI*. Air-Conditioning, Heating, and Refrigeration Institute, 2111 Wilson Blvd., Suite 500, Arlington, VA 22201; (703) 524–8800; *ahri@ahrinet.org; www.ahrinet.org/*.

(1) ARI Standard 1200–2006, *Performance Rating of Commercial Refrigerated Display Merchandisers and Storage Cabinets*, 2006; IBR approved for § 431.66.

(2) AHRI Standard 1200 (I–P)–2010 (''AHRI Standard 1200 (I–P)–2010''), *2010 Standard for Performance Rating of Commercial Refrigerated Display Merchandisers and Storage Cabinets*, 2010; IBR approved for § 431.66.

(3) AHRI Standard 1200–2023 (I–P) (''AHRI 1200–2023''), *2023 Standard for Performance Rating of Commercial Refrigerated Display Merchandisers and Storage Cabinets*, copyright 2023; IBR approved for appendices B, C, and D to this subpart.

(4) AHRI Standard 1320–2011 (I–P), (''AHRI 1320–2011'') *2011 Standard for Performance Rating of Commercial Refrigerated Display Merchandisers and Storage Cabinets for Use With Secondary Refrigerants*, copyright 2011; IBR approved for appendix B to this subpart.

(d) *ASHRAE*. The American Society of Heating, Refrigerating, and Air-Conditioning Engineers, Inc., 1971 Tullie Circle NE, Atlanta, GA 30329; (404) 636–8400; *ashrae@ashrae.org; www.ashrae.org/*.

(1) ANSI/ASHRAE Standard 72–2022 (ASHRAE 72–2022), *Method of Testing Open and Closed Commercial Refrigerators and Freezers*, approved June 30, 2022; IBR approved for appendices B, C, and D to this subpart.

(2) Errata sheet for ANSI/ASHRAE Standard 72–2022 (ASHRAE 72–2022 Errata), *Method of Testing Open and Closed Commercial Refrigerators and Freezers*, November 11, 2022; IBR approved for appendices B, C, and D to this subpart.

(e) *ASTM*. ASTM International, 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA 19428; (877) 909–2786; *www.astm.org/*.

(1) ASTM E1084–86 (Reapproved 2009), *Standard Test Method for Solar Transmittance (Terrestrial) of Sheet Materials Using Sunlight*, approved April 1, 2009; IBR approved for § 431.62.

(2) ASTM F2143–16, *Standard Test Method for Performance of Refrigerated Buffet and Preparation Tables*, approved May 1, 2016; IBR approved for appendix C to this subpart.

[74 FR 1139, Jan. 9, 2009, as amended at 77 FR 10318, Feb. 21, 2012; 78 FR 62993, Oct. 23, 2013; 79 FR 22308, Apr. 21, 2014; 88 FR 66224, Sept. 26, 2023]

§ 431.64 Uniform test method for the measurement of energy consumption of commercial refrigerators, freezers, and refrigerator-freezers.

(a) *Scope*. This section provides the test procedures for measuring, pursuant to EPCA, the energy consumption or energy efficiency for a given equipment category of commercial refrigerators, freezers, and refrigerator-freezers.

(b) *Testing and calculations*. (1) Determine the daily energy consumption and

volume or total display area of each covered commercial refrigerator, freezer, or refrigerator-freezer by conducting the appropriate test procedure set forth below in appendix B, to this subpart. The daily energy consumption of commercial refrigeration equipment shall be calculated using raw measured values and the final test results shall be reported in increments of 0.01 kWh/day.

(2) Determine the daily energy consumption and pan storage volume, pan display area, and refrigerated volume of each buffet table or preparation table by conducting the appropriate test procedure set forth below in appendix C to this subpart. The daily energy consumption shall be calculated using raw measured values and the final test results shall be recorded in increments of 0.01 kWh/day.

(3) Determine the energy consumption per weight of product and product capacity of each blast chiller and blast freezer by conducting the appropriate test procedure set forth below in appendix D to this subpart. The energy consumption per weight of product shall be calculated using raw measured values and the final test results shall be recorded in increments of 0.01 kWh/lb.

[88 FR 66225, Sept. 26, 2023]

ENERGY CONSERVATION STANDARDS

§ 431.66 Energy conservation standards and their effective dates.

(a) In this section—

(1) The term ''AV'' means the adjusted volume (ft^3) (defined as 1.63 × frozen temperature compartment volume (ft^3) + chilled temperature compartment volume (ft^3)) with compartment volumes measured in accordance with the Association of Home Appliance Manufacturers Standard HRF1–1979.

(2) The term ''V'' means the chilled or frozen compartment volume (ft^3) (as defined in the Association of Home Appliance Manufacturers Standard HRF1–1979).

(3) For the purpose of paragraph (d) of this section, the term ''TDA'' means the total display area (ft^2) of the case, as defined in ARI Standard 1200–2006, appendix D (incorporated by reference, see § 431.63). For the purpose of paragraph (e) of this section, the term ''TDA'' means the total display area (ft^2) of the case, as defined in AHRI Standard 1200 (I–P)–2010, appendix D (incorporated by reference, see § 431.63).

(b)(1) Each commercial refrigerator, freezer, and refrigerator-freezer with a self-contained condensing unit designed for holding temperature applications manufactured on or after January 1, 2010 and before March 27, 2017 shall have a daily energy consumption (in kilowatt-hours per day) that does not exceed the following:

Category	Maximum daily energy consumption (kilowatt hours per day)
Refrigerators with solid doors	0.10V + 2.04.
Refrigerators with transparent doors.	0.12V + 3.34.
Freezers with solid doors	0.40V + 1.38.
Freezers with transparent doors.	0.75V + 4.10.
Refrigerator/freezers with solid doors.	the greater of 0.27AV–0.71 or 0.70.

(2) Each service over the counter, self-contained, medium temperature commercial refrigerator (SOC–SC–M) manufactured on or after January 1, 2012, shall have a total daily energy consumption (in kilowatt hours per day) of not more than 0.6 × TDA + 1.0. As used in the preceding sentence, ''TDA'' means the total display area (ft^2) of the case, as defined in the AHRI Standard 1200 (I–P)–2010, appendix D (incorporated by reference, see § 431.63).

(c) Each commercial refrigerator with a self-contained condensing unit designed for pull-down temperature applications and transparent doors manufactured on or after January 1, 2010 and before March 27, 2017 shall have a daily energy consumption (in kilowatt-hours per day) of not more than 0.126V + 3.51.

(d) Each commercial refrigerator, freezer, and refrigerator-freezer with a self-contained condensing unit and without doors; commercial refrigerator, freezer, and refrigerator-freezer with a remote condensing unit; and commercial ice-cream freezer manufactured on or after January 1, 2012 and before March 27, 2017 shall have a daily energy consumption (in kilowatt-hours per day) that does not exceed the levels specified:

(1) For equipment other than hybrid equipment, refrigerator-freezers or wedge cases:

Equipment category	Condensing unit configuration	Equipment family	Rating temp. (°F)	Operating temp. (°F)	Equipment class designation *	Maximum daily energy consumption (kWh/day)
Remote Condensing Commercial Refrigerators and Commercial Freezers.	Remote (RC)	Vertical Open (VOP).	38 (M)	≥32±2	VOP.RC.M ..	0.82 × TDA + 4.07
			0 (L)	<32±2	VOP.RC.L ...	2.27 × TDA + 6.85
		Semivertical Open (SVO).	38 (M)	≥32±2	SVO.RC.M ..	0.83 × TDA + 3.18
			0 (L)	<32±2	SVO.RC.L ...	2.27 × TDA + 6.85
		Horizontal Open (HZO).	38 (M)	≥32±2	HZO.RC.M ..	0.35 × TDA + 2.88
			0 (L)	<32±2	HZO.RC.L ...	0.57 × TDA + 6.88
		Vertical Closed Transparent (VCT).	38 (M)	≥32±2	VCT.RC.M ..	0.22 × TDA + 1.95
			0 (L)	<32±2	VCT.RC.L ...	0.56 × TDA + 2.61
		Horizontal Closed Transparent (HCT).	38 (M)	≥32±2	HCT.RC.M ..	0.16 × TDA + 0.13
			0 (L)	<32±2	HCT.RC.L ...	0.34 × TDA + 0.26
		Vertical Closed Solid (VCS).	38 (M)	≥32±2	VCS.RC.M ..	0.11 × V + 0.26
			0 (L)	<32±2	VCS.RC.L ...	0.23 × V + 0.54
		Horizontal Closed Solid (HCS).	38 (M)	≥32±2	HCS.RC.M ..	0.11 × V + 0.26
			0 (L)	<32±2	HCS.RC.L ...	0.23 × V + 0.54
		Service Over Counter (SOC).	38 (M)	≥32±2	SOC.RC.M ..	0.51 × TDA + 0.11
			0 (L)	<32±2	SOC.RC.L ...	1.08 × TDA + 0.22
Self-Contained Commercial Refrigerators and Commercial Freezers without Doors.	Self-Contained (SC).	Vertical Open (VOP).	38 (M)	≥32±2	VOP.SC.M ..	1.74 × TDA + 4.71
			0 (L)	<32±2	VOP.SC.L ...	4.37 × TDA + 11.82
		Semivertical Open (SVO).	38 (M)	≥32±2	SVO.SC.M ..	1.73 × TDA + 4.59
			0 (L)	<32±2	SVO.SC.L ...	4.34 × TDA + 11.51
		Horizontal Open ...	38 (M)	≥32±2	HZO.SC.M ..	0.77 × TDA + 5.55
			0 (L)	<32±2	HZO.SC.L ...	1.92 × TDA + 7.08
Commercial Ice-Cream Freezers.	Remote (RC)	Vertical Open (VOP).	−15 (I)	≤−5±2** **	VOP.RC.I	2.89 × TDA + 8.7
		Semivertical Open (SVO).			SVO.RC.I	2.89 × TDA + 8.7
		Horizontal Open (HZO).			HZO.RC.I	0.72 × TDA + 8.74
		Vertical Closed Transparent (VCT).			VCT.RC.I	0.66 × TDA + 3.05
		Horizontal Closed Transparent (HCT).			HCT.RC.I	0.4 × TDA + 0.31
		Vertical Closed Solid (VCS).			VCS.RC.I	0.27 × V + 0.63
		Horizontal Closed Solid (HCS).			HCS.RC.I	0.27 × V + 0.63
		Service Over Counter (SVO).			SOC.RC.I	1.26 × TDA + 0.26
	Self-Contained (SC).	Vertical Open (VOP).			VOP.SC.I	5.55 × TDA + 15.02
		Semivertical Open (SVO).			SVO.SC.I	5.52 × TDA + 14.63
		Horizontal Open (HZO).			HZO.SC.I	2.44 × TDA + 9
		Vertical Closed Transparent (VCT).			VCT.SC.I	0.67 × TDA + 3.29
		Horizontal Closed Transparent (HCT).			HCT.SC.I	0.56 × TDA + 0.43
		Vertical Closed Solid (VCS).			VCS.SC.I	0.38 × V + 0.88
		Horizontal Closed Solid (HCS).			HCS.SC.I	0.38 × V + 0.88
		Service Over Counter (SVO).			SOC.SC.I	1.76 × TDA + 0.36

*The meaning of the letters in this column is indicated in the three columns to the left.

** Ice-cream freezer is defined in 10 CFR 431.62 as a commercial freezer that is designed to operate at or below −5 °F (−21 °C) and that the manufacturer designs, markets, or intends for the storing, displaying, or dispensing of ice cream.

(2) For commercial refrigeration equipment with two or more compartments (*i.e.*, hybrid refrigerators, hybrid freezers, hybrid refrigerator-freezers, and non-hybrid refrigerator-freezers), the maximum daily energy consumption (MDEC) for each model shall be the sum of the MDEC values for all of its compartments. For each compartment, measure the TDA or volume of that compartment, and determine the appropriate equipment class based on that compartment's equipment family, condensing unit configuration, and designed operating temperature. The MDEC limit for each compartment shall be the calculated value obtained by entering that compartment's TDA or volume into the standard equation in paragraph (d)(1) of this section for that compartment's equipment class. Measure the calculated daily energy consumption (CDEC) or total daily energy consumption (TDEC) for the entire case:

(i) For remote condensing commercial hybrid refrigerators, hybrid freezers, hybrid refrigerator-freezers, and non-hybrid refrigerator-freezers, where two or more independent condensing units each separately cool only one compartment, measure the total refrigeration load of each compartment separately according to the ARI Standard 1200–2006 test procedure (incorporated by reference, see §431.63). Calculate compressor energy consumption (CEC) for each compartment using Table 1 in ARI Standard 1200–2006 using the saturated evaporator temperature for that compartment. The CDEC for the entire case shall be the sum of the CEC for each compartment, fan energy consumption (FEC), lighting energy consumption (LEC), anti-condensate energy consumption (AEC), defrost energy consumption (DEC), and condensate evaporator pan energy consumption (PEC) (as measured in ARI Standard 1200–2006).

(ii) For remote condensing commercial hybrid refrigerators, hybrid freezers, hybrid refrigerator-freezers, and non-hybrid refrigerator-freezers, where two or more compartments are cooled collectively by one condensing unit, measure the total refrigeration load of the entire case according to the ARI Standard 1200–2006 test procedure (incorporated by reference, see §431.63). Calculate a weighted saturated evaporator temperature for the entire case by:

(A) Multiplying the saturated evaporator temperature of each compartment by the volume of that compartment (as measured in ARI Standard 1200–2006),

(B) Summing the resulting values for all compartments, and

(C) Dividing the resulting total by the total volume of all compartments.

Calculate the CEC for the entire case using Table 1 in ARI Standard 1200–2006 (incorporated by reference, see §431.63), using the total refrigeration load and the weighted average saturated evaporator temperature. The CDEC for the entire case shall be the sum of the CEC, FEC, LEC, AEC, DEC, and PEC.

(iii) For self-contained commercial hybrid refrigerators, hybrid freezers, hybrid refrigerator-freezers, and non-hybrid refrigerator-freezers, measure the TDEC for the entire case according to the ARI Standard 1200–2006 test procedure (incorporated by reference, see §431.63).

(3) For remote-condensing and self-contained wedge cases, measure the CDEC or TDEC according to the ARI Standard 1200–2006 test procedure (incorporated by reference, see §431.63). The MDEC for each model shall be the amount derived by incorporating into the standards equation in paragraph (d)(1) of this section for the appropriate equipment class a value for the TDA that is the product of:

(i) The vertical height of the air-curtain (or glass in a transparent door) and (ii) The largest overall width of the case, when viewed from the front.

(e) Each commercial refrigerator, freezer, and refrigerator-freezer with a self-contained condensing unit designed for holding temperature applications and with solid or transparent doors; commercial refrigerator with a self-contained condensing unit designed for pull-down temperature applications and with transparent doors;

commercial refrigerator, freezer, and refrigerator-freezer with a self-contained condensing unit and without doors; commercial refrigerator, freezer, and refrigerator-freezer with a remote condensing unit; and commercial ice-cream freezer manufactured on or after March 27, 2017, shall have a daily energy consumption (in kilowatt-hours per day) that does not exceed the levels specified:

(1) For equipment other than hybrid equipment, refrigerator/freezers, or wedge cases:

Equipment category	Condensing unit configuration	Equipment family	Rating temp. deg;F	Operating temp. deg;F	Equipment class designation *	Maximum daily energy consumption kWh/day
Remote Condensing Commercial Refrigerators and Commercial Freezers.	Remote (RC)	Vertical Open (VOP).	38 (M)	≥32	VOP.RC.M ..	0.64 × TDA + 4.07.
			0 (L)	<32	VOP.RC.L ...	2.2 × TDA + 6.85.
		Semivertical Open (SVO).	38 (M)	≥32	SVO.RC.M ..	0.66 × TDA + 3.18.
			0 (L)	<32	SVO.RC.L ...	2.2 × TDA + 6.85.
		Horizontal Open (HZO).	38 (M)	≥32	HZO.RC.M ..	0.35 × TDA + 2.88.
			0 (L)	<32	HZO.RC.L ...	0.55 × TDA + 6.88.
		Vertical Closed Transparent (VCT).	38 (M)	≥32	VCT.RC.M ..	0.15 × TDA + 1.95.
			0 (L)	<32	VCT.RC.L ...	0.49 × TDA + 2.61.
		Horizontal Closed Transparent (HCT).	38 (M)	≥32	HCT.RC.M ..	0.16 × TDA + 0.13.
			0 (L)	<32	HCT.RC.L ...	0.34 × TDA + 0.26.
		Vertical Closed Solid (VCS).	38 (M)	≥32	VCS.RC.M ..	0.1 × V + 0.26.
			0 (L)	<32	VCS.RC.L ...	0.21 × V + 0.54.
		Horizontal Closed Solid (HCS).	38 (M)	≥32	HCS.RC.M ..	0.1 × V + 0.26.
			0 (L)	<32	HCS.RC.L ...	0.21 × V + 0.54.
		Service Over Counter (SOC).	38 (M)	≥32	SOC.RC.M ..	0.44 × TDA + 0.11.
			0 (L)	<32	SOC.RC.L ...	0.93 × TDA + 0.22.
Self-Contained Commercial Refrigerators and Commercial Freezers Without Doors.	Self-Contained (SC).	Vertical Open (VOP).	38 (M)	≥32	VOP.SC.M ..	1.69 × TDA + 4.71.
			0 (L)	<32	VOP.SC.L ...	4.25 × TDA + 11.82.
		Semivertical Open (SVO).	38 (M)	≥32	SVO.SC.M ..	1.7 × TDA + 4.59.
			0 (L)	<32	SVO.SC.L ...	4.26 × TDA + 11.51.
		Horizontal Open (HZO).	38 (M)	≥32	HZO.SC.M ..	0.72 × TDA + 5.55.
			0 (L)	<32	HZO.SC.L ...	1.9 × TDA + 7.08.
Self-Contained Commercial Refrigerators and Commercial Freezers With Doors.	Self-Contained (SC).	Vertical Closed Transparent (VCT).	38 (M)	≥32	VCT.SC.M ..	0.1 × V + 0.86.
			0 (L)	<32	VCT.SC.L ...	0.29 × V + 2.95.
		Vertical Closed Solid (VCS).	38 (M)	≥32	VCS.SC.M ..	0.05 × V + 1.36.
				<32	VCS.SC.L ...	0.22 × V + 1.38.
		Horizontal Closed Transparent (HCT).	38 (M)	≥32	HCT.SC.M ..	0.06 × V + 0.37.
			0 (L)	<32	HCT.SC.L ...	0.08 × V + 1.23.
		Horizontal Closed Solid (HCS).		≥32	HCS.SC.M ..	0.05 × V + 0.91.
			0 (L)	<32	HCS.SC.L ...	0.06 × V + 1.12.
		Service Over Counter (SOC).		≥32	SOC.SC.M ..	0.52 × TDA + 1.
			0 (L)	<32	SOC.SC.L ...	1.1 × TDA + 2.1.

Equipment category	Condensing unit configuration	Equipment family	Rating temp. deg;F	Operating temp. deg;F	Equipment class designation *	Maximum daily energy consumption kWh/day
Self-Contained Commercial Refrigerators with Transparent Doors for Pull-Down Temperature Applications.	Self-Contained (SC).	Pull-Down (PD)	38 (M)	≥32	PD.SC.M	0.11 × V + 0.81.
Commercial Ice-Cream Freezers.	Remote (RC)	Vertical Open (VOP).	−15 (I)	≤−5**	VOP.RC.I	2.79 × TDA + 8.7.
		Semivertical Open (SVO).			SVO.RC.I	2.79 × TDA + 8.7.
		Horizontal Open (HZO).			HZO.RC.I	0.7 × TDA + 8.74.
		Vertical Closed Transparent (VCT).			VCT.RC.I	0.58 × TDA + 3.05.
		Horizontal Closed Transparent (HCT).			HCT.RC.I	0.4 × TDA + 0.31.
		Vertical Closed Solid (VCS).			VCS.RC.I	0.25 × V + 0.63.
		Horizontal Closed Solid (HCS).			HCS.RC.I	0.25 × V + 0.63.
		Service Over Counter (SOC).			SOC.RC.I	1.09 × TDA + 0.26.
	Self-Contained (SC).	Vertical Open (VOP).			VOP.SC.I	5.4 × TDA + 15.02.
		Semivertical Open (SVO).			SVO.SC.I	5.41 × TDA + 14.63.
		Horizontal Open (HZO).			HZO.SC.I	2.42 × TDA + 9.
		Vertical Closed Transparent (VCT).			VCT.SC.I	0.62 × TDA + 3.29.
		Horizontal Closed Transparent (HCT).			HCT.SC.I	0.56 × TDA + 0.43.
		Vertical Closed Solid (VCS).			VCS.SC.I	0.34 × V + 0.88.
		Horizontal Closed Solid (HCS).			HCS.SC.I	0.34 × V + 0.88.
		Service Over Counter (SOC).			SOC.SC.I	1.53 × TDA + 0.36.

*The meaning of the letters in this column is indicated in the columns to the left.
**Ice-cream freezer is defined in 10 CFR 431.62 as a commercial freezer that is designed to operate at or below −5 °F *(−21 °C) and that the manufacturer designs, markets, or intends for the storing, displaying, or dispensing of ice cream.

(2) For commercial refrigeration equipment with two or more compartments (*i.e.*, hybrid refrigerators, hybrid freezers, hybrid refrigerator-freezers, and non-hybrid refrigerator-freezers), the maximum daily energy consumption for each model shall be the sum of the MDEC values for all of its compartments. For each compartment, measure the TDA or volume of that compartment, and determine the appropriate equipment class based on that compartment's equipment family, condensing unit configuration, and designed operating temperature. The MDEC limit for each compartment shall be the calculated value obtained by entering that compartment's TDA or volume into the standard equation in paragraph (e)(1) of this section for that compartment's equipment class. Measure the CDEC or TDEC for the entire case as described in § 431.66(d)(2)(i) through (iii), except that where measurements and calculations reference ARI Standard 1200–2006 (incorporated by reference, see § 431.63), AHRI Standard 1200 (I–P)–2010 (incorporated by reference, see § 431.63) shall be used.

(3) For remote condensing and self-contained wedge cases, measure the CDEC or TDEC according to the AHRI Standard 1200 (I–P)–2010 test procedure (incorporated by reference, see § 431.63). For wedge cases in equipment classes for which a volume metric is used, the

MDEC shall be the amount derived from the appropriate standards equation in paragraph (e)(1) of this section. For wedge cases of equipment classes for which a TDA metric is used, the MDEC for each model shall be the amount derived by incorporating into the standards equation in paragraph (e)(1) of this section for the equipment class a value for the TDA that is the product of:

(i) The vertical height of the air curtain (or glass in a transparent door) and

(ii) The largest overall width of the case, when viewed from the front.

(f) *Exclusions.* The energy conservation standards in paragraphs (b) through (e) of this section do not apply to salad bars, buffet tables, and chef bases or griddle stands.

[70 FR 60414, Oct. 18, 2005, as amended at 74 FR 1140, Jan. 9, 2009; 78 FR 62993, Oct. 23, 2013; 79 FR 22308, Apr. 21, 2014; 79 FR 17816, Mar. 28, 2014]

APPENDIX A TO SUBPART C OF PART 431 [RESERVED]

APPENDIX B TO SUBPART C OF PART 431—UNIFORM TEST METHOD FOR THE MEASUREMENT OF ENERGY CONSUMPTION OF COMMERCIAL REFRIGERATORS, FREEZERS, AND REFRIGERATOR-FREEZERS

NOTE: On or after September 20, 2024, any representations, including for certification of compliance, made with respect to the energy use or efficiency of commercial refrigeration equipment, except for buffet tables or preparation tables, blast chillers, blast freezers, or mobile refrigerated cabinets, must be made in accordance with the results of testing pursuant to this appendix. Prior to September 20, 2024, any representations with respect to energy use or efficiency of commercial refrigeration equipment, except for buffet tables or preparation tables, blast chillers, blast freezers, or mobile refrigerated cabinets, must be made either in accordance with the results of testing pursuant to this appendix or with the results of testing pursuant to this appendix as it appeared in appendix B to subpart C of part 431 in the 10 CFR parts 200–499 edition revised as of January 1, 2023. Buffet tables or preparation tables are subject to the test method requirements in appendix C to subpart C of part 431. Blast chillers and blast freezers are subject to the test method requirements in appendix D to subpart C of part 431.

The test procedure for equipment cooled only by secondary coolants in section 1.1.3 of this appendix is not required for use until the compliance date(s) of any amended energy conservation standard(s) (see §431.66) for such commercial refrigeration equipment.

High-temperature refrigerators must be tested as medium-temperature refrigerators according to section 2.1.3 of this appendix based on the lowest application product temperature until the compliance date(s) of any amended energy conservation standard(s) (see §431.66) established for high-temperature refrigerators. On and after the compliance date(s) of such energy conservation standard(s) (see §431.66), high-temperature refrigerators must be tested as high-temperature refrigerators according to section 2.1.4 of this appendix.

0. Incorporation by Reference

DOE incorporated by reference in §431.63 the entire standard for AHRI 1200–2023; AHRI 1320–2011; ASHRAE 72–2022 and ASHRAE 72–2022 Errata (the latter two collectively referenced as ASHRAE 72–2022 with Errata). However, only enumerated provisions of AHRI 1200–2023 and AHRI 1320–2011 are applicable to this appendix as follows:

0.1. AHRI 1200–2023

(a) Section 3, ''Definitions,'' as referenced in section 1.1 of this appendix.

(b) Section 3.2.8, ''Dew Point,'' as referenced in section 2.2. of this appendix.

(c) Section 3.2.20, ''Total Display Area (TDA),'' as referenced in section 3.2 of this appendix.

(d) Section 4, ''Test Requirements,'' as referenced in section 1.1 of this appendix.

(e) Section 4.1.1.1, ''High Temperature Applications,'' as referenced in section 2.1.4 of this appendix.

(f) Section 4.1.1.2, ''Ice Cream Applications,'' as referenced in section 2.1.1 of this appendix.

(g) Section 4.1.1.3, ''Low Temperature Applications,'' as referenced in section 2.1.2 of this appendix.

(h) Section 4.1.1.4, ''Medium Temperature Applications,'' as referenced in section 2.1.3 of this appendix.

(i) Section 5.1, ''Rating Requirements for Remote Commercial Refrigerated Display Merchandisers and Storage Cabinets'' as referenced in sections 1.1.2, 1.1.3, and 1.5.3.3 of this appendix.

(j) Section 5.2, ''Rating Requirements for Self-Contained Commercial Refrigerated Display Merchandisers and Storage Cabinets,'' as referenced in section 1.1.1 of this appendix.

(k) Section 9, ''Symbols and Subscripts,'' as referenced in section 1.1 and 2.2 of this appendix.

(l) Appendix C, ''Commercial Refrigerated Display Merchandiser and Storage Cabinet

Refrigerated Volume Calculation—Normative'' as referenced in section 3.1 of this appendix.

(m) Appendix D, ''Commercial Refrigerated Display Merchandiser and Storage Cabinet Total Display Area (TDA) Calculation—Normative,'' as referenced in section 3.2 of this appendix.

0.2. AHRI 1320–2011

(a) Sections 5.2.7 and 5.2.8 as referenced in section 1.1.3 of this appendix.

(b) [Reserved].

1. Test Procedure

1.1. Determination of Daily Energy Consumption. Determine the daily energy consumption of each covered commercial refrigerator, freezer, or refrigerator-freezer by conducting the test procedure set forth in AHRI 1200–2023, section 3, ''Definitions,'' section 4, ''Test Requirements,'' and section 9, ''Symbols and Subscripts.''

1.1.1. For each commercial refrigerator, freezer, or refrigerator-freezer with a self-contained condensing unit, also use AHRI 1200–2023, section 5.2, ''Rating Requirements for Self-Contained Commercial Refrigerated Display Merchandisers and Storage Cabinets.''

1.1.2. For each commercial refrigerator, freezer, or refrigerator-freezer with a remote condensing unit, also use AHRI 1200–2023, section 5.1, ''Rating Requirements for Remote Commercial Refrigerated Display Merchandisers and Storage Cabinets.''

1.1.3. For each commercial refrigerator, freezer, or refrigerator-freezer used with a secondary coolant, test according to section 1.1.2 of this appendix, except in place of the equations for CDEC and CEC in sections 5.1.2 and 5.1.2.1 of AHRI 1200–2023, respectively, apply the following equations:

$$CDEC = CEC + [FEC + LEC + AEC + DEC + PEC]* + CPEC$$

$$CEC = [(Q_{rt} + Q_{CP}) \cdot (t - t_{dt})]/(EER \cdot 1000)$$

Where CPEC and Q_{CP} are as specified in sections 5.2.7 and 5.2.8 of AHRI 1320–2011 and EER is determined based on a temperature that is 6.0 °F lower than the secondary coolant cabinet inlet temperature.

1.2. Methodology for Determining Applicability of Transparent Door Equipment Families. To determine if a door for a given model of commercial refrigeration equipment is transparent:

(a) Calculate the outer door surface area including frames and mullions;

(b) calculate the transparent surface area within the outer door surface area excluding frames and mullions;

(c) calculate the ratio of (2) to (1) for each of the outer doors; and

(d) the ratio for the transparent surface area of all outer doors must be greater than 0.25 to qualify as a transparent equipment family.

1.3. Drawers. Drawers shall be treated as identical to doors when conducting the DOE test procedure. Commercial refrigeration equipment with drawers intended for use with pans shall be configured with stainless steel food service pans, installed in a configuration per the manufacturer's instructions utilizing the maximum pan sizes specified. If the manufacturer does not specify the pan sizes, the maximum pan depth and pan volume allowed shall be used. For commercial refrigeration equipment with drawers intended for use with pans, the net usable volume includes only the interior volume of the pan(s) in the drawer. The net usable volume shall be measured by the amount of water needed to fill all the pan(s) to within 0.5 inches of the top rim, or determined by calculating the total volume of all pan(s) using the pan manufacturers' published pan volume. For commercial refrigeration equipment with drawers not intended for pans, the net usable volume shall be equal to the total volume of the drawer to the top edge of the drawer. Test simulators shall be placed in commercial refrigeration equipment with drawers as follows: For each drawer, there shall be two test simulators placed at each of the following locations: at the left end, at the right end, and at consistent 24 inch to 48 inch intervals across the width of the drawer (for drawers wider than 48 inches). For drawers with overall internal width of 48 inches or less, only the left and right ends shall have test simulators. If test simulators are to be placed at a pan edge or divider, the test simulator shall be placed at the nearest adjacent location. For each drawer, one test simulator shall be placed on the bottom of the pan or drawer at each of the front and rear test simulator locations of the drawer. Test simulators shall be placed in contact with the drawer or pan end or ends unless load limiting stops are provided as part of the case. Test simulators shall be secured such that the test simulators do not move during the test. The net usable volume where test simulators are not required shall be filled with filler material so that between 60 percent and 80 percent of the net usable volume is occupied by test simulators and uniformly occupied by filler material.

1.4. Long-time Automatic Defrost. For commercial refrigeration equipment not capable of operating with defrost intervals of 24 hours or less, testing may be conducted using a two-part test method.

1.4.1. First Part of Test. The first part of the test shall be a 24-hour test starting in steady-state conditions and including eight hours of door opening (according to ASHRAE 72–2022 with Errata). The energy consumed in this test, ET1, shall be recorded.

1.4.2. Second Part of Test. The second part of the test shall be a defrost cycle, including any operation associated with a defrost. The

start and end of the test period be determined as the last time before and first time after a defrost occurrence when the measured average simulator temperature (*i.e.*, the instantaneous average of all test simulator temperature measurements) is within 0.5 °F of the IAT as measured during the first part of the test. The energy consumed in this test, ET2, and duration, t_{DI}, shall be recorded.

1.4.3. Daily Energy Consumption. Based on the measured energy consumption in these two tests, the daily energy consumption (DEC) in kWh shall be calculated as:

$$DEC = ET1 \times \frac{(1{,}440 - t_{NDI})}{1{,}440} + \frac{ET2}{t_{DC}}$$

$$t_{NDI} = \frac{t_{DI}}{t_{DC}}$$

Where:

DEC = daily energy consumption, in kWh;
ET 1 = energy consumed during the first part of the test, in kWh;
ET 2 = energy consumed during the second part of the test, in kWh;
t_{NDI} = normalized length of defrosting time per day, in minutes;
t_{DI} = length of time of defrosting test period, in minutes;
t_{DC} = minimum time between defrost occurrences, in days; and
1440 = conversion factor, minutes per day.

1.5. Customer Order Storage Cabinets. Customer order storage cabinets shall conduct door openings according to ASHRAE 72–2022 with Errata, except that each door shall be opened to the fully open position for 8 seconds, once every 2 hours, for 6 door-opening cycles.

1.5.1. Ambient Compartments. For customer order storage cabinets that have at least one individual-secured compartment that is not capable of maintaining an integrated average temperature below the ambient dry-bulb temperature, the individual-secured compartment(s) at ambient dry-bulb temperature shall be categorized as a high-temperature refrigerator compartment for the purpose of testing and rating. All volume, total display area, and energy consumption calculations shall be included within the high-temperature refrigerator category and summed with other high-temperature refrigerator category compartment(s) calculations.

1.5.2. Convertible Compartments. For customer order storage cabinets that have individual-secured compartments that are convertible between the ambient dry-bulb temperature and the ≥32 °F operating temperature, the convertible compartment shall be tested as a medium-temperature refrigerator compartment or at the lowest application product temperature as specified in section 2.2 of this appendix.

1.5.3. Inverse Refrigeration Load Test. For customer order storage cabinets that supply refrigerant to multiple individual-secured compartments and that allow the suction pressure from the evaporator in each individual-secured compartment to float based on the temperature required to store the customer order in that individual-secured compartment, test according to section 1.1.2 of this appendix, except that energy (heat) loss shall be allowed at a rate and ΔT equivalent to the energy gains of a standard refrigerated cabinet as specified in sections 1.5.3.1–1.5.3.3 of this appendix.

1.5.3.1. Anti-sweat door heaters. Anti-sweat door heaters shall be de-energized for the inverse refrigeration load test specified in section 1.5.3. of this appendix.

1.5.3.2. Integrated Average Temperature. For medium-temperature refrigerator compartments, the integrated average temperature shall be 112.4 °F ±2.0 °F. For low-temperature freezer compartments, the integrated average temperature shall be 150.4 °F ±2.0 °F. For ambient compartments, the integrated average temperature shall be 75.4 °F ±2.0 °F.

1.5.3.3. Daily Energy Consumption. Determine the calculated daily energy consumption (''CDEC'') and the EER based on AHRI 1200–2023, section 5.1, ''Rating Requirements for Remote Commercial Refrigerated Display Merchandisers and Storage Cabinets,'' except that the compressor energy consumption (''CEC'') shall be calculated by applying the following equations:

$$CEC = \frac{[(Q \times t) + ML + (FEC + AEC + DEC) \times 3.412]}{EER \times 1000}$$

$$Q = \frac{W_{in} \times 3.412}{t}$$

$ML = N_d \times (A_e + A_m)$

$A_e = [(H_a - H_c) - (H_t - H_a)] \times m_a$

$A_m = C_{p,liner} \times W_{liner} \times \Delta T_{liner}$

Where:

CEC = compressor energy consumption, kWh per day;

Q = inverse refrigeration load (does not include waste heat from auxiliary components and moisture infiltration), in BTU per h;

t = test duration, in h;

ML = moisture load impacts, BTU per day;

FEC = evaporator fan motor(s) energy consumption, Wh per day;

AEC = anti-condensate heater(s) energy consumption, Wh per day;

DEC = defrost heater(s) energy consumption, Wh per day;

3.412 = conversion factor, BTU per Wh;

EER = energy efficiency ratio, BTU per Wh;

1000 = conversion factor, W per kW;

W_{in} = energy input measured over the test period for all energized components (heaters, controls, and fans) located in the refrigerated compartments, in Wh;

N_d = number of door openings during test, unitless;

A_e = enthalpy adjustment, BTU per day;

A_m = moisture/frost accumulation, BTU per day;

H_a = ambient air enthalpy, BTU per pound;

H_c = compartment air enthalpy based on air conditions during cold operation (*e.g.,* 0 °F dry bulb/−20 °F dew point for freezer compartment, 38 °F dry bulb/20 °F dew point for refrigerator compartment, 75 °F dry bulb/20 °F dew point for ambient compartment), BTU per pound;

H_t = compartment air enthalpy during heat leak test based on dew point being equal to ambient air dew point, BTU per pound;

m_a = mass of compartment air exchanged (30% of total compartment volume) based density of air during cold operation, pounds;

$C_{p,liner}$ = specific heat of liner material, BTU per °F per pound;

W_{liner} = weight of all liner parts, pounds; and

ΔT_{liner} = maximum temperature rise of all liner parts (*e.g.*, 4.5 °F, 2.5 °F, and 1 °F for freezer, refrigerator, and ambient compartments, respectively), °F.

2. Test Conditions

2.1. Integrated Average Temperatures. Conduct the testing required in section 1 of this appendix, and determine the daily energy consumption at the applicable integrated average temperature as follows:

2.1.1. Ice-Cream Freezers. Test ice-cream freezers and ice-cream freezer compartments to the integrated average temperature specified in section 4.1.1.2, ''Ice Cream Applications,'' of AHRI 1200–2023.

2.1.2. Low-Temperature Freezers. Test low-temperature freezers and low-temperature freezer compartments to the integrated average temperature specified in section 4.1.1.3, ''Low Temperature Applications,'' of AHRI 1200–2023.

2.1.3. Medium-Temperature Refrigerators. Test medium-temperature refrigerators and medium-temperature refrigerator compartments to the integrated average temperature specified in section 4.1.1.4, ''Medium Temperature Applications,'' of AHRI 1200–2023.

2.1.4. High-Temperature Refrigerators. Test high-temperature refrigerators and high-temperature refrigerator compartments to the integrated average temperature specified in section 4.1.1.1, ''High Temperature Applications,'' of AHRI 1200–2023.

2.2. Lowest Application Product Temperature. If a unit of commercial refrigeration equipment is not able to be operated at the integrated average temperature specified in section 2.1 of this appendix, test the unit at the lowest application product temperature (LAPT), as defined in §431.62. For units equipped with a thermostat, LAPT is the measured temperature at the lowest thermostat setting of the unit (for units that are only able to operate at temperatures above the specified test temperature) or the highest thermostat setting of the unit (for units that are only able to operate at temperatures below the specified test temperature). For remote condensing equipment without a thermostat or other means of controlling temperature at the case, the lowest application product temperature is measured at the temperature achieved with the dew point temperature (as defined in section 3.2.8, ''Dew Point,'' of AHRI 1200–2023) or mid-point evaporator temperature (as defined in section 9, ''Symbols and Subscripts,'' of AHRI 1200–2023) set to 5 degrees colder than that required to maintain the manufacturer's

specified application temperature that is closest to the specified integrated average temperature.

2.3. Testing at NSF Test Conditions. For commercial refrigeration equipment that is also tested in accordance with NSF test procedures (Type I and Type II), integrated average temperatures and ambient conditions used for NSF testing may be used in place of the DOE-prescribed integrated average temperatures and ambient conditions provided they result in a more stringent test. That is, the measured daily energy consumption of the same unit, when tested at the rating temperatures and/or ambient conditions specified in the DOE test procedure, must be lower than or equal to the measured daily energy consumption of the unit when tested with the rating temperatures or ambient conditions used for NSF testing. The integrated average temperature measured during the test may be lower than the range specified by the DOE applicable temperature specification provided in section 2.1 of this appendix, but may not exceed the upper value of the specified range. Ambient temperatures and/or humidity values may be higher than those specified in the DOE test procedure.

2.4. Liquid Refrigerant Pressure Required Accuracy. The liquid refrigerant pressure required accuracy is ±35 kPa (±5.1 psi).

2.5 Commercial Refrigerator, Freezer, and Refrigerator-Freezer connected to a Direct Expansion Remote Condensing Unit with R–744. For commercial refrigerators, freezers, and refrigerator-freezers connected to a direct expansion remote condensing unit with R–744, instead of the liquid refrigerant measurements for direct-expansion remote units specified in appendix A to ASHRAE 72–2022 with Errata, the liquid refrigerant measurements for direct-expansion remote units shall be: liquid refrigerant temperature shall be 30.0 °F with a tolerance for the average over test period of ±3.0 °F and a tolerance for the individual measurements of ±5.0 °F; liquid refrigerant pressure shall be the saturated liquid pressure corresponding to a condensing temperature in the range of 32.0 °F to 44.0 °F for the average over test period; and liquid refrigerant subcooling shall be greater than 2.0 °R for the average over test period.

2.6 Chef Base or Griddle Stand Test Conditions. For chef bases or griddle stands, instead of the dry-bulb temperature, wet-bulb temperature, and radiant heat temperature specified in appendix A to ASHRAE 72–2022 with Errata: dry-bulb temperature shall be 86.0 °F with a tolerance for the average over test period of ±1.8 °F and a tolerance for the individual measurements of ±3.6 °F; wet-bulb temperature shall be 73.7 °F with a tolerance for the average over test period of ±1.8 °F and a tolerance for the individual measurements of ±3.6 °F; and radiant heat temperature shall be greater than or equal to 81.0 °F.

3. Volume and Total Display Area

3.1. Determination of Volume. Determine the volume of a commercial refrigerator, freezer, and refrigerator-freezer using the method set forth in AHRI 1200–2023, appendix C, ''Commercial Refrigerated Display Merchandiser and Storage Cabinet Refrigerated Volume Calculation—Normative.''

3.2. Determination of Total Display Area. Determine the total display area of a commercial refrigerator, freezer, and refrigerator-freezer using the method set forth in AHRI 1200–2023, section 3.2.20, ''Total Display Area (TDA),'' and appendix D, ''Commercial Refrigerated Display Merchandiser and Storage Cabinet Total Display Area (TDA) Calculation—Normative.''

[88 FR 66225, Sept. 26, 2023]

Appendix C to Subpart C of Part 431—Uniform Test Method for the Measurement of Energy Consumption of Buffet Tables or Preparation Tables

NOTE: On or after September 20, 2024, any representations, including for certification of compliance, made with respect to the energy use or efficiency of buffet tables or preparation tables must be made in accordance with the results of testing pursuant to this appendix.

0. Incorporation by Reference

DOE incorporated by reference in §431.63 the entire standard for AHRI 1200–2023, ASHRAE 72–2022, ASHRAE 72–2022 Errata (the latter two collectively referenced as ASHRAE 72–2022 with Errata), and ASTM F2143–16. However, only enumerated provisions of those documents are applicable to this appendix as follows:

0.1. AHRI 1200–2023

(a) Section 3.2.17, ''Refrigerated Volume (Vr),'' as referenced in section 2.2 of this appendix.

(b) Normative Appendix C, ''Commercial Refrigerated Display Merchandiser and Storage Cabinet Refrigerated Volume Calculation,'' as referenced in section 2.2 of this appendix.

0.2 ASHRAE 72–2022 with Errata

(a) Section 5.1, ''Installation and Settings,'' as referenced in section 1.3 of this appendix.

(b) Section 5.2, ''Wall or Vertical Partition Placement,'' as referenced in section 1.3 of this appendix.

(c) Section 5.3, ''Components and Accessories,'' as referenced in section 1.3 of this appendix.

(d) Section 6.1, ''Ambient Temperature and Humidity,'' as referenced in section 1.2 of this appendix.

(e) Section 7.1, ''Sequence of Operations,'' as referenced in section 1.5 of this appendix.

(f) Section 7.2, ''Preparation Period'' (excluding sections 7.2.1 and 7.2.2), as referenced in section 1.5 of this appendix.

(g) Section 7.3, ''Test Periods A and B'' (excluding sections 7.3.1, 7.3.2, 7.3.3, and 7.3.4), as referenced in sections 1.5 and 1.5.1 of this appendix.

(h) Section 7.4, ''Test Alignment Period,'' as referenced in section 1.5 of this appendix.

(i) Section 7.5, ''Determining Stability,'' as referenced in sections 1.5 and 1.5.2 of this appendix.

(j) Normative Appendix A, ''Measurement Locations, Tolerances, Accuracies, and Other Characteristics,'' (only the measured quantities specified in section 1.2 of this appendix) as referenced in sections 1.2 and 1.5.3 of this appendix.

0.3 ASTM F2143–16

(a) Section 3, ''Terminology,'' as referenced in section 1.1 of this appendix.

(b) Section 6.1, ''Analytical Balance Scale,'' as referenced in section 1.1 of this appendix.

(c) Section 6.2, ''Pans,'' as referenced in section 1.1 of this appendix.

(d) Section 7, ''Reagents and Materials,'' as referenced in section 1.1 of this appendix.

(e) Section 9, ''Preparation of Apparatus'' (section 9.6 only), as referenced in sections 1.1 and 1.4.2 of this appendix.

(f) Section 10.1, ''General'' (section 10.1.1 only), as referenced in sections 1.1 and 1.5.3 of this appendix.

(g) Section 10.2, ''Pan Thermocouple Placement,'' as referenced in section 1.1 of this appendix.

(h) Section 10.5, ''Test'' (sections 10.5.5 and 10.5.6 only), as referenced in sections 1.1 and 1.5.1 of this appendix.

(i) Section 11.4, ''Energy Consumption'' (section 11.4.1 only), as referenced in section 1.1 of this appendix.

(j) Section 11.5, ''Production Capacity,'' as referenced in sections 1.1 and 2.1 of this appendix.

1. Test Procedure

1.1. Determination of Daily Energy Consumption. Determine the daily energy consumption of each buffet table or preparation table with a self-contained condensing unit by conducting the test procedure set forth in ASTM F2143–16 section 3, ''Terminology,'' section 6.1, ''Analytical Balance Scale,'' section 6.2, ''Pans,'' section 7, ''Reagents and Materials,'' section 9.6, ''Preparation of Apparatus'', section 10.1, ''General'' (section 10.1.1 only), section 10.2, ''Pan Thermocouple Placement,'' section 10.5, ''Test'' (sections 10.5.5 and 10.5.6 only), section 11.4, ''Energy Consumption'' (section 11.4.1 only), and section 11.5, ''Production Capacity,'' with additional instructions as described in the following sections.

1.2. Test Conditions. Ambient conditions and instrumentation for testing shall be as specified in the ''Chamber conditions'' and ''Electricity supply and consumption of unit under test and components metered separately'' portions of appendix A to ASHRAE 72–2022 with Errata and measured according to section 6.1 of ASHRAE 72–2022 with Errata and the specifications in appendix A of ASHRAE 72–2022 with Errata. The ''highest point'' of the buffet table or preparation table shall be determined as the highest point of the open-top refrigerated area of the buffet table or preparation table, without including the height of any lids or covers. The geometric center of the buffet table or preparation table is: for buffet tables or preparation tables without refrigerated compartments, the geometric center of the top surface of the open-top refrigerated area; and for buffet tables or preparation tables with refrigerated compartments, the geometric center of the door opening area for the refrigerated compartment.

1.3. Test Setup. Install the buffet table or preparation table according to sections 5.1, 5.2, and 5.3 of ASHRAE 72–2022 with Errata.

1.4. Test Load.

1.4.1. Pan Loading. Fill pans with distilled water to within 0.5 in. of the top edge of the pan. For pans that are not configured in a horizontal orientation, only the lowest side of the pan is filled to within 0.5 in. of the top edge of the pan with distilled water.

1.4.2. Refrigerated Compartments. Measure the temperature of any refrigerated compartment(s) as specified in section 9.6 of ASTM F2143–16. The thermocouples for measuring compartment air temperature shall be in thermal contact with the center of a 1.6-oz (45-g) cylindrical brass slug with a diameter and height of 0.75 in. The brass slugs shall be placed at least 0.5 in from any heat-conducting surface.

1.5. Stabilization and Test Period. Prepare the unit for testing and conduct two test periods to determine stability according to sections 7.1 through 7.5 of ASHRAE 72–2022 with Errata, excluding sections 7.2.1, 7.2.2, 7.3.1, 7.3.2, 7.3.3, and 7.3.4. The preparation period under section 7.2 of ASHRAE 72–2022 with Errata includes loading the test unit pans with distilled water and adjusting the controls to maintain the desired performance.

1.5.1. Test Periods A and B. Conduct two test periods, A and B, as specified in section 7.3 of ASHRAE 72–2022 with Errata (excluding sections 7.3.1, 7.3.2, 7.3.3, and 7.3.4). The 24-hour test periods shall begin with an 8-hour active period as specified in section 10.5.5 of ASTM F2143–16. Following the active period, the remaining 16 hours of the test period shall be a standby period with the pans remaining in place, any pan covers in the closed position, and with no additional door openings.

1.5.2. Stability. Average pan temperatures shall be used to determine stability, as specified in section 7.5 of ASHRAE 72–2022 with Errata, rather than average test simulator temperatures.

1.5.3. Data Recording. For each test period, record data as specified in section 10.1.1 of ASTM F2143–16, except record wet-bulb temperature rather than relative humidity. Rather than voltage, current, and power as specified in section 10.1.1 of ASTM F2143–16, record the electrical supply potential and frequency and energy consumption as specified in appendix A of ASHRAE 72–2022 with Errata.

1.6. Target Temperatures.

1.6.1. Average Pan Temperature. The average of all pan temperature measurements during the test period shall be 38 °F ±2 °F. If the unit under test is not able to be operated at this average temperature range, test the unit at the lowest application product temperature (LAPT), as defined in §431.62. For units equipped with a thermostat, LAPT is measured at the lowest thermostat setting of the unit (for units that are only able to operate at temperatures above the specified test temperature) or the highest thermostat setting of the unit (for units that are only able to operate at temperatures below the specified test temperature).

1.6.2. Average Compartment Temperature. The average of all compartment temperature measurements during the test period shall be 38 °F ±2 °F. If the unit under test is not capable of maintaining both average pan temperature and average compartment temperature within the specified range, the average compartment temperature shall be the average temperature necessary to maintain average pan temperature within the specified range. If the unit is tested at the LAPT for the average pan temperature, as described in section 1.6.1 of this appendix, the average compartment temperature is the average of all compartment temperature measurements at that control setting.

2. Capacity Metrics

2.1. Pan Volume. Determine pan volume according to section 11.5 of ASTM F2143–16.

2.2. Refrigerated Volume. Determine the volume of any refrigerated compartments according to section 3.2.17 and appendix C of AHRI 1200–2023. The refrigerated volume excludes the volume occupied by pans loaded in the open-top display area for testing.

2.3. Pan Display Area. Determine the pan display area based on the total surface area of water in the test pans when filled to within 0.5 in. of the top edge of the pan, or for test pans that are not configured in a horizontal orientation, when the lowest side of the pan is filled to within 0.5 in. of the top edge of the pan with water.

[88 FR 66227, Sept. 26, 2023]

APPENDIX D TO SUBPART C OF PART 431—UNIFORM TEST METHOD FOR THE MEASUREMENT OF ENERGY CONSUMPTION OF BLAST CHILLERS OR BLAST FREEZERS

NOTE: On or after September 20, 2024, any representations, including for certification of compliance, made with respect to the energy use or efficiency of blast chillers or blast freezers must be made in accordance with the results of testing pursuant to this appendix.

0. Incorporation by Reference

DOE incorporated by reference in §431.63 the entire standard for AHRI 1200–2023, ASHRAE 72–2022, and ASHRAE 72–2022 Errata (the latter two collectively referenced as ASHRAE 72–2022 with Errata). However, only enumerated provisions of those documents are applicable to this appendix as follows:

0.1 AHRI 1200–2023

(a) Appendix C, ''Commercial Refrigerated Display Merchandiser and Storage Cabinet Refrigerated Volume Calculation—Normative,'' as referenced in section 1.1.1. of this appendix.

(b) Reserved.

0.2 ASHRAE 72–2022 with Errata

(a) Section 4, ''Instruments,'' as referenced in section 1.2 of this appendix.

(b) Section 5, ''Preparation of Unit Under Test'' (except section 5.4, ''Loading of Test Simulators and Filler Material''), as referenced in section 1.2 of this appendix.

(c) Section 6.1, ''Ambient Temperature and Humidity,'' as referenced in sections 1.2 and 1.4 of this appendix.

(d) Figure 6, ''Location of Ambient Temperature Indicators,'' as referenced in sections 1.2 and 1.4 of this appendix.

(e) Normative Appendix A, ''Measurement Locations, Tolerances, Accuracies, and Other Characteristics,'' (only the measured quantities specified in section 1.2.1 of this appendix) as referenced in sections 1.2 and 1.4 of this appendix.

1. Test Procedures

1.1. Scope. This section provides the test procedures for measuring the energy consumption in kilowatt-hours per pound (kWh/lb) for self-contained commercial blast chillers and blast freezers that have a refrigerated volume of up to 500 ft^3.

1.1.1. Determination of Refrigerated Volume. Determine the refrigerated volume of a self-contained commercial blast chiller or blast freezer using the method set forth in AHRI 1200–2023, appendix C, ''Commercial Refrigerated Display Merchandiser and Storage Cabinet Refrigerated Volume Calculation—Normative.''

1.2. Determination of Energy Consumption. Determine the energy consumption of each covered blast chiller or blast freezer by conducting the test procedure set forth in ASHRAE 72–2022 with Errata section 4, ''Instruments,'' section 5, ''Preparation of Unit Under Test'' (except section 5.4, ''Loading of Test Simulators and Filler Material''), section 6.1, ''Ambient Temperature and Humidity,'' Figure 6, ''Location of Ambient Temperature Indicators,'' and normative appendix A, ''Measurement Locations, Tolerances, Accuracies, and Other Characteristics'' (only the measured quantities specified in section 1.2.1 of this appendix), as well as the requirements of this appendix.

1.2.1. Measured Quantities in Normative Appendix A of ASHRAE 72–2022 with Errata. The following measured quantities shall be in accordance with the specifications of normative appendix A of ASHRAE 72–2022 with Errata: dry bulb temperature (except for deviations specified in sections 1.3 and 1.4 of this appendix), electrical supply frequency, electrical supply potential, energy consumed (except for deviations specified in section 1.3 of this appendix), extent of non-perforated surface beyond edges of unit under test, front clearance, rear or side clearance, and time measurements.

1.2.2. Additional Specifications for ASHRAE 72–2022 with Errata. The term ''refrigerator'' used in ASHRAE 72–2022 with Errata shall instead refer to ''blast chiller'' or ''blast freezer,'' as applicable. In section 5.3 of ASHRAE 72–2022 with Errata, the phrase ''all necessary components and accessories shall be installed prior to loading the storage and display areas with test simulators and filler material'' shall be replaced with ''all necessary components and accessories shall be installed prior to precooling the unit under test.'' Section 5.3.5 shall also require that, prior to precooling the unit under test, the condensate pan shall be dry.

1.3. Data Recording Measurement Intervals. Measurements shall be continuously recorded during the test in intervals no greater than 10 seconds.

1.4. Test Conditions. The required test conditions shall have dry bulb temperature values according to Table D.1 when measured at point A in figure 6 of ASHRAE 72–2022 with Errata and according to section 6.1 of ASHRAE 72–2022 with Errata.

TABLE D.1—TEST CONDITION VALUES AND TOLERANCES

Test condition	Value	Tolerance
Dry Bulb	86.0 °F	Average over test period: ±1.8 °F. Individual measurements: ±3.6 °F.

1.5. Product Pan. The product pan shall be a 12 in. by 20 in. by 2.5 in., 22 gauge or heavier, and 300 series stainless steel pan. If the blast chiller or blast freezer is not capable of holding the 12 in. by 20 in. by 2.5 in. product pan dimensions, the manufacturer's recommended pan size shall be used, conforming as closely as possible to the 12 in. by 20 in. by 2.5 in. pan dimensions.

1.6. Product Temperature Measurement. The product temperature shall be measured in the geometric center of the measured product pans using an unweighted thermocouple placed ⅝ of an in. above the bottom of the measured product pan. The thermocouple leads shall be secured to the bottom of the measured product pan while also allowing for the transfer of the measured product pan from the heating source into the blast chiller's or blast freezer's cabinet.

1.7. Product Preparation. The product shall be made for each product pan and shall be loaded to 2 in. of product thickness (*i.e.*, depth) within the product pan unless an additional product pan with a product thickness of less than 2 in. is needed to meet the product capacity determined in section 2.1 of this appendix. A 20-percent-by-volume propylene glycol (1,2-Propanediol) mixture in water shall be prepared. In each product pan, pour the propylene glycol mixture over #20 mesh southern yellow pine sawdust to create a 22 percent to 78 percent by mass slurry. An example of an acceptable sawdust specification is the American Wood Fibers brand, #20 Mesh Pine Sawdust. Mix until the sawdust becomes completely saturated and leave uncovered in the product pan. Verify that the product pan thermocouple is fully submerged in the product mixture and reposition the product pan thermocouple to the requirements of section 1.6. of this appendix if the product pan thermocouple is incorrectly positioned after mixing. Each product pan shall be weighed before and after the food product simulator is added and prior to heating the product. The weight of the product shall not include the weight of the pans, thermocouples, or wires. A cumulative total of the product weight shall be calculated and the product pans shall continue to be loaded with the product mixture until the cumulative total reaches, but not exceeds, the product capacity determined in section 2.1 of this appendix with a tolerance of ±5 percent or ±2 pounds, whichever is less. The cumulative total weight of product, the weight of product in each individual pan, and the number of pans shall be recorded.

1.8. Product Pan Heating. Measured product pans shall be maintained at an average temperature of 160.0 °F ±1.8 °F and individual pan temperatures shall be maintained at 160 °F ±10 °F for a minimum of 8 hours prior to being loaded into the blast chiller or blast freezer. Non-measured product pans shall also be heated for a minimum of 8 hours prior to being loaded into the blast chiller or blast freezer and the non-measured product pans shall be placed in alternating positions with the measured product pans in the heating device. Data acquisition for the temperature of the measured product pans and time measurements shall begin to be recorded prior to the minimum of 8 hours heating period.

1.9. Product Pan Distribution. The product pans shall be spaced evenly throughout each vertical column of rack positions in the blast chiller or blast freezer without the product pans touching any other product pans and without the product pans touching the top and the bottom of the blast chiller or blast freezer cabinet. For blast chillers or blast freezers that have an additional product pan with a product thickness of less than 2 in., the additional product pan shall be placed as close to the middle rack position as possible while maintaining an even distribution of all product pans. If not all rack positions are occupied by product pans, the product pan locations shall be recorded.

1.10. Measured Product Pans. If multiple product pans are required per level of the blast chiller or blast freezer (*i.e.,* product pans can be loaded side-by-side at the same level), only the product temperature of one product pan per level shall be measured and the product pans measured should alternate vertical columns of the blast chiller or blast freezer cabinet so that each vertical column does not have two measured product pans on sequential levels. If a blast chiller or blast freezer requires an additional product pan with a thickness less than 2 in., the additional product pan shall not be measured for product temperature.

1.11. Stabilization. The blast chiller or blast freezer shall stabilize at the test conditions specified in section 1.4 of this appendix for at least 24 hours without operating.

1.12. Pre-cool Cycle. Data acquisition for the test condition temperatures specified in section 1.4 of this appendix and time measurements shall begin to be recorded prior to the pre-cool cycle. The pre-cool cycle shall be initiated on a blast chiller or blast freezer once the stabilization specified in section 1.11 of this appendix is complete. The fastest pre-cool cycle shall be selected. The pre-cool cycle shall be complete when the blast chiller or blast freezer notifies the user that the pre-cool is complete. If the blast chiller or blast freezer does not notify the user that the pre-cool cycle is complete, the pre-cool cycle shall be deemed complete when the blast chiller or blast freezer reaches 40 °F or 2 °F based on the blast chiller's or blast freezer's sensing probe for blast chillers and blast freezers, respectively. For blast chillers or blast freezers without any defined pre-cool cycles, the fastest blast chilling or blast freezing cycle shall be run with an empty cabinet until the blast chiller or blast freezer reaches 40 °F or 2 °F based on the blast chiller's or blast freezer's sensing probe. During the pre-cool cycle, the blast chiller's or blast freezer's sensing probe shall remain in its default or holstered position. The pre-cool test data to be recorded are the test condition temperatures specified in section 1.4 of this appendix, pre-cool cycle selected, pre-cool duration, and final pre-cool cabinet temperature based on the blast chiller's or blast freezer's sensing probe.

1.13. Loading. The blast chiller or blast freezer door shall be fully open to an angle of not less than 75 °F for loading at 4.0 ±1.0 minutes after the blast chiller or blast freezer completes the pre-cool cycle as specified in section 1.12 of this appendix. The door shall remain open to load all of the product pans for the entirety of the loading procedure. The door shall remain open for 20 seconds per roll-in rack and 15 seconds per product pan for roll-in and standard blast chillers or blast freezers, respectively. The total door open period shall have a tolerance of ±5 seconds. The blast chiller's or blast freezer's sensing probe shall be inserted into the geometric center of a product pan approximately 1 in. deep in the product mixture at the median pan level in the blast chiller or blast freezer. If the product pan at the median level is the additional product pan with less than 2 in. of product thickness, the closest product pan or product pan level that is farthest away from the evaporator fan shall be used to insert the blast chiller's or blast freezer's sensing probe. If the median pan level has capacity for multiple product pans, the probed product pan shall be the furthest away from the evaporator. The sensing probe shall not touch the bottom of the product pan or be exposed to the air. The location of the product pan with the sensing probe shall be recorded. The sensing probe shall be placed so that there is no interference with the product pan thermocouple. The product pan thermocouple wiring shall not affect the energy performance of the blast chiller or blast freezer. The door shall remain closed for the remainder of the test.

1.14. Blast Chilling or Blast Freezing Cycle. Determine the blast chilling or blast freezing cycle that will conduct the most rapid product temperature pulldown that is designed for the densest food product, as stated in the blast chiller's or blast freezer's manufacturer literature. A blast chilling cycle shall have a target temperature of 38.0 °F and a blast

freezing cycle shall have a target temperature of 0.0 °F. The test condition temperatures specified in section 1.4 of this appendix and the time measurements shall continue to be recorded from the pre-cool cycle. Measured product pan temperatures shall continue to be recorded from the minimum of 8-hour period of heating prior to the loading of the product pans into the blast chiller or blast freezer. Electrical supply frequency, electrical supply potential, and energy consumed shall start to be recorded as soon as the blast chiller or blast freezer door is opened to load the product pans. Once the blast chiller or blast freezer door is closed, the blast chilling cycle or blast freezing cycle shall be selected and initiated as soon as is practicable. The blast chilling cycle or blast freezing cycle selected shall be recorded. The blast chilling or blast freezing test period shall continue from the door opening until all individual measured pan temperatures are at or below 40.0 °F or 2.0 °F for blast chiller and blast freezer tests, respectively, regardless of whether the selected cycle program has terminated. If all individual measured pan temperatures do not reach 40.0 °F or 2.0 °F for blast chiller and blast freezer tests, respectively, two hours after the selected cycle program has terminated, the test shall be repeated with the target temperature lowered by 1.0 °F until all individual measured pan temperatures are at or below 40.0 °F or 2.0 °F for blast chiller and blast freezer tests, respectively, at the conclusion of the test. The duration of the blast chiller or blast freezer test shall be recorded.

1.15. Calculations. The measured energy consumption determined in section 1.14 of this appendix shall be reported in kilowatt-hours and shall be divided by the cumulative total weight of product determined in section 1.7 of this appendix in pounds.

2. Capacity Metric

2.1. Product Capacity. Determine the product capacity by reviewing all manufacturer literature that is included with the blast chiller or blast freezer. The largest product capacity by weight that is stated in the manufacturer literature shall be the product capacity. If the blast chiller or blast freezer is able to operate as both a blast chiller and a blast freezer when set to different operating modes by the user and the manufacturer literature specifies different product capacities for blast chilling and blast freezing, the largest capacity by weight stated for the respective operating mode shall be the product capacity. If no product capacity is stated in the manufacturer literature, the product capacity shall be the product capacity that fills the maximum number of 12 in. by 20 in. by 2.5 in. pans that can be loaded into the blast chiller or blast freezer according to section 1.7 of this appendix. If the blast chiller or blast freezer with no product capacity stated in the manufacturer literature is not capable of meeting the definition of a blast chiller or blast freezer according to §431.62 upon testing according to section 1 of this appendix, one 12 in. by 20 in. by 2.5 in. pan shall be removed from the blast chiller or blast freezer until the definition of a blast chiller or blast freezer is met according to §431.62 when testing according to section 1 of this appendix.

[88 FR 66229, Sept. 26, 2023]

Subpart D—Commercial Warm Air Furnaces

SOURCE: 69 FR 61939, Oct. 21, 2004, unless otherwise noted.

§431.71 Purpose and scope.

This subpart contains energy conservation requirements for commercial warm air furnaces, pursuant to Part C of Title III of the Energy Policy and Conservation Act, as amended, 42 U.S.C. 6311–6317.

[69 FR 61939, Oct. 21, 2004, as amended at 70 FR 60415, Oct. 18, 2005]

§431.72 Definitions concerning commercial warm air furnaces.

The following definitions apply for purposes of this subpart D, and of subparts J through M of this part. Any words or terms not defined in this Section or elsewhere in this part shall be defined as provided in Section 340 of the Act.

Basic model means all commercial warm air furnaces manufactured by one manufacturer within a single equipment class, that have the same nominal input rating and the same primary energy source (e.g. gas or oil) and that do not have any differing physical or functional characteristics that affect energy efficiency.

Commercial warm air furnace means a warm air furnace that is industrial equipment, and that has a capacity (rated maximum input) of 225,000 Btu per hour or more.

Thermal efficiency for a commercial warm air furnace equals 100 percent minus percent flue loss determined using test procedures prescribed under §431.76.

Thermal efficiency two for a commercial warm air furnace equals 100 percent minus percent flue loss and jacket loss.

Warm air furnace means a self-contained oil-fired or gas-fired furnace designed to supply heated air through ducts to spaces that require it and includes combination warm air furnace/electric air conditioning units but does not include unit heaters and duct furnaces.

[69 FR 61939, Oct. 21, 2004, as amended at 76 FR 12503, Mar. 7, 2011; 78 FR 79598, Dec. 31, 2013; 88 FR 36233, June 2, 2023]

TEST PROCEDURES

§ 431.75 Materials incorporated by reference.

(a) Certain material is incorporated by reference into this subpart with the approval of the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in this section, DOE must publish a document in the FEDERAL REGISTER and the material must be available to the public. All approved incorporation by reference (IBR) material is available for inspection at DOE, and at the National Archives and Records Administration (NARA). Contact DOE at: the U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Program, 1000 Independence Ave. SW, EE–5B, Washington, DC 20585, (202) 586–9127, *Buildings@ee.doe.gov, www.energy.gov/eere/buildings/building-technologies-office*. For information on the availability of this material at NARA, visit: *www.archives.gov/federal-register/cfr/ibr-locations.html* or email: *fr.inspection@nara.gov*. The material may be obtained from the sources in the following paragraphs of this section.

(b) *AHRI*. Air-Conditioning, Heating, and Refrigeration Institute, 2311 Wilson Blvd., Suite 400, Arlington, VA 22201, (703) 524–8800, or online at: *www.ahrinet.org*.

(1) ANSI/AHRI 1500–2015 (''AHRI 1500–2015''), *Performance Rating of Commercial Space Heating Boilers*, ANSI-approved November 28, 2014; IBR approved for appendix A to this subpart.

(2) [Reserved]

(c) *ANSI*. American National Standards Institute. 25 W 43rd Street, 4th Floor, New York, NY 10036. (212) 642–4900 or online at: *www.ansi.org*.

(1) CSA/ANSI Z21.47:21, (''ANSI Z21.47–2021''), *Gas-fired central furnaces*, ANSI-approved April 21, 2021; IBR approved for appendices A and B to this subpart.

(2) [Reserved]

(d) *ASHRAE*. American Society of Heating, Refrigerating and Air-Conditioning Engineers Inc., 180 Technology Parkway NW, Peachtree Corners, Georgia 30092, (404) 636–8400, or online at: *www.ashrae.org*.

(1) ANSI/ASHRAE 103–2022 (''ASHRAE 103–2022''), *Method of Testing for Annual Fuel Utilization Efficiency of Residential Central Furnaces and Boilers*, approved January 10, 2022; IBR approved for appendix A to this subpart.

(2) [Reserved]

(e) *ASME*. American Society of Mechanical Engineers, Service Center, 22 Law Drive, P.O. Box 2900, Fairfield, NJ 07007, (973) 882–1170, or online at: *www.asme.org*.

(1) ANSI/ASME PTC 19.3–1974 (R2004), *Supplement to ASME Performance Test Codes: Part 3: Temperature Measurement, Instruments and Apparatus*, reaffirmed 2004; IBR approved for appendix A to this subpart.

(2) [Reserved]

(f) *ASTM*. ASTM International, 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA 19428, (877) 909–2786, or online at: *www.astm.org/*.

(1) ASTM D240–09, *Standard Test Method for Heat of Combustion of Liquid Hydrocarbon Fuels by Bomb Calorimeter*, approved July 1, 2009; IBR approved for appendix A to this subpart.

(2) ASTM D396–14a, *Standard Specification for Fuel Oils*, approved October 1, 2014; IBR approved for appendix A to this subpart.

(3) ASTM D4809–09a, *Standard Test Method for Heat of Combustion of Liquid Hydrocarbon Fuels by Bomb Calorimeter (Precision Method);* approved September 1, 2009; IBR approved for appendix A to this subpart.

(4) ASTM D5291–10, *Standard Test Methods for Instrumental Determination*

of Carbon, Hydrogen, and Nitrogen in Petroleum Products and Lubricants, approved May 1, 2010; IBR approved for appendix A to this subpart.

(5) ASTM E230/E230M–17 (''ASTM E230/E230M–17''), *Standard Specification for Temperature-Electromotive Force (emf) Tables for Standardized Thermocouples*, approved November 1, 2017; IBR approved for appendix A to this subpart.

(g) *NFPA*. National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02169–7471, 1–800–344–3555, or online at: *www.nfpa.org*.

(1) NFPA 97 (''NFPA 97–2003''), *Standard Glossary of Terms Relating to Chimneys, Vents, and Heat-Producing Appliances;* copyright 2023; IBR approved for appendix A to this subpart.

(2) [Reserved]

(h) *UL*. Underwriters Laboratories, Inc., 333 Pfingsten Road, Northbrook, IL 60062, (847) 272–8800, or online at: *www.ul.com*.

(1) UL 727 (''UL 727–2018''), *Standard for Safety Oil-Fired Central Furnaces*, Tenth Edition, published January 31, 2018; IBR approved for appendix A to this subpart.

(2) [Reserved]

[88 FR 36234, June 2, 2023]

§ 431.76 Uniform test method for the measurement of energy efficiency of commercial warm air furnaces.

(a) *Scope*. This section prescribes the test requirements used to measure the energy efficiency of commercial warm air furnaces with a rated maximum input of 225,000 Btu per hour or more.

(b) *Testing and calculations*—(1) *Thermal efficiency*. Test in accordance with appendix A to subpart D of this part when making representations of thermal efficiency.

(2) *Thermal efficiency two*. Test in accordance with appendix B to subpart D of this part when making representations of thermal efficiency two.

[88 FR 36234, June 2, 2023]

ENERGY CONSERVATION STANDARDS

§ 431.77 Energy conservation standards and their effective dates.

(a) *Gas-fired commercial warm air furnaces*. Each gas-fired commercial warm air furnace must meet the following energy efficiency standard levels:

(1) For gas-fired commercial warm air furnaces manufactured starting on January 1, 1994, until January 1, 2023, the TE at the maximum rated capacity (rated maximum input) must be not less than 80 percent; and

(2) For gas-fired commercial warm air furnaces manufactured starting on January 1, 2023, the TE at the maximum rated capacity (rated maximum input) must be not less than 81 percent.

(b) *Oil-fired commercial warm air furnaces*. Each oil-fired commercial warm air furnace must meet the following energy efficiency standard levels:

(1) For oil-fired commercial warm air furnaces manufactured starting on January 1, 1994, until January 1, 2023, the TE at the maximum rated capacity (rated maximum input) must be not less than 81 percent; and

(2) For oil-fired commercial warm air furnaces manufactured starting on January 1, 2023, the TE at the maximum rated capacity (rated maximum input) must be not less than 82 percent.

[81 FR 2528, Jan. 15, 2016]

APPENDIX A TO SUBPART D OF PART 431—UNIFORM TEST METHOD FOR MEASUREMENT OF THE ENERGY EFFICIENCY OF COMMERCIAL WARM AIR FURNACES (THERMAL EFFICIENCY)

NOTE: On and after May 28, 2024, any representations made with respect to the energy use or efficiency of commercial warm air furnaces must be made in accordance with the results of testing pursuant to this section. At that time, manufacturers must use the relevant procedures specified in this appendix, which reference ANSI Z21.47–2021, ASHRAE 103–2022, UL 727–2018, or AHRI 1500–2015. On and after July 3, 2023 and prior to May 28, 2024, manufacturers must test commercial warm air furnaces in accordance with this appendix or 10 CFR 431.76 as it appeared on January 1, 2023. DOE notes that, because testing under this section is required as of May 28, 2024, manufacturers may wish to begin using this amended test procedure as soon as possible. Any representations made with respect to the energy use or efficiency of such commercial warm air furnaces must be made in accordance with whichever version is selected.

Manufacturers must use the results of testing under appendix B to this subpart to determine compliance with any standards for commercial warm air furnaces that use the thermal efficiency 2 (TE2) metric.

0. Incorporation by reference.

In §431.75, DOE incorporated by reference the entire standard for AHRI 1500–2015, ANSI Z21.47–2021, ASHRAE 103–2022, ASME PTC 19.3–1974 (R2004), ASTM D240–09, ASTM D396–14a, ASTM D4809–09a, ASTM D5291–10, ASTM E230/E230M–17, NFPA 97–2003, and UL 727–2018. However, for standards AHRI 1500–2015, ANSI Z21.47–2021, ASHRAE 103–2022, and UL 727–2018, only the enumerated provisions of those documents apply to this appendix, as follows:

0.1 ANSI Z21.47–2021

(a) Sections 5.1, 5.1.4, 5.2, 5.3, 5.4, 5.5, 5.5.1, 5.6, and 7.2.1 as specified in section 1.1 of this appendix;

(b) Section 5.40 as specified in sections 1.1 and 3.1 of this appendix;

(c) Section 5.2.8 as specified in section 4.1 of this appendix;

(d) Annex I as specified in section 3.1 of this appendix.

0.2 ASHRAE 103–2022

(a) Sections 7.2.2.4, 7.8, and 9.2 as specified in section 2.2 of this appendix;

(b) Sections 11.3.7.1 and 11.3.7.2 as specified in section 4.1 of this appendix.

0.3 UL 727–2018

(a) Sections 2, 3, 37, 38 and 39, 40, 40.6, 41, 42, 43.2, 44, 45, and 46 as specified in section 1.2 of this appendix;

(b) Figure 40.3 as specified in section 2.1 of this appendix.

0.4 AHRI 1500–2015

(a) Section C3.2.1.1 as specified in section 1.2 of this appendix;

(b) Sections C7.2.4, C7.2.5, and C7.2.6.2 as specified in section 3.2 of this appendix.

1. Test setup and Testing. Where this section prescribes use of ANSI Z21.47–2021 or UL 727–2018, perform only the procedures pertinent to the measurement of the steady-state efficiency, as specified in this section.

1.1 *Gas-fired commercial warm air furnaces.* The test setup, including flue requirement, instrumentation, test conditions, and measurements for determining thermal efficiency are as specified in section 1.3 of this appendix, and the following sections of ANSI Z21.47–2021: 5.1 (General, including ASME PTC 19.3–1974 (R2004) as referenced in Section 5.1.4), 5.2 (Basic test arrangements), 5.3 (Test ducts and plenums), 5.4 (Test gases), 5.5 (Test pressures and burner adjustments), 5.6 (Static pressure and air flow adjustments), 5.40 (Thermal efficiency), and 7.2.1 (Basic test arrangements for direct vent central furnaces). If section 1.3 of this appendix and ANSI Z21.47–2021 have conflicting provisions (*e.g.*, the number of thermocouples that should be used when testing units with flue outlets that have a cross-sectional area of 3.14 square inches or less), follow the provisions in section 1.3 of this appendix. The thermal efficiency test must be conducted only at the normal inlet test pressure, as specified in section 5.5.1 of ANSI Z21.47–2021, and at the maximum hourly Btu input rating specified by the manufacturer for the product being tested.

1.2 *Oil-fired commercial warm air furnaces.* The test setup, including flue requirement, instrumentation, test conditions, and measurement for measuring thermal efficiency is as specified in section 1.3 of this appendix and the following sections of UL 727–2018: 2 (Units of Measurement), 3 (Glossary, except that the definitions for ''combustible'' and ''non-combustible'' in sections 3.11 and 3.27 shall be as referenced in NFPA 97–2003), 37 (General), 38 and 39 (Test Installation), 40 (Instrumentation, except 40.4 and 40.6.2 through 40.6.7 which are not required for the thermal efficiency test, and including ASTM E230/E230M–17 as referenced in Sections 40.6), 41 (Initial Test Conditions), 42 (Combustion Test—Burner and Furnace), 43.2 (Operation Tests), 44 (Limit Control Cutout Test), 45 (Continuity of Operation Test), and 46 (Air Flow, Downflow or Horizontal Furnace Test). If section 1.3 of this appendix and UL 727–2018 have conflicting provisions (*e.g.*, the number of thermocouples that should be used when testing units with flue outlets that have a cross-sectional area of 3.14 inches or less), follow the provisions in section 1.3 of this appendix. Conduct a fuel oil analysis for heating value, hydrogen content, carbon content, pounds per gallon, and American Petroleum Institute (API) gravity as specified in section C3.2.1.1 of AHRI 1500–2015, including the applicable provisions of ASTM D240–09, ASTM D4809–09a, ASTM D5291–10, and ASTM D396–14a, as referenced. The steady-state combustion conditions, specified in section 42.1 of UL 727–2018, are attained when variations of not more than 5 °F in the measured flue gas temperature occur for three consecutive readings taken 15 minutes apart.

1.3 *Additional test setup requirements for gas-fired and oil-fired commercial warm air furnaces*

1.3.1 *Thermocouple setup for gas-fired and oil-fired commercial warm air furnaces with flue outlets that have a cross-sectional area of 3.14 square inches or less.* For units with flue outlets having a cross-sectional area of 3.14 square inches or less, the flue gas temperatures may optionally be measured using five individual thermocouples, instead of nine thermocouples.

1.3.2 *Procedure for flue gas measurements when testing units with multiple flue outlets.* For units that have multiple flue outlets, record flue gas measurements (*e.g.*, flue gas temperature, CO_2 in the flue gasses) separately for each individual flue outlet and calculate a weighted-average value based on the readings of all flue outlets. To determine the weighted average for each measurement, first determine the input rating of the furnace module associated with each flue outlet. Then multiply the ratio of the input rating for the furnace module associated with each individual flue outlet to the total

nameplate input rating of the furnace (*i.e.*, the input rating associated with each individual flue outlet divided by the total nameplate input rating) by that flue outlet's respective component measurement and the sum of all of the products of the calculations for all of the flue outlets to determine the weighted-average values. Use the weighted-average values to determine flue loss, and whether equilibrium conditions are met before the official test period.

2. Additional test measurements

2.1 *Determination of flue CO_2 (carbon dioxide) or O_2 (oxygen) for oil-fired commercial warm air furnaces.* In addition to the flue temperature measurement specified in section 40.6.8 of UL 727–2018, locate one or two sampling tubes within six inches downstream from the flue temperature probe (as indicated on Figure 40.3 of UL 727–2018). If an open end tube is used, it must project into the flue one-third of the chimney connector diameter. If other methods of sampling the flue gas are used, place the sampling tube so as to obtain an average sample. There must be no air leak between the temperature probe and the sampling tube location. Collect the flue gas sample at the same time the flue gas temperature is recorded. The CO_2 or O_2 concentration of the flue gas must be as specified by the manufacturer for the product being tested, with a tolerance of ±0.1 percent. Determine the flue CO_2 or O_2 using an instrument with a reading error no greater than ±0.1 percent.

2.2 *Procedure for the measurement of condensate for a gas-fired condensing commercial warm air furnace.* The test procedure for the measurement of the condensate from the flue gas under steady-state operation must be conducted as specified in sections 7.2.2.4, 7.8, and 9.2 of ASHRAE 103–2022 under the maximum rated input conditions. This condensate measurement must be conducted for an additional 30 minutes of steady-state operation after completion of the steady-state thermal efficiency test specified in section 1.1 of this appendix.

3. Calculation of thermal efficiency

3.1 *Gas-fired commercial warm air furnaces.* Use the calculation procedure specified in Section 5.40, Thermal efficiency, of ANSI Z21.47–2021. When determining the flue loss that is used in the calculation of thermal efficiency, the calculation method specified in Annex I of ANSI Z21.47–2021 shall be used.

3.2 *Oil-fired commercial warm air furnaces.* Calculate the percent flue loss (in percent of heat input rate) by following the procedure specified in sections C7.2.4, C7.2.5, and C7.2.6.2 of the AHRI 1500–2015. The thermal efficiency must be calculated as: Thermal Efficiency (percent) = 100 percent − flue loss (in percent).

4. Procedure for the calculation of the additional heat gain and heat loss, and adjustment to the thermal efficiency, for a condensing commercial warm air furnace.

4.1 Calculate the latent heat gain from the condensation of the water vapor in the flue gas, and calculate heat loss due to the flue condensate down the drain, as specified in sections 11.3.7.1 and 11.3.7.2 of ASHRAE 103–2022, with the exception that in the equation for the heat loss due to hot condensate flowing down the drain in section 11.3.7.2, the assumed indoor temperature of 70 °F and the temperature term T_{OA} must be replaced by the measured room temperature as specified in section 5.2.8 of ANSI Z21.47.

4.2 *Adjustment to the thermal efficiency for condensing commercial warm air furnaces.* Adjust the thermal efficiency as calculated in section 3.1 of this appendix by adding the latent gain, expressed in percent, from the condensation of the water vapor in the flue gas, and subtracting the heat loss (due to the flue condensate down the drain), also expressed in percent, both as calculated in section 4.1 of this appendix, to obtain the thermal efficiency of a condensing furnace.

[88 FR 36234, June 2, 2203]

APPENDIX B TO SUBPART D OF PART 431—UNIFORM TEST METHOD FOR MEASUREMENT OF THE ENERGY EFFICIENCY OF COMMERCIAL WARM AIR FURNACES (THERMAL EFFICIENCY TWO)

NOTE: Manufacturers must use the results of testing under this appendix B to determine compliance with any standards for commercial warm air furnaces that use the thermal efficiency 2 (TE2) metric. In addition, manufacturers may optionally make representations of energy use or efficiency of this equipment using TE2 as determined using this appendix starting on July 3, 2023.

0. Incorporation by Reference.

In §431.75, DOE incorporates by reference the entire standard ANSI Z21.47–2021. However, only section 5.40 and Appendix J of ANSI Z21.47–2021 apply, as specified in sections 1.2 and 1.6 of this appendix.

1. Testing

1.1 Set up and test the unit according to sections 0 through 4 of appendix A to this subpart, while operating the unit at the maximum nameplate input rate (*i.e.*, full load). Calculate thermal efficiency (TE) using the procedure specified in sections 3 and 4 of appendix A to this subpart.

1.2 For commercial warm air furnaces that are designed for outdoor installation (including but not limited to CWAFs that are weatherized, or approved for resistance to wind, rain, or snow), or indoor installation within an unheated space (*i.e.*, isolated combustion systems), determine the jacket loss using Section 5.40 and Annex J of ANSI Z21.47–2021 while the unit is operating at the

maximum nameplate input. The jacket shall consist of the surfaces surrounding the heating section of the furnace. The jacket includes all surfaces separating the heating section from the supply air, outside air, or condenser section, including the bottom surface separating the heating section from the basepan.

1.3 For commercial warm air furnaces that are designed only for indoor installation within a heated space, jacket loss shall be zero. For commercial warm air furnaces that are designed for indoor installation within a heated or unheated space, multiply the jacket loss determined in section 1.2 of this appendix by 1.7. For all other commercial warm air furnaces, including commercial warm air furnaces that are designed for outdoor installation (including but not limited to CWAFs that are weatherized, or approved for resistance to wind, rain, or snow), multiply the jacket loss determined in section 1.2 of this appendix by 3.3.

1.4 Subtract the jacket loss determined in section 1.3 of this appendix from the TE determined in section 1.1 of this appendix to determine the full-load efficiency.

1.5 Set up and test the unit according to sections 0 through 4 of appendix A to this subpart, while operating the unit at the nameplate minimum input rate (*i.e.*, part load). Calculate TE using the procedure specified in sections 3 and 4 of appendix A to this subpart.

1.6 For commercial warm air furnaces that are designed for outdoor installation (including but not limited to CWAFs that are weatherized, or approved for resistance to wind, rain, or snow), or indoor installation within an unheated space (*i.e.*, isolated combustion systems), determine the jacket loss using Section 5.40 and Annex J of ANSI Z21.47–2021 while the unit is operating at the minimum nameplate input. Alternatively, the jacket loss determined in section 1.2 of this appendix at the maximum nameplate input may be used.

1.7 For commercial warm air furnaces that are designed only for indoor installation within a heated space, jacket loss shall be zero. For commercial warm air furnaces that are designed for indoor installation within a heated or unheated space, multiply the jacket loss determined in section 1.6 of this appendix by 1.7. For all other commercial warm air furnaces, including commercial warm air furnaces that are designed for outdoor installation (including but not limited to CWAFs that are weatherized, or approved for resistance to wind, rain, or snow), multiply the jacket loss determined in section 1.6 of this appendix by 3.3.

1.8 Subtract the jacket loss determined in section 1.7 of this appendix from the TE determined in section 1.5 of this appendix to determine the part-load efficiency.

1.9 Calculate TE2 by taking the average of the full-load and part-load efficiencies as determined in sections 1.4 and 1.8 of this appendix, respectively.

[88 FR 36235, June 2, 2023]

Subpart E—Commercial Packaged Boilers

SOURCE: 69 FR 61960, Oct. 21, 2004, unless otherwise noted.

§ 431.81 Purpose and scope.

This subpart contains energy conservation requirements for certain commercial packaged boilers, pursuant to Part C of Title III of the Energy Policy and Conservation Act. (42 U.S.C. 6311–6317)

[69 FR 61960, Oct. 21, 2004, as amended at 70 FR 60415, Oct. 18, 2005]

§ 431.82 Definitions concerning commercial packaged boilers.

The following definitions apply for purposes of this subpart E, and of subparts A and J through M of this part. Any words or terms not defined in this section or elsewhere in this part shall be defined as provided in 42 U.S.C. 6311.

Basic model means all commercial packaged boilers manufactured by one manufacturer within a single equipment class having the same primary energy source (e.g., gas or oil) and that have essentially identical electrical, physical and functional characteristics that affect energy efficiency.

Btu/h or *Btu/hr* means British thermal units per hour.

Combustion efficiency for a commercial packaged boiler is a measurement of how much of the fuel input energy is converted to useful heat in combustion and is calculated as 100-percent minus percent losses due to dry flue gas, incomplete combustion, and moisture formed by combustion of hydrogen, as determined with the test procedures prescribed under § 431.86 of this chapter.

Commercial packaged boiler means a packaged boiler that meets all of the following criteria:

(1) Has rated input of 300,000 Btu/h or greater;

(2) Is, to any significant extent, distributed in commerce for space conditioning and/or service water heating in

buildings but does not meet the definition of ''hot water supply boiler'' in this part;

(3) Does not meet the definition of ''field-constructed'' in this section; and

(4) Is designed to:

(i) Operate at a steam pressure at or below 15 psig;

(ii) Operate at or below a water pressure of 160 psig and water temperature of 250 °F; or

(iii) Operate at the conditions specified in both paragraphs (4)(i) and (ii) of this definition.

Condensing boiler means a commercial packaged boiler that condenses part of the water vapor in the flue gases, and that includes a means of collecting and draining this condensate from its heat exchanger section.

Field-constructed means custom-designed equipment that requires welding of structural components in the field during installation. For the purposes of this definition, welding does not include attachment using mechanical fasteners or brazing; any jackets, shrouds, venting, burner, or burner mounting hardware are not structural components.

Flue condensate means liquid formed by the condensation of moisture in the flue gases.

Fuel input rate for a commercial packaged boiler means the measured rate at which the commercial packaged boiler uses energy and is determined using test procedures prescribed under § 431.86 of this chapter.

Manufacturer of a commercial packaged boiler means any person who manufactures, produces, assembles or imports such a boiler, including any person who:

(1) Manufactures, produces, assembles or imports a commercial packaged boiler in its entirety;

(2) Manufactures, produces, assembles or imports a commercial packaged boiler in part, and specifies or approves the boiler's components, including burners or other components produced by others, as for example by specifying such components in a catalogue by make and model number or parts number; or

(3) Is any vendor or installer who sells a commercial packaged boiler that consists of a combination of components that is not specified or approved by a person described in paragraph (1) or (2) of this definition.

Packaged boiler means a boiler that is shipped complete with heating equipment, mechanical draft equipment, and automatic controls and is usually shipped in one or more sections. If the boiler is shipped in more than one section, the sections may be produced by more than one manufacturer, and may be originated or shipped at different times and from more than one location.

Rated input means the maximum rate at which the commercial packaged boiler has been rated to use energy as indicated by the nameplate and in the manual shipped with the commercial packaged boiler.

Thermal efficiency for a commercial packaged boiler is determined using test procedures prescribed under § 431.86 and is the ratio of the heat absorbed by the water or the water and steam to the higher heating value in the fuel burned.

[69 FR 61960, Oct. 21, 2004, as amended at 74 FR 36354, July 22, 2009; 76 FR 12503, Mar. 7, 2011; 78 FR 79598, Dec. 31, 2013; 81 FR 89304, Dec. 9, 2016]

TEST PROCEDURES

§ 431.85 Materials incorporated by reference.

(a) *General.* We incorporate by reference the following standards into subpart E of part 431. The material listed has been approved for incorporation by reference by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Any subsequent amendment to a standard by the standard-setting organization will not affect the DOE regulations unless and until amended by DOE. Material is incorporated as it exists on the date of the approval and a notice of any change in the material will be published in the FEDERAL REGISTER. All approved material is available for inspection at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030 or go to *http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.* Also, this material is

available for inspection at U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Program, 6th Floor, 950 L'Enfant Plaza, SW., Washington, DC 20024, 202–586–2945, or go to: *http://www1.eere.energy.gov/buildings/appliance_standards/*. Standards can be obtained from the sources listed below.

(b) *AHRI*. Air-Conditioning, Heating, and Refrigeration Institute, 2111 Wilson Blvd., Suite 500, Arlington, VA 22201, (703) 524–8800, or go to: *http://www.ahrinet.org*.

(1) AHRI Standard 1500–2015, (''ANSI/AHRI Standard 1500–2015''), ''2015 Standard for Performance Rating of Commercial Space Heating Boilers,'' ANSI approved November 28, 2014, IBR approved for appendix A to subpart E as follows:

(i) Section 3—Definitions (excluding introductory text to section 3, introductory text to 3.2, 3.2.4, 3.2.7, 3.6, 3.12, 3.13, 3.20, 3.23, 3.24, 3.26, 3.27, and 3.31);

(ii) Section 5—Rating Requirements, 5.3 Standard Rating Conditions: (excluding introductory text to section 5.3, 5.3.5, 5.3.8, and 5.3.9);

(iii) Appendix C—Methods of Testing for Rating Commercial Space Heating Boilers—Normative, excluding C2.1, C2.7.2.2.2, C3.1.3, C3.5–C3.7, C4.1.1.1.2, C4.1.1.2.3, C4.1.2.1.5, C4.1.2.2.2, C4.1.2.2.3, C4.2, C5, C7.1, C7.2.12, C7.2.20;

(iv) Appendix D. Properties of Saturated Steam—Normative.

(v) Appendix E. Correction Factors for Heating Values of Fuel Gases—Normative.

(2) [Reserved].

[74 FR 36354, July 22, 2009, as amended at 81 FR 89305, Dec. 9, 2016]

§ 431.86 Uniform test method for the measurement of energy efficiency of commercial packaged boilers.

(a) *Scope*. This section provides test procedures, pursuant to the Energy Policy and Conservation Act (EPCA), as amended, which must be followed for measuring the combustion efficiency and/or thermal efficiency of a gas- or oil-fired commercial packaged boiler.

(b) *Testing and Calculations*. Determine the thermal efficiency or combustion efficiency of commercial packaged boilers by conducting the appropriate test procedure(s) indicated in Table 1 of this section.

TABLE 1—TEST REQUIREMENTS FOR COMMERCIAL PACKAGED BOILER EQUIPMENT CLASSES

Equipment category	Subcategory	Certified rated input Btu/h	Standards efficiency metric (§ 431.87)	Test procedure (corresponding to standards efficiency metric required by § 431.87)
Hot Water	Gas-fired	≥300,000 and ≤2,500,000	Thermal Efficiency	Appendix A, Section 2.
Hot Water	Gas-fired	>2,500,000	Combustion Efficiency	Appendix A, Section 3.
Hot Water	Oil-fired	≥300,000 and ≤2,500,000	Thermal Efficiency	Appendix A, Section 2.
Hot Water	Oil-fired	>2,500,000	Combustion Efficiency	Appendix A, Section 3.
Steam	Gas-fired (all*)	≥300,000 and ≤2,500,000	Thermal Efficiency	Appendix A, Section 2.
Steam	Gas-fired (all*)	>2,500,000 and ≤5,000,000	Thermal Efficiency	Appendix A, Section 2.
		>5,000,000	Thermal Efficiency	Appendix A, Section 2. OR Appendix A, Section 3 with Section 2.4.3.2.
Steam	Oil-fired	≥300,000 and ≤2,500,000	Thermal Efficiency	Appendix A, Section 2.
Steam	Oil-fired	>2,500,000 and ≤5,000,000	Thermal Efficiency	Appendix A, Section 2.
		>5,000,000	Thermal Efficiency	Appendix A, Section 2. OR Appendix A, Section 3. with Section 2.4.3.2.

*Equipment classes for commercial packaged boilers as of July 22, 2009 (74 FR 36355) distinguish between gas-fired natural draft and all other gas-fired (except natural draft).

(c) *Field Tests*. The field test provisions of appendix A may be used only to test a unit of commercial packaged boiler with rated input greater than 5,000,000 Btu/h.

[81 FR 89305, Dec. 9, 2016]

ENERGY EFFICIENCY STANDARDS

§ 431.87 Energy conservation standards and their effective dates.

(a) Each commercial packaged boiler listed in table 1 of this paragraph (a) and manufactured on or after the effective date listed must meet the indicated energy conservation standard.

TABLE 1 TO PARAGRAPH (a)—COMMERCIAL PACKAGED BOILER ENERGY CONSERVATION STANDARDS

Equipment category	Subcategory	Certified rated input	Efficiency level—effective date: March 2, 2012 *
Hot Water Commercial Packaged Boilers.	Gas-fired	≥300,000 Btu/h and ≤2,500,000 Btu/h.	80.0% E_T.
Hot Water Commercial Packaged Boilers.	Gas-fired	>2,500,000 Btu/h	82.0% E_C.
Hot Water Commercial Packaged Boilers.	Oil-fired	≥300,000 Btu/h and ≤2,500,000 Btu/h.	82.0% E_T.
Hot Water Commercial Packaged Boilers.	Oil-fired	>2,500,000 Btu/h	84.0% E_C.
Steam Commercial Packaged Boilers.	Gas-fired, all, except natural draft.	≥300,000 Btu/h and ≤2,500,000 Btu/h.	79.0% E_T.
Steam Commercial Packaged Boilers.	Gas-fired, all, except natural draft.	>2,500,000 Btu/h	79.0% E_T.
Steam Commercial Packaged Boilers.	Gas-fired—natural draft	≥300,000 Btu/h and ≤2,500,000 Btu/h.	77.0% E_T.
Steam Commercial Packaged Boilers.	Gas-fired—natural draft	>2,500,000 Btu/h	77.0% E_T.
Steam Commercial Packaged Boilers.	Oil-fired	≥300,000 Btu/h and ≤2,500,000 Btu/h.	81.0% E_T.
Steam Commercial Packaged Boilers.	Oil-fired	>2,500,000 Btu/h	81.0% E_T.

* Where E_C is combustion efficiency and E_T is thermal efficiency.

(b) Each commercial packaged boiler listed in table 2 of this paragraph (b) and manufactured on or after the effective date listed in Table 2 must meet the indicated energy conservation standard.

TABLE 2 TO PARAGRAPH (b)—COMMERCIAL PACKAGED BOILER ENERGY CONSERVATION STANDARDS

Equipment category	Subcategory	Certified rated input	Efficiency level—effective date: March 2, 2022 *
Steam Commercial Packaged Boilers.	Gas-fired—natural draft	≥300,000 Btu/h and ≤2,500,000 Btu/h.	79.0% E_T.
Steam Commercial Packaged Boilers.	Gas-fired—natural draft	>2,500,000 Btu/h	79.0% E_T.

* Where E_T is thermal efficiency.

[88 FR 64352, Sept. 19, 2023]

APPENDIX A TO SUBPART E OF PART 431—UNIFORM TEST METHOD FOR THE MEASUREMENT OF THERMAL EFFICIENCY AND COMBUSTION EFFICIENCY OF COMMERCIAL PACKAGED BOILERS

NOTE: Prior to December 4, 2017, manufacturers must make any representations with respect to the energy use or efficiency of commercial packaged boilers in accordance with the results of testing pursuant to this Appendix or the test procedures as they appeared in 10 CFR 431.86 revised as of January 1, 2016. On and after December 4, 2017, manufacturers must make any representations with respect to energy use or efficiency in accordance with the results of testing pursuant to this appendix.

1. *Definitions.*

For purposes of this appendix, the Department of Energy incorporates by reference the definitions established in section 3 of the American National Standards Institute (ANSI) and Air-Conditioning, Heating, and Refrigeration Institute (AHRI) Standard 1500, ''2015 Standard for Performance Rating of Commercial Space Heating Boilers,'' beginning with 3.1 and ending with 3.35 (incorporated by reference, see §431.85; hereafter ''ANSI/AHRI Standard 1500–2015''), excluding the introductory text to section 3, the introductory text to section 3.2, ''Boiler''; 3.2.4, ''Heating Boiler''; 3.2.7, ''Packaged Boiler''; 3.6, ''Combustion Efficiency''; 3.12, ''Efficiency, Combustion''; 3.13, ''Efficiency, Thermal''; 3.20, ''Gross Output''; 3.23, ''Input Rating''; 3.24, ''Net Rating''; 3.26, ''Published Rating''; 3.26.1, ''Standard Rating''; 3.27, ''Rating Conditions''; 3.27.1, ''Standard Rating Conditions''; and 3.31, ''Thermal Efficiency.'' In cases where there is a conflict, the language of the test procedure in this appendix takes precedence over ANSI/AHRI Standard 1500–2015.

1.1. In all incorporated sections of ANSI/AHRI Standard 1500–2015, references to the manufacturer's ''specifications,'' ''recommendations,'' ''directions,'' or ''requests'' mean the manufacturer's instructions in the installation and operation manual shipped with the commercial packaged boiler being tested or in supplemental instructions provided by the manufacturer pursuant to §429.60(b)(4) of this chapter. For parameters or considerations not specified in this appendix, refer to the manual shipped with the commercial packaged boiler. Should the manual shipped with the commercial packaged boiler not provide the necessary information, refer to the supplemental instructions for the basic model pursuant to §429.60(b)(4) of this chapter. The supplemental instructions provided pursuant to §429.60(b)(4) of this chapter do not replace or alter any requirements in this appendix nor do they override the manual shipped with the commercial packaged boiler. In cases where these supplemental instructions conflict with any instructions or provisions provided in the manual shipped with the commercial packaged boiler, use the manual shipped with the commercial packaged boiler.

1.2. Unless otherwise noted, in all incorporated sections of ANSI/AHRI Standard 1500–2015, the term ''boiler'' means a commercial packaged boiler as defined in §431.82.

1.3. Unless otherwise noted, in all incorporated sections of ANSI/AHRI Standard 1500–2015, the term ''input rating'' means ''rated input'' as defined in §431.82.

2. *Thermal Efficiency Test.*

2.1. Test Setup.

2.1.1. *Instrumentation.* Use instrumentation meeting the minimum requirements found in Table C1 of Appendix C of ANSI/AHRI Standard 1500–2015 (incorporated by reference, see §431.85).

2.1.2. *Data collection and sampling.* Record all test data in accordance with Table 2.1 and Table 2.2. Do not use Section C5 and Table C4 of Appendix C of ANSI/AHRI Standard 1500–2015.

TABLE 2.1—DATA TO BE RECORDED BEFORE TESTING

Item recorded	Additional instruction
Date of Test	None.
Manufacturer	None.
Commercial Packaged Boiler Model Number.	None.
Burner Model Number & Manufacturer.	None.
Nozzle description and oil pressure	None.
Oil Analysis—H, C, API Gravity, lb/gal and Btu/lb.	None.
Gas Manifold Pressure	Record at start and end of test.
Gas line pressure at meter	Measurement may be made manually.
Gas temperature	Measurement may be made manually.
Barometric Pressure (Steam and Natural Gas Only).	Measurement may be made manually.
Gas Heating Value, Btu/ft^3*	Record at start and end of test.

*Multiplied by correction factors, as applicable, in accordance with Appendix E of ANSI/AHRI Standard 1500–2015.

Table 2.2. Data to be Recorded During Testing

			Required Data Recording		For Use in Calculations (Section 2.4) As Applicable	
Item Recorded		Digital Acquisition Required?	Every 1 Minute	Every 15 Minutes	Average During Test Period	Total During Test Period
Time, minutes/seconds		Yes	X			
Flue Gas Temperature, °F		Yes	X		X	
Pressure in Firebox, in H_2O (if required per Section C3.4 of ANSI/AHRI Standard 1500-2015)		No		X	X	
Flue Gas Smoke Spot Reading (oil)		No		X	X	
Room Air Temperature		Yes	X		X	
Fuel Weight or Volume, lb (oil) or ft^3 (gas)		Yes		X		X
Test Air Temperature, °F		Yes	X		X	
Draft in Vent, in H_2O (oil and non-atmospheric gas)		No		X	X	
Flue Gas CO_2 or O_2, %		No		X	X	
Flue Gas CO, ppm		No		At Least Start and End	X	
Relative Humidity, %		No		X	X	
STEAM	Separator water weight, lb	No		At Least Start and End		X
	Steam Pressure, in Hg	No		X	X	
	Steam Temperature, °F (if used)	Yes	X		X	
	Condensate collected, or water fed, lb	No		X		X
WATER	Outlet Water Temperature, °F	Yes	X		X	
	Water fed, lb	No		X		X
	Inlet Water Temperature at Points A and B of Figure 9 of ANSI/AHRI Standard 1500-2015 as applicable, °F	Yes	X		X	

2.1.3. *Instrument Calibration.* Instruments must be calibrated at least once per year and a calibration record, containing at least the date of calibration and the method of calibration, must be kept as part of the data underlying each basic model certification, pursuant to §429.71 of this chapter.

2.1.4. *Test Setup and Apparatus.* Set up the commercial packaged boiler for thermal efficiency testing according to the provisions of Section C2 (except section C2.1) of Appendix C of ANSI/AHRI Standard 1500–2015 (incorporated by reference, see § 431.85).

2.1.4.1. For tests of oil-fired commercial packaged boilers, determine the weight of fuel consumed using one of the methods specified in the following sections 2.1.4.1.1. or 2.1.4.1.2. of this appendix:

2.1.4.1.1. If using a scale, determine the weight of fuel consumed as the difference between the weight of the oil vessel before and after each measurement period, as specified in sections 2.1.4.1.3.1. or 2.1.4.1.3.2. of this appendix, determined using a scale meeting the accuracy requirements of Table C1 of Appendix C of ANSI/AHRI Standard 1500–2015.

2.1.4.1.2. If using a flow meter, first determine the volume of fuel consumed as the total volume over the applicable measurement period as specified in 2.1.4.1.3.1. or 2.1.4.1.3.2. of this appendix and as measured by a flow meter meeting the accuracy requirements of Table C1 of Appendix C of ANSI/AHRI Standard 1500–2015 upstream of the oil inlet port of the commercial packaged boiler. Then determine the weight of fuel consumed by multiplying the total volume of fuel over the applicable measurement period by the density of oil as determined pursuant to C3.2.1.1.3. of Appendix C of ANSI/AHRI Standard 1500–2015.

2.1.4.1.3. The applicable measurement period for the purposes of determining fuel input rate must be as specified in section 2.1.4.1.3.1. of this appendix for the ''Warm-Up Period'' or section 2.1.4.1.3.2. of this appendix for the ''Test Period.''

2.1.4.1.3.1. For the purposes of confirming steady-state operation during the ''Warm-Up Period,'' the measurement period must be 15 minutes and t_T in Equation C2 in Section C7.2.3.1 of Appendix C of ANSI/AHRI Standard 1500–2015 must be 0.25 hours to determine fuel input rate.

2.1.4.1.3.2. For the purposes of determining thermal efficiency during the ''Test Period,'' the measurement period and t_T are as specified in sections 2.3.4 and 2.3.5 of this appendix.

2.1.4.2 For tests of gas-fired commercial packaged boilers, install a volumetric gas meter meeting the accuracy requirements of Table C1 of Appendix C of ANSI/AHRI Standard 1500–2015 upstream of the gas inlet port of the commercial packaged boiler. Record the accumulated gas volume consumed for each applicable measurement period. Use Equation C7.2.3.2. of Appendix C of ANSI/AHRI Standard 1500–2015 to calculate fuel input rate.

2.1.4.2.1. The applicable measurement period for the purposes of determining fuel input rate must be as specified in section 2.1.4.2.1.1. of this appendix for the ''Warm-Up Period'' and 2.1.4.2.1.2. of this appendix for the ''Test Period.''

2.1.4.2.1.1. For the purposes of confirming steady-state operation during the ''Warm-Up Period,'' the measurement period must be 15 minutes and t_T in Equation C2 in Section C7.2.3.1 of Appendix C of ANSI/AHRI Standard 1500–2015 must be 0.25 hours to determine fuel input rate.

2.1.4.2.1.2. For the purposes of determining thermal efficiency during the ''Test Period,'' the measurement period and t_T are as specified in sections 2.3.4 and 2.3.5 of this appendix.

2.1.4.3 In addition to the provisions of Section C2.2.1.2 of ANSI/AHRI Standard 1500–2015, vent gases may alternatively be discharged vertically into a straight stack section without elbows. R–7 minimum insulation must extend 6 stack diameters above the flue collar, the thermocouple grid must be located at a vertical distance of 3 stack diameters above the flue collar, and the sampling tubes for flue gases must be installed within 1 stack diameter beyond the thermocouple grid. If dilution air is introduced into the flue gases before the plane of the thermocouple and flue gas sampling points, utilize an alternate plane of thermocouple grid and flue gas sampling point located downstream from the heat exchanger and upstream from the point of dilution air introduction.

2.1.5. *Additional Requirements for Outdoor Commercial Packaged Boilers.* If the manufacturer provides more than one outdoor venting arrangement, the outdoor commercial packaged boiler (as defined in Section 3.2.6 of ANSI/AHRI Standard 1500–2015; incorporated by reference, see § 431.85) must be tested with the shortest total venting arrangement as measured by adding the straight lengths of venting supplied with the equipment. If the manufacturer does not provide an outdoor venting arrangement, install the outdoor commercial packaged boiler venting consistent with the procedure specified in Section C2.2 of Appendix C of ANSI/AHRI Standard 1500–2015.

2.1.6. *Additional Requirements for Steam Tests.* In addition to the provisions of Section C2 of Appendix C of ANSI/AHRI Standard 1500–2015 (incorporated by reference, see § 431.85), the following requirements apply for steam tests.

2.1.6.1. Insulate all steam piping from the commercial packaged boiler to the steam separator, and extend insulation at least one foot (1 ft.) beyond the steam separator, using insulation meeting the requirements specified in Table 2.3 of this appendix.

Table 2.3. Minimum Piping Insulation Thickness Requirements

Fluid Temperature Range °F	Insulation Conductivity		Nominal Pipe Size inches				
	Conductivity BTU×in/(h×ft²×°F)	Mean Rating Temperature °F	<1	1 to < 1-1/2	1-12 to < 4	4 to <8	≥ 8
> 350°F	0.32-0.34	250	4.5	5.0	5.0	5.0	5.0
251 °F-350 °F	0.29-0.32	200	3.0	4.0	4.5	4.5	4.5
201 °F-250 °F	0.27-0.30	150	2.5	2.5	2.5	3.0	3.0
141 °F-200 °F	0.25-0.29	125	1.5	1.5	2.0	2.0	2.0
105 °F-140 °F	0.22-0.28	100	1.0	1.0	1.5	1.5	1.5

2.1.6.2. A temperature sensing device must be installed in the insulated steam piping prior to the water separator if the commercial packaged boiler produces superheated steam.

2.1.6.3. Water entrained in the steam and water condensing within the steam piping must be collected and used to calculate the quality of steam during the ''Test Period.'' Steam condensate must be collected and measured using either a cumulative (totalizing) flow rate or by measuring the mass of the steam condensate. Instrumentation used to determine the amount of steam condensate must meet the requirements identified in Table C1 in Appendix C of ANSI/AHRI Standard 1500–2015.

2.1.7. *Additional Requirements for Water Tests.* In addition to the provisions of section C2 of Appendix C of ANSI/AHRI Standard 1500–2015 (incorporated by reference, see §431.85), the following requirements apply for water tests.

2.1.7.1. Insulate all water piping between the commercial packaged boiler and the location of the temperature measuring equipment, including one foot (1 ft.) beyond the sensor, using insulation meeting the requirements specified in Table 2.3 of this appendix.

2.1.7.2. Install a temperature measuring device at Point B of Figure C9 of ANSI/AHRI Standard 1500–2015 (incorporated by reference, see §431.85). Water entering the commercial packaged boiler must first enter the run of a tee and exit from the top outlet of the tee. The remaining connection of the tee must be plugged. Measure the inlet water temperature at Point B in the run of a second tee located 12 ± 2 pipe diameters downstream from the first tee and no more than the greater of 12 inches or 6 pipe diameters from the inlet of the commercial packaged boiler. The temperature measuring device shall extend into the water flow at the point of exit from the side outlet of the second tee. All inlet piping between the temperature measuring device and the inlet of the commercial packaged boilers must be wrapped with R–7 insulation.

2.1.7.3. Do not use Section C2.7.2.2.2 or its subsections of ANSI/AHRI Standard 1500–2015 for water meter calibration.

2.1.8. *Flue Gas Sampling.* In section C2.5.2 of Appendix C of ANSI/AHRI Standard 1500–2015, replace the last sentence with the following: When taking flue gas samples from a rectangular plane, collect samples at ¼, ½, and ¾ the distance from one side of the rectangular plane in the longer dimension and along the centerline midway between the edges of the plane in the shorter dimension and use the average of the three samples. The tolerance in each dimension for each measurement location is ± 1 inch.

2.2. *Test Conditions.*

2.2.1. *General.* Use the test conditions from Section 5 and Section C3 of Appendix C of ANSI/AHRI Standard 1500–2015 (incorporated by reference, see §431.85) for thermal efficiency testing but do not use the following sections:

(1) 5.3 Introductory text
(2) 5.3.5 (and subsections; see sections 2.2.3. and 2.2.4. of this appendix)
(3) 5.3.8 (see section 2.2.5. of this appendix)
(4) 5.3.9 (see section 2.2.6. of this appendix)
(5) C3.1.3 (and subsections)
(6) C3.5 (including Table C2; see section 2.2.7. of this appendix)
(7) C3.6 (see section 2.2.5. of this appendix)
(8) C3.7 (see section 2.2.6. of this appendix)

2.2.2. *Burners for Oil-Fired Commercial Packaged Boilers.* In addition to section C3.3 of Appendix C of ANSI/AHRI Standard 1500–2015, the following applies: For oil-fired commercial packaged boilers, test the unit with the particular make and model of burner as certified (or to be certified) by the manufacturer. If multiple burners are specified in the certification report for that basic model, then use any of the listed burners for testing.

2.2.3. *Water Temperatures.* Maintain the outlet temperature measured at Point C in Figure C9 of Appendix C of ANSI/AHRI Standard 1500–2015 at 180 °F ± 2 °F and maintain the inlet temperature measured at Point B at 80 °F ± 5 °F during the ''Warm-up

Period'' and ''Test Period'' as indicated by 1-minute interval data pursuant to Table 2.2 of this appendix. Each reading must meet these temperature requirements. Use the inlet temperature and flow rate measured at Point B in Figure C9 of Appendix C of ANSI/AHRI Standard 1500–2015 for calculation of thermal efficiency.

2.2.4 *Exceptions to Water Temperature Requirements.* For commercial packaged boilers that require a higher flow rate than that resulting from the water temperature requirements of sections 2.2.3 of this appendix to prevent boiling, use a recirculating loop and maintain the inlet temperature at Point B of Figure C9 of Appendix C of ANSI/AHRI Standard 1500–2015 at 140 °F ± 5 °F during the ''Warm-up Period'' and ''Test Period'' as indicated by 1-minute interval data pursuant to Table 2.2 of this appendix. Each reading must meet these temperature requirements. Use the inlet temperature and flow rate measured at Point A in Figure C9 of Appendix C of ANSI/AHRI Standard 1500–2015 for calculation of thermal efficiency.

2.2.5 *Air Temperature.* For tests of non-condensing boilers, maintain ambient room temperature between 65 °F and 100 °F at all times during the ''Warm-up Period'' and ''Test Period'' (as described in Section C4 of Appendix C of ANSI/AHRI Standard 1500–2015) as indicated by 1-minute interval data pursuant to Table 2.2 of this appendix. For tests of condensing boilers, maintain ambient room temperature between 65 °F and 85 °F at all times during the ''Warm-up Period'' and ''Test Period'' (as described in Section C4 of Appendix C of ANSI/AHRI Standard 1500–2015) as indicated by 1-minute interval data pursuant to Table 2.2 of this appendix. The ambient room temperature may not differ by more than ± 5 °F from the average ambient room temperature during the entire ''Test Period'' at any reading. Measure the room ambient temperature within 6 feet of the front of the unit at mid height. The test air temperature, measured at the air inlet of the commercial packaged boiler, must be within ± 5 °F of the room ambient temperature when recorded at the 1-minute interval defined by Table 2.2 of this appendix.

2.2.6. *Ambient Humidity.* For condensing boilers, maintain ambient room relative humidity below 80-percent at all times during both the ''Warm-up Period'' and ''Test Period'' (as described in Section C4 of Appendix C of ANSI/AHRI Standard 1500–2015) pursuant to Table 2.2 of this appendix. Measure the ambient humidity in the same location as ambient air temperature in section 2.2.5 of this appendix.

2.2.7. *Flue Gas Temperature.* The flue gas temperature during the test must not vary from the flue gas temperature measured at the start of the Test Period (as defined in Section C4 of ANSI/AHRI Standard 1500–2015) when recorded at the interval defined in Table 2.2 of this appendix by more than the limits prescribed in Table 2.4 of this appendix.

TABLE 2.4—FLUE GAS TEMPERATURE VARIATION LIMITS DURING TEST PERIOD

Fuel type	Non-condensing	Condensing
Gas	± 2 percent	Greater of ± 3 percent and ± 5 °F
Light Oil	± 2 percent.	
Heavy Oil	Greater of ± 3 percent and ± 5 °F.	

2.3. *Test Method.*

2.3.1. *General.* Conduct the thermal efficiency test as prescribed in Section C4 ''Test Procedure'' of Appendix C of ANSI/AHRI Standard 1500–2015 (incorporated by reference, see §431.85) excluding sections:

(1) C4.1.1.1.2 (see section 2.3.1.1 of this appendix)
(2) C4.1.1.2.3 (see 2.3.4 of this appendix)
(3) C4.1.2.1.5 (see section 2.3.2. of this appendix)
(4) C4.1.2.2.2
(5) C4.1.2.2.3 (see 2.3.5 of this appendix)
(6) C4.2
(7) C4.2.1
(8) C4.2.2

2.3.1.1. Adjust oil or non-atmospheric gas to produce the required firebox pressure and CO_2 or O_2 concentration in the flue gas, as described in Section 5.3.1 of ANSI/AHRI Standard 1500–2015. Conduct steam tests with steam pressure at the pressure specified in the manufacturer literature shipped with the commercial packaged boiler or in the manufacturer's supplemental testing instructions pursuant to §429.60(b)(4) of this chapter, but not exceeding 15 psig. If no pressure is specified in the manufacturer literature shipped with the commercial packaged boiler or in the manufacturer's supplemental testing instructions (pursuant to §429.60(b)(4) of this chapter), or if a range of operating pressures is specified, conduct testing at a steam pressure equal to atmospheric pressure. If necessary to maintain steam quality as required by Section 5.3.7 of ANSI/AHRI Standard 1500–2015, increase steam pressure in 1 psig increments by throttling with a valve beyond the separator until the test is completed and the steam quality requirements have been satisfied, but do not increase the steam pressure to greater than 15 psig.

2.3.2. *Water Test Steady-State.* Ensure that a steady-state is reached by confirming that three consecutive readings have been recorded at 15-minute intervals pursuant to Table 2.2 of this appendix that indicate that the measured fuel input rate is within ± 2-percent of the rated input. Water temperatures must meet the conditions specified in sections 2.2.3 and 2.2.4 of this appendix as applicable.

2.3.3. *Condensate Collection for Condensing Commercial Packaged Boilers.* Collect condensate in a covered vessel so as to prevent evaporation.

2.3.4. *Steam Test Duration.* Replace Section C4.1.1.2.3 of ANSI/AHRI Standard 1500–2015 with the following: The test period is one hour in duration if the steam condensate is measured or two hours if feedwater is measured. The test period must end with a 15-minute reading (steam condensate or feedwater and separator weight reading) pursuant to Table 2.2 of this appendix. When feedwater is measured, the water line at the end of the test must be within 0.25 inches of the starting level.

2.3.5. *Water Test Duration.* Replace Section C4.1.2.2.3 of ANSI/AHRI Standard 1500–2015 with the following: The test period is one hour for condensing commercial packaged boilers and 30 minutes for non-condensing commercial packaged boilers, and ends with a 15-minute interval reading pursuant to Table 2.2 of this appendix.

2.4. *Calculations.*

2.4.1. *General.* To determine the thermal efficiency of commercial packaged boilers, use the variables in section C6 of Appendix C of ANSI/AHRI Standard 1500–2015 and calculation procedure for the thermal efficiency test specified in section C7.2 of Appendix C of ANSI/AHRI Standard 1500–2015, excluding sections C7.2.12 and C7.2.20.

2.4.2. *Use of Steam Properties Table.* If the average measured temperature of the steam is higher than the value in Table D1 in Appendix D of ANSI/AHRI Standard 1500–2015 that corresponds to the average measured steam pressure, then use Table 2.5 of this appendix to determine the latent heat of superheated steam in (Btu/lb). Use linear interpolation for determining the latent heat of steam in Btu/lb if the measured steam pressure is between two values listed in Table D1 in Appendix D of ANSI/AHRI Standard 1500–2015 or in Table 2.5 of this appendix.

Table 2.5. Latent Heat (Btu/lb) of Superheated Steam.

Average Measured Steam Pressure psi	Temperature °F							
	220	240	260	280	300	320	340	360
13	1155.1	1164.7	1174.3	1183.8	1193.2	1202.6	1212.0	1221.4
14	1154.6	1164.4	1174.0	1183.5	1193.0	1202.4	1211.8	1221.2
14.696	1154.4	1164.2	1173.8	1183.3	1192.8	1202.3	1211.7	1221.1
15	1154.3	1164.1	1173.7	1183.2	1192.8	1202.2	1211.7	1221.1
16	1153.8	1163.7	1173.4	1183.0	1192.5	1202.0	1211.5	1220.9
17	1153.4	1163.4	1173.1	1182.7	1192.3	1201.8	1211.3	1220.7
18		1163.0	1172.8	1182.5	1192.1	1201.6	1211.1	1220.6
19		1162.7	1172.5	1182.2	1191.9	1201.4	1210.9	1220.4
20		1162.3	1172.2	1182.0	1191.6	1201.2	1210.8	1220.3
21		1162.0	1171.9	1181.7	1191.4	1201.0	1210.6	1220.1
22		1161.6	1171.6	1181.4	1191.2	1200.8	1210.4	1219.9
23		1161.2	1171.3	1181.2	1190.9	1200.6	1210.2	1219.8
24		1160.9	1171.0	1180.9	1190.7	1200.4	1210.0	1219.6
25			1170.7	1180.6	1190.5	1200.2	1209.8	1219.4
26			1170.4	1180.4	1190.2	1200.0	1209.7	1219.3
27			1170.1	1180.1	1190.0	1199.8	1209.5	1219.1
28			1169.7	1179.8	1189.8	1199.6	1209.3	1218.9
29			1169.4	1179.6	1189.5	1199.3	1209.1	1218.8
30			1169.1	1179.3	1189.3	1199.1	1208.9	1218.6
31			1168.8	1179.0	1189.0	1198.9	1208.7	1218.4
Absolute Pressure psi	**Temperature °F**							
	380	**400**	**420**	**440**	**460**	**480**	**500**	**600**
13	1230.8	1240.2	1249.5	1258.9	1268.4	1277.8	1287.3	1334.9
14	1230.6	1240.0	1249.4	1258.8	1268.3	1277.7	1287.2	1334.8
14.696	1230.5	1239.9	1249.3	1258.8	1268.2	1277.6	1287.1	1334.8
15	1230.5	1239.9	1249.3	1258.7	1268.2	1277.6	1287.1	1334.8
16	1230.3	1239.8	1249.2	1258.6	1268.0	1277.5	1287.0	1334.7
17	1230.2	1239.6	1249.1	1258.5	1267.9	1277.4	1286.9	1334.6
18	1230.0	1239.5	1248.9	1258.4	1267.8	1277.3	1286.8	1334.6
19	1229.9	1239.4	1248.8	1258.3	1267.7	1277.2	1286.7	1334.5
20	1229.7	1239.2	1248.7	1258.2	1267.6	1277.1	1286.6	1334.4
21	1229.6	1239.1	1248.6	1258.1	1267.5	1277.0	1286.5	1334.4
22	1229.5	1239.0	1248.4	1257.9	1267.4	1276.9	1286.4	1334.3

23	1229.3	1238.8	1248.3	1257.8	1267.3	1276.8	1286.7	1334.2
24	1229.2	1238.7	1248.2	1257.7	1267.2	1276.7	1286.3	1334.2
25	1229.0	1238.5	1248.1	1257.6	1267.1	1276.6	1286.2	1334.1
26	1228.9	1238.4	1248.0	1257.5	1267.0	1276.5	1286.1	1334.0
27	1228.7	1238.3	1247.8	1257.4	1266.9	1276.4	1286.0	1334.0
28	1228.6	1238.1	1247.7	1257.2	1266.8	1276.3	1285.9	1333.9
29	1228.4	1238.0	1247.6	1257.1	1266.7	1276.2	1285.8	1333.9
30	1228.3	1237.9	1247.5	1257.0	1266.6	1276.2	1285.7	1333.8
31	1228.1	1237.7	1247.3	1256.9	1266.5	1276.1	1285.6	1333.7

Absolute Pressure psi	Temperature °F						
	700	800	900	1000	1200	1400	1600
13	1383.2	1432.4	1482.3	1533.2	1637.5	1745.5	1857.3
14	1383.2	1432.3	1482.3	1533.1	1637.5	1745.5	1857.3
14.696	1383.2	1432.3	1482.3	1533.1	1637.5	1745.5	1857.3
15	1383.1	1432.3	1482.3	1533.1	1637.5	1745.5	1857.3
16	1383.1	1432.3	1482.2	1533.1	1637.4	1745.5	1857.3
17	1383.0	1432.2	1482.2	1533.1	1637.4	1745.5	1857.3
18	1383.0	1432.2	1482.2	1533.0	1637.4	1745.5	1857.2
19	1382.9	1432.1	1482.1	1533.0	1637.4	1745.4	1857.2
20	1382.9	1432.1	1482.1	1533.0	1637.4	1745.4	1857.2
21	1382.8	1432.0	1482.1	1532.9	1637.3	1745.4	1857.2
22	1382.8	1432.0	1482.0	1532.9	1637.3	1745.4	1857.2
23	1382.7	1432.0	1482.0	1532.9	1637.3	1745.4	1857.2
24	1382.7	1431.9	1482.0	1532.9	1637.3	1745.4	1857.2
25	1382.6	1431.9	1481.9	1532.8	1637.3	1745.3	1857.2
26	1382.6	1431.8	1481.9	1532.8	1637.2	1745.3	1857.1
27	1382.5	1431.8	1481.9	1532.8	1637.2	1745.3	1857.1
28	1382.5	1431.8	1481.8	1532.8	1637.2	1745.3	1857.1
29	1382.4	1431.7	1481.8	1532.7	1637.2	1745.3	1857.1
30	1382.4	1431.7	1481.8	1532.7	1637.2	1745.3	1857.1
31	1382.3	1431.6	1481.7	1532.7	1637.1	1745.2	1857.1

2.4.3. *Alternative Thermal Efficiency Calculation for Large Steam Commercial Packaged Boilers.* To determine the thermal efficiency of commercial packaged boilers with a fuel input rate greater than 5,000,000 Btu/h according to the steam test pursuant to Section C4.1.1 of ANSI/AHRI Standard 1500–2015, either:

2.4.3.1. Calculate the thermal efficiency of commercial packaged boiler models in steam mode in accordance with the provisions of section 2.4.1 of this appendix, or

2.4.3.2. Measure and calculate combustion efficiency $Effy_{ss}$ in steam mode according to Section 3. *Combustion Efficiency Test* of this appendix and convert to thermal efficiency using the following equation:

$$Effy_T = Effy_{ss} - 2.0$$

where $Effy_T$ is the thermal efficiency and $EFFY_{ss}$ is the combustion efficiency as defined in C6 of ANSI/AHRI Standard 1500–2015. The combustion efficiency $Effy_{ss}$ is as calculated in Section C7.2.14 of ANSI/AHRI Standard 1500–2015.

2.4.4. *Rounding.* Round the final thermal efficiency value to nearest one tenth of one percent.

3. *Combustion Efficiency Test.*

3.1. *Test Setup.*

3.1.1. *Instrumentation.* Use instrumentation meeting the minimum requirements found in

Table C1 of ANSI/AHRI Standard 1500–2015 (incorporated by reference, see § 431.85).

3.1.2. *Data collection and sampling.* Record all test data in accordance with Table 3.1 and Table 3.2 of this appendix. Do not use Section C5 and Table C4 of Appendix C in ANSI/AHRI Standard 1500–2015.

TABLE 3.1—DATA TO BE RECORDED BEFORE TESTING

Item recorded	Additional instruction
Date of Test	None.
Manufacturer	None.
Commercial Packaged Boiler Model Number.	None.
Burner Model Number & Manufacturer.	None.
Nozzle description and oil pressure.	None.
Oil Analysis—H, C, API Gravity, lb/gal and Btu/lb.	None.
Gas Manifold Pressure	Record at start and end of test.
Gas line pressure at meter	Measurement may be made manually.
Gas temperature	Measurement may be made manually.
Barometric Pressure (Steam and Natural Gas Only).	Measurement may be made manually.
Gas Heating Value, Btu/ft^3*	Record at start and end of test.

*Multiplied by correction factors, as applicable, in accordance with Appendix E of ANSI/AHRI Standard 1500–2015.

Table 3.2. Data to be Recorded During Testing

Item Recorded		Digital Acquisition Required?	Required Data Recording		For Use in Calculations (Section 3.4), As Applicable	
			Every 1 Minute	Every 15 Minutes	Average During Test Period	Total During Test Period
Time, minutes/seconds		Yes	X			
Flue Gas Temperature, °F		Yes	X		X	
Pressure in Firebox, in H_2O (if required per Section C3.4 of ANSI/AHRI Standard 1500-2015)		No		X	X	
Flue Gas Smoke Spot Reading (oil)		No		X	X	
Room Air Temperature		Yes	X		X	
Fuel Weight or Volume, lb (oil) or ft^3 (gas)		Yes		X		X
Test Air Temperature, °F		Yes	X		X	
Draft in Vent, in H_2O (oil and non-atmospheric gas)		No		X	X	
Flue Gas CO_2 or O_2, %		No		X	X	
Flue Gas CO, ppm		No		At Least Start and End	X	
Relative Humidity, %		No		X	X	
STEAM	Separator water weight, lb	No		At Least Start and End		X
	Steam Pressure, in Hg	No		X	X	
	Steam Temperature, °F (if used)	Yes	X		X	
	Condensate collected, or water fed, lb	No		X		X
WATER	Outlet Water Temperature, °F	Yes	X		X	
	Water fed, lb	No		X		X
	Inlet Water Temperature at Points A and B of Figure 9 of ANSI/AHRI Standard 1500-2015 as applicable, °F	Yes	X		X	

3.1.3. *Instrument Calibration.* Instruments must be calibrated at least once per year and a calibration record, containing at least the date of calibration and the method of calibration, must be kept as part of the data underlying each basic model certification, pursuant to §429.71 of this chapter.

3.1.4. *Test Setup and Apparatus.* Set up the commercial packaged boiler for combustion efficiency testing according to the provisions of Section C2 (except section C2.1) of Appendix C of ANSI/AHRI Standard 1500–2015.

3.1.4.1. For tests of oil-fired commercial packaged boilers, determine the weight of fuel consumed using one of the methods specified in sections 3.1.4.1.1. or 3.1.4.1.2. of this appendix:

3.1.4.1.1. If using a scale, determine the weight of fuel consumed as the difference between the weight of the oil vessel before and after each measurement period, as specified in sections 3.1.4.1.3.1. or 3.1.4.1.3.2. of this appendix, determined using a scale meeting the accuracy requirements of Table C1 of ANSI/AHRI Standard 1500–2015.

3.1.4.1.2. If using a flow meter, first determine the volume of fuel consumed as the total volume over the applicable measurement period, as specified in sections 3.1.4.1.3.1. or 3.1.4.1.3.2. of this appendix, and as measured by a flow meter meeting the accuracy requirements of Table C1 of ANSI/AHRI Standard 1500–2015 upstream of the oil inlet port of the commercial packaged boiler. Then determine the weight of fuel consumed by multiplying the total volume of fuel over the applicable measurement period by the density of oil, in pounds per gallon, as determined pursuant to Section C3.2.1.1.3. of ANSI/AHRI Standard 1500–2015.

3.1.4.1.3. The applicable measurement period for the purposes of determining fuel input rate must be as specified in section 3.1.4.1.3.1. of this appendix for the ''Warm-Up Period'' or 3.1.4.1.3.2. of this appendix for the ''Test Period.''

3.1.4.1.3.1. For the purposes of confirming steady-state operation during the ''Warm-Up Period,'' the measurement period must be 15 minutes and t_T in Equation C2 in Section C7.2.3.1 of ANSI/AHRI Standard 1500–2015 must be 0.25 hours to determine fuel input rate.

3.1.4.1.3.2. For the purposes of determining combustion efficiency during the ''Test Period,'' the measurement period and t_T are 0.5 hours pursuant to section 3.3.1.1. of this appendix.

3.1.4.2 For tests of gas-fired commercial packaged boilers, install a volumetric gas meter meeting the accuracy requirements of Table C1 of ANSI/AHRI Standard 1500–2015 upstream of the gas inlet port of the commercial packaged boiler. Record the accumulated gas volume consumed for each applicable measurement period. Use Equation C7.2.3.2. of ANSI/AHRI Standard 1500–2015 to calculate fuel input rate.

3.1.4.2.1. The applicable measurement period for the purposes of determining fuel input rate must be as specified in section 3.1.4.2.1.1. of this appendix for the ''Warm-Up Period'' and 3.1.4.2.1.2. of this appendix for the ''Test Period.''

3.1.4.2.1.1. For the purposes of confirming steady-state operation during the ''Warm-Up Period,'' the measurement period must be 15 minutes and t_T in Equation C2 in Section C7.2.3.1 of ANSI/AHRI Standard 1500–2015 must be 0.25 hour to determine fuel input rate.

3.1.4.2.1.2. For the purposes of determining combustion efficiency during the ''Test Period,'' the measurement period and t_T are 0.5 hour pursuant to section 3.3.1.1. of this appendix.

3.1.4.3. In addition to the provisions of Section C2.2.1.2 of ANSI/AHRI Standard 1500–2015, vent gases may alternatively be discharged vertically into a straight stack section without elbows. R–7 minimum insulation must extend 6 stack diameters above the flue collar, the thermocouple grid must be located at a vertical distance of 3 stack diameters above the flue collar, and the sampling tubes for flue gases must be installed within 1 stack diameter beyond the thermocouple grid. If dilution air is introduced into the flue gases before the plane of the thermocouple and flue gas sampling points, utilize an alternate plane of thermocouple grid and flue gas sampling point located downstream from the heat exchanger and upstream from the point of dilution air introduction.

3.1.5. *Additional Requirements for Outdoor Commercial Packaged Boilers.* If the manufacturer provides more than one outdoor venting arrangement, the outdoor commercial packaged boiler (as defined in section 3.2.6 of ANSI/AHRI Standard 1500–2015 (incorporated by reference, see §431.85) must be tested with the shortest total venting arrangement as measured by adding the straight lengths of venting supplied with the equipment. If the manufacturer does not provide an outdoor venting arrangement, install the outdoor commercial packaged boiler venting consistent with the procedure specified in Section C2.2 of Appendix C of ANSI/AHRI Standard 1500–2015.

3.1.6. *Additional Requirements for Field Tests.*

3.1.6.1 Field tests are exempt from the requirements of Section C2.2 of Appendix C of ANSI/AHRI Standard 1500–2015. Measure the flue gas temperature according to Section C2.5.1 of Appendix C of ANSI/AHRI Standard 1500–2015 and the thermocouple grids identified in Figure C12 of ANSI/AHRI Standard 1500–2015, with the following modification: the thermocouple grid may be staggered vertically by up to 1.5 inches to allow the use of instrumented rods to be inserted through holes drilled in the venting.

3.1.6.2. Field tests are exempt from the requirements of Section C2.6.3 of Appendix C of ANSI/AHRI Standard 1500–2015.

3.1.7. *Additional Requirements for Water Tests.* In addition to the provisions of Section C2 of Appendix C of ANSI/AHRI Standard 1500–2015 (incorporated by reference, see

§ 431.85) the following requirements apply for water tests:

3.1.7.1. Insulate all water piping between the commercial packaged boiler and the location of the temperature measuring equipment, including one foot (1 ft.) beyond the sensor, using insulation meeting the requirements specified in Table 2.3 of this appendix.

3.1.7.2. Install a temperature measuring device at Point B of Figure C9 of ANSI/AHRI Standard 1500–2015. Water entering the commercial packaged boiler must first enter the run of a tee and exit from the top outlet of the tee. The remaining connection of the tee must be plugged. Measure the inlet water temperature at Point B in the run of a second tee located 12 ± 2 pipe diameters downstream from the first tee and no more than the greater of 12 inches or 6 pipe diameters from the inlet of the commercial packaged boiler. The temperature measuring device shall extend into the water flow at the point of exit from the side outlet of the second tee. All inlet piping between the temperature measuring device and the inlet of the commercial packaged boilers must be wrapped with R–7 insulation. Field tests must also measure the inlet water temperature at Point B in Figure C9, however they are not required to use the temperature measurement piping described in this section 3.1.7. of this appendix.

3.1.7.3. Do not use Section C2.7.2.2.2 or its subsections of ANSI/AHRI Standard 1500–2015 for water meter calibration.

3.1.8. *Flue Gas Sampling*. In section C2.5.2 of Appendix C of ANSI/AHRI Standard 1500–2015, replace the last sentence with the following: When taking flue gas samples from a rectangular plane, collect samples at ¼, ½, and ¾ the distance from one side of the rectangular plane in the longer dimension and along the centerline midway between the edges of the plane in the shorter dimension and use the average of the three samples. The tolerance in each dimension for each measurement location is ± 1 inch.

3.2. *Test Conditions*.

3.2.1. *General*. Use the test conditions from Sections 5 and C3 of Appendix C of ANSI/AHRI Standard 1500–2015 (incorporated by reference; see § 431.85) for combustion efficiency testing but do not use the following sections:

(1) 5.3 Introductory text
(2) 5.3.5 (and subsections; see sections 3.2.3, 3.2.3.1, and 3.2.3.2 of this appendix)
(3) 5.3.7 (excluded for field tests only)
(4) 5.3.8 (see section 3.2.4 of this appendix)
(5) 5.3.9 (see section 3.2.5 of this appendix)
(6) C3.1.3 (and subsections)
(7) C3.5 (including Table C2; see section 3.2.6 of this appendix)
(8) C3.6 (see section 3.2.4 of this appendix)
(9) C3.7 (see section 3.2.5 of this appendix)

3.2.2. *Burners for Oil-Fired Commercial Packaged Boilers*. In addition to Section C3.3 of Appendix C of ANSI/AHRI Standard 1500–2015, the following applies: for oil-fired commercial packaged boilers, test the unit with the particular make and model of burner as certified (or to be certified) by the manufacturer. If multiple burners are specified in the certification report for that basic model, then use any of the listed burners for testing.

3.2.3. *Water Temperatures*. Maintain the outlet temperature measured at Point C in Figure C9 at 180 °F ± 2 °F and maintain the inlet temperature measured at Point B at 80 °F ± 5 °F during the ''Warm-up Period'' and ''Test Period'' as indicated by 1-minute interval data pursuant to Table 3.2 of this appendix. Each reading must meet these temperature requirements. Field tests are exempt from this requirement and instead must comply with the requirements of section 3.2.3.1 of this appendix.

3.2.3.1. For field tests, the inlet temperature measured at Point A and Point B in Figure C9 and the outlet temperature measured and Point C in Figure C9 of ANSI/AHRI Standard 1500–2015 must be recorded in the data underlying that model's certification pursuant to § 429.71 of this chapter, and the difference between the inlet (measured at Point B) and outlet temperature (measured at Point C) must not be less than 20 °F at any point during the ''Warm-up Period'' and ''Test Period,'' after stabilization has been achieved, as indicated by 1-minute interval data pursuant to Table 3.2 of this appendix.

3.2.3.2 For commercial packaged boilers that require a higher flow rate than that resulting from the water temperature requirements of sections 3.2.3 of this appendix to prevent boiling, use a recirculating loop and maintain the inlet temperature at Point B of Figure C9 of ANSI/AHRI Standard 1500–2015 at 140 °F ± 5 °F during the ''Warm-up Period'' and ''Test Period'' as indicated by 1-minute interval data pursuant to Table 3.2 of this appendix. Each reading must meet these temperature requirements.

3.2.4. *Air Temperature*. For tests of non-condensing boilers (except during field tests), maintain ambient room temperature between 65 °F and 100 °F at all times during the ''Warm-up Period'' and ''Test Period'' (as described in Section C4 of Appendix C of ANSI/AHRI Standard 1500–2015) as indicated by 1-minute interval data pursuant to Table 3.2 of this appendix. For tests of condensing boilers (except during field tests), maintain ambient room temperature between 65 °F and 85 °F at all times during the ''Warm-up Period'' and ''Test Period'' (as described in Section C4 of Appendix C of ANSI/AHRI Standard 1500–2015) as indicated by 1-minute interval data pursuant to Table 3.2 of this appendix. The ambient room temperature may not differ by more than ± 5 °F from the average ambient room temperature during the entire ''Test

Period'' at any 1-minute interval reading. Measure the room ambient temperature within 6 feet of the front of the unit at mid height. The test air temperature, measured at the air inlet of the commercial packaged boiler, must be within ± 5 °F of the room ambient temperature when recorded at the 1-minute interval defined by Table 3.2 of this appendix. For field tests, record the ambient room temperature at 1-minute intervals in accordance with Table 3.2 of this appendix.

3.2.5. *Ambient Humidity*. For condensing boilers (except during field tests), maintain ambient room relative humidity below 80-percent relative humidity at all times during both the ''Warm-up Period'' and ''Test Period'' (as described in Section C4 of Appendix C of ANSI/AHRI Standard 1500–2015) pursuant to Table 3.2 of this appendix. Measure the ambient humidity in the same location as ambient air temperature. For field tests of condensing boilers, record the ambient room relative humidity in accordance with Table 3.2 of this appendix.

3.2.6. *Flue Gas Temperature*. The flue gas temperature during the test must not vary from the flue gas temperature measured at the start of the Test Period (as defined in Section C4 of ANSI/AHRI Standard 1500–2015) when recorded at the interval defined in Table 3.2 by more than the limits prescribed in Table 3.3 of this appendix. For field tests, flue gas temperature does not need to be within the limits in Table 3.3 of this appendix but must be recorded at the interval specified in Table 3.2 of this appendix.

TABLE 3.3—FLUE GAS TEMPERATURE VARIATION LIMITS DURING TEST PERIOD

Fuel type	Non-condensing	Condensing
Gas	± 2 percent	Greater of ± 3 percent and ± 5 °F.
Light Oil	± 2 percent.	
Heavy Oil	Greater of ± 3 percent and ± 5 °F.	

3.3. *Test Method*.

3.3.1. *General*. Conduct the combustion efficiency test using the test method prescribed in Section C4 ''Test Procedure'' of Appendix C of ANSI/AHRI Standard 1500–2015 excluding sections:

(1) C4.1.1.1.2 (see section 3.3.1.2 of this appendix)
(2) C4.1.1.2.3
(3) C4.1.2.1.5 (see section 3.3.2 of this appendix)
(4) C4.1.2.2.2
(5) C4.1.2.2.3
(6) C4.2
(7) C4.2.1
(8) C4.2.2

3.3.1.1. The duration of the ''Test Period'' for combustion efficiency outlined in sections C4.1.1.2 of Appendix C of ANSI/AHRI Standard 1500–2015 (incorporated by reference, see §431.85) and C4.1.2.2 of Appendix C of ANSI/AHRI Standard 1500–2015 is 30 minutes. For condensing commercial packaged boilers, condensate must be collected for the 30 minute Test Period.

3.3.1.2. Adjust oil or non-atmospheric gas to produce the required firebox pressure and CO_2 or O_2 concentration in the flue gas, as described in section 5.3.1 of ANSI/AHRI Standard 1500–2015. Conduct steam tests with steam pressure at the pressure specified in the manufacturer literature shipped with the commercial packaged boiler or in the manufacturer's supplemental testing instructions pursuant to §429.60(b)(4) of this chapter, but not exceeding 15 psig. If no pressure is specified in the manufacturer literature shipped with the commercial packaged boiler or in the manufacturer's supplemental testing instructions (pursuant to §429.60(b)(4)) of this chapter, or if a range of operating pressures is specified, conduct testing at a steam pressure equal to atmospheric pressure. If necessary to maintain steam quality as required by section 5.3.7 of ANSI/AHRI Standard 1500–2015, increase steam pressure in 1 psig increments by throttling with a valve beyond the separator until the test is completed and the steam quality requirements have been satisfied, but do not increase the steam pressure to greater than 15 psig.

3.3.2. *Water Test Steady-State*. Ensure that a steady-state is reached by confirming that three consecutive readings have been recorded at 15-minute intervals that indicate that the measured fuel input rate is within ± 2-percent of the rated input. Water temperatures must meet the conditions specified in sections 3.2.3, 3.2.3.1, and 3.2.3.2 of this appendix as applicable.

3.3.3. *Procedure for the Measurement of Condensate for a Condensing Commercial Packaged Boiler*. Collect flue condensate using a covered vessel so as to prevent evaporation. Measure the condensate from the flue gas during the ''Test Period.'' Flue condensate mass must be measured within 5 minutes after the end of the ''Test Period'' (defined in C4.1.1.2 and C4.1.2.2 of ANSI/AHRI Standard 1500–2015) to prevent evaporation loss from the sample. Determine the mass of flue condensate for the ''Test Period'' by subtracting the tare container weight from the total weight of the container and flue condensate measured at the end of the ''Warm-up Period.''

3.4. *Calculations*.

3.4.1. *General.* To determine the combustion efficiency of commercial packaged boilers, use the variables in Section C6 and calculation procedure for the combustion efficiency test specified in Section C7.3 of Appendix C (including the specified subsections of C7.2) of ANSI/AHRI Standard 1500–2015 (incorporated by reference, see § 431.85).

3.4.2. *Rounding.* Round the final combustion efficiency value to nearest one tenth of a percent.

[81 FR 89306, Dec. 9, 2016]

Subpart F—Commercial Air Conditioners and Heat Pumps

SOURCE: 69 FR 61969, Oct. 21, 2004, unless otherwise noted.

§ 431.91 Purpose and scope.

This subpart specifies test procedures and energy conservation standards for certain commercial air conditioners and heat pumps, pursuant to Part C of Title III of the Energy Policy and Conservation Act, as amended, 42 U.S.C. 6311–6317.

[69 FR 61969, Oct. 21, 2004, as amended at 70 FR 60415, Oct. 18, 2005]

§ 431.92 Definitions concerning commercial air conditioners and heat pumps.

The following definitions apply for purposes of this subpart, and of subparts J through M of this part. Any words or terms not defined in this section or elsewhere in this part shall be defined as provided in 42 U.S.C. 6311. For definitions that reference the application for which the equipment is marketed, DOE will consider any publicly available document published by the manufacturer (*e.g.*, product literature, catalogs, and packaging labels) to determine marketing intent. For definitions in this section that pertain to computer room air conditioners, italicized terms within a definition indicate terms that are separately defined in this section.

Applied Coefficient of performance, or *ACOP* means the ratio of the heating capacity to the power input, including system pump power, for water-source heat pumps. ACOP is expressed in watts per watt and determined according to appendix C1 of this subpart.

Basic model means:

(1) *For air-cooled, three-phase, small commercial package air conditioning and heating equipment with a cooling capacity of less than 65,000 Btu/h and air-cooled, three-phase, variable refrigerant flow multi-split air conditioners and heat pumps with a cooling capacity of less than 65,000 Btu/h.* All units manufactured by one manufacturer, having the same primary energy source, and, which have essentially identical electrical, physical, and functional (or hydraulic) characteristics that affect energy consumption, energy efficiency, water consumption, or water efficiency; where essentially identical electrical, physical, and functional (or hydraulic) characteristics means:

(i) For split systems manufactured by outdoor unit manufacturers (OUMs): all individual combinations having the same model of outdoor unit, which means comparably performing compressor(s) [a variation of no more than five percent in displacement rate (volume per time) as rated by the compressor manufacturer, and no more than five percent in capacity and power input for the same operating conditions as rated by the compressor manufacturer], outdoor coil(s) [no more than five percent variation in face area and total fin surface area; same fin material; same tube material], and outdoor fan(s) [no more than ten percent variation in airflow and no more than twenty percent variation in power input];

(ii) For split systems having indoor units manufactured by independent coil manufacturers (ICMs): all individual combinations having comparably performing indoor coil(s) [plus or minus one square foot face area, plus or minus one fin per inch fin density, and the same fin material, tube material, number of tube rows, tube pattern, and tube size]; and

(iii) For single-package systems: all individual models having comparably performing compressor(s) [no more than five percent variation in displacement rate (volume per time) rated by the compressor manufacturer, and no more than five percent variations in capacity and power input rated by the

compressor manufacturer corresponding to the same compressor rating conditions], outdoor coil(s) and indoor coil(s) [no more than five percent variation in face area and total fin surface area; same fin material; same tube material], outdoor fan(s) [no more than ten percent variation in outdoor airflow], and indoor blower(s) [no more than ten percent variation in indoor airflow, with no more than twenty percent variation in fan motor power input];

(iv) Except that:

(A) For single-package systems and single-split systems, manufacturers may instead choose to make each individual model/combination its own basic model provided the testing and represented value requirements in 10 CFR 429.67 are met; and

(B) For multi-split, multi-circuit, and multi-head mini-split combinations, a basic model may not include both individual small-duct, high velocity (SDHV) combinations and non-SDHV combinations even when they include the same model of outdoor unit. The manufacturer may choose to identify specific individual combinations as additional basic models.

(2) *For commercial package air conditioning and heating equipment (excluding air-cooled, three-phase, commercial package air conditioning and heating equipment with a cooling capacity of less than 65,000 Btu/h).* All units manufactured by one manufacturer within a single equipment class, having the same or comparably performing compressor(s), heat exchangers, and air moving system(s) that have a common ''nominal'' cooling capacity.

(3) *For computer room air conditioners.* All units manufactured by one manufacturer within a single equipment class, having the same primary energy source (*e.g.*, electric or gas), and which have the same or comparably performing compressor(s), heat exchangers, and air moving system(s) that have a common ''nominal'' cooling capacity.

(4) *For direct expansion-dedicated outdoor air system.* All units manufactured by one manufacturer, having the same primary energy source (*e.g.*, electric or gas), within a single equipment class; with the same or comparably performing compressor(s), heat exchangers, ventilation energy recovery system(s) (if present), and air moving system(s) that have a common ''nominal'' moisture removal capacity.

(5) *For packaged terminal air conditioner (PTAC) or packaged terminal heat pump (PTHP).* All units manufactured by one manufacturer within a single equipment class, having the same primary energy source (*e.g.*, electric or gas), and which have the same or comparable compressors, same or comparable heat exchangers, and same or comparable air moving systems that have a cooling capacity within 300 Btu/h of one another.

(6) *For single package vertical units.* All units manufactured by one manufacturer within a single equipment class, having the same primary energy source (*e.g.*, electric or gas), and which have the same or comparably performing compressor(s), heat exchangers, and air moving system(s) that have a rated cooling capacity within 1500 Btu/h of one another.

(7) *For variable refrigerant flow systems (excluding air-cooled, three-phase, variable refrigerant flow air conditioners and heat pumps with a cooling capacity of less than 65,000 Btu/h).* All units manufactured by one manufacturer within a single equipment class, having the same primary energy source (*e.g.*, electric or gas), and which have the same or comparably performing compressor(s) that have a common ''nominal'' cooling capacity and the same heat rejection medium (*e.g.*, air or water) (includes VRF water source heat pumps).

(8) *For water-source heat pumps.* All units manufactured by one manufacturer within a single equipment class, having the same primary energy source (*e.g.*, electric or gas), and which have the same or comparable compressors, same or comparable heat exchangers, and same or comparable ''nominal'' cooling capacity.

Ceiling-mounted means a configuration of a *computer room air conditioner* for which the unit housing the evaporator coil is configured for indoor installation on or through a ceiling.

Ceiling-mounted ducted means a configuration of a *ceiling-mounted computer room air conditioner* that is configured for use with discharge ducting (even if

the unit is also configurable for use without discharge ducting).

Ceiling-mounted non-ducted means a configuration of a *ceiling-mounted computer room air conditioner* that is configured only for use without discharge ducting.

Coefficient of performance, or *COP*, means the ratio of the produced cooling effect of an air conditioner or heat pump (or its produced heating effect, depending on the mode of operation) to its net work input, when both the cooling (or heating) effect and the net work input are expressed in identical units of measurement. For air-cooled commercial package air conditioning and heating equipment (excluding equipment with a cooling capacity less than 65,000 Btu/h), COP is measured per appendix A to this subpart.

Coefficient of performance 2, or *COP2*, means the ratio of the produced cooling effect of an air conditioner or heat pump (or its produced heating effect, depending on the mode of operation) to its net work input, when both the cooling (or heating) effect and the net work input are expressed in identical units of measurement. COP2 must be used with a subscript to indicate the outdoor temperature in degrees Fahrenheit at which the COP2 was measured (*e.g.*, $COP2_{17}$ for COP2 measured at 17°F). For air-cooled commercial package air conditioning and heating equipment (excluding equipment with a cooling capacity less than 65,000 Btu/h), COP2 is measured per appendix A1 to this subpart.

Commercial package air-conditioning and heating equipment means air-cooled, water-cooled, evaporatively-cooled, or water source (not including ground water source) electrically operated, unitary central air conditioners and central air-conditioning heat pumps for commercial application.

Computer room air conditioner means commercial package air-conditioning and heating equipment (packaged or split) that is marketed for use in computer rooms, data processing rooms, or other information technology cooling applications and not a covered consumer product under 42 U.S.C. 6291(1)–(2) and 42 U.S.C. 6292. A computer room air conditioner may be provided with, or have as available options, an integrated humidifier, temperature and/or humidity control of the supplied air, and reheating function. Computer room air conditioners include, but are not limited to, the following configurations as defined in this section: *down-flow*, *horizontal-flow*, *up-flow ducted*, *up-flow non-ducted*, *ceiling-mounted ducted*, *ceiling mounted non-ducted*, *roof-mounted*, and *wall-mounted*.

Direct expansion-dedicated outdoor air system, or *DX–DOAS*, means a unitary dedicated outdoor air system that is capable of dehumidifying air to a 55 °F dew point—when operating under Standard Rating Condition A as specified in Table 4 or Table 5 of AHRI 920–2020 (incorporated by reference, see § 431.95) with a barometric pressure of 29.92 in Hg—for any part of the range of airflow rates advertised in manufacturer materials, and has a moisture removal capacity of less than 324 lb/h.

Double-duct air conditioner or heat pump means air-cooled commercial package air conditioning and heating equipment that meets the following criteria—

(1) Is either a horizontal single package or split-system unit; or a vertical unit that consists of two components that may be shipped or installed either connected or split; or a vertical single package unit that is not intended for exterior mounting on, adjacent interior to, or through an outside wall;

(2) Is intended for indoor installation with ducting of outdoor air from the building exterior to and from the unit (*e.g.*, the unit and/or all of its components are non-weatherized);

(3) If it is a horizontal unit, the complete unit shall have a maximum height of 35 inches or the unit shall have components that do not exceed a maximum height of 35 inches. If it is a vertical unit, the complete (split, connected, or assembled) unit shall have components that do not exceed a maximum depth of 35 inches; and

(4) Has a rated cooling capacity greater than or equal to 65,000 Btu/h and less than 300,000 Btu/h.

Down-flow means a configuration of *floor-mounted computer room air conditioner* in which return air enters above the top of the evaporator coil and discharge air leaves below the bottom of the evaporator coil.

Ducted Condenser means a configuration of *computer room air conditioner* for which the condenser or condensing unit that manufacturer's installation instructions indicate is intended to exhaust condenser air through a duct(s).

Energy efficiency ratio, or *EER*, means the ratio of the produced cooling effect of an air conditioner or heat pump to its net work input, expressed in Btu/watt-hour. For commercial package air conditioning and heating equipment (excluding air-cooled equipment with a cooling capacity less than 65,000 Btu/h), EER is measured per appendix A to this subpart.

Energy efficiency ratio 2, or *EER2*, means the ratio of the produced cooling effect of an air conditioner or heat pump to its net work input, expressed in Btu/watt-hour. For commercial package air conditioning and heating equipment (excluding air-cooled equipment with a cooling capacity less than 65,000 Btu/h), EER2 is measured per appendix A1 to this subpart.

Floor-mounted means a configuration of a *computer room air conditioner* for which the unit housing the evaporator coil is configured for indoor installation on a solid floor, raised floor, or floor-stand. Floor-mounted *computer room air conditioners* are one of the following three configurations: *down-flow*, *horizontal-flow*, and *up-flow*.

Fluid economizer means an option available with a *computer room air conditioner* in which a fluid (other than air), cooled externally from the unit, provides cooling of the indoor air to reduce or eliminate unit compressor operation when outdoor temperature is low. The fluid may include, but is not limited to, chilled water, water/glycol solution, or refrigerant. An external fluid cooler such as, but not limited to a dry cooler, cooling tower, or condenser is utilized for heat rejection. This component is sometimes referred to as a free cooling coil, econ-o-coil, or economizer.

Heat Recovery (in the context of variable refrigerant flow multi-split air conditioners or variable refrigerant flow multi-split heat pumps) means that the air conditioner or heat pump is also capable of providing simultaneous heating and cooling operation, where recovered energy from the indoor units operating in one mode can be transferred to one or more other indoor units operating in the other mode. A variable refrigerant flow multi-split heat recovery heat pump is a variable refrigerant flow multi-split heat pump with the addition of heat recovery capability.

Heating seasonal performance factor, or *HSPF* means the total heating output of a central air-conditioning heat pump during its normal annual usage period for heating, expressed in Btu's and divided by the total electric power input, expressed in watt-hours, during the same period.

Horizontal-flow means a configuration of a *floor-mounted computer room air conditioner* that is neither a *down-flow* nor an *up-flow* unit.

Integrated energy efficiency ratio, or *IEER*, means a weighted average calculation of mechanical cooling EERs determined for four load levels and corresponding rating conditions, expressed in Btu/watt-hour. IEER is measured:

(1) Per appendix A to this subpart for commercial package air conditioning and heating equipment (excluding air-cooled equipment with a cooling capacity less than 65,000 Btu/h);

(2) Per appendix C1 to this subpart for water-source heat pumps;

(3) Per appendix D1 to this subpart for variable refrigerant flow multi-split air conditioners and heat pumps (other than air-cooled with rated cooling capacity less than 65,000 Btu/h); and

(4) Per appendix G1 to this subpart for single package vertical air conditioners and single package vertical heat pumps.

Integrated seasonal coefficient of performance 2 or *ISCOP2*, means a seasonal weighted-average heating efficiency for heat pump dedicated outdoor air systems, expressed in W/W, as measured according to appendix B of this subpart.

Integrated seasonal moisture removal efficiency 2, or *ISMRE2*, means a seasonal weighted average dehumidification efficiency for dedicated outdoor air systems, expressed in lbs. of moisture/kWh, as measured according to appendix B of this subpart.

Integrated ventilation and heating efficiency, or *IVHE*, means a sum of the space heating provided (Btu) divided by

the sum of the energy consumed (Wh), including mechanical heating, supplementary electric resistance heating, and heating season ventilation operating modes. IVHE with subscript C ($IVHE_C$) refers to the IVHE of heat pumps using a cold-climate heating load line. For air-cooled commercial package air conditioning and heating equipment (excluding equipment with a cooling capacity less than 65,000 Btu/h), IVHE and $IVHE_C$ are measured per appendix A1 to this subpart.

Integrated ventilation, economizing, and cooling, or *IVEC,* means a sum of the space cooling provided (Btu) divided by the sum of the energy consumed (Wh), including mechanical cooling, economizing, and cooling season ventilation operating modes. For commercial package air conditioning and heating equipment (excluding air-cooled equipment with a cooling capacity less than 65,000 Btu/h), IVEC is measured per appendix A1 to this subpart.

Large commercial package air-conditioning and heating equipment means commercial package air-conditioning and heating equipment that is rated—

(1) At or above 135,000 Btu per hour; and

(2) Below 240,000 Btu per hour (cooling capacity).

Net sensible coefficient of performance, or *NSenCOP,* means a ratio of the net sensible cooling capacity in kilowatts to the total power input in kilowatts for *computer room air conditioners,* as measured in appendix E1 of this subpart.

Non-standard size means a packaged terminal air conditioner or packaged terminal heat pump with existing wall sleeve dimensions having an external wall opening of less than 16 inches high or less than 42 inches wide, and a cross-sectional area less than 670 square inches.

Packaged terminal air conditioner means a wall sleeve and a separate unencased combination of heating and cooling assemblies specified by the builder and intended for mounting through the wall, and that is industrial equipment. It includes a prime source of refrigeration, separable outdoor louvers, forced ventilation, and heating availability by builder's choice of hot water, steam, or electricity.

Packaged terminal heat pump means a packaged terminal air conditioner that utilizes reverse cycle refrigeration as its prime heat source, that has a supplementary heat source available, with the choice of hot water, steam, or electric resistant heat, and that is industrial equipment.

Roof-mounted means a configuration of a *computer room air conditioner* that is not *wall-mounted,* and for which the unit housing the evaporator coil is configured for outdoor installation.

Seasonal energy efficiency ratio or *SEER* means the total cooling output of a central air conditioner or central air-conditioning heat pump, expressed in Btu's, during its normal annual usage period for cooling and divided by the total electric power input, expressed in watt-hours, during the same period.

Sensible Coefficient of Performance, or *SCOP* means the net sensible cooling capacity in watts divided by the total power input in watts (excluding reheaters and humidifiers).

Single package unit means any central air conditioner or central air-conditioning heat pump in which all the major assemblies are enclosed in one cabinet.

Single package vertical air conditioner means:

(1) Air-cooled commercial package air conditioning and heating equipment that—

(i) Is factory-assembled as a single package that—

(A) Has major components that are arranged vertically;

(B) Is an encased combination of cooling and optional heating components; and

(C) Is intended for exterior mounting on, adjacent interior to, or through an outside wall;

(ii) Is powered by a single-or 3-phase current;

(iii) May contain 1 or more separate indoor grilles, outdoor louvers, various ventilation options, indoor free air discharges, ductwork, well plenum, or sleeves; and

(iv) Has heating components that may include electrical resistance, steam, hot water, or gas, but may not

include reverse-cycle refrigeration as a heating means; and

(2) Includes single-phase single package vertical air conditioner with cooling capacity less than 65,000 Btu/h, as defined in this section.

Single package vertical heat pump means:

(1) A single package vertical air conditioner that—

(i) Uses reverse-cycle refrigeration as its primary heat source; and

(ii) May include secondary supplemental heating by means of electrical resistance, steam, hot water, or gas; and

(2) Includes single-phase single package vertical heat pump with cooling capacity less than 65,000 Btu/h, as defined in this section.

Single-phase single package vertical air conditioner with cooling capacity less than 65,000 Btu/h means air-cooled commercial package air conditioning and heating equipment that meets the criteria in paragraphs (1)(i) through (iv) of the definition for a single package vertical air conditioner in this section; that is single-phase; has a cooling capacity less than 65,000 Btu/h, and that:

(1) Is weatherized, determined by a model being denoted for ''Outdoor Use'' or marked as ''Suitable for Outdoor Use'' on the equipment nameplate; or

(2) Is non-weatherized and is a model that has optional ventilation air provisions available. When such ventilation air provisions are present on the unit, the unit must be capable of drawing in and conditioning outdoor air for delivery to the conditioned space at a rate of at least 400 cubic feet per minute, as determined in accordance with § 429.134(x)(3) of this chapter, while the equipment is operating with the same drive kit and motor settings used to determine the certified efficiency rating of the equipment (as required for submittal to DOE by § 429.43(b)(4)(xi) of this chapter).

Single-phase single package vertical heat pump with cooling capacity less than 65,000 Btu/h means air-cooled commercial package air conditioning and heating equipment that meets the criteria in paragraphs (1)(i) and (ii) of the definition for a single package vertical heat pump in this section; that is single-phase; has a cooling capacity less than 65,000 Btu/h, and that:

(1) Is weatherized, determined by a model being denoted for ''Outdoor Use'' or marked as ''Suitable for Outdoor Use'' on the equipment nameplate; or

(2) Is non-weatherized and is a model that has optional ventilation air provisions available. When such ventilation air provisions are present on the unit, the unit must be capable of drawing in and conditioning outdoor air for delivery to the conditioned space at a rate of at least 400 cubic feet per minute, as determined in accordance with § 429.134(x)(3) of this chapter, while the equipment is operating with the same drive kit and motor settings used to determine the certified efficiency rating of the equipment (as required for submittal to DOE by § 429.43(b)(4)(xii) of this chapter).

Small commercial package air-conditioning and heating equipment means commercial package air-conditioning and heating equipment that is rated below 135,000 Btu per hour (cooling capacity).

Small-duct, high-velocity commercial package air conditioning and heating equipment means a basic model of commercial package, split-system air conditioning and heating equipment that:

(1) Has a rated cooling capacity no greater than 65,000 Btu/h;

(2) Is powered by three-phase current;

(3) Is air-cooled; and

(4) Is paired with an indoor unit that:

(i) Includes an indoor blower housed with the coil;

(ii) Is designed for, and produces, at least 1.2 inches of external static pressure when operated at the certified air volume rate of 220–350 CFM per rated ton cooling in the highest default cooling airflow-controls setting; and

(iii) When applied in the field, uses high velocity room outlets generally greater than 1,000 fpm that have less than 6.0 square inches of free area.

Space-constrained commercial package air conditioning and heating equipment means a basic model of commercial package air conditioning and heating equipment (packaged or split) that:

(1) Is air-cooled;

(2) Is powered by three-phase current;

(3) Is not a single package vertical air conditioner or a single package vertical heat pump;

(4) Has a rated cooling capacity no greater than 30,000 Btu/h;

(5) Has an outdoor or indoor unit having at least two overall exterior dimensions or an overall displacement that:

(i) Is substantially smaller than those of other units that are:

(A) Currently usually installed in site-built single-family homes; and

(B) Of a similar cooling, and, if a heat pump, heating capacity; and

(ii) If increased, would certainly result in a considerable increase in the usual cost of installation or would certainly result in a significant loss in the utility of the product to the consumer; and

(6) Of a product type that was available for purchase in the United States as of December 1, 2000.

Split system means any central air conditioner or central air conditioning heat pump in which one or more of the major assemblies are separate from the others.

Standard size means a packaged terminal air conditioner or packaged terminal heat pump with wall sleeve dimensions having an external wall opening of greater than or equal to 16 inches high or greater than or equal to 42 inches wide, and a cross-sectional area greater than or equal to 670 square inches.

Unitary dedicated outdoor air system, or *unitary DOAS,* means a category of small, large, or very large commercial package air-conditioning and heating equipment that is capable of providing ventilation and conditioning of 100-percent outdoor air and is marketed in materials (including but not limited to, specification sheets, insert sheets, and online materials) as having such capability.

Up-flow means a configuration of a *floor-mounted computer room air conditioner* in which return air enters below the bottom of the evaporator coil and discharge air leaves above the top of the evaporator coil.

Up-flow ducted means a configuration of an *up-flow computer room air conditioner* that is configured for use with discharge ducting (even if the unit is also configurable for use without discharge ducting).

Up-flow non-ducted means a configuration of an *up-flow computer room air conditioner* that is configured only for use without discharge ducting.

Variable Refrigerant Flow Multi-Split Air Conditioner means a unit of commercial package air-conditioning and heating equipment that is configured as a split system air conditioner incorporating a single refrigerant circuit, with one or more outdoor units, at least one variable-speed compressor or an alternate compressor combination for varying the capacity of the system by three or more steps, and multiple indoor fan coil units, each of which is individually metered and individually controlled by an integral control device and common communications network and which can operate independently in response to multiple indoor thermostats. Variable refrigerant flow implies three or more steps of capacity control on common, inter-connecting piping.

Variable Refrigerant Flow Multi-Split Heat Pump means a unit of commercial package air-conditioning and heating equipment that is configured as a split system heat pump that uses reverse cycle refrigeration as its primary heating source and which may include secondary supplemental heating by means of electrical resistance, steam, hot water, or gas. The equipment incorporates a single refrigerant circuit, with one or more outdoor units, at least one variable-speed compressor or an alternate compressor combination for varying the capacity of the system by three or more steps, and multiple indoor fan coil units, each of which is individually metered and individually controlled by a control device and common communications network and which can operate independently in response to multiple indoor thermostats. Variable refrigerant flow implies three or more steps of capacity control on common, inter-connecting piping.

Ventilation energy recovery system, or *VERS,* means a system that preconditions outdoor ventilation air entering the equipment through direct or indirect thermal and/or moisture exchange with the exhaust air, which is

defined as the building air being exhausted to the outside from the equipment.

Very large commercial package air-conditioning and heating equipment means commercial package air-conditioning and heating equipment that is rated—

(1) At or above 240,000 Btu per hour; and

(2) Below 760,000 Btu per hour (cooling capacity).

Wall-mounted means a configuration of a *computer room air conditioner* for which the unit housing the evaporator coil is configured for installation on or through a wall.

Water-source heat pump means commercial package air-conditioning and heating equipment that is a single-phase or three-phase reverse-cycle heat pump that uses a circulating water loop as the heat source for heating and as the heat sink for cooling. The main components are a compressor, refrigerant-to-water heat exchanger, refrigerant-to-air heat exchanger, refrigerant expansion devices, refrigerant reversing valve, and indoor fan (except that coil-only units do not include an indoor fan). Such equipment includes, but is not limited to, water-to-air water-loop heat pumps.

[69 FR 61969, Oct. 21, 2004, as amended at 70 FR 60415, Oct. 18, 2005; 73 FR 58828, Oct. 7, 2008; 74 FR 12073, Mar. 23, 2009; 76 FR 12503, Mar. 7, 2011; 77 FR 28988, May 16, 2012; 78 FR 79598, Dec. 31, 2013; 80 FR 42664, July 17, 2015; 80 FR 79669, Dec. 23, 2015; 81 FR 2529, Jan. 15, 2016; 87 FR 45197, July 27, 2022; 87 FR 63896, Oct. 20, 2022; 87 FR 75167, Dec. 7, 2022; 87 FR 77325, Dec. 16, 2022; 88 FR 21838, Apr. 11, 2023; 88 FR 36386, 36424, June 2, 2023; 88 FR 84228, Dec. 4, 2023; 89 FR 44035, May 20, 2024]

TEST PROCEDURES

§ 431.95 Materials incorporated by reference.

(a) Certain material is incorporated by reference into this subpart with the approval of the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in this section, DOE must publish a document in the FEDERAL REGISTER and the material must be available to the public. All approved incorporation by reference (IBR) material is available for inspection at DOE, and at the National Archives and Records Administration (NARA). Contact DOE at: the U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Program, Sixth Floor, 950 L'Enfant Plaza SW, Washington, DC 20024, (202) 586–9127, *Buildings@ee.doe.gov*, *https://www.energy.gov/eere/buildings/building-technologies-office*. For information on the availability of this material at NARA, email: *fr.inspection@nara.gov*, or go to: *www.archives.gov/federal-register/cfr/ibr-locations.html*. The material may be obtained from the sources in the following paragraphs of this section.

(b) *AHRI*. Air-Conditioning, Heating, and Refrigeration Institute, 2311 Wilson Blvd., Suite 400, Arlington, VA 22201; (703) 524–8800; *www.ahrinet.org*.

(1) ANSI/AHRI Standard 210/240–2008 (AHRI 210/240–2008), *2008 Standard for Performance Rating of Unitary Air-Conditioning & Air-Source Heat Pump Equipment*, approved by ANSI on October 27, 2011, and updated by addendum 1 in June 2011 and addendum 2 in March 2012; IBR approved for § 431.96 and appendix F to this subpart.

(2) AHRI Standard 210/240–2023 (AHRI 210/240–2023), *2023 Standard for Performance Rating of Unitary Air-conditioning & Air-source Heat Pump Equipment*, copyright May 2020; IBR approved for appendix F1 to this subpart.

(3) AHRI Standard 310/380–2014 (''AHRI 310/380–2014''), ''Standard for Packaged Terminal Air-Conditioners and Heat Pumps,'' February 2014; IBR approved for § 431.96.

(4) AHRI Standard 340/360–2022 (I–P) (''AHRI 340/360–2022''), *2022 Standard for Performance Rating of Commercial and Industrial Unitary Air-conditioning and Heat Pump Equipment*, approved January 26, 2022; IBR approved for appendix A to this subpart.

(5) AHRI Standard 390(I–P)–2021 (''AHRI 390–2021''), *2021 Standard for Performance Rating of Single Package Vertical Air-Conditioners and Heat Pumps*, copyright 2021; (AHRI 390–2021), IBR approved for appendices G and G1 to this subpart.

(6) AHRI Standard 600–2023 (I–P) (''AHRI 600–2023''), *2023 Standard for Performance Rating of Water/Brine to Air Heat Pump Equipment*, AHRI-approved

September 11, 2023; IBR approved for appendix C1 to this subpart.

(7) AHRI Standard 920 (I–P) with Addendum 1 (''AHRI 920–2020''), ''2020 Standard for Performance Rating of Direct Expansion-Dedicated Outdoor Air System Units,'' copyright 2021; IBR approved for § 431.92; appendix B to this subpart.

(8) AHRI Standard 1060 (I–P) (''AHRI 1060–2018''), ''2018 Standard for Performance Rating of Air-to-Air Exchangers for Energy Recovery Ventilation Equipment,'' copyright 2018; IBR approved for appendix B to this subpart.

(9) ANSI/AHRI Standard 1230–2010 (AHRI 1230–2010), *2010 Standard for Performance Rating of Variable Refrigerant Flow (VRF) Multi-Split Air-Conditioning and Heat Pump Equipment*, approved August 2, 2010, and updated by addendum 1 in March 2011; IBR approved for § 431.96 and appendices D and F to this subpart.

(10) AHRI Standard 1230 (I–P), (''AHRI 1230–2021'), ''*2021 Standard for Performance Rating of Variable Refrigerant Flow (VRF) Multi-Split Air-Conditioning and Heat Pump Equipment''*, copyright in 2021; IBR approved for appendix D1 to this subpart.

(11) AHRI Standard 1340–2023 (I–P) (''AHRI 1340–2023''), *2023 Standard for Performance Rating of Commercial and Industrial Unitary Air-conditioning and Heat Pump Equipment*, approved November 16, 2023; IBR approved for appendix A1 to this subpart.

(12) AHRI Standard 1360–2022 (I–P) (''AHRI 1360–2022''), 2022 *Standard for Performance Rating of Computer and Data Processing Room Air Conditioners*, copyright 2022; IBR approved for appendix E1 to this subpart.

(c) *ASHRAE*. American Society of Heating, Refrigerating and Air-Conditioning Engineers, 180 Technology Parkway, Peachtree Corners, Georgia 30092; (404) 636–8400; *www.ashrae.org*.

(1) ANSI/ASHRAE Standard 16–1983 (RA 2014), (''ANSI/ASHRAE 16''), ''Method of Testing for Rating Room Air Conditioners and Packaged Terminal Air Conditioners,'' ASHRAE reaffirmed July 3, 2014, IBR approved for § 431.96.

(2) ANSI/ASHRAE Standard 37–2009 (''ANSI/ASHRAE 37–2009''), *Methods of Testing for Rating Electrically Driven Unitary Air-Conditioning and Heat Pump Equipment*, approved June 24, 2009; IBR approved for § 431.96 and appendices A, A1, B, C1, D1, E1, F1, G, and G1 to this subpart.

(3) Errata Sheet for ANSI/ASHRAE Standard 37–2009, *Methods of Testing for Rating Electrically Driven Unitary Air-Conditioning and Heat Pump Equipment*, March 27, 2019; IBR approved for appendices C1 and D1 to this subpart.

(4) ANSI/ASHRAE Standard 41.1– 2013 (''ANSI/ASHRAE 41.1–2013''), ''Standard Method for Temperature Measurement,'' ANSI-approved January 30, 2013; IBR approved for appendix B to this subpart.

(5) ANSI/ASHRAE Standard 41.6– 2014 (''ANSI/ASHRAE 41.6–2014''), ''Standard Method for Humidity Measurement,'' ANSI-approved July 3, 2014; IBR approved for appendix B to this subpart.

(6) ANSI/ASHRAE Standard 58–1986 (RA 2014), (''ANSI/ASHRAE 58''), ''Method of Testing for Rating Room Air-Conditioner and Packaged Terminal Air-Conditioner Heating Capacity,'' ASHRAE reaffirmed July 3, 2014, IBR approved for § 431.96.

(7) ASHRAE Standard 127–2007, ''*Method of Testing for Rating Computer and Data Processing Room Unitary Air Conditioners*,'' approved on June 28, 2007, (ASHRAE 127–2007), IBR approved for § 431.96 and appendix E to this subpart.

(8) ANSI/ASHRAE Standard 127–2020 (''ANSI/ASHRAE 127–2020''), *Method of Rating Air-Conditioning Units Serving Data Center (DC) and Other Information Technology Equipment (ITE) Spaces*, ANSI-approved on November 30, 2020; IBR approved for appendix E1 to this subpart.

(9) ANSI/ASHRAE Standard 198– 2013 (''ANSI/ASHRAE 198–2013''), ''Method of Test for Rating DX-Dedicated Outdoor Air Systems for Moisture Removal Capacity and Moisture Removal Efficiency,'' ANSI-approved January 30, 2013; IBR approved for appendix B to this subpart.

(d) *IIR*. International Institute of Refrigeration, 177 Boulevard Malesherbes 75017 Paris, France; +33 (0)1 42 27 32 35; *www.iifiir.org*.

(1) *Properties of Secondary Working Fluids for Indirect Systems*, including

Section 2.3 Errata Sheet, Melinder, published 2010 (''Melinder 2010''), IBR approved for appendix C1 to this subpart.

(2) [Reserved]

(e) *ISO*. International Organization for Standardization, Chemin de Blandonnet 8, CP 401, 1214 Vernier, Geneva, Switzerland; +41 22 749 01 11; *www.iso.org/store.html*.

(1) ISO Standard 13256–1 (''ISO 13256–1:1998''), ''*Water-source heat pumps—Testing and rating for performance—Part 1: Water-to-air and brine-to-air heat pumps*,'' approved 1998; IBR approved for appendix C to this subpart.

(2) [Reserved]

[77 FR 28989, May 16, 2012, as amended at 80 FR 37148, June 30, 2015; 80 FR 79669, Dec. 23, 2015; 87 FR 45198, July 27, 2022; 87 FR 63896, Oct. 20, 2022; 87 FR 75168, Dec. 7, 2022; 87 FR 77325, Dec. 16, 2022; 88 FR 21839, Apr. 11, 2023; 88 FR 84228, Dec. 4, 2023; 89 FR 44037, May 20, 2024]

§ 431.96 Uniform test method for the measurement of energy efficiency of commercial air conditioners and heat pumps.

(a) *Scope*. This section contains test procedures for measuring, pursuant to EPCA, the energy efficiency of any small, large, or very large commercial package air-conditioning and heating equipment, packaged terminal air conditioners and packaged terminal heat pumps, computer room air conditioners, variable refrigerant flow systems, single package vertical air conditioners and single package vertical heat pumps, and direct expansion-dedicated outdoor air systems.

(b) *Testing and calculations*. (1) Determine the energy efficiency and capacity of each category of covered equipment by conducting the test procedure(s) listed in table 1 to this paragraph (b) along with any additional testing provisions set forth in paragraphs (c) through (g) of this section and appendices A through G1 to this subpart, that apply to the energy efficiency descriptor for that equipment, category, and cooling capacity. The omitted sections of the test procedures listed in table 1 must not be used. For equipment with multiple appendices listed in table 1, consult the notes at the beginning of those appendices to determine the applicable appendix to use for testing.

(2) After June 24, 2016, any representations made with respect to the energy use or efficiency of packaged terminal air conditioners and heat pumps (PTACs and PTHPs) must be made in accordance with the results of testing pursuant to this section. Manufacturers conducting tests of PTACs and PTHPs after July 30, 2015 and prior to June 24, 2016, must conduct such test in accordance with either table 1 to this section or § 431.96 as it appeared at 10 CFR part 431, subpart F, in the 10 CFR parts 200 to 499 edition revised as of January 1, 2014. Any representations made with respect to the energy use or efficiency of such packaged terminal air conditioners and heat pumps must be in accordance with whichever version is selected.

TABLE 1 TO PARAGRAPH (b)—TEST PROCEDURES FOR COMMERCIAL AIR CONDITIONERS AND HEAT PUMPS

Equipment	Category	Cooling capacity or moisture removal capacity [1]	Energy efficiency descriptor	Use tests, conditions, and procedures in	Additional test procedure provisions as indicated in the listed paragraphs of this section
Commercial Package Air Conditioning and Heating Equipment.	Air-Cooled, 3-Phase, AC and HP.	<65,000 Btu/h	SEER and HSPF ..	Appendix F to this subpart [2].	None.
Commercial Package Air Conditioning and Heating Equipment.	Air-Cooled, 3-Phase, AC and HP.	<65,000 Btu/h	SEER2 and HSPF2.	Appendix F1 to this subpart [2].	None.
Commercial Package Air Conditioning and Heating Equipment.	Air-Cooled AC and HP (excluding double-duct AC and HP).	≥65,000 Btu/h and <760,000 Btu/h.	EER, IEER, and COP.	Appendix A to this subpart [2].	None.

TABLE 1 TO PARAGRAPH (b)—TEST PROCEDURES FOR COMMERCIAL AIR CONDITIONERS AND HEAT PUMPS—Continued

Equipment	Category	Cooling capacity or moisture removal capacity [1]	Energy efficiency descriptor	Use tests, conditions, and procedures in	Additional test procedure provisions as indicated in the listed paragraphs of this section
Commercial Package Air Conditioning and Heating Equipment.	Air-Cooled AC and HP (excluding double-duct AC and HP).	≥65,000 Btu/h and <760,000 Btu/h.	EER2, COP2, IVEC, and IVHE.	Appendix A1 to this subpart [2].	None.
Commercial Package Air Conditioning and Heating Equipment.	Double-duct AC and HP.	≥65,000 Btu/h and <300,000 Btu/h.	EER, IEER, and COP.	Appendix A to this subpart [2].	None.
Commercial Package Air Conditioning and Heating Equipment.	Double-duct AC and HP.	≥65,000 Btu/h and <300,000 Btu/h.	EER2, COP2, IVEC, and IVHE.	Appendix A1 to this subpart [2].	None.
Commercial Package Air Conditioning and Heating Equipment.	Water-Cooled and Evaporatively-Cooled AC.	<760,000 Btu/h	EER and IEER	Appendix A to this subpart [2].	None.
Commercial Package Air Conditioning and Heating Equipment.	Water-Cooled and Evaporatively-Cooled AC.	<760,000 Btu/h	EER2 and IVEC	Appendix A1 to this subpart [2].	None.
Water-Source Heat Pumps.	HP	<760,000 Btu/h	EER and COP	Appendix C to this subpart [2].	None.
Water-Source Heat Pumps.	HP	<760,000 Btu/h	IEER and ACOP ...	Appendix C1 to this subpart [2].	None.
Packaged Terminal Air Conditioners and Heat Pumps.	AC and HP	<760,000 Btu/h	EER and COP	Paragraph (g) of this section.	Paragraphs (c), (e), and (g).
Computer Room Air Conditioners.	AC	<760,000 Btu/h	SCOP	Appendix E to this subpart [2].	None.
Computer Room Air Conditioners.	AC	<760,000 Btu/h or <930,000 Btu/h [3].	NSenCOP	Appendix E1 to this subpart [2].	None.
Variable Refrigerant Flow Multi-split Systems.	AC	<65,000 Btu/h (3-phase).	SEER	Appendix F to this subpart [2].	None.
Variable Refrigerant Flow Multi-split Systems.	AC	<65,000 Btu/h (3-phase).	SEER2	Appendix F1 to this subpart [2].	None.
Variable Refrigerant Flow Multi-split Systems, Air-cooled.	HP	<65,000 Btu/h (3-phase).	SEER and HSPF ..	Appendix F to this subpart [2].	None.
Variable Refrigerant Flow Multi-split Systems, Air-cooled.	HP	<65,000 Btu/h (3-phase).	SEER2 and HSPF2.	Appendix F1 to this subpart [2].	None.
Variable Refrigerant Flow Multi-split Systems, Air-cooled.	AC and HP	≥65,000 Btu/h and <760,000 Btu/h.	EER and COP	Appendix D to this subpart [2].	None.
Variable Refrigerant Flow Multi-split Systems, Air-cooled.	AC and HP	≥65,000 Btu/h and <760,000 Btu/h.	IEER and COP	Appendix D1 to this subpart [2].	None.
Variable Refrigerant Flow Multi-split Systems, Water-source.	HP	<760,000 Btu/h	EER and COP	Appendix D to this subpart [2].	None.
Variable Refrigerant Flow Multi-split Systems, Water-source.	HP	<760,000 Btu/h	IEER and COP	Appendix D1 to this subpart [2].	None.
Single Package Vertical Air Conditioners and Single Package Vertical Heat Pumps.	AC and HP	<760,000 Btu/h	EER and COP	Appendix G to this subpart [2].	None.

TABLE 1 TO PARAGRAPH (b)—TEST PROCEDURES FOR COMMERCIAL AIR CONDITIONERS AND HEAT PUMPS—Continued

Equipment	Category	Cooling capacity or moisture removal capacity [1]	Energy efficiency descriptor	Use tests, conditions, and procedures in	Additional test procedure provisions as indicated in the listed paragraphs of this section
Single Package Vertical Air Conditioners and Single Package Vertical Heat Pumps.	AC and HP	<760,000 Btu/h	EER, IEER, and COP.	Appendix G1 to this subpart [2].	None.
Direct Expansion-Dedicated Outdoor Air Systems.	All	<324 lbs. of moisture removal/hr.	ISMRE2 and ISCOP2.	Appendix B to this subpart.	None.

[1] Moisture removal capacity applies only to direct expansion-dedicated outdoor air systems.
[2] For equipment with multiple appendices listed in this table, consult the notes at the beginning of those appendices to determine the applicable appendix to use for testing.
[3] For upflow ducted and downflow floor-mounted computer room air conditioners, the test procedure in appendix E1 to this subpart applies to equipment with net sensible cooling capacity less than 930,000 Btu/h. For all other configurations of computer room air conditioners, the test procedure in appendix E1 to this subpart applies to equipment with net sensible cooling capacity less than 760,000 Btu/h.

(c) *Optional break-in period for tests conducted using AHRI 210/240–2008, AHRI 1230–2010, and ASHRAE 127–2007.* Manufacturers may optionally specify a ''break-in'' period, not to exceed 20 hours, to operate the equipment under test prior to conducting the test method specified by AHRI 210/240–2008 or ASHRAE 127–2007 (incorporated by reference; see § 431.95). A manufacturer who elects to use an optional compressor break-in period in its certification testing should record this information (including the duration) in the test data underlying the certified ratings that is required to be maintained under 10 CFR 429.71.

(d) *Refrigerant line length corrections for tests conducted using AHRI 1230–2010.* For test setups where it is physically impossible for the laboratory to use the required line length listed in Table 3 of the AHRI 1230–2010 (incorporated by reference, see § 431.95), then the actual refrigerant line length used by the laboratory may exceed the required length and the following correction factors are applied:

TABLE 2 TO PARAGRAPH (d)

Piping length beyond minimum, X (ft)	Piping length beyond minimum, Y (m)	Cooling capacity correction %
0>X ≤20	0>Y ≤6.1	1
20>X ≤40	6.1>Y ≤12.2	2
40>X ≤60	12.2>Y ≤18.3	3
60>X ≤80	18.3>Y ≤24.4	4
80>X ≤100	24.4>Y ≤30.5	5
100 >X ≤120	30.5>Y ≤36.6	6

(e) *Additional provisions for equipment set-up.* The only additional specifications that may be used in setting up the basic model for test are those set forth in the installation and operation manual shipped with the unit. Each unit should be set up for test in accordance with the manufacturer installation and operation manuals. Paragraphs (e)(1) through (3) of this section provide specifications for addressing key information typically found in the installation and operation manuals.

(1) If a manufacturer specifies a range of superheat, sub-cooling, and/or refrigerant pressure in its installation and operation manual for a given basic model, any value(s) within that range may be used to determine refrigerant charge or mass of refrigerant, unless the manufacturer clearly specifies a rating value in its installation and operation manual, in which case the specified rating value shall be used.

(2) The air flow rate used for testing must be that set forth in the installation and operation manuals being shipped to the commercial customer with the basic model and clearly identified as that used to generate the DOE performance ratings. If a rated air flow

value for testing is not clearly identified, a value of 400 standard cubic feet per minute (scfm) per ton shall be used.

(3) For VRF systems, the test set-up and the fixed compressor speeds (*i.e.*, the maximum, minimum, and any intermediate speeds used for testing) should be recorded and maintained as part of the test data underlying the certified ratings that is required to be maintained under 10 CFR 429.71.

(f) *Manufacturer involvement in assessment or enforcement testing for variable refrigerant flow systems.* A manufacturer's representative will be allowed to witness assessment and/or enforcement testing for VRF systems. The manufacturer's representative will be allowed to inspect and discuss set-up only with a DOE representative and adjust only the modulating components during testing in the presence of a DOE representative that are necessary to achieve steady-state operation. Only previously documented specifications for set-up as specified under paragraphs (d) and (e) of this section will be used.

(g) *Test Procedures for Packaged Terminal Air Conditioners and Packaged Terminal Heat Pumps*—(1) *Cooling mode testing.* The test method for testing packaged terminal air conditioners and packaged terminal heat pumps in cooling mode shall consist of application of the methods and conditions in AHRI 310/380–2014 sections 3, 4.1, 4.2, 4.3, and 4.4 (incorporated by reference; see § 431.95), and in ANSI/ASHRAE 16 (incorporated by reference; see § 431.95) or ANSI/ASHRAE 37 (incorporated by reference; see § 431.95), except that instruments used for measuring electricity input shall be accurate to within ±0.5 percent of the quantity measured. Where definitions provided in AHRI 310/380–2014, ANSI/ASHRAE 16, and/or ANSI/ASHRAE 37 conflict with the definitions provided in 10 CFR 431.92, the 10 CFR 431.92 definitions shall be used. Where AHRI 310/380–2014 makes reference to ANSI/ASHRAE 16, it is interpreted as reference to ANSI/ASHRAE 16–1983 (RA 2014).

(2) *Heating mode testing.* The test method for testing packaged terminal heat pumps in heating mode shall consist of application of the methods and conditions in AHRI 310/380–2014 sections 3, 4.1, 4.2 (except the section 4.2.1.2(b) reference to ANSI/ASHRAE 37), 4.3, and 4.4 (incorporated by reference; see § 431.95), and in ANSI/ASHRAE 58 (incorporated by reference; see § 431.95). Where definitions provided in AHRI 310/380–2014 or ANSI/ASHRAE 58 conflict with the definitions provided in 10 CFR 431.92, the 10 CFR 431.92 definitions shall be used. Where AHRI 310/380–2014 makes reference to ANSI/ASHRAE 58, it is interpreted as reference to ANSI/ASHRAE 58–1986 (RA 2014).

(3) *Wall sleeves.* For packaged terminal air conditioners and packaged terminal heat pumps, the unit must be installed in a wall sleeve with a 14 inch depth if available. If a 14 inch deep wall sleeve is not available, use the available wall sleeve option closest to 14 inches in depth. The area(s) between the wall sleeve and the insulated partition between the indoor and outdoor rooms must be sealed to eliminate all air leakage through this area.

(4) *Optional pre-filling of the condensate drain pan.* For packaged terminal air conditioners and packaged terminal heat pumps, test facilities may add water to the condensate drain pan of the equipment under test (until the water drains out due to overflow devices or until the pan is full) prior to conducting the test method specified by AHRI 310/380–2014 (incorporated by reference, see § 431.95). No specific level of water mineral content or water temperature is required for the water added to the condensate drain pan.

(5) *Filter selection.* For packaged terminal air conditioners and packaged terminal heat pumps, the indoor filter used during testing shall be the standard or default filter option shipped with the model. If a particular model is shipped without a filter, the unit must be tested with a MERV–1 filter sized appropriately for the filter slot.

[77 FR 28989, May 16, 2012; 80 FR 11857, Mar. 5, 2015, as amended at 80 FR 37148, June 30, 2015; 80 FR 79669, Dec. 23, 2015; 87 FR 45198, July 27, 2022; 87 FR 63897, Oct. 20, 2022; 87 FR 75168, Dec. 7, 2022; 87 FR 77325, Dec. 16, 2022; 88 FR 21839, Apr. 11, 2023; 88 FR 36424, June 2, 2023; 88 FR 84228, Dec. 4, 2023; 89 FR 44037, May 20, 2024; 90 FR 6794, Jan. 21, 2025]

ENERGY EFFICIENCY STANDARDS

§ 431.97 Energy efficiency standards and their compliance dates.

(a) All basic models of commercial package air conditioning and heating equipment must be tested for performance using the applicable DOE test procedure in § 431.96, be compliant with the applicable standards set forth in paragraphs (b) through (i) of this section, and be certified to the Department under 10 CFR part 429.

(b) Each air-cooled commercial package air conditioning and heating equipment (excluding air-cooled equipment with cooling capacity less than 65,000 Btu/h and double-duct air conditioners or heat pumps) manufactured on or after January 1, 2023, and before January 1, 2029, must meet the applicable minimum energy efficiency standard level(s) set forth in table 1 to this paragraph (b). Each air-cooled commercial package air conditioning and heating equipment (excluding air-cooled equipment with cooling capacity less than 65,000 Btu/h and double-duct air conditioners or heat pumps) manufactured on or after January 1, 2029, must meet the applicable minimum energy efficiency standard level(s) set forth in table 2 to this paragraph (b). Each water-cooled commercial package air conditioning and heating equipment manufactured on or after the compliance date listed in table 3 to this paragraph (b) must meet the applicable minimum energy efficiency standard level(s) set forth in table 3. Each evaporatively-cooled commercial air conditioning and heating equipment manufactured on or after the compliance date listed in table 4 to this paragraph (b) must meet the applicable minimum energy efficiency standard level(s) set forth in table 4. Each double-duct air conditioner or heat pump manufactured on or after January 1, 2010, must meet the applicable minimum energy efficiency standard level(s) set forth in table 5 to this paragraph (b).

TABLE 1 TO PARAGRAPH (b)—MINIMUM EFFICIENCY STANDARDS FOR AIR-COOLED COMMERCIAL PACKAGE AIR CONDITIONING AND HEATING EQUIPMENT WITH A COOLING CAPACITY GREATER THAN OR EQUAL TO 65,000 BTU/h (EXCLUDING DOUBLE-DUCT AIR-CONDITIONERS AND HEAT PUMPS)

Cooling capacity	Subcategory	Supplementary heating type	Minimum efficiency [1]	Compliance date: equipment manufactured starting on . . .
Air-Cooled Commercial Package Air Conditioning and Heating Equipment With a Cooling Capacity Greater Than or Equal to 65,000 Btu/h (Excluding Double-Duct Air Conditioners and Heat Pumps)				
≥65,000 Btu/h and <135,000 Btu/h.	AC	Electric Resistance Heating or No Heating.	IEER = 14.8	January 1, 2023.
≥65,000 Btu/h and <135,000 Btu/h.	AC	All Other Types of Heating.	IEER = 14.6	January 1, 2023.
≥65,000 Btu/h and <135,000 Btu/h.	HP	Electric Resistance Heating or No Heating.	IEER = 14.1 COP = 3.4	January 1, 2023.
≥65,000 Btu/h and <135,000 Btu/h.	HP	All Other Types of Heating.	IEER = 13.9 COP = 3.4	January 1, 2023.
≥135,000 Btu/h and <240,000 Btu/h.	AC	Electric Resistance Heating or No Heating.	IEER = 14.2	January 1, 2023.
≥135,000 Btu/h and <240,000 Btu/h.	AC	All Other Types of Heating.	IEER = 14.0	January 1, 2023.
≥135,000 Btu/h and <240,000 Btu/h.	HP	Electric Resistance Heating or No Heating.	IEER = 13.5 COP = 3.3	January 1, 2023.
≥135,000 Btu/h and <240,000 Btu/h.	HP	All Other Types of Heating.	IEER = 13.3 COP = 3.3	January 1, 2023.
≥240,000 Btu/h and <760,000 Btu/h.	AC	Electric Resistance Heating or No Heating.	IEER = 13.2	January 1, 2023.

TABLE 1 TO PARAGRAPH (b)—MINIMUM EFFICIENCY STANDARDS FOR AIR-COOLED COMMERCIAL PACKAGE AIR CONDITIONING AND HEATING EQUIPMENT WITH A COOLING CAPACITY GREATER THAN OR EQUAL TO 65,000 BTU/h (EXCLUDING DOUBLE-DUCT AIR-CONDITIONERS AND HEAT PUMPS)—Continued

Cooling capacity	Subcategory	Supplementary heating type	Minimum efficiency [1]	Compliance date: equipment manufactured starting on . . .
≥240,000 Btu/h and <760,000 Btu/h.	AC	All Other Types of Heating.	IEER = 13.0	January 1, 2023.
≥240,000 Btu/h and <760,000 Btu/h.	HP	Electric Resistance Heating or No Heating.	IEER = 12.5 COP = 3.2	January 1, 2023.
≥240,000 Btu/h and <760,000 Btu/h.	HP	All Other Types of Heating.	IEER = 12.3 COP = 3.2	January 1, 2023.

[1] See section 3 of appendix A to this subpart for the test conditions upon which the COP standards are based.

TABLE 2 TO PARAGRAPH (b)—UPDATED MINIMUM EFFICIENCY STANDARDS FOR AIR-COOLED COMMERCIAL PACKAGE AIR CONDITIONING AND HEATING EQUIPMENT WITH A COOLING CAPACITY GREATER THAN OR EQUAL TO 65,000 BTU/h (EXCLUDING DOUBLE-DUCT AIR CONDITIONERS AND HEAT PUMPS)

Cooling capacity	Subcategory	Supplementary heating type	Minimum efficiency	Compliance date: equipment manufactured starting on . . .
Air-Cooled Commercial Package Air Conditioning and Heating Equipment With a Cooling Capacity Greater Than or Equal to 65,000 Btu/h (Excluding Double-Duct Air Conditioners and Heat Pumps)				
≥65,000 Btu/h and <135,000 Btu/h.	AC	Electric Resistance Heating or No Heating.	IVEC = 14.3	January 1, 2029.
≥65,000 Btu/h and <135,000 Btu/h.	AC	All Other Types of Heating.	IVEC = 13.8	January 1, 2029.
≥65,000 Btu/h and <135,000 Btu/h.	HP	All Types of Heating	IVEC = 13.4 IVHE = 6.2	January 1, 2029.
≥135,000 Btu/h and <240,000 Btu/h.	AC	Electric Resistance Heating or No Heating.	IVEC = 13.8	January 1, 2029.
≥135,000 Btu/h and <240,000 Btu/h.	AC	All Other Types of Heating.	IVEC = 13.3	January 1, 2029.
≥135,000 Btu/h and <240,000 Btu/h.	HP	All Types of Heating	IVEC = 13.1 IVHE = 6.0	January 1, 2029.
≥240,000 Btu/h and <760,000 Btu/h.	AC	Electric Resistance Heating or No Heating.	IVEC = 12.9	January 1, 2029.
≥240,000 Btu/h and <760,000 Btu/h.	AC	All Other Types of Heating.	IVEC = 12.2	January 1, 2029.
≥240,000 Btu/h and <760,000 Btu/h.	HP	All Types of Heating	IVEC = 12.1 IVHE = 5.8	January 1, 2029.

TABLE 3 TO PARAGRAPH (b)—MINIMUM COOLING EFFICIENCY STANDARDS FOR WATER-COOLED COMMERCIAL PACKAGE AIR CONDITIONING EQUIPMENT

Cooling capacity	Supplementary heating type	Minimum efficiency	Compliance date: equipment manufactured starting on . . .
Water-Cooled Commercial Package Air Conditioning Equipment			
<65,000 Btu/h	All	EER = 12.1	October 29, 2003.

TABLE 3 TO PARAGRAPH (b)—MINIMUM COOLING EFFICIENCY STANDARDS FOR WATER-COOLED COMMERCIAL PACKAGE AIR CONDITIONING EQUIPMENT—Continued

Cooling capacity	Supplementary heating type	Minimum efficiency	Compliance date: equipment manufactured starting on . . .
≥65,000 Btu/h and <135,000 Btu/h	No Heating or Electric Resistance Heating	EER = 12.1	June 1, 2013.
≥65,000 Btu/h and <135,000 Btu/h	All Other Types of Heating	EER = 11.9	June 1, 2013.
≥135,000 Btu/h and <240,000 Btu/h	No Heating or Electric Resistance Heating	EER = 12.5	June 1, 2014.
≥135,000 Btu/h and <240,000 Btu/h	All Other Types of Heating	EER = 12.3	June 1, 2014.
≥240,000 Btu/h and <760,000 Btu/h	No Heating or Electric Resistance Heating	EER = 12.4	June 1, 2014.
≥240,000 Btu/h and <760,000 Btu/h	All Other Types of Heating	EER = 12.2	June 1, 2014.

TABLE 4 TO PARAGRAPH (b)—MINIMUM COOLING EFFICIENCY STANDARDS FOR EVAPORATIVELY-COOLED COMMERCIAL PACKAGE AIR CONDITIONING EQUIPMENT

Cooling capacity	Supplementary heating type	Minimum efficiency	Compliance date: equipment manufactured starting on . . .
Evaporatively-Cooled Commercial Package Air Conditioning Equipment			
<65,000 Btu/h	All	EER = 12.1	October 29, 2003.
≥65,000 Btu/h and <135,000 Btu/h	No Heating or Electric Resistance Heating	EER = 12.1	June 1, 2013.
≥65,000 Btu/h and <135,000 Btu/h	All Other Types of Heating	EER = 11.9	June 1, 2013.
≥135,000 Btu/h and <240,000 Btu/h	No Heating or Electric Resistance Heating	EER = 12.0	June 1, 2014.
≥135,000 Btu/h and <240,000 Btu/h	All Other Types of Heating	EER = 11.8	June 1, 2014.
≥240,000 Btu/h and <760,000 Btu/h	No Heating or Electric Resistance Heating	EER = 11.9	June 1, 2014.
≥240,000 Btu/h and <760,000 Btu/h	All Other Types of Heating	EER = 11.7	June 1, 2014.

TABLE 5 TO PARAGRAPH (b)—MINIMUM EFFICIENCY STANDARDS FOR DOUBLE-DUCT AIR CONDITIONERS OR HEAT PUMPS

Cooling capacity	Subcategory	Supplementary heating type	Minimum efficiency [1]	Compliance date: equipment manufactured starting on . . .
Double-Duct Air Conditioners or Heat Pumps				
≥65,000 Btu/h and <135,000 Btu/h.	AC	Electric Resistance Heating or No Heating.	EER = 11.2	January 1, 2010.
≥65,000 Btu/h and <135,000 Btu/h.	AC	All Other Types of Heating.	EER = 11.0	January 1, 2010.
≥65,000 Btu/h and <135,000 Btu/h.	HP	Electric Resistance Heating or No Heating.	EER = 11.0 COP = 3.3	January 1, 2010.
≥65,000 Btu/h and <135,000 Btu/h.	HP	All Other Types of Heating.	EER = 10.8 COP = 3.3	January 1, 2010.
≥135,000 Btu/h and <240,000 Btu/h.	AC	Electric Resistance Heating or No Heating.	EER = 11.0	January 1, 2010.
≥135,000 Btu/h and <240,000 Btu/h.	AC	All Other Types of Heating.	EER = 10.8	January 1, 2010.
≥135,000 Btu/h and <240,000 Btu/h.	HP	Electric Resistance Heating or No Heating.	EER = 10.6 COP = 3.2	January 1, 2010.
≥135,000 Btu/h and <240,000 Btu/h.	HP	All Other Types of Heating.	EER = 10.4 COP = 3.2	January 1, 2010.
≥240,000 Btu/h and <300,000 Btu/h.	AC	Electric Resistance Heating or No Heating.	EER = 10.0	January 1, 2010.
≥240,000 Btu/h and <300,000 Btu/h.	AC	All Other Types of Heating.	EER = 9.8	January 1, 2010.

TABLE 5 TO PARAGRAPH (b)—MINIMUM EFFICIENCY STANDARDS FOR DOUBLE-DUCT AIR CONDITIONERS OR HEAT PUMPS—Continued

Cooling capacity	Subcategory	Supplementary heating type	Minimum efficiency [1]	Compliance date: equipment manufactured starting on . . .
≥240,000 Btu/h and <300,000 Btu/h.	HP	Electric Resistance Heating or No Heating.	EER = 9.5 COP = 3.2	January 1, 2010.
≥240,000 Btu/h and <300,000 Btu/h.	HP	All Other Types of Heating.	EER = 9.3 COP = 3.2	January 1, 2010.

[1] See section 3 of appendix A to this subpart for the test conditions upon which the COP standards are based.

(c) Each water-source heat pump manufactured starting on the compliance date listed in table 6 to this paragraph (c) must meet the applicable minimum energy efficiency standard level(s) set forth in this paragraph (c).

TABLE 6 TO PARAGRAPH (c)—MINIMUM EFFICIENCY STANDARDS FOR WATER-SOURCE HEAT PUMPS (WATER-TO-AIR, WATER-LOOP)

Cooling capacity	Minimum efficiency	Compliance date: equipment manufactured starting on . . .
Water-Source Heat Pumps (Water-to-Air, Water-Loop)		
<17,000 Btu/h	EER = 12.2 COP = 4.3	October 9, 2015.
≥17,000 Btu/h and <65,000 Btu/h	EER = 13.0 COP = 4.3	October 9, 2015.
≥65,000 Btu/h and <135,000 Btu/h	EER = 13.0 COP = 4.3	October 9, 2015.

(d) Each non-standard size packaged terminal air conditioner (PTAC) and packaged terminal heat pump (PTHP) manufactured on or after October 7, 2010, must meet the applicable minimum energy efficiency standard level(s) set forth in table 7 to this paragraph (d). Each standard size PTAC manufactured on or after October 8, 2012, and before January 1, 2017, must meet the applicable minimum energy efficiency standard level(s) set forth in table 7. Each standard size PTHP manufactured on or after October 8, 2012, must meet the applicable minimum energy efficiency standard level(s) set forth in table 7. Each standard size PTAC manufactured on or after January 1, 2017, must meet the applicable minimum energy efficiency standard level(s) set forth in table 8 to this paragraph (d).

TABLE 7 TO PARAGRAPH (d)—MINIMUM EFFICIENCY STANDARDS FOR PTAC AND PTHP

Equipment type	Category	Cooling capacity	Minimum efficiency	Compliance date: products manufactured on and after . . .
PTAC	Standard Size	<7,000 Btu/h	EER = 11.7	October 8, 2012.[2]
		≥7,000 Btu/h and ≤15,000 Btu/h.	EER = 13.8 − (0.3 × Cap [1])	October 8, 2012.[2]
		>15,000 Btu/h	EER = 9.3	October 8, 2012.[2]
	Non-Standard Size	<7,000 Btu/h	EER = 9.4	October 7, 2010.
		≥7,000 Btu/h and ≤15,000 Btu/h.	EER = 10.9 − (0.213 × Cap [1])	October 7, 2010.
		>15,000 Btu/h	EER = 7.7	October 7, 2010.
PTHP	Standard Size	<7,000 Btu/h	EER = 11.9 COP = 3.3	October 8, 2012.
		≥7,000 Btu/h and ≤15,000 Btu/h.	EER = 14.0 − (0.3 × Cap [1]) COP = 3.7 − (0.052 × Cap [1])	October 8, 2012.

TABLE 7 TO PARAGRAPH (d)—MINIMUM EFFICIENCY STANDARDS FOR PTAC AND PTHP—Continued

Equipment type	Category	Cooling capacity	Minimum efficiency	Compliance date: products manufactured on and after . . .
		>15,000 Btu/h	EER = 9.5 COP = 2.9	October 8, 2012.
	Non-Standard Size	<7,000 Btu/h	EER = 9.3 COP = 2.7	October 7, 2010.
		≥7,000 Btu/h and ≤15,000 Btu/h.	EER = 10.8 − (0.213 × Cap [1]) COP = 2.9 − (0.026 × Cap [1])	October 7, 2010.
		>15,000 Btu/h	EER = 7.6 COP = 2.5	October 7, 2010.

[1] "Cap" means cooling capacity in thousand Btu/h at 95 °F outdoor dry-bulb temperature.
[2] And manufactured before January 1, 2017. See table 8 to this paragraph (d) for updated efficiency standards that apply to this category of equipment manufactured on and after January 1, 2017.

TABLE 8 TO PARAGRAPH (d)—UPDATED MINIMUM EFFICIENCY STANDARDS FOR PTAC

Equipment type	Category	Cooling capacity	Minimum efficiency	Compliance date: products manufactured on and after . . .
PTAC	Standard Size	<7,000 Btu/h	EER = 11.9	January 1, 2017.
		≥7,000 Btu/h and ≤15,000 Btu/h.	EER = 14.0 − (0.3 × Cap [1])	January 1, 2017.
		>15,000 Btu/h	EER = 9.5	January 1, 2017.

[1] "Cap" means cooling capacity in thousand Btu/h at 95 °F outdoor dry-bulb temperature.

(e)(1) Each single package vertical air conditioner and single package vertical heat pump manufactured on or after January 1, 2010, but before October 9, 2015 (for models ≥65,000 Btu/h and <135,000 Btu/h), or October 9, 2016 (for models ≥135,000 Btu/h and <240,000 Btu/h), must meet the applicable minimum energy conservation standard level(s) set forth in this paragraph (e)(1).

TABLE 9 TO PARAGRAPH (e)(1)—MINIMUM EFFICIENCY STANDARDS FOR SINGLE PACKAGE VERTICAL AIR CONDITIONERS AND SINGLE PACKAGE VERTICAL HEAT PUMPS

Equipment type	Cooling capacity	Sub-category	Efficiency level	Compliance date: products manufactured on and after . . .
Single package vertical air conditioners and single package vertical heat pumps, single-phase and three-phase.	<65,000 Btu/h	AC	EER = 9.0	January 1, 2010.
		HP	EER = 9.0 COP = 3.0	January 1, 2010.
Single package vertical air conditioners and single package vertical heat pumps.	≥65,000 Btu/h and <135,000 Btu/h.	AC	EER = 8.9	January 1, 2010.
		HP	EER = 8.9 COP = 3.0	January 1, 2010.
Single package vertical air conditioners and single package vertical heat pumps.	≥135,000 Btu/h and <240,000 Btu/h.	AC	EER = 8.6	January 1, 2010.
		HP	EER = 8.6 COP = 2.9	January 1, 2010.

(2) Each single package vertical air conditioner and single package vertical heat pump manufactured on and after October 9, 2015 (for models ≥65,000 Btu/h and <135,000 Btu/h), or October 9, 2016 (for models ≥135,000 Btu/h and <240,000 Btu/h), but before September 23, 2019, must meet the applicable minimum energy conservation standard level(s) set forth in this paragraph (e)(2).

TABLE 10 TO PARAGRAPH (e)(2)—MINIMUM EFFICIENCY STANDARDS FOR SINGLE PACKAGE VERTICAL AIR CONDITIONERS AND SINGLE PACKAGE VERTICAL HEAT PUMPS

Equipment type	Cooling capacity	Sub-category	Efficiency level	Compliance date: products manufactured on and after . . .
Single package vertical air conditioners and single package vertical heat pumps, single-phase and three-phase.	<65,000 Btu/h	AC HP	EER = 9.0 .. EER = 9.0 .. COP = 3.0	January 1, 2010. January 1, 2010.
Single package vertical air conditioners and single package vertical heat pumps.	≥65,000 Btu/h and <135,000 Btu/h.	AC HP	EER = 10.0 EER = 10.0 COP = 3.0	October 9, 2015. October 9, 2015.
Single package vertical air conditioners and single package vertical heat pumps.	≥135,000 Btu/h and <240,000 Btu/h.	AC HP	EER = 10.0 EER = 10.0 COP = 3.0	October 9, 2016. October 9, 2016.

(3) Each single package vertical air conditioner and single package vertical heat pump manufactured on and after September 23, 2019, must meet the applicable minimum energy conservation standard level(s) set forth in this paragraph (e)(3).

TABLE 11 TO PARAGRAPH (e)(3)—UPDATED MINIMUM EFFICIENCY STANDARDS FOR SINGLE PACKAGE VERTICAL AIR CONDITIONERS AND SINGLE PACKAGE VERTICAL HEAT PUMPS

Equipment type	Cooling capacity	Sub-category	Efficiency level	Compliance date: products manufactured on and after . . .
Single package vertical air conditioners and single package vertical heat pumps, single-phase and three-phase.	<65,000 Btu/h	AC HP	EER = 11.0 EER = 11.0 COP = 3.3	September 23, 2019. September 23, 2019.
Single package vertical air conditioners and single package vertical heat pumps.	≥65,000 Btu/h and <135,000 Btu/h.	AC HP	EER = 10.0 EER = 10.0 COP = 3.0	October 9, 2015. October 9, 2015.
Single package vertical air conditioners and single package vertical heat pumps.	≥135,000 Btu/h and <240,000 Btu/h.	AC HP	EER = 10.0 EER = 10.0 COP = 3.0	October 9, 2016. October 9, 2016.

(f)(1) Each computer room air conditioner with a net sensible cooling capacity less than 65,000 Btu/h manufactured on or after October 29, 2012, and before May 28, 2024 and each computer room air conditioner with a net sensible cooling capacity greater than or equal to 65,000 Btu/h and less than 760,000 Btu/h manufactured on or after October 29, 2013, and before May 28, 2024 must meet the applicable minimum energy efficiency standard level(s) set forth in this paragraph (f)(1).

TABLE 12 TO PARAGRAPH (f)(1)—MINIMUM EFFICIENCY STANDARDS FOR COMPUTER ROOM AIR CONDITIONERS

Equipment type	Net sensible cooling capacity	Minimum SCOP efficiency	
		Downflow	Upflow
Air-Cooled	<65,000 Btu/h	2.20	2.09
	≥65,000 Btu/h and <240,000 Btu/h	2.10	1.99
	≥240,000 Btu/h and <760,000 Btu/h	1.90	1.79
Water-Cooled	<65,000 Btu/h	2.60	2.49
	≥65,000 Btu/h and <240,000 Btu/h	2.50	2.39

TABLE 12 TO PARAGRAPH (f)(1)—MINIMUM EFFICIENCY STANDARDS FOR COMPUTER ROOM AIR CONDITIONERS—Continued

Equipment type	Net sensible cooling capacity	Minimum SCOP efficiency	
		Downflow	Upflow
Water-Cooled with Fluid Economizer	≥240,000 Btu/h and <760,000 Btu/h	2.40	2.29
	<65,000 Btu/h	2.55	2.44
	≥65,000 Btu/h and <240,000 Btu/h	2.45	2.34
	≥240,000 Btu/h and <760,000 Btu/h	2.35	2.24
Glycol-Cooled	<65,000 Btu/h	2.50	2.39
	≥65,000 Btu/h and <240,000 Btu/h	2.15	2.04
	≥240,000 Btu/h and <760,000 Btu/h	2.10	1.99
Glycol-Cooled with Fluid Economizer	<65,000 Btu/h	2.45	2.34
	≥65,000 Btu/h and <240,000 Btu/h	2.10	1.99
	≥240,000 Btu/h and <760,000 Btu/h	2.05	1.94

(2) Each computer room air conditioner manufactured on or after May 28, 2024, must meet the applicable minimum energy efficiency standard level(s) set forth in this paragraph (f)(2).

TABLE 13 TO PARAGRAPH (f)(2)—UPDATED MINIMUM EFFICIENCY STANDARDS FOR FLOOR-MOUNTED COMPUTER ROOM AIR CONDITIONERS

Equipment type	Downflow and upflow ducted			Upflow non-ducted and horizontal flow		
	Net sensible cooling capacity	Minimum NSenCOP efficiency		Net sensible cooling capacity	Minimum NSenCOP efficiency	
		Downflow	Upflow ducted		Upflow non-ducted	Horizontal flow
Air-Cooled	<80,000 Btu/h	2.70	2.67	<65,000 Btu/h	2.16	2.65
	≥80,000 Btu/h and <295,000 Btu/h	2.58	2.55	≥65,000 Btu/h and <240,000 Btu/h	2.04	2.55
	≥295,000 Btu/h and <930,000 Btu/h	2.36	2.33	≥240,000 Btu/h and <760,000 Btu/h	1.89	2.47
Air-Cooled with Fluid Economizer.	<80,000 Btu/h	2.70	2.67	<65,000 Btu/h	2.09	2.65
	≥80,000 Btu/h and <295,000 Btu/h	2.58	2.55	≥65,000 Btu/h and <240,000 Btu/h	1.99	2.55
	≥295,000 Btu/h and <930,000 Btu/h	2.36	2.33	≥240,000 Btu/h and <760,000 Btu/h	1.81	2.47
Water-Cooled	<80,000 Btu/h	2.82	2.79	<65,000 Btu/h	2.43	2.79
	≥80,000 Btu/h and <295,000 Btu/h	2.73	2.70	≥65,000 Btu/h and <240,000 Btu/h	2.32	2.68
	≥295,000 Btu/h and <930,000 Btu/h	2.67	2.64	≥240,000 Btu/h and <760,000 Btu/h	2.20	2.60
Water-Cooled with Fluid Economizer.	<80,000 Btu/h	2.77	2.74	<65,000 Btu/h	2.35	2.71
	≥80,000 Btu/h and <295,000 Btu/h	2.68	2.65	≥65,000 Btu/h and <240,000 Btu/h	2.24	2.60
	≥295,000 Btu/h and <930,000 Btu/h	2.61	2.58	≥240,000 Btu/h and <760,000 Btu/h	2.12	2.54
Glycol-Cooled	<80,000 Btu/h	2.56	2.53	<65,000 Btu/h	2.08	2.48
	≥80,000 Btu/h and <295,000 Btu/h	2.24	2.21	≥65,000 Btu/h and <240,000 Btu/h	1.90	2.18
	≥295,000 Btu/h and <930,000 Btu/h	2.21	2.18	≥240,000 Btu/h and <760,000 Btu/h	1.81	2.18
Glycol-Cooled with Fluid Economizer.	<80,000 Btu/h	2.51	2.48	<65,000 Btu/h	2.00	2.44
	≥80,000 Btu/h and <295,000 Btu/h	2.19	2.16	≥65,000 Btu/h and <240,000 Btu/h	1.82	2.10
	≥295,000 Btu/h and <930,000 Btu/h	2.15	2.12	≥240,000 Btu/h and <760,000 Btu/h	1.73	2.10

TABLE 14 TO PARAGRAPH (f)(2)—MINIMUM EFFICIENCY STANDARDS FOR CEILING-MOUNTED COMPUTER ROOM AIR CONDITIONERS

Equipment type	Net sensible cooling capacity	Minimum NSenCOP efficiency	
		Ducted	Non-ducted
Air-Cooled with Free Air Discharge Condenser	<29,000 Btu/h	2.05	2.08
	≥29,000 Btu/h and <65,000 Btu/h	2.02	2.05
	≥65,000 Btu/h and <760,000 Btu/h	1.92	1.94
Air-Cooled with Free Air Discharge Condenser and Fluid Economizer.	<29,000 Btu/h	2.01	2.04
	≥29,000 Btu/h and <65,000 Btu/h	1.97	2
	≥65,000 Btu/h and <760,000 Btu/h	1.87	1.89
Air-Cooled with Ducted Condenser	<29,000 Btu/h	1.86	1.89
	≥29,000 Btu/h and <65,000 Btu/h	1.83	1.86
	≥65,000 Btu/h and <760,000 Btu/h	1.73	1.75
Air-Cooled with Fluid Economizer and Ducted Condenser	<29,000 Btu/h	1.82	1.85
	≥29,000 Btu/h and <65,000 Btu/h	1.78	1.81
	≥65,000 Btu/h and <760,000 Btu/h	1.68	1.7
Water-Cooled	<29,000 Btu/h	2.38	2.41
	≥29,000 Btu/h and <65,000 Btu/h	2.28	2.31
	≥65,000 Btu/h and <760,000 Btu/h	2.18	2.2
Water-Cooled with Fluid Economizer	<29,000 Btu/h	2.33	2.36
	≥29,000 Btu/h and <65,000 Btu/h	2.23	2.26
	≥65,000 Btu/h and <760,000 Btu/h	2.13	2.16
Glycol-Cooled	<29,000 Btu/h	1.97	2
	≥29,000 Btu/h and <65,000 Btu/h	1.93	1.98
	≥65,000 Btu/h and <760,000 Btu/h	1.78	1.81
Glycol-Cooled with Fluid Economizer	<29,000 Btu/h	1.92	1.95
	≥29,000 Btu/h and <65,000 Btu/h	1.88	1.93
	≥65,000 Btu/h and <760,000 Btu/h	1.73	1.76

(g)(1) Each variable refrigerant flow air conditioner or heat pump manufactured on or after the compliance date listed in table 15 to this paragraph (g)(1) and prior to January 1, 2024, must meet the applicable minimum energy efficiency standard level(s) set forth in this paragraph (g)(1).

TABLE 15 TO PARAGRAPH (g)(1)—MINIMUM EFFICIENCY STANDARDS FOR VARIABLE REFRIGERANT FLOW MULTI-SPLIT AIR CONDITIONERS AND HEAT PUMPS

Equipment type	Cooling capacity	Heating type [1]	Efficiency level	Compliance date: equipment manufactured on and after . . .
VRF Multi-Split Air Conditioners (Air-Cooled).	≥65,000 Btu/h and <135,000 Btu/h.	No Heating or Electric Resistance Heating.	11.2 EER	January 1, 2010.
		All Other Types of Heating.	11.0 EER	January 1, 2010.
	≥135,000 Btu/h and <240,000 Btu/h.	No Heating or Electric Resistance Heating.	11.0 EER	January 1, 2010.
		All Other Types of Heating.	10.8 EER	January 1, 2010.
	≥240,000 Btu/h and <760,000 Btu/h.	No Heating or Electric Resistance Heating.	10.0 EER	January 1, 2010.
		All Other Types of Heating.	9.8 EER	January 1, 2010.

TABLE 15 TO PARAGRAPH (g)(1)—MINIMUM EFFICIENCY STANDARDS FOR VARIABLE REFRIGERANT FLOW MULTI-SPLIT AIR CONDITIONERS AND HEAT PUMPS—Continued

Equipment type	Cooling capacity	Heating type [1]	Efficiency level	Compliance date: equipment manufactured on and after . . .
VRF Multi-Split Heat Pumps (Air-Cooled).	≥65,000 Btu/h and <135,000 Btu/h.	No Heating or Electric Resistance Heating.	11.0 EER, 3.3 COP ...	January 1, 2010.
		All Other Types of Heating.	10.8 EER, 3.3 COP ...	January 1, 2010.
	≥135,000 Btu/h and <240,000 Btu/h.	No Heating or Electric Resistance Heating.	10.6 EER, 3.2 COP ...	January 1, 2010.
		All Other Types of Heating.	10.4 EER, 3.2 COP ...	January 1, 2010.
	≥240,000 Btu/h and <760,000 Btu/h.	No Heating or Electric Resistance Heating.	9.5 EER, 3.2 COP	January 1, 2010.
		All Other Types of Heating.	9.3 EER, 3.2 COP	January 1, 2010.
VRF Multi-Split Heat Pumps (Water-Source).	<17,000 Btu/h	Without Heat Recovery.	12.0 EER, ...	October 29, 2012.
			4.2 COP	October 29, 2003.
		With Heat Recovery.	11.8 EER	October 29, 2012.
			4.2 COP	October 29, 2003.
	≥17,000 Btu/h and <65,000 Btu/h.	All	12.0 EER, 4.2 COP ...	October 29, 2003.
	≥65,000 Btu/h and <135,000 Btu/h.	All	12.0 EER, 4.2 COP ...	October 29, 2003.
	≥135,000 Btu/h and <760,000 Btu/h.	Without Heat Recovery.	10.0 EER, 3.9 COP ...	October 29, 2013.
		With Heat Recovery.	9.8 EER, 3.9 COP	October 29, 2013.

[1] VRF multi-split heat pumps (air-cooled) with heat recovery fall under the category of ''All Other Types of Heating'' unless they also have electric resistance heating, in which case it falls under the category for ''No Heating or Electric Resistance Heating.''

(2) Each variable refrigerant flow air conditioner or heat pump (except air-cooled systems with cooling capacity less than 65,000 Btu/h) manufactured on or after January 1, 2024, must meet the applicable minimum energy efficiency standard level(s) set forth in this paragraph (g)(2).

TABLE 16 TO PARAGRAPH (g)(2)—UPDATED MINIMUM EFFICIENCY STANDARDS FOR VARIABLE REFRIGERANT FLOW MULTI-SPLIT AIR CONDITIONERS AND HEAT PUMPS

Equipment type	Size category	Heating type	Minimum efficiency
VRF Multi-Split Air Conditioners (Air-Cooled).	≥65,000 and <135,000 Btu/h.	All	15.5 IEER.
	≥135,000 and <240,000 Btu/h.	All	14.9 IEER.

TABLE 16 TO PARAGRAPH (g)(2)—UPDATED MINIMUM EFFICIENCY STANDARDS FOR VARIABLE REFRIGERANT FLOW MULTI-SPLIT AIR CONDITIONERS AND HEAT PUMPS—Continued

Equipment type	Size category	Heating type	Minimum efficiency
	≥240,000 Btu/h and <760,000 Btu/h.	All	13.9 IEER.
VRF Multi-Split Heat Pumps (Air-Cooled).	≥65,000 and <135,000 Btu/h.	Heat Pump without Heat Recovery.	14.6 IEER, 3.3 COP.
		Heat Pump with Heat Recovery.	14.4 IEER, 3.3 COP.
	≥135,000 and <240,000 Btu/h.	Heat Pump without Heat Recovery.	13.9 IEER, 3.2 COP.
		Heat Pump with Heat Recovery.	13.7 IEER, 3.2 COP.
	≥240,000 Btu/h and <760,000 Btu/h.	Heat Pump without Heat Recovery.	12.7 IEER, 3.2 COP.
		Heat Pump with Heat Recovery.	12.5 IEER, 3.2 COP.
VRF Multi-Split Heat Pumps (Water-Source).	<65,000 Btu/h	Heat Pump without Heat Recovery.	16.0 IEER, 4.3 COP.
		Heat Pump with Heat Recovery.	15.8 IEER, 4.3 COP.
	≥65,000 and <135,000 Btu/h.	Heat Pump without Heat Recovery.	16.0 IEER, 4.3 COP.
		Heat Pump with Heat Recovery.	15.8 IEER, 4.3 COP.
	≥135,000 and <240,000 Btu/h.	Heat Pump without Heat Recovery.	14.0 IEER, 4.0 COP.
		Heat Pump with Heat Recovery.	13.8 IEER, 4.0 COP.
	≥240,000 Btu/h and <760,000 Btu/h.	Heat Pump without Heat Recovery.	12.0 IEER, 3.9 COP.
		Heat Pump with Heat Recovery.	11.8 IEER, 3.9 COP.

(h) Each direct expansion-dedicated outdoor air system manufactured on or after the compliance date listed in table 17 to this paragraph (h) must meet the applicable minimum energy efficiency standard level(s) set forth in this paragraph (h).

TABLE 17 TO PARAGRAPH (h)—MINIMUM EFFICIENCY STANDARDS FOR DIRECT EXPANSION-DEDICATED OUTDOOR AIR SYSTEMS

Equipment category	Subcategory	Efficiency level	Compliance date: equipment manufactured starting on . . .
Direct expansion-dedicated outdoor air systems.	(AC)—Air-cooled without ventilation energy recovery systems.	ISMRE2 = 3.8	May 1, 2024.
	(AC w/VERS)—Air-cooled with ventilation energy recovery systems.	ISMRE2 = 5.0	May 1, 2024.
	(ASHP)—Air-source heat pumps without ventilation energy recovery systems.	ISMRE2 = 3.8 ISCOP2 = 2.05	May 1, 2024.
	(ASHP w/VERS)—Air-source heat pumps with ventilation energy recovery systems.	ISMRE2 = 5.0 ISCOP2 = 3.20	May 1, 2024.
	(WC)—Water-cooled without ventilation energy recovery systems.	ISMRE2 = 4.7	May 1, 2024.
	(WC w/VERS)—Water-cooled with ventilation energy recovery systems.	ISMRE2 = 5.1	May 1, 2024.
	(WSHP)—Water-source heat pumps without ventilation energy recovery systems.	ISMRE2 = 3.8 ISCOP2 = 2.13	May 1, 2024.
	(WSHP w/VERS)—Water-source heat pumps with ventilation energy recovery systems.	ISMRE2 = 4.6 ISCOP2 = 4.04	May 1, 2024.

(i) Air-cooled, three-phase, commercial package air conditioning and heating equipment with a cooling capacity of less than 65,000 Btu/h and air-cooled, three-phase variable refrigerant flow multi-split air conditioning and heating equipment with a cooling capacity of less than 65,000 Btu/h manufactured on or after the compliance date listed in tables 18 and 19 to this paragraph (i) must meet the applicable minimum energy efficiency standard level(s) set forth in this paragraph (i).

TABLE 18 TO PARAGRAPH (i)—MINIMUM EFFICIENCY STANDARDS FOR AIR-COOLED, THREE-PHASE, COMMERCIAL PACKAGE AIR CONDITIONING AND HEATING EQUIPMENT WITH A COOLING CAPACITY OF LESS THAN 65,000 BTU/h AND AIR-COOLED, THREE-PHASE, SMALL VARIABLE REFRIGERANT FLOW MULTI-SPLIT AIR CONDITIONING AND HEATING EQUIPMENT WITH A COOLING CAPACITY OF LESS THAN 65,000 BTU/h

Equipment type	Cooling capacity	Subcategory	Minimum efficiency	Compliance date: equipment manufactured starting on . . .
Commercial Package Air Conditioning Equipment.	<65,000 Btu/h	Split-System	13.0 SEER	June 16, 2008.[1]
Commercial Package Air Conditioning Equipment.	<65,000 Btu/h	Single-Package	14.0 SEER	January 1, 2017.[1]
Commercial Package Air Conditioning and Heating Equipment.	<65,000 Btu/h	Split-System	14.0 SEER 8.2 HSPF	January 1, 2017.[1]
Commercial Package Air Conditioning and Heating Equipment.	<65,000 Btu/h	Single-Package	14.0 SEER 8.0 HSPF	January 1, 2017.[1]
VRF Air Conditioners	<65,000 Btu/h		13.0 SEER	June 16, 2008.[1]
VRF Heat Pumps	<65,000 Btu/h		13.0 SEER 7.7 HSPF	June 16, 2008.[1]

[1] And manufactured before January 1, 2025. For equipment manufactured on or after January 1, 2025, see table 19 to this paragraph (i) for updated efficiency standards.

TABLE 19 TO PARAGRAPH (i)—UPDATED MINIMUM EFFICIENCY STANDARDS FOR AIR-COOLED, THREE-PHASE, COMMERCIAL PACKAGE AIR CONDITIONING AND HEATING EQUIPMENT WITH A COOLING CAPACITY OF LESS THAN 65,000 BTU/h AND AIR-COOLED, THREE-PHASE, SMALL VARIABLE REFRIGERANT FLOW MULTI-SPLIT AIR CONDITIONING AND HEATING EQUIPMENT WITH A COOLING CAPACITY OF LESS THAN 65,000 BTU/h

Equipment type	Cooling capacity	Subcategory	Minimum efficiency	Compliance date: equipment manufactured starting on . . .
Commercial Package Air Conditioning Equipment.	<65,000 Btu/h	Split-System	13.4 SEER2	January 1, 2025.
Commercial Package Air Conditioning Equipment.	<65,000 Btu/h	Single-Package	13.4 SEER2	January 1, 2025.
Commercial Package Air Conditioning and Heating Equipment.	<65,000 Btu/h	Split-System	14.3 SEER2 7.5 HSPF2	January 1, 2025.
Commercial Package Air Conditioning and Heating Equipment.	<65,000 Btu/h	Single-Package	13.4 SEER2 6.7 HSPF2	January 1, 2025.
Space-Constrained Commercial Package Air Conditioning Equipment.	≤30,000 Btu/h	Split-System	12.7 SEER2	January 1, 2025.

TABLE 19 TO PARAGRAPH (i)—UPDATED MINIMUM EFFICIENCY STANDARDS FOR AIR-COOLED, THREE-PHASE, COMMERCIAL PACKAGE AIR CONDITIONING AND HEATING EQUIPMENT WITH A COOLING CAPACITY OF LESS THAN 65,000 BTU/h AND AIR-COOLED, THREE-PHASE, SMALL VARIABLE REFRIGERANT FLOW MULTI-SPLIT AIR CONDITIONING AND HEATING EQUIPMENT WITH A COOLING CAPACITY OF LESS THAN 65,000 BTU/h—Continued

Equipment type	Cooling capacity	Subcategory	Minimum efficiency	Compliance date: equipment manufactured starting on . . .
Space-Constrained Commercial Package Air Conditioning Equipment.	≤30,000 Btu/h	Single-Package	13.9 SEER2	January 1, 2025.
Space-Constrained Commercial Package Air Conditioning and Heating Equipment.	≤30,000 Btu/h	Split-System	13.9 SEER2 7.0 HSPF2	January 1, 2025.
Space-Constrained Commercial Package Air Conditioning and Heating Equipment.	≤30,000 Btu/h	Single-Package	13.9 SEER2 6.7 HSPF2	January 1, 2025.
Small-Duct, High-Velocity Commercial Package Air Conditioning.	<65,000 Btu/h	Split-System	13.0 SEER2	January 1, 2025.
Small-Duct, High-Velocity Commercial Package Air Conditioning and Heating Equipment.	<65,000 Btu/h	Split-System	14.0 SEER2 6.9 HSPF2	January 1, 2025.
VRF Air Conditioners	<65,000 Btu/h		13.4 SEER2	January 1, 2025.
VRF Heat Pumps	<65,000 Btu/h		13.4 SEER2 7.5 HSPF2	January 1, 2025.

[89 FR 44134, May 20, 2024]

APPENDIX A TO SUBPART F OF PART 431—UNIFORM TEST METHOD FOR THE MEASUREMENT OF ENERGY CONSUMPTION OF COMMERCIAL PACKAGE AIR CONDITIONING AND HEATING EQUIPMENT (EXCLUDING AIR-COOLED EQUIPMENT WITH A COOLING CAPACITY LESS THAN 65,000 BTU/H)

NOTE: Prior to May 15, 2025, representations with respect to the energy use or efficiency of commercial package air conditioning and heating equipment (excluding air-cooled equipment with a cooling capacity less than 65,000 Btu/h), including compliance certifications, must be based on testing conducted in accordance with:

(a) The applicable provisions (appendix A to subpart F of part 431 for air-cooled equipment, and table 1 to §431.96 for water-cooled and evaporatively-cooled equipment) as they appeared in subpart F of 10 CFR part 431, revised as of January 1, 2024; or

(b) This appendix.

Beginning May 15, 2025, and prior to the compliance date of amended standards for commercial package air conditioning and heating equipment (excluding air-cooled equipment with a cooling capacity less than 65,000 Btu/h) based on integrated ventilation, economizing, and cooling (IVEC) and integrated ventilation and heating efficiency (IVHE) (see §431.97), representations with respect to energy use or efficiency of commercial package air conditioning and heating equipment (excluding air-cooled equipment with a cooling capacity less than 65,000 Btu/h), including compliance certifications, must be based on testing conducted in accordance with this appendix.

Beginning on the compliance date of amended standards for commercial package air conditioning and heating equipment (excluding equipment with a cooling capacity less than 65,000 Btu/h) based on IVEC and IVHE (see §431.97), representations with respect to energy use or efficiency of commercial package air conditioning and heating equipment (excluding air-cooled equipment with a cooling capacity less than 65,000 Btu/h), including compliance certifications, must be based on testing conducted in accordance with appendix A1 to this subpart.

Manufacturers may also certify compliance with any amended energy conservation

standards for commercial package air conditioning and heating equipment (excluding air-cooled equipment with a cooling capacity less than 65,000 Btu/h) based on IVEC or IVHE prior to the applicable compliance date for those standards (see §431.97), and those compliance certifications must be based on testing in accordance with appendix A1 to this subpart.

1. INCORPORATION BY REFERENCE

DOE incorporated by reference in §431.95, the entire standard for AHRI 340/360–2022 and ANSI/ASHRAE 37–2009. However, certain enumerated provisions of AHRI 340/360–2022 and ANSI/ASHRAE 37–2009, as set forth in this section 1 are inapplicable. To the extent there is a conflict between the terms or provisions of a referenced industry standard and the CFR, the CFR provisions control.

1.1. AHRI 340/360–2022:

(a) Section 1 Purpose is inapplicable,

(b) Section 2 Scope is inapplicable,

(c) The following subsections of Section 3 Definitions are inapplicable: 3.2 (Basic Model), 3.4 (Commercial and Industrial Unitary Air-conditioning Equipment), 3.5 (Commercial and Industrial Unitary Heat Pump), 3.7 (Double-duct System), 3.8 (Energy Efficiency Ratio (EER)), 3.12 (Heating Coefficient of Performance (COP_H)), 3.14 (Integrated Energy Efficiency Ratio (IEER)), 3.23 (Published Rating), 3.26 (Single Package Air-Conditioners), 3.27 (Single Package Heat Pumps), 3.29 (Split System Air-conditioners), 3.30 (Split System Heat Pump), 3.36 (Year Round Single Package Air-conditioners),

(d) Section 7 Minimum Data Requirements for Published Ratings is inapplicable,

(e) Section 8 Operating Requirements is inapplicable,

(f) Section 9 Marking and Nameplate Data is inapplicable,

(g) Section 10 Conformance Conditions is inapplicable,

(h) Appendix B References—Informative is inapplicable,

(i) Appendix D Unit Configuration for Standard Efficiency Determination—Normative is inapplicable,

(j) Appendix F International Rating Conditions—Normative is inapplicable,

(k) Appendix G Examples of IEER Calculations—Informative is inapplicable,

(l) Appendix H Example of Determination of Fan and Motor Efficiency for Non-standard Integrated Indoor Fan and Motors—Informative is inapplicable, and

(m) Appendix I Double-duct System Efficiency Metrics with Non-Zero Outdoor Air External Static Pressure (ESP)—Normative is inapplicable.

1.2. ANSI/ASHRAE 37–2009:

(a) Section 1 Purpose is inapplicable

(b) Section 2 Scope is inapplicable, and

(c) Section 4 Classifications is inapplicable.

2. GENERAL

Determine the applicable energy efficiency metrics (IEER, EER, and COP) in accordance with this appendix and the applicable sections of AHRI 340/360–2022 and ANSI/ASHRAE 37–2009.

Section 3 of this appendix provides additional instructions for testing. In cases where there is a conflict, the language of this appendix takes highest precedence, followed by AHRI 340/360–2022, followed by ANSI/ASHRAE 37–2009. Any subsequent amendment to a referenced document by the standard-setting organization will not affect the test procedure in this appendix, unless and until the test procedure is amended by DOE.

3. TEST CONDITIONS

The following conditions specified in Table 6 of AHRI 340/360–2022 apply when testing to certify to the energy conservation standards in §431.97. For cooling mode tests for equipment subject to standards in terms of EER, test using the ''Standard Rating Conditions Cooling''. For cooling mode tests for equipment subject to standards in terms of IEER, test using the ''Standard Rating Conditions Cooling'' and the ''Standard Rating Part-Load Conditions (IEER)''. For heat pump heating mode tests for equipment subject to standards in terms of COP, test using the ''Standard Rating Conditions (High Temperature Steady State Heating)''.

For equipment subject to standards in terms of EER, representations of IEER made using the ''Standard Rating Part-Load Conditions (IEER)'' in Table 6 of AHRI 340/360–2022 are optional. For equipment subject to standards in terms of IEER, representations of EER made using the ''Standard Rating Conditions Cooling'' in Table 6 of AHRI 340/360–2022 are optional. Representations of COP made using the ''Standard Rating Conditions (Low Temperature Steady State Heating)'' in Table 6 of AHRI 340/360–2022 are optional and are not to be used as the basis for determining compliance with energy efficiency standards in terms of COP.

[89 FR 44046, May 20, 2024]

APPENDIX A1 TO SUBPART F OF PART 431—UNIFORM TEST METHOD FOR THE MEASUREMENT OF ENERGY CONSUMPTION OF COMMERCIAL PACKAGE AIR CONDITIONING AND HEATING EQUIPMENT (EXCLUDING AIR-COOLED EQUIPMENT WITH A COOLING CAPACITY LESS THAN 65,000 BTU/H)

NOTE: Prior to May 15, 2025, representations with respect to the energy use or efficiency of commercial package air conditioning and heating equipment (excluding air-cooled equipment with a cooling capacity

less than 65,000 Btu/h), including compliance certifications, must be based on testing conducted in accordance with:

(a) The applicable provisions (appendix A to subpart F of part 431 for air-cooled equipment, and table 1 to §431.96 for water-cooled and evaporatively-cooled equipment) as it appeared in subpart F of 10 CFR part 431, revised as of January 1, 2024; or

(b) Appendix A to this subpart.

Beginning May 15, 2025, and prior to the compliance date of amended standards for commercial package air conditioning and heating equipment (excluding air-cooled equipment with a cooling capacity less than 65,000 Btu/h) based on integrated ventilation, economizing, and cooling (IVEC) and integrated ventilation and heating efficiency (IVHE) (see §431.97), representations with respect to energy use or efficiency of commercial package air conditioning and heating equipment (excluding air-cooled equipment with a cooling capacity less than 65,000 Btu/h), including compliance certifications, must be based on testing conducted in accordance with appendix A to this subpart.

Beginning on the compliance date of amended standards for commercial package air conditioning and heating equipment (excluding air-cooled equipment with a cooling capacity less than 65,000 Btu/h) based on IVEC and IVHE (see §431.97), representations with respect to energy use or efficiency of commercial package air conditioning and heating equipment (excluding air-cooled equipment with a cooling capacity less than 65,000 Btu/h), including compliance certifications, must be based on testing conducted in accordance with this appendix.

Manufacturers may also certify compliance with any amended energy conservation standards for commercial package air conditioning and heating equipment (excluding air-cooled equipment with a cooling capacity less than 65,000 Btu/h) based on IVEC or IVHE prior to the applicable compliance date for those standards (see §431.97), and those compliance certifications must be based on testing in accordance with this appendix.

1. INCORPORATION BY REFERENCE

DOE incorporated by reference in §431.95, the entire standard for AHRI 1340–2023 and ANSI/ASHRAE 37–2009. However, certain enumerated provisions of AHRI 1340–2023 and ANSI/ASHRAE 37–2009, as listed in this section 1 are inapplicable. To the extent there is a conflict between the terms or provisions of a referenced industry standard and the CFR, the CFR provisions control.

1.1. AHRI 1340–2023:

(a) Section 1 Purpose is inapplicable,

(b) Section 2 Scope is inapplicable,

(c) The following subsections of section 3 Definitions are inapplicable: 3.2.2 (Barometric Relief Damper), 3.2.3 (Basic Model), 3.2.5 (Commercial and Industrial Unitary Air-conditioner and Heat Pump Equipment), 3.2.5.1 (Commercial and Industrial Unitary Air-Conditioning System), 3.2.5.2 (Commercial and Industrial Unitary Heat Pump System), 3.2.7 (Double-duct System), 3.2.9 (Desiccant Dehumidification Component), 3.2.10 (Drain Pan Heater), 3.2.11.1 (Air Economizer), 3.2.12 (Energy Efficiency Ratio 2), 3.2.13 (Evaporative Cooling), 3.2.13.1 (Direct Evaporative Cooling System), 3.2.13.2 (Indirect Evaporative Cooling System), 3.2.14 (Fresh Air Damper), 3.2.15 (Fire, Smoke, or Isolation Damper), 3.2.17 (Hail Guard), 3.2.19 (Heating Coefficient of Performance 2 ($COP2_H$)), 3.2.20 (High-Effectiveness Indoor Air Filtration), 3.2.22 (Indoor Single Package Air-conditioners), 3.2.23 (Integrated Ventilation, Economizing, and Cooling Efficiency (IVEC)), 3.2.34 (Integrated Ventilation and Heating Efficiency (IVHE)), 3.2.29 (Nonstandard Ducted Condenser Fan), 3.2.31.2 (Boost2 Heating Operating Level (B2)), 3.2.34 (Power Correction Capacitor), 3.2.35 (Powered Exhaust Air Fan), 3.2.36 (Powered Return Air Fan), 3.2.37 (Process Heat Recovery, Reclaim, or Thermal Storage Coil), 3.2.38 (Published Rating), 3.2.41 (Refrigerant Reheat Coil), 3.2.42 (Single Package Air-conditioner), 3.2.43 (Single Package Heat Pumps), 3.2.44 (Single Package System), 3.2.45 (Sound Trap), 3.2.46 (Split System), 3.2.51 (Steam or Hydronic Heat Coils), 3.2.53 (UV Lights), 3.2.55 (Ventilation Energy Recovery System (VERS)), 3.2.56 (Year Round Single Package Air-conditioner), 3.2.57 (Year Round Single Package Heat Pump),

(d) Subsection 5.2 (Optional System Features) of section 5 Test Requirements is inapplicable,

(e) The following subsections of section 6 Rating Requirements are inapplicable: 6.4 (Rating Values), 6.5 (Uncertainty), and 6.6 (Verification Testing),

(f) Section 7 Minimum Data Requirements for Published Ratings is inapplicable,

(g) Section 8 Operating Requirements is inapplicable,

(h) Section 9 Marking and Nameplate Data is inapplicable,

(i) Section 10 Conformance Conditions is inapplicable,

(j) Appendix B References—Informative is inapplicable,

(k) Sections D.1 (Purpose) and D.2 (Configuration Requirements) of Appendix D Unit Configuration for Standard Efficiency Determination—Normative are inapplicable,

(l) Appendix F International Rating Conditions—Normative is inapplicable,

(m) Appendix G Example of Determination of Fan and Motor Efficiency for Nonstandard Integrated Indoor Fan and Motors—Informative is inapplicable, and

(n) Appendix H Determination of Low-temperature Cut-in and Cut-out Temperatures—Normative is inapplicable.

1.2. ANSI/ASHRAE 37–2009:
(a) Section 1 Purpose is inapplicable
(b) Section 2 Scope is inapplicable, and
(c) Section 4 Classifications is inapplicable.

2. General

For air conditioners and heat pumps, determine IVEC and IVHE (as applicable) in accordance with this appendix and the applicable sections of AHRI 1340–2023 and ANSI/ASHRAE 37–2009. Representations of energy efficiency ratio 2 (EER2) and $IVHE_C$ may optionally be made. Representations of coefficient of performance 2 (COP2) at 5 °F, 17 °F, and 47 °F may optionally be made.

Sections 3 and 4 of this appendix provide additional instructions for testing. In cases where there is a conflict, the language of this appendix takes highest precedence, followed by AHRI 1340–2023, followed by ANSI/ASHRAE 37–2009. Any subsequent amendment to a referenced document by the standard-setting organization will not affect the test procedure in this appendix, unless and until the test procedure is amended by DOE.

3. Test Conditions

The following conditions specified in AHRI 1340–2023 apply when testing to certify to the energy conservation standards in § 431.97. For cooling mode, use the rating conditions in Table 7 of AHRI 1340–2023. For heat pump heating mode tests, use the rating conditions in Table 23 of AHRI 1340–2023 and the IVHE building load profile in Table 22 of AHRI 1340–2023.

Representations of EER2 made using the ''Cooling Bin A'' conditions in Table 7 of AHRI 1340–2023 are optional. Representations of $IVHE_C$ made using the $IVHE_C$ Cold Climate building load profile in Table 22 of AHRI 1340–2023 are optional. Representations of $COP2_{47}$, $COP2_{17}$, and $COP2_5$ are optional.

4. Tower Fan and Pump Power Rate (TFPPR)

Where equations 8, 10, 11, and 13 to AHRI 1340–2023 call for using the cooling tower fan and condenser water pump power rate (TFPPR) for the cooling bin specified in Table 7 to AHRI 1340–2023, instead use the TFPPR value for the cooling bin specified in table 1 to this appendix. Where equation 22 to AHRI 1340–2023 calls for using a value of 0.0094 W/(Btu/h) for TFPPR, instead use a value of 0.0102 W/(Btu/h).

Table 1—Tower Fan and Pump Power Rate
[TFPPR]

Cooling bin	Cooling Bin A	Cooling Bin B	Cooling Bin C	Cooling Bin D
Tower Fan and Pump Power Rate (TFPPR), W/(Btu/h)	0.0102	0.0099	0.0121	0.0430

5. Additional Heating Operating Level Provisions

5.1. Boost2 Heating Operating Level Definition

In place of the boost2 heating operating level definition in section 3.2.31.2 of AHRI 1340–2023, use the following definition: An operating level allowed by the controls at 5.0 °F outdoor dry-bulb temperature with a capacity at 5.0 °F outdoor dry-bulb temperature that is less than or equal to the maximum capacity allowed by the controls at 5.0 °F outdoor dry-bulb temperature and greater than the capacity of:

(a) The boost heating operating level at 5.0 °F outdoor dry-bulb temperature, if there is an operating level that meets the definition for boost heating operating level specified in section 3.2.31.1 of AHRI 1340–2023; or

(b) The high heating operating level at 5.0 °F outdoor dry-bulb temperature, if there is not an operating level that meets the definition for boost heating operating level specified in section 3.2.31.1 of AHRI 1340–2023.

5.2. Requirements for H5B2 Test in Table 23 to AHRI 1340–2023

In place of the third to last paragraph of section 6.3.6 of AHRI 1340–2023, use the following provisions.

Run the H5B2 test in Table 23 of AHRI 1340–2023 only if there is an operating level allowed by the controls at 5.0 °F that meets the definition of the boost2 heating operating level specified in section 5.1 of this appendix, and the H5B2 test is being used to determine the capacity at 5.0 °F outdoor dry-bulb temperature and/or $COP2_5$.

If the unit has a boost heating operating level, run the H5B2 test in Table 23 of AHRI 1340–2023 with an operating level allowed by the controls at 5.0 °F outdoor dry-bulb temperature that has a capacity at 5.0 °F outdoor dry-bulb temperature that is greater than the capacity of the boost heating operating level at 5.0 °F outdoor dry-bulb temperature and less than or equal to the maximum capacity allowed by the controls at 5.0 °F outdoor dry-bulb temperature.

If the unit does not have a boost heating operating level, run the H5B2 test in Table 23

of AHRI 1340–2023 with an operating level allowed by the controls at 5.0 °F outdoor dry-bulb temperature that has a capacity at 5.0 °F outdoor dry-bulb temperature that is greater than the capacity of the high heating operating level at 5.0 °F outdoor dry-bulb temperature and less than or equal to the maximum capacity allowed by the controls at 5.0 °F outdoor dry-bulb temperature. Use the indoor airflow that is used by the controls at 5.0 °F outdoor dry-bulb temperature when operating at the chosen operating level.

The H5B2 test shall not be used in the calculation of IVHE or $IVHE_C$.

5.3. Operating Level Requirements for COP2

Any references to $COP2_H$ in AHRI 1340–2023 shall be considered synonymous with COP2 as defined in §431.92. In place of section 6.3.14.2 of AHRI 1340–2023, use the following provisions.

To determine $COP2_{47}$, use capacity and power determined for the H47H test.

To determine $COP2_{17}$, the following provisions apply. For units without a boost heating operating level, use capacity and power determined for the H17H test. For units with a boost operating level, use capacity and power determined for the H17B test.

To determine $COP2_5$, the following provisions apply. For units without a boost heating operating level and without a boost2 heating operating level, use capacity and power determined for the H5H test. For units with a boost heating operating level and without a boost2 heating operating level, use capacity and power determined for the H5B test. For units with a boost2 heating operating level, use capacity and power determined for the H5B2 test.

6. Set-Up and Test Provisions for Specific Components

When testing equipment that includes any of the features listed in table 2 to this appendix, test in accordance with the set-up and test provisions specified in table 2.

TABLE 2—TEST PROVISIONS FOR SPECIFIC COMPONENTS

Component	Description	Test provisions
Air Economizers ...	An automatic system that enables a cooling system to supply outdoor air to reduce or eliminate the need for mechanical cooling during mild or cold weather	For any air economizer that is factory-installed, place the economizer in the 100% return position and close and seal the outside air dampers for testing. For any modular air economizer shipped with the unit but not factory-installed, do not install the economizer for testing.
Barometric Relief Dampers.	An assembly with dampers and means to automatically set the damper position in a closed position and one or more open positions to allow venting directly to the outside a portion of the building air that is returning to the unit, rather than allowing it to recirculate to the indoor coil and back to the building	For any barometric relief dampers that are factory-installed, close and seal the dampers for testing. For any modular barometric relief dampers shipped with the unit but not factory-installed, do not install the dampers for testing.
Desiccant Dehumidification Components.	An assembly that reduces the moisture content of the supply air through moisture transfer with solid or liquid desiccants	Disable desiccant dehumidification components for testing.
Drain Pan Heaters	A heater that heats the drain pan to make certain that water shed from the outdoor coil during a defrost does not freeze	Disconnect drain pan heaters for testing.
Evaporative Precooling of Air-cooled Condenser Intake Air.	Water is evaporated into the air entering the air-cooled condenser to lower the dry-bulb temperature and thereby increase efficiency of the refrigeration cycle	Disconnect the unit from a water supply for testing *i.e.,* operate without active evaporative cooling.

TABLE 2—TEST PROVISIONS FOR SPECIFIC COMPONENTS—Continued

Component	Description	Test provisions
Fire/Smoke/Isolation Dampers.	A damper assembly including means to open and close the damper mounted at the supply or return duct opening of the equipment	For any fire/smoke/isolation dampers that are factory-installed, set the dampers in the fully open position for testing. For any modular fire/smoke/isolation dampers shipped with the unit but not factory-installed, do not install the dampers for testing.
Fresh Air Dampers	An assembly with dampers and means to set the damper position in a closed and one open position to allow air to be drawn into the equipment when the indoor fan is operating	For any fresh air dampers that are factory-installed, close and seal the dampers for testing. For any modular fresh air dampers shipped with the unit but not factory-installed, do not install the dampers for testing.
Hail Guards	A grille or similar structure mounted to the outside of the unit covering the outdoor coil to protect the coil from hail, flying debris and damage from large objects	Remove hail guards for testing.
High-Effectiveness Indoor Air Filtration.	Indoor air filters with greater air filtration effectiveness than the filters used for testing	Test with the standard filter.
Power Correction Capacitors.	A capacitor that increases the power factor measured at the line connection to the equipment	Remove power correction capacitors for testing.
Process Heat recovery/Reclaim Coils/Thermal Storage.	A heat exchanger located inside the unit that conditions the equipment's supply air using energy transferred from an external source using a vapor, gas, or liquid	Disconnect the heat exchanger from its heat source for testing.
Refrigerant Reheat Coils.	A heat exchanger located downstream of the indoor coil that heats the supply air during cooling operation using high pressure refrigerant in order to increase the ratio of moisture removal to cooling capacity provided by the equipment	De-activate refrigerant reheat coils for testing so as to provide the minimum (none if possible) reheat achievable by the system controls.
Steam/Hydronic Heat Coils.	Coils used to provide supplemental heating	Test with steam/hydronic heat coils in place but providing no heat.
UV Lights	A lighting fixture and lamp mounted so that it shines light on the indoor coil, that emits ultraviolet light to inhibit growth of organisms on the indoor coil surfaces, the condensate drip pan, and/other locations within the equipment	Turn off UV lights for testing.
Ventilation Energy Recovery System (VERS).	An assembly that preconditions outdoor air entering the equipment through direct or indirect thermal and/or moisture exchange with the exhaust air, which is defined as the building air being exhausted to the outside from the equipment	For any VERS that is factory-installed, place the VERS in the 100% return position and close and seal the outside air dampers and exhaust air dampers for testing, and do not energize any VERS subcomponents (*e.g.,* energy recovery wheel motors). For any VERS module shipped with the unit but not factory-installed, do not install the VERS for testing.

[89 FR 44047, May 20, 2024]

APPENDIX B TO SUBPART F OF PART 431—UNIFORM TEST METHOD FOR MEASURING THE ENERGY CONSUMPTION OF DIRECT EXPANSION-DEDICATED OUTDOOR AIR SYSTEMS

NOTE: Beginning July 24, 2023, representations with respect to energy use or efficiency of direct expansion-dedicated outdoor air systems must be based on testing conducted in accordance with this appendix. Manufacturers may elect to use this appendix early.

1. Incorporation by Reference

DOE incorporated by reference in §431.95, the entire standard for AHRI 920–2020, AHRI 1060–2018; ANSI/ASHRAE 37–2009, ANSI/ASHRAE 41.1–2013, ANSI/ASHRAE 41.6–2014, and ANSI/ASHRAE 198–2013. However, only enumerated provisions of AHRI 920–2020, ANSI/ASHRAE 37–2009, ANSI/ASHRAE 41.6–2014, and ANSI/ASHRAE 198–2013, as listed in this section 1 are required. To the extent there is a conflict between the terms or provisions of a referenced industry standard and the CFR, the CFR provisions control.

1.1. AHRI 920–2020

(a) Section 3—Definitions, as specified in section 2.2.1(a) of this appendix;

(b) Section 5—Test Requirements, as specified in section 2.2.1(b) of this appendix;

(c) Section 6—Rating Requirements, as specified in section 2.2.1(c) of this appendix, omitting section 6.1.2 (but retaining sections 6.1.2.1–6.1.2.8) and 6.6.1;

(d) Section 11—Symbols and Subscripts, as specified in section 2.2.1(d) of this appendix;

(e) Appendix A—References—Normative, as specified in section 2.2.1(e) of this appendix; and

(f) Appendix C—ANSI/ASHRAE Standard 198 and ANSI/ASHRAE Standard 37 Additions, Clarifications and Exceptions—Normative, as specified in section 2.2.1(f) of this appendix.

1.2. ANSI/ASHRAE 37–2009

(a) Section 5.1—Temperature Measuring Instruments (excluding sections 5.1.1 and 5.1.2), as specified in sections 2.2.1(b) and (f) of this appendix;

(b) Section 5.2—Refrigerant, Liquid, and Barometric Pressure Measuring Instruments, as specified in section 2.2.1(b) of this appendix;

(c) Sections 5.3—Air Differential Pressure and Airflow Measurements, as specified in section 2.2.1(b) of this appendix;

(d) Sections 5.5(b)—Volatile Refrigerant Measurement, as specified in section 2.2.1(b) of this appendix;

(e) Section 6.1—Enthalpy Apparatus (excluding 6.1.1 and 6.1.3 through 6.1.6), as specified in section 2.2.1(b) of this appendix;

(f) Section 6.2—Nozzle Airflow Measuring Apparatus, as specified in section 2.2.1(b) of this appendix;

(g) Section 6.3—Nozzles, as specified in section 2.2.1(b) of this appendix;

(h) Section 6.4—External Static Pressure Measurements, as specified in section 2.2.1(b) of this appendix;

(i) Section 6.5—Recommended Practices for Static Pressure Measurements, as specified in section 2.2.1(f) of this appendix;

(j) Section 7.3—Indoor and Outdoor Air Enthalpy Methods, as specified in section 2.2.1(f) of this appendix;

(k) Section 7.4—Compressor Calibration Method, as specified in section 2.2.1(f) of this appendix;

(l) Section 7.5—Refrigerant Enthalpy Method, as specified in section 2.2.1(f) of this appendix;

(m) Section 7.6—Outdoor Liquid Coil Method, as specified in section 2.2.1(f) of this appendix;

(n) Section 7.7—Airflow Rate Measurement (excluding sections 7.7.1.2, 7.7.3, and 7.7.4), as specified in section 2.2.1(b) of this appendix;

(o) Table 1—Applicable Test Methods, as specified in section 2.2.1(f) of this appendix;

(p) Section 8.6—Additional Requirements for the Outdoor Air Enthalpy Method, as specified in section 2.2.1(f) of this appendix;

(q) Table 2b—Test Tolerances (I–P Units), as specified in sections 2.2.1(c) and 2.2(f) of this appendix; and

(r) Errata sheet issued on October 3, 2016, as specified in section 2.2.1(f) of this appendix.

1.3. ANSI/ASHRAE 41.6–2014

(a) Section 4—Classifications, as specified in section 2.2.1(f) of this appendix;

(b) Section 5—Requirements, as specified in section 2.2.1(f) of this appendix;

(c) Section 6—Instruments and Calibration, as specified in section 2.2.1(f) of this appendix;

(d) Section 7.1—Standard Method Using the Cooled-Surface Condensation Hygrometer as specified in section 2.2.1(f) of this appendix; and

(e) Section 7.4—Electronic and Other Humidity Instruments. As specified in section 2.2.1(f) of this appendix.

1.4. ANSI/ASHRAE 198–2013

(a) Section 4.4—Temperature Measuring Instrument, as specified in section 2.2.1(b) of this appendix;

(b) Section 4.5—Electrical Instruments, as specified in section 2.2.1(b) of this appendix;

(c) Section 4.6—Liquid Flow Measurement, as specified in section 2.2.1(b) of this appendix;

(d) Section 4.7—Time and Mass Measurements, as specified in section 2.2.1(b) of this appendix;

(e) Section 6.1—Test Room Requirements, as specified in section 2.2.1(b) of this appendix;

(f) Section 6.6—Unit Preparation, as specified in section 2.2.1(b) of this appendix;

(g) Section 7.1—Preparation of the Test Room(s), as specified in section 2.2.1(b) of this appendix;

(h) Section 7.2—Equipment Installation, as specified in section 2.2.1(b) of this appendix;

(i) Section 8.2—Equilibrium, as specified in section 2.2.1(b) of this appendix; and

(j) Section 8.4—Test Duration and Measurement Frequency, as specified in section 2.2.1(b) of this appendix.

2. Test Method

2.1. Capacity

Moisture removal capacity (in pounds per hour) and supply airflow rate (in standard cubic feet per minute) are determined according to AHRI 920–2020 as specified in section 2.2 of this appendix.

2.2. Efficiency

2.2.1. Determine the ISMRE2 for all DX–DOASes and the ISCOP2 for all heat pump DX–DOASes in accordance with the following sections of AHRI 920–2020 and the additional provisions described in this section.

(a) Section 3—Definitions, including the references to AHRI 1060–2018;

(i) Non-standard Low-static Fan Motor. A supply fan motor that cannot maintain external static pressure as high as specified in Table 7 of AHRI 920–2020 when operating at a manufacturer-specified airflow rate and that is distributed in commerce as part of an individual model within the same basic model of a DX–DOAS that is distributed in commerce with a different motor specified for testing that can maintain the required external static pressure.

(ii) Manufacturer-specified. Information provided by the manufacturer through manufacturer's installation instructions, as defined in Section 3.14 of AHRI 920–2020.

(iii) Reserved

(b) Section 5—Test Requirements, including the references to Sections 5.1, 5.2, 5.3, 5.5, 6.1, 6.2, 6.3, 6.4, and 7.7 (not including Sections 7.7.1.2, 7.7.3, and 7.7.4) of ANSI/ASHRAE 37–2009, and Sections 4.4, 4.5, 4.6, 4.7, 5.1, 6.1, 6.6, 7.1, 7.2, 8.2, and 8.4 of ANSI/ASHRAE 198–2013;

(i) All control settings are to remain unchanged for all Standard Rating Conditions once system set up has been completed, except as explicitly allowed or required by AHRI 920–2020 or as indicated in the supplementary test instructions (STI). Component operation shall be controlled by the unit under test once the provisions in section 2.2.1(c) of this appendix are met.

(ii) Break-in. The break-in conditions and duration specified in section 5.6 of AHRI 920–2020 shall be manufacturer-specified values.

(iii) Reserved

(c) Section 6—Rating Requirements (omitting sections 6.1.2 and 6.6.1), including the references to Table 2b of ANSI/ASHRAE 37–2009, and ANSI/ASHRAE 198–2013.

(i) For water-cooled DX–DOASes, the ''Condenser Water Entering Temperature, Cooling Tower Water'' conditions specified in Table 4 of AHRI 920–2020 shall be used. For water-source heat pump DX–DOASes, the ''Water-Source Heat Pumps'' conditions specified in Table 5 of AHRI 920–2020 shall be used.

(ii) For water-cooled or water-source DX–DOASes with integral pumps, set the external head pressure to 20 ft. of water column, with a −0/+1 ft. condition tolerance and a 1 ft. operating tolerance.

(iii) When using the degradation coefficient method as specified in Section 6.9.2 of AHRI 920–2020, Equation 20 applies to DX–DOAS without VERS, with deactivated VERS (see Section 5.4.3 of AHRI 920–2020), or sensible-only VERS tested under Standard Rating Conditions other than D.

(iv) Rounding requirements for representations are to be followed as stated in Sections 6.1.2.1 through 6.1.2.8 of AHRI 920–2020;

(d) Section 11—Symbols and Subscripts, including references to AHRI 1060–2018;

(e) Appendix A—References—Normative;

(f) Appendix C—ANSI/ASHRAE 198–2013 and ANSI/ASHRAE 37 Additions, Clarifications and Exceptions—Normative, including references to Sections 5.1, 6.5, 7.3, 7.4, 7.5, 7.6, 8.6, Table 1, Table 2b, and the errata sheet of ANSI/ASHRAE 37–2009, ANSI/ASHRAE 41.1–2013, Sections 4, 5, 6, 7.1, and 7.4 of ANSI/ASHRAE 41.6–2014, and AHRI 1060–2018;

(g) Appendix E—Typical Test Unit Installations—Informative, for information only.

2.2.2. Set-Up and Test Provisions for Specific Components. When testing a DX–DOAS that includes any of the features listed in Table 2.1 of this section, test in accordance with the set-up and test provisions specified in Table 2.1 of this section.

TABLE 2.1—TEST PROVISIONS FOR SPECIFIC COMPONENTS

Component	Description	Test provisions
Return and Exhaust Dampers.	An automatic system that enables a DX–DOAS Unit to supply and use some return air (even if an optional VERS is not utilized) to reduce or eliminate the need for mechanical dehumidification or heating when ventilation air requirements are less than design.	All dampers that allow return air to pass into the supply airstream shall be closed and sealed. Exhaust air dampers of DOAS units with VERS shall be open. Gravity dampers activated by exhaust fan discharge airflow shall be allowed to open by action of the exhaust airflow.
VERS Bypass Dampers ..	An automatic system that enables a DX–DOAS Unit to let outdoor ventilation air and return air bypass the VERS when preconditioning of outdoor ventilation is not beneficial.	Test with the VERS bypass dampers installed, closed, and sealed. However, VERS bypass dampers may be opened if necessary for testing with deactivated VERS for Standard Rating Condition D.
Fire/Smoke/Isolation Dampers.	A damper assembly including means to open and close the damper mounted at the supply or return duct opening of the equipment.	The fire/smoke/isolation dampers shall be removed for testing. If it is not possible to remove such a damper, test with the damper fully open. For any fire/smoke/isolation dampers shipped with the unit but not factory-installed, do not install the dampers for testing.
Furnaces and Steam/ Hydronic Heat Coils.	Furnaces and steam/hydronic heat coils used to provide primary or supplementary heating.	Test with the coils in place but providing no heat.
Power Correction Capacitors.	A capacitor that increases the power factor measured at the line connection to the equipment. These devices are a requirement of the power distribution system supplying the unit.	Remove power correction capacitors for testing.
Hail Guards	A grille or similar structure mounted to the outside of the unit covering the outdoor coil to protect the coil from hail, flying debris and damage from large objects.	Remove hail guards for testing.
Ducted Condenser Fans	A condenser fan/motor assembly designed for optional external ducting of condenser air that provides greater pressure rise and has a higher rated motor horsepower than the condenser fan provided as a standard component with the equipment.	Test with the ducted condenser fan installed and operating using zero external static pressure, unless the manufacturer specifies use of an external static pressure greater. than zero, in which case, use the manufacturer-specified external static pressure.
Sound Traps/Sound Attenuators.	An assembly of structures through which the supply air passes before leaving the equipment or through which the return air from the building passes immediately after entering the equipment for which the sound insertion loss is at least 6 dB for the 125 Hz octave band frequency range.	Removable sound traps/sound attenuators shall be removed for testing. Otherwise, test with sound traps/attenuators in place.
Humidifiers	A device placed in the supply air stream for moisture evaporation and distribution. The device may require building steam or water, hot water, electric or gas to operate.	Remove humidifiers for testing.
UV Lights	A lighting fixture and lamp mounted so that it shines light on the conditioning coil, that emits ultraviolet light to inhibit growth of organisms on the conditioning coil surfaces, the condensate drip pan, and/other locations within the equipment.	Remove UV lights for testing.
High-Effectiveness Indoor Air Filtration.	Indoor air filters with greater air filtration effectiveness than MERV 8 or the lowest MERV filter distributed in commerce, whichever is greater.	Test with a MERV 8 filter or the lowest MERV filter distributed in commerce, whichever is greater

2.2.3. Optional Representations. Test provisions for the determination of the metrics indicated in paragraphs (a) through (d) of this section are optional and are determined according to the applicable provisions in section 2.2.1 of this appendix. The following metrics in AHRI 920–2020 are optional:

(a) $ISMRE2_{70}$;

(b) $COP_{Full,X}$:

(c) $COP_{DOAS,X}$: and

(d) ISMRE2 and ISCOP2 for water-cooled DX–DOASes using the ''Condenser Water Entering Temperature, Chilled Water'' conditions specified in Table 4 of AHRI 920–2020 and for water-source heat pump DX–DOASes using the ''Water-Source Heat Pump, Ground-Source Closed Loop'' conditions specified in Table 5 of AHRI 920–2020.

2.3 Synonymous Terms

(a) Any references to energy recovery or energy recovery ventilator (ERV) in AHRI 920–2020 and ANSI/ASHRAE 198–2013 shall be

considered synonymous with ventilation energy recovery system (VERS) as defined in §431.92.

(b) Reserved

[87 FR 45199, July 27, 2022]

APPENDIX C TO SUBPART F OF PART 431—UNIFORM TEST METHOD FOR MEASURING THE ENERGY CONSUMPTION OF WATER-SOURCE HEAT PUMPS

NOTE: Manufacturers must use the results of testing under this appendix to determine compliance with the relevant standard at §431.97 as that standard appeared in the January 1, 2023 edition of 10 CFR parts 200–499. Specifically, representations must be based on testing according to either this appendix or 10 CFR 431.96 as it appeared in the 10 CFR parts 200–499 edition revised as of January 1, 2023.

Starting on November 29, 2024, voluntary representations with respect to energy use or efficiency of water-source heat pumps with cooling capacity greater than or equal to 135,000 Btu/h and less than 760,000 Btu/h must be based on testing according to this appendix. Manufacturers may also use this appendix to make voluntary representations with respect to energy use or efficiency prior to November 29, 2024.

Starting on November 29, 2024, voluntary representations with respect to the integrated energy efficiency ratio (IEER) and applied coefficient of performance (ACOP) of water-source heat pumps must be based on testing according to appendix C1 of this subpart. Manufacturers may also use appendix C1 to make voluntary representations with respect to IEER and ACOP prior to November 29, 2024.

Starting on the compliance date for any amended energy conservation standards for water-source heat pumps based on IEER and ACOP, any representations, including compliance certifications, made with respect to the energy use or energy efficiency of water-source heat pumps must be based on testing according to appendix C1 of this subpart.

Manufacturers may also certify compliance with any amended energy conservation standards for water-source heat pumps based on IEER and ACOP prior to the applicable compliance date for those standards, and those compliance certifications must be based on testing according to appendix C1 of this subpart.

1. Incorporation by Reference

DOE incorporated by reference in §431.95, the entire standard for ISO 13256–1:1998. To the extent there is a conflict between the terms or provisions of a referenced industry standard and this appendix, the appendix provisions control.

2. General

Determine the energy efficiency ratio (EER) and coefficient of performance (COP) in accordance with ISO 13256–1:1998.

Section 3 of this appendix provides additional instructions for determining EER and COP.

3. Additional Provisions for Equipment Set-Up

The only additional specifications that may be used in setting up the basic model for testing are those set forth in the installation and operation manual shipped with the unit. Each unit should be set up for test in accordance with the manufacturer installation and operation manuals. Sections 3.1 through 3.2 of this appendix provide specifications for addressing key information typically found in the installation and operation manuals.

3.1. If a manufacturer specifies a range of superheat, sub-cooling, and/or refrigerant pressure in its installation and operation manual for a given basic model, any value(s) within that range may be used to determine refrigerant charge or mass of refrigerant, unless the manufacturer clearly specifies a rating value in its installation and operation manual, in which case the specified rating value must be used.

3.2. The airflow rate used for testing must be that set forth in the installation and operation manuals being shipped to the commercial customer with the basic model and clearly identified as that used to generate the DOE performance ratings. If a rated airflow value for testing is not clearly identified, a value of 400 standard cubic feet per minute (scfm) per ton must be used.

[88 FR 84230, Dec. 4, 2023]

APPENDIX C1 TO SUBPART F OF PART 431—UNIFORM TEST METHOD FOR MEASURING THE ENERGY CONSUMPTION OF WATER-SOURCE HEAT PUMPS

NOTE: Prior to the compliance date of amended standards for water-source heat pumps that rely on integrated energy efficiency ratio (IEER) and applied coefficient of performance (ACOP) published after January 1, 2023, representations with respect to the energy use or energy efficiency of water-source heat pumps, including compliance certifications, must be based on testing according to appendix C of this subpart.

Starting on November 29, 2024, voluntary representations with respect to the IEER and ACOP of water-source heat pumps must be based on testing according to this appendix. Manufacturers may also use this appendix to make voluntary representations with respect to IEER and ACOP prior to November 29, 2024.

Starting on the compliance date for any amended energy conservation standards for water-source heat pumps based on IEER and ACOP, any representations, including compliance certifications, made with respect to the energy use or energy efficiency of water-source heat pumps must be based on testing according to this appendix.

Manufacturers may also certify compliance with any amended energy conservation standards for water-source heat pumps based on IEER and ACOP prior to the applicable compliance date for those standards, and those compliance certifications must be based on testing according to this appendix.

1. Incorporation by Reference

DOE incorporated by reference in §431.95 the entire standards for AHRI 600–2023, ANSI/ASHRAE 37–2009 (as corrected by the Errata sheet for ANSI/ASHRAE 37–2009), and Melinder 2010. However, certain enumerated provisions of AHRI 600–2023 and ASHRAE 37–2009, as listed in this section 1, are inapplicable.

To the extent there is a conflict between the terms or provisions of a referenced industry standard and the CFR, the CFR provisions control.

1.1. AHRI 600–2023

(a) Section 1 Purpose is inapplicable,
(b) Section 2 Scope is inapplicable,
(c) The following subsections of section 3 Definitions are inapplicable:
(1) 3.2.1 (Air Economizer),
(2) 3.2.3 (Barometric Relief Dampers),
(3) 3.2.4 (Basic Model),
(4) 3.2.5 (Coated Coils),
(5) 3.2.6 (Coefficients of Performance),
(6) 3.2.9 (Condenser Pump/Valves/Fittings),
(7) 3.2.10 (Condenser Water Reheat),
(8) 3.2.13 (Desiccant Dehumidification Components),
(9) 3.2.14 (Desuperheater),
(10) 3.2.15.1 (Energy Efficiency Ratio),
(11) 3.2.16 (Evaporative Cooling of Ventilation Air),
(12) 3.2.17 (Fire/Smoke/Isolation Dampers),
(13) 3.2.19 (Fresh Air Dampers),
(14) 3.2.21 (Grill Options),
(15) 3.2.23 (High-effectiveness Indoor Air Filtration),
(16) 3.2.24 (Hot Gas Bypass),
(17) 3.2.27 (Integrated Energy Efficiency Ratio),
(18) 3.2.28 (Low-static Heat Pump),
(19) 3.2.35 (Power Correction Capacitors),
(20) 3.2.36 (Powered Exhaust Air Fan),
(21) 3.2.37 (Powered Return Air Fan),
(22) 3.2.38 (Process Heat Recovery/Reclaim Coils/Thermal Storage),
(23) 3.2.40 (Published Rating),
(24) 3.2.42 (Refrigerant Reheat Coils),
(25) 3.2.43 (Single Package Heat Pumps),
(26) 3.2.44 (Sound Traps/Sound Attenuators),
(27) 3.2.45 (Split System Heat Pump),
(28) 3.2.51 (Steam/Hydronic Heat Coils),
(29) 3.2.53 (UV Lights),
(30) 3.2.54 (Ventilation Energy Recovery System),
(31) 3.2.55 (Water/Brine to Air Heat Pump Equipment), and
(32) 3.2.56 (Waterside Economizer),
(d) The following subsections of section 6 Rating Requirements are inapplicable:
(1) 6.5 (Residential Cooling Capacity and Efficiency),
(2) 6.6 (Residential Heating Capacity and Efficiency),
(3) 6.7 (Test Data vs Computer Simulation),
(4) 6.8 (Rounding and Precision),
(5) 6.9 (Uncertainty), and
(6) 6.10 (Verification Testing),
(e) Section 7 Minimum Data Requirements for Published Ratings is inapplicable
(f) Section 8 Operating Requirements is inapplicable,
(g) Section 9 Marking and Nameplate Data is inapplicable,
(h) Section 10 Conformance Conditions is inapplicable,
(i) Appendix B References—Informative is inapplicable,
(j) Sections D.1 (Purpose), D.2 (Configuration Requirements), and D.3 (Optional System Features) of Appendix D Unit Configuration For Standard Efficiency Determination—Normative are inapplicable, and
(k) Appendix F Example of Determination of Fan and Motor Efficiency for Non-standard Integrated Indoor Fan and Motors—Informative is inapplicable.

1.2. ANSI/ASHRAE 37–2009 (Even if Corrected by the Errata Sheet)

(a) Section 1 Purpose is inapplicable.
(b) Section 2 Scope is inapplicable.
(c) Section 4 Classification is inapplicable.

2. General

Determine integrated energy efficiency ratio (IEER) and heating applied coefficient of performance (ACOP) in accordance with this appendix and the applicable sections of AHRI 600–2023, ANSI/ASHRAE 37–2009, and Melinder 2010. Representations of AEER, EER, and COP may optionally be made.

Section 3 of this appendix provides additional instructions for testing. In cases where there is a conflict, the language of this appendix takes highest precedence, followed by AHRI 600–2023, followed by ANSI/ASHRAE 37–2009. Any subsequent amendment to a referenced document by the standard-setting organization will not affect the test procedure in this appendix, unless and until the test procedure is amended by DOE. Material is incorporated as it exists on the date of the approval, and a notification of any change in the incorporation must be published in the FEDERAL REGISTER.

3. Setup and Test Provisions for Specific Components

When testing a water-source heat pump that includes any of the features listed in table 1 to this appendix, test in accordance with the setup and test provisions specified in table 1 to this appendix.

TABLE 1 TO APPENDIX C1—SETUP AND TEST PROVISIONS FOR SPECIFIC COMPONENTS

Component	Description	Setup and test provisions
Air Economizers	An automatic system that enables a cooling system to supply outdoor air to reduce or eliminate the need for mechanical cooling during mild or cold weather.	For any air economizer that is factory-installed, place the economizer in the 100 percent return position and close and seal the outside air dampers for testing. For any modular air economizer shipped with the unit but not factory-installed, do not install the economizer for testing.
Barometric Relief Dampers.	An assembly with dampers and means to automatically set the damper position in a closed position and one or more open positions to allow venting directly to the outside a portion of the building air that is returning to the unit, rather than allowing it to recirculate to the indoor coil and back to the building.	For any barometric relief dampers that are factory-installed, close and seal the dampers for testing. For any modular barometric relief dampers shipped with the unit but not factory-installed, do not install the dampers for testing.
Desiccant Dehumidification Components.	An assembly that reduces the moisture content of the supply air through moisture transfer with solid or liquid desiccants.	Disable desiccant dehumidification components for testing.
Fire/Smoke/Isolation Dampers.	A damper assembly including means to open and close the damper mounted at the supply or return duct opening of the equipment.	For any fire/smoke/isolation dampers that are factory-installed, set the dampers in the fully open position for testing. For any modular fire/smoke/isolation dampers shipped with the unit but not factory-installed, do not install the dampers for testing.
Fresh Air Dampers	An assembly with dampers and means to set the damper position in a closed and one open position to allow air to be drawn into the equipment when the indoor fan is operating.	For any fresh air dampers that are factory-installed, close and seal the dampers for testing. For any modular fresh air dampers shipped with the unit but not factory-installed, do not install the dampers for testing.
Power Correction Capacitors.	A capacitor that increases the power factor measured at the line connection to the equipment.	Remove power correction capacitors for testing.
Process Heat recovery/ Reclaim Coils/Thermal Storage.	A heat exchanger located inside the unit that conditions the equipment's supply air using energy transferred from an external source using a vapor, gas, or liquid.	Disconnect the heat exchanger from its heat source for testing.
Refrigerant Reheat Coils	A heat exchanger located downstream of the indoor coil that heats the supply air during cooling operation using high-pressure refrigerant in order to increase the ratio of moisture removal to cooling capacity provided by the equipment.	De-activate refrigerant reheat coils for testing so as to provide the minimum (none if possible) reheat achievable by the system controls.
Steam/Hydronic Heat Coils.	Coils used to provide supplemental heating	Test with steam/hydronic heat coils in place but providing no heat.
UV Lights	A lighting fixture and lamp mounted so that it shines light on the indoor coil, that emits ultraviolet light to inhibit growth of organisms on the indoor coil surfaces, the condensate drip pan, and/other locations within the equipment.	Turn off UV lights for testing.
Ventilation Energy Recovery System (VERS).	An assembly that preconditions outdoor air entering the equipment through direct or indirect thermal and/or moisture exchange with the exhaust air, which is defined as the building air being exhausted to the outside from the equipment.	For any VERS that is factory-installed, place the VERS in the 100 percent return position and close and seal the outside air dampers and exhaust air dampers for testing, and do not energize any VERS subcomponents (*e.g.,* energy recovery wheel motors). For any VERS module shipped with the unit but not factory-installed, do not install the VERS for testing.

[88 FR 84230, Dec. 4, 2023]

APPENDIX D TO SUBPART F OF PART 431—UNIFORM TEST METHOD FOR MEASURING THE ENERGY CONSUMPTION OF VARIABLE REFRIGERANT FLOW MULTI-SPLIT AIR CONDITIONERS AND HEAT PUMPS (OTHER THAN AIR-COOLED WITH RATED COOLING CAPACITY LESS THAN 65,000 BTU/H)

NOTE: Manufacturers must use the results of testing under this appendix to determine compliance with the relevant standard from §431.97 as that standard appeared in the January 1, 2022 edition of 10 CFR parts 200–499. Specifically, representations must be based upon results generated either under this appendix or under 10 CFR 431.96 as it appeared in the 10 CFR parts 200–499 edition revised as of January 1, 2022.

For any amended standards for variable refrigerant flow multi-split air conditioners and heat pumps that rely on integrated energy efficiency ratio (IEER) published after January 1, 2022, manufacturers must use the results of testing under appendix D1 of this subpart to determine compliance. Representations related to energy consumption must be made in accordance with the appropriate appendix that applies (*i.e.*, appendix D or appendix D1) when determining compliance with the relevant standard.

1. Incorporation by Reference

DOE incorporated by reference in §431.95, the entire standard for ANSI/AHRI 1230–2010. However, enumerated provisions of ANSI/AHRI 1230–2010, as listed in this section 1, are excluded. To the extent there is a conflict between the terms or provisions of a referenced industry standard and the CFR, the CFR provisions control.

1.1 ANSI/AHRI 1230–2010:

(a) Section 5.1.2—Manufacturer involvement.

(b) Section 6.6—Verification testing and uncertainty is inapplicable as specified in section 2.2 of this appendix.

1.2 [Reserved.]

2. *General.* Determine the energy efficiency ratio (EER) and coefficient of performance (COP) (as applicable) in accordance with ANSI/AHRI 1230–2010.

NOTE: Sections 3 through 6 of this appendix provide additional instructions for determining EER and COP.

3. *Optional break-in period.* Manufacturers may optionally specify a ''break-in'' period, not to exceed 20 hours, to operate the equipment under test prior to conducting the test method specified in this appendix. A manufacturer who elects to use an optional compressor break-in period in its certification testing should record this period's duration as part of the information in the supplemental testing instructions under 10 CFR 429.43.

4. *Refrigerant line length corrections.* For test set-ups where it is physically impossible for the laboratory to use the required line length listed in Table 3 of the ANSI/AHRI 1230–2010, then the actual refrigerant line length used by the laboratory may exceed the required length and the following cooling capacity correction factors are applied:

Piping length beyond minimum, X (ft)	Piping length beyond minimum, Y (m)	Cooling capacity correction (%)
0> X ≤20	0> Y ≤6.1	1
20> X ≤40	6.1> Y ≤12.2	2
40> X ≤60	12.2> Y ≤18.3	3
60> X ≤80	18.3> Y ≤24.4	4
80> X ≤100	24.4> Y ≤30.5	5
100> X ≤120	30.5>Y ≤36.6	6

5. *Additional provisions for equipment set-up.* The only additional specifications that may be used in setting up the basic model for test are those set forth in the installation and operation manual shipped with the unit. Each unit should be set up for test in accordance with the manufacturer installation and operation manuals. Sections 5.1 through 5.3 of this appendix provide specifications for addressing key information typically found in the installation and operation manuals.

5.1. If a manufacturer specifies a range of superheat, sub-cooling, and/or refrigerant pressure in its installation and operation manual for a given basic model, any value(s) within that range may be used to determine refrigerant charge or mass of refrigerant, unless the manufacturer clearly specifies a rating value in its installation and operation manual, in which case the specified rating value must be used.

5.2. The airflow rate used for testing must be that set forth in the installation and operation manual being shipped to the commercial customer with the basic model and clearly identified as that used to generate

the DOE performance ratings. If a rated airflow value for testing is not clearly identified, a value of 400 standard cubic feet per minute (scfm) per ton must be used.

5.3. The test set-up and the fixed compressor speeds (*i.e.*, the maximum, minimum, and any intermediate speeds used for testing) should be recorded and maintained as part of the test data underlying the certified ratings that is required to be maintained under 10 CFR 429.71.

6. *Manufacturer involvement in assessment or enforcement testing.* A manufacturer's representative will be allowed to witness assessment and/or enforcement testing for variable refrigerant flow multi-split air conditioners and heat pumps. The manufacturer's representative will be allowed to inspect and discuss set-up only with a DOE representative. During testing, the manufacturer's representative may adjust only the modulating components that are necessary to achieve steady-state operation in the presence of a DOE representative. Only previously documented specifications for set-up as specified under sections 4 and 5 of this appendix will be used.

[87 FR 63898, Oct. 20, 2022]

APPENDIX D1 TO SUBPART F OF PART 431—UNIFORM TEST METHOD FOR MEASURING THE ENERGY CONSUMPTION OF VARIABLE REFRIGERANT FLOW MULTI-SPLIT AIR CONDITIONERS AND HEAT PUMPS (OTHER THAN AIR-COOLED WITH RATED COOLING CAPACITY LESS THAN 65,000 BTU/H)

NOTE: Manufacturers must use the results of testing under this appendix to determine compliance with any amended standards for variable refrigerant flow multi-split air conditioners and heat pumps provided in §431.97 that are published after January 1, 2022, and that rely on integrated energy efficiency ratio (IEER). Representations related to energy consumption must be made in accordance with the appropriate appendix that applies (*i.e.*, appendix D or appendix D1) when determining compliance with the relevant standard.

1. Incorporation by Reference

DOE incorporated by reference in §431.95, the entire standard for AHRI 1230–2021 and ANSI/ASHRAE 37–2009, as corrected by the Errata sheet for ANSI/ASHRAE 37–2009 issued on March 27, 2019 (''ANSI/ASHRAE 37–2009 (as corrected)''). However, only enumerated provisions of AHRI 1230–2021 and ANSI/ASHRAE 37–2009 are required or excluded, as listed in this section 1. To the extent there is a conflict between the terms or provisions of a referenced industry standard and the CFR, the CFR provisions control.

1.1 Provisions Required

1.1.1 AHRI 1230–2021

(a) Section 3—Definitions, except section 3.11, as specified in section 2 of this appendix,
(b) Section 5—Test Requirements, except section 5.1.2, as specified in sections 2 and 5.1 of this appendix,
(c) Section 6—Rating Requirements, except sections 6.3.3 and 6.5, as specified in sections 2, 4.1, 4.1.1, 4.2, 4.2.1, and 5.1 of this appendix,
(d) Section 11—Calculations is applicable as specified in sections 2, 5.2.1.2, and 5.2.2 of this appendix,
(e) Section 12—Symbols, Subscripts, and Superscripts as specified in section 2 of this appendix,
(f) Appendix E—ANSI/ASHRAE Standard 37–2009 Clarifications/Exceptions—Normative as specified in section 2 of this appendix.

1.1.2 [Reserved]

1.2 Provisions Excluded

1.2.1 ANSI/ASHRAE 37–2009 (as Corrected)

(a) Section 1—Purpose,
(b) Section 2—Scope, and
(c) Section 4—Classification.

2. *General.* Determine IEER and coefficient of performance (COP) (as applicable) in accordance with AHRI 1230–2021 and ANSI/ASHRAE 37–2009 (as corrected). Sections 3 through 5 of this appendix provide additional instructions for determining IEER and COP. In cases where there is a conflict, the language of this appendix takes highest precedence, followed by AHRI 1230–2021, followed by ANSI/ASHRAE 37–2009 (as corrected).

NOTE: The controls verification procedure specified in Appendix C of AHRI 1230–2021 is referenced as part of DOE's certification provisions at §429.43(b) and product-specific enforcement provisions located at §429.134(v)(3).

3. Definitions

3.1. *Critical Parameter(s)* are the following settings of modulating components of variable refrigerant flow multi-split air conditioners and heat pumps: compressor speed(s), outdoor fan speed(s), and outdoor variable valve position(s).

4. Test Conditions

4.1 *Test Conditions for Air-Cooled VRF Multi-split Systems with Rated Cooling Capacity Greater Than 65,000 Btu/h.* When testing to certify to the energy conservation standards in §431.97, test using the ''Standard Rating Conditions, Cooling'' and ''Standard Rating Part-Load Conditions (IEER)'' conditions for cooling mode tests and ''Standard Rating Conditions (High Temperature Steady-state

Test for Heating)'' conditions for heat pump heating mode tests, as specified in Table 9 in Section 6 of AHRI 1230–2021.

4.1.1 Representations of COP for air-cooled VRF multi-split systems with rated cooling capacity greater than 65,000 Btu/h made using the ''Low Temperature Operation, Heating'' condition specified in Table 9 in Section 6 of AHRI 1230–2021 are optional.

4.2 *Test Conditions for Water-source VRF Multi-split Systems.* When testing to certify to the energy conservation standards in § 431.97, test using the ''Part-load Conditions (IEER)'' conditions specified for ''Water Loop Heat Pumps'' in Table 10 of AHRI 1230–2021 for cooling mode tests and the ''Standard Rating Test'' conditions specified for ''Water Loop Heat Pumps'' in Table 11 in Section 6 of AHRI 1230–2021 for heat pump heating mode tests.

4.2.1 For water-source VRF multi-split systems, representations of EER made using the ''Standard Rating Test'' conditions specified for ''Ground-loop Heat pumps'' in Table 10 of Section 6 of AHRI 1230–2021 and representations of COP made using the ''Standard Rating Test'' conditions specified for ''Ground-loop Heat Pumps'' in Table 11 of Section 6 of AHRI 1230–2021 are optional.

5. Test Procedure

5.1 *Control Settings.* Control settings must be set in accordance with Sections 5.1.3, 5.1.4, 5.1.5, and 5.2 of AHRI 1230–2021. For systems equipped with head pressure controls, the head pressure controls must be set per manufacturer installation instructions or per factory settings if no instructions are provided. Indoor airflow-control settings must be set in accordance with Section 6.3.1 of AHRI 1230–2021. At each load point, critical parameters must be set to the values certified in the supplemental testing instructions (STI) provided by the manufacturer pursuant to § 429.43(b)(4) of this chapter. In cases in which a certified critical parameter value is not in the STI, the system must operate per commands from the system controls for that parameter. Once set, control settings must remain unchanged for the remainder of the test (except for allowable adjustment of critical parameters as described in section 5.2 of this appendix).

5.2 *Allowable Critical Parameter Adjustments for IEER Cooling Tests.* The following sections describe allowable adjustments to critical parameters after the initial system set-up (during which all control settings, including certified critical parameters, are set). Adjust critical parameters in order to achieve full- and part-load cooling capacity targets and sensible heat ratio (SHR) limits.

5.2.1 *Critical Parameter Adjustments for Meeting Cooling Capacity Targets.* Once critical parameters have been set to the values certified in the STI, if the unit cannot operate within 3% of the target cooling capacity (*i.e.,* within 3% of the load fraction for a given part-load cooling test (75%, 50%, or 25% load) or within 3% of the certified cooling capacity for a 100% full-load cooling test), manually-controlled critical parameters must be adjusted according to the following provisions:

5.2.1.1. *Cooling Capacity is Below Lower Tolerance.* If, for any test, the cooling capacity operates below the lower tolerance for the target cooling capacity, increase the compressor speed(s) beyond the STI-certified value(s) until the cooling capacity operates within 3% of the target cooling capacity. If multiple compressors are present in the system, increase compressor speed by the same absolute increment in RPM or Hz for each compressor for which the following conditions apply:

(a) The STI specifies a non-zero compressor speed for the compressor for that test and

(b) The compressor has not yet reached its maximum capable operating speed. The compressor speed(s) must not be less than the STI-certified value(s) at any point during the test. Upward adjustments to compressor speed are not constrained by a budget on RSS Points Total (See section 5.2.1.2.1 of this appendix).

5.2.1.2 *Cooling Capacity is Above Upper Tolerance.* If, for any test, the cooling capacity operates above the upper tolerance for the target cooling capacity, adjust any manually-controlled critical parameters per the STI. If the STI does not include a hierarchy of instructions for adjustment of critical parameters to reduce cooling capacity during IEER cooling tests, then reduce only the compressor speed(s) to reduce cooling capacity. If multiple compressors are present in the system, decrease compressor speed by the same absolute increment for each compressor for which the following conditions apply:

(a) The STI specifies a non-zero compressor speed for the compressor for that test and

(b) The compressor has not yet reached minimum speed. Continue reducing cooling capacity in this manner until one of the following occurs:

(1) The unit operates within 3% of the target cooling capacity; or

(2) The RSS point total reaches a budget of 70 points (see section 5.2.1.2.1 of this appendix). For the 75%, 50%, and 25% part-load cooling test points, if the RSS point total reaches 70 during critical parameter adjustments before the capacity operates within 3% of the target cooling capacity, stop adjustment and follow cyclic degradation procedures in accordance with Section 11.2.2.1 of AHRI 1230–2021.

5.2.1.2.1 *Measuring Critical Parameter Variation During Adjustment Period.* When adjusting critical parameters to reduce cooling capacity, critical parameter variation must be

calculated each time the critical parameters are adjusted, using the following equations:

(a) First, use equation 5.2–1 to calculate the absolute parameter percent difference () between each adjusted critical parameter and the value for that parameter certified in the STI.

Equation 5.2-1 $$PPD_i = \left|\frac{CP_{i,Adj} - CP_{i,STI}}{CP_{Max}}\right| \times 100$$

Where:

''i'' identifies the critical parameter—either compressors speed(s), outdoor fan speed(s), or outdoor variable valve position(s)

$CP_{i,Adj}$ = The adjusted position of critical parameter ''i'' recorded at each measurement interval. If multiple components corresponding to a single parameter are present (e.g., multiple compressors), calculate the average position across all components corresponding to that parameter at each measurement interval when determining $CP_{i,Adj}$.

$CP_{i,STI}$ = The position of critical parameter ''i'' as certified in the STI. If multiple components corresponding to a single parameter are present, calculate the average position across all components corresponding to that parameter at each measurement interval when determining $CP_{i,STI}$.

CP_{Max} = The maximum operating position for Critical Parameter ''i'' as certified in the STI for the 100% load condition. If multiple components corresponding to a single parameter are present, calculate as the average value across all components corresponding to that critical parameter certified in the STI for the 100% load condition.

(b) Next, use equation 5.2–2 to this section to determine the accrued points for each critical parameter:

Equation 5.2-2 $$Points_i = PPD_i \times NPV_i$$

Where:

''i'' identifies the critical parameter—either compressors speed(s), outdoor fan speed(s), or outdoor variable valve position(s)

NPV_i = the nominal point value for critical parameter ''i'' as follows:

TABLE 5.1—CRITICAL PARAMETER NOMINAL POINT VALUES

Critical parameter	Nominal point value
Compressor Speed(s)	13
Outdoor Fan Speed(s)	7
Outdoor Variable Valve Position(s)	1

(c) Finally, use equation 5.2–3 to this section to calculate the root-sum-squared (RSS) Points Total across all critical parameters.

Equation 5.2-3 $$RSS\ Points = \sqrt{\left(Points_{Compressors}\right)^2 + (Points_{Fans})^2 + (Points_{Valves})^2}$$

5.2.2 *Critical Parameter Adjustments for Meeting SHR Limits.* The SHR for the 100% load test point and the 75% part-load test point must not be higher than 0.82 and 0.85, respectively (measured to the nearest hundredth). If the SHR is above the allowable limit, increase the compressor speed(s) until either the SHR is less than or equal to the allowable limit or the cooling capacity reaches 3% greater than the target cooling capacity for that test, whichever happens first. If multiple compressors are present in the system, increase compressor speed by the same absolute increment for each compressor for which the following conditions apply:

(a) The STI specifies a non-zero compressor speed for the compressor for that test and

(b) The compressor has not yet reached maximum speed. Upwards adjustments to compressor speed are not constrained by a budget on RSS Points Total. Should the SHR

remain above the maximum limit when the cooling capacity reaches its upper 3% tolerance, no further compressor adjustments shall be made, and the calculation procedures specified in Section 11.2.2.2 of AHRI 1230–2021 must be applied using the adjusted SHR value obtained after increasing the compressor speed(s).

6. *Set-Up and Test Provisions for Specific Components.* When testing a VRF multi-split system that includes any of the specific components listed in table 6.1 to this appendix, test in accordance with the set-up and test provisions specified in table 6.1.

TABLE 6.1—TEST PROVISIONS FOR SPECIFIC COMPONENTS

Component	Description	Test provisions
Desiccant Dehumidification Components.	An assembly that reduces the moisture content of the supply air through moisture transfer with solid or liquid desiccants.	Disable desiccant dehumidification components for testing.
Air Economizers	An automatic system that enables a cooling system to supply outdoor air to reduce or eliminate the need for mechanical cooling during mild or cold weather.	For any air economizer that is factory-installed, place the economizer in the 100% return position and close and seal the outside air dampers for testing. For any modular air economizer shipped with the unit but not factory-installed, do not install the economizer for testing.
Fresh Air Dampers	An assembly with dampers and means to set the damper position in a closed and one open position to allow air to be drawn into the equipment when the indoor fan is operating.	For any fresh air dampers that are factory-installed, close and seal the dampers for testing. For any modular fresh air dampers shipped with the unit but not factory-installed, do not install the dampers for testing.
Hail Guards	A grille or similar structure mounted to the outside of the unit covering the outdoor coil to protect the coil from hail, flying debris, and damage from large objects.	Remove hail guards for testing.
Low Ambient Cooling Dampers.	An assembly with dampers and means to set the dampers in a position to recirculate the warmer condenser discharge air to allow for reliable operation at low outdoor ambient conditions.	Remove low ambient cooling dampers for testing.
Power Correction Capacitors.	A capacitor that increases the power factor measured at the line connection to the equipment. These devices are a requirement of the power distribution system supplying the unit.	Remove power correction capacitors for testing.
Ventilation Energy Recovery Systems (VERS).	An assembly that preconditions outdoor air entering the equipment through direct or indirect thermal and/or moisture exchange with the exhaust air, which is defined as the building air being exhausted to the outside from the equipment.	For any VERS that is factory-installed, place the VERS in the 100% return position and close and seal the outside air dampers and exhaust air dampers for testing, and do not energize any VERS subcomponents (e.g., energy recovery wheel motors). For any VERS module shipped with the unit but not factory-installed, do not install the VERS for testing.

[87 FR 63898, Oct. 20, 2022]

APPENDIX E TO SUBPART F OF PART 431—UNIFORM TEST METHOD FOR MEASURING THE ENERGY CONSUMPTION OF COMPUTER ROOM AIR CONDITIONERS

NOTE: Manufacturers must use the results of testing under this appendix to determine compliance with the relevant energy conservation standards for computer room air conditioners from §431.97 as that standard appeared in the January 1, 2022 edition of 10 CFR parts 200 through 499. Specifically, representations, including compliance certifications, must be based upon results generated either under this appendix or under 10 CFR 431.96 as it appeared in the 10 CFR parts 200 through 499 edition revised as of January 1, 2022.

For any amended standards for computer room air conditioners that rely on net sensible coefficient of performance (NSenCOP) published after January 1, 2022, manufacturers must use the results of testing under appendix E1 to this subpart to determine compliance. Manufacturers may use appendix E1 to certify compliance with any amended standards prior to the applicable compliance date for those standards.

Specifically, representations, including compliance certifications, related to energy consumption must be based upon results generated under the appropriate appendix that applies (*i.e.*, this appendix or appendix E1 to this subpart) when determining compliance with the relevant standard.

1. *Incorporation by Reference.*

DOE incorporated by reference in §431.95 the entire standard for ASHRAE 127–2007. However, certain enumerated provisions of ASHRAE 127–2007, as listed in section 1.1, are inapplicable. To the extent that there is a conflict between the terms or provisions of a referenced industry standard and the CFR, the CFR provisions control.

1.1 ASHRAE 127–2007:

(a) Section 5.11 is inapplicable as specified in section 2 of this appendix.

(b) [Reserved]

1.2 [Reserved]

2. *General.* Determine the sensible coefficient of performance (SCOP) in accordance with ASHRAE 127–2007.

3. *Optional break-in period.* Manufacturers may optionally specify a ''break-in'' period, not to exceed 20 hours, to operate the equipment under test prior to conducting the test method specified in this appendix. A manufacturer who elects to use an optional compressor break-in period in its certification testing should record this period's duration as part of the information in the supplemental testing instructions under 10 CFR 429.43.

4. *Additional provisions for equipment set-up.* The only additional specifications that may be used in setting up the basic model for test are those set forth in the installation and operation manual shipped with the unit. Each unit should be set up for test in accordance with the manufacturer installation and operation manuals. Sections 4.1 and 4.2 of this appendix provide specifications for addressing key information typically found in the installation and operation manuals.

4.1. If a manufacturer specifies a range of superheat, sub-cooling, and/or refrigerant pressure in its installation and operation manual for a given basic model, any value(s) within that range may be used to determine refrigerant charge or mass of refrigerant, unless the manufacturer clearly specifies a rating value in its installation and operation manual, in which case the specified rating value must be used.

4.2. The airflow rate used for testing must be that set forth in the installation and operation manuals being shipped to the commercial customer with the basic model and clearly identified as that used to generate the DOE performance ratings. If a rated airflow value for testing is not clearly identified, a value of 400 standard cubic feet per minute (scfm) per ton must be used.

[88 FR 21840, Apr. 11, 2023]

APPENDIX E1 TO SUBPART F OF PART 431—UNIFORM TEST METHOD FOR MEASURING THE ENERGY CONSUMPTION OF COMPUTER ROOM AIR CONDITIONERS

NOTE: Prior to the compliance date for any amended energy conservation standards based on NSenCOP for computer room air conditioners, representations with respect to energy use or efficiency of this equipment, including compliance certifications, must be based on testing pursuant to appendix E to this subpart. Subsequently, manufacturers must use the results of testing under this appendix to determine compliance with any amended energy conservation standards for computer room air conditioners provided in §431.97 that are published after January 1, 2022, and that rely on net sensible coefficient of performance (NSenCOP). Specifically, representations, including compliance certifications, related to energy consumption must be based upon results generated under the appropriate appendix that applies (*i.e.*, appendix E to this subpart or this appendix) when determining compliance with the relevant standard. Manufacturers may use this appendix to certify compliance with any amended standards prior to the applicable compliance date for those standards.

1. *Incorporation by Reference*

DOE incorporated by reference in §431.95 the entire standards for AHRI 1360–2022, ANSI/ASHRAE 37–2009, and ANSI/ASHRAE 127–2020. However, as listed in sections 1.1, 1.2, and 1.3 of this appendix, only certain enumerated provisions of AHRI 1360–2022 and ANSI/ASHRAE 127–2020 are applicable, and only certain enumerated provisions of ANSI/ASHRAE 37–2009 are not applicable. To the extent that there is a conflict between the terms or provisions of a referenced industry standard and the CFR, the CFR provisions control.

1.1 AHRI 1360–2022:

(a) The following sections of Section 3. Definitions—3.1 (Expressions of Provision), 3.2.2 (Air Sampling Device(s)), 3.2.7 (Computer and Data Processing Room Air Conditioner), 3.2.22 (Indoor Unit), 3.2.25 (Manufacturer's Installation Instruction), 3.2.27 (Net Sensible Cooling Capacity), 3.2.28 (Net Total Cooling Capacity), 3.2.37 (Standard Air) and 3.2.38 (Standard Airflow) are applicable.

(b) Section 5. Test Requirements, is applicable.

(c) The following sections of Section 6. Rating Requirements—6.1–6.3, 6.5 and 6.7 are applicable.

(d) Appendix C. Standard Configurations—Normative, is applicable.

(e) Section D2 of Appendix D. Non-Standard Indoor Fan Motors for CRAC units, is applicable.

(f) Appendix E. Method of Testing Computer and Data Processing Room Air Conditioners—Normative, is applicable.

(g) Appendix F. Indoor and Outdoor Air Condition Measurement—Normative is applicable.

1.2 ANSI/ASHRAE 127–2020:

(a) Appendix A—Figure A–1, Test duct for measuring air flow and static pressure on downflow units, is applicable.

(b) [Reserved].

1.3 ASHRAE 37–2009:

(a) Section 1 Purpose is inapplicable.

(b) Section 2 Scope is inapplicable.

(c) Section 4 Classification is inapplicable.

2. General. Determine the net sensible coefficient of performance (NSenCOP), in accordance with AHRI 1360–2022, ANSI/ASHRAE 127–2020, and ANSI/ASHRAE 37–2009. In cases where there is a conflict between these sources, the language of this appendix takes highest precedence, followed by AHRI 1360–2022, followed by ANSI/ASHRAE 127–2020, followed by ANSI/ASHRAE 37–2009. Any subsequent amendment to a referenced document by a standard-setting organization will not affect the test procedure in this appendix, unless and until this test procedure is amended by DOE. Material is incorporated as it exists on the date of the approval, and notification of any change in the incorporation will be published in the FEDERAL REGISTER.

3. *Test Conditions*

3.1. *Test Conditions for Certification.* When testing to certify to the energy conservation standards in §431.97, test using the ''Indoor Return Air Temperature Standard Rating Conditions'' and ''Heat Rejection/Cooling Fluid Standard Rating Conditions'' conditions, as specified in Tables 3 and 4 of AHRI 1360–2022, respectively.

4. *Set-Up and Test Provisions for Specific Components.* When testing a unit that includes any of the features listed in Table 4.1 of this appendix, test in accordance with the set-up and test provisions specified in Table 4.1 of this appendix.

TABLE 4.1—TEST PROVISIONS FOR SPECIFIC COMPONENTS

Component	Description	Test provisions
Air Economizers	An automatic system that enables a cooling system to supply outdoor air to reduce or eliminate the need for mechanical cooling during mild or cold weather.	For any air economizer that is factory-installed, place the economizer in the 100% return position and close and seal the outside air dampers for testing. For any modular air economizer shipped with the unit but not factory-installed, do not install the economizer for testing.
Process Heat Recovery/Reclaim Coils/Thermal Storage.	A heat exchanger located inside the unit that conditions the equipment's supply air using energy transferred from an external source using a vapor, gas, or liquid.	Disconnect the heat exchanger from its heat source for testing.
Evaporative Pre-cooling of Condenser Intake Air.	Water is evaporated into the air entering the air-cooled condenser to lower the dry-bulb temperature and thereby increase efficiency of the refrigeration cycle.	Disconnect the unit from the water supply for testing (*i.e.,* operate without active evaporative cooling).
Steam/Hydronic Heat Coils	Coils used to provide supplemental heat.	Test with steam/hydronic heat coils in place but providing no heat.
Refrigerant Reheat Coils	A heat exchanger located downstream of the indoor coil that heats the supply air during cooling operation using high pressure refrigerant in order to increase the ratio of moisture removal to cooling capacity provided by the equipment.	De-activate refrigerant re-heat coils so as to provide the minimum (none if possible) reheat achievable by the system controls.

TABLE 4.1—TEST PROVISIONS FOR SPECIFIC COMPONENTS—Continued

Component	Description	Test provisions
Fire/Smoke/Isolation Dampers	A damper assembly including means to open and close the damper mounted at the supply or return duct opening of the equipment.	For any fire/smoke/isolation dampers that are factory-installed, close and seal the dampers for testing. For any modular fire/smoke/isolation dampers shipped with the unit but not factory-installed, do not install the dampers for testing.
Harmonic Distortion Mitigation Devices.	A high voltage device that reduces harmonic distortion measured at the line connection of the equipment that is created by electronic equipment in the unit.	Remove harmonic distortion mitigation devices for testing.
Humidifiers	A device placed in the supply air stream for moisture evaporation and distribution. The device may require building steam or water, hot water, electricity, or gas to operate.	Test with humidifiers in place but providing no humidification.
Electric Reheat Elements	Electric reheat elements and controls that are located downstream of the cooling coil that may heat the air using electrical power during the dehumidification process.	Test with electric reheat elements in place but providing no heat.
Non-standard Power Transformer	A device applied to a high voltage load that transforms input electrical voltage to that voltage necessary to operate the load.	Disable the non-standard power transformer during testing.
Chilled Water Dual Cooling Coils	A secondary chilled water coil added in the indoor air stream for use as the primary or secondary cooling circuit in conjunction with a separate chiller.	Test with chilled water dual cooling coils in place but providing no cooling.
High-Effectiveness Indoor Air Filtration.	Indoor air filters with greater air filtration effectiveness than Minimum Efficiency Reporting Value (MERV) 8 for ducted units and MERV 1 for non-ducted units.	Test with the filter offered by the manufacturer with the least air filtration effectiveness that meets or exceeds MERV 8 for ducted units and MERV 1 for non-ducted units.

[88 FR 21841, Apr. 11, 2023]

APPENDIX F TO SUBPART F OF PART 431—UNIFORM TEST METHOD FOR THE MEASUREMENT OF ENERGY CONSUMPTION OF AIR-COOLED, THREE-PHASE, SMALL COMMERCIAL PACKAGE AIR CONDITIONING AND HEATING EQUIPMENT WITH A COOLING CAPACITY OF LESS THAN 65,000 BTU/H AND AIR-COOLED, THREE-PHASE, VARIABLE REFRIGERANT FLOW MULTI-SPLIT AIR CONDITIONERS AND HEAT PUMPS WITH A COOLING CAPACITY OF LESS THAN 65,000 BTU/H

NOTE: Manufacturers must use the results of testing under this appendix to determine compliance with the relevant standard from

§ 431.97 as that standard appeared in the January 1, 2022, edition of 10 CFR parts 200–499. Specifically, representations must be based upon results generated either under this appendix or under 10 CFR 431.96 as it appeared in the 10 CFR parts 200–499 edition revised as of January 1, 2021.

For any amended standards for air-cooled, three-phase, small commercial package air conditioning and heating equipment with a cooling capacity of less than 65,000 Btu/h and air-cooled, three-phase, variable refrigerant flow multi-split air conditioners and heat pumps with a cooling capacity of less than 65,000 Btu/h that rely on SEER2 and HSPF2 published after January 1, 2021, manufacturers must use the results of testing under appendix F1 to determine compliance. Representations related to energy consumption must be made in accordance with the appropriate appendix that applies (*i.e.*, appendices F or F1) when determining compliance with the relevant standard. Manufacturers may also use appendix F1 to certify compliance with any amended standards that rely on SEER2 and HSPF2 prior to the applicable compliance date for those standards.

1. INCORPORATION BY REFERENCE

DOE incorporated by reference in § 431.95, the entire standard for ANSI/AHRI 210/240–2008 and ANSI/AHRI 1230–2010. However, certain enumerated provisions of those standards, as set forth in this section 1, are inapplicable. To the extent there is a conflict between the terms or provisions of a referenced industry standard and the CFR, the CFR provisions control.

1.1 ANSI/AHRI 210/240–2008:

(a) Section 6.5—*Tolerances*

(b) Reserved.

1.2 ANSI/AHRI 1230–2010:

(a) Section 5.1.2—*Manufacturer involvement*

(b) Section 6.6—*Verification testing and uncertainty*

2. GENERAL

2.1 Air-cooled, three-phase, small commercial package air conditioning and heating equipment with a cooling capacity of less than 65,000 Btu/h. Determine the seasonal energy efficiency ratio (SEER) and heating seasonal performance factor (HSPF) (as applicable) in accordance with ANSI/AHRI 210/240–2008. Sections 3 to 6 of this appendix provide additional instructions for determining SEER and HSPF.

2.2 Air-cooled, three-phase, variable refrigerant flow multi-split air conditioners and heat pumps with a cooling capacity of less than 65,000 Btu/h. Determine the SEER and HSPF (as applicable) in accordance with ANSI/AHRI 1230–2010.

Sections 3 through 6 of this appendix provide additional instructions for determining SEER and HSPF.

3. *Optional break-in period.* Manufacturers may optionally specify a ''break-in'' period, not to exceed 20 hours, to operate the equipment under test prior to conducting the test method specified in this appendix. A manufacturer who elects to use an optional compressor break-in period in its certification testing should record this period's duration as part of the information in the supplemental testing instructions under 10 CFR 429.43.

4. *Additional provisions for equipment set-up.* The only additional specifications that may be used in setting up the basic model for test are those set forth in the installation and operation manual shipped with the unit. Each unit should be set up for test in accordance with the manufacturer installation and operation manuals. Sections 3.1 through 3.3 of this appendix provide specifications for addressing key information typically found in the installation and operation manuals.

4.1. If a manufacturer specifies a range of superheat, sub-cooling, and/or refrigerant pressure in its installation and operation manual for a given basic model, any value(s) within that range may be used to determine refrigerant charge or mass of refrigerant, unless the manufacturer clearly specifies a rating value in its installation and operation manual, in which case the specified rating value shall be used.

4.2. The airflow rate used for testing must be that set forth in the installation and operation manuals being shipped to the commercial customer with the basic model and clearly identified as that used to generate the DOE performance ratings. If a rated airflow value for testing is not clearly identified, a value of 400 standard cubic feet per minute (scfm) per ton shall be used.

4.3. For air-cooled, three-phase, variable refrigerant flow multi-split air conditioners and heat pumps with a cooling capacity of less than 65,000 Btu/h, the test set-up and the fixed compressor speeds (*i.e.*, the maximum, minimum, and any intermediate speeds used for testing) should be recorded and maintained as part of the test data underlying the certified ratings that is required to be maintained under 10 CFR 429.71.

5. *Refrigerant line length corrections for air-cooled, three-phase, variable refrigerant flow multi-split air conditioners and heat pumps with a cooling capacity of less than 65,000 Btu/h.* For test setups where it is physically impossible for the laboratory to use the required line length listed in Table 3 of ANSI/AHRI 1230–2010, then the actual refrigerant line length used by the laboratory may exceed the required length and the following cooling capacity correction factors are applied:

Piping length beyond minimum, X (ft)	Piping length beyond minimum, Y (m)	Cooling capacity correction (%)
0≤X ≤20	0≤Y ≤6.1	1
20≤X ≤40	6.1≤Y ≤12.2	2
40≤X ≤60	12.2≤Y ≤18.3	3
60≤X ≤80	18.3≤Y ≤24.4	4
80≤X ≤100	24.4≤Y ≤30.5	5
100 >X ≤120	30.5≤Y ≤36.6	6

6. *Manufacturer involvement in assessment or enforcement testing for air-cooled, three-phase, variable refrigerant flow multi-split air conditioners and heat pumps with a cooling capacity of less than 65,000 Btu/h.* A manufacturer's representative will be allowed to witness assessment and/or enforcement testing. The manufacturer's representative will be allowed to inspect and discuss set-up only with a DOE representative and adjust only the modulating components during testing in the presence of a DOE representative that are necessary to achieve steady-state operation. Only previously documented specifications for set-up as specified under sections 3 and 4 of this appendix will be used.

[87 FR 77327, Dec. 16, 2022; 87 FR 78513, Dec. 22, 2022]

APPENDIX F1 TO SUBPART F OF PART 431—UNIFORM TEST METHOD FOR THE MEASUREMENT OF ENERGY CONSUMPTION OF AIR-COOLED, THREE-PHASE, SMALL COMMERCIAL PACKAGE AIR CONDITIONING AND HEATING EQUIPMENT WITH A COOLING CAPACITY OF LESS THAN 65,000 BTU/H AND AIR-COOLED, THREE-PHASE, VARIABLE REFRIGERANT FLOW MULTI-SPLIT AIR CONDITIONERS AND HEAT PUMPS WITH A COOLING CAPACITY OF LESS THAN 65,000 BTU/H

NOTE: Manufacturers must use the results of testing under this appendix to determine compliance with any amended standards for air-cooled, three-phase, small commercial package air conditioning and heating equipment with a cooling capacity of less than 65,000 Btu/h and air-cooled, three-phase, variable refrigerant flow multi-split air conditioners and heat pumps with a cooling capacity of less than 65,000 Btu/h provided in §431.97 that are published after January 1, 2021, and that rely on seasonal energy efficiency ratio 2 (SEER2) and heating seasonal performance factor 2 (HSPF2). Representations related to energy consumption must be made in accordance with the appropriate appendix that applies (*i.e.*, appendices F or F1) when determining compliance with the relevant standard. Manufacturers may also use this appendix to certify compliance with any amended standards that rely on SEER2 and HSPF2 prior to the applicable compliance date for those standards.

1. *Incorporation by Reference.* DOE incorporated by reference in §431.95, the entire standard for AHRI 210/240–2023 and ANSI/ASHRAE 37–2009. However, certain enumerated provisions of AHRI 210/240–2023 and ANSI/ASHRAE 37–2009, as set forth in this section 1, are inapplicable. To the extent there is a conflict between the terms or provisions of a referenced industry standard and the CFR, the CFR provisions control. Any subsequent amendment to a referenced document by the standard-setting organization will not affect the test procedure in this appendix, unless and until the test procedure is amended by DOE.

1.1. AHRI 210/240–2023:

(a) Section 6 Rating Requirements—6.1 Standard Ratings—6.1.8 Tested Combinations or Tested Units

(b) Section 6 Rating Requirements—6.2 Application Ratings

(c) Section 6 Rating Requirements—6.4 Ratings

(d) Section 6 Rating Requirements—6.5 Uncertainty and Variability

(e) Section 7—Minimum Data Requirements for Published Ratings

(f) Section 8—Operating Requirements

(g) Section 9—Marking and Nameplate Data

(h) Section 10—Conformance Conditions

(i) Appendix C—Certification of Laboratory Facilities Used to Determine Performance of Unitary Air-Conditioning & Air-Source Heat Pump Equipment—Informative

(j) Appendix F—ANSI/ASHRAE Standard 116–2010 Clarifications/Exceptions—Normative—F15.2 and F17

(k) Appendix G—Unit Configuration for Standard Efficiency Determination—Normative

(l) Appendix H—Off-Mode Testing—Normative

(m) Appendix I Verification Testing—Normative

1.2. ANSI/ASHRAE 37–2009:

(a) Section 1—Purpose

(b) Section 2—Scope

(c) Section 4—Classification

2. *General.* Determine the seasonal energy efficiency ratio 2 (SEER2) and heating seasonal performance factor 2 (HSPF2) (as applicable) in accordance with AHRI 210/240–2023 and ANSI/ASHRAE 37–2009. Sections 3 and 4 to this appendix provide additional instructions for determining SEER2 and HSPF2.

3. *Energy Measurement Accuracy.* The Watt-hour (W·h) measurement system(s) shall be accurate within ± 0.5 percent or 0.5 W·h, whichever is greater, for both ON and OFF cycles. If two measurement systems are used, then the meters shall be switched within 15 seconds of the start of the OFF cycle

and switched within 15 seconds prior to the start of the ON cycle.

4. *Cycle Stability Requirements.* Conduct three complete compressor OFF/ON cycles. Calculate the degradation coefficient CD for each complete cycle. If all three CD values are within 0.02 of the average CD then stability has been achieved, and the highest CD value of these three shall be used. If stability has not been achieved, conduct additional cycles, up to a maximum of eight cycles total, until stability has been achieved between three consecutive cycles. Once stability has been achieved, use the highest CD value of the three consecutive cycles that establish stability. If stability has not been achieved after eight cycles, use the highest CD from cycle one through cycle eight, or the default CD, whichever is lower.

[87 FR 77328, Dec. 16, 2022]

APPENDIX G TO SUBPART F OF PART 431—UNIFORM TEST METHOD FOR MEASURING THE ENERGY CONSUMPTION OF SINGLE PACKAGE VERTICAL AIR CONDITIONERS AND SINGLE PACKAGE VERTICAL HEAT PUMPS

NOTE: Prior to December 4, 2023, manufacturers must use the results of testing under either this appendix or §431.96 as it appeared in the 10 CFR parts 200–499 edition revised as of January 1, 2021, to determine compliance with the relevant standard from §431.97 as that standard appeared in the January 1, 2021, edition of 10 CFR parts 200–499. On or after December 4, 2023, manufacturers must use the results of testing generated under this appendix to demonstrate compliance with the relevant standard from §431.97 as that standard appeared in the January 1, 2021, edition of 10 CFR parts 200–499.

Beginning December 4, 2023, if manufacturers make voluntary representations with respect to the integrated energy efficiency ratio (IEER) of single packaged vertical air conditioners and single package vertical heat pumps, such representations must be based on testing conducted in accordance with appendix G1 to this subpart.

For any amended standards for single packaged vertical air conditioners and single package vertical heat pumps based on IEER published after January 1, 2021, manufacturers must use the results of testing under appendix G1 to this subpart to determine compliance. Representations related to energy consumption must be made in accordance with the appropriate appendix that applies (*i.e.*, this appendix or appendix G1) when determining compliance with the relevant standard. Manufacturers may also use appendix G1 to certify compliance with any amended standards prior to the applicable compliance date for those standards.

1. Incorporation by Reference.

DOE incorporated by reference in §431.95 the entire standard for AHRI 390–2021 and ASHRAE 37–2009. However, only certain enumerated provisions of AHRI 390–2021 and ANSI/ASHRAE 37–2009 are required or excluded as listed in this section 1. To the extent there is a conflict between the terms or provisions of a referenced industry standard and this appendix, the appendix provisions control, followed by AHRI 390–2021, followed by ANSI/ASHRAE 37–2009.

1.1. Only the following provisions of AHRI 390–2021 apply:

(a) Section 3—Definitions (omitting sections 3.1, 3.2, 3.5, 3.12, and 3.15)
(b) Section 5—Test Requirements (omitting section 5.8.5)
(c) Section 6—Rating Requirements (omitting sections 6.1.1 and 6.2 through 6.5)
(d) Appendix A. ''References—Normative''
(e) Appendix D. ''Indoor and Outdoor Air Condition Measurement—Normative''
(f) Appendix E. ''Method of Testing Single Package Vertical Units—Normative''

1.2. All provisions of ANSI/ASHRAE 37–2009 apply except for the following provisions:

(a) Section 1—Purpose
(b) Section 2—Scope
(c) Section 4—Classifications

2. General. Determine cooling capacity (Btu/h) and energy efficiency ratio (EER) for all single package vertical air conditioners and heat pumps and coefficient of performance (COP) for all single package vertical heat pumps, in accordance with the specified sections of AHRI 390–2021 and the specified sections of ANSI/ASHRAE 37–2009. Only identified provisions of AHRI 390–2021 are applicable and certain sections of ANSI/ASHRAE 37–2009 are inapplicable, as set forth in section 1 of this appendix. In addition, the instructions in section 3 of this appendix apply to determining EER and COP. Any subsequent amendment to a referenced document by a standard-setting organization will not affect the test procedure in this appendix, unless and until the test procedure is amended by DOE.

3. Test Conditions. The ''Standard Rating Full Load Capacity Test, Cooling'' conditions for cooling mode tests and ''Standard Rating Full Load Capacity Test, Heating'' conditions for heat pump heating mode tests specified in Table 3 of section 5.8.3 of AHRI 390–2021 shall be used.

3.1. Optional Representations. Representations of COP for single package vertical heat pumps made using the ''Low Temperature Operation, Heating'' condition specified in Table 3 of section 5.8.3 of AHRI 390–2021 are optional and are determined according to the applicable provisions in section 1 of this appendix.

3.2. [Reserved]

[87 FR 75169, Dec. 7, 2022]

APPENDIX G1 TO SUBPART F OF PART 431—UNIFORM TEST METHOD FOR MEASURING THE ENERGY CONSUMPTION OF SINGLE PACKAGE VERTICAL AIR CONDITIONERS AND SINGLE PACKAGE VERTICAL HEAT PUMPS

NOTE: Beginning December 4, 2023, if manufacturers make voluntary representations with respect to the integrated energy efficiency ratio (IEER) of single packaged vertical air conditioners and single package vertical heat pumps, such representations must be based on testing conducted in accordance with this appendix.

Manufacturers must use the results of testing under this appendix to determine compliance with any amended standards for single packaged vertical air conditioners and single package vertical heat pumps based on IEER provided in §431.97 that are published after January 1, 2021. Representations related to energy consumption must be made in accordance with the appropriate appendix that applies (*i.e.*, appendix G to this subpart or this appendix) when determining compliance with the relevant standard. Manufacturers may also use this appendix to certify compliance with any amended standards prior to the applicable compliance date for those standards.

1. Incorporation by Reference

DOE incorporated by reference in §431.95 the entire standard for AHRI 390–2021 and ASHRAE 37–2009. However, only certain enumerated provisions of AHRI 390–2021 and ANSI/ASHRAE 37–2009 are required or excluded as listed in this section 1. To the extent there is a conflict between the terms or provisions of a referenced industry standard and this appendix, the appendix provisions control, followed by AHRI 390–2021, followed by ANSI/ASHRAE 37–2009.

1.1. Only the following provisions of AHRI 390–2021 apply:

(a) Section 3—Definitions (omitting sections 3.1, 3.2, 3.5, 3.12, and 3.15)
(b) Section 5—Test Requirements (omitting section 5.8.5)
c) Section 6—Rating Requirements (omitting sections 6.1.1 and 6.3 through 6.5)
(d) Appendix A. ''References—Normative''
(e) Appendix D. ''Indoor and Outdoor Air Condition Measurement—Normative''
(f) Appendix E. ''Method of Testing Single Package Vertical Units—Normative''

1.2. All provisions of ANSI/ASHRAE 37–2009 apply except for the following provisions:
(a) Section 1—Purpose
(b) Section 2—Scope
(c) Section 4—Classifications

2. General. Determine cooling capacity (Btu/h) and integrated energy efficiency ratio (IEER) for all single package vertical air conditioners and heat pumps and coefficient of performance (COP) for all single package vertical heat pumps, in accordance with the specified sections of AHRI 390–2021and the specified sections of ANSI/ASHRAE 37–2009. Only identified provisions of AHRI 390–2021 and ANSI/ASHRAE 37–2009 are applicable, as set forth in section 1 of this appendix. In addition, the instructions in section 4 of this appendix apply to determining IEER and COP. Any subsequent amendment to a referenced document by a standard-setting organization will not affect the test procedure in this appendix, unless and until the test procedure is amended by DOE.

3. Test Conditions. The ''Part-Load Standard Rating Conditions'' conditions for cooling mode tests and ''Standard Rating Full Load Capacity Test, Heating'' conditions for heat pump heating mode tests specified in Table 3 of section 5.8.3 of AHRI 390–2021 shall be used.

3.1. Optional Representations. Representations of COP for single package vertical heat pumps made using the ''Low Temperature Operation, Heating'' condition specified in Table 3 of section 5.8.3 of AHRI 390–2021 are optional and are determined according to the applicable provisions in section 1.1 of this appendix.

4. *Set-Up and Test Provisions for Specific Components.* When testing a single package vertical unit (SPVU) that includes any of the features listed in table 4.1 to this appendix, test in accordance with the set-up and test provisions specified in table 4.1 to this appendix.

TABLE 4.1—TEST PROVISIONS FOR SPECIFIC COMPONENTS

Component	Description	Test provisions
Desiccant Dehumidification Components.	An assembly that reduces the moisture content of the supply air through moisture transfer with solid or liquid desiccants.	Disable desiccant dehumidification components for testing.

TABLE 4.1—TEST PROVISIONS FOR SPECIFIC COMPONENTS—Continued

Component	Description	Test provisions
Air Economizers	An automatic system that enables a cooling system to supply outdoor air to reduce or eliminate the need for mechanical cooling during mid or cold weather.	For any air economizer that is factory-installed, place the economizer in the 100% return position and close and seal the outside air dampers for testing. For any modular air economizer shipped with the unit but not factory-installed, do not install the economizer for testing.
Fresh Air Dampers	An assembly with dampers and means to set the damper position in a closed and one open position to allow air to be drawn into the equipment when the indoor fan is operating.	For any fresh air dampers that are factory-installed, close and seal the dampers for testing. For any modular fresh air dampers shipped with the unit but not factory-installed, do not install the dampers for testing.
Hail Guards	A grille or similar structure mounted to the outside of the unit covering the outdoor coil to protect the coil from hail, flying debris and damage from large objects.	Remove hail guards for testing.
Power Correction Capacitors	A capacitor that increases the power factor measured at the line connection to the equipment.	Remove power correction capacitors for testing.
Ventilation Energy Recovery System (VERS).	An assembly that preconditions outdoor air entering the equipment through direct or indirect thermal and/or moisture exchange with the exhaust air, which is defined as the building air being exhausted to the outside from the equipment.	For any VERS that is factory-installed, place the VERS in the 100% return position and close and seal the outside air dampers and exhaust air dampers for testing, and do not energize any VERS subcomponents (*e.g.,* energy recovery wheel motors). For any VERS module shipped with the unit but not factory-installed, do not install the VERS for testing.
Barometric Relief Dampers	An assembly with dampers and means to automatically set the damper position in a closed position and one or more open positions to allow venting directly to the outside a portion of the building air that is returning to the unit, rather than allowing it to recirculate to the indoor coil and back to the building.	For any barometric relief dampers that are factory-installed, close and seal the dampers for testing. For any modular barometric relief dampers shipped with the unit but not factory-installed, do not install the dampers for testing.
UV Lights	A lighting fixture and lamp mounted so that it shines light on the indoor coil, that emits ultraviolet light to inhibit growth of organisms on the indoor coil surfaces, the condensate drip pan, and/other locations within the equipment.	Turn off UV lights for testing.
Steam/Hydronic Heat Coils	Coils used to provide supplemental heating	Test with steam/hydronic heat coils in place but providing no heat.
Hot Gas Reheat	A heat exchanger located downstream of the indoor coil that heats the Supply Air during cooling operation using high pressure refrigerant in order to increase the ratio of moisture removal to Cooling Capacity provided by the equipment.	De-activate refrigerant reheat coils for testing so as to provide the minimum (none if possible) reheat achievable by the system controls.
Sound Traps/Sound Attenuators.	An assembly of structures through which the Supply Air passes before leaving the equipment or through which the return air from the building passes immediately after entering the equipment for which the sound insertion loss is at least 6 dB for the 125 Hz octave band frequency range.	Removable sound traps/sound attenuators shall be removed for testing. Otherwise, test with sound traps/attenuators in place.
Fire/Smoke/Isolation Dampers	A damper assembly including means to open and close the damper mounted at the supply or return duct opening of the equipment.	For any fire/smoke/isolation dampers that are factory-installed, set the dampers in the fully open position for testing. For any modular fire/smoke/isolation dampers shipped with the unit but not factory-installed, do not install the dampers for testing.

[87 FR 75170, Dec. 7, 2022]

Subpart G—Commercial Water Heaters, Hot Water Supply Boilers and Unfired Hot Water Storage Tanks

SOURCE: 69 FR 61983, Oct. 21, 2004, unless otherwise noted.

§ 431.101 Purpose and scope.

This subpart contains energy conservation requirements for certain commercial water heaters, hot water supply boilers and unfired hot water storage tanks, pursuant to Part C of Title III of the Energy Policy and Conservation Act, as amended, 42 U.S.C. 6311–6317.

[69 FR 61983, Oct. 21, 2004, as amended at 70 FR 60415, Oct. 18, 2005]

§ 431.102 Definitions concerning commercial water heaters, hot water supply boilers, unfired hot water storage tanks, and commercial heat pump water heaters.

The following definitions apply for purposes of this subpart G, and of subparts J through M of this part. Any words or terms not defined in this section or elsewhere in this part shall be defined as provided in section 340 of the Act, 42 U.S.C. 6311.

Air-source commercial heat pump water heater means a commercial heat pump water heater that utilizes indoor or outdoor air as the heat source.

Basic model means all water heaters, hot water supply boilers, or unfired hot water storage tanks manufactured by one manufacturer within a single equipment class, having the same primary energy source (e.g., gas or oil) and that have essentially identical electrical, physical and functional characteristics that affect energy efficiency.

Coefficient of performance (COP_h) means the dimensionless ratio of the rate of useful heat transfer gained by the water (expressed in Btu/h), to the rate of electric power consumed during operation (expressed in Btu/h).

Commercial heat pump water heater (CHPWH) means a water heater (including all ancillary equipment such as fans, blowers, pumps, storage tanks, piping, and controls, as applicable) that uses a refrigeration cycle, such as vapor compression, to transfer heat from a low-temperature source to a higher-temperature sink for the purpose of heating potable water, and operates with a current rating greater than 24 amperes or a voltage greater than 250 volts. Such equipment includes, but is not limited to, air-source heat pump water heaters, water-source heat pump water heaters, and direct geo-exchange heat pump water heaters.

Direct geo-exchange commercial heat pump water heater means a commercial heat pump water heater that utilizes the earth as a heat source and allows for direct exchange of heat between the earth and the refrigerant in the evaporator coils.

Flow-activated instantaneous water heater means an instantaneous water heater or hot water supply boiler that activates the burner or heating element only if heated water is drawn from the unit.

Fuel input rate means the maximum measured rate at which gas-fired or oil-fired commercial water heating equipment uses energy as determined using test procedures prescribed under § 431.106 of this part.

Ground-source closed-loop commercial heat pump water heater means a commercial heat pump water heater that utilizes a fluid circulated through a closed piping loop as a medium to transfer heat from the ground to the refrigerant in the evaporator. The piping loop may be buried inside the ground in horizontal trenches or vertical bores, or submerged in a surface water body.

Ground water-source commercial heat pump water heater means a commercial heat pump water heater that utilizes ground water as the heat source.

Hot water supply boiler means a packaged boiler (defined in § 431.82 of this part) that is industrial equipment and that:

(1) Has a rated input from 300,000 Btu/h to 12,500,000 Btu/h and of at least 4,000 Btu/h per gallon of stored water;

(2) Is suitable for heating potable water; and

(3) Meets either or both of the following conditions:

(i) It has the temperature and pressure controls necessary for heating potable water for purposes other than space heating; or

(ii) The manufacturer's product literature, product markings, product marketing, or product installation and operation instructions indicate that the boiler's intended uses include heating potable water for purposes other than space heating.

Indoor water-source commercial heat pump water heater means a commercial heat pump water heater that utilizes indoor water as the heat source.

Instantaneous water heater means a water heater that uses gas, oil, or electricity, including:

(1) Gas-fired instantaneous water heaters with a rated input both greater than 200,000 Btu/h and not less than 4,000 Btu/h per gallon of stored water;

(2) Oil-fired instantaneous water heaters with a rated input both greater than 210,000 Btu/h and not less than 4,000 Btu/h per gallon of stored water; and

(3) Electric instantaneous water heaters with a rated input both greater than 12 kW and not less than 4,000 Btu/h per gallon of stored water.

Rated input means the maximum rate at which commercial water heating equipment is rated to use energy as specified on the nameplate.

R-value means the thermal resistance of insulating material as determined using ASTM C177–13 or C518–15 (incorporated by reference; see § 431.105) and expressed in (°F·ft^2·h/Btu).

Residential-duty commercial water heater means any gas-fired storage, oil-fired storage, or electric instantaneous commercial water heater that meets the following conditions:

(1) For models requiring electricity, uses single-phase external power supply;

(2) Is not designed to provide outlet hot water at temperatures greater than 180 °F; and

(3) Does not meet any of the following criteria:

Water heater type	Indicator of non-residential application
Gas-fired Storage.	Rated input >105 kBtu/h; Rated storage volume >120 gallons.
Oil-fired Storage.	Rated input >140 kBtu/h; Rated storage volume >120 gallons.
Electric Instantaneous.	Rated input >58.6 kW; Rated storage volume >2 gallons.

Standby loss means:

(1) For electric commercial water heating equipment (not including commercial heat pump water heaters), the average hourly energy required to maintain the stored water temperature expressed as a percent per hour (%/h) of the heat content of the stored water above room temperature and determined in accordance with appendix B or D to subpart G of part 431 (as applicable), denoted by the term ''S''; or

(2) For gas-fired and oil-fired commercial water heating equipment, the average hourly energy required to maintain the stored water temperature expressed in British thermal units per hour (Btu/h) based on a 70 °F temperature differential between stored water and ambient room temperature and determined in accordance with appendix A or C to subpart G of part 431 (as applicable), denoted by the term ''SL.''

Storage-type instantaneous water heater means an instantaneous water heater that includes a storage tank with a rated storage volume greater than or equal to 10 gallons.

Storage water heater means a water heater that uses gas, oil, or electricity to heat and store water within the appliance at a thermostatically-controlled temperature for delivery on demand, including:

(1) Gas-fired storage water heaters with a rated input both greater than 75,000 Btu/h and less than 4,000 Btu/h per gallon of stored water;

(2) Oil-fired storage water heaters with a rated input both greater than 105,000 Btu/h and less than 4,000 Btu/h per gallon of stored water; and

(3) Electric storage water heaters with a rated input both greater than 12 kW and less than 4,000 Btu/h per gallon of stored water.

Tank surface area means, for the purpose of determining portions of a tank requiring insulation, those areas of a storage tank, including hand holes and manholes, in its uninsulated or pre-insulated state, that do not have pipe penetrations or tank supports attached.

Thermal efficiency for an instantaneous water heater, a storage water heater or a hot water supply boiler means the ratio of the heat transferred to the water flowing through the water heater to the amount of energy consumed by the water heater as measured during the thermal efficiency test procedure prescribed in this subpart.

Unfired hot water storage tank means a tank used to store water that is heated externally, and that is industrial equipment.

[69 FR 61983, Oct. 21, 2004, as amended at 76 FR 12503, Mar. 7, 2011; 78 FR 79599, Dec. 31, 2013; 79 FR 40586, July 11, 2014; 81 FR 79321, Nov. 10, 2016; 88 FR 40494, June 21, 2023; 88 FR 69821, Oct. 6, 2023]

TEST PROCEDURES

§ 431.105 Materials incorporated by reference.

(a) Certain material is incorporated by reference into this subpart with the approval of the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in this section, the DOE must publish a document in the FEDERAL REGISTER and the material must be available to the public. All approved incorporation by reference (IBR) material is available for inspection at DOE and at the National Archives and Records Administration (NARA). Contact DOE at: the U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Program, 1000 Independence Avenue SW, EE–5B, Washington, DC 20024, (202) 586–9127, *Buildings@ee.doe.gov, www.energy.gov/eere/buildings/building-technologies-office*. For information on the availability of this material at NARA, visit *www.archives.gov/federal-register/cfr/ibr-locations.html* or email: *fr.inspection@nara.gov*. The material may be obtained from the sources in the following paragraphs of this section.

(b) *ASHRAE*. American Society of Heating, Refrigerating and Air-Conditioning Engineers, 1791 Tullie Circle NE. Atlanta, GA 30329, (800) 527–4723, or go to *https://www.ashrae.org*.

(1) ANSI/ASHRAE Standard 118.1–2012, ''Method of Testing for Rating Commercial Gas, Electric, and Oil Service Water-Heating Equipment,'' approved by ASHRAE on October 26, 2012, IBR approved for appendix E to this subpart, as follows:

(i) Section 3—Definitions and Symbols;

(ii) Section 4—Classifications by Mode of Operation (sections 4.4, and 4.5 only);

(iii) Section 6—Instruments (except sections 6.3, 6.4 and 6.6);

(iv) Section 7—Apparatus (except section 7.4, Figures 1 through 4, section 7.7.5, Table 2, and section 7.7.7.4);

(v) Section 8—Methods of Testing:

(A) Section 8.2—Energy Supply, Section 8.2.1—Electrical Supply;

(B) Section 8.7—Water Temperature Control;

(vi) Section 9—Test Procedures: 9.1—Input Rating, Heating Capacity, Thermal Efficiency, Coefficient of Performance (COP), and Recovery Rating; 9.1.1—Full Input Rating;

(vii) Section 10—Calculation of Results: Section 10.3—Heat-Pump Water Heater Water-Heating Capacity, Coefficient of Performance (COP), and Recovery Rating; Section 10.3.1—Type IV and Type V Full-Capacity Test Method.

(2) [Reserved]

(c) *ASTM*. ASTM International, 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA 19428–2959, (610) 832–9585, or go to *http://www.astm.org*.

(1) ASTM C177–13, ''Standard Test Method for Steady-State Heat Flux Measurements and Thermal Transmission Properties by Means of the Guarded-Hot-Plate Apparatus,'' approved September 15, 2013, IBR approved for § 431.102.

(2) ASTM C518–15, ''Standard Test Method for Steady-State Thermal Transmission Properties by Means of the Heat Flow Meter Apparatus,'' approved September 1, 2015, IBR approved for § 431.102t.

(3) ASTM D2156–09 (Reapproved 2013), ''Standard Test Method for Smoke Density in Flue Gases from Burning Distillate Fuels,'' approved October 1, 2013, IBR approved for appendices A and C to this subpart.

(d) CSA Group, 5060 Spectrum Way, Suite 100, Mississauga, Ontario, Canada L4W 5N6, 800–463–6727, or go to *http://www.csagroup.org/*.

(1) ANSI Z21.10.3–2015 * CSA 4.3–2015 (''ANSI Z21.10.3–2015''), ''Gas-fired water heaters, volume III, storage water heaters with input ratings above 75,000 Btu per hour, circulating and instantaneous,'' approved by ANSI on October 5, 2015, IBR approved for appendices A, B, and C to this subpart, as follows:

(i) Annex E (normative) Efficiency test procedures—E.1—Method of test for measuring thermal efficiency, paragraph c—Vent requirements; and

(ii) Annex E (normative) Efficiency test procedures—E.1—Method of test for measuring thermal efficiency, paragraph f—Installation of temperature sensing means.

(2) [Reserved]

[77 FR 28996, May 16, 2012, as amended at 81 FR 79322, Nov. 10, 2016; 88 FR 69821, Oct. 6, 2023]

§ 431.106 Uniform test method for the measurement of energy efficiency of commercial water heating equipment.

(a) *Scope.* This section contains test procedures for measuring, pursuant to EPCA, the energy efficiency of commercial water heating equipment.

(b) *Testing and calculations.* Determine the energy efficiency of commercial water heating equipment by conducting the applicable test procedure(s):

(1) *Residential-duty commercial water heaters.* Test in accordance with appendix E to subpart B of part 430 of this chapter.

(2) *Commercial water heating equipment other than residential-duty commercial water heaters.* Test in accordance with the appropriate test procedures in appendices to subpart G of this part.

(i) *Gas-fired and oil-fired storage water heaters and storage-type instantaneous water heaters.* Test according to appendix A to subpart G of this part.

(ii) *Electric storage water heaters and storage-type instantaneous water heaters.* Test according to appendix B to subpart G of this part.

(iii) *Gas-fired and oil-fired instantaneous water heaters and hot water supply boilers (other than storage-type instantaneous water heaters).* Test according to appendix C to subpart G of this part.

(iv) *Electric instantaneous water heaters (other than storage-type instantaneous water heaters).* Test according to appendix D to subpart G of this part.

(v) *Commercial heat pump water heaters.* Test according to appendix E to subpart G of this part.

[81 FR 79322, Nov. 10, 2016]

ENERGY CONSERVATION STANDARDS

§ 431.110 Energy conservation standards and their effective dates.

(a) Each commercial storage water heater, instantaneous water heater, and hot water supply boiler (excluding residential-duty commercial water heaters) must meet the applicable energy conservation standard level(s) as specified in the table to this paragraph. Any packaged boiler that provides service water that meets the definition of ''commercial packaged boiler'' in subpart E of this part, but does not meet the definition of ''hot water supply boiler'' in subpart G of this part, must meet the requirements that apply to it under subpart E of this part.

TABLE 1 TO § 431.110(a)—COMMERCIAL WATER HEATER ENERGY CONSERVATION STANDARDS

Equipment	Size	Energy conservation standards [a]			
		Minimum thermal efficiency (equipment manufactured on and after October 9, 2015) (%)	Minimum thermal efficiency (equipment manufactured on and after October 6, 2026) (%)	Maximum standby loss (equipment manufactured on and after October 29, 2003) [b]	Maximum standby loss (equipment manufactured on and after October 6, 2026) [b]
Electric storage water heaters.	All	N/A	N/A	$0.30 + 27/V_m$ (%/h).	$0.30 + 27/V_m$ (%/h)

TABLE 1 TO § 431.110(a)—COMMERCIAL WATER HEATER ENERGY CONSERVATION STANDARDS—Continued

Equipment	Size	Energy conservation standards [a]			
		Minimum thermal efficiency (equipment manufactured on and after October 9, 2015) (%)	Minimum thermal efficiency (equipment manufactured on and after October 6, 2026) (%)	Maximum standby loss (equipment manufactured on and after October 29, 2003) [b]	Maximum standby loss (equipment manufactured on and after October 6, 2026) [b]
Gas-fired storage water heaters and storage-type instantaneous water heaters.	All	80	95	$Q/800 + 110(V_r)^{1/2}$ (Btu/h).	$0.86 \times [Q/800 + 110(V_r)^{1/2}]$ (Btu/h)
Oil-fired storage water heaters.	All	80	80	$Q/800 + 110(V_r)^{1/2}$ (Btu/h).	$Q/800 + 110(V_r)^{1/2}$ (Btu/h)
Electric instantaneous water heaters [c].	<10 gal.	80	80	N/A	N/A
	≥10 gal.	77	77	$2.30 + 67/V_m$ (%/h).	$2.30 + 67/V_m$ (%/h)
Gas-fired instantaneous water heaters and hot water supply boilers.	<10 gal.	80	96	N/A	N/A
	≥10 gal.	80	96	$Q/800 + 110(V_r)^{1/2}$ (Btu/h).	$Q/800 + 110(V_r)^{1/2}$ (Btu/h)
Oil-fired instantaneous water heater and hot water supply boilers.	<10 gal.	80	80	N/A	N/A
	≥10 gal.	78	78	$Q/800 + 110(V_r)^{1/2}$ (Btu/h).	$Q/800 + 110(V_r)^{1/2}$ (Btu/h)

[a] V_m is the measured storage volume, and V_r is the rated storage volume, both in gallons. Q is the rated input in Btu/h, as determined pursuant to 10 CFR 429.44.

[b] Water heaters and hot water supply boilers with a rated storage volume greater than 140 gallons need not meet the standby loss requirement if:

(1) The tank surface area is thermally insulated to R–12.5 or more, with the R-value as defined in § 431.102

(2) A standing pilot light is not used; and

(3) For gas-fired or oil-fired storage water heaters, they have a flue damper or fan-assisted combustion.

[c] The compliance date for energy conservation standards for electric instantaneous water heaters is January 1, 1994.

(b) Each unfired hot water storage tank manufactured on and after October 29, 2003, must have a minimum thermal insulation of R–12.5.

(c) Each residential-duty commercial water heater must meet the applicable energy conservation standard level(s) as follows:

TABLE 2 TO § 431.110(c)—RESIDENTIAL-DUTY COMMERCIAL WATER HEATER ENERGY CONSERVATION STANDARDS

Equipment	Specifications [a]	Draw pattern	Uniform energy factor [b]	
			Equipment manufactured before October 6, 2026	Equipment manufactured after October 6, 2026
Gas-fired storage.	>75 kBtu/hr and ≤105 kBtu/hr and ≤120 gal.	Very Small ..	$0.2674 - (0.0009 \times V_r)$	$0.5374 - (0.0009 \times V_r)$
		Low	$0.5362 - (0.0012 \times V_r)$	$0.8062 - (0.0012 \times V_r)$
		Medium	$0.6002 - (0.0011 \times V_r)$	$0.8702 - (0.0011 \times V_r)$
		High	$0.6597 - (0.0009 \times V_r)$	$0.9297 - (0.0009 \times V_r)$

TABLE 2 TO § 431.110(c)—RESIDENTIAL-DUTY COMMERCIAL WATER HEATER ENERGY CONSERVATION STANDARDS—Continued

Equipment	Specifications [a]	Draw pattern	Uniform energy factor [b]	
			Equipment manufactured before October 6, 2026	Equipment manufactured after October 6, 2026
Oil-fired storage.	>105 kBtu/hr and ≤140 kBtu/hr and ≤120 gal.	Very Small ..	$0.2932 - (0.0015 \times V_r)$	$0.2932 - (0.0015 \times V_r)$
		Low	$0.5596 - (0.0018 \times V_r)$	$0.5596 - (0.0018 \times V_r)$
		Medium	$0.6194 - (0.0016 \times V_r)$	$0.6194 - (0.0016 \times V_r)$
		High	$0.6470 - (0.0013 \times V_r)$	$0.6470 - (0.0013 \times V_r)$
Electric instantaneous.	>12 kW and ≤58.6 kW and ≤2 gal.	Very Small ..	0.80	0.80
		Low	0.80	0.80
		Medium	0.80	0.80
		High	0.80	0.80

[a] Additionally, to be classified as a residential-duty commercial water heater, a commercial water heater must meet the following conditions: (1) If the water heater requires electricity, it must use a single-phase external power supply; and (2) The water heater must not be designed to heat water to temperatures greater than 180 °F.

[b] V_r is the rated storage volume (in gallons), as determined pursuant to 10 CFR 429.44.

[88 FR 69822, Oct. 6, 2023]

APPENDIX A TO SUBPART G OF PART 431—UNIFORM TEST METHOD FOR THE MEASUREMENT OF THERMAL EFFICIENCY AND STANDBY LOSS OF GAS-FIRED AND OIL-FIRED STORAGE WATER HEATERS AND STORAGE-TYPE INSTANTANEOUS WATER HEATERS

NOTE: Prior to November 6, 2017, manufacturers must make any representations with respect to the energy use or efficiency of the subject commercial water heating equipment in accordance with the results of testing pursuant to this appendix or the procedures in 10 CFR 431.106 that were in place on January 1, 2016. On and after November 6, 2017, manufacturers must make any representations with respect to energy use or efficiency of gas-fired and oil-fired storage water heaters and storage-type instantaneous water heaters in accordance with the results of testing pursuant to this appendix to demonstrate compliance with the energy conservation standards at 10 CFR 431.110.

1. General

Determine the thermal efficiency and standby loss (as applicable) in accordance with the following sections of this appendix. Certain sections reference sections of Annex E.1 of ANSI Z21.10.3–2015 (incorporated by reference; see § 431.105). Where the instructions contained in the sections below conflict with instructions in Annex E.1 of ANSI Z21.10.3–2015, the instructions contained in this appendix control.

2. Test Set-Up

2.1. *Placement of Water Heater.* A water heater for installation on combustible floors must be placed on a ¾-inch plywood platform supported by three 2 x 4-inch runners. If the water heater is for installation on noncombustible floors, suitable noncombustible material must be placed on the platform. When the use of the platform for a large water heater is not practical, the water heater may be placed on any suitable flooring. A wall-mounted water heater must be mounted on a simulated wall section.

2.2. *Installation of Temperature Sensors.* Inlet and outlet water piping must be turned vertically downward from the connections on the water heater so as to form heat traps. Temperature sensors for measuring supply and outlet water temperatures must be installed upstream from the inlet heat trap piping and downstream from the outlet heat trap piping, respectively, in accordance with Figure 2.1, 2.2, or 2.3 (as applicable based on the location of inlet and outlet piping connections) of this section.

The water heater must meet the requirements shown in Figure 2.1, 2.2, or 2.3 (as applicable) at all times during the conduct of the thermal efficiency and standby loss tests. Any factory-supplied heat traps must be installed per the installation instructions while ensuring the requirements in Figure 2.1, 2.2, or 2.3 are met. All dimensions specified in Figure 2.1, 2.2, and 2.3 and in this section are measured from the outer surface of the pipes and water heater outer casing (as applicable).

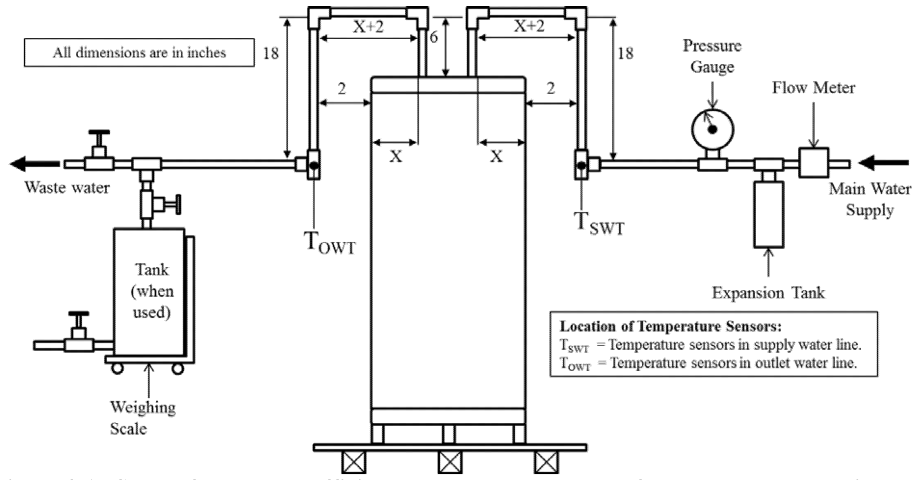


Figure 2.1. Set-up for thermal efficiency and standby loss test for water heaters equipped with vertical (top) connections

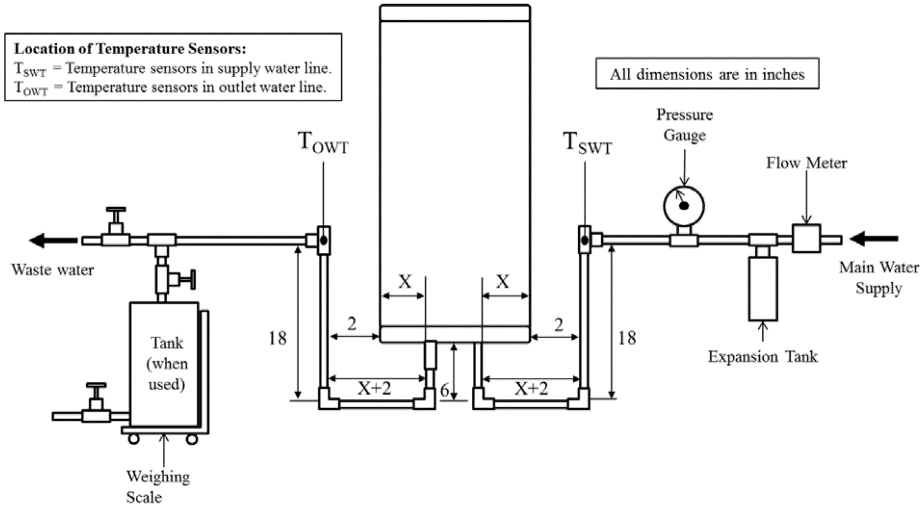


Figure 2.2. Set-up for thermal efficiency and standby loss test for water heaters equipped with vertical (bottom) connections

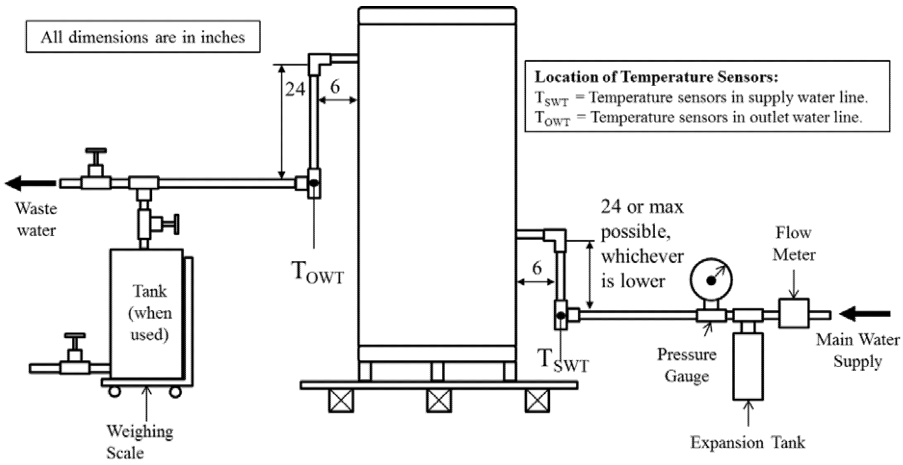


Figure 2.3. Set-up for thermal efficiency and standby loss test for water heaters equipped with horizontal connections

2.3 *Installation of Temperature Sensors for Measurement of Mean Tank Temperature.* Install temperature sensors inside the tank for measurement of mean tank temperature according to the instructions in paragraph f of Annex E.1 of ANSI Z21.10.3–2015 (incorporated by reference; see §431.105). Calculate the mean tank temperature as the average of the six installed temperature sensors.

2.4. *Piping Insulation.* Insulate all water piping external to the water heater jacket, including heat traps and piping that are installed by the manufacturer or shipped with the unit, for at least 4 ft of piping length from the connection at the appliance, with material having an R-value not less than 4 °F·ft²·h/Btu. Ensure that the insulation does not contact any appliance surface except at the location where the pipe connections penetrate the appliance jacket or enclosure.

2.5. *Temperature and Pressure Relief Valve Insulation.* If the manufacturer has not provided a temperature and pressure relief valve, one shall be installed and insulated as specified in section 2.4 of this appendix.

2.6. *Vent Requirements.* Follow the requirements for venting arrangements specified in paragraph c of Annex E.1 of ANSI Z21.10.3–2015 (incorporated by reference; see §431.105).

2.7. *Energy Consumption.* Install equipment that determines, within ± 1 percent:

2.7.1. The quantity and rate of fuel consumed.

2.7.2. The quantity of electricity consumed by factory-supplied water heater components.

3. Test Conditions

3.1. *Water Supply*

3.1.1. *Water Supply Pressure.* The pressure of the water supply must be maintained between 40 psi and the maximum pressure specified by the manufacturer of the unit being tested. The accuracy of the pressure-measuring devices must be within ± 1.0 pounds per square inch (psi).

3.1.2. *Water Supply Temperature.* During the steady-state verification period and the thermal efficiency test, the temperature of the supply water must be maintained at 70 °F ± 2 °F.

3.1.3. Isolate the water heater using a shutoff valve in the supply line with an expansion tank installed in the supply line downstream of the shutoff valve. There must be no shutoff means between the expansion tank and the appliance inlet.

3.2. *Gas Pressure for Gas-Fired Equipment.* The supply gas pressure must be within the range specified by the manufacturer on the nameplate of the unit being tested. The difference between the outlet pressure of the gas appliance pressure regulator and the value specified by the manufacturer on the nameplate of the unit being tested must not exceed the greater of: ± 10 percent of the nameplate value or ± 0.2 inches water column (in. w.c.). Obtain the higher heating value of the gas burned.

3.3. *Ambient Room Temperature.* During the soak-in period (as applicable), the steady-state verification period, the thermal efficiency test, and the standby loss test, maintain the ambient room temperature at 75 °F ± 10 °F at all times. Measure the ambient room temperature at 1-minute intervals during these periods, except for the soak-in period. Measure the ambient room temperature

once before beginning the soak-in period, and ensure no actions are taken during the soak-in period that would cause the ambient room temperature to deviate from the allowable range. Measure the ambient room temperature at the vertical mid-point of the water heater and approximately 2 feet from the water heater jacket. Shield the sensor against radiation. Calculate the average ambient room temperature separately for the thermal efficiency test and standby loss test. During the thermal efficiency and standby loss tests, the ambient room temperature must not vary by more than ± 5.0 °F at any reading from the average ambient room temperature.

3.4. *Test Air Temperature.* During the steady-state verification period, the thermal efficiency test, and the standby loss test, the test air temperature must not vary by more than ± 5 °F from the ambient room temperature at any reading. Measure the test air temperature at 1-minute intervals during these periods and at a location within two feet of the air inlet of the water heater or the combustion air intake vent, as applicable. Shield the sensor against radiation. For units with multiple air inlets, measure the test air temperature at each air inlet, and maintain the specified tolerance on deviation from the ambient room temperature at each air inlet. For units without a dedicated air inlet, measure the test air temperature within two feet of any location on the water heater where combustion air is drawn.

3.5. *Maximum Air Draft.* During the steady-state verification period, the thermal efficiency test, and the standby loss test, the water heater must be located in an area protected from drafts of more than 50 ft/min. Prior to beginning the steady-state verification period and the standby loss test, measure the air draft within three feet of the jacket or enclosure of the water heater to ensure this condition is met. Ensure that no other changes that would increase the air draft are made to the test set-up or conditions during the conduct of the tests.

3.6. *Setting the Tank Thermostat.* Before starting the steady-state verification period (as applicable) or before the soak-in period (as applicable), the thermostat setting must first be obtained by starting with the water in the system at 70 °F ± 2 °F. Set the thermostat to ensure:

3.6.1. With the supply water temperature set as per section 3.1.2 of this appendix (*i.e.*, 70 °F ± 2 °F), the water flow rate can be varied so that the outlet water temperature is constant at 70 °F ± 2 °F above the supply water temperature while the burner is firing at full firing rate; and

3.6.2. After the water supply is turned off and the thermostat reduces the fuel supply to a minimum, the maximum water temperature measured by the topmost tank temperature sensor (*i.e.*, the highest of the 6 temperature sensors used for calculating mean tank temperature, as required by section 2.3 of this appendix) is 140 °F ± 5 °F.

3.7. *Additional Requirements for Oil-Fired Equipment.*

3.7.1. *Venting Requirements.* Connect a vertical length of flue pipe to the flue gas outlet of sufficient height so as to meet the minimum draft specified by the manufacturer.

3.7.2. *Oil Supply.* Adjust the burner rate so that the following conditions are met:

3.7.2.1. The CO_2 reading is within the range specified by the manufacturer;

3.7.2.2. The fuel pump pressure is within ± 10 percent of manufacturer's specifications;

3.7.2.3. If either the fuel pump pressure or range for CO_2 reading are not specified by the manufacturer on the nameplate of the unit, in literature shipped with the unit, or in supplemental test report instructions included with a certification report, then a default value of 100 psig is to be used for fuel pump pressure, and a default range of 9–12 percent is to be used for CO_2 reading; and

3.7.2.4. Smoke in the flue does not exceed No. 1 smoke as measured by the procedure in ASTM D2156–09 (Reapproved 2013) (incorporated by reference, see §431.105). To determine the smoke spot number, connect the smoke measuring device to an open-ended tube. This tube must project into the flue ¼ to ½ of the pipe diameter.

3.7.2.5. If no settings on the water heater have been changed and the water heater has not been turned off since the end of a previously run thermal efficiency or standby loss test, measurement of the CO_2 reading and conduct of the smoke spot test are not required prior to beginning a test. Otherwise, measure the CO_2 reading and determine the smoke spot number, with the burner firing, before the beginning of the steady-state verification period prior to the thermal efficiency test, and prior to beginning the standby loss test.

3.8. *Data Collection Intervals.* Follow the data recording intervals specified in the following sections.

3.8.1. *Soak-In Period.* For units that require a soak-in period, measure the ambient room temperature, in °F, prior to beginning the soak-in period.

3.8.2. *Steady-State Verification Period and Thermal Efficiency Test.* For the steady-state verification period and the thermal efficiency test, follow the data recording intervals specified in Table 3.1 of this appendix.

TABLE 3.1—DATA TO BE RECORDED BEFORE AND DURING THE STEADY-STATE VERIFICATION PERIOD AND THERMAL EFFICIENCY TEST

Item recorded	Before steady-state verification period	Every 1 minute [a]	Every 10 minutes
Gas supply pressure, in w.c.	X		
Gas outlet pressure, in w.c.	X		
Barometric pressure, in Hg	X		
Fuel higher heating value, Btu/ft^3 (gas) or Btu/lb (oil)	X		
Oil pump pressure, psig (oil only)	X		
CO_2 reading, % (oil only)	X [b]		
Oil smoke spot reading (oil only)	X [b]		
Air draft, ft/min	X		
Time, minutes/seconds		X	
Fuel weight or volume, lb (oil) or ft^3 (gas)			X [c]
Supply water temperature (T_{SWT}), °F		X	
Outlet water temperature (T_{OWT}), °F		X	
Ambient room temperature, °F		X	
Test air temperature, °F		X	
Water flow rate, (gpm)		X	

Notes:
[a] These measurements are to be recorded at the start of the steady-state verification period and the end of the thermal efficiency test, as well as every minute during both periods.
[b] The smoke spot test and CO_2 reading are not required prior to beginning the steady-state verification period if no settings on the water heater have been changed and the water heater has not been turned off since the end of a previously-run efficiency test (*i.e.,* thermal efficiency or standby loss).
[c] Fuel and electricity consumption over the course of the entire thermal efficiency test must be measured and used in calculation of thermal efficiency.

3.8.3. *Standby Loss Test*. For the standby loss test, follow the data recording intervals specified in Table 3.2 of this appendix. Additionally, the fuel and electricity consumption over the course of the entire test must be measured and used in calculation of standby loss.

TABLE 3.2—DATA TO BE RECORDED BEFORE AND DURING THE STANDBY LOSS TEST

Item recorded	Before test	Every 1 minute [a]
Gas supply pressure, in w.c..	X	
Gas outlet pressure, in w.c..	X	
Barometric pressure, in Hg.	X	
Fuel higher heating value, Btu/ft^3 (gas) or Btu/lb (oil).	X	
Oil pump pressure, psig (oil only).	X	
CO_2 reading, % (oil only).	X [b]	
Oil smoke spot reading (oil only).	X [b]	
Air draft, ft/min	X	
Time, minutes/seconds.		X
Mean tank temperature, °F.		X [c]
Ambient room temperature, °F.		X
Test air temperature, °F.		X

Notes:
[a] These measurements are to be recorded at the start and end of the test, as well as every minute during the test.
[b] The smoke spot test and CO_2 reading are not required prior to beginning the standby loss test if no settings on the water heater have been changed and the water heater has not been turned off since the end of a previously-run efficiency test (*i.e.,* thermal efficiency or standby loss).
[c] Mean tank temperature is calculated as the average of the 6 tank temperature sensors, installed per section 2.3 of this appendix.

4. Determination of Storage Volume. Determine the storage volume by subtracting the tare weight, measured while the system is dry and empty, from the weight of the system when filled with water and dividing the resulting net weight of water by the density of water at the measured water temperature. The volume of the water contained in the water heater must be computed in gallons.

5. *Thermal Efficiency Test*. Before beginning the steady-state verification period, record the applicable parameters as specified in section 3.8.2 of this appendix. Begin drawing water from the unit by opening the main supply, and adjust the water flow rate to achieve an outlet water temperature of 70 °F ± 2 °F above supply water temperature. The thermal efficiency test shall be deemed complete when there is a continuous, one-hour-long period where the steady-state conditions specified in section 5.1 of this appendix have been met, as confirmed by consecutive readings of the relevant parameters recorded at 1-minute intervals (except for fuel input rate, which is determined at 10-minute intervals, as specified in section 5.4 of this appendix). During the one-hour-long period, the water heater must fire continuously at its full firing rate (*i.e.*, no modulations or cut-outs) and no settings can be changed on the unit being tested at any time. The first 30

minutes of the one-hour-period where the steady-state conditions in section 5.1 of this appendix are met is the steady-state verification period. The final 30 minutes of the one-hour-period where the steady-state conditions in section 5.1 of this appendix are met is the thermal efficiency test. The last reading of the steady-state verification period must be the first reading of the thermal efficiency test (*i.e.*, the thermal efficiency test starts immediately once the steady-state verification period ends).

5.1. Steady-State Conditions. The following conditions must be met at consecutive readings taken at 1-minute intervals (except for fuel input rate, for which measurements are taken at 10-minute intervals) to verify the water heater has achieved steady-state operation during the steady-state verification period and thermal efficiency test.

5.1.1. The water flow rate must be maintained within ± 0.25 gallons per minute (gpm) of the initial reading at the start of the steady-state verification period;

5.1.2. Outlet water temperature must be maintained at 70 °F ± 2 °F above supply water temperature;

5.1.3. Fuel input rate must be maintained within ± 2 percent of the rated input certified by the manufacturer;

5.1.4. The supply water temperature must be maintained within ± 0.50 °F of the initial reading at the start of the steady-state verification period; and

5.1.5. The rise between the supply and outlet water temperatures must be maintained within ± 0.50 °F of its initial value taken at the start of the steady-state verification period for units with rated input less than 500,000 Btu/h, and maintained within ± 1.00 °F of its initial value for units with rated input greater than or equal to 500,000 Btu/h.

5.2. *Water Flow Measurement.* Measure the total weight of water heated during the 30-minute thermal efficiency test with either a scale or a water flow meter. With either method, the error of measurement of weight of water heated must not exceed 1 percent of the weight of the total draw.

5.3. Determination of Fuel Input Rate. During the steady-state verification period and the thermal efficiency test, record the fuel consumed at 10-minute intervals. Calculate the fuel input rate over each 10-minute period using the equations in section 5.4 of this appendix. The measured fuel input rates for these 10-minute periods must not vary by more than ± 2 percent between any two readings. Determine the overall fuel input rate using the fuel consumption for the entire duration of the thermal efficiency test.

5.4. Fuel Input Rate Calculation. To calculate the fuel input rate, use the following equation:

$$Q = \frac{Q_s * C_s * H}{t}$$

Where,

Q = Fuel input rate, expressed in Btu/h

Q_s = Total fuel flow as metered, expressed in ft^3 for gas-fired equipment and lb for oil-fired equipment

C_s = Correction applied to the heating value of a gas H, when it is metered at temperature and/or pressure conditions other than the standard conditions for which the value of H is based. Cs=1 for oil-fired equipment.

H = Higher heating value of fuel, expressed in Btu/ft^3 for gas-fired equipment and Btu/lb for oil-fired equipment.

t = Duration of measurement of fuel consumption

5.5. Thermal Efficiency Calculation. Thermal efficiency must be calculated using data from the 30-minute thermal efficiency test. Calculate thermal efficiency, E_t, using the following equation:

$$E_t = \frac{K * W * (\theta_2 - \theta_1)}{(C_s * Q * H) + E_c}$$

Where,

K = 1.004 Btu/lb· °F, the nominal specific heat of water at 105 °F

W = Total weight of water heated, expressed in lb

θ_1 = Average supply water temperature, expressed in °F

θ_2 = Average outlet water temperature, expressed in °F

Q = Total fuel flow as metered, expressed in ft^3 for gas-fired equipment and lb for oil-fired equipment.
C_s = Correction applied to the heating value of a gas H, when it is metered at temperature and/or pressure conditions other than the standard conditions for which the value of H is based. C_s=1 for oil-fired equipment
H. = Higher heating value of the fuel, expressed in Btu/ft^3 for gas-fired equipment and Btu/lb for oil-fired equipment.
E_c = Electrical consumption of the water heater and, when used, the test set-up recirculating pump, expressed in Btu

6. Standby Loss Test

6.1. If no settings on the water heater have changed and the water heater has not been turned off since a previously run thermal efficiency or standby loss test, skip to section 6.3 of this appendix. Otherwise, conduct the soak-in period according to section 6.2 of this appendix.

6.2. *Soak-In Period.* Conduct a soak-in period, in which the water heater must sit without any draws taking place for at least 12 hours. Begin the soak-in period after setting the tank thermostat as specified in section 3.6 of this appendix, and maintain these thermostat settings throughout the soak-in period.

6.3. Begin the standby loss test at the first cut-out following the end of the soak-in period (if applicable); or at a cut-out following the previous thermal efficiency or standby loss test (if applicable). Allow the water heater to remain in standby mode. Do not change any settings on the water heater at any point until measurements for the standby loss test are finished. Begin recording the applicable parameters specified in section 3.8.3 of this appendix.

*6.*4. At the second cut-out, record the time and ambient room temperature, and begin measuring the fuel and electricity consumption. Record the initial mean tank temperature and initial ambient room temperature. For the remainder of the test, continue recording the applicable parameters specified in section 3.8.3 of this appendix.

*6.*5. Stop the test after the first cut-out that occurs after 24 hours, or at 48 hours, whichever comes first.

*6.*6. Immediately after conclusion of the standby loss test, record the total fuel flow and electrical energy consumption, the final ambient room temperature, the duration of the standby loss test, and if the test ends at 48 hours without a cut-out, the final mean tank temperature, or if the test ends after a cut-out, the maximum mean tank temperature that occurs after the cut-out. Calculate the average of the recorded values of the mean tank temperature and of the ambient room temperature taken at each measurement interval, including the initial and final values.

*6.*7. *Standby Loss Calculation.* To calculate the standby loss, follow the steps below:

*6.*7.1. The standby loss expressed as a percentage (per hour) of the heat content of the stored water above room temperature must be calculated using the following equation:

$$S = \frac{E_c + (C_s)(Q_s)(H) - \left(\frac{k(V_a)(\Delta T_4)}{E_t/100}\right)}{k(V_a)(\Delta T_3)(t)} \times 100$$

Where,
ΔT_3 = Average value of the mean tank temperature minus the average value of the ambient room temperature, expressed in °F
ΔT_4 = Final mean tank temperature measured at the end of the test minus the initial mean tank temperature measured at the start of the test , expressed in °F
k = 8.25 Btu/gallon· °F, the nominal specific heat of water
V_a = Volume of water contained in the water heater in gallons measured in accordance with section 4 of this appendix
E_t = Thermal efficiency of the water heater determined in accordance with this appendix, expressed in %
E_c = Electrical energy consumed by the water heater during the duration of the test in Btu
t = Total duration of the test in hours
C_s = Correction applied to the heating value of a gas H, when it is metered at temperature and/or pressure conditions other than the standard conditions for which the value of H is based. C_s=1 for oil-fired equipment.
Q_s = Total fuel flow as metered, expressed in ft^3 (gas) or lb (oil)
H = Higher heating value of fuel, expressed in Btu/ft^3 (gas) or Btu/lb (oil)
S = Standby loss, the average hourly energy required to maintain the stored water temperature expressed as a percentage of the heat content of the stored water above room temperature

6.7.2. The standby loss expressed in Btu per hour must be calculated as follows:

SL (Btu per hour) = S (% per hour) × 8.25 (Btu/gal- °F) × Measured Volume (gal) × 70 (°F).

Where, SL refers to the standby loss of the water heater, defined as the amount of energy required to maintain the stored water temperature expressed in Btu per hour

[81 FR 79323, Nov. 10, 2016]

APPENDIX B TO SUBPART G OF PART 431—UNIFORM TEST METHOD FOR THE MEASUREMENT OF STANDBY LOSS OF ELECTRIC STORAGE WATER HEATERS AND STORAGE-TYPE INSTANTANEOUS WATER HEATERS

Note: Prior to November 6, 2017, manufacturers must make any representations with respect to the energy use or efficiency of the subject commercial water heating equipment in accordance with the results of testing pursuant to this appendix or the procedures in 10 CFR 431.106 that were in place on January 1, 2016. On and after November 6, 2017, manufacturers must make any representations with respect to energy use or efficiency of electric storage water heaters and storage-type instantaneous water heaters in accordance with the results of testing pursuant to this appendix to demonstrate compliance with the energy conservation standards at 10 CFR 431.110.

1. General

Determine the standby loss in accordance with the following sections of this appendix. Certain sections reference sections of Annex E.1 of ANSI Z21.10.3–2015 (incorporated by reference; see §431.105). Where the instructions contained in the sections below conflict with instructions in Annex E.1 of ANSI Z21.10.3–2015, the instructions contained in this appendix control.

2. Test Set-Up

2.1. Placement of Water Heater. A water heater for installation on combustible floors must be placed on a ¾-inch plywood platform supported by three 2 × 4-inch runners. If the water heater is for installation on noncombustible floors, suitable noncombustible material must be placed on the platform. When the use of the platform for a large water heater is not practical, the water heater may be placed on any suitable flooring. A wall-mounted water heater must be mounted on a simulated wall section.

2.2. Installation of Temperature Sensors. Inlet and outlet piping must be turned vertically downward from the connections on a tank-type water heater so as to form heat traps. Temperature sensors for measuring supply water temperature must be installed upstream of the inlet heat trap piping, in accordance with Figure 2.1, 2.2, or 2.3 (as applicable) of this appendix.

The water heater must meet the requirements shown in either Figure 2.1, 2.2, or 2.3 (as applicable) at all times during the conduct of the standby loss test. Any factory-supplied heat traps must be installed per the installation instructions while ensuring the requirements in Figure 2.1, 2.2, or 2.3 are met. All dimensions specified in Figure 2.1, 2.2, and 2.3 are measured from the outer surface of the pipes and water heater outer casing (as applicable).

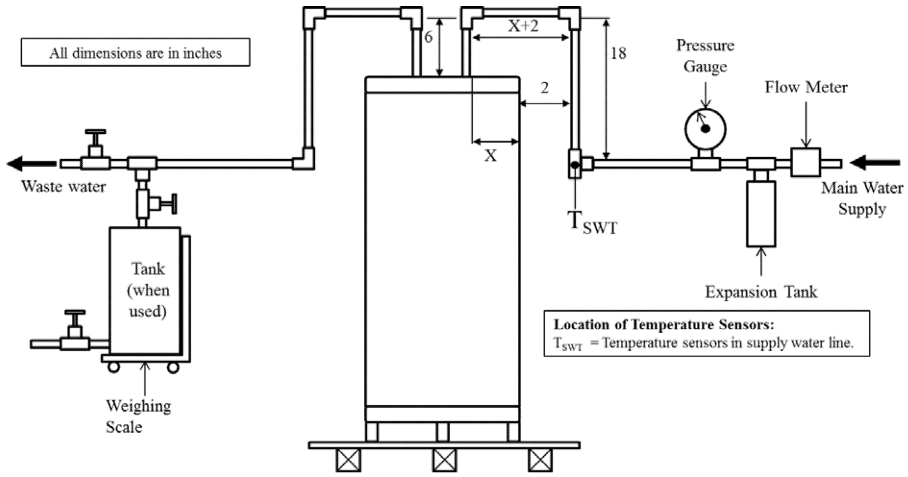


Figure 2.1. Set-up for standby loss test for electric storage water heaters equipped with vertical (top) connections

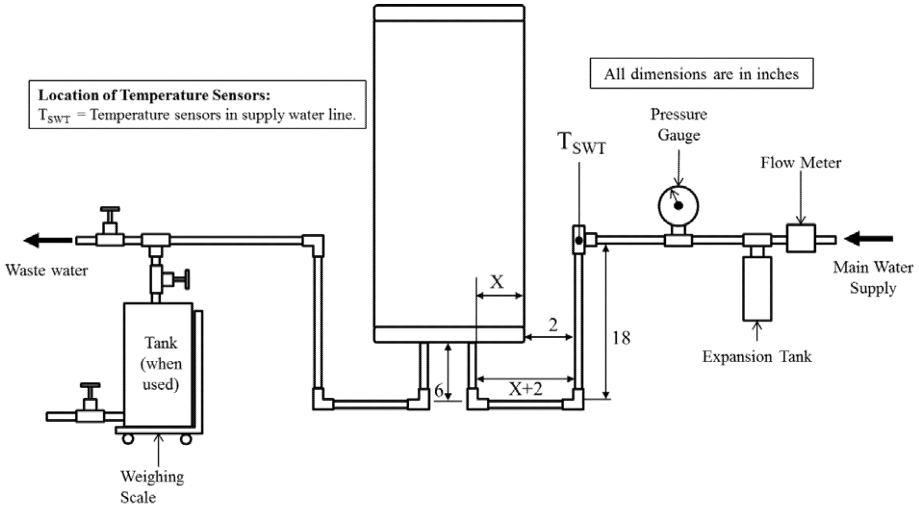


Figure 2.2. Set-up for standby loss test for electric storage water heaters equipped with vertical (bottom) connections

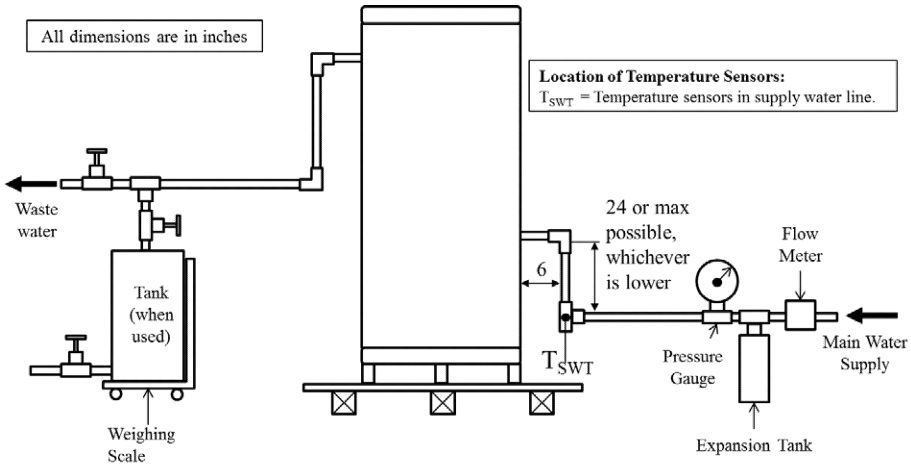


Figure 2.3. Set-up for standby loss test for electric storage water heaters equipped with horizontal connections

2.3. Installation of *Temperature Sensors for Measurement of Mean Tank Temperature*. Install temperature sensors inside the tank for measurement of mean tank temperature according to the instructions in paragraph f of Annex E.1 of ANSI Z21.10.3–2015 (incorporated by reference; see §431.105 rt). Calculate the mean tank temperature as the average of the six installed temperature sensors.

2.4. Piping Insulation. Insulate all water piping external to the water heater jacket, including heat traps and piping that is installed by the manufacturer or shipped with the unit, for at least 4 ft of piping length from the connection at the appliance, with material having an R-value not less than 4 °F·ft²·h/Btu. Ensure that the insulation does not contact any appliance surface except at the location where the pipe connections penetrate the appliance jacket or enclosure.

2.5. *Temperature and Pressure Relief Valve Insulation*. If the manufacturer or has not provided a temperature and pressure relief valve, one shall be installed and insulated as specified in section 2.4 of this appendix.

2.6. Energy Consumption. Install equipment that determines, within ± 1 percent, the quantity of electricity consumed by factory-supplied water heater components.

3. Test Conditions

3.1. Water Supply

3.1.1. Water Supply Pressure. The pressure of the water supply must be maintained between 40 psi and the maximum pressure specified by the manufacturer of the unit being tested. The accuracy of the pressure-measuring devices must be within ± 1.0 pounds per square inch (psi).

3.1.2. *Water Supply Temperature*. When filling the tank with water prior to the soak-in period, maintain the supply water temperature at 70 °F ± 2 °F.

3.1.3. Isolate the water heater using a shutoff valve in the supply line with an expansion tank installed in the supply line downstream of the shutoff valve. There must be no shutoff means between the expansion tank and the appliance inlet.

3.2. *Electrical Supply*. Maintain the electrical supply voltage to within ± 5 percent of the voltage specified on the water heater nameplate. If a voltage range is specified on the nameplate, maintain the voltage to within ± 5 percent of the center of the voltage range specified on the nameplate.

3.3. Ambient Room Temperature. During the soak-in period and the standby loss test, maintain the ambient room temperature at 75 °F ± 10 °F at all times. Measure the ambient room temperature at 1-minute intervals during these periods, except for the soak-in period. Measure the ambient room temperature once before beginning the soak-in period, and ensure no actions are taken during the soak-in period that would cause the ambient room temperature to deviate from the allowable range. Measure the ambient room temperature at the vertical mid-point of the water heater and approximately 2 feet from the water heater jacket. Shield the sensor against radiation. Calculate the average ambient room temperature for the standby loss test. During the standby loss test, the ambient room temperature must not vary by

more than ± 5.0 °F at any reading from the average ambient room temperature.

3.4. Maximum Air Draft. During the standby loss test, the water heater must be located in an area protected from drafts of more than 50 ft/min. Prior to beginning the standby loss test, measure the air draft within three feet of the jacket of the water heater to ensure this condition is met. Ensure that no other changes that would increase the air draft are made to the test set-up or conditions during the conduct of the test.

3.5. Setting the Tank Thermostat(s). Before starting the required soak-in period, the thermostat setting(s) must first be obtained as explained in the following sections. The thermostat setting(s) must be obtained by starting with the tank full of water at 70 °F ± 2 °F. After the tank is completely filled with water at 70 °F ± 2 °F, turn off the water flow, and set the thermostat(s) as follows.

3.5.1. For water heaters with a single thermostat, the thermostat setting must be set so that the maximum mean tank temperature after cut-out is 140 °F ± 5 °F.

3.5.2. For water heaters with multiple adjustable thermostats, set only the topmost and bottommost thermostats, and turn off any other thermostats for the duration of the standby loss test. Set the topmost thermostat first to yield a maximum mean water temperature after cut-out of 140 °F ± 5 °F, as calculated using only the temperature readings measured at locations in the tank higher than the heating element corresponding to the topmost thermostat (the lowermost heating element corresponding to the topmost thermostat if the thermostat controls more than one element). While setting the topmost thermostat, all lower thermostats must be turned off so that no elements below that (those) corresponding to the topmost thermostat are in operation. After setting the topmost thermostat, set the bottommost thermostat to yield a maximum mean water temperature after cut-out of 140 °F ± 5 °F. When setting the bottommost thermostat, calculate the mean tank temperature using all the temperature sensors installed in the tank as per section 2.3 of this appendix.

3.6. *Data Collection Intervals.* Follow the data recording intervals specified in the following sections.

3.6.1. Soak-In Period. Measure the ambient room temperature, in °F, every minute during the soak-in period.

3.6.2. Standby Loss Test. Follow the data recording intervals specified in Table 3.1 of this appendix. Additionally, the electricity consumption over the course of the entire test must be measured and used in calculation of standby loss.

TABLE 3.1—DATA TO BE RECORDED BEFORE AND DURING THE STANDBY LOSS TEST

Item recorded	Before test	Every 1 minute [a]
Air draft, ft/min	X	
Time, minutes/seconds.		X
Mean tank temperature, °F.		X [b]
Ambient room temperature, °F.		X

Notes:
[a] These measurements are to be recorded at the start and end of the test, as well as every minute during the test.
[b] Mean tank temperature is calculated as the average of the 6 tank temperature sensors, installed per section 2.3 of this appendix.

4. Determination of Storage Volume. Determine the storage volume by subtracting the tare weight, measured while the system is dry and empty, from the weight of the system when filled with water and dividing the resulting net weight of water by the density of water at the measured water temperature. The volume of water contained in the water heater must be computed in gallons.

5. Standby Loss Test

5.1. If no settings on the water heater have changed and the water heater has not been turned off since a previously run standby loss test, skip to section 5.3 of this appendix. Otherwise, conduct the soak-in period according to section 5.2 of this appendix.

5.2. *Soak-In Period.* Conduct a soak-in period, in which the water heater must sit without any draws taking place for at least 12 hours. Begin the soak-in period after setting the tank thermostat(s) as specified in section 3.5 of this appendix, and maintain these settings throughout the soak-in period.

5.3. Begin the standby loss test at the first cut-out following the end of the soak-in period (if applicable), or at a cut-out following the previous standby loss test (if applicable). Allow the water heater to remain in standby mode. At this point, do not change any settings on the water heater until measurements for the standby loss test are finished. Begin recording applicable parameters as specified in section 3.6.2 of this appendix.

5.4. At the second cut-out, record the time and ambient room temperature, and begin measuring the electric consumption. Record the initial mean tank temperature and initial ambient room temperature. For the remainder of the test, continue recording the applicable parameters specified in section 3.6.2 of this appendix.

5.5. Stop the test after the first cut-out that occurs after 24 hours, or at 48 hours, whichever comes first.

5.6. Immediately after conclusion of the standby loss test, record the total electrical energy consumption, the final ambient room temperature, the duration of the standby

loss test, and if the test ends at 48 hours without a cut-out, the final mean tank temperature, or if the test ends after a cut-out, the maximum mean tank temperature that occurs after the cut-out. Calculate the average of the recorded values of the mean tank temperature and of the ambient air temperatures taken at each measurement interval, including the initial and final values.

5.7. Standby Loss Calculation. To calculate the standby loss, follow the steps below:

5.7.1 The standby loss expressed as a percentage (per hour) of the heat content of the stored water above room temperature must be calculated using the following equation:

$$S = \frac{E_c - \left(\frac{k(V_a)(\Delta T_4)}{E_t/100}\right)}{k(V_a)(\Delta T_3)(t)} \times 100$$

Where,

ΔT_3 = Average value of the mean tank temperature minus the average value of the ambient room temperature, expressed in °F

ΔT_4 = Final mean tank temperature measured at the end of the test minus the initial mean tank temperature measured at the start of the test, expressed in °F

k = 8.25 Btu/gallon· °F, the nominal specific heat of water

V_a = Volume of water contained in the water heater in gallons measured in accordance with section 4 of this appendix

E_t = Thermal efficiency = 98 percent for electric water heaters with immersed heating elements

E_c = Electrical energy consumed by the water heater during the duration of the test in Btu

t = Total duration of the test in hours

S = Standby loss, the average hourly energy required to maintain the stored water temperature expressed as a percentage of the heat content of the stored water above room temperature

[81 FR 79328, Nov. 10, 2016]

APPENDIX C TO SUBPART G OF PART 431—UNIFORM TEST METHOD FOR THE MEASUREMENT OF THERMAL EFFICIENCY AND STANDBY LOSS OF GAS-FIRED AND OIL-FIRED INSTANTANEOUS WATER HEATERS AND HOT WATER SUPPLY BOILERS (OTHER THAN STORAGE-TYPE INSTANTANEOUS WATER HEATERS)

NOTE: Prior to November 6, 2017, manufacturers must make any representations with respect to the energy use or efficiency of the subject commercial water heating equipment in accordance with the results of testing pursuant to this appendix or the procedures in 10 CFR 431.106 that were in place on January 1, 2016. On and after November 6, 2017, manufacturers must make any representations with respect to energy use or efficiency of gas-fired and oil-fired instantaneous water heaters and hot water supply boilers (other than storage-type instantaneous water heaters) in accordance with the results of testing pursuant to this appendix to demonstrate compliance with the energy conservation standards at 10 CFR 431.110.

1. General

Determine the thermal efficiency and standby loss (as applicable) in accordance with the following sections of this appendix. Certain sections reference sections of Annex E.1 of ANSI Z21.10.3–2015 (incorporated by reference; see §431.105). Where the instructions contained in the sections below conflict with instructions in Annex E.1 of ANSI Z21.10.3–2015, the instructions contained in this appendix control.

2. Test Set-Up

2.1. Placement of Water Heater. A water heater for installation on combustible floors must be placed on a ¾-inch plywood platform supported by three 2 x 4-inch runners. If the water heater is for installation on noncombustible floors, suitable noncombustible material must be placed on the platform. When the use of the platform for a large water heater is not practical, the water heater may be placed on any suitable flooring. A wall-mounted water heater must be mounted on a simulated wall section.

2.2. Test Configuration. If the instantaneous water heater or hot water supply boiler is not required to be tested using a recirculating loop, then set up the unit in accordance with Figures 2.1, 2.2, or 2.3 of this appendix (as applicable). If the unit is required to be tested using a recirculating loop, then set up the unit as per Figure 2.4 of this appendix.

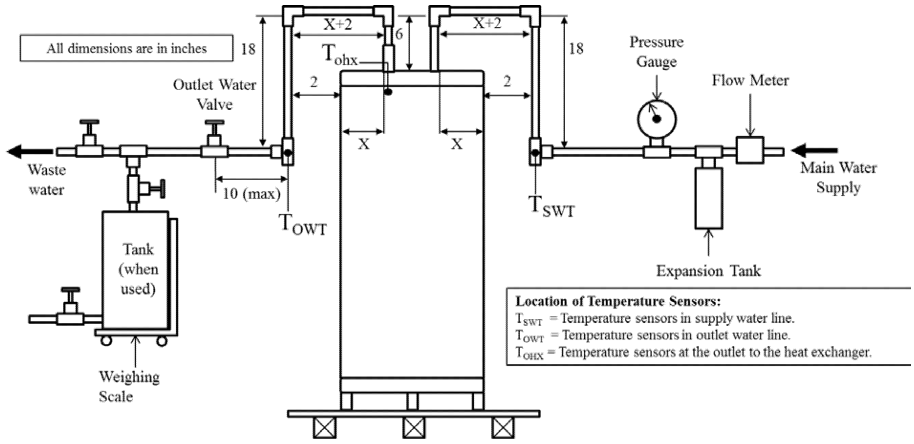


Figure 2.1. Set-up for thermal efficiency and standby loss test for gas-fired and oil-fired instantaneous water heaters and hot water supply boilers (other than storage-type instantaneous water heaters) equipped with vertical (top) connections not requiring a recirculating loop.

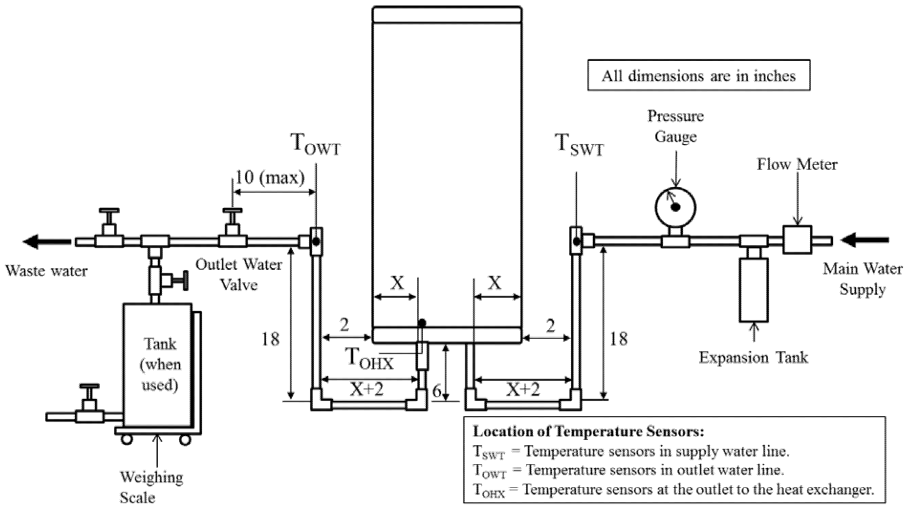


Figure 2.2. Set-up for thermal efficiency and standby loss test for gas-fired and oil-fired instantaneous water heaters and hot water supply boilers (other than storage-type instantaneous water heaters) equipped with vertical (bottom) connections not requiring a recirculating loop.

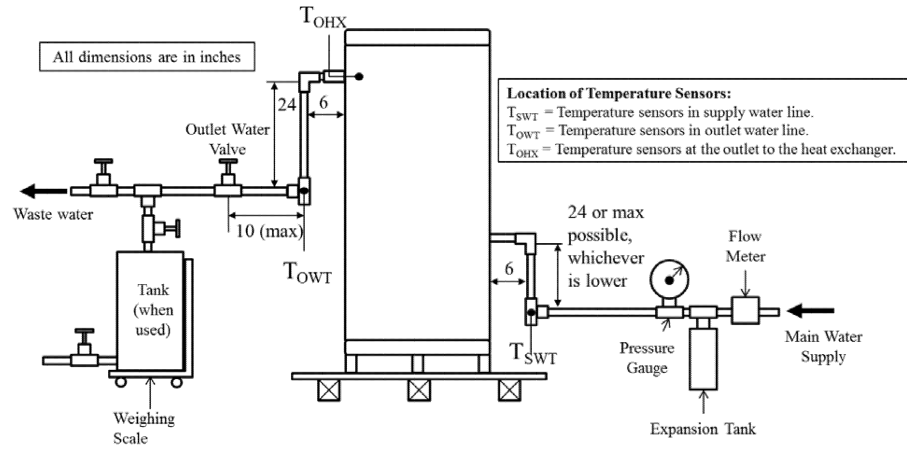


Figure 2.3. Set-up for thermal efficiency and standby loss test for gas-fired and oil-fired instantaneous water heaters and hot water supply boilers (other than storage-type instantaneous water heaters) equipped with horizontal connections not requiring a recirculating loop.

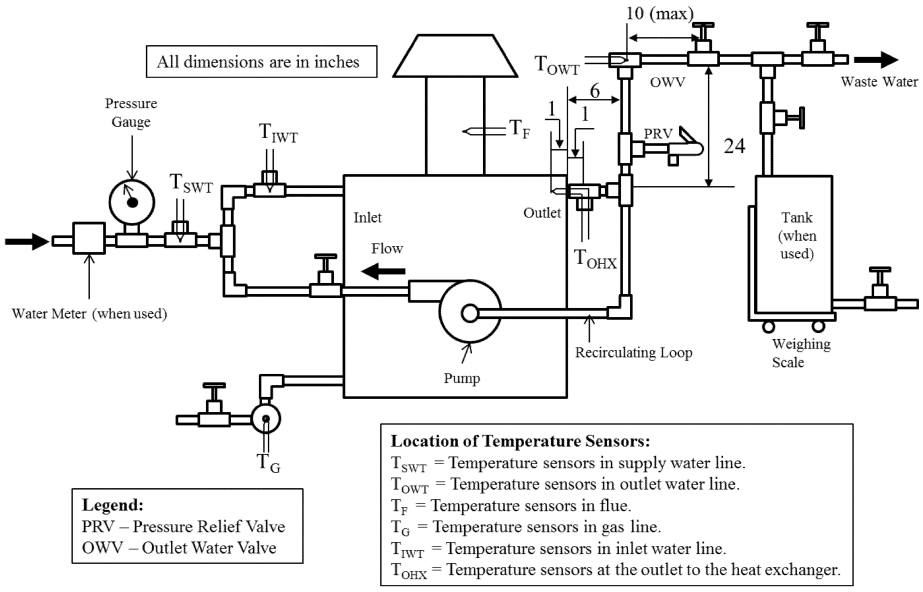


Figure 2.4. Set-up for thermal efficiency and standby loss test for gas-fired and oil-fired instantaneous water heaters and hot water supply boilers (other than storage-type instantaneous water heaters) requiring a recirculating loop for testing.

2.2.1. If the instantaneous water heater or hot water supply boiler does not have any external piping, install an outlet water valve within 10 inches of piping length of the water heater jacket or enclosure. If the instantaneous water heater or hot water supply boiler includes external piping assembled at the manufacturer's premises prior to shipment,

install water valves in the outlet piping within 5 inches of the end of the piping supplied with the unit.

2.2.2. If the water heater is not able to achieve an outlet water temperature of 70 °F ± 2 °F (T_{OWT}) above the supply water temperature at full firing rate, a recirculating loop with pump as shown in Figure 2.4 of this appendix must be used.

2.2.2.1. If a recirculating loop with a pump is used, then ensure that the inlet water temperature labeled as T_{IWT} in Figure 2.4 of this appendix, is greater than or equal to 70 °F and less than or equal to 120 °F at all times during the thermal efficiency test and steady-state verification period (as applicable).

2.3. Installation of Temperature Sensors

2.3.1. *Without Recirculating Loop.*

2.3.1.1. *Vertical Connections.* Use Figure 2.1 (for top connections) and 2.2 (for bottom connections) of this appendix.

2.3.1.2. *Horizontal Connections.* Use Figure 2.3 of this appendix.

2.3.2. *With Recirculating Loop.* Set up the recirculating loop as shown in Figure 2.4 of this appendix.

2.3.3. For water heaters with multiple outlet water connections leaving the water heater jacket that are required to be operated to achieve the rated input, temperature sensors must be installed for each outlet water connection leaving the water heater jacket or enclosure that is used during testing, in accordance with the provisions in sections 2.3.1 and 2.3.2 of this appendix (as applicable).

2.4. *Piping Insulation.* Insulate all water piping external to the water heater jacket or enclosure, including piping that is installed by the manufacturer or shipped with the unit, for at least 4 ft of piping length from the connection at the appliance with material having an R-value not less than 4 °F·ft²·h/Btu. Ensure that the insulation does not contact any appliance surface except at the location where the pipe connections penetrate the appliance jacket or enclosure.

2.5. *Temperature and Pressure Relief Valve Insulation.* If the manufacturer has not provided a temperature and pressure relief valve, one shall be installed and insulated as specified in section 2.4 of this appendix. The temperature and pressure relief valve must be installed in the outlet water piping, between the unit being tested and the outlet water valve.

2.6. *Vent Requirements.* Follow the requirements for venting arrangements specified in paragraph c of Annex E.1 of ANSI Z21.10.3–2015 (incorporated by reference; see § 431.105).

2.7. *Energy Consumption.* Install equipment that determines, within ± 1 percent:

2.7.1. The quantity and rate of fuel consumed.

2.7.2. The quantity of electricity consumed by factory-supplied water heater components, and of the test loop recirculating pump, if used.

3. Test Conditions

3.1. Water Supply

3.1.1. *Water Supply Pressure.* The pressure of the water supply must be maintained between 40 psi and the maximum pressure specified by the manufacturer of the unit being tested. The accuracy of the pressure-measuring devices must be within ± 1.0 psi.

3.1.2. *Water Supply Temperature.* During the thermal efficiency test and steady-state verification period (as applicable), the temperature of the supply water (T_{SWT}) must be maintained at 70 °F ± 2 °F.

3.2. *Gas Pressure for Gas-Fired Equipment.* The supply gas pressure must be within the range specified by the manufacturer on the nameplate of the unit being tested. The difference between the outlet pressure of the gas appliance pressure regulator and the value specified by the manufacturer on the nameplate of the unit being tested must not exceed the greater of: ± 10 percent of the nameplate value or ± 0.2 inches water column (in. w.c.). Obtain the higher heating value of the gas burned.

3.3. *Ambient Room Temperature.* Maintain the ambient room temperature at 75 °F ± 10 °F at all times during the steady-state verification period, the thermal efficiency test, and the standby loss test (as applicable). Measure the ambient room temperature at 1-minute intervals during these periods. Measure the ambient room temperature at the vertical mid-point of the water heater and approximately 2 feet from the water heater jacket or enclosure. Shield the sensor against radiation. Calculate the average ambient room temperature separately for the thermal efficiency test and the standby loss test. During the thermal efficiency and standby loss tests, the ambient room temperature must not vary by more than ± 5.0 °F at any reading from the average ambient room temperature.

3.4. *Test Air Temperature.* During the steady-state verification period, the thermal efficiency test, and the standby loss test (as applicable), the test air temperature must not vary by more than ± 5 °F from the ambient room temperature at any reading. Measure the test air temperature at 1-minute intervals during these periods and at a location within two feet of the air inlet of the water heater or the combustion air intake vent, as applicable. Shield the sensor against radiation. For units with multiple air inlets, measure the test air temperature at each air inlet, and maintain the specified tolerance on deviation from the ambient room temperature at each air inlet. For units without a dedicated air inlet, measure the test air

temperature within two feet of any location on the water heater where combustion air is drawn.

3.5. Maximum Air Draft. During the steady-state verification period, the thermal efficiency test, and the standby loss test (as applicable), the water heater must be located in an area protected from drafts of more than 50 ft/min. Prior to beginning the steady-state verification period and the standby loss test, measure the air draft within three feet of the jacket or enclosure of the water heater to ensure this condition is met. Ensure that no other changes that would increase the air draft are made to the test set-up or conditions during the conduct of the tests.

3.6. Primary Control

3.6.1. *Thermostatically-Activated Water Heaters With an Internal Thermostat.* Before starting the thermal efficiency test and the standby loss test (unless the thermostat is already set before the thermal efficiency test), the thermostat setting must be obtained. Set the thermostat to ensure:

3.6.1.1. With supply water temperature set as per section 3.1.2 of this appendix (*i.e.*, 70 °F ± 2 °F) the water flow rate can be varied so that the outlet water temperature is constant at 70 °F ± 2 °F above the supply water temperature, while the burner is firing at full firing rate; and

3.6.1.2. After the water supply is turned off and the thermostat reduces the fuel supply to a minimum, the maximum heat exchanger outlet water temperature (T_{OHX}) is 140 °F ± 5 °F.

3.6.1.3. If the water heater includes a built-in safety mechanism that prevents it from achieving a heat exchanger outlet water temperature of 140 °F ± 5 °F, adjust the thermostat to its maximum setting.

3.6.2. *Flow-Activated Instantaneous Water Heaters and Thermostatically-Activated Instantaneous Water Heaters With an External Thermostat.* Energize the primary control such that it is always calling for heating and the burner is firing at the full firing rate. Maintain the supply water temperature as per section 3.1.2 of this appendix (*i.e.*, 70 °F ± 2 °F). Set the control so that the outlet water temperature (T_{OWT}) is 140 °F ± 5 °F. If the water heater includes a built-in safety mechanism that prevents it from achieving a heat exchanger outlet water temperature of 140 °F ± 5 °F, adjust the control to its maximum setting.

3.7. Units With Multiple Outlet Water Connections

3.7.1. For each connection leaving the water heater that is required for the unit to achieve the rated input, the outlet water temperature must not differ from that of any other outlet water connection by more than 2 °F during the steady-state verification period and thermal efficiency test.

3.7.2. Determine the outlet water temperature representative for the entire unit at every required measurement interval by calculating the average of the outlet water temperatures measured at each connection leaving the water heater jacket or enclosure that is used during testing. Use the outlet water temperature representative for the entire unit in all calculations for the thermal efficiency and standby loss tests, as applicable.

3.8. *Additional Requirements for Oil-Fired Equipment.*

3.8.1. Venting Requirements. Connect a vertical length of flue pipe to the flue gas outlet of sufficient height so as to meet the minimum draft specified by the manufacturer.

3.8.2. *Oil Supply.* Adjust the burner rate so that the following conditions are met:

3.8.2.1. The CO_2 reading is within the range specified by the manufacturer;

3.8.2.2. The fuel pump pressure is within ± 10 percent of manufacturer's specifications;

3.8.2.3. If either the fuel pump pressure or range for CO_2 reading are not specified by the manufacturer on the nameplate of the unit, in literature shipped with the unit, or in supplemental test report instructions included with a certification report, then a default value of 100 psig is to be used for fuel pump pressure, and a default range of 9–12 percent is to be used for CO_2 reading; and

3.8.2.4. Smoke in the flue does not exceed No. 1 smoke as measured by the procedure in ASTM D2156–09 (Reapproved 2013) (incorporated by reference, see §431.105). To determine the smoke spot number, the smoke measuring device shall be connected to an open-ended tube. This tube must project into the flue ¼ to ½ of the pipe diameter.

3.8.2.5. If no settings on the water heater have been changed and the water heater has not been turned off since the end of a previously run thermal efficiency (or standby loss test for thermostatically-activated instantaneous water heaters with an internal thermostat), measurement of the CO_2 reading and conduct of the smoke spot test are not required prior to beginning a test. Otherwise, measure the CO_2 reading and determine the smoke spot number, with the burner firing, before beginning measurements for the steady-state verification period (prior to beginning the thermal efficiency test or standby loss test, as applicable). However, measurement of the CO_2 reading and conduct of the smoke spot test are not required for the standby loss test for thermostatically-activated instantaneous water heaters with an external thermostat and flow-activated instantaneous water heaters.

3.9. Data Collection Intervals. Follow the data recording intervals specified in the following sections.

3.9.1. *Steady-State Verification Period and Thermal Efficiency Test.* For the steady-state verification period and the thermal efficiency test, follow the data recording intervals specified in Table 3.1 of this appendix. These data recording intervals must also be followed if conducting a steady-state verification period prior to conducting the standby loss test.

TABLE 3.1—DATA TO BE RECORDED BEFORE AND DURING THE STEADY-STATE VERIFICATION PERIOD AND THERMAL EFFICIENCY TEST

Item recorded	Before steady-state verification period	Every 1 minute [a]	Every 10 minutes
Gas supply pressure, in w.c.	X		
Gas outlet pressure, in w.c.	X		
Barometric pressure, in Hg	X		
Fuel higher heating value, Btu/ft^3 (gas) or Btu/lb (oil)	X		
Oil pump pressure, psig (oil only)	X		
CO_2 reading, % (oil only)	X [b]		
Oil smoke spot reading (oil only)	X [b]		
Air draft, ft/min	X		
Time, minutes/seconds		X	
Fuel weight or volume, lb (oil) or ft^3 (gas)			X [c]
Supply water temperature (T_{SWT}), °F		X	
Inlet water temperature (T_{IWT}), °F		X [d]	
Outlet water temperature (T_{OWT}), °F		X	
Ambient room temperature, °F		X	
Test air temperature, °F		X	
Water flow rate, gpm		X	

Notes:
[a] These measurements are to be recorded at the start and end of both the steady-state verification period and the thermal efficiency test, as well as every minute during both periods.
[b] The smoke spot test and CO_2 reading are not required prior to beginning the steady-state verification period if no settings on the water heater have been changed and the water heater has not been turned off since the end of a previously-run efficiency test (*i.e.,* thermal efficiency or standby loss).
[c] Fuel and electricity consumption over the course of the entire thermal efficiency test must be measured and used in calculation of thermal efficiency.
[d] Only measured when a recirculating loop is used.

3.9.2. *Standby Loss Test.* For the standby loss test, follow the data recording intervals specified in Table 3.2 of this appendix. (Follow the data recording intervals specified in Table 3.1 of this appendix of the steady-state verification period, if conducted prior to the standby loss test.) Additionally, the fuel and electricity consumption over the course of the entire test must be measured and used in calculation of standby loss.

TABLE 3.2—DATA TO BE RECORDED BEFORE AND DURING THE STANDBY LOSS TEST

Item recorded	Before test	Every 1 minute [a]
Gas supply pressure, in w.c.	X	
Gas outlet pressure, in w.c.	X	
Barometric pressure, in Hg	X	
Fuel higher heating value, Btu/ft^3 (gas) or Btu/lb (oil)	X	
Oil pump pressure, psig (oil only)	X	
Air draft, ft/min	X	
Time, minutes/seconds		X
Heat exchanger outlet water temperature (T_{OHX}), °F		X
Ambient room temperature, °F		X
Test air temperature, °F		X
Water flow rate, gpm	X [b]	
Inlet water temperature (T_{IWT}), °F	X [b]	

Notes:
[a] These measurements are to be recorded at the start and end of the test, as well as every minute during the test.
[b] The water flow rate and supply water temperature and inlet water temperature (if a recirculating loop is used) must be measured during the steady-state verification period at 1-minute intervals. After the steady-state verification period ends, flow rate, supply water temperature, and inlet water temperature (if measured) are not required to be measured during the standby loss test, as there is no flow occurring during the standby loss test.

4. Determination of Storage Volume. Determine the storage volume by subtracting the tare weight, measured while the system is dry and empty, from the weight of the system when filled with water and dividing the resulting net weight of water by the density

of water at the measured water temperature. The volume of water contained in the water heater must be computed in gallons.

5. Fuel Input Rate

5.1. Determination of Fuel Input Rate. During the steady-state verification period and thermal efficiency test, as applicable, record the fuel consumption at 10-minute intervals. Calculate the fuel input rate for each 10-minute period using the equations in section 5.2 of this appendix. The measured fuel input rates for these 10-minute periods must not vary by more than ± 2 percent between any two readings. Determine the overall fuel input rate using the fuel consumption for the entire duration of the thermal efficiency test.

5.2. Fuel Input Rate Calculation. To calculate the fuel input rate, use the following equation:

$$Q = \frac{Q_s * C_s * H}{t}$$

Where:

Q = Fuel input rate, expressed in Btu/h

Q_s = Total fuel flow as metered, expressed in ft^3 for gas-fired equipment and lb for oil-fired equipment

C_s = Correction applied to the heating value of a gas H, when it is metered at temperature and/or pressure conditions other than the standard conditions for which the value of H is based. C_s=1 for oil-fired equipment.

H = Higher heating value of the fuel, expressed as Btu/ft^3 for gas-fired equipment and Btu/lb for oil-fired equipment.

t = Duration of measurement of fuel consumption

6. *Thermal Efficiency Test.* Before beginning the steady-state verification period, record the applicable parameters as specified in section 3.9.1 of this appendix. Begin drawing water from the unit by opening the main supply and outlet water valve, and adjust the water flow rate to achieve an outlet water temperature of 70 °F ± 2 °F above supply water temperature. The thermal efficiency test shall be deemed complete when there is a continuous, one-hour-long period where the steady-state conditions specified in section 6.1 of this appendix have been met, as confirmed by consecutive readings of the relevant parameters at 1-minute intervals (except for fuel input rate, which is determined at 10-minute intervals, as specified in section 5.1 of this appendix). During the one-hour-long period, the water heater must fire continuously at its full firing rate (*i.e.,* no modulation or cut-outs) and no settings can be changed on the unit being tested at any time. The first 30 minutes of the one-hour-period where the steady-state conditions in section 6.1 of this appendix are met is the steady-state verification period. The final 30 minutes of the one-hour-period where the steady-state conditions in section 6.1 of this appendix are met is the thermal efficiency test. The last reading of the steady-state verification period must be the first reading of the thermal efficiency test (*i.e.,* the thermal efficiency test starts immediately once the steady-state verification period ends).

6.1. *Steady-State Conditions.* The following conditions must be met at consecutive readings taken at 1-minute intervals (except for fuel input rate, for which measurements are taken at 10-minute intervals) to verify the water heater has achieved steady-state operation during the steady-state verification period and the thermal efficiency test.

6.1.1. The water flow rate must be maintained within ± 0.25 gallons per minute (gpm) of the initial reading at the start of the steady-state verification period.

6.1.2. Outlet water temperature must be maintained at 70 °F ± 2 °F above supply water temperature.

6.1.3. Fuel input rate must be maintained within ± 2 percent of the rated input certified by the manufacturer.

6.1.4. The supply water temperature (T_{SWT}) (or inlet water temperature (T_{IWT}) if a recirculating loop is used) must be maintained within ± 0.50 °F of the initial reading at the start of the steady-state verification period.

6.1.5. The rise between supply (or inlet if a recirculating loop is used) and outlet water temperatures must be maintained within ± 0.50 °F of its initial value taken at the start of the steady-state verification period for units with rated input less than 500,000 Btu/h, and maintained within ± 1.00 °F of its initial value for units with rated input greater than or equal to 500,000 Btu/h.

6.2. *Water Flow Measurement.* Measure the total weight of water heated during the 30-minute thermal efficiency test with either a scale or a water flow meter. With either method, the error of measurement of weight of water heated must not exceed 1 percent of the weight of the total draw.

6.3. *Thermal Efficiency Calculation.* Thermal efficiency must be calculated using data from the 30-minute thermal efficiency test.

Calculate thermal efficiency, E_t, using the following equation:

$$E_t = \frac{K * W * (\theta_2 - \theta_1)}{(C_s * Q * H) + E_c}$$

Where:

K = 1.004 Btu/lb· °F, the nominal specific heat of water at 105 °F

W = Total weight of water heated, lb

θ_1 = Average supply water temperature, expressed in °F

θ_2 = Average outlet water temperature, expressed in °F

Q = Total fuel flow as metered, expressed in ft^3 (gas) or lb (oil)

C_s = Correction applied to the heating value of a gas H, when it is metered at temperature and/or pressure conditions other than the standard conditions for which the value of H is based. C_s=1 for oil-fired equipment.

H = Higher heating value of the fuel, expressed in Btu/ft^3 (gas) or Btu/lb (oil)

E_c = Electrical consumption of the water heater and, when used, the test set-up recirculating pump, expressed in Btu

7. *Standby Loss Test.* If the standby loss test is conducted immediately after a thermal efficiency test and no settings or conditions have been changed since the completion of the thermal efficiency test, then skip to section 7.2 or 7.3 of this appendix (as applicable). Otherwise, perform the steady-state verification in section 7.1 of this appendix. For thermostatically-activated instantaneous water heaters with an internal thermostat, use section 7.2 of this appendix to conduct the standby loss test, and for flow-activated and/or thermostatically-activated instantaneous water heaters with an external thermostat use section 7.3 of this appendix to conduct the standby loss test.

7.1. *Steady-State Verification Period.* For water heaters where the standby loss test is not conducted immediately following the thermal efficiency test, the steady-state verification period must be conducted before starting the standby loss test. Set the primary control in accordance with section 3.6 of this appendix, such that the primary control is always calling for heat and the water heater is firing continuously at the full firing rate (*i.e.*, no modulation or cut-outs). Begin drawing water from the unit by opening the main supply and the outlet water valve, and adjust the water flow rate to achieve an outlet water temperature of 70 °F ± 2 °F above supply water temperature. The steady-state verification period is complete when there is a continuous 30-minute period where the steady-state conditions specified in section 7.1.1 of this appendix are met, as confirmed by consecutive readings of the relevant parameters recorded at 1-minute intervals (except for fuel input rate, which is determined at 10-minute intervals, as specified in section 5.1 of this appendix).

7.1.1. *Steady-State Conditions.* The following conditions must be met at consecutive readings taken at 1-minute intervals (except for fuel input rate, for which measurements are taken at 10-minute intervals) to verify the water heater has achieved steady-state operation during the steady-state verification period prior to conducting the standby loss test.

7.1.1.1. The water flow rate must be maintained within ± 0.25 gallons per minute (gpm) of the initial reading at the start of the steady-state verification period;

7.1.1.2. Fuel input rate must be maintained within ± 2 percent of the rated input certified by the manufacturer;

7.1.1.3. The supply water temperature (T_{SWT}) (or inlet water temperature (T_{IWT}) if a recirculating loop is used) must be maintained within ± 0.50 °F of the initial reading at the start of the steady-state verification period; and

7.1.1.4. The rise between the supply (or inlet if a recirculating loop is used) and outlet water temperatures must be maintained within ± 0.50 °F of its initial value taken at the start of the steady-state verification period for units with rated input less than 500,000 Btu/h, and maintained within ± 1.00 °F of its initial value for units with rated input greater than or equal to 500,000 Btu/h.

7.2. *Thermostatically-Activated Instantaneous Water Heaters with an Internal Thermostat.* For water heaters that will experience cut-in based on a temperature-activated control that is internal to the water heater, use the following steps to conduct the standby loss test.

7.2.1. Immediately after the thermal efficiency test or the steady-state verification period (as applicable), turn off the outlet water valve(s) (installed as per the provisions in section 2.2 of this appendix), and the water pump (if applicable) simultaneously and ensure that there is no flow of water through the water heater.

7.2.2. After the first cut-out following the end of the thermal efficiency test or steady-state verification period (as applicable),

allow the water heater to remain in standby mode. Do not change any settings on the water heater at any point until measurements for the standby loss test are finished. Begin recording the applicable parameters specified in section 3.9.2 of this appendix.

7.2.3. At the second cut-out, record the time and ambient room temperature, and begin measuring the fuel and electricity consumption. Record the initial heat exchanger outlet water temperature (T_{OHX}) and initial ambient room temperature. For the remainder of the test, continue recording the applicable parameters specified in section 3.9.2 of this appendix.

7.2.4. Stop the test after the first cut-out that occurs after 24 hours, or at 48 hours, whichever comes first.

7.2.5. Immediately after conclusion of the standby loss test, record the total fuel flow and electrical energy consumption, the final ambient room temperature, the duration of the standby loss test, and if the test ends at 48 hours without a cut-out, the final heat exchanger outlet temperature, or if the test ends after a cut-out, the maximum heat exchanger outlet temperature that occurs after the cut-out. Calculate the average of the recorded values of the heat exchanger outlet water temperature and the ambient room temperature taken at each measurement interval, including the initial and final values.

7.2.6. *Standby Loss Calculation*. To calculate the standby loss, follow the steps below:

7.2.6.1. The standby loss expressed as a percentage (per hour) of the heat content of the stored water above room temperature must be calculated using the following equation:

$$S = \frac{E_c + (C_s)(Q_s)(H) - \left(\frac{k(V_a)(\Delta T_4)}{E_t/100}\right)}{k(V_a)(\Delta T_3)(t)} \times 100$$

Where:

ΔT_3 = Average value of the heat exchanger outlet water temperature (T_{OHX}) minus the average value of the ambient room temperature, expressed in °F

ΔT_4 = Final heat exchanger outlet water temperature (T_{OHX}) measured at the end of the test minus the initial heat exchanger outlet water temperature (T_{OHX}) measured at the start of the test, expressed in °F

K = 8.25 Btu/gallon· °F, the nominal specific heat of water

V_a = Volume of water contained in the water heater in gallons measured in accordance with section 4 of this appendix

E_t = Thermal efficiency of the water heater determined in accordance with section 6 of this appendix, expressed in %

E_c = Electrical energy consumed by the water heater during the duration of the test in Btu

T = Total duration of the test in hours

C_s = Correction applied to the heating value of a gas H, when it is metered at temperature and/or pressure conditions other than the standard conditions for which the value of H is based. C_s=1 for oil-fired equipment.

Q_s = Total fuel flow as metered, expressed in ft^3 (gas) or lb (oil)

H = Higher heating value of gas or oil, expressed in Btu/ft^3 (gas) or Btu/lb (oil)

S = Standby loss, the average hourly energy required to maintain the stored water temperature expressed as a percentage of the initial heat content of the stored water above room temperature

7.2.6.2. The standby loss expressed in Btu per hour must be calculated as follows:

SL (Btu per hour) = S (% per hour) × 8.25 (Btu/gal- °F) × Measured Volume (gal) × 70 (°F).

Where, SL refers to the standby loss of the water heater, defined as the amount of energy required to maintain the stored water temperature expressed in Btu per hour.

7.3. *Flow-Activated and Thermostatically-Activated Instantaneous Water Heaters with an External Thermostat*. For water heaters that are either flow-activated or thermostatically-activated with an external thermostat, use the following steps to conduct the standby loss test.

7.3.1. Immediately after the thermal efficiency test or the steady-state verification period (as applicable), de-energize the primary control to end the call for heating. If the main burners do not cut out, then turn off the fuel supply.

7.3.1.1. If the unit does not have an integral pump purge functionality, then turn off the outlet water valve and water pump at this time.

7.3.1.2. If the unit has an integral pump purge functionality, allow the pump purge operation to continue. After the pump purge operation is complete, immediately turn off the outlet water valve and water pump and continue recording the required parameters for the remainder of the test.

7.3.2. Recording Data

7.3.2.1. For units with pump purge functionality, record the initial heat exchanger outlet water temperature (T_{OHX}), and ambient room temperature when the main burner(s) cut-out or the fuel supply is turned off. After the pump purge operation is complete, record the time as t = 0 and the initial electricity meter reading. Continue to monitor and record the heat exchanger outlet water temperature (T_{OHX}) and time elapsed from the start of the test, and the electricity consumption as per the requirements in section 3.9.2 of this appendix.

7.3.2.2. For units not equipped with pump purge functionality, begin recording the measurements as per the requirements of section 3.9.2 of this appendix when the main burner(s) cut-out or the fuel supply is turned off. Specifically, record the time as t = 0, and record the initial heat exchanger outlet water temperature (T_{OHX}), ambient room temperature, and electricity meter readings. Continue to monitor and record the heat exchanger outlet water temperature (T_{OHX}) and the time elapsed from the start of the test as per the requirements in section 3.9.2 of this appendix.

7.3.3. *Stopping Criteria.* Stop the test when one of the following occurs:

7.3.3.1. The heat exchanger outlet water temperature (T_{OHX}) decreases by 35 °F from its value recorded immediately after the main burner(s) has cut-out, and the pump purge operation (if applicable) is complete; or

7.3.3.2. 24 hours have elapsed from the start of the test.

7.3.4. At the end of the test, record the final heat exchanger outlet water temperature (T_{OHX}), fuel consumed, electricity consumed from time t=0, and the time elapsed from the start of the test.

7.3.5. Standby Loss Calculation

7.3.5.1. Once the test is complete, use the following equation to calculate the standby loss as a percentage (per hour) of the heat content of the stored water above room temperature:

$$S = \frac{\frac{k(V_a)(\Delta T_1)}{E_t/100} + E_c}{k(V_a)(\Delta T_2)(t)} \times 100$$

Where,

ΔT_1 = Heat exchanger outlet water temperature (T_{OHX}) measured after the pump purge operation is complete (if the unit is integrated with pump purge functionality); or after the main burner(s) cut-out (if the unit is not equipped with pump purge functionality) minus heat exchanger outlet water temperature (T_{OHX}) measured at the end of the test, expressed in °F

ΔT_2 = Heat exchanger outlet water temperature (T_{OHX}) minus the ambient temperature, both measured after the main burner(s) cut-out, at the start of the test, expressed in °F

K = 8.25 Btu/gallon· °F, the nominal specific heat of water

V_a = Volume of water contained in the water heater in gallons measured in accordance with section 4 of this appendix

E_t = Thermal efficiency of the water heater determined in accordance with section 6 of this appendix, expressed in %

E_c = Electrical energy consumed by the water heater during the duration of the test in Btu

t = Total duration of the test in hours

S = Standby loss, the average hourly energy required to maintain the stored water temperature expressed as a percentage of the initial heat content of the stored water above room temperature

7.3.5.2. The standby loss expressed in terms of Btu per hour must be calculated as follows:

SL (Btu per hour) = S (% per hour) × 8.25 (Btu/gal- °F) × Measured Volume (gal) × 70 (°F)

Where, SL refers to the standby loss of the water heater, defined as the amount of energy required to maintain the stored water temperature expressed in Btu per hour.

[81 FR 79332, Nov. 10, 2016]

Appendix D to Subpart G of Part 431—Uniform Test Method for the Measurement of Standby Loss of Electric Instantaneous Water Heaters (Other Than Storage-Type Instantaneous Water Heaters)

Note: Prior to November 6, 2017, manufacturers must make any representations with respect to the energy use or efficiency of the subject commercial water heating equipment in accordance with the results of testing pursuant to this appendix or the procedures in 10 CFR 431.106 that were in place on January

1, 2016. On and after November 6, 2017, manufacturers must make any representations with respect to energy use or efficiency of electric instantaneous water heaters (other than storage-type instantaneous water heaters) in accordance with the results of testing pursuant to this appendix to demonstrate compliance with the energy conservation standards at 10 CFR 431.110.

1. General

Determine the standby loss (as applicable) in accordance with the following sections of this appendix.

2. Test Set-Up

*2.*1. *Placement of Water Heater*. A water heater for installation on combustible floors must be placed on a ¾-inch plywood platform supported by three 2 × 4-inch runners. If the water heater is for installation on noncombustible floors, suitable noncombustible material must be placed on the platform. When the use of the platform for a large water heater is not practical, the water heater may be placed on any suitable flooring. A wall-mounted water heater must be mounted on a simulated wall section.

*2.*2. *Test Configuration*. If the instantaneous water heater is not required to be tested using a recirculating loop, then set up the unit in accordance with Figure 2.1, 2.2, or 2.3 of this appendix (as applicable). If the unit is required to be tested using a recirculating loop, then set up the unit as per Figure 2.4 of this appendix.

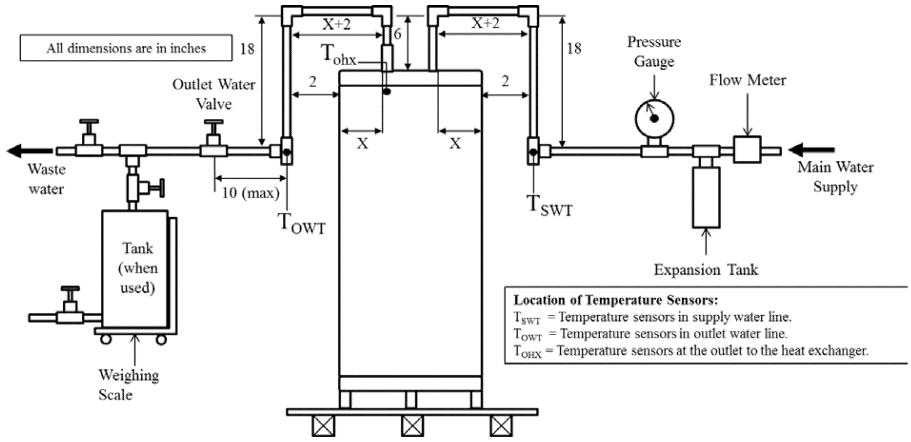


Figure 2.1. Set-up for standby loss test for electric instantaneous water heaters (other than storage-type instantaneous water heaters) equipped with vertical (top) connections not requiring a recirculating loop.

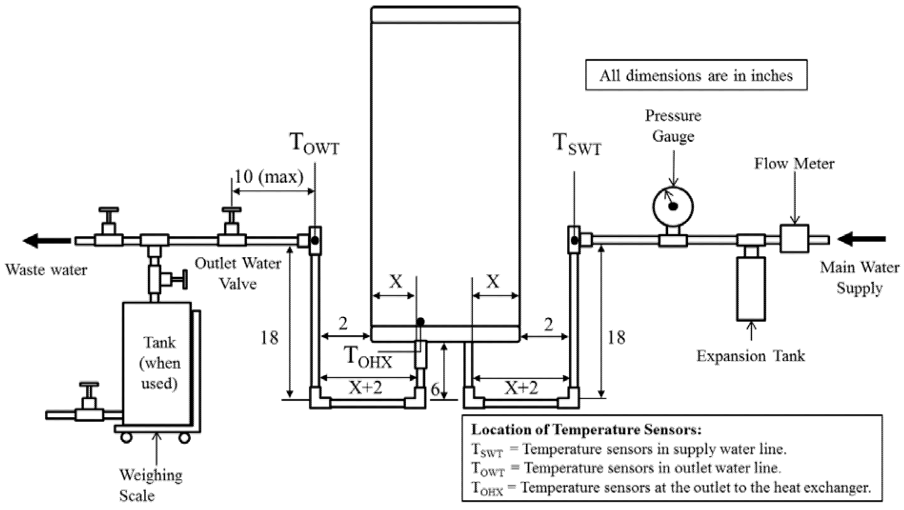


Figure 2.2. Set-up for standby loss test for electric instantaneous water heaters (other than storage-type instantaneous water heaters) equipped with vertical (bottom) connections not requiring a recirculating loop.

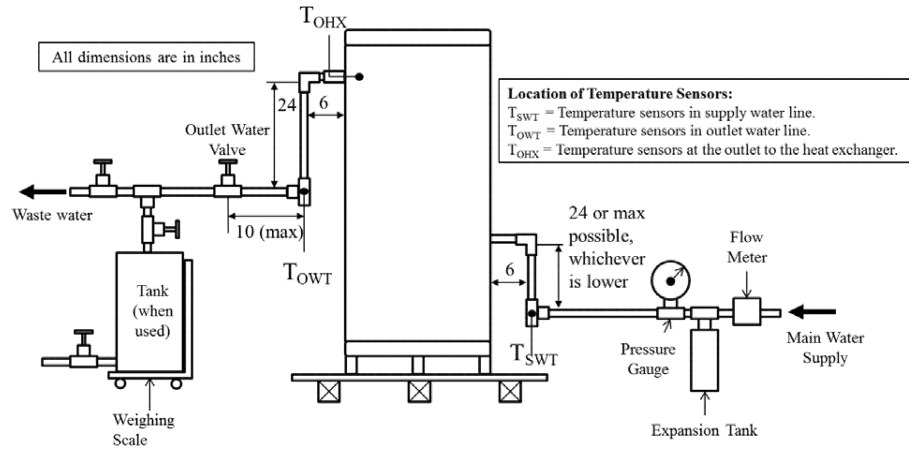


Figure 2.3. Set-up for standby loss test for electric instantaneous water heaters (other than storage-type instantaneous water heaters) equipped with horizontal connections not requiring a recirculating loop.

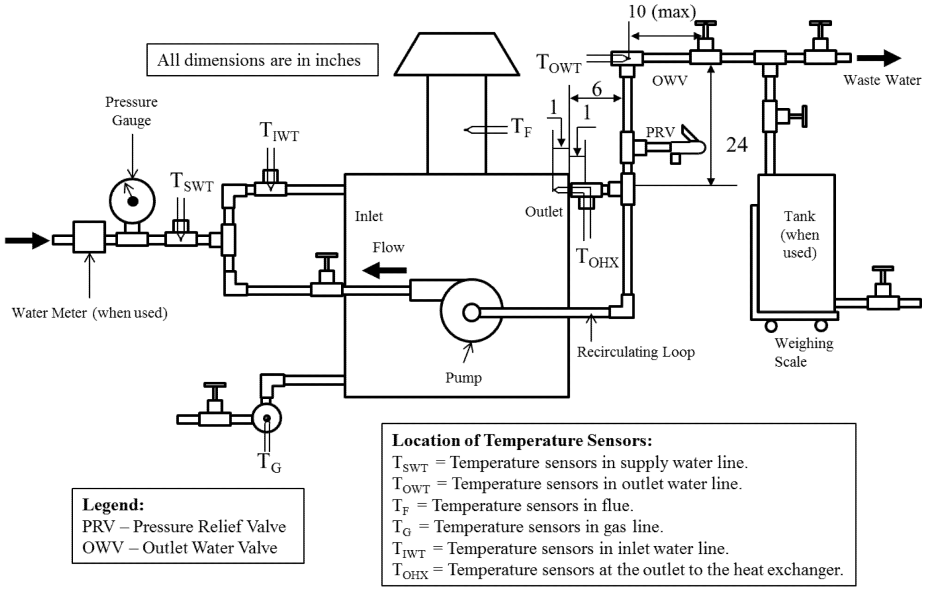


Figure 2.4. Set-up for standby loss test for electric instantaneous water heaters (other than storage-type instantaneous water heaters) requiring a recirculating loop for testing.

2.2.1. If the instantaneous water heater does not have any external piping, install an outlet water valve within 10 inches of the piping length of the water heater jacket or enclosure. If the instantaneous water heater includes external piping assembled at the manufacturer's premises prior to shipment, install water valves in the outlet piping within 5 inches of the end of the piping supplied with the unit.

2.2.2. If the water heater is not able to achieve an outlet water temperature of 70 °F ± 2 °F above the supply water temperature at a constant maximum electricity input rate, a recirculating loop with pump as shown in Figure 2.4 of this appendix must be used.

2.2.2.1. If a recirculating loop with a pump is used, then ensure that the inlet water temperature (labeled as T_{IWT} in Figure 2.4 of this appendix) is greater than or equal to 70 °F and less than or equal to 120 °F at all times during the steady-state verification period.

2.3. Installation of Temperature Sensors

2.3.1. Without Recirculating Loop

2.3.1.1. *Vertical Connections.* Use Figure 2.1 (for top connections) and 2.2 (for bottom connections) of this appendix.

2.3.1.2. *Horizontal Connections.* Use Figure 2.3 of this appendix.

2.3.2. *With Recirculating Loop.* Set up the recirculating loop as shown in Figure 2.4 of this appendix.

2.3.3. For water heaters with multiple outlet water connections leaving the water heater jacket that are required to be operated to achieve the rated input, temperature sensors must be installed for each outlet water connection leaving the water heater jacket or enclosure that is used during testing, in accordance with sections 2.3.1 and 2.3.2 of this appendix.

2.4. *Piping Insulation.* Insulate all the water piping external to the water heater jacket or enclosure, including piping that is installed by the manufacturer or shipped with the unit, for at least 4 ft of piping length from the connection at the appliance with material having an R-value not less than 4 °F·f^{t2}·h/Btu. Ensure that the insulation does not contact any appliance surface except at the location where the pipe connections penetrate the appliance jacket or enclosure.

2.5. *Temperature and Pressure Relief Valve Insulation.* If the manufacturer has not provided a temperature and pressure relief valve, one shall be installed and insulated as specified in section 2.4 of this appendix. The temperature and pressure relief valve must be installed in the outlet water piping between the unit being tested and the outlet water valve.

2.6. *Energy Consumption.* Install equipment that determines, within ± 1 percent, the quantity of electricity consumed by factory-supplied water heater components, and of the test loop recirculating pump, if used.

3. Test Conditions

3.1. Water Supply

3.1.1. *Water Supply Pressure.* The pressure of the water supply must be maintained between 40 psi and the maximum pressure specified by the manufacturer of the unit being tested. The accuracy of the pressure-measuring devices must be ± 1.0 psi.

3.1.2. *Water Supply Temperature.* During the steady-state verification period, the temperature of the supply water (T_{SWT}) must be maintained at 70 °F ± 2 °F.

.2. *Electrical Supply.* Maintain the electrical supply voltage to within ± 5 percent of the voltage specified on the water heater nameplate. If a voltage range is specified on the nameplate, maintain the voltage to within ± 5 percent of the center of the voltage range specified on the nameplate.

3.3. *Ambient Room Temperature.* Maintain the ambient room temperature at 75 °F ± 10 °F at all times during the steady-state verification period and the standby loss test. Measure the ambient room temperature at 1-minute intervals during these periods. Measure the ambient room temperature at the vertical mid-point of the water heater and approximately 2 feet from the water heater jacket or enclosure. Shield the sensor against radiation. Calculate the average ambient room temperature for the standby loss test. During the standby loss test, the ambient room temperature must not vary more than ± 5.0 °F at any reading from the average ambient room temperature.

3.4. *Maximum Air Draft.* During the steady-state verification period and the standby loss test, the water heater must be located in an area protected from drafts of more than 50 ft/min. Prior to beginning steady-state verification before the standby loss test, measure the air draft within three feet of the jacket or enclosure of the water heater to ensure this condition is met. Ensure that no other changes that would increase the air draft are made to the test set-up or conditions during the conduct of the test.

3.5. Primary Control

3.5.1. *Thermostatically-Activated Water Heaters with an Internal Thermostat.* Before starting the steady-state verification prior to the standby loss test, the thermostat setting must be obtained. Set the thermostat to ensure:

3.5.1.1. With supply water temperature as per section 3.1.2 of this appendix (*i.e.*, 70 °F ± 2 °F) the water flow rate can be varied so that the outlet water temperature is constant at 70 °F ± 2 °F above the supply water temperature, while the heating element is operating at the rated input.

3.5.1.2. After the water supply is turned off and the thermostat reduces the electricity supply to the heating element to a minimum, the maximum heat exchanger outlet water temperature (T_{OHX}) is 140 °F ± 5 °F.

3.5.1.3. If the water heater includes a built-in safety mechanism that prevents it from achieving a heat exchanger outlet water temperature of 140 °F ± 5 °F, adjust the thermostat to its maximum setting.

3.5.2. *Flow-Activated Instantaneous Water Heaters and Thermostatically-Activated Instantaneous Water Heaters with an External Thermostat*. Before starting the steady-state verification prior to the standby loss test energize the primary control such that it is always calling for heating and the heating element is operating at the rated input. Maintain the supply water temperature as per section 3.1.2 of this appendix (*i.e.*, 70 °F ± 2 °F). Set the control so that the outlet water temperature (T_{OWT}) is 140 °F ± 5 °F. If the water heater includes a built-in safety mechanism that prevents it from achieving a heat exchanger outlet water temperature of 140 °F ± 5 °F, adjust the control to its maximum setting.

3.6. For Units With Multiple Outlet Water Connections

3.6.1. For each connection leaving the water heater that is required for the unit to achieve the rated input, the outlet water temperature must not differ from that of any other outlet water connection by more than 2 °F during the steady-state verification period prior to the standby loss test.

3.6.2. Determine the outlet water temperature representative for the entire unit at every required measurement interval by calculating the average of the outlet water temperatures measured at each connection leaving the water heater jacket or enclosure that is used during testing. Use the outlet water temperature representative for the entire unit in all calculations for the standby loss test.

3.7. *Data Collection Intervals*. During the standby loss test, follow the data recording intervals specified in Table 3.1 of this appendix. Also, the electricity consumption over the course of the entire test must be measured and used in calculation of standby loss.

3.7.1. *Steady-State Verification Period*. Follow the data recording intervals specified in Table 3.1 of this appendix.

TABLE 3.1—DATA TO BE RECORDED BEFORE AND DURING THE STEADY-STATE VERIFICATION PERIOD

Item recorded	Before steady-state verification period	Every 1 minute [a]	Every 10 minutes
Air draft, ft/min	X		
Time, minutes/seconds		X	
Electricity Consumed, Btu			X
Supply water temperature (T_{SWT}), °F		X	
Inlet water temperature (T_{IWT}), °F		X [b]	
Outlet water temperature (T_{OWT}), °F		X	
Ambient room temperature, °F		X	
Water flow rate, (gpm)		X	

Notes:
[a] These measurements are to be recorded at the start and end, as well as every minute of the steady-state verification period.
[b] Only measured when a recirculating loop is used.

3.7.2. *Standby Loss Test*. Follow the data recording intervals specified in Table 3.2 of this appendix. Additionally, the electricity consumption over the course of the entire test must be measured and used in calculation of standby loss.

TABLE 3.2—DATA TO BE RECORDED BEFORE AND DURING THE STANDBY LOSS TEST

Item recorded	Before test	Every 1 minute [a]
Air draft, ft/min	X	
Time, minutes/seconds.		X
Heat exchanger outlet water temperature, °F (T_{OHX}).		X
Ambient room temperature, °F.		X

Note:
[a] These measurements are to be recorded at the start and end of the test, as well as every minute during the test.

4. *Determination of Storage Volume*. Determine the storage volume by subtracting the tare weight—measured while the system is dry and empty—from the weight of the system when filled with water and dividing the resulting net weight of water by the density of water at the measured water temperature. The volume of water contained in the water heater must be computed in gallons.

5. *Standby Loss Test*. Perform the steady-state verification period in accordance with section 5.1 of this appendix. For thermostatically-activated instantaneous water heaters with an internal thermostat, use section 5.2 of this appendix to conduct the standby loss test, and for flow-activated and/or thermostatically-activated instantaneous water heaters with an external thermostat (including remote thermostatically activated and/or flow-activated instantaneous water heaters), use section 5.3 of this appendix to conduct the standby loss test.

Set the primary control in accordance with section 3.5 of this appendix, such that the

primary control is always calling for heat and the water heater is operating at its full rated input. Begin drawing water from the unit by opening the main supply and the outlet water valve, and adjust the water flow rate to achieve an outlet water temperature of 70 °F ± 2 °F above supply water temperature. At this time, begin recording the parameters specified in section 3.7.1 of this appendix. The steady-state verification period is complete when there is a continuous 30-minute period where the steady-state conditions specified in section 5.1 of this appendix are met, as confirmed by consecutive readings of the relevant parameters recorded at 1-minute intervals (except for electric power input rate, which is determined at 10-minute intervals, as specified in section 3.7.1 of this appendix).

5.1. *Steady-State Conditions.* The following conditions must be met at consecutive readings taken at 1-minute intervals (except for electricity input rate, for which measurements are taken at 10-minute intervals) to verify the water heater has achieved steady-state operation prior to conducting the standby loss test.

5.1.1. The water flow rate must be maintained within ± 0.25 gallons per minute (gpm) of the initial reading at the start of the steady-state verification period;

5.1.2. Electric power input rate must be maintained within 2 percent of the rated input certified by the manufacturer.

5.1.3. The supply water temperature (or inlet water temperature if a recirculating loop is used) must be maintained within ± 0.50 °F of the initial reading at the start of the steady-state verification period; and

5.1.4. The rise between the supply (or inlet if a recirculating loop is used) and outlet water temperatures is maintained within ± 0.50 °F of its initial value taken at the start of the steady-state verification period for units with rated input less than 500,000 Btu/h, and maintained within ± 1.00 °F of its initial value for units with rated input greater than or equal to 500,000 Btu/h.

5.2. *Thermostatically-Activated Instantaneous Water Heaters with an Internal Thermostat.* For water heaters that will experience cut-in based on a temperature-activated control that is internal to the water heater, use the following steps to conduct the standby loss test.

5.2.1. Immediately after the steady-state verification period, turn off the outlet water valve(s) (installed as per the provisions in section 2.2 of this appendix), and the water pump (if applicable) simultaneously and ensure that there is no flow of water through the water heater.

5.2.2. After the first cut-out following the steady-state verification period, allow the water heater to remain in standby mode. Do not change any settings on the water heater at any point until measurements for the standby loss test are finished. Begin recording the applicable parameters specified in section 3.7.2 of this appendix.

5.2.3. At the second cut-out, record the time and ambient room temperature, and begin measuring the electricity consumption. Record the initial heat exchanger outlet water temperature (T_{OHX}) and initial ambient room temperature. For the remainder of the test, continue recording the applicable parameters specified in section 3.7.2 of this appendix.

5.2.4. Stop the test after the first cut-out that occurs after 24 hours, or at 48 hours, whichever comes first.

5.2.5. Immediately after conclusion of the standby loss test, record the total electrical energy consumption, the final ambient room temperature, the duration of the standby loss test, and if the test ends at 48 hours without a cut-out, the final heat exchanger outlet temperature, or if the test ends after a cut-out, the maximum heat exchanger outlet temperature that occurs after the cut-out. Calculate the average of the recorded values of the heat exchanger outlet water temperature and of the ambient air temperatures taken at each measurement interval, including the initial and final values.

5.2.6. *Standby Loss Calculation.* Calculate the standby loss, expressed as a percentage (per hour) of the heat content of the stored water above room temperature, using the following equation:

$$S = \frac{E_c - \left(\frac{k(V_a)(\Delta T_4)}{E_t/100}\right)}{k(V_a)(\Delta T_3)(t)} \times 100$$

Where,

ΔT_3 = Average value of the heat exchanger outlet water temperature (T_{OHX}) minus the average value of the ambient room temperature, expressed in °F

ΔT_4 = Final heat exchanger outlet water temperature (T_{OHX}) measured at the end of the test minus the initial heat exchanger outlet water temperature (T_{OHX})

measured at the start of the test, expressed in °F

k = 8.25 Btu/gallon· °F, the nominal specific heat of water

V_a = Volume of water contained in the water heater in gallons measured in accordance with section 4 of this appendix

E_t = Thermal efficiency = 98 percent for electric water heaters with immersed heating elements

E_c = Electrical energy consumed by the water heater during the duration of the test in Btu

t = Total duration of the test in hours

S = Standby loss, the average hourly energy required to maintain the stored water temperature expressed as a percentage of the initial heat content of the stored water above room temperature

5.3. *Flow-Activated and Thermostatically-Activated Instantaneous Water Heaters with an External Thermostat*. For water heaters that are either flow-activated or thermostatically-activated with an external thermostat, use the following steps to conduct the standby loss test:

5.3.1. Immediately after the steady-state verification period, de-energize the primary control to end the call for heating. If the heating elements do not cut out, then turn off the electricity supply to the heating elements. After the heating elements have cut-out, or the electricity supply to the heating elements is turned off, begin recording the measurements as per the requirements in section 3.7.2 of this appendix.

5.3.1.1. If the unit does not have an integral pump purge functionality, then turn off the outlet water valve and water pump immediately after the main burners cut-out.

5.3.1.2. If the unit has an integral pump purge functionality, allow the pump purge operation to continue. After the pump purge operation is complete, immediately turn off the outlet water valve and water pump and continue recording the required parameters for the remainder of the test.

5.3.2. Recording Data

5.3.2.1. For units with pump purge functionality, record the initial heat exchanger outlet water temperature (T_{OHX}), and ambient room temperature when the main heating element(s) cut-out or the electricity supply to the heating element(s) is turned off. After the pump purge operation is complete, record the time as t = 0 and the initial electricity meter reading. Continue to monitor and record the heat exchanger outlet water temperature (T_{OHX}) and time elapsed from the start of the test as per the requirements in section 3.7.2 of this appendix.

5.3.2.2. For units not equipped with pump purge functionality, begin recording the measurements as per the requirements of section 3.7.2 of this appendix when the main heating element(s) cut-out or the electricity supply to the heating element(s) is turned off. Specifically, record the time as t = 0, and record the initial heat exchanger outlet water temperature (T_{OHX}), ambient room temperature, and electricity meter readings. Continue to monitor and record the heat exchanger outlet water temperature (T_{OHX}) and the time elapsed from the start of the test as per the requirements in section 3.7.2 of this appendix.

5.3.3. *Stopping Criteria*. Stop the test when one of the following occurs:

5.3.3.1. The heat exchanger outlet water temperature (T_{OHX}) decreases by 35 °F from its value recorded after the main heating element(s) have cut-out, and the pump purge operation (if applicable) is complete; or

5.3.3.2. 24 hours have elapsed from the start of the test.

5.3.4. At the end of the test, record the final heat exchanger outlet water temperature (T_{OHX}), electricity consumed from time t = 0, and the time elapsed from the start of the test.

5.3.5. *Standby Loss Calculation*. Calculate the standby loss, expressed as a percentage (per hour) of the heat content of the stored water above room temperature, using the following equation:

$$S = \frac{\frac{k(V_a)(\Delta T_1)}{E_t/100} + E_c}{k(V_a)(\Delta T_2)(t)} \times 100$$

Where,

ΔT_1 = Heat exchanger outlet water temperature (T_{OHX}) measured after the pump purge operation is complete (if the unit is integrated with pump purge functionality); or after the main heating element(s) cut-out (if the unit is not equipped with pump purge functionality) minus heat exchanger outlet water temperature (T_{OHX}) measured at the end of the test, expressed in °F

ΔT_2 = Heat exchanger outlet water temperature (T_{OHX}) minus the ambient room temperature, both measured after the main heating element(s) cut-out at the start of the test, expressed in °F

k = 8.25 Btu/gallon· °F, the nominal specific heat of water

V_a = Volume of water contained in the water heater in gallons measured in accordance with section 4 of this appendix

E_t = Thermal efficiency = 98 percent for electric water heaters with immersed heating elements

E_c = Electrical energy consumed by the water heater during the duration of the test in Btu

t = Total duration of the test in hours

S = Standby loss, the average hourly energy required to maintain the stored water temperature expressed as a percentage of the initial heat content of the stored water above room temperature

[81 FR 79340, Nov. 10, 2016]

APPENDIX E TO SUBPART G OF PART 431—UNIFORM TEST METHOD FOR THE MEASUREMENT OF ENERGY EFFICIENCY OF COMMERCIAL HEAT PUMP WATER HEATERS

Note: On and after November 6, 2017, manufacturers must make any representations with respect to energy use or efficiency of commercial heat pump water heaters in accordance with the results of testing pursuant to this appendix.

1. General. Determine the COP_h for commercial heat pump water heaters (CHPWHs) using the test procedure set forth below. Certain sections below reference ANSI/ASHRAE 118.1–2012 (incorporated by reference; see §431.105). Where the instructions contained below differ from those contained in ANSI/ASHRAE 118.1–2012, the sections in this appendix control.

2. Definitions and Symbols. The definitions and symbols are as listed in section 3 of ANSI/ASHRAE 118.1–2012.

3. Instrumentation. The instruments required for the test are as described in section 6 of ANSI/ASHRAE 118.1–2012 (except sections 6.3, 6.4, and 6.6).

4. Test Set-Up. Follow the provisions described in this section to install the CHPWH for testing. Use the test set-up and installation instructions set forth for Type IV and Type V equipment (as applicable), defined in sections 4.4 and 4.5 of ANSI/ASHRAE 118.1–2012 and in accordance with the sections below:

*4.*1. Test set-up and installation instructions.

4.1.1. For air-source CHPWHs, set up the unit for testing as per section 7.1 and Figure 5a of ANSI/ASHRAE 118.1–2012 for CHPWHs without an integral storage tank, and as per Figure 6 in section 7.7.1 of ANSI/ASHRAE 118.1–2012 for CHPWHs with an integral storage tank.

*4.*1.2. For direct geo-exchange CHPWHs, set up the unit for testing as per section 7.1 and Figure 5b of ASNI/ASHRAE 118.1–2012 for CHPWHs without an integral storage tank, and as per Figure 7 in section 7.7.2 of ANSI/ASHRAE 118.1–2012 for CHPWHs with an integral storage tank.

*4.*1.3. For indoor water-source, ground-source closed-loop, and ground water-source CHPWHs, set up the unit for testing as per section 7.1 and Figure 5c of ANSI/ASHRAE 118.1–2012 for CHPWHs without an integral storage tank, and as per Figure 8 in section 7.7.3 of ANSI/ASHRAE 118.1–2012 for CHPWHs with an integral storage tank.

*4.*2. Use the water piping instructions described in section 7.2 of ANSI/ASHRAE 118.1–2012 and the special instructions described in section 7.7.6 of ANSI/ASHRAE 118.1–2012. Insulate all the pipes used for connections with material having a thermal resistance of not less than 4 h· °F·ft^2/Btu for a total piping length of not less than 4 feet from the water heater connection ports.

4.3. Install the thermocouples, including the room thermocouples, as per the instructions in sections 7.3.1, 7.3.2, and 7.3.3 (as applicable) of ANSI/ASHRAE 118.1–2012.

4.4. Section 7.6 of ANSI/ASHRAE 118.1–2012 must be used if the manufacturer neither submits nor specifies a water pump applicable for the unit for laboratory testing.

4.5. Install the temperature sensors at the locations specified in Figure 5a, 5b, 5c, 6, 7, or 8 of ANSI/ASHRAE 118.1–2012, as applicable as per section 4.1 of this appendix. The sensor shall be installed in such a manner that the sensing portion of the device is positioned within the water flow and as close as possible to the center line of the pipe. Follow the instructions provided in sections 7.7.7.1 and 7.7.7.2 of ANSI/ASHRAE 118.1–2012 to install the temperature and flow-sensing instruments.

4.6. Use the following evaporator side rating conditions as applicable for each category of CHPWHs. These conditions are also mentioned in Table 5.1 of this appendix:

4.6.1. For air-source CHPWHs, maintain the evaporator air entering dry-bulb temperature at 80.6 °F ± 1 °F and wet-bulb temperature at 71.2 °F ± 1 °F throughout the conduct of the test.

4.6.2. For direct geo-exchange CHPWHs, maintain the evaporator refrigerant temperature at 32 °F ± 1 °F.

4.6.3. For indoor water-source CHPWHs, maintain the evaporator entering water temperature at 68 °F ± 1 °F.

4.6.4. For ground water-source CHPWHs, maintain the evaporator entering water temperature at50 °F ± 1 °F.

4.6.5. For ground-source closed-loop CHPWHs, maintain the evaporator entering water temperature at 32 °F ± 1 °F.

4.6.5.1. For ground-source closed-loop CHPWHs, the evaporator water must be mixed with 15-percent methanol by-weight to allow the solution to achieve the rating conditions required in section 4.6.5.

4.7. The CHPWH being tested must be installed as per the instructions specified in sections 4.1 to 4.6 (as applicable) of this appendix. For all other installation requirements, use section 7.7.4 of ANSI/ASHRAE 118.1–2012 to resolve any issues related to installation (other than what is specified in this test procedure) of the equipment for testing. Do not make any alterations to the equipment except as specified in this appendix for installation, testing, and the attachment of required test apparatus and instruments.

4.8. Use Table 3 of ANSI/ASHRAE 118.1–2012 for measurement tolerances of various parameters.

4.9. If the CHPWH is equipped with a thermostat that is used to control the throttling valve of the equipment, then use the provisions in section 7.7.7.3 of ANSI/ASHRAE 118.1–2012 to set up the thermostat.

4.10. For CHPWHs equipped with an integral storage tank, supplemental heat inputs such as electric resistance elements must be disabled as per section 7.7.8 of ANSI/ASHRAE 118.1–2012.

4.11. Install instruments to measure the electricity supply to the equipment as specified in section 7.5 of ANSI/ASHRAE 118.1–2012.

5. Test Procedure

Test all CHPWHs that are not equipped with an integral storage tank as per the provisions described in ANSI/ASHRAE 118.1–2012 for ''Type IV'' equipment as defined in section 4.4 of ANSI/ASHRAE 118.1–2012. Test all CHPWHs that are equipped with an integral storage tank as per the provisions described in ANSI/ASHRAE 118.1–2012 for ''Type V'' equipment as defined in section 4.5 of ANSI/ASHRAE 118.1–2012. Tests for all CHPWHs must follow the steps described below.

5.1. Supply the CHPWH unit with electricity at the voltage specified by the manufacturer. Follow the provisions in section 8.2.1 of ANSI/ASHRAE 118.1–2012 to maintain the electricity supply at the required level.

5.1.1. For models with multiple voltages specified by the manufacturer, use the minimum voltage specified by the manufacturer to conduct the test. Maintain the voltage as per the limits specified in section 8.2.1 of ANSI/ASHRAE 118.1–2012. The test may be repeated at other voltages at the manufacturer's discretion.

5.2. Set the condenser supply water temperature and outlet water temperature per the following provisions and as set forth in Table 5.1 of this section:

TABLE 5.1—EVAPORATOR AND CONDENSER SIDE RATING CONDITIONS

Category of CHPWH	Evaporator side rating conditions	Condenser side rating conditions
Air-source commercial heat pump water heater.	Evaporator entering air conditions:. Dry bulb: 80.6 °F ± 1 °F ..... Wet bulb: 71.2 °F ± 1 °F	Entering water temperature: 70 °F ± 1 °F. Vary water flow rate (if needed) to achieve the outlet water temperature as specified in section 8.7.2 of ANSI/ASHRAE 118.1–2012. If the required outlet water temperature as specified in section 8.7.2 of ANSI/ASHRAE 118.1–2012 is not met even after varying the flow rate, then change the condenser entering water temperature to 110 °F ± 1 °F. Vary flow rate to achieve the conditions in section 8.7.2 of ANSI/ASHRAE 118.1–2012.
Direct geo-exchange commercial heat pump water heater.	Evaporator refrigerant temperature: 32 °F ± 1 °F.	Entering water temperature: 110 °F ± 1 °F.
Indoor water-source commercial heat pump water heater.	Evaporator entering water temperature: 68 °F ± 1 °F.	Entering water temperature: 110 °F ± 1 °F.
Ground water-source commercial heat pump water heater.	Evaporator entering water temperature: 50 °F ± 1 °F.	Entering water temperature: 110 °F ± 1 °F.
Ground-source closed-loop commercial heat pump water heater.	Evaporator entering water temperature: 32 °F ± 1 °F.	Entering water temperature: 110 °F ± 1 °F.

5.2.1. For air-source CHPWHs:

5.2.1.1. Set the supply water temperature to 70 °F ± 1 °F. The water pressure must not exceed the maximum working pressure rating for the equipment under test.

5.2.1.2. Use the provisions in section 8.7.1 of ANSI/ASHRAE 118.1–2012 to set the tank thermostat for CHPWHs equipped with an integral storage tank.

5.2.1.3. Initiate operation at the rated pump flow rate and measure the outlet water temperature. If the outlet water temperature is maintained at 120 °F ± 5 °F with no variation in excess of 2 °F over a three-minute

period, as required by section 8.7.2 of ANSI/ASHRAE 118.1–2012, skip to section 5.3 of this appendix.

5.2.1.4. If the outlet water temperature condition as specified in section 8.7.2 of ANSI/ASHRAE 118.1–2012 is not achieved, adjust the water flow rate over the range of the pump's capacity. If, after varying the water flow rate, the outlet water temperature is maintained at 120 °F ± 5 °F with no variation in excess of 2 °F over a three-minute period, as required by section 8.7.2 of ANSI/ASHRAE 118.1–2012, skip to section 5.3 of this appendix.

5.2.1.5. If, after adjusting the water flow rate within the range that is achievable by the pump, the outlet water temperature condition as specified in section 8.7.2 of ANSI/ASHRAE 118.1–2012 is still not achieved, then change the supply water temperature to 110 °F ± 1 °F and repeat the instructions from sections 5.2.1.2 and 5.2.1.4 of this appendix.

5.2.1. 6. If the outlet water temperature condition cannot be met, then a test procedure waiver is necessary to specify an alternative set of test conditions.

5.2.2. For direct geo-exchange, indoor water-source, ground-source closed-loop, and ground water-source CHPWHs use the following steps:

5.2.2.1. Set the condenser supply water temperature to 110 °F ± 1 °F. The water pressure must not exceed the maximum working pressure rating for the equipment under test.

5.2.2.2. Use the provisions in section 8.7.1 of ANSI/ASHRAE 118.1–2012 to set the tank thermostat for CHPWHs equipped with an integral storage tank.

5.2.2.3. Follow the steps specified in section 8.7.2 of ANSI/ASHRAE 118.1–2012 to obtain an outlet water temperature of 120 °F ± 5 °F with no variation in excess of 2 °F over a three-minute period.

5.3. Conduct the test as per section 9.1.1, ''Full Input Rating,'' of ANSI/ASHRAE 118.1–2012. The flow rate, ''FR,'' referred to in section 9.1.1 of ANSI/ASHRAE 118.1–2012 is the flow rate of water through the CHPWH expressed in gallons per minute obtained after following the steps in section 5.2 of this appendix. Use the evaporator side rating conditions specified in section 4.6 of this appendix to conduct the test as per section 9.1.1 of ANSI/ASHRAE 118.1–2012.

5.4. Calculate the COP_h of the CHPWH according to section 10.3.1 of the ANSI/ASHRAE 118.1–2012 for the ''Full Capacity Test Method.'' For all calculations, time differences must be expressed in minutes.

[81 FR 79346, Nov. 10, 2016]

Subpart H—Automatic Commercial Ice Makers

SOURCE: 70 FR 60415, Oct. 18, 2005, unless otherwise noted.

§ 431.131 Purpose and scope.

This subpart contains energy conservation requirements for commercial ice makers, pursuant to Part C of Title III of the Energy Policy and Conservation Act, as amended, 42 U.S.C. 6311–6317.

§ 431.132 Definitions concerning automatic commercial ice makers.

Automatic commercial ice maker means a factory-made assembly (not necessarily shipped in 1 package) that—

(1) Consists of a condensing unit and ice-making section operating as an integrated unit, with means for making and harvesting ice; and

(2) May include means for storing ice, dispensing ice, or storing and dispensing ice.

Baffle means a partition (usually made of flat material like cardboard, plastic, or sheet metal) that reduces or prevents recirculation of warm air from an ice maker's air outlet to its air inlet—or, for remote condensers, from the condenser's air outlet to its inlet.

Basic model means all units of a given type of covered product (or class thereof) manufactured by one manufacturer, having the same primary energy source, and which have essentially identical electrical, physical, and functional (or hydraulic) characteristics that affect energy consumption, energy efficiency, water consumption, or water efficiency.

Batch type ice maker means an ice maker having alternate freezing and harvesting periods.

Condenser water use means the total amount of water used by the condensing unit (if water-cooled), stated in gallons per 100 pounds (gal/100 lb) of ice, in multiples of 1.

Continuous type ice maker means an ice maker that continually freezes and harvests ice at the same time.

Energy use means the total energy consumed, stated in kilowatt hours per one-hundred pounds (kWh/100 lb) of ice, in multiples of 0.01. For remote condensing (but not remote compressor)

automatic commercial ice makers and remote condensing and remote compressor automatic commercial ice makers, total energy consumed shall include the energy use of the ice-making mechanism, the compressor, and the remote condenser or condensing unit.

Harvest rate means the amount of ice (at 32 degrees F) in pounds produced per 24 hours.

Ice hardness factor means the latent heat capacity of harvested ice, in British thermal units per pound of ice (Btu/lb), divided by 144 Btu/lb, expressed as a percent.

Ice-making head means automatic commercial ice makers that do not contain integral storage bins, but are generally designed to accommodate a variety of bin capacities. Storage bins entail additional energy use not included in the reported energy consumption figures for these units.

Portable automatic commercial ice maker means an automatic commercial ice maker that does not have a means to connect to a water supply line and has one or more reservoirs that are manually supplied with water.

Potable water use means the amount of potable water used in making ice, which is equal to the sum of the ice harvested, dump or purge water, and the harvest water, expressed in gal/100 lb, in multiples of 0.1, and excludes any condenser water use.

Refrigerated storage automatic commercial ice maker means an automatic commercial ice maker that has a refrigeration system that actively refrigerates the self-contained ice storage bin.

Remote compressor means a type of automatic commercial ice maker in which the ice-making mechanism and compressor are in separate sections.

Remote condensing means a type of automatic commercial ice maker in which the ice-making mechanism and condenser or condensing unit are in separate sections.

Self-contained means a type of automatic commercial ice maker in which the ice-making mechanism and storage compartment are in an integral cabinet.

[70 FR 60415, Oct. 18, 2005, as amended at 71 FR 71371, Dec. 8, 2006; 76 FR 12503, Mar. 7, 2011; 77 FR 1613, Jan. 11, 2012; 87 FR 65899, Nov. 1, 2022]

TEST PROCEDURES

§ 431.133 Materials incorporated by reference.

Certain material is incorporated by reference into this subpart with the approval of the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in this section, the U.S. Department of Energy (DOE) must publish a document in the FEDERAL REGISTER and the material must be available to the public. All approved incorporation by reference (IBR) material is available for inspection at DOE and at the National Archives and Records Administration (NARA). Contact DOE at: the U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Program, Sixth Floor, 950 L'Enfant Plaza SW, Washington, DC 20024, (202)-586–9127, *Buildings@ee.doe.gov, www.energy.gov/eere/buildings/building-technologies-office*. For information on the availability of this material at NARA, email: *fr.inspection@nara.gov*, or go to: *www.archives.gov/federal-register/cfr/ibr-locations.html*. The material may be obtained from the following sources:

(a) *AHRI.* Air-Conditioning, Heating, and Refrigeration Institute, 2111 Wilson Blvd., Suite 500, Arlington, VA 22201; (703) 524–8800; *ahri@ahrinet.org; www.ahrinet.org*.

(1) AHRI Standard 810 (I–P)–2016 with Addendum 1, *Performance Rating of Automatic Commercial Ice-Makers*, January 2018; IBR approved for § 431.134.

(2) [Reserved]

(b) *ASHRAE.* American Society of Heating, Refrigerating and Air-Conditioning Engineers, Inc., 1791 Tullie Circle NE, Atlanta, GA 30329; (404) 636–8400; *ashrae@ashrae.org; www.ashrae.org*.

(1) ANSI/ASHRAE Standard 29–2015, *Method of Testing Automatic Ice Makers*, approved April 30, 2015; IBR approved for § 431.134.

(2) [Reserved]

[87 FR 65900, Nov. 1, 2022]

§ 431.134 Uniform test methods for the measurement of harvest rate, energy consumption, and water consumption of automatic commercial ice makers.

NOTE 1 TO § 431.134: On or after October 27, 2023, any representations, including certifications of compliance for automatic commercial ice makers, made with respect to the energy use or efficiency of automatic commercial ice makers must be made in accordance with the results of testing pursuant to this section. Prior to October 27, 2023, any representations with respect to energy use or efficiency of automatic commercial ice makers must be made either in accordance with the results of testing pursuant to this section or with the results of testing pursuant to this section as it appeared in 10 CFR 431.134 in the 10 CFR parts 200–499 edition revised as of January 1, 2022.

(a) *Scope.* This section provides the test procedures for measuring the harvest rate in pounds of ice per 24 hours (lb/24 h), energy use in kilowatt hours per 100 pounds of ice (kWh/100 lb), and the condenser water use in gallons per 100 pounds of ice (gal/100 lb) of automatic commercial ice makers with capacities up to 4,000 lb/24 h. This section also provides voluntary test procedures for measuring the potable water use in gallons per 100 pounds of ice (gal/100 lb).

(b) *Testing and calculations.* Measure the harvest rate, the energy use, the condenser water use, and, to the extent elected, the potable water use of each covered automatic commercial ice maker by conducting the test procedures set forth in AHRI Standard 810 (I–P)–2016 with Addendum 1, section 3, ''Definitions,'' section 4, ''Test Requirements,'' and section 5.2, ''Standard Ratings'' (incorporated by reference, *see* § 431.133), and according to the provisions of this section. Use ANSI/ASHRAE Standard 29–2015 (incorporated by reference, see § 431.133) referenced by AHRI Standard 810 (I–P)–2016 with Addendum 1 for all automatic commercial ice makers, except as noted in paragraphs (c) through (k) of this section. If any provision of the referenced test procedures conflicts with the requirements in this section or the definitions in § 431.132, the requirements in this section and the definitions in § 431.132 control.

(c) *Test setup and equipment configurations*—(1) *Baffles.* Conduct testing without baffles unless the baffle either is a part of the automatic commercial ice maker or shipped with the automatic commercial ice maker to be installed according to the manufacturer's installation instructions.

(2) *Clearances.* Install all automatic commercial ice makers for testing according to the manufacturer's specified minimum rear clearance requirements, or with 3 feet of clearance from the rear of the automatic commercial ice maker, whichever is less, from the chamber wall. All other sides of the automatic commercial ice maker and all sides of the remote condenser, if applicable, shall have clearances according to section 6.5 of ANSI/ASHRAE Standard 29–2015.

(3) *Purge settings.* Test automatic commercial ice makers equipped with automatic purge water control using a fixed purge water setting that is described in the manufacturer's written instructions shipped with the unit as being appropriate for water of normal, typical, or average hardness. Purge water settings described in the instructions as suitable for use only with water that has higher or lower than normal hardness (such as distilled water or reverse osmosis water) must not be used for testing.

(4) *Ambient conditions measurement*—(i) *Ambient temperature sensors.* Measure all ambient temperatures according to section 6.4 of ANSI/ASHRAE Standard 29–2015, except as provided in paragraph (c)(4)(iv) of this section, with unweighted temperature sensors.

(ii) *Ambient relative humidity measurement.* Except as provided in paragraph (c)(4)(iv) of this section, ambient relative humidity shall be measured at the same location(s) used to confirm ambient dry bulb temperature, or as close as the test setup permits. Ambient relative humidity shall be measured with an instrument accuracy of ±2.0 percent.

(iii) *Ambient conditions sensors shielding.* Ambient temperature and relative humidity sensors may be shielded if the ambient test conditions cannot be

maintained within the specified tolerances because of warm discharge air from the condenser exhaust affecting the ambient measurements. If shields are used, the shields must not inhibit recirculation of the warm discharge air into the condenser or automatic commercial ice maker inlet.

(iv) *Alternate ambient conditions measurement location.* For automatic commercial ice makers in which warm air discharge from the condenser exhaust affects the ambient conditions as measured 1 foot in front of the air inlet, or automatic commercial ice makers in which the air inlet is located in the rear of the automatic commercial ice maker and the manufacturer's specified minimum rear clearance is less than or equal to 1 foot, the ambient temperature and relative humidity may instead be measured 1 foot from the cabinet, centered with respect to the sides of the cabinet, for any side of the automatic commercial ice maker cabinet with no warm air discharge or air inlet.

(5) *Collection container for batch type automatic commercial ice makers with harvest rates less than or equal to 50 lb/24 h.* Use an ice collection container as specified in section 5.5.2(a) of ANSI/ASHRAE Standard 29–2015, except that the water retention weight of the container is no more than 4.0 percent of that of the smallest batch of ice for which the container is used.

(d) *Test conditions*—(1) *Relative humidity.* Maintain an average minimum ambient relative humidity of 30.0 percent throughout testing.

(2) *Inlet water pressure.* Except for portable automatic commercial ice makers, the inlet water pressure when water is flowing into the automatic commercial ice maker shall be within the allowable range within 5 seconds of opening the water supply valve.

(e) *Stabilization*—(1) *Percent difference calculation.* Calculate the percent difference in the ice production rate between two cycles or samples using the following equation, where A and B are the harvest rates, in lb/24 h (for batch type ice makers) or lb/15 mins (for continuous type ice makers), of any cycles or samples used to determine stability:

$$Perent\ Difference = \frac{|A - B|}{\frac{A + B}{2}} x100\text{percent}$$

(2) *Automatic commercial ice makers with harvest rates greater than 50lb/24 h.* The three or more consecutive cycles or samples used to calculate harvest rate, energy use, condenser water use, and potable water use, must meet the stability criteria in section 7.1.1 of ANSI/ASHRAE Standard 29–2015.

(3) *Automatic commercial ice makers with harvest rates less than or equal to 50 lb/24 h.* The three or more consecutive cycles or samples used to calculate harvest rate, energy use, condenser water use, and potable water use, must meet the stability criteria in section 7.1.1 of ANSI/ASHRAE Standard 29–2015, except that the weights of the samples (for continuous type automatic commercial ice makers (ACIMs)) or 24-hour calculated ice production (for batch type ACIMs) must not vary by more than ±4 percent, and the 25 g (for continuous type ACIMs) and 1 kg (for batch type ACIMs) criteria do not apply.

(f) *Calculations.* The harvest rate, energy use, condenser water use, and potable water use must be calculated by averaging the values for the three calculated samples for each respective reported metric as specified in section 9 of ANSI/ASHRAE Standard 29–2015. All intermediate calculations prior to the reported value, as applicable, must be performed with unrounded values.

(g) *Rounding.* Round the reported values as follows: Harvest rate to the nearest 1 lb/24 h for harvest rates above 50 lb/24 h; harvest rate to the nearest 0.1 lb/24 h for harvest rates less than or equal to 50 lb/24 h; condenser water use to the nearest 1 gal/100 lb; and energy

use to the nearest 0.01 kWh/100 lb. Round final potable water use value to the nearest 0.1 gal/100 lb.

(h) *Continuous type automatic commercial ice makers*—(1) *Ice hardness adjustment*—(i) *Calorimeter constant*. Determine the calorimeter constant according to the requirements in section A1 and A2 of Normative Annex A Method of Calorimetry in ANSI/ASHRAE Standard 29–2015, except that the trials shall be conducted at an ambient air temperature (room temperature) of 70 °F ± 1 °F, with an initial water temperature of 90 °F ± 1 °F. To verify the temperature of the block of pure ice as provided in section A2.e in ANSI/ASHRAE Standard 29–2015, a thermocouple shall be embedded at approximately the geometric center of the interior of the block. Any water that remains on the block of ice shall be wiped off the surface of the block before being placed into the calorimeter.

(ii) *Ice hardness factor*. Determine the ice hardness factor according to the requirements in section A1 and A3 of Normative Annex A Method of Calorimetry in ANSI/ASHRAE Standard 29–2015, except that the trials shall be conducted at an ambient air temperature (room temperature) of 70 °F ± 1 °F, with an initial water temperature of 90 °F ± 1 °F. The harvested ice used to determine the ice hardness factor shall be produced according to the test methods specified at § 431.134. The ice hardness factor shall be calculated using the equation for ice hardness factor in section 5.2.2 of AHRI Standard 810 (I–P)–2016 with Addendum 1.

(iii) *Ice hardness adjustment calculation*. Determine the reported energy use and reported condenser water use by multiplying the measured energy use or measured condenser water use by the ice hardness adjustment factor, determined using the ice hardness adjustment factor equation in section 5.2.2 of AHRI Standard 810 (I–P)–2016 with Addendum 1.

(2) [Reserved]

(i) *Automatic commercial ice makers with automatic dispensers*. Allow for the continuous production and dispensing of ice throughout testing. If an automatic commercial ice maker with an automatic dispenser is not able to continuously produce and dispense ice because of certain mechanisms within the automatic commercial ice maker that prohibit the continuous production and dispensing of ice throughout testing, those mechanisms must be overridden to the minimum extent which allows for the continuous production and dispensing of ice. The automatic commercial ice maker shall have an empty internal storage bin at the beginning of the test period. Collect capacity samples according to the requirements of ANSI/ASHRAE Standard 29–2015, except that the samples shall be collected through continuous use of the dispenser rather than in the internal storage bin. The intercepted ice samples shall be obtained from a container in an external ice bin that is filled one-half full of ice and is connected to the outlet of the ice dispenser through the minimal length of conduit that can be used.

(j) *Portable automatic commercial ice makers*. Sections 5.4, 5.6, 6.2, and 6.3 of ANSI/ASHRAE Standard 29–2015 do not apply. Ensure that the ice storage bin is empty prior to the initial potable water reservoir fill. Fill an external container with water to be supplied to the portable automatic commercial ice maker water reservoir. Establish an initial water temperature of 70 °F ± 1.0 °F. Verify the initial water temperature by inserting a temperature sensor into approximately the geometric center of the water in the external container. Immediately after establishing the initial water temperature, fill the ice maker water reservoir to the maximum level of potable water as specified by the manufacturer. After the potable water reservoir is filled, operate the portable automatic commercial ice maker to produce ice into the ice storage bin until the bin is one-half full. One-half full for the purposes of testing portable automatic commercial ice makers means that half of the vertical dimension of the ice storage bin, based on the maximum ice fill level within the ice storage bin, is filled with ice. Once the ice storage bin is one-half full, conduct testing according to section 7 of ANSI/ASHRAE Standard 29–2015. The potable water use is equal to the sum of the weight of ice and any corresponding melt water collected for

the capacity test as specified in section 7.2 of ANSI/ASHRAE Standard 29–2015.

(k) *Self-contained refrigerated storage automatic commercial ice makers.* For door openings, the door shall be in the fully open position, which means opening the ice storage compartment door to an angle of not less than 75 degrees from the closed position (or the maximum extent possible, if that is less than 75 degrees), for 10.0 ± 1.0 seconds to collect the sample. Conduct door openings only for ice sample collection and returning the empty ice collection container to the ice storage compartment (*i.e.*, conduct two separate door openings, one for removing the collection container to collect the ice and one for replacing the collection container after collecting the ice).

[87 FR 65900, Nov. 1, 2022]

ENERGY CONSERVATION STANDARDS

§ 431.136 Energy conservation standards and their effective dates.

(a) All basic models of commercial ice makers must be tested for performance using the applicable DOE test procedure in § 431.134, be compliant with the applicable standards set forth in paragraphs (b) through (d) of this section, and be certified to the Department of Energy under 10 CFR part 429 of this chapter.

(b) Each cube type automatic commercial ice maker with capacities between 50 and 2,500 pounds per 24-hour period manufactured on or after January 1, 2010 and before January 28, 2018, shall meet the following standard levels:

Equipment type	Type of cooling	Harvest rate lb ice/24 hours	Maximum energy use kWh/100 lb ice	Maximum condenser water use [1] gal/100 lb ice
Ice-Making Head	Water	<500	7.8–0.0055H [2]	200–0.022H.
Ice-Making Head	Water	≥500 and <1,436	5.58–0.0011H	200–0.022H.
Ice-Making Head	Water	≥1,436	4.0	200–0.022H.
Ice-Making Head	Air	<450	10.26–0.0086H	Not Applicable.
Ice-Making Head	Air	≥450	6.89–0.0011H	Not Applicable.
Remote Condensing (but not remote compressor)	Air	<1,000	8.85–0.0038H	Not Applicable.
Remote Condensing (but not remote compressor)	Air	≥1,000	5.1	Not Applicable.
Remote Condensing and Remote Compressor	Air	<934	8.85–0.0038H	Not Applicable.
Remote Condensing (but not remote compressor)	Air	≥934	5.3	Not Applicable.
Self-Contained	Water	<200	11.40–0.019H	191–0.0315H.
Self-Contained	Water	≥200	7.6	191–0.0315H.
Self-Contained	Air	<175	18.0–0.0469H	Not Applicable.
Self-Contained	Air	≥175	9.8	Not Applicable.

[1] Water use is for the condenser only and does not include potable water used to make ice.
[2] H = harvest rate in pounds per 24 hours, indicating the water or energy use for a given harvest rate.
Source: 42 U.S.C. 6313(d).

(c) Each batch type automatic commercial ice maker with capacities between 50 and 4,000 pounds per 24-hour period manufactured on or after January 28, 2018, shall meet the following standard levels:

Equipment type	Type of cooling	Harvest rate lb ice/24 hours	Maximum energy use kilowatt-hours (kWh)/100 lb ice [1]	Maximum condenser water use gal/100 lb ice [2]
Ice-Making Head	Water	< 300	6.88–0.0055H	200–0.022H.
Ice-Making Head	Water	≥300 and <850	5.80–0.00191H	200–0.022H.
Ice-Making Head	Water	≥850 and <1,500	4.42–0.00028H	200–0.022H.
Ice-Making Head	Water	≥1,500 and <2,500	4.0	200–0.022H.
Ice-Making Head	Water	≥2,500 and <4,000	4.0	145.
Ice-Making Head	Air	< 300	10–0.01233H	NA.
Ice-Making Head	Air	≥ 300 and < 800	7.05–0.0025H	NA.
Ice-Making Head	Air	≥ 800 and < 1,500	5.55–0.00063H	NA.
Ice-Making Head	Air	≥ 1500 and < 4,000	4.61	NA.
Remote Condensing (but not remote compressor)	Air	< 988	7.97–0.00342H	NA.
Remote Condensing (but not remote compressor)	Air	≥ 988 and < 4,000	4.59	NA.
Remote Condensing and Remote Compressor	Air	< 930	7.97–0.00342H	NA.
Remote Condensing and Remote Compressor	Air	≥ 930 and < 4,000	4.79	NA.
Self-Contained	Water	< 200	9.5–0.019H	191–0.0315H.
Self-Contained	Water	≥ 200 and < 2,500	5.7	191–0.0315H.

Equipment type	Type of cooling	Harvest rate lb ice/24 hours	Maximum energy use kilowatt-hours (kWh)/100 lb ice [1]	Maximum condenser water use gal/100 lb ice [2]
Self-Contained	Water	≥ 2,500 and < 4,000	5.7	112.
Self-Contained	Air	< 110	14.79–0.0469H	NA.
Self-Contained	Air	≥ 110 and < 200	12.42–0.02533H	NA.
Self-Contained	Air	≥ 200 and < 4,000	7.35	NA.

[1] H = harvest rate in pounds per 24 hours, indicating the water or energy use for a given harvest rate. Source: 42 U.S.C. 6313(d).
[2] Water use is for the condenser only and does not include potable water used to make ice.

(d) Each continuous type automatic commercial ice maker with capacities between 50 and 4,000 pounds per 24-hour period manufactured on or after January 28, 2018, shall meet the following standard levels:

Equipment type	Type of cooling	Harvest rate lb ice/24 hours	Maximum energy use kWh/100 lb ice [1]	Maximum condenser water use gal/100 lb ice [2]
Ice-Making Head	Water	<801	6.48–0.00267H	180–0.0198H.
Ice-Making Head	Water	≥801 and <2,500	4.34	180–0.0198H.
Ice-Making Head	Water	≥2,500 and <4,000	4.34	130.5.
Ice-Making Head	Air	<310	9.19–0.00629H	NA.
Ice-Making Head	Air	≥310 and <820	8.23–0.0032H	NA.
Ice-Making Head	Air	≥820 and <4,000	5.61	NA.
Remote Condensing (but not remote compressor)	Air	<800	9.7–0.0058H	NA.
Remote Condensing (but not remote compressor)	Air	≥800 and <4,000	5.06	NA.
Remote Condensing and Remote Compressor	Air	<800	9.9–0.0058H	NA.
		≥800 and <4,000	5.26	NA.
Self-Contained	Water	<900	7.6–0.00302H	153–0.0252H.
Self-Contained	Water	≥900 and <2,500	4.88	153–0.0252H.
Self-Contained	Water	≥2,500 and <4,000	4.88	90.
Self-Contained	Air	<200	14.22–0.03H	NA.
Self-Contained	Air	≥200 and <700	9.47–0.00624H	NA.
Self-Contained	Air	≥700 and <4,000	5.1	NA.

[1] H = harvest rate in pounds per 24 hours, indicating the water or energy use for a given harvest rate. Source: 42 U.S.C. 6313(d).
[2] Water use is for the condenser only and does not include potable water used to make ice.

[80 FR 4754, Jan. 28, 2015]

Subpart I—Commercial Clothes Washers

SOURCE: 70 FR 60416, Oct. 18, 2005, unless otherwise noted.

§ 431.151 Purpose and scope.

This subpart contains energy conservation requirements for commercial clothes washers, pursuant to Part C of Title III of the Energy Policy and Conservation Act, as amended, 42 U.S.C. 6311–6317.

§ 431.152 Definitions concerning commercial clothes washers.

AEER means active-mode energy efficiency ratio, in pounds per kilowatt-hour per cycle (lbs/kWh/cycle), as determined in section 4.8 of appendix J to subpart B of part 430 (when using appendix J).

Basic model means all units of a given type of covered product (or class thereof) manufactured by one manufacturer, having the same primary energy source, and which have essentially identical electrical, physical, and functional (or hydraulic) characteristics that affect energy consumption, energy efficiency, water consumption, or water efficiency.

Commercial clothes washer means a soft-mounted front-loading or soft-mounted top-loading clothes washer that—

(1) Has a clothes container compartment that—

(i) For horizontal-axis clothes washers, is not more than 3.5 cubic feet; and

(ii) For vertical-axis clothes washers, is not more than 4.0 cubic feet; and

(2) Is designed for use in—

(i) Applications in which the occupants of more than one household will be using the clothes washer, such as multi-family housing common areas and coin laundries; or

(ii) Other commercial applications.

IWF means integrated water factor, in gallons per cubic feet per cycle (gal/cu ft/cycle), as determined in section 4.2.12 of appendix J2 to subpart B of part 430 (when using appendix J2).

MEF_{J2} means modified energy factor, in cu ft/kWh/cycle, as determined in section 4.5 of appendix J2 to subpart B of part 430 (when using appendix J2).

WER means water efficiency ratio, in pounds per gallon per cycle (lbs/gal/cycle), as determined in section 4.7 of appendix J to subpart B of part 430 (when using appendix J).

[87 FR 33405, June 1, 2022]

TEST PROCEDURES

§ 431.154 Test procedures.

The test procedures for clothes washers in appendix J2 to subpart B of part 430 must be used to determine compliance with the energy conservation standards at § 431.156(b).

[87 FR 33405, June 1, 2022]

ENERGY CONSERVATION STANDARDS

§ 431.156 Energy and water conservation standards and effective dates.

(a) Each commercial clothes washer manufactured on or after January 8, 2013, and before January 1, 2018, shall have a modified energy factor no less than and a water factor no greater than:

Equipment class	Modified energy factor (MEF), *cu. ft./kWh/cycle*	Water factor (WF), *gal./cu. ft./cycle*
Top-Loading	1.60	8.5
Front-Loading	2.00	5.5

(b) Each commercial clothes washer manufactured on or after January 1, 2018 shall have a modified energy factor no less than and an integrated water factor no greater than:

Equipment class	Modified energy factor (MEF_{J2}), *cu. ft./kWh/cycle*	Integrated Water factor (IWF), *gal./cu. ft./cycle*
Top-Loading	1.35	8.8
Front-Loading	2.00	4.1

[76 FR 69123, Nov. 8, 2011, as amended at 79 FR 74541, Dec. 15, 2014; 81 FR 20529, Apr. 8, 2016]

Subpart J—Fans and Blowers

SOURCE: 86 FR 46590, Aug. 19, 2021, unless otherwise noted.

§ 431.171 Purpose and scope.

This subpart contains provisions regarding fans and blowers, pursuant to Part C of Title III of the Energy Policy and Conservation Act, as amended, 42 U.S.C. 6311–6317. This subpart does not cover ''ceiling fans'' as that term is defined and addressed in part 430 this chapter, nor does it cover ''furnace fans'' as that term is defined and addressed in part 430 of this chapter.

§ 431.172 Definitions.

Air circulating axial panel fan means an axial housed air circulating fan head without a cylindrical housing or box housing that is mounted on a panel, orifice plate or ring.

Air circulating fan means a fan that has no provision for connection to ducting or separation of the fan inlet from its outlet using a pressure boundary, operates against zero external static pressure loss, and is not a jet fan.

Air circulating fan discharge area means the area of a circle having a diameter equal to the blade tip diameter.

Air circulating fan outlet area means the gross inside area measured at the plane of the outlet opening.

Air-cooled steam condenser means a device for rejecting heat to the atmosphere through the indirect condensing of steam inside air-cooled finned tubes.

Axial inline fan means a fan with an axial impeller and a cylindrical housing with or without turning vanes.

Axial panel fans means an axial fan, without cylindrical housing, that includes a panel, orifice plate, or ring with brackets for mounting through a wall, ceiling, or other structure that separates the fan's inlet from its outlet.

Basic model, with respect to fans and blowers, means all units of fans and blowers manufactured by one manufacturer, having the same primary energy source, and having essentially identical electrical, physical, and functional (*e.g.*, aerodynamic) characteristics that affect energy consumption. In addition:

(1) All variations of blade pitches of an adjustable-pitch axial fan may be considered a single basic model; and

(2) All variations of impeller widths and impeller diameters of a given full-width impeller and full-diameter impeller centrifugal fan may be considered a single basic model.

Box fan means an axial housed air circulating fan head without a cylindrical housing that is mounted on a panel, orifice plate or ring and is mounted in a box housing.

Centrifugal housed fan means a fan with a centrifugal or mixed flow impeller in which airflow exits into a housing that is generally scroll-shaped to direct the air through a single fan outlet. A centrifugal housed fan does not include a radial impeller.

Centrifugal inline fan means a fan with a centrifugal or mixed flow impeller in which airflow enters axially at the fan inlet and the housing redirects radial airflow from the impeller to exit the fan in an axial direction.

Centrifugal unhoused fan means a fan with a centrifugal or mixed flow impeller in which airflow enters through a panel and discharges into free space. Inlets and outlets are not ducted. This fan type also includes fans designed for use in fan arrays that have partition walls separating the fan from other fans in the array.

Cross-flow fan means a fan or blower with a housing that creates an airflow path through the impeller in a direction at right angles to its axis of rotation and with airflow both entering and exiting the impeller at its periphery. Inlets and outlets can optionally be ducted.

Cylindrical air circulating fan means an axial housed air circulating fan head with a cylindrical housing that is not a Positive Pressure Ventilator as defined in AMCA 240–15 (incorporated by reference, see § 431.173).

Evaporative field erected closed-circuit cooling tower means a structure which rejects heat to the atmosphere through the indirect cooling of a process fluid stream to a lower temperature by partial evaporation of an external recirculating water flow.

Evaporative field erected open-circuit cooling tower means a structure which rejects heat to the atmosphere through the direct cooling of a water stream to a lower temperature by partial evaporation.

Fan or *blower* means a rotary bladed machine used to convert electrical or mechanical power to air power, with an energy output limited to 25 kilojoule (kJ)/kilogram (kg) of air. It consists of an impeller, a shaft and bearings and/or driver to support the impeller, as well as a structure or housing. A fan or blower may include a transmission, driver, and/or motor controller.

Fan static air power means the static power delivered to air by the fan or blower; it is proportional to the product of the fan airflow rate, the fan static pressure and the compressibility coefficient and is calculated in accordance with section 7.8.1 of AMCA 210–16 (incorporated by reference, see § 431.173), using fan static pressure instead of fan total pressure.

Fan total air power means the total power delivered to air by the fan or blower; it is proportional to the product of the fan airflow rate, the fan total pressure and the compressibility coefficient and is calculated in accordance with section 7.8.1 of AMCA 210–16 (incorporated by reference, see § 431.173).

Field erected air-cooled (dry) cooler means a structure which rejects heat to the atmosphere from a fluid, either liquid, gas or a mixture thereof, flowing through an air-cooled internal coil.

Field erected evaporative condenser means a structure which rejects heat to the atmosphere through the indirect condensing of a refrigerant in an internal coil by partial evaporation of an external recirculating water flow.

Full-diameter impeller means maximum impeller diameter with which a given fan or blower basic model is distributed in commerce.

Full-width impeller means the maximum impeller width with which a

given fan or blower basic model is distributed in commerce.

Housed air circulating fan head means an air circulating fan with an axial or centrifugal impeller, and a housing.

Housed centrifugal air circulating fan means a housed air circulating fan head with a centrifugal or radial impeller in which airflow exits into a housing that is generally scroll shaped to direct the air through a single, narrow fan outlet.

Induced flow fan means a type of laboratory exhaust fan with a nozzle and windband; the fan's outlet airflow is greater than the inlet airflow due to induced airflow. All airflow entering the inlet exits through the nozzle. Airflow exiting the windband includes the nozzle airflow plus the induced airflow.

Jet fan means a fan designed and marketed specifically for producing a high velocity air jet in a space to increase its air momentum. Jet fans are rated using thrust. Inlets and outlets are not ducted but may include acoustic silencers.

Packaged air-cooled (dry) cooler means a device which rejects heat to the atmosphere from a fluid, either liquid, gas or a mixture thereof, flowing through an air-cooled internal coil.

Packaged evaporative closed-circuit cooling tower means a device which rejects heat to the atmosphere through the indirect cooling of a process fluid stream in an internal coil to a lower temperature by partial evaporation of an external recirculating water flow.

Packaged evaporative condenser means a device which rejects heat to the atmosphere through the indirect condensing of a refrigerant in an internal coil by partial evaporation of an external recirculating water flow.

Packaged evaporative open-circuit cooling tower means a device which rejects heat to the atmosphere through the direct cooling of a water stream to a lower temperature by partial evaporation.

Power roof ventilator means a fan with an internal driver and a housing to prevent precipitation from entering the building. It has a base designed to fit over a roof or wall opening, usually by means of a roof curb.

Radial-housed fan means a fan with a radial impeller in which airflow exits into a housing that is generally scroll-shaped to direct the air through a single fan outlet. Inlets and outlets can optionally be ducted.

Safety Fan means:

(1) A reversible axial fan in cylindrical housing that is designed and marketed for use in ducted tunnel ventilation that will reverse operation under emergency ventilation conditions;

(2) A fan for use in explosive atmospheres tested and marked according to the English version of ISO 80079–36:2016 (incorporated by reference, see § 431.173);

(3) An electric-motor-driven-Positive Pressure Ventilator as defined in AMCA 240–15 (incorporated by reference, see § 431.173);

(4) A fan bearing a listing for ''Power Ventilators for Smoke Control Systems'' in compliance with UL 705 (incorporated by reference, see § 431.173); or

(5) A laboratory exhaust fan designed and marketed specifically for exhausting contaminated air vertically away from a building using a high-velocity discharge.

Unhoused air circulating fan head means an air circulating fan without a housing, having an axial impeller with a ratio of fan-blade span (in inches) to maximum rate of rotation (in revolutions per minute) less than or equal to 0.06. The impeller may or may not be guarded.

[88 FR 27389, May 1, 2023, as amended at 88 FR 53375, Aug. 8, 2023]

§ 431.173 Materials incorporated by reference.

(a) Certain material is incorporated by reference into this subpart with the approval of the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in this section, DOE must publish a document in the FEDERAL REGISTER and the material must be available to the public. All approved incorporation by reference (IBR) material is available for inspection at DOE, and at the National Archives and Records Administration (NARA). Contact DOE at: the U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy,

Building Technologies Program, 1000 Independence Ave. SW, EE–5B, Washington, DC 20585, (202) 586–9127, *Buildings@ee.doe.gov*, *https://www.energy.gov/eere/buildings/building-technologies-office*. For information on the availability of this material at NARA, visit *www.archives.gov/federal-register/cfr/ibr-locations.html* or email: *fr.inspection@nara.gov*. The material may be obtained from the sources in the following paragraphs of this section.

(b) *AMCA*. Air Movement and Control Association International, Inc., 30 West University Drive, Arlington Heights, IL 60004–1893; (847) 394–0150; *www.amca.org*.

(1) ANSI/AMCA Standard 210–16 (''AMCA 210–16''), Laboratory Methods of Testing Fans for Certified Aerodynamic Performance Rating, ANSI-approved August 26, 2016; IBR approved for § 431.172; appendix A to this subpart. (Co-published as ASHRAE 51–16).

(2) ANSI/AMCA Standard 214–21 (''AMCA 214–21''), *Test Procedure for Calculating Fan Energy Index (FEI) for Commercial and Industrial Fans and Blowers*, ANSI-approved March 1, 2021; IBR approved for § 431.174; appendix A to this subpart.

(3) ANSI/AMCA Standard 230–23 (''AMCA 230–23''), *Laboratory Methods of Testing Air Circulating Fans for Rating and Certification*, ANSI-approved February 10, 2023. IBR approved for appendix B to this subpart.

(4) ANSI/AMCA Standard 240–15 (''AMCA 240–15''), *Laboratory Methods of Testing Positive Pressure Ventilators for Aerodynamic Performance Rating*, ANSI-approved May 9, 2015; IBR approved for § 431.172.

(c) *ISO*. International Organization for Standardization, Chemin de Blandonnet 8, CP 401, 1214 Vernier, Geneva, Switzerland; *www.iso.org*.

(1) ISO 5801:2017(E) (''ISO 5801:2017''), *Fans—Performance testing using standardized airways*, Third Edition, approved September 2017; IBR approved for appendix A to this subpart.

(2) ISO 80079–36:2016, *Explosive atmospheres—Part 36: Non-electrical equipment for explosive atmospheres—Basic method and requirements*, Edition 1.0, February 2016; IBR approved for § 431.172.

(d) *UL*. Underwriters Laboratories, 333 Pfingsten Road, Northbrook, Illinois, 60062; *www.shopulstandards.com*.

(1) UL 705, *Standard for Safety for Power Ventilators*, Edition 7, July 19, 2017 (including revisions through August 19, 2022); IBR approved for § 431.172.

(2) [Reserved].

[88 FR 27390, May 1, 2023, as amended at 88 FR 53375, Aug. 8, 2023]

§ 431.174 Test Procedure for fans or blowers.

(a) *Scope for fans and blowers other than air circulating fans*. A fan or blower, other than an air circulating fan is subject to the test procedure in this section if it meets the following criteria:

(1) Is a centrifugal housed fan; radial housed fan; centrifugal inline fan; centrifugal unhoused fan; centrifugal power roof ventilator exhaust fan; centrifugal power roof ventilator supply fan; axial inline fan; axial panel fan; or axial power roof ventilator fan;

(2) Is not:

(i) A radial housed unshrouded fan with blade diameter at tip less than 30 inches or a blade width of less than 3 inches;

(ii) A safety fan;

(iii) An induced flow fan;

(iv) A jet fan;

(v) A cross-flow fan;

(vi) A fan manufactured exclusively to be powered by internal combustion engines;

(vii) A fan that create a vacuum of 30 inches water gauge or greater;

(viii) A fan that is designed and marketed to operate at or above 482 degrees Fahrenheit (250 degrees Celsius); or

(ix) A fan and blower embedded in the equipment listed in paragraph (a)(3) of this section;

(3) Is not an embedded fan subject to the following exclusions:

(i) The test procedure in this section does not apply to fans or blowers that are embedded in:

(A) Single phase central air conditioners and heat pumps rated with a certified cooling capacity less than 65,000 British thermal units per hour (''Btu/h'') cooling capacity, that are subject to DOE's energy conservation standard at 10 CFR 430.32(c);

(B) Three phase, air-cooled, small commercial packaged air-conditioning and heating equipment rated with a certified cooling capacity less than 65,000 Btu/h cooling capacity, that are subject to DOE's energy conservation standard at § 431.97(b);

(C) Transport refrigeration (*i.e.*, Trailer refrigeration, Self-powered truck refrigeration, Vehicle-powered truck refrigeration, Marine/Rail container refrigerant);

(D) Vacuum cleaners;

(E) Heat Rejection Equipment: Packaged evaporative open-circuit cooling towers; Evaporative field-erected open-circuit cooling towers; Packaged evaporative closed-circuit cooling towers; Evaporative field-erected closed-circuit cooling towers; Packaged evaporative condensers; Field-erected evaporative condensers; Packaged air-cooled (dry) coolers; Field-erected air-cooled (dry) cooler; Air-cooled steam condensers; Hybrid (water saving) versions of all of the previously listed equipment that contain both evaporative and air-cooled heat exchange sections;

(F) Air curtains; and

(G) Direct expansion-dedicated outdoor air system that are subject to any of DOE's test procedures in appendix B to subpart F of this part.

(ii) The test procedure in this section does not apply to supply or condenser fans or blowers that are embedded in:

(A) Air-cooled commercial package air conditioners and heat pumps (''CUAC,'' ''CUHP'') with a certified cooling capacity between 5.5 ton (65,000 Btu/h) and 63.5 ton (760,000 Btu/h) that are subject to DOE's energy conservation standard at § 431.97(b);

(B) Water-cooled and evaporatively-cooled commercial air conditioners that are subject to DOE's energy conservation standard at § 431.97(b);

(C) Water-source heat pumps that are subject to DOE's energy conservation standard at § 431.97(b);

(D) Single package vertical air conditioners and heat pumps that are subject to DOE's energy conservation standard at § 431.97(d);

(E) Packaged terminal air conditioners (''PTAC'') and packaged terminal heat pumps (PTHP) that are subject to DOE's energy conservation standard at § 431.97(c);

(F) Computer room air conditioners that are subject to DOE's energy conservation standard at § 431.97(e); and

(G) Variable refrigerant flow multi-split air conditioners and heat pumps that are subject to DOE's energy conservation standard at § 431.97(f); and

(4) In addition, the test procedure is only applicable to fan or blower duty points with the following characteristics, measured or calculated in accordance with the test procedure set forth in appendix A of this subpart:

(i)(A) Fan shaft input power equal to or greater than 1 horsepower; or

(B) Fan electrical power equal to or greater than 0.89 kW; and

(ii)(A) Fan static air power equal to or less than 150 horsepower for fans using a static pressure basis fan energy index (''FEI'') in accordance with the required test configuration listed in table 7.1 of AMCA 214–21 (incorporated by reference, see § 431.173); or

(B) Fan total air power equal to or less than 150 horsepower for fans using a total pressure basis FEI in accordance with the required test configuration listed in table 7.1 of AMCA 214–21;

(b) *Scope for air circulating fans.* The test procedure in this section applies to all air circulating fans with input power greater than or equal to 125W at maximum speed.

(c) *Testing and calculations for fans and blowers other than air circulating fans.* Determine the FEI, the fan electrical power (''FEP''), and fan shaft power (as applicable) at each duty point, as specified by the manufacturer, using the test procedure set forth in appendix A of this subpart.

(d) *Testing and calculations for air circulating fan.* Determine the air circulating fan efficacy in cubic feet per minute per watt at maximum speed using the test procedure set forth in appendix B to this subpart.

[88 FR 27391, May 1, 2023, as amended at 88 FR 53375, Aug. 8, 2023]

§§ 431.175–431.176 [Reserved]

APPENDIX A TO SUBPART J OF PART 431—UNIFORM TEST METHOD FOR THE MEASUREMENT OF ENERGY CONSUMPTION OF FANS AND BLOWERS OTHER THAN AIR CIRCULATING FANS

After October 30, 2023, any representations made with respect to energy use or efficiency of fans and blowers subject to testing pursuant to §431.174 must be made in accordance with this appendix. Any optional representations of fan energy index in the optional test configuration listed in table 7.1 of AMCA 214–21 ($FEI_{optional}$) must be accompanied by a representation of fan energy index in the required test configuration listed in table 7.1 of AMCA 214–21 (FEI).

0. Incorporation by Reference

In §431.173, DOE incorporated by reference the entire standard for AMCA 210–16, AMCA 214–21, and ISO 5801:2017; however, only enumerated provisions of those documents are applicable as follows. In cases where there is a conflict, the language of this appendix takes precedence over those documents.

0.1 AMCA 210–16:

(a) Section 3, ''Definitions/Units of Measure/Symbols'';

(b) Section 4, ''Instruments and Methods of Measurement'' ;

(c) Section 5, ''Test Setups and Equipment'';

(d) Section 6, ''Observation and Conduct of Test'';

(e) Section 7, ''Calculations'' excluding Section 7.9.2, ''Conversion to other rotational speeds and air densities with compressible flow'' and Section 7.9.3, ''Conversion formulae for new densities and new rotational speeds'';

0.2. AMCA 214–21:

(a) Section 2, ''References (Normative),'' as referenced in section 2.2 of this appendix;

(b) Section 3, ''Definitions,'' as referenced in section 1 of this appendix;

(c) Section 4, ''Calculation of the FEI for a Single Duty Point,'' as referenced in section 2.6 of this appendix;

(d) Section 5, ''Reference Fan Electrical Power (FEP_{ref}),'' as referenced in section 2.6 of this appendix;

(e) Section 6.1, ''Wire-to-Air Testing at the Required Duty Point,'' as referenced in section 2.2 of this appendix;

(f) Section 6.2, ''Calculated Ratings Based on Wire-to-Air Testing,'' as referenced in section 2.2 of this appendix;

(g) Section 6.3, ''Bare Shaft Fans,'' as referenced in section 2.2 of this appendix;

(h) Section 6.4, ''Fans with Polyphase Regulated Motor'', excluding Section 6.4.1.4, ''Requirements for the VFD, if included'' and Section 6.4.2.4, ''Combined motor-VFD efficiency'' as referenced in section 2.2 of this appendix;

(i) Section 7, ''Testing,'' as referenced in sections 2.2 and 2.3 of this appendix;

(j) Section 8, ''Rating Development'', excluding Section 8.2.2, ''Separate Fan and Motor Tests'' and Section 8.3, ''Appurtenances'' as referenced in section 2.2 of this appendix;

(k) Annex D, ''Motor Performance Constants (Normative),'' as referenced in section 2.2 of this appendix;

(l) Annex E, ''Calculation Methods for Fans Tested Shaft-to-Air,'' as referenced in section 2.2 of this appendix;

(m) Annex G, ''Wire-to-Air Measurement—Calculation to Other Speeds and Densities (Normative),'' as referenced in section 2.2 of this appendix;

(n) Annex J, ''Other data and calculations to be retained,'' as referenced in section 2.2 of this appendix; and

(o) Annex K, ''Proportionality and Dimensional Requirements (Normative),'' as referenced in section 2.2 of this appendix.

0.3. ISO 5801:2017:

(a) Section 3, ''Terms and Definitions'';

(b) Section 4, ''Symbols, Abbreviated Terms and Subscripts'';

(c) Section 5, ''General'';

(d) Section 6, ''Test Configurations'';

(e) Section 7, ''Carrying out the Test'';

(f) Section 8, ''Airways for Duct Configuration'';

(g) Section 9, ''Standardized Test Chambers'';

(h) Section 10, ''Various Component Parts for a Laboratory Setup'';

(i) Section 11, ''Standard Test Configurations'';

(j) Section 12, ''Measurements'';

(k) Section 13, ''Reference Conditions'';

(l) Section 15, ''Calculations'';

(m) Section 16, ''Fan Characteristic Curves''; and

(n) Section 17, ''Uncertainty Analysis''.

1. Definitions

The definitions applicable to this appendix are defined in §431.172 and in section 3, ''Definitions,'' of AMCA 214–21. In cases where there is a conflict, the definitions in §431.172 take precedence over AMCA 214–21.

2. Test Procedure for Fans and Blowers Other Than Air Circulating Fans

2.1. *General.*

This section describes the test procedure for fans and blowers other than air circulating fans. In cases where there is a conflict, the provisions in this appendix take precedence over AMCA 214–21. Where AMCA 214–21 refers to Annex A, ''Polyphase Regulated Motor Efficiencies (Normative),'' of

AMCA 214–21, Table 5 of §431.25 or the currently applicable standards in §431.25 must be used instead.

2.2. Testing

2.2.1. *General.*

The fan electrical power (FEPact) in kilowatts must be determined at every duty point specified by the manufacturer in accordance with one of the test methods listed in table 1, and the following sections of AMCA 214–21: Section 2, ''References (Normative)''; Section 7, ''Testing,'' including the provisions of AMCA 210–16 and ISO 5801:2017 as referenced by Section 7 and implicated by sections 2.2.2 and 2.2.3 of this appendix; Section 8.1, ''Laboratory Measurement Only'' (as applicable); and Annex J, ''Other data and calculations to be retained.''

TABLE 1 TO APPENDIX A TO SUBPART J OF PART 431

Driver	Motor controller present?	Transmission configuration?	Test method	Applicable section(s) of AMCA 214–21
Electric motor	Yes or No	Any	Wire-to-air	6.1 ''Wire-to-Air Testing at the Required Duty Point''.
Electric motor	Yes or No	Any	Calculation based on Wire-to-air testing.	6.2 ''Calculated Ratings Based on Wire to Air Testing'' (references Section 8.2.3, ''Calculation to other speeds and densities for wire-to-air testing,'' and Annex G, ''Wire-to-Air Measurement—Calculation to Other Speeds and Densities (Normative)'').
Regulated polyphase motor.	No	Direct drive, V-belt drive, flexible coupling or synchronous belt drive.	Shaft-to-air	6.4 ''Fans with Polyphase Regulated Motors,'' (references Annex D, ''Motor Performance Constants (Normative)'')*.
None or non-electric	No	None	Shaft-to-air	Section 6.3, ''Bare Shaft Fans''.
Regulated polyphase motor.	No	Direct drive, V-belt drive, flexible coupling or synchronous belt drive.	Calculation based on Shaft-to-air testing.	Section 8.2.1, ''Fan laws and other calculation methods for shaft-to-air testing''(references Annex D, ''Motor Performance Constants (Normative),'' Annex E, ''Calculation Methods for Fans Tested Shaft-to-Air,'' and Annex K, ''Proportionality and Dimensional Requirements (Normative)'').
None or non-electric	No	None	Calculation based on Shaft-to-air testing.	Section 8.2.1, ''Fan laws and other calculation methods for shaft-to-air testing'' (references Annex E, ''Calculation Methods for Fans Tested Shaft-to-Air,'' and Annex K, ''Proportionality and Dimensional Requirements (Normative)'').

*Excluding Section 6.4.1.4, ''Requirements for the VFD, if included'' and Section 6.4.2.4, ''Combined motor-VFD efficiency.''

Testing must be performed in accordance with the required test configuration listed in Table 7.1 of AMCA 214–21. The following values must be determined in accordance with this appendix at each duty point specified by the manufacturer: fan airflow in cubic feet per minute; fan air density; fan total pressure in inches of water gauge for fans using a total pressure basis FEI in accordance with Table 7.1 of AMCA 214–21; fan static pressure in inches of water gauge for fans using a static pressure basis FEI in accordance with Table 7.1 of AMCA 214–21; fan speed in revolutions per minute; and fan shaft input power in horsepower for fans tested in accordance with sections 6.3 or 6.4 of AMCA 214–21.

In addition, if applying the equations in Section E.2 of Annex E of AMCA 214–21 for compressible flows, the compressibility coefficients must be included in the equations as applicable.

All measurements must be recorded at the resolution of the test instrumentation and calculations must be rounded to the number of significant digits present at the resolution of the test instrumentation.

In cases where there is a conflict, the provisions in AMCA 214–21 take precedence over AMCA 210–16 and ISO 5801:2017. In addition, the provisions in this appendix apply.

2.2.2 Power Roof Ventilators

Centrifugal Power Roof Ventilators that are both supply and exhaust must be tested in both supply and exhaust configurations as listed in table 7.1 of AMCA 214–21.

2.2.3 Embedded Fans

Embedded fans that are not manufactured in a standalone configuration must be tested in a standalone configuration. If some components of the bare shaft fan are not removable without causing irreversible damage to

the equipment into which the fan is embedded, testing must be performed using additional fan components, except for the fan impeller, that are geometrically identical to that of the fan embedded inside the larger piece of equipment for testing.

2.3. Power Supply

Any wire-to-air testing must be conducted at the supply frequency, phase, and voltages specified in this section. The frequency and voltage must be selected in accordance with section 7.8. of AMCA 214–21. Fans and blowers rated for operation for single- or multi-phase power supply must be tested with single- or multi-phase electricity, respectively. Fans and blowers, capable of operating with single- and multi-phase power supply, must be tested using multi-phase electricity.

2.4. Stability Conditions.

The following conditions must be met to establish system stability prior to collecting test data:

(a) Barometric pressure, dry bulb temperature and wet bulb temperature in the general test area must be captured at least every five seconds after the run-in period is completed and the ambient air density calculated from these values shall not vary by more than ±1 percent during verification of fan speed and fan input power stability.

(b) After the fan has been run-in, record the fan speed in rpm and the input power (in horsepower or watts) at least every 5 seconds for at least three 60-second intervals. Readings shall be made simultaneously. Repeat these measurements over 60-second intervals until:

(1) The average fan speed from the last 60-second interval varies by less than the absolute value of 1 percent or 1 rpm, whichever is greater, when compared to the average fan speed measured during the previous 60-second test interval;

(2) The average input power from the last 60-second interval by reaction dynamometer, torque meter or calibrated motor must be ±4 percent, or the average input power by electrical meter must be ±2 percent of the mean or 1 watt, whichever is greater, compared to the average input power measured during the previous 60-second test interval; and

(3) The slopes of a linear fit trendline calculated from the individual data collected for fan speed and input power during at least three 60-second sampling intervals include both positive and negative values (*e.g.,* two positive and one negative slope value or one positive and two negative slope values). If three positive or three negative slopes are determined in succession, additional sampling intervals are required until slopes from three successive sampling intervals include both positive and negative values.

2.5. Sampling Intervals for Testing.

A test measurement must meet the following conditions:

(a) The sampling interval over which average test values are determined shall not exceed 60 seconds;

(b) The average fan speed from the most recent 60-second interval varies by less than the absolute value of 1 percent or 1 rpm, whichever is greater, when compared to the average fan speed measured during the previous 60-second test interval; and

(c) the average input power from the last 60-second interval by reaction dynamometer, torque meter or calibrated motor must be ±4 percent, or the average input power by electrical meter must be ±2 percent of the mean or 1 watt, whichever is greater, compared to the average input power measured during the previous 60-second test interval.

2.6. FEI calculation

The FEI must be determined at every duty point in accordance with Section 4, ''Calculation of the FEI for a single duty point,'' and Section 5, ''Reference Fan Electrical Power (FEP_{ref})'' of AMCA 214–21. In addition, the FEI must be rounded to the nearest hundredths place; FEP must be rounded to three significant figures; and all measurements must be recorded at the resolution of the test instrument.

[88 FR 27391, May 1, 2023, as amended at 88 FR 53375, Aug. 8, 2023]

APPENDIX B TO SUBPART J OF PART 431—UNIFORM TEST METHOD FOR THE MEASUREMENT OF ENERGY CONSUMPTION OF AIR CIRCULATING FANS

After October 30, 2023, any representations made with respect to energy use or efficiency of air circulating fans subject to testing pursuant to §431.174 must be made in accordance with this appendix. Any optional representations of air circulating fan efficacy at speeds less than the air circulating fan's maximum speed must be accompanied by a representation of the air circulating fan efficacy at maximum speed.

0. Incorporation by Reference

In §431.173, DOE incorporated by reference the entire standard for AMCA 230–23; however, only enumerated provisions of those documents are applicable as follows. In cases where there is a conflict, the language of this appendix takes precedence over those documents.

0.1 AMCA 230–23:

(a) Section 4, ''Definitions/Units of Measurement/Symbols,'';

(b) Section 5, ''Instruments and Methods of Measurement,'';

(c) Section 6, ''Equipment and Setup,'';

(d) Section 7, ''Observations and Conduct of Test,'';

(e) Section 8, ''Calculations,'' excluding equations 8.5 and 8.6; and

(f) Section 9, ''Report and Results of Test,''

1. Definitions

The definitions applicable to this appendix are defined in §431.172 and in Section 4, ''Definitions/Units of Measurement/Symbols,'' of AMCA 230–23. In cases where there is a conflict, the definitions in §431.172 take precedence over AMCA 230–23.

2. Test Procedure for Air Circulating Fans

2.1. General

This section describes the test procedure for air circulating fans.

2.2. Testing

2.2.1. General

The air circulating fan efficacy (Eff_{circ}) in cubic feet per minute (''CFM'') per watt (''W'') (''CFM/W'') at maximum speed must be determined in accordance with the applicable sections of AMCA 230–23 as listed in section 0.1 of this appendix. In addition, testing must be conducted in accordance with the provisions in sections 2.3 through 2.5 of this appendix. Optional testing speeds lower than maximum speed is permitted. Speeds less than maximum speeds must be expressed at a percentage of maximum speed (*e.g.*, 50 percent) and the air circulating fan efficacy at lower speed must include the speed percentage in its subscript (*e.g.*, $Eff_{circ,50}$).

All measurements must be recorded at the resolution of the test instrumentation and calculations must be rounded to the number of significant digits of the resolution of the test instrumentation.

2.3. Air circulating fans without motors

Air circulating fans distributed in commerce without an electric motor must be tested using an electric motor as recommended in the manufacturer's catalogs or distributed in commerce with the air circulating fan. If more than one motor is available in manufacturer's catalogs or distributed in commerce with the air circulating fan, testing must be conducted using the least efficient motor capable of running the fan at the fan's maximum allowable speed.

2.4. Power Supply.

The test must be conducted at the frequency, phase, and voltages specified in this section.

2.4.1. Frequency.

Air circulating fans rated for operation with only 60 Hz power supply must be tested with 60 Hz electricity. Air circulating fans capable of operating with 50 Hz and 60 Hz electricity must be tested with 60 Hz electricity.

2.4.2. Phase.

Air circulating fans rated for operation for single- or multi-phase power supply must be tested with single- or multi-phase power electricity, respectively. Air circulating fans, capable of operating with single- and multi-phase power supply, must be tested using multi-phase electricity.

2.4.3. Voltage.

Select the supply voltage as follows:

(a) For air circulating fans tested with single-phase electricity, the supply voltage must be:

(1) 120 V if the air circulating fan's minimum rated voltage is 120 V or the lowest rated voltage range contains 120 V,

(2) 240 V if the air circulating fan's minimum rated voltage is 240 V or the lowest rated voltage range contains 240 V, or

(3) The air circulating fan's minimum rated voltage (if a voltage range is not given) or the mean of the lowest rated voltage range, in all other cases.

(b) For air circulating fans tested with multi-phase electricity, the supply voltage must be

(1) 240 V if the air circulating fan's minimum rated voltage is 240 V or the lowest rated voltage range contains 240 V, or

(2) The air circulating fan's minimum rated voltage (if a voltage range is not given) or the mean of the lowest rated voltage range, in all other cases.

2.5. Stability Conditions.

In addition to the test requirements specified in sections 7.1 and 7.3 of AMCA 230–23, the following conditions must be met to establish system stability prior to collecting test data:

(a) Test voltage shall be captured at least every five seconds and shall not vary by more than ±1 percent during each test. Barometric pressure, dry bulb temperature and wet bulb temperature in the general test area for calculation of air density must be captured at least every five seconds and the calculated ambient air density shall not vary by more than ±1 percent during each test.

(b) After a run-in time of at least 15 minutes, record the fan speed in rpm, the input power in watts, and load differential in pound-force for at least 3 120-second intervals. Repeat these measurements over additional 120-second intervals until:

(1) The average fan speed of the last 120-second interval varies by less than the absolute value of 1 percent or 1 rpm, whichever is greater, when compared to the average fan speed measured during the previous 120-second test interval;

(2) The average input power of the last 120-second interval varies by less than the absolute value of 1 percent or 1 watt, whichever is greater, compared to the average input power measured during the previous 120-second test interval;

(3) The average load differential of the last 120-second interval varies by less than the absolute value of 1 percent compared to the average load differential during the previous 120-second test interval; and

(4) The slopes of a linear fit trendline calculated from the individual data collected

for fan speed, input power, and load differential during at least three 120-second intervals include both positive and negative values (e.g., two positive and one negative slope value or one positive and two negative slope values). If three positive or three negative slopes are determined in succession, additional sampling intervals are required until slopes from three successive 120-second intervals include both positive and negative values.

2.6. Calculation of Ambient Air Density.

For any references to ambient air density, ρ0, in AMCA 230–23, calculate ρ0, expressed in kg/m3 when using SI units or lbm/ft3 when using I–P units, as follows:

$$\rho_0 = \left(\frac{p_b - 0.378p_p}{R(t_{d0} + 273.15)}\right) \quad \text{SI}$$

$$\rho_0 = 70.73\left(\frac{p_b - 0.378p_p}{R(t_{d0} + 459.67)}\right) \quad \text{I-P}$$

where p_b is the measured barometric pressure of the air, T_{d0} is the measured dry-bulb temperature of the air, p_p is the partial vapor pressure, R is the gas constant, which are all determined according to section 8.2 of AMCA 230–23.

[88 FR 27393, May 1, 2023, as amended at 88 FR 53376, Aug. 8, 2023]

Subpart K—Distribution Transformers

SOURCE: 70 FR 60416, Oct. 18, 2005, unless otherwise noted.

§ 431.191 Purpose and scope.

This subpart contains energy conservation requirements for distribution transformers, pursuant to Parts B and C of Title III of the Energy Policy and Conservation Act, as amended, 42 U.S.C. 6291–6317.

[71 FR 24995, Apr. 27, 2006]

§ 431.192 Definitions.

The following definitions apply for purposes of this subpart:

Autotransformer means a transformer that:

(1) Has one physical winding that consists of a series winding part and a common winding part;

(2) Has no isolation between its primary and secondary circuits; and

(3) During step-down operation, has a primary voltage that is equal to the total of the series and common winding voltages, and a secondary voltage that is equal to the common winding voltage.

Auxiliary device means a localized component of a distribution transformer that is a circuit breaker, switch, fuse, or surge/lightning arrester.

Basic model means a group of models of distribution transformers manufactured by a single manufacturer, that have the same insulation type (*i.e.*, liquid-immersed or dry-type), have the same number of phases (*i.e.*, single or three), have the same standard kVA rating, and do not have any differentiating electrical, physical or functional features that affect energy consumption. Differences in voltage and differences in basic impulse insulation level (BIL) rating are examples of differentiating electrical features that affect energy consumption.

Distribution transformer means a transformer that—

(1) Has an input line voltage of 34.5 kV or less;

(2) Has an output line voltage of 600 V or less;

(3) Is rated for operation at a frequency of 60 Hz; and

(4) Has a capacity of 10 kVA to 5000 kVA for liquid-immersed units and 15 kVA to 5000 kVA for dry-type units; but

(5) The term ''distribution transformer'' does not include a transformer that is an—

(i) Autotransformer;

(ii) Drive (isolation) transformer;

(iii) Grounding transformer;

(iv) Machine-tool (control) transformer;

(v) Nonventilated transformer;

(vi) Rectifier transformer;
(vii) Regulating transformer;
(viii) Sealed transformer;
(ix) Special-impedance transformer;
(x) Testing transformer;
(xi) Transformer with tap range of 20 percent or more;
(xii) Uninterruptible power supply transformer; or
(xiii) Welding transformer.

Drive (isolation) transformer means a transformer that:
(1) Isolates an electric motor from the line;
(2) Accommodates the added loads of drive-created harmonics;
(3) Is designed to withstand the additional mechanical stresses resulting from an alternating current adjustable frequency motor drive or a direct current motor drive; and
(4) Has a rated output voltage that is neither ''208Y/120'' nor ''480Y/277''.

Efficiency means the ratio of the useful power output to the total power input.

Excitation current or *no-load current* means the current that flows in any winding used to excite the transformer when all other windings are open-circuited.

Grounding transformer means a three-phase transformer intended primarily to provide a neutral point for system-grounding purposes, either by means of:
(1) A grounded wye primary winding and a delta secondary winding; or
(2) A transformer with its primary winding in a zig-zag winding arrangement, and with no secondary winding.

Liquid-immersed distribution transformer means a distribution transformer in which the core and coil assembly is immersed in an insulating liquid.

Load loss means, for a distribution transformer, those losses incident to a specified load carried by the transformer, including losses in the windings as well as stray losses in the conducting parts of the transformer.

Low-voltage dry-type distribution transformer means a distribution transformer that has an input voltage of 600 volts or less and has the core and coil assembly immersed in a gaseous or dry-compound insulating medium.

Machine-tool (control) transformer means a transformer that is equipped with a fuse or other over-current protection device, and is generally used for the operation of a solenoid, contactor, relay, portable tool, or localized lighting.

Medium-voltage dry-type distribution transformer means a distribution transformer in which the core and coil assembly is immersed in a gaseous or dry-compound insulating medium, and which has a rated primary voltage between 601 V and 34.5 kV.

Mining distribution transformer means a medium-voltage dry-type distribution transformer that is built only for installation in an underground mine or surface mine, inside equipment for use in an underground mine or surface mine, on-board equipment for use in an underground mine or surface mine, or for equipment used for digging, drilling, or tunneling underground or above ground, and that has a nameplate which identifies the transformer as being for this use only.

No-load loss means those losses that are incident to the excitation of the transformer.

Nonventilated transformer means a dry-type transformer constructed so as to prevent external air circulation through the coils of the transformer while operating at zero gauge pressure.

Per-unit load means the fraction of rated load.

Phase angle means the angle between two phasors, where the two phasors represent progressions of periodic waves of either:
(1) Two voltages;
(2) Two currents; or
(3) A voltage and a current of an alternating current circuit.

Phase angle correction means the adjustment (correction) of measurement data to negate the effects of phase angle error.

Phase angle error means incorrect displacement of the phase angle, introduced by the components of the test equipment.

Rectifier transformer means a transformer that operates at the fundamental frequency of an alternating-current system and that is designed to have one or more output windings connected to a rectifier.

Reference temperature means the temperature at which the transformer losses are determined, and to which such losses are corrected if testing is done at a different point. (Reference temperature values are specified in the test method in appendix A to this subpart.)

Regulating transformer means a transformer that varies the voltage, the phase angle, or both voltage and phase angle, of an output circuit and compensates for fluctuation of load and input voltage, phase angle or both voltage and phase angle.

Sealed transformer means a dry-type transformer designed to remain hermetically sealed under specified conditions of temperature and pressure.

Special-impedance transformer means a transformer built to operate at an impedance outside of the normal impedance range for that transformer's kVA rating. The normal impedance range for each kVA rating for liquid-immersed and dry-type transformers is shown in Tables 1 and 2, respectively.

TABLE 1 TO THE DEFINITION OF "SPECIAL-IMPEDANCE TRANSFORMER"—NORMAL IMPEDANCE RANGES FOR LIQUID-IMMERSED TRANSFORMERS

Single-phase transformers		Three-phase transformers	
kVA	Impedance (%)	kVA	Impedance (%)
10 <= kVA < 50	1.0–4.5	15 <= kVA < 75	1.0–4.5
50 <= kVA < 250	1.5–4.5	75 <= kVA < 112.5	1.0–5.0
250 <= kVA < 500	1.5–6.0	112.5 <= kVA < 500	1.2–6.0
500 <= kVA < 667	1.5–7.0	500 <= kVA < 750	1.5–7.0
667 <= kVA <= 833	5.0–7.5	750 <= kVA <= 5000	5.0–7.5

TABLE 2 TO THE DEFINITION OF "SPECIAL-IMPEDANCE TRANSFORMER"—NORMAL IMPEDANCE RANGES FOR DRY-TYPE TRANSFORMERS

Single-phase transformers		Three-phase transformers	
kVA	Impedance (%)	kVA	Impedance (%)
10 <= kVA < 50	1.0–4.5	15 <= kVA < 75	1.0–4.5
50 <= kVA < 250	1.5–4.5	75 <= kVA < 112.5	1.0–5.0
250 <= kVA < 500	1.5–6.0	112.5 <= kVA < 500	1.2–6.0
500 <= kVA < 667	1.5–7.0	500 <= kVA < 750	1.5–7.0
667 <= kVA <= 833	5.0–7.5	750 <= kVA <= 5000	5.0–7.5

Submersible distribution transformer means a liquid-immersed distribution transformer, so constructed as to be operable when fully or partially submerged in water including the following features—

(1) Has sealed-tank construction; and

(2) Has the tank, cover, and all external appurtenances made of corrosion-resistant material or with appropriate corrosion resistant surface treatment to induce the components surface to be corrosion resistant.

Temperature correction means the mathematical correction(s) of measurement data, obtained when a transformer is tested at a temperature that is different from the reference temperature, to the value(s) that would have been obtained if the transformer had been tested at the reference temperature.

Terminal means a conducting element of a distribution transformer providing electrical connection to an external conductor that is not part of the transformer.

Test current means the current of the electrical power supplied to the transformer under test.

Test frequency means the frequency of the electrical power supplied to the transformer under test.

Test voltage means the voltage of the electrical power supplied to the transformer under test.

Testing transformer means a transformer used in a circuit to produce a specific voltage or current for the purpose of testing electrical equipment.

Total loss means the sum of the no-load loss and the load loss for a transformer.

Transformer means a device consisting of 2 or more coils of insulated wire that transfers alternating current by electromagnetic induction from 1 coil to another to change the original voltage or current value.

Transformer with tap range of 20 percent or more means a transformer with multiple voltage taps, each capable of operating at full, rated capacity (kVA), whose range, defined as the difference between the highest voltage tap and the lowest voltage tap, is 20 percent or more of the highest voltage tap.

Uninterruptible power supply transformer means a transformer that is used within an uninterruptible power system, which in turn supplies power to loads that are sensitive to power failure, power sages, over voltage, switching transients, line notice, and other power quality factors. It does not include distribution transformers at the input, output, or by-pass of an uninterruptible power system.

Waveform correction means the adjustment(s) (mathematical correction(s)) of measurement data obtained with a test voltage that is non-sinusoidal, to a value(s) that would have been obtained with a sinusoidal voltage.

Welding transformer means a transformer designed for use in arc welding equipment or resistance welding equipment.

[70 FR 60416, Oct. 18, 2005, as amended at 71 FR 24995, Apr. 27, 2006; 71 FR 60662, Oct. 16, 2006; 72 FR 58239, Oct. 12, 2007; 78 FR 23433, Apr. 18, 2013; 86 FR 51252, Sept. 14, 2021; 89 FR 30039, Apr. 22, 2024; 90 FR 6795, Jan. 21, 2025]

TEST PROCEDURES

§ 431.193 Test procedure for measuring energy consumption of distribution transformers.

The test procedure for measuring the energy efficiency of distribution transformers for purposes of EPCA is specified in appendix A to this subpart. The test procedure specified in appendix A to this subpart applies only to distribution transformers subject to energy conservation standards at § 431.196.

[86 FR 51252, Sept. 14, 2021]

ENERGY CONSERVATION STANDARDS

§ 431.196 Energy conservation standards and their effective dates.

(a) *Low-Voltage Dry-Type Distribution Transformers.* (1) The efficiency of a low-voltage, dry-type distribution transformer manufactured on or after January 1, 2007, but before January 1, 2016, shall be no less than that required for the applicable kVA rating in the table below. Low-voltage dry-type distribution transformers with kVA ratings not appearing in the table shall have their minimum efficiency level determined by linear interpolation of the kVA and efficiency values immediately above and below that kVA rating.

Single-phase		Three-phase	
kVA	%	kVA	%
15	97.7	15	97.0
25	98.0	30	97.5
37.5	98.2	45	97.7
50	98.3	75	98.0
75	98.5	112.5	98.2
100	98.6	150	98.3
167	98.7	225	98.5
250	98.8	300	98.6
333	98.9	500	98.7
		750	98.8
		1000	98.9

NOTE 1 TO PARAGRAPH (a)(1): All efficiency values are at 35 percent per-unit load.

(2) The efficiency of a low-voltage, dry-type distribution transformer manufactured on or after January 1, 2016, but before April 23, 2029, shall be no less than that required for the applicable kVA rating in the following table. Low-voltage dry-type distribution transformers with kVA ratings not appearing in the table shall have their minimum efficiency level determined by linear interpolation of the kVA and efficiency values immediately above and below that kVA rating.

TABLE 2 TO PARAGRAPH (a)(1)

Single-phase		Three-phase	
kVA		kVA	
15	97.70	15	97.89
25	98.00	30	98.23
37.5	98.20	45	98.40
50	98.30	75	98.60
75	98.50	112.5	98.74
100	98.60	150	98.83
167	98.70	225	98.94
250	98.80	300	99.02
333	98.90	500	99.14
		750	99.23
		1000	99.28

Note: All efficiency values are at 35 percent of nameplate-rated load, determined according to the DOE Test Method for Measuring the Energy Consumption of Distribution Transformers under appendix A to this subpart K.

(3) The efficiency of a low-voltage dry-type distribution transformer manufactured on or after April 23, 2029, shall be no less than that required for their kVA rating in the following table. Low-voltage dry-type distribution transformers with kVA ratings not appearing in the table shall have their minimum efficiency level determined by linear interpolation of the kVA and efficiency values immediately above and below that kVA rating.

TABLE 3 TO PARAGRAPH (a)(3)

Single-phase		Three-phase	
kVA	Efficiency (%)	kVA	Efficiency (%)
15	98.39	15	98.31
25	98.60	30	98.58
37.5	98.74	45	98.72
50	98.81	75	98.88
75	98.95	112.5	98.99
100	99.02	150	99.06
167	99.09	225	99.15
250	99.16	300	99.22
333	99.23	500	99.31
		750	99.38
		1000	99.42

Note: All efficiency values are at 35 percent of nameplate-rated load, determined according to the DOE Test Method for Measuring the Energy Consumption of Distribution Transformers under appendix A to this subpart K.

(b) *Liquid-Immersed Distribution Transformers.* (1) The efficiency of a liquid-immersed distribution transformer manufactured on or after January 1, 2010, but before January 1, 2016, shall be no less than that required for their kVA rating in the table below. Liquid-immersed distribution transformers with kVA ratings not appearing in the table shall have their minimum efficiency level determined by linear interpolation of the kVA and efficiency values immediately above and below that kVA rating.

Single-phase		Three-phase	
kVA	Efficiency (%)	kVA	Efficiency (%)
10	98.62	15	98.36
15	98.76	30	98.62
25	98.91	45	98.76
37.5	99.01	75	98.91
50	99.08	112.5	99.01
75	99.17	150	99.08
100	99.23	225	99.17
167	99.25	300	99.23
250	99.32	500	99.25
333	99.36	750	99.32
500	99.42	1000	99.36
667	99.46	1500	99.42
833	99.49	2000	99.46
		2500	99.49

NOTE 3 TO PARAGRAPH (b)(1): All efficiency values are at 50 percent per-unit load.

(2) The efficiency of a liquid-immersed distribution transformer, including submersible distribution transformers, manufactured on or after January 1, 2016, but before April 23, 2029, shall be no less than that required for their kVA rating in the following table. Liquid-immersed distribution transformers, including submersible distribution transformers, with kVA ratings not appearing in the table shall have their minimum efficiency level determined by linear interpolation of the kVA and efficiency values immediately above and below that kVA rating.

TABLE 5 TO PARAGRAPH (b)(2)

Single-phase		Three-phase	
kVA	Efficiency (%)	kVA	Efficiency (%)
10	98.70	15	98.65
15	98.82	30	98.83
25	98.95	45	98.92
37.5	99.05	75	99.03
50	99.11	112.5	99.11
75	99.19	150	99.16
100	99.25	225	99.23
167	99.33	300	99.27
250	99.39	500	99.35
333	99.43	750	99.40
500	99.49	1000	99.43
667	99.52	1500	99.48
833	99.55	2000	99.51
		2500	99.53

Note: All efficiency values are at 50 percent of nameplate-rated load, determined according to the DOE Test—Procedure, appendix A to this subpart K.

(3) The efficiency of a liquid-immersed distribution transformer, that is not a submersible distribution transformer, manufactured on or after April 23, 2029, shall be no less than that required for their kVA rating in the following table. Liquid-immersed distribution transformers with kVA ratings not appearing in the table shall have their minimum efficiency level determined by linear interpolation of the kVA and efficiency values immediately above and below that kVA rating.

TABLE 6 TO PARAGRAPH (b)(3)

Single-phase		Three-phase	
kVA	Efficiency (%)	kVA	Efficiency (%)
10	98.77	15	98.92
15	98.88	30	99.06
25	99.00	45	99.14
37.5	99.10	75	99.22
50	99.15	112.5	99.29
75	99.23	150	99.33
100	99.29	225	99.38
167	99.46	300	99.42
250	99.51	500	99.38
333	99.54	750	99.43
500	99.59	1000	99.46
667	99.62	1500	99.51
833	99.64	2000	99.53
		2500	99.55
		3750	99.54
		5000	99.53

Note: All efficiency values are at 50 percent of nameplate-rated load, determined according to the DOE Test Method for Measuring the Energy Consumption of Distribution Transformers under appendix A to this subpart K.

(4) The efficiency of a submersible distribution transformer, manufactured on or after April 23, 2029, shall be no less than that required for their kVA rating in the following table. Submersible distribution transformers with kVA ratings not appearing in the table shall have their minimum efficiency level determined by linear interpolation of the kVA and efficiency values immediately above and below that kVA rating.

TABLE 7 TO PARAGRAPH (b)(4)

Single-phase		Three-phase	
kVA	Efficiency (%)	kVA	Efficiency (%)
10	98.70	15	98.65
15	98.82	30	98.83
25	98.95	45	98.92
37.5	99.05	75	99.03
50	99.11	112.5	99.11
75	99.19	150	99.16
100	99.25	225	99.23
167	99.33	300	99.27
250	99.39	500	99.35
333	99.43	750	99.40
500	99.49	1000	99.43
667	99.52	1500	99.48
833	99.55	2000	99.51
		2500	99.53

Note: All efficiency values are at 50 percent of nameplate-rated load, determined according to the DOE Test—Procedure, appendix A to this subpart K.

(c) *Medium-Voltage Dry-Type Distribution Transformers.* (1) The efficiency of a medium-voltage dry-type distribution transformer manufactured on or after January 1, 2010, but before January 1, 2016, shall be no less than that required for their kVA and BIL rating in the table below. Medium-voltage dry-type distribution transformers with kVA ratings not appearing in the table shall have their minimum efficiency level determined by linear interpolation of the kVA and efficiency values immediately above and below that kVA rating.

Single-phase				Three-phase			
kVA	BIL*			kVA	BIL		
	20–45 kV	46–95 kV	≥96 kV		20–45 kV	46–95 kV	≥96 kV
	Efficiency (%)	Efficiency (%)	Efficiency (%)		Efficiency (%)	Efficiency (%)	Efficiency (%)
15	98.10	97.86		15	97.50	97.18	
25	98.33	98.12		30	97.90	97.63	
37.5	98.49	98.30		45	98.10	97.86	
50	98.60	98.42		75	98.33	98.12	
75	98.73	98.57	98.53	112.5	98.49	98.30	
100	98.82	98.67	98.63	150	98.60	98.42	
167	98.96	98.83	98.80	225	98.73	98.57	98.53
250	99.07	98.95	98.91	300	98.82	98.67	98.63
333	99.14	99.03	98.99	500	98.96	98.83	98.80
500	99.22	99.12	99.09	750	99.07	98.95	98.91
667	99.27	99.18	99.15	1000	99.14	99.03	98.99
833	99.31	99.23	99.20	1500	99.22	99.12	99.09
				2000	99.27	99.18	99.15
				2500	99.31	99.23	99.20

*BIL means basic impulse insulation level.

NOTE 5 TO PARAGRAPH (c)(1): All efficiency values are at 50 percent per-unit load.

(2) The efficiency of a medium-voltage dry-type distribution transformer manufactured on or after January 1, 2016, but before April 23, 2029, shall be no less than that required for their kVA and BIL rating in the following table. Medium-voltage dry-type distribution transformers with kVA ratings not appearing in the table shall have their minimum efficiency level determined by linear interpolation of the kVA and efficiency values immediately above and below that kVA rating.

TABLE 9 TO PARAGRAPH (c)(2)

kVA	Single-phase			kVA	Three-phase		
	BIL [1]				BIL		
	20–45 kV	46–95 kV	≥96 kV		20–45 kV	46–95 kV	≥96 kV
	Efficiency (%)	Efficiency (%)	Efficiency (%)		Efficiency (%)	Efficiency (%)	Efficiency (%)
15	98.10	97.86	.....	15	97.50	97.18	
25	98.33	98.12	.....	30	97.90	97.63	
37.5	98.49	98.30	.....	45	98.10	97.86	
50	98.60	98.42	.....	75	98.33	98.13	
75	98.73	98.57	98.53	112.5	98.52	98.36	
100	98.82	98.67	98.63	150	98.65	98.51	
167	98.96	98.83	98.80	225	98.82	98.69	98.57
250	99.07	98.95	98.91	300	98.93	98.81	98.69
333	99.14	99.03	98.99	500	99.09	98.99	98.89
500	99.22	99.12	99.09	750	99.21	99.12	99.02
667	99.27	99.18	99.15	1000	99.28	99.20	99.11
833	99.31	99.23	99.20	1500	99.37	99.30	99.21
.....	.....	.....	.....	2000	99.43	99.36	99.28
.....	.....	.....	.....	2500	99.47	99.41	99.33

[1] BIL means basic impulse insulation level.

Note: All efficiency values are at 50 percent of nameplate rated load, determined according to the DOE Test Method for Measuring the Energy Consumption of Distribution Transformers under appendix A to this subpart K.

(3) The efficiency of a medium-voltage dry-type distribution transformer manufactured on or after April 23, 2029, shall be no less than that required for their kVA and BIL rating in the following table. Medium-voltage dry-type distribution transformers with kVA ratings not appearing in the table shall have their minimum efficiency level determined by linear interpolation of the kVA and efficiency values immediately above and below that kVA rating.

TABLE 10 TO PARAGRAPH (c)(3)

kVA	Single-phase				kVA	Three-phase			
	BIL [1]					BIL			
	20–45 kV	46–95 kV	≥96 kV			20–45 kV	46–95 kV	≥96 kV	
	Efficiency (%)	Efficiency (%)	Efficiency (%)			Efficiency (%)	Efficiency (%)	Efficiency (%)	
15	98.29	98.07	.....		15	97.75	97.46		
25	98.50	98.31	.....		30	98.11	97.87		
37.5	98.64	98.47	.....		45	98.29	98.07		
50	98.74	98.58	.....		75	98.50	98.32		
75	98.86	98.71	98.68		112.5	98.67	98.52		
100	98.94	98.80	98.77		150	98.79	98.66		
167	99.06	98.95	98.92		225	98.94	98.82		98.71
250	99.16	99.06	99.02		300	99.04	98.93		98.82
333	99.23	99.13	99.09		500	99.18	99.09		99.00
500	99.30	99.21	99.18		750	99.29	99.21		99.12
667	99.34	99.26	99.24		1000	99.35	99.28		99.20
833	99.38	99.31	99.28		1500	99.43	99.37		99.29
.....	.....	.....	.....		2000	99.49	99.42		99.35
.....	.....	.....	.....		2500	99.52	99.47		99.40
.....	.....	.....	.....		3750	99.50	99.44		99.40
.....	.....	.....	.....		5000	99.48	99.43		99.39

[1] BIL means basic impulse insulation level/

Note: All efficiency values are at 50 percent of nameplate rated load, determined according to the DOE Test Method for Measuring the Energy Consumption of Distribution Transformers under appendix A to this subpart K.

(d) *Mining Distribution Transformers.* [Reserved]

(e) *Severability.* The provisions of paragraphs (a) through (d) of this section are separate and severable from one another. Should a court of competent jurisdiction hold any provision(s) of this section to be stayed or invalid, such action shall not affect any other provision of this section.

[78 FR 23433, Apr. 18, 2013, as amended at 86 FR 51252, Sept. 14, 2021; 89 FR 30040, Apr. 22, 2024]

COMPLIANCE AND ENFORCEMENT

SOURCE: 71 FR 24997, Apr. 27, 2006, unless otherwise noted.

APPENDIX A TO SUBPART K OF PART 431—UNIFORM TEST METHOD FOR MEASURING THE ENERGY CONSUMPTION OF DISTRIBUTION TRANSFORMERS

1.0 DEFINITIONS.

The definitions contained in §§ 431.2 and 431.192 are applicable to this appendix A.

2.0 PER-UNIT LOAD, REFERENCE TEMPERATURE, AND ACCURACY REQUIREMENTS.

2.1 *Per-Unit Load*

In conducting the test procedure in this appendix for the purpose of:

(a) Certification to an energy conservation standard, the applicable per-unit load in Table 2.1 must be used; or

(b) Making voluntary representations as provided in section 7.0 at an additional per-unit load, select the per-unit load of interest.

TABLE 2.1—PER-UNIT LOAD FOR CERTIFICATION TO ENERGY CONSERVATION STANDARDS

Distribution transformer category	Per-unit load (percent)
Liquid-immersed	50
Medium-voltage dry-type	50
Low-voltage dry-type	35

2.2 *Reference Temperature*

In conducting the test procedure in this appendix for the purpose of:

(a) Certification to an energy conservation standard, the applicable reference temperature in Table 2.2 must be used; or

(b) Making voluntary representations as provided in section 7.0 at an additional reference temperature, select the reference temperature of interest.

TABLE 2.2—REFERENCE TEMPERATURE FOR CERTIFICATION TO ENERGY CONSERVATION STANDARDS

Distribution transformer category	Reference temperature
Liquid-immersed	20 °C for no-load loss. 55 °C for load loss.
Medium-voltage dry-type	20 °C for no-load loss. 75 °C for load loss.
Low-voltage dry-type	20 °C for no-load loss. 75 °C for load loss.

2.3 *Accuracy Requirements*

(a) Equipment and methods for loss measurement must be sufficiently accurate that measurement error will be limited to the values shown in Table 2.3.

TABLE 2.3—TEST SYSTEM ACCURACY REQUIREMENTS FOR EACH MEASURED QUANTITY

Measured quantity	Test system accuracy
Power Losses	±3.0%.
Voltage	±0.5%.
Current	±0.5%.
Resistance	±0.5%.
Temperature	±1.5 °C for liquid-immersed distribution transformers, and ±2.0 °C for low-voltage dry-type and medium-voltage dry-type distribution transformers.

(b) Only instrument transformers meeting the 0.3 metering accuracy class, or better, may be used under this test method.

3.0 RESISTANCE MEASUREMENTS

3.1 *General Considerations*

(a) Measure or establish the winding temperature at the time of the winding resistance measurement.

(b) Measure the direct current resistance (R_{dc}) of transformer windings by one of the methods outlined in section 3.3. The methods of section 3.5 must be used to correct load losses to the applicable reference temperature from the temperature at which they are measured. Observe precautions while taking measurements, such as those in section 3.4, in order to maintain measurement uncertainty limits specified in Table 2.1.

(c) Measure the direct current resistance (R_{dc}) of transformer windings by one of the methods outlined in section 3.3. The methods of section 3.5 must be used to correct load losses to the applicable reference temperature from the temperature at which they are measured. Observe precautions while taking measurements, such as those in section 3.4, in order to maintain measurement uncertainty limits specified in Table 2.3 of this appendix.

3.2 *Temperature Determination of Windings and Pre-conditions for Resistance Measurement.*

Make temperature measurements in protected areas where the air temperature is stable and there are no drafts. Determine the winding temperature (T_{dc}) for liquid-immersed and dry-type distribution transformers by the methods described in sections 3.2.1 and 3.2.2, respectively.

3.2.1 *Liquid-Immersed Distribution Transformers.*

3.2.1.1 *Methods*

Record the winding temperature (T_{dc}) of liquid-immersed transformers as the average of either of the following:

(a) The measurements from two temperature sensing devices (for example, thermocouples) applied to the outside of the transformer tank and thermally insulated from the surrounding environment, with one located at the level of the insulating liquid and the other located near the tank bottom or at the lower radiator header if applicable; or

(b) The measurements from two temperature sensing devices immersed in the insulating liquid, with one located directly above the winding and other located directly below the winding.

3.2.1.2 *Conditions*

Make this determination under either of the following conditions:

(a) The windings have been under insulating liquid with no excitation and no current in the windings for four hours before the dc resistance is measured; or

(b) The temperature of the insulating liquid has stabilized, and the difference between the top and bottom temperature does not exceed 5 °C. The temperature of the insulating liquid is considered stable if the top liquid temperature does not vary more than 2 °C in a 1-h period.

3.2.2 *Dry-Type Distribution Transformers.*

Record the winding temperature (T_{dc}) of dry-type transformers as one of the following:

(a) For ventilated dry-type units, use the average of readings of four or more thermometers, thermocouples, or other suitable temperature sensors inserted within the coils. Place the sensing points of the measuring devices as close as possible to the winding conductors; or

(b) For sealed units, such as epoxy-coated or epoxy-encapsulated units, use the average of four or more temperature sensors located on the enclosure and/or cover, as close to different parts of the winding assemblies as possible; or

(c) For ventilated units or sealed units, use the ambient temperature of the test area, only if the following conditions are met:

(1) All internal temperatures measured by the internal temperature sensors must not differ from the test area ambient temperature by more than 2 °C. Enclosure surface temperatures for sealed units must not differ from the test area ambient temperature by more than 2 °C.

(2) Test area ambient temperature must not have changed by more than 3 °C for 3 hours before the test.

(3) Neither voltage nor current has been applied to the unit under test for 24 hours. In addition, increase this initial 24-hour period by any added amount of time necessary for the temperature of the transformer windings to stabilize at the level of the ambient temperature. However, this additional amount of time need not exceed 24 hours (*i.e.*, after 48 hours, the transformer windings can be assumed to have stabilized at the level of the ambient temperature. Any stabilization time beyond 48 hours is optional).

3.3 *Resistance Measurement Methods.*

Make resistance measurements using either the resistance bridge method (section 3.3.1), the voltmeter-ammeter method (section 3.3.2) or resistance meters (section 3.3.3). In each instance when this appendix is used to test more than one unit of a basic model to determine the efficiency of that basic model, the resistance of the units being tested may be determined from making resistance measurements on only one of the units.

3.3.1 *Resistance Bridge Methods.*

If the resistance bridge method is selected, use either the Wheatstone or Kelvin bridge circuit (or the equivalent of either).

3.3.1.1 *Wheatstone Bridge*

(a) This bridge is best suited for measuring resistances larger than ten ohms. A schematic diagram of a Wheatstone bridge with a representative transformer under test is shown in Figure 3.1.

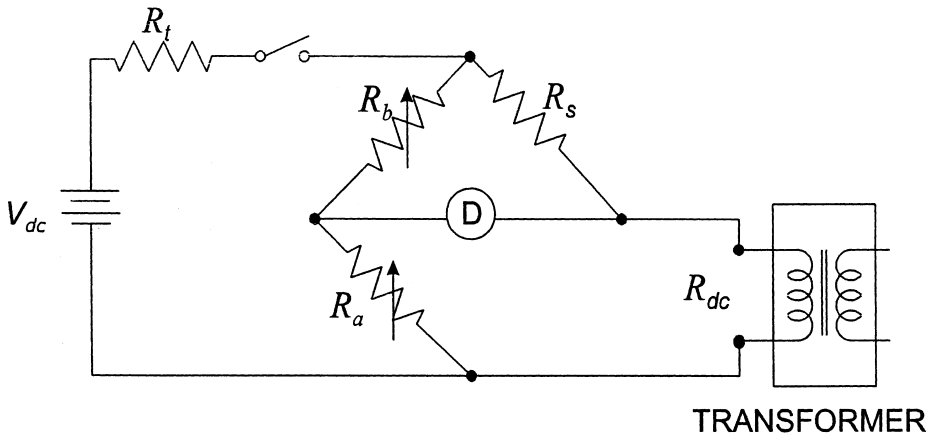


Figure 3.1 Wheatstone Bridge

Where:

R_{dc} is the resistance of the transformer winding being measured,

R_s is a standard resistor having the resistance R_s,

R_a, R_b are two precision resistors with resistance values R_a and R_b , respectively; at least one resistor must have a provision for resistance adjustment,

R_t is a resistor for reducing the time constant of the circuit,

D is a null detector, which may be either a micro ammeter or microvoltmeter or equivalent instrument for observing that no signal is present when the bridge is balanced, and

V_{dc} is a source of dc voltage for supplying the power to the Wheatstone Bridge.

(b) In the measurement process, turn on the source (V_{dc}), and adjust the resistance ratio (R_a/R_b) to produce zero signal at the detector (D). Determine the winding resistance by using equation 3–1 as follows:

$$R_{dc} = R_s \left(R_a / R_b \right) \qquad (3\text{-}1)$$

3.3.1.2 *Kelvin Bridge*

(a) This bridge separates the resistance of the connecting conductors to the transformer winding being measured from the resistance of the winding, and therefore is best suited for measuring resistances of ten ohms and smaller. A schematic diagram of a Kelvin bridge with a representative transformer under test is shown in Figure 3.2.

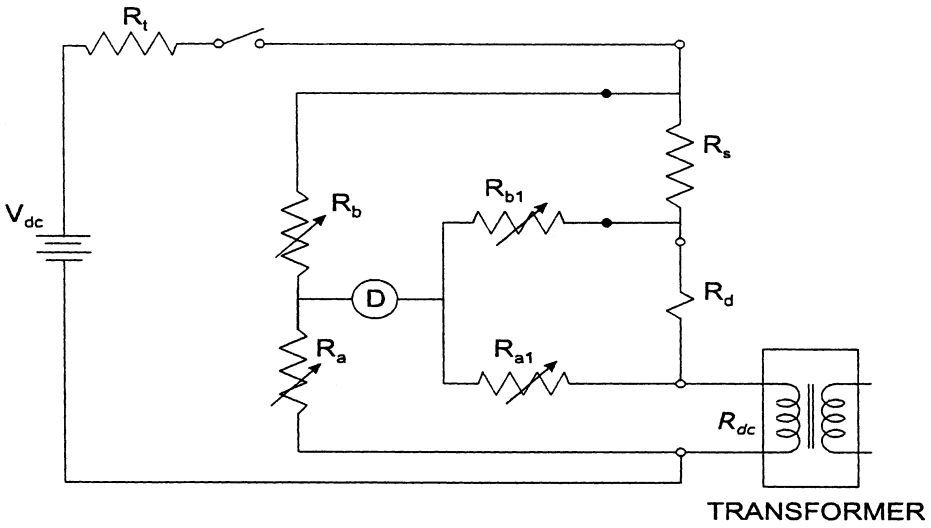


Figure 3.2 Kelvin Bridge

(b) The Kelvin Bridge has seven of the same type of components as in the Wheatstone Bridge. It has two more resistors than the Wheatstone bridge, R_{a1} and R_{b1}. At least one of these resistors must have adjustable resistance. In the measurement process, the source is turned on, two resistance ratios (R_a/R_b) and (R_{a1}/R_{b1}) are adjusted to be equal, and then the two ratios are adjusted together to balance the bridge producing zero signal at the detector. Determine the winding resistance by using equation 3–2 as follows:

$$R_{dc} = R_s\left(R_a/R_b\right) \qquad (3\text{-}2),$$

as with the Wheatstone bridge, with an additional condition that:

$$\left(R_a/R_b\right) = \left(R_{a1}/R_{b1}\right) \qquad (3\text{-}3)$$

(c) The Kelvin bridge provides two sets of leads, current-carrying and voltage-sensing, to the transformer terminals and the standard resistor, thus eliminating voltage drops from the measurement in the current-carrying leads as represented by R_d.

3.3.2 *Voltmeter-Ammeter Method.*

(a) Employ the voltmeter-ammeter method only if the test current is limited to 15 percent of the winding current. Connect the transformer winding under test to the circuit shown in Figure 3.3 of this appendix.

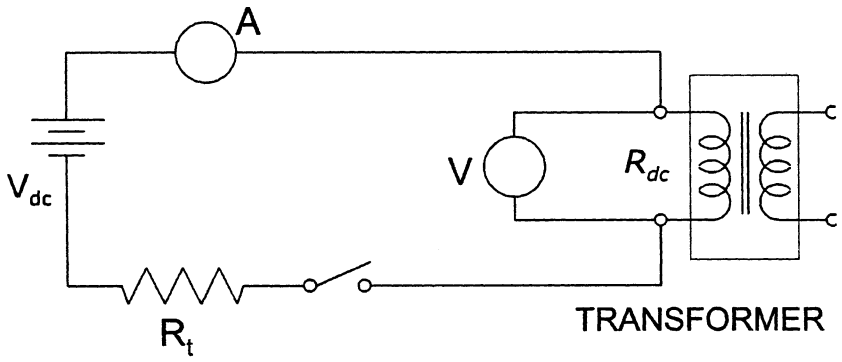


Figure 3.3 Voltmeter-Ammeter Method

Where:

A is an ammeter or a voltmeter-shunt combination for measuring the current (I_{mdc}) in the transformer winding,

V is a voltmeter with sensitivity in the millivolt range for measuring the voltage (V_{mdc}) applied to the transformer winding,

R_{dc} is the resistance of the transformer winding being measured,

R_t is a resistor for reducing the time constant of the circuit, and

V_{dc} is a source of dc voltage for supplying power to the measuring circuit.

(b) To perform the measurement, turn on the source to produce current no larger than 15 percent of the rated current for the winding. Wait until the current and voltage readings have stabilized and then take a minimum of four readings of voltage and current. Voltage and current readings must be taken simultaneously for each of the readings. Calculate the average voltage and average current using the readings. Determine the winding resistance R_{dc} by using equation 3–4 as follows:

$$R_{dc} = (V_{mdc}/I_{mdc}) \qquad (3\text{-}4)$$

Where:

V_{mdc} is the average voltage measured by the voltmeter V; and

I_{mdc} is the average current measured by the ammeter (A).

(c) As shown in Figure 3.3, separate current and voltage leads must be brought to the transformer terminals. (This eliminates the errors due to lead and contact resistance.)

3.3.3 *Resistance Meters.*

Resistance meters may be based on voltmeter-ammeter, or resistance bridge, or some other operating principle. Any meter used to measure a transformer's winding resistance must have specifications for resistance range, current range, and ability to measure highly inductive resistors that cover the characteristics of the transformer being tested. Also, the meter's specifications for accuracy must meet the applicable criteria of Table 2.3 in section 2.3 of this appendix.

3.4 *Precautions in Measuring Winding Resistance.*

3.4.1 *Required actions.*

The following requirements must be observed when making resistance measurements:

(a) Use separate current and voltage leads when measuring small (<10 ohms) resistance.

(b) Use null detectors in bridge circuits, and measuring instruments in voltmeter-ammeter circuits, that have sensitivity and resolution sufficient to enable observation of at least 0.1 percent change in the measured resistance.

(c) Maintain the dc test current at or below 15 percent of the rated winding current.

(d) Inclusion of a stabilizing resistor R_t (see section 3.4.2) will require higher source voltage.

(e) Disconnect the null detector (if a bridge circuit is used) and voltmeter from the circuit before the current is switched off, and switch off current by a suitable insulated switch.

(f) Keep the polarity of the core magnetization constant during all resistance measurements.

(g) For single-phase windings, measure the resistance from terminal to terminal. The total winding resistance is the terminal-to-terminal measurement. For series-parallel windings, the total winding resistance is the sum of the series terminal-to-terminal section measurements.

(h) For wye windings, measure the resistance from terminal to terminal or from terminal to neutral. For the total winding resistance, the resistance of the lead from the neutral connection to the neutral bushing may be excluded. For terminal-to-terminal measurements, the total resistance reported is the sum of the three measurements divided by two.

(i) For delta windings, measure resistance from terminal to terminal with the delta closed or from terminal to terminal with the delta open to obtain the individual phase readings. The total winding resistance is the sum of the three-phase readings if the delta is open. If the delta is closed, the total winding resistance is the sum of the three phase-to-phase readings times 1.5.

3.4.2 *Guideline for Time Constant.*

(a) The following guideline is suggested for the tester as a means to facilitate the measurement of resistance in accordance with the accuracy requirements of section 2.3:

(b) The accurate reading of resistance R_{dc} may be facilitated by shortening the time constant. This is done by introducing a resistor R_t in series with the winding under test in both the bridge and voltmeter-ammeter circuits as shown in Figures 3.1 to 3.3. The relationship for the time constant is:

$$T_c = \left(L_{tc}/R_{tc}\right) \qquad (3\text{-}5)$$

Where:

T_c is the time constant in seconds,

L_{tc} is the total magnetizing and leakage inductance of the winding under test, in henries, and

R_{tc} is the total resistance in ohms, consisting of R_t in series with the winding resistance R_{dc} and the resistance R_s of the standard resistor in the bridge circuit.

(c) Because R_{tc} is in the denominator of the expression for the time constant, increasing the resistance R_{tc} will decrease the time constant. If the time constant in a given test circuit is too long for the resistance readings to be stable, then a higher resistance can be substituted for the existing R_{tc}, and successive replacements can be made until adequate stability is reached.

3.5 *Conversion of Resistance Measurements.*

(a) Resistance measurements must be corrected from the temperature at which the winding resistance measurements were made, to the reference temperature.

(b) Correct the measured resistance to the resistance at the reference temperature using equation 3–6 as follows:

$$R_{ts} = R_{dc}\left[\left(T_s + T_k\right)/\left(T_{dc} + T_k\right)\right] \qquad (3\text{-}6)$$

Where:

R_{ts} is the resistance at the reference temperature, T_s,

R_{dc} is the measured resistance at temperature, T_{dc},

T_s is the reference temperature in °C,

T_{dc} is the temperature at which resistance was measured in °C, and

T_k is 234.5 °C for copper or 225 °C for aluminum.

4.0 Loss Measurement

4.1 *General Considerations.*

The efficiency of a transformer is computed from the total transformer losses, which are determined from the measured value of the no-load loss and load loss power components. Each of these two power loss components is measured separately using test sets that are identical, except that shorting straps are added for the load-loss test. The measured quantities need correction for instrumentation losses and may need corrections for known phase angle errors in measuring equipment and for the waveform distortion in the test voltage. Any power loss not measured at the applicable reference temperature must be adjusted to that reference temperature. The measured load loss must also be adjusted to a specified output loading level if not measured at the specified output loading level. Test all distribution transformers using a sinusoidal waveform (k = 1). Measure losses with the transformer energized by a 60 Hz supply.

4.2 *Measurement of Power Losses.*

4.2.1 *No-Load Loss.*

Measure the no-load loss and apply corrections as described in section 4.4, using the appropriate test set as described in section 4.3.

4.2.2 *Load Loss.*

Measure the load loss and apply corrections as described in section 4.5, using the appropriate test set as described in section 4.3.

4.3 *Test Sets.*

(a) The same test set may be used for both the no-load loss and load loss measurements provided the range of the test set encompasses the test requirements of both tests. Calibrate the test set to national standards to meet the tolerances in Table 2.3 in section 2.3 of this appendix. In addition, the wattmeter, current measuring system and

voltage measuring system must be calibrated separately if the overall test set calibration is outside the tolerance as specified in section 2.3 or the individual phase angle error exceeds the values specified in section 4.5.3.

(b) A test set based on the wattmeter-voltmeter-ammeter principle may be used to measure the power loss and the applied voltage and current of a transformer where the transformer's test current and voltage are within the measurement capability of the measuring instruments. Current and voltage transformers, known collectively as instrument transformers, or other scaling devices such as resistive or capacitive dividers for voltage, may be used in the above circumstance, and must be used together with instruments to measure current, voltage, or power where the current or voltage of the transformer under test exceeds the measurement capability of such instruments. Thus, a test set may include a combination of measuring instruments and instrument transformers (or other scaling devices), so long as the current or voltage of the transformer under test does not exceed the measurement capability of any of the instruments.

(c) Both load loss and no-load loss measurements must be made from terminal to terminal.

4.3.1 *Single-Phase Test Sets.*

Use these for testing single-phase distribution transformers.

4.3.1.1 *Without Instrument Transformers.*

(a) A single-phase test set without an instrument transformer is shown in Figure 4.1.

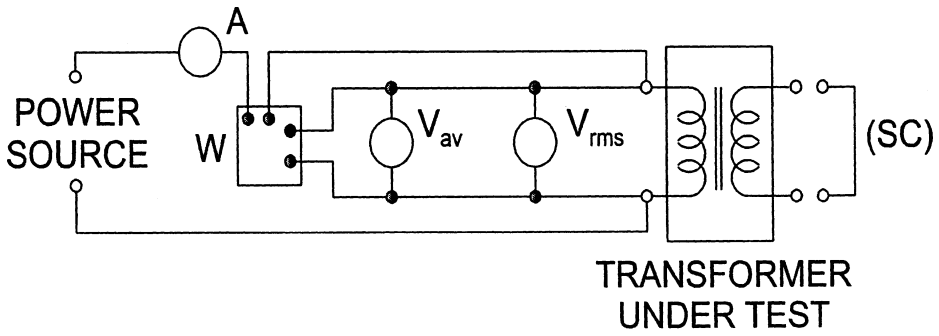


Figure 4.1 Single-Phase Test Set Without Instrument Transformers

Where:

W is a wattmeter used to measure P_{nm} and P_{lm}, the no-load and load loss power, respectively,

V_{rms} is a true root-mean-square (rms) voltmeter used to measure $V_{r(nm)}$ and V_{lm}, the rms test voltages in no-load and load loss measurements, respectively,

V_{av} is an average sensing voltmeter, calibrated to indicate rms voltage for sinusoidal waveforms and used to measure $V_{a(nm)}$, the average voltage in no-load loss measurements,

A is an rms ammeter used to measure test current, especially I_{lm}, the load loss current, and

(SC) is a conductor for providing a short-circuit across the output windings for the load loss measurements.

(b) Either the primary or the secondary winding can be connected to the test set. However, more compatible voltage and current levels for the measuring instruments are available if for no-load loss measurements the secondary (low voltage) winding is connected to the test set, and for load loss measurements the primary winding is connected to the test set. Use the average-sensing voltmeter, V_{av}, only in no-load loss measurements.

4.3.1.2 *With Instrument Transformers.*

A single-phase test set with instrument transformers is shown in Figure 4.2. This circuit has the same four measuring instruments as that in Figure 4.1. The current and voltage transformers, designated as (CT) and (VT), respectively, are added.

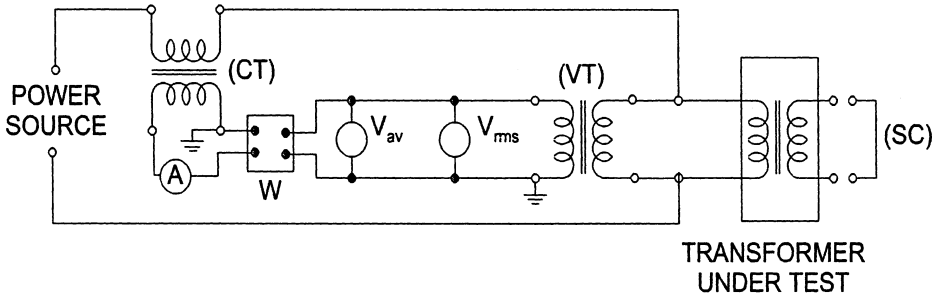


Figure 4.2 Single-Phase Test Set With Instrument Transformers

4.3.2 *Three-Phase Test Sets.*

Use these for testing three-phase distribution transformers. Use in a four-wire, three-wattmeter test circuit.

4.3.2.1 *Without Instrument Transformers.*

(a) A three-phase test set without instrument transformers is shown in Figure 4.3. This test set is essentially the same circuit shown in Figure 4.1 repeated three times, and the instruments are individual devices as shown. As an alternative, the entire instrumentation system of a three-phase test set without transformers may consist of a multi-function analyzer.

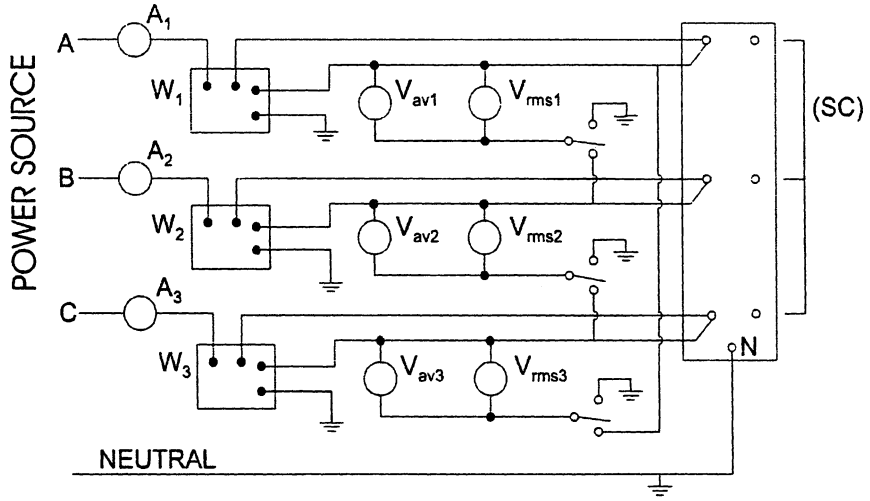


Figure 4.3 Three-Phase Test Set Without Instrument Transformers

(b) Either group of windings, the primary or the secondary, can be connected in wye or delta configuration. If both groups of windings are connected in the wye configuration for the no-load test, the neutral of the winding connected to the test set must be connected to the neutral of the source to provide a return path for the neutral current.

(c) In the no-load loss measurement, the voltage on the winding must be measured. Therefore a provision must be made to switch the voltmeters for line-to-neutral measurements for wye-connected windings

and for line-to-line measurements for delta-connected windings.

4.3.2.2 *With Instrument Transformers.*

A three-phase test set with instrument transformers is shown in Figure 4.4. This test set is essentially the same circuit shown in Figure 4.2 repeated three times. Provision must be made to switch the voltmeters for line-to-neutral and line-to-line measurements as in section 4.3.2.1. The voltage sensors (''coils'') of the wattmeters must always be connected in the line-to-neutral configuration.

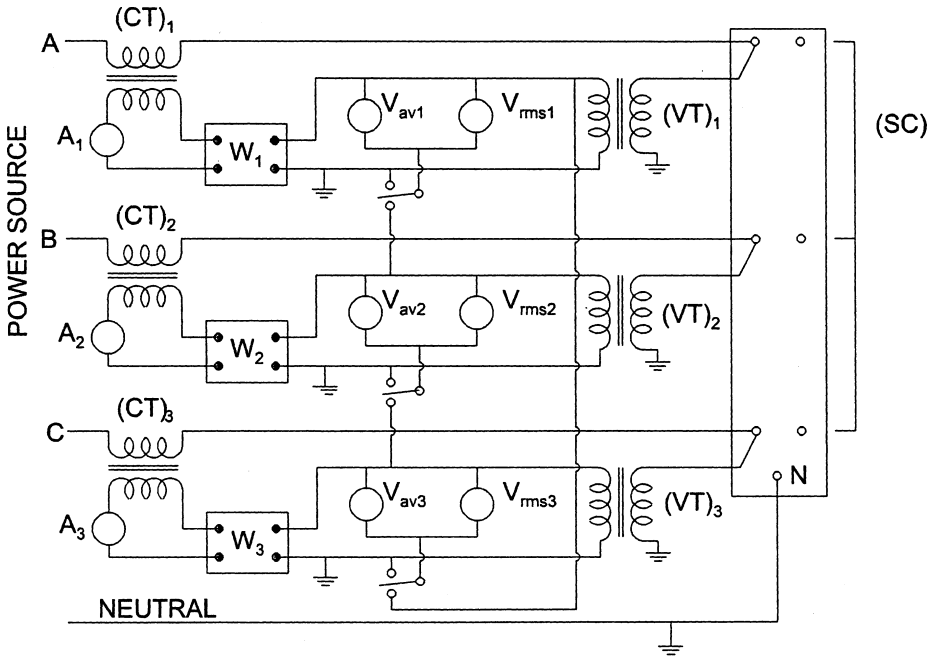


Figure 4.4 Three-Phase Test Set with Instrument Transformers

4.3.2.3 *Test Set Neutrals.*

If the power source in the test circuit is wye-connected, ground the neutral. If the power source in the test circuit is delta-connected, use a grounding transformer to obtain neutral and ground for the test.

4.4 *No-Load Losses: Measurement and Calculations.*

4.4.1 *General Considerations.*

Measurement corrections are permitted but not required for instrumentation losses and for losses from auxiliary devices. Measurement corrections are required:

(a) When the waveform of the applied voltage is non-sinusoidal; and

(b) When the core temperature or liquid temperature is outside the 20 °C ±10 °C range.

4.4.2 *No-Load Loss Test.*

(a) The purpose of the no-load loss test is to measure no-load losses at a specified excitation voltage and a specified frequency. The no-load loss determination must be based on a sine-wave voltage corrected to the reference temperature. Connect either of the transformer windings, primary or secondary, to the appropriate test set of Figures 4.1 to 4.4, giving consideration to section 4.4.2(a)(2). Leave the unconnected winding(s) open circuited. Apply the rated voltage at rated frequency, as measured by the average-sensing voltmeter, to the transformer. Take the readings of the wattmeter(s) and the average-sensing and true rms voltmeters. Observe the following precautions:

(1) Voltmeter connections. When correcting to a sine-wave basis using the average-voltmeter method, the voltmeter connections must be such that the waveform applied to the voltmeters is the same as the waveform across the energized windings.

(2) Energized windings. Energize either the high voltage or the low voltage winding of the transformer under test.

(3) Voltage and frequency. The no-load loss test must be conducted with rated voltage impressed across the transformer terminals using a voltage source at a frequency equal to the rated frequency of the transformer under test.

(b) Adjust the voltage to the specified value as indicated by the average-sensing voltmeter. Record the values of rms voltage, rms current, electrical power, and average voltage as close to simultaneously as possible. For a three-phase transformer, take all of the readings on one phase before proceeding to the next, and record the average of the three rms voltmeter readings as the rms voltage value.

NOTE: When the tester uses a power supply that is not synchronized with an electric utility grid, such as a dc/ac motor-generator set, check the frequency and maintain it within ±0.5 percent of the rated frequency of the transformer under test. A power source that is directly connected to, or synchronized with, an electric utility grid need not be monitored for frequency.

4.4.3 *Corrections.*

4.4.3.1 *Correction for Instrumentation Losses.*

Measured losses attributable to the voltmeters and wattmeter voltage circuit, and to voltage transformers if they are used, may be deducted from the total no-load losses measured during testing.

4.4.3.2 *Correction for Non-Sinusoidal Applied Voltage.*

(a) The measured value of no-load loss must be corrected to a sinusoidal voltage, except when waveform distortion in the test voltage causes the magnitude of the correction to be less than 1 percent. In such a case, no correction is required.

(b) To make a correction where the distortion requires a correction of 5 percent or less, use equation 4–1. If the distortion requires a correction to be greater than 5 percent, improve the test voltage and re-test. Repeat until the distortion requires a correction of 5 percent or less.

(c) Determine the no-load losses of the transformer corrected for sine-wave basis from the measured value by using equation 4–1 as follows:

$$P_{ncl} = \frac{P_{nm}}{P_1 + kP_2} \qquad (4\text{-}1)$$

Where:

P_{ncl} is the no-load loss corrected to a sine-wave basis at the temperature (T_{nm}) at which no-load loss is measured,

P_{nm} is the measured no-load loss at temperature T_{nm},

P_1 is the per unit hysteresis loss,

P_2 is the per unit eddy-current loss,

$P_1 + P_2 = 1$,

$$k = \left(\frac{V_{r(nm)}}{V_{a(nm)}} \right)^2 ,$$

$V_{r(nm)}$ is the test voltage measured by rms voltmeter, and

$V_{a(nm)}$ is the test voltage measured by average-voltage voltmeter.

(d) The two loss components (P_1 and P_2) are assumed equal in value, each assigned a value of 0.5 per unit, unless the actual measurement-based values of hysteresis and eddy-current losses are available (in per unit form), in which case the actual measurements apply.

4.4.3.3 *Correction of No-Load Loss to Reference Temperature.*

After correcting the measured no-load loss for waveform distortion, correct the loss to the reference temperature. For both certification to energy conservation standards and voluntary representations, if the correction to reference temperature is applied, then the core temperature of the transformer during no-load loss measurement (T_{nm}) must be determined within ±10 °C of the true average core temperature. For certification to energy conservation standards only, if the no-load loss measurements were made between 10 °C and 30 °C, this correction is not required. Correct the no-load loss to the reference temperature by using equation 4–2 as follows:

$$P_{nc} = P_{nc1}[1 + 0.00065(T_{nm} - T_{nr})] \qquad (4\text{-}2)$$

Where:

P_{nc} is the no-load losses corrected for waveform distortion and then to the reference temperature;

P_{nc1} is the no-load losses, corrected for waveform distortion, at temperature T_{nm};

T_{nm} is the core temperature during the measurement of no-load losses; and

T_{nr} is the reference temperature.

4.5 *Load Losses: Measurement and Calculations.*

4.5.1 *General Considerations.*

(a) The load losses of a transformer are those losses incident to a specified load carried by the transformer. Load losses consist of ohmic loss in the windings due to the load current and stray losses due to the eddy currents induced by the leakage flux in the windings, core clamps, magnetic shields, tank walls, and other conducting parts. The ohmic loss of a transformer varies directly with temperature, whereas the stray losses vary inversely with temperature.

(b) For a transformer with a tap changer, conduct the test at the rated current and rated-voltage tap position. For a transformer that has a configuration of windings which allows for more than one nominal rated voltage, determine its load losses either in the winding configuration in which the highest losses occur or in each winding configuration in which the transformer can operate.

4.5.2 *Tests for Measuring Load Losses.*

(a) Connect the transformer with either the high-voltage or low-voltage windings to the appropriate test set. Then short-circuit the winding that was not connected to the test set. Apply a voltage at the rated frequency (of the transformer under test) to the connected windings to produce the rated current in the transformer. Take the readings of the wattmeter(s), the ammeters(s), and rms voltmeter(s).

(b) Regardless of the test set selected, the following preparatory requirements must be satisfied for accurate test results:

(1) Determine the temperature of the windings using the applicable method in section 3.2.1 or section 3.2.2.

(2) The conductors used to short-circuit the windings must have a cross-sectional area equal to, or greater than, the corresponding transformer leads, or, if the tester uses a different method to short-circuit the windings, the losses in the short-circuiting conductor assembly must be less than 10 percent of the transformer's load losses.

(3) When the tester uses a power supply that is not synchronized with an electric utility grid, such as a dc/ac motor-generator set, follow the provisions of the ''Note'' in section 4.4.2.

4.5.3 *Corrections.*

4.5.3.1 *Correction for Losses from Instrumentation and Auxiliary Devices.*

4.5.3.1.1 *Instrumentation Losses.*

Measured losses attributable to the voltmeters, wattmeter voltage circuit and short-circuiting conductor (SC), and to the voltage transformers if they are used, may be deducted from the total load losses measured during testing.

4.5.3.1.2 *Losses from Auxiliary Devices.*

Measured losses attributable to auxiliary devices (e.g., circuit breakers, fuses, switches) installed in the transformer, if any, that are not part of the winding and core assembly, may be excluded from load losses measured during testing. To exclude these losses, either (1) measure transformer losses without the auxiliary devices by removing or bypassing them, or (2) measure transformer losses with the auxiliary devices connected, determine the losses associated with the auxiliary devices, and deduct these losses from the load losses measured during testing.

4.5.3.2 *Correction for Phase Angle Errors.*

(a) Corrections for phase angle errors are not required if the instrumentation is calibrated over the entire range of power factors and phase angle errors. Otherwise, determine whether to correct for phase angle errors from the magnitude of the normalized per unit correction, β_n, obtained by using equation 4–3 as follows:

$$\beta_n = \frac{V_{lm} I_{lm} (\beta_w - \beta_v + \beta_c) \sin \phi}{p_{lm}} \qquad (4\text{-}3)$$

(b) The correction must be applied if β_n is outside the limits of ±0.01. If β_n is within the limits of ±0.01, the correction is permitted but not required.

(c) If the correction for phase angle errors is to be applied, first examine the total system phase angle ($\beta_w - \beta_v + \beta_c$). Where the total system phase angle is equal to or less than ±12 milliradians (±41 minutes), use either equation 4–4 or 4–5 to correct the measured load loss power for phase angle errors, and where the total system phase angle exceeds ±12 milliradians (±41 minutes) use equation 4–5, as follows:

$$P_{lc1} = P_{lm} - V_{lm} I_{lm} (\beta_w - \beta_v + \beta_c) \sin \varphi \qquad (4\text{-}4)$$

$$P_{lc1} = V_{lm} I_{lm} \cos(\varphi + \beta_w - \beta_v + \beta_c) \qquad (4\text{-}5)$$

(d) The symbols in this section (4.5.3.2) have the following meanings:

P_{lc1} is the corrected wattmeter reading for phase angle errors,

P_{lm} is the actual wattmeter reading,
V_{lm} is the measured voltage at the transformer winding,
I_{lm} is the measured rms current in the transformer winding,

$$\phi = \cos^{-1}\frac{P_{lm}}{V_{lm}I_{lm}}$$

is the measured phase angle between V_{lm} and I_{lm},
β_w is the phase angle error (in radians) of the wattmeter; the error is positive if the phase angle between the voltage and current phasors as sensed by the wattmeter is smaller than the true phase angle, thus effectively increasing the measured power,
β_v is the phase angle error (in radians) of the voltage transformer; the error is positive if the secondary voltage leads the primary voltage, and
β_c is the phase angle error (in radians) of the current transformer; the error is positive if the secondary current leads the primary current.

(e) The instrumentation phase angle errors used in the correction equations must be specific for the test conditions involved.

4.5.3.3 *Temperature Correction of Load Loss.*

(a) When the measurement of load loss is made at a temperature T_{lm} that is different from the reference temperature, use the procedure summarized in the equations 4–6 to 4–10 to correct the measured load loss to the reference temperature. The symbols used in these equations are defined at the end of this section.

(b) Calculate the ohmic loss (P_e) by using equation 4–6 as follows:

$$\begin{aligned} P_e &= P_{e(p)} + P_{e(s)} \\ &= I^2_{lm(p)} R_{dc(p)} \frac{T_{k(p)} + T_{lm}}{T_{k(p)} + T_{dc}} + I^2_{lm(s)} R_{dc(s)} \frac{T_{k(s)} + T_{lm}}{T_{k(s)} + T_{dc}} \\ &= I^2_{lm(p)} \left[R_{dc(p)} \frac{T_{k(p)} + T_{lm}}{T_{k(p)} + T_{dc}} + \left[\frac{N_1}{N_2}\right]^2 R_{dc(s)} \frac{T_{k(s)} + T_{lm}}{T_{k(s)} + T_{dc}} \right] \end{aligned} \qquad (4\text{-}6)$$

(c) Obtain the stray loss by subtracting the calculated ohmic loss from the measured load loss, by using equation 4–7 as follows:

$$P_s = P_{lc1} - P_e \qquad (4\text{-}7)$$

(d) Correct the ohmic and stray losses to the reference temperature for the load loss by using equations 4–8 and 4–9, respectively, as follows:

$$\begin{aligned} P_{er} &= P_{e(p)} \frac{T_{k(p)} + T_{lr}}{T_{k(p)} + T_{lm}} + P_{e(s)} \frac{T_{k(s)} + T_{lr}}{T_{k(s)} + T_{lm}} \\ &= I^2_{lm(p)} \left[R_{dc(p)} \frac{T_{k(p)} + T_{lr}}{T_{k(p)} + T_{dc}} + \left[\frac{N_1}{N_2}\right]^2 R_{dc(s)} \frac{T_{k(s)} + T_{lr}}{T_{k(s)} + T_{dc}} \right] \end{aligned} \qquad (4\text{-}8)$$

$$P_{sr} = \left(P_{lc1} - P_e\right) \frac{T_k + T_{lm}}{T_k + T_{lr}} \qquad (4\text{-}9)$$

(e) Add the ohmic and stray losses, corrected to the reference temperature, to give the load loss, P_{lc2}, at the reference temperature, by using equation 4–10 as follows:

$$P_{lc2} = P_{er} + P_{sr}$$

$$= I^2_{lm(p)}\left[R_{dc(p)}\frac{T_{k(p)} + T_{lr}}{T_{k(p)} + T_{dc}} + \left[\frac{N_1}{N_2}\right]^2 R_{dc(s)}\frac{T_{k(s)} + T_{lr}}{T_{k(s)} + T_{dc}}\right]$$

$$+\left[P_{lc1} - I^2_{lm(p)}\left[R_{dc(p)}\frac{T_{k(p)} + T_{lm}}{T_{k(p)} + T_{dc}} + \left[\frac{N_1}{N_2}\right]^2 R_{dc(s)}\frac{T_{k(s)} + T_{lm}}{T_{k(s)} + T_{dc}}\right]\right]\frac{T_k + T_{lm}}{T_k + T_{lr}} \qquad (4\text{-}10)$$

(f) The symbols in this section (4.5.3.3) have the following meanings:

$I_{lm(p)}$ is the primary current in amperes,

$I_{lm(s)}$ is the secondary current in amperes,

P_e is the ohmic loss in the transformer in watts at the temperature T_{lm},

$P_{e(p)}$ is the ohmic loss in watts in the primary winding at the temperature T_{lm},

$P_{e(s)}$ is the ohmic loss in watts in the secondary winding at the temperature T_{lm},

P_{er} is the ohmic loss in watts corrected to the reference temperature,

P_{lc1} is the measured load loss in watts, corrected for phase angle error, at the temperature T_{lm},

P_{lc2} is the load loss at the reference temperature,

P_s is the stray loss in watts at the temperature T_{lm},

P_{sr} is the stray loss in watts corrected to the reference temperature,

$R_{dc(p)}$ is the measured dc primary winding resistance in ohms,

$R_{dc(s)}$ is the measured dc secondary winding resistance in ohms,

T_k is the critical temperature in degrees Celsius for the material of the transformer windings. Where copper is used in both primary and secondary windings, T_k is 234.5 °C; where aluminum is used in both primary and secondary windings, T_k is 225 °C; where both copper and aluminum are used in the same transformer, the value of 229 °C is used for T_k,

$T_{k(p)}$ is the critical temperature in degrees Celsius for the material of the primary winding: 234.5 °C if copper and 225 °C if aluminum,

$T_{k(s)}$ is the critical temperature in degrees Celsius for the material of the secondary winding: 234.5 °C if copper and 225 °C if aluminum,

T_{lm} is the temperature in degrees Celsius at which the load loss is measured,

T_{lr} is the reference temperature for the load loss in degrees Celsius,

T_{dc} is the temperature in degrees Celsius at which the resistance values are measured, and

N_1/N_2 is the ratio of the number of turns in the primary winding (N_1) to the number of turns in the secondary winding (N_2); for a primary winding with taps, N_1 is the number of turns used when the voltage applied to the primary winding is the rated primary voltage.

5.0 Determining the Efficiency Value of the Transformer

This section presents the equations to use in determining the efficiency value of the transformer at the required reference conditions and at the specified loading level. The details of measurements are described in sections 3.0 and 4.0. For a transformer that has a configuration of windings which allows for more than one nominal rated voltage, determine its efficiency either at the voltage at which the highest losses occur or at each voltage at which the transformer is rated to operate.

5.1 *Output Loading Level Adjustment.*

If the per-unit load selected in section 2.1 is different from the per-unit load at which the load loss power measurements were made, then adjust the corrected load loss power, P_{lc2}, by using equation 5–1 as follows:

$$P_{lc} = P_{lc2}\left[\frac{P_{os}}{P_{or}}\right]^2 = P_{lc2}L^2 \qquad (5\text{-}1)$$

Where:

P_{lc} is the adjusted load loss power to the per-unit load;

P_{lc2} is as calculated in section 4.5.3.3;

P_{or} is the rated transformer apparent power (name plate);

P_{os} is the adjusted rated transformer apparent power, where $P_{os} = P_{or}L$; and

L is the per-unit load, *e.g.,* if the per-unit load is 50 percent then ''L'' is 0.5.

5.2 *Total Loss Power Calculation.*

Calculate the corrected total loss power by using equation 5–2 as follows:

$$P_{ts} = P_{nc} + P_{lc} \qquad (5\text{-}2)$$

Where:

P_{ts} is the corrected total loss power adjusted for the transformer output loading specified by the standard,

P_{nc} is as calculated in section 4.4.3.3, and

P_{lc} is as calculated in section 5.1.

5.3 *Energy Efficiency Calculation.*

Calculate efficiency (η) in percent at specified energy efficiency load level, P_{os}, by using equation 5–3 as follows:

$$\eta = 100\left(\frac{P_{os}}{P_{os} + P_{ts}}\right) \qquad (5\text{-}3)$$

Where:

P_{os} is as described and calculated in section 5.1, and

P_{ts} is as described and calculated in section 5.2.

5.4 *Significant Figures in Power Loss and Efficiency Data.*

In measured and calculated data, retain enough significant figures to provide at least 1 percent resolution in power loss data and 0.01 percent resolution in efficiency data.

6.0 *Test Equipment Calibration and Certification.*

Maintain and calibrate test equipment and measuring instruments, maintain calibration records, and perform other test and measurement quality assurance procedures according to the following sections. The calibration of the test set must confirm the accuracy of the test set to that specified in section 2.3, Table 2.3 of this appendix.

6.1 *Test Equipment.*

The party performing the tests must control, calibrate, and maintain measuring and test equipment, whether or not it owns the equipment, has the equipment on loan, or the equipment is provided by another party. Equipment must be used in a manner which assures that measurement uncertainty is known and is consistent with the required measurement capability.

6.2 *Calibration and Certification.*

The party performing the tests must:

(a) Identify the measurements to be made, the accuracy required (section 2.3) and select the appropriate measurement and test equipment;

(b) At prescribed intervals, or prior to use, identify, check and calibrate, if needed, all measuring and test equipment systems or devices that affect test accuracy, against certified equipment having a known valid relationship to nationally recognized standards; where no such standards exist, the basis used for calibration must be documented;

(c) Establish, document and maintain calibration procedures, including details of equipment type, identification number, location, frequency of checks, check method, acceptance criteria and action to be taken when results are unsatisfactory;

(d) Ensure that the measuring and test equipment is capable of the accuracy and precision necessary, taking into account the voltage, current and power factor of the transformer under test;

(e) Identify measuring and test equipment with a suitable indicator or approved identification record to show the calibration status;

(f) Maintain calibration records for measuring and test equipment;

(g) Assess and document the validity of previous test results when measuring and test equipment is found to be out of calibration;

(h) Ensure that the environmental conditions are suitable for the calibrations, measurements and tests being carried out;

(i) Ensure that the handling, preservation and storage of measuring and test equipment is such that the accuracy and fitness for use is maintained; and

(j) Safeguard measuring and test facilities, including both test hardware and test software, from adjustments which would invalidate the calibration setting.

7.0 Test Procedure for Voluntary Representations

Follow sections 1.0 through 6.0 of this appendix using the per-unit load and/or reference temperature of interest for voluntary representations of efficiency, and corresponding values of load loss and no-load loss at additional per-unit load and/or reference temperature. Representations made at a per-unit load and/or reference temperature other than those required to comply with the energy conservation standards at §431.196 must be in addition to, and not in place of, a representation at the required DOE settings for per-unit load and reference temperature. As a best practice, the additional settings of per-unit load and reference temperature should be provided with the voluntary representations.

[71 FR 24999, Apr. 27, 2006; 71 FR 60662, Oct. 16, 2006; 86 FR 51252, Sept. 14, 2021]

EFFECTIVE DATE NOTE: At 71 FR 24999, Apr. 27, 2006, appendix A to subpart K of part 431 was added. Section 6.2(f) contains information collection requirements and will not become effective until approval has been given by the Office of Management and Budget.

Subpart L—Illuminated Exit Signs

SOURCE: 70 FR 60417, Oct. 18, 2005, unless otherwise noted.

§ 431.201 Purpose and scope.

This subpart contains energy conservation requirements for illuminated exit signs, pursuant to Part B of Title III of the Energy Policy and Conservation Act, as amended, 42 U.S.C. 6291–6309.

§ 431.202 Definitions concerning illuminated exit signs.

Basic model means all units of a given type of covered product (or class thereof) manufactured by one manufacturer, having the same primary energy source, and which have essentially identical electrical, physical, and functional (or hydraulic) characteristics that affect energy consumption, energy efficiency, water consumption, or water efficiency.

Face means an illuminated side of an illuminated exit sign.

Illuminated exit sign means a sign that—

(1) Is designed to be permanently fixed in place to identify an exit; and

(2) Consists of an electrically powered integral light source that—

(i) Illuminates the legend ''EXIT'' and any directional indicators; and

(ii) Provides contrast between the legend, any directional indicators, and the background.

Input power demand means the amount of power required to continuously illuminate an exit sign model, measured in watts (W). For exit sign models with rechargeable batteries, input power demand shall be measured with batteries at full charge.

[70 FR 60417, Oct. 18, 2005, as amended at 71 FR 71372, Dec. 8, 2006; 76 FR 12504, Mar. 7, 2011]

TEST PROCEDURES

§ 431.203 Materials incorporated by reference.

(a) *General.* The Department incorporates by reference the following test procedures into subpart L of part 431. The Director of the Federal Register has approved the material listed in paragraph (b) of this section for incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Any subsequent amendment to this material by the standard-setting organization will not affect the DOE test procedures unless and until DOE amends its test procedures. The Department incorporates the material as it exists on the date of the approval by the Federal Register and a notice of any change in the material will be published in the FEDERAL REGISTER.

(b) *Test procedure incorporated by reference.* Environmental Protection Agency ''ENERGY STAR Program Requirements for Exit Signs,'' Version 2.0 issued January 1, 1999.

(c) *Availability of reference*—(1) *Inspection of test procedure.* The test procedure incorporated by reference are available for inspection at:

(i) National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call (202) 741–6030, or go to: *http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.*

(ii) U.S. Department of Energy, Forrestal Building, Room 1J–018 (Resource Room of the Building Technologies Program), 1000 Independence Avenue, SW., Washington, DC 20585–0121, (202) 586–9127, between 9 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

(2) *Obtaining copies of the standard.* Copies of the Environmental Protection Agency ''ENERGY STAR Program Requirements for Exit Signs,'' Version 2.0, may be obtained from the Environmental Protection Agency, Ariel Rios Building, 1200 Pennsylvania Avenue, NW., Washington, DC 20460, (202) 272–0167 or at*http://www.epa.gov*.

[71 FR 71373, Dec. 8, 2006]

§ 431.204 Uniform test method for the measurement of energy consumption of illuminated exit signs.

(a) *Scope.* This section provides the test procedure for measuring, pursuant to EPCA, the input power demand of illuminated exit signs. For purposes of this part 431 and EPCA, the test procedure for measuring the input power demand of illuminated exit signs shall be the test procedure specified in § 431.203(b).

(b) *Testing and Calculations.* Determine the energy efficiency of each covered product by conducting the test procedure, set forth in the Environmental Protection Agency's ''ENERGY STAR Program Requirements for Exit Signs,'' Version 2.0, section 4 (Test Criteria), ''Conditions for testing'' and ''Input power measurement.'' (Incorporated by reference, see § 431.203)

[71 FR 71373, Dec. 8, 2006]

ENERGY CONSERVATION STANDARDS

§ 431.206 Energy conservation standards and their effective dates.

An illuminated exit sign manufactured on or after January 1, 2006, shall have an input power demand of 5 watts or less per face.

Subpart M—Traffic Signal Modules and Pedestrian Modules

SOURCE: 70 FR 60417, Oct. 18, 2005, unless otherwise noted.

§ 431.221 Purpose and scope.

This subpart contains energy conservation requirements for traffic signal modules and pedestrian modules, pursuant to Part B of Title III of the Energy Policy and Conservation Act, as amended, 42 U.S.C. 6291–6309.

§ 431.222 Definitions concerning traffic signal modules and pedestrian modules.

Basic model means all units of a given type of covered product (or class thereof) manufactured by one manufacturer, having the same primary energy source, and which have essentially identical electrical, physical, and functional (or hydraulic) characteristics that affect energy consumption, energy efficiency, water consumption, or water efficiency.

Maximum wattage means the power consumed by the module after being operated for 60 minutes while mounted in a temperature testing chamber so that the lensed portion of the module is outside the chamber, all portions of the module behind the lens are within the chamber at a temperature of 74 °C and the air temperature in front of the lens is maintained at a minimum of 49 °C.

Nominal wattage means the power consumed by the module when it is operated within a chamber at a temperature of 25 °C after the signal has been operated for 60 minutes.

Pedestrian module means a light signal used to convey movement information to pedestrians.

Traffic signal module means a standard 8-inch (200 mm) or 12-inch (300 mm) traffic signal indication that—

(1) Consists of a light source, a lens, and all other parts necessary for operation; and

(2) Communicates movement messages to drivers through red, amber, and green colors.

[70 FR 60417, Oct. 18, 2005, as amended at 71 FR 71373, Dec. 8, 2006; 76 FR 12504, Mar. 7, 2011]

TEST PROCEDURES

§ 431.223 Materials incorporated by reference.

(a) *General.* The Department incorporates by reference the following test procedures into subpart M of part 431. The Director of the Federal Register has approved the material listed in paragraph (b) of this section for incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Any subsequent amendment to this material by the standard-setting organization will not affect the DOE test procedures unless and until DOE amends its test procedures. The Department incorporates the material as it exists on the date of the approval by the Federal Register and a notice of any change in the material will be published in the FEDERAL REGISTER.

(b) *List of test procedures incorporated by reference.* (1) Environmental Protection Agency, ''ENERGY STAR Program Requirements for Traffic Signals,'' Version 1.1 issued February 4, 2003.

(2) Institute of Transportation Engineers (ITE), ''Vehicle Traffic Control Signal Heads: Light Emitting Diode (LED) Circular Signal Supplement,'' June 27, 2005.

(c) *Availability of references*—(1) *Inspection of test procedures.* The test procedures incorporated by reference are available for inspection at:

(i) National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call (202) 741–6030, or go to: *http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.*

(ii) U.S. Department of Energy, Forrestal Building, Room 1J–018 (Resource Room of the Building Technologies Program), 1000 Independence Avenue, SW., Washington, DC 20585–0121, (202) 586–9127, between 9 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

(2) *Obtaining copies of standards.* Standards incorporated by reference may be obtained from the following sources:

(i) Copies of the Environmental Protection Agency ''ENERGY STAR Program Requirements for Traffic Signals,'' Version 1.1, may be obtained from the Environmental Protection Agency, Ariel Rios Building, 1200 Pennsylvania Avenue, NW., Washington, DC 20460, (202) 272–0167 or at *http://www.epa.gov.*

(ii) Institute of Transportation Engineers, 1099 14th Street, NW., Suite 300 West, Washington, DC 20005–3438, (202) 289–0222, or *ite_staff@ite.org.*

[71 FR 71373, Dec. 8, 2006]

§ 431.224 Uniform test method for the measurement of energy consumption for traffic signal modules and pedestrian modules.

(a) *Scope.* This section provides the test procedures for measuring, pursuant to EPCA, the maximum wattage and nominal wattage of traffic signal modules and pedestrian modules. For purposes of 10 CFR part 431 and EPCA, the test procedures for measuring the maximum wattage and nominal wattage of traffic signal modules and pedestrian modules shall be the test procedures specified in § 431.223(b).

(b) *Testing and Calculations.* Determine the nominal wattage and maximum wattage of each covered traffic signal module or pedestrian module by conducting the test procedure set forth in Environmental Protection Agency, ''ENERGY STAR Program Requirements for Traffic Signals,'' Version 1.1, section 1, ''Definitions,'' and section 4, ''Test Criteria.'' (Incorporated by reference, see § 431.223) Use a wattmeter having an accuracy of ±1% to measure the nominal wattage and maximum wattage of a red and green traffic signal module, and a pedestrian module when conducting the photometric and colormetric tests as specified by the testing procedures in VTCSH 2005.

[71 FR 71373, Dec. 8, 2006]

ENERGY CONSERVATION STANDARDS

§ 431.226 Energy conservation standards and their effective dates.

Any traffic signal module or pedestrian module manufactured on or after January 1, 2006, shall meet both of the following requirements:

(a) Have a nominal wattage and maximum wattage no greater than:

	Maximum wattage (at 74 °C)	Nominal wattage (at 25 °C)
Traffic Signal Module Type:		
12″ Red Ball	17	11
8″ Red Ball	13	8
12″ Red Arrow	12	9
12″ Green Ball	15	15
8″ Green Ball	12	12
12″ Green Arrow	11	11
Pedestrian Module Type:		
Combination Walking Man/Hand	16	13
Walking Man	12	9
Orange Hand	16	13

(b) Be installed with compatible, electrically connected signal control interface devices and conflict monitoring systems.

[70 FR 60417, Oct. 18, 2005, as amended at 71 FR 71374, Dec. 8, 2006]

Subpart N—Unit Heaters

SOURCE: 70 FR 60418, Oct. 18, 2005, unless otherwise noted.

§ 431.241 Purpose and scope.

This subpart contains energy conservation requirements for unit heaters, pursuant to Part B of Title III of the Energy Policy and Conservation Act, as amended, 42 U.S.C. 6291–6309.

§ 431.242 Definitions concerning unit heaters.

Automatic flue damper means a device installed in the flue outlet or in the inlet of or upstream of the draft control device of an individual, automatically operated, fossil fuel-fired appliance that is designed to automatically open the flue outlet during appliance operation and to automatically close the flue outlet when the appliance is in a standby condition.

Automatic vent damper means a device intended for installation in the venting system of an individual, automatically operated, fossil fuel-fired appliance either in the outlet or downstream of the appliance draft control device, which is designed to automatically open the venting system when the appliance is in operation and to automatically close off the venting system when the appliance is in a standby or shutdown condition.

Basic model means all units of a given type of covered product (or class thereof) manufactured by one manufacturer, having the same primary energy source, and which have essentially identical electrical, physical, and functional (or hydraulic) characteristics that affect energy consumption, energy efficiency, water consumption, or water efficiency.

Intermittent ignition device means an ignition device in which the ignition source is automatically shut off when the appliance is in an off or standby condition.

Power venting means a venting system that uses a separate fan, either integral to the appliance or attached to the vent pipe, to convey products of combustion and excess or dilution air through the vent pipe.

Unit heater means a self-contained fan-type heater designed to be installed within the heated space; however, the term does not include a warm air furnace.

Warm air furnace means commercial warm air furnace as defined in § 431.72.

[70 FR 60418, Oct. 18, 2005, as amended at 71 FR 71374, Dec. 8, 2006; 76 FR 12504, Mar. 7, 2011]

TEST PROCEDURES [RESERVED]

ENERGY CONSERVATION STANDARDS

§ 431.246 Energy conservation standards and their effective dates.

A unit heater manufactured on or after August 8, 2008, shall:

(a) Be equipped with an intermittent ignition device; and

(b) Have power venting or an automatic flue damper. An automatic vent damper is an acceptable alternative to an automatic flue damper for those unit heaters where combustion air is drawn from the conditioned space.

[70 FR 60418, Oct. 18, 2005, as amended at 71 FR 71374, Dec. 8, 2006]

Subpart O—Commercial Prerinse Spray Valves

SOURCE: 70 FR 60418, Oct. 18, 2005, unless otherwise noted.

§ 431.261 Purpose and scope.

This subpart contains energy conservation requirements for commercial prerinse spray valves, pursuant to section 135 of the Energy Policy Act of 2005, Pub. L. 109–58.

§ 431.262 Definitions.

As used in this subpart:

Basic model means all spray settings of a given class manufactured by one manufacturer, which have essentially identical physical and functional (or hydraulic) characteristics that affect water consumption or water efficiency.

Commercial prerinse spray valve means a handheld device that has a release-to-close valve and is suitable for removing food residue from food service items before cleaning them in commercial dishwashing or ware washing equipment. DOE may determine that a device is suitable for removing food residue from food service items before

cleaning them in commercial dishwashing or ware washing equipment based on any or all of the following:

(1) Equipment design and representations (for example, whether equipment is represented as being capable of rinsing dishes as compared to equipment that is represented exclusively for washing walls and floors or animal washing);

(2) Channels of marketing and sales (for example, whether equipment is marketed or sold through outlets that market or sell to food service entities);

(3) Actual sales (including whether the end-users are restaurants or commercial or institutional kitchens, even if those sales are indirectly through an entity such as a distributor).

Spray force means the amount of force exerted onto the spray disc, measured in ounce-force (ozf).

[80 FR 81453, Dec. 30, 2015, as amended at 87 FR 13909, Mar. 11, 2022]

§ 431.263 Materials incorporated by reference.

(a) Certain material is incorporated by reference into this subpart with the approval of the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in this section, the U.S. Department of Energy (DOE) must publish a document in the FEDERAL REGISTER and the material must be available to the public. All approved material is available for inspection at the DOE and at the National Archives and Records Administration (NARA). Contact DOE at: The U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Program, 6th Floor, 950 L'Enfant Plaza SW, Washington, DC 20024, (202) 586–9127, or *Buildings@ee.doe.gov*, *https://www.energy.gov/eere/buildings/building-technologies-office*. For information on the availability of this material at NARA, email: *fr.inspection@nara.gov*, or go to: *www.archives.gov/federal-register/cfr/ibr-locations.html*. The material may be obtained from the source(s) in the following paragraph(s) of this section.

(b) *ASTM*. ASTM, International, 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA 19428–2959, (610) 832–9585, or go to *www.astm.org*.

(1) ASTM F2324–13 (R2019) (''ASTM F2324''),''Standard Test Method for Prerinse Spray Valves'', Approved May 1, 2019; IBR approved for § 431.264.

(2) [Reserved]

[87 FR 13910, Mar. 11, 2022]

TEST PROCEDURES

§ 431.264 Uniform test method to measure flow rate and spray force of commercial prerinse spray valves.

(a) *Scope*. This section provides the test procedure to measure the flow rate and spray force of a commercial prerinse spray valve.

(b) *Testing and calculations for a unit with a single spray setting*—(1) *Flow rate*. (i) Test each unit in accordance with the requirements of Sections 6.1 through 6.9 (Apparatus) (except 6.4 and 6.7), 9.1 through 9.4 (Preparation of Apparatus), and 10.1 through 10.2.5 (Procedure) of ASTM F2324, (incorporated by reference, see § 431.263). Precatory language in ASTM F2324 is to be treated as mandatory for the purpose of testing. In Section 9.1 of ASTM F2324, the second instance of ''prerinse spray valve'' refers to the spring-style deck-mounted prerinse unit defined in Section 6.8. In lieu of using manufacturer installation instructions or packaging, always connect the commercial prerinse spray valve to the flex tubing for testing. Normalize the weight of the water to calculate flow rate using Equation 1 to this paragraph, where W_{water} is the weight normalized to a 1 minute time period, W_1 is the weight of the water in the carboy at the conclusion of the flow rate test, and t_1 is the total recorded time of the flow rate test.

$$W_{water} = W_1 \, x \, \frac{60 \, s}{t_1} \qquad \text{(Eq. 1 to paragraph (b)(1)(i))}$$

(ii) Perform calculations in accordance with Section 11.3.1 (Calculation and Report) of ASTM F2324. Record the water temperature (°F) and dynamic water pressure (psi) once at the start for each run of the test. Record the time (min), the normalized weight of water in the carboy (lb) and the resulting flow rate (gpm) once at the end of each run of the test. Record flow rate measurements of time (min) and weight (lb) at the resolutions of the test instrumentation. Perform three runs on each unit, as specified in Section 10.2.5 of ASTM F2324, but disregard any references to Annex A1. Then, for each unit, calculate the mean of the three flow rate values determined from each run. Round the final value for flow rate to two decimal places and record that value.

(2) *Spray force.* Test each unit in accordance with the test requirements specified in Sections 6.2 and 6.4 through 6.9 (Apparatus), 9.1 through 9.5.3.2 (Preparation of Apparatus), and 10.3.1 through 10.3.8 (Procedure) of ASTM F2324. In Section 9.1 of ASTM F2324, the second instance of ''prerinse spray valve'' refers to the spring-style deck-mounted prerinse unit defined in Section 6.8. In lieu of using manufacturer installation instructions or packaging, always connect the commercial prerinse spray valve to the flex tubing for testing. Record the water temperature (°F) and dynamic water pressure (psi) once at the start for each run of the test. In order to calculate the mean spray force value for the unit under test, there are two measurements per run and there are three runs per test. For each run of the test, record a minimum of two spray force measurements and calculate the mean of the measurements over the 15-second time period of stabilized flow during spray force testing. Record the time (min) once at the end of each run of the test. Record spray force measurements at the resolution of the test instrumentation. Conduct three runs on each unit, as specified in Section 10.3.8 of ASTM F2324, but disregard any references to Annex A1. Ensure the unit has been stabilized separately during each run. Then for each unit, calculate and record the mean of the spray force values determined from each run. Round the final value for spray force to one decimal place.

(c) *Testing and calculations for a unit with multiple spray settings.* If a unit has multiple user-selectable spray settings, or includes multiple spray faces that can be installed, for each possible spray setting or spray face:

(1) Measure both the flow rate and spray force according to paragraphs (b)(1) and (2) of this section (including calculating the mean flow rate and mean spray force) for each spray setting; and

(2) Record the mean flow rate for each spray setting, rounded to two decimal places. Record the mean spray force for each spray setting, rounded to one decimal place.

(d) *Test procedure for voluntary representations.* Follow paragraph (b)(1) or (2) or (c) of this section, as applicable, using test water pressure(s) of interest for voluntary representations of flow rate. Representations made at a water pressure other than the required test water pressure cannot replace a representation at the required test water pressure specified in Section 9.1 of ASTM F2324. Any voluntary representation of flow rate made pursuant to this paragraph shall specify the water pressure associated with the represented flow rate.

[80 FR 81453, Dec. 30, 2015, as amended at 87 FR 13910, Mar. 11, 2022]

ENERGY CONSERVATION STANDARDS

§ 431.266 Energy conservation standards and their effective dates.

(a) Commercial prerinse spray valves manufactured on or after January 1, 2006 and before January 28, 2019, shall have a flow rate of not more than 1.6 gallons per minute. For the purposes of this standard, a *commercial prerinse spray valve* is a handheld device designed and marketed for use with commercial dishwashing and ware washing equipment that sprays water on dishes, flatware, and other food service items for the purpose of removing food residue before cleaning the items.

(b) Commercial prerinse spray valves manufactured on or after January 28, 2019 shall have a flow rate that does not exceed the following:

Product class (spray force in ounce-force, ozf)	Flow rate (gallons per minute, gpm)
Product Class 1 (≤5.0 ozf)	1.00
Product Class 2 (>5.0 ozf and ≤8.0 ozf)	1.20
Product Class 3 (>8.0 ozf)	1.28

(1) For the purposes of this standard, the definition of *commercial prerinse spray valve* in § 431.262 applies.

(2) [Reserved]

[81 FR 4801, Jan. 27, 2016]

Subpart P—Mercury Vapor Lamp Ballasts

SOURCE: 70 FR 60418, Oct. 18, 2005, unless otherwise noted.

§ 431.281 Purpose and scope.

This subpart contains energy conservation requirements for mercury vapor lamp ballasts, pursuant to section 135 of the Energy Policy Act of 2005, Pub. L. 109–58.

§ 431.282 Definitions concerning mercury vapor lamp ballasts.

Ballast means a device used with an electric discharge lamp to obtain necessary circuit conditions (voltage, current, and waveform) for starting and operating.

High intensity discharge lamp means an electric-discharge lamp in which—

(1) The light-producing arc is stabilized by the arc tube wall temperature; and

(2) The arc tube wall loading is in excess of 3 Watts/cm^2, including such lamps that are mercury vapor, metal halide, and high-pressure sodium lamps.

Mercury vapor lamp means a high intensity discharge lamp, including clear, phosphor-coated, and self-ballasted screw base lamps, in which the major portion of the light is produced by radiation from mercury typically operating at a partial vapor pressure in excess of 100,000 Pa (approximately 1 atm).

Mercury vapor lamp ballast means a device that is designed and marketed to start and operate mercury vapor lamps intended for general illumination by providing the necessary voltage and current.

Specialty application mercury vapor lamp ballast means a mercury vapor lamp ballast that—

(1) Is designed and marketed for operation of mercury vapor lamps used in quality inspection, industrial processing, or scientific use, including fluorescent microscopy and ultraviolet curing; and

(2) In the case of a specialty application mercury vapor lamp ballast, the label of which—

(i) Provides that the specialty application mercury vapor lamp ballast is 'For specialty applications only, not for general illumination'; and

(ii) Specifies the specific applications for which the ballast is designed.

[74 FR 12074, Mar. 23, 2009]

TEST PROCEDURES [RESERVED]

ENERGY CONSERVATION STANDARDS

§ 431.286 Energy conservation standards and their effective dates.

Mercury vapor lamp ballasts, other than specialty application mercury vapor lamp ballasts, shall not be manufactured or imported after January 1, 2008.

[74 FR 12074, Mar. 23, 2009]

Subpart Q—Refrigerated Bottled or Canned Beverage Vending Machines

SOURCE: 71 FR 71375, Dec. 8, 2006, unless otherwise noted.

§ 431.291 Scope.

This subpart specifies test procedures and energy conservation standards for certain commercial refrigerated bottled or canned beverage vending machines, pursuant to part A of Title III of the Energy Policy and Conservation Act, as amended, 42 U.S.C. 6291–6309. The regulatory provisions of §§ 430.33 and 430.34 and subparts D and E of part 430 of this chapter are applicable to refrigerated bottled or canned beverage vending machines.

[80 FR 45792, July 31, 2015]

§ 431.292 Definitions concerning refrigerated bottled or canned beverage vending machines.

Basic model means all units of a given type of covered product (or class thereof) manufactured by one manufacturer, having the same primary energy source, and which have essentially identical electrical, physical, and functional (or hydraulic) characteristics that affect energy consumption, energy efficiency, water consumption, or water efficiency.

Bottled or canned beverage means a beverage in a sealed container.

Class A means a refrigerated bottled or canned beverage vending machine that is not a combination vending machine and in which 25 percent or more of the surface area on the front side of the beverage vending machine is transparent.

Class B means a refrigerated bottled or canned beverage vending machine that is not considered to be Class A and is not a combination vending machine.

Combination A means a combination vending machine where 25 percent or more of the surface area on the front side of the beverage vending machine is transparent.

Combination B means a combination vending machine that is not considered to be Combination A.

Combination vending machine means a bottled or canned beverage vending machine containing two or more compartments separated by a solid partition, that may or may not share a product delivery chute, in which at least one compartment is designed to be refrigerated, as demonstrated by the presence of temperature controls, and at least one compartment is not.

Refrigerated bottled or canned beverage vending machine means a commercial refrigerator (as defined at § 431.62) that cools bottled or canned beverages and dispenses the bottled or canned beverages on payment.

Transparent means greater than or equal to 45 percent light transmittance, as determined in accordance with ASTM E 1084–86 (Reapproved 2009), (incorporated by reference, see § 431.293) at normal incidence and in the intended direction of viewing.

V means the refrigerated volume (ft^3) of the refrigerated bottled or canned beverage vending machine, as measured by Appendix C of ANSI/ASHRAE 32.1 (incorporated by reference, see § 431.293).

[71 FR 71375, Dec. 8, 2006, as amended at 74 FR 44967, Aug. 31, 2009; 76 FR 12504, Mar. 7, 2011; 80 FR 45792, July 31, 2015; 81 FR 1112, Jan. 8, 2016]

Test Procedures

§ 431.293 Materials incorporated by reference.

(a) Certain material is incorporated by reference into this subpart with the approval of the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in this section, the DOE must publish a document in the Federal Register and the material must be available to the public. All approved incorporation by reference (IBR) material is available for inspection at DOE, and at the National Archives and Records Administration (NARA). Contact DOE at: the U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Program, 1000 Independence Ave. SW, EE–5B, Washington, DC 20585, (202) 586–9127, *Buildings@ee.doe.gov*, *https://www.energy.gov/eere/buildings/building-technologies-office*. For information on the availability of this material at NARA, visit *www.archives.gov/federal-register/cfr/ibr-locations.html* or email *fr.inspection@nara.gov*. The material may be obtained from the sources in the following paragraphs of this section:

(b) *AHAM*. Association of Home Appliance Manufacturers, 1111 19th Street NW, Suite 402, Washington, DC 20036; (202) 872–5955; *www.aham.org*.

(1) AHAM HRF–1–2016, *Energy and Internal Volume of Refrigerating Appliances*, copyright 2016; IBR approved for appendix B to this subpart.

(2) [Reserved]

(c) *ASHRAE*. American Society of Heating, Refrigerating and Air-Conditioning Engineers, Inc., 1791 Tullie Circle NE, Atlanta, GA 30329; (404) 636–8400; *www.ashrae.org*.

(1) ANSI/ASHRAE Standard 32.1–2022 (ANSI/ASHRAE 32.1), *Methods of Testing for Rating Refrigerated Vending Machines for Sealed Beverages*, approved December 30, 2022; IBR approved for § 431.292 and appendix B to this subpart.

(2) [Reserved]

(d) *ASTM*. ASTM International, 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA 19428–2959; (877) 909–2786; *www.astm.org*.

(1) ASTM E 1084–86 (Reapproved 2009), *Standard Test Method for Solar Transmittance (Terrestrial) of Sheet Materials Using Sunlight*, approved April 1, 2009; IBR approved for § 431.292.

(2) [Reserved]

[88 FR 28400, May 4, 2023]

§ 431.294 Uniform test method for the measurement of energy consumption of refrigerated bottled or canned beverage vending machines.

(a) *Scope*. This section provides test procedures for measuring, pursuant to EPCA, the energy consumption of refrigerated bottled or canned beverage vending machines.

(b) *Testing and Calculations*. Determine the daily energy consumption of each covered refrigerated bottled or canned beverage vending machine by conducting the appropriate test procedure set forth in appendix A or B to this subpart.

[71 FR 71375, Dec. 8, 2006, as amended at 80 FR 45793, July 31, 2015]

Energy Conservation Standards

§ 431.296 Energy conservation standards and their effective dates.

(a) Each refrigerated bottled or canned beverage vending machine manufactured on or after August 31, 2012 and before January 8, 2019, shall have a daily energy consumption (in kilowatt hours per day), when measured in accordance with the DOE test procedure at § 431.294, that does not exceed the following:

Equipment class	Maximum daily energy consumption (kilowatt hours per day)
Class A	0.055 × V† + 2.56.
Class B	0.073 × V† + 3.16.
Combination Vending Machines.	[Reserved].

† "V" is the representative value of refrigerated volume (ft^3) of the BVM model, as calculated pursuant to 10 CFR 429.52(a)(3).

(b) Each refrigerated bottled or canned beverage vending machine manufactured on or after January 8, 2019, shall have a daily energy consumption (in kilowatt hours per day), when measured in accordance with the DOE test procedure at § 431.294, that does not exceed the following:

Equipment class	Maximum daily energy consumption (kilowatt hours per day)
Class A	0.052 × V† + 2.43.
Class B	0.052 × V† + 2.20.
Combination A	0.086 × V† + 2.66.
Combination B	0.111 × V† + 2.04.

† "V" is the representative value of refrigerated volume (ft^3) of the BVM model, as calculated pursuant to 10 CFR 429.52(a)(3).

[81 FR 1113, Jan. 8, 2016]

Appendix A to Subpart Q of Part 431 [Reserved]

Appendix B to Subpart Q of Part 431—Uniform Test Method for the Measurement of Energy Consumption of Refrigerated Bottled or Canned Beverage Vending Machines

NOTE: Manufacturers must use the results of testing under this appendix to determine compliance with the relevant standards for refrigerated bottled or canned beverage vending machines at 10 CFR 431.296, revised as of January 1, 2023. Specifically, before October 31, 2023, representations must be based upon results generated either under this appendix as codified on June 5, 2023, or under 10 CFR part 431, subpart Q, appendix B, revised as of January 1, 2023. Any representations made on or after October 31, 2023, must be made based upon results generated using this appendix as codified on June 5, 2023.

0. Incorporation by Reference

DOE incorporated by reference in § 431.293 the entire standard for AHAM HRF–1–2016 and ANSI/ASHRAE Standard 32.1–2022; however, only enumerated provisions of those documents are applicable to this appendix as follows:

0.1. AHAM HRF–1–2016

(a) Section 4, ''Method for Computing Refrigerated Volume of Refrigerators, Refrigerator-Freezer, Wine Chillers, and Freezers'' as referenced in section 3.1 of this appendix.

(b) Reserved.

0.2. ANSI/ASHRAE Standard 32.1–2022

(a) Section 3, ''Definitions,'' as referenced in section 1 of this appendix.

(b) Section 4, ''Instruments,'' as referenced in section 2 of this appendix.

(c) Section 5, ''Vending Machine Capacity,'' and Normative Appendix C, ''Measurement of Volume,'' as referenced in sections 2 and 3.1 of this appendix.

(d) Section 6, ''Test Conditions,'' as referenced in section 2 of this appendix.

(e) Section 7.1, ''Test Procedures—General Requirements'' (except Section 7.1.2, ''Functionality,'' and Section 7.1.5.1, ''Beverage Temperature Test Packages''), and Section 7.2, ''Energy Consumption Test,'' (except Section 7.2.2.6), as referenced in sections 1 and 2 of this appendix.

1. *General*. In cases where there is a conflict, the language of the test procedure in this appendix takes precedence over ANSI/ASHRAE Standard 32.1–2022.

1.1 *Definitions*. In addition to the definitions specified in Section 3, ''Definitions,'' of ANSI/ASHRAE Standard 32.1–2022, the following definitions are also applicable to this appendix.

Accessory low power mode means a state in which a beverage vending machine's lighting and/or other energy-using systems are in low power mode, but that is not a refrigeration low power mode. Functions that may constitute an accessory low power mode may include, for example, dimming or turning off lights, but does not include adjustment of the refrigeration system to elevate the temperature of the refrigerated compartment(s).

External accessory standby mode means the mode of operation in which any external, integral customer display signs, lighting, or digital screens are connected to main power; do not produce the intended illumination, display, or interaction functionality; and can be switched into another mode automatically with only a remote user-generated or an internal signal.

Low power mode means a state in which a beverage vending machine's lighting, refrigeration, and/or other energy-using systems are automatically adjusted (without user intervention) such that they consume less energy than they consume in an active vending environment.

Lowest application product temperature means either:

(a) For units that operate only at temperatures above the integrated average temperature specified in Table 1 of ANSI/ASHRAE Standard 32.1–2022, the lowest integrated average temperature a given basic model is capable of maintaining so as to comply with the temperature stabilization requirements specified in section 7.2.2.2 of ANSI/ASHRAE Standard 32.1–2022; or

(b) For units that operate only at temperatures below the integrated average temperature specified in Table 1 of ANSI/ASHRAE Standard 32.1–2022, the highest integrated average temperature a given basic model is capable of maintaining so as to comply with the temperature stabilization requirements specified in section 7.2.2.2 of ANSI/ASHRAE Standard 32.1–2022.

Refrigeration low power mode means a state in which a beverage vending machine's refrigeration system is in low power mode because of elevation of the temperature of the refrigerated compartment(s). To qualify as low power mode, the unit must satisfy the requirements described in section 2.3.2.1 of this appendix.

1.2 [Reserved]

2. *Test Procedure*. Conduct testing according to section 4, ''Instruments''; section 5, ''Vendible Capacity''; section 6, ''Test Conditions''; section 7.1, ''Test Procedures—General Requirements'' (except Section 7.1.2 ''Functionality'' and section 7.1.5.1 ''Beverage Temperature Test Packages''); and section 7.2, ''Energy Consumption Test'' (except section 7.2.2.6) of ANSI/ASHRAE Standard 32.1–2022, except as described in the following sections.

2.1. *Lowest Application Product Temperature*. If a refrigerated bottled or canned beverage vending machine is not capable of maintaining an integrated average temperature of 36 °F (±1 °F) during the 24-hour test period, the unit must be tested at the lowest application product temperature, as defined in section 1.1 of this appendix.

2.2. *Equipment Installation and Test Setup*. Except as provided in this section 2.2 of this appendix, the test procedure for energy consumption of refrigerated bottled or canned beverage vending machines shall be conducted in accordance with the methods specified in sections 7.1 through 7.2.2.7 under ''Test Procedures'' of ANSI/ASHRAE Standard 32.1–2022.

2.2.1. *Equipment Loading*. Configure refrigerated bottled or canned beverage vending machines to hold the maximum number of standard products.

2.2.1.1. *Non-Beverage Shelves*. Any shelves within the refrigerated compartment(s) for non-beverage merchandise only shall not be loaded for testing.

2.2.1.2. *Standard Products*. The standard product shall be standard 12-ounce aluminum beverage cans filled with a liquid with a density of 1.0 grams per milliliter (''g/mL'') ±0.1 g/mL at 36 °F. For product storage racks that are not capable of vending 12-ounce cans, but are capable of vending 20-ounce bottles, the standard product shall be 20-ounce plastic bottles filled with a liquid with

a density of 1.0 g/mL ±0.1 g/mL at 36 °F. For product storage racks that are not capable of vending 12-ounce cans or 20-ounce bottles, the standard product shall be the packaging and contents specified by the manufacturer in product literature as the standard product (*i.e.*, the specific merchandise the refrigerated bottled or canned beverage vending machine is designed to vend).

2.2.1.3. *Standard Test Packages.* A standard test package is a standard product, as specified in section 2.2.1.2 of this appendix, altered to include a temperature-measuring instrument at its center of mass.

2.2.2. *Sensor Placement.* The integrated average temperature of next-to-vend beverages shall be measured in standard test packages in the next-to-vend product locations specified in section 7.1.5.2 of ANSI/ASHRAE Standard 32.1–2022. Do not run the thermocouple wire and other measurement apparatus through the dispensing door; the thermocouple wire and other measurement apparatus must be configured and sealed so as to minimize air flow between the interior refrigerated volume and the ambient room air. If a manufacturer chooses to employ a method other than routing thermocouple and sensor wires through the door gasket and ensuring the gasket is compressed around the wire to ensure a good seal, then it must maintain a record of the method used in the data underlying that basic model's certification pursuant to 10 CFR 429.71.

2.2.3. *Vending Mode Test Period.* The vending mode test period begins after temperature stabilization has been achieved, as described in section 7.2.2.2 of ANSI/ASHRAE Standard 32.1–2022 and continues for 18 hours for equipment with an accessory low power mode or for 24 hours for equipment without an accessory low power mode. For the vending mode test period, equipment with energy-saving features that cannot be disabled shall have those features set to the most energy-consuming settings, except for as specified in section 2.2.4 of this appendix. In addition, all energy management systems shall be disabled. Provide, if necessary, any physical stimuli or other input to the machine needed to prevent automatic activation of low power modes during the vending mode test period.

2.2.4. *Accessory Low Power Mode Test Period.* For equipment with an accessory low power mode, the accessory low power mode may be engaged for 6 hours, beginning 18 hours after the temperature stabilization requirements established in section 7.2.2.2 of ANSI/ASHRAE Standard 32.1–2022 have been achieved, and continuing until the end of the 24-hour test period. During the accessory low power mode test, operate the refrigerated bottled or canned beverage vending machine with the lowest energy-consuming lighting and control settings that constitute an accessory low power mode. The specification and tolerances for integrated average temperature in Table 2 of ANSI/ASHRAE Standard 32.1–2022 still apply, and any refrigeration low power mode must not be engaged. Provide, if necessary, any physical stimuli or other input to the machine needed to prevent automatic activation of refrigeration low power modes during the accessory low power mode test period.

2.2.5. *Accessories.* Unless specified otherwise in this appendix or ANSI/ASHRAE Standard 32.1–2022, all standard components that would be used during normal operation of the basic model in the field and are necessary to provide sufficient functionality for cooling and vending products in field installations (*i.e.*, product inventory, temperature management, product merchandising (including, e.g., lighting or signage), product selection, and product transport and delivery) shall be in place during testing and shall be set to the maximum energy-consuming setting if manually adjustable. Components not necessary for the inventory, temperature management, product merchandising (e.g., lighting or signage), product selection, or product transport and delivery shall be de-energized. If systems not required for the primary functionality of the machine as stated in this section cannot be de-energized without preventing the operation of the machine, then they shall be placed in the lowest energy-consuming state. Components with controls that are permanently operational and cannot be adjusted by the machine operator shall be operated in their normal setting and consistent with the requirements of sections 2.2.3 and 2.2.4 of this appendix. The specific components and accessories listed in the subsequent sections shall be operated as stated during the test, except when controlled as part of a low power mode during the low power mode test period.

2.2.5.1. *Payment Mechanisms.* Refrigerated bottled or canned beverage vending machines shall be tested with no payment mechanism in place, the payment mechanism in place but de-energized, or the payment mechanism in place but set to the lowest energy-consuming state, if it cannot be de-energized. A default payment mechanism energy consumption value of 0.20 kWh/day shall be added to the primary rated energy consumption per day, as noted in section 2.3 of this appendix.

2.2.5.2. *Internal Lighting.* All lighting that is contained within or is part of the internal physical boundary of the refrigerated bottled or canned beverage vending machine, as established by the top, bottom, and side panels of the equipment, shall be placed in its maximum energy-consuming state.

2.2.5.3. *External Customer Display Signs, Lights, and Digital Screens.* All external customer display signs, lights, and digital

screens that are independent from the refrigeration or vending performance of the refrigerated bottled or canned beverage vending machine must be disconnected, disabled, or otherwise de-energized for the duration of testing. Customer display signs, lighting, and digital screens that are integrated into the beverage vending machine cabinet or controls such that they cannot be de-energized without disabling the refrigeration or vending functions of the refrigerated bottled or canned beverage vending machine or modifying the circuitry must be placed in external accessory standby mode, if available, or their lowest energy-consuming state. Digital displays that also serve a vending or money processing function must be placed in the lowest energy-consuming state that still allows the money processing feature to function.

2.2.5.4. *Anti-sweat or Other Electric Resistance Heaters.* Anti-sweat or other electric resistance heaters must be operational during the entirety of the test procedure. Units with a user-selectable setting must have the heaters energized and set to the most energy-consumptive position. Units featuring an automatic, non-user-adjustable controller that turns on or off based on environmental conditions must be operating in the automatic state. Units that are not shipped with a controller from the point of manufacture, but are intended to be used with a controller, must be equipped with an appropriate controller when tested.

2.2.5.5. *Condensate Pan Heaters and Pumps.* All electric resistance condensate heaters and condensate pumps must be installed and operational during the test. Prior to the start of the test, including the 24-hour period used to determine temperature stabilization prior to the start of the test period, as described in section 7.2.2.2 of ANSI/ASHRAE Standard 32.1–2022, the condensate pan must be dry. For the duration of the test, including the 24-hour time period necessary for temperature stabilization, allow any condensate moisture generated to accumulate in the pan. Do not manually add or remove water from the condensate pan at any time during the test. Any automatic controls that initiate the operation of the condensate pan heater or pump based on water level or ambient conditions must be enabled and operated in the automatic setting.

2.2.5.6. *Illuminated Temperature Displays.* All illuminated temperature displays must be energized and operated during the test the same way they would be energized and operated during normal field operation, as recommended in manufacturer product literature, including manuals.

2.2.5.7. *Condenser Filters.* Remove any nonpermanent filters provided to prevent particulates from blocking a model's condenser coil.

2.2.5.8. *Security Covers.* Remove any devices used to secure the model from theft or tampering.

2.2.5.9. *General Purpose Outlets.* During the test, do not connect any external load to any general purpose outlets available on a unit.

2.2.5.10. *Crankcase Heaters and Other Electric Resistance Heaters for Cold Weather.* Crankcase heaters and other electric resistance heaters for cold weather must be operational during the test. If a control system, such as a thermostat or electronic controller, is used to modulate the operation of the heater, it must be activated during the test and operated in accordance with the manufacturer's instructions.

2.2.5.11. *Refrigerant Leak Mitigation Controls.* Any refrigerant leak mitigation controls that are independent from the refrigeration or vending performance of the refrigerated bottled or canned beverage vending machine must be disconnected, disabled, or otherwise de-energized for the duration of testing. Refrigerant leak mitigation controls that are integrated into the refrigerated bottled or canned beverage vending machine cabinet or controls such that they cannot be de-energized without disabling the refrigeration or vending functions of the refrigerated bottled or canned beverage vending machine or modifying the circuitry must be placed in external accessory standby mode, if available, or their lowest energy-consuming state.

2.3. *Determination of Daily Energy Consumption.* The daily energy consumption shall be equal to the primary rated energy consumption per day (ED), in kWh, determined in accordance with the calculation procedure in section 7.2.3.1, ''Calculation of Daily Energy Consumption,'' of ANSI/ASHRAE Standard 32.1–2022 plus the default payment mechanism energy consumption value from section 2.2.5.1 of this appendix, if applicable. In section 7.2.3.1 of ANSI/ASHRAE Standard 32.1–2022, the energy consumed during the test shall be the energy measured during the vending mode test period and accessory low power mode test period, as specified in sections 2.2.3 and 2.2.4 of this appendix, as applicable.

2.3.1. *Refrigeration Low Power Mode.* For refrigerated bottled or canned beverage vending machines with a refrigeration low power mode, multiply the value determined in section 2.3 of this appendix by 0.97 to determine the daily energy consumption of the unit tested. For refrigerated bottled or canned beverage vending machines without a refrigeration low power mode, the value determined in section 2.3 of this appendix is the daily energy consumption of the unit tested.

2.3.1.1. *Refrigeration Low Power Mode Validation Test Method.* This test method is not required for the certification of refrigerated

bottled or canned beverage vending machines. To verify the existence of a refrigeration low power mode, initiate the refrigeration low power mode in accordance with manufacturer instructions contained in product literature and manuals, after completion of the 6-hour low power mode test period. Continue recording all the data specified in section 7.2.2.3 of ANSI/ASHRAE Standard 32.1–2022 until existence of a refrigeration low power mode has been confirmed or denied. The refrigerated bottled or canned beverage vending machine shall be deemed to have a refrigeration low power mode if either:

(a) The following three requirements have been satisfied:

(1) The instantaneous average next-to-vend beverage temperature must reach at least 4 °F above the integrated average temperature or lowest application product temperature, as applicable, within 6 hours.

(2) The instantaneous average next-to-vend beverage temperature must be maintained at least 4 °F above the integrated average temperature or lowest application product temperature, as applicable, for at least 1 hour.

(3) After the instantaneous average next-to-vend beverage temperature is maintained at or above 4 °F above the integrated average temperature or lowest application product temperature, as applicable, for at least 1 hour, the refrigerated beverage vending machine must return to the specified integrated average temperature or lowest application product temperature, as applicable, automatically without direct physical intervention.

(b) The compressor does not cycle on for the entire 6-hour period, in which case the instantaneous average beverage temperature does not have to reach 4 °F above the integrated average temperature or lowest application product temperature, as applicable, but, the equipment must still automatically return to the integrated average temperature or lowest application product temperature, as applicable, after the 6-hour period without direct physical intervention.

2.3.2. *Calculations and Rounding.* In all cases, the daily energy consumption must be calculated with raw measured values and the final result rounded to units of 0.01 kWh/day.

3. *Determination of Refrigeration Volume and Surface Area.*

3.1. *Refrigerated Volume.* Determine the ''refrigerated volume'' of refrigerated bottled or canned beverage vending machines in accordance with section 5.3, ''Refrigerated Volume,'' and Appendix C, ''Measurement of Volume,'' of ANSI/ASHRAE Standard 32.1–2022 including the referenced methodology in section 4, ''Method for Computing Refrigerated Volume of Refrigerators, Refrigerator-Freezer, Wine Chillers, and Freezers,'' of AHAM HRF–1–2016. For combination vending machines, the ''refrigerated volume'' does not include any non-refrigerated compartment(s).

3.2. *Determination of Surface Area.* (*Note:* This section is not required for the certification of refrigerated bottled or canned beverage vending machines.) Determine the surface area of each beverage vending machine as the length multiplied by the height of outermost surface of the beverage vending machine cabinet, measured from edge to edge excluding any legs or other protrusions that extend beyond the dimensions of the primary cabinet. Determine the transparent and non-transparent areas on each side of a beverage vending machine as the total surface area of material that is transparent or is not transparent, respectively.

[88 FR 28400, May 4, 2023]

Subpart R—Walk-in Coolers and Walk-in Freezers

SOURCE: 74 FR 12074, Mar. 23, 2009, unless otherwise noted.

§ 431.301 Purpose and scope.

This subpart contains energy conservation requirements for walk-in coolers and walk-in freezers, pursuant to Part C of Title III of the Energy Policy and Conservation Act, as amended, 42 U.S.C. 6311–6317.

§ 431.302 Definitions concerning walk-in coolers and walk-in freezers.

Adaptive defrost means a factory-installed defrost control system that reduces defrost frequency by initiating defrosts or adjusting the number of defrosts per day in response to operating conditions (*e.g.*, moisture levels in the refrigerated space, measurements that represent coil frost load) rather than initiating defrost strictly based on compressor run time or clock time.

Attached split system means a matched pair refrigeration system which is designed to be installed with the evaporator entirely inside the walk-in enclosure and the condenser entirely outside the walk-in enclosure, and the evaporator and condenser are permanently connected with structural members extending through the walk-in wall.

Basic model means all components of a given type of walk-in cooler or walk-in freezer (or class thereof) manufactured by one manufacturer, having the same primary energy source, and which

have essentially identical electrical, physical, and functional (or hydraulic) characteristics that affect energy consumption, energy efficiency, water consumption, or water efficiency; and

(1) With respect to panels, which do not have any differing features or characteristics that affect U-factor.

(2) [Reserved]

CO_2 unit cooler means a unit cooler that includes a nameplate listing only CO_2 as an approved refrigerant.

Dedicated condensing unit means a positive displacement condensing unit that is part of a refrigeration system (as defined in this section) and is an assembly that

(1) Includes 1 or more compressors, a condenser, and one refrigeration circuit; and

(2) Is designed to serve one refrigerated load.

Dedicated condensing refrigeration system means one of the following:

(1) A dedicated condensing unit;

(2) A single-package dedicated system; or

(3) A matched refrigeration system.

Detachable single-packaged dedicated system means a system consisting of a dedicated condensing unit and an insulated evaporator section in which the evaporator section is designed to be installed external to the walk-in enclosure and circulating air through the enclosure wall, and the condensing unit is designed to be installed either attached to the evaporator section or mounted remotely with a set of refrigerant lines connecting the two components.

Display door means a door that:

(1) Is designed for product display; or

(2) Has 75 percent or more of its surface area composed of glass or another transparent material.

Display panel means a panel that is entirely or partially comprised of glass, a transparent material, or both and is used for display purposes.

Door means an assembly installed in an opening on an interior or exterior wall that is used to allow access or close off the opening and that is movable in a sliding, pivoting, hinged, or revolving manner of movement. For walk-in coolers and walk-in freezers, a door includes the frame (including mullions), the door leaf or multiple leaves (including glass) within the frame, and any other elements that form the assembly or part of its connection to the wall.

Door leaf means the pivoting, rolling, sliding, or swinging portion of a door.

Door surface area means the product of the height and width of a walk-in door measured external to the walk-in. The height and width dimensions shall be perpendicular to each other and parallel to the wall or panel of the walk-in to which the door is affixed. The height and width measurements shall extend to the edge of the frame and frame flange (as applicable) to which the door is affixed. For sliding doors, the height and width measurements shall include the track; however, the width (for horizontal sliding doors) or the height (for vertical sliding doors) shall be truncated to the external width or height of the door leaf or leaves and its frame or casings. The surface area of a display door is represented as A_{dd} and the surface area of a non-display door is represented as A_{nd}.

Ducted fan coil unit means an assembly, including means for forced air circulation capable of moving air against both internal and non-zero external flow resistance, and elements by which heat is transferred from air to refrigerant to cool the air, with provision for ducted installation.

Ducted multi-circuit single-packaged dedicated system means a ducted single-packaged dedicated system or a ducted single-packaged dedicated system (as defined in this section) that contains two or more refrigeration circuits that refrigerate a single stream of circulated air.

Ducted single-packaged dedicated system means a refrigeration system (as defined in this section) that is a single-packaged assembly designed for use with ducts, that includes one or more compressors, a condenser, a means for forced circulation of refrigerated air, and elements by which heat is transferred from air to refrigerant.

Envelope means—

(1) The portion of a walk-in cooler or walk-in freezer that isolates the interior, refrigerated environment from the ambient, external environment; and

(2) All energy-consuming components of the walk-in cooler or walk-in freezer that are not part of its refrigeration system.

Freight door means a door that is not a display door and is equal to or larger than 4 feet wide and 8 feet tall.

High-temperature refrigeration system means a refrigeration system which is not designed to operate below 45 °F.

Indoor dedicated condensing refrigeration system means a dedicated condensing refrigeration system designated by the manufacturer for indoor use or for which there is no designation regarding the use location.

K-factor means the thermal conductivity of a material.

Manufacturer of a walk-in cooler or walk-in freezer means any person who:

(1) Manufactures a component of a walk-in cooler or walk-in freezer that affects energy consumption, including, but not limited to, refrigeration, doors, lights, windows, or walls; or

(2) Manufactures or assembles the complete walk-in cooler or walk-in freezer.

Matched condensing unit means a dedicated condensing unit that is distributed in commerce with one or more unit cooler(s) specified by the condensing unit manufacturer.

Matched refrigeration system (also called ''matched-pair'') means a refrigeration system including the matched condensing unit and the one or more unit coolers with which it is distributed in commerce.

Multi-circuit single-packaged dedicated system means a single-packaged dedicated system or a ducted single-packaged dedicated system (as defined in this section) that contains two or more refrigeration circuits that refrigerate a single stream of circulated air.

Non-display door means a door that is not a display door.

Outdoor dedicated condensing refrigeration system means a dedicated condensing refrigeration system designated by the manufacturer for outdoor use.

Panel means a construction component that is not a door and is used to construct the envelope of the walk-in, i.e., elements that separate the interior refrigerated environment of the walk-in from the exterior.

Passage door means a door that is not a freight or display door.

Refrigerated means held at a temperature at or below 55 degrees Fahrenheit using a refrigeration system.

Refrigerated storage space means a space held at refrigerated (as defined in this section) temperatures.

Refrigeration system means the mechanism (including all controls and other components integral to the system's operation) used to create the refrigerated environment in the interior of a walk-in cooler or walk-in freezer, consisting of:

(1) A dedicated condensing refrigeration system (as defined in this section); or

(2) A unit cooler.

Single-packaged dedicated system means a refrigeration system (as defined in this section) that is a single-package assembly that includes one or more compressors, a condenser, a means for forced circulation of refrigerated air, and elements by which heat is transferred from air to refrigerant, without any element external to the system imposing resistance to flow of the refrigerated air.

U-factor means the heat transmission in a unit time through a unit area of a specimen or product and its boundary air films, induced by a unit temperature difference between the environments on each side.

Unit cooler means an assembly, including means for forced air circulation and elements by which heat is transferred from air to refrigerant, thus cooling the air, without any element external to the cooler imposing air resistance.

Walk-in cooler and walk-in freezer means an enclosed storage space including, but not limited to, panels, doors, and refrigeration system, refrigerated to temperatures, respectively, above, and at or below 32 degrees Fahrenheit that can be walked into, and has a total chilled storage area of less than 3,000 square feet; however, the terms do not include products designed and marketed exclusively for medical, scientific, or research purposes.

Walk-in process cooling refrigeration system means a refrigeration system that is capable of rapidly cooling food

or other substances from one temperature to another. The basic model of such a system must satisfy one of the following three conditions:

(1) Be distributed in commerce with an insulated enclosure consisting of panels and door(s) such that the assembled product has a refrigerating capacity of at least 100 Btu/h per cubic foot of enclosed internal volume;

(2) Be a unit cooler having an evaporator coil that is at least four-and-one-half (4.5) feet in height and whose height is at least one-and-one-half (1.5) times the width. The height of the evaporator coil is measured perpendicular to the tubes and is also the fin height, while its width is the finned length parallel to the tubes, as illustrated in Figure 1; or

(3) Be a dedicated condensing unit that is distributed in commerce exclusively with a unit cooler meeting description (2) or with an evaporator that is not a unit cooler, *i.e.*, an evaporator that is not distributed or installed as part of a package including one or more fans.

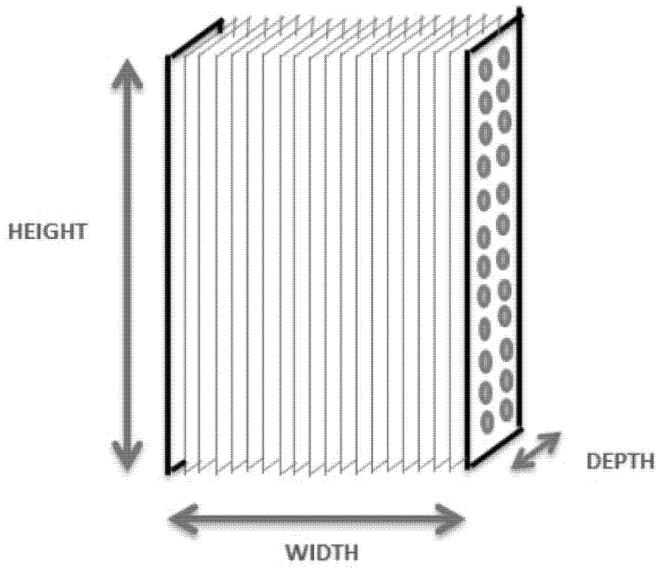


Figure 1: Evaporator Coil Dimensions

[74 FR 12074, Mar. 23, 2009, as amended at 76 FR 12504, Mar. 7, 2011; 76 FR 21604, Apr. 15, 2011; 76 FR 33631, June 9, 2011; 79 FR 32123, June 3, 2014; 81 FR 95801, Dec. 28, 2016; 88 FR 28838, May 4, 2023]

TEST PROCEDURES

§ 431.303 Materials incorporated by reference.

(a) Certain material is incorporated by reference into this subpart with the approval of the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in

this section, the U.S. Department of Energy (DOE) must publish a document in the FEDERAL REGISTER and the material must be available to the public. All approved incorporation by reference (IBR) material is available for inspection at DOE, and at the National Archives and Records Administration (NARA). Contact DOE at: the U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Program, Sixth Floor, 950 L'Enfant Plaza SW, Washington, DC 20024, (202) 586–9127, *Buildings@ee.doe.gov*, *www.energy.gov/eere/buildings/building-technologies-office*. For information on the availability of this material at NARA, email: *fr.inspection@nara.gov*, or go to: *www.archives.gov/federal-register/cfr/ibr-locations.html*. The material may be obtained from the sources in the following paragraphs of this section.

(b) *AHRI*. Air-Conditioning, Heating, and Refrigeration Institute, 2111 Wilson Boulevard, Suite 500, Arlington, VA 22201; (703) 600–0366; *www.ahrinet.org*.

(1) ANSI/AHRI Standard 420–2008 (''AHRI 420–2008''), *Performance Rating of Forced-Circulation Free-Delivery Unit Coolers for Refrigeration*, Copyright 2008; IBR approved for appendix C to subpart R.

(2) AHRI Standard 1250P (I–P)–2009 (''AHRI 1250–2009''), *Standard for Performance Rating of Walk-in Coolers and Freezers*, (including Errata sheet dated December 2015), copyright 2009, except Table 15 and Table 16; IBR approved for appendix C to subpart R.

(3) AHRI Standard 1250 (''AHRI 1250–2020''), *Standard for Performance Rating of Walk-in Coolers and Freezers*, copyright 2020; IBR approved for appendix C1 to subpart R.

(c) *ASHRAE*. American Society of Heating, Refrigerating and Air-Conditioning Engineers, 180 Technology Parkway, Peachtree Corners, GA 30092; (404) 636–8400; *www.ashrae.org*.

(1) ANSI/ASHRAE Standard 16–2016 (''ANSI/ASHRAE 16''), *Method of Testing for Rating Room Air Conditioners, Packaged Terminal Air Conditioners, and Packaged Terminal Heat Pumps for Cooling and Heating Capacity*, ANSI-approved November 1, 2016; IBR approved for appendix C1 to subpart R.

(2) ANSI/ASHRAE Standard 23.1–2010 (''ASHRAE 23.1–2010''), *Methods of Testing for Rating the Performance of Positive Displacement Refrigerant Compressors and Condensing Units that Operate at Subcritical Temperatures of the Refrigerant*, ANSI-approved January 28, 2010; IBR approved for appendices C and C1 to subpart R.

(3) ANSI/ASHRAE Standard 37–2009 (''ANSI/ASHRAE 37''), *Methods of Testing for Rating Electrically Driven Unitary Air-Conditioning and Heat Pump Equipment*, ASHRAE-approved June 24, 2009; IBR approved for appendices C and C1 to subpart R.

(4) ANSI/ASHRAE Standard 41.1–2013 (''ANSI/ASHRAE 41.1''), *Standard Method for Temperature Measurement*, ANSI-approved January 30, 2013; IBR approved for appendix C1 to subpart R.

(5) ANSI/ASHRAE Standard 41.3–2014 (''ANSI/ASHRAE 41.3''), *Standard Methods for Pressure Measurement*, ANSI-approved July 3, 2014; IBR approved for appendix C1 to subpart R.

(6) ANSI/ASHRAE Standard 41.6–2014 (''ANSI/ASHRAE 41.6''), *Standard Method for Humidity Measurement*, ANSI-approved July 3, 2014; IBR approved for appendix C1 to subpart R.

(7) ANSI/ASHRAE Standard 41.10–2013 (''ANSI/ASHRAE 41.10''), *Standard Methods for Refrigerant Mass Flow Measurement Using Flowmeters*, ANSI-approved June 27, 2013; IBR approved for appendix C1 to subpart R.

(d) *ASTM*. ASTM, International, 100 Barr Harbor Drive, West Conshohocken, PA 19428–2959; (610) 832–9500; *www.astm.org*.

(1) ASTM C518–17, *Standard Test Method for Steady-State Thermal Transmission Properties by Means of the Heat Flow Meter Apparatus*, approved May 1, 2017; IBR approved for appendix B to subpart R.

(2) ASTM C1199–14, *Standard Test Method for Measuring the Steady-State Thermal Transmittance of Fenestration Systems Using Hot Box Methods*, approved February 1, 2014; IBR approved for appendix A to subpart R.

(e) *NFRC*. National Fenestration Rating Council, 6305 Ivy Lane, Ste. 140, Greenbelt, MD 20770; (301) 589–1776; *www.nfrc.org/*.

(1) NFRC 102–2020 [E0A0] (''NFRC 102–2020''), *Procedure for Measuring the*

Steady-State Thermal Transmittance of Fenestration Systems, copyright 2013; IBR approved for appendix A to subpart R.

(2) [Reserved]

[88 FR 28838, May 4, 2023]

§ 431.304 Uniform test method for the measurement of energy consumption of walk-in coolers and walk-in freezers.

(a) *Scope.* This section provides test procedures for measuring, pursuant to EPCA, the energy consumption of walk-in coolers and walk-in freezers.

(b) *Testing and calculations.* Determine the energy efficiency and/or energy consumption of the specified walk-in cooler and walk-in freezer components by conducting the appropriate test procedure as follows:

(1) *Display panels.* Determine the energy use of walk-in cooler and walk-in freezer display panels by conducting the test procedure set forth in appendix A to this subpart.

(2) *Display doors and non-display doors.* Determine the energy use of walk-in cooler and walk-in freezer display doors and non-display doors by conducting the test procedure set forth in appendix A to this subpart.

(3) *Non-display panels and non-display doors.* Determine the R-value of insulation of walk-in cooler and walk-in freezer non-display panels and non-display doors by conducting the test procedure set forth in appendix B to this subpart.

(4) *Refrigeration systems.* Determine the AWEF and net capacity of walk-in cooler and walk-in freezer refrigeration systems by conducting the test procedures set forth in appendix C or C1 to this subpart, as applicable. Refer to the notes at the beginning of those appendices to determine the applicable appendix to use for testing.

(i) *For unit coolers:* follow the general testing provisions in sections 3.1 and 3.2, and the equipment-specific provisions in section 3.3 of appendix C or sections 4.5 through 4.8 of appendix C1.

(ii) *For dedicated condensing units:* follow the general testing provisions in sections 3.1 and 3.2, and the product-specific provisions in section 3.4 of appendix C or sections 4.5 through 4.8 of appendix C1.

(iii) *For single-packaged dedicated systems:* follow the general testing provisions in sections 3.1 and 3.2, and the product-specific provisions in section 3.3 of appendix C or sections 4.5 through 4.8 of appendix C1.

[74 FR 12074, Mar. 23, 2009, as amended at 76 FR 21605, Apr. 15, 2011; 76 FR 33631, June 9, 2011; 76 FR 65365, Oct. 21, 2011; 79 FR 27412, May 13, 2014; 79 FR 32123, June 3, 2014; 81 FR 95802, Dec. 28, 2016; 88 FR 28839, May 4, 2023]

§ 431.305 Walk-in cooler and walk-in freezer labeling requirements.

(a) Panel nameplate— (1) *Required information.* The permanent nameplate of a walk-in cooler or walk-in freezer panel for which standards are prescribed in § 431.306 must be marked clearly with the following information:

(i) The panel brand or manufacturer; and

(ii) One of the following statements, as appropriate:

(A) ''This panel is designed and certified for use in walk-in cooler applications.''

(B) ''This panel is designed and certified for use in walk-in freezer applications.''

(C) ''This panel is designed and certified for use in walk-in cooler and walk-in freezer applications.''

(2) Display of required information. All orientation, spacing, type sizes, typefaces, and line widths to display this required information must be the same as or similar to the display of the other performance data included on the panel's permanent nameplate. The permanent nameplate must be visible unless the panel is assembled into a completed walk-in.

(b) Door nameplate— (1) *Required information.* The permanent nameplate of a walk-in cooler or walk-in freezer door for which standards are prescribed in § 431.306 must be marked clearly with the following information:

(i) The door brand or manufacturer; and

(ii) One of the following statements, as appropriate:

(A) ''This door is designed and certified for use in walk-in cooler applications.''

(B) ''This door is designed and certified for use in walk-in freezer applications.''

(C) ''This door is designed and certified for use in walk-in cooler and walk-in freezer applications.''

(2) Display of required information. All orientation, spacing, type sizes, typefaces, and line widths to display this required information must be the same as or similar to the display of the other performance data included on the door's permanent nameplate. The permanent nameplate must be visible unless the door is assembled into a completed walk-in.

(c) Refrigeration system nameplate—(1) Required information. The permanent nameplate of a walk-in cooler or walk-in freezer refrigeration system for which standards are prescribed in § 431.306 must be marked clearly with the following information:

(i) The refrigeration system brand or manufacturer;

(ii) The refrigeration system model number;

(iii) The date of manufacture of the refrigeration system (if the date of manufacture is embedded in the unit's serial number, then the manufacturer of the refrigeration system must retain any relevant records to discern the date from the serial number);

(iv) If the refrigeration system is a dedicated condensing refrigeration system, and is not designated for outdoor use, the statement, ''Indoor use only'' (for a matched pair this must appear on the condensing unit); and

(v) One of the following statements, as appropriate:

(A) ''This refrigeration system is designed and certified for use in walk-in cooler applications.''

(B) ''This refrigeration system is designed and certified for use in walk-in freezer applications.''

(C) ''This refrigeration system is designed and certified for use in walk-in cooler and walk-in freezer applications.''

(2) Process cooling refrigeration systems. The permanent nameplate of a process cooling refrigeration system (as defined in § 431.302) must be marked clearly with the statement, ''This refrigeration system is designed for use exclusively in walk-in cooler and walk-in freezer process cooling refrigeration applications.''

(3) Display of required information. All orientation, spacing, type sizes, typefaces, and line widths to display this required information must be the same as or similar to the display of the other performance data included on the refrigeration system's permanent nameplate. The model number must be in one of the following forms: ''Model _____'' or ''Model number _____'' or ''Model No. _____.'' The permanent nameplate must be visible unless the refrigeration system is assembled into a completed walk-in.

(d) A manufacturer may not mark the nameplate of a component with the required information if the manufacturer has not submitted a certification of compliance for the relevant model.

(e) Disclosure of efficiency information in marketing materials. Each catalog that lists the component and all materials used to market the component must include:

(1) For panels—The R-value in the form ''R-value____.''

(2) For doors—The energy consumption in the form ''EC____kWh/day.''

(3) For those refrigeration system for which standards are prescribed—The AWEF in the form ''AWEF ____.''

(4) The information that must appear on a walk-in cooler or walk-in freezer component's permanent nameplate pursuant to paragraphs (a)–(c) of this section must also be prominently displayed in each catalog that lists the component and all materials used to market the component.

[81 FR 95802, Dec. 28, 2016, as amended at 89 FR 82071, Oct. 9, 2024; 90 FR 43384, Sept. 9, 2025]

ENERGY CONSERVATION STANDARDS

§ 431.306 Energy conservation standards and their effective dates.

(a) Each walk-in cooler or walk-in freezer manufactured on or after January 1, 2009, shall—

(1) Have automatic door closers that firmly close all walk-in doors that have been closed to within 1 inch of full closure, except that this paragraph shall not apply to doors wider than 3 feet 9 inches or taller than 7 feet;

(2) Have strip doors, spring hinged doors, or other method of minimizing infiltration when doors are open;

(3) Contain wall, ceiling, and door insulation of at least R–25 for coolers and R–32 for freezers, except that this paragraph shall not apply to:

(i) Glazed portions of doors not to structural members and

(ii) A walk-in cooler or walk-in freezer component if the component manufacturer has demonstrated to the satisfaction of the Secretary in a manner consistent with applicable requirements that the component reduces energy consumption at least as much as if such insulation requirements of subparagraph (a)(3) were to apply.

(4) Contain floor insulation of at least R–28 for freezers;

(5) For evaporator fan motors of under 1 horsepower and less than 460 volts, use—

(i) Electronically commutated motors (brushless direct current motors); or

(ii) 3-phase motors;

(6) For condenser fan motors of under 1 horsepower, use—

(i) Electronically commutated motors (brushless direct current motors);

(ii) Permanent split capacitor-type motors; or

(iii) 3-phase motors; and

(7) For all interior lights, use light sources with an efficacy of 40 lumens per watt or more, including ballast losses (if any), except that light sources with an efficacy of 40 lumens per watt or less, including ballast losses (if any), may be used in conjunction with a timer or device that turns off the lights within 15 minutes of when the walk-in cooler or walk-in freezer is not occupied by people.

(b) Each walk-in cooler or walk-in freezer with transparent reach-in doors manufactured on or after January 1, 2009, shall also meet the following specifications:

(1) Transparent reach-in doors for walk-in freezers and windows in walk-in freezer doors shall be of triple-pane glass with either heat-reflective treated glass or gas fill.

(2) Transparent reach-in doors for walk-in coolers and windows in walk-in cooler doors shall be—

(i) Double-pane glass with heat-reflective treated glass and gas fill; or

(ii) Triple-pane glass with either heat-reflective treated glass or gas fill.

(3) If the walk-in cooler or walk-in freezer has an antisweat heater without antisweat heat controls, the walk-in cooler and walk-in freezer shall have a total door rail, glass, and frame heater power draw of not more than 7.1 watts per square foot of door opening (for freezers) and 3.0 watts per square foot of door opening (for coolers).

(4) If the walk-in cooler or walk-in freezer has an antisweat heater with antisweat heat controls, and the total door rail, glass, and frame heater power draw is more than 7.1 watts per square foot of door opening (for freezers) and 3.0 watts per square foot of door opening (for coolers), the antisweat heat controls shall reduce the energy use of the antisweat heater in a quantity corresponding to the relative humidity in the air outside the door or to the condensation on the inner glass pane.

(c) *Walk-in cooler and freezer display doors.* All walk-in cooler and walk-in freezer display doors manufactured starting June 5, 2017, must satisfy the following standards:

Class descriptor	Class	Equations for maximum energy consumption (kWh/day)*
Display Door, Medium Temperature.	DD.M	$0.04 \times A_{dd} + 0.41$.
Display Door, Low Temperature.	DD.L	$0.15 \times A_{dd} + 0.29$.

*A_{dd} represents the surface area of the display door.

(d) *Walk-in cooler and freezer non-display doors.* All walk-in cooler and walk-in freezer non-display doors manufactured starting on June 5, 2017, must satisfy the following standards:

Class descriptor	Class	Equations for maximum energy consumption (kWh/day)*
Passage door, Medium Temperature.	PD.M	$0.05 \times A_{nd} + 1.7$.
Passage Door, Low Temperature.	PD.L	$0.14 \times A_{nd} + 4.8$.
Freight Door, Medium Temperature.	FD.M	$0.04 \times A_{nd} + 1.9$.
Freight Door, Low Temperature.	FD.L	$0.12 \times A_{nd} + 5.6$.

*A_{nd} represents the surface area of the non-display door.

(e) *Walk-in cooler refrigeration systems.* All walk-in cooler and walk-in freezer refrigeration systems manufactured starting on the dates listed in the

table, except for walk-in process cooling refrigeration systems (as defined in §431.302), must satisfy the following standards:

Equipment class	Minimum AWEF (Btu/W-h)*	Compliance date: equipment manufactured starting on . . .
Dedicated Condensing System—Medium, Indoor	5.61	June 5, 2017.
Dedicated Condensing System—Medium, Outdoor	7.60.	
Dedicated Condensing System—Low, Indoor with a Net Capacity (q_{net}) of:		
< 6,500 Btu/h	$9.091 \times 10^{-5} \times q_{net} + 1.81$.	July 10, 2020.
≥ 6,500 Btu/h	2.40.	
Dedicated Condensing System—Low, Outdoor with a Net Capacity (q_{net}) of:		
< 6,500 Btu/h	$6.522 \times 10^{-5} \times q_{net} + 2.73$.	
≥ 6,500 Btu/h	3.15.	
Unit Cooler—Medium	9.00.	
Unit Cooler—Low with a Net Capacity (q_{net}) of:		
< 15,500 Btu/h	$1.575 \times 10^{-5} \times q_{net} + 3.91$.	
≥ 15,500 Btu/h	4.15.	

*Where q_{net} is net capacity as determined in accordance with §431.304 and certified in accordance with 10 CFR part 429.

[74 FR 12074, Mar. 23, 2009, as amended at 78 FR 62993, Oct. 23, 2013; 79 FR 32123, June 3, 2014; 80 FR 69838, Nov. 12, 2015; 82 FR 31885, July 10, 2017]

APPENDIX A TO SUBPART R OF PART 431—UNIFORM TEST METHOD FOR THE MEASUREMENT OF ENERGY CONSUMPTION OF THE COMPONENTS OF ENVELOPES OF WALK-IN COOLERS AND WALK-IN FREEZERS

NOTE: Prior to October 31, 2023, representations with respect to the energy use of envelope components of walk-in coolers and walk-in freezers, including compliance certifications, must be based on testing conducted in accordance with the applicable provisions of 10 CFR part 431, subpart R, appendix A, revised as of January 1, 2022. Beginning October 31, 2023, representations with respect to energy use of envelope components of walk-in coolers and walk-in freezers, including compliance certifications, must be based on testing conducted in accordance with this appendix.

0. Incorporation by Reference

DOE incorporated by reference in §431.303 the entire standard for ASTM C1199–14 and NFRC 102–2020. However, certain enumerated provisions of these standards, as set forth in sections 0.1 and 0.2 of this appendix are inapplicable. To the extent that there is a conflict between the terms or provisions of a referenced industry standard and the CFR, the CFR provisions control.

0.1 ASTM C1199–14

(a) Section 1 Scope, is inapplicable,

(b) Section 4 Significance and Use is inapplicable,

(c) Section 7.3 Test Conditions, is inapplicable,

(d) Section 10 Report, is inapplicable, and

(e) Section 11 Precision and Bias, is inapplicable.

0.2 NFRC 102–2020

(a) Section 1 Scope, is inapplicable,

(b) Section 4 Significance and Use, is inapplicable,

(c) Section 7.3 Test Conditions, is inapplicable,

(d) Section 10 Report, is inapplicable,

(e) Section 11 Precision and Bias, is inapplicable,

(f) Annex A3 Standard Test Method for Determining the Thermal Transmittance of Tubular Daylighting Devices, is inapplicable, and

(g) Annex A5 Tables and Figures, is inapplicable.

1. *General.* The following sections of this appendix provide additional instructions for testing. In cases where there is a conflict, the language of this appendix takes highest precedence, followed by NFRC 102–2020, followed by ASTM C1199–14. Any subsequent amendment to a referenced document by the standard-setting organization will not affect the test procedure in this appendix, unless and until the test procedure is amended by DOE. Material is incorporated as it exists on the date of the approval, and a notification of any change in the incorporation will be published in the FEDERAL REGISTER.

2. Scope

This appendix covers the test requirements used to measure the energy consumption of the components that make up the envelope of a walk-in cooler or walk-in freezer.

3. Definitions

The definitions contained in §431.302 are applicable to this appendix.

4. Additional Definitions

4.1 *Automatic door opener/closer* means a device or control system that ''automatically'' opens and closes doors without direct user contact, such as a motion sensor that senses when a forklift is approaching the entrance to a door and opens it, and then closes the door after the forklift has passed.

4.2 *Percent time off (PTO)* means the percent of time that an electrical device is assumed to be off.

4.3 *Rated power* means the input power of an electricity-consuming device as specified on the device's nameplate. If the device does not have a nameplate or such nameplate does not list the device's input power, then the rated power must be determined from the device's product data sheet, literature, or installation instructions that come with the device or are available online.

4.4 *Rating conditions* means, unless explicitly stated otherwise, all conditions shown in table A.1 of this appendix.

TABLE A.1—TEMPERATURE CONDITIONS

Internal Temperatures (cooled space within the envelope)	
Cooler Dry-Bulb Temperature ..	35 °F
Freezer Dry-Bulb Temperature	−10 °F
External Temperatures (space external to the envelope)	
Freezer and Cooler Dry-Bulb Temperatures	75 °F

5. Test Methods and Measurements

5.1 U-Factor Test of Doors and Display Panels

Determine the U-factor of the entire door or display panel, including the frame, in accordance with the specified sections of NFRC 102–2020 and ASTM C1199–14 at the temperature conditions listed in table A.1 of this appendix.

5.2 Required Test Measurements

5.2.1 For display doors and display panels, thermal transmittance, U_{dd} or U_{dp}, respectively, shall be the standardized thermal transmittance, U_{ST}, determined per section 5.1 of this appendix.

5.2.2 For non-display doors, thermal transmittance, U_{nd}, shall be the standardized thermal transmittance, U_{ST}, determined per section 5.1 of this appendix.

5.2.3 Projected area of the test specimen, A_s, in ft^2, as referenced in ASTM C1199–14.

6. Calculations

6.1 Display Panels

6.1.1 Determine the U-factor of the display panel in accordance with section 5.1 of this appendix, in units of Btu/(h-ft^2- °F).

6.1.2 Calculate the temperature differential, ΔT_{dp}, °F, for the display panel, as follows:

$$\Delta T_{dp} = \left| T_{DB,ext,dp} - T_{DB,int,dp} \right| \quad \text{(A-1)}$$

Where:

$T_{DB,ext,dp}$ = dry-bulb air external temperature, °F, as prescribed in table A.1 of this appendix; and

$T_{DB,int,dp}$ = dry-bulb air temperature internal to the cooler or freezer, °F, as prescribed in table A.1 of this appendix.

6.1.3 Calculate the conduction load through the display panel, $Q_{cond\text{-}dp}$, Btu/h, as follows:

$$Q_{cond,dp} = A_s \times \Delta T_{dp} \times U_{dp} \quad \text{(A-2)}$$

Where:

A_s = projected area of the test specimen (same as the test specimen aperture in the surround panel) or the area used to determine the U-factor in section 5.1 of this appendix, ft²;

ΔT_{dp} = temperature differential between refrigerated and adjacent zones, °F; and

U_{dp} = thermal transmittance, U-factor, of the display panel in accordance with section 5.1 of this appendix, Btu/(h-ft²- °F).

6.1.4 Calculate the total daily energy consumption, E_{dp}, kWh/day, as follows:

$$E_{dp} = \frac{Q_{cond,dp}}{EER} \times \frac{24\ h \times 1\ kW}{1\ day \times 1000\ W} \quad \text{(A-3)}$$

Where:

$Q_{cond,dp}$ = the conduction load through the display panel, Btu/h; and

EER = Energy Efficiency Ratio of walk-in (cooler or freezer), Btu/W-h. For coolers, use EER = 12.4 Btu/W-h. For freezers, use EER = 6.3 Btu/W-h.

6.2 Display Doors

6.2.1 Conduction Through Display Doors

6.2.1.1 Determine the U-factor of the display door in accordance with section 5.1 of this appendix, in units of Btu/(h-ft²- °F).

6.2.1.2 Calculate the temperature differential, ΔT_{dd}, °F, for the display door as follows:

$$\Delta T_{dd} = \left| T_{DB,ext,dd} - T_{DB,int,dd} \right| \quad \text{(A-4)}$$

Where:

$T_{DB,ext,dd}$ = dry-bulb air temperature external to the display door, °F, as prescribed in table A.1 of this appendix; and

$T_{DB,int,dd}$ = dry-bulb air temperature internal to the display door, °F, as prescribed in table A.1 of this appendix.

6.2.1.3 Calculate the conduction load through the display doors, $Q_{cond,dd}$, Btu/h, as follows:

$$Q_{cond,dd} = A_s \times \Delta T_{dd} \times U_{dd} \quad \text{(A-5)}$$

Where:

A_s = projected area of the test specimen (same as the test specimen aperture in the surround panel) or the area used to determine the U-factor in section 5.1 of this appendix, ft²;

ΔT_{dd} = temperature differential between refrigerated and adjacent zones, °F; and

U_{dd} = thermal transmittance, U-factor of the door, in accordance with section 5.1 of this appendix, Btu/(h-ft²- °F).

6.2.1.4 Calculate the total daily energy consumption due to conduction thermal load, $E_{dd,thermal}$, kWh/day, as follows:

$$E_{dd,thermal} = \frac{Q_{cond,dd}}{EER} \times \frac{24\ h \times 1\ kW}{1\ day \times 1000\ W} \quad \text{(A-6)}$$

Where:

$Q_{cond,dd}$ = the conduction load through the display door, Btu/h; and

EER = EER of walk-in (cooler or freezer), Btu/W-h. For coolers, use EER = 12.4 Btu/(W-h). For freezers, use EER = 6.3 Btu/(W-h).

6.2.2 Direct Energy Consumption of Electrical Component(s) of Display Doors

Electrical components associated with display doors could include but are not limited to: heater wire (for anti-sweat or anti-freeze application); lights; door motors; control system units; and sensors.

6.2.2.1 Select the required value for percent time off (PTO) for each type of electricity-consuming device per table A.2 of this appendix, PTO_t (%).

TABLE A.2—PERCENT TIME OFF VALUES

Device	Temperature condition	Controls, timer, or other auto-shut-off system	Percent time off value (%)
Lights	All	Without	25
		With	50
Anti-sweat heaters	All	Without	0
	Coolers	With	75
	Freezers	With	50
Door motors	All		97
All other electricity-consuming devices	All	Without	0
		With	25

6.2.2.2 Calculate the power usage for each type of electricity-consuming device, $P_{dd,comp,u,t}$, kWh/day, as follows:

$$P_{dd,comp,u,t} = P_{rated,u,t} \times (1 - PTO_{u,t}) \times n_{u,t} \times \frac{24\,h}{day} \quad \text{(A-7)}$$

Where:

u = the index for each of type of electricity-consuming device located on either (1) the interior facing side of the display door or within the inside portion of the display door, (2) the exterior facing side of the display door, or (3) any combination of (1) and (2). For purposes of this calculation, the interior index is represented by u = int and the exterior index is represented by u = ext. If the electrical component is both on the interior and exterior side of the display door then use u = int. For anti-sweat heaters sited anywhere in the display door, 75 percent of the total power is be attributed to u = int and 25 percent of the total power is attributed to u = ext;

t = index for each type of electricity-consuming device with identical rated power;

$P_{rated,u,t}$ = rated input power of each component, of type t, kW;

$PTO_{u,t}$ = percent time off, for device of type t, %; and

$n_{u,t}$ = number of devices at the rated input power of type t, unitless.

6.2.2.3 Calculate the total electrical energy consumption for interior and exterior power, $P_{dd,tot,int}$ (kWh/day) and $P_{dd,tot,ext}$ (kWh/day), respectively, as follows:

$$P_{dd,tot,int} = \sum_1^t P_{dd,comp,int,t} \quad \text{(A-8)}$$

$$P_{dd,tot,ext} = \sum_1^t P_{dd,comp,ext,t} \quad \text{(A-9)}$$

Where:

t = index for each type of electricity-consuming device with identical rated input power;

$P_{dd,comp,int,t}$ = the energy usage for an electricity-consuming device sited on the interior facing side of or in the display door, of type t, kWh/day; and

$P_{dd,comp,ext,t}$ = the energy usage for an electricity-consuming device sited on the external facing side of the display door, of type t, kWh/day.

6.2.2.4 Calculate the total electrical energy consumption, $P_{dd,tot}$, (kWh/day), as follows:

$$P_{dd,tot} = P_{dd,tot,int} + P_{dd,tot,ext} \quad \text{(A-10)}$$

Where:

$P_{dd,tot,int}$ = the total interior electrical energy usage for the display door, kWh/day; and

$P_{dd,tot,ext}$ = the total exterior electrical energy usage for the display door, kWh/day.

6.2.3 Total Indirect Electricity Consumption Due to Electrical Devices

Calculate the additional refrigeration energy consumption due to thermal output from electrical components sited inside the display door, $C_{dd,load}$, kWh/day, as follows:

$$C_{dd,load} = P_{dd,tot,int} \times \frac{3.412\ Btu/(Wh)}{EER} \quad \text{(A-11)}$$

Where:

$P_{dd,tot,int}$ = The total internal electrical energy consumption due for the display door, kWh/day; and

EER = EER of walk-in cooler or walk-in freezer, Btu/W-h. For coolers, use EER = 12.4 Btu/(W-h). For freezers, use EER = 6.3 Btu/(W-h).

6.2.4 Total Display Door Energy Consumption

Calculate the total energy, $E_{dd,tot}$, kWh/day,

$$E_{dd,tot} = E_{dd,thermal} + P_{dd,tot} + C_{dd,load} \quad \text{(A-12)}$$

Where:

$E_{dd,thermal}$ = the total daily energy consumption due to thermal load for the display door, kWh/day;

$P_{dd,tot}$ = the total electrical load, kWh/day; and

$C_{dd,load}$ = additional refrigeration load due to thermal output from electrical components contained within the display door, kWh/day.

6.3 Non-Display Doors

6.3.1 Conduction Through Non-Display Doors

6.3.1.1 Determine the U-factor of the non-display door in accordance with section 5.1 of this appendix, in units of Btu/(h-ft²- °F).

6.3.1.2 Calculate the temperature differential of the non-display door, ΔT_{nd}, °F, as follows:

$$\Delta T_{nd} = \left| T_{DB,ext,nd} - T_{DB,int,nd} \right| \quad \text{(A-13)}$$

Where:

$T_{DB,ext,nd}$ = dry-bulb air external temperature, °F, as prescribed by table A.1 of this appendix; and

$T_{DB,int,nd}$ = dry-bulb air internal temperature, °F, as prescribed by table A.1 of this appendix. If the component spans both cooler and freezer spaces, the freezer temperature must be used.

6.3.1.3 Calculate the conduction load through the non-display door: $Q_{cond,nd}$, Btu/h,

$$Q_{cond,nd} = A_s \times \Delta T_{nd} \times U_{nd} \quad \text{(A-14)}$$

Where:

A_s = projected area of the test specimen (same as the test specimen aperture in the surround panel) or the area used to determine the U-factor in section 5.1 of this appendix, ft^2;

ΔT_{nd} = temperature differential across the non-display door, °F; and

U_{nd} = thermal transmittance, U-factor of the door, in accordance with section 5.1 of this appendix, Btu/(h-ft^2- °F).

6.3.1.4 Calculate the total daily energy consumption due to thermal load, $E_{nd,thermal}$, kWh/day, as follows:

$$E_{nd,thermal} = \frac{Q_{cond,nd}}{EER} \times \frac{24\ h \times 1\ kW}{1\ day \times 1000\ W} \quad \text{(A-15)}$$

Where:

$Q_{cond,nd}$ = the conduction load through the non-display door, Btu/h; and

EER = EER of walk-in (cooler or freezer), Btu/W-h. For coolers, use EER = 12.4 Btu/(W-h). For freezers, use EER = 6.3 Btu/(W-h).

6.3.2 Direct Energy Consumption of Electrical Components of Non-Display Doors

Electrical components associated with non-display doors comprise could include, but are not limited to: heater wire (for anti-sweat or anti-freeze application), lights, door motors, control system units, and sensors.

6.3.2.1 Select the required value for percent time off for each type of electricity-consuming device per table A.2 of this appendix, PTO_t (%).

6.3.2.2 Calculate the power usage for each type of electricity-consuming device, $P_{nd,comp,u,t}$, kWh/day, as follows:

$$P_{nd,comp,u,t} = P_{rated,u,t} \times (1 - PTO_{u,t}) \times n_{u,t} \times \frac{24\ h}{day} \quad \text{(A-16)}$$

Where:

u = the index for each of type of electricity-consuming device located on either (1) the interior facing side of the non-display door or within the inside portion of the non-display door, (2) the exterior facing side of the non-display door, or (3) any combination of (1) and (2). For purposes of this calculation, the interior index is represented by u = int and the exterior index is represented by u = ext. If the electrical component is both on the interior and exterior side of the non-display door then use u = int. For anti-sweat heaters sited anywhere in the non-display door, 75 percent of the total power is be attributed to u = int and 25 percent of the total power is attributed to u = ext;

t = index for each type of electricity-consuming device with identical rated input power;

$P_{rated,u,t}$ = rated input power of each component, of type t, kW;

$PTO_{u,t}$ = percent time off, for device of type t, %; and

$n_{u,t}$ = number of devices at the rated input power of type t, unitless.

6.3.2.3 Calculate the total electrical energy consumption for interior and exterior power, $P_{nd,tot,int}$, kWh/day, and $P_{nd,tot,ext}$, kWh/day, respectively, as follows:

$$P_{nd,tot,int} = \sum_1^t P_{nd,comp,int,t} \quad \text{(A-17)}$$

$$P_{nd,tot,ext} = \sum_1^t P_{nd,comp,ext,t} \quad \text{(A-18)}$$

Where:

t = index for each type of electricity-consuming device with identical rated input power;

$P_{nd,comp,int,t}$ = the energy usage for an electricity-consuming device sited on the internal facing side or internal to the non-display door, of type t, kWh/day; and

$P_{nd,comp,ext,t}$ = the energy usage for an electricity-consuming device sited on the external facing side of the non-display door, of type t, kWh/day. For anti-sweat heaters,

6.3.2.4 Calculate the total electrical energy consumption, $P_{nd,tot}$, kWh/day, as follows:

$$P_{nd,tot} = P_{nd,tot,int} + P_{nd,tot,ext} \quad \text{(A-19)}$$

Where:

$P_{nd,tot,int}$ = the total interior electrical energy usage for the non-display door, of type t, kWh/day; and

$P_{nd,tot,ext}$ = the total exterior electrical energy usage for the non-display door, of type t, kWh/day.

6.3.3 Total Indirect Electricity Consumption Due to Electrical Devices

Calculate the additional refrigeration energy consumption due to thermal output from electrical components associated with the non-display door, $C_{nd,load}$, kWh/day, as follows:

$$C_{nd,load} = P_{nd,tot,int} \times \frac{3.412\ Btu/(Wh)}{EER} \quad \text{(A-20)}$$

Where:

$P_{nd,tot,int}$ = the total interior electrical energy consumption for the non-display door, kWh/day; and

EER = EER of walk-in cooler or freezer, Btu/W-h. For coolers, use EER = 12.4 Btu/(W-h). For freezers, use EER = 6.3 Btu/(W-h).

6.3.4 Total Non-Display Door Energy Consumption

Calculate the total energy, $E_{nd,tot}$, kWh/day, as follows:

$$E_{nd,tot} = E_{nd,thermal} + P_{nd,tot} + C_{nd,load} \quad \text{(A-21)}$$

Where:

$E_{nd,thermal}$ = the total daily energy consumption due to thermal load for the non-display door, kWh/day;

$P_{nd,tot}$ = the total electrical energy consumption, kWh/day; and

$C_{nd,load}$ = additional refrigeration load due to thermal output from electrical components contained on the inside face of the non-display door, kWh/day.

[88 FR 28839, May 4, 2023, as amended at 88 FR 73216, Oct. 25, 2023]

Appendix B to Subpart R of Part 431—Uniform Test Method for the Measurement of R-Value of Insulation for Envelope Components of Walk-In Coolers and Walk-In Freezers

Note: Prior to October 31, 2023, representations with respect to the R-value for insulation of envelope components of walk-in coolers and walk-in freezers, including compliance certifications, must be based on testing conducted in accordance with the applicable provisions of 10 CFR part 431, subpart R, appendix B, revised as of January 1, 2022. Beginning October 31, 2023, representations with respect to R-value for insulation of envelope components of walk-in coolers and walk-in freezers, including compliance certifications, must be based on testing conducted in accordance with this appendix.

0. Incorporation by Reference

DOE incorporated by reference in §431.303 the entire standard for ASTM C518–17. However, certain enumerated provisions of ASTM C518–17, as set forth in paragraph 0.1 of this appendix, are inapplicable. To the extent there is a conflict between the terms or provisions of a referenced industry standard and the CFR, the CFR provisions control.

0.1 ASTM C518–17

(a) Section 1 Scope, is inapplicable,
(b) Section 4 Significance and Use, is inapplicable,
(c) Section 7.3 Specimen Conditioning, is inapplicable,
(d) Section 9 Report, is inapplicable,
(e) Section 10 Precision and Bias, is inapplicable,
(f) Section 11 Keywords, is inapplicable,
(g) Annex A2 Equipment Error Analysis, is inapplicable,
(h) Appendix X1 is inapplicable,
(i) Appendix X2 Response of Heat Flux Transducers, is inapplicable, and
(j) Appendix X3 Proven Performance of a Heat Flow Apparatus, is inapplicable.

0.2 [Reserved]

1. General

The following sections of this appendix provide additional instructions for testing. In cases where there is a conflict, the language of this appendix takes highest precedence, followed by ASTM C518–17. Any subsequent amendment to a referenced document by the standard-setting organization will not affect the test procedure in this appendix, unless and until the test procedure is amended by DOE. Material is incorporated as it exists on the date of the approval, and a notification of any change in the incorporation will be published in the FEDERAL REGISTER.

2. Scope

This appendix covers the test requirements used to measure the R-value of non-display panels and non-display doors of a walk-in cooler or walk-in freezer.

3. Definitions

The definitions contained in §431.302 apply to this appendix.

4. Additional Definitions

4.1 *Edge region* means a region of the envelope component that is wide enough to encompass any framing members. If the envelope component contains framing members (e.g., a wood frame) then the width of the edge region must be as wide as any framing member plus an additional 2 in. ± 0.25 in.

5. Test Methods, Measurements, and Calculations

5.1 *General.* Foam shall be tested after it is produced in its final chemical form. For foam produced inside of an envelope component (''foam-in-place''), ''final chemical form'' means the foam is cured as intended and ready for use as a finished envelope component. For foam produced as board stock (e.g., polystyrene), ''final chemical form'' means after extrusion and ready for assembly into an envelope component or after assembly into an envelope component. Foam must not include any structural members or non-foam materials during testing in accordance with ASTM C518–17. When preparing the specimen for test, a high-speed bandsaw or a meat slicer are two types of recommended cutting tools. Hot wire cutters or other heated tools shall not be used for cutting foam test specimens.

5.2 Specimen Preparation

5.2.1 *Determining the thickness around the perimeter of the envelope component, t_p.* The full thickness of an envelope component around the perimeter, which may include facers on one or both sides, shall be determined as follows:

5.2.1.1 At least 8 thickness measurements shall be taken around the perimeter of the envelope component, at least 2 inches from the edge region, and avoiding any regions with hardware or fixtures.

5.2.1.2 The average of the thickness measurements taken around the perimeter of the envelope component shall be the thickness around the perimeter of the envelope component, t_p.

5.2.1.3 Measure and record the width, w_p, and height, h_p, of the envelope component. The surface area of the envelope component, A_p, shall be determined as follows:

$$A_p = w_p \times h_p \qquad \text{(B-1)}$$

Where:

w_p = width of the envelope component, in.; and

h_p = height of the envelope component, in.

5.2.2. *Removing the sample from the envelope component.*

5.2.2.1. Determine the center of the envelope component relative to its height and its width.

5.2.2.2. Cut a sample from the envelope component that is at least the length and width dimensions of the heat flow meter, and where the marked center of the sample is at least 3 inches from any cut edge.

5.2.2.3. If the center of the envelope component contains any non-foam components (excluding facers), additional samples may be cut adjacent to the previous cut that is at least the length and width dimensions of the heat flow meter and is greater than 12 inches from the edge region.

5.2.3. *Determining the thickness at the center of the envelope component, t_c.* The full thickness of an envelope component at the center, which may include facers on one or both sides, shall be determined as follows:

5.2.3.1. At least 2 thickness measurements shall be taken in each quadrant of the cut sample removed from the envelope component per section 5.2.2 of this appendix, for a total of at least 8 measurements.

5.2.3.2. The average of the thickness measurements of the cut sample removed from the envelope component shall be the overall thickness of the cut sample, t_c.

5.2.3.3. Measure and record the width and height of the cut sample removed from the envelope component. The surface area of the cut sample removed from the envelope component, A_c., shall be determined as follows:

$$A_c = w_c \times h_c \quad \text{(B-2)}$$

Where:

w_c = width of the cut sample removed from the envelope component, in.; and

h_c = height of the cut sample removed from the envelope component, in.

5.2.4. *Determining the total thickness of the foam within the envelope component, t_{foam}.* The average total thickness of the foam sample, without facers, shall be determined as follows:

5.2.4.1. Remove the facers on the envelope component sample, while minimally disturbing the foam.

5.2.4.2. Measure the thickness of each facer in 4 locations for a total of 4 measurements if 1 facer is removed, and a total of 8 measurements if 2 facers are removed. The average of all facer measurements shall be the thickness of the facers, t_{facers}, in.

5.2.4.3. The average total thickness of the foam, t_{foam}, in., shall be determined as follows:

$$t_{foam} = \frac{t_c A_c + t_p (A_p - A_c)}{A_p} - t_{facers} \quad \text{(B-3)}$$

Where:

t_c = the average thickness of the center of the envelope component, in., as determined per sections 5.2.3.1 and 5.2.3.2 of this appendix;

A_c = the surface area of the center of the envelope component, in^2., as determined per section 5.2.3.3 of this appendix;

t_p = the average thickness of the perimeter of the envelope component, in., as determined per sections 5.2.1.1 and 5.2.1.2 of this appendix;

A_p = the average thickness of the center of the envelope component, in^2, as determined per section 5.2.1.3 of this appendix;

t_{facers} = the average thickness of the facers of the envelope component, in., as determined per section 5.2.4.2 of this appendix.

5.2.5. *Cutting, measuring, and determining parallelism and flatness of a 1-inch-thick specimen for test from the center of the cut envelope component sample.*

5.2.5.1. Cut a 1 ± 0.1-inch-thick specimen from the center of the cut envelope sample. The 1-inch-thick test specimen shall be cut from the point that is equidistant from both edges of the sample (*i.e.*, shall be cut from the center point that would be directly between the interior and exterior space of the walk-in).

5.2.5.2. Document through measurement or photographs with measurement indicators that the specimen was taken from the center of the sample.

5.2.5.3 After the 1-inch specimen has been cut, and prior to testing, place the specimen on a flat surface and allow gravity to determine the specimen's position on the surface. This will be side 1.

5.2.5.4 To determine the flatness of side 1, take at least nine height measurements at equidistant positions on the specimen (*i.e.*, the specimen would be divided into 9 regions and height measurements taken at the center of each of these nine regions). Contact

with the measurement indicator shall not indent the foam surface. From the height measurements taken, determine the least squares plane for side 1. For each measurement location, calculate the theoretical height from the least squares plane for side 1. Then, calculate the difference between the measured height and the theoretical least squares plane height at each location. The maximum difference minus the minimum difference out of the nine measurement locations is the flatness of side 1. For side 1 of the specimen to be considered flat, this shall be less than or equal to 0.03 inches.

5.2.5.5 To determine the flatness of side 2, turn the specimen over and allow gravity to determine the specimen's position on the surface. Repeat section 5.2.5.4 to determine the flatness of side 2.

5.2.5.6 To determine the parallelism of the specimen for side 1, calculate the theoretical height of the least squares plane at the furthest corners (*i.e.*, at points (0,0), (0,12), (12,0), and (12,12)) of the 12-inch by 12-inch test specimen. The difference between the maximum theoretical height and the minimum theoretical height shall be less than or equal to 0.03 inches for each side in order for side 1 to be considered parallel.

5.2.5.7 To determine the parallelism of the specimen for side 2, repeat section 5.2.5.6 of this appendix.

5.2.5.8 The average thickness of the test specimen, *L*, shall be 1 ± 0.1-inches determined using a minimum of 18 thickness measurements (*i.e.*, a minimum of 9 measurements on side 1 of the specimen and a minimum of 9 on side 2 of the specimen). This average thickness shall be used to determine the thermal conductivity, or K-factor.

5.3 *K-factor Test.* Determine the thermal conductivity, or K-factor, of the 1-inch-thick specimen in accordance with the specified sections of ASTM C518–17. Testing must be completed within 24 hours of the specimen being cut for testing per section 5.2.5 of this appendix.

5.3.1 *Test Conditions.*

5.3.1.1 For freezer envelope components, the K-factor of the specimen shall be determined at an average specimen temperature of 20 ± 1 degrees Fahrenheit.

5.3.1.2 For cooler envelope components, the K-factor of the specimen shall be determined at an average specimen temperature of 55 ± 1 degrees Fahrenheit.

5.4 R-value Calculation.

5.4.1 For envelope components consisting of one homogeneous layer of insulation, calculate the R-value, h-ft²- °F/Btu, as follows:

$$R = \frac{t_{foam}}{\lambda} \qquad \text{(B-4)}$$

Where:

t_{foam} = the total thickness of the foam, in., as determined in section 5.2.4 of this appendix; and

λ = K-factor, Btu-in/(h-ft²- °F), as determined in section 5.3 of this appendix.

5.4.2 For envelope components consisting of two or more layers of dissimilar insulating materials (excluding facers or protective skins), determine the K-factor of each material as described in sections 5.1 through 5.3 of this appendix. For an envelope component with N layers of insulating material, the overall R-value shall be calculated as follows:

$$R = \sum_{i=1}^{N} \frac{t_i}{\lambda_i} \qquad \text{(B-5)}$$

Where:

t_i is the thickness of the ith material that appears in the envelope component, inches, as determined in section 5.2.4 of this appendix;

λ_i is the k-factor of the ith material, Btu-in/(h-ft²- °F), as determined in section 5.3 of this appendix; and

N is the total number of material layers that appears in the envelope component.

5.4.3 K-factor test results from a test sample 1 ± 0.1-inches in thickness may be used to determine the R-value of envelope components with various foam thicknesses as long as the foam throughout the panel depth is of the same final chemical form and the test was completed at the same test conditions that the other envelope components would be used at. For example, a K-factor test result conducted at cooler conditions cannot

be used to determine R-value of a freezer envelope component.

[88 FR 28843, May 4, 2023, as amended at 88 FR 73217, Oct. 25, 2023]

APPENDIX C TO SUBPART R OF PART 431—UNIFORM TEST METHOD FOR THE MEASUREMENT OF NET CAPACITY AND AWEF OF WALK-IN COOLER AND WALK-IN FREEZER REFRIGERATION SYSTEMS

NOTE: Prior to October 31, 2023, representations with respect to the energy use of refrigeration components of walk-in coolers and walk-in freezers, including compliance certifications, must be based on testing conducted in accordance with the applicable provisions of 10 CFR part 431, subpart R, appendix C, revised as of January 1, 2022. Beginning October 31, 2023, representations with respect to energy use of refrigeration components of walk-in coolers and walk-in freezers, including compliance certifications, must be based on testing conducted in accordance with this appendix.

For any amended standards for walk-in coolers and freezers published after January 1, 2022, manufacturers must use the results of testing under appendix C1 to this subpart to determine compliance. Representations related to energy consumption must be made in accordance with appendix C1 when determining compliance with the relevant standard. Manufacturers may also use appendix C1 to certify compliance with any amended standards prior to the applicable compliance date for those standards.

1.0 SCOPE

This appendix covers the test requirements used to determine the net capacity and the AWEF of the refrigeration system of a walk-in cooler or walk-in freezer.

2.0 Definitions

The definitions contained in §431.302 and AHRI 1250–2009 (incorporated by reference; see §431.303) apply to this appendix. When definitions contained in the standards DOE has incorporated by reference are in conflict or when they conflict with this section, the hierarchy of precedence shall be in the following order: §431.302, AHRI 1250–2009, and then either AHRI 420–2008 (incorporated by reference; see §431.303) for unit coolers or ASHRAE 23.1–2010 (incorporated by reference; see §431.303) for dedicated condensing units.

The term ''unit cooler'' used in AHRI 1250–2009, AHRI 420–2008, and this subpart shall be considered to address both ''unit coolers'' and ''ducted fan coil units,'' as appropriate.

3.0 TEST METHODS, MEASUREMENTS, AND CALCULATIONS

Determine the Annual Walk-in Energy Factor (AWEF) and net capacity of walk-in cooler and walk-in freezer refrigeration systems by conducting the test procedure set forth in AHRI 1250–2009 (incorporated by reference; see §431.303), with the modifications to that test procedure provided in this section. When standards that are incorporated by reference are in conflict or when they conflict with this section, the hierarchy of precedence shall be in the following order: §431.302, AHRI 1250–2009, and then either AHRI 420–2008 (incorporated by reference; see §431.303) or ASHRAE 23.1–2010 (incorporated by reference; see §431.303).

3.1. *General modifications: Test Conditions and Tolerances.*

When conducting testing in accordance with AHRI 1250–2009 (incorporated by reference; see §431.303), the following modifications must be made.

3.1.1. In Table 1, Instrumentation Accuracy, refrigerant temperature measurements shall have an accuracy of ±0.5 °F for unit cooler in/out. When testing high-temperature refrigeration systems, measurements used to determine temperature or water vapor content of the air (*i.e.*, wet-bulb or dew point) shall be accurate to within ±0.25 °F; all other temperature measurements shall be accurate to within ±1.0 °F.

3.1.2. In Table 2, Test Operating and Test Condition Tolerances for Steady-State Test, electrical power frequency shall have a Test Condition Tolerance of 1 percent.

3.1.3. In Table 2, the Test Operating Tolerances and Test Condition Tolerances for Air Leaving Temperatures shall be deleted.

3.1.4. In Tables 2 through 14, the Test Condition Outdoor Wet Bulb Temperature requirement and its associated tolerance apply only to units with evaporative cooling.

3.1.5. Tables 15 and 16 shall be modified to read as follows:

TABLE 15—REFRIGERATOR UNIT COOLER

Test description	Unit cooler air entering dry-bulb, °F	Unit cooler air entering relative humidity, %	Saturated suction temp, °F	Liquid inlet saturation temp, °F	Liquid inlet subcooling temp, °F	Compressor capacity	Test objective
Off Cycle Fan Power.	35	<50	—	—	—	Compressor Off	Measure fan input power during compressor off cycle.

TABLE 15—REFRIGERATOR UNIT COOLER—Continued

Test description	Unit cooler air entering dry-bulb, °F	Unit cooler air entering relative humidity, %	Saturated suction temp, °F	Liquid inlet saturation temp, °F	Liquid inlet subcooling temp, °F	Compressor capacity	Test objective
Refrigeration Capacity Suction A.	35	<50	25	105	9	Compressor On	Determine Net Refrigeration Capacity of Unit Cooler.
Refrigeration Capacity Suction B.	35	<50	20	105	9	Compressor On	Determine Net Refrigeration Capacity of Unit Cooler.

Note: Superheat to be set according to equipment specification in equipment or installation manual. If no superheat specification is given, a default superheat value of 6.5 °F shall be used. The superheat setting used in the test shall be reported as part of the standard rating.

TABLE 16—FREEZER UNIT COOLER

Test description	Unit cooler air entering dry-bulb, °F	Unit cooler air entering relative humidity, %	Saturated suction temp, °F	Liquid inlet saturation temp, °F	Liquid inlet subcooling temp, °F	Compressor capacity	Test objective
Off Cycle Fan Power.	−10	<50	—	—	—	Compressor Off	Measure fan input power during compressor off cycle.
Refrigeration Capacity Suction A.	−10	<50	−20	105	9	Compressor On	Determine Net Refrigeration Capacity of Unit Cooler.
Refrigeration Capacity Suction B.	−10	<50	−26	105	9	Compressor On	Determine Net Refrigeration Capacity of Unit Cooler.
Defrost	−10	Various	—	—	—	Compressor Off	Test according to Appendix C Section C11.

Note: Superheat to be set according to equipment specification in equipment or installation manual. If no superheat specification is given, a default superheat value of 6.5 °F shall be used. The superheat setting used in the test shall be reported as part of the standard rating.

3.1.6. Test Operating Conditions for CO_2 Unit Coolers

For medium-temperature CO_2 unit coolers, conduct tests using the test conditions specified in table C.1 of this appendix. For low-temperature CO_2 unit coolers, conduct tests using the test conditions specified in table C.2 of this appendix.

TABLE C.1—TEST OPERATING CONDITIONS FOR MEDIUM-TEMPERATURE CO_2 UNIT COOLERS

Test description	Unit cooler air entering dry-bulb, deg;F	Unit cooler air entering relative humidity, %	Suction dew point temp, deg;F	Liquid inlet bubble point temperature deg;F	Liquid inlet subcooling, deg;F	Compressor capacity	Test objective
Off-Cycle Power	35	<50	.....	.....	.....	Compressor Off ...	Measure fan input power during compressor off-cycle.
Refrigeration Capacity, Ambient Condition A.	35	<50	25	38	5	Compressor On ...	Determine Net Refrigeration Capacity of Unit Cooler.

Notes:
[1] Superheat shall be set as indicated in the installation instructions. If no superheat specification is given a default superheat value of 6.5 °F shall be used.

TABLE C.2—TEST OPERATING CONDITIONS FOR LOW-TEMPERATURE CO_2 UNIT COOLERS

Test description	Unit cooler air entering dry-bulb, deg;F	Unit cooler air entering relative humidity, %	Suction dew point temp, °F	Liquid inlet bubble point temperature deg;F	Liquid inlet subcooling, °F	Compressor capacity	Test objective
Off-Cycle Power	−10	<50	.....	.....	.....	Compressor Off	Measure fan input power during compressor off cycle.
Refrigeration Capacity, Ambient Condition A.	−10	<50	−20	38	5	Compressor On	Determine Net Refrigeration Capacity of Unit Cooler.
Defrost	−10	<50	.....	.....	.....	Compressor Off	Test according to Appendix C Section C11 of AHRI 1250–2009.

1. Superheat shall be set as indicated in the installation instructions. If no superheat specification is given a default superheat value of 6.5 °F shall be used.

3.1.7. Test Operating Conditions for High-Temperature Unit Coolers

For high-temperature cooler unit coolers, conduct tests using the test conditions specified in table C.3 of this appendix.

TABLE C.3—TEST OPERATING CONDITIONS FOR HIGH-TEMPERATURE UNIT COOLERS

Test description	Unit cooler air entering dry-bulb, deg;F	Unit cooler air entering relative humidity, % [1]	Suction dew point temp, °F [2,3]	Liquid inlet bubble point temperature deg;F	Liquid inlet subcooling, °F	Compressor capacity	Test objective
Off-Cycle	55	55	.....	105	9	Compressor Off	Measure fan input power.
Refrigeration Capacity Suction A	55	55	38	105	9	Compressor On	Determine Net Refrigeration Capacity of Unit Cooler.

Notes:

[1] The test condition tolerance (maximum permissible variation of the average value of the measurement from the specified test condition) for relative humidity is 3%.

[2] Superheat shall be set as indicated in the installation instructions. If no superheat specification is given a default superheat value of 6.5 °F shall be used.

[3] Suction Dew Point shall be measured at the Unit Cooler Exit.

3.2. General Modifications: Methods of Testing

When conducting testing in accordance with appendix C of AHRI 1250–2009 (incorporated by reference; see §431.303), the following modifications must be made.

3.2.1. Refrigerant Temperature Measurements

In AHRI 1250–2009 appendix C, section C3.1.6, any refrigerant temperature measurements entering and leaving the unit cooler may use sheathed sensors immersed in the flowing refrigerant instead of thermometer wells. When testing a condensing unit alone, measure refrigerant liquid temperature leaving the condensing unit using thermometer wells as described in AHRI 1250–2009 appendix C, section C3.1.6 or sheathed sensors immersed in the flowing refrigerant. For all of these cases, if the refrigerant tube outer diameter is less than ½ inch, the refrigerant temperature may be measured using the average of two temperature measuring instruments with a minimum accuracy of ±0.5 °F placed on opposite sides of the refrigerant tube surface—resulting in a total of up to 8 temperature measurement devices used for the DX Dual Instrumentation method. In this case, the refrigerant tube shall be insulated with 1-inch thick insulation from a point 6 inches upstream of the measurement location to a point 6 inches downstream of the measurement location. Also, to comply with this requirement, the unit cooler entering measurement location may be moved to a location 6 inches upstream of the expansion device and, when testing a condensing unit alone, the entering and leaving measurement locations may be moved to locations 6 inches from the respective service valves.

3.2.2. It is not necessary to perform composition analysis of refrigerant (appendix C, section C3.3.6) or refrigerant oil concentration testing (appendix C, section C3.4.6).

3.2.3. Subcooling at Refrigerant Mass Flow Meter

In appendix C, section C3.4.5 of AHRI 1250–2009 (incorporated by reference; see §431.303), and in section 7.1.2 of ASHRAE 23.1–2010 (incorporated by reference; see §431.303) when verifying subcooling at the mass flow meters, only the sight glass and a temperature sensor located on the tube surface under the insulation are required. Subcooling shall be verified to be within the 3 °F requirement downstream of flow meters located in the same chamber as a condensing unit under test and upstream of flow meters located in the same chamber as a unit cooler under test, rather than always downstream as indicated in AHRI 1250–2009, section C3.4.5 or always upstream as indicated in section 7.1.2 of ASHRAE 23.1–2010. If the subcooling is less than 3 °F, cool the line between the condensing unit outlet and this location to achieve the required subcooling. When providing such cooling while testing a matched pair, (a) set up the line-cooling system and also set up apparatus to heat the liquid line between the mass flow meters and the unit cooler, (b) when the system has achieved steady state without activation of the heating and cooling systems, measure the liquid temperature entering the expansion valve for a period of at least 30 minutes, (c) activate the cooling system to provide the required subcooling at the mass flow meters, (d) if necessary, apply heat such that the temperature entering the expansion valve is within 0.5 °F of the temperature measured during step (b), and (e) proceed with measurements once condition (d) has been verified.

3.2.4. In appendix C, section C3.5, regarding unit cooler fan power measurements, for a given motor winding configuration, the total power input shall be measured at the highest nameplate voltage. For three-phase power, voltage imbalances shall be no more than 2 percent from phase to phase.

3.2.5. In the test setup (appendix C, section C8.3), the liquid line and suction line shall be constructed of pipes of the manufacturer-specified size. The pipe lines shall be insulated with a minimum total thermal resistance equivalent to ½-inch thick insulation having a flat-surface R-Value of 3.7 ft^2- °F-hr/Btu per inch or greater. Flow meters need not be insulated but must not be in contact with the floor. The lengths of the connected liquid line and suction line shall be 25 feet ± 3 inches, not including the requisite flow meters, each. Of this length, no more than 15 feet shall be in the conditioned space. Where there are multiple branches of piping, the maximum length of piping applies to each branch individually as opposed to the total length of the piping.

3.2.6. Installation Instructions

Manufacturer installation instructions refer to the instructions that are applied to the unit (*i.e.*, as a label) or that come packaged with the unit. Online installation instructions are acceptable only if the version number or date of publication is referenced on the unit label or in the documents that are packaged with the unit.

3.2.6.1 *Installation Instruction Hierarchy when available installation instructions are in conflict*

3.2.6.1.1 If a manufacturer installation instruction provided on the label(s) applied to the unit conflicts with the manufacturer installation instructions that are shipped with the unit, the instructions on the unit's label take precedence.

3.2.6.1.2 Manufacturer installation instructions provided in any documents that are packaged with the unit take precedence over any manufacturer installation instructions provided online.

3.2.6.2 For testing of attached split systems, the manufacturer installation instructions for the dedicated condensing unit shall take precedence over the manufacturer installation instructions for the unit cooler.

3.2.6.3 Unit setup shall be in accordance with the manufacturer installation instructions (laboratory installation instructions shall not be used).

3.2.6.4 Achieving test conditions shall always take precedence over installation instructions.

3.2.7. *Refrigerant Charging and Adjustment of Superheat and Subcooling*.

All dedicated condensing systems (dedicated condensing units tested alone, matched pairs, and single packaged dedicated systems) that use flooding of the condenser for head pressure control during low-ambient-temperature conditions shall be charged, and superheat and/or subcooling shall be set, at Refrigeration C test conditions unless otherwise specified in the installation instructions.

If after being charged at Refrigeration C condition the unit under test does not operate at the Refrigeration A condition due to high pressure cut out, refrigerant shall be removed in increments of 4 ounces or 5 percent of the test unit's receiver capacity, whichever quantity is larger, until the unit operates at the Refrigeration A condition. All tests shall be run at this final refrigerant charge. If less than 0 °F of subcooling is measured for the refrigerant leaving the condensing unit when testing at B or C condition, calculate the refrigerant-enthalpy-based capacity (*i.e.,* when using the DX dual instrumentation, the DX calibrated box, or single-packaged unit refrigerant enthalpy method) assuming that the refrigerant is at saturated liquid conditions at the condensing unit exit.

All dedicated condensing systems that do not use a flooded condenser design shall be charged at Refrigeration A test conditions unless otherwise specified in the installation instructions.

If the installation instructions give a specified range for superheat, sub-cooling, or refrigerant pressure, the average of the range shall be used as the refrigerant charging parameter target and the test condition tolerance shall be ±50 percent of the range. Perform charging of near-azeotropic and zeotropic refrigerants only with refrigerant in the liquid state. Once the correct refrigerant charge is determined, all tests shall run until completion without further modification.

3.2.7.1. When charging or adjusting superheat/subcooling, use all pertinent instructions contained in the installation instructions to achieve charging parameters within the tolerances. However, in the event of conflicting charging information between installation instructions, follow the installation instruction hierarchy listed in section 3.2.6. of this appendix. Conflicting information is defined as multiple conditions given for charge adjustment where all conditions specified cannot be met. In the event of conflicting information within the same set of charging instructions (e.g., the installation instructions shipped with the dedicated condensing unit), follow the hierarchy in table C.4 of this section for priority. Unless the installation instructions specify a different charging tolerance, the tolerances identified in table C.4 of this section shall be used.

TABLE C.4—TEST CONDITION TOLERANCES AND HIERARCHY FOR REFRIGERANT CHARGING AND SETTING OF REFRIGERANT CONDITIONS

Priority	Fixed orifice		Expansion valve	
	Parameter with installation instruction target	Tolerance	Parameter with installation instruction target	Tolerance
1	Superheat	±2.0 °F	Subcooling	10% of the Target Value; No less than ±0.5 °F, No more than ±2.0 °F.
2	High Side Pressure or Saturation Temperature.	±4.0 psi or ±1.0 °F	High Side Pressure or Saturation Temperature.	±4.0 psi or ±1.0 °F.
3	Low Side Pressure or Saturation Temperature.	±2.0 psi or ±0.8 °F	Superheat	±2.0 °F.
4	Low Side Temperature	±2.0 °F	Low Side Pressure or Saturation Temperature.	±2.0 psi or ±0.8 °F.
5	High Side Temperature	±2.0 °F	Approach Temperature	±1.0 °F.
6	Charge Weight	±2.0 oz	Charge Weight	0.5% or 1.0 oz, whichever is greater.

3.2.7.2. *Dedicated Condensing Unit.* If the Dedicated Condensing Unit includes a receiver and the subcooling target leaving the condensing unit provided in installation instructions cannot be met without fully filling the receiver, the subcooling target shall be ignored. Likewise, if the Dedicated Condensing unit does not include a receiver and the subcooling target leaving the condensing unit cannot be met without the unit cycling

off on high pressure, the subcooling target can be ignored. Also, if no instructions for charging or for setting subcooling leaving the condensing unit are provided in the installation instructions, the refrigeration system shall be set up with a charge quantity and/or exit subcooling such that the unit operates during testing without shutdown (e.g., on a high-pressure switch) and operation of the unit is otherwise consistent with the requirements of the test procedure of this appendix and the installation instructions.

3.2.8. *Chamber Conditioning using the Unit Under Test.*

In appendix C, section C6.2 of AHRI 1250–2009, for applicable system configurations (matched pairs, single-packaged refrigeration systems, and standalone unit coolers), the unit under test may be used to aid in achieving the required test chamber conditions prior to beginning any steady state test. However, the unit under test must be inspected and confirmed to be free from frost before initiating steady state testing.

3.3. *Matched systems, single-package dedicated systems, and unit coolers tested alone:* Use the test method in AHRI 1250–2009 (incorporated by reference; see §431.303), appendix C as the method of test for matched refrigeration systems, single-package dedicated systems, or unit coolers tested alone, with the following modifications:

3.3.1. For unit coolers tested alone, use test procedures described in AHRI 1250–2009 for testing unit coolers for use in mix-match system ratings, except that for the test conditions in tables 15 and 16 of this appendix, use the Suction A saturation condition test points only. Also, for unit coolers tested alone, other than high-temperature unit coolers, use the calculations in section 7.9 of AHRI 1250–2009 to determine AWEF and net capacity described in AHRI 1250–2009 for unit coolers matched to parallel rack systems.

3.3.2. In appendix C, section C.13, the version of AHRI Standard 420 used for test methods, requirements, and procedures shall be AHRI 420–2008 (incorporated by reference; see §431.303).

3.3.3. *Evaporator Fan Power.*

3.3.3.1. *Ducted Evaporator Air.*

For ducted fan coil units with ducted evaporator air, or that can be installed with or without ducted evaporator air: Connect ductwork on both the inlet and outlet connections and determine external static pressure as described in ASHRAE 37 (incorporated by reference; see §431.303), sections 6.4 and 6.5. Use pressure measurement instrumentation as described in ASHRAE 37, section 5.3.2. Test at the fan speed specified in manufacturer installation instructions—if there is more than one fan speed setting and the installation instructions do not specify which speed to use, test at the highest speed. Conduct tests with the external static pressure equal to 50 percent of the maximum external static pressure allowed by the manufacturer for system installation within a tolerance of −0.00/+0.05 in. wc. Set the external static pressure by symmetrically restricting the outlet of the test duct. Alternatively, if using the indoor air enthalpy method to measure capacity, set external static pressure by adjusting the fan of the airflow measurement apparatus. In case of conflict, these requirements for setting evaporator airflow take precedence over airflow values specified in manufacturer installation instructions or product literature.

3.3.3.2. *Unit Coolers or Single-Packaged Systems that are not High-Temperature Refrigeration Systems.*

Use appendix C, section C10 of AHRI 1250–2009 for off-cycle evaporator fan testing, with the exception that evaporator fan controls using periodic stir cycles shall be adjusted so that the greater of a 50 percent duty cycle (rather than a 25 percent duty cycle) or the manufacturer default is used for measuring off-cycle fan energy. For adjustable-speed controls, the greater of 50 percent fan speed (rather than 25 percent fan speed) or the manufacturer's default fan speed shall be used for measuring off-cycle fan energy. Also, a two-speed or multi-speed fan control may be used as the qualifying evaporator fan control. For such a control, a fan speed no less than 50 percent of the speed used in the maximum capacity tests shall be used for measuring off-cycle fan energy.

3.3.3.3. *High-Temperature Refrigeration Systems.*

3.3.3.3.1. The evaporator fan power consumption shall be measured in accordance with the requirements in section C3.5 of AHRI 1250–2009. This measurement shall be made with the fan operating at full speed, either measuring unit cooler or total system power input upon the completion of the steady state test when the compressor and the condenser fan of the walk-in system are turned off, or by submetered measurement of the evaporator fan power during the steady state test.

Section C3.5 of AHRI 1250–2009 is revised to read:

Evaporator Fan Power Measurement.

The following shall be measured and recorded during a fan power test.

$EF_{comp,on}$ Total electrical power input to fan motor(s) of Unit Cooler, W
FS Fan speed(s), rpm
N Number of motors
P_b Barometric pressure, in. Hg
T_{db} Dry-bulb temperature of air at inlet, °F
T_{wb} Wet-bulb temperature of air at inlet, °F
V Voltage of each phase

For a given motor winding configuration, the total power input shall be measured at the highest nameplate voltage. For three-phase power, voltage imbalance shall be no more than 2%.

3.3.3.3.2. Evaporator fan power for the off-cycle is equal to the on-cycle evaporator fan power with a run time of 10 percent of the off-cycle time.

$EF_{comp,off} = 0.1 \times EF_{comp,on}$

3.3.4. Use appendix C, section C11 of AHRI 1250–2009 (incorporated by reference, see §431.303) for defrost testing. The Frost Load Condition Defrost Test (C11.1.1) is optional.

3.3.4.1. If the frost load condition defrost test is performed:

3.3.4.1.1 Operate the unit cooler at the dry coil conditions as specified in appendix C, section C11.1 to obtain dry coil defrost energy, DF_d, in W-h.

3.3.4.1.2 Operate the unit cooler at the frost load conditions as specified in appendix C, sections C11.1 and C11.1.1 to obtain frosted coil defrost energy, DF_f, in W-h.

3.3.4.1.3 The number of defrosts per day, N_{DF}, shall be calculated from the time interval between successive defrosts from the start of one defrost to the start of the next defrost at the frost load conditions.

3.3.4.1.4 Use appendix C, equations C13 and C14 in section C11.3 to calculate, respectively, the daily average defrost energy, DF, in W-h and the daily contribution of the load attributed to defrost Q_{DF} in Btu.

3.3.4.1.5 The defrost adequacy requirements in appendix C, section C11.3 shall apply.

3.3.4.2 If the frost load test is not performed:

3.3.4.2.1 Operate the unit cooler at the dry coil conditions as specified in appendix C, section C11.1 to obtain dry coil defrost energy, DF_d, in W-h.

3.3.4.2.2 The frost load defrost energy, DF_f, in W-h shall be equal to 1.05 multiplied by the dry coil energy consumption, DF_d, measured using the dry coil condition test in appendix C, section C11.1.

3.3.4.2.3 The number of defrosts per day N_{DF} used in subsequent calculations shall be 4.

3.3.4.2.4 Use appendix C, equation C13 in section C11.3 to calculate the daily average defrost energy, DF, in W-h.

3.3.4.2.5 The daily contribution of the load attributed to defrost Q_{DF} in Btu shall be calculated as follows:

$$Q_{DF} = 0.95 \times 3.412 \text{ Btu/W-h} \times \frac{2.05 \times DF_d}{2} \times 4$$

Where:

DF_d = the defrost energy, in W-h, measured at the dry coil condition

3.3.5. If a unit has adaptive defrost, use appendix C, section C11.2 of AHRI 1250–2009 as follows:

3.3.5.1. When testing to certify to the energy conservation standards in §431.306, do not perform the optional test for adaptive or demand defrost in appendix C, section C11.2.

3.3.5.2. When determining the represented value of the calculated benefit for the inclusion of adaptive defrost, conduct the optional test for adaptive or demand defrost in appendix C, section C11.2 to establish the maximum time interval allowed between dry coil defrosts. If this time is greater than 24 hours, set its value to 24 hours. Then, calculate N_{DF} (the number of defrosts per day) by averaging the time in hours between successive defrosts for the dry coil condition with the time in hours between successive defrosts for the frosted coil condition, and dividing 24 by this average time. (The time between successive defrosts for the frosted coil condition is found as specified in section 3.3.4 of this appendix C of AHRI 1250–2009: That is, if the optional frosted coil test was performed, the time between successive defrosts for the frosted coil condition is found by performing the frosted coil test as specified in section 3.3.4.1 of this appendix; and if the optional frosted coil test was not performed, the time between successive defrosts for the frosted coil condition shall be set to 4 as specified in section 3.3.4.2. of this appendix) Use this new value of N_{DF} in subsequent calculations.

3.3.6. For matched refrigeration systems and single-package dedicated systems, calculate the AWEF using the calculations in AHRI 1250–2009 (incorporated by reference; see §431.303), section 7.4, 7.5, 7.6, or 7.7, as applicable.

3.3.7. *Calculations for Unit Coolers Tested Alone.*

3.3.7.1. *Unit Coolers that are not High-Temperature Unit Coolers.*

Calculate the AWEF and net capacity using the calculations in AHRI 1250–2009, section 7.9.

3.3.7.2 *High-Temperature Unit Coolers.*

Calculate AWEF on the basis that walk-in box load is equal to half of the system net capacity, without variation according to high and low load periods, and with EER set according to tested evaporator capacity, as follows:

The net capacity, $\dot{q}_{mix,evap}$, is determined from the test data for the unit cooler at the 38 °F suction dewpoint.

$$\dot{B}L = 0.5 \times \dot{q}_{mix,evap}$$

$$\dot{E}_{mix,rack} = \frac{\left(\dot{q}_{mix,evap} + 3.412 \times \dot{EF}_{comp,on}\right)}{EER} + \dot{EF}_{comp,on}$$

Where:

$$EER = \begin{cases} 11 & if\ \dot{q}_{mix,evap} < 10{,}000\ Btu/h \\ 0.0007 \times \dot{q}_{mix,evap} + 4 & if\ 10{,}000 \leq \dot{q}_{mix,evap} < 20{,}000\ Btu/h \\ 18 & if\ 20{,}000 \leq \dot{q}_{mix,evap} < 36{,}000\ Btu/h \end{cases}$$

$$LF = \frac{\dot{B}L + 3.412 \times \dot{EF}_{comp,off}}{\dot{q}_{mix,evap} + 3.412 \times \dot{EF}_{comp,off}}$$

$$AWEF = \frac{\dot{B}L}{\dot{E}_{mix,rack} \times LF + \dot{EF}_{comp,off} \times (1 - LF)}$$

Where:

$\dot{B}L$ is the non-equipment-related box load;
LF is the load factor; and
Other symbols are as defined in section 8 of AHRI 1250–2009.

3.3.7.3. If the unit cooler has variable-speed evaporator fans that vary fan speed in response to load, then:

3.3.7.3.1. When testing to certify compliance with the energy conservation standards in §431.306, fans shall operate at full speed during on-cycle operation. Do not conduct the calculations in AHRI 1250–2009, section 7.9.3. Instead, use AHRI 1250–2009, section 7.9.2 to determine the system's AWEF.

3.3.7.3.2. When calculating the benefit for the inclusion of variable-speed evaporator fans that modulate fan speed in response to load for the purpose of making representations of efficiency, use AHRI 1250–2009, section 7.9.3 to determine the system AWEF.

3.4. *Dedicated condensing units that are not matched for testing and are not single-package dedicated systems*

3.4.1. Refer to appendix C, section C.12 of AHRI 1250–2009 (incorporated by reference; see §431.303), for the method of test for dedicated condensing units. The version of ASHRAE Standard 23 used for test methods, requirements, and procedures shall be ANSI/ASHRAE Standard 23.1–2010 (incorporated by reference; see §431.303). When applying this test method, use the applicable test method modifications listed in sections 3.1 and 3.2 of this appendix. For the test conditions in AHRI 1250–2009, Tables 11, 12, 13, and 14, use the Suction A condition test points only.

3.4.2. Calculate the AWEF and net capacity for dedicated condensing units using the calculations in AHRI 1250–2009 (incorporated by reference; see §431.303) section 7.8. Use the following modifications to the calculations in lieu of unit cooler test data:

3.4.2.1. For calculating enthalpy leaving the unit cooler to calculate gross capacity, (a) the saturated refrigerant temperature (dew point) at the unit cooler coil exit, T_{evap},

shall be 25 °F for medium-temperature systems (coolers) and −20 °F for low-temperature systems (freezers), and (b) the refrigerant temperature at the unit cooler exit shall be 35 °F for medium-temperature systems (coolers) and −14 °F for low-temperature systems (freezers). For calculating gross capacity, the measured enthalpy at the condensing unit exit shall be used as the enthalpy entering the unit cooler. The temperature measurement requirements of appendix C, section C3.1.6 of AHRI 1250–2009 and modified by section 3.2.1 of this appendix shall apply only to the condensing unit exit rather than to the unit cooler inlet and outlet, and they shall be applied for two measurements when using the DX Dual Instrumentation test method.

3.4.2.2. The on-cycle evaporator fan power in watts, $EF_{comp,on}$, shall be calculated as follows:

For medium-temperature systems (coolers), $EF_{comp,on} = 0.013 \times q_{mix,cd}$

For low-temperature systems (freezers), $EF_{comp,on} = 0.016 \times q_{mix,cd}$

Where:

$q_{mix,cd}$ is the gross cooling capacity of the system in Btu/h, found by a single test at the Capacity A, Suction A condition for outdoor units and the Suction A condition for indoor units.

3.4.2.3. The off-cycle evaporator fan power in watts, $EF_{comp,off}$, shall be calculated as follows:

$$EF_{comp,off} = 0.2 \times EF_{comp,on}$$

Where:

$EF_{comp,on}$ is the on-cycle evaporator fan power in watts.

3.4.2.4. The daily defrost energy use in watt-hours, DF, shall be calculated as follows:

For medium-temperature systems (coolers), DF = 0

For low-temperature systems (freezers), $DF = 8.5 \times 10^{-3} \times q_{mix,cd}^{1.27} \times N_{DF}$

Where:

$q_{mix,cd}$ is the gross cooling capacity of the system in Btu/h, found by a single test at the Capacity A, Suction A condition for outdoor units and the Suction A condition for indoor units, and

N_{DF} is the number of defrosts per day, equal to 4.

3.4.2.5. The daily defrost heat load contribution in Btu, Q_{DF}, shall be calculated as follows:

For medium-temperature systems (coolers), $Q_{DF} = 0$

For low-temperature systems (freezers), $Q_{DF} = 0.95 \times DF \times 3.412$

Where:

DF is the daily defrost energy use in watt-hours.

3.5 Hot Gas Defrost Refrigeration Systems

For all hot gas defrost refrigeration systems, remove the hot gas defrost mechanical components and disconnect all such components from electrical power.

3.5.1 Hot Gas Defrost Dedicated Condensing Units Tested Alone: Test these units as described in section 3.4 of this appendix for electric defrost dedicated condensing units that are not matched for testing and are not single-package dedicated systems.

3.5.2 Hot Gas Defrost Matched Systems and Single-package Dedicated Systems: Test these units as described in section 3.3 of this appendix for electric defrost matched systems and single-package dedicated systems, but do not conduct defrost tests as described in sections 3.3.4 and 3.3.5 of this appendix. Calculate daily defrost energy use as described in section 3.4.2.4 of this appendix. Calculate daily defrost heat contribution as described in section 3.4.2.5 of this appendix.

3.5.3 Hot Gas Defrost Unit Coolers Tested Alone: Test these units as described in section 3.3 of this appendix for electric defrost unit coolers tested alone, but do not conduct defrost tests as described in sections 3.3.4 and 3.3.5 of this appendix. Calculate average defrost heat load Q_{DF}, expressed in Btu/h, as follows:

If $\dot{Q}_{gross} \leq 25{,}000$ Btu/h:

$$\dot{Q}_{DF} = 0.195 \times \dot{Q}_{gross} \times \frac{N_{DF}}{24}$$

If $\dot{Q}_{gross} > 25{,}000$ Btu/h and $\dot{Q}_{gross} \leq 70{,}000$ Btu/h:

$$\dot{Q}_{DF} = \dot{Q}_{gross} \times \left[0.195 - \frac{0.049 \times (\dot{Q}_{gross} - 25{,}000)}{45{,}000}\right] \times \frac{N_{DF}}{24}$$

If $\dot{Q}_{gross} > 70{,}000$ Btu/h:

$$\dot{Q}_{DF} = 0.146 \times \dot{Q}_{gross} \times \frac{N_{DF}}{24}$$

Where:

$\dot{Q}_{gross}$ is the measured gross capacity in Btu/h at the Suction A condition; and

N_{DF} is the number of defrosts per day, equal to 4.

Calculate average defrost power input $\dot{DF}$, expressed in Watts, as follows:

$$\dot{DF} = \frac{\dot{Q}_{DF}}{0.95 \times 3.412}$$

Where:

$\dot{Q}_{DF}$ is the average defrost heat load in Btu/h

[81 FR 95803, Dec. 28, 2016, as amended at 86 FR 16035, Mar. 26, 2021; 88 FR 28845, May 4, 2023; 88 FR 73217, Oct. 25, 2023]

APPENDIX C1 TO SUBPART R OF PART 431—UNIFORM TEST METHOD FOR THE MEASUREMENT OF NET CAPACITY AND AWEF2 OF WALK-IN COOLER AND WALK-IN FREEZER REFRIGERATION SYSTEMS

NOTE: Prior to October 31, 2023, representations with respect to the energy use of refrigeration components of walk-in coolers and walk-in freezers, including compliance certifications, must be based on testing conducted in accordance with the applicable provisions for 10 CFR part 431, subpart R, appendix C, revised as of January 1, 2022. Beginning October 31, 2023, representations with respect to energy use of refrigeration components of walk-in coolers and walk-in freezers, including compliance certifications, must be based on testing conducted in accordance with appendix C to this subpart.

For any amended standards for walk-in coolers and walk-in freezers published after January 1, 2022, manufacturers must use the results of testing under this appendix to determine compliance. Representations related to energy consumption must be made in accordance with this appendix when determining compliance with the relevant standard. Manufacturers may also use this appendix to certify compliance with any amended standards prior to the applicable compliance date for those standards.

0. Incorporation by Reference

DOE incorporated by reference in §431.303, the entire standard for AHRI 1250–2020, ANSI/ASHRAE 16, ANSI/ASHRAE 23.1–2010, ANSI/ASHRAE 37, ANSI/ASHRAE 41.1, ANSI/ASHRAE 41.3, ANSI/ASHRAE 41.6, and ANSI/ASHRAE 41.10. However, certain enumerated provisions of these standards, as set forth in sections 0.1 through 0.8 of this appendix are inapplicable. To the extent there is a conflict between the terms or provisions of a referenced industry standard and the CFR, the CFR provisions control. To the extent there is a conflict between the terms or provisions of AHRI 1250–2020, ANSI/ASHRAE 16, ANSI/ASHRAE 23.1–2010, ANSI/ASHRAE 37, ANSI/ASHRAE 41.1, ANSI/ASHRAE 41.3, ANSI/ASHRAE 41.6, and ANSI/ASHRAE 41.10, the AHRI 1250–2020 provisions control.

0.1 AHRI 1250–2020

(a) Section 1 Purpose, is inapplicable
(b) Section 2 Scope, is inapplicable
(c) Section 9 Minimum Data Requirements for Published Rating, is inapplicable
(d) Section 10 Marking and Nameplate Data, is inapplicable
(e) Section 11 Conformance Conditions, is inapplicable

0.2 ANSI/ASHRAE 16

(a) Section 1 Purpose, is inapplicable
(b) Section 2 Scope, is inapplicable
(c) Section 4 Classifications, is inapplicable
(d) Normative Appendices E–M, are inapplicable
(e) Informative Appendices N–R, are inapplicable

0.3 ANSI/ASHRAE 23.1–2010

(a) Section 1 Purpose, is inapplicable
(b) Section 2 Scope, is inapplicable
(c) Section 4 Classifications, is inapplicable

0.4 ANSI/ASHRAE 37

(a) Section 1 Purpose, is inapplicable
(b) Section 2 Scope, is inapplicable
(c) Section 4 Classifications, is inapplicable
(d) Informative Appendix A Classifications of Unitary Air-conditioners and Heat Pumps, is inapplicable.

0.5 ANSI/ASHRAE 41.1

(a) Section 1 Purpose, is inapplicable
(b) Section 2 Scope, is inapplicable
(c) Section 4 Classifications, is inapplicable
(d) Section 9 Test Report, is inapplicable
(e) Informative Appendices A–C, are inapplicable

0.6 ANSI/ASHRAE 41.3

(a) Section 1 Purpose, is inapplicable
(b) Section 2 Scope, is inapplicable
(c) Section 4 Classifications, is inapplicable
(d) Section 6 Instrument Types (informative), is inapplicable
(e) Section 8 Test Report, is inapplicable
(f) Informative Annexes A–D, are inapplicable

0.7 ANSI/ASHRAE 41.6

(a) Section 1 Purpose, is inapplicable
(b) Section 2 Scope, is inapplicable
(c) Section 4 Classifications, is inapplicable
(d) Section 9 Test Report, is inapplicable
(e) Informative Appendices A–D, are inapplicable

0.8 ANSI/ASHRAE 41.10

(a) Section 1 Purpose, is inapplicable
(b) Section 2 Scope, is inapplicable
(c) Section 4 Classifications, is inapplicable
(d) Section 10 Test Report, is inapplicable
(e) Informative Annexes A–D, are inapplicable

1. Scope

This appendix covers the test requirements used to determine the net capacity and the AWEF2 of the refrigeration system of a walk-in cooler or walk-in freezer.

2. Definitions

2.1. Applicable Definitions

The definitions contained in § 431.302, AHRI 1250–2020, ANSI/ASHRAE 37, and ANSI/ASHRAE 16 apply to this appendix. When definitions in standards incorporated by reference are in conflict or when they conflict with this section, the hierarchy of precedence shall be in the following order: § 431.302, AHRI 1250–2020, and then either ANSI/ASHRAE 37 or ANSI/ASHRAE 16.

The term ''unit cooler'' used in AHRI 1250–2020 and this subpart shall be considered to address both ''unit coolers'' and ''ducted fan coil units,'' as appropriate.

2.2. Additional Definitions

2.2.1. *Digital Compressor* means a compressor that uses mechanical means for disengaging active compression on a cyclic basis to provide a reduced average refrigerant flow rate in response to a control system input signal.

2.2.2. *Displacement Ratio*, applicable to staged positive displacement compressor systems, means the swept volume rate, e.g. in cubic centimeters per second, of a given stage, divided by the swept volume rate at full capacity.

2.2.3. *Duty Cycle*, applicable to digital compressors, means the fraction of time that the compressor is engaged and actively compressing refrigerant.

2.2.4. *Maximum Speed*, applicable to variable-speed compressors, means the maximum speed at which the compressor will operate under the control of the dedicated condensing system control system for extended periods of time, *i.e.* not including short-duration boost-mode operation.

2.2.5. *Minimum Speed*, applicable to variable-speed compressors, means the minimum compressor speed at which the compressor will operate under the control of the dedicated condensing system control system.

2.2.6. *Multiple-Capacity*, applicable for describing a refrigeration system, indicates that it has three or more stages (levels) of capacity.

2.2.7. *Speed Ratio*, applicable to variable-speed compressors, means the ratio of operating speed to the maximum speed.

3. Test Methods, Measurements, and Calculations

Determine the Annual Walk-in Energy Factor (AWEF2) and net capacity of walk-in cooler and walk-in freezer refrigeration systems by conducting the test procedure set forth in AHRI 1250–2020, with the modifications to that test procedure provided in this section. However, certain sections of AHRI 1250–2020, ANSI/ASHRAE 37, and ANSI/ASHRAE 16 are not applicable, as set forth in sections 0.1, 0.2, and 0.3 of this appendix. Round AWEF2 measurements to the nearest 0.01 Btu/Wh. Round net capacity measurements as indicated in table 1 of this appendix.

TABLE 1—ROUNDING OF REFRIGERATION SYSTEM NET CAPACITY

Net capacity range, Btu/h	Rounding multiple, Btu/h
<20,000	100
≥20,000 and <38,000	200
≥38,000 and <65,000	500
≥65,000	1,000

The following sections of this appendix provide additional instructions for testing. In cases where there is a conflict, the language of this appendix takes highest precedence, followed by AHRI 1250–2020, then ANSI/ASHRAE 37 or ANSI/ASHRAE 16. Any subsequent amendment to a referenced document by the standard-setting organization will not affect the test procedure in this appendix, unless and until the test procedure is amended by DOE. Material is incorporated as it exists on the date of the approval, and a notification of any change in the incorporation will be published in the FEDERAL REGISTER.

3.1. Instrumentation Accuracy and Test Tolerances

Use measuring instruments as described in section 4.1 of AHRI 1250–2020, with the following additional requirement.

3.1.1. Electrical Energy Input measured in Wh with a minimum accuracy of ±0.5% of reading (for Off-Cycle tests per footnote 5 of Table C3 in section C3.6.2 of AHRI 1250–2020).

3.2. Test Operating Conditions

Test conditions used to determine AWEF2 shall be as specified in Tables 4 through 17 of AHRI 1250–2020. Tables 7 and 11 of AHRI 1250–2020, labeled to apply to variable-speed outdoor matched-pair refrigeration systems, shall also be used for testing variable-capacity single-packaged outdoor refrigeration systems, and also for testing multiple-capacity matched-pair or single-packaged outdoor refrigeration systems. Test conditions used to determine AWEF2 for refrigeration systems not specifically identified in AHRI 1250–2020 are as enumerated in sections 3.5.1 through 3.5.6 of this appendix.

3.2.1 Test Operating Conditions for High-Temperature Refrigeration Systems

For fixed-capacity high-temperature matched-pair or single-packaged refrigeration systems with indoor condensing units,

conduct tests using the test conditions specified in table 2 of this appendix. For fixed-capacity high-temperature matched-pair or single-packaged refrigeration systems with outdoor condensing units, conduct tests using the test conditions specified in table 3 of this appendix. For high-temperature unit coolers tested alone, conduct tests using the test conditions specified in table 4 of this appendix.

TABLE 2—TEST OPERATING CONDITIONS FOR FIXED-CAPACITY HIGH-TEMPERATURE INDOOR MATCHED PAIR OR SINGLE-PACKAGED REFRIGERATION SYSTEMS

Test description	Unit cooler air entering dry-bulb, °F	Unit cooler air entering relative humidity, %[1]	Condenser air entering dry-bulb, °F	Condenser air entering wet-bulb, deg;F	Compressor status	Test objective
Off-Cycle Power.	55	55	.....	.....	Compressor Off ...	Measure total input wattage during compressor off-cycle, ($\dot{E}_{cu,off}$ + $\dot{E}F_{comp,off}$).[2]
Refrigeration Capacity A.	55	55	90	[3]75, [4]65	Compressor On ...	Determine Net Refrigeration Capacity of Unit Cooler, input power, and EER at Test Condition.

Notes:

[1] The test condition tolerance (maximum permissible variation of the average value of the measurement from the specified test condition) for relative humidity is 3%.

[2] Measure off-cycle power as described in sections C3 and C4.2 of AHRI 1250–2020.

[3] Required only for evaporative condensing units (e.g., incorporates a slinger ring).

[4] Maximum allowable value for Single-Packaged Systems that do not use evaporative Dedicated Condensing Units, where all or part of the equipment is located in the outdoor room.

TABLE 3—TEST OPERATING CONDITIONS FOR FIXED-CAPACITY HIGH-TEMPERATURE OUTDOOR MATCHED-PAIR OR SINGLE-PACKAGED REFRIGERATION SYSTEMS

Test description	Unit cooler air entering dry-bulb, deg;F	Unit cooler air entering relative humidity, %[1]	Condenser air entering dry-bulb, deg;F	Condenser air entering wet-bulb, deg;F	Compressor status	Test objective
Refrigeration Capacity A.	55	55	95	[3]75, [4]68	Compressor On ...	Determine Net Refrigeration Capacity of Unit Cooler, input power, and EER at Test Condition.
Off-Cycle Power, Capacity A.	55	55	95	[3]75, [4]68	Compressor Off ...	Measure total input wattage during compressor off-cycle, ($\dot{E}_{cu,off}$ + $\dot{E}F_{comp,off}$) [2].
Refrigeration Capacity B.	55	55	59	[3]54, [4]46	Compressor On ...	Determine Net Refrigeration Capacity of Unit Cooler and system input power at moderate condition.

TABLE 3—TEST OPERATING CONDITIONS FOR FIXED-CAPACITY HIGH-TEMPERATURE OUTDOOR MATCHED-PAIR OR SINGLE-PACKAGED REFRIGERATION SYSTEMS—Continued

Test description	Unit cooler air entering dry-bulb, deg;F	Unit cooler air entering relative humidity, % [1]	Condenser air entering dry-bulb, deg;F	Condenser air entering wet-bulb, deg;F	Compressor status	Test objective
Off-Cycle Power, Capacity B.	55	55	59	[3] 54, [4] 46	Compressor Off ...	Measure total input wattage during compressor off-cycle, ($\dot{E}_{cu,off}$ + $\dot{E}F_{comp,off}$) [2].
Refrigeration Capacity C.	55	55	35	[3] 34, [4] 29	Compressor On ...	Determine Net Refrigeration Capacity of Unit Cooler and system input power at cold condition.
Off-Cycle Power, Capacity C.	55	55	35	[3] 34, [4] 29	Compressor Off ...	Measure total input wattage during compressor off-cycle, ($\dot{E}_{cu,off}$ + $\dot{E}F_{comp,off}$) [2].

Notes:

[1] The test condition tolerance (maximum permissible variation of the average value of the measurement from the specified test condition) for relative humidity is 3%.

[2] Measure off-cycle power as described in sections C3 and C4.2 of AHRI 1250–2020.

[3] Required only for evaporative condensing units (*e.g.,* incorporates a slinger ring).

[4] Maximum allowable value for Single-Packaged Systems that do not use evaporative Dedicated Condensing Units, where all or part of the equipment is located in the outdoor room.

TABLE 4—TEST OPERATING CONDITIONS FOR HIGH-TEMPERATURE UNIT COOLERS

Test description	Unit cooler air entering dry-bulb, °F	Unit cooler air entering relative humidity, % [1]	Suction dew point temp, °F [3 4]	Liquid inlet bubble point temperature, deg;F	Liquid inlet subcooling, deg;F	Compressor status	Test objective
Off-Cycle	55	55	.....	105	9	Compressor Off	Measure unit cooler input wattage during compressor off-cycle, $\dot{E}F_{comp,off}$. [2]
Refrigeration Capacity	55	55	38	105	9	Compressor On	Determine Net Refrigeration Capacity of Unit Cooler, input power, and EER at Test Condition.

Notes:

[1] The test condition tolerance (maximum permissible variation of the average value of the measurement from the specified test condition) for relative humidity is 3%.

[2] Measure off-cycle power as described in sections C3 and C4.2 of AHRI 1250–2020.

[3] Superheat shall be set as indicated in the installation instructions. If no superheat specification is given a default superheat value of 6.5 °F shall be used.

[4] Suction Dew Point shall be measured at the Unit Cooler Exit.

3.2.2 Test Operating Conditions for CO_2 Unit Coolers

For medium-temperature CO_2 Unit Coolers, conduct tests using the test conditions specified in table 5 of this appendix. For low-temperature CO_2 Unit Coolers, conduct tests using the test conditions specified in table 6 of this appendix.

TABLE 5—TEST OPERATING CONDITIONS[1] FOR MEDIUM-TEMPERATURE CO_2 UNIT COOLERS

Test title	Unit cooler air entering dry-bulb, deg;F	Unit cooler air entering relative humidity, %	Suction dew point temp,[3] deg;F	Liquid inlet bubble point temperature, deg;F	Liquid inlet subcooling, deg;F	Compressor operating mode	Test objective
Off-Cycle Power	35	<50	.....	.....	.....	Compressor Off ...	Measure unit cooler input wattage during compressor off-cycle, $\dot{E}F_{comp,off}$[2].
Refrigeration Capacity, Ambient Condition A.	35	<50	25	38	5	Compressor On ...	Determine Net Refrigeration Capacity of Unit Cooler, $\dot{q}_{mix,rack}$

Notes:
[1] Superheat shall be set as indicated in the installation instructions. If no superheat specification is given a default superheat value of 6.5 °F shall be used.
[2] Measure off-cycle power as described in sections C3 and C4.2 of AHRI 1250–2020.
[3] Suction Dew Point shall be measured at the Unit Cooler Exit conditions.

TABLE 6—TEST OPERATING CONDITIONS FOR LOW-TEMPERATURE CO_2 UNIT COOLERS

Test title	Unit cooler air entering dry-bulb, °F	Unit cooler air entering relative humidity, %	Suction dew point temp,[2] °F	Liquid inlet bubble point temperature, deg;F	Liquid inlet subcooling, °F	Compressor operating mode	Test objective
Off-Cycle Power	−10	<50	.....	.....	.....	Compressor Off ...	Measure unit cooler input wattage during compressor off-cycle, $\dot{E}F_{comp,off}$.[2]
Refrigeration Capacity, Ambient Condition A.	−10	<50	−20	38	5	Compressor On ...	Determine Net Refrigeration Capacity of Unit Cooler, $\dot{q}_{mix,rack}$.
Defrost	−10	<50	.....	.....	.....	Compressor Off ...	Test according to Appendix C Section C10 of AHRI 1250–2020, $\dot{D}F$,$\dot{Q}_{DF}$.

Notes:
[1] Superheat shall be set as indicated in the installation instructions. If no superheat specification is given a default superheat value of 6.5 °F shall be used.
[2] Measure off-cycle power as described in sections C3 and C4.2 of AHRI 1250–2020.
[3] Suction Dew Point shall be measured at the Unit Cooler Exit conditions.

3.2.3 Test Operating Conditions for Two-Capacity Condensing Units Tested Alone

For two-capacity medium-temperature outdoor condensing units tested alone, conduct tests using the test conditions specified in table 7 of this appendix. For two-capacity medium-temperature indoor condensing units tested alone, conduct tests using the test conditions specified in table 8 of this appendix. For two-capacity low-temperature outdoor condensing units tested alone, conduct tests using the test conditions specified in table 9 of this appendix. For two-capacity low-temperature indoor condensing units tested alone, conduct tests using the test conditions specified in table 10 of this appendix.

TABLE 7—TEST OPERATING CONDITIONS FOR TWO-CAPACITY MEDIUM-TEMPERATURE OUTDOOR DEDICATED CONDENSING UNITS

Test description	Suction dew point, °F	Return gas, °F	Condenser air entering dry-bulb, °F	Condenser air entering wet-bulb, °F [1]	Compressor status
Capacity, Condition A, Low Capacity.	24	41	95	75	Low Capacity, k=1.
Capacity, Condition A, High Capacity.	23	41	95	75	High Capacity, k=2.
Off-Cycle, Condition A.	.....	.....	95	75	Off.
Capacity, Condition B, Low Capacity.	24	41	59	54	Low Capacity, k=1.
Capacity, Condition B, High Capacity.	23	.....	59	54	High Capacity, k=2.
Off-Cycle, Condition B.	.....	.....	59	54	Off.
Capacity, Condition C, Low Capacity.	24	41	35	34	Low Capacity, k=1.
Capacity, Condition C, High Capacity.	23	41	35	34	High Capacity, k=2.
Off-Cycle, Condition C.	.....	.....	35	34	Off.

Notes:
[1] Required only for evaporative condensing units (e.g., incorporates a slinger ring).

TABLE 8—TEST OPERATING CONDITIONS FOR TWO-CAPACITY MEDIUM-TEMPERATURE INDOOR DEDICATED CONDENSING UNITS

Test description	Suction dew point, °F	Return gas, °F	Condenser air entering dry-bulb, °F	Condenser air entering wet-bulb, °F [1]	Compressor status
Capacity, Condition A, Low Capacity.	24	41	90	75	Low Capacity, k=1.
Capacity, Condition A, High Capacity.	23	41	90	75	High Capacity, k=2.
Off-Cycle, Condition A	.....	.....	90	75	Off.

Notes:
[1] Required only for evaporative condensing units (e.g., incorporates a slinger ring).

TABLE 9—TEST OPERATING CONDITIONS FOR TWO-CAPACITY LOW-TEMPERATURE OUTDOOR DEDICATED CONDENSING UNITS

Test title	Suction dew point, deg;F	Return gas, deg;F	Condenser air entering dry-bulb, deg;F	Condenser air entering wet-bulb, deg;F [1]	Compressor operating mode
Capacity, Condition A, Low Capacity.	−22	5	95	75	Low Capacity, k=1.
Capacity, Condition A, High Capacity.	−22	5	95	75	High Capacity, k=2.
Off-Cycle, Condition A	.....	.....	95	75	Compressor Off.
Capacity, Condition B, Low Capacity.	−22	5	59	54	Low Capacity, k=1.
Capacity, Condition B, High Capacity.	−22	5	59	54	High Capacity, k=2.

TABLE 9—TEST OPERATING CONDITIONS FOR TWO-CAPACITY LOW-TEMPERATURE OUTDOOR DEDICATED CONDENSING UNITS—Continued

Test title	Suction dew point, deg;F	Return gas, deg;F	Condenser air entering dry-bulb, deg;F	Condenser air entering wet-bulb, deg;F [1]	Compressor operating mode
Off-Cycle, Condition B	.....	.....	59	54	Compressor Off.
Capacity, Condition C, Low Capacity.	−22	5	35	34	Low Capacity, k=1.
Capacity, Condition C, High Capacity.	−22	5	35	34	High Capacity, k=2.
Off-Cycle, Condition C	.....	.....	35	34	Compressor Off.

Notes:
[1] Required only for evaporative condensing units (*e.g.,* incorporates a slinger ring).

TABLE 10—TEST OPERATING CONDITIONS FOR TWO-CAPACITY LOW-TEMPERATURE INDOOR DEDICATED CONDENSING UNITS

Test title	Suction dew point, °F	Return gas, °F	Condenser air entering dry-bulb, °F	Condenser air entering wet-bulb, °F [1]	Compressor operating mode
Capacity, Condition A, Low Capacity.	−22	5	90	75	Low Capacity, k=1.
Capacity, Condition A, High Capacity.	−22	5	90	75	High Capacity, k=2.
Off-Cycle, Condition A	.....	.....	90	75	Compressor Off.

Notes:
[1] Required only for evaporative condensing units (e.g., incorporates a slinger ring).

3.2.4 Test Operating Conditions for Variable- or Multiple-Capacity Condensing Units Tested Alone

For variable-capacity or multiple-capacity outdoor medium-temperature condensing units tested alone, conduct tests using the test conditions specified in table 11 of this appendix. For variable-capacity or multiple-capacity indoor medium-temperature condensing units tested alone, conduct tests using the test conditions specified in table 12 of this appendix. For variable-capacity or multiple-capacity outdoor low-temperature condensing units tested alone, conduct tests using the test conditions specified in table 13 of this appendix. For variable-capacity or multiple-capacity indoor low-temperature condensing units tested alone, conduct tests using the test conditions specified in table 14 of this appendix.

TABLE 11—TEST OPERATING CONDITIONS FOR VARIABLE- OR MULTIPLE-CAPACITY MEDIUM-TEMPERATURE OUTDOOR DEDICATED CONDENSING UNITS

Test description	Suction dew point, °F	Return gas, °F	Condenser air entering dry-bulb, °F	Condenser air entering wet-bulb, °F [1]	Compressor status
Capacity, Condition A, Minimum Capacity.	24	41	95	75	Minimum Capacity, k=1.
Capacity, Condition A, Intermediate Capacity.	24	41	95	75	Intermediate Capacity, k=i.
Capacity, Condition A, Maximum Capacity.	23	41	95	75	Maximum Capacity, k=2
Off-Cycle, Condition A	.....	.....	95	75	Off.
Capacity, Condition B, Minimum Capacity.	24	41	59	54	Minimum Capacity, k=1.
Capacity, Condition B, Intermediate Capacity.	24	41	59	54	Intermediate Capacity, k=i.
Capacity, Condition B, Maximum Capacity.	23	41	59	54	Maximum Capacity, k=2.
Off-Cycle, Condition B	.....	.....	59	54	Off.
Capacity, Condition C, Minimum Capacity.	24	41	35	34	Minimum Capacity, k=1.
Capacity, Condition C, Intermediate Capacity.	24	41	35	34	Intermediate Capacity, k=i.
Capacity, Condition C, Maximum Capacity.	23	41	35	34	Maximum Capacity, k=2.

TABLE 11—TEST OPERATING CONDITIONS FOR VARIABLE- OR MULTIPLE-CAPACITY MEDIUM-TEMPERATURE OUTDOOR DEDICATED CONDENSING UNITS—Continued

Test description	Suction dew point, °F	Return gas, °F	Condenser air entering dry-bulb, °F	Condenser air entering wet-bulb, °F [1]	Compressor status
Off-Cycle, Condition C	.....	.....	35	34	Off.

Notes:
[1] Required only for evaporative condensing units (e.g., incorporates a slinger ring).

TABLE 12—TEST OPERATING CONDITIONS FOR VARIABLE- OR MULTIPLE-CAPACITY MEDIUM-TEMPERATURE INDOOR DEDICATED CONDENSING UNITS

Test description	Suction dew point, °F	Return gas, °F	Condenser air entering dry-bulb, °F	Condenser air entering wet-bulb, °F [1]	Compressor status
Capacity, Condition A, Minimum Capacity.	24	41	90	75	Minimum Capacity, k=1.
Capacity, Condition A, Intermediate Capacity.	24	41	90	75	Intermediate Capacity, k=i.
Capacity, Condition A, Maximum Capacity.	23	41	90	75	Maximum Capacity, k=2.
Off-Cycle, Condition A	.....	.....	90	75	Off.

Notes:
[1] Required only for evaporative condensing units (e.g., incorporates a slinger ring).

TABLE 13—TEST OPERATING CONDITIONS FOR VARIABLE- OR MULTIPLE-CAPACITY LOW-TEMPERATURE OUTDOOR DEDICATED CONDENSING UNITS

Test title	Suction dew point, deg;F	Return gas, deg;F	Condenser air entering dry-bulb, deg;F	Condenser air entering wet-bulb, deg;F [1]	Compressor operating mode
Capacity, Condition A, Minimum Capacity.	−22	5	95	75	Minimum Capacity, k=1.
Capacity, Condition A, Intermediate Capacity.	−22	5	95	75	Intermediate Capacity, k=i.
Capacity, Condition A, Maximum Capacity.	−22	5	95	75	Maximum Capacity, k=2.
Off-Cycle, Condition A	.....	.....	95	75	Compressor Off.
Capacity, Condition B, Minimum Capacity.	−22	5	59	54	Minimum Capacity, k=1.
Capacity, Condition B, Intermediate Capacity.	−22	5	59	54	Intermediate Capacity, k=i.
Capacity, Condition B, Maximum Capacity.	−22	5	59	54	Maximum Capacity, k=2.
Off-Cycle, Condition B	.....	.....	59	54	Compressor Off.
Capacity, Condition C, Minimum Capacity.	−22	5	35	34	Minimum Capacity, k=1.
Capacity, Condition C, Intermediate Capacity.	−22	5	35	34	Intermediate Capacity, k=i.
Capacity, Condition C, Maximum Capacity.	−22	5	35	34	Maximum Capacity, k=2.
Off-Cycle, Condition C	.....	.....	35	34	Compressor Off.

Notes:
[1] Required only for evaporative condensing units (*e.g.,* incorporates a slinger ring).

TABLE 14—TEST OPERATING CONDITIONS FOR VARIABLE- OR MULTIPLE-CAPACITY LOW-TEMPERATURE INDOOR DEDICATED CONDENSING UNITS

Test title	Suction dew point, deg;F	Return gas, deg;F	Condenser air entering dry-bulb, deg;F	Condenser air entering wet-bulb, deg;F [1]	Compressor operating mode
Capacity, Condition A, Minimum Capacity.	−22	5	90	75	Minimum Capacity, k=1.
Capacity, Condition A, Intermediate Capacity.	−22	5	90	75	Intermediate Capacity, k=i.
Capacity, Condition A, Maximum Capacity.	−22	5	90	75	Maximum Capacity, k=2.

TABLE 14—TEST OPERATING CONDITIONS FOR VARIABLE- OR MULTIPLE-CAPACITY LOW-TEMPERATURE INDOOR DEDICATED CONDENSING UNITS—Continued

Test title	Suction dew point, deg;F	Return gas, deg;F	Condenser air entering dry-bulb, deg;F	Condenser air entering wet-bulb, deg;F [1]	Compressor operating mode
Off-Cycle, Condition A	.....	.....	90	75	Compressor Off.

Notes:
[1] Required only for evaporative condensing units (*e.g.,* incorporates a slinger ring).

3.2.5 Test Operating Conditions for Two-Capacity Indoor Matched-Pair or Single-Packaged Refrigeration Systems

For two-capacity indoor medium-temperature matched-pair or single-packaged refrigeration systems, conduct tests using the test conditions specified in table 15 of this appendix. For two-capacity indoor low-temperature matched-pair or single-packaged refrigeration systems, conduct tests using the test conditions specified in table 16 of this appendix.

TABLE 15—TEST OPERATING CONDITIONS FOR TWO-CAPACITY MEDIUM-TEMPERATURE INDOOR MATCHED-PAIR OR SINGLE-PACKAGED REFRIGERATION SYSTEMS

Test description	Unit cooler air entering dry-bulb, °F	Unit cooler air entering relative humidity, %	Condenser air entering dry-bulb, °F	Condenser air entering wet-bulb, °F	Compressor status
Capacity, Condition A, Low Capacity.	35	<50	90	[1] 75, [2] 65	Low Capacity.
Capacity, Condition A, High Capacity.	35	<50	90	[1] 75, [2] 65	High Capacity.
Off-Cycle, Condition A	35	<50	90	[1] 75, [2] 65	Off.

Notes:
[1] Required only for evaporative condensing units (e.g., incorporates a slinger ring).
[2] Maximum allowable value for Single-Packaged Systems that do not use evaporative Dedicated Condensing Units, where all or part of the equipment is located in the outdoor room.

TABLE 16—TEST OPERATING CONDITIONS FOR TWO CAPACITY LOW-TEMPERATURE INDOOR MATCHED-PAIR OR SINGLE-PACKAGED REFRIGERATION SYSTEMS

Test description	Unit cooler air entering dry-bulb, °F	Unit cooler air entering relative humidity, %	Condenser air entering dry-bulb, °F	Maximum condenser air entering wet-bulb, °F	Compressor status
Capacity, Condition A, Low Capacity.	−10	<50	90	[1] 75, [2]65	Low Capacity.
Capacity, Condition A, High Capacity.	−10	<50	90	[1] 75, [2] 65	High Capacity.
Off-Cycle, Condition A	−10	<50	90	[1] 75, [2] 65	Off.
Defrost	−10	<50	.....	.....	System Dependent.

Notes:
[1] Required only for evaporative condensing units (e.g., incorporates a slinger ring).
[2] Maximum allowable value for Single-Packaged Systems that do not use evaporative Dedicated Condensing Units, where all or part of the equipment is located in the outdoor room.

3.2.6 Test Conditions for Variable- or Multiple-Capacity Indoor Matched Pair or Single-Packaged Refrigeration Systems

For variable- or multiple-capacity indoor medium-temperature matched-pair or single-packaged refrigeration systems, conduct tests using the test conditions specified in table 17 of this appendix. For variable- or multiple-capacity indoor low-temperature matched-pair or single-packaged refrigeration systems, conduct tests using the test conditions specified in table 18 of this appendix.

TABLE 17—TEST OPERATING CONDITIONS FOR VARIABLE- OR MULTIPLE-CAPACITY MEDIUM-TEMPERATURE INDOOR MATCHED-PAIR OR SINGLE-PACKAGED REFRIGERATION SYSTEMS

Test description	Unit cooler air entering dry-bulb, °F	Unit cooler air entering relative humidity, %	Condenser air entering dry-bulb, °F	Condenser air entering wet-bulb, °F	Compressor status
Capacity, Condition A, Minimum Capacity.	35	<50	90	[1] 75, [2] 65	Minimum Capacity.
Capacity, Condition A, Intermediate Capacity.	35	<50	90	[1] 75, [2] 65	Intermediate Capacity.
Capacity, Condition A, High Capacity.	35	<50	90	[1] 75, [1] 65	Maximum Capacity.
Off-Cycle, Condition A	35	<50	90	[1] 75, [2] 65	Off.

Notes:
[1] Required only for evaporative condensing units (e.g., incorporates a slinger ring).
[2] Maximum allowable value for Single-Packaged Systems that do not use evaporative Dedicated Condensing Units, where all or part of the equipment is located in the outdoor room.

TABLE 18—TEST OPERATING CONDITIONS FOR VARIABLE- OR MULTIPLE-CAPACITY LOW-TEMPERATURE INDOOR MATCHED-PAIR OR SINGLE-PACKAGED REFRIGERATION SYSTEMS

Test description	Unit cooler air entering dry-bulb, °F	Unit cooler air entering relative humidity, %	Condenser air entering dry-bulb, °F	Maximum condenser air entering wet-bulb, °F	Compressor status
Capacity, Condition A, Minimum Capacity.	−10	<50	90	[1] 75, [2] 65	Minimum Capacity.
Capacity, Condition A, Intermediate Capacity.	−10	<50	90	[1] 75, [2] 65	Intermediate Capacity.
Capacity, Condition A, Maximum Capacity.	−10	<50	90	[1] 75, [2] 65	Maximum Capacity.
Off-Cycle, Condition A	−10	<50	90	[1] 75, [2] 65	Off.
Defrost	−10	<50	.....	.....	System Dependent.

Notes:
[1] Required only for evaporative condensing units (e.g., incorporates a slinger ring).
[2] Maximum allowable value for Single-Packaged Systems that do not use evaporative Dedicated Condensing Units, where all or part of the equipment is located in the outdoor room.

3.3 Calculation for Walk-in Box Load

3.3.1 For medium- and low-temperature refrigeration systems with indoor condensing units, calculate walk-in box loads for high and low load periods as a function of net capacity as described in section 6.2.1 of AHRI 1250–2020.

3.3.2 For medium- and low-temperature refrigeration systems with outdoor condensing units, calculate walk-in box loads for high and low load periods as a function of net capacity and outdoor temperature as described in section 6.2.2 of AHRI 1250–2020.

3.3.3 For high-temperature refrigeration systems, calculate walk-in box load as follows.

$$\dot{B}L = 0.5 \cdot \dot{q}_{ss,A}$$

Where $\dot{q}_{ss,A}$ is the measured net capacity for Test Condition A.

3.4 Calculation for Annual Walk-in Energy Factor (AWEF2)

Calculations used to determine AWEF2 based on performance data obtained for testing shall be as specified in section 7 of AHRI 1250–2020 with modifications as indicated in sections 3.4.7 through 3.4.10 of this appendix. Calculations used to determine AWEF2 for refrigeration systems not specifically identified in sections 7.1.1 through 7.1.6 of AHRI 1250–2020 are enumerated in sections 3.4.1 through 3.4.6 and 3.4.11 through 3.4.14 of this appendix.

3.4.1 Two-Capacity Condensing Units Tested Alone, Indoor

3.4.1.1 Unit Cooler Power

Calculate maximum-capacity unit cooler power during the compressor on period $\dot{E}F_{comp,on}$, in Watts, using Equation 130 of AHRI 1250–2020 for medium-temperature refrigeration systems and using Equation 173 of AHRI 1250–2020 for low-temperature refrigeration systems.

Calculate unit cooler power during the compressor off period $\dot{E}F_{comp,off}$, in Watts, as 20 percent of the maximum-capacity unit cooler power during the compressor on period.

3.4.1.2 Defrost

For freezer refrigeration systems, calculate defrost heat contribution $\dot{Q}_{DF}$ in Btu/h and the defrost average power consumption $\dot{D}F$ in W as a function of steady-state maximum gross refrigeration capacity $\dot{Q}_{gross}{}^{k=2}$, as

specified in section C10.2.2 of Appendix C of AHRI 1250–2020.

3.4.1.3 Net Capacity

Calculate steady-state maximum net capacity, $\dot{q}_{ss}^{k=2}$, and minimum net capacity, $\dot{q}_{ss}^{k=1}$ as follows:

$\dot{q}_{ss}^{k=2} = \dot{Q}_{gross}^{k=2} - 3412 \cdot \dot{EF}_{comp,on}$

$\dot{q}_{ss}^{k=1} = \dot{Q}_{gross}^{k=1} - 3412 \cdot 0.2 \cdot \dot{EF}_{comp,on}$

Where:

$\dot{Q}_{gross}^{k=2}$ and $\dot{Q}_{gross}^{k=1}$ represent gross refrigeration capacity at maximum and minimum capacity, respectively.

3.4.1.4 Calculate average power input during the low load period as follows.

If the low load period box load, $B\dot{L}L$, plus defrost heat contribution, $\dot{Q}_{DF}$ (only applicable for freezers), is less than the minimum net capacity $\dot{q}_{ss}^{k=1}$:

$$LFL^{k=1} = \frac{B\dot{L}L + 3.412 \cdot \dot{EF}_{comp,off} + \dot{Q}_{DF}}{\dot{q}_{ss}^{k=1} + 3.412 \cdot \dot{EF}_{comp,off}}$$

$$\dot{E}_L = \left(\dot{E}_{ss}^{k=1} + 0.2 \cdot \dot{EF}_{comp,on}\right) * LFL^{k=1} + \left(\dot{EF}_{comp,off} + \dot{E}_{cu,off}\right) * \left(1 - LFL^{k=1}\right)$$

Where:

$\dot{E}_{ss}^{k=1}$ is the steady state condensing unit power input for minimum-capacity operation.

$\dot{E}_{cu,off}$ is the condensing unit off-cycle power input, measured as described in section C3.5 of AHRI 1250–2020.

If the low load period box load, $B\dot{L}L$, plus defrost heat contribution, $\dot{Q}_{DF}$, (only applicable for freezers) is greater than the minimum net capacity $\dot{q}_{ss}^{k=1}$:

$$LFL^{k=1} = \frac{\dot{q}_{ss}^{k=2} - (B\dot{L}L + \dot{Q}_{DF})}{\dot{q}_{ss}^{k=2} - \dot{q}_{ss}^{k=1}}$$

$$LFL^{k=2} = 1 - LFL^{k=1}$$

$$\dot{E}_L = \left(\dot{E}_{ss}^{k=1} + 0.2 \cdot \dot{EF}_{comp,on}\right) * LFL^{k=1} + \left(\dot{E}_{ss}^{k=2} + \dot{EF}_{comp,on}\right) * LFL^{k=2}$$

3.4.1.5 Calculate average power input during the high load period as follows.

$$LFH^{k=1} = \frac{\dot{q}_{ss}^{k=2} - (B\dot{L}H + \dot{Q}_{DF})}{\dot{q}_{ss}^{k=2} - \dot{q}_{ss}^{k=1}}$$

$$LFH^{k=2} = 1 - LFH^{k=1}$$

$$\dot{E}_H = \left(\dot{E}_{ss}^{k=1} + 0.2 \cdot \dot{EF}_{comp,on}\right) * LFH^{k=1} + \left(\dot{E}_{ss}^{k=2} + \dot{EF}_{comp,on}\right) * LFH^{k=2}$$

3.4.1.6 Calculate the AWEF2 as follows:

$$AWEF2 = \frac{0.33 \cdot B\dot{L}H + 0.67 \cdot B\dot{L}L}{0.33 \cdot \dot{E}_H + 0.67 \cdot \dot{E}_L + \dot{D}F}$$

3.4.2 Variable-Capacity or Multistage Condensing Units Tested Alone, Indoor

3.4.2.1 Unit Cooler Power

Calculate maximum-capacity unit cooler power during the compressor on period $\dot{E}F_{comp,on}$ as described in section 3.4.1.1 of this appendix.

Calculate unit cooler power during the compressor off period $\dot{E}F_{comp,off}$, in Watts, as 20 percent of the maximum-capacity unit cooler power during the compressor on period.

3.4.2.2 Defrost

Calculate Defrost parameters as described in section 4.4.1.2 of this appendix.

3.4.2.3 Net Capacity

Calculate steady-state maximum net capacity, $\dot{q}_{ss}^{k=2}$, intermediate net capacity, $\dot{q}_{ss}^{k=i}$, and minimum net capacity, $\dot{q}_{ss}^{k=1}$ as follows:

$\dot{q}_{ss}^{k=2} = \dot{Q}_{gross}^{k=2} - 3412 \cdot \dot{E}F_{comp,on}$

$\dot{q}_{ss}^{k=2} = \dot{Q}_{gross}^{k=2} - 3412 \cdot K_f \cdot \dot{E}F_{comp,on}$

$\dot{q}_{ss}^{k=1} = \dot{Q}_{gross}^{k=1} - 3412 \cdot 0.2 \cdot \dot{E}F_{comp,on}$

Where:

$\dot{Q}_{gross}^{k=2}$, $\dot{Q}_{gross}^{k=i}$, $\dot{Q}_{gross,}^{k=1}$, and represent gross refrigeration capacity at maximum, intermediate, and minimum capacity, respectively.

K_f is the unit cooler power coefficient for intermediate capacity operation, set equal to 0.2 to represent low-speed fan operation if the Duty Cycle for a Digital Compressor, the Speed Ratio for a Variable-Speed Compressor, or the Displacement Ratio for a Multi-Stage Compressor at Intermediate Capacity is 65% or less, and otherwise set equal to 1.0.

3.4.2.4 Calculate average power input during the low load period as follows.

If the low load period box load, $B\dot{L}L$, plus defrost heat contribution $\dot{Q}_{DF}$ (only applicable for freezers) is less than the minimum net capacity $\dot{q}_{ss}^{k=1}$:

$$LFL^{k=1} = \frac{B\dot{L}L + 3.412 \cdot \dot{E}F_{comp,off} + \dot{Q}_{DF}}{\dot{q}_{ss}^{k=1} + 3.412 \cdot \dot{E}F_{comp,off}}$$

$$\dot{E}_L = \left(\dot{E}_{ss}^{k=1} + 0.2 \cdot \dot{E}F_{comp,on}\right) * LFL^{k=1} + \left(\dot{E}F_{comp,off} + \dot{E}_{cu,off}\right) * \left(1 - LFL^{k=1}\right)$$

Where $\dot{E}_{cu,off}$, in W, is the condensing unit off-mode power consumption, measured as described in section C3.5 of AHRI 1250–2020.

If the low load period box load $B\dot{L}L$ plus defrost heat contribution $\dot{Q}_{DF}$ (only applicable for freezers) is greater than the minimum net capacity $\dot{q}_{ss}^{k=1}$ and less than the intermediate net capacity $\dot{q}_{ss}^{k=i}$:

$$EER_L = EER^{k=1} + \left(EER^{k=i} - EER^{k=1}\right) \frac{\left(B\dot{L}L + \dot{Q}_{DF}\right) - \dot{q}_{ss}^{k=1}}{\dot{q}_{ss}^{k=i} - \dot{q}_{ss}^{k=1}}$$

$$\dot{E}_L = \frac{B\dot{L}L + \dot{Q}_{DF}}{EER_L}$$

Where:

$EER^{k=1}$ is the minimum-capacity energy efficiency ratio, equal to $\dot{q}_{ss}{}^{k=1}$ divided by $\dot{E}_{ss}{}^{k=1} + 0.2 \cdot \dot{E}F_{comp,on}$; and

$EER^{k=i}$ is the intermediate-capacity energy efficiency ratio, equal to $\dot{q}_{ss}{}^{k=i}$ divided by $\dot{E}_{ss}{}^{k=i} + K_f \cdot \dot{E}F_{comp,on}$.

3.4.2.5 Calculate average power input during the high load period as follows:

If the high load period box load, $B\dot{L}H$, plus defrost heat contribution, $\dot{Q}_{DF}$ (only applicable for freezers), is greater than the minimum net capacity $\dot{q}_{ss}{}^{k=1}$ and less than the intermediate net capacity $\dot{q}_{ss}{}^{k=i}$:

$$EER_H = EER^{k=1} + \left(EER^{k=i} - EER^{k=1}\right) \frac{(B\dot{L}H + \dot{Q}_{DF}) - \dot{q}_{ss}^{k=1}}{\dot{q}_{ss}^{k=i} - \dot{q}_{ss}^{k=1}}$$

$$\dot{E}_H = \frac{B\dot{L}H + \dot{Q}_{DF}}{EER_H}$$

If the high load period box load, $B\dot{L}H$, plus defrost heat contribution, $\dot{Q}_{DF}$ (only applicable for freezers), is greater than the intermediate net capacity, $\dot{q}_{ss}{}^{k=i}$, and less than the maximum net capacity, $\dot{q}_{ss}{}^{k=2}$:

$$EER_H = EER^{k=i} + \left(EER^{k=2} - EER^{k=i}\right) \frac{(B\dot{L}H + \dot{Q}_{DF}) - \dot{q}_{ss}^{k=i}}{\dot{q}_{ss}^{k=2} - \dot{q}_{ss}^{k=i}}$$

$$\dot{E}_H = \frac{B\dot{L}H + \dot{Q}_{DF}}{EER_H}$$

Where:

$EER^{k=2}$ is the maximum-capacity energy efficiency ratio, equal to $\dot{q}_{ss}{}^{k=2}$ divided by $\dot{E}_{ss}{}^{k=2} + \dot{E}F_{comp,on}$

3.4.2.6 Calculate the AWEF2 as follows.

$$AWEF2 = \frac{0.33 \cdot B\dot{L}H + 0.67 \cdot B\dot{L}L}{0.33 \cdot \dot{E}_H + 0.67 \cdot \dot{E}_L + \dot{DF}}$$

3.4.3 Two-Capacity Condensing Units Tested Alone, Outdoor

3.4.3.1 Unit Cooler Power

Calculate maximum-capacity unit cooler power during the compressor on period $\dot{E}F_{comp,on}$, in Watts, using Equation 153 of AHRI 1250–2020 for medium-temperature refrigeration systems and using Equation 196 of AHRI 1250–2020 for low-temperature refrigeration systems.

Calculate unit cooler power during the compressor off period $\dot{E}F_{comp,off}$, in Watts, as 20 percent of the maximum-capacity unit cooler power during the compressor on period.

3.4.3.2 Defrost

Calculate Defrost parameters as described in section 3.4.1.2 of this appendix.

3.4.3.3 Condensing Unit Off-Cycle Power

Calculate Condensing Unit Off-Cycle Power for temperature t_j as follows.

$$\dot{E}_{cu,off}(t_j) = \begin{cases} \dot{E}_{cu,off,A} & if\ t_j \geq 95\ °\text{F} \\ See\ note\ below & if\ 35\ °F < t_j < 95°\text{F} \\ \dot{E}_{cu,off,C} & if\ t_j \leq 35°\text{F} \end{cases}$$

Where $\dot{E}_{cu,off,A}$ and $\dot{E}_{cu,off,C}$ are the Condensing Unit off-cycle power measurements for test conditions A and C, respectively, measured as described in section C3.5 of AHRI 1250–2020. If t_j is greater than 35 °F and less than 59 °F, use Equation 157 of AHRI 1250–2020, and if t_j is greater than or equal to 59 °F and less than 95 °F, use Equation 159 of AHRI 1250–2020.

3.4.3.4 Net Capacity and Condensing Unit Power Input

Calculate steady-state maximum net capacity, $\dot{q}_{ss}^{k=2}(t_j)$, and minimum net capacity, $\dot{q}_{ss}^{k=1}(t_j)$, and corresponding condensing unit power input levels $\dot{E}_{ss}^{k=2}(t_j)$ and $\dot{E}_{ss}^{k=1}(t_j)$ as a function of outdoor temperature t_j as follows:

If $t_j \leq 59$ °F:

$$\dot{q}_{ss}^{k=2}(t_j) = \dot{Q}_{gross,C}^{k=2} + \left(\dot{Q}_{gross,B}^{k=2} - \dot{Q}_{gross,C}^{k=2}\right)\frac{t_j - 35}{59 - 35} - 3.412 \cdot \dot{EF}_{comp,on}$$

$$\dot{q}_{ss}^{k=1}(t_j) = \dot{Q}_{gross,C}^{k=1} + \left(\dot{Q}_{gross,B}^{k=1} - \dot{Q}_{gross,C}^{k=1}\right)\frac{t_j - 35}{59 - 35} - 3.412 \cdot 0.2 \cdot \dot{EF}_{comp,on}$$

$$\dot{E}_{ss}^{k}(t_j) = \dot{E}_{ss,C}^{k} + \left(\dot{E}_{ss,B}^{k} - \dot{E}_{ss,C}^{k}\right)\frac{t_j - 35}{59 - 35}$$

If 59 °F < t_j:

$$\dot{q}_{ss}^{k=2}(t_j) = \dot{Q}_{gross,B}^{k=2} + \left(\dot{Q}_{gross,A}^{k=2} - \dot{Q}_{gross,B}^{k=2}\right)\frac{t_j - 59}{95 - 59} - 3.412 \cdot \dot{EF}_{comp,on}$$

$$\dot{q}_{ss}^{k=1}(t_j) = \dot{Q}_{gross,B}^{k=1} + \left(\dot{Q}_{gross,A}^{k=1} - \dot{Q}_{gross,B}^{k=1}\right)\frac{t_j - 59}{95 - 59} - 3.412 \cdot 0.2 \cdot \dot{EF}_{comp,on}$$

$$\dot{E}_{ss}^{k}(t_j) = \dot{E}_{ss,B}^{k} + \left(\dot{E}_{ss,A}^{k} - \dot{E}_{ss,B}^{k}\right)\frac{t_j - 59}{95 - 59}$$

Where:

The capacity level k can equal 1 or 2;

$\dot{Q}_{gross,X}^{k=2}$ and $\dot{Q}_{gross,X}^{k=1}$ represent gross refrigeration capacity at maximum and minimum capacity, respectively, for test condition X, which can take on values A, B, or C;

$\dot{E}_{ss,X}^{k=2}$ and $\dot{E}_{ss,X}^{k=1}$ represent condensing unit power input at maximum and minimum capacity, respectively for test condition X.

3.4.3.5 Calculate average power input during the low load period as follows.

Calculate the temperature, t_{IL}, in the following equation which the low load period box load, $\dot{BLL}(t_j)$, plus defrost heat contribution, $\dot{Q}_{DF}$ (only applicable for freezers), is less than the minimum net capacity, $\dot{q}_{ss}^{k=1}(t_j)$, by solving the following equation for t_{IL}:

$\dot{BLL}(t_{IL}) + \dot{Q}_{DF} = \dot{q}_{ss}^{k=1}(t_{IL})$

For $t_j < t_{IL}$:

$$LFL^{k=1}(t_j) = \frac{B\dot{L}L(t_j) + 3.412 \cdot \dot{E}F_{comp,off} + \dot{Q}_{DF}}{\dot{q}_{ss}^{k=1}(t_j) + 3.412 \cdot \dot{E}F_{comp,off}}$$

$$\dot{E}_L(t_j) = \left(\dot{E}_{ss}^{k=1}(t_j) + 0.2 \cdot \dot{E}F_{comp,on}\right) * LFL^{k=1}(t_j) +$$

$$\left(\dot{E}F_{comp,off} + \dot{E}_{cu,off}(t_j)\right) * \left(1 - LFL^{k=1}(t_j)\right)$$

Where $\dot{E}_{cu,off}(t_j)$, in W, is the condensing unit off-mode power consumption for temperature t_j, determined as indicated in section 3.4.3.3 of this appendix.

For $t_j \geq t_{IL}$:

$$LFL^{k=1}(t_j) = \frac{\dot{q}_{ss}^{k=2}(t_j) - (B\dot{L}L(t_j) + \dot{Q}_{DF})}{\dot{q}_{ss}^{k=2}(t_j) - \dot{q}_{ss}^{k=1}(t_j)}$$

$$LFL^{k=2}(t_j) = 1 - LFL^{k=1}(t_j)$$

$$\dot{E}_L(t_j) = \left(\dot{E}_{ss}^{k=1}(t_j) + 0.2 \cdot \dot{E}F_{comp,on}\right) * LFL^{k=1}(t_j) + \left(\dot{E}_{ss}^{k=2}(t_j) + \dot{E}F_{comp,on}\right) * LFL^{k=2}(t_j)$$

3.4.3.6 Calculate average power input during the high load period as follows.

Calculate the temperature, t_{IH}, in the following equation which the high load period box load, $B\dot{L}H(t_j)$, plus defrost heat contribution, $\dot{Q}_{DF}$ (only applicable for freezers), is less than the minimum net capacity, $\dot{q}_{ss}{}^{k=1}(t_j)$, by solving the following equation for t_{IH}:

$B\dot{L}H(t_{IH}) + \dot{Q}_{DF} = \dot{q}_{ss}{}^{k=1}(t_{IH})$

Calculate the temperature, t_{IIH}, in the following equation which the high load period box load $B\dot{L}H(t_j)$ plus defrost heat contribution $\dot{Q}_{DF}$ (only applicable for freezers) is less than the maximum net capacity $\dot{q}_{ss}{}^{k=2}(t_j)$, by solving the following equation for t_{IIH}:

$B\dot{L}H(t_{IIH}) + \dot{Q}_{DF} = \dot{q}_{ss}{}^{k=1}(t_{IIH})$

For $t_j < t_{IH}$:

$$LFH^{k=1}(t_j) = \frac{B\dot{L}H(t_j) + 3.412 \cdot \dot{E}F_{comp,off} + \dot{Q}_{DF}}{\dot{q}_{ss}^{k=1}(t_j) + 3.412 \cdot \dot{E}F_{comp,off}}$$

$$\dot{E}_H(t_j) = \left(\dot{E}_{ss}^{k=1}(t_j) + 0.2 \cdot \dot{E}F_{comp,on}\right) * LFH^{k=1}(t_j) +$$

$$\left(\dot{E}F_{comp,off} + \dot{E}_{cu,off}(t_j)\right) * \left(1 - LFH^{k=1}(t_j)\right)$$

For $t_{IH} \leq t_j < t_{IIH}$:

$$LFH^{k=1}(t_j) = \frac{\dot{q}_{ss}^{k=2}(t_j) - (\dot{BLH}(t_j) + \dot{Q}_{DF})}{\dot{q}_{ss}^{k=2}(t_j) - \dot{q}_{ss}^{k=1}(t_j)}$$

$$LFH^{k=2}(t_j) = 1 - LFH^{k=1}(t_j)$$

$$\dot{E}_H(t_j) = \left(\dot{E}_{ss}^{k=1}(t_j) + 0.2 \cdot \dot{EF}_{comp,on}\right) * LFH^{k=1}(t_j) + \left(\dot{E}_{ss}^{k=2}(t_j) + \dot{EF}_{comp,on}\right) * LFH^{k=2}(t_j)$$

For $t_{IH} \leq t_j$:

$\dot{E}_H(t_j) = (\dot{E}_{ss}{}^{k=2}(t_j) + \dot{EF}_{comp,on})$

3.4.3.7 Calculate the AWEF2 as follows:

$$AWEF2 = \frac{\sum_{j=1}^{n}\left[0.33 \cdot \dot{BLH}(t_j) + 0.67 \cdot \dot{BLL}(t_j)\right] \cdot n_j}{\sum_{j=1}^{n}\left[0.33 \cdot \dot{E}_H(t_j) + 0.67 \cdot \dot{E}_L(t_j) + \dot{DF}\right] \cdot n_j}$$

3.4.4 Variable-Capacity or Multistage Condensing Units Tested Alone, Outdoor

3.4.4.1 Unit Cooler Power

Calculate maximum-capacity unit cooler power during the compressor on period $\dot{EF}_{comp,on}$ as described in section 3.4.1.1 of this appendix.

Calculate unit cooler power during the compressor off period $\dot{EF}_{comp,on}$, in Watts, as 20 percent of the maximum-capacity unit cooler power during the compressor on period.

3.4.4.2 Defrost

Calculate Defrost parameters as described in section 3.4.1.2 of this appendix.

3.4.4.3 Condensing Unit Off-Cycle Power

Calculate Condensing Unit Off-Cycle Power for temperature, t_j, as described in section 3.4.3.3 of this appendix.

3.4.4.4 Net Capacity and Condensing Unit Power Input

Calculate steady-state maximum net capacity, $\dot{q}_{ss}{}^{k=2}(t_j)$, intermediate net capacity, $\dot{q}_{ss}{}^{k=i}(t_j)$, and minimum net capacity, $\dot{q}_{ss}{}^{k=1}(t_j)$, and corresponding condensing unit power input levels $\dot{E}_{ss}{}^{k=2}(t_j)$, $\dot{E}_{ss}{}^{k=i}(t_j)$, $\dot{E}_{ss}{}^{k=1}(t_j)$ and as a function of outdoor temperature, t_j, as follows:

If $t_j \leq 59$ °F:

$$\dot{q}_{ss}^{k=2}(t_j) = \dot{Q}_{gross,C}^{k=2} + \left(\dot{Q}_{gross,B}^{k=2} - \dot{Q}_{gross,C}^{k=2}\right)\frac{t_j - 35}{59 - 35} - 3.412 \cdot \dot{EF}_{comp,on}$$

$$\dot{q}_{ss}^{k=i}(t_j) = \dot{Q}_{gross,C}^{k=i} + \left(\dot{Q}_{gross,B}^{k=i} - \dot{Q}_{gross,C}^{k=i}\right)\frac{t_j - 35}{59 - 35} - 3.412 \cdot K_f.\dot{EF}_{comp,on}$$

$$\dot{q}_{ss}^{k=1}(t_j) = \dot{Q}_{gross,C}^{k=1} + \left(\dot{Q}_{gross,B}^{k=1} - \dot{Q}_{gross,C}^{k=1}\right)\frac{t_j - 35}{59 - 35} - 3.412 \cdot 0.2 \cdot \dot{EF}_{comp,on}$$

$$\dot{E}_{ss}^{k}(t_j) = \dot{E}_{ss,C}^{k} + \left(\dot{E}_{ss,B}^{k} - \dot{E}_{ss,C}^{k}\right)\frac{t_j - 35}{59 - 35}$$

If 59 °F < t_j:

$$\dot{q}_{ss}^{k=2}(t_j) = \dot{Q}_{gross,B}^{k=2} + \left(\dot{Q}_{gross,A}^{k=2} - \dot{Q}_{gross,B}^{k=2}\right)\frac{t_j - 59}{95 - 59} - 3.412 \cdot \dot{EF}_{comp,on}$$

$$\dot{q}_{ss}^{k=i}(t_j) = \dot{Q}_{gross,B}^{k=i} + \left(\dot{Q}_{gross,A}^{k=i} - \dot{Q}_{gross,B}^{k=i}\right)\frac{t_j - 59}{95 - 59} - 3.412 \cdot K_f \cdot \dot{EF}_{comp,on}$$

$$\dot{q}_{ss}^{k=1}(t_j) = \dot{Q}_{gross,B}^{k=1} + \left(\dot{Q}_{gross,A}^{k=1} - \dot{Q}_{gross,B}^{k=1}\right)\frac{t_j - 59}{95 - 59} - 3.412 \cdot 0.2 \cdot \dot{EF}_{comp,on}$$

$$\dot{E}_{ss}^{k}(t_j) = \dot{E}_{ss,B}^{k} + \left(\dot{E}_{ss,A}^{k} - \dot{E}_{ss,B}^{k}\right)\frac{t_j - 59}{95 - 59}$$

Where:

The capacity level k can equal 1, i, or 2;

$\dot{Q}_{gross,X}^{k=2}$, $\dot{Q}_{gross,X}^{k=i}$ and $\dot{Q}_{gross,X}^{k=1}$ represent gross refrigeration capacity at maximum, intermediate, and minimum capacity, respectively, for test condition X, which can take on values A, B, or C;

$\dot{E}_{ss,X}^{k=2}$ and $\dot{E}_{ss,X}^{k=1}$ represent condensing unit power input at maximum and minimum capacity, respectively for test condition X; and

K_f is the unit cooler power coefficient for intermediate capacity operation, set equal to 0.2 to represent low-speed fan operation if the Duty Cycle for a Digital Compressor, the Speed Ratio for a Variable-Speed Compressor, or the Displacement Ratio for a Multi-Stage Compressor at Intermediate Capacity is 65% or less, and otherwise set equal to 1.0.

3.4.4.5 Calculate average power input during the low load period as follows.

Calculate the temperature, t_{IL}, in the following equation which the low load period box load $\dot{BLL}(t_j)$ plus defrost heat contribution, $\dot{Q}_{DF}$ (only applicable for freezers), is less than the minimum net capacity, $\dot{q}_{ss}^{k=1}(t_j)$, by solving the following equation for t_{IL}:

$\dot{BLL}(t_{IL}) + \dot{Q}_{DF} = \dot{q}_{ss}^{k=1}(t_{IL})$

Calculate the temperature, t_{VL}, in the following equation which the low load period box load, $\dot{BLL}(t_j)$, plus defrost heat contribution, $\dot{Q}_{DF}$ (only applicable for freezers), is less than the intermediate net capacity, $\dot{q}_{ss}^{k=i}(t_j)$, by solving the following equation for t_{VL}:

$\dot{BLL}(t_{VL}) + \dot{Q}_{DF} = \dot{q}_{ss}^{k=i}(t_{VL})$

For $t_j < t_{IL}$:

$$LFL^{k=1}(t_j) = \frac{\dot{BLL}(t_j) + 3.412 \cdot \dot{EF}_{comp,off} + \dot{Q}_{DF}}{\dot{q}_{ss}^{k=1}(t_j) + 3.412 \cdot \dot{EF}_{comp,off}}$$

$$\dot{E}_L(t_j) = \left(\dot{E}_{ss}^{k=1}(t_j) + 0.2 \cdot \dot{EF}_{comp,on}\right) * LFL^{k=1}(t_j) +$$

$$\left(\dot{EF}_{comp,off} + \dot{E}_{cu,off}(t_j)\right) * \left(1 - LFL^{k=1}(t_j)\right)$$

Where, $\dot{E}_{cu,off}(t_j)$ in W, is the condensing unit off-mode power consumption for temperature, t_j, determined as indicated in section 3.4.3.3 of this appendix.

For $t_{IL} \leq t_j < t_{VL}$:

$$EER_L(t_j) = EER^{k=1}(t_j) + \left(EER^{k=i}(t_j) - EER^{k=1}(t_j)\right) \frac{(\dot{B}LL(t_j) + \dot{Q}_{DF}) - \dot{q}_{ss}^{k=1}(t_j)}{\dot{q}_{ss}^{k=i}(t_j) - \dot{q}_{ss}^{k=1}(t_j)}$$

$$\dot{E}_L(t_j) = \frac{B\dot{L}L(t_j) + \dot{Q}_{DF}}{EER_L(t_j)}$$

For $t_{VL} \le t_j$:

$$EER_L(t_j) = EER^{k=i}(t_j) + \left(EER^{k=2}(t_j) - EER^{k=i}(t_j)\right) \frac{(\dot{B}LL(t_j) + \dot{Q}_{DF}) - \dot{q}_{ss}^{k=i}(t_j)}{\dot{q}_{ss}^{k=2}(t_j) - \dot{q}_{ss}^{k=i}(t_j)}$$

$$\dot{E}_L(t_j) = \frac{B\dot{L}L(t_j) + \dot{Q}_{DF}}{EER_L(t_j)}$$

Where:

$EER^{k=2}(t_j)$ is the minimum-capacity energy efficiency ratio, equal to $\dot{q}_{ss}^{k=1}(t_j)$ divided by $\dot{E}_{ss}^{k=1}(t_j) + 0.2\ \dot{E}F_{comp,on}$;

$EER^{k=1}(t_j)$ is the intermediate-capacity energy efficiency ratio, equal to $\dot{q}_{ss}^{k=i}(t_j)$ divided by $\dot{E}_{ss}^{k=i}(t_j) + K_f \cdot \dot{E}F_{comp,on}$; and

$EER^{k=2}(t_j)$ is the maximum-capacity energy efficiency ratio, equal to $\dot{q}_{ss}^{k=2}(t_j)$ divided by $\dot{E}_{ss}^{k=2}(t_j) + \dot{E}F_{comp,on}$

3.4.4.6 Calculate average power input during the high load period as follows.

Calculate the temperature t_{VH} in the following equation which the high load period box load $\dot{B}LH(t_j)$ plus defrost heat contribution $\dot{Q}_{DF}$ (only applicable for freezers) is less than the intermediate net capacity $\dot{q}_{ss}^{k=i}(t_j)$, by solving the following equation for t_{VH}:

$\dot{B}LH(t_{VH}) + \dot{Q}_{DF} = \dot{q}_{ss}^{k=i}(t_{VH})$

Calculate the temperature t_{IIH} in the following equation which the high load period box load $\dot{B}LH(t_j)$ plus defrost heat contribution $\dot{Q}_{DF}$ (only applicable for freezers) is less than the maximum net capacity $\dot{q}_{ss}^{k=2}(t_j)$, by solving the following equation for t_{IIH}:

$\dot{B}LH(t_{IIH}) + \dot{Q}_{DF} = \dot{q}_{ss}^{k=2}(t_{IIH})$

For $t_j < t_{VH}$:

$$EER_H(t_j) = EER^{k=1}(t_j) + \left(EER^{k=i}(t_j) - EER^{k=1}(t_j)\right) \frac{(\dot{B}LH(t_j) + \dot{Q}_{DF}) - \dot{q}_{ss}^{k=1}(t_j)}{\dot{q}_{ss}^{k=i}(t_j) - \dot{q}_{ss}^{k=1}(t_j)}$$

$$\dot{E}_H(t_j) = \frac{B\dot{L}H(t_j) + \dot{Q}_{DF}}{EER_H(t_j)}$$

For $t_{VH} \le t_j < t_{IIH}$:

$$EER_H(t_j) = EER^{k=i}(t_j) + \left(EER^{k=2}(t_j) - EER^{k=i}(t_j)\right)\frac{(\dot{B}LH(t_j) + \dot{Q}_{DF}) - \dot{q}_{ss}^{k=i}(t_j)}{\dot{q}_{ss}^{k=2}(t_j) - \dot{q}_{ss}^{k=i}(t_j)}$$

$$\dot{E}_H(t_j) = \frac{\dot{B}LH(t_j) + \dot{Q}_{DF}}{EER_H(t_j)}$$

For $t_{IIH} \leq t_j$:

$\dot{E}_H(t_j) = (\dot{E}_{ss}^{k=2}(t_j) + \dot{E}F_{comp,on})$

3.4.4.7 Calculate the AWEF2 as follows:

$$AWEF2 = \frac{\sum_{j=1}^{n}\left[0.33 \cdot \dot{B}LH(t_j) + 0.67 \cdot \dot{B}LL(t_j)\right] \cdot n_j}{\sum_{j=1}^{n}\left[0.33 \cdot \dot{E}_H(t_j) + 0.67 \cdot \dot{E}_L(t_j) + \dot{D}F\right] \cdot n_j}$$

3.4.5 Two-Capacity Indoor Matched Pairs or Single-Packaged Refrigeration Systems Other Than High-Temperature

3.4.5.1 Defrost

For freezer refrigeration systems, defrost heat contribution $\dot{Q}_{DF}$ in Btu/h and the defrost average power consumption $\dot{D}F$ in W shall be as measured in accordance with section C10.2.1 of Appendix C of AHRI 1250–2020.

3.4.5.2 Calculate average power input during the low load period as follows.

If the low load period box load $\dot{B}LL$ plus defrost heat contribution $\dot{Q}_{DF}$ (only applicable for freezers) is less than the minimum net capacity $\dot{q}_{ss}^{k=1}$:

$$LFL^{k=1} = \frac{\dot{B}LL + 3.412 \cdot \dot{E}F_{comp,off} + \dot{Q}_{DF}}{\dot{q}_{ss}^{k=1} + 3.412 \cdot \dot{E}F_{comp,off}}$$

$$\dot{E}_L = \left(\dot{E}_{ss}^{k=1}\right) * LFL^{k=1} + \left(\dot{E}F_{comp,off} + \dot{E}_{cu,off}\right) * (1 - LFL^{k=1})$$

Where:

$\dot{q}_{ss}^{k=1}$ and $\dot{E}_{ss}^{k=1}$ are the steady state refrigeration system minimum net capacity, in Btu/h, and associated refrigeration system power input, in W, respectively, for minimum-capacity operation, measured as described in AHRI 1250–2020.

$\dot{E}F_{comp,off}$ and $\dot{E}_{cu,off}$, both in W, are the unit cooler and condensing unit, respectively, off-mode power consumption, measured as described in section C3.5 of AHRI 1250–2020.

If the low load period box load $\dot{B}LL$ plus defrost heat contribution $\dot{Q}_{DF}$ (only applicable for freezers) is greater than the minimum net capacity $\dot{q}_{ss}^{k=1}$:

$$LFL^{k=1} = \frac{\dot{q}_{ss}^{k=2} - (\dot{BLL} + \dot{Q}_{DF})}{\dot{q}_{ss}^{k=2} - \dot{q}_{ss}^{k=1}}$$

$$LFL^{k=2} = 1 - LFL^{k=1}$$

$$\dot{E}_L = \left(\dot{E}_{ss}^{k=1}\right) * LFL^{k=1} + \left(\dot{E}_{ss}^{k=2}\right) * LFL^{k=2}$$

Where $\dot{q}_{ss}{}^{k=2}$ and $\dot{E}_{ss}{}^{k=2}$ are the steady state refrigeration system maximum net capacity, in Btu/h, and associated refrigeration system power input, in W, respectively, for maximum-capacity operation, measured as described in AHRI 1250–2020.

3.4.5.3 Calculate average power input during the high load period as follows.

$$LFH^{k=1} = \frac{\dot{q}_{ss}^{k=2} - (\dot{BLH} + \dot{Q}_{DF})}{\dot{q}_{ss}^{k=2} - \dot{q}_{ss}^{k=1}}$$

$$LFH^{k=2} = 1 - LFH^{k=1}$$

$$\dot{E}_H = \left(\dot{E}_{ss}^{k=1}\right) * LFH^{k=1} + \left(\dot{E}_{ss}^{k=2}\right) * LFH^{k=2}$$

3.4.5.4 Calculate the AWEF2 as follows:

$$AWEF2 = \frac{0.33 \cdot \dot{BLH} + 0.67 \cdot \dot{BLL}}{0.33 \cdot \dot{E}_H + 0.67 \cdot \dot{E}_L + \dot{DF}}$$

3.4.6 Variable-Capacity or Multistage Indoor Matched Pairs or Single-Packaged Refrigeration Systems Other Than High-Temperature

3.4.6.1 Defrost

For freezer refrigeration systems, defrost heat contribution $\dot{Q}_{DF}$ in Btu/h and the defrost average power consumption $\dot{DF}$ in W shall be as measured in accordance with section C10.2.1 of Appendix C of AHRI 1250–2020.

3.4.6.2 Calculate average power input during the low load period as follows.

If the low load period box load $\dot{BLL}$ plus defrost heat contribution $\dot{Q}_{DF}$ (only applicable for freezers) is less than the minimum net capacity $\dot{q}_{ss}{}^{k=1}$:

$$LFL^{k=1} = \frac{B\dot{L}L + 3.412 \cdot \dot{EF}_{comp,off} + \dot{Q}_{DF}}{\dot{q}_{ss}^{k=1} + 3.412 \cdot \dot{EF}_{comp,off}}$$

$$\dot{E}_L = \left(\dot{E}_{ss}^{k=1}\right) * LFL^{k=1} + \left(\dot{EF}_{comp,off} + \dot{E}_{cu,off}\right) * (1 - LFL^{k=1})$$

Where:

$\dot{q}_{ss}^{k=1}$ and $\dot{E}_{ss}^{k=1}$ are the steady state refrigeration system minimum net capacity, in Btu/h, and associated refrigeration system power input, in W, respectively, for minimum-capacity operation, measured as described in AHRI 1250–2020; and

$\dot{EF}_{comp,off}$ and $\dot{E}_{cu,off}$, both in W, are the unit cooler and condensing unit, respectively, off-mode power consumption, measured as described in section C3.5 of AHRI 1250–2020.

If the low load period box load $B\dot{L}L$ plus defrost heat contribution $\dot{Q}_{DF}$ (only applicable for freezers) is greater than the minimum net capacity and less than the intermediate net capacity $\dot{q}_{ss}^{k=i}$:

$$EER_L = EER^{k=1} + \left(EER^{k=i} - EER^{k=1}\right) \frac{(B\dot{L}L + \dot{Q}_{DF}) - \dot{q}_{ss}^{k=1}}{\dot{q}_{ss}^{k=i} - \dot{q}_{ss}^{k=1}}$$

$$\dot{E}_L = \frac{B\dot{L}L + \dot{Q}_{DF}}{EER_L}$$

Where:

$EER^{k=1}$ is the minimum-capacity energy efficiency ratio, equal to $\dot{q}_{ss}^{k=1}$ divided by $\dot{E}_{ss}^{k=1}$;

$\dot{q}_{ss}^{k=i}$ and $\dot{E}_{ss}^{k=i}$ are the steady state refrigeration system intermediate net capacity, in Btu/h, and associated refrigeration system power input, in W, respectively, for intermediate-capacity operation, measured as described in AHRI 1250–2020.

$EER^{k=i}$ is the intermediate-capacity energy efficiency ratio, equal to $\dot{q}_{ss}^{k=i}$ divided by $\dot{E}_{ss}^{k=i}$.

3.4.6.3 Calculate average power input during the high load period as follows.

If the high load period box load $B\dot{L}H$ plus defrost heat contribution $\dot{Q}_{DF}$ (only applicable for freezers) is greater than the minimum net capacity $\dot{q}_{ss}^{k=1}$ and less than the intermediate net capacity $\dot{q}_{ss}^{k=i}$:

$$EER_H = EER^{k=1} + \left(EER^{k=i} - EER^{k=1}\right) \frac{(B\dot{L}H + \dot{Q}_{DF}) - \dot{q}_{ss}^{k=1}}{\dot{q}_{ss}^{k=i} - \dot{q}_{ss}^{k=1}}$$

$$\dot{E}_H = \frac{B\dot{L}H + \dot{Q}_{DF}}{EER_H}$$

If the high load period box load $B\dot{L}H$ plus defrost heat contribution $\dot{Q}_{DF}$ (only applicable for freezers) is greater than the intermediate net capacity $\dot{q}_{ss}^{k=i}$ and less than the maximum net capacity $\dot{q}_{ss}^{k=2}$:

$$EER_H = EER^{k=i} + \left(EER^{k=2} - EER^{k=i}\right) \frac{(\dot{BLH} + \dot{Q}_{DF}) - \dot{q}_{ss}^{k=i}}{\dot{q}_{ss}^{k=2} - \dot{q}_{ss}^{k=i}}$$

$$\dot{E}_H = \frac{\dot{BLH} + \dot{Q}_{DF}}{EER_H}$$

Where:

$\dot{q}_{ss}^{k=2}$ and $\dot{E}_{ss}^{k=2}$ are the steady state refrigeration system maximum net capacity, in Btu/h, and associated refrigeration system power input, in W, respectively, for maximum-capacity operation, measured as described in AHRI 1250–2020; and

$EER^{k=2}$ is the maximum-capacity energy efficiency ratio, equal to $\dot{q}_{ss}^{k=2}$ divided by $\dot{E}_{ss}^{k=2}$.

3.4.6.4 Calculate the AWEF2 as follows.

$$AWEF2 = \frac{0.33 \cdot \dot{BLH} + 0.67 \cdot \dot{BLL}}{0.33 \cdot \dot{E}_H + 0.67 \cdot \dot{E}_L + \dot{DF}}$$

3.4.7 Variable-Capacity or Multistage Outdoor Matched Pairs or Single-Packaged Refrigeration Systems Other Than High-Temperature

Calculate AWEF2 as described in section 7.6 of AHRI 1250–2020, with the following revisions.

3.4.7.1 Condensing Unit Off-Cycle Power

Calculate condensing unit off-cycle power for temperature t_j as indicated in section 3.4.3.3 of this appendix. Replace the constant value $\dot{E}_{CU,off}$ in Equations 55 and 70 of AHRI 1250–2020 with the values $\dot{E}_{CU,off}(t_j)$, which vary with outdoor temperature t_j.

3.4.7.2 Unit Cooler Off-Cycle Power

Set unit cooler Off-Cycle power $\dot{EF}_{comp,off}$ equal to the average of the unit cooler off-cycle power measurements made for test conditions A, B, and C.

3.4.7.3 Average Power During the Low Load Period

Calculate average power for intermediate-capacity compressor operation during the low load period $\dot{E}_{ss,L}^{k=v}(t_j)$ as described in section 7.6 of AHRI 1250–2020, except that, instead of calculating intermediate-capacity compressor EER using Equation 77 of AHRI 1250–2020, calculate EER as follows.

For $t_j < t_{vL}$:

$$\dot{E}_{ss,L}^{k=v}(t_j) = EER^{k=1}(t_j) + \left(EER^{k=i}(t_j) - EER^{k=1}(t_j)\right) \frac{(\dot{BLL}(t_j) + \dot{Q}_{DF}) - \dot{q}_{ss}^{k=1}(t_j)}{\dot{q}_{ss}^{k=i}(t_j) - \dot{q}_{ss}^{k=1}(t_j)}$$

For $t_{vL} \leq t_j$:

$$\dot{E}_{ss,L}^{k=v}(t_j) = EER^{k=i}(t_j) + \left(EER^{k=2}(t_j) - EER^{k=i}(t_j)\right) \frac{(\dot{BLL}(t_j) + \dot{Q}_{DF}) - \dot{q}_{ss}^{k=i}(t_j)}{\dot{q}_{ss}^{k=2}(t_j) - \dot{q}_{ss}^{k=i}(t_j)}$$

Where:

$EER^{k=1}(t_j)$ is the minimum-capacity energy efficiency ratio, equal to $\dot{q}_{ss}^{k=1}(t_j)$ divided by $\dot{E}_{ss}^{k=1}(t_j)$;

$EER^{k=i}(t_j)$ is the intermediate-capacity energy efficiency ratio, equal to $\dot{q}_{ss}^{k=i}(t_j)$ divided by $\dot{E}_{ss}^{k=i}(t_j)$; and

$EER^{k=2}(t_j)$ is the maximum-capacity energy efficiency ratio, equal to $\dot{q}_{ss}^{k=2}(t_j)$ divided by $\dot{E}_{ss}^{k=2}(t_j)$

3.4.7.4 Average Power During the High Load Period

Calculate average power for intermediate-capacity compressor operation during the

high load period $\dot{E}_{ss,H}{}^{k=v}(t_j)$ as described in section 7.6 of AHRI 1250–2020, except that, instead of calculating intermediate-capacity compressor EER using Equation 61 of AHRI 1250–2020, calculate EER as follows:

For $t_j < t_{VH}$:

$$EER_{SS,H}^{k=v}(t_j) = EER^{k=1}(t_j) + \left(EER^{k=i}(t_j) - EER^{k=1}(t_j)\right) \frac{(\dot{B}LH(t_j) + \dot{Q}_{DF}) - \dot{q}_{ss}^{k=1}(t_j)}{\dot{q}_{ss}^{k=i}(t_j) - \dot{q}_{ss}^{k=1}(t_j)}$$

For $t_{VH} \leq t_j$:

$$EER_{SS,H}^{k=v}(t_j) = EER^{k=i}(t_j) + \left(EER^{k=2}(t_j) - EER^{k=i}(t_j)\right) \frac{(\dot{B}LH(t_j) + \dot{Q}_{DF}) - \dot{q}_{ss}^{k=i}(t_j)}{\dot{q}_{ss}^{k=2}(t_j) - \dot{q}_{ss}^{k=i}(t_j)}$$

3.4.8 Two-Capacity Outdoor Matched Pairs or Single-Packaged Refrigeration Systems Other Than High-Temperature

Calculate AWEF2 as described in section 7.5 of AHRI 1250–2020, with the following revisions for Condensing Unit Off-Cycle Power and Unit Cooler Off-Cycle Power. Calculate condensing unit off-cycle power for temperature t_j as indicated in section 3.4.3.3 of this appendix. Replace the constant value $\dot{E}_{CU,off}$ in Equations 13 and 29 of AHRI 1250–2020 with the values $\dot{E}_{CU,off}(t_j)$, which vary with outdoor temperature t_j. Set unit cooler Off-Cycle power $\dot{E}F_{comp,off}$ equal to the average of the unit cooler off-cycle power measurements made for test conditions A, B, and C.

3.4.9 Single-Capacity Outdoor Matched Pairs or Single-Packaged Refrigeration Systems Other Than High-Temperature

Calculate AWEF2 as described in section 7.4 of AHRI 1250–2020, with the following revision for Condensing Unit Off-Cycle Power and Unit Cooler Off-cycle Power. Calculate condensing unit off-cycle power for temperature t_j as indicated in section 3.4.3.3 of this appendix. Replace the constant value $\dot{E}_{CU,off}$ in Equations 13 of AHRI 1250–2020 with the values $\dot{E}_{CU,off}(t_j)$, which vary with outdoor temperature t_j. Set unit cooler Off-Cycle power $\dot{E}F_{comp,off}$ equal to the average of the unit cooler off-cycle power measurements made for test conditions A, B, and C.

3.4.10 Single-Capacity Condensing Units, Outdoor

Calculate AWEF2 as described in section 7.9 of AHRI 1250–2020, with the following revision for Condensing Unit Off-Cycle Power. Calculate condensing unit off-cycle power for temperature t_j as indicated in section 3.4.3.3 of this appendix rather than as indicated in Equations 157, 159, 202, and 204 of AHRI 1250–2020.

3.4.11 High-Temperature Matched Pairs or Single-Packaged Refrigeration Systems, Indoor

3.4.11.1 Calculate Load Factor LF as follows:

$$LF = \frac{\dot{B}L + 3.412 \cdot \dot{E}F_{comp,off}}{\dot{q}_{ss,A} + 3.412 \cdot \dot{E}F_{comp,off}}$$

Where:

$\dot{B}L$, in Btu/h is the non-equipment-related box load calculated as described in section 3.3.3 of this appendix;

$\dot{E}F_{comp,off}$, in W, is the unit cooler off-cycle power consumption, equal to 0.1 times the unit cooler on-cycle power consumption; and

$\dot{q}_{ss,A}$, in Btu/h is the measured net capacity for test condition A.

3.4.11.2 Calculate the AWEF2 as follows:

$$AWEF2 = \frac{\dot{B}L}{\dot{E}_{ss,A} \cdot LF + \left(\dot{E}F_{comp,off} + \dot{E}_{cu,off}\right) \cdot (1 - LF)}$$

Where:

$\dot{E}_{ss,A}$, in W, is the measured system power input for test condition A; and

$\dot{E}_{cu,off}$, in W, is the condensing unit off-cycle power consumption, measured as described in section C3.5 of AHRI 1250–2020.

3.4.12 High-Temperature Matched Pairs or Single-Packaged Refrigeration Systems, Outdoor

3.4.12.1 Calculate Load Factor LF(t_j) for outdoor temperature t_j as follows:

$$LF(t_j) = \frac{\dot{B}L + 3.412 \cdot \dot{E}F_{comp,off}}{\dot{q}_{ss}(t_j) + 3.412 \cdot \dot{E}F_{comp,off}}$$

Where:

$\dot{B}L$, in Btu/h, is the non-equipment-related box load calculated as described in section 3.3.3 of this appendix;

$\dot{E}F_{comp,off}$, in W, is the unit cooler off-cycle power consumption, equal to 0.1 times the unit cooler on-cycle power consumption; and

$\dot{q}_{ss}(t_j)$, in Btu/h, is the net capacity for outdoor temperature t_j, calculated as described in section 7.4.2 of AHRI 1250–2020.

3.4.12.2 Calculate the AWEF2 as follows:

$$AWEF2 = \frac{\sum_{i=1}^{n} \dot{B}L \cdot n_j}{\sum_{j=1}^{n} \left[\dot{E}_{ss}(t_j) \cdot LF(t_j) + \left(\dot{E}F_{comp,off} + \dot{E}_{cu,off}(t_j)\right) \cdot \left(1 - LF(t_j)\right)\right] \cdot n_j}$$

Where:

$\dot{E}_{ss}(t_j$, in W, is the system power input for temperature t_j, calculated as described in section 7.4.2 of AHRI 1250–2020;

$\dot{E}_{cu,off}(t_j$, in W, is the condensing unit off-cycle power consumption for temperature t_j, determined as indicated in section 3.4.3.3 of this appendix; and

n_j are the hours for temperature bin j.

3.4.13 High-Temperature Unit Coolers Tested Alone

3.4.13.1 Calculate Refrigeration System Power Input as follows:

$$\dot{E}_{mix,rack} = \frac{\dot{q}_{mix,evap} + 3.412 \times \dot{E}F_{comp,on}}{EER} + \dot{E}F_{comp,on}$$

Where:

$\dot{q}_{mix,evap}$, in W, is the net evaporator capacity, measured as described in AHRI 1250–2020;

$\dot{E}F_{comp,on}$, in W, is the unit cooler on-cycle power consumption; and

EER, in W, equals

$$\begin{cases} 11 & if\ \dot{q}_{mix,evap} < 10{,}000\ Btu/h \\ 0.0007 \cdot \dot{q}_{mix,evap} + 4 & if\ 10{,}000 \leq \dot{q}_{mix,evap} \leq 20{,}000\ Btu/h \\ 18 & if\ 20{,}000 \leq\ \dot{q}_{mix,evap} \end{cases}$$

3.4.13.2 Calculate the load factor LF as follows:

$$LF = \frac{\dot{B}L + 3.412 \cdot \dot{E}F_{comp,off}}{\dot{q}_{mix,evap} +\ 3.412 \cdot \dot{E}F_{comp,off}}$$

Where:

$\dot{B}L$, in Btu/h, is the non-equipment-related box load calculated as described in section 3.3.3 of this appendix; and

$\dot{E}F_{comp,off}$, in W, is the unit cooler off-cycle power consumption, equal to 0.1 times the unit cooler on-cycle power consumption.

3.4.13.3 Calculate AWEF2 as follows:

$$AWEF2 = \frac{\dot{B}L}{\dot{E}_{mix,rack} \cdot LF + \dot{E}F_{comp,off} \cdot (1 - LF)}$$

3.4.14 CO_2 Unit Coolers Tested Alone

Calculate AWEF2 for CO_2 Unit Coolers Tested Alone using the calculations specified in in section 7.8 of AHRI 1250–2020 for calculation of AWEF2 for Unit Cooler Tested Alone.

3.5 Test Method

Test the Refrigeration System in accordance with AHRI 1250–2020 to determine refrigeration capacity and power input for the specified test conditions, with revisions and additions as described in this section.

3.5.1 Chamber Conditioning Using the Unit Under Test

In Appendix C, section C5.2.2 of AHRI 1250–2020, for applicable system configurations (matched pairs, single-packaged refrigeration systems, and standalone unit coolers), the unit under test may be used to aid in achieving the required test chamber conditions prior to beginning any steady state test. However, the unit under test must be inspected and confirmed to be free from frost before initiating steady state testing.

3.5.2 General Modification: Methods of Testing

3.5.2.1 Refrigerant Temperature Measurements

When testing a condensing unit alone, measure refrigerant liquid temperature leaving the condensing unit, and the refrigerant vapor temperature entering the condensing unit as required in section C7.5.1.1.2 of Appendix C of AHRI 1250–2020 using the same measurement approach specified for the unit cooler in section C3.1.3 of Appendix C of AHRI 1250–2020. In all cases in which thermometer wells or immersed sheathed sensors are prescribed, if the refrigerant tube outer diameter is less than ½ inch, the refrigerant temperature may be measured using the average of two temperature measuring instruments with a minimum accuracy of ±0.5 °F placed on opposite sides of the refrigerant tube surface—resulting in a total of up to 8 temperature measurement devices used for the DX Dual Instrumentation method. In this case, the refrigerant tube shall be insulated with 1-inch thick insulation from a point 6 inches upstream of the measurement location to a point 6 inches downstream of the measurement location. Also, to comply with this requirement, the unit cooler/evaporator entering measurement location may be moved to a location 6 inches upstream of the expansion device and, when testing a condensing unit alone, the entering and leaving measurement locations may be moved to locations 6 inches from the respective service valves.

3.5.2.2 Mass Flow Meter Location

When using the DX Dual Instrumentation test method of AHRI 1250–2020, applicable for unit coolers, dedicated condensing units, and matched pairs, the second mass flow meter may be installed in the suction line as shown in Figure C1 of AHRI 1250–2020.

3.5.2.3 Subcooling at Refrigerant Mass Flow Meter

In section C3.4.5 of Appendix C of AHRI 1250–2020, when verifying subcooling at the mass flow meters, only the sight glass and a temperature sensor located on the tube surface under the insulation are required. Subcooling shall be verified to be within the 3 °F requirement downstream of flow meters located in the same chamber as a condensing unit under test and upstream of flow meters located in the same chamber as a unit cooler under test, rather than always downstream as indicated in AHRI 1250–2009, section C3.4.5. If the subcooling is less than 3 °F when testing a unit cooler, dedicated condensing unit, or matched pair (not a single-packaged system), cool the line between the condensing unit outlet and this location to achieve the required subcooling. When providing such cooling while testing a matched pair (a) set up the line-cooling system and also set up apparatus to heat the liquid line between the mass flow meters and the unit cooler, (b) when the system has achieved steady state without activation of the heating and cooling systems, measure the liquid temperature entering the expansion valve for a period of at least 30 minutes, (c) activate the cooling system to provide the required subcooling at the mass flow meters, (d) if necessary, apply heat such that the temperature entering the expansion valve is within 0.5 °F of the temperature measured during step (b), and (e) proceed with measurements once condition (d) has been verified.

3.5.2.4 Installation Instructions

Manufacturer installation instructions or installation instructions described in this section refer to the instructions that come packaged with or appear on the labels applied to the unit. This does not include online manuals.

Installation Instruction Hierarchy: If a given installation instruction provided on the label(s) applied to the unit conflicts with the installation instructions that are shipped with the unit, the label takes precedence. For testing of matched pairs, the installation instructions for the dedicated condensing unit shall take precedence. Setup shall be in accordance with the field installation instructions (laboratory installation instructions shall not be used). Achieving test conditions shall always take precedence over installation instructions.

3.5.2.5. Refrigerant Charging and Adjustment of Superheat and Subcooling.

All dedicated condensing systems (dedicated condensing units tested alone, matched pairs, and single packaged dedicated systems) that use flooding of the condenser for head pressure control during low-ambient-temperature conditions shall be charged, and superheat and/or subcooling shall be set, at Refrigeration C test conditions unless otherwise specified in the installation instructions.

If after being charged at Refrigeration C condition the unit under test does not operate at the Refrigeration A condition due to high pressure cut out, refrigerant shall be removed in increments of 4 ounces or 5 percent of the test unit's receiver capacity, whichever quantity is larger, until the unit operates at the Refrigeration A condition. All tests shall be run at this final refrigerant charge. If less than 0 °F of subcooling is measured for the refrigerant leaving the condensing unit when testing at B or C condition, calculate the refrigerant-enthalpy-based capacity (*i.e.*, when using the DX dual instrumentation, the DX calibrated box, or single-packaged unit refrigerant enthalpy method) assuming that the refrigerant is at saturated liquid conditions at the condensing unit exit.

All dedicated condensing systems that do not use a flooded condenser design shall be charged at Refrigeration A test conditions unless otherwise specified in the installation instructions.

If the installation instructions give a specified range for superheat, sub-cooling, or refrigerant pressure, the average of the range shall be used as the refrigerant charging parameter target and the test condition tolerance shall be ±50 percent of the range. Perform charging of near-azeotropic and zeotropic refrigerants only with refrigerant in the liquid state. Once the correct refrigerant charge is determined, all tests shall run until completion without further modification.

3.5.2.5.1. When charging or adjusting superheat/subcooling, use all pertinent instructions contained in the installation instructions to achieve charging parameters within the tolerances. However, in the event of conflicting charging information between installation instructions, follow the installation instruction hierarchy listed in section 3.5.2.4. Conflicting information is defined as multiple conditions given for charge adjustment where all conditions specified cannot be met. In the event of conflicting information within the same set of charging instructions (e.g., the installation instructions shipped with the dedicated condensing unit), follow the hierarchy in Table 19 for priority. Unless the installation instructions specify a different charging tolerance, the tolerances identified in table 19 of this appendix shall be used.

TABLE 19—TEST CONDITION TOLERANCES AND HIERARCHY FOR REFRIGERANT CHARGING AND SETTING OF REFRIGERANT CONDITIONS

Priority	Fixed orifice		Expansion Valve	
	Parameter with installation instruction target	Tolerance	Parameter with installation instruction target	Tolerance
1	Superheat	±2.0 °F	Subcooling	10% of the Target Value; No less than ±0.5 °F, No more than ±2.0 °F
2	High Side Pressure or Saturation Temperature*.	±4.0 psi or ±1.0 °F	High Side Pressure or Saturation Temperature*.	±4.0 psi or ±1.0 °F
3	Low Side Pressure or Saturation Temperature*.	±2.0 psi or ±0.8 °F	Superheat	±2.0 °F
4	Low Side Temperature	±2.0 °F	Low Side Pressure or Saturation Temperature*.	±2.0 psi or ±0.8 °F
5	High Side Temperature	±2.0 °F	Approach Temperature	±1.0 °F
6	Charge Weight	±2.0 oz	Charge Weight	0.5% or 1.0 oz, whichever is greater

*Saturation temperature can refer to either bubble or dew point calculated based on a measured pressure, or a coil temperature measurement, as specified by the installation instructions.

3.5.2.5.2. *Dedicated Condensing Unit.*

If the Dedicated Condensing Unit includes a receiver and the subcooling target leaving the condensing unit provided in installation instructions cannot be met without fully filling the receiver, the subcooling target shall be ignored. Likewise, if the Dedicated Condensing unit does not include a receiver and the subcooling target leaving the condensing unit cannot be met without the unit cycling off on high pressure, the subcooling target can be ignored. Also, if no instructions for charging or for setting subcooling leaving the condensing unit are provided in the installation instructions, the refrigeration system shall be set up with a charge quantity and/or exit subcooling such that the unit operates during testing without shutdown (e.g., on a high-pressure switch) and operation of the unit is otherwise consistent with the requirements of the test procedure of this appendix and the installation instructions.

3.5.2.5.3. *Unit Cooler.* Use the shipped expansion device for testing. Otherwise, use the expansion device specified in the installation instructions. If the installation instructions specify multiple options for the expansion device, any specified expansion device may be used. The supplied expansion device shall be adjusted until either the superheat target is met, or the device reaches the end of its adjustable range. In the event the device reaches the end of its adjustable range and the super heat target is not met, test with the adjustment at the end of its range providing the closest match to the superheat target, and the test condition tolerance for super heat target shall be ignored. The measured superheat is not subject to a test operating tolerance. However, if the evaporator exit condition is used to determine capacity using the DX dual instrumentation method or the refrigerant enthalpy method, individual superheat value measurements may not be equal to or less than zero. If this occurs, or if the operating tolerances of measurements affected by expansion device fluctuation are exceeded, the expansion device shall be replaced, operated at an average superheat value higher than the target, or both, in order to avoid individual superheat value measurements less than zero and/or to meet the required operating tolerances.

3.5.2.5.4. *Single-Packaged Unit.* Unless otherwise directed by the installation instructions, install one or more refrigerant line pressure gauges during the setup of the unit, located depending on the parameters used to verify or set charge, as described in this section:

3.5.2.5.4.1. Install a pressure gauge in the liquid line if charging is on the basis of subcooling, or high side pressure or corresponding saturation or dew point temperature.

3.5.2.5.4.2. Install a pressure gauge in the suction line if charging is on the basis of superheat, or low side pressure or corresponding saturation or dew point temperature. Install this gauge as close to the evaporator as allowable by the installation instructions and the physical constraints of the unit. Use methods for installing pressure gauge(s) at the required location(s) as indicated in the installation instructions if specified.

3.5.2.5.4.3. If the installation instructions indicate that refrigerant line pressure gauges should not be installed and the unit fails to operate due to high-pressure or low-pressure compressor cut off, then a charging port shall be installed, and the unit shall be evacuated of refrigerant and charged to the nameplate charge.

3.5.2.6 Ducted Units

For systems with ducted evaporator air, or that can be installed with or without ducted evaporator air: Connect ductwork on both

the inlet and outlet connections and determine external static pressure (ESP) as described in sections 6.4 and 6.5 of ANSI/ASHRAE 37. Use pressure measurement instrumentation as described in section 5.3.2 of ANSI/ASHRAE 37. Test at the fan speed specified in the installation instructions—if there is more than one fan speed setting and the installation instructions do not specify which speed to use, test at the highest speed. Conduct tests with the ESP equal to 50% of the maximum ESP allowed in the installation instructions, within a tolerance of −0.00/+0.05 inches of water column. If the installation instructions do not provide the maximum ESP, the ESP shall be set for testing such that the air volume rate is ⅔ of the air volume rate measured when the ESP is 0.00 inches of water column within a tolerance of −0.00/+0.05 inches of water column.

If testing using either the indoor or outdoor air enthalpy method to measure the air volume rate, adjust the airflow measurement apparatus fan to set the external static pressure—otherwise, set the external static pressure by symmetrically restricting the outlet of the test duct. In case of conflict, these requirements for setting airflow take precedence over airflow values specified in manufacturer installation instructions or product literature.

3.5.2.7. Two-Speed or Multiple-Speed Evaporator Fans. Two-Speed or Multiple-Speed evaporator fans shall be considered to meet the qualifying control requirements of section C4.2 of Appendix C of AHRI 1250–2020 for measuring off-cycle fan energy if they use a fan speed no less than 50% of the speed used in the maximum capacity tests.

3.5.2.8. Defrost

Use section C10.2.1 of Appendix C of AHRI 1250–2020 for defrost testing. The Test Room Conditioning Equipment requirement of section C10.2.1.1 of Appendix C of AHRI 1250–2020 does not apply.

3.5.2.8.1 Adaptive Defrost

When testing to certify compliance to the energy conservation standards, use N_{DF} = 4, as instructed in section C10.2.1.7 or C10.2.2.1 of AHRI 1250–2020. When determining the represented value of the calculated benefit for the inclusion of adaptive defrost, use N_{DF} = 2.5, as instructed in section C10.2.1.7 or C10.2.2.1 of AHRI 1250–2020.

3.5.2.8.2 Hot Gas Defrost

When testing to certify compliance to the energy conservation standards, remove the hot gas defrost mechanical components and disconnect all such components from electrical power. Test the units as if they are electric defrost units, but do not conduct the defrost tests described in section C10.2.1 of AHRI 1250–2020. Use the defrost heat and power consumption values as described in section C10.2.2 of AHRI 1250–2020 for the AWEF2 calculations.

3.5.2.9 Dedicated condensing units that are not matched for testing and are not single-packaged dedicated systems.

The temperature measurement requirements of sections C3.1.3 and C4.1.3.1 appendix C of AHRI 1250–2020 shall apply only to the condensing unit exit rather than to the unit cooler inlet and outlet, and they shall be applied for two measurements when using the DX Dual Instrumentation test method.

3.5.2.10. Single-packaged dedicated systems

Use the test method in section C9 of appendix C of AHRI 1250–2020 (including the applicable provisions of ASHRAE 16–2016, ASHRAE 23.1–2010, ASHRAE 37–2009, and ASHRAE 41.6–2014, as referenced in section C9.1 of AHRI 1250–2020) as the method of test for single-packaged dedicated systems, with modifications as described in this section. Use two test methods listed in table 20 of this appendix to calculate the net capacity and power consumption. The test method listed with a lower ''Hierarchy Number'' and that has ''Primary'' as an allowable use in table 20 of this appendix shall be considered the primary measurement and used as the net capacity.

TABLE 20—SINGLE-PACKAGED METHODS OF TEST AND HIERARCHY

Hierarchy number	Method of test	Test hierarchy
1	Balanced Ambient Indoor Calorimeter	Primary.
2	Indoor Air Enthalpy	Primary or Secondary.
3	Indoor Room Calorimeter	Primary or Secondary.
4	Calibrated Box	Primary or Secondary.
5	Balanced Ambient Outdoor Calorimeter	Secondary.
6	Outdoor Air Enthalpy	Secondary.
7	Outdoor Room Calorimeter	Secondary.
8	Single-Packaged Refrigerant Enthalpy [1]	Secondary.
9	Compressor Calibration	Secondary.

Notes:
[1] See description of the single-packaged refrigerant enthalpy method in section 3.5.2.10.1 of this appendix.

3.5.2.10.1 Single-Packaged Refrigerant Enthalpy Method

The single-packaged refrigerant enthalpy method shall follow the test procedure of the

DX Calibrated Box method in AHRI 1250–2020, appendix C, section C8 for refrigerant-side measurements with the following modifications:

3.5.2.10.1.1 Air-side measurements shall follow the requirements of the primary single-packaged method listed in table 20 of this appendix. The air-side measurements and refrigerant-side measurements shall be collected over the same intervals.

3.5.2.10.1.2 A preliminary test at Test Rating Condition A is required using the primary method prior to any modification necessary to install the refrigerant-side measuring instruments. Install surface mount temperature sensors on the evaporator and condenser coils at locations not affected by liquid subcooling or vapor superheat (i.e., near the midpoint of the coil at a return bend), entering and leaving the compressor, and entering the expansion device. These temperature sensors shall be included in the regularly recorded data.

3.5.2.10.1.3 After the preliminary test is completed, the refrigerant shall be removed from the equipment and the refrigerant-side measuring instruments shall be installed. The equipment shall then be evacuated and recharged with refrigerant. Once the equipment is operating at Test Condition A, the refrigerant charge shall be adjusted until, as compared to the average values from the preliminary test, the following conditions are achieved:

(a) Each on-coil temperature sensor indicates a reading that is within ±1.0 °F of the measurement in the initial test,

(b) The temperatures of the refrigerant entering and leaving the compressor are within ±4 °F, and

(c) The refrigerant temperature entering the expansion device is within ±1 °F.

3.5.2.10.1.4 Once these conditions have been achieved over an interval of at least 10 minutes, refrigerant charging equipment shall be removed and the official tests shall be conducted.

3.5.2.10.1.5 The lengths of liquid line to be added shall be 5 feet maximum, not including the requisite flow meter. This maximum length applies to each circuit separately.

3.5.2.10.1.6 Use section C9.2 of appendix C of AHRI 1250–2020 for allowable refrigeration capacity heat balance. Calculate the single-packaged refrigerant enthalpy (secondary) method test net capacity $\dot{Q}_{net,secondary}$ as follows: $\dot{Q}_{net,secondary} = \dot{Q}_{ref\text{-}3.412} \cdot \dot{E}F_{comp,on} - \dot{Q}_{sploss}$

Where:

$\dot{Q}_{ref}$ is the gross capacity;

$\dot{E}F_{comp,on}$ is the evaporator compartment on-cycle power, including evaporator fan power; and

$\dot{Q}_{sploss}$ is a duct loss calculation applied to the evaporator compartment of the single-packaged systems, which is calculated as indicated in the following equation.

$\dot{Q}_{sploss} = UA_{cond} \times (T_{evapside} - T_{condside}) + UA_{amb} \times (T_{evapside} - T_{amb})$

Where:

UA_{cond} and UA_{amb} are, for the condenser/evaporator partition and the evaporator compartment walls exposed to ambient air, respectively, the product of the overall heat transfer coefficient and surface area of the unit as manufactured, *i.e.* without external insulation that might have been added during the test. The areas shall be calculated based on measurements, and the thermal resistance values shall be based on insulation thickness and insulation material;

$T_{evapside}$ is the air temperature in the evaporator compartment—the measured evaporator air inlet temperature may be used;

$T_{condside}$ is the air temperature in the condenser compartment—the measured chamber ambient temperature may be used, or a measurement may be made using a temperature sensor placed inside the condenser box at least 6 inches distant from any part of the refrigeration system; and

T_{amb} is the air temperature outside the single-packaged system.

3.5.2.10.1.7 For multi-circuit single-packaged systems utilizing the single-packaged refrigerant enthalpy method, apply the test method separately for each circuit and sum the separately-calculated refrigerant-side gross refrigeration capacities.

3.5.2.10.2 Calibrated Box Test Procedure

3.5.2.10.2.1 Measurements. Refer to section C3 of AHRI 1250–2020 (including the applicable provisions of ASHRAE 41.1–2013, ASHRAE 41.3–2014, and ASHRAE 41.10–2013, as referenced in section C3 of AHRI 1250–2020) for requirements of air-side and refrigerant-side measurements.

3.5.2.10.2.2 Apparatus setup for Calibrated Box Calibration and Test. Refer to section C5 of AHRI 1250–2020 and section C8 of AHRI 1250–2020 for specific test setup.

3.5.2.10.2.3 The calibrated box shall be installed in a temperature-controlled enclosure in which the temperature can be maintained at a constant level. When using the calibrated box method for Single-Packaged Dedicated Systems, the enclosure air temperature shall be maintained such that the condenser air entering conditions are as specified for the test.

3.5.2.10.2. The temperature-controlled enclosure shall be of a size that will provide clearances of not less than 18 in at all sides, top and bottom, except that clearance of any one surface may be reduced to not less than 5.5 inches.

3.5.2.10.2.5 The heat leakage of the calibrated box shall be noted in the test report.

3.5.2.10.2.6 Refrigerant lines within the calibrated box shall be well insulated to avoid appreciable heat loss or gain.

3.5.2.10.2.7 Instruments for measuring the temperature around the outside of the calibrated box to represent the enclosure temperature T_{en} shall be located at the center of each wall, ceiling, and floor. Exception: in the case where a clearance around the outside of the calibrated box, as indicated in section 3.5.2.10.2.4 of this appendix, is reduced to less than 18 inches, the number of temperature measuring devices on the outside of that surface shall be increased to six, which shall be treated as a single temperature to be averaged with the temperature of each of the other five surfaces. The six temperature measuring instruments shall be located at the center of six rectangular sections of equal area. If the refrigeration system is mounted at the location that would cover the center of the face on which it is mounted, up to four temperature measurements shall be used on that face to represent its temperature. Each sensor shall be aligned with the center of the face's nearest outer edge and centered on the distance between that edge and the single-packaged unit (this is illustrated in figure C5 of this section when using surface temperature sensors), and they shall be treated as a single temperature to be averaged with the temperature of each of the other five surfaces. However, any of these sensors shall be omitted if either (a) the distance between the outer edge and the single-packaged unit is less than one foot or (b) if the sensor location would be within two feet of any of the foot square surfaces discussed in section 3.5.2.10.2.8 of this appendix representing a warm discharge air impingement area. In this case, the remaining sensors shall be used to represent the average temperature for the surface.

3.5.2.10.2.8 One of the following two approaches shall be used for the box external temperature measurement. Box calibration and system capacity measurement shall both be done using the same one of these approaches. 1: Air temperature sensors. Each temperature sensor shall be at a distance of 6 inches from the calibrated box. If the clearance from a surface of the box (allowed for one surface only) is less than 12 inches, the temperature measuring instruments shall be located midway between the outer wall of the calibrated box and the adjacent surface. 2: Surface temperature sensors. Surface temperature sensors shall be mounted on the calibrated box surfaces to represent the enclosure temperature, T_{en}.

3.5.2.10.2.9 Additional surface temperature sensors may be used to measure external hot spots during refrigeration system testing. If this is done, two temperature sensors shall be used to measure the average temperature of the calibrated box surface covered by the condensing section—they shall be located centered on equal-area rectangles comprising the covered calibrated box surface whose common sides span the short dimension of this surface. Additional surface temperature sensors may be used to measure box surfaces on which warm condenser discharge air impinges. A pattern of square surfaces measuring one foot square shall be mapped out to represent the hot spot upon which the warm condenser air impinges. One temperature sensor shall be used to measure surface temperature at the center of each square (see figure C5 of this section). A drawing showing this pattern and identifying the surface temperature sensors shall be provided in the test report. The average surface temperature of the overall calibrated box outer surface during testing shall be calculated as follows.

$$T_{en} = \frac{\sum_{i=1}^{6} A_i T_i + \sum_{j=1}^{2} A_j \left(T'_j - T_1\right) + \sum_{k=1}^{n} A_k \left(T''_k - T_1\right)}{\sum_{i=1}^{6} A_i}$$

Where:

A_i is the surface area of the ith of the six calibrated box surfaces;

T_i is the average temperature measured for the ith surface;

A_j is half of the surface area of the calibrated box covered by the condensing section;

T'_j is the jth of the two temperature measurements underneath the condensing section;

T_1 is the average temperature of the four or fewer measurements representing the temperature of the face on which the single-packaged system is mounted, prior to adjustments associated with hot spots based on measurements T_j and/or T_k;

A_k is the area of the kth of n 1-square-foot surfaces used to measure the condenser discharge impingement area hot spot; and,

T''_k is the kth of the n temperature measurements of the condenser discharge impingement area hot spot.

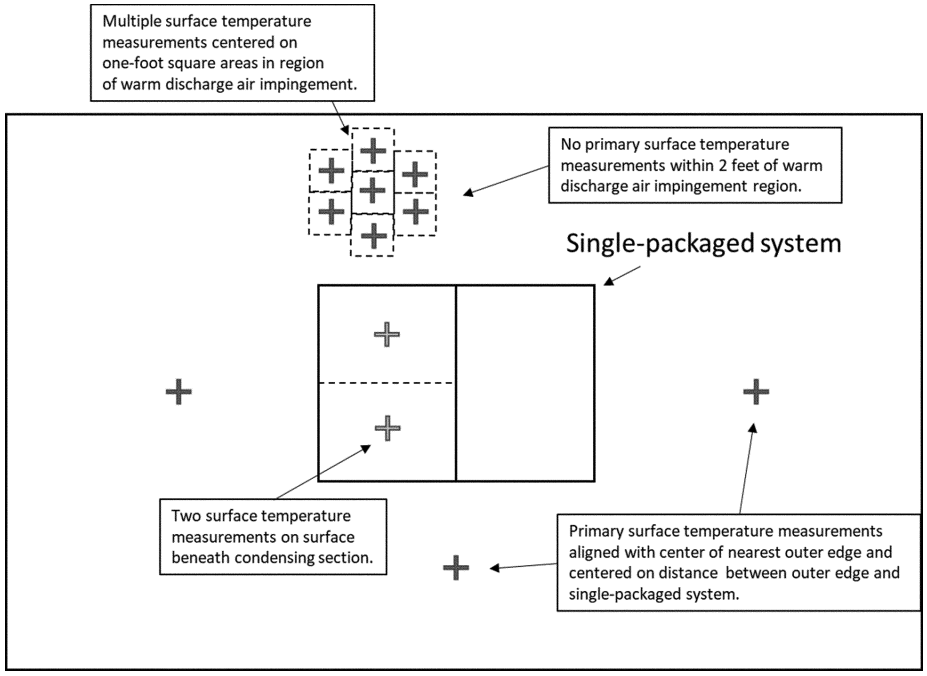


Figure C5: Illustration of Layout of Surface Temperature Sensors on Face of Calibrated Box on which Single-Packaged Dedicated System is Mounted when Using Section 3.5.2.10.2.7 of Appendix C to this Part.3.5.2.10.2.10 Heating means inside the calibrated box shall be shielded or installed in a manner to avoid radiation to the Single-Packaged Dedicated System, the temperature measuring instruments, and to the walls of the box. The heating means shall be constructed to avoid stratification of temperature, and suitable means shall be provided for distributing the temperature uniformly.

3.5.2.10.2.11 The average air dry-bulb temperature in the calibrated box during Single-Packaged Dedicated System tests and calibrated box heat leakage tests shall be the average of eight temperatures measured at the corners of the box at a distance of 2 inches to 4 inches from the walls. The instruments shall be shielded from any cold or warm surfaces except that they shall not be shielded from the adjacent walls of the box. The Single-Packaged Dedicated System under test shall be mounted such that the temperature instruments are not in the direct air stream from the discharge of the Single-Packaged Dedicated System.

3.5.2.10.2.12 Calibration of the Calibrated Box. Calibration of the Calibrated Box shall occur prior to installation of the Single-Packaged Dedicated System. This shall be done either (a) prior to cutting the opening needed to install the Single-Packaged Dedicated System, or (b) with an insulating panel with the same thickness and thermal resistance as the box wall installed in the opening intended for the Single-Packaged Dedicated System installation. Care shall be taken to avoid thermal shorts in the location of the opening either during calibration or during subsequent installation of the Single-Packaged Dedicated System. A calibration test shall be made for air movements comparable to those expected for Single-Packaged Dedicated System capacity measurement, *i.e.*, with air volume flow rate within 10 percent of the air volume flow rate of the Single-Packaged Dedicated System evaporator.

3.5.2.10.2.13 The heat input shall be adjusted to maintain an average box temperature not less than 25.0 °F above the test enclosure temperature.

3.5.2.10.2.14 The average dry-bulb temperature inside the calibrated box shall not vary more than 1.0 °F over the course of the calibration test.

3.5.2.10.2.15 A calibration test shall be the average of 11 consecutive hourly readings when the box has reached a steady-state temperature condition.

3.5.2.10.2.16 The box temperature shall be the average of all readings after a steady-state temperature condition has been reached.

3.5.2.10.2.17 The calibrated box has reached a steady-state temperature condition when: The average box temperature is not less than 25 °F above the test enclosure temperature. Temperature variations do not exceed 5.0 °F between temperature measuring stations. Temperatures do not vary by more than 2 °F at any one temperature-measuring station.

3.5.2.10.2.18 Data to be Measured and Recorded. Refer to Table C5 in section C6.2 of AHRI 1250–2020 for the required data that need to measured and recorded.

3.5.2.10.2.19 Refrigeration Capacity Calculation.

The heat leakage coefficient of the calibrated box is calculated by

$$K_{cb} = \frac{3.412 \times \dot{E}_c}{T_{en} - T_{cb}}$$

For each Dry Rating Condition, calculate the Net Capacity:

$\dot{q}_{ss} = K_{cb}\,(T_{en} - T_{cb}) + 3.412 \times \dot{E}_c$

3.5.2.10.3 Detachable single-packaged systems shall be tested as single-packaged dedicated refrigeration systems.

3.5.2.11 *Variable-Capacity and Multiple-Capacity Dedicated Condensing Refrigeration Systems*

3.5.2.11.1 Manufacturer-Provided Equipment Overrides

Where needed, the manufacturer must provide a means for overriding the controls of the test unit so that the compressor(s) operates at the specified speed or capacity and the indoor blower operates at the speed consistent with the compressor operating level as would occur without override.

3.5.2.11.2 Compressor Operating Levels

For variable-capacity and multiple-capacity compressor systems, the minimum capacity for testing shall be the minimum capacity that the system control would operate the compressor in normal operation. Likewise, the maximum capacity for testing shall be the maximum capacity that the system control would operate the compressor in normal operation. For variable-speed compressor systems, the intermediate speed for testing shall be the average of the minimum and maximum speeds. For digital compressor systems, the intermediate duty cycle shall be the average of the minimum and maximum duty cycles. For multiple-capacity compressor systems with three capacity levels, the intermediate operating level for testing shall be the middle capacity level. For multiple-capacity compressor systems with more than three capacity levels, the intermediate operating level for testing shall be the level whose displacement ratio is closest to the average of the maximum and minimum displacement ratios.

3.5.2.11.3 Refrigeration Systems with Digital Compressor(s)

Use the test methods described in section 3.5.2.10.1 of this appendix as the secondary method of test for refrigeration systems with digital compressor(s) with modifications as described in this section. The Test Operating tolerance for refrigerant mass flow rate and suction pressure in Table 2 of AHRI 1250–2020 shall be ignored. Temperature and pressure measurements used to calculate shall be recorded at a frequency of once per second or faster and based on average values measured over the 30-minute test period.

3.5.2.11.3.1 For Matched pair (not including single-packaged systems) and Dedicated Condensing Unit refrigeration systems, the preliminary test in sections 3.5.2.10.1.2 and 3.5.2.10.1.3 of this appendix is not required. The liquid line and suction line shall be 25 feet ± 3 inches, not including the requisite flow meters. Also, the term in the equation to calculate net capacity shall be set equal to zero.

3.5.2.11.3.2 For Dedicated Condensing Unit refrigeration systems, the primary capacity measurement method shall be balanced ambient outdoor calorimeter, outdoor air enthalpy, or outdoor room calorimeter.

[88 FR 28843, May 4, 2023, as amended at 88 FR 73217, Oct. 25, 2023; 90 FR 6795, Jan. 21, 2025]

Subpart S—Metal Halide Lamp Ballasts and Fixtures

SOURCE: 74 FR 12075, Mar. 23, 2009, unless otherwise noted.

§ 431.321 Purpose and scope.

This subpart contains energy conservation requirements for metal halide lamp ballasts and fixtures, pursuant to Part A of Title III of the Energy

Policy and Conservation Act, as amended, 42 U.S.C. 6291–6309.

[75 FR 10966, Mar. 9, 2010]

§ 431.322 Definitions concerning metal halide lamp ballasts and fixtures.

Active mode means the condition in which an energy-using product:

(1) Is connected to a main power source;

(2) Has been activated; and

(3) Provides one or more main functions.

Ballast means a device used with an electric discharge lamp to obtain necessary circuit conditions (voltage, current, and waveform) for starting and operating.

Ballast efficiency means, in the case of a high intensity discharge fixture, the efficiency of a lamp and ballast combination, expressed as a percentage, and calculated in accordance with the following formula: Efficiency = P_{out}/P_{in} where:

(1) P_{out} equals the measured operating lamp wattage; and

(2) P_{in} equals the measured operating input wattage.

(3) The lamp, and the capacitor when the capacitor is provided, shall constitute a nominal system in accordance with the ANSI C78.43–2017 (incorporated by reference; see § 431.323);

(4) For ballasts with a frequency of 60 Hz, Pin and Pout shall be measured after lamps have been stabilized according to Section 4.4 of ANSI C82.6–2015 (incorporated by reference; see § 431.323) using a wattmeter with accuracy specified in Section 4.5 of ANSI C82.6–2015; and

(5) For ballasts with a frequency greater than 60 Hz, Pin and Pout shall have a basic accuracy of ±0.5 percent at the higher of either 3 times the output operating frequency of the ballast or 2.4 kHz.

Basic model means all units of a given type of covered product (or class thereof) manufactured by one manufacturer, having the same primary energy source, and which have essentially identical electrical, physical, and functional (or hydraulic) characteristics that affect energy consumption, energy efficiency, water consumption, or water efficiency, and are rated to operate a given lamp type and wattage.

Ceramic metal halide lamp means a metal halide lamp with an arc tube made of ceramic materials.

Electronic ballast means a device that uses semiconductors as the primary means to control lamp starting and operation.

General lighting application means lighting that provides an interior or exterior area with overall illumination.

High-frequency electronic metal halide ballast means an electronic ballast that operates a lamp at an output frequency of 1000 Hz or greater.

Metal halide ballast means a ballast used to start and operate metal halide lamps.

Metal halide lamp means a high intensity discharge lamp in which the major portion of the light is produced by radiation of metal halides and their products of dissociation, possibly in combination with metallic vapors.

Metal halide lamp fixture means a light fixture for general lighting application designed to be operated with a metal halide lamp and a ballast for a metal halide lamp.

Nonpulse-start electronic ballast means an electronic ballast with a starting method other than pulse-start.

Off mode means the condition in which an energy-using product:

(1) Is connected to a main power source; and

(2) Is not providing any standby or active mode function.

PLC control signal means a power line carrier (PLC) signal that is supplied to the ballast using the input ballast wiring for the purpose of controlling the ballast and putting the ballast in standby mode.

Probe-start metal halide ballast means a ballast that starts a probe-start metal halide lamp that contains a third starting electrode (probe) in the arc tube, and does not generally contain an igniter but instead starts lamps with high ballast open circuit voltage.

Pulse-start metal halide ballast means an electronic or electromagnetic ballast that starts a pulse-start metal halide lamp with high voltage pulses, where lamps shall be started by the ballast first providing a high voltage pulse for ionization of the gas to produce a glow discharge and then

power to sustain the discharge through the glow-to-arc transition.

Quartz metal halide lamp means a metal halide lamp with an arc tube made of quartz materials.

Reference lamp is a metal halide lamp that meets the operating conditions of a reference lamp as defined by ANSI C82.9–2016 (incorporated by reference; see § 431.323).

Standby mode means the condition in which an energy-using product:

(1) Is connected to a main power source; and

(2) Offers one or more of the following user-oriented or protective functions:

(i) To facilitate the activation or deactivation of other functions (including active mode) by remote switch (including remote control), internal sensor, or timer;

(ii) Continuous functions, including information or status displays (including clocks) or sensor-based functions.

[74 FR 12075, Mar. 23, 2009, as amended at 75 FR 10966, Mar. 9, 2010; 74 FR 12074, Mar. 23, 2009; 79 FR 7843, Feb. 10, 2014; 87 FR 37699, June 24, 2022]

TEST PROCEDURES

§ 431.323 Materials incorporated by reference.

(a) Certain material is incorporated by reference into this subpart with the approval of the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in this section, the U.S. Department of Energy (DOE) must publish a document in the FEDERAL REGISTER and the material must be available to the public. All approved incorporation by reference (IBR) material is available for inspection at DOE, and at the National Archives and Records Administration (NARA). Contact DOE at: the U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Program, Sixth Floor, 950 L'Enfant Plaza SW, Washington, DC 20024, (202) 586–9127, *Buildings@ee.doe.gov*, *https://www.energy.gov/eere/buildings/building-technologies-office*. For information on the availability of this material at NARA, email: *fr.inspection@nara.gov*, or go to: *www.archives.gov/federal-register/cfr/ibr-locations.html*. The material may be obtained from the sources in the following paragraphs of this section.

(b) *ANSI*. American National Standards Institute, 25 W. 43rd Street, 4th Floor, New York, NY 10036; 212–642–4900; *www.ansi.org*.

(1) ANSI C78.43–2017, American National Standard for Electric Lamps—Single-Ended Metal Halide Lamps, approved December 21, 2017; IBR approved for § 431.324.

(2) ANSI C78.44–2016, American National Standard for Electric Lamps—Double-Ended Metal Halide Lamps, approved July 1, 2016; IBR approved for § 431.324.

(3) ANSI C82.6–2015 (R2020), American National Standard for Lamp Ballasts—Ballasts for High-Intensity Discharge Lamps—Methods of Measurement, approved March 30, 2020; IBR approved for §§ 431.322; 431.324.

(4) ANSI C82.9–2016, American National Standard for Lamp Ballasts—High Intensity Discharge and Low-Pressure Sodium Lamps—Definitions, approved July 12, 2016; IBR approved for §§ 431.322; 431.324.

(c) *IEC*. International Electrotechnical Commission, 3 rue de Varembé, 1st Floor, P.O. Box 131, CH—1211 Geneva 20—Switzerland, +41 22 919 02 11, or go to *webstore.iec.ch/home*.

(1) IEC 63103, Lighting Equipment—Non-active Mode Power Measurement, Edition 1.0, dated 2020–07; IBR approved for § 431.324.

(2) [Reserved]

(d) *NFPA*. National Fire Protection Association, 11 Tracy Drive, Avon, MA 02322, 1–800–344–3555, or go to *http://www.nfpa.org;*

(1) NFPA 70–2002 (''NFPA 70''), National Electrical Code 2002 Edition, IBR approved for § 431.326;

(2) [Reserved]

(e) UL. Underwriters Laboratories, Inc., COMM 2000, 1414 Brook Drive, Downers Grove, IL 60515, 1–888–853–3503, or go to *http://www.ul.com*.

(1) UL 1029 (ANSI/UL 1029–2007) (''UL 1029''), Standard for Safety High-Intensity-Discharge Lamp Ballasts, 5th edition, May 25, 1994, which consists of pages dated May 25, 1994, September 28, 1995, August 3, 1998, February 7, 2001

and December 11, 2007, IBR approved for § 431.326.

(2) [Reserved]

[74 FR 12075, Mar. 23, 2009, as amended at 75 FR 10966, Mar. 9, 2010; 87 FR 37699, June 24, 2022]

§ 431.324 Uniform test method for the measurement of energy efficiency and standby mode energy consumption of metal halide lamp ballasts.

(a) *Scope.* This section provides test procedures for measuring, pursuant to EPCA, the energy efficiency of metal halide lamp ballasts. After July 25, 2022, and prior to December 21, 2022, any representations with respect to energy use or efficiency of metal halide lamp fixtures must be in accordance with the results of testing pursuant to this section or the test procedures as they appeared in 10 CFR 431.324 as it appeared in the 10 CFR parts 200–499 edition revised as of January 1, 2022. On or after December 21, 2022, any representations, including certifications of compliance for metal halide lamp fixtures subject to any energy conservation standard, made with respect to the energy use or efficiency of metal halide lamp fixtures must be made in accordance with the results of testing pursuant to this section.

(b) *Active mode procedure*—(1) *General instructions.* Specifications in referenced standards that are recommended, that ''shall'' or ''should'' be met, or that are not otherwise explicitly optional, are mandatory. In cases where there is a conflict between any industry standard(s) and this section, the language of the test procedure in this section takes precedence over the industry standard(s).

(2) *Test conditions and setup.* (i) The power supply, ballast conditions, lamp position, and instrumentation must all conform to the requirements specified in Section 4.0 of ANSI C82.6–2015 (R2020) (incorporated by reference; see § 431.323).

(ii) Airflow in the room for the testing period must be ≤0.5 meters/second.

(iii) Test circuits must be in accordance with the circuit connections specified in Section 6.3 of ANSI C82.6–2015 (R2020).

(iv) For ballasts designed to operate lamps rated less than 150 W that have 120 V as an available input voltage, testing must be performed at 120 V. For ballasts designed to operate lamps rated less than 150 W that do not have 120 V as an available voltage, testing must be performed at the highest available input voltage. For ballasts designed to operate lamps rated greater than or equal to 150 W that have 277 V as an available input voltage, testing must be conducted at 277 V. For ballasts designed to operate lamps rated greater than or equal to 150 W that do not have 277 V as an available input voltage, testing must be conducted at the highest available input voltage.

(v) Operate dimming ballasts at maximum input power.

(vi) Select the metal halide lamp for testing as follows:

(A) The metal halide lamp used for testing must meet the specifications of a reference lamp as defined by ANSI C82.9–2016 and the rated values of the corresponding lamp data sheet as specified in ANSI C78.43–2017 (both incorporated by reference; *see* § 431.323) for single-ended lamps and ANSI C78.44–2016 (incorporated by reference; *see* § 431.323) for double-ended lamps.

(B) Ballasts designated with ANSI codes corresponding to more than one lamp must be tested with the lamp having the highest nominal lamp wattage as specified in ANSI C78.43–2017 or ANSI C78.44–2016, as applicable.

(C) Ballasts designated with ANSI codes corresponding to both ceramic metal halide lamps (code beginning with ''C'') and quartz metal halide lamps (code beginning with ''M'') of the same nominal lamp wattage must be tested with the quartz metal halide lamp.

(3) *Test method*—(i) *Stabilization criteria*—(A) *General instruction.* Lamp must be seasoned as prescribed in Section 4.4.1 of ANSI C82.6–2015 (R2020).

(B) *Basic stabilization method.* Lamps using the basic stabilization method must be stabilized in accordance with Section 4.4.2 of ANSI C82.6–2015 (R2020). Stabilization is reached when the lamp's electrical characteristics vary by no more than 3-percent in three consecutive 10- to 15-minute intervals measured after the minimum burning time of 30 minutes.

(C) *Alternative stabilization method.* In cases where switching from the reference ballast to test ballast without extinguishing the lamp is impossible, such as for low-frequency electronic ballasts, the alternative stabilization method must be used. Lamps using the alternative stabilization method must be stabilized in accordance with Section 4.4.3 of ANSI C82.6–2015 (R2020).

(ii) *Test measurements.* (A) The ballast input power during operating conditions must be measured in accordance with the methods specified in Sections 6.1 and 6.8 of ANSI C82.6–2015 (R2020).

(B) The ballast output (lamp) power during operating conditions must be measured in accordance with the methods specified in Sections 6.2 and 6.10 of ANSI C82.6–2015 (R2020).

(C) For ballasts with a frequency of 60 Hz, the ballast input and output power shall be measured after lamps have been stabilized according to Section 4.4 of ANSI C82.6–2015 (R2020) using a wattmeter with accuracy specified in Section 4.5 of ANSI C82.6–2015 (R2020); and

(D) For ballasts with a frequency greater than 60 Hz, the ballast input and output power shall have a basic accuracy of ±0.5 percent at the higher of either 3 times the output operating frequency of the ballast or 2.4 kHz.

(iii) *Calculations.* (A) To determine the percent efficiency of the ballast under test, divide the measured ballast output (lamp) power, as measured in paragraph (b)(3)(ii) of this section, by the measured ballast input power, as measured in paragraph (b)(3)(ii) of this section. Calculate percent efficiency to three significant figures.

(B) [Reserved]

(c) *Standby mode procedure*—(1) *General instructions.* Measure standby mode energy consumption only for a ballast that is capable of operating in standby mode. Specifications in referenced standards that are recommended, that ''shall'' or ''should'' be met, or that are not otherwise explicitly optional, are mandatory. When there is a conflict, the language of the test procedure in this section takes precedence over IEC 63103 (incorporated by reference; see § 431.323).

(2) *Test conditions and setup.* (i) Establish and maintain test conditions and setup in accordance with paragraph (b)(2) of this section.

(ii) Connect each ballast to a lamp as specified in paragraph (b)(2)(vi) of this section. Note: ballast operation with a reference lamp is not required.

(3) *Test method and measurement.* (i) Turn on all of the lamps at full light output. If any lamp is not functional, replace the lamp and repeat the test procedure. If the ballast will not operate any lamps, replace the unit under test.

(ii) Send a signal to the ballast instructing it to have zero light output using the appropriate ballast communication protocol or system for the ballast being tested.

(iii) Stabilize the ballast prior to measurement using one of the methods as specified in Section 5.4 of IEC 63103.

(iv) Measure the standby mode energy consumption in watts using one of the methods as specified in Section 5.4 of IEC 63103.

[87 FR 37699, June 24, 2022]

ENERGY CONSERVATION STANDARDS

§ 431.326 Energy conservation standards and their effective dates.

(a) Except as provided in paragraph (b) of this section, each metal halide lamp fixture manufactured on or after January 1, 2009, and designed to be operated with lamps rated greater than or equal to 150 watts but less than or equal to 500 watts shall contain—

(1) A pulse-start metal halide ballast with a minimum ballast efficiency of 88 percent;

(2) A magnetic probe-start ballast with a minimum ballast efficiency of 94 percent; or

(3) A nonpulse-start electronic ballast with either a minimum ballast efficiency of 92 percent for wattages greater than 250 watts; or a minimum ballast efficiency of 90 percent for wattages less than or equal to 250 watts.

(b) The standards described in paragraph (a) of this section do not apply to—

(1) Metal halide lamp fixtures with regulated lag ballasts;

(2) Metal halide lamp fixtures that use electronic ballasts that operate at 480 volts; or

(3) Metal halide lamp fixtures that;

(i) Are rated only for 150 watt lamps;

(ii) Are rated for use in wet locations; as specified by the National Fire Protection Association in NFPA 70 (incorporated by reference; *see* § 431.323); and

(iii) Contain a ballast that is rated to operate at ambient air temperatures above 50 °C, as specified in UL 1029, (incorporated by reference; *see* § 431.323).

(c) Except when the requirements of paragraph (a) of this section are more stringent (*i.e.*, require a larger minimum efficiency value) or as provided by paragraph (e) of this section, each metal halide lamp fixture manufactured on or after February 10, 2017, must contain a metal halide ballast with an efficiency not less than the value determined from the appropriate equation in the following table:

Designed to be operated with lamps of the following rated lamp wattage	Tested input voltage‡‡	Minimum standard equation‡‡ %
≥50 W and ≤100 W	Tested at 480 V	(1/(1 + 1.24 × P^(−0.351))) − 0.020††
≥50 W and ≤100 W	All others	1/(1 + 1.24 × P^(−0.351))
>100 W and <150† W	Tested at 480 V	(1/(1 + 1.24 × P^(−0.351))) − 0.020
>100 W and <150† W	All others	1/(1 + 1.24 × P^(−0.351))
≥150‡ W and ≤250 W	Tested at 480 V	0.880
≥150‡ W and ≤250 W	All others	For ≥150 W and ≤200 W: 0.880 For >200 W and ≤250 W: 1/(1 + 0.876 × P^(−0.351))
>250 W and ≤500 W	Tested at 480 V	For >250 and <265 W: 0.880 For ≥265 W and ≤500 W: (1/(1 + 0.876 × P^(−0.351)) − 0.010
>250 W and ≤500 W	All others	1/(1 + 0.876 × P^(−0.351))
>500 W and ≤1000 W	Tested at 480 V	For >500 W and ≤750 W: 0.900 For >750 W and ≤1000 W: 0.000104 × P + 0.822 For >500 W and ≤1000 W: may not utilize a probe-start ballast
>500 W and ≤1000 W	All others	For >500 W and ≤750 W: 0.910 For >750 W and ≤1000 W: 0.000104 × P + 0.832 For >500 W and ≤1000 W: may not utilize a probe-start ballast

† Includes 150 W fixtures specified in paragraph (b)(3) of this section, that are fixtures rated only for 150 W lamps; rated for use in wet locations, as specified by the NFPA 70 (incorporated by reference, see § 431.323), section 410.4(A); and containing a ballast that is rated to operate at ambient air temperatures above 50 °C, as specified by UL 1029 (incorporated by reference, see § 431.323).

‡ Excludes 150 W fixtures specified in paragraph (b)(3) of this section, that are fixtures rated only for 150 W lamps; rated for use in wet locations, as specified by the NFPA 70, section 410.4(A); and containing a ballast that is rated to operate at ambient air temperatures above 50 °C, as specified by UL 1029.

†† P is defined as the rated wattage of the lamp the fixture is designed to operate.

‡‡ Tested input voltage is specified in 10 CFR 431.324.

(d) Except as provided in paragraph (e) of this section, metal halide lamp fixtures manufactured on or after February 10, 2017, that operate lamps with rated wattage >500 W to ≤1000 W must not contain a probe-start metal halide ballast.

(e) The standards described in paragraphs (c) and (d) of this section do not apply to—

(1) Metal halide lamp fixtures with regulated-lag ballasts;

(2) Metal halide lamp fixtures that use electronic ballasts that operate at 480 volts; and

(3) Metal halide lamp fixtures that use high-frequency electronic ballasts.

[74 FR 12075, Mar. 23, 2009, as amended at 79 FR 7844, Feb. 10, 2014]

Subpart T—Compressors

SOURCE: 81 FR 79998, Nov. 15, 2016, unless otherwise noted.

§ 431.341 Purpose and scope.

This subpart contains and energy conservation requirements for compressors, pursuant to Part A–1 of Title III of the Energy Policy and Conservation Act, as amended, 42 U.S.C. 6311–6317.

§ 431.342 Definitions concerning compressors.

The following definitions are applicable to this subpart, including appendix A. In cases where there is a conflict, the language of the definitions adopted in this section take precedence over any descriptions or definitions found in any other source, including in ISO Standard 1217:2009(E), ''Displacement

compressors—Acceptance tests,'' as amended through Amendment 1:2016(E), ''Calculation of isentropic efficiency and relationship with specific energy'' (incorporated by reference, see § 431.343). In cases where definitions reference design intent, DOE will consider all relevant information, including marketing materials, labels and certifications, and equipment design, to determine design intent.

Actual volume flow rate means the volume flow rate of air, compressed and delivered at the standard discharge point, referred to conditions of total temperature, total pressure and composition prevailing at the standard inlet point, and as determined in accordance with the test procedures prescribed in § 431.344.

Air compressor means a compressor designed to compress air that has an inlet open to the atmosphere or other source of air, and is made up of one or more compression elements (bare compressors), driver(s), mechanical equipment to drive the compression elements, and any ancillary equipment.

Air-cooled compressor means a compressor that utilizes air to cool both the compressed air and, if present, any auxiliary substance used to facilitate compression, and that is not a liquid-cooled compressor.

Ancillary equipment means any equipment distributed in commerce with an air compressor but that is not a bare compressor, driver, or mechanical equipment. Ancillary equipment is considered to be part of a given air compressor, regardless of whether the ancillary equipment is physically attached to the bare compressor, driver, or mechanical equipment at the time when the air compressor is distributed in commerce.

Auxiliary substance means any substance deliberately introduced into a compression process to aid in compression of a gas by any of the following: Lubricating, sealing mechanical clearances, or absorbing heat.

Bare compressor means the compression element and auxiliary devices (*e.g.*, inlet and outlet valves, seals, lubrication system, and gas flow paths) required for performing the gas compression process, but does not include any of the following:

(1) The driver;

(2) Speed-adjusting gear(s);

(3) Gas processing apparatuses and piping; and

(4) Compressor equipment packaging and mounting facilities and enclosures.

Basic model means all units of a class of compressors manufactured by one manufacturer, having the same primary energy source, the same compressor motor nominal horsepower, and essentially identical electrical, physical, and functional (or pneumatic) characteristics that affect energy consumption and energy efficiency.

Brushless electric motor means a machine that converts electrical power into rotational mechanical power without use of sliding electrical contacts.

Compressor means a machine or apparatus that converts different types of energy into the potential energy of gas pressure for displacement and compression of gaseous media to any higher pressure values above atmospheric pressure and has a pressure ratio at full-load operating pressure greater than 1.3.

Compressor motor nominal horsepower means the motor horsepower of the electric motor, as determined in accordance with the applicable procedures in subparts B and X of this part, with which the rated air compressor is distributed in commerce.

Driver means the machine providing mechanical input to drive a bare compressor directly or through the use of mechanical equipment.

Fixed-speed compressor means an air compressor that is not capable of adjusting the speed of the driver continuously over the driver operating speed range in response to incremental changes in the required compressor flow rate.

Full-load actual volume flow rate means the actual volume flow rate of the compressor at the full-load operating pressure.

Liquid-cooled compressor means a compressor that utilizes liquid coolant provided by an external system to cool both the compressed air and, if present, any auxiliary substance used to facilitate compression.

Lubricant-free compressor means a compressor that does not introduce

any auxiliary substance into the compression chamber at any time during operation.

Lubricated compressor means a compressor that introduces an auxiliary substance into the compression chamber during compression.

Maximum full-flow operating pressure means the maximum discharge pressure at which the compressor is capable of operating, as determined in accordance with the test procedure prescribed in § 431.344.

Mechanical equipment means any component of an air compressor that transfers energy from the driver to the bare compressor.

Package isentropic efficiency means the ratio of power required for an ideal isentropic compression process to the actual packaged compressor power input used at a given load point, as determined in accordance with the test procedures prescribed in § 431.344.

Package specific power means the compressor power input at a given load point, divided by the actual volume flow rate at the same load point, as determined in accordance with the test procedures prescribed in § 431.344.

Positive displacement compressor means a compressor in which the admission and diminution of successive volumes of the gaseous medium are performed periodically by forced expansion and diminution of a closed space(s) in a working chamber(s) by means of displacement of a moving member(s) or by displacement and forced discharge of the gaseous medium into the high-pressure area.

Pressure ratio at full-load operating pressure means the ratio of discharge pressure to inlet pressure, determined at full-load operating pressure in accordance with the test procedures prescribed in § 431.344.

Reciprocating compressor means a positive displacement compressor in which gas admission and diminution of its successive volumes are performed cyclically by straight-line alternating movements of a moving member(s) in a compression chamber(s).

Rotary compressor means a positive displacement compressor in which gas admission and diminution of its successive volumes or its forced discharge are performed cyclically by rotation of one or several rotors in a compressor casing.

Rotor means a compression element that rotates continually in a single direction about a single shaft or axis.

Variable-speed compressor means an air compressor that is capable of adjusting the speed of the driver continuously over the driver operating speed range in response to incremental changes in the required compressor actual volume flow rate.

Water-injected lubricated compressor means a lubricated compressor that uses injected water as an auxiliary substance.

[82 FR 1101, Jan. 4, 2017, as amended at 85 FR 1591, Jan. 10, 2020; 90 FR 5555, Jan. 17, 2025]

§ 431.343 Materials incorporated by reference.

(a) Certain material is incorporated by reference into this subpart with the approval of the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in this section, the DOE must publish a document in the FEDERAL REGISTER and the material must be available to the public. All approved incorporation by reference (IBR) material is available for inspection at DOE and at the National Archives and Records Administration (NARA). Contact DOE at: the U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Program, 1000 Independence Avenue SW, EE–5B, Washington, DC 20024, (202) 586–9127, *Buildings@ee.doe.gov, www.energy.gov/eere/buildings/building-technologies-office*. For information on the availability of this material at NARA, visit *www.archives.gov/federal-register/cfr/ibr-locations.html* or email: *fr.inspection@nara.gov*. The material may be obtained from the sources in paragraphs (b) and (c) of this section:

(b) *IEC*. International Electrotechnical Commission Central Office, 3, rue de Varembé, Case Postale 131, CH–1211 GENEVA 20, Switzerland; + 41 22 919 02 11; *webstore.iec.ch*.

(1) IEC 60584–1:2013, *Thermocouples—Part 1: EMF specifications and tolerances*, editions 3.0, August 2013; IBR approved for appendix A to this subpart.

(2) IEC 60584–3:2021, *Thermocouples—Part 3: Extension and compensating cables—Tolerances and identification system*, edition 3.0, February 2021; IBR approved for appendix A to this subpart.

(c) *ISO*. International Organization for Standardization, Chemin de Blandonnet 8, CP 401, 1214 Vernier, Geneva, Switzerland +41 22 749 01 11, *www.iso.org*.

(1) ISO 1217:2009(E), *Displacement compressors—Acceptance tests*, fourth edition, July 1, 2009; IBR approved for appendix A to this subpart.

(2) ISO 1217:2009/Amd.1:2016(E), *Displacement compressors—Acceptance tests* (fourth edition, July 1, 2009), AMENDMENT 1: *Calculation of isentropic efficiency and relationship with specific energy*, April 15, 2016; IBR approved for appendix A to this subpart.

(3) ISO 5167–1:2022(E), *Measurement of fluid flow by means of pressure differential devices inserted in circular cross-section conduits running full*—Part 1: General principles and requirements, third edition, June 2022; IBR approved for appendix A to this subpart.

(4) ISO 9300:2022(E), *Measurement of gas flow by means of critical flow nozzles*, third edition, June 2022; IBR approved for appendix A to this subpart.

[90 FR 5555, Jan. 17, 2025]

§ 431.344 Test procedure for measuring and determining energy efficiency of compressors.

(a) *Scope*. This section is a test procedure that is applicable to a compressor that meets the following criteria:

(1) Is an air compressor;

(2) Is a rotary compressor;

(3) Is not a liquid ring compressor;

(4) Is driven by a brushless electric motor;

(5) Is a lubricated compressor;

(6) Has a full-load operating pressure greater than or equal to 75 pounds per square inch gauge (psig) and less than or equal to 200 psig;

(7) Is not designed and tested to the requirements of the American Petroleum Institute Standard 619, ''Rotary-Type Positive-Displacement Compressors for Petroleum, Petrochemical, and Natural Gas Industries;''

(8) Has full-load actual volume flow rate greater than or equal to 35 cubic feet per minute (cfm), or is distributed in commerce with a compressor motor nominal horsepower greater than or equal to 10 horsepower (hp); and

(9) Has a full-load actual volume flow rate less than or equal to 1,250 cfm, or is distributed in commerce with a compressor motor nominal horsepower less than or equal to 200 hp.

(b) *Testing and calculations*. Determine the applicable full-load package isentropic efficiency ($\eta_{isen,FL}$), part-load package isentropic efficiency ($\eta_{isen,PL}$), package specific power, maximum full-flow operating pressure, full-load operating pressure, full-load actual volume flow rate, and pressure ratio at full-load operating pressure using the test procedure set forth in appendix A of this subpart.

[82 FR 1102, Jan. 4, 2017]

§ 431.345 Energy conservation standards and effective dates.

(a) Each compressor that is manufactured starting on January 10, 2025 and that:

(1) Is an air compressor,

(2) Is a rotary compressor,

(3) Is not a liquid ring compressor,

(4) Is driven by a brushless electric motor,

(5) Is a lubricated compressor,

(6) Has a full-load operating pressure greater than or equal to 75 pounds per square inch gauge (psig) and less than or equal to 200 psig,

(7) Is not designed and tested to the requirements of The American Petroleum Institute standard 619, ''Rotary-Type Positive-Displacement Compressors for Petroleum, Petrochemical, and Natural Gas Industries,''

(8) Has full-load actual volume flow rate greater than or equal to 35 cubic feet per minute (cfm), or is distributed in commerce with a compressor motor nominal horsepower greater than or equal to 10 horsepower (hp),

(9) Has a full-load actual volume flow rate less than or equal to 1,250 cfm, or is distributed in commerce with a compressor motor nominal horsepower less than or equal to 200 hp,

(10) Is driven by a three-phase electric motor,

(11) Is manufactured alone or as a component of another piece of equipment; and

(12) Is in one of the equipment classes listed in the Table 1, must have a full-load package isentropic efficiency or part-load package isentropic efficiency that is not less than the appropriate ''Minimum Package Isentropic Efficiency'' value listed in Table 1 of this section.

TABLE 1—ENERGY CONSERVATION STANDARDS FOR CERTAIN COMPRESSORS

Equipment class	Minimum package isentropic efficiency	η_{Regr} (package isentropic efficiency reference curve)	d (percentage loss reduction)
Rotary, lubricated, air-cooled, fixed-speed compressor.	$\eta_{Regr} + (1 - \eta_{Regr}) * (d/100)$.	$-0.00928 * \ln^2(.4719 * V_1) + 0.13911 * \ln(.4719 * V_1) + 0.27110$.	−15
Rotary, lubricated, air-cooled, variable-speed compressor.	$\eta_{Regr} + (1 - \eta_{Regr}) * (d/100)$.	$-0.01549 * \ln^2(.4719 * V_1) + 0.21573 * \ln(.4719 * V_1) + 0.00905$.	−10
Rotary, lubricated, liquid-cooled, fixed-speed compressor.	$.02349 + \eta_{Regr} + (1 - \eta_{Regr}) * (d/100)$.	$-0.00928 * \ln^2(.4719 * V_1) + 0.13911 * \ln(.4719 * V_1) + 0.27110$.	−15
Rotary, lubricated, liquid-cooled, variable-speed compressor.	$.02349 + \eta_{Regr} + (1 - \eta_{Regr}) * (d/100)$.	$-0.01549 * \ln^2(.4719 * V_1) + 0.21573 * \ln(.4719 * V_1) + 0.00905$.	−15

(b) Instructions for the use of Table 1 of this section:

(1) To determine the standard level a compressor must meet, the correct equipment class must be identified. The descriptions are in the first column (''Equipment Class''); definitions for these descriptions are found in § 431.342.

(2) The second column (''Minimum Package Isentropic Efficiency'') contains the applicable energy conservation standard level, provided in terms of package isentropic efficiency.

(3) For ''Fixed-speed compressor'' equipment classes, the relevant Package Isentropic Efficiency is Full-load Package Isentropic Efficiency. For ''Variable-speed compressor'' equipment classes, the relevant Package Isentropic Efficiency is Part-load Package Isentropic Efficiency. Both Full- and Part-load Package Isentropic Efficiency are determined in accordance with the test procedure in § 431.344.

(4) The second column (''Minimum Package Isentropic Efficiency'') references the third column (''η_{Regr}''), also a function of full-load actual volume flow rate, and the fourth column (''d''). The equations are provided separately to maintain consistency with the language of the preamble and analysis.

(5) The second and third columns contain the term V_1, which denotes compressor full-load actual volume flow rate, given in terms of cubic feet per minute (''cfm'') and determined in accordance with the test procedure in § 431.344.

[85 FR 1591, Jan. 10, 2020]

§§ 431.346–431.346 [Reserved]

APPENDIX A TO SUBPART T OF PART 431—UNIFORM TEST METHOD FOR CERTAIN AIR COMPRESSORS

NOTE: Prior to July 16, 2025, any representations made with respect to the energy use or efficiency of compressors must be based on testing conducted in accordance with:

(a) The applicable provisions of this appendix as they appeared in this subpart T of part 431 as of January 1, 2023; or

(b) This appendix.

Beginning July 16, 2025, representations with respect to energy use or efficiency of compressors, including compliance certifications, must be based on testing conducted in accordance with this appendix.

1. Incorporation by Reference

DOE incorporated by reference in § 431.343, the entire standard for: IEC 60584–1:2013, IEC 60584–3:2021, ISO 1217:2009(E), ISO 1217:2009/Amd.1:2016(E), ISO 5167–1:2022, and ISO 9300:2022; however, only enumerated provisions of ISO 1217:2009(E) and ISO 1217:2009/Amd.1:2016(E) are applicable to this appendix as listed in section 1. To the extent there is a conflict between the terms or provisions of a referenced industry standard and the CFR, the CFR provisions control.

1.1 ISO 1217:2009(E)

1.1.1 Section 2, Normative references;

1.1.2 Section 3, Terms and definitions;

1.1.3 Section 4, Symbols;

1.1.4 Section 5, Measuring equipment, methods and accuracy (excluding 5.1, 5.5, 5.7, and 5.8);

1.1.5 Section 6, Test procedures: the introductory text to Section 6.2, Test arrangements, paragraphs 6.2(g) and 6.2(h), and Table 1—Maximum deviations from specified values and fluctuations from average readings of this appendix;

1.1.6 Annex B (normative), Simplified acceptance test for bare displacement compressors, Section B.4.5 Comparison with specified values;

1.1.7 Annex C (normative), Simplified acceptance test for electrically driven packaged displacement compressors (excluding C.1.2, C.2.1, C.3, C.4.2.2, C.4.3.1, and C.4.5).

1.2 ISO 1217:2009/Amd.1:2016(E)

1.2.1 Section 3.5.1: isentropic power;

1.2.2 Section 3.6.1: isentropic efficiency;

1.2.3 Annex H (informative), Isentropic efficiency and its relation to specific energy requirement, sections H.2, Symbols and subscripts, and H.3, Derivation of isentropic power.

2. Measurements, Test Conditions, and Equipment Configuration

2.1. Measurement Equipment.

2.1.1. For the purposes of measuring air compressor performance, the equipment necessary to measure volume flow rate, inlet and discharge pressure, temperature, condensate, and packaged compressor power input must comply with the equipment and accuracy requirements specified in sections 5.2, 5.3, 5.4, 5.6, and 5.9 of ISO 1217:2009(E), (including the applicable provisions of IEC 60584–1 and IEC 60584–3, as referenced in section 5.3 of ISO 1217:2009(E) and the applicable provisions of ISO 5167–1 and ISO 9300, as referenced in section 5.6 of ISO 1217:2009(E)) and sections C.2.3 and C.2.4 of Annex C to ISO 1217:2009(E).

2.1.2. Electrical measurement equipment must be capable of measuring true root mean square (RMS) current, true RMS voltage, and real power up to the 40th harmonic of fundamental supply source frequency.

2.1.3. Any instruments used to measure a particular parameter specified in section 2.1.1 of this appendix must have a combined accuracy of ±2.0 percent of the measured value at the fundamental supply source frequency, where combined accuracy is the square root of the sum of the squares of individual instrument accuracies.

2.1.4. Any instruments used to directly measure the density of air must have an accuracy of ±1.0 percent of the measured value.

2.1.5. Any pressure measurement equipment used in a calculation of another variable (*e.g.*,actual volume flow rate) must also meet all accuracy and measurement requirements of section 5.2 of ISO 1217:2009(E).

2.1.6. Any temperature measurement equipment used in a calculation of another variable (*e.g.*,actual volume flow rate) must also meet all accuracy and measurement requirements of section 5.3 of ISO 1217:2009(E).

2.1.7. Where ISO 1217:2009(E) refers to ''corrected volume flow rate,'' the term is deemed synonymous with the term ''actual volume flow rate,'' as defined in section 3.4.1 of ISO 1217:2009(E).

2.2. Test Conditions and Configuration of Unit Under Test

2.2.1. For both fixed-speed and variable-speed compressors, conduct testing in accordance with the test conditions, unit configuration, and specifications of section 6.2 paragraphs (g) and (h) of ISO 1217:2009(E) and sections C.1.1, C.2.2, C.2.3, C.2.4, C.4.1, C.4.2.1, C.4.2.3, and C.4.3.2 of Annex C to ISO 1217:2009(E).

2.2.2. The power supply must:

(a) Maintain the voltage greater than or equal to 95 percent and less than or equal to 110 percent of the rated value of the motor,

(b) Maintain the frequency within ±5 percent of the rated value of the motor,

(c) Maintain the voltage unbalance of the power supply within ±3 percent of the rated values of the motor, and

(d) Maintain total harmonic distortion below 12 percent throughout the test.

2.2.3. Ambient Conditions. The ambient air temperature must be greater than or equal to 68 °F and less than or equal to 90 °F for the duration of testing. There are no ambient condition requirements for inlet pressure or relative humidity.

2.2.4. All equipment indicated in table 1 of this appendix must be present and installed for all tests specified in this appendix. If the compressor is distributed in commerce without an item from table 1 of this appendix, the manufacturer must provide an appropriate item to be installed for the test. Additional ancillary equipment may be installed for the test, if distributed in commerce with the compressor, but this additional ancillary equipment is not required. If any of the equipment listed in table 2 of this appendix is distributed in commerce with units of the compressor basic model, it must be present and installed for all tests specified in this appendix.

TABLE 1—EQUIPMENT REQUIRED DURING TEST

Equipment	Fixed-speed rotary air compressors	Variable-speed rotary air compressors
Driver	Yes	Yes.
Bare compressors	Yes	Yes.
Inlet filter	Yes	Yes.

TABLE 1—EQUIPMENT REQUIRED DURING TEST—Continued

Equipment	Fixed-speed rotary air compressors	Variable-speed rotary air compressors
Inlet valve	Yes	Yes.
Minimum pressure check valve/backflow check valve	Yes	Yes.
Lubricant separator	Yes	Yes.
Air piping	Yes	Yes.
Lubricant piping	Yes	Yes.
Lubricant filter	Yes	Yes.
Lubricant cooler	Yes	Yes.
Thermostatic valve	Yes	Yes.
Electrical switchgear or frequency converter for the driver	Yes	Not applicable.*
Device to control the speed of the driver (*e.g.,* variable speed drive)	Not applicable**	Yes.
Compressed air cooler(s)	Yes	Yes.
Pressure switch, pressure transducer, or similar pressure control device.	Yes	Yes.
Moisture separator and drain	Yes	Yes.

*This category is not applicable to variable-speed rotary air compressors.
**This category is not applicable to fixed-speed rotary air compressors.

TABLE 2—EQUIPMENT REQUIRED DURING TEST, IF DISTRIBUTED IN COMMERCE WITH THE BASIC MODEL

Equipment	Fixed-speed rotary air compressors	Variable-speed rotary air compressors
Cooling fan(s) and motors	Yes	Yes.
Mechanical equipment	Yes	Yes.
Lubricant pump	Yes	Yes.
Interstage cooler	Yes	Yes.
Electronic or electrical controls and user interface	Yes	Yes.
All protective and safety devices	Yes	Yes.

2.2.5. The inlet of the compressor under test must be open to the atmosphere and take in ambient air for all tests specified in this appendix.

2.2.6. The compressor under test must be set up according to all manufacturer instructions for normal operation (*e.g.*, verify lubricant level, connect all loose electrical connections, close off bottom of unit to floor, cover forklift holes).

2.2.7. The piping connected to the discharge orifice of the compressor must be of a diameter at least equal to that of the compressor discharge orifice to which it is connected. The piping must be straight with a length of at least 6 inches.

2.2.8. Transducers used to record compressor discharge pressure must be located on the discharge piping between 2 inches and 6 inches, inclusive, from the discharge orifice of the compressor. The pressure tap for transducers must be located at the highest point of the pipe's cross section.

3. Determination of Package Isentropic Efficiency, Package Specific Power, and Pressure Ratio at Full-Load Operating Pressure

3.1 Data Collection and Analysis.

3.1.1. Stabilization. Record data at each load point under steady-state conditions. Steady-state conditions are achieved when a set of two consecutive readings taken at least 10 seconds apart and no more than 60 seconds apart are within the maximum permissible fluctuation from the average (of the two consecutive readings), as specified in table 1 of ISO 1217:2009(E) for—

(a) Discharge pressure;

(b) Temperature at the nozzle or orifice plate, measured per section 5.3 of ISO 1217:2009(E); and

(c) Differential pressure over the nozzle or orifice plate, measured per section 5.2 of ISO 1217:2009(E).

3.1.2. Data Sampling and Frequency. At each load point, record a minimum set of 16 unique readings, collected over a minimum time of 15 minutes. Each consecutive reading must be no more than 60 seconds apart, and not less than 10 seconds apart. All readings at each load point must be within the maximum permissible fluctuation from average specified in table 1 of ISO 1217:2009(E) for—

(a) Discharge pressure;

(b) Temperature at the nozzle or orifice plate, measured per section 5.3 of ISO 1217:2009(E); and

(c) Differential pressure over the nozzle or orifice plate, measured per section 5.2 of ISO 1217:2009(E).

If one or more readings do not meet the requirements, then all previous readings must be disregarded and a new set of at least 16 new unique readings must be collected over a minimum time of 15 minutes. Average the

readings to determine the value of each parameter to be used in subsequent calculations.

3.1.3. Calculations and Rounding. Perform all calculations using raw measured values. Round the final result for package isentropic efficiency to the thousandth (*i.e.*, 0.001), for package specific power in kilowatts per 100 cubic feet per minute to the nearest hundredth (*i.e.*, 0.01), for pressure ratio at full-load operating pressure to the nearest tenth (*i.e.*, 0.1), for full-load actual volume flow rate in cubic feet per minute to the nearest tenth (*i.e.*, 0.1), and for full-load operating pressure in pounds per square inch gauge (psig) to the nearest integer (*i.e.*, 1). All terms and quantities refer to values determined in accordance with the procedures set forth in this appendix for the tested unit.

3.2. Full-Load Operating Pressure and Full-Load Actual Volume Flow Rate

Determine the full-load operating pressure and full-load actual volume flow rate (referenced throughout this appendix) in accordance with the procedures prescribed in section 4 of this appendix.

3.3. Full-Load Package Isentropic Efficiency for Fixed- and Variable-Speed Air Compressors

Use this test method to test fixed-speed air compressors and variable-speed air compressors.

3.3.1. Test unit at full-load operating pressure and full-load volume flow rate according to the requirements established in sections 2, 3.1, and 3.2 of this appendix. Measure volume flow rate and calculate actual volume flow rate in accordance with section C.4.2.1 of Annex C to ISO 1217:2009(E) with no corrections made for shaft speed. Measure discharge gauge pressure and packaged compressor power input. Measured discharge gauge pressure and calculated actual volume flow rate must be within the deviation limits for discharge pressure and volume flow rate specified in tables C.1 and C.2 of Annex C to ISO 1217:2009(E), where full-load operating pressure and full-load actual volume flow rate (as determined in section 4 of this appendix) are the targeted values.

3.3.2. Calculate the package isentropic efficiency at full-load operating pressure and full-load actual volume flow rate (full-load package isentropic efficiency, $\eta_{isen,FL}$) using the equation for isentropic efficiency in section 3.6.1 of ISO 1217:2009(E) as modified by ISO 1217:2009/Amd.1:2016(E). For $P_{isen,}$ use the isentropic power required for compression at full-load operating pressure and full-load actual volume flow rate, as determined in section 3.3.2.1 of this appendix. For $P_{real,}$ use the real packaged compressor power input at full-load operating pressure and full-load actual volume flow rate, as determined in section 3.3.2.2 of this appendix.

3.3.2.1. Calculate the isentropic power required for compression at full-load operating pressure and full-load actual volume flow rate using equation (H.6) of Annex H to ISO 1217:2009/Amd.1:2016(E). For $q_{V1,}$ use the actual volume flow rate (cubic meters per second) calculated in section 3.3.1 of this appendix. For $p_{1,}$ use 100 kPa. For $p_{2,}$ use the sum of

(a) 100 kPa, and

(b) The measured discharge gauge pressure (Pa) from section 3.3.1 of this appendix. For K, use the isentropic exponent (ratio of specific heats) of air, which, for the purposes of this test procedure, is 1.400.

3.3.2.2. Calculate real packaged compressor power input at full-load operating pressure and full-load actual volume flow rate using the following equation:

$$P_{real,100\%} = K_5 \cdot K_6 \cdot P_{PR,100\%}$$

Where:

K_5 = correction factor for inlet pressure, as determined in section C.4.3.2 of Annex C to ISO 1217:2009(E). For calculations of this variable use a value of 100 kPa for contractual inlet pressure;

K_6 = correction factor for pressure ratio, as determined in section B.4.5 of Annex B to ISO 1217:2009(E). For calculations of this variable use a value of 1.400 for isentropic exponent, and for contractual pressure ratio, use the ratio of

(a) The sum of 100 kPa and the measured discharge gauge pressure (kPa) from section 3.3.1 of this appendix, to

(b) 100 kPa; and

$P_{PR,100\%}$ = packaged compressor power input reading at full-load operating pressure and full-load actual volume flow rate measured in section 3.3.1 of this appendix (W).

3.4. Part-Load Package Isentropic Efficiency for Variable-Speed Air Compressors

Use this test method to test variable-speed air compressors.

3.4.1. Test unit at two load points:

(a) Full-load operating pressure and 70 percent of full-load actual volume flow rate and

(b) Full-load operating pressure and 40 percent of full-load actual volume flow rate, according to the requirements established in sections 2, 3.1, and 3.2 of this appendix. To reach each specified load point, adjust the speed of the driver and the backpressure of the system. For each load point, measure volume flow rate and calculate actual volume flow rate in accordance with section C.4.2.1 of Annex C to ISO 1217:2009(E), with no corrections made for shaft speed. For each load point, measure discharge gauge pressure and packaged compressor power input. Measured discharge gauge pressure and calculated actual volume flow rate must be within the deviation limits for discharge pressure and volume flow rate specified in tables C.1 and C.2 of Annex C to ISO 1217:2009(E).

3.4.2. For variable-speed compressors, calculate the part-load package isentropic efficiency using the following equation:

$$\eta_{isen,PL} = \omega_{40\%} \times \eta_{isen,40\%} + \omega_{70\%} \times \eta_{isen,70\%} + \omega_{100\%} \times \eta_{isen,100\%}$$

Where:

$\eta_{isen,PL}$ = part-load package isentropic efficiency for a variable-speed compressor;

$\eta_{isen,100\%}$ = package isentropic efficiency at full-load operating pressure and 100 percent of full-load actual volume flow rate, as determined in section 3.3.2 of this appendix;

$\eta_{isen,70\%}$ = package isentropic efficiency at full-load operating pressure and 70 percent of full-load actual volume flow rate, as determined in section 3.4.3 of this appendix;

$\eta_{isen,40\%}$ = package isentropic efficiency at full-load operating pressure and 40 percent of full-load actual volume flow rate, as determined in section 3.4.4 of this appendix;

$\omega_{40\%}$ = weighting at 40 percent of full-load actual volume flow rate and is 0.25;

$\omega_{70\%}$ = weighting at 70 percent of full-load actual volume flow rate and is 0.50; and

$\omega_{100\%}$ = weighting at 100 percent of full-load actual volume flow rate and is 0.25.

3.4.3. Calculate package isentropic efficiency at full-load operating pressure and 70 percent of full-load actual volume flow rate using the equation for isentropic efficiency in section 3.6.1 of ISO 1217:2009(E) as modified by ISO 1217:2009/Amd.1:2016(E). For $P_{isen,}$ use the isentropic power required for compression at full-load operating pressure and 70 percent of full-load actual volume flow rate, as determined in section 3.4.3.1 of this appendix. For $P_{real,}$ use the real packaged compressor power input at full-load operating pressure and 70 percent of full-load actual volume flow rate, as determined in section 3.4.3.2 of this appendix.

3.4.3.1. Calculate the isentropic power required for compression at full-load operating pressure and 70 percent of full-load actual volume flow rate using equation (H.6) of Annex H to ISO 1217:2009/Amd.1:2016(E). For $q_{V1,}$ use actual volume flow rate (cubic meters per second) at full-load operating pressure and 70 percent of full-load actual volume flow rate, as calculated in section 3.4.1 of this appendix. For $p_{1,}$ use 100 kPa. For $p_{2,}$ use the sum of

(a) 100 kPa, and

(b) Discharge gauge pressure (Pa) at full-load operating pressure and 70 percent of full-load actual volume flow rate, as calculated in section 3.4.1 of this appendix. For $K,$ use the isentropic exponent (ratio of specific heats) of air, which, for the purposes of this test procedure, is 1.400.

3.4.3.2. Calculate real packaged compressor power input at full-load operating pressure and 70 percent of full-load actual volume flow rate using the following equation:

$$P_{real,70\%} = K_5 \cdot K_6 \cdot P_{PR,70\%}$$

Where:

K_5 = correction factor for inlet pressure, as determined in section C.4.3.2 of Annex C to ISO 1217:2009(E). For calculations of this variable use a value of 100 kPa for contractual inlet pressure;

K_6 = correction factor for pressure ratio, as determined in section B.4.5 of Annex B to ISO 1217:2009(E). For calculations of this variable use a value of 1.400 for isentropic exponent, and for contractual pressure ratio, use the ratio of

(a) The sum of 100 kPa and the measured discharge gauge pressure (kPa) from the test at 70 percent of full-load actual volume flow rate in section 3.4.1 of this appendix, to

(b) 100 kPa; and

$P_{PR,70\%}$ = packaged compressor power input reading at full-load operating pressure and 70 percent of full-load actual volume flow rate, as measured in section 3.4.1 of this appendix (W).

3.4.4. Calculate package isentropic efficiency at full-load operating pressure and 40 percent of full-load actual volume flow rate using the equation for isentropic efficiency in section 3.6.1 of ISO 1217:2009(E) as modified by ISO 1217:2009/Amd.1:2016(E). For $P_{isen,}$ use the isentropic power required for compression at full-load operating pressure and 40 percent of full-load actual volume flow rate, as determined in section 3.4.4.1 of this appendix. For $P_{real,}$ use the real packaged compressor power input at full-load operating pressure and 40 percent of full-load actual volume flow rate, as determined in section 3.4.4.2 of this appendix.

3.4.4.1. Calculate the isentropic power required for compression at full-load operating pressure and 40 percent of full-load actual volume flow rate using equation (H.6) of Annex H to ISO 1217:2009/Amd.1:2016(E). For $q_{V1,}$ use actual volume flow rate (cubic meters per second) at full-load operating pressure and 40 percent of full-load actual volume flow rate, as calculated in section 3.4.1 of this appendix. For $p_{1,}$ use 100 kPa. For $p_{2,}$ use the sum of

(a) 100 kPa, and

(b) Discharge gauge pressure (Pa) at full-load operating pressure and 40 percent of full-load actual volume flow rate, as calculated in section 3.4.1 of this appendix. For $K,$ use the isentropic exponent (ratio of specific heats) of air, which, for the purposes of this test procedure, is 1.400.

3.4.4.2. Calculate real packaged compressor power input at full-load operating pressure and 40 percent of full-load actual volume flow rate using the following equation:

$$P_{real,40\%} = K_5 \cdot K_6 \cdot P_{PR,40\%}$$

Where:

K_5 = correction factor for inlet pressure, as determined in section C.4.3.2 of Annex C to ISO 1217:2009(E). For calculations of this variable use a value of 100 kPa for contractual inlet pressure;

K_6 = correction factor for pressure ratio, as determined in section B.4.5 of Annex B to ISO 1217:2009(E). For calculations of this variable use a value of 1.400 for isentropic exponent, and for contractual pressure ratio, use the ratio of

(a) The sum of 100 kPa and the measured discharge gauge pressure (kPa) from the test at 40 percent of full-load actual volume flow rate in section 3.4.1 of this appendix, to

(b) 100 kPa; and

$P_{PR,40\%}$ = packaged compressor power input reading at full-load operating pressure and 40 percent of full-load actual volume flow rate, as measured in section 3.4.1 of this appendix (W).

3.5. Determination of Package Specific Power

For both fixed and variable-speed air compressors, determine the package specific power, at any load point, using the equation for specific energy consumption in section C.4.4 of Annex C to ISO 1217:2009(E) and other values measured pursuant to this appendix, with no correction for shaft speed. Calculate P_{Pcorr} in section C.4.4 of Annex C to ISO 1217:2009(E) using the following equation:

$P_{Pcorr} = K_5 \cdot K_6 \cdot P_{PR}$

Where:

K_5 = correction factor for inlet pressure, as determined in section C.4.3.2 of Annex C to ISO 1217:2009(E). For calculations of this variable use a value of 100 kPa for contractual inlet pressure;

K_6 = correction factor for pressure ratio, as determined in section B.4.5 of Annex B to ISO 1217:2009(E). For calculations of this variable use a value of 1.400 for isentropic exponent, and for contractual pressure ratio, use the ratio of

(a) The sum of 100 kPa and the measured discharge gauge pressure (kPa) from the test used to determine the package specific power, to

(b) 100 kPa; and

P_{PR} = packaged compressor power input reading (W), as determined in section C.2.4 of Annex C to ISO 1217:2009(E).

3.6. Determination of Pressure Ratio at Full-Load Operating Pressure

Pressure ratio at full-load operating pressure, as defined in §431.342, is calculated using the following equation:

$$PR = \frac{(P_1 + P_{FL})}{P_1}$$

Where:

PR = pressure ratio at full-load operating pressure;

P_1 = 100 kPa; and

P_{FL} = full-load operating pressure, determined in section 4.3.4 of this appendix (Pa gauge).

4. Method To Determine Maximum Full-Flow Operating Pressure, Full-Load Operating Pressure, and Full-Load Actual Volume Flow Rate

4.1. Principal Strategy

The principal strategy of this method is to incrementally increase discharge pressure by 2 psig relative to a starting point, and identify the maximum full-flow operating pressure at which the compressor is capable of operating. The maximum discharge pressure achieved is the maximum full-flow operating pressure. The full-load operating pressure and full-load actual volume flow rate are determined based on the maximum full-flow operating pressure.

4.2. Pre-test Instructions

4.2.1. Safety. For the method presented in section 4.3.1 of this appendix, only test discharge pressure within the safe operating range of the compressor, as specified by the manufacturer in the installation and operation manual shipped with the unit. Make no changes to safety limits or equipment. Do not violate any manufacturer-provided motor operational guidelines for normal use, including any restriction on instantaneous and continuous input power draw and output shaft power (*e.g.*, electrical rating and service factor limits).

4.2.2. Adjustment of Discharge Pressure

4.2.2.1. If the air compressor is not equipped, as distributed in commerce by the manufacturer, with any mechanism to adjust the maximum discharge pressure output limit, proceed to section 4.2.3 of this appendix.

4.2.2.2. If the air compressor is equipped, as distributed in commerce by the manufacturer, with any mechanism to adjust the maximum discharge pressure output limit, then adjust this mechanism to the maximum pressure allowed, according to the manufacturer's operating instructions for these mechanisms. Mechanisms to adjust discharge pressure may include, but are not limited to, onboard digital or analog controls, and user-adjustable inlet valves.

4.2.3. Driver speed. If the unit under test is a variable-speed compressor, maintain maximum driver speed throughout the test. If the unit under test is a fixed-speed compressor with a multi-speed driver, maintain driver speed at the maximum speed throughout the test.

4.2.4. Measurements and Tolerances

4.2.4.1. Recording. Record data by electronic means such that the requirements of section 4.2.4.5 of this appendix are met.

4.2.4.2. Discharge Pressure. Measure discharge pressure in accordance with section 5.2 of ISO 1217:2009(E). Express compressor discharge pressure in psig in reference to ambient conditions, and record it to the nearest integer. Specify targeted discharge pressure points in integer values only. The maximum allowable measured deviation from the targeted discharge pressure at each tested point is ±1 psig.

4.2.4.3. Actual Volume Flow Rate. Measure actual volume flow rate in accordance with section C.4.2.1 of Annex C to ISO 1217:2009(E) (where it is called ''corrected volume flow rate'') with no corrections made for shaft speed. Express compressor actual volume flow rate in cubic feet per minute at inlet conditions (cfm).

4.2.4.4. Stabilization. Record data at each tested load point under steady-state conditions, as determined in section 3.1.1 of this appendix.

4.2.4.5. Data Sampling and Frequency. At each load point, record a set of at least of two readings, collected at a minimum of 10 seconds apart. All readings at each load point must be within the maximum permissible fluctuation from the average (of the two consecutive readings), as specified in 3.1.2 of this appendix. Average the measurements to determine the value of each parameter to be used in subsequent calculations.

4.2.5 Adjusting System Backpressure. Set up the unit under test so that backpressure on the unit can be adjusted (*e.g.*, by valves) incrementally, causing the measured discharge pressure to change, until the compressor is in an unloaded condition.

4.2.6 Unloaded Condition. A unit is considered to be in an unloaded condition if capacity controls on the unit automatically reduce the actual volume flow rate from the compressor (*e.g.*, shutting the motor off, or unloading by adjusting valves).

4.3. Test Instructions

4.3.1. Adjust the backpressure of the system so the measured discharge pressure is 90 percent of the expected maximum full-flow operating pressure, rounded to the nearest integer, in psig. If the expected maximum full-flow operating pressure is not known, then adjust the backpressure of the system so that the measured discharge pressure is 65 psig. Allow the unit to remain at this setting for 15 minutes to allow the unit to thermally stabilize. Then measure and record discharge pressure and actual volume flow rate at the starting pressure.

4.3.2. Adjust the backpressure of the system to increase the discharge pressure by 2 psig from the previous value, allow the unit to remain at this setting for a minimum of 2 minutes, and proceed to section 4.3.3 of this appendix.

4.3.3. If the unit is now in an unloaded condition, end the test and proceed to section 4.3.4 of this appendix. If the unit is not in an unloaded condition, measure discharge pressure and actual volume flow rate, and repeat section 4.3.2 of this appendix.

4.3.4. Of the discharge pressures recorded under stabilized conditions in sections 4.3.1 through 4.3.3 of this appendix, identify the largest. This is the maximum full-flow operating pressure. Determine the full-load operating pressure as a self-declared value greater than or equal to the lesser of (A) 90 percent of the maximum full-flow operating pressure, or (B) 10 psig less than the maximum full-flow operating pressure.

4.3.5 The full-load actual volume flow rate is the actual volume flow rate measured at the full-load operating pressure. If the self-declared full-load operating pressure falls on a previously tested value of discharge pressure, then use the previously measured actual volume flow rate as the full-load actual volume flow rate. If the self-declared full-load operating pressure does not fall on a previously tested value of discharge pressure, then adjust the backpressure of the system to the self-declared full-load operating pressure and allow the unit to remain at this setting for a minimum of 2 minutes. The measured actual volume flow rate at this setting is the full-load actual volume flow rate.

[90 FR 5555, Jan. 17, 2025]

Subpart U—Enforcement for Electric Motors

SOURCE: 69 FR 61941, Oct. 21, 2004, unless otherwise noted. Redesignated at 70 FR 60416, Oct. 18, 2005.

§ 431.381 Purpose and scope for electric motors.

This subpart describes violations of EPCA's energy conservation requirements, specific procedures we will follow in pursuing alleged non-compliance of an electric motor with an applicable energy conservation standard or labeling requirement, and general procedures for enforcement action, largely drawn directly from EPCA, that apply to electric motors.

[76 FR 12505, Mar. 7, 2011]

§ 431.382 Prohibited acts.

(a) Each of the following is a prohibited act under sections 332 and 345 of the Act:

(1) Distribution in commerce by a manufacturer or private labeler of any ''new covered equipment'' which is not labeled in accordance with an applicable labeling rule prescribed in accordance with Section 344 of the Act, and in this part;

(2) Removal from any ''new covered equipment'' or rendering illegible, by a manufacturer, distributor, retailer, or private labeler, of any label required under this part to be provided with such covered equipment;

(3) Failure to permit access to, or copying of records required to be supplied under the Act and this part, or failure to make reports or provide other information required to be supplied under the Act and this part;

(4) Advertisement of an electric motor or motors, by a manufacturer, distributor, retailer, or private labeler, in a catalog from which the equipment may be purchased, without including in the catalog all information as required by § 431.31(b)(1), provided, however, that this shall not apply to an advertisement of an electric motor in a catalog if distribution of the catalog began before the effective date of the labeling rule applicable to that motor;

(5) Failure of a manufacturer to supply at his expense a reasonable number of units of covered equipment to a test laboratory designated by the Secretary;

(6) Failure of a manufacturer to permit a representative designated by the Secretary to observe any testing required by the Act and this part, and to inspect the results of such testing; and

(7) Distribution in commerce by a manufacturer or private labeler of any new covered equipment which is not in compliance with an applicable energy efficiency standard prescribed under the Act and this part.

(b) In accordance with sections 333 and 345 of the Act, any person who knowingly violates any provision of paragraph (a) of this section may be subject to assessment of a civil penalty of no more than $575 for each violation.

(c) For purposes of this section:

(1) The term ''new covered equipment'' means covered equipment the title of which has not passed to a purchaser who buys such product for purposes other than:

(i) Reselling it; or

(ii) Leasing it for a period in excess of one year; and

(2) The term ''knowingly'' means:

(i) Having actual knowledge; or

(ii) Presumed to have knowledge deemed to be possessed by a reasonable person who acts in the circumstances, including knowledge obtainable upon the exercise of due care.

[69 FR 61941, Oct. 21, 2004. Redesignated at 70 FR 60416, Oct. 18, 2005, as amended at 79 FR 19, Jan. 2, 2014; 81 FR 41794, June 28, 2016; 81 FR 96351, Dec. 30, 2016; 83 FR 1291, Jan. 11, 2018; 83 FR 66083, Dec. 26, 2018; 85 FR 830, Jan. 8, 2020; 86 FR 2955, Jan. 14, 2021; 87 FR 1063, Jan. 10, 2022; 88 FR 2193, Jan. 13, 2023; 89 FR 1028, Jan. 9, 2024; 89 FR 105406, Dec. 27, 2024]

§ 431.383 Enforcement process for electric motors.

(a) *Test notice.* Upon receiving information in writing, concerning the energy performance of a particular electric motor sold by a particular manufacturer or private labeler, which indicates that the electric motor may not be in compliance with the applicable energy efficiency standard, or upon undertaking to ascertain the accuracy of the efficiency rating on the nameplate or in marketing materials for an electric motor, disclosed pursuant to subpart B of this part, the Secretary may conduct testing of that electric motor under this subpart by means of a test notice addressed to the manufacturer in accordance with the following requirements:

(1) The test notice procedure will only be followed after the Secretary or his/her designated representative has examined the underlying test data (or, where appropriate, data as to use of an alternative efficiency determination method) provided by the manufacturer and after the manufacturer has been offered the opportunity to meet with the Department to verify, as applicable, compliance with the applicable efficiency standard, or the accuracy of labeling information, or both. In addition, where compliance of a basic model was certified based on an AEDM,

the Department shall have the discretion to pursue the provisions of § 431.17(a)(4)(iii) prior to invoking the test notice procedure. A representative designated by the Secretary shall be permitted to observe any reverification procedures undertaken pursuant to this subpart, and to inspect the results of such reverification.

(2) The test notice will be signed by the Secretary or his/her designee. The test notice will be mailed or delivered by the Department to the plant manager or other responsible official, as designated by the manufacturer.

(3) The test notice will specify the model or basic model to be selected for testing, the method of selecting the test sample, the date and time at which testing shall be initiated, the date by which testing is scheduled to be completed and the facility at which testing will be conducted. The test notice may also provide for situations in which the specified basic model is unavailable for testing, and may include alternative basic models.

(4) The Secretary may require in the test notice that the manufacturer of an electric motor shall ship at his expense a reasonable number of units of a basic model specified in such test notice to a testing laboratory designated by the Secretary. The number of units of a basic model specified in a test notice shall not exceed 20.

(5) Within five working days of the time the units are selected, the manufacturer shall ship the specified test units of a basic model to the testing laboratory.

(b) *Testing laboratory.* Whenever the Department conducts enforcement testing at a designated laboratory in accordance with a test notice under this section, the resulting test data shall constitute official test data for that basic model. Such test data will be used by the Department to make a determination of compliance or noncompliance if a sufficient number of tests have been conducted to satisfy the requirements of appendix A of this subpart.

(c) *Sampling.* The determination that a manufacturer's basic model complies with its labeled efficiency, or the applicable energy efficiency standard, shall be based on the testing conducted in accordance with the statistical sampling procedures set forth in appendix A of this subpart and the test procedures set forth in appendix B to subpart B of this part.

(d) *Test unit selection.* A Department inspector shall select a batch, a batch sample, and test units from the batch sample in accordance with the provisions of this paragraph and the conditions specified in the test notice.

(1) The batch may be subdivided by the Department utilizing criteria specified in the test notice.

(2) A batch sample of up to 20 units will then be randomly selected from one or more subdivided groups within the batch. The manufacturer shall keep on hand all units in the batch sample until such time as the basic model is determined to be in compliance or noncompliance.

(3) Individual test units comprising the test sample shall be randomly selected from the batch sample.

(4) All random selection shall be achieved by sequentially numbering all of the units in a batch sample and then using a table of random numbers to select the units to be tested.

(e) *Test unit preparation.* (1) Prior to and during the testing, a test unit selected in accordance with paragraph (d) of this section shall not be prepared, modified, or adjusted in any manner unless such preparation, modification, or adjustment is allowed by the applicable Department of Energy test procedure. One test shall be conducted for each test unit in accordance with the applicable test procedures prescribed in appendix B to subpart B of this part.

(2) No quality control, testing, or assembly procedures shall be performed on a test unit, or any parts and sub-assemblies thereof, that is not performed during the production and assembly of all other units included in the basic model.

(3) A test unit shall be considered defective if such unit is inoperative or is found to be in noncompliance due to failure of the unit to operate according to the manufacturer's design and operating instructions. Defective units, including those damaged due to shipping

or handling, shall be reported immediately to the Department. The Department shall authorize testing of an additional unit on a case-by-case basis.

(4)(i) *Non-standard endshields or flanges.* For purposes of DOE-initiated testing of electric motors with non-standard endshields or flanges, the Department will have the discretion to determine whether the lab should test a general purpose electric motor of equivalent electrical design and enclosure rather than replacing the non-standard flange or endshield.

(ii) *Partial electric motors.* For purposes of DOE-initiated testing, the Department has the discretion to determine whether the lab should test a general purpose electric motor of equivalent electrical design and enclosure rather than machining and attaching an endshield.

(f) *Testing at manufacturer's option.* (1) If a manufacturer's basic model is determined to be in noncompliance with the applicable energy performance standard at the conclusion of Department testing in accordance with the sampling plan specified in appendix A of this subpart, the manufacturer may request that the Department conduct additional testing of the basic model according to procedures set forth in appendix A of this subpart.

(2) All units tested under this paragraph shall be selected and tested in accordance with the provisions given in paragraphs (a) through (e) of this section.

(3) The manufacturer shall bear the cost of all testing conducted under this paragraph.

(4) The manufacturer shall cease distribution of the basic model tested under the provisions of this paragraph from the time the manufacturer elects to exercise the option provided in this paragraph until the basic model is determined to be in compliance. The Department may seek civil penalties for all units distributed during such period.

(5) If the additional testing results in a determination of compliance, a notice of allowance to resume distribution shall be issued by the Department.

[69 FR 61941, Oct. 21, 2004. Redesignated at 70 FR 60416, Oct. 18, 2005, as amended at 78 FR 75995, Dec. 13, 2013]

§ 431.384 [Reserved]

§ 431.385 Cessation of distribution of a basic model of an electric motor.

(a) In the event that a model of an electric motor is determined non-compliant by the Department in accordance with § 431.192 or if a manufacturer or private labeler determines a model of an electric motor to be in non-compliance, then the manufacturer or private labeler shall:

(1) Immediately cease distribution in commerce of the basic model.

(2) Give immediate written notification of the determination of non-compliance, to all persons to whom the manufacturer has distributed units of the basic model manufactured since the date of the last determination of compliance.

(3) Pursuant to a request made by the Secretary, provide the Department within 30 days of the request, records, reports, and other documentation pertaining to the acquisition, ordering, storage, shipment, or sale of a basic model determined to be in noncompliance.

(4) The manufacturer may modify the non-compliant basic model in such manner as to make it comply with the applicable performance standard. Such modified basic model shall then be treated as a new basic model and must be certified in accordance with the provisions of this subpart; except that in addition to satisfying all requirements of this subpart, the manufacturer shall also maintain records that demonstrate that modifications have been made to all units of the new basic model prior to distribution in commerce.

(b) If a basic model is not properly certified in accordance with the requirements of this subpart, the Secretary may seek, among other remedies, injunctive action to prohibit distribution in commerce of such basic model.

§ 431.386 Remedies.

If the Secretary determines that a basic model of any covered equipment does not comply with an applicable energy conservation standard:

(a) The Secretary will notify the manufacturer, private labeler, or any

other person as required, of this finding and of the Secretary's intent to seek a judicial order restraining further distribution in commerce of units of such a basic model unless the manufacturer, private labeler or other person as required, delivers, within 15 calendar days, a satisfactory statement to the Secretary, of the steps the manufacturer, private labeler or other person will take to insure that the noncompliant basic model will no longer be distributed in commerce. The Secretary will monitor the implementation of such statement.

(b) If the manufacturer, private labeler or any other person as required, fails to stop distribution of the noncompliant basic model, the Secretary may seek to restrain such violation in accordance with sections 334 and 345 of the Act.

(c) The Secretary will determine whether the facts of the case warrant the assessment of civil penalties for knowing violations in accordance with sections 333 and 345 of the Act.

§ 431.387 Hearings and appeals.

(a) Under sections 333(d) and 345 of the Act, before issuing an order assessing a civil penalty against any person, the Secretary must provide to such a person a notice of the proposed penalty. Such notice must inform the person that such person can choose (in writing within 30 days after receipt of the notice) to have the procedures of paragraph (c) of this section (in lieu of those in paragraph (b) of this section) apply with respect to such assessment.

(b)(1) Unless a person elects, within 30 calendar days after receipt of a notice under paragraph (a) of this section, to have paragraph (c) of this section apply with respect to the civil penalty under paragraph (a), the Secretary will assess the penalty, by order, after providing an opportunity for an agency hearing under 5 U.S.C. 554, before an administrative law judge appointed under 5 U.S.C. 3105, and making a determination of violation on the record. Such assessment order will include the administrative law judge's findings and the basis for such assessment.

(2) Any person against whom the Secretary assesses a penalty under this paragraph may, within 60 calendar days after the date of the order assessing such penalty, initiate action in the United States Court of Appeals for the appropriate judicial circuit for judicial review of such order in accordance with 5 U.S.C. chapter 7. The court will have jurisdiction to enter a judgment affirming, modifying, or setting aside in whole or in part, the order of the Secretary, or the court may remand the proceeding to the Secretary for such further action as the court may direct.

(c)(1) In the case of any civil penalty with respect to which the procedures of this paragraph have been elected, the Secretary will promptly assess such penalty, by order, after the date of the receipt of the notice under paragraph (a) of this section of the proposed penalty.

(2) If the person has not paid the civil penalty within 60 calendar days after the assessment has been made under paragraph (c)(1) of this section, the Secretary will institute an action in the appropriate District Court of the United States for an order affirming the assessment of the civil penalty. The court will have authority to review de novo the law and the facts involved and jurisdiction to enter a judgment enforcing, modifying, and enforcing as so modified, or setting aside in whole or in part, such assessment.

(3) Any election to have this paragraph apply can only be revoked with the consent of the Secretary.

(d) If any person fails to pay an assessment of a civil penalty after it has become a final and unappealable order under paragraph (b) of this section, or after the appropriate District Court has entered final judgment in favor of the Secretary under paragraph (c) of this section, the Secretary will institute an action to recover the amount of such penalty in any appropriate District Court of the United States. In such action, the validity and appropriateness of such final assessment order or judgment will not be subject to review.

(e)(1) In accordance with the provisions of sections 333(d)(5)(A) and 345 of the Act and notwithstanding the provisions of title 28, United States Code, or Section 502(c) of the Department of Energy Organization Act, the General Counsel of the Department of Energy

(or any attorney or attorneys within DOE designated by the Secretary) will represent the Secretary, and will supervise, conduct, and argue any civil litigation to which paragraph (c) of this section applies (including any related collection action under paragraph (d) of this section) in a court of the United States or in any other court, except the Supreme Court of the United States. However, the Secretary or the General Counsel will consult with the Attorney General concerning such litigation and the Attorney General will provide, on request, such assistance in the conduct of such litigation as may be appropriate.

(2) In accordance with the provisions of sections 333(d)(5)(B) and 345 of the Act, and subject to the provisions of Section 502(c) of the Department of Energy Organization Act, the Secretary will be represented by the Attorney General, or the Solicitor General, as appropriate, in actions under this section, except to the extent provided in paragraph (e)(1) of this section.

(3) In accordance with the provisions of Section 333(d)(5)(c) and 345 of the Act, Section 402(d) of the Department of Energy Organization Act will not apply with respect to the function of the Secretary under this section.

APPENDIX A TO SUBPART U OF PART 431—SAMPLING PLAN FOR ENFORCEMENT TESTING OF ELECTRIC MOTORS

Step 1. The first sample size (n_1) must be five or more units.

Step 2. Compute the mean ($\bar{X}_1$ of the measured energy performance of the n_1 units in the first sample as follows:

$$\overline{X}_1 = \frac{1}{n_1}\sum_{i=1}^{n_1} X_i \qquad (1)$$

where X_i is the measured full-load efficiency of unit i.

Step 3. Compute the sample standard deviation (S_1) of the measured full-load efficiency of the n_1 units in the first sample as follows:

$$S_1 = \sqrt{\frac{\sum_{i=1}^{n_1}\left(X_i - \overline{X}_1\right)^2}{n_1 - 1}} \qquad (2)$$

Step 4. Compute the standard error ($SE(\bar{X}_1)$) of the mean full-load efficiency of the first sample as follows:

$$SE\left(\overline{X}_1\right) = \frac{S_1}{\sqrt{n_1}} \qquad (3)$$

Step 5. Compute the lower control limit (LCL_1) for the mean of the first sample using RE as the desired mean as follows:

$$LCL_1 = RE - tSE\left(\overline{X}_1\right) \qquad (4)$$

where: RE is the applicable EPCA nominal full-load efficiency when the test is to determine compliance with the applicable statutory standard, or is the labeled nominal full-load efficiency when the test is to determine compliance with the labeled efficiency value, and t is the 2.5th percentile of a t-distribution for a sample size of n_1, which yields a 97.5 percent confidence level for a one-tailed t-test.

Step 6. Compare the mean of the first sample ($\bar{X}_1$) with the lower control limit (LCL_1) to determine one of the following:

(i) If the mean of the first sample is below the lower control limit, then the basic model is in non-compliance and testing is at an end.

(ii) If the mean is equal to or greater than the lower control limit, no final determination of compliance or non-compliance can be made; proceed to Step 7.

Step 7. Determine the recommended sample size (n) as follows:

$$n = \left[\frac{tS_1(120 - 0.2RE)}{RE\,(20 - 0.2RE)}\right]^2 \qquad (5)$$

where S_1, RE and t have the values used in Steps 3 and 5, respectively. The factor

$$\frac{120 - 0.2RE}{RE\,(20 - 0.2RE)}$$

is based on a 20 percent tolerance in the total power loss at full-load and fixed output power.

Given the value of n, determine one of the following:

(i) If the value of n is less than or equal to n_1 and if the mean energy efficiency of the first sample ($\bar{X}_1$) is equal to or greater than the lower control limit (LCL_1), the basic model is in compliance and testing is at an end.

(ii) If the value of n is greater than n1, the basic model is in non-compliance. The size of a second sample n_2 is determined to be the smallest integer equal to or greater than the difference $n - n_1$. If the value of n_2 so calculated is greater than $20 - n1$, set n_2 equal to $20 - n_1$.

Step 8. Compute the combined ($\bar{X}_2$) mean of the measured energy performance of the n_1

and n_2 units of the combined first and second samples as follows:

$$\overline{X}_2 = \frac{1}{n_1 + n_2} \sum_{i=1}^{n_1+n_2} X_i \qquad (6)$$

Step 9. Compute the standard error ($SE(\overline{X}_2)$) of the mean full-load efficiency of the n_1 and n_2 units in the combined first and second samples as follows:

$$SE(\overline{X}_2) = \frac{S_1}{\sqrt{n_1 + n_2}} \qquad (7)$$

(Note that S_1 is the value obtained above in Step 3.)

Step 10. Set the lower control limit (LCL_2) to,

$$LCL_2 = RE - tSE(\overline{X}_2) \qquad (8)\sqrt{b^2 - 4ac}$$

where t has the value obtained in Step 5, and compare the combined sample mean ($\bar{X}_2$) to the lower control limit (LCL_2) to find one of the following:

(i) If the mean of the combined sample ($\bar{X}_2$) is less than the lower control limit (LCL_2), the basic model is in non-compliance and testing is at an end.

(ii) If the mean of the combined sample ($\bar{X}_2$) is equal to or greater than the lower control limit (LCL_2), the basic model is in compliance and testing is at an end.

MANUFACTURER-OPTION TESTING

If a determination of non-compliance is made in Steps 6, 7 or 10, of this appendix A, the manufacturer may request that additional testing be conducted, in accordance with the following procedures.

Step A. The manufacturer requests that an additional number, n_3, of units be tested, with n_3 chosen such that $n_1 + n_2 + n_3$ does not exceed 20.

Step B. Compute the mean full-load efficiency, standard error, and lower control limit of the new combined sample in accordance with the procedures prescribed in Steps 8, 9, and 10, of this appendix A.

Step C. Compare the mean performance of the new combined sample to the lower control limit (LCL_2) to determine one of the following:

(a) If the new combined sample mean is equal to or greater than the lower control limit, the basic model is in compliance and testing is at an end.

(b) If the new combined sample mean is less than the lower control limit and the value of $n_1 + n_2 + n_3$ is less than 20, the manufacturer may request that additional units be tested. The total of all units tested may not exceed 20. Steps A, B, and C are then repeated.

(c) Otherwise, the basic model is determined to be in non-compliance.

Subpart V—General Provisions

SOURCE: 69 FR 61941, Oct. 21, 2004, unless otherwise noted. Redesignated at 70 FR 60417, Oct. 18, 2005.

§ 431.401 Petitions for waiver and interim waiver.

(a) *General information.* This section provides a means for seeking waivers of the test procedure requirements of this part for basic models that meet the requirements of paragraph (a)(1) of this section. In granting a waiver or interim waiver, DOE will not change the energy use or efficiency metric that the manufacturer must use to certify compliance with the applicable energy conservation standard and to make representations about the energy use or efficiency of the covered equipment. The granting of a waiver or interim waiver by DOE does not exempt such basic models from any other regulatory requirement contained in this part or the certification and compliance requirements of 10 CFR part 429 and specifies an alternative method for testing the basic model(s) addressed in the waiver.

(1) Any interested person may submit a petition to waive for a particular basic model the requirements of any uniform test method contained in this part, upon the grounds that either the basic model contains one or more design characteristics that prevent testing of the basic model according to the prescribed test procedures or cause the prescribed test procedures to evaluate the basic model in a manner so unrepresentative of its true energy or water consumption characteristics as to provide materially inaccurate comparative data.

(2) Manufacturers of basic model(s) subject to a waiver or interim waiver are responsible for complying with the other requirements of this part and with the requirements of 10 CFR part 429 regardless of the person that originally submitted the petition for waiver and/or interim waiver. The filing of a petition for waiver and/or interim waiver shall not constitute grounds for noncompliance with any requirements of this part.

(3) All correspondence regarding waivers and interim waivers must be

submitted to DOE either electronically to *AS_Waiver_Requests@ee.doe.gov* (preferred method of transmittal) or by mail to U.S. Department of Energy, Building Technologies Program, Test Procedure Waiver, 1000 Independence Avenue SW., Mailstop EE–5B, Washington, DC 20585–0121.

(b) *Petition content and publication.* (1) Each petition for interim waiver and waiver must:

(i) Identify the particular basic model(s) for which a waiver is requested, each brand name under which the identified basic model(s) will be distributed in commerce, the design characteristic(s) constituting the grounds for the petition, and the specific requirements sought to be waived, and must discuss in detail the need for the requested waiver;

(ii) Identify manufacturers of all other basic models distributed in commerce in the United States and known to the petitioner to incorporate design characteristic(s) similar to those found in the basic model that is the subject of the petition;

(iii) Include any alternate test procedures known to the petitioner to evaluate the performance of the equipment type in a manner representative of the energy and/or water consumption characteristics of the basic model; and

(iv) Be signed by the petitioner or an authorized representative. In accordance with the provisions set forth in 10 CFR 1004.11, any request for confidential treatment of any information contained in a petition or in supporting documentation must be accompanied by a copy of the petition, application or supporting documentation from which the information claimed to be confidential has been deleted. DOE will publish in the FEDERAL REGISTER the petition and supporting documents from which confidential information, as determined by DOE, has been deleted in accordance with 10 CFR 1004.11 and will solicit comments, data and information with respect to the determination of the petition.

(2) In addition to the requirements in paragraph (b)(1) of this section, each petition for interim waiver must reference the related petition for waiver, demonstrate likely success of the petition for waiver, and address what economic hardship and/or competitive disadvantage is likely to result absent a favorable determination on the petition for interim waiver.

(c) *Notification to other manufacturers.* (1) Each petitioner for interim waiver must, upon publication of a grant of an interim waiver in the FEDERAL REGISTER, notify in writing all known manufacturers of domestically marketed basic models of the same equipment class (as specified in the relevant subpart of 10 CFR part 431), and of other equipment classes known to the petitioner to use the technology or have the characteristic at issue in the waiver. The notice must include a statement that DOE has published the interim waiver and petition for waiver in the FEDERAL REGISTER and the date the petition for waiver was published. The notice must also include a statement that DOE will receive and consider timely written comments on the petition for waiver. Within five working days, each petitioner must file with DOE a statement certifying the names and addresses of each person to whom a notice of the petition for waiver has been sent.

(2) If a petitioner does not request an interim waiver and notification has not been provided pursuant to paragraph (c)(1) of this section, each petitioner, after filing a petition for waiver with DOE, and after the petition for waiver has been published in the FEDERAL REGISTER, must, within five working days of such publication, notify in writing all known manufacturers of domestically marketed basic models of the same equipment class (as listed in the relevant subpart of 10 CFR part 431), and of other equipment classes known to the petitioner to use the technology or have the characteristic at issue in the waiver. The notice must include a statement that DOE has published the petition in the FEDERAL REGISTER and the date the petition for waiver was published. Within five working days of the publication of the petition in the FEDERAL REGISTER, each petitioner must file with DOE a statement certifying the names and addresses of each person to whom a notice of the petition for waiver has been sent.

(d) *Public comment and rebuttal.* (1) Any person submitting written comments to DOE with respect to an interim waiver must also send a copy of the comments to the petitioner by the deadline specified in the notice.

(2) Any person submitting written comments to DOE with respect to a petition for waiver must also send a copy of such comments to the petitioner.

(3) A petitioner may, within 10 working days of the close of the comment period specified in the FEDERAL REGISTER, submit a rebuttal statement to DOE. A petitioner may rebut more than one comment in a single rebuttal statement.

(e) *Provisions specific to interim waivers.* (1) DOE will post a petition for interim waiver on its website within 5 business days of receipt of a complete petition. DOE will make best efforts to review a petition for interim waiver within 90 business days of receipt of a complete petition.

(2) A petition for interim waiver that does not meet the content requirements of paragraph (b) of this section will be considered incomplete. DOE will notify the petitioner of an incomplete petition via email.

(3) DOE will grant an interim waiver from the test procedure requirements if it appears likely that the petition for waiver will be granted and/or if DOE determines that it would be desirable for public policy reasons to grant immediate relief pending a determination on the petition for waiver. Notice of DOE's determination on the petition for interim waiver will be published in the FEDERAL REGISTER.

(f) *Provisions specific to waivers*—(1) Disposition of application. The petitioner shall be notified in writing as soon as practicable of the disposition of each petition for waiver. DOE shall issue a decision on the petition as soon as is practicable following receipt and review of the Petition for Waiver and other applicable documents, including, but not limited to, comments and rebuttal statements.

(2) Criteria for granting. DOE will grant a waiver from the test procedure requirements if DOE determines either that the basic model(s) for which the waiver was requested contains a design characteristic that prevents testing of the basic model according to the prescribed test procedures, or that the prescribed test procedures evaluate the basic model in a manner so unrepresentative of its true energy or water consumption characteristics as to provide materially inaccurate comparative data. DOE may grant a waiver subject to conditions, which may include adherence to alternate test procedures specified by DOE. DOE will promptly publish in the FEDERAL REGISTER notice of each waiver granted or denied, and any limiting conditions of each waiver granted.

(g) *Extension to additional basic models.* A petitioner may request that DOE extend the scope of a waiver or an interim waiver to include additional basic models employing the same technology as the basic model(s) set forth in the original petition. The petition for extension must identify the particular basic model(s) for which a waiver extension is requested, each brand name under which the identified basic model(s) will be distributed in commerce, and documentation supporting the claim that the additional basic models employ the same technology as the basic model(s) set forth in the original petition. DOE will publish any such extension in the FEDERAL REGISTER.

(h) *Duration.* (1) Within one year of issuance of an interim waiver, DOE will either:

(i) Publish in the FEDERAL REGISTER a final determination on the petition for waiver; or

(ii) Publish in the FEDERAL REGISTER a new or amended test procedure that addresses the issues presented in the waiver.

(2) When DOE publishes a decision and order on a petition for waiver in the FEDERAL REGISTER pursuant to paragraph (f) of this section, the interim waiver will terminate upon the date specified in the decision and order, in accordance with paragraph (i) of this section.

(3) When DOE amends the test procedure to address the issues presented in a waiver, the waiver or interim waiver will automatically terminate on the date on which use of that test procedure is required to demonstrate compliance.

(4) When DOE publishes a decision and order in the FEDERAL REGISTER to modify a waiver pursuant to paragraph (k) of this section, the existing waiver will terminate upon the date specified in the decision and order, in accordance with paragraph (i) of this section.

(i) *Compliance certification and representations.* (1) If the interim waiver test procedure methodology is different than the decision and order test procedure methodology, certification reports to DOE required under 10 CFR 429.12 and any representations must be based on either of the two methodologies until 180–360 days after the publication date of the decision and order, as specified by DOE in the decision and order. Thereafter, certification reports and any representations must be based on the decision and order test procedure methodology, unless otherwise specified by DOE. Once a manufacturer uses the decision and order test procedure methodology in a certification report or any representation, all subsequent certification reports and any representations must be made using the decision and order test procedure methodology while the waiver is valid.

(2) When DOE publishes a new or amended test procedure, certification reports to DOE required under 10 CFR 429.12 and any representations must be based on the testing methodology of an applicable waiver or interim waiver, or the new or amended test procedure until the date on which use of such test procedure is required to demonstrate compliance, unless otherwise specified by DOE in the test procedure final rule. Thereafter, certification reports and any representations must be based on the test procedure final rule methodology. Once a manufacturer uses the test procedure final rule methodology in a certification report or any representation, all subsequent certification reports and any representations must be made using the test procedure final rule methodology.

(3) If DOE publishes a decision and order modifying an existing waiver, certification reports to DOE required under 10 CFR 429.12 and any representations must be based on either of the two methodologies until 180–360 days after the publication date of the decision and order modifying the waiver, as specified by DOE in the decision and order. Thereafter, certification reports and any representations must be based on the modified test procedure methodology unless otherwise specified by DOE. Once a manufacturer uses the modified test procedure methodology in a certification report or any representation, all subsequent certification reports and any representations must be made using the modified test procedure methodology while the modified waiver is valid.

(j) *Petition for waiver required of other manufactures.* Any manufacturer of a basic model employing a technology or characteristic for which a waiver was granted for another basic model and that results in the need for a waiver (as specified by DOE in a published decision and order in the FEDERAL REGISTER) must petition for and be granted a waiver for that basic model. Manufacturers may also submit a request for interim waiver pursuant to the requirements of this section.

(k) *Rescission or modification.* (1) DOE may rescind or modify a waiver or interim waiver at any time upon DOE's determination that the factual basis underlying the petition for waiver or interim waiver is incorrect, upon a determination that the results from the alternate test procedure are unrepresentative of the basic model(s)' true energy consumption characteristics, or for other appropriate reason. Waivers and interim waivers are conditioned upon the validity of statements, representations, and documents provided by the requestor; any evidence that the original grant of a waiver or interim waiver was based upon inaccurate information will weigh against continuation of the waiver. DOE's decision will specify the basis for its determination and, in the case of a modification, will also specify the change to the authorized test procedure.

(2) A person may request that DOE rescind or modify a waiver or interim waiver issued to that person if the person discovers an error in the information provided to DOE as part of its petition, determines that the waiver is no longer needed, or for other appropriate reasons. In a request for rescission, the

requestor must provide a statement explaining why it is requesting rescission. In a request for modification, the requestor must explain the need for modification to the authorized test procedure and detail the modifications needed and the corresponding impact on measured energy consumption.

(3) DOE will publish a proposed rescission or modification (DOE-initiated or at the request of the original requestor) in the FEDERAL REGISTER for public comment. A requestor may, within 10 working days of the close of the comment period specified in the proposed rescission or modification published in the FEDERAL REGISTER, submit a rebuttal statement to DOE. A requestor may rebut more than one comment in a single rebuttal statement.

(4) DOE will publish its decision in the FEDERAL REGISTER. DOE's determination will be based on relevant information contained in the record and any comments received.

(5) After the effective date of a rescission, any basic model(s) previously subject to a waiver must be tested and certified using the applicable DOE test procedure in 10 CFR part 431.

(l) *Revision of regulation.* As soon as practicable after the granting of any waiver, DOE will publish in the FEDERAL REGISTER a notice of proposed rulemaking to amend its regulations so as to eliminate any need for the continuation of such waiver. As soon thereafter as practicable, DOE will publish in the FEDERAL REGISTER a final rule.

(m) To exhaust administrative remedies, any person aggrieved by an action under this section must file an appeal with the DOE's Office of Hearings and Appeals as provided in 10 CFR part 1003, subpart C.

[79 FR 26601, May 9, 2014, as amended at 85 FR 79820, Dec. 11, 2020; 86 FR 70960, Dec. 14, 2021]

§ 431.402 Preemption of State regulations for commercial HVAC & WH products.

Beginning on the effective date of such standard, an energy conservation standard set forth in this part for a commercial HVAC & WH product supersedes any State or local regulation concerning the energy efficiency or energy use of that product, except as provided for in Section 345(b)(2)(B)–(D) of the Act.

§ 431.403 Maintenance of records for electric motors.

(a) Manufacturers of electric motors must establish, maintain and retain records of the following:

(1) The test data for all testing conducted pursuant to this part;

(2) The development, substantiation, application, and subsequent verification of any AEDM used under this part;

(3) Any written certification received from a certification program, including a certificate or conformity, relied on under the provisions of this part;

(b) You must organize such records and index them so that they are readily accessible for review. The records must include the supporting test data associated with tests performed on any test units to satisfy the requirements of this part (except tests performed by DOE).

(c) For each basic model, you must retain all such records for a period of two years from the date that production of all units of that basic model has ceased. You must retain records in a form allowing ready access to DOE, upon request.

[76 FR 12505, Mar. 7, 2011]

§ 431.404 Imported electric motors.

(a) Under sections 331 and 345 of the Act, any person importing an electric motor into the United States must comply with the provisions of the Act and of this part, and is subject to the remedies of this part.

(b) Any electric motor offered for importation in violation of the Act and of this part will be refused admission into the customs territory of the United States under rules issued by the Secretary of the Treasury, except that the Secretary of the Treasury may, by such rules, authorize the importation of such electric motor upon such terms and conditions (including the furnishing of a bond) as may appear to the Secretary of the Treasury appropriate to ensure that such electric motor will not violate the Act and this part, or

will be exported or abandoned to the United States.

[76 FR 12505, Mar. 7, 2011]

§ 431.405 Exported electric motors.

Under Sections 330 and 345 of the Act, this part does not apply to any electric motor if:

(a) Such electric motor is manufactured, sold, or held for sale for export from the United States (or such electric motor was imported for export), unless such electric motor is, in fact, distributed in commerce for use in the United States; and,

(b) Such electric motor, when distributed in commerce, or any container in which it is enclosed when so distributed, bears a stamp or label stating that such electric motor is intended for export.

[76 FR 12505, Mar. 7, 2011]

§ 431.406 Subpoena—Electric Motors.

Pursuant to sections 329(a) and 345 of the Act, for purposes of carrying out this part, the Secretary or the Secretary's designee, may sign and issue subpoenas for the attendance and testimony of witnesses and the production of relevant books, records, papers, and other documents, and administer the oaths. Witnesses summoned under the provisions of this section shall be paid the same fees and mileage as are paid to witnesses in the courts of the United States. In case of contumacy by, or refusal to obey a subpoena served upon any persons subject to this part, the Secretary may seek an order from the District Court of the United States for any District in which such person is found or resides or transacts business requiring such person to appear and give testimony, or to appear and produce documents. Failure to obey such order is punishable by such court as a contempt thereof.

[76 FR 12505, Mar. 7, 2011]

§ 431.407 Confidentiality—Electric Motors.

Pursuant to the provisions of 10 CFR 1004.11, any manufacturer or private labeler of electric motors submitting information or data which they believe to be confidential and exempt from public disclosure should submit one complete copy, and 15 copies from which the information believed to be confidential has been deleted. In accordance with the procedures established at 10 CFR 1004.11, the Department shall make its own determination with regard to any claim that information submitted be exempt from public disclosure.

[76 FR 12505, Mar. 7, 2011]

§ 431.408 Preemption of State regulations for covered equipment other than electric motors and commercial heating, ventilating, air-conditioning and water heating products.

This section concerns State regulations providing for any energy conservation standard, or water conservation standard (in the case of commercial prerinse spray valves or commercial clothes washers), or other requirement with respect to the energy efficiency, energy use, or water use (in the case of commercial prerinse spray valves or commercial clothes washers), for any covered equipment other than an electric motor or commercial HVAC and WH product. Any such regulation that contains a standard or requirement that is not identical to a Federal standard in effect under this subpart is preempted by that standard, except as provided for in sections 327(b) and (c) and 345(a)(10), (e), (f) and (g) of the Act.

[75 FR 675, Jan. 5, 2010, as amended at 78 FR 62993, Oct. 23, 2013]

Subpart W—Petitions To Exempt State Regulation From Preemption; Petitions To Withdraw Exemption of State Regulation

SOURCE: 69 FR 61941, Oct. 21, 2004, unless otherwise noted. Redesignated at 70 FR 60417, Oct. 18, 2005.

§ 431.421 Purpose and scope.

(a) The regulations in this subpart prescribe the procedures to be followed in connection with petitions requesting a rule that a State regulation prescribing an energy conservation standard or other requirement respecting energy use or energy efficiency of a type (or class) of covered equipment not be preempted.

(b) The regulations in this subpart also prescribe the procedures to be followed in connection with petitions to withdraw a rule exempting a State regulation prescribing an energy conservation standard or other requirement respecting energy use or energy efficiency of a type (or class) of covered equipment.

§ 431.422 Prescriptions of a rule.

(a) *Criteria for exemption from preemption.* Upon petition by a State which has prescribed an energy conservation standard or other requirement for a type or class of covered equipment for which a Federal energy conservation standard is applicable, the Secretary shall prescribe a rule that such standard not be preempted if he/she determines that the State has established by a preponderance of evidence that such requirement is needed to meet unusual and compelling State or local energy interests. For the purposes of this regulation, the term ''unusual and compelling State or local energy interests'' means interests which are substantially different in nature or magnitude from those prevailing in the U.S. generally, and are such that when evaluated within the context of the State's energy plan and forecast, the costs, benefits, burdens, and reliability of energy savings resulting from the State regulation make such regulation preferable or necessary when measured against the costs, benefits, burdens, and reliability of alternative approaches to energy savings or production, including reliance on reasonably predictable market-induced improvements in efficiency of all equipment subject to the State regulation. The Secretary may not prescribe such a rule if he finds that interested persons have established, by a preponderance of the evidence, that the State's regulation will significantly burden manufacturing, marketing, distribution, sale or servicing of the covered equipment on a national basis. In determining whether to make such a finding, the Secretary shall evaluate all relevant factors including: The extent to which the State regulation will increase manufacturing or distribution costs of manufacturers, distributors, and others; the extent to which the State regulation will disadvantage smaller manufacturers, distributors, or dealers or lessen competition in the sale of the covered equipment in the State; the extent to which the State regulation would cause a burden to manufacturers to redesign and produce the covered equipment type (or class), taking into consideration the extent to which the regulation would result in a reduction in the current models, or in the projected availability of models, that could be shipped on the effective date of the regulation to the State and within the U.S., or in the current or projected sales volume of the covered equipment type (or class) in the State and the U.S.; and the extent to which the State regulation is likely to contribute significantly to a proliferation of State commercial and industrial equipment efficiency requirements and the cumulative impact such requirements would have. The Secretary may not prescribe such a rule if he/she finds that such a rule will result in the unavailability in the State of any covered equipment (or class) of performance characteristics (including reliability), features, sizes, capacities, and volumes that are substantially the same as those generally available in the State at the time of the Secretary's finding. The failure of some classes (or types) to meet this criterion shall not affect the Secretary's determination of whether to prescribe a rule for other classes (or types).

(1) Requirements of petition for exemption from preemption. A petition from a State for a rule for exemption from preemption shall include the information listed in paragraphs (a)(1)(i) through (a)(1)(vi) of this section. A petition for a rule and correspondence relating to such petition shall be available for public review except for confidential or proprietary information submitted in accordance with the Department of Energy's Freedom of Information Regulations set forth in 10 CFR part 1004.

(i) The name, address, and telephone number of the petitioner;

(ii) A copy of the State standard for which a rule exempting such standard is sought;

(iii) A copy of the State's energy plan and forecast;

(iv) Specification of each type or class of covered equipment for which a rule exempting a standard is sought;

(v) Other information, if any, believed to be pertinent by the petitioner; and

(vi) Such other information as the Secretary may require.

(b) *Criteria for exemption from preemption when energy emergency conditions exist within State.* Upon petition by a State which has prescribed an energy conservation standard or other requirement for a type or class of covered equipment for which a Federal energy conservation standard is applicable, the Secretary may prescribe a rule, effective upon publication in the FEDERAL REGISTER, that such regulation not be preempted if he determines that in addition to meeting the requirements of paragraph (a) of this Section the State has established that: an energy emergency condition exists within the State that imperils the health, safety, and welfare of its residents because of the inability of the State or utilities within the State to provide adequate quantities of gas or electric energy to its residents at less than prohibitive costs; and cannot be substantially alleviated by the importation of energy or the use of interconnection agreements; and the State regulation is necessary to alleviate substantially such condition.

(1) Requirements of petition for exemption from preemption when energy emergency conditions exist within a State. A petition from a State for a rule for exemption from preemption when energy emergency conditions exist within a State shall include the information listed in paragraphs (a)(1)(i) through (a)(1)(vi) of this section. A petition shall also include the information prescribed in paragraphs (b)(1)(i) through (b)(1)(iv) of this section, and shall be available for public review except for confidential or proprietary information submitted in accordance with the Department of Energy's Freedom of Information Regulations set forth in 10 CFR part 1004:

(i) A description of the energy emergency condition which exists within the State, including causes and impacts.

(ii) A description of emergency response actions taken by the State and utilities within the State to alleviate the emergency condition;

(iii) An analysis of why the emergency condition cannot be alleviated substantially by importation of energy or the use of interconnection agreements;

(iv) An analysis of how the State standard can alleviate substantially such emergency condition.

(c) *Criteria for withdrawal of a rule exempting a State standard.* Any person subject to a State standard which, by rule, has been exempted from Federal preemption and which prescribes an energy conservation standard or other requirement for a type or class of covered equipment, when the Federal energy conservation standard for such equipment subsequently is amended, may petition the Secretary requesting that the exemption rule be withdrawn. The Secretary shall consider such petition in accordance with the requirements of paragraph (a) of this section, except that the burden shall be on the petitioner to demonstrate that the exemption rule received by the State should be withdrawn as a result of the amendment to the Federal standard. The Secretary shall withdraw such rule if he determines that the petitioner has shown the rule should be withdrawn.

(1) Requirements of petition to withdraw a rule exempting a State standard. A petition for a rule to withdraw a rule exempting a State standard shall include the information prescribed in paragraphs (c)(1)(i) through (c)(1)(vii) of this section, and shall be available for public review, except for confidential or proprietary information submitted in accordance with the Department of Energy's Freedom of Information Regulations set forth in 10 CFR part 1004:

(i) The name, address and telephone number of the petitioner;

(ii) A statement of the interest of the petitioner for which a rule withdrawing an exemption is sought;

(iii) A copy of the State standard for which a rule withdrawing an exemption is sought;

(iv) Specification of each type or class of covered equipment for which a

rule withdrawing an exemption is sought;

(v) A discussion of the factors contained in paragraph (a) of this section;

(vi) Such other information, if any, believed to be pertinent by the petitioner; and

(vii) Such other information as the Secretary may require.

(2) [Reserved]

§ 431.423 Filing requirements.

(a) *Service.* All documents required to be served under this subpart shall, if mailed, be served by first class mail. Service upon a person's duly authorized representative shall constitute service upon that person.

(b) *Obligation to supply information.* A person or State submitting a petition is under a continuing obligation to provide any new or newly discovered information relevant to that petition. Such information includes, but is not limited to, information regarding any other petition or request for action subsequently submitted by that person or State.

(c) *The same or related matters.* A person or State submitting a petition or other request for action shall state whether to the best knowledge of that petitioner the same or related issue, act, or transaction has been or presently is being considered or investigated by any State agency, department, or instrumentality.

(d) *Computation of time.* (1) Computing any period of time prescribed by or allowed under this subpart, the day of the action from which the designated period of time begins to run is not to be included. If the last day of the period is Saturday, or Sunday, or Federal legal holiday, the period runs until the end of the next day that is neither a Saturday, or Sunday or Federal legal holiday.

(2) Saturdays, Sundays, and intervening Federal legal holidays shall be excluded from the computation of time when the period of time allowed or prescribed is 7 days or less.

(3) When a submission is required to be made within a prescribed time, DOE may grant an extension of time upon good cause shown.

(4) Documents received after regular business hours are deemed to have been submitted on the next regular business day. Regular business hours for the DOE's National Office, Washington, DC, are 8:30 a.m. to 4:30 p.m.

(5) DOE reserves the right to refuse to accept, and not to consider, untimely submissions.

(e) *Filing of petitions.* (1) A petition for a rule shall be submitted in triplicate to: The Assistant Secretary for Energy Efficiency and Renewable Energy, U.S. Department of Energy, Section 327 Petitions, Building Technologies, EE–2J, Forrestal Building,1000 Independence Avenue, SW., Washington, DC 20585.

(2) A petition may be submitted on behalf of more than one person. A joint petition shall indicate each person participating in the submission. A joint petition shall provide the information required by § 431.212 for each person on whose behalf the petition is submitted.

(3) All petitions shall be signed by the person(s) submitting the petition or by a duly authorized representative. If submitted by a duly authorized representative, the petition shall certify this authorization.

(4) A petition for a rule to withdraw a rule exempting a State regulation, all supporting documents, and all future submissions shall be served on each State agency, department, or instrumentality whose regulation the petitioner seeks to supersede. The petition shall contain a certification of this service which states the name and mailing address of the served parties, and the date of service.

(f) *Acceptance for filing.* (1) Within 15 days of the receipt of a petition, the Secretary will either accept it for filing or reject it, and the petitioner will be so notified in writing. The Secretary will serve a copy of this notification on each other party served by the petitioner. Only such petitions which conform to the requirements of this subpart and which contain sufficient information for the purposes of a substantive decision will be accepted for filing. Petitions which do not so conform will be rejected and an explanation provided to petitioner in writing.

(2) For purposes of the Act and this subpart, a petition is deemed to be filed on the date it is accepted for filing.

(g) *Docket.* A petition accepted for filing will be assigned an appropriate docket designation. Petitioner shall use the docket designation in all subsequent submissions.

§ 431.424 Notice of petition.

(a) Promptly after receipt of a petition and its acceptance for filing, notice of such petition shall be published in the FEDERAL REGISTER. The notice shall set forth the availability for public review of all data and information available, and shall solicit comments, data and information with respect to the determination on the petition. Except as may otherwise be specified, the period for public comment shall be 60 days after the notice appears in the FEDERAL REGISTER.

(b) In addition to the material required under paragraph (a) of this section, each notice shall contain a summary of the State regulation at issue and the petitioner's reasons for the rule sought.

§ 431.425 Consolidation.

DOE may consolidate any or all matters at issue in two or more proceedings docketed where there exist common parties, common questions of fact and law, and where such consolidation would expedite or simplify consideration of the issues. Consolidation shall not affect the right of any party to raise issues that could have been raised if consolidation had not occurred.

§ 431.426 Hearing.

The Secretary may hold a public hearing, and publish notice in the FEDERAL REGISTER of the date and location of the hearing, when he determines that such a hearing is necessary and likely to result in a timely and effective resolution of the issues. A transcript shall be kept of any such hearing.

§ 431.427 Disposition of petitions.

(a) After the submission of public comments under § 431.213(a), the Secretary shall prescribe a final rule or deny the petition within 6 months after the date the petition is filed.

(b) The final rule issued by the Secretary or a determination by the Secretary to deny the petition shall include a written statement setting forth his findings and conclusions, and the reasons and basis therefor. A copy of the Secretary's decision shall be sent to the petitioner and the affected State agency. The Secretary shall publish in the FEDERAL REGISTER a notice of the final rule granting or denying the petition and the reasons and basis therefor.

(c) If the Secretary finds that he cannot issue a final rule within the 6-month period pursuant to paragraph (a) of this section, he shall publish a notice in the FEDERAL REGISTER extending such period to a date certain, but no longer than one year after the date on which the petition was filed. Such notice shall include the reasons for the delay.

§ 431.428 Effective dates of final rules.

(a) A final rule exempting a State standard from Federal preemption will be effective:

(1) Upon publication in the FEDERAL REGISTER if the Secretary determines that such rule is needed to meet an ''energy emergency condition'' within the State;

(2) Three years after such rule is published in the FEDERAL REGISTER; or

(3) Five years after such rule is published in the FEDERAL REGISTER if the Secretary determines that such additional time is necessary due to the burdens of retooling, redesign or distribution.

(b) A final rule withdrawing a rule exempting a State standard will be effective upon publication in the FEDERAL REGISTER.

§ 431.429 Request for reconsideration.

(a) Any petitioner whose petition for a rule has been denied may request reconsideration within 30 days of denial. The request shall contain a statement of facts and reasons supporting reconsideration and shall be submitted in writing to the Secretary.

(b) The denial of a petition will be reconsidered only where it is alleged and demonstrated that the denial was based on error in law or fact and that evidence of the error is found in the record of the proceedings.

(c) If the Secretary fails to take action on the request for reconsideration

within 30 days, the request is deemed denied, and the petitioner may seek such judicial review as may be appropriate and available.

(d) A petitioner has not exhausted other administrative remedies until a request for reconsideration has been filed and acted upon or deemed denied.

§ 431.430 Finality of decision.

(a) A decision to prescribe a rule that a State energy conservation standard or other requirement not be preempted is final on the date the rule is issued, *i.e.*, signed by the Secretary. A decision to prescribe such a rule has no effect on other regulations of covered equipment of any other State.

(b) A decision to prescribe a rule withdrawing a rule exempting a State standard or other requirement is final on the date the rule is issued, *i.e.*, signed by the Secretary. A decision to deny such a petition is final on the day a denial of a request for reconsideration is issued, *i.e.*, signed by the Secretary.

Subpart X—Small Electric Motors

SOURCE: 74 FR 32072, July 7, 2009, unless otherwise noted.

§ 431.441 Purpose and scope.

This subpart contains definitions, test procedures, and energy conservation requirements for small electric motors, pursuant to Part A–1 of Title III of the Energy Policy and Conservation Act, as amended, 42 U.S.C. 6311–6317. This subpart does not cover ''electric motors,'' which are addressed in subpart B of this part. This subpart does not cover electric motors that are ''dedicated-purpose pool pump motors,'' which are addressed in subpart Z of this part.

[77 FR 26638, May 4, 2012, as amended at 86 FR 40774, July 29, 2021]

§ 431.442 Definitions.

The following definitions are applicable to this subpart:

Alternative efficiency determination method, or AEDM, means, with respect to a small electric motor, a method of calculating the total power loss and average full-load efficiency.

Average full-load efficiency means the arithmetic mean of the full-load efficiencies of a population of small electric motors of duplicate design, where the full-load efficiency of each motor in the population is the ratio (expressed as a percentage) of the motor's useful power output to its total power input when the motor is operated at its full rated load, rated voltage, and rated frequency.

Basic model means, with respect to a small electric motor, all units of a given type of small electric motor (or class thereof) manufactured by a single manufacturer, and which have the same rating, have electrical characteristics that are essentially identical, and do not have any differing physical or functional characteristics that affect energy consumption or efficiency. For the purpose of this definition, ''rating'' means a combination of the small electric motor's group (i.e., capacitor-start, capacitor-run; capacitor-start, induction-run; or polyphase), horsepower rating (or standard kilowatt equivalent), and number of poles with respect to which § 431.446 prescribes nominal full load efficiency standards.

Breakdown torque means the maximum torque that the motor will develop with rated voltage and frequency applied without an abrupt drop in speed. The breakdown torque is the local maximum of the torque-speed plot of the motor, closest to the synchronous speed of the motor, determined in accordance with NEMA MG 1–2016 (incorporated by reference, see § 431.443).

CSA means Canadian Standards Association.

DOE or *the Department* means the U.S. Department of Energy.

EPCA means the Energy Policy and Conservation Act, as amended, 42 U.S.C. 6291–6317.

IEC means International Electrotechnical Commission.

IEEE means Institute of Electrical and Electronics Engineers, Inc.

NEMA means National Electrical Manufacturers Association.

Rated frequency means 60 hertz.

Rated load (or *full load*, *full rated load*, or *rated full load*) means the rated output power of a small electric motor.

Rated output power means the mechanical output power that corresponds to the small electric motor's breakdown torque as specified in NEMA MG 1–2016 Table 10–5 (incorporated by reference, see § 431.443) for single-phase motors or 140 percent of the breakdown torque values specified in NEMA MG 1–2016 Table 10–5 for polyphase motors. For purposes of this definition, NEMA MG 1–2016 Table 10–5 is applied regardless of whether elements of NEMA MG 1–2016 Table 10–5 are identified as for small or medium motors.

Rated voltage means the input voltage of a small electric motor used when making representations of the performance characteristics of a given small electric motor and selected by the motor's manufacturer to be used for testing the motor's efficiency.

Small electric motor means a NEMA general purpose alternating current single-speed induction motor, built in a two-digit frame number series in accordance with NEMA Standards Publication MG1–1987, including IEC metric equivalent motors.

[74 FR 32072, July 7, 2009, as amended at 77 FR 26638, May 4, 2012; 86 FR 23, Jan. 4, 2021]

TEST PROCEDURES

§ 431.443 Materials incorporated by reference.

(a) *General.* Certain material is incorporated by reference into subpart X of part 431 with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. Material is incorporated as it exists on the date of the approval, and a notification of any change in the material will be published in the FEDERAL REGISTER. Standards can be obtained from the sources below. All approved material is available for inspection at U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Program, Sixth Floor, 950 L'Enfant Plaza SW, Washington, DC 20024, (202) 586–2945, or go to *http://www1.eere.energy.gov/buildings/appliance_standards/*. It is also available at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, email: *fedreg.legal@nara.gov*, or go to: *www.archives.gov/federal-register/cfr/ibr-locations.html*.

(b) *CAN/CSA.* Canadian Standards Association, Sales Department, 5060 Spectrum Way, Suite 100, Mississauga, Ontario, L4W 5N6, Canada, 1–800–463–6727, or go to *http://www.shopcsa.ca/onlinestore/welcome.asp*.

(1) CSA C747–09 (''CSA C747''), Energy efficiency test methods for small motors, October 2009, IBR approved for §§ 431.444; 431.447.

(2) CSA C390–10, Test methods, marking requirements, and energy efficiency levels for three-phase induction motors, March 2010, IBR approved for §§ 431.444; 431.447.

(c) *IEC.* International Electrotechnical Commission, 3 rue de Varembé, 1st Floor, P.O. Box 131, CH—1211 Geneva 20—Switzerland, +41 22 919 02 11, or go to *https://webstore.iec.ch/home*.

(1) IEC 60034–1, Edition 12.0 2010–02, (''IEC 60034–1:2010''), Rotating electrical machines—Part 1: Rating and performance, IBR approved for §§ 431.444.

(2) IEC 60034–2–1:2014, Edition 2.0 2014–06, (''IEC 60034–2–1:2014''), Rotating electrical machines—Part 2–1: Standard methods for determining losses and efficiency from tests (excluding machines for traction vehicles), IBR approved for §§ 431.444, and 431.447.

(3) IEC 60051–1:2016, Edition 6.0 2016–02, (''IEC 60051–1:2016), Direct acting indicating analogue electrical measuring instruments and their accessories—Part 1: Definitions and general requirements common to all parts, IBR approved for §§ 431.444.

(d) *IEEE.* Institute of Electrical and Electronics Engineers, Inc., 445 Hoes Lane, P.O. Box 1331, Piscataway, NJ 08855–1331, 1–800–678–IEEE (4333), or go to *http://www.ieee.org/web/publications/home/index.html*.

(1) IEEE 112™–2017 (''IEEE 112–2017''), IEEE Standard Test Procedure for Polyphase Induction Motors and Generators, approved December 6, 2017, IBR approved for §§ 431.444, and 431.447.

(2) IEEE Std 114–2010, Test Procedure for Single-Phase Induction Motors, approved September 30, 2010, IBR approved for §§ 431.444; 431.447.

(e) *NEMA.* National Electrical Manufacturers Association, 1300 North 17th

Street, Suite 900, Arlington, Virginia 22209, +1 703 841 3200, or go to *https://www.nema.org*.

(1) NEMA MG 1–2016, American National Standard for Motors and Generators, ANSI approved June 1, 2018, IBR approved for § 431.442.

(2) [Reserved]

[74 FR 32072, July 7, 2009, as amended at 77 FR 26638, May 4, 2012; 86 FR 23, Jan. 4, 2021]

§ 431.444 Test Procedures for the measurement of energy efficiency of small electric motors.

(a) *Scope.* Pursuant to section 346(b)(1) of EPCA, this section provides the test procedures for measuring the full-load efficiency of small electric motors pursuant to EPCA. (42 U.S.C. 6317(b)(1)) For purposes of this part 431 and EPCA, the test procedures for measuring the efficiency of small electric motors shall be the test procedures specified in paragraph (b) of this section.

(b) *Testing and Calculations.* Determine the full-load efficiency of a small electric motor using one of the test methods listed in this paragraphs (b)(1) through (4) of this section.

(1) *Incorporation by reference:* In § 431.443, DOE incorporated by reference the entire standard for CSA C747–09, CSA C390–10, IEC 60034–1:2010, IEC 60034–2–1:2014, IEC 60051–1:2016, IEEE 112–2017, and IEEE 114–2010 into this section; however, only enumerated provisions of those documents referenced in this section are applicable as follows:

(i) CSA C747–09:

(A) Section 1.6 ''Scope'' as specified in paragraphs (b)(2)(ii) and (b)(3)(ii) of this section;

(B) Section 3 ''Definitions'' as specified in paragraphs (b)(2)(ii) and (b)(3)(ii) of this section;

(C) Section 5 ''General test requirements'' as specified in paragraphs (b)(2)(ii) and (b)(3)(ii) of this section; and

(D) Section 6 ''Test method'' as specified in paragraphs (b)(2)(ii) and (b)(3)(ii) of this section.

(ii) CSA C390–10:

(A) Section 1.3, ''Scope'' as specified in paragraph (b)(4)(ii) of this section;

(B) Section 3.1, ''Definitions'' as specified in paragraph (b)(4)(ii) of this section;

(C) Section 5, ''General test requirements—Measurements'' as specified in paragraph (b)(4)(ii) of this section;

(D) Section 7, ''Test method'' as specified in paragraph (b)(4)(ii) of this section;

(E) Table 1, ''Resistance measurement time delay'' as specified in paragraph (b)(4)(ii) of this section;

(F) Annex B, ''Linear regression analysis'' as specified in paragraph (b)(4)(ii) of this section; and

(G) Annex C, ''Procedure for correction of dynamometer torque readings'' as specified in paragraph (b)(4)(ii) of this section.

(iii) IEC 60034–1:2010:

(A) Section 7.2 as specified in paragraphs (b)(2)(iii), (b)(3)(iii), and (b)(4)(iii) of this section;

(B) Section 8.6.2.3.3 as specified in paragraphs (b)(2)(iii), (b)(3)(iii), and (b)(4)(iii) of this section; and

(C) Table 5 as specified in paragraphs (b)(2)(iii), (b)(3)(iii), and (b)(4)(iii) of this section.

(iv) IEC 60034–2–1:2014:

(A) Method 2–1–1A as specified in paragraphs (b)(2)(iii) and (b)(3)(iii) of this section;

(B) Method 2–1–1B as specified in paragraph (b)(4)(iii) of this section;

(C) Section 3 ''Terms and definitions'' as specified in paragraphs (b)(2)(iii), (b)(3)(iii), and (b)(4)(iii) of this section;

(D) Section 4 ''Symbols and abbreviations'' as specified in paragraphs (b)(2)(iii), (b)(3)(iii), (b)(4)(iii) of this section;

(E) Section 5 ''Basic requirements'' as specified in paragraphs (b)(2)(iii), (b)(3)(iii), and (b)(4)(iii) of this section;

(F) Section 6.1.2 ''Method 2–1–1A—Direct measurement of input and output'' (except Section 6.1.2.2, ''Test Procedure'') as specified in paragraphs (b)(2)(iii) and (b)(3)(iii) of this section;

(G) Section 6.1.3 ''Method 2–1–1B—Summations of losses, additional load losses according to the method of residual losses'' as specified in paragraph (b)(4)(iii) of this section; and

(H) Annex D, ''Test report template for 2–1–1B'' as specified in paragraph (b)(4)(iii) of this section.

(v) IEC 60051–1:2016:

(A) Section 5.2 as specified in paragraphs (b)(2)(iii), (b)(3)(iii) and (b)(4)(iii), of this section; and

(B) [Reserved]

(vi) IEEE 112–2017:

(A) Test Method A as specified in paragraph (b)(3)(i) of this section;

(B) Test Method B as specified in paragraph (b)(4)(i) of this section;

(C) Section 3, ''General'' as specified in paragraphs (b)(3)(i) and (b)(4)(i) of this section;

(D) Section 4, ''Measurements'' as specified in paragraphs (b)(3)(i) and (b)(4)(i) of this section;

(E) Section 5, ''Machine losses and tests for losses'' as specified in paragraphs (b)(3)(i) and (b)(4)(i) of this section;

(F) Section 6.1, ''General'' as specified in paragraphs (b)(3)(i) and (b)(4)(i) of this section;

(G) Section 6.3, ''Efficiency test method A—Input-output'' as specified in paragraph (b)(3)(i) of this section;

(H) Section 6.4, ''Efficiency test method B—Input-output'' as specified in paragraph (b)(4)(i) of this section;

(I) Section 9.2, ''Form A—Method A'' as specified in paragraph (b)(3)(i) of this section;

(J) Section 9.3, ''Form A2—Method A calculations'' as specified in paragraph (b)(3)(i) of this section;

(K) Section 9.4, ''Form B—Method B'' as specified in paragraph (b)(4)(i) of this section; and

(L) Section 9.5, ''Form B2—Method B calculations'' as specified in paragraph (b)(4)(i) of this section.

(vii) IEEE 114–2010:

(A) Section 3.2, ''Test with load'' as specified in paragraph (b)(2)(i) of this section;

(B) Section 4, ''Testing Facilities as specified in paragraph (b)(2)(i) of this section;

(C) Section 5, ''Measurements'' as specified in paragraph (b)(2)(i) of this section;

(D) Section 6, ''General'' as specified in paragraph (b)(2)(i) of this section;

(E) Section 7, ''Type of loss'' as specified in paragraph (b)(2)(i) of this section;

(F) Section 8, ''Efficiency and Power Factor'' as specified in paragraph (b)(2)(i) of this section;

(G) Section 10 ''Temperature Tests'' as specified in paragraph (b)(2)(i) of this section;

(H) Annex A, Section A.3 ''Determination of Motor Efficiency'' as specified in paragraph (b)(2)(i) of this section; and

(I) Annex A, Section A.4 ''Explanatory notes for form 3, test data'' as specified in paragraph (b)(2)(i) of this section.

(viii) In cases where there is a conflict, the language of this appendix takes precedence over those documents. Any subsequent amendment to a referenced document by the standard-setting organization will not affect the test procedure in this appendix, unless and until the test procedure is amended by DOE.

(2) *Single-phase small electric motors.* For single-phase small electric motors, use one of the following methods:

(i) IEEE 114–2010, Section 3.2, ''Test with load'', Section 4, ''Testing Facilities, Section 5, ''Measurements'', Section 6, ''General'', Section 7, ''Type of loss'', Section 8, ''Efficiency and Power Factor''; Section 10 ''Temperature Tests'', Annex A, Section A.3 ''Determination of Motor Efficiency'', Annex A, Section A.4 ''Explanatory notes for form 3, test data'';

(ii) CSA C747–09, Section 1.6 ''Scope'', Section 3 ''Definitions'', Section 5, ''General test requirements'', and Section 6 ''Test method'';

(iii) IEC 60034–2–1:2014 Method 2–1–1A, Section 3 ''Terms and definitions'', Section 4 ''Symbols and abbreviations'', Section 5 ''Basic requirements'', and Section 6.1.2 ''Method 2–1–1A—Direct measurement of input and output'' (except Section 6.1.2.2, ''Test Procedure''). The supply voltage shall be in accordance with section 7.2 of IEC 60034–1:2010 (incorporated by reference, see § 431.443). The measured resistance at the end of the thermal test shall be determined in a similar way to the extrapolation procedure described in section 8.6.2.3.3 of IEC 60034–1:2010, using the shortest possible time instead of the time interval specified in Table 5 therein, and extrapolating to zero. The measuring instruments for electrical quantities shall have the equivalent of an accuracy class of 0,2 in case of a direct test and 0,5 in case of an indirect

test in accordance with section 5.2 of IEC 60051–1:2016 (incorporated by reference, see § 431.443).

(A) *Additional IEC 60034–2–1:2014 Method 2–1–1A Torque Measurement Instructions.*

If using IEC 60034–2–1:2014 Method 2–1–1A to measure motor performance, follow the instructions in paragraph (b)(2)(iii)(B) of this section, instead of section 6.1.2.2 of IEC 60034–2–1:2014;

(B) Couple the machine under test to a load machine. Measure torque using an in-line, shaft-coupled, rotating torque transducer or stationary, stator reaction torque transducer. Operate the machine under test at the rated load until thermal equilibrium is achieved (rate of change 1 K or less per half hour). Record U, I, Pel, n, T, θc.

(3) *Polyphase small electric motors of less than or equal to 1 horsepower (0.75 kW).* For polyphase small electric motors with 1 horsepower or less, use one of the following methods:

(i) IEEE 112–2017 Test Method A, Section 3, ''General'', Section 4, ''Measurements'', Section 5, ''Machine losses and tests for losses'', Section 6.1, ''General'', Section 6.3, ''Efficiency test method A—Input-output'', Section 9.2, ''Form A—Method A'', and Section 9.3, ''Form A2—Method A calculations'';

(ii) CSA C747–09, Section 1.6 ''Scope'', Section 3 ''Definitions'', Section 5, ''General test requirements'', and Section 6 ''Test method'';

(iii) IEC 60034–2–1:2014 Method 2–1–1A, Section 3 ''Terms and definitions'', Section 4 ''Symbols and abbreviations'', Section 5 ''Basic requirements'', and Section 6.1.2 ''Method 2–1–1A—Direct measurement of input and output'' (except Section 6.1.2.2, ''Test Procedure''). The supply voltage shall be in accordance with section 7.2 of IEC 60034–1:2010. The measured resistance at the end of the thermal test shall be determined in a similar way to the extrapolation procedure described in section 8.6.2.3.3 of IEC 60034–1:2010 using the shortest possible time instead of the time interval specified in Table 5 therein, and extrapolating to zero. The measuring instruments for electrical quantities shall have the equivalent of an accuracy class of 0,2 in case of a direct test and 0,5 in case of an indirect test in accordance with section 5.2 of IEC 60051–1:2016.

(A) *Additional IEC 60034–2–1:2014 Method 2–1–1A Torque Measurement Instructions.*

If using IEC 60034–2–1:2014 Method 2–1–1A to measure motor performance, follow the instructions in paragraph (b)(3)(iii)(B) of this section, instead of section 6.1.2.2 of IEC 60034–2–1:2014;

(B) Couple the machine under test to load machine. Measure torque using an in-line shaft-coupled, rotating torque transducer or stationary, stator reaction torque transducer. Operate the machine under test at the rated load until thermal equilibrium is achieved (rate of change 1 K or less per half hour). Record U, I, Pel, n, T, θc.

(4) *Polyphase small electric motors of greater than 1 horsepower (0.75 kW).* For polyphase small electric motors exceeding 1 horsepower, use one of the following methods:

(i) IEEE 112–2017 Test Method B, Section 3, ''General''; Section 4, ''Measurements''; Section 5, ''Machine losses and tests for losses'', Section 6.1, ''General'', Section 6.4, ''Efficiency test method B—Input-output with loss segregation'', Section 9.4, ''Form B—Method B'', and Section 9.5, ''Form B2—Method B calculations''; or

(ii) CSA C390–10, Section 1.3, ''Scope'', Section 3.1, ''Definitions'', Section 5, ''General test requirements—Measurements'', Section 7, ''Test method'', Table 1, ''Resistance measurement time delay, Annex B, ''Linear regression analysis'', and Annex C, ''Procedure for correction of dynamometer torque readings''; or

(iii) IEC 60034–2–1:2014 Method 2–1–1B Section 3 ''Terms and definitions'', Section 4 ''Symbols and abbreviations'', Section 5 ''Basic requirements'', Section 6.1.3 ''Method 2–1–1B—Summation of losses, additional load losses according to the method of residual losses.'', and Annex D, ''Test report template for 2–1–1B. The supply voltage shall be in accordance with section 7.2 of IEC 60034–1:2010. The measured resistance at the end of the thermal test shall be determined in a similar way to the extrapolation procedure described in section 8.6.2.3.3 of IEC 60034–1:2010 using the shortest possible time instead of the time interval specified in

Table 5 therein, and extrapolating to zero. The measuring instruments for electrical quantities shall have the equivalent of an accuracy class of 0,2 in case of a direct test and 0,5 in case of an indirect test in accordance with section 5.2 of IEC 60051–1:2016.

[86 FR 23, Jan. 4, 2021]

§ 431.445 Determination of small electric motor efficiency.

(a) *Scope.* When a party determines the energy efficiency of a small electric motor to comply with an obligation imposed on it by or pursuant to Part A–1 of Title III of EPCA, 42 U.S.C. 6311–6317, this section applies.

(b) *Provisions applicable to all small electric motors*—(1) *General requirements.* The average full-load efficiency of each basic model of small electric motor must be determined either by testing in accordance with § 431.444 of this subpart, or by application of an alternative efficiency determination method (AEDM) that meets the requirements of paragraphs (a)(2) and (3) of this section, provided, however, that an AEDM may be used to determine the average full-load efficiency of one or more of a manufacturer's basic models only if the average full-load efficiency of at least five of its other basic models is determined through testing.

(2) *Alternative efficiency determination method.* An AEDM applied to a basic model must be:

(i) Derived from a mathematical model that represents the mechanical and electrical characteristics of that basic model, and

(ii) Based on engineering or statistical analysis, computer simulation or modeling, or other analytic evaluation of performance data.

(3) *Substantiation of an alternative efficiency determination method.* Before an AEDM is used, its accuracy and reliability must be substantiated as follows:

(i) The AEDM must be applied to at least five basic models that have been tested in accordance with § 431.444; and

(ii) The predicted total power loss for each such basic model, calculated by applying the AEDM, must be within plus or minus 10 percent of the mean total power loss determined from the testing of that basic model.

(4) *Subsequent verification of an AEDM.* (i) Each manufacturer that has used an AEDM under this section shall have available for inspection by the Department of Energy records showing the method or methods used; the mathematical model, the engineering or statistical analysis, computer simulation or modeling, and other analytic evaluation of performance data on which the AEDM is based; complete test data, product information, and related information that the manufacturer has generated or acquired pursuant to paragraph (a)(3) of this section; and the calculations used to determine the efficiency and total power losses of each basic model to which the AEDM was applied.

(ii) If requested by the Department, the manufacturer shall conduct simulations to predict the performance of particular basic models of small electric motors specified by the Department, analyses of previous simulations conducted by the manufacturer, sample testing of basic models selected by the Department, or a combination of the foregoing.

(5) *Use of a certification program.* (i) A manufacturer may use a certification program, that DOE has classified as nationally recognized under § 431.447, to certify the average full-load efficiency of a basic model of small electric motor, and issue a certificate of conformity for the small electric motor.

(ii) For each basic model for which a certification program is not used as described in paragraph (b)(5)(i) of this section, any testing of a motor to determine its energy efficiency must be carried out in accordance with paragraph (c) of this section.

(c) *Additional testing requirements applicable when a certification program is not used*—(1) *Selection of basic models for testing.* (i) Basic models must be selected for testing in accordance with the following criteria:

(A) Two of the basic models must be among the five basic models that have the highest unit volumes of production by the manufacturer in the prior year, or during the prior 12 calendar month period beginning in 2015, whichever is later, and comply with the standards set forth in § 431.446;

(B) The basic models should be of different horsepowers without duplication;

(C) At least one basic model should be selected from each of the frame number series for which the manufacturer is seeking compliance; and

(D) Each basic model should have the lowest average full-load efficiency among the basic models with the same rating (''rating'' as used here has the same meaning as it has in the definition of ''basic model'').

(ii) In any instance where it is impossible for a manufacturer to select basic models for testing in accordance with all of these criteria, the criteria shall be given priority in the order in which they are listed. Within the limits imposed by the criteria, basic models shall be selected randomly.

(2) *Selection of units for testing within a basic model.* For each basic model selected for testing,[1] a sample of units shall be selected at random and tested. The sample shall be comprised of production units of the basic model, or units that are representative of such production units. The sample size shall be no fewer than five units, except when fewer than five units of a basic model would be produced over a reasonable period of time (approximately 180 days). In such cases, each unit produced shall be tested.

(3) *Applying results of testing.* When applying the test results to determine whether a motor complies with the required average efficiency level:

The average full-load efficiency of the sample, $\bar{X}$ which is defined by

$$\overline{X} = \frac{1}{n}\sum_{i=1}^{n} X_i$$

where X_i is the measured full-load efficiency of unit i and n is the number of units tested, shall satisfy the condition:

$$\overline{X} \geq \frac{100}{1 + 1.05\left(\frac{100}{RE} - 1\right)}$$

where RE is the required average full-load efficiency.

[74 FR 32072, July 7, 2009, as amended at 77 FR 26638, May 4, 2012]

ENERGY CONSERVATION STANDARDS

§ 431.446 Small electric motors energy conservation standards and their effective dates.

(a) Each small electric motor manufactured (alone or as a component of another piece of non-covered equipment) after March 9, 2015, or in the case of a small electric motor which requires listing or certification by a nationally recognized safety testing laboratory, after March 9, 2017, shall have an average full load efficiency of not less than the following:

Motor horsepower/standard kilowatt equivalent	Average full load efficiency		
	Polyphase		
	Open motors (number of poles)		
	6	4	2
0.25/0.18	67.5	69.5	65.6
0.33/0.25	71.4	73.4	69.5
0.5/0.37	75.3	78.2	73.4
0.75/0.55	81.7	81.1	76.8
1/0.75	82.5	83.5	77.0
1.5/1.1	83.8	86.5	84.0
2/1.5	N/A	86.5	85.5
3/2.2	N/A	86.9	85.5

Motor horsepower/standard kilowatt equivalent	Average full load efficiency		
	Capacitor-start capacitor-run and capacitor-start induction-run		
	Open motors (number of poles)		
	6	4	2
0.25/0.18	62.2	68.5	66.6
0.33/0.25	66.6	72.4	70.5
0.5/0.37	76.2	76.2	72.4
0.75/0.55	80.2	81.8	76.2
1/0.75	81.1	82.6	80.4
1.5/1.1	N/A	83.8	81.5
2/1.5	N/A	84.5	82.9
3/2.2	N/A	N/A	84.1

(b) For purposes of determining the required minimum average full load efficiency of an electric motor that has a horsepower or kilowatt rating between two horsepower or two kilowatt ratings listed in any table of efficiency standards in paragraph (a) of this section, each such motor shall be deemed

[1] Components of similar design may be substituted without requiring additional testing if the represented measures of energy consumption continue to satisfy the applicable sampling provision.

to have a listed horsepower or kilowatt rating, determined as follows:

(1) A horsepower at or above the midpoint between the two consecutive horsepower ratings shall be rounded up to the higher of the two horsepower ratings;

(2) A horsepower below the midpoint between the two consecutive horsepower ratings shall be rounded down to the lower of the two horsepower ratings; or

(3) A kilowatt rating shall be directly converted from kilowatts to horsepower using the formula 1 kilowatt = (1/0.746) hp, without calculating beyond three significant decimal places, and the resulting horsepower shall be rounded in accordance with paragraphs (b)(1) or (b)(2) of this section, whichever applies.

[75 FR 10947, Mar. 9, 2010; 75 FR 17036, Apr. 5, 2010]

§ 431.447 Department of Energy recognition of nationally recognized certification programs.

(a) *Petition.* For a certification program to be classified by the Department of Energy as being nationally recognized in the United States (''nationally recognized''), the organization operating the program must submit a petition to the Department requesting such classification, in accordance with paragraph (c) of this section and § 431.448. The petition must demonstrate that the program meets the criteria in paragraph (b) of this section.

(b) *Evaluation criteria.* For a certification program to be classified by the Department as nationally recognized, it must meet the following criteria:

(1) It must have satisfactory standards and procedures for conducting and administering a certification system, including periodic follow up activities to assure that basic models of small electric motors continue to conform to the efficiency levels for which they were certified, and for granting a certificate of conformity.

(2) It must be independent of small electric motor manufacturers, importers, distributors, private labelers or vendors. It cannot be affiliated with, have financial ties with, be controlled by, or be under common control with any such entity.

(3) It must be qualified to operate a certification system in a highly competent manner.

(4) It must be expert in the content and application of the test procedures and methodologies in IEEE 112–2017 Test Method A, IEEE 112–2017 Test Method B, IEEE 114–2010, IEC 60034–2–1:2014 Method 2–1–1A, IEC 60034–2–1:2014 Method 2–1–1B, CSA C390–10, or CSA C747–09 (incorporated by reference, see § 431.443) or similar procedures and methodologies for determining the energy efficiency of small electric motors. It must have satisfactory criteria and procedures for the selection and sampling of electric motors tested for energy efficiency.

(c) *Petition format.* Each petition requesting classification as a nationally recognized certification program must contain a narrative statement as to why the program meets the criteria listed in paragraph (b) of this section, must be signed on behalf of the organization operating the program by an authorized representative, and must be accompanied by documentation that supports the narrative statement. The following provides additional guidance as to the specific criteria:

(1) *Standards and procedures.* A copy of the standards and procedures for operating a certification system and for granting a certificate of conformity should accompany the petition.

(2) *Independent status.* The petitioning organization should identify and describe any relationship, direct or indirect, that it or the certification program has with an electric motor manufacturer, importer, distributor, private labeler, vendor, trade association or other such entity, as well as any other relationship it believes might appear to create a conflict of interest for the certification program in operating a certification system for determining the compliance of small electric motors with the applicable energy efficiency standards. It should explain why it believes such relationship would not compromise its independence in operating a certification program.

(3) *Qualifications to operate a certification system.* Experience in operating a

certification system should be discussed and substantiated by supporting documents. Of particular relevance would be documentary evidence that establishes experience in the application of guidelines contained in the ISO/IEC Guide 65, General requirements for bodies operating product certification systems, ISO/IEC Guide 27, Guidelines for corrective action to be taken by a certification body in the event of either misapplication of its mark of conformity to a product, or products which bear the mark of the certification body being found to subject persons or property to risk, and ISO/IEC Guide 28, General rules for a model third-party certification system for products, as well as experience in overseeing compliance with the guidelines contained in the ISO/IEC Guide 25, General requirements for the competence of calibration and testing laboratories.

(4) *Expertise in small electric motor test procedures.* The petition should set forth the program's experience, as applicable, with the test procedures and methodologies in, IEEE 112–2017 Test Method A, IEEE 112–2017 Test Method B, IEEE 114–2010, IEC 60034–2–1:2014 Method 2–1–1A, IEC 60034–2–1:2014 Method 2–1–1B, CSA C390–10, and CSA C747–09 (incorporated by reference, see § 431.443) and with similar procedures and methodologies. This part of the petition should include items such as, but not limited to, a description of prior projects and qualifications of staff members. Of particular relevance would be documentary evidence that establishes experience in applying guidelines contained in the ISO/IEC Guide 25, General Requirements for the Competence of Calibration and Testing Laboratories to energy efficiency testing for electric motors.

(5) The ISO/IEC Guides referenced in paragraphs (c)(3) and (c)(4) of this section are not incorporated by reference, but are for information and guidance only. International Organization for Standardization (ISO), 1, ch. de la Voie-Creuse, CP 56, CH–1211 Geneva 20, Switzerland/International Electrotechnical Commission, 3, rue de Varembé, P.O. Box 131, CH–1211 Geneva 20, Switzerland.

(d) *Disposition.* The Department will evaluate the petition in accordance with § 431.448, and will determine whether the applicant meets the criteria in paragraph (b) of this section for classification as a nationally recognized certification program.

[77 FR 26639, May 4, 2012, as amended at 86 FR 25, Jan. 4, 2021]

§ 431.448 Procedures for recognition and withdrawal of recognition of certification programs.

(a) *Filing of petition.* Any petition submitted to the Department pursuant to § 431.447(a), shall be entitled ''Petition for Recognition'' (''Petition'') and must be submitted, in triplicate to the Assistant Secretary for Energy Efficiency and Renewable Energy, U.S. Department of Energy, Forrestal Building, 1000 Independence Avenue SW., Washington, DC 20585–0121. In accordance with the provisions set forth in 10 CFR 1004.11, any request for confidential treatment of any information contained in such a Petition or in supporting documentation must be accompanied by a copy of the Petition or supporting documentation from which the information claimed to be confidential has been deleted.

(b) *Public notice and solicitation of comments.* DOE shall publish in the FEDERAL REGISTER the Petition from which confidential information, as determined by DOE, has been deleted in accordance with 10 CFR 1004.11 and shall solicit comments, data and information on whether the Petition should be granted. The Department shall also make available for inspection and copying the Petition's supporting documentation from which confidential information, as determined by DOE, has been deleted in accordance with 10 CFR 1004.11. Any person submitting written comments to DOE with respect to a Petition shall also send a copy of such comments to the petitioner.

(c) *Responsive statement by the petitioner.* A petitioner may, within 10 working days of receipt of a copy of any comments submitted in accordance with paragraph (b) of this section, respond to such comments in a written statement submitted to the Assistant Secretary for Energy Efficiency and Renewable Energy. A petitioner may

address more than one set of comments in a single responsive statement.

(d) *Public announcement of interim determination and solicitation of comments.* The Assistant Secretary for Energy Efficiency and Renewable Energy shall issue an interim determination on the Petition as soon as is practicable following receipt and review of the Petition and other applicable documents, including, but not limited to, comments and responses to comments. The petitioner shall be notified in writing of the interim determination. DOE shall also publish in the FEDERAL REGISTER the interim determination and shall solicit comments, data and information with respect to that interim determination. Written comments and responsive statements may be submitted as provided in paragraphs (b) and (c) of this section.

(e) *Public announcement of final determination.* The Assistant Secretary for Energy Efficiency and Renewable Energy shall, as soon as practicable, following receipt and review of comments and responsive statements on the interim determination publish in the FEDERAL REGISTER a notice of final determination on the Petition.

(f) *Additional information.* The Department may, at any time during the recognition process, request additional relevant information or conduct an investigation concerning the Petition. The Department's determination on a Petition may be based solely on the Petition and supporting documents, or may also be based on such additional information as the Department deems appropriate.

(g) *Withdrawal of recognition*—(1) *Withdrawal by the Department.* If the Department believes that a certification program that has been recognized under § 431.447 is failing to meet the criteria of paragraph (b) of the section under which it is recognized, the Department will so advise such entity and request that it take appropriate corrective action. The Department will give the entity an opportunity to respond. If after receiving such response, or no response, the Department believes satisfactory corrective action has not been made, the Department will withdraw its recognition from that entity.

(2) *Voluntary withdrawal.* A certification program may withdraw itself from recognition by the Department by advising the Department in writing of such withdrawal. It must also advise those that use it (for a certification organization, the manufacturers) of such withdrawal.

(3) *Notice of withdrawal of recognition.* The Department will publish in the FEDERAL REGISTER a notice of any withdrawal of recognition that occurs pursuant to this paragraph (g).

[77 FR 26639, May 4, 2012]

Subpart Y—Pumps

SOURCE: 81 FR 4145, Jan. 25, 2016, unless otherwise noted.

§ 431.461 Purpose and scope.

This subpart contains definitions, test procedures, and energy conservation requirements for pumps, pursuant to Part A–1 of Title III of the Energy Policy and Conservation Act, as amended, 42 U.S.C. 6311–6317.

§ 431.462 Definitions.

The following definitions are applicable to this subpart, including appendices A, B, and C. In cases where definitions reference design intent, DOE will consider marketing materials, labels and certifications, and equipment design to determine design intent.

Adaptive pressure control means a pressure control that senses the head requirements in the system in which it is installed and adjusts the pump control curve accordingly.

Bare pump means a pump excluding mechanical equipment, driver, and controls.

Basic model means all units of a given class of pump manufactured by one manufacturer, having the same primary energy source, and having essentially identical electrical, physical, and functional (or hydraulic) characteristics that affect energy consumption, energy efficiency, water consumption, or water efficiency; and, in addition, for pumps that are subject to the test procedures specified in § 431.464(a), the following provisions also apply:

(1) All variations in numbers of stages of bare RSV and ST pumps must be considered a single basic model;

(2) Pump models for which the bare pump differs in impeller diameter and/or impeller trim, may be considered a single basic model; and

(3) Pump models for which the bare pump differs in number of stages and/or impeller diameter and which are sold with motors (or motors and controls) of varying horsepower may only be considered a single basic model if:

(i) For ESCC, ESFM, IL, and RSV pumps, each motor offered in the basic model has a nominal full load motor efficiency rated at the Federal minimum (see the applicable table at §431.25) or the same number of bands above the Federal minimum for each respective motor horsepower (*see* table 3 of appendix A to this subpart); or for pumps sold with inverter-only synchronous electric motors, any number of bands above the Federal minimum for each respective motor horsepower provided that the rating is based on the lowest number of bands; or

(ii) For ST pumps, each motor offered in the basic model has a full load motor efficiency at the default nominal full load submersible motor efficiency shown in table 2 of appendix A to subpart Y of this part or the same number of bands above the default nominal full load submersible motor efficiency for each respective motor horsepower (*see* table 3 of appendix A to this subpart) or for inverter-only synchronous electric motors, any number of bands above the default nominal full load submersible motor efficiency provided the rating is based on the lowest number of bands.

Basket strainer means a perforated or otherwise porous receptacle, mounted within a housing on the suction side of a pump, that prevents solid debris from entering a pump. The basket strainer receptacle is capable of passing spherical solids of 1 mm in diameter, and can be removed by hand or using only simple tools (*e.g.*, screwdriver, pliers, open-ended wrench).

Best efficiency point (BEP) means the pump hydraulic power operating point (consisting of both flow and head conditions) that results in the maximum efficiency.

Bowl means a casing in which the impeller rotates, and that directs flow axially to the next stage or the discharge column.

Bowl diameter means the maximum dimension of an imaginary straight line passing through and in the plane of the circular shape of the bowl of the bare pump that is perpendicular to the pump shaft and that intersects the outermost circular shape of the bowl of the bare pump at both of its ends.

Circulator-less-volute means a circulator pump distributed in commerce without a volute and for which a paired volute is also distributed in commerce. Whether a paired volute is distributed in commerce will be determined based on published data, marketing literature, and other publicly available information.

Circulator pump means is a pump that is either a wet rotor circulator pumps; a dry rotor, two-piece circulator pump; or a dry rotor, three-piece circulator pump. A circulator pump may be distributed in commerce with or without a volute.

Clean water pump means a pump that is designed for use in pumping water with a maximum non-absorbent free solid content of 0.016 pounds per cubic foot, and with a maximum dissolved solid content of 3.1 pounds per cubic foot, provided that the total gas content of the water does not exceed the saturation volume, and disregarding any additives necessary to prevent the water from freezing at a minimum of 14 °F.

Close-coupled pump means a pump in which the driver's bearings are designed to absorb the pump's axial load.

Continuous control means a control that adjusts the speed of the pump driver continuously over the driver operating speed range in response to incremental changes in the required pump flow, head, or power output.

Control means any device that can be used to operate the driver. Examples include, but are not limited to, continuous or non-continuous controls, schedule-based controls, on/off switches, and float switches.

Dedicated-purpose pool pump comprises self-priming pool filter pumps, non-self-priming pool filter pumps, waterfall pumps, pressure cleaner booster

pumps, integral sand-filter pool pumps, integral-cartridge filter pool pumps, storable electric spa pumps, and rigid electric spa pumps.

Dedicated-purpose pool pump motor total horsepower means the product of the dedicated-purpose pool pump nominal motor horsepower and the dedicated-purpose pool pump service factor of a motor used on a dedicated-purpose pool pump based on the maximum continuous duty motor power output rating allowable for the motor's nameplate ambient rating and insulation class. (Dedicated-purpose pool pump motor total horsepower is also referred to in the industry as service factor horsepower or motor capacity.)

Dedicated-purpose pool pump service factor means a multiplier applied to the rated horsepower of a pump motor to indicate the percent above nameplate horsepower at which the motor can operate continuously without exceeding its allowable insulation class temperature limit.

Designed and marketed means that the equipment is designed to fulfill the indicated application and, when distributed in commerce, is designated and marketed for that application, with the designation on the packaging and any publicly available documents (*e.g.*, product literature, catalogs, and packaging labels).

Driver means the machine providing mechanical input to drive a bare pump directly or through the use of mechanical equipment. Examples include, but are not limited to, an electric motor, internal combustion engine, or gas/steam turbine.

Dry rotor pump means a pump in which the motor rotor is not immersed in the pumped fluid.

Dry rotor, three-piece circulator pump means:

(1) A single stage, rotodynamic, single-axis flow, mechanically-coupled, dry rotor pump that:

(i) Has a rated hydraulic power less than or equal to 5 hp at the best efficiency point at full impeller diameter,

(ii) Is distributed in commerce with a horizontal motor, and

(iii) Discharges the pumped liquid through a volute in a plane perpendicular to the shaft.

(2) Examples include, but are not limited to, pumps generally referred to in industry as CP3.

Dry rotor, two-piece circulator pump means:

(1) A single stage, rotodynamic, single-axis flow, close-coupled, dry rotor pump that:

(i) Has a rated hydraulic power less than or equal to 5 hp at best efficiency point at full impeller diameter,

(ii) Is distributed in commerce with a horizontal motor, and

(iii) Discharges the pumped liquid through a volute in a plane perpendicular to the shaft.

(2) Examples include, but are not limited to, pumps generally referred to in industry as CP2.

End-suction close-coupled (ESCC) pump means a close-coupled, dry rotor, end-suction pump that has a shaft input power greater than or equal to 1 hp and less than or equal to 200 hp at BEP and full impeller diameter and that is not a dedicated-purpose pool pump.

End-suction frame mounted/own bearings (ESFM) pump means a mechanically-coupled, dry rotor, end-suction pump that has a shaft input power greater than or equal to 1 hp and less than or equal to 200 hp at BEP and full impeller diameter and that is not a dedicated-purpose pool pump.

End-suction pump means a single-stage, rotodynamic pump in which the liquid enters the bare pump in a direction parallel to the impeller shaft and on the side opposite the bare pump's driver-end. The liquid is discharged in a plane perpendicular to the shaft.

External input signal control means a variable speed drive that adjusts the speed of the driver in response to an input signal from an external logic and/or user interface.

Fire pump means a pump that is compliant with NFPA 20–2016 (incorporated by reference, see § 431.463), ''Standard for the Installation of Stationary Pumps for Fire Protection,'' and is either:

(1) UL listed under ANSI/UL 448–2013 (incorporated by reference, see § 431.463), ''Standard for Safety Centrifugal Stationary Pumps for Fire-Protection Service,'' or

(2) FM Global (FM) approved under the January 2015 edition of FM Class

Number 1319, ''Approval Standard for Centrifugal Fire Pumps (Horizontal, End Suction Type),'' (incorporated by reference, see § 431.463).

Freeze protection control means a pool pump control that, at a certain ambient temperature, turns on the dedicated-purpose pool pump to circulate water for a period of time to prevent the pool and water in plumbing from freezing.

Full impeller diameter means the maximum diameter impeller with which a given pump basic model is distributed in commerce.

Header pump means a circulator pump distributed in commerce without a volute and for which a paired volute is not distributed in commerce. Whether a paired volute is distributed in commerce will be determined based on published data, marketing literature, and other publicly available information.

Horizontal motor means a motor, for which the motor shaft position when functioning under operating conditions specified in manufacturer literature, includes a horizontal position.

In-line (IL) pump means a pump that is either a twin head pump or a single-stage, single-axis flow, dry rotor, rotodynamic pump that has a shaft input power greater than or equal to 1 hp and less than or equal to 200 hp at BEP and full impeller diameter, in which liquid is discharged in a plane perpendicular to the shaft. Such pumps do not include circulator pumps.

Integral means a part of the device that cannot be removed without compromising the device's function or destroying the physical integrity of the unit.

Integral cartridge-filter pool pump means a pump that requires a removable cartridge filter, installed on the suction side of the pump, for operation; and the cartridge filter cannot be bypassed.

Integral sand-filter pool pump means a pump distributed in commerce with a sand filter that cannot be bypassed.

Magnet driven pump means a pump in which the bare pump is isolated from the motor via a containment shell and torque is transmitted from the motor to the bare pump via magnetic force. The motor shaft is not physically coupled to the impeller or impeller shaft.

Manual speed control means a control (variable speed drive and user interface) that adjusts the speed of the driver based on manual user input.

Mechanical equipment means any component of a pump that transfers energy from the driver to the bare pump.

Mechanically-coupled pump means a pump in which bearings external to the driver are designed to absorb the pump's axial load.

Multi-speed dedicated-purpose pool pump means a dedicated-purpose pool pump that is capable of operating at more than two discrete, pre-determined operating speeds separated by speed increments greater than 100 rpm, where the lowest speed is less than or equal to half of the maximum operating speed and greater than zero, and must be distributed in commerce with an on-board pool pump control (*i.e.*, variable speed drive and user interface or programmable switch) that changes the speed in response to pre-programmed user preferences and allows the user to select the duration of each speed and/or the on/off times.

Non-continuous control means a control that adjusts the speed of a driver to one of a discrete number of non-continuous preset operating speeds, and does not respond to incremental reductions in the required pump flow, head, or power output.

Non-self-priming pool filter pump means a pool filter pump that is not certified under NSF/ANSI 50–2015 (incorporated by reference, see § 431.463) to be self-priming and is not capable of re-priming to a vertical lift of at least 5.0 feet with a true priming time less than or equal to 10.0 minutes, when tested in accordance with section F of appendix B or C of this subpart, and is not a waterfall pump.

On-demand circulator pump means a circulator pump that is distributed in commerce with an integral control that:

(1) Initiates water circulation based on receiving a signal from the action of a user [of a fixture or appliance] or sensing the presence of a user of a fixture and cannot initiate water circulation based on other inputs, such as

water temperature or a pre-set schedule.

(2) Automatically terminates water circulation once hot water has reached the pump or desired fixture.

(3) Does not allow the pump to operate when the temperature in the pipe exceeds 104 °F or for more than 5 minutes continuously.

Pool filter pump means an end suction pump that:

(1) Either:

(i) Includes an integrated basket strainer; or

(ii) Does not include an integrated basket strainer, but requires a basket strainer for operation, as stated in manufacturer literature provided with the pump; and

(2) May be distributed in commerce connected to, or packaged with, a sand filter, removable cartridge filter, or other filtration accessory, so long as the filtration accessory are connected with consumer-removable connections that allow the filtration accessory to be bypassed.

Pool pump timer means a pool pump control that automatically turns off a dedicated-purpose pool pump after a run-time of no longer than 10 hours.

Pressure cleaner booster pump means an end suction, dry rotor pump designed and marketed for pressure-side pool cleaner applications, and which may be UL listed under ANSI/UL 1081–2016 (incorporated by reference, see § 431.463).

Pressure control means a control (variable speed drive and integrated logic) that automatically adjusts the speed of the driver in response to pressure.

Prime-assist pump means a pump that:

(1) Is designed to lift liquid that originates below the centerline of the pump inlet;

(2) Requires no manual intervention to prime or re-prime from a dry-start condition; and

(3) Includes a device, such as a vacuum pump or air compressor and venturi eductor, to remove air from the suction line in order to automatically perform the prime or re-prime function at any point during the pump's operating cycle.

Pump means equipment designed to move liquids (which may include entrained gases, free solids, and totally dissolved solids) by physical or mechanical action and includes a bare pump and, if included by the manufacturer at the time of sale, mechanical equipment, driver, and controls.

Radially-split, multi-stage, horizontal, diffuser casing (RSH) pump means a horizontal, multi-stage, dry rotor, rotodynamic pump:

(1) That has a shaft input power greater than or equal to 1 hp and less than or equal to 200 hp at BEP and full impeller diameter and at the number of stages required for testing;

(2) In which liquid is discharged in a plane perpendicular to the impeller shaft;

(3) For which each stage (or bowl) consists of an impeller and diffuser; and

(4) For which no external part of such a pump is designed to be submerged in the pumped liquid.

Radially-split, multi-stage, horizontal, end-suction diffuser casing (RSHES) pump means a RSH pump in which the liquid enters the bare pump in a direction parallel to the impeller shaft and on the side opposite the bare pump's driver-end.

Radially-split, multi-stage, horizontal, in-line diffuser casing (RSHIL) pump means a single-axis flow RSH pump in which the liquid enters the pump in a plane perpendicular to the impeller shaft.

Radially-split, multi-stage, vertical, diffuser casing (RSV) pump means a vertically suspended, multi-stage, single-axis flow, dry rotor, rotodynamic pump:

(1) That has a shaft input power greater than or equal to 1 hp and less than or equal to 200 hp at BEP and full impeller diameter and at the number of stages required for testing;

(2) In which liquid is discharged in a plane perpendicular to the impeller shaft;

(3) For which each stage (or bowl) consists of an impeller and diffuser; and

(4) For which no external part of such a pump is designed to be submerged in the pumped liquid.

Removable cartridge filter means a filter component with fixed dimensions that captures and removes suspended

particles from water flowing through the unit. The removable cartridge filter is not capable of passing spherical solids of 1 mm in diameter or greater, and can be removed from the filter housing by hand or using only simple tools (*e.g.*, screwdrivers, pliers, open-ended wrench).

Rigid electric spa pump means an end suction pump that does not contain an integrated basket strainer or require a basket strainer for operation as stated in manufacturer literature provided with the pump and that meets the following three criteria:

(1) Is assembled with four through bolts that hold the motor rear endplate, rear bearing, rotor, front bearing, front endplate, and the bare pump together as an integral unit;

(2) Is constructed with buttress threads at the inlet and discharge of the bare pump; and

(3) Uses a casing or volute and connections constructed of a non-metallic material.

Rotodynamic pump means a pump in which energy is continuously imparted to the pumped fluid by means of a rotating impeller, propeller, or rotor.

Sand filter means a device designed to filter water through sand or an alternate sand-type media.

Self-priming pool filter pump means a pool filter pump that is certified under NSF/ANSI 50–2015 (incorporated by reference, see § 431.463) to be self-priming or is capable of re-priming to a vertical lift of at least 5.0 feet with a true priming time less than or equal to 10.0 minutes, when tested in accordance with section F of appendix B or C of this subpart, and is not a waterfall pump.

Self-priming pump means a pump that either is a self-priming pool filter pump or a pump that:

(1) Is designed to lift liquid that originates below the centerline of the pump inlet;

(2) Contains at least one internal recirculation passage; and

(3) Requires a manual filling of the pump casing prior to initial start-up, but is able to re-prime after the initial start-up without the use of external vacuum sources, manual filling, or a foot valve.

Single axis flow pump means a pump in which the liquid inlet of the bare pump is on the same axis as the liquid discharge of the bare pump.

Single-speed dedicated-purpose pool pump means a dedicated-purpose pool pump that is capable of operating at only one speed.

Small vertical in-line (SVIL) pump means a small vertical twin-head pump or a single stage, single-axis flow, dry rotor, rotodynamic pump that:

(1) Has a shaft input power less than 1 horsepower at its BEP at full impeller diameter; and

(2) In which liquid is discharged in a plane perpendicular to the shaft; and

(3) Is not a circulator pump.

Small vertical twin-head pump means a dry rotor, single-axis flow, rotodynamic pump that contains two equivalent impeller assemblies, each of which:

(1) Contains an impeller, impeller shaft (or motor shaft in the case of close-coupled pumps), shaft seal or packing, driver (if present), and mechanical equipment (if present); and

(2) Has a shaft input power that is less than or equal to 1 hp at BEP and full impeller diameter; and

(3) Has the same primary energy source (if sold with a driver) and the same electrical, physical, and functional characteristics that affect energy consumption or energy efficiency; and

(4) Is mounted in its own volute; and

(5) Discharges liquid through its volute and the common discharge in a plane perpendicular to the impeller shaft.

Storable electric spa pump means a pump that is distributed in commerce with one or more of the following:

(1) An integral heater; and

(2) An integral air pump.

Submersible pump means a pump that is designed to be operated with the motor and bare pump fully submerged in the pumped liquid.

Submersible turbine (ST) pump means a single-stage or multi-stage, dry rotor, rotodynamic pump that is designed to be operated with the motor and stage(s) fully submerged in the pumped liquid; that has a shaft input power greater than or equal to 1 hp and less than or equal to 200 hp at BEP and full

impeller diameter and at the number of stages required for testing; and in which each stage of this pump consists of an impeller and diffuser, and liquid enters and exits each stage of the bare pump in a direction parallel to the impeller shaft.

Temperature control means a control (variable speed drive and integrated logic) that automatically adjusts the speed of the driver continuously over the driver operating speed range in response to temperature.

Twin head pump means a dry rotor, single-axis flow, rotodynamic pump that contains two impeller assemblies, which both share a common casing, inlet, and discharge, and each of which

(1) Contains an impeller, impeller shaft (or motor shaft in the case of close-coupled pumps), shaft seal or packing, driver (if present), and mechanical equipment (if present);

(2) Has a shaft input power that is greater than or equal to 1 hp and less than or equal to 200 hp at best efficiency point (BEP) and full impeller diameter;

(3) Has the same primary energy source (if sold with a driver) and the same electrical, physical, and functional characteristics that affect energy consumption or energy efficiency;

(4) Is mounted in its own volute; and

(5) Discharges liquid through its volute and the common discharge in a plane perpendicular to the impeller shaft.

Two-speed dedicated-purpose pool pump means a dedicated-purpose pool pump that is capable of operating at only two different pre-determined operating speeds, where the low operating speed is less than or equal to half of the maximum operating speed and greater than zero, and must be distributed in commerce either:

(1) With a pool pump control (*e.g.*, variable speed drive and user interface or switch) that is capable of changing the speed in response to user preferences; or

(2) Without a pool pump control that has the capability to change speed in response to user preferences, but is unable to operate without the presence of such a pool pump control.

Variable-speed dedicated-purpose pool pump means a dedicated-purpose pool pump that is capable of operating at a variety of user-determined speeds, where all the speeds are separated by at most 100 rpm increments over the operating range and the lowest operating speed is less than or equal to one-third of the maximum operating speed and greater than zero. Such a pump must include a variable speed drive and be distributed in commerce either:

(1) With a user interface that changes the speed in response to pre-programmed user preferences and allows the user to select the duration of each speed and/or the on/off times; or

(2) Without a user interface that changes the speed in response to pre-programmed user preferences and allows the user to select the duration of each speed and/or the on/off times, but is unable to operate without the presence of a user interface.

Variable speed drive means equipment capable of varying the speed of the motor.

Vertical turbine (VT) pump means a vertically suspended, single-stage or multi-stage, dry rotor, single inlet, rotodynamic pump:

(1) That has a shaft input power greater than or equal to 1 hp and less than or equal to 200 hp at BEP and full impeller diameter and at the number of stages required for testing;

(2) For which the pump driver is not designed to be submerged in the pumped liquid;

(3) That has a single pressure containing boundary (*i.e.*, is single casing), which may consist of, but is not limited, to bowls, columns, and discharge heads; and

(4) That discharges liquid through the same casing in which the impeller shaft is contained.

Waterfall pump means a pool filter pump with a certified maximum head less than or equal to 30.0 feet, and a maximum speed less than or equal to 1,800 rpm.

Wet rotor circulator pump means a single stage, rotodynamic, close-coupled, wet rotor pump. Examples include, but are not limited to, pumps generally referred to in industry as CP1.

[81 FR 4145, Jan. 25, 2016, as amended at 82 FR 5742, Jan. 18, 2017; 82 FR 36920, Aug. 7, 2017; 87 FR 57298, Sept. 19, 2022; 88 FR 17975, Mar. 24, 2023]

§ 431.463 Materials incorporated by reference.

(a) Certain material is incorporated by reference into this subpart with the approval of the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in this section, DOE must publish a document in the FEDERAL REGISTER and the material must be available to the public. All approved incorporation by reference (IBR) is available for inspection at DOE, and at the National Archives and Records Administration (NARA). Contact DOE at: the U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Program, Sixth Floor, 950 L'Enfant Plaza SW, Washington, DC 20024, (202) 586–9127, *Buildings@ee.doe.gov*, *https://www.energy.gov/eere/buildings/building-technologies-office*. For information on the availability of this material at NARA, visit *www.archives.gov/federal-register/cfr/ibr-locations.html* or email *fr.inspection@nara.gov*. The material may be obtained from the following sources:

(b) *ASME*. American Society of Mechanical Engineers, Two Park Avenue, New York, NY 10016–5990; (800) 843–2763; *www.asme.org*.

(1) ASME MFC–3M–2004 (Reaffirmed 2017) (''ASME MFC–3M–2004''), *Measurement of Fluid Flow in Pipes Using Orifice, Nozzle, and Venturi*, Issued January 1, 2004; IBR approved for appendix A to this subpart.

(2) ANSI/ASME MFC–5M–1985 (Reaffirmed 2006) (''ASME MFC–5M–1985''), *Measurement of Liquid Flow in Closed Conduits Using Transit-Time Ultrasonic Flowmeters*, Issued July 15, 1985; IBR approved for appendix A to this subpart.

(3) ASME MFC–8M–2001 (Reaffirmed 2011) (''ASME MFC–8M–2001''), *Fluid Flow in Closed Conduits: Connections for Pressure Signal Transmissions Between Primary and Secondary Devices*, Issued September 1, 2001; IBR approved for appendix A to this subpart.

(4) ASME MFC–12M–2006 (Reaffirmed 2014) (''ASME MFC–12M–2006''), *Measurement of Fluid Flow in Closed Conduits Using Multiport Averaging Pitot Primary Elements*, Issued October 9, 2006; IBR approved for appendix A to this subpart.

(5) ASME MFC–16–2014, *Measurement of Liquid Flow in Closed Conduits with Electromagnetic Flowmeters*, Issued March 14, 2014; IBR approved for appendix A to this subpart.

(6) ASME MFC–22–2007 (Reaffirmed 2014) (''ASME MFC–22–2007''), *Measurement of Liquid by Turbine Flowmeters*, Issued April 14, 2008; IBR approved for appendix A to this subpart.

(c) *AWWA*. American Water Works Association, Headquarters, 6666 W Quincy Ave, Denver, CO 80235; (303) 794–7711; *www.awwa.org*.

(1) ANSI/AWWA E103–2015 (''AWWA E103–2015''), *Horizontal and Vertical Line-Shaft Pumps*, approved 7, 2015; IBR approved for appendix A to this subpart.

(2) [Reserved]

(d) *CSA*. Canadian Standards Association, 5060 Spectrum Way, Suite 100, Mississauga, Ontario, L4W 5N6, Canada; (800) 463–6727; *www.csagroup.org*.

(1) CSA C390–10 Test methods, marking requirements, and energy efficiency levels for three-phase induction motors, Updated March 2010; IBR approved for appendix A to this subpart.

(2) CSA C747–2009 (Reaffirmed 2014) (''CSA C747–2009 (RA 2014)''), *Energy efficiency test methods for small motors*, CSA reaffirmed 2014; IBR approved for appendices B and C to this subpart, as follows:

(i) Section 1, ''Scope'';

(ii) Section 3, ''Definitions'';

(iii) Section 5, ''General Test Requirements''; and

(iv) Section 6, ''Test Method.''

(e) *FM*. FM Global, 1151 Boston-Providence Turnpike, P.O. Box 9102, Norwood, MA 02062; (781) 762–4300; *www.fmglobal.com*.

(1) FM Class Number 1319, *Approval Standard for Centrifugal Fire Pumps (Horizontal, End Suction Type)*, January 2015; IBR approved for § 431.462.

(2) [Reserved]

(f) *HI*. Hydraulic Institute, 300 Interpace Parkway, 3rd Floor, Parsippany, NJ 07054–4406; 973–267–9700; *www.Pumps.org*.

(1) ANSI/HI 9.6.1–2017 (''HI 9.6.1–2017'') ''*Rotodynamic Pumps—Guideline for NPSH Margin*, ANSI-approved January 6, 2017; IBR approved for appendix A to this subpart.

(2) ANSI/HI 9.6.6–2016 (''HI 9.6.6–2016'') ''*Rotodynamic Pumps for Pump Piping*, ANSI-approved March 23, 2016; IBR approved for appendix A to this subpart.

(3) ANSI/HI 9.8–2018 (''HI 9.8–2018'') ''*Rotodynamic Pumps for Pump Intake Design*, ANSI-approved January 8, 2018; IBR approved for appendix A to this subpart.

(4) ANSI/HI 14.1–14.2–2019 (''HI 14.1–14.2–2019'') ''*Rotodynamic Pumps for Nomenclature and Definitions*, ANSI-approved April 9, 2019; IBR approved for appendix A to this subpart.

(5) HI 40.6–2014 (''HI 40.6–2014–B''), *Methods for Rotodynamic Pump Efficiency Testing*, copyright 2014, IBR approved for appendices B and C to this subpart, excluding the following:

(i) Section 40.6.4.1 ''Vertically suspended pumps'';

(ii) Section 40.6.4.2 ''Submersible pumps'';

(iii) Section 40.6.5.3 ''Test report'';

(iv) Section 40.6.5.5 ''Test conditions'';

(v) Section 40.6.5.5.2 ''Speed of rotation during test'';

(vi) Section 40.6.6.1 ''Translation of test results to rated speed of rotation'';

(vii) Appendix A ''Test arrangements (normative)'': A.7 ''Testing at temperatures exceeding 30 °C (86 °F)''; and

(viii) Appendix B, ''Reporting of test results (normative)'').

(6) HI 40.6–2021, *Hydraulic Institute Standard for Methods for Rotodynamic Pump Efficiency Testing*, approved February 17, 2021; IBR approved for appendices A and D to this subpart.

(7) HI 41.5–2022, *Hydraulic Institute Program Guideline for Circulator Pump Energy Rating Program*, approved June 16, 2022; IBR approved for appendix D to this subpart.

(8) HI Engineering Data Book, Second Edition copyright 1990; IBR approved for appendix A to this subpart.

(g) *IEEE*. Institute of Electrical and Electronics Engineers, Inc., 45 Hoes Lane, P.O. Box 1331, Piscataway, NJ 08855–1331; (732) 981–0060; *www.ieee.org*.

(1) IEEE 112–2017, I*EEE Standard Test Procedure for Polyphase Induction Motors and Generators*, published February 14, 2018; IBR approved for appendix A to this subpart.

(2) IEEE 113–1985, *IEEE Guide: Test Procedures for Direct-Current Machines*,'' copyright 1985, IBR approved for appendices B and C to this subpart, as follows:

(i) Section 3, Electrical Measurements and Power Sources for all Test Procedures:

(A) Section 3.1, ''Instrument Selection Factors'';

(B) Section 3.4 ''Power Measurement''; and

(C) Section 3.5 ''Power Sources'';

(ii) Section 4, Preliminary Tests:

(A) Section 4.1, Reference Conditions, Section 4.1.2, ''Ambient Air''; and

(B) Section 4.1, Reference Conditions, Section 4.1.4 ''Direction of Rotation''; and

(iii) Section 5, Performance Determination:

(A) Section 5.4, Efficiency, Section 5.4.1, ''Reference Conditions''; and

(B) Section 5.4.3, Direct Measurements of Input and Output, Section 5.4.3.2 ''Dynomometer or Torquemeter Method.''

(3) IEEE 114–2010 (''IEEE 114–2010–A''), *IEEE Standard Test Procedure for Single-Phase Induction Motors*, published December 23, 2010; IBR approved for appendix A to this subpart.

(4) IEEE 114–2010 (''IEEE 114–2010''), ''IEEE Standard Test Procedure for Single-Phase Induction Motors,'' approved September 30, 2010, IBR approved for appendices B and C to this subpart, as follows:

(i) Section 3, ''General tests'', Section 3.2, ''Tests with load'';

(ii) Section 4 ''Testing facilities''; and

(iii) Section 5, ''Measurements'':

(A) Section 5.2 ''Mechanical measurements'';

(B) Section 5.3 ''Temperature measurements''; and

(iv) Section 6 ''Tests.''

(h) *ISO*. International Organization for Standardization, Chemin de Blandonnet 8, CP 401, 1214 Vernier, Geneva, Switzerland, +41 22 749 01 11. *www.iso.org*.

(1) ISO 1438:2017(E) (''ISO 1438:2017''), *Hydrometry—Open channel flow measurement using thin-plate weirs*, Third edition, April 2017; IBR approved for appendix A to this subpart.

(2) ISO 2186:2007(E) (''ISO 2186:2007''), *Fluid flow in closed conduits—Connections for pressure signal transmissions between primary and secondary elements*, Second edition, March 1, 2007; IBR approved for appendix A to this subpart.

(3) ISO 2715:2017(E) (''ISO 2715:2017''), *Liquid hydrocarbons—Volumetric measurement by turbine flowmeter*, Second edition, November 1, 2017; IBR approved for appendix A to this subpart.

(4) ISO 3354:2008(E) (''ISO 3354:2008''), *Measurement of clean water flow in closed conduits—Velocity-area method using current-meters in full conduits and under regular flow conditions*, Third edition, July 15, 2008; IBR approved for appendix A to this subpart.

(5) ISO 3966:2020(E) (''ISO 3966:2020''), *Measurement of fluid flow in closed conduits—Velocity area method using Pitot static tubes*, Third edition, July 27, 2020; IBR approved for appendix A to this subpart.

(6) ISO 5167–1:2003(E) (''ISO 5167–1:2003''), *Measurement of fluid flow by means of pressure differential devices inserted in circular cross-section conduits running full—Part 1: General principles and requirements*, Second edition, March 1, 2003; IBR approved for appendix A to this subpart.

(7) ISO 5198:1987(E) (''ISO 5198:1987''), *Centrifugal, mixed flow and axial pumps—Code for hydraulic performance tests—Precision class*, First edition, July 1, 1987; IBR approved for appendix A to this subpart.

(8) ISO 6416:2017(E) (''ISO 6416:2017''), *Hydrometry—Measurement of discharge by the ultrasonic transit time (time of flight) method*, Fourth edition, October 2017; IBR approved for appendix A to this subpart.

(9) ISO 20456:2017(E) (''ISO 20456:2017''), *Measurement of fluid flow in closed conduits—Guidance for the use of electromagnetic flowmeters for conductive liquids*, First edition, September 2017; IBR approved for appendix A to this subpart.

(i) *NFPA*. National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02169–7471; (617) 770–3000; *www.nfpa.org*.

(1) NFPA 20 (''NFPA 20–2016''), *Standard for the Installation of Stationary Pumps for Fire Protection*, 2016 Edition, approved June 15, 2015, IBR approved for § 431.462.

(2) [Reserved]

(j) *NSF*. NSF International, 789 N. Dixboro Road, Ann Arbor, MI 48105; (743) 769–8010; *www.nsf.org*.

(1) NSF/ANSI 50–2015, *Equipment for Swimming Pools, Spas, Hot Tubs and Other Recreational Water Facilities*, Annex C, *normative Test methods for the evaluation of centrifugal pumps*, Section C.3, *Self-priming capability*, ANSI-approved January 26, 2015; IBR approved for § 431.462 and appendices B and C to this subpart.

(2) [Reserved]

(k) *UL*. UL, 333 Pfingsten Road, Northbrook, IL 60062; (847) 272–8800; *www.ul.com*.

(1) UL 448 (''ANSI/UL 448–2013''), *Standard for Safety Centrifugal Stationary Pumps for Fire-Protection Service*, 10th Edition, June 8, 2007, including revisions through July 12, 2013; IBR approved for § 431.462.

(2) UL 1081 (''ANSI/UL 1081–2016''), *Standard for Swimming Pool Pumps, Filters, and Chlorinators*, 7th Edition, ANSI-approved October 21, 2016; IBR approved for § 431.462.

[88 FR 17976, Mar. 24, 2023, as amended at 88 FR 24471, Apr. 21, 2023]

§ 431.464 Test procedure for the measurement of energy efficiency, energy consumption, and other performance factors of pumps.

(a) *General pumps*—(1) *Scope*. This paragraph (a) provides the test procedures for determining the constant and variable load pump energy index for:

(i) The following categories of clean water pumps that have the characteristics listed in paragraph (a)(1)(iii) of this section.

(A) End suction close-coupled (ESCC);

(B) End suction frame mounted/own bearings (ESFM);

(C) In-line (IL);

(D) Radially split, multi-stage, vertical, in-line casing diffuser (RSV); and

(E) Submersible turbine (ST) pumps.

(ii) The additional following categories of clean water pumps that have the characteristics listed in paragraph (a)(1)(iii) of this section:

(A) Radially-split, multi-stage, horizontal, end-suction diffuser casing (RSHES);

(B) Radially-split, multi-stage, horizontal, in-line diffuser casing (RSHIL);

(C) Small vertical in-line (SVIL); and

(D) Vertical Turbine (VT).

(iii) Pump characteristics:

(A) Flow rate of 25 gpm or greater at BEP and full impeller diameter;

(B) Maximum head of 459 feet at BEP and full impeller diameter and the number of stages required for testing (*see* section 1.2.2 of appendix A of this subpart);

(C) Design temperature range wholly or partially in the range of 15 to 250 °F;

(D) Designed to operate with either:

(*1*) A 2- or 4- or 6-pole induction motor, or

(*2*) A non-induction motor with a speed of rotation operating range that includes speeds of rotation between 2,880 and 4,320 revolutions per minute (rpm) and/or 1,440 and 2,160 rpm and/or 960 and 1,439 revolutions per minute, and in each case, the driver and impeller must rotate at the same speed;

(E) For ST, and VT pumps, a 6-inch or smaller bowl diameter; and

(F) For ESCC, and ESFM pumps, a specific speed less than or equal to 5,000 when calculated using U.S. customary units.

(2) *Testing and calculations.* Determine the applicable constant load pump energy index (PEI_{CL}) or variable load pump energy index (PEI_{VL}) using the test procedure set forth in appendix A of this subpart.

(b) *Dedicated-purpose pool pumps*—(1) *Scope.* This paragraph (b) provides the test procedures for determining the weighted energy factor (WEF), rated hydraulic horsepower, dedicated-purpose pool pump nominal motor horsepower, dedicated-purpose pool pump motor total horsepower, dedicated-purpose pool pump service factor, and other pump performance parameters for:

(i) The following varieties of dedicated-purpose pool pumps:

(A) Self-priming pool filter pumps;

(B) Non-self-priming pool filter pumps;

(C) Waterfall pumps; and

(D) Pressure cleaner booster pumps;

(ii) Served by single-phase or polyphase input power;

(iii) Except for:

(A) Submersible pumps; and

(B) Self-priming and non-self-priming pool filter pumps with hydraulic output power greater than or equal to 2.5 horsepower.

(2) *Testing and calculations.* Determine the weighted energy factor (WEF) using the test procedure set forth in appendix B or appendix C of this subpart, as applicable.

(c) *Circulator pumps*—(1) *Scope.* This paragraph (c) provides the test procedures for determining the circulator energy index for circulator pumps that are also clean water pumps, including on-demand circulator pumps and circulators-less-volute, and excluding submersible pumps and header pumps.

(2) *Testing and calculations.* Determine the circulator energy index (CEI) using the test procedure set forth in appendix D of this subpart Y.

[82 FR 36923, Aug. 7, 2017, as amended at 87 FR 57299, Sept. 19, 2022; 88 FR 17978, Mar. 24, 2023]

§ 431.465 Pumps energy conservation standards and their compliance dates.

(a) For the purposes of paragraph (b) of this section, ''PEI_{CL}'' means the constant load pump energy index and ''PEI_{VL}'' means the variable load pump energy index, both as determined in accordance with the test procedure in § 431.464. For the purposes of paragraph (c) of this section, ''BEP'' means the best efficiency point as determined in accordance with the test procedure in § 431.464.

(b) Each pump that is manufactured starting on January 27, 2020 and that:

(1) Is in one of the equipment classes listed in the table in paragraph (b)(4) of this section;

(2) Meets the definition of a clean water pump in § 431.462;

(3) Is not listed in paragraph (c) of this section; and

(4) Conforms to the characteristics listed in paragraph (d) of this section must have a PEI_{CL} or PEI_{VL} rating of not more than 1.00 using the appropriate C-value in the table in this paragraph (b)(4):

Equipment class [1]	Maximum PEI [2]	C-value [3]
ESCC.1800.CL	1.00	128.47
ESCC.3600.CL	1.00	130.42
ESCC.1800.VL	1.00	128.47
ESCC.3600.VL	1.00	130.42
ESFM.1800.CL	1.00	128.85
ESFM.3600.CL	1.00	130.99
ESFM.1800.VL	1.00	128.85
ESFM.3600.VL	1.00	130.99
IL.1800.CL	1.00	129.30
IL.3600.CL	1.00	133.84
IL.1800.VL	1.00	129.30
IL.3600.VL	1.00	133.84
RSV.1800.CL	1.00	129.63
RSV.3600.CL	1.00	133.20
RSV.1800.VL	1.00	129.63
RSV.3600.VL	1.00	133.20
ST.1800.CL	1.00	138.78
ST.3600.CL	1.00	134.85
ST.1800.VL	1.00	138.78
ST.3600.VL	1.00	134.85

[1] Equipment class designations consist of a combination (in sequential order separated by periods) of: (1) An equipment family (ESCC = end suction close-coupled, ESFM = end suction frame mounted/own bearing, IL = in-line, RSV = radially split, multi-stage, vertical, in-line diffuser casing, ST = submersible turbine; all as defined in § 431.462); (2) nominal speed of rotation (1800 = 1800 rpm, 3600 = 3600 rpm); and (3) an operating mode (CL = constant load, VL = variable load). Determination of the operating mode is determined using the test procedure in appendix A to this subpart.

[2] For equipment classes ending in .CL, the relevant PEI is PEI_{CL}. For equipment classes ending in .VL, the relevant PEI is PEI_{VL}.

[3] The C-values shown in this table must be used in the equation for PER_{STD} when calculating PEI_{CL} or PEI_{VL}, as described in section II.B of appendix A to this subpart.

(c) The energy efficiency standards in paragraph (b) of this section do not apply to the following pumps:

(1) Fire pumps;

(2) Self-priming pumps;

(3) Prime-assist pumps;

(4) Magnet driven pumps;

(5) Pumps designed to be used in a nuclear facility subject to 10 CFR part 50, ''Domestic Licensing of Production and Utilization Facilities'';

(6) Pumps meeting the design and construction requirements set forth in Military Specification MIL–P–17639F, ''Pumps, Centrifugal, Miscellaneous Service, Naval Shipboard Use'' (as amended); MIL–P–17881D, ''Pumps, Centrifugal, Boiler Feed, (Multi-Stage)'' (as amended); MIL–P–17840C, ''Pumps, Centrifugal, Close-Coupled, Navy Standard (For Surface Ship Application)'' (as amended); MIL–P–18682D, ''Pump, Centrifugal, Main Condenser Circulating, Naval Shipboard'' (as amended); MIL–P–18472G, ''Pumps, Centrifugal, Condensate, Feed Booster, Waste Heat Boiler, And Distilling Plant'' (as amended). Military specifications and standards are available for review at *http://everyspec.com/MIL-SPECS*.

(d) The energy conservation standards in paragraph (b) of this section apply only to pumps that have the following characteristics:

(1) Flow rate of 25 gpm or greater at BEP at full impeller diameter;

(2) Maximum head of 459 feet at BEP at full impeller diameter and the number of stages required for testing;

(3) Design temperature range from 14 to 248 °F;

(4) Designed to operate with either:

(i) A 2- or 4-pole induction motor; or

(ii) A non-induction motor with a speed of rotation operating range that includes speeds of rotation between 2,880 and 4,320 revolutions per minute and/or 1,440 and 2,160 revolutions per minute; and

(iii) In either case, the driver and impeller must rotate at the same speed;

(5) For ST pumps, a 6-inch or smaller bowl diameter; and

(6) For ESCC and ESFM pumps, specific speed less than or equal to 5,000 when calculated using U.S. customary units.

(e) For the purposes of paragraph (f) of this section, ''WEF'' means the weighted energy factor and ''hhp'' means the rated hydraulic horsepower, as determined in accordance with the test procedure in § 431.464(b) and applicable sampling plans in § 429.59 of this chapter.

(f) Each dedicated-purpose pool pump that is not a submersible pump and is manufactured starting on July 19, 2021 must have a WEF rating that is not less than the value calculated from the following table:

Equipment class		Minimum allowable WEF score [kgal/kWh]	Minimum allowable WEF score [kgal/kWh]
Dedicated-purpose pool pump variety	hhp Applicability	Motor phase	
Self-priming pool filter pumps	0.711 hp ≤hhp <2.5 hp.	Single	WEF = −2.30 * ln (hhp) + 6.59.
Self-priming pool filter pumps	hhp <0.711 hp	Single	WEF = 5.55, for hhp ≤0.13 hp −1.30 * ln (hhp) + 2.90, for hhp >0.13 hp.

Equipment class		Minimum allowable WEF score [kgal/kWh]	Minimum allowable WEF score [kgal/kWh]
Dedicated-purpose pool pump variety	hhp Applicability	Motor phase	
Non-self-priming pool filter pumps.	hhp <2.5 hp	Any	WEF = 4.60, for hhp ≤0.13 hp −0.85 * ln (hhp) + 2.87, for hhp >0.13 hp.
Pressure cleaner booster pumps.	Any	Any	WEF = 0.42.

(g) Each integral cartridge filter pool pump and integral sand filter pool pump that is manufactured starting on July 19, 2021 must be distributed in commerce with a pool pump timer that is either integral to the pump or a separate component that is shipped with the pump.

(h) For all dedicated-purpose pool pumps distributed in commerce with freeze protection controls, the pump must be shipped with freeze protection disabled or with the following default, user-adjustable settings:

(1) The default dry-bulb air temperature setting is no greater than 40 °F;

(2) The default run time setting shall be no greater than 1 hour (before the temperature is rechecked); and

(3) The default motor speed shall not be more than ½ of the maximum available speed.

(i) Each circulator pump that is manufactured starting on May 22, 2028 and that meets the criteria in paragraphs (i)(1) through (i)(2) of this section must have a circulator energy index (''CEI'') rating (as determined in accordance with the test procedure in § 431.464(c)(2)) of not more than 1.00 using the instructions in paragraph (i)(3) of this section and with a control mode as specified in paragraph (i)(4) of this section:

(1) Is a clean water pump as defined in § 431.462.

(2) Is not a submersible pump or a header pump, each as defined in § 431.462.

(3) The relationships in this paragraph (i)(3) are necessary to calculate maximum CEI.

(i) Calculate CEI according to the following equation:

Equation 1 to Paragraph (i)(3)(i)

$$CEI = \frac{\text{CER}}{CER_{STD}}$$

Where:

CEI = the circulator energy index (dimensionless);

CER = the circulator energy rating (hp), determined in accordance with section 6 of appendix D to subpart Y of part 431; and

CER_{STD} = the CER for a circulator pump that is minimally compliant with DOE's energy conservation standards with the same hydraulic horsepower as the rated pump (hp), determined in accordance with paragraph (i)(3)(ii) of this section.

(ii) Calculate CER_{STD} according to the following equation:

Equation 2 to Paragraph (i)(3)(ii)

$$CER_{STD} = \sum_{i} \omega_i \left(P_i^{in,STD}\right)$$

Where:

CER_{STD} = the CER for a circulator pump that is minimally compliant with DOE's energy conservation standards with the same hydraulic horsepower as the rated pump (hp);

i = the index variable of the summation notation used to express CER_{STD} (dimensionless) as described in the table 3 to paragraph (i)(3)(ii), in which i is expressed as a percentage of circulator pump flow at best efficiency point, determined in accordance with the test procedure in § 431.464(c)(2);

ω_i = the weighting factor (dimensionless) at each corresponding test point, i, as described in table 3 to paragraph (i)(3)(ii); and $P_i^{in,STD}$ = the reference power input to the circulator pump driver (hp) at test point i, calculated using the equations and method specified in paragraph (i)(3)(iii) of this section.

TABLE 3 TO PARAGRAPH (i)(3)(ii)

I (%)	Corresponding ω_i
25	.25
50	.25
75	.25
100	.25

(iii) Calculate $P_i^{in,STD}$ according to the following equation:

Equation 3 to Paragraph (i)(3)(iii)

$$P_i^{in,STD} = \frac{P_{u,i}}{\alpha_i * \frac{\eta_{WTW,100\%}}{100}}$$

Where:

$P_i^{in,STD}$ = the reference power input to the circulator pump driver at test point i (hp);

$P_{u,i}$ = circulator pump basic model rated hydraulic horsepower (hp) determined in accordance with 10 CFR 429.59(a)(2)(i);

α_i = part-load efficiency factor (dimensionless) at each test point i as described in table 4 to paragraph (i)(3)(iii); and

$\eta_{WTW,100\%}$ = reference circulator pump wire-to-water efficiency at best efficiency point (%) at the applicable energy conservation standard level, as described in table 5 to paragraph (i)(3)(iii) as a function of circulator pump basic model rated hydraulic horsepower at 100% BEP flow, $P_{u,100\%}$.

TABLE 4 TO PARAGRAPH (i)(3)(III)

I (%)	Corresponding α_i
25	0.4843
50	0.7736
75	0.9417
100	1

TABLE 5 TO PARAGRAPH (i)(3)(III)

$P_{u,100\%}$	$\eta_{WTW,100\%}$
<1	$10*\ln(P_{u,100\%} + 0.001141) + 67.78$.
≥1	67.79%.

(4) A circulator pump subject to energy conservation standards as described in this paragraph (i) must achieve the maximum CEI as described in paragraph (i)(3)(i) of this section and in accordance with the test procedure in § 431.464(c)(2) in the least consumptive control mode in which it is capable of operating.

[81 FR 4431, Jan. 26, 2016, as amended at 82 FR 5742, Jan. 18, 2017; 89 FR 44536, May 20, 2024]

§ 431.466 Pumps labeling requirements.

(a) *General pumps.* For the pumps described in § 431.464(a), the following requirements apply to units manufactured on the same date that compliance is required with any applicable standards prescribed in § 431.465.

(1) *Pump nameplate*—(i) *Required information.* The permanent nameplate must be marked clearly with the following information:

(A) For bare pumps and pumps sold with electric motors but not continuous or non-continuous controls, the rated pump energy index—constant load (PEI_{CL}), and for pumps sold with motors and continuous or non-continuous controls, the rated pump energy index—variable load (PEI_{VL});

(B) The bare pump model number; and

(C) If transferred directly to an end-user, the unit's impeller diameter, as distributed in commerce. Otherwise, a space must be provided for the impeller diameter to be filled in.

(ii) *Display of required information.* All orientation, spacing, type sizes, typefaces, and line widths to display this required information must be the same as or similar to the display of the other performance data on the pump's permanent nameplate. The PEI_{CL} or PEI_{VL}, as appropriate to a given pump model, must be identified in the form ''PEI_{CL} _____'' or ''PEI_{VL} _____.'' The model number must be in one of the following forms: ''Model _____'' or ''Model number _____'' or ''Model No. _____.'' The unit's impeller diameter must be in the form ''Imp. Dia. _____(in.).''

(2) *Disclosure of efficiency information in marketing materials.* (i) The same information that must appear on a pump's permanent nameplate pursuant to paragraph (a)(1)(i) of this section, must also be prominently displayed:

(A) On each page of a catalog that lists the pump; and

(B) In other materials used to market the pump.

(ii) [Reserved]

(b) *Dedicated-purpose pool pumps.* For the pumps described in § 431.464(b), the following requirements apply on the same date that compliance is required with any applicable standards prescribed in § 431.465.

(1) *Pump nameplate*—(i) *Required information.* The permanent nameplate must be marked clearly with the following information:

(A) The weighted energy factor (WEF); and

(B) The dedicated-purpose pool pump motor total horsepower.

(ii) *Display of required information.* All orientation, spacing, type sizes, typefaces, and line widths to display this required information must be the same as or similar to the display of the other performance data on the pump's permanent nameplate.

(A) The WEF must be identified in the form ''WEF _____.''

(B) The dedicated-purpose pool pump motor total horsepower must be identified in one of the following forms: ''Dedicated-purpose pool pump motor total horsepower _____,'' ''DPPP motor total horsepower _____,'' ''motor total horsepower _____,'' ''motor THP _____,'' or ''THP _____.''

(2) [Reserved]

[82 FR 36923, Aug. 7, 2017]

Appendix A to Subpart Y of Part 431—Uniform Test Method for the Measurement of Energy Consumption of Pumps

Note: Prior to September 20, 2023, representations with respect to the energy use or efficiency (including compliance certifications) of pumps specified in § 431.464(a)(1)(i), excluding pumps listed in § 431.464(a)(1)(iv), must be based on testing conducted in accordance with the applicable provisions of this appendix as they appeared in the January 1, 2022 edition of the Code of Federal Regulations of subpart Y of part 431 in 10 CFR parts 200 through 499.

On or after September 20, 2023, representations with respect to the energy use or efficiency (including compliance certifications) of pumps specified in § 431.464(a)(1)(i), excluding pumps listed in § 431.464(a)(1)(iv), must be based on testing conducted in accordance with the applicable provisions of this appendix.

Any representations with respect to the energy use or efficiency of pumps specified in § 431.464(a)(1)(ii), excluding pumps listed in § 431.464(a)(1)(iv), made on or after September 20, 2023 must be made in accordance with the results of testing pursuant to this appendix. Manufacturers must use the results of testing under this appendix to determine compliance with any energy conservation standards established for pumps specified in § 431.464(a)(1)(ii), excluding pumps listed in § 431.464(a)(1)(iv), that are published after January 1, 2022.

I. Test Procedure for Pumps

0. Incorporation by Reference.

DOE incorporated by reference in § 431.463 the entire standard for HI 40.6–2021, HI 9.6.1–2017, HI 9.6.6–2016, HI 9.8–2018, HI 14.1–14.2–2019, the HI Engineering Data Book, ASME MFC–5M–1985, ASME MFC–3M–2004, ASME MFC–8M–2001, ASME MFC–12M–2006, ASME MFC–16–2014, ASME MFC–22–2007, AWWA E103–2015, CSA C390–10, IEEE 112–2017, IEEE 114–2010–A, ISO 1438:2017, ISO 2186:2007, ISO 2715:2017, ISO 3354:2008, ISO 3966:2020, ISO 5167–1:2003, ISO 5198:1987, ISO 6416:2017, and ISO 20456:2017; however, certain enumerated provisions of HI 40.6–2021, as follows are inapplicable. To the extent that there is a conflict between the terms or provisions of a referenced industry standard and the CFR, the CFR provisions control.

0.1 HI 40.6–2021

(a) Section 40.6.1 Scope

(b) Section 40.6.5.3 Test report

(c) Appendix B Reporting of test results (informative)

(d) Appendix E Testing Circulator Pumps (normative)

(e) Appendix G DOE Compared to HI 40.6 Nomenclature

0.2 [Reserved]

A. *General*. To determine the constant load pump energy index (PEI_{CL}) for bare pumps and pumps sold with electric motors or the variable load pump energy index (PEI_{VL}) for pumps sold with electric motors and continuous or non-continuous controls, perform testing in accordance with HI 40.6–2021, except section 40.6.5.3, ''Test report'', including the applicable provisions of HI 9.6.1–2017, HI 9.6.6–2016, HI 9.8–2018, HI 14.1–14.2–2019, the HI Engineering Data Book, ASME MFC–3M–2004, ASME MFC–5M–1985, ASME MFC–8M–2001, ASME MFC–12M–2006, ASME MFC–16–2014, ASME MFC–22–2007, AWWA E103–2015, CSA C390–10, IEEE 112–2017, IEEE 114–2010–A, ISO 1438:2017, ISO 2186:2007, ISO 2715:2017, ISO 3354:2008, ISO 3966:2020, ISO 5167–1:2003, ISO 5198:1987, ISO 6416:2017, and ISO 20456:2017, as referenced in HI 40.6, with the modifications and additions as noted throughout the provisions below. Where HI 40.6–2021 refers to ''pump,'' the term refers to the ''bare pump,'' as defined in § 431.462. Also, for the purposes of applying this appendix, the term ''volume per unit time,'' as defined in section 40.6.2, ''Terms and definitions,'' of HI 40.6–2021 shall be deemed to be synonymous with the term ''flow rate'' used throughout that standard and this appendix. In addition, the specifications in section 40.6.4.1 of HI 40.6–2021, ''Vertically suspended pumps,'' do not apply to ST pumps and the performance of ST bare pumps considers bowl performance only. However, the specifications in the first paragraph of section 40.6.4.1 of HI 40.6–2021 (including the applicable provisions of HI 14.1–14.2–2019, the HI Engineering Data Book, and AWWA E103–2015, as referenced in section 40.6.4.1 of HI 40.6), ''Vertically suspended pumps,'' do apply to VT pumps and the performance of VT bare pumps considers bowl performance only.

A.1 *Scope*. Section II of this appendix applies to all pumps and describes how to calculate the pump energy index (section II.A) based on the pump energy rating for the minimally-compliant reference pump (PER_{STD}; section II.B) and the constant load pump energy rating (PER_{CL}) or variable load pump energy rating (PER_{VL}) determined in accordance with one of sections III through VII of this appendix, based on the configuration in which the pump is distributed in commerce and the applicable testing method specified in sections III through VII and as described in Table 1 of this appendix.

TABLE 1—APPLICABILITY OF CALCULATION-BASED AND TESTING-BASED TEST PROCEDURE OPTIONS BASED ON PUMP CONFIGURATION

Pump configuration	Pump sub-configuration	Applicable test methods
Bare Pump	Bare Pump OR Pump + Single-Phase Induction Motor (Excluding SVIL) OR Pump + Driver Other Than Electric Motor.	Section III: Test Procedure for Bare Pumps.
Pump + Motor OR Pump + Motor + Controls other than continuous or non-continuous controls (*e.g.,* ON/OFF switches).	Pump + Motor Listed at § 431.25(g) OR SVIL Pump + Motor Covered by DOE's Test Procedure and/or Energy Conservation Standards* OR Pump + Submersible Motor.	Section IV: Testing-Based Approach for Pumps Sold with Motors OR Section V: Calculation-Based Approach for Pumps Sold with Motors.
	Pump (Including SVIL) + Motor Not Covered by DOE's Motor Energy Conservation Standards (Except Submersible Motors)** OR Pump (Other than SVIL) + Single-Phase Induction Motor (if Section III is not used).	Section IV: Testing-Based Approach for Pumps Sold with Motors.
Pump + Motor + Continuous Controls OR Pump + Motor + Non-Continuous Controls OR Pump + Inverter-Only Synchronous Electric Motor*** (With or Without Controls).	Pump + Motor Listed at § 431.25(g) + Continuous Control OR SVIL Pump + Motor Covered by DOE's Test Procedure and/or Energy Conservation Standards* + Continuous Control OR Pump + Submersible Motor + Continuous Control OR Pump + Inverter-Only Synchronous Electric Motor*** (With or Without Continuous Control).	Section VI: Testing-Based Approach for Pumps Sold with Motors and Controls OR Section VII: Calculation-Based Approach for Pumps Sold with Motors Controls.
	Pump + Motor Listed at § 431.25(g) + Non-Continuous Control OR SVIL Pump + Motor Covered by DOE's Test Procedure and/or Energy Conservation Standards* + Non-Continuous Control OR Pump + Submersible Motor + Non-Continuous Control.	Section VI: Testing-Based Approach for Pumps Sold with Motors and Controls.

TABLE 1—APPLICABILITY OF CALCULATION-BASED AND TESTING-BASED TEST PROCEDURE OPTIONS BASED ON PUMP CONFIGURATION—Continued

Pump configuration	Pump sub-configuration	Applicable test methods
	Pump (Including SVIL) + Motor Not Covered by DOE's Motor Test Procedure and/or Energy Conservation Standards** (Except Submersible Motors) + Continuous or Non-Continuous Controls OR Pump (Other than SVIL) + Single-Phase Induction Motor + Continuous or Non-Continuous Controls (if Section III is not used).	Section VI: Testing-Based Approach for Pumps Sold with Motors and Controls.

*All references to ''Motor Covered by DOE's Motor Test Procedure and/or Energy Conservation Standards'' refer to those listed at §431.446 of this chapter or those for Small Non-Small Electric Motor Electric Motors (SNEMs) at Subpart B to Part 431, including motors of such varieties that are less than 0.25 hp.

**All references to ''Motor Not Covered by DOE's Test Procedure and/or Motor Energy Conservation Standards'' refer to motors not listed at §431.25 of this chapter or, for SVIL, not listed at either §431.446 of this chapter or in Subpart B to Part 431 (excluding motors of such varieties that are less than 0.25 hp).

***All references to ''Inverter-Only Synchronous Electric Motor'' refer to inverter-only electric motors that are synchronous electric motors, both as defined in subpart B to Part 431.

A.2 Section III of this appendix addresses the test procedure applicable to bare pumps. This test procedure also applies to pumps sold with drivers other than motors and ESCC, ESFM, IL, RSHES, RSHIL, RSV, ST, and VT pumps sold with single-phase induction motors.

A.3 Section IV of this appendix addresses the testing-based approach for pumps sold with motors, which applies to all pumps sold with electric motors, except for pumps sold with inverter-only synchronous electric motors, but including pumps sold with single-phase induction motors. This test procedure also applies to pumps sold with controls other than continuous or non-continuous controls (*e.g.*, on/off switches).

A.4 Section V of this appendix addresses the calculation-based approach for pumps sold with motors, which applies to:

A.4.1 Pumps sold with polyphase electric motors regulated by DOE's energy conservation standards for electric motors at §431.25(g), and

A.4.2 SVIL pumps sold with small electric motors regulated by DOE's energy conservation standards at §431.446 or sold with SNEMs regulated by DOE's test procedure and/or energy conservation standards in subpart B of this part but including motors of such varieties that are less than 0.25 hp, and

A.4.3 Pumps sold with submersible motors.

A.5 Section VI of this appendix addresses the testing-based approach for pumps sold with motors and controls, which applies to all pumps sold with electric motors (including single-phase induction motors) and continuous or non-continuous controls and to pumps sold with inverter-only synchronous electric motors with or without controls.

A.6 Section VII of this appendix discusses the calculation-based approach for pumps sold with motors and controls, which applies to:

A.6.1 Pumps sold with polyphase electric motors regulated by DOE's energy conservation standards for electric motors at §431.25(g) and continuous controls and

A.6.2 Pumps sold with inverter-only synchronous electric motors regulated by DOE's test procedure and/or energy conservation standards in subpart B of this part,

A.6.3 SVIL pumps sold with small electric motors regulated by DOE's energy conservation standards at §431.446 (but including motors of such varieties that are less than 0.25 hp) and continuous controls or with SNEMs regulated by DOE's test procedure and/or energy conservation standards at subpart B of this part (but including motors of such varieties that are less than 0.25 hp) and continuous controls, and

A.6.4 Pumps sold with submersible motors and continuous controls.

B. *Measurement Equipment*.

B.1 Instrument Accuracy. For the purposes of measuring pump power input, driver power input to the motor or controls, and pump power output, the equipment specified in HI 40.6–2021 Appendix C (including the applicable provisions of ASME MFC–5M–1985, ASME MFC–3M–2004, ASME MFC–8M–2001, ASME MFC–12M–2006, ASME MFC–16–2014, ASME MFC–22–2007, CSA C390–10, IEEE 112–2017, IEEE 114–2010–A, ISO 1438:2017, ISO 2186:2007, ISO 2715:2017, ISO 3354:2008, ISO 3966:2020, ISO 5167–1:2003, ISO 5198:1987, ISO 6416:2017, and ISO 20456:2017, as referenced in Appendix C of HI 40.6) necessary to measure head, speed of rotation, flow rate, temperature, torque, and electrical power must be used and must comply with the stated accuracy requirements in HI 40.6–2021 Table 40.6.3.2.3 except as noted in sections III.B, IV.B, V.B, VI.B, and VII.B of this appendix. When more than one instrument is used to measure a given parameter, the combined accuracy, calculated as the root sum of squares of individual instrument accuracies, must meet the specified accuracy requirements.

B.2 Calibration. Calibration requirements for instrumentation are specified in Appendix D of HI 40.6–2021.

C. *Test Conditions.* Conduct testing at full impeller diameter in accordance with the test conditions, stabilization requirements, and specifications of HI 40.6–2021 Section 40.6.3, ''Pump efficiency testing;'' Section 40.6.4, ''Considerations when determining the efficiency of certain pumps'' including the applicable provisions of HI 14.1–14.2–2019, the HI Engineering Data Book, and AWWA E103–2015, as referenced in section 40.6.4 of HI 40.6; section 40.6.5.4 (including appendix A), ''Test arrangements,'' including the applicable provisions of HI 9.6.1–2017, HI 9.6.6–2016, HI 9.8–2018, HI Engineering Data Book, and AWWA E103–2015 as referenced in appendix A of HI 40.6; and section 40.6.5.5, ''Test conditions'' including the applicable provisions of HI 9.6.1–2017 as referenced in section 40.6.5.5.1 of HI 40.6–2021. For ST pumps, head measurements must be based on the bowl assembly total head as described in section A.5 of 40.6–2021, including the applicable provisions of the HI Engineering Data Book and AWWA E103–2015 as referenced in ins section A.5 of HI 40.6–2021, and the pump power input or driver power input, as applicable, must be based on the measured input power to the driver or bare pump, respectively; section 40.6.4.1, ''Vertically suspended pumps,'' does not apply to ST pumps.

C.1 Nominal Speed of Rotation. Determine the nominal speed of rotation based on the range of speeds of rotation at which the pump is designed to operate, in accordance with sections I.C.1.1, I.C.1.2, and I.C.1.3 of this appendix, as applicable. When determining the range of speeds at which the pump is designed to operate, DOE will refer to published data, marketing literature, and other publicly-available information about the pump model and motor, as applicable.

C.1.1 For pumps sold without motors, select the nominal speed of rotation based on the speed for which the pump is designed.

C.1.1.1 For bare pumps designed for speeds of rotation including 2,880 to 4,320 revolutions per minute (rpm), the nominal speed of rotation shall be 3,600 rpm.

C.1.1.2 For bare pumps designed for speeds of rotation including 1,440 to 2,160 rpm, the nominal speed of rotation shall be 1,800 rpm.

C.1.1.3 For bare pumps designed for speeds of rotation including 960 to 1,439 rpm, the nominal speed of rotation shall be 1,200 rpm.

C.1.2 For pumps sold with induction motors, select the appropriate nominal speed of rotation.

C.1.2.1 For pumps sold with 6-pole induction motors, the nominal speed of rotation shall be 1,200 rpm.

C.1.2.2 For pumps sold with 4-pole induction motors, the nominal speed of rotation shall be 1,800 rpm.

C.1.2.3 For pumps sold with 2-pole induction motors, the nominal speed of rotation shall be 3,600 rpm.

C.1.3 For pumps sold with non-induction motors, select the appropriate nominal speed of rotation.

C.1.3.1 Where the operating range of the pump and motor includes speeds of rotation between 2,880 and 4,320 rpm, the nominal speed of rotation shall be 3,600 rpm.

C.1.3.2 Where the operating range of the pump and motor includes speeds of rotation between 1,440 and 2,160 rpm, the nominal speed of rotation shall be 1,800 rpm.

C.1.3.3 Where the operating range of the pump and motor includes speeds of rotation between 960 and 1,439, the nominal speed of rotation shall be 1,200 rpm.

C.2 Multi-Stage Pumps. Perform testing on the pump with three stages for RSH and RSV pumps, and nine stages for ST and VT pumps. If the basic model of pump being tested is only available with fewer than the required number of stages, test the pump with the maximum number of stages with which the basic model is distributed in commerce in the United States. If the basic model of pump being tested is only available with greater than the required number of stages, test the pump with the lowest number of stages with which the basic model is distributed in commerce in the United States. If the basic model of pump being tested is available with both fewer and greater than the required number of stages, but not the required number of stages, test the pump with the number of stages closest to the required number of stages. If both the next lower and next higher number of stages are equivalently close to the required number of stages, test the pump with the next higher number of stages.

C.3 Twin-Head Pumps. For twin-head pumps, perform testing on an equivalent single impeller IL or SVIL pump as applicable, constructed by incorporating one of the driver and impeller assemblies of the twin-head pump being rated into an adequate IL-style or SVIL-style, single impeller volute and casing. An adequate IL-style or SVIL-style, single impeller volute and casing means a volute and casing for which any physical and functional characteristics that affect energy consumption and energy efficiency are the same as their corresponding characteristics for a single impeller in the twin-head pump volute and casing.

D. *Data Collection and Analysis.*

D.1 Damping Devices. Use of damping devices, as described in section 40.6.3.2.2 of HI 40.6–2021, are only permitted to integrate up to the data collection interval used during testing.

D.2 Stabilization. Record data at any tested load point only under stabilized conditions, as defined in HI 40.6–2021 section 40.6.5.5.1, including the applicable provisions of HI 9.6.1–2017 as referenced in section 40.6.5.5.1 of HI 40.6, where a minimum of two

measurements are used to determine stabilization.

D.3 Calculations and Rounding. Normalize all measured data to the nominal speed of rotation of 3,600 or 1,800 or 1,200 rpm based on the nominal speed of rotation selected for the pump in section I.C.1 of this appendix, in accordance with the procedures specified in section 40.6.6.1.1 of HI 40.6–2021. Except for the ''expected BEP flow rate,'' all terms and quantities refer to values determined in accordance with the procedures set forth in this appendix for the rated pump. Perform all calculations using raw measured values without rounding. Round PER_{CL} and PER_{VL} to three significant digits, and round PEI_{CL}, and PEI_{VL} values, as applicable, to the hundredths place (*i.e.*, 0.01).

D.4 Pumps with BEP at Run Out. Test pumps for which the expected BEP corresponds to a volume rate of flow that is within 20 percent of the expected maximum flow rate at which the pump is designed to operate continuously or safely (*i.e.,* pumps with BEP at run-out) in accordance with the test procedure specified in this appendix, but with the following exceptions:

D.4.1 Use the following seven flow points—40, 50, 60, 70, 80, 90, and 100 percent of the expected maximum flow rate for determination of BEP in sections III.D, IV.D, V.D, VI.D, and VII.D of this appendix instead of the flow points specified in those sections.

D.4.2 Use flow points of 60, 70, 80, 90, and 100 percent of the expected maximum flow rate of the pump to determine pump power input or driver power input instead of the flow points of 60, 75, 90, 100, 110, and 120 percent of the expected BEP flow rate specified in sections III.E.1.1, IV.E.1, V.E.1.1, VI.E.1, and VII.E.1.1 of this appendix.

D.4.3 To determine PER_{CL} in sections III.E, IV.E, and V.E and to determine PER_{STD} in section II.B, use load points of 65, 90, and 100 percent of the BEP flow rate determined with the modified flow points specified in this section I.D.4 of this appendix instead of 75, 100, and 110 percent of BEP flow. In section II.B.1.1, where alpha values are specified for the load points 75, 100, and 110 percent of BEP flow rate, instead apply the alpha values to the load points of 65, 90, and 100 percent of the BEP flow rate determined with the modified flow points specified in this section I.D.4 of this appendix. However, in sections II.B.1.1.1 and II.B.1.1.1.1 of this appendix, use 100 percent of the BEP flow rate as specified to determine $\eta_{pump,STD}$ and Ns as specified. To determine motor sizing for bare pumps in sections II.B.1.2.1.1 and III.E.1.2.1.1 of this appendix, use a load point of 100 percent of the BEP flow rate instead of 120 percent.

II. Calculation of the Pump Energy Index

A. Determine the PEI of each tested pump based on the configuration in which it is sold, as follows:

A.1. For pumps rated as bare pumps or pumps sold with motors (other than inverter-only synchronous electric motors), determine the PEI_{CL} using the following equation:

$$PEI_{CL} = \frac{PER_{CL}}{PER_{STD}}$$

Where:

PEI_{CL} = the pump energy index for a constant load (hp),

PER_{CL} = the pump energy rating for a constant load (hp), determined in accordance with either section III (for bare pumps; ESCC, ESFM, IL, RSHES, RSHIL, RSV, ST or VT pumps sold with single-phase induction motors; and pumps sold with drivers other than electric motors), section IV (for pumps sold with motors and rated using the testing-based approach), or section V (for pumps sold with motors and rated using the calculation-based approach) of this appendix, and

PER_{STD} = the PER_{CL} for a pump that is minimally compliant with DOE's energy conservation standards with the same flow and specific speed characteristics as the tested pump (hp), as determined in accordance with section II.B of this appendix.

A.2 For pumps rated as pumps sold with motors and continuous controls or non-continuous controls (including pumps sold with inverter-only synchronous electric motors with or without controls), determine the PEI_{VL} using the following equation:

$$PEI_{VL} = \frac{PER_{VL}}{PER_{STD}}$$

PEI_{VL} = the pump energy index for a variable load (hp),

PER_{VL} = the pump energy rating for a variable load (hp), determined in accordance with section VI (for pumps sold with motors and continuous or non-continuous controls rated using the testing-based approach) or section VII of this appendix (for pumps sold with motors and continuous controls rated using the calculation-based approach), and

PER_{STD} = the PER_{CL} for a pump that is minimally compliant with DOE's energy conservation standards with the same flow and specific speed characteristics as the tested pump (hp), as determined in accordance with section II.B of this appendix.

B. Determine the pump energy rating for the minimally compliant reference pump (PER_{STD}), according to the following equation:

$$PER_{STD} = \sum_{i=75\%,100\%,110\%} \omega_i P_i^{in,m}$$

Where:

PER_{STD} = the PER_{CL} for a pump that is minimally compliant with DOE's energy conservation standards with the same flow and specific speed characteristics as the tested pump (hp),

ω_i = 0.3333,

$P_i^{in,m}$ = calculated driver power input to the motor at load point i for the minimally compliant pump (hp), calculated in accordance with section II.B.1of this appendix, and

i = load point corresponding to 75, 100, or 110 percent of the BEP flow rate.

B.1. Determine the driver power input at each load point corresponding to 75, 100, or 110 percent of the BEP flow rate as follows:

$$P_i^{in,m} = P_i + L_i$$

Where:

$P_i^{in,m}$ = driver power input to the motor at load point i (hp),

P_i = pump power input to the bare pump at load point i (hp), calculated in accordance with section II.B.1.1 of this appendix,

L_i = the part load motor losses at load point i (hp), calculated in accordance with section II.B.1.2 of this appendix, and

i = load point corresponding to 75, 100, or 110 percent of the BEP flow rate.

B.1.1. Determine the pump power input to the minimally compliant pump at each load point corresponding to 75, 100, or 110 percent of the BEP flow rate as follows:

$$P_i = \frac{P_{u,i}}{\alpha_i \times \left(\eta_{pump,STD} / 100 \right)}$$

Where:

P_i = pump power input to the bare pump at load point i (hp),

α_i = 0.947 for 75 percent of the BEP flow rate, 1.000 for 100 percent of the BEP flow rate, and 0.985 for 110 percent of the BEP flow rate;

$P_{u,i}$ = the pump power output at load point i of the tested pump (hp), as determined in accordance with section II.B.1.1.2 of this appendix;

$\eta_{pump,STD}$ = the minimally compliant pump efficiency (%), calculated in accordance with section II.B.1.1.1 of this appendix; and

i = load point corresponding to 75, 100, or 110 percent of the BEP flow rate.

B.1.1.1 Calculate the minimally compliant pump efficiency based on the following equation:

$$\eta_{pump,STD} = -0.8500 \times \ln(Q_{100\neq})^2 - 0.3800 \times \ln(Ns) \times \ln(Q_{100\neq}) - 11.480 \times \ln(Ns)^2 + 17.800 \times \ln(Q_{100\neq}) + 179.80 \times \ln(Ns) - (C + 555.60$$

Where:

$\eta_{pump,STD}$ = minimally compliant pump efficiency (%),

$Q_{100\neq}$ = the BEP flow rate of the tested pump at full impeller and nominal speed of rotation (gpm),

Ns = specific speed of the tested pump determined in accordance with section II.B.1.1.1.1 of this appendix, and

C = the appropriate C-value for the category and nominal speed of rotation of the tested pump, as listed at §431.466.

B.1.1.1.1 Determine the specific speed of the rated pump using the following equation:

$$N_s = \frac{n_{sp} \times \sqrt{Q_{100\%}}}{(H_{100\%}/S)^{0.75}}$$

Where:

Ns = specific speed,

n_{sp} = the nominal speed of rotation (rpm),

$Q'_{100\%}$ = the measured BEP flow rate of the tested pump at full impeller and nominal speed of rotation (gpm),

$H_{100\%}$ = pump total head at 100 percent of the BEP flow rate of the tested pump at full impeller and nominal speed of rotation (ft), and

S = the number of stages with which the pump is being rated

B.1.1.2 Determine the pump power output at each load point corresponding to 75, 100, or 110 percent of the BEP flow rate using the following equation:

$$P_{u,i} = \frac{Q_i \times H_i \times SG}{3956}$$

Where:

$P_{u,i}$ = the measured pump power output at load point i of the tested pump (hp),

Q_i = the measured flow rate at load point i of the tested pump (gpm),

H_i = pump total head at load point i of the tested pump (ft),

SG = the specific gravity of water at specified test conditions, which is equivalent to 1.00, and

i = load point corresponding to 75, 100, or 110 percent of the BEP flow rate.

B.1.2 Determine the motor part load losses at each load point corresponding to 75, 100, or 110 percent of the BEP flow rate as follows:

$$L_i = L_{full} \times y_i$$

Where:

L_i = part load motor losses at load point i (hp),

L_{full} = motor losses at full load (hp), as determined in accordance with section II.B.1.2.1 of this appendix,

y_i = part load loss factor at load point i determined in accordance with section II.B.1.2.2 of this appendix, and

i = load point corresponding to 75, 100, or 110 percent of the BEP flow rate.

B.1.2.1 Determine the full load motor losses using the appropriate motor efficiency value and horsepower as shown in the following equation:

$$L_{full} = \frac{MotorHP}{\left[\eta_{motor,full}/100\right]} - MotorHP$$

Where:

L_{full} = motor losses at full load (hp),

MotorHP = the motor horsepower as determined in accordance with section II.B.1.2.1.1 of this appendix (hp), and

$\eta_{motor,full}$ = the default nominal full load motor efficiency as determined in accordance with section II.B.1.2.1.2 of this appendix (%).

B.1.2.1.1 Determine the motor horsepower as follows:

• For bare pumps other than ST pumps, the motor horsepower is determined as the horsepower rating listed in Table 2 of this appendix that is either equivalent to, or the next highest horsepower greater than, the pump power input to the bare pump at 120 percent of the BEP flow rate of the tested pump.

• For ST bare pumps, the motor horsepower is determined as the horsepower rating listed in Table 2 of this appendix that, is either equivalent to, or the next highest horsepower greater than, the pump power input to the bare pump at 120 percent of the BEP flow rate of the tested pump divided by a service factor of 1.15.

• For pumps sold with motors, pumps sold with motors and continuous controls, or pumps sold with motors and non-continuous controls, the motor horsepower is the rated horsepower of the motor with which the pump is being tested.

B.1.2.1.2 Determine the default nominal full load motor efficiency as described in section II.B.1.2.1.2.1 of this appendix for ESCC, ESFM, IL, RSHES, RSHIL, RSV, and VT pumps; section II.B.1.2.1.2.2 of this appendix for ST pumps; and section II.B.1.2.1.2.3 for SVIL pumps.

B.1.2.1.2.1. For ESCC, ESFM, IL, RSHES, RSHIL, RSV, and VT pumps, the default nominal full load motor efficiency is the minimum of the nominal full load motor efficiency standards (open or enclosed) from the table containing the current energy conservation standards for NEMA Design B motors at §431.25, with the number of poles relevant to the speed at which the pump is being tested (see section I.C.1 of this appendix) and the motor horsepower determined in section II.B.1.2.1.1 of this appendix.

B.1.2.1.2.2. For ST pumps, prior to the compliance date of any energy conservation standards for submersible motors in subpart B of this part, the default nominal full load motor efficiency is the default nominal full load submersible motor efficiency listed in table 2 of this appendix, with the number of poles relevant to the speed at which the pump is being tested (see section I.C.1 of this appendix) and the motor horsepower determined in section II.B.1.2.1.1 of this appendix. Starting on the compliance date of any energy conservation standards for submersible motors in subpart B of this part, the default nominal full load motor efficiency shall be the minimum of any nominal full load motor efficiency standard from the table containing energy conservation standards for submersible motors in subpart B of this part, with the number of poles relevant to the speed at which the pump is being tested (see section I.C.1 of this appendix) and the motor horsepower determined in section II.B.1.2.1.1 of this appendix.

B.1.2.1.2.3. For SVIL pumps, the default nominal full load motor efficiency is the minimum full load motor efficiency standard from the tables containing the current energy conservation standards for polyphase or CSCR/CSIR small electric motors at §431.446, with the number of poles relevant to the speed at which the pump is being tested (see section I.C.1 of this appendix) and the motor horsepower determined in section II.B.1.2.1.1 of this appendix, or for SVIL pumps sold with motors less than 0.25 hp, the default nominal full load motor efficiency is 58.3% for 6-pole, 64.6% for 4-pole, and 61.7% for 2-pole motors.

B.1.2.2 Determine the part load loss factor at each load point corresponding to 75, 100, or 110 percent of the BEP flow rate as follows:

$$y_i = -0.4508 \times \left(\frac{P_i}{MotorHP}\right)^3 + 1.2399 \times \left(\frac{P_i}{MotorHP}\right)^2 - 0.4301 \times \left(\frac{P_i}{MotorHP}\right) + 0.6410$$

Where:

y_i = the part load loss factor at load point i,

P_i = pump power input to the bare pump at load point i (hp),

MotorHP = the motor horsepower (hp), as determined in accordance with section II.B.1.2.1.1 of this appendix,

i = load point corresponding to 75, 100, or 110 percent of the BEP flow rate, and

$\frac{P_i}{MotorHP} \leq 1.000$; if $\frac{P_i}{MotorHP} > 1.000$, then set $\frac{P_i}{MotorHP} = 1.000$ in the equation in this section II.B.1.2.2 to calculate the part load loss factor at each load point i.

III. Test Procedure for Bare Pumps

A. Scope. This section III applies only to:

A.1 Bare pumps,

A.2 Pumps sold with drivers other than electric motors, and

A.3 ESCC, ESFM, IL, RSHES, RSHIL, RSV, ST, and VT pumps sold with single-phase induction motors.

B. Measurement Equipment. The requirements regarding measurement equipment presented in section I.B of this appendix apply to this section III. In addition, when testing pumps using a calibrated motor, electrical measurement equipment shall meet the requirements of section C.4.3 of HI 40.6–2021 (including the applicable provisions of CSA C390–10, IEEE 112–2017, IEEE 114–2010–A, as referenced in section C.4.3 of HI 40.6), and motor power input shall be determined according to section 40.6.3.2.3 of HI 40.6–2021 and meet the requirements in Table 40.6.3.2.3 of HI 40.6–2021.

C. Test Conditions. The requirements regarding test conditions presented in section I.C of this appendix apply to this section III. In addition, when testing pumps using a calibrated motor, the conditions in section C.4.3.1 of HI 40.6–2021 shall be met, including the applicable provisions of CSA C390–10, IEEE 112–2017, IEEE 114–2010–A, as referenced in section C.4.3.1 of HI 40.6–2021.

D. Testing BEP for the Pump. Determine the best efficiency point (BEP) of the pump as follows:

D.1. Adjust the flow by throttling the pump without changing the speed of rotation of the pump and conduct the test at a minimum of the following seven flow points: 40, 60, 75, 90, 100, 110, and 120 percent of the expected BEP flow rate of the pump at the nominal speed of rotation, as specified in section 40.6.5.5.1 of HI 40.6–2021, including the applicable provisions of HI 9.6.1–2017 as referenced in section 40.6.5.5.1 of HI 40.6–2021.

D.2. Determine the BEP flow rate as the flow rate at the operating point of maximum pump efficiency on the pump efficiency curve, as determined in accordance with section 40.6.6.3 of HI 40.6–2021, where the pump efficiency is the ratio of the pump power output divided by the pump power input, as specified in Table 40.6.2 of HI 40.6–2021, disregarding the calculations provided in section 40.6.6.2 of HI 40.6–2021.

E. *Calculating the Constant Load Pump Energy Rating*. Determine the PER_{CL} of each tested pump using the following equation:

$$PER_{CL} = \sum_{i=75\%,100\%,110\%} \omega_i P_i^{in,m}$$

Where:

PER_{CL} = the pump energy rating for a constant load (hp),

ω_i = 0.3333,

$P_i^{in,m}$ = calculated driver power input to the motor at load point i (hp), as determined in accordance with section III.E.1 of this appendix, and

i = load point corresponding to 75, 100, or 110 percent of the BEP flow rate.

E.1 Determine the driver power input at each load point corresponding to 75, 100, or 110 percent of the BEP flow rate as follows:

$$P_i^{in,m} = P_i + L_i$$

Where:

$P_i^{in,m}$ = driver power input to the motor at load point i (hp),

P_i = pump power input to the bare pump at load point i (hp), as determined in section III.E.1.1 of this appendix,

L_i = the part load motor losses at load point i (hp), as determined in accordance with section III.E.1.2 of this appendix, and

i = load point corresponding to 75, 100, or 110 percent of the BEP flow rate.

E.1.1 Determine the pump power input at 75, 100, 110, and 120 percent of the BEP flow rate by employing a least squares regression to determine a linear relationship between the pump power input at the nominal speed of rotation of the pump and the measured flow rate at the following load points: 60, 75, 90, 100, 110, and 120 percent of the expected BEP flow rate. Use the linear relationship to determine the pump power input at the nominal speed of rotation for the load points of 75, 100, 110, and 120 percent of the BEP flow rate.

E.1.2 Determine the motor part load losses at each load point corresponding to 75, 100, or 110 percent of the BEP flow rate as follows:

$$L_i = L_{full} \times y_i$$

Where:

L_i = motor losses at load point i (hp),

L_{full} = motor losses at full load (hp), as determined in accordance with section III.E.1.2.1 of this appendix,

y_i = loss factor at load point i as determined in accordance with section III.E.1.2.2 of this appendix, and

i = load point corresponding to 75, 100, or 110 percent of the BEP flow rate.

E.1.2.1 Determine the full load motor losses using the appropriate motor efficiency value and horsepower as shown in the following equation:

$$L_{full} = \frac{MotorHP}{\left[\eta_{motor,full}/100\right]} - MotorHP$$

Where:

L_{full} = motor losses at full load (hp);

MotorHP = the motor horsepower (hp), as determined in accordance with section II.E.1.2.1.1 of this appendix, and

$\eta_{motor,full}$ = the default nominal full load motor efficiency (%), as determined in accordance with section III.E.1.2.1.2 of this appendix.

E.1.2.1.1 Determine the motor horsepower as follows:

• For bare pumps other than ST pumps, determine the motor horsepower by selecting the horsepower rating listed in Table 2 of this appendix that is either equivalent to, or the next highest horsepower greater than, the pump power input to the bare pump at 120 percent of the BEP flow rate of the tested pump.

• For ST bare pumps, determine the motor horsepower by selecting the horsepower rating listed in Table 2 of this appendix that, is either equivalent to, or the next highest horsepower greater than, the pump power input to the bare pump at 120 percent of the BEP flow rate of the tested pump divided by a service factor of 1.15.

• For pumps sold with motors, pumps sold with motors and continuous controls, or pumps sold with motors and non-continuous controls, the motor horsepower is the rated horsepower of the motor with which the pump is being tested.

E.1.2.1.2 Determine the default nominal full load motor efficiency as described in section III.E.1.2.1.2.1 of this appendix for ESCC, ESFM, IL, RSHES, RSHIL, RSV, and VT pumps; or section III.E.1.2.1.2.2. of this appendix for ST pumps; or section III.E.1.2.1.2.3 of this appendix for SVIL pumps.

E.1.2.1.2.1. For ESCC, ESFM, IL, RSHES, RSHIL, RSV, and VT pumps, the default nominal full load motor efficiency is the minimum of the nominal full load motor efficiency standards (open or enclosed) from the table containing the current energy conservation standards for NEMA Design B motors at §431.25, with the number of poles relevant to the speed at which the pump is

being tested (see section I.C.1 of this appendix) and the motor horsepower determined in section III.E.1.2.1.1 of this appendix.

E.1.2.1.2.2. For ST pumps, prior to the compliance date of any energy conservation standards for submersible motors in subpart B of this part, the default nominal full load motor efficiency is the default nominal full load submersible motor efficiency listed in table 2 of this appendix, with the number of poles relevant to the speed at which the pump is being tested (see section I.C.1 of this appendix) and the motor horsepower determined in section III.E.1.2.1.1 of this appendix. Starting on the compliance date of any energy conservation standards for submersible motors in subpart B of this part, the default nominal full load motor efficiency is the minimum of any nominal full load motor efficiency standard from the table containing energy conservation standards for submersible motors in subpart B of this part, with the number of poles relevant to the speed at which the pump is being tested (see section I.C.1 of this appendix) and the motor horsepower determined in accordance with section III.E.1.2.1.1 of this appendix.

E.1.2.1.2.3. For SVIL pumps, the default nominal full load motor efficiency is the minimum full load motor efficiency standard from the tables containing the current energy conservation standards for polyphase or CSCR/CSIR small electric motors at § 431.446, with the number of poles relevant to the speed at which the pump is being tested (see section I.C.1 of this appendix) and the motor horsepower determined in section III.E.1.2.1.1 of this appendix, or for SVIL pumps sold with motors less than 0.25 hp, the default nominal full load motor efficiency is 58.3% for 6-pole, 64.6% for 4-pole, and 61.7% for 2-pole motors.

E.1.2.2 Determine the loss factor at each load point corresponding to 75, 100, or 110 percent of the BEP flow rate as follows:

$$y_i = -0.4508 \times \left(\frac{P_i}{MotorHP}\right)^3 + 1.2399 \times \left(\frac{P_i}{MotorHP}\right)^2 - 0.4301 \times \left(\frac{P_i}{MotorHP}\right) + 0.6410$$

Where:

y_i = the part load loss factor at load point i,

P_i = pump power input to the bare pump at load point i (hp), as determined in accordance with section III.E.1.1 of this appendix,

MotorHP = as determined in accordance with section III.E.1.2.1 of this appendix (hp),

i = load point corresponding to 75, 100, or 110 percent of the BEP flow rate, and

$\frac{P_i}{MotorHP} \leq 1.000$; if $\frac{P_i}{MotorHP} > 1.000$, then set $\frac{P_i}{MotorHP} = 1.000$ in the equation in this section III.E.1.2.2 of this appendix to calculate the part load loss factor at each load point i.

IV. Testing-Based Approach for Pumps Sold With Motors

A. *Scope.* This section IV applies only to pumps sold with electric motors (excluding pumps sold with inverter-only synchronous electric motors regulated by DOE's test procedure and/or energy conservation standards in subpart B of this part), including single-phase induction motors.

B. *Measurement Equipment.* The requirements regarding measurement equipment presented in section I.B of this appendix apply to this section IV. In addition, when testing pumps using a calibrated motor, electrical measurement equipment shall meet the requirements of section C.4.3 of HI 40.6–2021 (including the applicable provisions of CSA C390–10, IEEE 112–2017, IEEE 114–2010–A, as referenced in section C.4.3 of HI 40.6), and motor power input shall be determined according to section 40.6.3.2.3 of HI 40.6–2021 and meet the requirements in Table 40.6.3.2.3 of HI 40.6–2021.

C. *Test Conditions.* The requirements regarding test conditions presented in section I.C of this appendix apply to this section IV. In addition, when testing pumps using a calibrated motor, the conditions in section C.4.3.1 of HI 40.6–2021, including the applicable provisions of CSA C390–10, IEEE 112–2017, IEEE 114–2010–A, as referenced in Section C.4.3.1 of HI 40.6, shall be met.

D. *Testing BEP for the Pump.* Determine the best efficiency point (BEP) of the pump as follows:

D.1. Adjust the flow by throttling the pump without changing the speed of rotation of the pump and conduct the test at a minimum of the following seven flow points: 40, 60, 75, 90, 100, 110, and 120 percent of the expected BEP flow rate of the pump at the nominal speed of rotation, as specified in section 40.6.5.5.1 of HI 40.6–2021, including the applicable provisions of HI 9.6.1–2017 as referenced in section 40.6.5.5.1 of HI 40.6–2021.

D.2 Determine the BEP flow rate as the flow rate at the operating point of maximum overall efficiency on the pump efficiency curve, as determined in accordance with section 40.6.6.3 of HI 40.6–2021, where the overall efficiency is the ratio of the pump power output divided by the driver power input, as specified in Table 40.6.2 of HI 40.6–2021, disregarding the calculations provided in section 40.6.6.2 of HI 40.6–2021.

E. *Calculating the Constant Load Pump Energy Rating.* Determine the PER_{CL} of each tested pump using the following equation:

$$PER_{CL} = \sum_{i=75\%,100\%,110\%} \omega_i P_i^{in,m}$$

Where:

PER_{CL} = the pump energy rating for a constant load (hp),

ω_i = 0.3333,

P_i^{in} = measured driver power input to the motor at load point i (hp) for the tested pump as determined in accordance with section IV.E.1 of this appendix, and

i = load point corresponding to 75, 100, or 110 percent of the BEP flow rate.

E.1 Determine the driver power input at 75, 100, and 110 percent of the BEP flow rate by employing a least squares regression to determine a linear relationship between the driver power input at the nominal speed of rotation of the pump and the measured flow rate at the following load points: 60, 75, 90, 100, 110, and 120 percent of the expected BEP flow rate. Use the linear relationship to determine the driver power input at the nominal speed of rotation for the load points of 75, 100, and 110 percent of the BEP flow rate.

V. Calculation-Based Approach for Pumps Sold With Motors

A. *Scope.* This section V can only be used in lieu of the test method in section IV of this appendix to calculate the index for pumps sold with motors listed in section V.A.1, V.A.2, or V.A.3 of this appendix.

A.1 Pumps sold with motors subject to DOE's energy conservation standards for polyphase electric motors at §431.25(g),

A.2 SVIL pumps sold with small electric motors regulated by DOE's energy conservation standards at §431.446 or with SNEMs regulated by DOE's test procedure and/or energy conservation standards in subpart B of this part but including motors of such varieties that are less than 0.25 hp, and

A.3. Pumps sold with submersible motors.

A.4. Pumps sold with motors not listed in sections V.A.1, V.A.2, or V.A.3 of this appendix cannot use this section V and must apply the test method in section IV of this appendix.

B. *Measurement Equipment.* The requirements regarding measurement equipment presented in section I.B of this appendix apply to this section V. In addition, when testing pumps using a calibrated motor, electrical measurement equipment shall meet the requirements of section C.4.3 of HI 40.6–2021 (including the applicable provisions of CSA C390–10, IEEE 112–2017, IEEE 114–2010–A, as referenced in section C.4.3 of HI 40.6), and motor power input shall be determined according to section 40.6.3.2.3 of HI 40.6–2021 and meet the requirements in Table 40.6.3.2.3 of HI 40.6–2021.

C. *Test Conditions.* The requirements regarding test conditions presented in section I.C of this appendix apply to this section V. In addition, when testing pumps using a calibrated motor, the conditions in section C.4.3.1 of HI 40.6–2021, including the applicable provisions of CSA C390–10, IEEE 112–2017, IEEE 114–2010–A, as referenced in section C.4.3.1 of HI 40.6–2021 shall be met.

D. *Testing BEP for the Pump.* Determine the best efficiency point (BEP) of the pump as follows:

D.1. Adjust the flow by throttling the pump without changing the speed of rotation of the pump and conduct the test at a minimum of the following seven flow points: 40, 60, 75, 90, 100, 110, and 120 percent of the expected BEP flow rate of the pump at the nominal speed of rotation, as specified in section 40.6.5.5.1 of HI 40.6–2021, including the applicable provisions of HI 9.6.1–2017 as referenced in section 40.6.5.5.1 of HI 40.6–2021.

D.2. Determine the BEP flow rate as the flow rate at the operating point of maximum pump efficiency on the pump efficiency curve, as determined in accordance with section 40.6.6.3 of HI 40.6–2021, where the pump

efficiency is the ratio of the pump power output divided by the pump power input, as specified in Table 40.6.2 of HI 40.6–2021, disregarding the calculations provided in section 40.6.6.2.

E. *Calculating the Constant Load Pump Energy Rating.* Determine the PER_{CL} of each tested pump using the following equation:

$$PER_{CL} = \sum_{i=75\%,100\%,110\%} \omega_i P_i^{in,m}$$

Where:

PER_{CL} = the pump energy rating for a constant load (hp),

ω_i = 0.3333,

$P_i^{in,m}$ = calculated driver power input to the motor at load point i for the tested pump as determined in accordance with section V.E.1 of this appendix (hp), and

i = load point corresponding to 75, 100, or 110 percent of the BEP flow rate.

E.1 Determine the driver power input at each load point corresponding to 75, 100, or 110 percent of the BEP flow rate as follows:

$$P_i^{in,m} = P_i + L_i$$

Where:

$P_i^{in,m}$ = driver power input to the motor at load point i (hp),

P_i = pump power input to the bare pump at load point i, as determined in section V.E.1.1 of this appendix (hp),

L_i = the part load motor losses at load point i as determined in accordance with section V.E.1.2 of this appendix (hp), and

i = load point corresponding to 75, 100, or 110 percent of the BEP flow rate.

E.1.1 Determine the pump power input at 75, 100, and 110 percent of the BEP flow rate by employing a least squares regression to determine a linear relationship between the pump power input at the nominal speed of rotation of the pump and the measured flow rate at the following load points: 60, 75, 90, 100, 110, and 120 percent of the expected BEP flow rate. Use the linear relationship to determine the pump power input at the nominal speed of rotation for the load points of 75, 100, and 110 percent of the BEP flow rate.

E.1.2 Determine the motor part load losses at each load point corresponding to 75, 100, or 110 percent of the BEP flow rate as follows:

$$L_i = L_{full} \times Y_i$$

Where:

L_i = motor losses at load point i (hp),

L_{full} = motor losses at full load as determined in accordance with section V.E.1.2.1 of this appendix (hp),

y_i = part load loss factor at load point i as determined in accordance with section V.E.1.2.2 of this appendix, and

i = load point corresponding to 75, 100, or 110 percent of the BEP flow rate.

E.1.2.1 Determine the full load motor losses using the appropriate motor efficiency value and horsepower as shown in the following equation:

$$L_{full} = \frac{MotorHP}{\left[\eta_{motor,full}/100\right]} - MotorHP$$

Where:

L_{full} = motor losses at full load (hp),

MotorHP = the horsepower of the motor with which the pump model is being tested (hp), and

$\eta_{motor,full}$ = the represented nominal full load motor efficiency (*i.e.*, nameplate/DOE-certified value) or default nominal full

load submersible motor efficiency as determined in accordance with section V.E.1.2.1.1 of this appendix (%).

E.1.2.1.1 For pumps sold with motors other than submersible motors, determine the represented nominal full load motor efficiency as described in section V.E.1.2.1.1.1 of this appendix. For pumps sold with submersible motors, determine the default nominal full load submersible motor efficiency as described in section V.E.1.2.1.1.2 of this appendix.

E.1.2.1.1.1 For pumps sold with motors other than submersible motors, the represented nominal full load motor efficiency is that of the motor with which the given pump model is being tested, as determined in accordance with the DOE test procedure for electric motors at §431.16 or, for SVIL, the DOE test procedure for small electric motors at §431.444, or the DOE test procedure for SNEMs in subpart B to this part, as applicable (including for motors less than 0.25 hp), and if available, applicable representation procedures in 10 CFR part 429 and this part.

E.1.2.1.1.2 For pumps sold with submersible motors, prior to the compliance date of any energy conservation standards for submersible motors in subpart B of this part, the default nominal full load submersible motor efficiency is that listed in table 2 of this appendix, with the number of poles relevant to the speed at which the pump is being tested (see section I.C.1 of this appendix) and the motor horsepower of the pump being tested, or if a test procedure for submersible motors is provided in subpart B to this part, the represented nominal full load motor efficiency of the motor with which the given pump model is being tested, as determined in accordance with the applicable test procedure in subpart B to this part and applicable representation procedures in 10 CFR part 429 and this part, may be used instead. Starting on the compliance date of any energy conservation standards for submersible motors in subpart B of this part, the default nominal full load submersible motor efficiency may no longer be used. Instead, the represented nominal full load motor efficiency of the motor with which the given pump model is being tested, as determined in accordance with the applicable test procedure in subpart B of this part and applicable representation procedures in 10 CFR part 429 and this part, must be used.

E.1.2.2 Determine the loss factor at each load point corresponding to 75, 100, or 110 percent of the BEP flow rate as follows:

$$y_i = -0.4508 \times \left(\frac{P_i}{MotorHP}\right)^3 + 1.2399 \times \left(\frac{P_i}{MotorHP}\right)^2 - 0.4301 \times \left(\frac{P_i}{MotorHP}\right) + 0.6410$$

Where:

y_i = the part load loss factor at load point i,

P_i = the pump power input to the bare pump at load point i as determined in accordance with section V.E.1.1 of this appendix (hp),

MotorHP = the horsepower of the motor with which the pump model is being tested (hp),

i = load point corresponding to 75, 100, or 110 percent of the BEP flow rate, and

i = load point corresponding to 75, 100, or 110 percent of the BEP flow rate, and

$\frac{P_i}{MotorHP} \leq 1.000$; if $\frac{P_i}{MotorHP} > 1.000$ then set $\frac{P_i}{MotorHP} = 1.000$ in the equation in this section V.E.1.2.2 of this appendix to calculate the part load loss factor at each load point i.

in the equation in this section V.E.1.2.2. of this appendix to calculate the part load loss factor at each load point

VI. Testing-Based Approach for Pumps Sold with Motors and Controls

A. *Scope*. This section VI applies only to pumps sold with electric motors, including single-phase induction motors, and continuous or non-continuous controls, as well as to pumps sold with inverter-only synchronous electric motors that are regulated by DOE's test procedure and/or energy conservation standards in subpart B of this part (with or without controls). For the purposes of this section VI, all references to ''driver

input power'' in this section VI or HI 40.6–2021 refer to the input power to the continuous or non-continuous controls.

B. *Measurement Equipment*. The requirements regarding measurement equipment presented in section I.B of this appendix apply to this section VI. In addition, when testing pumps using a calibrated motor, electrical measurement equipment shall meet the requirements of section C.4.3 of HI 40.6–2021 (including the applicable provisions of CSA C390–10, IEEE 112–2017, IEEE 114–2010–A, as referenced in section C.4.3 of HI 40.6), and motor power input shall be determined according to section 40.6.3.2.3 of HI 40.6–2021 and meet the requirements in Table 40.6.3.2.3 of HI 40.6–2021.

C. *Test Conditions*. The requirements regarding test conditions presented in section I.C of this appendix apply to this section VI. In addition, when testing pumps using a calibrated motor, the conditions in section C.4.3.1 of HI 40.6–2021, including the applicable provisions of CSA C390–10, IEEE 112–2017, IEEE 114–2010–A, as referenced in section C.4.3.1 of HI 40.6, shall be met.

D. *Testing BEP for the Pump*. Determine the best efficiency point (BEP) of the pump as follows:

D.1. Adjust the flow by throttling the pump without changing the speed of rotation of the pump and conduct the test at a minimum of the following seven flow points: 40, 60, 75, 90, 100, 110, and 120 percent of the expected BEP flow rate of the pump at the nominal speed of rotation, as specified in section 40.6.5.5.1 of HI 40.6–2021, including the applicable provisions of HI 9.6.1–2017 as referenced in section 40.6.5.5.1 of HI 40.6–2021.

D.2 Determine the BEP flow rate as the flow rate at the operating point of maximum overall efficiency on the pump efficiency curve, as determined in accordance with section 40.6.6.3 of HI 40.6–2021, where the overall efficiency is the ratio of the pump power output divided by the driver power input, as specified in Table 40.6.2 of HI 40.6–2021, disregarding the calculations provided in section 40.6.6.2 of HI 40.6–2021.

E. *Calculating the Variable Load Pump Energy Rating*. Determine the PER_{VL} of each tested pump using the following equation:

$$PER_{VL} = \sum_{i=25\%,50\%75\%,100\%} \omega_i P_i^{in,c}$$

Where:

PER_{VL} = the pump energy rating for a variable load (hp);

$\omega_i = 0.25$;

$P_i^{in,c}$ = the normalized driver power input to continuous or non-continuous controls at load point i for the tested pump as determined in accordance with section VI.E.1 of this appendix; and

i = load point corresponding 25, 50, 75, or 100 percent of the BEP flow rate.

E.1. Determine the driver power input at 100 percent of the measured BEP flow rate of the tested pump by employing a least squares regression to determine a linear relationship between the measured driver power input at the nominal speed of rotation of the pump and the measured flow rate, using the following load points: 60, 75, 90, 100, 110, and 120 percent of the expected BEP flow rate. Use the linear relationship to determine the driver power input at the nominal speed of rotation for the load point of 100 percent of the measured BEP flow rate of the tested pump.

E.2 Determine the driver power input at 25, 50, and 75 percent of the BEP flow rate by measuring the driver power input at the load points defined by:

(1) Those flow rates, and

(2) The associated head points calculated according to the following reference system curve equation:

$$H_i = \left(0.80 \times \frac{Q_i^{\,2}}{Q_{100\%}^{\,2}} + 0.20\right) \times H_{100\%}$$

Where:

H_i = pump total head at load point i (ft),

$H_{100\neq}$ = pump total head at 100 percent of the BEP flow rate and nominal speed of rotation (ft),

Q_i = flow rate at load point i (gpm),

$Q_{100\neq}$ = flow rate at 100 percent of the BEP flow rate and nominal speed of rotation (gpm), and

i = load point corresponding to 25, 50, or 75 percent of the measured BEP flow rate of the tested pump.

E.2.1. For pumps sold with motors and continuous controls, the specific head and flow points must be achieved within 10 percent of the calculated values and the measured driver power input must be corrected to the exact intended head and flow conditions using the following equation:

$$P_i^{in,c} = \left(\frac{H_{sp,i}}{H_{M,j}}\right)\left(\frac{Q_{sp,i}}{Q_{M,j}}\right) P_{M,j}^{in,c}$$

Where:

$P_i^{in,c}$ = the corrected driver power input to the continuous or non-continuous controls at load point i (hp),

$H_{sp,i}$ = the specified total system head at load point i based on the reference system curve (ft),

$H_{M,j}$ = the measured total system head at load point j (ft),

$Q_{sp,i}$ = the specified total system flow rate at load point i based on the reference system curve (gpm),

$Q_{M,j}$ = the measured total system flow rate at load point j (gpm),

$P_{M,j}^{in,c}$ = the measured normalized driver power input to the continuous or non-continuous controls at load point j (hp),

i = specified load point at 25, 50, 75, or 100 percent of BEP flow, and

j = measured load point corresponding to specified load point i.

E.2.2. For pumps sold with motors and non-continuous controls, the head associated with each of the specified flow points shall be no lower than 10 percent below that defined by the reference system curve equation in section VI.E.2 of this appendix. Only the measured flow points must be achieved within 10 percent of the calculated values. Correct for flow and head as described in section VI.E.2.1, except do not correct measured head values that are higher than the reference system curve at the same flow rate; only correct flow rate and head values lower than the reference system curve at the same flow rate. For head values higher than the system curve, use the measured head points directly to calculate PEI_{VL}.

VII. Calculation-Based Approach for Pumps Sold With Motors and Controls

A. *Scope*. This section VII can only be used in lieu of the test method in section VI of this appendix to calculate the index for pumps listed in sections VII.A.1, VII.A.2, VII.A.3, and VII.A.4 of this appendix.

A.1. Pumps sold with motors regulated by DOE's energy conservation standards for polyphase NEMA Design B electric motors at §431.25(g) and continuous controls,

A.2. Pumps sold with inverter-only synchronous electric motors regulated by DOE's test procedure and/or energy conservation standards in subpart B of this part,

A.3. SVIL pumps sold with small electric motors regulated by DOE's energy conservation standards at §431.446 or with SNEMs regulated by DOE's test procedure and/or energy conservation standards in subpart B of this part (but including motors of such varieties that are less than 0.25 hp) and continuous controls,

A.4. Pumps sold with submersible motors and continuous controls, and

A.5. Pumps sold with motors not listed in sections VII.A.1, VII.A.2, VII.A.3, and VII.A.4 of this appendix and pumps sold without continuous controls, including pumps sold with non-continuous controls, cannot use this section and must apply the test method in section VI of this appendix.

B. *Measurement Equipment*. The requirements regarding measurement equipment presented in section I.B of this appendix apply to this section VII. In addition, when testing pumps using a calibrated motor, electrical measurement equipment shall meet the requirements of section C.4.3 of HI 40.6–2021 (including the applicable provisions of CSA C390–10, IEEE 112–2017, IEEE 114–2010–A, as referenced in section C.4.3 of HI 40.6), and motor power input shall be determined according to section 40.6.3.2.3 of HI 40.6–2021 and meet the requirements in Table 40.6.3.2.3 of HI 40.6–2021.

C. *Test Conditions*. The requirements regarding test conditions presented in section I.C of this appendix apply to this section VII. In addition, when testing pumps using a calibrated motor, the conditions in section C.4.3.1 of HI 40.6–2021, including the applicable provisions of CSA C390–10, IEEE 112–2017, IEEE 114–2010–A, as referenced in section C.4.3.1 of HI 40.6–2021 shall be met.

D. *Testing BEP for the Pump*. Determine the best efficiency point (BEP) of the pump as follows:

D.1. Adjust the flow by throttling the pump without changing the speed of rotation of the pump and conduct the test at a minimum of the following seven flow points: 40, 60, 75, 90, 100, 110, and 120 percent of the expected BEP flow rate of the pump at the nominal speed of rotation, as specified in HI 40.6–2021, except section 40.6.5.3, and appendix

B, including the applicable provisions of HI 9.6.1–2017, HI 9.6.6–2016, HI 9.8–2018, HI 14.1–14.2–2019, the HI Engineering Data Book, ASME MFC–3M–2004, ASME MFC–5M–1985, ASME MFC–8M–2001, ASME MFC–12M–2006, ASME MFC–16–2014, ASME MFC–22–2007, AWWA E103–2015, CSA C390–10, IEEE 112–2017, IEEE 114–2010–A, ISO 1438:2017, ISO 2186:2007, ISO 2715:2017, ISO 3354:2008, ISO 3966:2020, ISO 5167–1:2003, ISO 5198:1987, ISO 6416:2017, and ISO 20456:2017, as referenced in HI 40.6–2021.

D.2. Determine the BEP flow rate as the flow rate at the operating point of maximum pump efficiency on the pump efficiency curve, as determined in accordance with section 40.6.6.3 of HI 40.6–2021, where the pump efficiency is the ratio of the pump power output divided by the pump power input, as specified in Table 40.6.2 of HI 40.6–2021, disregarding the calculations provided in section 40.6.6.2.

E. *Calculating the Variable Load Pump Energy Rating.* Determine the PER_{VL} of each tested pump using the following equation:

$$PER_{VL} = \sum_{i=25\%,50\%,75\%,100\%} \omega_i P_i^{in,c}$$

Where:

PER_{VL} = the pump energy rating for a variable load (hp);

$\omega_i = 0.25$;

$P_i^{in,c}$ = the calculated driver power input to the continuous or non-continuous controls at load point i for the tested pump as determined in accordance with section VII.E.1 of this appendix; and

i = load point corresponding to 25, 50, 75, or 100 percent of the BEP flow rate.

E.1 Determine the driver power input at each load point corresponding to 25, 50, 75, or 100 percent of the BEP flow rate as follows:

$$P_i^{in,c} = P_i + L_i$$

Where:

$P_i^{in,c}$ = driver power input at to the continuous or non-continuous controls at load point i (hp),

P_i = pump power input to the bare pump at load point i as determined in accordance with section VII.E.1.1 of this appendix (hp),

L_i = the part load motor and control losses at load point i as determined in accordance with section VII.E.1.2 of this appendix (hp), and

i = load point corresponding to 25, 50, 75, or 100 percent of the BEP flow rate.

E.1.1 Determine the pump power input at 100 percent of the measured BEP flow rate of the tested pump by employing a least squares regression to determine a linear relationship between the measured pump power input at the nominal speed of rotation and the measured flow rate at the following load points: 60, 75, 90, 100, 110, and 120 percent of the expected BEP flow rate. Use the linear relationship to determine the pump power input at the nominal speed of rotation for the load point of 100 percent of the BEP flow rate.

E.1.1.1 Determine the pump power input at 25, 50, and 75 percent of the BEP flow rate based on the measured pump power input at 100 percent of the BEP flow rate and using with the following equation:

$$P_i = \left(0.80 \times \frac{{Q_i}^3}{{Q_{100\%}}^3} + 0.20 \times \frac{Q_i}{Q_{100\%}}\right) \times P_{100\%}$$

Where:

P_i = pump power input at load point i (hp);

$P_{100\neq}$ = pump power input at 100 percent of the BEP flow rate and nominal speed of rotation (hp);

Q_i = flow rate at load point i (gpm);

$Q_{100\neq}$ = flow rate at 100 percent of the BEP flow rate and nominal speed of rotation (gpm); and

i = load point corresponding to 25, 50, or 75 percent of the measured BEP flow rate of the tested pump.

E.1.2 Calculate the motor and control part load losses at each load point corresponding to 25, 50, 75, and 100 percent of the BEP flow rate as follows:

$L_i = L_{full} \times z_i$

Where:

L_i = motor and control losses at load point i (hp),

L_{full} = motor losses at full load or, for inverter-only synchronous electric motors, motor + inverter losses at full load, as determined in accordance with section VII.E.1.2.1 of this appendix (hp),

z_i = part load loss factor at load point i as determined in accordance with section VII.E.1.2.2 of this appendix, and

i = load point corresponding to 25, 50, 75, or 100 percent of the BEP flow rate.

E.1.2.1 Determine the full load motor losses using the appropriate motor efficiency value and horsepower as shown in the following equation:

$$L_{full} = \frac{MotorHP}{\left[\eta_{motor,full}/100\right]} - MotorHP$$

Where:

L_{full} = motor losses at full load (hp), or for inverter-only synchronous electric motors, motor + inverter losses at full load,

MotorHP = the horsepower of the motor with which the pump model is being tested (hp), and

$\eta_{motor,full}$ = the represented nominal full load motor efficiency (*i.e.*, nameplate/DOE-certified value) or the represented nominal full load motor + inverter efficiency or the default nominal full load submersible motor efficiency as determined in accordance with section VII.E.1.2.1.1 of this appendix (%).

E.1.2.1.1 For pumps sold with motors other than inverter-only synchronous electric motors or submersible motors, determine the represented nominal full load motor efficiency as described in section VII.E.1.2.1.1.1 of this appendix. For pumps sold with inverter-only synchronous electric motors, determine the represented nominal full load motor + inverter efficiency as described in section VII.E.1.2.1.1.2 of this appendix. For pumps sold with submersible motors, determine the default nominal full load submersible motor efficiency as described in section VII.E.1.2.1.1.3 of this appendix.

E.1.2.1.1.1 For pumps sold with motors other than inverter-only synchronous electric motors or submersible motors, the represented nominal full load motor efficiency is that of the motor with which the given pump model is being tested, as determined in accordance with the DOE test procedure for electric motors at §431.16 or, for SVIL, the DOE test procedure for small electric motors at §431.444 or the DOE test procedure for SNEMs in subpart B of this part, as applicable (including for motors less than 0.25 hp), and, if available, applicable representation procedures in 10 CFR part 429 and this part.

E.1.2.1.1.2 For pumps sold with inverter-only synchronous electric motors, the represented nominal full load motor + inverter efficiency is that of the motor with which the given pump model is being tested, as determined in accordance with the DOE test procedure for inverter-only synchronous electric motors in subpart B of this part, and, if available, applicable representation procedures in 10 CFR part 429 and this part.

E.1.2.1.1.3 For pumps sold with submersible motors, prior to the compliance date of any energy conservation standards for submersible motors in subpart B of this part, the default nominal full load submersible motor efficiency is that listed in table 2 of this appendix, with the number of poles relevant to the speed at which the pump is being tested (see section I.C.1 of this appendix) and the motor horsepower of the pump being tested, or if a test procedure for submersible motors is provided in subpart B of

this part, the represented nominal full load motor efficiency of the motor with which the given pump model is being tested, as determined in accordance with the applicable test procedure in subpart B of this part and applicable representation procedures in 10 CFR part 429 and this part, may be used instead. Starting on the compliance date of any energy conservation standards for submersible motors in subpart B of this part, the default nominal full load submersible motor efficiency may no longer be used and instead the represented nominal full load motor efficiency of the motor with which the given pump model is being tested, as determined in accordance with the applicable test procedure in subpart B of this part and applicable representation procedures in 10 CFR part 429 and this part, must be used instead.

E.1.2.2 For load points corresponding to 25, 50, 75, and 100 percent of the BEP flow rate, determine the part load loss factor at each load point as follows:

$$z_i = a \times \left(\frac{P_i}{MotorHP}\right)^2 + b \times \left(\frac{P_i}{MotorHP}\right) + c$$

Where:

z_i = the motor and control part load loss factor at load point i,

a,b,c = coefficients listed in either Table 4 of this appendix for induction motors or Table 5 of this appendix for inverter-only synchronous electric motors, based on the horsepower of the motor with which the pump is being tested,

P_i = the pump power input to the bare pump at load point i, as determined in accordance with section VII.E.1.1 of this appendix (hp),

MotorHP = the horsepower of the motor with which the pump is being tested (hp),

i = load point corresponding to 25, 50, 75, or 100 percent of BEP flow rate, and

$\frac{P_i}{MotorHP} \leq 1.000$. If $\frac{P_i}{MotorHP} > 1.000$, then set $\frac{P_i}{MotorHP} = 1.000$ in the equation in section VII.E.1.2.2 of this appendix to calculate the part load loss factor at load point i.

TABLE 2—DEFAULT NOMINAL FULL LOAD SUBMERSIBLE MOTOR EFFICIENCY BY MOTOR HORSEPOWER AND POLE

Motor horsepower (hp)	Default nominal full load submersible motor efficiency		
	2 poles	4 poles	6 poles
1	55	68	64
1.5	66	70	72
2	68	70	74
3	70	75.5	75.5
5	74	75.5	75.5
7.5	68	74	72
10	70	74	72
15	72	75.5	74
20	72	77	74
25	74	78.5	77
30	77	80	78.5
40	78.5	81.5	81.5
50	80	82.5	81.5
60	81.5	84	82.5
75	81.5	85.5	82.5
100	81.5	84	82.5

TABLE 2—DEFAULT NOMINAL FULL LOAD SUBMERSIBLE MOTOR EFFICIENCY BY MOTOR HORSEPOWER AND POLE—Continued

Motor horsepower (hp)	Default nominal full load submersible motor efficiency		
	2 poles	4 poles	6 poles
125	84	84	82.5
150	84	85.5	85.5
200	85.5	86.5	85.5
250	86.5	86.5	85.5

TABLE 3—NOMINAL FULL LOAD MOTOR EFFICIENCY VALUES

Nominal full load motor efficiency*
50.5
52.5
55.0
57.5
59.5
62.0
64.0
66.0
68.0
70.0
72.0
74.0
75.5
77.0
78.5
80.0
81.5
82.5
84.0
85.5
86.5
87.5
88.5
89.5
90.2
91.0
91.7

TABLE 3—NOMINAL FULL LOAD MOTOR EFFICIENCY VALUES—Continued

Nominal full load motor efficiency*
92.4
93.0
93.6
94.1
94.5
95.0
95.4
95.8
96.2
96.5
96.8
97.1
97.4
97.6
97.8
98.0
98.2
98.4
98.5
98.6
98.7
98.8
98.9
99.0

* **Note:** Each consecutive incremental value of nominal efficiency represents one band.

TABLE 4—INDUCTION MOTOR AND CONTROL PART LOAD LOSS FACTOR EQUATION COEFFICIENTS FOR SECTION VII.E.1.2.2 OF THIS APPENDIX A

Motor horsepower (hp)	Coefficients for induction motor and control part load loss factor (zi)		
	a	b	c
≤5	−0.4658	1.4965	0.5303
>5 and ≤20	−1.3198	2.9551	0.1052
>20 and ≤50	−1.5122	3.0777	0.1847
>50 and ≤100	−0.6629	2.1452	0.1952
>100	−0.7583	2.4538	0.2233

TABLE 5—INVERTER-ONLY SYNCHRONOUS ELECTRIC MOTOR AND CONTROL PART LOAD LOSS FACTOR EQUATION COEFFICIENTS FOR SECTION VII.E.1.2.2 OF THIS APPENDIX A

Motor horsepower (hp)	Coefficients for induction motor and control part load loss factor (zi)		
	a	b	c
≤5	−0.0898	1.0251	0.0667
>5 and ≤20	−0.1591	1.1683	−0.0085
>20 and ≤50	−0.4071	1.4028	0.0055
>50 and ≤100	−0.3341	1.3377	−0.0023
>100	−0.0749	1.0864	−0.0096

[81 FR 4145, Jan. 25, 2016, as amended at 82 FR 36924, Aug. 7, 2017; 88 FR 17978, Mar. 24, 2023; 88 FR 24471, Apr. 21, 2023; 90 FR 6795, Jan. 21, 2025]

APPENDIX B TO SUBPART Y OF PART 431—UNIFORM TEST METHOD FOR THE MEASUREMENT OF ENERGY EFFICIENCY OF DEDICATED-PURPOSE POOL PUMPS

NOTE: On February 5, 2018 but before July 19, 2021, any representations made with respect to the energy use or efficiency of dedicated-purpose pool pumps subject to testing pursuant to 10 CFR 431.464(b) must be made in accordance with the results of testing pursuant to this appendix. Any optional representations of energy factor (EF) must be accompanied by a representation of weighted energy factor (WEF).

I. TEST PROCEDURE FOR DEDICATED-PURPOSE POOL PUMPS

A. General

A.1 Test Method. To determine the weighted energy factor (WEF) for dedicated-purpose pool pumps, perform ''wire-to-water'' testing in accordance with HI 40.6–2014–B, except section 40.6.4.1, ''Vertically suspended pumps''; section 40.6.4.2, ''Submersible pumps''; section 40.6.5.3, ''Test report''; section 40.6.5.5, ''Test conditions''; section 40.6.5.5.2, ''Speed of rotation during testing''; section 40.6.6.1, ''Translation of test results to rated speed of rotation''; section 40.6.6.2, ''Pump efficiency''; section 40.6.6.3, ''Performance curve''; section A.7, ''Testing at temperatures exceeding 30 °C (86 °F)''; and appendix B, ''Reporting of test results''; (incorporated by reference, see §431.463) with the modifications and additions as noted throughout the provisions below. Do not use the test points specified in section 40.6.5.5.1, ''Test procedure'' of HI 40.6–2014–B and instead use those test points specified in section D.3 of this appendix for the applicable dedicated-purpose pool pump variety and speed configuration. When determining overall efficiency, best efficiency point, or other applicable pump energy performance information, section 40.6.5.5.1, ''Test procedure''; section 40.6.6.2, ''Pump efficiency''; and section 40.6.6.3, ''Performance curve'' must be used, as applicable. For the purposes of applying this appendix, the term ''volume per unit time,'' as defined in section 40.6.2, ''Terms and definitions,'' of HI 40.6–2014–B shall be deemed to be synonymous with the term ''flow rate'' used throughout that standard and this appendix.

A.2. Calculations and Rounding. All terms and quantities refer to values determined in accordance with the procedures set forth in this appendix for the rated pump. Perform all calculations using raw measured values without rounding. Round WEF, EF, maximum head, vertical lift, and true priming time values to the tenths place (*i.e.*, 0.1) and rated hydraulic horsepower to the thousandths place (*i.e.*, 0.001). Round all other reported values to the hundredths place unless otherwise specified.

B. Measurement Equipment

B.1 For the purposes of measuring flow rate, speed of rotation, temperature, and pump power output, the equipment specified in HI 40.6–2014–B Appendix C (incorporated by reference, see §431.463) necessary to measure head, speed of rotation, flow rate, and temperature must be used and must comply with the stated accuracy requirements in HI 40.6–2014–B Table 40.6.3.2.3, except as specified in section B.1.1 and B.1.2 of this appendix. When more than one instrument is used to measure a given parameter, the combined accuracy, calculated as the root sum of squares of individual instrument accuracies, must meet the specified accuracy requirements.

B.1.1 Electrical measurement equipment for determining the driver power input to the motor or controls must be capable of measuring true root mean squared (RMS) current, true RMS voltage, and real power up to the 40th harmonic of fundamental supply source frequency, and have a combined accuracy of ±2.0 percent of the measured value at the fundamental supply source frequency.

B.1.2 Instruments for measuring distance (*e.g.*, height above the reference plane or water level) must be accurate to and have a resolution of at least ±0.1 inch.

B.2 Calibration. Calibration requirements for instrumentation are specified in appendix D of HI 40.6–2014–B (incorporated by reference, see §431.463). Historical calibration data may be used to justify time periods up to three times longer than those specified in table D.1 of HI 40.6–2014–B provided the supporting historical data shows maintenance of calibration of the given instrument up to the selected extended calibration interval on at least two unique occasions, based on the interval specified in HI 40.6–2014–B.

C. Test Conditions and Tolerances

C.1 Pump Specifications. Conduct testing at full impeller diameter in accordance with the test conditions, stabilization requirements, and specifications of HI 40.6–2014–B section 40.6.3, ''Pump efficiency testing''; section 40.6.4, ''Considerations when determining the efficiency of a pump''; section 40.6.5.4 (including appendix A), ''Test arrangements''; and section 40.6.5.5, ''Test conditions'' (incorporated by reference, see §431.463).

C.2 Power Supply Requirements. The following conditions also apply to the mains power supplied to the DPPP motor or controls, if any:

(1) Maintain the voltage within ±5 percent of the rated value of the motor,

(2) Maintain the frequency within ±1 percent of the rated value of the motor,

(3) Maintain the voltage unbalance of the power supply within ±3 percent of the value with which the motor was rated, and

(4) Maintain total harmonic distortion below 12 percent throughout the test.

C.3 Test Conditions. Testing must be carried out with water that is between 50 and 107 °F with less than or equal to 15 nephelometric turbidity units (NTU).

C.4 Tolerances. For waterfall pumps, multi-speed self-priming and non-self-priming pool filter pumps, and variable-speed self-priming and non-self-priming pool filter pumps all measured load points must be within ±2.5 percent of the specified head value and comply with any specified flow values or thresholds. For all other dedicated-purpose pool pumps, all measured load points must be within the greater of ±2.5 percent of the specified flow rate values or ±0.5 gpm and comply with any specified head values or thresholds.

D. Data Collection and Stabilization

D.1 Damping Devices. Use of damping devices, as described in section 40.6.3.2.2 of HI 40.6–2014–B (incorporated by reference, see §431.463), are only permitted to integrate up to the data collection interval used during testing.

D.2 Stabilization. Record data at any tested load point only under stabilized conditions, as defined in HI 40.6–2014–B section 40.6.5.5.1 (incorporated by reference, see §431.463), where a minimum of two measurements are used to determine stabilization.

D.3 Test Points. Measure the flow rate in gpm, pump total head in ft, the driver power input in W, and the speed of rotation in rpm at each load point specified in Table 1 of this appendix for each DPPP variety and speed configuration:

TABLE 1—LOAD POINTS (i) AND WEIGHTS (w_i) FOR EACH DPPP VARIETY AND SPEED CONFIGURATION

DPPP varieties	Speed configuration(s)	Number of load points (n)	Load point (i)	Test points		
				Flow rate (Q) (GPM)	Head (H) (ft)	Speed (rpm)
Self-Priming Pool Filter Pumps And Non-Self-Priming Pool Filter Pumps.	Single-speed dedicated-purpose pool pumps and all self-priming and non-self-priming pool filter pumps not meeting the definition of two-*, multi-, or variable-speed dedicated-purpose pool pump.	1	High	Q_{high} (gpm) = $Q_{max\_\_speed@C}$ **	$H = 0.0082 \times Q_{high}^2$	Maximum speed
	Two-speed dedicated-purpose pool pumps *.	2	Low	Q_{low} (gpm) = Flow rate associated with specified head and speed that is not below: • 31.1 gpm if rated hydraulic horsepower is >0.75 or • 24.7 gpm if rated hydraulic horsepower is ≤0.75	$H = 0.0082 \times Q_{low}^2$	Lowest speed capable of meeting the specified flow and head values, if any ***.
			High	Q_{high} (gpm) = $Q_{max\_\_speed@C}$ **	$H = 0.0082 \times Q_{high}^2$	Maximum speed.
	Multi-speed and variable-speed dedicated-purpose pool pumps.	2	Low	Q_{low} (gpm) = • If rated hydraulic horsepower is >0.75, then $Q_{low} \geq$ 31.1 gpm • If rated hydraulic horsepower is ≤0.75, then $Q_{low} \geq$24.7 gpm	$H = 0.0082 \times Q_{low}^2$	Lowest speed capable of meeting the specified flow and head values.
			High	Q_{high} (gpm) ≥0.8 × $Q_{max\_\_speed@C}$ **	$H = 0.0082 \times Q_{high}^2$	Lowest speed capable of meeting the specified flow and head values.

TABLE 1—LOAD POINTS (i) AND WEIGHTS (w_i) FOR EACH DPPP VARIETY AND SPEED CONFIGURATION—Continued

DPPP varieties	Speed configuration(s)	Number of load points (n)	Load point (i)	Test points		
				Flow rate (Q) (GPM)	Head (H) (ft)	Speed (rpm)
Waterfall Pumps.	Single-speed dedicated-purpose pool pumps.	1	High	Q_{low} (gpm) = Flow corresponding to specified head	17.0 ft	Maximum speed.
Pressure Cleaner Booster Pumps.	Any	1	High	10.0 gpm	≥60.0 ft	Lowest speed capable of meeting the specified flow and head values.

*In order to apply the test points for two-speed self-priming and non-self-priming pool filter pumps, self-priming pool filter pumps that are greater than or equal to 0.711 rated hydraulic horsepower that are two-speed dedicated-purpose pool pumps must also be distributed in commerce either: (1) With a pool pump control (variable speed drive and user interface or switch) that changes the speed in response to pre-programmed user preferences and allows the user to select the duration of each speed and/or the on/off times or (2) without a pool pump control that has such capability, but without which the pump is unable to operate. Two-speed self-priming pool filter pumps greater than or equal to 0.711 rated hydraulic horsepower that do not meet these requirements must be tested using the load point for single-speed self-priming or non-self-priming pool filter pumps, as appropriate.

**$Q_{max\_speed}@C$ = Flow at max speed on curve C (gpm)

***If a two-speed pump has a low speed that results in a flow rate below the specified values, the low speed of that pump shall not be tested.

E. Calculations

E.1 Determination of Weighted Energy Factor. Determine the WEF as a ratio of the measured flow and driver power input to the dedicated-purpose pool pump in accordance with the following equation:

$$WEF = \frac{\sum_{i=1}^{n}\left(w_i \times \frac{Q_i}{1000} \times 60\right)}{\sum_{i=1}^{n}\left(w_i \times \frac{P_i}{1000}\right)}$$

Where:

WEF = Weighted Energy Factor in kgal/kWh;

w_i = weighting factor at each load point *i*, as specified in section E.2 of this appendix;

Q_i = flow at each load point *i*, in gpm;

P_i = driver power input to the motor (or controls, if present) at each load point *i*, in watts;

i = load point(s), defined uniquely for each DPPP variety and speed configuration as specified in section D.3 of this appendix; and

n = number of load point(s), defined uniquely for each DPPP variety and speed configuration as specified in section D.3 of this appendix.

E.2 Weights. When determining WEF, apply the weights specified in Table 2 of this appendix for the applicable load points, DPPP varieties, and speed configurations:

TABLE 2—LOAD POINT WEIGHTS (w_i)

DPPP varieties	Speed configuration(s)	Load point(s) *i*	
		Low flow	High flow
Self-Priming Pool Filter Pumps and Non-Self-Priming Pool Filter Pumps.	Single-speed dedicated-purpose pool pumps and all self-priming and non-self-priming pool filter pumps not meeting the definition of two-,* multi-, or variable-speed dedicated-purpose pool pump.	.....	1.0
	Two-speed dedicated-purpose pool pumps* ..	0.80	0.20
	Multi-speed and variable-speed dedicated-purpose pool pumps.	0.80	0.20
Waterfall Pumps	Single-speed dedicated-purpose pool pumps	.....	1.0

TABLE 2—LOAD POINT WEIGHTS (w_i)—Continued

DPPP varieties	Speed configuration(s)	Load point(s) *i*	
		Low flow	High flow
Pressure Cleaner Booster Pump	Any		1.0

*In order to apply the test points for two-speed self-priming and non-self-priming pool filter pumps, self-priming pool filter pumps that are greater than or equal to 0.711 rated hydraulic horsepower that are two-speed dedicated-purpose pool pumps must also be distributed in commerce either: (1) With a pool pump control (variable speed drive and user interface or switch) that changes the speed in response to pre-programmed user preferences and allows the user to select the duration of each speed and/or the on/off times or (2) without a pool pump control that has such capability, but without which the pump is unable to operate. Two-speed self-priming pool filter pumps greater than or equal to 0.711 rated hydraulic horsepower that do not meet these requirements must be tested using the load point for single-speed self-priming or non-self-priming pool filter pumps, as appropriate.

E.3 Determination of Horsepower and True Power Factor Metrics

E.3.1 Determine the pump power output at any load point *i* using the following equation:

$$P_{u,i} = \frac{Q_i \times H_i \times SG}{3960}$$

Where:

$P_{u,i}$ = the measured pump power output at load point *i* of the tested pump, in hp;
Q_i = the measured flow rate at load point *i* of the tested pump, in gpm;
H_i = pump total head at load point *i* of the tested pump, in ft; and
SG = the specific gravity of water at specified test conditions, which is equivalent to 1.00.

E.3.1.1 Determine the rated hydraulic horsepower as the pump power output measured on the reference curve at maximum rotating speed and full impeller diameter for the rated pump.

E.3.2 For dedicated-purpose pool pumps with single-phase AC motors or DC motors, determine the dedicated-purpose pool pump nominal motor horsepower as the product of the measured full load speed and torque, adjusted to the appropriate units, as shown in the following equation:

$$P_{nm} = \frac{(T \times n)}{5252}$$

Where:

P_{nm} = the dedicated-purpose pool pump nominal total horsepower at full load, in hp;
T = output torque at full load, in lb-ft; and
n = the motor speed at full load, in rpm.

Full-load speed and torque shall be determined based on the maximum continuous duty motor power output rating allowable for the motor's nameplate ambient rating and insulation class.

E.3.2.1 For single-phase AC motors, determine the measured speed and torque at full load according to either section E.3.2.1.1 or E.3.2.1.2 of this appendix.

E.3.2.1.1 Use the procedures in section 3.2, ''Tests with load''; section 4 ''Testing facilities''; section 5.2 ''Mechanical measurements''; section 5.3 ''Temperature measurements''; and section 6 ''Tests'' of IEEE 114–2010 (incorporated by reference, see §431.463), or

E.3.2.1.2 Use the applicable procedures in section 5, ''General test requirements'' and section 6, ''Tests'' of CSA C747–2009 (RA 2014); except in section 6.4(b) the conversion factor shall be 5252, only measurements at full load are required in section 6.5, and section 6.6 shall be disregarded (incorporated by reference, see §431.463).

E.3.2.2 For DC motors, determine the measured speed and torque at full load according to either section E.3.2.2.1 or E.3.2.2.2 of this appendix.

E.3.2.2.1 Use the procedures in section 3.1, ''Instrument Selection Factors''; section 3.4 ''Power Measurement'': Section 3.5 ''Power Sources''; section 4.1.2 ''Ambient Air''; section 4.1.4 ''Direction of Rotation''; section 5.4.1 ''Reference Conditions''; and section

5.4.3.2 ''Dynomometer or Torquemeter Method'' of IEEE 113–1985 (incorporated by reference, see §431.463), or

E.3.2.2.2 Use the applicable procedures in section 5, ''General test requirements'' and section 6, ''Tests'' of CSA C747–2009 (RA 2014); except in section 6.4(b) the conversion factor shall be 5252, only measurements at full load are required in section 6.5, and section 6.6 shall be disregarded (incorporated by reference, see §431.463).

E.3.3 For dedicated-purpose pool pumps with single-phase AC motors or DC motors, the dedicated-purpose pool pump service factor is equal to 1.0.

E.3.4 Determine the dedicated-purpose pool pump motor total horsepower according to section E.3.4.1 of this appendix for dedicated-purpose pool pumps with single-phase AC motors or DC motors and section E.3.4.2 of this appendix for dedicated-purpose pool pumps with polyphase AC motors.

E.3.4.1 For dedicated-purpose pool pumps with single-phase AC motors or DC motors, determine the dedicated-purpose pool pump motor total horsepower as the product of the dedicated-purpose pool pump nominal motor horsepower, determined in accordance with section E.3.2 of this appendix, and the dedicated-purpose pool pump service factor, determined in accordance with section E.3.3 of this appendix.

E.3.4.2 For dedicated-purpose pool pumps with polyphase AC induction motors, determine the dedicated-purpose pool pump motor total horsepower as the product of the rated nominal motor horsepower and the rated service factor of the motor.

E.3.5 Determine the true power factor at each applicable load point specified in Table 1 of this appendix for each DPPP variety and speed configuration as a ratio of driver power input to the motor (or controls, if present) (P_i), in watts, divided by the product of the voltage in volts and the current in amps at each load point i, as shown in the following equation:

$$PF_i = \frac{P_i}{V_i \times I_i}$$

Where:

PF_i = true power factor at each load point i, dimensionless;

P_i = driver power input to the motor (or controls, if present) at each load point i, in watts;

V_i = voltage at each load point i, in volts;

I_i = current at each load point i, in amps; and

i = load point(s), defined uniquely for each DPPP variety and speed configuration as specified in section D.3 of this appendix.

E.4 Determination of Maximum Head. Determine the maximum head for self-priming pool filter pumps, non-self-priming pool filter pumps, and waterfall pumps by measuring the head at maximum speed and the minimum flow rate at which the pump is designed to operate continuously or safely, where the minimum flow rate is assumed to be zero unless stated otherwise in the manufacturer literature.

F. Determination of Self-Priming Capability

F.1 Test Method. Determine the vertical lift and true priming time of non-self-priming pool filter pumps and self-priming pool filter pumps that are not already certified as self-priming under NSF/ANSI 50–2015 (incorporated by reference, see §431.463) by testing such pumps pursuant to section C.3 of appendix C of NSF/ANSI 50–2015, except for the modifications and exceptions listed in the following sections F.1.1 through F.1.5 of this appendix:

F.1.1 Where section C.3.2, ''Apparatus,'' and section C.3.4, ''Self-priming capability test method,'' of NSF/ANSI 50–2015 (incorporated by reference, see §431.463) state that the ''suction line must be essentially as shown in annex C, figure C.1;'' the phrase ''essentially as shown in Annex C, figure C.1'' means:

- The centerline of the pump impeller shaft is situated a vertical distance equivalent to the specified vertical lift (VL), calculated in accordance with section F.1.1.1. of this appendix, above the water level of a water tank of sufficient volume as to maintain a constant water surface level for the duration of the test;
- The pump draws water from the water tank with a riser pipe that extends below the water level a distance of at least 3 times the riser pipe diameter (*i.e.*, 3 pipe diameters);
- The suction inlet of the pump is at least 5 pipe diameters from any obstructions, 90° bends, valves, or fittings; and
- The riser pipe is of the same pipe diameter as the pump suction inlet.

F.1.1.1 The vertical lift (VL) must be normalized to 5.0 feet at an atmospheric pressure of 14.7 psia and a water density of 62.4 lb/ft^3 in accordance with the following equation:

$$VL = 5.0ft \times \left(\frac{62.4\,{}^{lb}/_{ft^3}}{\rho_{test}} \right) \times \left(\frac{P_{abs,test}}{14.7psia} \right)$$

Where:

VL = vertical lift of the test apparatus from the waterline to the centerline of the pump impeller shaft, in ft;

ρ_{test} = density of test fluid, in lb/ft^3; and

$P_{abs,test}$ = absolute barometric pressure of test apparatus location at centerline of pump impeller shaft, in psia.

F.1.2 The equipment accuracy requirements specified in section B, ''Measurement Equipment,'' of this appendix also apply to this section F, as applicable.

F.1.2.1 All measurements of head (gauge pressure), flow, and water temperature must be taken at the pump suction inlet and all head measurements must be normalized back to the centerline of the pump impeller shaft in accordance with section A.3.1.3.1 of HI 40.6–2014–B (incorporated by reference, see § 431.463).

F.1.3 All tests must be conducted with clear water that meets the requirements adopted in section C.3 of this appendix.

F.1.4 In section C.3.4, ''Self-priming capability test method,'' of NSF/ANSI 50–2015 (incorporated by reference, see § 431.463), ''the elapsed time to steady discharge gauge reading or full discharge flow'' is determined when the changes in head and flow, respectively, are within the tolerance values specified in table 40.6.3.2.2, ''Permissible amplitude of fluctuation as a percentage of mean value of quantity being measured at any test point,'' of HI 40.6–2014–B (incorporated by reference, see § 431.463). The measured priming time (MPT) is determined as the point in time when the stabilized load point is first achieved, not when stabilization is determined. In addition, the true priming time (TPT) is equivalent to the MPT.

F.1.5 The maximum true priming time for each test run must not exceed 10.0 minutes. Disregard section C.3.5 of NSF/ANSI 50–2015 (incorporated by reference, see § 431.463).

G. Optional Testing and Calculations

G.1 Energy Factor. When making representations regarding the EF of dedicated-purpose pool pumps, determine EF on one of four system curves (A, B, C, or D) and at any given speed (*s*) according to the following equation:

$$\mathrm{EF_{X,s}} = \frac{\left(\frac{\mathrm{Q_{X,s}}}{1{,}000} \times 60 \right)}{\left(\frac{\mathrm{P_{X,s}}}{1{,}000} \right)}$$

Where:

$EF_{X,s}$ = the energy factor on system curve X at speed s in gal/Wh;

X = one of four possible system curves (A, B, C, or D), as defined in section G.1.1 of this appendix;

s = the tested speed, in rpm;

$Q_{X,s}$ = flow rate measured on system curve X at speed s in gpm; and

$P_{X,s}$ = driver power input to the motor (or controls, if present) on system curve X at speed s in watts.

G.1.1 System Curves. The energy factor may be determined at any speed (*s*) and on any of the four system curves A, B, C, and/or D specified in the Table 3:

TABLE 3—SYSTEMS CURVES FOR OPTIONAL EF TEST PROCEDURE

System curve	System curve equation *
A	$H = 0.0167 \times Q^2$
B	$H = 0.0500 \times Q^2$
C	$H = 0.0082 \times Q^2$
D	$H = 0.0044 \times Q^2$

* In the above table, Q refers to the flow rate in gpm and H refers to head in ft.

G.2 Replacement Dedicated-Purpose Pool Pump Motors. To determine the WEF for replacement DPPP motors, test each replacement DPPP motor paired with each dedicated-purpose pool pump bare pump for which the replacement DPPP motor is advertised to be paired, as stated in the manufacturer's literature for that replacement DPPP

motor model, according to the testing and calculations described in sections A, B, C, D, and E of this appendix. Alternatively, each replacement DPPP motor may be tested with the most consumptive dedicated-purpose pool pump bare pump for which it is advertised to be paired, as stated in the manufacturer's literature for that replacement DPPP motor model. If a replacement DPPP motor is not advertised to be paired with any specific dedicated-purpose pool pump bare pumps, test with the most consumptive dedicated-purpose pool pump bare pump available.

[82 FR 36924, Aug. 7, 2017]

APPENDIX C TO SUBPART Y OF PART 431—UNIFORM TEST METHOD FOR THE MEASUREMENT OF ENERGY EFFICIENCY OF DEDICATED-PURPOSE POOL PUMPS

NOTE: Any representations made on or after July 19, 2021, with respect to the energy use or efficiency of dedicated-purpose pool pumps subject to testing pursuant to 10 CFR 431.464(b) must be made in accordance with the results of testing pursuant to this appendix.

I. TEST PROCEDURE FOR DEDICATED-PURPOSE POOL PUMPS

A. General

A.1 Test Method. To determine the weighted energy factor (WEF) for dedicated-purpose pool pumps, perform ''wire-to-water'' testing in accordance with HI 40.6–2014–B, except section 40.6.4.1, ''Vertically suspended pumps''; section 40.6.4.2, ''Submersible pumps''; section 40.6.5.3, ''Test report''; section 40.6.5.5, ''Test conditions''; section 40.6.5.5.2, ''Speed of rotation during testing''; section 40.6.6.1, ''Translation of test results to rated speed of rotation''; section 40.6.6.2, ''Pump efficiency''; section 40.6.6.3, ''Performance curve''; section A.7, ''Testing at temperatures exceeding 30 °C (86 °F)''; and appendix B, ''Reporting of test results''; (incorporated by reference, see §431.463) with the modifications and additions as noted throughout the provisions below. Do not use the test points specified in section 40.6.5.5.1, ''Test procedure'' of HI 40.6–2014–B and instead use those test points specified in section D.3 of this appendix for the applicable dedicated-purpose pool pump variety and speed configuration. When determining overall efficiency, best efficiency point, or other applicable pump energy performance information, section 40.6.5.5.1, ''Test procedure''; section 40.6.6.2, ''Pump efficiency''; and section 40.6.6.3, ''Performance curve'' must be used, as applicable. For the purposes of applying this appendix, the term ''volume per unit time,'' as defined in section 40.6.2, ''Terms and definitions,'' of HI 40.6–2014–B shall be deemed to be synonymous with the term ''flow rate'' used throughout that standard and this appendix .

A.2 Calculations and Rounding. All terms and quantities refer to values determined in accordance with the procedures set forth in this appendix for the rated pump. Perform all calculations using raw measured values without rounding. Round WEF, maximum head, vertical lift, and true priming time values to the tenths place (*i.e.,* 0.1) and rated hydraulic horsepower to the thousandths place (*i.e.,* 0.001). Round all other reported values to the hundredths place unless otherwise specified.

B. Measurement Equipment

B.1 For the purposes of measuring flow rate, speed of rotation, temperature, and pump power output, the equipment specified in HI 40.6–2014–B Appendix C (incorporated by reference, see §431.463) necessary to measure head, speed of rotation, flow rate, and temperature must be used and must comply with the stated accuracy requirements in HI 40.6–2014–B Table 40.6.3.2.3, except as specified in sections B.1.1 and B.1.2 of this appendix. When more than one instrument is used to measure a given parameter, the combined accuracy, calculated as the root sum of squares of individual instrument accuracies, must meet the specified accuracy requirements.

B.1.1 Electrical measurement equipment for determining the driver power input to the motor or controls must be capable of measuring true root mean squared (RMS) current, true RMS voltage, and real power up to the 40th harmonic of fundamental supply source frequency, and have a combined accuracy of ±2.0 percent of the measured value at the fundamental supply source frequency.

B.1.2 Instruments for measuring distance (*e.g.,* height above the reference plane or water level) must be accurate to and have a resolution of at least ±0.1 inch.

B.2 Calibration. Calibration requirements for instrumentation are specified in appendix D of HI 40.6–2014–B (incorporated by reference, see §431.463). Historical calibration data may be used to justify time periods up to three times longer than those specified in table D.1 of HI 40.6–2014–B provided the supporting historical data shows maintenance of calibration of the given instrument up to the selected extended calibration interval on at least two unique occasions, based on the interval specified in HI 40.6–2014–B.

C. Test Conditions and Tolerances

C.1 Pump Specifications. Conduct testing at full impeller diameter in accordance with the test conditions, stabilization requirements, and specifications of HI 40.6–2014–B

section 40.6.3, ''Pump efficiency testing''; section 40.6.4, ''Considerations when determining the efficiency of a pump''; section 40.6.5.4 (including appendix A), ''Test arrangements''; and section 40.6.5.5, ''Test conditions'' (incorporated by reference, see § 431.463).

C.2 Power Supply Requirements. The following conditions also apply to the mains power supplied to the DPPP motor or controls, if any:

(1) Maintain the voltage within ±5 percent of the rated value of the motor,

(2) Maintain the frequency within ±1 percent of the rated value of the motor,

(3) Maintain the voltage unbalance of the power supply within ±3 percent of the value with which the motor was rated, and

(4) Maintain total harmonic distortion below 12 percent throughout the test.

C.3 Test Conditions. Testing must be carried out with water that is between 50 and 107 °F with less than or equal to 15 nephelometric turbidity units (NTU).

C.4 Tolerances. For waterfall pumps, multi-speed self-priming and non-self-priming pool filter pumps, and variable-speed self-priming and non-self-priming pool filter pumps all measured load points must be within ±2.5 percent of the specified head value and comply with any specified flow values or thresholds. For all other dedicated-purpose pool pumps, all measured load points must be within the greater of ±2.5 percent of the specified flow rate values or ±0.5 gpm and comply with any specified head values or thresholds.

D. Data Collection and Stabilization

D.1 Damping Devices. Use of damping devices, as described in section 40.6.3.2.2 of HI 40.6–2014–B (incorporated by reference, see § 431.463), are only permitted to integrate up to the data collection interval used during testing.

D.2 Stabilization. Record data at any tested load point only under stabilized conditions, as defined in HI 40.6–2014–B section 40.6.5.5.1 (incorporated by reference, see § 431.463), where a minimum of two measurements are used to determine stabilization.

D.3 Test Points. Measure the flow rate in gpm, pump total head in ft, the driver power input in W, and the speed of rotation in rpm at each load point specified in Table 1 of this appendix for each DPPP variety and speed configuration:

TABLE 1—LOAD POINTS (i) AND WEIGHTS (w_i) FOR EACH DPPP VARIETY AND SPEED CONFIGURATION

DPPP varieties	Speed configuration(s)	Number of load points (n)	Load point (i)	Test points		
				Flow rate (Q) (GPM)	Head (H) (ft)	Speed (rpm)
Self-Priming Pool Filter Pumps And Non-Self-Priming Pool Filter Pumps.	Single-speed dedicated-purpose pool pumps and all self-priming and non-self-priming pool filter pumps not meeting the definition of two-*, multi-, or variable-speed dedicated-purpose pool pump.	1	High	Q_{high} (gpm) = $Q_{max\_\_speed@C}$ **	$H = 0.0082 \times Q_{high}^2$	Maximum speed.
	Two-speed dedicated-purpose pool pumps *.	2	Low	Q_{low} (gpm) = Flow rate associated with specified head and speed that is not below: • 31.1 gpm if rated hydraulic horsepower is >0.75 or • 24.7 gpm if rated hydraulic horsepower is ≤0.75	$H = 0.0082 \times Q_{low}^2$	Lowest speed capable of meeting the specified flow and head values, if any. ***
			High	Q_{high} (gpm) = $Q_{max\_\_speed@C}$ **	$H = 0.0082 \times Q_{low}^2$	Maximum speed.
	Multi-speed and variable-speed dedicated-purpose pool pumps.	2	Low	Q_{low} (gpm) = • If rated hydraulic horsepower is >0.75, then Q_{low} ≥31.1 gpm • If rated hydraulic horsepower is ≤0.75, then Q_{low} ≥24.7 gpm	$H = 0.0082 \times Q_{low}^2$	Lowest speed capable of meeting the specified flow and head values.

TABLE 1—LOAD POINTS (i) AND WEIGHTS (w_i) FOR EACH DPPP VARIETY AND SPEED CONFIGURATION—Continued

DPPP varieties	Speed configuration(s)	Number of load points (n)	Load point (i)	Test points		
				Flow rate (Q) (GPM)	Head (H) (ft)	Speed (rpm)
			High	Q_{high} (gpm) ≥0.8 × $Q_{max\_\_speed@C}$ **	H = 0.0082 × Q_{high}^2	Lowest speed capable of meeting the specified flow and head values.
Waterfall Pumps.	Single-speed dedicated-purpose pool pumps.	1	High	Q_{low} (gpm) = Flow corresponding to specified head	17.0 ft	Maximum speed.
Pressure Cleaner Booster Pumps.	Any	1	High	10.0 gpm	≥60.0 ft	Lowest speed capable of meeting the specified flow and head values.

* In order to apply the test points for two-speed self-priming and non-self-priming pool filter pumps, self-priming pool filter pumps that are greater than or equal to 0.711 rated hydraulic horsepower that are two-speed dedicated-purpose pool pumps must also be distributed in commerce either: (1) With a pool pump control (variable speed drive and user interface or switch) that changes the speed in response to pre-programmed user preferences and allows the user to select the duration of each speed and/or the on/off times or (2) without a pool pump control that has such capability, but without which the pump is unable to operate. Two-speed self-priming pool filter pumps greater than or equal to 0.711 rated hydraulic horsepower that do not meet these requirements must be tested using the load point for single-speed self-priming or non-self-priming pool filter pumps, as appropriate.

** $Q_{max\_\_speed@C}$ = Flow at max speed on curve C (gpm).

*** If a two-speed pump has a low speed that results in a flow rate below the specified values, the low speed of that pump shall not be tested.

E. Calculations

E.1 Determination of Weighted Energy Factor. Determine the WEF as a ratio of the measured flow and driver power input to the dedicated-purpose pool pump in accordance with the following equation:

$$WEF = \frac{\sum_{i=1}^{n}\left(w_i \times \frac{Q_i}{1000} \times 60\right)}{\sum_{i=1}^{n}\left(w_i \times \frac{P_i}{1000}\right)}$$

Where:

WEF = Weighted Energy Factor in kgal/kWh;
W_i = weighting factor at each load point *i*, as specified in section E.2 of this appendix;
Q_i = flow at each load point *i*, in gpm;
P_i = driver power input to the motor (or controls, if present) at each load point *i*, in watts;
i = load point(s), defined uniquely for each DPPP variety and speed configuration as specified in section D.3 of this appendix; and
n = number of load point(s), defined uniquely for each DPPP variety and speed configuration as specified in section D.3 of this appendix.

E.2 Weights. When determining WEF, apply the weights specified in Table 2 of this appendix for the applicable load points, DPPP varieties, and speed configurations:

TABLE 2—LOAD POINT WEIGHTS (w_i)

DPPP varieties	Speed configuration(s)	Load point(s) *i*	
		Low flow	High flow
Self-Priming Pool Filter Pumps and Non-Self-Priming Pool Filter Pumps.	Single-speed dedicated-purpose pool pumps and all self-priming and non-self-priming pool filter pumps not meeting the definition of two-*, multi-, or variable-speed dedicated-purpose pool pump.	.....	1.0
	Two-speed dedicated-purpose pool pumps * ..	0.80	0.20
	Multi-speed and variable-speed dedicated-purpose pool pumps.	0.80	0.20

TABLE 2—LOAD POINT WEIGHTS (w_i)—Continued

DPPP varieties	Speed configuration(s)	Load point(s) *i*	
		Low flow	High flow
Waterfall Pumps	Single-speed dedicated-purpose pool pumps	.....	1.0
Pressure Cleaner Booster Pump	Any	.....	1.0

*In order to apply the test points for two-speed self-priming and non-self-priming pool filter pumps, self-priming pool filter pumps that are greater than or equal to 0.711 rated hydraulic horsepower that are two-speed dedicated-purpose pool pumps must also be distributed in commerce either: (1) With a pool pump control (variable speed drive and user interface or switch) that changes the speed in response to pre-programmed user preferences and allows the user to select the duration of each speed and/or the on/off times or (2) without a pool pump control that has such capability, but without which the pump is unable to operate. Two-speed self-priming pool filter pumps greater than or equal to 0.711 rated hydraulic horsepower that do not meet these requirements must be tested using the load point for single-speed self-priming or non-self-priming pool filter pumps, as appropriate.

E.3 Determination of Horsepower and True Power Factor Metrics

E.3.1 Determine the pump power output at any load point *i* using the following equation:

$$P_{u,i} = \frac{Q_i \times H_i \times SG}{3960}$$

Where:

$P_{u,i}$ = the measured pump power output at load point *i* of the tested pump, in hp;

Q_i = the measured flow rate at load point *i* of the tested pump, in gpm;

H_i = pump total head at load point *i* of the tested pump, in ft; and

SG = the specific gravity of water at specified test conditions, which is equivalent to 1.00.

E.3.1.1 Determine the rated hydraulic horsepower as the pump power output measured on the reference curve at maximum rotating speed and full impeller diameter for the rated pump.

E.3.2 For dedicated-purpose pool pumps with single-phase AC motors or DC motors, determine the dedicated-purpose pool pump nominal motor horsepower as the product of the measured full load speed and torque, adjusted to the appropriate units, as shown in the following equation:

$$P_{nm} = \frac{(T \times n)}{5252}$$

Where:

P_{nm} = the dedicated-purpose pool pump nominal total horsepower at full load, in hp;

T = output torque at full load, in lb-ft; and

n = the motor speed at full load, in rpm.

Full-load speed and torque shall be determined based on the maximum continuous duty motor power output rating allowable for the motor's nameplate ambient rating and insulation class.

E.3.2.1 For single-phase AC motors, determine the measured speed and torque at full load according to either section E.3.2.1.1 or E.3.2.1.2 of this appendix.

E.3.2.1.1 Use the procedures in section 3.2, ''Tests with load''; section 4 ''Testing facilities''; section 5.2 ''Mechanical measurements''; section 5.3 ''Temperature measurements''; and section 6 ''Tests'' of IEEE 114–2010 (incorporated by reference, see §431.463), or

E.3.2.1.2 Use the applicable procedures in section 5, ''General test requirements'' and section 6, ''Tests'' of CSA C747–2009 (RA 2014); except in section 6.4(b) the conversion factor shall be 5252, only measurements at full load are required in section 6.5, and section 6.6 shall be disregarded (incorporated by reference, see §431.463).

E.3.2.2 For DC motors, determine the measured speed and torque at full load according to either section E.3.2.2.1 or E.3.2.2.2 of this appendix.

E.3.2.2.1 Use the procedures in section 3.1, ''Instrument Selection Factors''; section 3.4 ''Power Measurement'': Section 3.5 ''Power

Sources''; section 4.1.2 ''Ambient Air''; section 4.1.4 ''Direction of Rotation''; section 5.4.1 ''Reference Conditions''; and section 5.4.3.2 ''Dynomometer or Torquemeter Method'' of IEEE 113–1985 (incorporated by reference, see §431.463), or

E.3.2.2.2 Use the applicable procedures in section 5, ''General test requirements'' and section 6, ''Tests'' of CSA C747–2009 (RA 2014); except in section 6.4(b) the conversion factor shall be 5252, only measurements at full load are required in section 6.5, and section 6.6 shall be disregarded (incorporated by reference, see §431.463).

E.3.3 For dedicated-purpose pool pumps with single-phase AC motors or DC motors, the dedicated-purpose pool pump service factor is equal to 1.0.

E.3.4 Determine the dedicated-purpose pool pump motor total horsepower according to section E.3.4.1 of this appendix for dedicated-purpose pool pumps with single-phase AC motors or DC motors and section E.3.4.2 of this appendix for dedicated-purpose pool pumps with polyphase AC motors.

E.3.4.1 For dedicated-purpose pool pumps with single-phase AC motors or DC motors, determine the dedicated-purpose pool pump motor total horsepower as the product of the dedicated-purpose pool pump nominal motor horsepower, determined in accordance with section E.3.2 of this appendix, and the dedicated-purpose pool pump service factor, determined in accordance with section E.3.3 of this appendix.

E.3.4.2 For dedicated-purpose pool pumps with polyphase AC induction motors, determine the dedicated-purpose pool pump motor total horsepower as the product of the rated nominal motor horsepower and the rated service factor of the motor.

E.3.5 Determine the true power factor at each applicable load point specified in Table 1 of this appendix for each DPPP variety and speed configuration as a ratio of driver power input to the motor (or controls, if present) (P_i), in watts, divided by the product of the voltage in volts and the current in amps at each load point i, as shown in the following equation:

$$PF_i = \frac{P_i}{V_i \times I_i}$$

Where:

PF_i = true power factor at each load point i, dimensionless;
P_i = driver power input to the motor (or controls, if present) at each load point i, in watts;
V_i = voltage at each load point i, in volts;
I_i = current at each load point i, in amps; and
i = load point(s), defined uniquely for each DPPP variety and speed configuration as specified in section D.3 of this appendix.

E.4 Determination of Maximum Head. Determine the maximum head for self-priming pool filter pumps, non-self-priming pool filter pumps, and waterfall pumps by measuring the head at maximum speed and the minimum flow rate at which the pump is designed to operate continuously or safely, where the minimum flow rate is assumed to be zero unless stated otherwise in the manufacturer literature.

F. Determination of Self-Priming Capability

F.1 Test Method. Determine the vertical lift and true priming time of non-self-priming pool filter pumps and self-priming pool filter pumps that are not already certified as self-priming under NSF/ANSI 50–2015 (incorporated by reference, see §431.463) by testing such pumps pursuant to section C.3 of appendix C of NSF/ANSI 50–2015, except for the modifications and exceptions listed in the following sections F.1.1 through F.1.5 of this appendix:

F.1.1 Where section C.3.2, ''Apparatus,'' and section C.3.4, ''Self-priming capability test method,'' of NSF/ANSI 50–2015 (incorporated by reference, see §431.463) state that the ''suction line must be essentially as shown in annex C, figure C.1;'' the phrase ''essentially as shown in Annex C, figure C.1'' means:

(1) The centerline of the pump impeller shaft is situated a vertical distance equivalent to the specified vertical lift (VL), calculated in accordance with section F.1.1.1. of this appendix, above the water level of a water tank of sufficient volume as to maintain a constant water surface level for the duration of the test;

(2) The pump draws water from the water tank with a riser pipe that extends below the water level a distance of at least 3 times the riser pipe diameter (*i.e.*, 3 pipe diameters);

(3) The suction inlet of the pump is at least 5 pipe diameters from any obstructions, 90° bends, valves, or fittings; and

(4) The riser pipe is of the same pipe diameter as the pump suction inlet.

F.1.1.1 The vertical lift (VL) must be normalized to 5.0 feet at an atmospheric pressure of 14.7 psia and a water density of 62.4 lb/ft^3 in accordance with the following equation:

$$VL = 5.0ft \times \left(\frac{62.4\,{}^{lb}/_{ft^3}}{\rho_{test}} \right) \times \left(\frac{P_{abs,test}}{14.7psia} \right)$$

Where:

VL = vertical lift of the test apparatus from the waterline to the centerline of the pump impeller shaft, in ft;

ρ_{test} = density of test fluid, in lb/ft^3; and

$P_{abs,test}$ = absolute barometric pressure of test apparatus location at centerline of pump impeller shaft, in psia.

F.1.2 The equipment accuracy requirements specified in section B, ''Measurement Equipment,'' of this appendix also apply to this section F, as applicable.

F.1.2.1 All measurements of head (gauge pressure), flow, and water temperature must be taken at the pump suction inlet and all head measurements must be normalized back to the centerline of the pump impeller shaft in accordance with section A.3.1.3.1 of HI 40.6–2014–B (incorporated by reference, see § 431.463).

F.1.3 All tests must be conducted with clear water that meets the requirements adopted in section C.3 of this appendix.

F.1.4 In section C.3.4, ''Self-priming capability test method,'' of NSF/ANSI 50–2015 (incorporated by reference, see § 431.463), ''the elapsed time to steady discharge gauge reading or full discharge flow'' is determined when the changes in head and flow, respectively, are within the tolerance values specified in table 40.6.3.2.2, ''Permissible amplitude of fluctuation as a percentage of mean value of quantity being measured at any test point,'' of HI 40.6–2014–B (incorporated by reference, see § 431.463). The measured priming time (MPT) is determined as the point in time when the stabilized load point is first achieved, not when stabilization is determined. In addition, the true priming time (TPT) is equivalent to the MPT.

F.1.5 The maximum true priming time for each test run must not exceed 10.0 minutes. Disregard section C.3.5 of NSF/ANSI 50–2015 (incorporated by reference, see § 431.463).

G. Optional Testing and Calculations

G.1 Replacement Dedicated-Purpose Pool Pump Motors. To determine the WEF for replacement DPPP motors, test each replacement DPPP motor paired with each dedicated-purpose pool pump bare pump for which the replacement DPPP motor is advertised to be paired, as stated in the manufacturer's literature for that replacement DPPP motor model, according to the testing and calculations described in sections A, B, C, D, and E of this appendix. Alternatively, each replacement DPPP motor may be tested with the most consumptive dedicated-purpose pool pump bare pump for which it is advertised to be paired, as stated in the manufacturer's literature for that replacement DPPP motor model. If a replacement DPPP motor is not advertised to be paired with any specific dedicated-purpose pool pump bare pumps, test with the most consumptive dedicated-purpose pool pump bare pump available.

[82 FR 36924, Aug. 7, 2017]

APPENDIX D TO SUBPART Y OF PART 431—UNIFORM TEST METHOD FOR THE MEASUREMENT OF ENERGY CONSUMPTION OF CIRCULATOR PUMPS

NOTE 1 TO APPENDIX D TO SUBPART Y OF PART 431: Beginning March 20, 2023, any representations made with respect to the energy use or efficiency of circulator pumps subject to testing pursuant to 10 CFR 431.464(c) must be made in accordance with the results of testing pursuant to this appendix.

0. Incorporation by Reference

DOE incorporated by reference in § 431.463 the entire standard for HI 40.6–2021 and for HI 41.5–2022. However, not all provisions of HI 40.6–2021 and HI 41.5–2022 apply to this appendix. If there is any conflict between any industry standard and this appendix, follow the language of the test procedure in this appendix, disregarding the conflicting industry standard language.

0.1 Specifically, the following provisions of HI 40.6–2021 are not applicable:

(a) Section 40.6.4—Considerations when determining the efficiency of certain pumps, Section 40.6.4.1—Vertically suspended pumps

(b) Section 40.6.4—Considerations when determining the efficiency of certain pumps, Section 40.6.4.2—Submersible pumps

(c) Section 40.6.5—Test procedures, Section 40.6.5.3—Test report

(d) Section 40.6.5—Test procedures, Section 40.6.5.5—Test conditions, Section 40.6.5.5.2—Speed of rotation during test

(e) Section 40.6.6—Analysis, Section 40.6.6.1—Translation of the test results to the specified speed of rotation

(f) Section 40.6.6—Analysis, Section 40.6.6.1—Translation of the test results to the specified speed of rotation, Section 40.6.6.1.1—

Translation of the test results into data based on specified speed of rotation
(g) Appendix B—Reporting of test results
(h) Appendix G—DOE compared to HI 40.6 nomenclature

0.2 Specifically, only the following provisions of HI 41.5–2022 are applicable:

(a) Section 41.5.3.4.1—Determination of CER—Full Speed
(b) Section 41.5.3.4.2—Determination of CER—Pressure Speed Control
(c) Section 41.5.3.4.3—Determination of CER—Temperature Speed Control
(d) Section 41.5.3.4.4.1—Determination of CER—External Input Signal Speed Control Only
(e) Section 41.5.3.4.4.2—Determination of CER—External Input Signal Speed Control Operated With Other Control Methods
(f) Section 41.5.3.4.5—Determination of CER—Manual Speed Control

1. General

To determine the circulator energy index (CEI), testing shall be performed in accordance with HI 40.6–2021, including Appendix E ''Testing Circulator Pumps,'' with the exceptions noted in section 0.1 of this appendix and the modifications and additions as noted throughout the following provisions. For the purposes of applying this appendix, the term ''pump power output,'' as defined in section 40.6.2, ''Terms and definitions,'' of HI 40.6–2021 shall be deemed to be synonymous with the term ''hydraulic horsepower'' used throughout that standard and this appendix.

2. Scope

2.1 This appendix is applicable to all circulator pumps and describes how to calculate the circulator energy index (CEI; section F) based on the pump energy rating for the minimally compliant reference circulator pump (CER_{STD}) and the circulator energy rating (CER) determined in accordance with one of the test methods listed in Table I of this appendix based on a control variety with which the circulator pump is distributed in commerce.

TABLE 1 TO APPENDIX D TO SUBPART Y OF PART 431—APPLICABILITY OF TEST METHODS BASED ON CIRCULATOR PUMP CONFIGURATION AND CONTROL METHOD WITH WHICH CIRCULATOR PUMP IS DISTRIBUTED IN COMMERCE

Circulator pump configuration	Control method with which circulator pump is distributed	Test method to be used for testing and calculation of CER
Circulator Pump + Motor	Circulator pumps at full speed or circulator pumps without pressure, temperature, external input signal, or manual speed control.	HI 41.5–2022 Section 41.5.3.4.1.
Circulator Pump + Motor + Controls.	Circulator pumps with pressure control (including adaptive pressure control).	HI 41.5–2022 Section 41.5.3.4.2.
	Circulator pumps with temperature control	HI 41.5–2022 Section 41.5.3.4.3.
	Circulator pumps with only external input signal control, and which cannot be operated without an external input signal.	HI 41.5–2022 Section 41.5.3.4.4.1.
	Circulator pumps with external input signal control in addition to other control varieties, or which can be operated without an external input signal.	HI 41.5–2022 Section 41.5.3.4.4.2.
	Circulator pumps with manual speed control	HI 41.5–2022 Section 41.5.3.4.5.

2.2 If a given circulator pump model is distributed in commerce with multiple control varieties available, the manufacturer may select a control variety (or varieties) among those available with which to test the circulator pump, including the test method for circulator pumps at full speed or circulator pumps without external input signal, manual, pressure, or temperature controls).

3. Measurement Equipment

For the purposes of measuring flow rate, head, driver power input, and pump power output, the equipment specified in HI 40.6–2021 Appendix C must be used and must comply with the stated accuracy requirements in HI 40.6–2021 Table 40.6.3.2.3. When more than one instrument is used to measure a given parameter, the combined accuracy, calculated as the root sum of squares of individual instrument accuracies, must meet the specified accuracy requirements.

4. Test Conditions

4.1 Pump specifications. Conduct testing in accordance with the test conditions, stabilization requirements, and specifications of HI 40.6–2021 section 40.6.3, ''Pump efficiency testing''; section 40.6.4, ''Considerations when determining the efficiency of a pump,'' including section 40.6.4.4, ''Determination of pump overall efficiency''; section 40.6.5.4 (including Appendix A), ''Test arrangements''; and section 40.6.5.5, ''Test conditions.''

4.2 Twin head circulator pump. To test twin head circulator pumps, one of the two impeller assemblies should be incorporated into an adequate, single impeller volute and casing. An adequate, single impeller volute and casing means a volute and casing for which any physical and functional characteristics that affect energy consumption and energy efficiency are essentially identical to their corresponding characteristics for a single impeller in the twin head circulator pump volute and casing.

4.3 Circulator-less-volute. To determine the CEI for a circulator-less-volute, test each circulator-less-volute with each volute for which the circulator-less-volute is offered for sale or advertised to be paired for that circulator pump model according to the testing and calculations described in the applicable test method listed in Table 1 of this appendix, depending on the variety of control with which the circulator pump model is distributed in commerce. Alternatively, each circulator-less-volute may be tested with the most consumptive volute with which is it offered for sale or advertised to be paired for that circulator pump model.

5. Data Collection and Analysis

5.1 Stabilization. Record data at any test point only under stabilized conditions, as defined in HI 40.6–2021 section 40.6.5.5.1.

5.2 Testing BEP at maximum speed for the circulator pump. Determine the BEP of the circulator pump at maximum speed as specified in Appendix E of HI 40.6–2021 including sections 40.6.5.5.1 and 40.6.6 as modified. Determine the BEP flow rate at maximum speed as the flow rate at the operating point of maximum overall efficiency on the circulator pump curve, as determined in accordance with section 40.6.6.3 of HI 40.6–2021 as modified by Appendix E, where overall efficiency is the ratio of the circulator pump power output divided by the driver power input, as specified in Table 40.6.2.1 of HI 40.6–2021. For the purposes of this test procedure, all references to ''driver power input'' in this appendix or HI 40.6–2021 shall refer to the input power to the controls, or to the motor if no controls are present.

5.3 Rounding. All terms and quantities refer to values determined in accordance with the procedures set forth in this appendix for the rated circulator pump. Perform all calculations using raw measured values without rounding. Round CER to three significant figures. Round CEI to the hundredths decimal place. Round rated hydraulic horsepower to the less precise of the following two values: three significant figures; the fourth decimal place when expressed in units of horsepower.

6. Calculation of CEI

Determine CEI using the following equation:

$$CEI = \frac{\text{CER}}{CER_{STD}}$$

Where:

CEI = the circulator energy index (dimensionless);

CER = the circulator energy rating determined in accordance with Table 1 of this appendix (hp); and

CER_{STD} = the CER for a circulator pump that is minimally compliant with DOE's energy conservation standards with the same hydraulic horsepower as the tested pump, as determined in accordance with the specifications at paragraph (i) of §431.465.

7. Determination of Additional Circulator Performance Parameters

7.1 To determine flow and head at BEP; pump power output (hydraulic horsepower) and driver power input at load points used in the calculation of CEI, including the rated hydraulic horsepower; and any other reported performance parameters, conduct testing according to section 1 of this appendix.

7.2 Determine the rated hydraulic horsepower as the pump power output measured at BEP and full impeller diameter for the rated pump.

7.3 Determine the true power factor at each applicable load point specified in the applicable test method listed in Table 1 of this appendix for each circulator pump control variety as a ratio of driver power input to the motor (or controls, if present) (P_i), in watts, divided by the product of the true RMS voltage in volts and the true RMS current in amps at each load point i, as shown in the following equation:

$$PF_i = \frac{P_i}{V_i \times I_i}$$

Where:

PF_i = true power factor at each load point i, dimensionless;

P_i = driver power input to the motor (or controls, if present) at each load point i, in watts;

V_i = true RMS voltage at each load point i, in volts;

I_i = true RMS current at each load point i, in amps; and

i = load point(s), defined uniquely for each circulator pump control variety as specified in the applicable test method listed in Table 1 of this appendix.

[87 FR 57299, Sept. 19, 2022]

Subpart Z—Dedicated-Purpose Pool Pump Motors

SOURCE: 86 FR 40774, July 29, 2021, unless otherwise noted.

§ 431.481 Purpose and scope.

(a) *Purpose.* This subpart contains definitions and test procedures requirements for electric motors that are dedicated-purpose pool pump motors, pursuant to Part A–1 of Title III of the Energy Policy and Conservation Act, as amended, 42 U.S.C. 6311–6317. It also identifies materials incorporated by reference in this part. This subpart does not cover other ''electric motors,'' which are addressed in subpart B of this part, nor does it cover ''small electric motors,'' which are addressed in subpart X of this part.

(b) *Scope.* The requirements of this subpart apply to dedicated-purpose pool pump motors, as specified in paragraphs 1.2, 1.3 and 1.4 of UL 1004–10:2022 (incorporated by reference, see § 431.482).

(c) *Incorporation by reference.* In § 431.482, DOE incorporates by reference entire standards for use in this subpart; however, only the provisions of the document enumerated in an approved section are applicable within § 431.482.

[86 FR 40774, July 29, 2021, as amended at 88 FR 67041, Sept. 28, 2023]

§ 431.482 Materials incorporated by reference.

(a) Certain material is incorporated by reference into this subpart with the approval of the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in this section, the Department of Energy (DOE) must publish a document in the FEDERAL REGISTER and the material must be available to the public. All approved incorporation by reference (IBR) material is available for inspection at DOE, and at the National Archives and Records Administration (NARA). Contact DOE at: the U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Program, 1000 Independence Ave SW, EE–5B, Washington, DC 20585, (202) 586–9127, *Buildings@ee.doe.gov*, *https://www.energy.gov/eere/buildings/building-technologies-office*. For information on the availability of this material at NARA, visit *www.archives.gov/federal-register/cfr/ibr-locations.html* or email *fr.inspection@nara.gov*. The material may be obtained from the sources in the following paragraphs of this section.

(b) *CSA.* Canadian Standards Association, Sales Department, 5060 Spectrum Way, Suite 100, Mississauga, Ontario, L4W 5N6, Canada, 1–800–463–6727, or *https://www.csagroup.org/store*.

(1) CSA C747–09 (Reaffirmed 2014) (''CSA C747–09''), ''Energy efficiency test method for small motors'' as revised through August 2016, including Update No. 1; IBR approved for § 431.484.

(2) [Reserved]

(c) *UL.* Underwriters Laboratories, 333 Pfingsten Road, Northbrook, IL 60062, (841) 272–8800, or go to *https://www.ul.com*.

(1) UL 1004–10 (''UL 1004–10:2022''), *Standard for Safety for Pool Pump Motors,* Revised First Edition, Dated March 24, 2022; IBR approved for §§ 431.481 and 431.483.

(2) [Reserved]

[86 FR 40774, July 29, 2021, as amended at 88 FR 67041, Sept. 28, 2023; 88 FR 71990, Oct. 19, 2023]

§ 431.483 Definitions.

The definitions applicable to this subpart are defined in section 2 ''Glossary'' of UL 1004–10:2022 (incorporated by reference, see § 431.482). In addition, the following definition applies:

Basic model means all units of dedicated purpose pool pump motors manufactured by a single manufacturer, that are within the same equipment class, have electrical characteristics that are essentially identical, and do not have any differing physical or functional characteristics that affect energy consumption or efficiency.

[88 FR 67041, Sept. 28, 2023]

§ 431.484 Test procedure.

(a) *Scope.* Pursuant to section 343(a) of EPCA, this section provides the test procedures for measuring the efficiency of dedicated-purpose pool pump motors. (42 U.S.C. 6314) For purposes of this part and EPCA, the test procedures for measuring the efficiency of dedicated-purpose pool pump motors shall be the test procedure specified in paragraph (b) of this section.

(b) *Testing and calculations.* At such time as compliance is required with a labeling requirement or an energy conservation standard, the full-load efficiency of each dedicated-purpose pool pump motor model (inclusive of the drive, if the dedicated-purpose pool pump motor model is placed into commerce with a drive, or is unable to operate without the presence of a drive) is determined in accordance with CSA C747–09, Section 1.6 ''Scope'', Section 3 ''Definitions'', Section 4 ''General requirements'', Section 5, ''General test requirements'', and Section 6 ''Test method'' (incorporated by reference, see § 431.482).

§ 431.485 Energy conservation standards.

(a) For the purpose of paragraphs (b), (c) and (d) of this section, ''THP'' means dedicated-purpose-pool pump motor total horsepower.

(b) Each dedicated-purpose pool pump motor manufactured starting on September 29, 2025, with a THP less than 0.5 THP, must have a full-load efficiency that is not less than 69 percent.

(c) Each dedicated-purpose pool pump motor manufactured starting on the dates provided in table 1 to this paragraph (c) with a THP greater than or equal to 0.5 THP must be a variable speed control dedicated-purpose pool pump motor, and must follow the requirements in paragraph (d) of this section.

TABLE 1 TO PARAGRAPH (c)

Equipment class	Compliance date
Small-size (0.5 ≤ THP <1.15)	September 28, 2027.
Standard-size (1.15 ≤ THP ≤ 5).	September 29, 2025.

(d) All dedicated-purpose pool pump motors with a THP greater than or equal to 0.5 THP and distributed in commerce with freeze protection controls, must be shipped with freeze protection disabled or with the following user-adjustable settings:

(1) The default dry-bulb air temperature setting is no greater than 40 °F;

(2) The default run time setting shall be no greater than 1 hour (before the temperature is rechecked); and

(3) The default motor speed (in revolutions per minute, or rpm) in freeze protection mode shall not be more than half of the maximum operating speed.

[88 FR 67041, Sept. 28, 2023]

PART 433—ENERGY EFFICIENCY STANDARDS FOR THE DESIGN AND CONSTRUCTION OF NEW FEDERAL COMMERCIAL AND MULTI-FAMILY HIGH-RISE RESIDENTIAL BUILDINGS

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433.300 Green building certification.

AUTHORITY: 42 U.S.C. 6831–6832, 6834–6835; 42 U.S.C. 7101 *et seq.*

SOURCE: 71 FR 70281, Dec. 4, 2006, unless otherwise noted.

§ 433.1 Purpose and scope.

(a) This part establishes an energy efficiency performance standard for the new Federal commercial and multi-family high-rise buildings, for which design for construction began on or after January 3, 2007, as required by section 305(a) of the Energy Conservation and Production Act, as amended (42 U.S.C. 6834(a)).

(b) This part also establishes a maximum allowable fossil fuel-generated energy consumption standard for new Federal buildings that are commercial or multi-family high-rise residential buildings and major renovations to Federal buildings that are commercial or multi-family high-rise residential buildings, for which design for construction began on or after May 1, 2025.

(c) This part also establishes green building certification requirements for new Federal buildings that are commercial and multi-family high-rise residential buildings and major renovations to Federal buildings that are commercial and multi-family high-rise residential buildings, for which design for construction began on or after October 14, 2015.

[71 FR 70281, Dec. 4, 2006, as amended at 79 FR 61569, Oct. 14, 2014; 89 FR 35415, May 1, 2024]

§ 433.2 Definitions.

For purposes of this part, the following terms, phrases and words are defined as follows:

ANSI means the American National Standards Institute.

ASHRAE means the American Society of Heating, Refrigerating and Air-Conditioning Engineers.

ASHRAE Baseline Building 2004 means a building that is otherwise identical to the proposed building but is designed to meet, but not exceed, the energy efficiency specifications in ANSI/ASHRAE/IESNA Standard 90.1–2004, Energy Standard for Buildings Except Low-Rise Residential Buildings, January 2004 (incorporated by reference, see § 433.3).

ASHRAE Baseline Building 2007 means a building that is otherwise identical to the proposed building but is designed to meet, but not exceed, the energy efficiency specifications in ANSI/ASHRAE/IESNA Standard 90.1–2007, Energy Standard for Buildings Except Low-Rise Residential Buildings, December 2007 (incorporated by reference, see § 433.3).

ASHRAE Baseline Building 2010 means a building that is otherwise identical to the proposed building but is designed to meet, but not exceed, the energy efficiency specifications in ANSI/ASHRAE/IESNA Standard 90.1–2010, Energy Standard for Buildings Except Low-Rise Residential Buildings, 2010 (incorporated by reference, see § 433.3).

ASHRAE Baseline Building 2013 means a building that is otherwise identical to the proposed building but is designed to meet, but not exceed, the energy efficiency specifications in ASHRAE 90.1–2013 (incorporated by reference, see § 433.3).

ASHRAE Baseline Building 2019 means a building that is otherwise identical to the proposed building but is designed to meet, but not exceed, the energy efficiency specifications in ASHRAE 90.1–2019 (incorporated by reference, see § 433.3).

Commercial and multi-family high-rise residential building means all buildings other than low-rise residential buildings.

Construction cost means all costs associated with the construction of a new Federal building. It includes, but is not limited to, the cost of preliminary planning, engineering, architectural, permitting, fiscal and economic investigations and studies, surveys, designs,

plans, working drawings, specifications, procedures, and other similar actions necessary for the construction of a new Federal building. It does not include the cost of acquiring the land.

Design for construction means the stage when the energy efficiency and sustainability details (such as insulation levels, HVAC systems, water-using systems, etc.) are either explicitly determined or implicitly included in a project cost specification.

Design for renovation means the stage when the energy efficiency and sustainability details (such as insulation levels, HVAC systems, water-using systems, etc.) are either explicitly determined or implicitly included in a renovation project cost specification.

DOE means the U.S. Department of Energy.

EISA-subject building or project means, for purposes of this rule, any new Federal building or renovation project that is subject to the cost thresholds and reporting requirements in Section 433 of Energy Independence and Security Act of 2007 (EISA) ((Pub. L. 110–140, codified at 42 U.S.C. 6834(a)(3)(D)(i))).

Federal agency means any department, agency, corporation, or other entity or instrumentality of the executive branch of the Federal Government, including the United States Postal Service, the Federal National Mortgage Association, and the Federal Home Loan Mortgage Corporation.

Federal building means any building to be constructed by, or for the use of, any Federal agency. Such term shall include buildings built for the purpose of being leased by a Federal agency and privatized military housing.

Fiscal year (FY) means the 12-month period beginning on October 1 of the year prior to the specified calendar year and ending on September 30 of the specified calendar year.

Fossil fuel-generated energy consumption means the on-site stationary consumption of fossil fuels that contribute to Scope 1 emissions for generation of electricity, heat, cooling, or steam as defined by ''Federal Greenhouse Gas Accounting and Reporting Guidance'' (Council on Environmental Quality, January 17, 2016). This includes, but is not limited to, combustion of fuels in stationary sources (*e.g.,* boilers, furnaces, turbines, and emergency generators). This term does not include mobile sources, fugitive emissions, or process emissions as defined by ''Federal Greenhouse Gas Accounting and Reporting Guidance'' (Council on Environmental Quality, January 17, 2016).

IESNA means Illuminating Engineering Society of North America.

Life-cycle cost means the total cost related to energy conservation measures of owning, operating and maintaining a building over its useful life as determined in accordance with 10 CFR part 436.

Life-cycle cost-effective means that the proposed building has a lower life-cycle cost than the life-cycle costs of the baseline building, as described by 10 CFR 436.19, or has a positive estimated net savings, as described by 10 CFR 436.20; or has a savings-to-investment ratio estimated to be greater than one, as described by 10 CFR 436.21; or has an adjusted internal rate of return, as described by 10 CFR 436.22, that is estimated to be greater than the discount rate as listed in OMB Circular Number A–94 (Guidelines and Discount Rates for Benefit-Cost Analysis of Federal Programs.''

Low-rise residential building means any building three stories or less in height above grade that includes sleeping accommodations where the occupants are primarily permanent in nature (30 days or more).

Major renovation means either major renovation of all Scope 1 fossil fuel-using systems in a Federal building or major renovation of one or more Scope 1 fossil fuel-using building systems or components, as defined in this section.

Major renovation cost means all costs associated with the repairing, remodeling, improving, extending, or other changes in a federal building. It includes, but is not limited to, the cost of preliminary planning, engineering, architectural, permitting, fiscal and economic investigations and studies, surveys, designs, plans, working drawings, specifications, procedures, and other similar actions necessary for the alteration of a Federal building.

Major renovation of all Scope 1 fossil fuel-using systems in a building means construction on an existing Federal

building that is so extensive that it replaces all Scope 1 fossil fuel-using systems in the building. This term includes, but is not limited to, comprehensive replacement or restoration of most or all major systems, interior work (such as ceilings, partitions, doors, floor finishes, etc.), or building elements and features.

Major renovation of a Scope 1 fossil fuel-using building system or Scope 1 fossil fuel-using component means changes to a federal building that provide significant opportunities for energy efficiency or reduction in fossil fuel-related energy consumption. This includes, but is not limited to, replacement of the HVAC system, hot water system, or cooking system, or other fossil fuel-using systems or components of the building that have a major impact on fossil fuel usage.

Multi-family high-rise residential building means a residential Federal building that contains 3 or more dwelling units and that is designed to be 4 or more stories above grade.

New Federal building means any new building (including a complete replacement of an existing building from the foundation up) to be constructed by, or for the use of, any Federal agency. Such term shall include new buildings (including a complete replacement of an existing building from the foundation up) built for the purpose of being leased by a Federal agency, and privatized military housing.

Process load means the load on a building resulting from energy consumed in support of a manufacturing, industrial, or commercial process. Process loads do not include energy consumed maintaining comfort and amenities for the occupants of the building (including space conditioning for human comfort).

Proposed building means the design for construction of a new Federal commercial or multi-family high-rise residential building, proposed for construction, or a major renovation to a Federal commercial or multi-family high-rise residential building.

Receptacle load means the load on a building resulting from energy consumed by any equipment plugged into electrical outlets.

Shift adjustment multiplier means a multiplication factor that agencies may apply to their Maximum Allowable Fossil Fuel-Generated Energy Consumption by Building Category target based upon the weekly hours of active operation of the building. The weekly hours of operation used as a basis for the shift adjustment multiplier lookup include the time in which in the building is actively occupied and operating per its intended use type and unoccupied hours or other times of limited use (such as night-time setback hours).

Technical impracticability means achieving the fossil fuel-based energy consumption targets would:

(1) Not be feasible from an engineering design or execution standpoint due to existing physical or site constraints that prohibit modification or addition of elements or spaces;

(2) Significantly obstruct building operations and the functional needs of a building, specifically for industrial process loads, critical national security functions, mission critical information systems as defined in NIST SP 800–60 Vol. 2 Rev. 1, and research operations; or

(3) Significantly degrade energy resiliency and energy security of building operations as defined in 10 U.S.C. 101(e)(6) and 10 U.S.C. 101(e)(7) respectively.

[71 FR 70281, Dec. 4, 2006, as amended at 72 FR 72570, Dec. 21, 2007; 76 FR 49284, Aug. 10, 2011; 78 FR 40953, July 9, 2013; 80 FR 68757, Nov. 6, 2015; 87 FR 20293, Apr. 7, 2022; 89 FR 35415, May 1, 2024]

EDITORIAL NOTE: At 87 FR 20293, Apr. 7, 2022, § 433.2 was amended; however, a portion of the amendment could not be incorporated due to inaccurate amendatory instruction.

§ 433.3 Materials incorporated by reference.

(a) Certain material is incorporated by reference into this subpart with the approval of the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in this section, DOE must publish a document in the FEDERAL REGISTER and the material must be available to the public. All approved material is available

for inspection at DOE, and at the National Archives and Records Administration (NARA). Contact DOE at: The U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Program, Sixth Floor, 950 L'Enfant Plaza SW, Washington, DC 20024, (202) 586–9127, *Buildings@ee.doe.gov*, *https://www.energy.gov/eere/buildings/building-technologies-office*. For information on the availability of this material at NARA, email: *fr.inspection@nara.gov*, or go to: *www.archives.gov/federal-register/cfr/ibr-locations.html*. The material may be obtained from the sources in the following paragraphs of this section.

(b) *ASHRAE*. American Society of Heating Refrigerating and Air-Conditioning Engineers, Inc., 180 Technology Parkway NW, Peachtree Corners, GA 30092; (404) 636–8400; *www.ashrae.org*.

(1) ANSI/ASHRAE/IESNA 90.1–2004, (''ASHRAE 90.1–2004''), Energy Standard for Buildings Except Low-Rise Residential Buildings, January 2004, ISSN 1041–2336, IBR approved for §§ 433.2, 433.100, and 433.101;

(2) ANSI/ASHRAE/IESNA Standard 90.1–2007, (''ASHRAE 90.1–2007''), Energy Standard for Buildings Except Low-Rise Residential Buildings, 2007, ISSN 1041–2336, IBR approved for §§ 433.2, 433.100, and 433.101.

(3) ANSI/ASHRAE/IESNA 90.1–2010, (''ASHRAE 90.1–2010''), Energy Standard for Buildings Except Low-Rise Residential Buildings, I–P Edition, Copyright 2010, IBR approved for §§ 433.2, 433.100, and 433.101.

(4) ANSI/ASHRAE/IES 90.1–2013, (''ASHRAE 90.1–2013''), Energy Standard for Buildings Except Low-Rise Residential Buildings, I–P Edition, Copyright 2013, IBR approved for §§ 433.2, 433.100, and 433.101.

(5) ANSI/ASHRAE/IES 90.1–2019, (''ASHRAE 90.1–2019''), Energy Standard for Buildings Except Low-Rise Residential Buildings, I–P Edition, copyright 2019, IBR approved for §§ 433.2, 433.100 and 433.101.

[76 FR 49284, Aug. 10, 2011, as amended at 78 FR 40953, July 9, 2013; 79 FR 61569, Oct. 14, 2014; 80 FR 68757, Nov. 6, 2015; 87 FR 20294, Apr. 7, 2022]

§§ 433.4–433.7 [Reserved]

§ 433.8 Life-cycle costing.

Each Federal agency shall determine life-cycle cost-effectiveness by using the procedures set out in subpart A of part 436. A Federal agency may choose to use any of four methods, including lower life-cycle costs, positive net savings, savings-to-investment ratio that is estimated to be greater than one, and an adjusted internal rate of return that is estimated to be greater than the discount rate as listed in OMB Circular Number A–94 ''Guidelines and Discount Rates for Benefit-Cost Analysis of Federal Programs.''

Subpart A—Energy Efficiency Performance

SOURCE: 79 FR 61569, Oct. 14, 2014, unless otherwise noted.

§ 433.100 Energy efficiency performance standard.

(a) (1) All Federal agencies shall design new Federal buildings that are commercial and multi-family high-rise residential buildings, for which design for construction began on or after January 3, 2007, but before August 10, 2012, to:

(i) Meet ASHRAE 90.1–2004, (incorporated by reference, see § 433.3); and

(ii) If life-cycle cost-effective, achieve energy consumption levels, calculated consistent with paragraph (b) of this section, that are at least 30 percent below the levels of the ASHRAE Baseline Building 2004.

(2) All Federal agencies shall design new Federal buildings that are commercial and multi-family high-rise residential buildings, for which design for construction began on or after August 10, 2012, but before July 9, 2014, to:

(i) Meet ASHRAE 90.1–2007, (incorporated by reference, see § 433.3); and

(ii) If life-cycle cost-effective, achieve energy consumption levels, calculated consistent with paragraph (b) of this section, that are at least 30 percent below the levels of the ASHRAE Baseline Building 2007.

(3) All Federal agencies shall design new Federal buildings that are commercial and multi-family high-rise residential buildings, for which design for

construction began on or after July 9, 2014, but before November 6, 2016 to:

(i) Meet ASHRAE 90.1–2010, (incorporated by reference, see § 433.3); and

(ii) If life-cycle cost-effective, achieve energy consumption levels, calculated consistent with paragraph (b) of this section, that are at least 30 percent below the levels of the ASHRAE Baseline Building 2010.

(4) All Federal agencies shall design new Federal buildings that are commercial and multi-family high-rise residential buildings, for which design for construction began on or after November 6, 2016, but before April 7, 2023, to:

(i) Meet ASHRAE 90.1–2013, (incorporated by reference, see § 433.3); and

(ii) If LCC effective, achieve energy consumption levels, calculated consistent with paragraph (b) of this section, that are at least 30 percent below the levels of the ASHRAE Baseline Building 2013.

(5) All Federal agencies shall design new Federal buildings that are commercial and multi-family high-rise residential buildings, for which design for construction began on or after April 7, 2023, to:

(i) Meet ASHRAE 90.1–2019, (incorporated by reference, see § 433.3); and

(ii) If LCC effective, achieve energy consumption levels, calculated consistent with paragraph (b) of this section, that are at least 30 percent below the levels of the ASHRAE Baseline Building 2019.

(b) If a 30 percent reduction is not LCC effective, the design of the proposed building shall be modified so as to achieve an energy consumption level at or better than the maximum level of energy efficiency that is LCC effective, but at a minimum complies with paragraph (a) of this section.

[79 FR 61569, Oct. 14, 2014, as amended at 80 FR 68757, Nov. 6, 2015; 87 FR 20294, Apr. 7, 2022]

§ 433.101 Performance level determination.

(a)(1) For Federal buildings for which design for construction began on or after January 3, 2007, but before August 10, 2012, each Federal agency shall determine energy consumption levels for both the ASHRAE Baseline Building 2004 and proposed building by using the Performance Rating Method found in Appendix G of ASHRAE 90.1–2004 (incorporated by reference, see § 433.3), except the formula for calculating the Performance Rating in paragraph G1.2 shall read as follows:

(i) Percentage improvement = 100 × ((Baseline building consumption—Receptacle and process loads)—(Proposed building consumption—Receptacle and process loads))/(Baseline building consumption—Receptacle and process loads) (which simplifies as follows):

(ii) Percentage improvement = 100 × (Baseline building consumption—Proposed building consumption)/(Baseline building consumption—Receptacle and process loads).

(2) For Federal buildings for which design for construction began on or after August 10, 2012, but before July 9, 2014, each Federal agency shall determine energy consumption levels for both the ASHRAE Baseline Building 2007 and proposed building by using the Performance Rating Method found in Appendix G of ASHRAE 90.1–2007 (incorporated by reference, see § 433.3), except the formula for calculating the Performance Rating in paragraph G1.2 shall read as follows:

(i) Percentage improvement = 100 × ((Baseline building consumption—Receptacle and process loads)—(Proposed building consumption—Receptacle and process loads))/(Baseline building consumption—Receptacle and process loads) (which simplifies as follows):

(ii) Percentage improvement = 100 × (Baseline building consumption—Proposed building consumption)/(Baseline building consumption—Receptacle and process loads).

(3) For Federal buildings for which design for construction began on or after July 9, 2014, but before November 6, 2016 each Federal agency shall determine energy consumption levels for both the ASHRAE Baseline Building 2010 and proposed building by using the Performance Rating Method found in Appendix G of ASHRAE 90.1–2010 (incorporated by reference, see § 433.3), except the formula for calculating the Performance Rating in paragraph G1.2 shall read as follows:

(i) Percentage improvement = 100 × ((Baseline building consumption—Receptacle and process loads)—(Proposed

building consumption—Receptacle and process loads))/(Baseline building consumption—Receptacle and process loads) (which simplifies as follows):

(ii) Percentage improvement = 100 × (Baseline building consumption—Proposed building consumption)/(Baseline building consumption—Receptacle and process loads).

(4) For Federal buildings for which design for construction began on or after November 6, 2016, but before April 7, 2023, each Federal agency shall determine energy consumption levels for both the ASHRAE Baseline Building 2013 and proposed building by using the Performance Rating Method found in Appendix G of ASHRAE 90.1–2013 (incorporated by reference, see § 433.3), except the formula for calculating the Performance Rating in Section G1.2 shall read as follows:

(i) Percentage improvement = 100 × ((Baseline building consumption − Receptacle and process loads) − (Proposed building consumption − Receptacle and process loads))/(Baseline building consumption − Receptacle and process loads) (which simplifies as follows):

(ii) Percentage improvement = 100 × (Baseline building consumption − Proposed building consumption)/(Baseline building consumption − Receptacle and process loads).

(5) For Federal buildings for which design for construction began on or after April 7, 2023, each Federal agency shall determine energy consumption levels for both the ASHRAE Baseline Building 2019 and proposed building by using the Performance Rating Method found in Appendix G of ASHRAE 90.1–2019 (incorporated by reference, see § 433.3). The formula for determining the percentage improvement shall be as follows:

Percentage Improvement = 100 × (1 − PCI/PCIt)

Where

PCI = Performance Cost Index calculated in accordance with Section G1.2 of ASHRAE Standard 90.1–2019

PCIt = Performance Cost Index Target calculated by formula in Section 4.2.1.1 of ASHRAE Standard 90.1–2019

(b) Energy consumption for the purposes of calculating the 30 percent savings requirements shall include the building envelope and energy consuming systems normally specified as part of the building design by ASHRAE Standard 90.1 such as space heating, space cooling, ventilation, service water heating, and lighting, and all process and receptacle loads, except for energy-intensive process loads that are driven by mission and operational requirements, not necessarily buildings, and not influenced by conventional building energy conservation measures.

[79 FR 61569, Oct. 14, 2014, as amended at 80 FR 68757, Nov. 6, 2015; 87 FR 20294, Apr. 7, 2022]

Subpart B—Reduction in Scope 1 Fossil Fuel-Generated Energy Consumption

SOURCE: 89 FR 35416, May 1, 2024, unless otherwise noted.

§ 433.200 Scope 1 Fossil fuel-generated energy consumption requirement.

(a) *New EISA-Subject buildings.* (1) New Federal buildings that are commercial or multi-family high-rise residential buildings, for which design for construction began on or after May 1, 2025 must be designed to meet the requirements of paragraph (c) of this section if:

(i) For Federally owned public buildings or leased Federal buildings, the construction cost of the new building exceeds GSA's Annual Prospectus Thresholds that are found at *https://www.gsa.gov/real-estate/design-construction/gsa-annual-prospectus-thresholds;* or

(ii) For Federally owned non-public buildings, the cost of the building is at least $2,500,000 (in 2007 dollars, adjusted for inflation). For the purposes of calculating this threshold, projects should set the Bureau of Labor and Statistics CPI Inflation calculator to $2,500,000 in October of 2006 (to represent the value of the original cost threshold) and then set for October of the FY during which the design for construction of the project began or is set to begin.

(2) [Reserved]

(b) *Major renovations of EISA-Subject buildings.* (1) Major renovations to Federal buildings that are commercial or multi-family high-rise residential

buildings, for which design for construction began on or after May 1, 2025, must be designed to meet the requirements of paragraphs (c) or (d) of this section, as applicable, if:

(i) The renovation is a major renovation to a public building as defined in 40 U.S.C. 3301 and for which transmittal of a prospectus to Congress is required under 40 U.S.C. 3307; or

(ii) The cost of the major renovation of a Federally owned building is at least $2,500,000 (in 2007 dollars, adjusted for inflation). For the purposes of calculating this threshold, projects should set the Bureau of Labor and Statistics CPI Inflation calculator to $2,500,000 in October of 2006 (to represent the value of the original cost threshold) and then set for October of the FY during which the design for construction of the project began or is set to begin. The cost of a major renovation for a Federally leased building is at least the amount listed for alterations in leased buildings that would need to transmit a prospectus to Congress under section 3307 of title 40. *See* GSA Annual Prospectus Thresholds at *https://www.gsa.gov/real-estate/design-construction/gsa-annual-prospectus-thresholds*.

(2) This subpart only applies to major renovations that meet the definition of ''major renovation of all Scope 1 fossil fuel-using systems in a federal building'' or ''major renovation of a Scope 1 fossil fuel-using building system or Scope 1 fossil fuel-using component.''

(3) For leased buildings, this subpart applies to major renovations only if the building was originally built for the use of any Federal agency, including being leased by a Federal agency.

(4) This subpart applies only to the portions of the proposed building or proposed building systems that are being renovated and to the extent that the scope of the renovations permits compliance with the applicable requirements of this subpart. Unaltered portions of the proposed building or proposed building systems are not required to comply with this subpart.

(c) *Federal buildings that are of the type included in appendix A of this subpart.*

(1) *New Construction and Major Renovations of all Scope 1 Fossil Fuel-Using Systems in EISA-Subject Buildings.*

(i) *Design for construction began during FY 2024 through FY 2029.* For new construction or major renovations of all Scope 1 fossil fuel-using systems in a Federal building for which design for construction or renovation, as applicable, began during FY 2024 through 2029, the Scope 1 fossil fuel-generated energy consumption of the proposed building, based on the building design and calculated according to §433.201(a), must not exceed the value identified in Tables A–1a to A–2a (if targets based on emissions are used) or Tables A–1b to A–2b (if targets based on kBtu of fossil fuel usage are used) of appendix A of this subpart for the associated building type, climate zone, and fiscal year in which design for construction begins.

(A) Federal agencies may apply a shift adjustment multiplier to the values in Tables A–1a to A–2a or Tables A–1b to A–2b based on the following baseline hours of operation assumed in Tables A–1a to A–2a or Tables A–1b to A–2b. To calculate the shift adjustment multiplier, agencies shall estimate the number of shifts for their new building and multiply by the appropriate factor shown below in Table 1 of this section for their building type.

(B) The Scope 1 fossil fuel-generated energy consumption target for the building is the applicable value in either Tables A–1a to A–2a or Tables A–1b to A–2b multiplied by the shift adjustment multiplier calculated for that building.

TABLE 1—SHIFT ADJUSTMENT MULTIPLIER BY HOURS OF OPERATION AND BUILDING TYPE

Building activity type	Weekly hours of operation		
	50 or less	51 to 167	168
Admin/professional office	1	1	1.4
Bank/other financial	1	1	1.4
Government office	1	1	1.4
Medical office (non-diagnostic)	1	1	1.4
Mixed-use office	1	1	1.4
Other office	1	1	1.4
Laboratory	1	1	1.4

TABLE 1—SHIFT ADJUSTMENT MULTIPLIER BY HOURS OF OPERATION AND BUILDING TYPE—Continued

Building activity type	Weekly hours of operation		
	50 or less	51 to 167	168
Distribution/shipping center	0.7	1.4	2.1
Nonrefrigerated warehouse	0.7	1.4	2.1
Convenience store	1	1	1.4
Convenience store with gas	1	1	1.4
Grocery store/food market	1	1	1.4
Other food sales	1	1	1.4
Fire station/police station	0.8	0.8	1.1
Other public order and safety	0.8	0.8	1.1
Medical office (diagnostic)	1	1	1.5
Clinic/other outpatient health	1	1	1.5
Refrigerated warehouse	1	1	1
Religious worship	0.9	1.7	1.7
Entertainment/culture	0.8	1.5	1.5
Library	0.8	1.5	1.5
Recreation	0.8	1.5	1.5
Social/meeting	0.8	1.5	1.5
Other public assembly	0.8	1.5	1.5
College/university	0.8	1.3	1.3
Elementary/middle school	0.8	1.3	1.3
High school	0.8	1.3	1.3
Preschool/daycare	0.8	1.3	1.3
Other classroom education	0.8	1.3	1.3
Fast food	0.4	1.1	2.1
Restaurant/cafeteria	0.4	1.1	2.1
Other food service	0.4	1.1	2.1
Hospital/inpatient health	1	1	1
Nursing home/assisted living	1	1	1
Dormitory/fraternity/sorority	1	1	1
Hotel	1	1	1
Motel or inn	1	1	1
Other lodging	1	1	1
Vehicle dealership/showroom	0.8	1.2	1.8
Retail store	0.8	1.2	1.8
Other retail	0.8	1.2	1.8
Post office/postal center	0.7	1.5	1.5
Repair shop	0.7	1.5	1.5
Vehicle service/repair shop	0.7	1.5	1.5
Vehicle storage/maintenance	0.7	1.5	1.5
Other service	0.7	1.5	1.5
Strip shopping mall	1	1	1
Enclosed mall	1	1	1
Bar/Pub/Lounge	1	1	1.4
Courthouse/Probation Office	1	1	1.4

(ii) *Design for construction began during or after FY 2030.* For new construction or major renovations of all fossil fuel-using systems in an EISA-subject building for which design for construction or renovation, as applicable, began during or after FY 2030, the Scope 1 fossil fuel-generated energy consumption of the proposed building, based on building design and calculated according to § 433.201(a), must be zero.

(2) *Major Renovations of a Federal Building System or Component within an EISA-Subject Building.* System level renovations shall follow the renovation requirements in section 4.2.1.3 of the applicable building baseline energy efficiency standards listed in § 433.100 substituting the ''design for construction'' with ''design for renovation'' for the relevant date and shall replace all equipment that is included in the renovation with all electric or non-fossil fuel-using ENERGY STAR or Federal Energy Management Program (FEMP) designated products as defined in § 436.42 of this chapter. For component level renovations, Agencies shall replace all equipment that is part of the renovation with all electric or non-fossil fuel-using ENERGY STAR or FEMP designated products as defined in § 436.42 of this chapter.

(3) *Mixed-use buildings.*

(i) For Federal buildings subject to the requirements of paragraph (c)(1)(i) of this section that combine two or more building types identified in Tables 1a to 2a or Tables 1b to 2b of appendix A of this subpart, the maximum allowable fossil fuel-generated energy consumption of the proposed building is equal to the averaged applicable building type values in Tables A–1a to A–2a or Tables A–1b to A–2b weighted by floor area of the two or more building types. The equation which follows shall be used for mixed use buildings.

Equation 1: Scope 1 Fossil fuel-generated energy consumption for a mixed-use building = the sum across all building uses of (the fraction of total floor building floor area for building use i times the allowable fossil fuel-generated energy consumption for building use i)

Equation 1 may be rewritten as:

$$\textit{Scope 1 Fossil Fuel} - \textit{Generated Energy Consumption for a Mixed Use Building} = \sum_{i=1}^{n} (\textit{Fraction of Total Building Floor Area for Building Use } i \textit{ times Allowable Scope 1 Fossil Fuel} - \textit{Generated Energy Consumption for Building Use } i)$$

(ii) For example, if a proposed building for which design for construction began in FY 2026 that is to be built in climate zone 4a has a total of 200 square feet—100 square feet of which qualifies as College/University and 100 square feet of which qualifies as Laboratory—the maximum allowable Scope 1 fossil fuel-generated energy consumption is equal to:

[(100 sqft. × 3 kBtu/yr.-sqft.) + (100 sqft × 10 kBtu/yr.-sqft.)]/200 sqft. = 6.5 kBtu/yr.-sqft.

(d) *Federal buildings that are of the type not included in Appendix A of this subpart*—

(1) *Process load buildings*. For building types that are not included in any of the building types listed in Tables A–1a to A–2a or A–1b to A–2b of appendix A of this subpart, or for building types in these tables that contain significant process loads that are not likely to be found in the Commercial Buildings Energy Consumption Survey (CBECS) and qualify for exemption per § 433.202, Federal agencies must select the applicable building type, climate zone, and fiscal year in which design for construction began from Tables 1a to 2a or 1b to 2b of appendix A of this subpart that most closely corresponds to the proposed building without the process load. The estimated Scope 1 fossil fuel-generated energy consumption of the process load must be added to the maximum allowable Scope 1 fossil fuel-generated energy consumption of the applicable building type for the appropriate fiscal year and climate zone to calculate the maximum allowable Scope 1 fossil fuel-generated energy consumption for the building. The same estimated Scope 1 fossil fuel-generated energy consumption of the process load that is added to the maximum allowable Scope 1 fossil fuel-generated energy consumption of the applicable building must also be used in determining the Scope 1 fossil fuel-generated energy consumption of the proposed building.

(2) *Mixed-use buildings*. For buildings that combine two or more building types with process loads or, alternatively, that combine one or more building types with process loads with one or more building types in Tables A–1a to A–2a or A–1b to A–2b of appendix A of this subpart, the maximum allowable Scope 1 fossil fuel-generated energy consumption of the proposed building is equal to the averaged process load building values determined under paragraph (d)(1) of this section and the applicable building type values in Tables A–1a to A–2a or A–1b to A–2b of appendix A of this subpart, weighted by floor area.

[89 FR 35416, May 1, 2024, as amended at 89 FR 48266, June 6, 2024]

§ 433.201 Scope 1 Fossil fuel-generated energy consumption determination.

(a) The fossil fuel-generated energy consumption of a proposed building is calculated as follows:

Equation 2: Fossil fuel-generated energy consumption = Direct Scope 1 Fossil Fuel-Generated Consumption of Proposed Building/Floor Area

Where:

Direct Scope 1 Fossil Fuel-Generated Energy Consumption of Proposed Building equals the total Scope 1 fossil fuel-generated energy consumption of the proposed building calculated in accordance with the method required in § 433.101(a)(5) and measured in thousands of British thermal units per year (kBtu/yr), except that this term does not include fossil fuel consumption for emergency electricity generation. Agencies must include all onsite fossil fuel use or Scope 1 emissions associated with non-emergency generation from backup generators (such as those for peak shaving or peak shifting). Any energy generation or Scope 1 emissions associated with biomass fuels are excluded. Any emissions associated with natural gas for alternatively fueled vehicles (''AFVs'') (or any other alternative fuel defined at 42 U.S.C. 13211 that is provided at a Federal building) is excluded. For buildings with manufacturing or industrial process loads, the process loads should be accounted for in the analysis for the building's fossil fuel consumption and GHG emissions, but are not subject to the phase down targets.

Floor Area is the area enclosed by the exterior walls of a building, both finished and unfinished, including indoor parking facilities, basements, hallways, lobbies, stairways, and elevator shafts.

§ 433.202 Petition for downward adjustment.

(a) *New Federal buildings, major renovations of all Scope 1 fossil fuel-using systems, and major renovations of a Scope 1 fossil fuel-using building system or component in an EISA-subject building.* (1) Upon petition by a Federal agency, the Director of FEMP may adjust the applicable maximum allowable Scope 1 fossil fuel-generated energy consumption standard with respect to a specific building, upon written certification from the head of the agency designing the building or major renovation, that the requested adjustment is the largest feasible reduction in Scope 1 fossil fuel energy consumption that can practicably be achieved in light of the specified functional needs for that building, as demonstrated by the following (which is not an exhaustive list and whose components may be further modified by guidance):

(i) A statement from the Head of the Agency or their designee requesting the petition for downward adjustment for the building or renovation, that the building or renovation reduces consumption of Scope 1 fossil fuel energy consumption in accordance with the applicable energy performance standard to the maximum extent practicable and that each fossil fuel using product included in the proposed building that is of a product category covered by the ENERGY STAR program or FEMP for designated products is an ENERGY STAR product or a product meeting the FEMP designation criteria, as applicable;

(ii) A description of the systems, technologies, and practices that were evaluated and unable to meet the required fossil fuel reduction, including a justification of why achieving the Scope 1 fossil fuel-based energy consumption targets would be technically impracticable;

(iii) Any other information the agency determines would help explain its request;

(iv) A general description of the building or major renovation, including but not limited to location, use type, floor area, stories, expected number of occupants and occupant schedule, project type, project cost, and functional needs, mission critical activity, research, and national security operations as applicable;

(v) The maximum allowable Scope 1 fossil fuel energy consumption for the building from § 433.200(c) or (d);

(vi) The estimated Scope 1 fossil fuel energy consumption of the proposed building; and

(vii) A description of the proposed building's energy-related features, such as:

(A) HVAC system or component type and configuration;

(B) HVAC equipment sizes and efficiencies;

(C) Ventilation systems or components (including outdoor air volume,

controls technique, heat recovery systems, and economizers, if applicable);

(D) Service water heating system or component configuration and equipment (including solar hot water, wastewater heat recovery, and controls for circulating hot water systems, if applicable);

(E) Estimated industrial process loads; and

(F) Any other on-site fossil fuel using equipment.

(2)(i) Agencies may file one petition for a project with multiple buildings if the buildings are

(A) Of the same building, building system, or component type and of similar size, location, and functional purpose;

(B) Are being designed and constructed to the same set of targets for fossil fuel-generated energy consumption reduction; and

(C) would require similar measures to reduce fossil fuel-generated energy consumption and similar adjustment to the numeric reduction requirement.

(ii) The bundled petition must include the information in paragraph (a) of this section that pertains to all buildings, building systems, or components included in the petition and an additional description of the differences between each building, building system, or component. The agency is only required to show work for adjustment once.

(3) Petitions for downward adjustment should be submitted to *cerpetition@hq.doe.gov,* or to: U.S. Department of Energy, FEMP, Director, Clean Energy Reduction Petitions, EE–5F, 1000 Independence Ave. SW, Washington, DC 20585–0121.

(4) The Director of FEMP will make a best effort to notify the requesting agency in writing whether the petition for downward adjustment to the numeric reduction requirement is approved or rejected, in 30 calendar days of submittal, provided that the petition is complete. If the Director rejects the petition or establishes a value other than that presented in the petition, the Director will forward its reasons for rejection to the petitioning agency.

(b) *Exclusions.* The General Services Administration (GSA) may not submit petitions under paragraph (a) of this section. Agencies that are tenants of GSA buildings for which the agency, not GSA, has significant design control may submit petitions in accordance with this section.

Appendix A to Subpart B of Part 433—Maximum Allowable Scope 1 Fossil Fuel-Generated Energy Consumption

(a) For purposes of the tables in this appendix, the climate zones are the same as those listed in the performance standards required by §433.100(a)(5)(i).

(b) For purpose of appendix A, the following definitions apply:

(1) *Education* means a category of buildings used for academic or technical classroom instruction, such as elementary, middle, or high schools, and classroom buildings on college or university campuses. Buildings on education campuses for which the main use is not as a classroom are included in the category relating to their use. For example, administration buildings are part of ''Office,'' dormitories are ''Lodging,'' and libraries are ''Public Assembly.''

(2) *Food sales* means a category of buildings used for retail or wholesale of food. For example, grocery stores are ''Food Sales.''

(3) *Food service* means a category of buildings used for preparation and sale of food and beverages for consumption. For example, restaurants are ''Food Service.''

(4) *Health care (Inpatient)* means a category of buildings used as diagnostic and treatment facilities for inpatient care.

(5) *Health care (Outpatient)* means a category of buildings used as diagnostic and treatment facilities for outpatient care. Medical offices are included here if they use any type of diagnostic medical equipment (if they do not, they are categorized as an office building).

(6) *Laboratory* means a category of buildings equipped for scientific experimentation or research as well as other technical, analytical and administrative activities.

(7) *Lodging* means a category of buildings used to offer multiple accommodations for short-term or long-term residents, including skilled nursing and other residential care buildings.

(8) *Mercantile (Enclosed and Strip Malls)* means a category of shopping malls comprised of multiple connected establishments.

(9) *Multi-Family High-Rise Residential Buildings* means a category of residential buildings that contain 3 or more dwelling units and that is designed to be 4 or more stories above grade.

(10) *Office* means a category of buildings used for general office space, professional office, or administrative offices. Medical offices are included here if they do not use any

type of diagnostic medical equipment (if they do, they are categorized as an outpatient health care building).

(11) *Public assembly* means a category of public or private buildings, or spaces therein, in which people gather for social or recreational activities.

(12) *Public order and safety* means a category of buildings used for the preservation of law and order or public safety.

(13) *Religious worship* means a category of buildings in which people gather for religious activities, (such as chapels, churches, mosques, synagogues, and temples).

(14) *Retail (Other Than Mall)* means a category of buildings used for the sale and display of goods other than food.

(15) *Service* means a category of buildings in which some type of service is provided, other than food service or retail sales of goods.

(16) *Warehouse and storage* means a category of buildings used to store goods, manufactured products, merchandise, raw materials, or personal belongings (such as self-storage).

Table A-1a – FY 2020-FY 2024 Maximum Allowable Fossil Fuel-Generated Energy Consumption by Building Category, Building Type and Climate Zone, Commercial Buildings and Multi-Family High-Rise Residential Buildings (CO_2e/yr-sqft)

Building Category	Climate Zone:	0A	0B	1A	1B	2A	2B	3A	3B	3C	4A	4B	4C	5A	5B	5C	6A	6B	7	8
	Building Type	**Fossil Fuel-Generated Energy Use Intensity (CO_2e/yr-sqft)**																		
Education	College/ university	0.21	0.22	0.23	0.28	0.35	0.33	0.47	0.42	0.47	0.61	0.59	0.60	0.76	0.72	0.64	0.89	0.89	1.04	1.39
Education	Elementary/ middle school	0.33	0.34	0.36	0.44	0.54	0.51	0.73	0.65	0.73	0.95	0.92	0.94	1.19	1.13	1.01	1.38	1.39	1.63	2.17
Education	High school	0.02	0.02	0.06	0.17	0.34	0.29	0.62	0.50	0.62	0.96	0.90	0.94	1.33	1.22	1.04	1.62	1.63	1.99	2.82
Education	Other classroom education	0.13	0.13	0.14	0.16	0.20	0.19	0.27	0.25	0.27	0.36	0.35	0.35	0.45	0.42	0.38	0.52	0.52	0.61	0.82
Education	Preschool/ daycare	0.30	0.31	0.33	0.40	0.49	0.46	0.66	0.59	0.66	0.87	0.83	0.85	1.08	1.02	0.92	1.26	1.26	1.48	1.97
Enclosed Mall	Enclosed mall	0.35	0.35	0.38	0.46	0.57	0.54	0.76	0.68	0.76	1.00	0.96	0.99	1.25	1.18	1.06	1.45	1.46	1.71	2.27
Food Sales	Convenience store	0.33	0.34	0.36	0.43	0.54	0.51	0.73	0.65	0.73	0.95	0.91	0.94	1.19	1.12	1.00	1.38	1.39	1.62	2.16
Food Sales	Convenience store with gas station	0.24	0.24	0.26	0.31	0.39	0.36	0.52	0.46	0.52	0.68	0.65	0.67	0.85	0.80	0.72	0.98	0.99	1.16	1.54
Food Sales	Grocery store/food market	0.35	0.36	0.38	0.46	0.58	0.54	0.77	0.69	0.78	1.01	0.97	1.00	1.27	1.20	1.07	1.47	1.48	1.73	2.30
Food Sales	Other food sales	1.09	1.11	1.18	1.43	1.78	1.68	2.38	2.13	2.39	3.12	3.00	3.08	3.91	3.69	3.30	4.54	4.56	5.33	7.11
Food Service	Fast food	2.06	2.09	2.23	2.70	3.37	3.16	4.50	4.02	4.51	5.90	5.67	5.82	7.39	6.97	6.24	8.56	8.60	10.06	13.41
Food Service	Other food service	0.27	0.27	0.29	0.35	0.44	0.41	0.59	0.52	0.59	0.77	0.74	0.76	0.96	0.91	0.81	1.11	1.12	1.31	1.74
Food Service	Restaurant/ cafeteria	1.47	1.49	1.59	1.92	2.40	2.25	3.21	2.87	3.21	4.20	4.04	4.15	5.26	4.96	4.44	6.10	6.13	7.17	9.56
Inpatient Health Care	Hospital/ inpatient health	1.06	1.08	1.13	1.31	1.56	1.48	1.99	1.81	2.00	2.53	2.44	2.50	3.10	2.93	2.66	3.54	3.56	4.12	5.40
Laboratory	Laboratory	0.79	0.80	0.85	1.03	1.28	1.21	1.72	1.53	1.72	2.25	2.16	2.22	2.82	2.66	2.38	3.26	3.28	3.83	5.11
Lodging	Dormitory/frat ernity/sorority	0.51	0.51	0.55	0.66	0.83	0.78	1.10	0.99	1.11	1.45	1.39	1.43	1.81	1.71	1.53	2.10	2.11	2.47	3.29
Lodging	Hotel	0.46	0.47	0.50	0.60	0.75	0.71	1.00	0.90	1.01	1.32	1.26	1.30	1.65	1.55	1.39	1.91	1.92	2.24	2.99
Lodging	Motel or inn	0.60	0.61	0.65	0.78	0.98	0.92	1.31	1.17	1.31	1.71	1.65	1.69	2.14	2.02	1.81	2.49	2.50	2.92	3.90
Lodging	Other lodging	0.23	0.24	0.25	0.30	0.38	0.36	0.51	0.45	0.51	0.66	0.64	0.65	0.83	0.78	0.70	0.96	0.97	1.13	1.51
Nursing	Nursing home/ assisted living	0.82	0.83	0.88	1.07	1.33	1.25	1.78	1.60	1.79	2.34	2.25	2.31	2.93	2.76	2.47	3.39	3.41	3.99	5.32
Office	Administrative/	0.30	0.31	0.33	0.39	0.49	0.46	0.66	0.59	0.66	0.86	0.83	0.85	1.08	1.02	0.91	1.25	1.26	1.47	1.96

Building Category	Climate Zone:	0A	0B	1A	1B	2A	2B	3A	3B	3C	4A	4B	4C	5A	5B	5C	6A	6B	7	8
	Building Type	Fossil Fuel-Generated Energy Use Intensity (CO_2e/yr-sqft)																		
	professional office																			
Office	Bank/other financial	0.18	0.19	0.20	0.24	0.30	0.28	0.40	0.36	0.40	0.53	0.50	0.52	0.66	0.62	0.56	0.76	0.77	0.90	1.19
Office	Government office	0.31	0.31	0.33	0.40	0.50	0.47	0.67	0.60	0.67	0.88	0.84	0.87	1.10	1.04	0.93	1.27	1.28	1.50	2.00
Office	Medical office (non-diagnostic)	0.34	0.35	0.37	0.45	0.56	0.52	0.74	0.66	0.74	0.97	0.94	0.96	1.22	1.15	1.03	1.41	1.42	1.66	2.21
Office	Mixed-use office	0.26	0.27	0.28	0.34	0.43	0.40	0.58	0.51	0.58	0.75	0.72	0.74	0.94	0.89	0.80	1.10	1.10	1.29	1.72
Office	Other office	0.40	0.40	0.43	0.52	0.65	0.61	0.86	0.77	0.87	1.13	1.09	1.12	1.42	1.34	1.20	1.64	1.65	1.93	2.58
Outpatient Health Care	Clinic/other outpatient health	0.25	0.25	0.27	0.33	0.41	0.38	0.55	0.49	0.55	0.71	0.69	0.71	0.90	0.84	0.76	1.04	1.04	1.22	1.63
Outpatient Health Care	Medical office (diagnostic)	0.27	0.27	0.29	0.35	0.44	0.41	0.58	0.52	0.59	0.77	0.74	0.76	0.96	0.90	0.81	1.11	1.12	1.31	1.74
Public Assembly	Entertainment/ culture	0.20	0.20	0.21	0.25	0.32	0.30	0.43	0.38	0.43	0.56	0.54	0.55	0.70	0.66	0.59	0.81	0.81	0.95	1.27
Public Assembly	Library	0.23	0.24	0.25	0.30	0.38	0.36	0.51	0.45	0.51	0.67	0.64	0.66	0.83	0.79	0.70	0.97	0.97	1.14	1.51
Public Assembly	Other public assembly	0.23	0.24	0.25	0.31	0.38	0.36	0.51	0.46	0.51	0.67	0.64	0.66	0.84	0.79	0.71	0.97	0.97	1.14	1.52
Public Assembly	Recreation	0.24	0.24	0.26	0.31	0.39	0.37	0.53	0.47	0.53	0.69	0.66	0.68	0.86	0.81	0.73	1.00	1.00	1.17	1.57
Public Assembly	Social/meeting	0.30	0.30	0.32	0.39	0.49	0.46	0.65	0.58	0.65	0.85	0.82	0.84	1.06	1.00	0.90	1.23	1.24	1.45	1.93
Public Order & Safety	Fire station/ police station	0.54	0.55	0.58	0.70	0.88	0.83	1.17	1.05	1.18	1.54	1.48	1.52	1.93	1.82	1.63	2.23	2.25	2.62	3.50
Public Order & Safety	Other public order and safety	0.26	0.27	0.29	0.35	0.43	0.40	0.58	0.52	0.58	0.75	0.73	0.74	0.95	0.89	0.80	1.10	1.10	1.29	1.72
Religious Worship	Religious worship	0.24	0.24	0.26	0.31	0.39	0.37	0.52	0.47	0.52	0.68	0.66	0.67	0.85	0.81	0.72	0.99	1.00	1.16	1.55
Retail (except malls)	Other retail	0.40	0.40	0.43	0.52	0.65	0.61	0.86	0.77	0.86	1.13	1.09	1.12	1.42	1.34	1.20	1.64	1.65	1.93	2.57
Retail (except malls)	Retail store	0.01	0.01	0.04	0.11	0.22	0.18	0.40	0.32	0.40	0.62	0.58	0.61	0.85	0.79	0.67	1.04	1.05	1.28	1.81
Retail (except malls)	Vehicle dealership/ showroom	0.56	0.57	0.60	0.73	0.91	0.86	1.22	1.09	1.22	1.60	1.54	1.58	2.00	1.89	1.69	2.32	2.33	2.72	3.63
Service	Other service	0.58	0.59	0.63	0.76	0.95	0.89	1.27	1.13	1.27	1.66	1.60	1.64	2.08	1.96	1.76	2.41	2.42	2.83	3.78

Building Category	Climate Zone:	0A	0B	1A	1B	2A	2B	3A	3B	3C	4A	4B	4C	5A	5B	5C	6A	6B	7	8
	Building Type	Fossil Fuel-Generated Energy Use Intensity (CO_2e/yr-sqft)																		
Service	Post office/postal center	0.24	0.25	0.26	0.32	0.40	0.37	0.53	0.47	0.53	0.69	0.67	0.69	0.87	0.82	0.73	1.01	1.01	1.19	1.58
Service	Repair shop	0.18	0.18	0.20	0.24	0.30	0.28	0.40	0.35	0.40	0.52	0.50	0.51	0.65	0.61	0.55	0.75	0.76	0.89	1.18
Service	Vehicle service/repair shop	0.37	0.37	0.39	0.48	0.60	0.56	0.80	0.71	0.80	1.04	1.00	1.03	1.31	1.23	1.10	1.51	1.52	1.78	2.37
Service	Vehicle storage/maintenance	0.29	0.30	0.31	0.38	0.47	0.45	0.63	0.57	0.64	0.83	0.80	0.82	1.04	0.98	0.88	1.21	1.21	1.42	1.89
Strip Shopping Mall	Strip shopping mall	0.35	0.35	0.38	0.45	0.57	0.53	0.76	0.68	0.76	0.99	0.96	0.98	1.25	1.17	1.05	1.44	1.45	1.70	2.26
Warehouse	Distribution/ shipping center	0.20	0.20	0.21	0.26	0.32	0.31	0.43	0.39	0.44	0.57	0.55	0.56	0.71	0.67	0.60	0.83	0.83	0.97	1.29
Warehouse	Non-refrigerated warehouse	0.19	0.19	0.20	0.25	0.31	0.29	0.41	0.37	0.41	0.54	0.52	0.53	0.68	0.64	0.57	0.78	0.79	0.92	1.23
Warehouse	Refrigerated warehouse	0.03	0.04	0.04	0.05	0.06	0.05	0.08	0.07	0.08	0.10	0.10	0.10	0.12	0.12	0.11	0.14	0.15	0.17	0.23

Table A-1b – FY 2020-FY 2024 Maximum Allowable Fossil Fuel-Generated Energy Consumption by Building Category, Building Type and Climate Zone, Commercial Buildings and Multi-Family High-Rise Residential Buildings (source kBtu/yr-sqft)

Building Category	Climate Zone:	0A	0B	1A	1B	2A	2B	3A	3B	3C	4A	4B	4C	5A	5B	5C	6A	6B	7	8
	Building Type	Fossil Fuel-Generated Energy Use Intensity (site kBtu/yr-sqft)																		
Education	College/ university	2	2	2	3	3	3	4	4	4	6	5	5	7	7	6	8	8	9	13
Education	Elementary/ middle school	3	3	3	4	5	5	7	6	7	9	8	9	11	10	9	13	13	15	20
Education	High school	0	0	1	2	3	3	6	5	6	9	8	9	12	11	9	15	15	18	26
Education	Other classroom education	1	1	1	1	2	2	2	2	2	3	3	3	4	4	3	5	5	6	7
Education	Preschool/ daycare	3	3	3	4	4	4	6	5	6	8	8	8	10	9	8	11	11	13	18
Enclosed Mall	Enclosed mall	3	3	3	4	5	5	7	6	7	9	9	9	11	11	10	13	13	15	21
Food Sales	Convenience store	3	3	3	4	5	5	7	6	7	9	8	9	11	10	9	13	13	15	20
Food Sales	Convenience store with gas station	2	2	2	3	4	3	5	4	5	6	6	6	8	7	7	9	9	10	14
Food Sales	Grocery store/ food market	3	3	3	4	5	5	7	6	7	9	9	9	12	11	10	13	13	16	21
Food Sales	Other food sales	10	10	11	13	16	15	22	19	22	28	27	28	36	33	30	41	41	48	64
Food Service	Fast food	19	19	20	24	31	29	41	37	41	54	51	53	67	63	57	78	78	91	122
Food Service	Other food service	2	2	3	3	4	4	5	5	5	7	7	7	9	8	7	10	10	12	16
Food Service	Restaurant/ cafeteria	13	14	14	17	22	20	29	26	29	38	37	38	48	45	40	55	56	65	87
Inpatient Health Care	Hospital/ inpatient health	10	10	10	12	14	13	18	16	18	23	22	23	28	27	24	32	32	37	49
Laboratory	Laboratory	7	7	8	9	12	11	16	14	16	20	20	20	26	24	22	30	30	35	46
Lodging	Dormitory/ fraternity/ sorority	5	5	5	6	7	7	10	9	10	13	13	13	16	16	14	19	19	22	30
Lodging	Hotel	4	4	5	5	7	6	9	8	9	12	11	12	15	14	13	17	17	20	27
Lodging	Motel or inn	5	6	6	7	9	8	12	11	12	16	15	15	19	18	16	23	23	27	35
Lodging	Other lodging	2	2	2	3	3	3	5	4	5	6	6	6	8	7	6	9	9	10	14
Nursing	Nursing home/ assisted living	7	8	8	10	12	11	16	14	16	21	20	21	27	25	22	31	31	36	48
Office	Administrative/	3	3	3	4	4	4	6	5	6	8	8	8	10	9	8	11	11	13	18

Building Category	Climate Zone:	0A	0B	1A	1B	2A	2B	3A	3B	3C	4A	4B	4C	5A	5B	5C	6A	6B	7	8
	Building Type	Fossil Fuel-Generated Energy Use Intensity (site kBtu/yr-sqft)																		
	professional office																			
Office	Bank/ other financial	2	2	2	2	3	3	4	3	4	5	5	5	6	6	5	7	7	8	11
Office	Government office	3	3	3	4	5	4	6	5	6	8	8	8	10	9	8	12	12	14	18
Office	Medical office (non-diagnostic)	3	3	3	4	5	5	7	6	7	9	8	9	11	10	9	13	13	15	20
Office	Mixed-use office	2	2	3	3	4	4	5	5	5	7	7	7	9	8	7	10	10	12	16
Office	Other office	4	4	4	5	6	6	8	7	8	10	10	10	13	12	11	15	15	18	23
Outpatient Health Care	Clinic/other outpatient health	2	2	2	3	4	3	5	4	5	6	6	6	8	8	7	9	9	11	15
Outpatient Health Care	Medical office (diagnostic)	2	2	3	3	4	4	5	5	5	7	7	7	9	8	7	10	10	12	16
Public Assembly	Entertainment/ culture	2	2	2	2	3	3	4	3	4	5	5	5	6	6	5	7	7	9	11
Public Assembly	Library	2	2	2	3	3	3	5	4	5	6	6	6	8	7	6	9	9	10	14
Public Assembly	Other public assembly	2	2	2	3	3	3	5	4	5	6	6	6	8	7	6	9	9	10	14
Public Assembly	Recreation	2	2	2	3	4	3	5	4	5	6	6	6	8	7	7	9	9	11	14
Public Assembly	Social/meeting	3	3	3	4	4	4	6	5	6	8	7	8	10	9	8	11	11	13	18
Public Order & Safety	Fire station/ police station	5	5	5	6	8	7	11	10	11	14	13	14	17	16	15	20	20	24	32
Public Order & Safety	Other public order and safety	2	2	3	3	4	4	5	5	5	7	7	7	9	8	7	10	10	12	16
Religious Worship	Religious worship	2	2	2	3	4	3	5	4	5	6	6	6	8	7	7	9	9	11	14
Retail (except malls)	Other retail	4	4	4	5	6	6	8	7	8	10	10	10	13	12	11	15	15	17	23
Retail (except malls)	Retail store	0	0	0	1	2	2	4	3	4	6	5	5	8	7	6	9	9	12	16
Retail (except malls)	Vehicle dealership/ showroom	5	5	5	7	8	8	11	10	11	14	14	14	18	17	15	21	21	25	33
Service	Other service	5	5	6	7	9	8	12	10	12	15	14	15	19	18	16	22	22	26	34

Building Category	Climate Zone:	0A	0B	1A	1B	2A	2B	3A	3B	3C	4A	4B	4C	5A	5B	5C	6A	6B	7	8
	Building Type	Fossil Fuel-Generated Energy Use Intensity (site kBtu/yr-sqft)																		
Service	Post office/ postal center	2	2	2	3	4	3	5	4	5	6	6	6	8	7	7	9	9	11	14
Service	Repair shop	2	2	2	2	3	3	4	3	4	5	5	5	6	6	5	7	7	8	11
Service	Vehicle service/ repair shop	3	3	4	4	5	5	7	6	7	9	9	9	12	11	10	14	14	16	22
Service	Vehicle storage/ maintenance	3	3	3	3	4	4	6	5	6	8	7	7	9	9	8	11	11	13	17
Strip Shopping Mall	Strip shopping mall	3	3	3	4	5	5	7	6	7	9	9	9	11	11	10	13	13	15	21
Warehouse	Distribution/ shipping center	2	2	2	2	3	3	4	4	4	5	5	5	6	6	5	7	8	9	12
Warehouse	Non-refrigerated warehouse	2	2	2	2	3	3	4	3	4	5	5	5	6	6	5	7	7	8	11
Warehouse	Refrigerated warehouse	0	0	0	0	1	0	1	1	1	1	1	1	1	1	1	1	1	2	2

Table A-2a – FY 2025-FY 2029 Maximum Allowable Fossil Fuel-Generated Energy Consumption by Building Category, Building Type and Climate Zone, Commercial Buildings and Multi-Family High-Rise Residential Buildings (CO_2e/yr-sqft)

Building Category	Climate Zone:	0A	0B	1A	1B	2A	2B	3A	3B	3C	4A	4B	4C	5A	5B	5C	6A	6B	7	8
	Building Type	Fossil Fuel-Generated Energy Use Intensity (CO_2e/yr-sqft)																		
Education	College/ university	0.11	0.11	0.12	0.14	0.17	0.16	0.23	0.21	0.23	0.30	0.29	0.30	0.38	0.36	0.32	0.44	0.44	0.52	0.69
Education	Elementary/ middle school	0.17	0.17	0.18	0.22	0.27	0.26	0.36	0.33	0.36	0.48	0.46	0.47	0.60	0.56	0.50	0.69	0.70	0.81	1.08
Education	High school	0.01	0.01	0.03	0.09	0.17	0.14	0.31	0.25	0.31	0.48	0.45	0.47	0.66	0.61	0.52	0.81	0.81	0.99	1.41
Education	Other classroom education	0.06	0.06	0.07	0.08	0.10	0.10	0.14	0.12	0.14	0.18	0.17	0.18	0.22	0.21	0.19	0.26	0.26	0.31	0.41
Education	Preschool/dayc are	0.15	0.15	0.16	0.20	0.25	0.23	0.33	0.30	0.33	0.43	0.42	0.43	0.54	0.51	0.46	0.63	0.63	0.74	0.98
Enclosed Mall	Enclosed mall	0.17	0.18	0.19	0.23	0.29	0.27	0.38	0.34	0.38	0.50	0.48	0.49	0.63	0.59	0.53	0.73	0.73	0.85	1.14
Food Sales	Convenience store	0.17	0.17	0.18	0.22	0.27	0.25	0.36	0.32	0.36	0.48	0.46	0.47	0.60	0.56	0.50	0.69	0.69	0.81	1.08
Food Sales	Convenience store with gas station	0.12	0.12	0.13	0.15	0.19	0.18	0.26	0.23	0.26	0.34	0.33	0.33	0.42	0.40	0.36	0.49	0.49	0.58	0.77
Food Sales	Grocery store/ food market	0.18	0.18	0.19	0.23	0.29	0.27	0.39	0.35	0.39	0.51	0.49	0.50	0.63	0.60	0.54	0.74	0.74	0.86	1.15
Food Sales	Other food sales	0.55	0.55	0.59	0.71	0.89	0.84	1.19	1.07	1.19	1.56	1.50	1.54	1.96	1.85	1.65	2.27	2.28	2.66	3.55
Food Service	Fast food	1.03	1.05	1.11	1.35	1.68	1.58	2.25	2.01	2.26	2.95	2.83	2.91	3.69	3.48	3.12	4.28	4.30	5.03	6.71
Food Service	Other food service	0.13	0.14	0.14	0.18	0.22	0.21	0.29	0.26	0.29	0.38	0.37	0.38	0.48	0.45	0.41	0.56	0.56	0.65	0.87
Food Service	Restaurant/cafe teria	0.74	0.75	0.79	0.96	1.20	1.13	1.60	1.43	1.61	2.10	2.02	2.07	2.63	2.48	2.22	3.05	3.06	3.58	4.78
Inpatient Health Care	Hospital/ inpatient health	0.53	0.54	0.56	0.65	0.78	0.74	1.00	0.91	1.00	1.26	1.22	1.25	1.55	1.47	1.33	1.77	1.78	2.06	2.70
Laboratory	Laboratory	0.39	0.40	0.42	0.51	0.64	0.60	0.86	0.77	0.86	1.12	1.08	1.11	1.41	1.33	1.19	1.63	1.64	1.92	2.56
Lodging	Dormitory/ fraternity/ sorority	0.25	0.26	0.27	0.33	0.41	0.39	0.55	0.49	0.55	0.72	0.70	0.71	0.91	0.85	0.76	1.05	1.06	1.23	1.65
Lodging	Hotel	0.23	0.23	0.25	0.30	0.38	0.35	0.50	0.45	0.50	0.66	0.63	0.65	0.82	0.78	0.70	0.96	0.96	1.12	1.50
Lodging	Motel or inn	0.30	0.30	0.32	0.39	0.49	0.46	0.65	0.58	0.66	0.86	0.82	0.84	1.07	1.01	0.91	1.24	1.25	1.46	1.95
Lodging	Other lodging	0.12	0.12	0.13	0.15	0.19	0.18	0.25	0.23	0.25	0.33	0.32	0.33	0.42	0.39	0.35	0.48	0.48	0.57	0.75
Nursing	Nursing home/ assisted living	0.41	0.42	0.44	0.53	0.67	0.63	0.89	0.80	0.89	1.17	1.12	1.15	1.46	1.38	1.24	1.70	1.71	1.99	2.66

Building Category	Climate Zone:	0A	0B	1A	1B	2A	2B	3A	3B	3C	4A	4B	4C	5A	5B	5C	6A	6B	7	8
	Building Type	Fossil Fuel-Generated Energy Use Intensity (CO_2e/yr-sqft)																		
Office	Administrative/ professional office	0.15	0.15	0.16	0.20	0.25	0.23	0.33	0.29	0.33	0.43	0.41	0.43	0.54	0.51	0.46	0.63	0.63	0.74	0.98
Office	Bank/other financial	0.09	0.09	0.10	0.12	0.15	0.14	0.20	0.18	0.20	0.26	0.25	0.26	0.33	0.31	0.28	0.38	0.38	0.45	0.60
Office	Government office	0.15	0.16	0.17	0.20	0.25	0.24	0.33	0.30	0.34	0.44	0.42	0.43	0.55	0.52	0.46	0.64	0.64	0.75	1.00
Office	Medical office (non-diagnostic)	0.17	0.17	0.18	0.22	0.28	0.26	0.37	0.33	0.37	0.49	0.47	0.48	0.61	0.58	0.51	0.71	0.71	0.83	1.11
Office	Mixed-use office	0.13	0.13	0.14	0.17	0.22	0.20	0.29	0.26	0.29	0.38	0.36	0.37	0.47	0.45	0.40	0.55	0.55	0.64	0.86
Office	Other office	0.20	0.20	0.21	0.26	0.32	0.30	0.43	0.39	0.43	0.57	0.54	0.56	0.71	0.67	0.60	0.82	0.83	0.97	1.29
Outpatient Health Care	Clinic/ other outpatient health	0.13	0.13	0.13	0.16	0.20	0.19	0.27	0.24	0.27	0.36	0.34	0.35	0.45	0.42	0.38	0.52	0.52	0.61	0.81
Outpatient Health Care	Medical office (diagnostic)	0.13	0.14	0.14	0.18	0.22	0.21	0.29	0.26	0.29	0.38	0.37	0.38	0.48	0.45	0.41	0.56	0.56	0.65	0.87
Public Assembly	Entertainment/ culture	0.10	0.10	0.11	0.13	0.16	0.15	0.21	0.19	0.21	0.28	0.27	0.27	0.35	0.33	0.29	0.40	0.41	0.48	0.63
Public Assembly	Library	0.12	0.12	0.13	0.15	0.19	0.18	0.25	0.23	0.25	0.33	0.32	0.33	0.42	0.39	0.35	0.48	0.49	0.57	0.76
Public Assembly	Other public assembly	0.12	0.12	0.13	0.15	0.19	0.18	0.25	0.23	0.26	0.33	0.32	0.33	0.42	0.39	0.35	0.49	0.49	0.57	0.76
Public Assembly	Recreation	0.12	0.12	0.13	0.16	0.20	0.18	0.26	0.23	0.26	0.34	0.33	0.34	0.43	0.41	0.36	0.50	0.50	0.59	0.78
Public Assembly	Social/ meeting	0.15	0.15	0.16	0.19	0.24	0.23	0.32	0.29	0.33	0.42	0.41	0.42	0.53	0.50	0.45	0.62	0.62	0.72	0.97
Public Order & Safety	Fire station /police station	0.27	0.27	0.29	0.35	0.44	0.41	0.59	0.53	0.59	0.77	0.74	0.76	0.96	0.91	0.81	1.12	1.12	1.31	1.75
Public Order & Safety	Other public order and safety	0.13	0.13	0.14	0.17	0.22	0.20	0.29	0.26	0.29	0.38	0.36	0.37	0.47	0.45	0.40	0.55	0.55	0.64	0.86
Religious Worship	Religious worship	0.12	0.12	0.13	0.16	0.19	0.18	0.26	0.23	0.26	0.34	0.33	0.34	0.43	0.40	0.36	0.50	0.50	0.58	0.78
Retail (except malls)	Other retail	0.20	0.20	0.21	0.26	0.32	0.30	0.43	0.39	0.43	0.57	0.54	0.56	0.71	0.67	0.60	0.82	0.82	0.96	1.29
Retail (except malls)	Retail store	0.01	0.01	0.02	0.06	0.11	0.09	0.20	0.16	0.20	0.31	0.29	0.30	0.43	0.39	0.34	0.52	0.52	0.64	0.90
Retail (except malls)	Vehicle dealership/ showroom	0.28	0.28	0.30	0.37	0.46	0.43	0.61	0.55	0.61	0.80	0.77	0.79	1.00	0.94	0.84	1.16	1.17	1.36	1.82

Building Category	Climate Zone:	0A	0B	1A	1B	2A	2B	3A	3B	3C	4A	4B	4C	5A	5B	5C	6A	6B	7	8
	Building Type	Fossil Fuel-Generated Energy Use Intensity (CO_2e/yr-sqft)																		
Service	Other service	0.29	0.29	0.31	0.38	0.47	0.45	0.63	0.57	0.64	0.83	0.80	0.82	1.04	0.98	0.88	1.21	1.21	1.42	1.89
Service	Post office/ postal center	0.12	0.12	0.13	0.16	0.20	0.19	0.27	0.24	0.27	0.35	0.33	0.34	0.44	0.41	0.37	0.50	0.51	0.59	0.79
Service	Repair shop	0.09	0.09	0.10	0.12	0.15	0.14	0.20	0.18	0.20	0.26	0.25	0.26	0.33	0.31	0.27	0.38	0.38	0.44	0.59
Service	Vehicle service/ repair shop	0.18	0.19	0.20	0.24	0.30	0.28	0.40	0.36	0.40	0.52	0.50	0.51	0.65	0.62	0.55	0.76	0.76	0.89	1.19
Service	Vehicle storage/ maintenance	0.15	0.15	0.16	0.19	0.24	0.22	0.32	0.28	0.32	0.42	0.40	0.41	0.52	0.49	0.44	0.60	0.61	0.71	0.95
Strip Shopping Mall	Strip shopping mall	0.17	0.18	0.19	0.23	0.28	0.27	0.38	0.34	0.38	0.50	0.48	0.49	0.62	0.59	0.53	0.72	0.73	0.85	1.13
Warehouse	Distribution/ shipping center	0.10	0.10	0.11	0.13	0.16	0.15	0.22	0.19	0.22	0.28	0.27	0.28	0.36	0.34	0.30	0.41	0.41	0.49	0.65
Warehouse	Non-refrigerated warehouse	0.09	0.10	0.10	0.12	0.15	0.14	0.21	0.18	0.21	0.27	0.26	0.27	0.34	0.32	0.29	0.39	0.39	0.46	0.61
Warehouse	Refrigerated warehouse	0.02	0.02	0.02	0.02	0.03	0.03	0.04	0.03	0.04	0.05	0.05	0.05	0.06	0.06	0.05	0.07	0.07	0.08	0.11

Table A-2b – FY 2025-FY 2029 Maximum Allowable Fossil Fuel-Generated Energy Consumption by Building Category, Building Type and Climate Zone, Commercial Buildings and Multi-Family High-Rise Residential Buildings (site kBtu/yr-sqft)

Building Category	Climate Zone:	0A	0B	1A	1B	2A	2B	3A	3B	3C	4A	4B	4C	5A	5B	5C	6A	6B	7	8
	Building Type	Fossil Fuel-Generated Energy Use Intensity (site kBtu/yr-sqft)																		
Education	College/ university	1	1	1	1	2	1	2	2	2	3	3	3	3	3	3	4	4	5	6
Education	Elementary/ middle school	2	2	2	2	2	2	3	3	3	4	4	4	5	5	5	6	6	7	10
Education	High school	0	0	0	1	2	1	3	2	3	4	4	4	6	6	5	7	7	9	13
Education	Other classroom education	1	1	1	1	1	1	1	1	1	2	2	2	2	2	2	2	2	3	4
Education	Preschool/ daycare	1	1	1	2	2	2	3	3	3	4	4	4	5	5	4	6	6	7	9
Enclosed Mall	Enclosed mall	2	2	2	2	3	2	3	3	3	5	4	4	6	5	5	7	7	8	10
Food Sales	Convenience store	2	2	2	2	2	2	3	3	3	4	4	4	5	5	5	6	6	7	10
Food Sales	Convenience store with gas station	1	1	1	1	2	2	2	2	2	3	3	3	4	4	3	4	4	5	7
Food Sales	Grocery store/ food market	2	2	2	2	3	2	4	3	4	5	4	5	6	5	5	7	7	8	10
Food Sales	Other food sales	5	5	5	6	8	8	11	10	11	14	14	14	18	17	15	21	21	24	32
Food Service	Fast food	9	9	10	12	15	14	20	18	20	27	26	26	34	32	28	39	39	46	61
Food Service	Other food service	1	1	1	2	2	2	3	2	3	3	3	3	4	4	4	5	5	6	8
Food Service	Restaurant/ cafeteria	7	7	7	9	11	10	15	13	15	19	18	19	24	23	20	28	28	33	43
Inpatient Health Care	Hospital/ inpatient health	5	5	5	6	7	7	9	8	9	11	11	11	14	13	12	16	16	19	24
Laboratory	Laboratory	4	4	4	5	6	5	8	7	8	10	10	10	13	12	11	15	15	17	23
Lodging	Dormitory/ fraternity/ sorority	2	2	2	3	4	4	5	4	5	7	6	6	8	8	7	10	10	11	15
Lodging	Hotel	2	2	2	3	3	3	5	4	5	6	6	6	7	7	6	9	9	10	14
Lodging	Motel or inn	3	3	3	4	4	4	6	5	6	8	7	8	10	9	8	11	11	13	18
Lodging	Other lodging	1	1	1	1	2	2	2	2	2	3	3	3	4	4	3	4	4	5	7
Nursing	Nursing home/ assisted living	4	4	4	5	6	6	8	7	8	11	10	10	13	13	11	15	15	18	24
Office	Administrative/ professional office	1	1	1	2	2	2	3	3	3	4	4	4	5	5	4	6	6	7	9

Building Category	Climate Zone:	0A	0B	1A	1B	2A	2B	3A	3B	3C	4A	4B	4C	5A	5B	5C	6A	6B	7	8
	Building Type	Fossil Fuel-Generated Energy Use Intensity (site kBtu/yr-sqft)																		
Office	Bank/ other financial	1	1	1	1	1	1	2	2	2	2	2	2	3	3	3	3	3	4	5
Office	Government office	1	1	2	2	2	2	3	3	3	4	4	4	5	5	4	6	6	7	9
Office	Medical office (non-diagnostic)	2	2	2	2	3	2	3	3	3	4	4	4	6	5	5	6	6	8	10
Office	Mixed-use office	1	1	1	2	2	2	3	2	3	3	3	3	4	4	4	5	5	6	8
Office	Other office	2	2	2	2	3	3	4	4	4	5	5	5	6	6	5	7	7	9	12
Outpatient Health Care	Clinic/ other outpatient health	1	1	1	1	2	2	2	2	2	3	3	3	4	4	3	5	5	6	7
Outpatient Health Care	Medical office (diagnostic)	1	1	1	2	2	2	3	2	3	3	3	3	4	4	4	5	5	6	8
Public Assembly	Entertainment/ culture	1	1	1	1	1	1	2	2	2	3	2	2	3	3	3	4	4	4	6
Public Assembly	Library	1	1	1	1	2	2	2	2	2	3	3	3	4	4	3	4	4	5	7
Public Assembly	Other public assembly	1	1	1	1	2	2	2	2	2	3	3	3	4	4	3	4	4	5	7
Public Assembly	Recreation	1	1	1	1	2	2	2	2	2	3	3	3	4	4	3	5	5	5	7
Public Assembly	Social/meeting	1	1	1	2	2	2	3	3	3	4	4	4	5	5	4	6	6	7	9
Public Order & Safety	Fire station/ police station	2	2	3	3	4	4	5	5	5	7	7	7	9	8	7	10	10	12	16
Public Order & Safety	Other public order and safety	1	1	1	2	2	2	3	2	3	3	3	3	4	4	4	5	5	6	8
Religious Worship	Religious worship	1	1	1	1	2	2	2	2	2	3	3	3	4	4	3	4	5	5	7
Retail (except malls)	Other retail	2	2	2	2	3	3	4	3	4	5	5	5	6	6	5	7	7	9	12
Retail (except malls)	Retail store	0	0	0	1	1	1	2	1	2	3	3	3	4	4	3	5	5	6	8
Retail (except malls)	Vehicle dealership/ showroom	3	3	3	3	4	4	6	5	6	7	7	7	9	9	8	11	11	12	16
Service	Other service	3	3	3	3	4	4	6	5	6	8	7	7	9	9	8	11	11	13	17
Service	Post office/ postal center	1	1	1	1	2	2	2	2	2	3	3	3	4	4	3	5	5	5	7

Building Category	Climate Zone:	0A	0B	1A	1B	2A	2B	3A	3B	3C	4A	4B	4C	5A	5B	5C	6A	6B	7	8
	Building Type	Fossil Fuel-Generated Energy Use Intensity (site kBtu/yr-sqft)																		
Service	Repair shop	1	1	1	1	1	1	2	2	2	2	2	2	3	3	2	3	3	4	5
Service	Vehicle service/repair shop	2	2	2	2	3	3	4	3	4	5	5	5	6	6	5	7	7	8	11
Service	Vehicle storage/ maintenance	1	1	1	2	2	2	3	3	3	4	4	4	5	4	4	5	6	6	9
Strip Shopping Mall	Strip shopping mall	2	2	2	2	3	2	3	3	3	5	4	4	6	5	5	7	7	8	10
Warehouse	Distribution/ shipping center	1	1	1	1	1	1	2	2	2	3	2	3	3	3	3	4	4	4	6
Warehouse	Non-refrigerated warehouse	1	1	1	1	1	1	2	2	2	2	2	2	3	3	3	4	4	4	6
Warehouse	Refrigerated warehouse	0	0	0	0	0	0	0	0	0	0	0	0	1	1	0	1	1	1	1

Subpart C—Green Building Certification for Federal Buildings

§ 433.300 Green building certification.

(a) If a Federal agency chooses to use a green building certification system to certify a new Federal building or a Federal building undergoing a major renovation and such building is also either a public building (as defined in 40 U.S.C. 3301) for which transmittal of a prospectus to Congress is required under 40 U.S.C. 3307, or a Federal building for which estimated new building or major renovation design and construction costs are at least $2,500,000 (in 2007 dollars, adjusted for inflation), and design for construction began on or after October 14, 2015.

(b) The system under which the building is certified must:

(1) Allow assessors and auditors to independently verify the criteria and measurement metrics of the system;

(2) Be developed by a certification organization that:

(i) Provides an opportunity for public comment on the system; and

(ii) Provides an opportunity for development and revision of the system through a consensus-based process;

(3) Be nationally recognized within the building industry;

(4) Be subject to periodic evaluation and assessment of the environmental and energy benefits that result under the rating system; and

(5) Include a verification system for post-occupancy assessment of the rated buildings to demonstrate continued energy and water savings at least every four years after initial occupancy.

(c) *Certification level.* The building must be certified to a level that promotes the high performance sustainable building guidelines referenced in Executive Order 13423 ''Strengthening Federal Environmental, Energy, and Transportation Management'' and Executive Order 13514 ''Federal Leadership in Environmental, Energy and Economic Performance.''

[79 FR 61570, Oct. 14, 2014]

PART 434—ENERGY CODE FOR NEW FEDERAL COMMERCIAL AND MULTI-FAMILY HIGH RISE RESIDENTIAL BUILDINGS

Sec.

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434.701 General.

AUTHORITY: 42 U.S.C. 6831–6832, 6834–6836; 42 U.S.C. 8253–54; 42 U.S.C. 7101, *et seq*.

SOURCE: 65 FR 60012, Oct. 6, 2000, unless otherwise noted.

§ 434.99 Explanation of numbering system for codes.

(a) For purposes of this part, a derivative of two different numbering systems will be used.

(1) For the purpose of designating a section, the system employed in the Code of Federal Regulations (CFR) will be employed. The number ''434'' which signifies part 434 in chapter II of Title 10, Code of Federal Regulations, is used as a prefix for all section headings. The suffix is a two or three digit section number. For example the lighting section of the standards is designated § 434.401.

(2) Within each section, a numbering system common to many national voluntary consensus standards is used. A decimal system is used to denote paragraphs and subparagraphs within a section. For example, in § 434.401, ''401.2.1'' refers to subsection 401, paragraph 2, subparagraph 1.

(b) The hybrid numbering system is used for two purposes:

(1) The use of the Code of Federal Regulations' numbering system allows the researcher using the CFR easy access to the standards.

(2) The use of the second system allows the builder, designer, architect or engineer easy access because they are familiar to this system numbering. This system was chosen because of its commonality among the building industry.

Subpart A—Administration and Enforcement—General

§ 434.100 Purpose.

The provisions of this part provide minimum standards for energy efficiency for the design of new Federal commercial and multi-family high rise residential buildings, for which design for construction began before January 3, 2007. The performance standards are designed to achieve the maximum practicable improvements in energy efficiency and increases in the use of non-depletable sources of energy. This rule is based upon the ASHRAE/IESNA Standard 90.1–1989 and addenda b, c, d, e, f, g, and i. (This document is available from the American Society of Heating, Refrigerating and Air-Conditioning Engineers, Inc., 1791 Tullie Circle NE, Atlanta, GA.) It is not incorporated by reference in this document, but is mentioned for informational purposes only.

[71 FR 70283, Dec. 4, 2006]

§ 434.101 Scope.

101.1 This part provides design requirements for the building envelope, electrical distribution systems and equipment for electric power, lighting, heating, ventilating, air conditioning, service water heating and energy management. It applies to new Federal multi-family high rise residential buildings and new Federal commercial buildings, for which design for construction began before January 3, 2007.

101.1.1 (a) Except as provided by section 101.2, the provisions of this part apply if an agency is constructing:

(1) A building that has never been in service;

(2) An addition for which design for construction began before January 3, 2007, that adds new space with provision for a heating or cooling system, or both, or for a hot water system; or

(3) A substantial renovation of a building for which design for construction began before January 3, 2007, involving replacement of a heating or cooling system, or both, or hot water system, that is either in service or has been in service.

101.2 The provisions of this part do not apply to:

101.2.1 Buildings, or portions thereof separated from the remainder of the building, that have a peak energy usage for space conditioning, service water heating, and lighting of less than 3.5 Btu/(h•ft^2 of gross floor area.

101.2.2 Buildings of less than 100 square feet of gross floor area.

101.2.3 Heating, cooling, ventilating, or service hot water requirements for those spaces where processes occur for purposes other than occupant comfort and sanitation, and which impose thermal loads in excess of 5% of the loads that would otherwise be required for occupant comfort and sanitation without the process;

101.2.4 Envelope requirements for those spaces where heating or cooling requirements are excepted in subsection 101.2.3 of this section.

101.2.5 Lighting for tasks not listed or encompassed by areas or activities listed in Tables 401.3.2b, 401.3.2c and 401.3.2d.

101.2.6 Buildings that are composed entirely of spaces listed in subsections 101.2.4 and 101.2.5.

101.2.7 Individual components of a building under renovation, if the building components are not in the scope of a renovation as defined by the agency.

[65 FR 60012, Oct. 6, 2000, as amended at 71 FR 70283, Dec. 4, 2006; 72 FR 72571, Dec. 21, 2007]

§ 434.102 Compliance.

102.1 A covered building must be designed and constructed consistent with the provisions of subpart D of this part.

102.2 Buildings designed and constructed to meet the alternative requirements of subparts E or F of this part shall be deemed to satisfy the requirements of this part. Such designs shall be certified by a registered architect or engineer stating that the estimated energy cost or energy use for the building as designed is no greater than the energy cost or energy use of a prototype building or reference building as determined pursuant to subparts E or F of this part.

§ 434.103 Referenced standards (RS).

103.1 The standards, technical handbooks, papers and regulations listed in § 434.701, shall be considered part of this part to the prescribed extent of such reference. Where differences occur between the provisions of this part and referenced standards, the provisions of this part shall apply. Whenever a reference is made in this part to an RS standard it refers to the standards listed in § 434.701.

§ 434.105 Materials and equipment.

105.1 Building materials and equipment shall be identified in designs in a manner that will allow for a determination of their compliance with the applicable provisions of this part.

Subpart B—Definitions

§ 434.201 Definitions.

For the purposes of this part, the following terms, phrases, and words shall be defined as provided:

Accessible (as applied to equipment): admitting close approach; not guarded by locked doors, elevations, or other effective means. (See also ''readily accessible'')

Annual Fuel Utilization Efficiency (AFUE): the ratio of annual output energy to annual input energy that includes any non-heating season pilot input loss.

Area of the space (A): the horizontal lighted area of a given space measured from the inside of the perimeter walls or partitions, at the height of the working surface.

Automatic: self-acting, operating by its own mechanism when actuated by some impersonal influence, such as a change in current strength, pressure, temperature, or mechanical configuration. (See also''manual'')

Automatic flue damper device: an electrically operated device, in the flue outlet or in the inlet of or upstream of the draft hood of an individual automatically operated gas-fired appliance, which is designed to automatically open the flue outlet during appliance operation and to automatically close off the flue outlet when the appliance is in a standby condition.

Automatic vent damper device: a device intended for installation in the venting system, in the outlet of or downstream of the appliance draft hood, of an individual automatically operated gas-fired appliance, which is designed to automatically open the venting system when the appliance is in operation and

to automatically close off the venting system when the appliance is in a standby or shutdown condition.

(1) *Electrically operated:* an automatic vent damper device that employs electrical energy to control the device.

(2) *Thermally actuated:* an automatic vent damper device dependent for operation exclusively upon the direct conversion of the thermal energy of the vent gases into mechanical energy.

Boiler capacity: the rated heat output of the boiler, in Btu/h, at the design inlet and outlet conditions and rated fuel or energy input.

Building: means any structure to be constructed which includes provision for a heating or cooling system, or both, or for a hot water system.

Building code: means a legal instrument which is in effect in a State or unit of general purpose local government, the provisions of which must be adhered to if a building is to be considered to be in conformance with law and suitable for occupancy and use.

Building envelope: the elements of a building that enclose conditioned spaces through which thermal energy may be transferred to or from the exterior or to or from unconditioned spaces.

Check metering: measurement instrumentation for the supplementary monitoring of energy consumption (electric, gas, oil, etc.) to isolate the various categories of energy use to permit conservation and control, in addition to the revenue metering furnished by the utility.

Coefficient of performance (COP)—Cooling: the ratio of the rate of heat removal to the rate of energy input, in consistent units, for a complete cooling system or factory assembled equipment, as tested under a nationally recognized standard or designated operating conditions.

Coefficient of performance (COP) heat pump—Heating: the ratio of the rate of heat delivered to the rate of energy input, in consistent units, for a complete heat pump system under designated operating conditions.

Commercial building: a building other than a residential building, including any building developed for industrial or public purposes. Including but not limited to occupancies for assembly, business, education, institutions, food sales and service, merchants, and storage.

Conditioned floor area: the area of the conditioned space measured at floor level from the interior surfaces of the walls.

Conditioned space: a cooled space, heated space, or indirectly conditioned space.

Cooled space: an enclosed space within a building that is cooled by a cooling system whose sensible capacity:

(1) Exceeds 5 Btu/(h·ft^2); or

(2) Is capable of maintaining a space dry bulb temperature of 90 °F or less at design cooling conditions.

Daylight sensing control (DS): a device that automatically regulates the power input to electric lighting near the fenestration to maintain the desired workplace illumination, thus taking advantage of direct or indirect sunlight.

Daylighted space: the space bounded by vertical planes rising from the boundaries of the daylighted area on the floor to the floor or roof above.

Daylighted zone:

(1) Under skylights: the area under each skylight whose horizontal dimension in each direction is equal to the skylight dimension in that direction plus either the floor-to-ceiling height or the dimension to an opaque partition, or one-half the distance to an adjacent skylight or vertical glazing, whichever is least.

(2) At vertical glazing: the area adjacent to vertical glazing that receives daylighting from the glazing. For purposes of this definition and unless more detailed daylighting analysis is provided, the daylighting zone depth is assumed to extend into the space a distance of 15 ft or to the nearest opaque partition, whichever is less. The daylighting zone width is assumed to be the width of the window plus either 2 ft on each side, the distance to an opaque partition, or one half the distance to an adjacent skylight or vertical glazing, whichever is least.

Dead band (dead zone): the range of values within which an input variable that can be varied without initiating any noticeable change in the output variable.

Degree-day, cooling: a unit, based upon temperature difference and time,

used in estimating cooling energy consumption. For any one day, when the mean temperature is more than a reference temperature, typically 65 °F, there are as many degree-days as degrees Fahrenheit temperature difference between the mean temperature for the day and the reference temperature. Annual cooling degree-days (CDD) are the sum of the degree-days over a calendar year.

Degree-day, heating: a unit, based upon temperature difference and time, used in estimating heating energy consumption. For any one day, when the mean temperature is less than a reference temperature, typically 65 °F, there are as many degree-days as degrees Fahrenheit temperature difference between the mean temperature for the day and the reference temperature. Annual heating degree days (HDD) are the sum of the degree-days over a calendar year.

Dwelling unit: a single housekeeping unit comprised of one or more rooms providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

Economizer, air: a ducting arrangement and automatic control system that allows a cooling supply fan system to supply outdoor (outside) air to reduce or eliminate the need for mechanical refrigeration during mild or cold weather.

Economizer, water: a system by which the supply air of a cooling system is cooled directly or indirectly or both by evaporation of water or by other appropriate fluid in order to reduce or eliminate the need for mechanical refrigeration.

Efficiency, HVAC system: the ratio of the useful energy output, at the point of use to the energy input in consistent units, for a designated time period, expressed in percent.

Emergency system (back-up system): a system that exists for the purpose of operating in the event of failure of a primary system.

Emergency use: electrical and lighting systems required to supply power automatically for illumination and equipment in the event of a failure of the normal power supply.

Energy efficiency ratio (EER): the ratio of net equipment cooling capacity in Btu/h to total rate of electric input in watts under designated operating conditions. When consistent units are used, this ratio becomes equal to COP. (See also ''coefficient of performance''.)

Fan system energy demand: the sum of the demand of all fans that are required to operate at design conditions to supply air from the heating or cooling source to the conditioned space(s) and return it back to the source or exhaust it to the outdoors.

Federal Agency: means any department, agency, corporation, or other entity or instrumentality of the executive branch of the Federal Government, including the United States Postal Service, the Federal National Mortgage Association, and the Federal Home Loan Mortgage Corporation.

Federal Building: means any building to be constructed by, or for the use of, any Federal Agency which is not legally subject to State or local building codes or similar requirements.

Fenestration: any light-transmitting section in a building wall or roof. The fenestration includes glazing material (which may be glass or plastic), framing (mullions, muntins, and dividers), external shading devices, internal shading devices, and integral (between glass) shading devices.

Fenestration area: the total area of fenestration measured using the rough opening and including the glass or plastic, sash, and frame. For doors where the glazed vision area is less than 50% of the door area, the fenestration area is glazed vision area. For all other doors, the fenestration area is the door area.

Flue damper: a device, in the flue outlet or in the inlet of or upstream of the draft hood of an individual automatically operated gas-fired appliance, which is designed to automatically open the flue outlet during appliance operation and to automatically close off the flue outlet when the appliance is in a standby condition.

Gross floor area: the sum of the floor areas of the conditioned spaces within the building, including basements, mezzanine and intermediate-floor tiers, and penthouses of headroom height 7.5 ft or greater. It is measured from the

exterior faces of exterior walls or from the centerline of walls separating buildings (excluding covered walkways, open roofed-over areas, porches and similar spaces, pipe trenches, exterior terraces or steps, chimneys, roof overhangs, and similar features).

Gross lighted area (GLA): the sum of the total lighted areas of a building measured from the inside of the perimeter walls for each floor of the building.

Heat capacity (HC): the amount of heat necessary to raise the temperature of a given mass 1 °F. Numerically, the mass expressed per unit of wall surface multiplied by the specific heat Btu/(ft^2·°F).

Heat trap: device or piping arrangement that effectively restricts the natural tendency of hot water to rise in vertical pipes during standby periods. Examples are the U-shaped arrangement of elbows or a 360-degree loop of tubing.

Heated space: an enclosed space within a building that is heated by a heating system whose output capacity

(1) Exceeds 10 Btu/(h·ft^2), or

(2) Is capable of maintaining a space dry-bulb temperature of 50 °F or more at design heating conditions.

Heating seasonal performance factor (HSPF): the total heating output of a heat pump during its normal annual usage period for heating, in Btu, divided by the total electric energy input during the same period, in watt-hours.

High rise residential building: hotels, motels, apartments, condominiums, dormitories, barracks, and other residential-type facilities that provide complete housekeeping or transient living quarters and are over three stories in height above grade.

Humidistat: an automatic control device responsive to changes in humidity.

HVAC system: the equipment, distribution network, and terminals that provide either collectively or individually the processes of heating, ventilating, or air conditioning to a building.

Indirectly conditioned space: an enclosed space within the building that is not a heated or cooled space, whose area-weighted heat transfer coefficient to heated or cooled spaces exceeds that to the outdoors or to unconditioned spaces; or through which air from heated or cooled spaces is transferred at a rate exceeding three air changes per hour. (See also ''heated space'', ''cooled space'', and ''unconditioned space''.)

Infiltration: the uncontrolled inward air leakage through cracks and crevices in any building element and around windows and doors of a building.

Integrated part-load value (IPLV): a single-number figure of merit based on part-load EER or COP expressing part-load efficiency for air-conditioning and heat pump equipment on the basis of weighted operation at various load capacities for the equipment.

Lumen maintenance control: a device that senses the illumination level and causes an increase or decrease of illuminance to maintain a preset illumination level.

Manual: action requiring personal intervention for its control. As applied to an electric controller, manual control does not necessarily imply a manual controller but only that personal intervention is necessary. (See automatic.)

Marked rating: the design load operating conditions of a device as shown by the manufacturer on the nameplate or otherwise marked on the device.

Multi-family high rise residential: a residential building containing three or more dwelling units and is designed to be 3 or more stories above grade.

Occupancy sensor: a device that detects the presence or absence of people within an area and causes any combination of lighting, equipment, or appliances to be adjusted accordingly.

Opaque areas: all exposed areas of a building envelope that enclose conditioned space except fenestration areas and building service openings such as vents and grilles.

Orientation: the directional placement of a building on a building site with reference to the building's longest horizontal axis or, if there is no longest horizontal axis, then with reference to the designated main entrance.

Outdoor air: air taken from the exterior of the building that has not been previously circulated through the building. (See ''ventilation air'')

Ozone depletion factor: a relative measure of the potency of chemicals in

depleting stratospheric ozone. The ozone depletion factor potential depends upon the chlorine and the bromine content and atmospheric lifetime of the chemical. The depletion factor potential is normalized such that the factor for CFC–11 is set equal to unity and the factors for the other chemicals indicate their potential relative to CFC–11.

Packaged terminal air conditioner (PTAC): a factory-selected wall sleeve and separate unencased combination of heating and cooling components, assemblies, or sections (intended for mounting through the wall to serve a single room or zone). It includes heating capability by hot water, steam, or electricity.

Packaged terminal heat pump: a PTAC capable of using the refrigeration system in a reverse cycle or heat pump mode to provide heat.

Plenum: an enclosure that is part of the air-handling system and is distinguished by having a very low air velocity. A plenum often is formed in part or in total by portions of the building.

Private driveways, walkways, and parking lots: exterior transit areas that are associated with a commercial or residential building and intended for use solely by the employees or tenants and not by the general public.

Process energy: energy consumed in support of a manufacturing, industrial, or commercial process other than the maintenance of comfort and amenities for the occupants of a building.

Process load: the calculated or measured time-integrated load on a building resulting from the consumption or release of process energy.

Programmable: capable of being preset to certain conditions and having self-initiation to change to those conditions.

Projection factor: the exterior horizontal shading projection depth divided by the sum of the height of the fenestration and the distance from the top of the fenestration to the bottom of the external shading projection in units consistent with the projection depth.

Prototype building: a generic building design of the same size and occupancy type as the proposed design that complies with the prescriptive requirements of subpart D of this part and has prescribed assumptions used to generate the energy budget concerning shape, orientation, and HVAC and other system designs.

Public driveways, walkways, and parking lots: exterior transit areas that are intended for use by the general public.

Public facility restroom: a restroom used by the transient public.

Readily accessible: capable of being reached quickly for operation, renewal, or inspections without requiring those to whom ready access is requisite to climb over or remove obstacles or to resort to portable ladders, chairs, etc. (See also accessible.)

Recooling: lowering the temperature of air that has been previously heated by a heating system.

Reference building: a specific building design that has the same form, orientation, and basic systems as the prospective design that is to be evaluated for compliance and meets all the criteria listed in subsection 501.2 or subsection 601.2.

Reheating: raising the temperature of air that has been previously cooled either by refrigeration or an economizer system.

Reset: adjustment of the controller setpoint to a higher or lower value automatically or manually.

Roof: those portions of the building envelope, including all opaque surfaces, fenestration, doors, and hatches, that are above conditioned space and are horizontal or tilted at less than 60° from horizontal. (See also''walls'')

Room air conditioner: an encased assembly designed as a unit to be mounted in a window or through a wall or as a console. It is designed primarily to provide free delivery of conditioned air to an enclosed space, room, or zone. It includes a prime source of refrigeration for cooling and dehumidification and means for circulating and cleaning air and may also include means for ventilating and heating.

Seasonal energy efficiency ratio (SEER): the total cooling output of an air conditioner during its normal annual usage period for cooling, in Btu, divided by the total electric energy input during the same period, in watt-hours.

Service systems: all energy-using or energy-distributing components in a

building that are operated to support the occupant or process functions housed therein (including HVAC, service water heating, illumination, transportation, cooking or food preparation, laundering, or similar functions).

Service water heating: the supply of hot water for purposes other than comfort heating and process requirements.

Shading coefficient (SC): the ratio of solar heat gain through fenestration under a specific set of conditions, with or without integral shading devices, to that occurring through unshaded ⅛-in-thick clear double-strength glass under the same conditions.

Shell Building: a building for which the envelope is designed, constructed, or both prior to knowing the occupancy type. (See also ''speculative building'')

Single-Line Diagram: a simplified schematic drawing that shows the connection between two or more items. Common multiple connections are shown as one line.

Skylight: glazing that is horizontal or tilted less than 60° from horizontal.

Solar energy source: natural daylighting or thermal, chemical, or electrical energy derived from direct conversion of incident solar radiation at the building site.

Solar heat gain coefficient (SHGC): the ratio of the solar heat gain entering the space through the fenestration area to the incident solar radiation. Solar heat gain includes directly transmitted solar heat and absorbed solar radiation, which is then reradiated, conducted, or convected into the space. (See fenestration area)

Speculative building: a building for which the envelope is designed, constructed, or both prior to the design of the lighting, HVAC systems, or both. A speculative building differs from a shell building in that the intended occupancy is known for the speculative building. (See also ''shell building'')

System: a combination of equipment and/or controls, accessories, interconnecting means, and terminal elements by which energy is transformed so as to perform a specific function, such as HVAC, service water heating, or illumination.

Tandem wiring: pairs of luminaries operating with lamps in each luminaire powered from a single ballast contained in one of the luminaires.

Task lighting: lighting that provides illumination for specific functions and is directed to a specific surface or area.

Task location: an area of the space where significant visual functions are performed and where lighting is required above and beyond that required for general ambient use.

Terminal element: a device by which the transformed energy from a system is finally delivered. Examples include registers, diffusers, lighting fixtures, and faucets.

Thermal conductance (C): the constant time rate of heat flow through the unit area of a body induced by a unit temperature difference between the surfaces, expressed in Btu/(h·ft^{2}·°F). It is the reciprocal of thermal resistance. (See ''thermal resistance'')

Thermal mass: materials with mass heat capacity and surface area capable of affecting building loads by storing and releasing heat as the interior or exterior temperature and radiant conditions fluctuate. (See also ''heat capacity'' and ''wall heat capacity'')

Thermal mass wall insulation position:

(1) Exterior insulation position: a wall having all or nearly all of its mass exposed to the room air with the insulation on the exterior of that mass.

(2) Integral insulation position: a wall having mass exposed to both room and outside (outside) air with substantially equal amounts of mass on the inside and outside of the insulation layer.

(3) Interior insulation position: a wall not meeting either of the above definitions, particularly a wall having most of its mass external to an insulation layer.

Thermal resistance (R): the reciprocal of thermal conductance 1/C, l/H, 1/U; expressed in (h·ft^{2}. °F)/Btu.

Thermal transmittance (U): the overall coefficient of heat transfer from air to air. It is the time rate of heat flow per unit area under steady conditions from the fluid on the warm side of the barrier to the fluid on the cold side, per unit temperature difference between the two fluids, expressed in Btu/(h·ft^{2}. °F).

Thermal transmittance, overall (U_o): the gross overall (area weighted average) coefficient of heat transfer from air to air for a gross area of the building envelope, Btu/(h·ft^2. °F). The U_o value applies to the combined effect of the time rate of heat flows through the various parallel paths, such as windows, doors, and opaque construction areas, composing the gross area of one or more building envelope components, such as walls, floors, and roof or ceiling.

Thermostat: an automatic control device responsive to temperature.

Unconditioned space: space within a building that is not a conditioned space. (See ''conditioned space'')

Unitary cooling equipment: one or more factory-made assemblies that normally include an evaporator or cooling coil, a compressor, and a condenser combination (and may also include a heating function).

Unitary heat pump: one or more factory-made assemblies that normally include an indoor conditioning coil, compressor(s), and outdoor coil or refrigerant-to-water heater exchanger, including means to provide both heating and cooling functions.

Variable-air-volume (VAV) HVAC system: HVAC systems that control the dry-bulb temperature within a space by varying the volume of heated or cooled supply air to the space.

Vent damper: a device intended for installation in the venting system, in the outlet of or downstream of the appliance draft hood, of an individual automatically operating gas-fired appliance, which is designed to automatically open the venting system when the appliance is in operation and to automatically close off the venting system when the appliance is in a standby or shutdown condition.

Ventilation: the process of supplying or removing air by natural or mechanical means to or from any space. Such air may or may not have been conditioned.

Ventilation air: that portion of supply air which comes from the outside, plus any recirculated air, to maintain the desired quality of air within a designated space. (See also ''outdoor air'')

Visible light transmittance: the fraction of solar radiation in the visible light spectrum that passes through the fenestration (window, clerestory, or skylight).

Walls: those portions of the building envelope enclosing conditioned space, including all opaque surfaces, fenestration, and doors, which are vertical or tilted at an angle of 60* from horizontal or greater. (See also ''roof'')

Wall heat capacity: the sum of the products of the mass of each individual material in the wall per unit area of wall surface times its individual specific heat, expressed in Btu/(ft^2·°F). (See'' thermal mass'')

Window to wall ratio (WWR): the ratio of the wall fenestration area to the gross exterior wall area.

Zone: a space or group of spaces within a building with any combination of heating, cooling, or lighting requirements sufficiently similar so that desired conditions can be maintained throughout by a single controlling device.

Subpart C—Design Conditions

§ 434.301 Design criteria.

301.1 The following design parameters shall be used for calculations required under subpart D of this part.

301.1.1 *Exterior Design Conditions.* Exterior Design Conditions shall be expressed in accordance with Table 301.1.

TABLE 301.1—EXTERIOR DESIGN CONDITIONS

Winter Design Dry-Bulb (99%)	.....	Degrees F.
Summer Design Dry-Bulb (2.5%)	.....	Degrees F.
Mean Coincident Wet-Bulb (2.5%)	.....	Degrees F.
Degree-Days, Heating (Base 65)	.....	HDD Base 65 °F.
Degree-Days, Cooling (Base 65)	.....	CDD Base 65 °F.
Annual Operating Hours, 8 a.m. to 4 p.m. when 55 °F≤T≤69 °F.	.....	Hours.

[The exterior design conditions shall be added to Table 301.1 from the city-specific Shading Coefficient table from appendix A of RS–1 (incorporated by reference, see § 434.701). Copies of specific tables contained in appendix A of RS–1 (incorporated by reference, see § 434.701). can be obtained from the Energy Code for Federal Commercial Buildings, Docket No. EE–RM–79–112–C, EE–43, Office of Building Research and Standards, U.S. Department of Energy, Room 1J–018, 1000 Independence Avenue, SW., Washington, DC 20585, (202) 586–9127. Adjustments may be made to reflect local climates which differ from the tabulated temperatures or local weather experience as determined by the building official. Where local building site climatic data are not available, climate data from a nearby location included in RS–1, appendix C, (incorporated by reference, see § 434.701) and RS–4 Chapter 24, Table 1, (incorporated by reference, see § 434.701) shall be used as determined by the building official.]

301.2 *Indoor Design Conditions.* Indoor design temperature and humidity conditions shall be in accordance with the

comfort criteria in RS–2 (incorporated by reference, see § 434.701), except that humidification and dehumidification are not required.

Subpart D—Building Design Requirements—Electric Systems and Equipment

§ 434.401 Electrical power and lighting systems.

Electrical power and lighting systems, other than those systems or portions thereof required for emergency use only, shall meet these requirements.

401.1 *Electrical Distribution Systems.*

401.1.1 *Check Metering.* Single-tenant buildings with a service over 250 kVA and tenant spaces with a connected load over 100 kVA in multiple-tenant buildings shall have provisions for check metering of electrical consumption. The electrical power feeders for which provision for check metering is required shall be subdivided as follows:

401.1.1.1 Lighting and receptacle outlets

401.1.1.2 HVAC systems and equipment

401.1.1.3 Service water heating (SWH), elevators, and special occupant equipment or systems of more than 20 kW.

401.1.1.4 Exception to 401.1.1.1 through 401.1.1.3: 10 percent or less of the loads on a feeder may be from another usage or category.

401.1.2 Tenant-shared HVAC and service hot water systems in multiple tenant buildings shall have provision to be separately check metered.

401.1.3 Subdivided feeders shall contain provisions for portable or permanent check metering. The minimum acceptable arrangement for compliance shall provide a safe method for access by qualified persons to the enclosures through which feeder conductors pass and provide sufficient space to attach clamp-on or split core current transformers. These enclosures may be separate compartments or combined spaces with electrical cabinets serving another function. Dedicated enclosures so furnished shall be identified as to measuring function available.

401.1.4 *Electrical Schematic.* The person responsible for installing the electrical distribution system shall provide the Federal building manager a single-line diagram of the record drawing for the electrical distribution system, which includes the location of check metering access, schematic diagrams of non-HVAC electrical control systems, and electrical equipment manufacturer's operating and maintenance literature.

401.2 *Electric Motors.* All permanently wired polyphase motors of 1 hp or more shall meet these requirements:

401.2.1 *Efficiency.* NEMA design A & B squirrel-cage, foot-mounted, T-frame induction motors having synchronous speeds of 3600, 1800, 1200, and 900 rpm, expected to operate more than 1000 hours per year shall have a nominal full-load efficiency no less than that shown in Table 401.2.1 or shall be classified as an ''energy efficient motor'' in accordance with RS–3 (incorporated by reference, see § 434.701). The following are not covered:

(a) Multispeed motors used in systems designed to use more than one speed.

(b) Motors used as a component of the equipment meeting the minimum equipment efficiency requirements of subsection 403, provided that the motor input is included when determining the equipment efficiency.

TABLE 401.2.1—MINIMUM ACCEPTABLE NOMINAL FULL-LOAD EFFICIENCY FOR SINGLE-SPEED POLYPHASE SQUIRREL-CAGE INDUCTION MOTORS HAVING SYNCHRONOUS SPEEDS OF 3600, 1800, 1200 AND 900 RPM [1]

HP	2-Pole		4-Pole		6-Pole		8-Pole	
	Nominal efficiency	Minimum efficiency	Nominal efficiency	Minimum efficiency	Nominal efficiency	Minimum efficiency	Nominal efficiency	Minimum efficiency
Full-Load Efficiencies—Open Motors								
1.0	.....	.....	82.5	81.5	80.0	78.5	74.0	72.0
1.5	82.5	81.5	84.0	82.5	84.0	82.5	75.5	74.0
2.0	84.0	82.5	84.0	82.5	85.5	84.0	85.5	84.0
3.0	84.0	82.5	86.5	85.5	86.5	85.5	86.5	85.5

TABLE 401.2.1—MINIMUM ACCEPTABLE NOMINAL FULL-LOAD EFFICIENCY FOR SINGLE-SPEED POLYPHASE SQUIRREL-CAGE INDUCTION MOTORS HAVING SYNCHRONOUS SPEEDS OF 3600, 1800, 1200 AND 900 RPM [1]—Continued

HP	2-Pole		4-Pole		6-Pole		8-Pole	
	Nominal efficiency	Minimum efficiency	Nominal efficiency	Minimum efficiency	Nominal efficiency	Minimum efficiency	Nominal efficiency	Minimum efficiency
5.0	85.5	84.0	87.5	86.5	87.5	86.5	87.5	86.0
7.5	87.5	86.5	88.5	87.5	88.5	87.5	88.5	87.5
10.0	88.5	87.5	89.5	88.5	90.2	89.5	89.5	88.5
15.0	89.5	88.5	91.0	90.2	90.2	89.5	89.5	88.5
20.0	90.2	89.5	91.0	90.2	91.0	90.2	90.2	89.5
25.0	91.0	90.2	91.7	91.0	91.7	91.0	90.2	89.5
30.0	91.0	90.2	92.4	91.7	92.4	91.7	91.7	90.2
40.0	91.7	91.0	93.0	92.4	93.0	92.4	91.0	90.2
50.0	92.4	91.7	93.0	92.4	93.0	92.4	91.7	91.0
60.0	93.0	92.4	93.6	93.0	93.6	93.0	92.4	91.7
75.0	93.0	92.4	94.1	93.6	93.6	93.0	93.6	93.0
100.0	93.0	92.4	94.1	93.6	94.1	93.6	93.6	93.0
125.0	93.6	93.0	94.5	94.1	94.1	93.6	93.6	93.0
150.0	93.6	93.0	95.0	94.5	94.5	94.1	93.6	93.0
200.0	94.5	94.1	95.0	94.5	94.5	94.1	93.6	93.0
Full-Load Efficiencies—Enclosed Motors								
1.0	75.5	74.5	82.5	81.5	80.0	78.5	74.0	72.0
1.5	82.5	81.5	84.0	82.5	85.5	84.0	77.0	75.5
2.0	84.0	82.5	84.5	82.5	86.5	85.5	82.5	81.5
3.0	85.5	84.0	87.5	86.5	87.5	86.5	84.0	82.5
5.0	87.5	86.5	87.5	86.5	87.5	86.5	85.5	84.0
7.5	88.5	87.5	89.5	88.5	89.5	88.5	85.5	84.0
10.0	89.5	88.5	89.5	88.5	89.5	88.5	88.5	87.5
15.0	90.2	89.5	91.0	90.2	90.2	89.5	88.5	87.5
20.0	90.2	89.5	91.0	90.2	90.2	89.5	89.5	88.5
25.0	91.0	90.2	92.4	91.7	91.7	91.0	89.5	88.5
30.0	91.0	90.2	92.4	91.7	91.7	91.0	91.0	90.2
40.0	91.7	91.0	93.0	92.4	93.0	92.4	91.0	90.2
50.0	92.4	91.7	93.0	92.4	93.0	92.4	91.7	91.0
60.0	93.0	92.4	93.6	93.0	93.6	93.0	91.7	91.0
75.0	93.0	92.4	94.1	93.6	93.6	93.0	93.0	92.4
100.0	93.6	93.0	94.5	94.1	94.1	93.6	93.0	92.4
125.0	94.5	94.1	94.5	94.1	94.1	93.6	93.6	93.0
150.0	94.5	94.1	95.0	94.5	94.5	94.1	94.1	93.0
200.0	95.0	94.5	95.0	94.5	95.0	94.5	94.1	93.6

[1] For many applications, efficiencies greater than those listed are likely to be cost-effective. Guidance for evaluating the cost effectiveness of energy efficient motor applications is given in RS–43 and RS–44 (incorporated by reference, see § 434.701).

401.3 Lighting Power Allowance. The lighting system shall meet the provisions of subsections 401.3.1 through 401.3.5.

401.3.1 Building Exteriors. The total connected exterior lighting power for the building, or a facility containing multiple buildings, shall not exceed the total exterior lighting power allowance, which is the sum of the individual allowances determined from Table 401.3.1. The individual allowances are determined by multiplying the specific area or length of each area description times the allowance for that area. Exceptions are as follows: Lighting for outdoor manufacturing or processing facilities, commercial greenhouses, outdoor athletic facilities, public monuments, designated high-risk security areas, signs, retail storefronts, exterior enclosed display windows, and lighting specifically required by local ordinances and regulations.

TABLE 401.3.1—EXTERIOR LIGHTING POWER ALLOWANCE

Area description	Allowance
Exit (with or without canopy)	25 W/lin ft of door opening.
Entrance (without canopy)	30 W/lin ft of door opening.
Entrance (with canopy):	
High Traffic (retail, hotel, airport, theater, etc.)	10 W/ft^2 of canopied area.

TABLE 401.3.1—EXTERIOR LIGHTING POWER ALLOWANCE—Continued

Area description	Allowance
Light Traffic (hospital, office, school, etc.)	4 W/ft^2 of canopied area.
Loading area	0.40 W/ft^2.
Loading door	20 W/lin ft of door opening.
Building exterior surfaces/facades	0.25 W/ft^2 of surface area to be illuminated.
Storage and non-manufacturing work areas	0.20 W/ft^2.
Other activity areas for casual use such as picnic grounds, gardens, parks, and other landscaped areas.	0.10 W/ft^2.
Private driveways/walkways	0.10 W/ft^2.
Public driveways/walkways	0.15 W/ft^2.
Private parking lots	0.12 W/ft^2.
Public parking lots	0.18 W/ft^2.

401.3.1.1 Trade-offs of exterior lighting budgets among exterior areas shall be allowed provided the total connected lighting power of the exterior area does not exceed the exterior lighting power allowance. Trade-offs between interior lighting power allowances and exterior lighting power allowances shall not be allowed.

401.3.2 *Building interiors*. The total connected interior lighting power for a building, including adjustments in accordance with subsection 401.3.3, shall not exceed the total interior lighting power allowance explained in this paragraph. Using Table 401.3.2a, multiply the interior lighting power allowance value by the gross lighted area of the most appropriate building or space activity. For multi-use buildings, using Table 401.3.2a, select the interior power allowance value for each activity using the column for the gross lighted area of the whole building and multiply it by the associated gross area for that activity. The interior lighting power allowance is the sum of all the wattages for each area/activity. Using Table 401.3.2b, c, or d, multiply the interior lighting power allowance values of each individual area/activity by the area of the space and by the area factor from Figure 401.3.2e, based on the most appropriate area/activity provided. The interior lighting power allowance is the sum of the wattages for each individual space. When over 20% of the building's tasks or interior areas are undefined, the most appropriate value for that building from Table 401.3.2a shall be used for the undefined spaces. Exceptions are as follows:

(a) Lighting power that is an essential technical element for the function performed in theatrical, stage, broadcasting, and similar uses.

(b) Specialized medical, dental, and research lighting.

(c) Display lighting for exhibits in galleries, museums, and monuments.

(d) Lighting solely for indoor plant growth (between the hours of 10:00 pm and 6:00 am).

(e) Emergency lighting that is automatically off during normal building operation.

(f) High-risk security areas.

(g) Spaces specifically designed for the primary use by the physically impaired or aged.

(h) Lighting in dwelling units.

401.3.2.1 Trade-offs of the interior lighting power budgets among interior spaces shall be allowed provided the total connected lighting power within the building does not exceed the interior lighting power allowance. Trade-offs between interior lighting power allowances and exterior lighting power allowances shall not be allowed.

401.3.2.2 *Building/Space Activities*. Definitions of buildings/space activity as they apply to Table 401.3.2a are as follows. These definitions are necessary to characterize the activities for which lighting is provided. They are applicable only to Table 401.3.2a. They are not intended to be used elsewhere in place of building use group definitions provided in the Building Code. They are not included in §434.201, ''Definitions,'' to avoid confusion with ''Occupancy Type Categories.''

(a) *Food service, fast food, and cafeteria:* This group includes cafeterias, hamburger and sandwich stores, bakeries, ice cream parlors, cookie stores, and all other kinds of retail food service establishments in which customers

are generally served at a counter and their direct selections are paid for and taken to a table or carried out.

(b) *Garages:* This category includes all types of parking garages, except for service or repair areas.

(c) *Leisure dining and bar:* This group includes cafes, diners, bars, lounges, and similar establishments where orders are placed with a wait person.

(d) *Mall concourse, multi-store service:* This group includes the interior of multifunctional public spaces, such as shopping center malls, airports, resort concourses and malls, entertainment facilities, and related types of buildings or spaces.

(e) *Offices:* This group includes all kinds of offices, including corporate and professional offices, office/laboratories, governmental offices, libraries, and similar facilities, where paperwork occurs.

(f) *Retail:* A retail store, including departments for the sale of accessories, clothing, dry goods, electronics, and toys, and other types of establishments that display objects for direct selection and purchase by consumers. Direct selection means literally removing an item from display and carrying it to the checkout or pick-up at a customer service facility.

(g) *Schools:* This category, subdivided by pre-school/elementary, junior high/high school, and technical/vocational, includes public and private educational institutions, for children or adults, and may also include community centers, college and university buildings, and business educational centers.

(h) *Service establishment:* A retail-like facility, such as watch repair, real estate offices, auto and tire service facilities, parts departments, travel agencies and similar facilities, in which the customer obtains services rather than the direct selection of goods.

(i) *Warehouse and storage:* This includes all types of support facilities, such as warehouses, barns, storage buildings, shipping/receiving buildings, boiler or mechanical buildings, electric power buildings, and similar buildings where the primary visual task is large items.

401.3.2—Tables and Figures

TABLE 401.3.2a—INTERIOR LIGHTING POWER ALLOWANCE W/FT[2]

Building space activity[1]	Gross lighted area of total building					
	0 to 2,000 ft[2]	2,001 to 10,000 ft[2]	10,001 to 25,000 ft[2]	25,001 to 50,000 ft[2]	50,001 to 250,000 ft[2]	250,000 ft[2]
Food Service:						
Fast Food/Cafeteria	1.50	1.38	1.34	1.32	1.31	1.30
Leisure Dining/Bar	2.20	1.91	1.71	1.56	1.46	1.40
Offices	1.90	1.81	1.72	1.65	1.57	1.50
Retail[3]	3.30	3.08	2.83	2.50	2.28	2.10
Mall Concourse Multi-store Service	1.60	1.58	1.52	1.46	1.43	1.40
Service Establishment	2.70	2.37	2.08	1.92	1.80	1.70
Garages	0.30	0.28	0.24	0.22	0.21	0.20
Schools:						
Preschool/Elementary	1.80	1.80	1.72	1.65	1.57	1.50
Jr. High/High School	1.90	1.90	1.88	1.83	1.76	1.70
Technical/Vocational	2.40	2.33	2.17	2.01	1.84	1.70
Warehouse/Storage	0.80	0.66	0.56	0.48	0.43	0.40

[1] If at least 10% of the building area is intended for multiple space activities, such as parking, retail, and storage in an office building, then calculate for each separate building type/space activity.

[2] The values in the categories are building wide allowances which include the listed activity and directly related facilities such as conference rooms, lobbies, corridors, restrooms, etc.

[3] Includes general, merchandising, and display lighting.

TABLE 401.3.2b—UNIT INTERIOR LIGHTING POWER ALLOWANCE

Common area/activity[1]	UPD W/ft[2]
Auditorium[2]	1.4
Corridor[3]	0.8
Classroom/Lecture Hall	2.0

TABLE 401.3.2b—UNIT INTERIOR LIGHTING POWER ALLOWANCE—Continued

Common area/activity [1]	UPD W/ft [2]
Electrical/Mechanical Equipment Room:	
General [3]	0.7
Control Rooms [3]	1.5
Food Service:	
Fast Food/Cafeteria	1.3
Leisure Dining [4]	1.4
Bar/Lounge [4]	2.5
Kitchen	1.4
Recreation/Lounge	0.7
Stair:	
Active Traffic	0.6
Emergency Exit	0.4
Toilet & Washroom	0.8
Garage:	
Auto & Pedestrian Circulation Area	0.3
Parking Area	0.2
Laboratory	2.2
Library:	
Audio Visual	1.1
Stack Area	1.1
Card File & Cataloging	0.8
Reading Area	1.1
Lobby (General):	
Reception & Waiting	1.0
Elevator Lobbies	0.4
Atrium (Multi-Story):	
First 3 Floors	0.7
Each Additional Floor	0.2
Locker Room & Shower	0.8
Office Category 1	
Enclosed offices, all open plan offices w/o partitions or w/partitions [6] lower than 4.5 ft below the ceiling. [5]	
Reading, Typing and Filing	1.5
Drafting	1.9
Accounting	1.6
Office Category 2:	
Open plan offices 900 ft [2] or larger w/partitions 1 3.5 to 4.5 ft below the ceiling..	
Offices less than 900 ft2 shall use category 1 [3]	
Reading, Typing and Filing	1.5
Drafting	2.0
Accounting	1.8
Office Category 3:	
Open plan offices 900 ft [2] or larger w/partitions [6] higher than 3.5 ft below the ceiling.	
Offices less than 900 ft [2] shall use category 1. [3]	
Reading, Typing and Filing	1.7
Drafting	2.3
Accounting	1.9
Common Activity Areas	
Conference/Meeting Room [2]	1.3
Computer/Office Equipment	1.1
Filing, Inactive	1.0
Mail Room	1.8
Shop (Non-Industrial):	
Machinery	2.5
Electrical/Electronic	2.5
Painting	1.6
Carpentry	2.3
Welding	1.2
Storage and Warehouse;	
Inactive Storage	0.2
Active Storage, Bulky	0.3
Active Storage, Fine	0.9
Material Handling	1.0
Unlisted Space	0.2

[1] Use a weighted average UPD in rooms with multiple simultaneous activities, weighted in proportion to the area served.
[2] A 1.5 power adjustment factor is applicable for multi-function spaces when a supplementary system having independent controls is installed that has installed power ≤33% of the adjusted lighting power for that space.
[3] Area factor of 1.0 shall be used for these spaced.
[4] UPD includes lighting power required for clean-up purposes.
[5] Area factor shall not exceed 1.55.
[6] Not less than 90 percent of all work stations shall be individually enclosed with partitions of at least the height described.

TABLE 401.3.2c—UNIT INTERIOR LIGHTING POWER ALLOWANCE

Specific building area/activity [1]	UPD W/ft [2]
Airport, Bus and Rail Station:	
Baggage Area	0.8
Concourse/Main Thruway	0.9
Ticket Counter	2.0
Waiting & Lounge Area	0.8
Bank:	
Customer Area	1.0
Banking Activity Area	2.2
Barber & Beauty Parlor	1.6
Church, Synagogue, Chapel:	
Worship/Congregational	1.7
Preaching & Sermon/Choir	1.8
Dormitory:	
Bedroom	1.0
Bedroom w/Study	1.3
Study Hall	1.2
Fire & Police Department:	
Fire Engine Room	0.7
Jail Cell	0.8
Hospital/Nursing Home:	
Corridor [3]	1.3
Dental Suite/Examination/Treatment	1.6
Emergency	2.0
Laboratory	1.7
Lounge/Waiting Room	0.9
Medical Supplies	2.4
Nursery	1.6
Nurse Station	1.8
Occupational Therapy/Physical Therapy	1.4
Patient Room	1.2
Pharmacy	1.5
Radiology	1.8
Surgical & Obstetrics Suites:	
General Area	1.8
Operating Room	6.0
Recovery	2.0
Hotel/Conference Center:	
Banquet Room/Multipurpose [2]	1.7
Bathroom/Powder Room	1.2
Guest Room	0.9
Public Area	1.0
Exhibition Hall	1.8
Conference/Meeting [2]	1.5
Lobby	1.5
Reception Desk	2.4
Laundry:	
Washing	0.9
Ironing & Sorting	1.3
Museum & Gallery:	
General Exhibition	1.9
Inspection/Restoration	3.0
Storage (Artifacts):	
Inactive	0.6
Active	0.7
Post Office:	
Lobby	1.1
Sorting & Mailing	2.1
Service Station/Auto Repair	0.8
Theater:	
Performance Arts	1.3
Motion Picture	1.0
Lobby	1.3
Retail Establishments—Merchandising & Circulation Area (Applicable to all lighting, including accent and display lighting, installed in merchandising and circulation areas):	
Type 1: Jewelry merchandising, where minute examination of displayed merchandise is critical.	5.6
Type 2: Fine merchandising, such as fine apparel and accessories, china, crystal, and silver art galleries and where the detailed display and examination of merchandising is important.	2.9
Type 3: Mass merchandising, such as general apparel, variety goods, stationary, books, sporting goods, hobby materials, cameras, gifts, and luggage, displayed in a warehouse type of building, where focused display and detailed examination of merchandise is important.	2.7
Type 4: General merchandising, such as general apparel, variety goods, stationary, books, sporting goods, hobby materials, cameras, gifts, and luggage, displayed in a department store type of building, where general display and examination of merchandise is adequate.	2.3

TABLE 401.3.2c—UNIT INTERIOR LIGHTING POWER ALLOWANCE—Continued

Specific building area/activity [1]	UPD W/ft [2]
Type 5: Food and miscellaneous such as bakeries, hardware and housewares, grocery stores, appliance and furniture stores, where pleasant appearance is important.	2.4
Type 6: Service establishments, where functional performance is important.	2.6
Mall Concourse	1.4
Retail Support Areas	2.1
Tailoring	1.1
Dressing/Fitting Rooms.	

[1] Use a weighted average UPD in rooms with multiple simultaneous activities, weighted in proportion to the area served.
[2] A 1.5 power adjustment factor is applicable for multi-function spaces when a supplementary system having independent controls is installed that has installed power ≤33% of the adjusted lighting power for that space.
[3] Area factor shall not exceed 1.55.

TABLE 401.3.2d—UNIT INTERIOR LIGHTING POWER ALLOWANCE

Indoor athletic area/activity [1] [2]	UPD W/ft [2]
Seating Area, All Sports	0.4
Badminton:	
Club	0.5
Tournament	0.8
Basketball/Volleyball:	
Intramural	0.8
College	1.3
Professional	1.9
Bowling:	
Approach Area	0.5
Lanes	1.1
Boxing or Wrestling (platform):	
Amateur	2.4
Professional	4.8
Gymnasium:	
General Exercising and Recreation Only	1.0
Handball/Racquetball/Squash:	
Club	1.3
Tournament	2.6
Hockey, Ice:	
Amateur	1.3
College or Professional	2.6
Skating Rink:	
Recreational	0.6
Exhibition/Professional	2.6
Swimming:	
Recreational	0.9
Exhibition	1.5
Underwater	1.0
Tennis:	
Recreational (Class III)	1.3
Club/College (Class II)	1.9
Professional (Class I)	2.6
Tennis, Table:	
Club	1.0
Tournament	1.6

[1] Area factor of 1.0 shall be used for these spaces.
[2] Consider as 10 ft. beyond playing boundaries but less than or equal to the total floor area of the sports space minus spectator seating area.

Figure 401.3.2e—Area Factor Formula

$$\text{where } n = \frac{10.21\,(CH - 2.5)}{\sqrt{A_r}} - 1$$

Area Factor Formula:

Area Factor (AF) = $0.2 + 0.8(1/0.9^n)$

Where:

AF = area factor,
CH = ceiling height (ft),
A_r = space area (ft^2).

If AF <1.0 use 1.0; if AF >1.8 use 1.8

401.3.3 *Lighting Power Control Credits.* The interior connected lighting power determined in accordance with §434.401.3.2 can be decreased for luminaries that are automatically controlled for occupancy, daylight, lumen

maintenance, or programmable timing. The adjusted interior connected lighting power shall be determined by subtracting the sum of all lighting power control credits from the interior connected lighting power. Using Table 401.3.3, the lighting power control credit equals the power adjustment factor times the connected lighting power of the controlled lighting. The lighting power adjustment shall be applied with the following limitations:

(a) It is limited to the specific area controlled by the automatic control device.

(b) Only one lighting power adjustment may be used for each building space or luminaire, and 50 percent or more of the controlled luminaire shall be within the applicable space.

(c) Controls shall be installed in series with the lights and in series with all manual switching devices.

(d) When sufficient daylight is available, daylight sensing controls shall be capable of reducing electrical power consumption for lighting (continuously or in steps) to 50 percent or less of maximum power consumption.

(e) Daylight sensing controls shall control all luminaires to which the adjustment is applied and that direct a minimum of 50 percent of their light output into the daylight zone.

(f) Programmable timing controls shall be able to program different schedules for occupied and unoccupied days, be readily accessible for temporary override with automatic return to the original schedule, and keep time during power outages for at least four hours.

TABLE 401.3.3—LIGHTING POWER ADJUSTMENT FACTORS

Automatic control devices	PAF
(1) Daylight Sensing controls (DS), continuous dimming	0.30
(2) DS, multiple step dimming	0.20
(3) DS, ON/OFF	0.10
(4) DS continuous dimming and programmable timing	0.35
(5) DS multiple step dimming and programmable timing	0.25
(6) DS ON/OFF and programmable timing	0.15
(7) DS continuous dimming, programmable timing, and lumen maintenance	0.40
(8) DS multiple step dimming, programmable timing, and lumen maintenance	0.30
(9) DS ON/OFF, programmable timing, and lumen maintenance	0.20
(10) Lumen maintenance control	0.10
(11) Lumen maintenance and programmable timing control	0.15
(12) Programmable timing control	0.15
(13) Occupancy sensor (OS)	0.30
(14) OS and DS, continuous dimming	0.40
(15) OS and DS, multiple-step dimming	0.35
(16) OS and DS, ON/OFF	0.35
(17) OS, DS continuous dimming, and lumen maintenance	0.45
(18) OS, DS multiple-step dimming and lumen maintenance	0.40
(19) OS, DS ON/OFF, and lumen maintenance	0.35
(20) OS and lumen maintenance	0.35
(21) OS and programmable timing control	0.35

401.3.4 *Lighting controls.*

401.3.4.1 *Type of Lighting Controls.* All lighting systems shall have controls, with the exception of emergency use or exit lighting.

401.3.4.2 *Number of Manual Controls.* Spaces enclosed by walls or ceiling-high partitions shall have a minimum of one manual control (on/off switch) for lighting in that space. Additional manual controls shall be provided for each task location or for each group of task locations within an area of 450 ft^2 or less. For spaces with only one lighting fixture or with a single ballast, one manual control is required. Exceptions are as follows:

401.3.4.2.1 Continuous lighting for security;

401.3.4.2.2 Systems in which occupancy sensors, local programmable timers, or three-level (including OFF) step controls or preset dimming controls are substituted for manual controls at the rate of one for every two required manual controls, providing at least one control is installed for every 1500 watts of power.

401.3.4.2.3 Systems in which four-level (including OFF) step controls or preset dimming controls or automatic or continuous dimming controls are substituted for manual controls at a rate of one for every three required manual controls, providing at least one control is installed for every 1500 watts of power.

401.3.4.2.4 Spaces that must be used as a whole, such as public lobbies, retail stores, warehouses, and storerooms.

401.3.4.3 *Multiple Location Controls.* Manual controls that operate the same load from multiple locations must be counted as one manual control.

401.3.4.4 *Control Accessibility.* Lighting controls shall be readily accessible from within the space controlled. Exceptions are as follows: Controls for spaces that are to be used as a whole, automatic controls, programmable controls, controls requiring trained operators, and controls for safety hazards and security.

401.3.4.5 *Hotel and Motel Guest Room Control.* Hotel and motel guest rooms and suites shall have at least one master switch at the main entry door that controls all permanently wired lighting fixtures and switched receptacles excluding bathrooms. The following exception applies: Where switches are provided at the entry to each room of a multiple-room suite.

401.3.4.6 *Switching of Exterior Lighting.* Exterior lighting not intended for 24-hour use shall be automatically switched by either timer or photocell or a combination of timer and photocell. When used, timers shall be capable of seven-day and seasonal daylight schedule adjustment and have power backup for at least four hours.

401.3.5 *Ballasts.*

401.3.5.1 *Tandem Wiring.* One-lamp or three-lamp fluorescent luminaries that are recess mounted within 10 ft center-to-center of each other, or pendant mounted, or surface mounted within 1 ft of each other, and within the same room, shall be tandem wired, unless three-lamp ballasts are used.

401.3.5.2 *Power Factor.* All ballasts shall have a power factor of at least 90%, with the exception of dimming ballasts, and ballasts for circline and compact fluorescent lamps and low wattage high intensity discharge (HID) lamps not over 100 W.

§ 434.402 Building envelope assemblies and materials.

The building envelope and its associated assemblies and materials shall meet the provisions of this section.

402.1 *Calculations and Supporting Information.*

402.1.1 *Material Properties.* Information on thermal properties, building envelope system performance, and component heat transfer shall be obtained from RS–4. When the information is not available from RS–4, (incorporated by reference, see § 434.701) the data shall be obtained from manufacturer's information or laboratory or field test measurements using RS–5, RS–6, RS–7, or RS–8 (incorporated by reference, see § 434.701).

402.1.1.1 The shading coefficient (SC) for fenestration shall be obtained from RS–4 (incorporated by reference, see § 434.701) or from manufacturer's test data. The shading coefficient of the fenestration, including both internal and external shading devices, is SC_X and excludes the effect of external shading projections, which are calculated separately. The shading coefficient used for louvered shade screens shall be determined using a profile angle of 30 degrees as found in Table 41, Chapter 27 of RS–4 (incorporated by reference, see § 434.701).

402.1.2 *Thermal Performance Calculations.* The overall thermal transmittance of the building envelope shall be calculated in accordance with Equation 402.1.2:

$$U_o = \sum U_i A_i / A_o = \left(U_1 A_1 + U_2 A_2 + \ . \ . \ . \ + U_n A_n\right)/A_o \qquad (402.1.2)$$

Where:

U_o = the area-weighted average thermal transmittance of the gross area of the building envelope; *i.e.,* the exterior wall

assembly including fenestration and doors, the roof and ceiling assembly, and the floor assembly, Btu/(h·ft$^{2,\circ}$F)

A_o = the gross area of the building envelope, ft^2

U_i = the thermal transmittance of each individual path of the building envelope, *i.e.*, the opaque portion or the fenestration, Btu/(h·ft$^{2,\circ}$F)

$U_i = 1/R_i$ (where R_i is the total resistance to heat flow of an individual path through the building envelope)

A_i = the area of each individual element of the building envelope, ft^2

The thermal transmittance of each component of the building envelope shall be determined with due consideration of all major series and parallel heat flow paths through the elements of the component and film coefficients and shall account for any compression of insulation. The thermal transmittance of opaque elements of assemblies shall be determined using a series path procedure with corrections for the presence of parallel paths within an element of the envelope assembly (such as wall cavities with parallel paths through insulation and studs). The thermal performance of adjacent ground in below-grade applications shall be excluded from all thermal calculations.

402.1.2.1 Envelope Assemblies Containing Metal Framing. The thermal transmittance of the envelope assembly containing metal framing shall be determined from one of three methods:

(a) Laboratory or field test measurements based on RS–5, RS–6, RS–7, or RS–8 (incorporated by reference, see § 434.701).

(b) The zone method described in Chapter 22 of RS–4 (incorporated by reference, see § 434.701) and the formulas on page 22.10.

(c) For metal roof trusses or metal studs covered by Tables 402.1.2.1a and b, the total resistance of the series path shall be calculated in accordance with the following Equations:

$$U_i = 1/R_t \qquad \text{Equation 402.1.2.1a}$$

$$R_t = R_i + R_e$$

Where:

R_t = the total resistance of the envelope assembly

R_i = the resistance of the series elements (for i = 1 to n) excluding the parallel path element(s)

R_e = the equivalent resistance of the element containing the parallel path (R-value of insulation × F_c). Values for F_c and equivalent resistances shall be taken from Tables 402.1.2.1a or b.

TABLE 402.1.2.1a—PARALLEL PATH CORRECTION FACTORS—METAL ROOF TRUSSES SPACED 4 FT. O.C. OR GREATER THAT PENETRATE THE INSULATION

Effective framing cavity R-values	Correction factor F_c	Equivalent resistance R_e [1]
R–0	1.00	R–0
R–5	0.96	R–4.8
R–10	0.92	R–9.2
R–15	0.88	R–13.2
R–20	0.85	R–17.0
R–25	0.81	R–20.3
R–30	0.79	R–23.7
R–35	0.76	R–26.6
R–40	0.73	R–29.2
R–45	0.71	R–32.0
R–50	0.69	R–34.5
R–55	0.67	R–36.0

[1] Based on 0.66-inch-diameter cross members every one foot.

TABLE 402.1.2.1b—PARALLEL PATH CORRECTION FACTORS—METAL FRAMED WALLS WITH STUDS 16 GA. OR LIGHTER

Size of members	Spacing of framing, in.	Cavity insulation R-Value	Correction factor F_c	Equivalent resistance R_e
2 × 4	16 O.C.	R–11	0.50	R–5.5
		R–13	0.46	R–6.0
		R–15	0.43	R–6.4
2 × 4	24 O.C.	R–11	0.60	R–6.6
		R–13	0.55	R–7.2
		R–15	0.52	R–7.8
2 × 6	16 O.C.	R–19	0.37	R–7.1
		R–21	0.35	R–7.4
2 × 6	24 O.C.	R–19	0.45	R–8.6
		R–21	0.43	R–9.0
2 × 8	16 O.C.	R–25	0.31	R–7.8
2 × 8	24 O.C.	R–25	0.38	R–9.6

402.1.2.2 *Envelope Assemblies Containing Nonmetal Framing*. The thermal transmittance of the envelope assembly shall be determined from laboratory or field test measurements based on RS–5, RS–6, RS–7, or RS–8 (incorporated by reference, see § 434.701) or from the series-parallel (isothermal planes) method provided in page 23.2 of Chapter 23 of RS–4 (incorporated by reference, see § 434.701).

402.1.2.3 *Metal Buildings*. For elements with internal metallic structures bonded on one or both sides to a metal skin or covering, the calculation procedure specified in RS–9 (incorporated by reference, see § 434.701) shall be used.

402.1.2.4 *Fenestration Assemblies*. Determine the overall thermal transmittance of fenestration assemblies in accordance with RS–18 and RS–19 (incorporated by reference, see § 434.701) or by calculation. Calculation of the overall thermal transmittance of fenestration assemblies shall consider the center-of-glass, edge-of-glass, and frame components.

(a) The following equation 402.1.2.4a shall be used.

$$U_{of} = \left[\sum_{i=1}^{n}\left(U_{cg,i} \times A_{cg,i} + U_{eg,i} \times A_{eg,i} + U_{f,i} \times A_{f,i}\right)\right] \Big/ \left[\sum_{i=1}^{n}\left(A_{cg,i} + A_{eg,i} + A_{f,i}\right)\right]$$

$$= \left(U_{cg,1} \times A_{cg,1} + U_{eg,1} \times A_{eg,1} + U_{f,1} \times A_{f,1} + U_{cg,2} \times A_{cg,2} + U_{eg,2} \times A_{eg,2} + U_{f,2} \times A_{f,2} + \ldots U_{cg,n} \times A_{cg,n}\right.$$

$$\left. + U_{eg,n} \times A_{eg,n} + U_{f,n} \times A_{f,n}\right) \Big/ \left(A_{cg,1} + A_{eg,1} + A_{f,1} + A_{cg,2} + A_{eg,2} + A_{f,2} + \ldots A_{cg,n} + A_{eg,n} + A_{f,n}\right)$$

$$U_{of} = \left[\sum_{i=1}^{n}\left(U_{cg,i} \times A_{cg,i} + U_{eg,i} \times A_{eg,i} + U_{f,i} \times A_{f,i}\right)\right] \Big/ \left[\sum_{i=1}^{n}\left(A_{cg,i} + A_{eg,i} + A_{f,i}\right)\right] \qquad \text{Equation 402.1.2.4a}$$

$$= \left(U_{cg,1} \times A_{cg,1} + U_{eg,1} \times A_{eg,1} + U_{f,1} \times A_{f,1} + U_{cg,2} \times A_{cg,2} + U_{eg,2} \times A_{eg,2} + U_{f,2} \times A_{f,2}\right.$$

$$\left. + \ldots U_{cg,n} \times A_{cg,n} + U_{eg,n} \times A_{eg,n} + U_{f,n} \times A_{f,n}\right) \Big/ \left(A_{cg,1} + A_{eg,1} + A_{f,1} + A_{cg,2} + A_{eg,2} + A_{f,2}\right.$$

$$\left. + \ldots A_{cg,n} + A_{eg,n} + A_{f,n}\right)$$

Where:

U_{of} = the overall thermal transmittance of the fenestration assemblies, including the center-of-glass, edge-of-glass, and frame components, Btu/(h·ft²·°F)

i = numerical subscript (1, 2, . . .n) refers to each of the various fenestration types present in the wall

n = the number of fenestration assemblies in the wall assembly

U_{cg} = the thermal transmittance of the center-of-glass area, Btu/(h·ft²·°F)

A_{cg} = the center of glass area, that is the overall visible glass area minus the edge-of-glass area, ft²

U_{eg} = the thermal transmittance of the edge of the visible glass area including the effects of spacers in multiple glazed units, Btu/(h·ft²·°F)

A_{eg} = the edge of the visible glass area, that is the 2.5 in. perimeter band adjacent to the frame, ft²

U_f = the thermal transmittance of the frame area, Btu/(h·ft²·°F)

A_f = the frame area that is the overall area of the entire glazing product minus the center-of-glass area and minus the edge-of-glass area, ft²

(b) Values of U_{of} shall be based on one of the following methods:

(1) Results from laboratory test of center-of-glass, edge-of-glass, and frame assemblies tested as a unit at winter conditions. One of the procedures in Section 8.3.2 of RS–1 (incorporated by reference, see § 434.701) shall be used.

(2) Overall generic product C (commercial) in Table 13, Chapter 27, of the RS–4 (incorporated by reference, see § 434.701). The generic product C in Table 13, Chapter 27, is based on a product of 24 ft². Larger units will produce lower U-values and thus it is recommended to use the calculation procedure detailed in Equation 402.1.2.4a.

(3) Calculations based on the actual area for center-of-glass, edge-of-glass, and frame assemblies and on the thermal transmittance of components derived from 402.1.2.4a, 402.1.2.4b or a combination of the two.

402.1.3 *Gross Areas of Envelope Components*.

402.1.3.1 *Roof Assembly*. The gross area of a roof assembly shall consist of the total surface of the roof assembly exposed to outside air or unconditioned spaces and is measured from the exterior faces of exterior walls and centerline of walls separating buildings. The roof assembly includes all roof or ceiling components through which heat may flow between indoor and outdoor environments, including skylight surfaces but excluding service openings. For thermal transmittance purposes when return air ceiling plenums are employed, the roof or ceiling assembly shall not include the resistance of the ceiling or the plenum space as part of the total resistance of the assembly.

402.1.3.2 *Floor Assembly*. The gross area of a floor assembly over outside or unconditioned spaces shall consist of the total surface of the floor assembly exposed to outside air or unconditioned space and is measured from the exterior face of exterior walls and centerline of walls separating buildings. The floor assembly shall include all floor components through which heat may flow between indoor and outdoor or unconditioned space environments.

402.1.3.3 *Wall Assembly*. The gross area of exterior walls enclosing a heated or cooled space is measured on the exterior and consists of the opaque walls, including between-floor spandrels, peripheral edges of flooring, window areas (including sash), and door areas but excluding vents, grilles, and pipes.

402.2 *Air Leakage and Moisture Mitigation*. The requirements of this section shall apply only to those building components that separate interior building conditioned space from the outdoors or from unconditioned space or crawl spaces. Compliance with the criteria for air leakage through building components shall be determined by tests conducted in accordance with RS–10 (incorporated by reference, see § 434.701).

402.2.1 *Air Barrier System.* A barrier against leakage shall be installed to prevent the leakage of air through the building envelope according to the following requirements:

(a) The air barrier shall be continuous at all plumbing and heating penetrations of the building opaque wall.

(b) The air barrier shall be sealed at all penetrations of the opaque building wall for electrical and telecommunications equipment.

TABLE 402.2.1—AIR LEAKAGE FOR FENESTRATION AND DOORS MAXIMUM ALLOWABLE INFILTRATION RATE

Component	Reference standard	cfm/lin ft Sash crack or cfm/ft² of area
Fenestration		
Aluminum:		
Operable	RS–11*	0.37 cfm/lin ft.
Jalousie	RS–11*	1.50 cfm/ft².
Fixed	RS–11*	0.15 cfm/ft².
Poly Vinyl Chloride (PVC):		
Prime Windows	RS–12*	0.37 cfm/ft².
Wood:		
Residential	RS–13*	0.37 cfm/ft².
Light Commercial	RS–13*	0.25 cfm/ft².
Heavy Commercial	RS–13*	0.15 cfm/ft².
Sliding Glass Doors:		
Aluminum	RS–11*	0.37 cfm/ft².
PVC	RS–12*	0.37 cfm/lin ft.
Doors—Wood:		
Residential	RS–14*	0.34 cfm/ft².
Light Commercial	RS–14*	0.25 cfm/ft².
Heavy Commercial	RS–14*	0.10 cfm/ft².
Commercial Entrance Doors	RS–10*	1.25 cfm/ft².
Residential Swinging Doors	RS–10*	0.50 cfm/ft².
Wall Sections Aluminum	RS–10*	0.06 cfm/ft².

NOTE: [The "Maximum Allowable Infiltration Rates" are from current standards to allow the use of available products.]
* Incorporated by reference, see § 434.701.

402.2.2 *Building Envelope*. The following areas of the building envelope shall be sealed, caulked, gasketed, or weatherstripped to limit air leakage:

(a) Intersections of the fenestration and door frames with the opaque wall sections.

(b) Openings between walls and foundations, between walls and roof and wall panels.

(c) Openings at penetrations of utility service through, roofs, walls, and floors.

(d) Site built fenestration and doors.

(e) All other openings in the building envelope.

Exceptions are as follows: Outside air intakes, exhaust outlets, relief outlets, stair shaft, elevator shaft smoke relief openings, and other similar elements shall comply with subsection 403.

402.2.2.1 Fenestration and Doors Fenestration and doors shall meet the requirements of Table 402.2.1.

402.2.2.2 *Building Assemblies Used as Ducts or Plenums*. Building assemblies used as ducts or plenums shall be sealed, caulked, and gasketed to limit air leakage.

402.2.2.3 *Vestibules.* A door that separates conditioned space from the exterior shall be equipped with an enclosed vestibule with all doors opening into and out of the vestibule equipped with self-closing devices. Vestibules shall be designed so that in passing through the vestibule, it is not necessary for the interior and exterior doors to open at the same time. Exceptions are as follows: Exterior doors need not be protected with a vestibule where:

(a) The door is a revolving door.

(b) The door is used primarily to facilitate vehicular movement or material handling.

(c) The door is not intended to be used as a general entrance door.

(d) The door opens directly from a dwelling unit.

(e) The door opens directly from a retail space less than 2,000 ft^2 in area, or from a space less than 1,500 ft^2 for other uses.

(f) In buildings less than three stories in building height in regions that have less than 6,300 heating degree days base 65 °F.

402.2.2.4 *Compliance Testing.* All buildings shall be tested after completion using the methodology in RS–11, (incorporated by reference, see § 434.701) or an equivalent approved method to determine the envelope air leakage. A standard blower door test is an acceptable technique to pressurize the building if the building is 5,000 ft^2 or less in area. The building's air handling system can be used to pressurize the building if the building is larger than 5,000 ft^2. The following test conditions shall be:

(a) The measured envelope air leakage shall not exceed 1.57 pounds per square foot of wall area at a pressure difference of 0.3 inches water.

(b) At the time of testing, all windows and outside doors shall be installed and closed, all interior doors shall be open, and all air handlers and dampers shall be operable. The building shall be unoccupied.

(c) During the testing period, the average wind speed during the test shall be less than 6.6 feet per second, the average outside temperature greater than 59 °F, and the average inside-outside temperature difference is less than 41 °F.

402.2.2.5 *Moisture Migration.* The building envelope shall be designed to limit moisture migration that leads to deterioration in insulation or equipment performance as determined by the following construction practices:

(a) A vapor retarder shall be installed to retard, or slow down the rate of water vapor diffusion through the building envelope. The position of the vapor retarder shall be determined taking into account local climate and indoor humidity levels. The methodologies presented in Chapter 20 of RS–4 (incorporated by reference, see § 434.701) shall be used to determine temperature and water vapor profiles through the envelope systems to assess the potential for condensation within the envelope and to determine the position of the vapor retarder within the envelope system.

(b) The vapor retarder shall be installed over the entire building envelope.

(c) The perm rating requirements of the vapor retarder shall be determined using the methodologies contained in Chapter 20 of RS–4, (incorporated by reference, see § 434.701) and shall take into account local climate and indoor humidity level. The vapor retarder shall have a performance rating of 1 perm or less.

402.3 *Thermal Performance Criteria.*

402.3.1 *Roofs; Floors and Walls Adjacent to Unconditioned Spaces.* The area weighted average thermal transmittance of roofs and also of floors and walls adjacent to unconditioned spaces shall not exceed the criteria in Table 402.3.1a. Exceptions are as follows: Skylights for which daylight credit is taken may be excluded from the calculations of the roof assembly U_{or} if all of the following conditions are met:

(a) The opaque roof thermal transmittance is less than the criteria in Table 402.3.1b.

(b) Skylight areas, including framing, as a percentage of the roof area do not exceed the values specified in Table 402.3.1b. The maximum skylight area from Table 402.3.1b may be increased by 50% if a shading device is used that blocks over 50% of the solar gain during the peak cooling design condition. For shell buildings, the permitted skylight area shall be based on a light

level of 30 foot candles and a lighting power density (LPD) of less than 1.0 w/ft^2. For speculative buildings, the permitted skylight area shall be based on the unit lighting power allowance from Table 401.3.2a and an illuminance level as follows: for LPD <1.0, use 30 footcandles; for 1.0 <LPD <2.5, use 50 footcandles; and for LPD ≥2.5, use 70 footcandles.

(c) All electric lighting fixtures within daylighted zones under skylights are controlled by automatic daylighting controls.

(d) The U_o of the skylight assembly including framing does not exceed_____Btu/(h·ft$^{2,\circ}$F) [Use 0.70 for ≤8000 HDD65 and 0.45 for >8000 HDD65 or both if the jurisdiction includes cities that are both below and above 8000 HDD65.]

(e) Skylight curb U-value does not exceed 0.21 Btu/(h·ft$^{2,\circ}$F).

(f) The infiltration coefficient of the skylights does not exceed 0.05 cfm/ft^2.

402.3.2 *Below-Grade Walls and Slabs-on-Grade*. The thermal resistance (R-value) of insulation for slabs-on-grade, or the overall thermal resistance of walls in contact with the earth, shall be equal to or greater than the values in Table 402.3.2.

402.4 *Exterior Walls*. Exterior walls shall comply with either 402.4.1 or 402.4.2.

402.4.1 *Prescriptive Criteria*. (a) The exterior wall shall be designed in accordance with subsections 402.4.1.1 and 402.4.1.2. When the internal load density range is not known, the 0–1.50 W/ft^2 range shall be used for residential, hotel/motel guest rooms, or warehouse occupancies; the 3.01–3.50 w/ft^2 range shall be used for retail stores smaller than 2,000 ft^2 and technical and vocational schools smaller than 10,000 ft^2; and the 1.51–3.00 W/ft^2 range shall be used for all other occupancies and building sizes. When the building envelope is designed or constructed prior to knowing the building occupancy type, an internal load density of _____ W/ft^2 shall be used. [Use 3.0 W/ft^2 for HDD65 <3000, 2.25 W/ft^2 for 3000 <HDD65 <6000, and 1.5 W/ft^2 for HDD65 >6000.]

(b) When more than one condition exists, area weighted averages shall be used. This requirement shall apply to all thermal transmittances, shading coefficients, projection factors, and internal load densities rounded to the same number of decimal places as shown in the respective table.

402.4.1.1 *Opaque Walls*. The weighted average thermal transmittance (U-value) of opaque wall elements shall be less than the values in Table 402.4.1.1. For mass walls (HC ≥5), criteria are presented for low and high window/wall ratios and the criteria shall be determined by interpolating between these values for the window/wall ratio of the building.

402.4.1.2 *Fenestration*. The design of the fenestration shall meet the criteria of Table 402.4.1.2. When the fenestration columns labeled ''Perimeter Daylighting'' are used, automatic daylighting controls shall be installed in the perimeter daylighted zones of the building. These daylighting controls shall be capable of reducing electric lighting power to at least 50% of full power. Only those shading or lighting controls for perimeter daylighting that are shown on the plans shall be considered. The column labeled ''VLT >= SC'' shall be used only when the shading coefficient of the glass is less than its visible light transmittance.

APPENDIX A

The example Alternate Component Package tables illustrate the requirements of subsections 434.301.1, 434.402.3.1, 434.402.3.2, 434.402.4.1.1 and 434.402.4.1.2. Copies of specific tables contained in this appendix A can be obtained from the Energy Code for Federal Commercial Buildings, Docket No. EE–RM–79–112–C, EE–43, Office of Building Research and Standards, U.S. Department of Energy, Room 1J–018, 1000 Independence Avenue, SW., Washington, DC 20585, (202) 586–9127.

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TABLE 301.1 EXTERIOR DESIGN CONDITIONS

WINTER Design Dry Bulb: 44°F;	HDD65: 185
SUMMER Design Dry Bulb: 90°F; Mean Coincident Wet Bulb: 77°F;	CDD65: 4045
Annual Operating Hours, 8AM - 4PM when 55°F<=T<=69°F: 259	

TABLE 402.3.1(A) MAX. THERMAL TRANSMITTANCE (U)

Roof	0.075
Wall adjacent to unconditioned space	1.000
Floor over unconditioned space	0.400

TABLE 402.3.1(B) MAX. EXEMPT SKYLIGHT AREA AS % OF ROOF AREA

Visible Light Transmittance (VLT)	Light level Ft. Candles	Range of Lighting Power Densities			
		<1.00	1.00 - 1.50	1.51 - 2.00	>2.00
0.75	30	2.3	3.1	3.9	4.7
	50	3.1	4.3	5.5	6.7
	70	4.3	5.5	6.7	7.9
0.50	30	3.6	4.8	6.0	7.2
	50	4.8	6.6	8.4	10.2
	70	6.6	8.4	10.2	12.0

TABLE 402.3.2 MINIMUM THERMAL RESISTANCE (R-VALUE)

	24 inches	36 inches	48 inches
Slab on grade: Unheated / Heated:	R-0/R-2	R-0/R-2	R-0/R-2
Horizontal	R-0/R-2	R-0/R-2	R-0/R-2
Vertical	R-0/R-2	R-0/R-2	R-0/R-2
Wall below grade:	R-0		

TABLE 402.4.1.1 MAX. WALL THERMAL TRANSMITTANCE (Uow)

ILD Range	WWR	HC Range	Insulation Position	
			Interior/Integral	Exterior
All	0 to 100	0.0 - 4.9	1.000	1.000
0.00 to 1.50	15	5.0 - 9.9	1.000	1.000
		10.0 - 14.9	1.000	1.000
		15.0 +	1.000	1.000
	99	5.0 - 9.9	1.000	1.000
		10.0 - 14.9	1.000	1.000
		15.0 +	1.000	1.000
1.51 to 3.00	12	5.0 - 9.9	1.000	1.000
		10.0 - 14.9	1.000	1.000
		15.0 +	1.000	1.000
	99	5.0 - 9.9	1.000	1.000
		10.0 - 14.9	1.000	1.000
		15.0 +	1.000	1.000
3.01 to 3.50	9	5.0 - 9.9	1.000	1.000
		10.0 - 14.9	1.000	1.000
		15.0 +	1.000	1.000
	93	5.0 - 9.9	1.000	1.000
		10.0 - 14.9	1.000	1.000
		15.0 +	1.000	1.000

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TABLE 402.4.1.2 MAXIMUM WINDOW WALL RATIO (WWR)

Internal Load Density (ILD) Range	Projection Factor (PF) Range	Shading Coefficient (SCx) Range	Fenestration U-Factor (Uof)							
			Base Case			Perimeter Daylighting				
						1.23 to 0.73	0.72 to 0.00		VLT>=SC	
0.00 - 1.50	0.00 - 0.25	1.00 - 0.72	15	15		17	17		18	
		0.71 - 0.61	19	18		22	21		22	
		0.60 - 0.51	23	22		27	26		27	
		0.50 - 0.39	29	28		34	32		34	
		0.38 - 0.26	42	39		50	46		48	
		0.25 - 0.00	82	70		99	81		84	
	0.26 - 0.50	1.00 - 0.72	22	21		26	25		26	
		0.71 - 0.61	29	27		34	32		33	
		0.60 - 0.51	36	34		43	40		41	
		0.50 - 0.39	46	42		56	50		52	
		0.38 - 0.00	71	62		86	73		75	
	0.50 +	1.00 - 0.72	31	30		37	35		36	
		0.71 - 0.61	41	38		49	45		47	
		0.60 - 0.51	53	48		64	57		58	
		0.50 - 0.00	71	62		86	73		75	
1.51 - 3.00	0.00 - 0.25	1.00 - 0.72	12	12		20	19		21	
		0.71 - 0.61	16	15		26	25		27	
		0.60 - 0.51	19	19		32	30		33	
		0.50 - 0.39	24	23		41	38		41	
		0.38 - 0.26	34	32		62	54		57	
		0.25 - 0.00	66	57		99	90		99	
	0.26 - 0.50	1.00 - 0.72	18	18		31	29		32	
		0.71 - 0.61	24	23		41	37		40	
		0.60 - 0.51	29	28		52	46		49	
		0.50 - 0.39	37	35		68	59		62	
		0.38 - 0.00	57	50		99	83		89	
	0.50 +	1.00 - 0.72	25	24		45	41		44	
		0.71 - 0.61	33	31		60	53		56	
		0.60 - 0.51	42	39		77	67		70	
		0.50 - 0.00	56	50		99	82		89	
3.01 - 3.50	0.00 - 0.25	1.00 - 0.72	9	9		18	17		20	
		0.71 - 0.61	12	12		23	22		26	
		0.60 - 0.51	15	14		29	27		31	
		0.50 - 0.39	18	17		37	34		39	
		0.38 - 0.26	26	24		57	49		55	
		0.25 - 0.00	48	43		99	83		93	
	0.26 - 0.50	1.00 - 0.72	14	13		28	26		30	
		0.71 - 0.61	18	17		37	34		38	
		0.60 - 0.51	22	21		47	42		47	
		0.50 - 0.39	28	26		63	54		60	
		0.38 - 0.00	42	38		92	77		85	
	0.50 +	1.00 - 0.72	19	18		41	37		41	
		0.71 - 0.61	25	24		55	49		54	
		0.60 - 0.51	31	29		71	62		67	
		0.50 - 0.00	41	37		92	76		84	

402.4.2 *System Performance Criteria.* The cumulative annual energy flux attributable to thermal transmittance and solar gains shall be less than the criteria determined using the ENVSTD24 computer program in Standard 90.1–1989, or the equations in RS–1, (incorporated by reference, see §434.701) Attachment 8–B. The cumulative annual energy flux shall be calculated using the ENVSTD24 computer program or the equations in RS–1, (incorporated by reference, see §434.701) Attachment 8–B.

TABLE 402.4.2—EQUIP DEFAULT VALUES FOR ENVSTD24

Occupancy	Default equipment power density [1]	Default occupant load adjustment [1]	Default adjusted equipment power density
Assembly	0.25	0.75	1.00
Health/Institutional	1.00	−0.26	0.74
Hotel/Motel	0.25	−0.33	0.00
Warehouse/Storage	0.10	−0.60	0.00
Multi-Family High Rise	0.75	N/A	0.00
Office	0.75	−0.35	0.40
Restaurant	0.10	0.07	0.17
Retail	0.25	−0.38	0.00
School	0.50	0.30	0.80

[1] Defaults as defined in Section 8.6.10.5, Table 8–4, and Sections 8.6.10.6 and 13.7.2.1, Table 13–2 from RS–1 (incorporated by reference, see § 434.701).

402.4.2.1 *Equipment Power Density (EQUIP).* The equipment power density used in the ENVSTD24 computer program shall use the actual equipment power density from the building plans and specifications or be taken from Table 402.4.2 using the column titled ''Default Adjusted Equipment Power Density'' or calculated for the building using the procedures of RS–1. (incorporated by reference, see § 434.701). The program limits consideration of the equipment power density to a maximum of 1 W/ft^2.

402.4.2.2 *Lighting Power Density (LIGHTS).* The lighting power density used in the ENVSTD24 computer program shall use the actual lighting power density from the building plans and specifications or the appropriate value from Tables 401.3.2a, b, c, or d.

402.4.2.3 *Daylighting Control Credit Fraction (DLCF).* When the daylighting control credit fraction is other than zero, automatic daylighting controls shall be installed in the appropriate perimeter zones(s) of the building to justify the credit.

§ 434.403 Building mechanical systems and equipment.

Mechanical systems and equipment used to provide heating, ventilating, and air conditioning functions as well as additional functions not related to space conditioning, such as, but not limited to, freeze protection in fire projection systems and water heating, shall meet the requirements of this section.

403.1 *Mechanical Equipment Efficiency.* When equipment shown in Tables 403.1a through 403.1f is used, it shall have a minimum performance at the specified rating conditions when tested in accordance with the specified reference standard. The reference standards listed in Tables 403.1a through 403.1f are incorporated by reference, see § 434.701. Omission of minimum performance requirements for equipment not listed in Tables 403.1a through 403.1f does not preclude use of such equipment.

TABLE 403.1a—UNITARY AIR CONDITIONERS AND CONDENSING UNITS, ELECTRICALLY OPERATED, MINIMUM EFFICIENCY REQUIREMENTS

Equipment type	Size category	Subcategory or rating condition	Minimum Efficiency [2]	Test procedure [1]
Air Conditioners, Air Cooled.	<65,000 Btu/h	Split system	10.0 SEER	ARI 210/240
		Single Package	9.7 SEER	(RS–15)*
	≥65,000 Btu/h and <135,00. Btu/h	Split System and Single Package	8.9 EER[3]	ARI 210/240
			8.3 IPLV[3]	(RS–15)*
	≥135,000 Btu/h and <240,000 Btu/h.	Split System and Single Package	8.5 EER[3]	
			7.5 IPLV[3].	
	≥240,000 Btu/h and <760,000 Btu/h.	Split System and Single Package	8.5 EER[3]	ARI–340/360
			7.5 IPLV[3]	(RS–16)*
	≥760,000 Btu/h	Split System and Package	8.3 EER[3]	ARI–340/360
			7.5 IPLV[3]	(RS–16)*
Air Conditioners, Water and Evaporatively Cooled.	<65,000 Btu/h	Split System and Single Package	9.3 EER[3]	ARI 210/240
			8.4 IPLV[3]	(RS–15)*
	≥65,000 Btu/h and <135,000 Btu/h.	Split System and Single Package	10.5 EER[c]	ARI 210/240
			9.7 IPLV[c]	(RS–15)*
	≥135,000 Btu/h and <240,000 Btu/h.	Split System and Single Package	9.6 EER[c]	ARI–340/360
			9.0 IPLV[c]	(RS–16)*
	≥240,000 Btu/h	Split System and Single Package	9.6 EER[c]	ARI–340/360
			9.0 IPLV[c]	(RS–16)*
Condensing Units, Air Cooled.	135,000 Btu/h		9.9 EER	ARI 365
			11.0 IPLV	(RS–29)*

TABLE 403.1a—UNITARY AIR CONDITIONERS AND CONDENSING UNITS, ELECTRICALLY OPERATED, MINIMUM EFFICIENCY REQUIREMENTS—Continued

Equipment type	Size category	Subcategory or rating condition	Minimum Efficiency [2]	Test procedure [1]
Condensing Units, Water or Evaporatively Cooled.	135,000 Btu/h	.....	12.9 EER ..... 12.9 IPLV	ARI 365 (RS–29)*

[1] See subpart E for detailed references
[2] IPLVs are only applicable to equipment with capacity modulation.
[3] Deduct 0.2 from the required EERs and IPLVs for units that have a heating section.
* Incorporation by reference, see § 434.701

TABLE 403.1b—UNITARY AND APPLIED HEAT PUMPS, ELECTRICALLY OPERATED, MINIMUM EFFICIENCY REQUIREMENTS

Equipment type	Size category	Subcategory or rating condition	Minimum efficiency [2]	Test procedure [1]
Air Cooled (Cooling Mode).	<65,000 Btu/h	Split System	10.0 SEER	ARI 210/240
		Single Package	9.7 SEER	(RS–15)*
	≥65,000 Btu/h and <135,000 Btu/h.	Split System and Single Package.	8.9 EER [3]	ARI 210/240
			8.3 IPLV [3]	(RS–15)*
	≥135,000 Btu/h and <240,000 Btu/h.	Split System and Single Package.	8.5 EER [3]	ARI–340/360
			7.5 IPLV [3]	(RS–16)*
	≥240,000 Btu/h	Split System and Single Package.	8.5 EER [3]	ARI–340/360
			7.5 IPLV [3]	(RS–16)*
Water Source	<65,000 Btu/h	85 °F Entering Water	9.3 EER	ARI–320
(Cooling Mode)		75 °F Entering Water	10.2 EER	(RS–27)*
	≥65,000 Btu/h and <135,000 Btu/h	85 °F Entering Water	10.5 EER	ARI–320
		75 °F Entering Water	11.0 EER	(RS–27)*
Groundwater-Source (Cooling Mode).	<135,000 Btu/h	70 F Entering Water	11.0 EER	ARI 325
		50 F Entering Water	11.5 EER	(RS–28)*
Ground Source (Cooling Mode).	<135,000 Btu/h	77 F Entering Water	10.0 EER	ARI 325
		70 F Entering Water	10.4 EER	(RS–28)*
Air Cooled (Heating Mode).	<65,000 Btu/h (Cooling Capacity).	Split System	6.8 HSPF	ARI 210/240
		Single Package	6.6 HSPF	(RS–15)*
	65,000 Btu/h and <135,000 Btu/h (Cooling Capacity).	47 F db/43 F wb Outdoor Air	3.00 COP	ARI 210/240
		17 F db/15 F wb Outdoor Air	2.00 COP	(RS–15)*
	135,000 Btu/h (Cooling Capacity).	47 F db/43 F wb Outdoor Air	2.90 COP	ARI–340/360
		17 F db/15 F wb Outdoor	2.00 COP	(RS–1/)*
Water-Source (Heating Mode).	<135,000 Btu/h (Cooling Capacity).	70 F Entering Water	3.80 COP	ARI–320
		75 F Entering Water	3.90 COP	(RS–27)*
Groundwater-Source (Heating Mode).	<135,000 Btu/h (Cooling Capacity).	70 F Entering Water	3.40 COP	ARI 325
		50 F Entering Water	3.00 COP	(RS–28)*
Ground Source (Heating Mode).	<135,000 Btu/h (Cooling Capacity).	32 F Entering Water	2.50 EER	ARI–330
		41 F Entering Water	2.70 EER	(RS–45)*

[1] See subpart E for detailed references.
[2] IPLVs are only applicable to equipment with capacity modulation.
[3] Deduct 0.2 from the required EERs and IPLVs for units that have a heating section.
* Incorporation by reference, see § 434.701.

TABLE 403.1c—WATER CHILLING PACKAGES, MINIMUM EFFICIENCY REQUIREMENTS

Equipment type	Size category	Subcategory or rating condition	Minimum efficiency [2]	Test procedure [1]
Air-Cooled, With Condenser, Electrically Operated.	<150 Tons	2.70 COP	2.50 COP	ARI 550 Centrifugal/ Rotary Screw (RS–30)* or ARI 590 Reciprocating (RS–31)*
	≥150 Tons	2.80 IPLV	2.50 IPLV	
Air-Cooled, Without Condenser, Electrically Operated.	All Capacities	.....	3.10 COP 3.20 IPLV	
Water Cooled, Electrically Operated, Positive Displacement (Reciprocating).	All Capacities	.....	3.80 COP 3.90 IPLV	
Water Cooled, Electrically Operated, Positive Displacement (Rotary Screw and Scroll).	<150 Tons		3.80 COP 3.90 IPLV	
	≥150 Tons and <300 Tons.	.	4.20 COP 4.50 IPLV	
	≥300 Tons		5.20 COP 5.30 IPLV	

TABLE 403.1c—WATER CHILLING PACKAGES, MINIMUM EFFICIENCY REQUIREMENTS—Continued

Equipment type	Size category	Subcategory or rating condition	Minimum efficiency [2]	Test procedure [1]
Water-Cooled, Electrically Operated, Centrifugal.	<150 Tons		3.80 COP	ARI 550
			3.90 IPLV	(RS–30)*
	150 Tons and <300 Tons.		4.20 COP	
			4.50 IPLV	
	300 Tons		5.20 COP	
			5.30 IPLV	
Absorption Single Effect	All Capacities		0.48 COP.	
Absorption Double Effect, Indirect-Fired.	All Capacities		0.95 COP	ARI 560
			1.00 IPLV	(RS–46)*
Absorption Double-Effect, Direct-Fired.	All Capacities		0.95 COP	
			1.00 IPLV	

[1] See subpart E for detailed references.
[2] Equipment must comply with all efficiencies when multiple efficiencies are indicated.
*Incorporation by reference, see § 434.701.

TABLE 403.1d—PACKAGED TERMINAL AIR CONDITIONERS, PACKAGED TERMINAL HEAT PUMPS, ROOM AIR CONDITIONERS, AND ROOM AIR-CONDITIONER HEAT PUMPS ELECTRICALLY OPERATED, MINIMUM EFFICIENCY REQUIREMENTS

Equipment type	Size category	Subcategory or rating condition	Minimum efficiency [2]	Test procedure [1]
PTAC (Cooling Mode)	All Capacities	95 °F db Outdoor Air	10.0 − (0.16 × Cap/1,000) [3]EER.	ARI 310/380 (RS–17)*
		82 °F db Outdoor Air	12.2 − (0.20 × Cap/1,000) [3]EER.	ARI 310/380 (RS–17)*
PTHP (Cooling Mode)	All Capacities	95 °F db Outdoor Air	10.0–(0.16 × Cap/1,000) [3] EER.	
		82 °F db Outdoor Air	12.2–(0.20 × Cap/1,000) EER.	
PTHP (Heating Mode)	All Capacities		2.90–(0.026 × CAP/1,000) [3] COP.	
Room Air Conditioners, With Louvered Sides.	<6,000 Btu/h		8.0 EER	ANSI/AHAM RAC–1 (RS–40)*
	≥6,000 Btu/h and <8,000 Btu/h.		8.5 EER	
	≥8,000 Btu/h and <14,000 Btu/h.		9.0 EER	
	≥14,000 Btu/h and <20,000 Btu/h.		8.8 EER	
	≥20,000 Btu/h		8.2 EER	
Room Air Conditioner, Without Louvered Sides.	<6,000 Btu/h		8.0 EER	ANSI/AHAM RAC–1 (RS–40)*
	≥6,000 Btu/h and <20,000 Btu/h.		8.5 EER	
	≥20,000 Btu/h		8.2 EER	
Room Air-Conditioner Heat Pumps With Louvered Sides.	All Capacities		8.5 EER	ANSI/AHAM RAC–1 (RS–40)*
Room Air-Conditioner Heat Pumps Without Louvered Sides.	All Capacities		8.0 EER	ANSI/AHAM RAC–1 (RS–40*

[1] See subpart E for detailed references.
[2] Equipment must comply with all efficiencies when multiple efficiencies are indicated. (Note products covered by the 1992 Energy Policy Act have no efficiency requirement for operation at other than standard rating conditions for products manufactured after 1/1/94).
[3] Cap means the rated capacity of the product in Btu/h. If the unit's capacity is less than 7,000 Btu/h, use 7,000 Btu/h in the calculation. If the unit's capacity is greater than 15,000 Btu/h, use 15,000 Btu/h in the calculation.
* Incorporation by reference, see § 434.701.

TABLE 403.1e—WARM AIR FURNACES AND COMBINATION WARM AIR FURNACES/AIR CONDITIONING UNITS, WARM AIR DUCT FURNACES AND UNIT HEATERS, MINIMUM EFFICIENCY REQUIREMENTS

Equipment type	Size category	Subcategory or rating condition	Minimum efficiency [b e]	Test procedure [a]
Warm Air-Furnace, Gas-Fired	<225,000 Btu/h		78% AFUE or 80% E_t.	DOE 10 CFR 430 Appendix N
	≥225,000 Btu/h	Maximum Capacity [c]	80% E_t	ANSI Z21.47 (RS–21)*
		Minimum Capacity [c]	78% E_t	
Warm Air-Furnace, Oil-Fired	<225,000 Btu/h		78% AFUE or 80% E_t [d].	DOE 10 CFR 430 Appendix N

TABLE 403.1e—WARM AIR FURNACES AND COMBINATION WARM AIR FURNACES/AIR CONDITIONING UNITS, WARM AIR DUCT FURNACES AND UNIT HEATERS, MINIMUM EFFICIENCY REQUIREMENTS—Continued

Equipment type	Size category	Subcategory or rating condition	Minimum efficiency[b] [e]	Test procedure[a]
	≥225,000 But/h	Maximum Capacity[c]	81% E_t	U.L. 727
		Minimum Capacity	81% E_t	(RS–22)*
Warm Air Duct Furnaces, Gas-Fired.	All Capacities	Maximum Capacity[c]	78% E_t	ANSI Z83.9
		Minimum Capacity	75% E_t	(RS–23)
Warm Air Unit Heaters, Gas Fired.	All Capacities	Maximum Capacity[c]	78% E_t	ANSI Z83.8
		Minimum Capacity	74% E_t	(RS–24)*
Oil-Fired	All Capacities	Maximum Capacity[c]	81% E_t	U.L. 731
		Minimum Capacity	81% E_t	(RS–25)*

[a] See subpart E for detailed references.
[b] Minimum and maximum ratings as provided for and allowed by the unit's controls.
[c] Combination units not covered by NAECA (Three-phase power or cooling capacity ≥65,000 Btu/h) may comply with either rating.
[d] E_t = thermal efficiency. See referenced document for detailed discussion.
[e] E_c = combustion efficiency. Units must also include an IID and either power venting or a flue damper. For those furnaces where combustion air is drawn from the conditioned space, a vent damper may be substituted for a flue damper.
* Incorporation by reference, see § 434.701

TABLE 403.1f—BOILERS, GAS- AND OIL-FIRED, MINIMUM EFFICIENCY REQUIREMENTS

Equipment type	Size category	Subcategory or rating condition	Minimum efficiency[b]	Test procedure[a]
Boilers, Gas-Fired	<300,000 Btu/h	Hot Water	80% AGUE	DOE 10 CFR 430 Appendix N
		Steam	75% AGUE	DOE 10 CFR 430 Appendix N
	<300,000 Btu/h	Maximum Capacity[c]	80% E_c	ANSI Z21.13
		Minimum Capacity	80% E_c	(RS–32)*
Boilers, Oil-Fired	<300,000 Btu/h		80% AGUE	DOE 10 CFR 430 (RS–20)*
	<300,000 Btu/h	Maximum Capacity[c]	83% E_c	U.L. 726
		Minimum Capacity	83% E_c	(RS–33)*
Oil-Fired (Residual)	<3000,000 Btu/h	Maximum Capacity[c]	83% E_c	
		Minimum Capacity	83% E_c.	

[a] See subpart E for detailed references.
[b] Minimum and maximum ratings as provided for and allowed by the unit's controls.
[c] E_c = combustion efficiency (100% less flue losses). See reference document for detailed information.
* Incorporation by reference, see § 434.701.

403.1.1 Where multiple rating conditions and/or performance requirements are provided, the equipment shall satisfy all stated requirements.

403.1.2 Equipment used to provide water heating functions as part of a combination integrated system shall satisfy all stated requirements for the appropriate space heating or cooling category.

403.1.3 The equipment efficiency shall be supported by data furnished by the manufacturer or shall be certified under a nationally recognized certification program or rating procedure.

403.1.4 Where components, such as indoor or outdoor coils, from different manufacturers are used, the system designer shall specify component efficiencies whose combined efficiency meets the standards herein.

403.2 *HVAC Systems.*

403.2.1 *Load Calculations.* Heating and cooling system design loads for the purpose of sizing systems and equipment shall be determined in accordance with the procedures described in RS–1 (incorporated by reference, see § 434.701) using the design parameters specified in subpart C of this part.

403.2.2 *Equipment and System Sizing.* Heating and cooling equipment and systems shall be sized to provide no more than the loads calculated in accordance with subsection 403.2.1. A single piece of equipment providing both heating and cooling must satisfy this provision for one function with the other function sized as small as possible to meet the load, within available equipment options. Exceptions are as follows:

(a) When the equipment selected is the smallest size needed to meet the load within available options of the desired equipment line.

(b) Standby equipment provided with controls and devices that allow such equipment to operate automatically only when the primary equipment is not operating.

(c) Multiple units of the same equipment type with combined capacities exceeding the design load and provided with controls that sequence or otherwise optimally control the operation of each unit based on load.

403.2.3 *Separate Air Distribution System.* Zones with special process temperature and/or humidity requirements shall be served by air distribution systems separate from those serving zones requiring only comfort conditions or shall include supplementary provisions so that the primary systems may be specifically controlled for comfort purposes only. Exceptions: Zones requiring only comfort heating or comfort cooling that are served by a system primarily used for process temperature and humidity control need not be served by a separate system if the total supply air to these comfort zones is no more than 25% of the total system supply air or the total conditioned floor area of the zones is less than 1000 ft2.

403.2.4 *Ventilation and Fan System Design.* Ventilation systems shall be designed to be capable of reducing the supply of outdoor air to the minimum ventilation rates required by Section 6.1.3 of RS–41 (incorporated by reference, see § 434.701) through the use of return ducts, manually or automatically operated control dampers, fan volume controls, or other devices. Exceptions are as follows: Minimum outdoor air rates may be greater if:

(a) Required to make up air exhausted for source control of contaminants such as in a fume hood.

(b) Required by process systems.

(c) Required to maintain a slightly positive building pressure. For this purpose, minimum outside air intake may be increased up to no greater than 0.30 air changes per hour in excess of exhaust quantities.

403.2.4.1 *Ventilation controls for variable or high occupancy areas.* Systems with design outside air capacities greater than 3,000 cfm serving areas having an average design occupancy density exceeding 100 people per 1,000 ft^2 shall include means to automatically reduce outside air intake to the minimum values required by RS–41 (incorporated by reference, see § 434.701) during unoccupied or low-occupancy periods. Outside air shall not be reduced below 0.14 cfm/ft^2. Outside air intake shall be controlled by one or more of the following:

(a) A clearly labeled, readily accessible bypass timer that may be used by occupants or operating personnel to temporarily increase minimum outside air flow up to design levels.

(b) A carbon dioxide (CO_2) control system having sensors located in the spaces served, or in the return air from the spaces served, capable of maintaining space CO_2 concentrations below levels recommended by the manufacturer, but no fewer than one sensor per 25,000 ft^2 of occupied space shall be provided.

(c) An automatic timeclock that can be programmed to maintain minimum outside air intake levels commensurate with scheduled occupancy levels.

(d) Spaces equipped with occupancy sensors.

403.2.4.2 *Ventilation Controls for enclosed parking garages.* Garage ventilation fan systems with a total design capacity greater than 30,000 cfm shall have automatic controls that stage fans or modulate fan volume as required to maintain carbon monoxide (CO) below levels recommended in RS–41.

403.2.4.3 *Ventilation and Fan Power.* The fan system energy demand of each HVAC system at design conditions shall not exceed 0.8 W/cfm of supply air for constant air volume systems and 1.25 W/cfm of supply air for variable-air-volume (VAV) systems. Fan system energy demand shall not include the additional power required by air treatment or filtering systems with pressure drops over 1 in. w.c. Individual VAV fans with motors 75 hp and larger shall include controls and devices necessary for the fan motor to demand no more than 30 percent of design wattage at 50 percent of design air volume, based on manufacturer's test data. Exceptions are as follows:

(a) Systems with total fan system motor horsepower of 10 hp or less.

(b) Unitary equipment for which the energy used by the fan is considered in the efficiency ratings of subsection 403.1.

403.2.5 *Pumping System Design*. HVAC pumping systems used for comfort heating and/or comfort air conditioning that serve control valves designed to modulate or step open and closed as a function of load shall be designed for variable fluid flow and capable of reducing system flow to 50 percent of design flow or less. Exceptions are as follows:

(a) Systems where a minimum flow greater than 50% of the design flow is required for the proper operation of equipment served by the system, such as chillers.

(b) Systems that serve no more than one control valve.

(c) Systems with a total pump system horse power ≤10 hp.

(d) Systems that comply with subsection 403.2.6.8 without exception.

403.2.6 *Temperature and Humidity Controls*.

403.2.6.1 *System Controls*. Each heating and cooling system shall include at least one temperature control device.

403.2.6.2 *Zone Controls*. The supply of heating and cooling energy to each zone shall be controlled by individual thermostatic controls responding to temperature within the zone. For the purposes of this section, a dwelling unit is considered a zone. Exceptions are as follows: Independent perimeter systems that are designed to offset building envelope heat losses or gains or both may serve one or more zones also served by an interior system when the perimeter system includes at least one thermostatic control zone for each building exposure having exterior walls facing only one orientation for at least 50 contiguous ft and the perimeter system heating and cooling supply is controlled by thermostat(s) located within the zone(s) served by the system.

403.2.6.3 *Zone Thermostatic Control Capabilities*. Where used to control comfort heating, zone thermostatic controls shall be capable of being set locally or remotely by adjustment or selection of sensors down to 55 °F or lower. Where used to control comfort cooling, zone thermostatic controls shall be capable of being set locally or remotely by adjustment or selection of sensors up to 85 °F or higher. Where used to control both comfort heating and cooling, zone thermostatic controls shall be capable of providing a temperature range or deadband of at least 5 °F within which the supply of heating and cooling energy to the zone is shut off or reduced to a minimum. Exceptions are as follows:

(a) Special occupancy or special usage conditions approved by the building official or

(b) Thermostats that require manual changeover between heating and cooling modes.

403.2.6.4 *Heat Pump Auxiliary Heat*. Heat pumps having supplementary electric resistance heaters shall have controls that prevent heater operation when the heating load can be met by the heat pump. Supplemental heater operation is permitted during outdoor coil defrost cycles not exceeding 15 minutes.

403.2.6.5 *Humidistats*. Humidistats used for comfort purposes shall be capable of being set to prevent the use of fossil fuel or electricity to reduce relative humidity below 60% or increase relative humidity above 30%.

403.2.6.6 *Simultaneous Heating and Cooling*. Zone thermostatic and humidistatic controls shall be capable of operating in sequence the supply of heating and cooling energy to the zone. Such controls shall prevent: Reheating; recooling; mixing or simultaneous supply of air that has been previously mechanically heated and air that has been previously cooled, either by mechanical refrigeration or by economizer systems; and other simultaneous operation of heating and cooling systems to the same zone. Exceptions are as follows:

(a) Variable-air-volume systems that, during periods of occupancy, are designed to reduce the air supply to each zone to a minimum before heating, recooling, or mixing takes place. This minimum volume shall be no greater than the larger of 30% of the peak supply volume, the minimum required to meet minimum ventilation requirements of the Federal agency. (0.4 cfm/

ft² of zone conditioned floor area, and 300 cfm).

(b) Zones where special pressurization relationships or cross-contamination requirements are such that variable-air-volume systems are impractical, such as isolation rooms, operating areas of hospitals and clean rooms.

(c) At least 75% of the energy for reheating or for providing warm air in mixing systems is provided from a site-recovered or site-solar energy source.

(d) Zones where specified humidity levels are required to satisfy process needs, such as computer rooms and museums.

(e) Zones with a peak supply air quantity of 300 cfm or less.

403.2.6.7 *Temperature Reset for Air Systems.* Air systems supplying heated or cooled air to multiple zones shall include controls that automatically reset supply air temperatures by representative building loads or by outside air temperature. Temperature shall be reset by at least 25% of the design supply air to room air temperature difference. Zones that are expected to experience relatively constant loads, such as interior zones, shall be designed for the fully reset supply temperature. Exception are as follows: Systems that comply with subsection 403.2.6.6 without using exceptions (a) or (b).

403.2.6.8 *Temperature Reset for Hydronic Systems.* Hydronic systems of at least 600,000 Btu/hr design capacity supplying heated and/or chilled water to comfort conditioning systems shall include controls that automatically reset supply water temperatures by representative building loads (including return water temperature) or by outside air temperature. Temperature shall be reset by at least 25% of the design supply-to-return water temperature difference. Exceptions are as follows:

(a) Systems that comply with subsection 403.2.5 without exception or

(b) Where the design engineer certifies to the building official that supply temperature reset controls cannot be implemented without causing improper operation of heating, cooling, humidification, or dehumidification systems.

403.2.7 *Off Hour Controls.*

403.2.7.1 *Automatic Setback or Shutdown Controls.* HVAC systems shall be equipped with automatic controls capable of accomplishing a reduction of energy use through control setback or equipment shutdown. Exceptions are as follows:

(a) Systems serving areas expected to operate continuously or

(b) Equipment with full load demands not exceeding 2 kW controlled by readily accessible, manual off-hour controls.

403.2.7.2 *Shutoff Dampers.* Outdoor air supply and exhaust systems shall be provided with motorized or gravity dampers or other means of automatic volume shutoff or reduction. Exceptions are as follows:

(a) Systems serving areas expected to operate continuously.

(b) Individual systems which have a design airflow rate or 3000 cfm or less.

(c) Gravity and other non-electrical ventilation systems controlled by readily accessible, manual damper controls.

(d) Where restricted by health and life safety codes.

403.2.7.3 Zone Isolation systems that serve zones that can be expected to operate nonsimultaneously for more than 750 hours per year shall include isolation devices and controls to shut off or set back the supply of heating and cooling to each zone independently. Isolation is not required for zones expected to operate continuously or expected to be inoperative only when all other zones are inoperative. For buildings where occupancy patterns are not known at the time of system design, such as speculative buildings, the designer may predesignate isolation areas. The grouping of zones on one floor into a single isolation area shall be permitted when the total conditioned floor area does not exceed 25,000 ft² per group.

403.2.8 *Economizer Controls.*

403.2.8.1 Each fan system shall be designed and capable of being controlled to take advantage of favorable weather conditions to reduce mechanical cooling requirements. The system shall include either: A temperature or enthalpy air economizer system that is capable of automatically modulating outside air and return air dampers to

provide up to 85% of the design supply air quantity as outside air, or a water economizer system that is capable of cooling supply air by direct and/or indirect evaporation and is capable of providing 100% of the expected system cooling load at outside air temperatures of 50 °F dry-bulb/45 °F wet-bulb and below. Exceptions are as follows:

(a) Individual fan-cooling units with a supply capacity of less than 3000 cfm or a total cooling capacity less than 90,000 Btu/h.

(b) Systems with air-cooled or evaporatively cooled condensers that include extensive filtering equipment provided in order to meet the requirements of RS–41 (incorporated by reference, see § 434.701).

(c) Systems with air-cooled or evaporatively cooled condensers where the design engineer certifies to the building official that use of outdoor air cooling affects the operation of other systems, such as humidification, dehumidification, and supermarket refrigeration systems, so as to increase overall energy usage.

(d) Systems that serve envelope-dominated spaces whose sensible cooling load at design conditions, excluding transmission and infiltration loads, is less than or equal to transmission and infiltration losses at an outdoor temperature of 60 °F.

(e) Systems serving residential spaces and hotel or motel rooms.

(f) Systems for which at least 75% of the annual energy used for mechanical cooling is provided from a site-recovered or site-solar energy source.

(g) The zone(s) served by the system each have operable openings (windows, doors, etc.) with an openable area greater than 5% of the conditioned floor area. This applies only to spaces open to and within 20 ft of the operable openings. Automatic controls shall be provided that lock out system mechanical cooling to these zones when outdoor air temperatures are less than 60 °F.

403.2.8.2 Economizer systems shall be capable of providing partial cooling even when additional mechanical cooling is required to meet the remainder of the cooling load. Exceptions are as follows:

(a) Direct-expansion systems may include controls to reduce the quantity of outdoor air as required to prevent coil frosting at the lowest step of compressor unloading. Individual direct-expansion units that have a cooling capacity of 180,000 Btu/h or less may use economizer controls that preclude economizer operation whenever mechanical cooling is required simultaneously.

(b) Systems in climates with less than 750 average operating hours per year between 8 a.m. and 4 p.m. when the ambient dry-bulb temperatures are between 55 °F and 69 °F inclusive.

403.2.8.3 System design and economizer controls shall be such that economizer operation does not increase the building heating energy use during normal operation.

403.2.9 *Distribution System Construction and Insulation.*

403.2.9.1 *Piping Insulation.* All HVAC system piping shall be thermally insulated in accordance with Table 403.2.9.1. Exceptions are as follows:

(a) Factory-installed piping within HVAC equipment tested and rated in accordance with subsection 403.1.

(b) Piping that conveys fluids that have a design operating temperature range between 55 °F and 105 °F.

(c) Piping that conveys fluids that have not been heated or cooled through the use of fossil fuels or electricity.

TABLE 403.2.9.1—MINIMUM PIPE INSULATION (IN.) [a]

	Insulation conductivity [a]		Nominal pipe diameter (in.)				
Fluid Design Operating Temp. Range (F)	Conductivity Range Btu in./(h ft² F)	Mean Temp. F	<1.0	1.0 to 1.25	1.5 to 3.0	4.0 to 6.0	8.0
Heating systems (Steam, Steam Condensate, and Hot Water) [b c]							
>350	0.32–0.34	250	1.0	1.5	1.5	2.0	2.5
251–350	0.29–0.32	200	1.0	1.0	1.5	2.0	2.0
201–250	0.27–0.30	150	1.0	1.0	1.0	1.5	1.5
141–200	0.25–0.29	125	1.0	1.0	1.0	1.5	1.5

TABLE 403.2.9.1—MINIMUM PIPE INSULATION (IN.) [a]—Continued

Fluid Design Operating Temp. Range (F)	Insulation conductivity [a]		Nominal pipe diameter (in.)				
	Conductivity Range Btu in./(h ft² F)	Mean Temp. F	<1.0	1.0 to 1.25	1.5 to 3.0	4.0 to 6.0	8.0
105–140	0.22–0.28	100	0.5	0.5	0.75	1.0	1.0
Domestic and Service Hot Water Systems							
105 and Greater	0.22–0.28	100	0.5	0.5	0.75	1.0	1.0
Cooling Systems (Chilled Water, Brine, and Refrigerant) [d]							
40–55	0.22–0.28	100	0.5	0.5	0.5	0.5	0.5
Below 40	0.22–0.28	100	0.5	0.5	0.5	0.5	0.5

[a] For insulation outside the stated conductivity range, the minimum thickness (T) shall be determined as follows: $T = r\{(1 + t/r)^{K/k} - 1\}$

Where T = minimum insulation thickness (in), r = actual outside radius of pipe (in), t = insulation thickness listed in this table for applicable fluid temperature and pipe size, K = conductivity of alternate material at mean rating temperature indicated for the applicable fluid temperature (Btu in/h ft² F); and k = the upper value of the conductivity range listed in this table for the applicable fluid temperature.

[b] These thicknesses are based on energy efficiency considerations only. Safety issues, such as insulation surface temperatures, have not been considered.

[c] Piping insulation is not required between the control valve and coil on run-outs when the control valve is located within four feet of the coil and the pipe diameter is 1 inch or less.

[d] Note that the required minimum thickness does not take water vapor transmission and possible surface condensation into account.

TABLE 403.2.9.2—MINIMUM DUCT INSULATION R-VALUE [a]

Duct location	Cooling supply ducts				Heating supply ducts				Return ducts
	CDD65 ≤500	500 <CDD65 ≤1,000	1,000 <CDD65 ≤2,000	CDD65 ≥2,000	HDD65 ≤1,500	1,500 <HDD65 ≤4,500	4,500 <HDD65 ≤7,500	HDD65 ≥7,500	
Exterior of Building	R–3.3	R–5.0	R–6.5	R–8.0	R–3.3	R–5.0	R–6.5	R–8.0	R–5.0
Ventilated Attic	R–3.3	R–3.3	R–3.3	R–5.0	R–5.0	R–5.0	R–5.0	R–5.0	R–3.3
Unvented Attic	R–5.0	R–5.0	R–5.0	R–5.0	R–5.0	R–5.0	R–5.0	R–5.0	R–3.3
Other Conditioned Spaces [b].	R–3.3	R–3.3	R–3.3	R–3.3	R–3.3	R–3.3	R–3.3	R–3.3	R–3.3
Indirectly Conditioned Spaces [c].	none	R–3.3	R–3.3	R–3.3	R–3.3	R–3.3	R–3.3	R–3.3	none
Buried	none	none	none	none	R–5.0	R–5.0	R–5.0	R–5.0	R–3.3

[a] Insulation R-values, measured in (h.ft².°F)/Btu, are for the insulation as installed and do not include film resistance. The required minimum thickness do not consider water vapor transmission and possible surface condensation. The required minimum thicknesses do not consider water vapor transmission and condensation. For ducts that are designed to convey both heated and cooled air, duct insulation shall be as required by the most restrictive condition. Where exterior walls are used as plenum walls, wall insulation shall be as required by the most restrictive condition of this section or subsection 402. Insulation resistance measured on a horizontal plane in accordance with RS–6 (incorporated by reference, see § 434.701) at a mean temperature of 75 °F. RS–6 is in incorporated by reference at § 434.701.

[b] Includes crawl spaces, both ventilated and non-ventilated.

[c] Includes return air plenums, with and without exposed roofs above.

403.2.9.2 *Duct and Plenum Insulation.* All supply and return air ducts and plenums installed as part of an HVAC air distribution system shall be thermally insulated in accordance with Table 403.2.9.1. Exceptions are as follows:

(a) Factory-installed plenums, casings, or ductwork furnished as a part of the HVAC equipment tested and rated in accordance with subsection 403.1

(b) Ducts within the conditioned space that they serve. (incorporated by reference, see § 434.701)ca a06oc0.186

403.2.9.3 *Duct and Plenum Construction.* All air-handling ductwork and plenums shall be constructed and erected in accordance with RS–34, RS–35, and RS–36 (incorporated by reference, see § 434.701). Where supply ductwork and plenums designed to operate at static pressures from 0.25 in. wc to 2 in. wc, inclusive, are located outside of the conditioned space or in return plenums, joints shall be sealed in accordance with Seal Class C as defined in RS–34 (incorporated by reference, see § 434.701). Pressure sensitive tape shall not be used as the primary

sealant where such ducts are designed to operate at static pressures of 1 in. wc, or greater.

403.2.9.3.1 Ductwork designed to operate at static pressures in excess of 3 in. wc shall be leak-tested in accordance with Section 5 of RS–35, (incorporated by reference, see §434.701), or equivalent. Test reports shall be provided in accordance with Section 6 of RS–35, (incorporated by reference, see §434.701)m or equivalent. The tested duct leakage class at a test pressure equal to the design duct pressure class rating shall be equal to or less than leakage Class 6 as defined in Section 4.1 of RS–35 (incorporated by reference, see §434.701). Representative sections totaling at least 25% of the total installed duct area for the designated pressure class shall be tested.

403.2.10 *Completion.*

403.2.10.1 *Manuals.* Construction documents shall require an operating and maintenance manual provided to the Federal Agency. The manual shall include, at a minimum, the following:

(a) Submittal data stating equipment size and selected options for each piece of equipment requiring maintenance, including assumptions used in outdoor design calculations.

(b) Operating and maintenance manuals for each piece of equipment requiring maintenance. Required maintenance activity shall be specified.

(c) Names and addresses of at least one qualified service agency to perform the required periodic maintenance shall be provided.

(d) HVAC controls systems maintenance and calibration information, including wiring diagrams, schematics, and control sequence descriptions. Desired or field determined setpoints shall be permanently recorded on control drawings, at control devices, or, for digital control systems, in programming comments.

(e) A complete narrative, prepared by the designer, of how each system is intended to operate shall be included with the construction documents.

403.2.10.2 *Drawings.* Construction documents shall require that within 30 days after the date of system acceptance, record drawings of the actual installation be provided to the Federal agency. The drawings shall include details of the air barrier installation in every envelope component, demonstrating continuity of the air barrier at all joints and penetrations.

403.2.10.3 *Air System Balancing.* Construction documents shall require that all HVAC systems be balanced in accordance with the industry accepted procedures (such as National Environmental Balancing Bureau (NEBB) Procedural Standards, Associated Air Balance Council (AABC) National Standards, or ANSI/ASHRAE Standard 111). Air and water flow rates shall be measured and adjusted to deliver final flow rates within 10% of design rates, except variable flow distribution systems need not be balanced upstream of the controlling device (VAV box or control valve).

403.2.10.3.1 Construction documents shall require a written balance report be provided to the Federal agency for HVAC systems serving zones with a total conditioned area exceeding 5,000 ft^2.

403.2.10.3.2 Air systems shall be balanced in a manner to first minimize throttling losses, then fan speed shall be adjusted to meet design flow conditions or equivalent procedures. Exceptions are as follows: Damper throttling may be used for air system balancing;

(a) With fan motors of 1 hp (0.746 kW) or less, or

(b) Of throttling results in no greater than ⅓ hp (0.248 kW) fan horsepower draw above that required if the fan speed were adjusted.

403.2.10.4 *Hydronic System Balancing.* Hydronic systems shall be balanced in a manner to first minimize throttling losses; then the pump impeller shall be trimmed or pump speed shall be adjusted to meet design flow conditions. Exceptions are as follows:

(a) Pumps with pump motors of 10 hp (7.46 kW) or less.

(b) If throttling results in no greater than 3 hp (2.23 kW) pump horsepower draw above that required if the impeller were trimmed.

(c) To reserve additional pump pressure capability in open circuit piping systems subject to fouling. Valve throttling pressure drop shall not exceed that expected for future fouling.

403.2.10.5 *Control System Testing.* HVAC control systems shall be tested

to assure that control elements are calibrated, adjusted, and in proper working condition. For projects larger than 50,000 ft2 conditioned area, detailed instructions for commissioning HVAC systems shall be provided by the designer in plans and specifications.

§ 434.404 Building service systems and equipment.

404.1 *Service Water Heating Equipment Efficiency*. Equipment must satisfy the minimum performance efficiency specified in Table 404.1 when tested in accordance with RS–37, RS–38, or RS–39 (incorporated by reference, see § 434.701). Omission of equipment from Table 404.1 shall not preclude the use of such equipment. Service water heating equipment used to provide additional function of space heating as part of a combination (integrated) system shall satisfy all stated requirements for the service water heating equipment. All gas-fired storage water heaters that are not equipped with a flue damper and use indoor air for combustion or draft hood dilution and that are installed in a conditioned space, shall be equipped with a vent damper listed in accordance with RS–42 (incorporated by reference, see § 434.701). Unless the water heater has an available electrical supply, the installation of such a vent damper shall not require an electrical connection.

TABLE 404.1—MINIMUM PERFORMANCE OF WATER HEATING EQUIPMENT

Category	Type	Fuel	Input rating	V_T	Input to V_T ratio Btuh/gal	Test Method[a]	Energy factor	Thermal efficiency E_t,%	Standby loss %/HR
NAECA	all	electric	12 kW	all[c]		DOE Test	0.93–0.00132V		
Covered	storage	gas	75,000 Btuh	all[c]		Procedure 10	0.62–0.0019V		
Water	instantaneous	gas	200,000	all		CFR part 430	0.62–0.0019V		
Heating	storage	oil	Btuh[c]	all		430	0.59–0.0019V		
Equipment[b]	instantaneous	oil	105,000 Btuh	all		Appendix E	0.59–0.0019V		
	pool heater ...	gas/oil	210,000 Btuh all	all		ANSI Z21.56 (RS–38)*		78	
Other Water Heating	storage	electric	all	all		ANSI Z21.10.3		78	.030 + 27/V_T
Equipment[d]	storage/ instantaneous	gas/oil	155m999 Btuh	all	<4,000	(RS–39)*		78	1.3 + 114//V_T
				all	<4,000			80	1.3 + 95/V_T
			>155,000 Btuh	<10	4,000			77	
				10	4,000				2.3 + 67/V_T
Unfired ..... Storage ..... Tanks					all				6.5 Btuh/ft2

[a] For detailed references see subpart E.
[b] Consistent with National Appliance Energy Conservation Act (NAECA) of 1987.
[c] DOE Test Procedures apply to electric and gas storage water heaters with rated volumes 20 gallons and gas instantaneous water heaters with input ratings of 50,000 to 200,000 Btuh.
[d] All except those water heaters covered by NAECA.
* Incorporated by reference, see § 434.701.

404.1.1 *Testing Electric and Oil Storage Water Heaters for Standby Loss*.

(a) When testing an electric storage water heater, the procedures of Z21.10.3–1990 (RS–39, incorporated by reference, see § 434.701), Section 2.9, shall be used. The electrical supply voltage shall be maintained with ±1% of the center of the voltage range specified on the water heater nameplate. Also, when needed for calculations, the thermal efficiency (E_t) shall be 98%.

When testing an oil-fired water heater, the procedures of Z21.10.3–1990 (RS–39 incorporated by reference, see § 434.701), Sections 2.8 and 2.9, shall be used.

(b) The following modifications shall be made: A vertical length of flue pipe shall be connected to the flue gas outlet of sufficient height to establish the minimum draft specified in the manufacturer's installation instructions. All measurements of oil consumption shall be taken by instruments with an accuracy of ±1% or better. The burner rate shall be adjusted to achieve an hourly Btu input rate within ±2% of the manufacturer's specified input rate with the CO_2 reading as specified by the manufacturer with smoke no greater than 1 and the fuel pump pressure within ±1% of the manufacturer's specification.

404.1.2 *Unfired Storage Tanks.* The heat loss of the tank surface area Btu/(h·ft^2) shall be based on an 80 °F water-air temperature difference.

404.1.3 *Storage Volume Symbols in Table 404.1.* The symbol ''V'' is the rated storage volume in gallons as specified by the manufacturer. The symbol ''V_T'' is the storage volume in gallons as measured during the test to determine the standby loss. V_T may differ from V, but it is within tolerances allowed by the applicable Z21 and Underwriters Laboratories standards. Accordingly, for the purpose of estimating the standby loss requirement using the rated volume shown on the rating plate, V_T should be considered as no less than 0.95V for gas and oil water heaters and no less than 0.90V for electric water heaters.

404.1.4 *Electric Water Heaters.* In applications where water temperatures not greater than 145 °F are required, an economic evaluation shall be made on the potential benefit of using an electric heat pump water heater(s) instead of an electric resistance water heater(s). The analysis shall compare the extra installed costs of the heat pump unit with the benefits in reduced energy costs (less increased maintenance costs) over the estimated service life of the heat pump water heater. Exceptions are as follows: Electric water heaters used in conjunction with site-recovered or site-solar energy sources that provide 50% or more of the water heating load or off-peak heating with thermal storage.

404.2 *Service Hot Water Piping Insulation.* Circulating system piping and noncirculating systems without heat traps, the first eight feet of outlet piping from a constant-temperature noncirculating storage system, and the inlet pipe between the storage tank and a heat trap in a noncirculating storage system shall meet the provisions of subsection 403.2.9.

404.2.1 Vertical risers serving storage water heaters not having an integral heat trap and serving a noncirculating system shall have heat traps on both the inlet and outlet piping as close as practical to the water heater.

404.3 *Service Water Heating System Controls.* Temperature controls that allow for storage temperature adjustment from 110 °F to a temperature compatible with the intended use shall be provided in systems serving residential dwelling units and from 90 °F for other systems. When designed to maintain usage temperatures in hot water pipes, such as circulating hot water systems or heat trace, the system shall be equipped with automatic time switches or other controls that can be set to turn off the system.

404.3.1 The outlet temperature of lavatory faucets in public facility restrooms shall be limited to 110 °F.

404.4 *Water Conservation.* Showerheads and lavatory faucets must meet the requirements of 10 CFR 430.32 (o)-(p).

404.4.1 Lavatory faucets in public facility restrooms shall be equipped with a foot switch, occupancy sensor, or similar device or, in other than lavatories for physically handicapped persons, limit water delivery to 0.25 gal/cycle.

404.5 *Swimming Pools.* All pool heaters shall be equipped with a readily accessible on-off switch.

404.5.1 Time switches shall be installed on electric heaters and pumps. Exceptions are as follows:

(a) Pumps required to operate solar or heat recovery pool heating systems.

(b) Where public health requirements require 24-hour pump operation.

404.5.2 Heated swimming pools shall be equipped with pool covers. Exception: When over 70% of the annual energy for heating is obtained from a

site-recovered or site-solar energy source.

404.6 *Combined Service Water Heating and Space Heating Equipment.* A single piece of equipment shall not be used to provide both space heating and service water heating. Exceptions are as follows:

(a) The energy input or storage volume of the combined boiler or water heater is less than twice the energy input or storage volume of the smaller of the separate boilers or water heaters otherwise required or

(b) The input to the combined boiler is less than 150,000 Btuh.

Subpart E—Building Energy Cost Compliance Alternative

§ 434.501 General.

501.1 Subpart E permits the use of the Building Energy Cost Compliance Alternative as an alternative to many elements of subpart D. When this subpart is used, it must be used with subpart C and subpart D, 401.1, 401.2, 401.3.4 and in conjunction with the minimum requirements found in subsections 402.1, 402.2, and 402.3., 403.1, 403.2.1–7, 403.2.9 and 404.

501.2 *Compliance.* Compliance under this method requires detailed energy analyses of the entire Proposed Design, referred to as the Design Energy Consumption; an estimate of annual energy cost for the proposed design, referred to as the Design Energy Cost; and comparison against an Energy Cost Budget. Compliance is achieved when the estimated Design Energy Cost is less than or equal to the Energy Cost Budget. This subpart provides instructions for determining the Energy Cost Budget and for calculating the Design Energy Consumption and Design Energy Cost. The Energy Cost Budget shall be determined through the calculation of monthly energy consumption and energy cost of a Prototype or Reference Building design configured to meet the requirements of subsections 401 through 404.

501.3 Designers are encouraged to employ the Building Energy Cost Budget compliance method set forth in this section for evaluating proposed design alternatives to using the elements prescribed in subpart D. The Building Energy Cost Budget establishes the relative effectiveness of each design alternative in energy cost savings, providing an energy cost basis upon which the building owner and designer may select one design over another. This Energy Cost Budget is the highest allowable calculated energy cost for a specific building design. Other alternative designs are likely to have lower annual energy costs and life cycle costs than those used to minimally meet the Energy Cost Budget.

501.4 The Energy Cost Budget is a numerical reference for annual energy cost. Its purpose is to assure neutrality with respect to choices such as HVAC system type, architectural design and fuel choice by providing a fixed, repeatable budget that is independent of any of these choices wherever possible (*i.e.*, for the prototype buildings). The Energy Cost Budget for a given building size and type will vary only with climate, the number of stories, and the choice of simulation tool. The specifications of the prototypes are necessary to assure repeatability, but have no other significance. They are not necessarily recommended energy conserving practice, or even physically reasonable practice for some climates or buildings, but represent a reasonable worst case of energy cost resulting from compliance with the provisions of subsections 401 through 404.

§ 434.502 Determination of the annual energy cost budget.

502.1 The annual Energy Cost Budgets shall be determined in accordance with the Prototype Building Procedure in § 434.503 and § 434.504 or the Reference Building Procedure in § 434.505. Both methods calculate an annual Energy Cost by summing the 12 monthly Energy Cost Budgets. Each monthly Energy Cost Budget is the product of the monthly Building Energy Consumption of each type of energy used multiplied by the monthly Energy Cost per unit of energy for each type of energy used.

502.2 The Energy Cost Budget shall be determined in accordance with Equation 502.2.a as follows:

$$ECB = ECB_{jan} + . . . ECB_{m} + . . . + ECB_{dec} \quad \text{(Equation 502.2. a)}$$

Based on:

$$ECB_{m} = BECON_{m1} 1 \times ECOS_{m1} + . . . + BECON_{mi} \times ECOS_{mi} \quad \text{(Equation 502.2. b)}$$

Where:
ECB = The annual Energy Cost Budget
ECB_m = The monthly Energy Cost Budget
$BECON_{mi}$ = The monthly Budget Energy Consumption of the i_{th} type of energy
$ECOS_{mi}$ = The monthly Energy Cost, per unit of the i_{th} type of energy

502.3 The monthly Energy Cost Budget shall be determined using current rate schedules or contract prices available at the building site for all types of energy purchased. These costs shall include demand charges, rate blocks, time of use rates, interruptible service rates, delivery charges, taxes, and all other applicable rates for the type, location, operation, and size of the proposed design. The monthly Budget Energy Consumption shall be calculated from the first day through the last day of each month, inclusive.

§ 434.503 Prototype building procedure.

503.1 The Prototype Building procedure shall be used for all building types listed below. For mixed-use buildings the Energy Cost Budget is derived by allocating the floor space of each building type within the floor space of the prototype building. For buildings not listed below, the Reference Building procedure of § 434.505 shall be used. Prototype buildings include:

(a) Assembly;
(b) Office (Business);
(c) Retail (Mercantile);
(d) Warehouse (Storage);
(e) School (Educational);
(f) Hotel/Motel;
(g) Restaurant;
(h) Health/Institutional; and
(i) Multi-Family.

§ 434.504 Use of the prototype building to determine the energy cost budget.

504.1 Determine the building type of the Proposed Design using the categories in subsection 503.1. Using the appropriate Prototype Building characteristics from all of the tables contained in subpart E, the building shall be simulated using the same gross floor area and number of floors for the Prototype Building as in the Proposed Design.

504.2 The form, orientation, occupancy and use profiles for the Prototype Building shall be fixed as described in subsection 511. Envelope, lighting, other internal loads and HVAC systems and equipment shall meet the requirements of subsection 301, 401, 402, 403, and 404 and are standardized inputs.

§ 434.505 Reference building method.

505.1 The Reference Building procedure shall be used only when the Proposed Design cannot be represented by one or a combination of the Prototype Building listed in subsection 503.1 or the assumptions for the Prototype Building in Subsection 510, such as occupancy and use-profiles, do not reasonably represent the Proposed Design.

§ 434.506 Use of the reference building to determine the energy cost budget.

506.1 Each floor shall be oriented in the same manner for the Reference Building as in the Proposed Design. The form, gross and conditioned floor areas of each floor and the number of floors shall be the same as in the Proposed Design. All other characteristics, such as lighting, envelope and HVAC systems and equipment, shall meet the requirements of subsections 301, 401, 402, 403 and 404.

§ 434.507 Calculation procedure and simulation tool.

507.1 The Prototype or Reference Buildings shall be modeled using the

criteria of subsections 510 and 521. The modeling shall use a climate data set appropriate for both the site and the complexity of the energy conserving features of the design. ASHRAE Weather Year for Energy Calculations (WYEC) data or bin weather data shall be used in the absence of other appropriate data.

§ 434.508 Determination of the design energy consumption and design energy cost.

508.1 The Design Energy Consumption shall be calculated by modeling the Proposed Design using the same methods, assumptions, climate data, and simulation tool as were used to establish the Energy Cost Budget, except as explicitly stated in 509 through 534. The Design Energy Cost shall be calculated per Equation 508.1.

$$DECOS = DECOS_{jan} + \ldots DECOS_{m} \ldots . + DECOS_{dec} \quad \text{Equation 508.1}$$

Based on:

$DECOS_m = DECON_{ml} \times ECOS_{ml} + \ldots + DECON_{mi} \times ECOS_{mi}$ (Equation 508.1.2)

Where:

DECOS = The annual Design Energy Cost
$DECOS_m$ = The monthly Design Energy Cost
$DECON_{mi}$ = The monthly Design Energy Consumption of the i_{th} type of energy
$ECOS_{mi}$ = The monthly Energy Cost per unit of the i_{th} type of energy

The $DECON_{mi}$ shall be calculated from the first day through the last day of the month, inclusive.

§ 434.509 Compliance.

509.1 If the Design Energy Cost is less than or equal to the Energy Cost Budget, and all of the minimum requirements of subsection 501.2 are met, the Proposed Design complies with the standards.

§ 434.510 Standard calculation procedure.

510.1 The Standard Calculation Procedure consists of methods and assumptions for calculating the Energy Cost Budget for the Prototype or Reference Building and the Design Energy Consumption and Design Energy Cost of the Proposed Design. In order to maintain consistency between the Energy Cost Budget and the Design Energy Cost, the input assumptions to be used are stated below. These inputs shall be used to determine the Energy Cost Budget and the Design Energy Consumption.

510.2 Prescribed assumptions shall be used without variation. Default assumptions shall be used unless the designer can demonstrate that a different assumption better characterizes the building's energy use over its expected life. The default assumptions shall be used in modeling both the Prototype or Reference Building and the Proposed Design, unless the designer demonstrates clear cause to modify these assumptions. Special procedures for speculative buildings are discussed in subsection 503. Shell buildings may not use subpart E.

§ 434.511 Orientation and shape.

511.1 The Prototype Building shall consist of the same number of stories, and gross and conditioned floor area as the Proposed Design, with equal area per story. The building shape shall be rectangular, with a 2.5:1 aspect ratio. The long dimensions of the building shall face East and West. The fenestration shall be uniformly distributed in proportion to exterior wall area. Floor-to-floor height for the Prototype Building shall be 13 ft. except for dwelling units in hotels/motels and multi-family high-rise residential buildings where floor-to-floor height shall be 9.5 ft.

511.2 The Reference Building shall consist of the same number of stories, and gross floor area for each story as the Proposed Design. Each floor shall be oriented in the same manner as the Proposed Design. The geometric form shall be the same as the Proposed Design.

§ 434.512 Internal loads.

512.1 The systems and types of energy specified in this section are provided only for purposes of calculating the Energy Cost Budget. They are not requirements for either systems or the type of energy to be used in the Proposed Design or for calculation of Design Energy Cost.

512.2 Internal loads for multi-family high-rise residential buildings are prescribed in Tables 512.2.a and b, Multi-Family High Rise Residential Building Schedules. Internal loads for other building types shall be modeled as noted in this subsection.

TABLE 512.2. a—MULTI-FAMILY HIGH RISE RESIDENTIAL BUILDINGS SCHEDULES—ONE-ZONE DWELLING UNIT

[Internal loads per dwelling unit Btu/h]

Hour	Occupants		Lights	Equipment	
	Sensible	Latent	Sensible	Sensible	Latent
1	300	260	0	750	110
2	300	260	0	750	110
3	300	260	0	750	110
4	300	260	0	750	110
5	300	260	0	750	110
6	300	260	0	750	110
7	300	260	0	750	110
8	210	260	980	1250	190
9	100	80	840	2600	420
10	100	80	0	1170	180
11	100	80	0	1270	190
12	100	80	0	2210	330
13	100	80	0	2210	330
14	100	80	0	1270	190
15	100	80	0	1270	190
16	100	80	0	1270	190
17	100	80	0	1270	190
18	300	260	0	3040	450
19	300	260	0	3360	500
20	300	260	960	1490	220
21	300	260	960	1490	220
22	300	260	960	1490	220
23	300	260	960	1060	160
24	300	260	960	1060	160

TABLE 512.2. b—MULTI-FAMILY HIGH RISE RESIDENTIAL BUILDING SCHEDULES-TWO-ZONE DWELLING UNIT

[Internal loads per dwelling unit Btu/h]

Hour	Bedrooms & bathrooms					Other rooms				
	Occupants		Lights	Equipment		Occupants		Lights	Equipment	
	Sensible	Latent	Sensible	Sensible	Latent	Sensible	Latent	Sensible	Sensible	Latent
1	300	260	0	750	110					
2	300	260	0	750	110					
3	300	260	0	750	110					
4	300	260	0	750	110					
5	300	260	0	750	110					
6	300	260	0	750	110					
7	300	260	0	750	110					
8	210	260	980	1250	190					
9	100	80	840	2600	420					
10	100	80	0	1170	180					
11	100	80	0	1270	190					
12	100	80	0	2210	330					
13	100	80	0	2210	330					
14	100	80	0	1270	190					
15	100	80	0	1270	190					
16	100	80	0	1270	190					
17	100	80	0	1270	190					
18	300	260	0	3040	450					
19	300	260	0	3360	500					
20	300	260	960	1490	220					

TABLE 512.2. b—MULTI-FAMILY HIGH RISE RESIDENTIAL BUILDING SCHEDULES-TWO-ZONE DWELLING UNIT—Continued

[Internal loads per dwelling unit Btu/h]

Hour	Bedrooms & bathrooms					Other rooms				
	Occupants		Lights	Equipment		Occupants		Lights	Equipment	
	Sensible	Latent	Sensible	Sensible	Latent	Sensible	Latent	Sensible	Sensible	Latent
21	300	260	960	1490	220					
22	300	260	960	1490	220					
23	300	260	960	1060	160					
24	300	260	960	1060	160					

TABLE 512.2. b—MULTI-FAMILY HIGH RISE RESIDENTIAL BUILDING SCHEDULES-TWO-ZONE DWELLING UNIT

[Internal loads per dwelling unit Btu/h]

Hour	Bedrooms & bathrooms					Other rooms				
	Occupants		Lights	Equipment		Occupants		Lights	Equipment	
	Sensible	Latent	Sensible	Sensible	Latent	Sensible	Latent	Sensible	Sensible	Latent
1	300	260	0	100	20	0	0	0	650	90
2	300	260	0	100	20	0	0	0	650	90
3	300	260	0	100	20	0	0	0	650	90
4	300	260	0	100	20	0	0	0	650	90
5	300	260	0	100	20	0	0	0	650	90
6	300	260	0	100	20	0	0	0	650	90
7	200	180	680	200	40	100	80	300	1050	150
8	110	120	240	200	40	100	80	600	2400	380
9	0	0	0	100	20	100	80	0	1070	160
0	0	0	0	100	20	100	80	0	1170	170
0	0	0	0	100	20	100	80	0	1170	170
0	0	0	0	100	20	100	80	0	2110	310
0	0	0	0	100	20	100	80	0	2110	310
14	0	0	0	100	20	100	80	0	1170	170
15	0	0	0	100	20	100	80	0	1170	170
16	0	0	0	100	20	100	80	0	1170	170
17	0	0	0	100	20	100	80	0	1170	170
18	0	0	0	100	20	300	260	0	2940	430
19	0	0	0	100	20	300	260	0	3260	480
20	100	80	320	300	60	200	180	640	1190	160
21	100	80	320	300	60	200	180	640	1190	160
22	150	130	480	700	90	150	130	480	790	130
23	300	260	640	410	70	0	0	320	650	90
24	300	260	640	410	70	0	0	320	650	90

§ 434.513 Occupancy.

5131 Occupancy schedules are default assumptions. The same assumptions shall be made in computing Design Energy Consumption as were used in calculating the Energy Cost Budget.

513.2 Table 513.2.a, Occupancy Density, establishes the density, in ft² person of conditioned floor area, to be used for each building type. Table 513.2.b, Building Schedule Percentage Multipliers, establishes the percentage of total occupants in the building by hour of the day for each building type.

TABLE 513.2. a—OCCUPANCY DENSITY

Building type	Conditioned floor area Ft² person
Assembly	50
Office	275
Retail	300
Warehouse	15000
School	75
Hotel/Motel	250
Restaurant	100
Health/Institutional	200
Multi-family High-rise Residential	2 per unit .[1]

[1] Heat generation: Btu/h per person: 230 Btu/h per person sensible, and 190 Btu/h per person latent. See Tables 512.2 a and b.

TABLE 513.2.b
BUILDING SCHEDULE PERCENTAGE MULTIPLIERS

		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
1. ASSEMBLY																									
	WEEKDAY:	0	0	0	0	0	0	0	0	20	20	20	20	80	80	80	80	80	80	20	20	20	20	0	0
OCCUPANCY	SATURDAY:	0	0	0	0	0	0	0	0	20	20	20	20	60	60	60	60	60	60	60	60	60	60	0	0
	SUNDAY:	0	0	0	0	0	0	0	0	10	10	10	10	10	70	70	70	70	70	70	70	70	70	0	0
ASSEMBLY	WEEKDAY:	0	0	0	0	0	0	40	40	40	75	75	75	75	75	75	75	75	75	75	75	75	75	0	0
LTNG & RECEP	SATURDAY:	0	0	0	0	0	0	0	30	30	50	50	50	50	50	50	50	50	50	50	50	50	50	0	0
	SUNDAY:	0	0	0	0	0	0	0	30	30	30	30	30	65	65	65	65	65	65	65	65	65	65	0	0
ASSEMBLY	WEEKDAY:	Off	Off	Off	Off	Off	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	Off
HVAC	SATURDAY:	Off	Off	Off	Off	Off	Off	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	Off
	SUNDAY:	Off	Off	Off	Off	Off	Off	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	Off
ASSEMBLY	WEEKDAY:	0	0	0	0	0	0	0	0	0	5	5	35	5	5	5	5	5	0	0	0	0	0	0	0
SWH	SATURDAY:	0	0	0	0	0	0	0	0	0	5	5	20	0	0	0	0	0	0	0	65	30	0	0	0
	SUNDAY:	0	0	0	0	0	0	0	0	0	5	5	10	0	0	0	0	0	0	0	65	30	0	0	0
2. OFFICE																									
	WEEKDAY:	0	0	0	0	0	0	0	10	20	95	95	45	45	95	95	95	95	95	30	10	10	10	0	0
OCCUPANCY	SATURDAY:	0	0	0	0	0	0	0	10	10	30	30	30	30	10	10	10	10	10	0	0	0	0	0	0
	SUNDAY:	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
OFFICE	WEEKDAY:	0	0	0	0	0	0	10	30	90	90	90	80	90	90	90	90	90	90	30	30	20	20	0	0
LTNG & RECEP	SATURDAY:	0	0	0	0	0	0	10	30	30	30	30	15	15	15	15	15	15	15	0	0	0	0	0	0
	SUNDAY:	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
OFFICE	WEEKDAY:	Off	Off	Off	Off	Off	Off	On	On	On	On	On	On	On	On	On	On	On	On	Off	Off	Off	Off	Off	Off
HVAC	SATURDAY:	Off	Off	Off	Off	Off	Off	On	On	On	On	On	On	On	Off	Off	Off	Off	Off	Off	Off	Off	Off	Off	Off
	SUNDAY:	Off	Off	Off	Off	Off	Off	Off	Off	Off	Off	Off	Off	Off	Off	Off	Off	Off	Off	Off	Off	Off	Off	Off	Off
OFFICE	WEEKDAY:	0	0	0	0	0	0	0	15	30	35	35	45	55	50	30	30	40	20	20	10	15	5	0	0
SWH	SATURDAY:	0	0	0	0	0	0	0	10	10	20	15	20	15	15	10	10	10	0	0	0	0	0	0	0
	SUNDAY:	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

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Table 513.2.b
BUILDING SCHEDULE PERCENTAGE MULTIPLIERS (cont.)

3. RETAIL		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
	WEEKDAY:	0	0	0	0	0	0	0	0	20	20	20	20	80	80	80	80	80	80	20	20	20	20	0	0
OCCUPANCY	SATURDAY:	0	0	0	0	0	0	0	0	20	20	20	20	60	60	60	60	60	60	60	60	60	60	0	0
	SUNDAY:	0	0	0	0	0	0	0	0	10	10	10	10	10	70	70	70	70	70	70	70	70	70	0	0
RETAIL	WEEKDAY:	0	0	0	0	0	0	40	40	40	75	75	75	75	75	75	75	75	75	75	75	75	75	0	0
LTNG & RECEP	SATURDAY:	0	0	0	0	0	0	0	30	30	50	50	50	50	50	50	50	50	50	50	50	50	50	0	0
	SUNDAY:	0	0	0	0	0	0	0	30	30	30	30	30	65	65	65	65	65	65	65	65	65	65	0	0
RETAIL	WEEKDAY:	Off	Off	Off	Off	Off	Off	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	Off	Off	Off
HVAC	SATURDAY:	Off	Off	Off	Off	Off	Off	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	Off	Off
	SUNDAY:	Off	Off	Off	Off	Off	Off	Off	Off	On	On	On	On	On	On	On	On	On	On	On	Off	Off	Off	Off	Off
RETAIL	WEEKDAY:	0	0	0	0	0	0	0	10	20	30	40	55	60	60	45	40	45	45	40	30	30	0	0	0
SWH	SATURDAY:	0	0	0	0	0	0	0	15	20	25	40	50	55	55	45	45	45	45	40	35	25	20	0	0
	SUNDAY:	0	0	0	0	0	0	0	0	0	10	25	30	35	35	30	30	35	30	20	0	0	0	0	0
	WEEKDAY:	0	0	0	0	0	0	0	15	70	90	90	90	50	85	85	85	20	0	0	0	0	0	0	0
4. WAREHOUSE																									
OCCUPANCY	SATURDAY:	0	0	0	0	0	0	0	0	20	20	20	20	10	10	10	10	0	0	0	0	0	0	0	0
	SUNDAY:	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
WAREHOUSE	WEEKDAY:	0	0	0	0	0	0	0	40	70	90	90	90	90	90	90	90	90	0	0	0	0	0	0	0
LTNG & RECEP	SATURDAY:	0	0	0	0	0	0	0	0	10	25	25	25	10	10	10	10	0	0	0	0	0	0	0	0
	SUNDAY:	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
WAREHOUSE	WEEKDAY:	Off	Off	Off	Off	Off	Off	Off	On	On	On	On	On	On	On	On	On	On	Off	Off	Off	Off	Off	Off	Off
HVAC	SATURDAY:	Off	Off	Off	Off	Off	Off	Off	Off	On	On	On	On	On	On	On	On	Off	Off	Off	Off	Off	Off	Off	Off
	SUNDAY:	Off	Off	Off	Off	Off	Off	Off	Off	Off	Off	Off	Off	Off	Off	Off	Off	Off	Off	Off	Off	Off	Off	Off	Off
WAREHOUSE	WEEKDAY:	0	0	0	0	0	0	0	5	25	35	35	45	55	50	35	50	15	0	0	0	0	0	0	0
SWH	SATURDAY:	0	0	0	0	0	0	0	0	0	10	10	15	0	0	0	0	0	0	0	0	0	0	0	0
	SUNDAY:	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Table 513.2.b
BUILDING SCHEDULE PERCENTAGE MULTIPLIERS (cont.)

		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
5. SCHOOL																									
	WEEKDAY:	0	0	0	0	0	0	0	5	75	90	90	80	80	80	80	45	15	5	15	20	20	10	0	0
OCCUPANCY	SATURDAY:	0	0	0	0	0	0	0	0	10	10	10	10	10	0	0	0	0	0	0	0	0	0	0	0
	SUNDAY:	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SCHOOL	WEEKDAY:	0	0	0	0	0	0	0	30	85	95	95	95	80	80	80	70	50	50	35	35	35	30	0	0
LTNG&RECEP	SATURDAY:	0	0	0	0	0	0	0	0	15	15	15	15	15	0	0	0	0	0	0	0	0	0	0	0
	SUNDAY:	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SCHOOL	WEEKDAY:	Off	Off	Off	Off	Off	Off	Off	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On
HVAC	SATURDAY:	Off	Off	Off	Off	Off	Off	Off	Off	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On
	SUNDAY:	Off	Off	Off	Off	Off	Off	Off	Off	Off	Off	On	On	On	On	On	On	On	On	On	On	On	On	On	On
SCHOOL	WEEKDAY:	0	0	0	0	0	0	0	5	30	55	60	70	75	80	60	60	5	5	15	20	20	20	20	0
SWH	SATURDAY:	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	SUNDAY:	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	WEEKDAY:	90	90	90	90	90	90	70	40	40	20	20	20	20	20	20	30	50	50	50	70	70	80	90	90
6. HOTEL/MOTEL																									
OCCUPANCY	SATURDAY	90	90	90	90	90	90	70	50	50	30	30	30	30	30	30	30	30	50	60	60	60	70	70	70
	SUNDAY:	70	70	70	70	70	70	70	70	50	50	50	30	20	20	20	20	30	40	40	60	60	80	80	80
HOTEL/MOTEL	WEEKDAY:	20	15	10	10	10	20	40	50	40	40	25	25	25	25	25	25	25	25	60	80	90	80	60	30
LTNG&RECEP	SATURDAY	20	20	10	10	10	10	30	30	40	40	30	25	25	25	25	25	25	25	60	70	70	70	60	30
	SUNDAY:	30	30	20	20	20	20	30	40	40	30	30	30	30	20	20	20	20	20	50	70	80	60	50	30
HOTEL/MOTEL	WEEKDAY:	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On
HVAC	SATURDAY:	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On
	SUNDAY:	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On
HOTEL/MOTEL	WEEKDAY:	20	15	15	15	20	25	50	60	55	45	40	45	40	35	30	30	30	40	55	60	50	55	45	25
SWH	SATURDAY:	20	15	15	15	20	25	40	50	50	50	45	50	50	45	40	40	34	40	55	55	50	55	40	25
	SUNDAY:	25	20	20	20	20	30	50	50	50	55	50	50	40	40	40	30	30	40	50	50	40	50	40	30

Table 513.2.b
BUILDING SCHEDULE PERCENTAGE MULTIPLIERS (cont.)

		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
7. RESTAURANT																									
	WEEKDAY:	15	15	5	0	0	0	0	5	5	5	20	50	80	70	40	20	25	50	80	80	80	50	35	20
OCCUPANCY	SATURDAY:	30	25	5	0	0	0	0	0	5	5	20	45	50	50	35	30	30	30	70	90	70	65	55	35
	SUNDAY:	20	20	5	0	0	0	0	0	0	0	0	20	25	25	15	20	25	35	55	65	70	35	20	20
RESTAURANT	WEEKDAY:	15	15	15	15	15	20	40	40	60	60	90	90	90	90	90	90	90	90	90	90	90	90	50	30
LTNG & RECEP	SATURDAY:	20	15	15	15	15	15	30	30	60	60	80	80	80	80	80	80	80	90	90	90	90	90	50	30
	SUNDAY:	20	15	15	15	15	15	30	30	50	70	70	70	70	70	70	70	60	60	60	60	60	60	50	30
RESTAURANT	WEEKDAY:	On	On	On	Off	Off	Off	Off	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On
HVAC	SATURDAY:	On	On	On	Off	Off	Off	Off	Off	Off	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On
	SUNDAY:	On	On	On	Off	Off	Off	Off	Off	Off	Off	On	On	On	On	On	On	On	On	On	On	On	On	On	On
RESTAURANT	WEEKDAY:	20	15	15	0	0	0	0	60	55	45	40	45	40	35	30	30	30	40	55	60	50	55	45	25
SWH	SATURDAY:	20	15	15	0	0	0	0	0	0	50	45	50	50	45	40	40	35	40	55	55	50	55	40	30
	SUNDAY:	25	20	20	0	0	0	0	0	0	0	50	50	40	40	30	30	30	40	50	50	40	50	40	20
	WEEKDAY:	0	0	0	0	0	0	0	10	50	80	80	80	80	80	80	80	80	50	30	30	20	20	0	0
8. HEALTH																									
OCCUPANCY	SATURDAY:	0	0	0	0	0	0	0	10	30	40	40	40	40	40	40	40	40	10	10	0	0	0	0	0
	SUNDAY:	0	0	0	0	0	0	0	0	5	5	5	5	5	5	5	5	5	0	0	0	0	0	0	0
HEALTH	WEEKDAY:	0	0	0	0	0	0	0	50	90	90	90	90	90	90	90	90	90	30	30	30	30	30	0	0
LTNG & RECEP	SATURDAY:	0	0	0	0	0	0	0	20	40	40	40	40	40	40	40	40	40	40	10	0	0	0	0	0
	SUNDAY:	0	0	0	0	0	0	0	0	10	10	10	10	10	10	10	10	0	0	0	0	0	0	0	0
	WEEKDAY:	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On
	SATURDAY:	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On
	SUNDAY:	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On	On
HEALTH	WEEKDAY:	0	0	0	5	5	5	80	70	50	40	20	20	25	25	50	50	70	70	35	20	15	15	5	0
SWH	SATURDAY:	0	0	0	0	0	0	20	45	50	50	35	30	30	30	70	90	70	65	55	35	30	25	5	0
	SUNDAY:	0	0	0	0	0	0	0	20	25	25	15	20	25	35	55	65	70	35	20	20	20	20	5	0

Table 513.2.b
BUILDING SCHEDULE PERCENTAGE MULTIPLIERS (cont.)

NOTES FOR TABLE 513.2.b

(1) Reference: Recommendations for Energy Conservation Standards and Guidelines for New Commercial Buildings, Vol. III, App. A Pacific Northwest Laboratory, PNL–4870-8, 1983."

(2) Table 513.2.b contains multipliers for converting the nominal values for building occupancy (Table 515.2), receptacle power density (Table 516.2) service hot water (Table), and lighting energy (§434.515) into time series data for estimating building loads under the Standard Calculation Procedure."

(3) "For each standard building profile there are three series - one each for weekdays, Saturday and Sunday. There are 24 elements per series. These represent the multiplier that should be used to estimate building loads from 12 a.m. to 1 a.m. (series element #1) through 11 p.m. to 12 a.m. (series element #24). The estimated load for any hour is simply the multiplier from the appropriate standard profile multiplied by the appropriate value from the tables cited above."

(4) The Building HVAC System Schedule listed in Table 517.1.1 lists the hours when the HVAC system shall be considered "on" or "off" in accordance with §434.514."

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REVISED VERSION
September 14, 2000

§ 434.514 Lighting.

514.1 Interior Lighting Power Allowance (ILPA), for calculating the Energy Cost Budget shall be determined from subsection 401.3.2. The lighting power used to calculate the Design Energy Consumption shall be the actual adjusted power for lighting in the Proposed Design. If the lighting controls in the Proposed Design are more effective at saving energy than those required by subsection 401.3.1 and 401.3.2, the actual installed lighting power shall be used along with the schedules reflecting the action of the controls to calculate the Design Energy Consumption. This actual installed lighting

power shall not be adjusted by the Power Adjustment Factors listed in Table 514.1.

TABLE 514.1—POWER ADJUSTMENT FACTOR (PAF)

Automatic control device(s)	Standard PAF
(1) Occupancy Sensor	0.30
(2) Daylight Sensing Continuous Dimming	0.30
(3) Daylight Sensing Multiple Step Dimming	0.20
(4) Daylight Sensing On/Off	0.10
(5) Lumen Maintenance	0.10

514.2 Table 513.2.b establishes default assumptions for the percentage of the lighting load switched-on in each Prototype or Reference Building by hour of the day. These default assumptions can be changed when calculating the Energy Cost Budget to provide, for example, a 12-hour rather than an 8-hour workday.

§ 434.515 Receptacles.

515.1 Receptacle loads and profiles are default assumptions. The same assumptions shall be made in calculating Design Energy Consumption as were used in calculating the Energy Cost Budget.

515.2 Receptacle loads include all general service loads that are typical in a building. These loads exclude any process electrical usage and HVAC primary or auxiliary electrical usage. Table 515.2, Receptacle Power Densities, establishes the density, in W/ft^2, to be used for each building type. The receptacle energy profiles shall be the same as the lighting energy profiles in Table 513.2.b. This profile establishes the percentage of the receptacle load that is switched on by hour of the day and by building type.

TABLE 515.2—RECEPTACLE POWER DENSITIES

Building type	W/ft^2 of conditioned floor area
Assembly	0.25
Office	0.75
Retail	0.25
Warehouse	0.1
School	0.5
Hotel/Motel	0.25
Restaurant	0.1
Health	1.0
Multi-family High Rise Residential.	

Included in Lights and Equipment portions of Tables 512.2 a and b.

§ 434.516 Building exterior envelope.

516.1 *Insulation and Glazing.* The insulation and glazing characteristics of the Prototype and Reference Building envelope shall be determined by using the first column under ''Base Case'', with no assumed overhangs, for the appropriate Alternate Component Tables (ACP) in Table 402.4.1.2, as defined by climate range. The insulation and glazing characteristics from this ACP are prescribed assumptions for Prototype and Reference Buildings for calculating the Energy Cost Budget. In calculating the Design Energy Consumption of the Proposed Design, the envelope characteristics of the Proposed Design shall be used.

516.2 *Infiltration.* For Prototype and Reference Buildings, the infiltration assumptions in subsection 516.2.1 shall be prescribed assumptions for calculating the Energy Cost Budget and default assumptions for the Design Energy Consumption. Infiltration shall impact perimeter zones only.

516.2.1 When the HVAC system is switched ''on,'' no infiltration shall be assumed. When the HVAC system is switched ''off,'' the infiltration rate for buildings with or without operable windows shall be assumed to be 0.038 cfm/ft^2 of gross exterior wall. Hotels/motels and multi-family high-rise residential buildings shall have infiltration rates of 0.038 cfm/ft^2 of gross exterior wall area at all times.

516.3 *Envelope and Ground Absorptivities.* For Prototype and Reference Buildings, absorptivity assumptions shall be prescribed assumptions for computing the Energy Cost Budget and default assumptions for computing the Design Energy Consumption. The solar absorptivity of opaque elements of the building envelope is assumed to be 70%. The solar absorptivity of ground surfaces is assumed to be 80% (20% reflectivity).

516.4 *Window Management.* For the Prototype and Reference Building, window management drapery assumptions shall be prescribed assumptions for setting the Energy Cost Budget. No draperies shall be the default assumption for computing the Design Energy Consumption. Glazing is assumed to be internally shaded by medium-weight draperies, closed one-half time. The

draperies shall be modeled by assuming that one-half the area in each zone is draped and one-half is not. If manually-operated draperies, shades, or blinds are to be used in the Proposed Design, the Design Energy Consumption shall be calculated by assuming they are effective over one-half the glazing area in each zone.

516.5 *Shading*. For Prototype and Reference buildings and the Proposed Design, shading by permanent structures, terrain, and vegetation shall be taken into account for computing energy consumption, whether or not these features are located on the building site. A permanent fixture is one that is likely to remain for the life of the Proposed Design.

§ 434.517 HVAC systems and equipment.

517.1 The specifications and requirements for the HVAC systems of the Prototype and Reference Buildings shall be those in Table 517.1.1, HVAC Systems for Prototype and Reference Buildings. For the calculation of the Design Energy Consumption, the HVAC systems and equipment of the Proposed Design shall be used.

517.2 The systems and types of energy presented in Table 517.1.1 are assumptions for calculating the Energy Cost Budget. They are not requirements for either systems or the type of energy to be used in the Proposed Building or for the calculation of the Design Energy Cost.

TABLE 517.1.1—HVAC SYSTEMS OF PROTOTYPE AND REFERENCE BUILDINGS [1] [2]

Building/space occupancy	System No. (Table 517.4.1)	Remarks (Table 517.4.1)
Assembly:		
a. Churches (any size)	1	
b. ≤50,000 ft² or ≤3 floors	1 or 3	Note 1.
c. >50,000 ft² or >3 floors	3	
Office:		
a. ≤20,000 ft²	1	
b. ≤50,000 ft² and either ≤3 floors or ≤75,000 ft²	4	
c. <75,000 ft² or >3 floors	5	
Retail:		
a. ≤50,000 ft²	1 or 3	Note 1.
b. >50,000 ft²	4 or 5	Note 1.
Warehouse	1	Note 1.
School:		
a. ≤75,000 ft² or ≤3 floors	1	
b. >75,000 ft² or >3 floors	3	
Hotel/Motel:		
a. ≤3 stories	2 or 7	Note 5, 7.
b. >3 stories	6	Note 6.
Restaurant	1 or 3	Note 1.
Health:		
a. Nursing Home (any size)	2 or 7	Note 7.
b. ≤15,000 ft²	1	
c. <15,000 ft² or ≤50,000 ft²	4	Note 2.
d. >50,000 ft²	5	Note 2, 3.
Multi-family High Rise Residential >3 stories	7	

[1] Space and Service Water Heating budget calculations shall be made using both electricity and natural gas. The Energy Cost Budget shall be the lower of these two calculations. If natural gas is not available at the rate, electricity and #2 fuel oil shall be used for the budget calculations.

[2] The system and energy types presented in this Table are not intended as requirements or recommendations for the proposed design. Floor areas below are the total conditioned floor areas for the listed occupancy type in the building. The number of floors indicated below is the total number of occupied floors for the listed occupancy type.

517.3 *HVAC Zones*. HVAC zones for calculating the Energy Cost Budget of the Prototype or Reference Building shall consist of at least four perimeter and one interior zones per floor. Prototype Buildings shall have one perimeter zone facing each cardinal direction. The perimeter zones of Prototype and Reference Buildings shall be 15 ft in width, or one-third the narrow dimension of the building, when this dimension is between 30 ft and 45 ft inclusive, or one-half the narrow dimension of the building when this dimension is less than 30 ft. Zoning requirements shall be a default assumption for calculating the Energy Cost Budget. For multi-family high-rise residential

buildings, the prototype building shall have one zone per dwelling unit. The proposed design shall have one zone per unit unless zonal thermostatic controls are provided within units; in this case, two zones per unit shall be modeled. Building types such as assembly or warehouse may be modeled as a single zone if there is only one space.

517.4 For calculating the Design Energy Consumption, no fewer zones shall be used than were in the Prototype and Reference Buildings. The zones in the simulation shall correspond to the zones provided by the controls in the Proposed Design. Thermally similar zones, such as those facing one orientation on different floors, may be grouped together for the purposes of either the Design Energy Consumption or Energy Cost Budget simulation.

TABLE 517.4.1—HVAC SYSTEM DESCRIPTION FOR PROTOTYPE AND REFERENCE BUILDINGS [1] [2]

HVAC component	System #1	System #2	System #3	System #4
System Description	Packaged rooftop single room, one unit per zone.	Packaged terminal air conditioner with space heater or heat pump, one heating/cooling unit per zone.	Air handler per zone with central plant.	Packaged rooftop VAV w/perimeter reheat.
Fan system—Design supply circulation rate.	Note 9	Note 10	Note 9	Note 9.
Supply fan total static pressure.	1.3 in. W.C	N/A	2.0 in. W.C	3.0 in. W.C.
Combined supply fan, motor, and drive efficiency.	40%	N/A	50%	45%.
Supply fan control	Constant volume	Fan Cycles with call for heating or cooling.	Constant volume	VAV w/forward curved contrifugal fan and variable inlet vanes.
Return fan total static pressure.	N/A	N/A	0.6 in. W.C.	0.6 in. W.C.
Combined return fan, motor, and drive efficiency.	N/A	N/A	25%	25%.
Return fan control	N/A	N/A	Constant volume	VAV w/forward curved centrifugal fan and discharge dampers.
Cooling System	Direct expansion air cooled.	Direct expansion air cooled.	Chilled water (Note 1)	Direct expansion air cooled.
Heating System	Furnace, heat pump, or electric resistance (Note 8).	Heat pump w/electric resistance auxiliary or air conditioner w/space heater (Note 8).	Hot water (Note 8, 12)	Hot water (Note 12) or electric resistance (Note B).
Remarks	Dry bulb economizer per Section 7.4.3 (barometric relief).	No economizer	Dry bulb economizer per Section 434.514.	Dry bulb economizer per Section 434.514. Minimum VAV setting per 434.514 exception 1. Supply air reset by zone of greatest cooling demand.

[1] The systems and energy types presented in this Table are not intended as requirements or recommendations for the proposed design.

[2] For numbered notes see end of Table 517.4.1.

TABLE 517.4.1—HVAC SYSTEM DESCRIPTION FOR PROTOTYPE AND REFERENCE BUILDINGS [1]

HVAC component	Systems #5	System #6	System #7
System Description	Built-up central VAV with perimeter reheat.	Fourpipe fan coil per zone with central plant.	Water source heat pump
Fan system—Design supply circulation rate.	Note 9	Note 9	Note 10.
Supply fan total static pressure	4.0 in W.C	0.5 in W.C	0.5 in. W.C.
Combined supply fan, motor, and drive efficiency.	55%	25A	25%.

TABLE 517.4.1—HVAC SYSTEM DESCRIPTION FOR PROTOTYPE AND REFERENCE BUILDINGS [1]—Continued

HVAC component	Systems #5	System #6	System #7
Supply fan control	VAV w/air-foil centrifugal fan and AC frequency variable speed drive.	Fan Cycles with call for heating or cooling.	Fan cycles w/call for heating or cooling.
Return fan total static pressure	1.0 in W.C	N/A	N/A.
Combined return fan, motor, and drive efficiency.	30%	N/A	N/A.
Return fan control	VAV with air-foil centrifugal fan and AC frequency variable speed drive.	N/A	N/A.
Cooling System	Chilled water (Note 11)	Chilled water (Note 11)	Closed circuit, centrifugal blower type cooling tower sized per Note 11. Circulating pump sized for 2.7 GPM per ton.
Heating System	Hot water (Note 12) or electric resistance (Note 8).	Hot water (Note 12) or electric resistance (Note 8).	Electric or natural draft fossil fuel boiler (Note 8).
Remarks	Dry bulb economizer per Section 7.4.3. Minimum VAV setting per Section 7.4.4.3. Supply air reset by zone of greatest cooling demand.	No economizer	Tower fans and boiler cycled to maintain circulating water temperature between 60 and design tower leaving water temperature.

NUMBERED NOTES FOR TABLE 517.4.1

HVAC System Descriptions for Prototype and Reference Buildings

Notes:

1. For occupancies such as restaurants, assembly and retail which are part of a mixed use building which, according to Table 517.4.1, includes a central chilled water plant (systems 3, 5, or 6), chilled water system type 3 or 5, as indicated in the Table, shall be used.

2. Constant volume may be used in zones where pressurization relationships must be maintained by code. VAV shall be used in all other areas, in accordance with §517.4

3. Provide run-around heat recovery systems for all fan systems with minimum outside air intake greater than 75%. Recovery effectiveness shall be 0.60.

4. If a warehouse is not intended to be mechanically cooled, both the Energy Cost Budgets and Design Energy Costs, may be calculated assuming no mechanical cooling.

5. The system listed is for guest rooms only. Areas such as public areas and back-of-house areas shall be served by system 4. Other areas such as offices and retail shall be served by the systems listed in Table 517.4.1 for those occupancy types.

6. The system listed is for guest rooms only. Areas such as public areas and back-of-house areas shall be served by System 5. Other areas such as offices and retail shall be served by the systems listed in Table 517.4.1.1 for those occupancy types.

7. System 2 shall be used for Energy Cost Budget calculation except in areas with design heating outside air temperatures less than 10 °F.

8. Prototype energy budget cost calculations shall be made using both electricity and natural gas. If natural gas is not available at the site, electricity and #2 fuel oil shall be used. The Energy Cost Budget shall be the lower of these results. Alternatively, the Energy Cost Budget may be based on the fuel source that minimizes total operating, maintenance, equipment, and installation costs for the prototype over the building lifetime. Equipment and installation cost estimates shall be prepared using professionally recognized cost estimating tools, guides, and techniques. The methods of analysis shall conform to those of subpart A of 10 CFR part 436. Energy costs shall be based on actual costs to the building as defined in this Section.

9. Design supply air circulation rate shall be based on a supply air to room air temperature differences of 20 °F. A higher supply air temperature may be used if required to maintain a minimum circulation rate of 4.5 air changes per hour or 15 cfm per person at design conditions to each zone served by the system. If return fans are specified, they shall be sized from the supply fan capacity less the required minimum ventilation with outside air, or 75% or the supply air capacity, whichever is larger. Except where noted, supply and return fans shall be operated continually during occupied hours.

10. Fan System Energy when included in the efficiency rating of the unit as defined in §403.2.4.3 need not be modeled explicitly for this system. The fan shall cycle with calls for heating or cooling.

11. Chilled water systems shall be modeled using a reciprocating chiller for systems with total cooling capacities less than 175 tons, and centrifugal chillers for systems

with cooling capacities of 175 tons or greater. For systems with cooling or 600 ton or more, the Energy Cost Budget shall be calculated using two centrifugal chillers lead/lag controlled. Chilled water pumps shall be sized using a 12 °F temperature rise, from 44 °F to 56 °F operating at 65 feed of head and 65% combined impeller and motor efficiency. Condenser water pumps shall be sized using a 10 °F temperature rise, operating at 60 feet of head and 60% combined impeller and motor efficiency. The cooling tower shall be an open circuit, centrifugal blower type sized for the larger of 85 °F leaving water temperature or 10 °F approach to design wet bulb temperature. The tower shall be controlled to provide a 65 °F leaving water temperature whenever weather conditions permit, floating up to design leaving water temperature at design conditions. Chilled water supply temperature shall be reset in accordance with § 434.518.

12. Hot water system shall include a natural draft fossil fuel or electric boiler per Note 8. The hot water pump shall be sized based on a 30 °F temperature drop, for 18 °F to 150 °F, operating at 60 feet of head and a combined impeller and motor efficiency of 60%. Hot water supply temperature shall be reset in accordance with § 434.518.

517.5 *Equipment Sizing and Redundant Equipment.* For calculating the Energy Cost Budget of Prototype or Reference Buildings, HVAC equipment shall be sized to meet the requirements of subsection 403.2.2, without using any of the exceptions. The size of equipment shall be that required for the building without process loads considered. Redundant or emergency equipment need not be simulated if it is controlled so that it will not be operated during normal operations of the building. The designer shall document the installation of process equipment and the size of process loads.

517.6 For calculating the Design Energy Consumption, actual air flow rates and installed equipment size shall be used in the simulation, except that excess capacity provided to meet process loads need not be modeled unless the process load was not modeled in setting Energy Cost Budget. Equipment sizing in the simulation of the Proposed Design shall correspond to the equipment actually selected for the design and the designer shall not use equipment sized automatically by the simulation tool.

517.6.1 Redundant or emergency equipment need not be simulated if it is controlled to not be operated during normal operations of the building.

§ 434.518 Service water heating.

518.1 The service water loads for Prototype and Reference Buildings are defined in terms of Btu/h per person in Table 518.1.1, Service Hot Water Quantities. The service water heating loads from Table 518.1.1 are prescribed assumptions for multi-family high-rise residential buildings and default assumptions for all other buildings. The same service water heating load assumptions shall be made in calculating Design Energy Consumption as were used in calculating the Energy Cost Budget.

TABLE 518.1.1—SERVICE HOT WATER QUANTITIES

Building type	Btu/person-hour [1]
Assembly	215
Office	175
Retail	135
Warehouse	225
School	215
Hotel/Motel	1110
Restaurant	390
Health	135
Multi-family High Rise Residential	[2] 1700

[1] This value is the number to be multiplied by the percentage multipliers of the Building Profile Schedules in Table 513.2.b. See Table 513.2.a for occupancy levels.

[2] Total hot water use per dwelling unit for each hour shall be 3,400 Btu/h times the multi-family high rise residential building SWH system multiplier from Table 513.2.b.

518.2 The service water heating system, including piping losses for the Prototype Building, shall be modeled using the methods of the RS–47 (incorporated by reference, see § 434.701) using a system that meets all requirements of subsection 404. The service water heating equipment for the Prototype or Reference Building shall be either an electric heat pump or natural gas, or if natural gas is not available at the site, #2 fuel oil. Exception: If electric resistance service water heating is preferable to an electric heat pump when analyzed according to the criteria of § 434.404.1.4 or when service water temperatures exceeding 145 °F are required for a particular application, electric resistance water heating may be used.

§ 434.519 Controls.

519.1 All occupied conditioned spaces in the Prototype, Reference and Proposed Design Buildings in all climates shall be simulated as being both heated and cooled. The assumptions in this subsection are prescribed assumptions. If the Proposed Design does not include equipment for cooling or heating, the Design Energy Consumption shall be determined by the specifications for calculating the Energy Cost Budget as described in Table 517.4.1 HVAC System Description for Prototype and Reference Buildings. Exceptions to 519.1 are as follows:

519.1.1 If a building is to be provided with only heating or cooling, both the Prototype or Reference Building and the Proposed Design shall be simulated, using the same assumptions. Such an assumption cannot be made unless the building interior temperature meets the comfort criteria of RS–2 (incorporated by reference, see § 434.701) at least 98% of the occupied hours during the year.

519.1.2 If warehouses are not intended to be mechanically cooled, both the Energy Cost Budget and Design Energy Consumption shall be modeled assuming no mechanical cooling; and

519.1.3 In climates where winter design temperature (97.5% occurrence) is greater than 59 °F, space heating need not be modeled.

519.2 Space temperature controls for the Prototype or Reference Building, except multi-family high-rise residential buildings, shall be set at 70 °F for space heating and 75 °F for space cooling with a deadband per subsection 403.2.6.3. The system shut off during off-hours shall be according to the schedule in Table 515.2, except that the heating system shall cycle on if any space should drop below the night setback setting of 55 °F. There shall be no similar setpoint during the cooling season. Lesser deadband ranges may be used in calculating the Design Energy Consumption. Exceptions to 519.2 are as follows:

(a) Setback shall not be modeled in determining either the Energy Cost Budget or Design Energy Cost if setback is not realistic for the Proposed Design, such as 24-hour/day operations. Health facilities need not have night setback during the heating season; and

(b) Hotel/motels and multi-family high-rise residential buildings shall have a night setback temperature of 60 °F from 11:00 p.m. to 6:00 a.m. during the heating season; and

(c) If deadband controls are not to be installed, the Design Energy Cost shall be calculated with both heating and cooling thermostat setpoints set to the same value between 70 °F and 75 °F inclusive, assumed to be constant for the year.

519.2.1 For multi-family buildings, the thermostat schedule for the dwelling units shall be as in Table 519.1.2, Thermostat Settings for Multi-Family High-rise Buildings. The Prototype Building shall use the single zone schedule. The Proposed Design shall use the two-zone schedule only if zonal thermostatic controls are provided. For Proposed Designs that use heat pumps employing supplementary heat, the controls used to switch on the auxiliary heat source during morning warm-up periods shall be simulated accurately. The thermostat assumptions for multi-family high-rise buildings are prescribed assumptions.

519.3 When providing for outdoor air ventilation in calculating the Energy Cost Budget, controls shall be assumed to close the outside air intake to reduce the flow of outside air to 0 cfm during setback and unoccupied periods. Ventilation using inside air may still be required to maintain scheduled setback temperature. Outside air ventilation, during occupied periods, shall be as required by RS–41, (incorporated by reference, see § 434.701) or the Proposed Design, whichever is greater.

519.4 If humidification is to be used in the Proposed Design, the same level of humidification and system type shall be used in the Prototype or Reference Building. If dehumidification requires subcooling of supply air, then reheat for the Prototype or Reference Building shall be from recovered waste heat such as condenser waste heat.

TABLE 519.1.2—THERMOSTAT SETTINGS FOR MULTI-FAMILY HIGH-RISE RESIDENTIAL BUILDINGS

Time of day	Single zone dwelling unit		Two zone dwelling unit			
	Heat	Cool	Bedrooms/bathrooms		Other rooms	
			Heat	Cool	Heat	Cool
Midnight–6 a.m.	60	78	60	78	60	85
6 a.m.–9 a.m.	70	78	70	78	70	78
9 a.m.–5 p.m.	70	78	60	85	70	78
5 p.m.–11 p.m.	70	78	70	78	70	78
11 p.m.–Midnight	60	78	60	78	60	78

§ 434.520 Speculative buildings.

520.1 Lighting. The interior lighting power allowance (ILPA) for calculating the Energy Cost Budget shall be determined from Table 401.3.2a. The Design Energy Consumption may be based on an assumed adjusted lighting power for future lighting improvements.

520.2 The assumption about future lighting power used to calculate the Design Energy Consumption must be documented so that the future installed lighting systems may be in compliance with these standards. Documentation must be provided to enable future lighting systems to use either the Prescriptive method or the Systems Performance method of subsection 401.3.

520.3 Documentation for future lighting systems that use subsection 401.3 shall be stated as a maximum adjusted lighting power for the tenant spaces. The adjusted lighting power allowance for tenant spaces shall account for the lighting power provided for the common areas of the building.

520.4 Documentation for future lighting systems that use subsection 401.3 shall be stated as a required lighting adjustment. The required lighting adjustment is the whole building lighting power assumed in order to calculate the Design Energy Consumption minus the ILPA value from Table 401.3.2c that was used to calculate the Energy Cost Budget. When the required lighting adjustment is less than zero, a complete lighting design must be developed for one or more representative tenant spaces, demonstrating acceptable lighting within the limits of the assumed lighting power allowance.

520.5 HVAC Systems and Equipment. If the HVAC system is not completely specified in the plans, the Design Energy Consumption shall be based on reasonable assumptions about the construction of future HVAC systems and equipment. These assumptions shall be documented so that future HVAC systems and equipment may be in compliance with these standards.

§ 434.521 The simulation tool.

521.1 Annual energy consumption shall be simulated with a multi-zone, 8760 hours per year building energy model. The model shall account for:

521.1.1 The dynamic heat transfer of the building envelope such as solar and internal gains;

521.1.2 Equipment efficiencies as a function of load and climate;

521.1.3 Lighting and HVAC system controls and distribution systems by simulating the whole building;

521.1.4 The operating schedule of the building including night setback during various times of the year; and

521.1.5 Energy consumption information at a level necessary to determine the Energy Cost Budget and Design Energy Cost through the appropriate utility rate schedules.

521.1.6 While the simulation tool should simulate an entire year on an hour by hour basis (8760 hours), programs that approximate this dynamic analysis procedure and provide equivalent results are acceptable.

521.1.7 Simulation tools shall be selected for their ability to simulate accurately the relevant features of the building in question, as shown in the tool's documentation. For example, a single-zone model shall not be used to simulate a large, multi-zone building, and a steady-state model such as the degree-day method shall not be used to simulate buildings when equipment efficiency or performance is significantly affected by the dynamic patterns of

weather, solar radiation, and occupancy. Relevant energy-related features shall be addressed by a model such as daylighting, atriums or sunspaces, night ventilation or thermal storage, chilled water storage or heat recovery, active or passive solar systems, zoning and controls of heating and cooling systems, and ground-coupled buildings. In addition, models shall be capable of translating the Design Energy Consumption into energy cost using actual utility rate schedules with the coincidental electrical demand of a building. Examples of public domain models capable of handling such complex building systems and energy cost translations available in the United States are DOE—2.1C and BLAST 3.0 and in Canada, Energy Systems Analysis Series.

521.1.8 All simulation tools shall use scientifically justifiable documented techniques and procedures for modeling building loads, systems, and equipment. The algorithms used in the program shall have been verified by comparison with experimental measurements, loads, systems, and equipment.

Subpart F—Building Energy Compliance Alternative

§ 434.601 General.

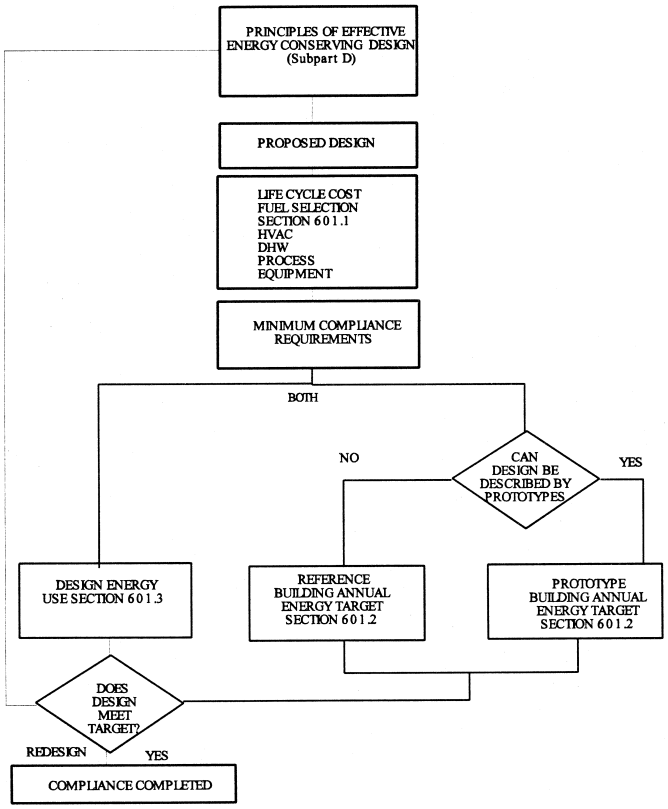
601.1 This subpart provides an alternative path for compliance with the standards that allow for greater flexibility in the design of energy efficient buildings using an annual energy use method. This path provides an opportunity for the use of innovative designs, materials, and equipment such as daylighting, passive solar heating, and heat recovery, that may not be adequately evaluated by methods found in subpart D.

601.2 The Building Energy Compliance Alternative shall be used with subpart C and subpart D, 401.1, 401.2, 401.3.4 and in conjunction with the minimum requirements found in subsections 402.1, 402.2, and 402.3., 403.1, 403.2.1–7, 403.2.9 and 404.

601.3 Compliance under this section is demonstrated by showing that the calculated annual energy usage for the Proposed Design is less than or equal to a calculated Energy Use Budget. (See Figure 601.3, Building Energy Compliance Alternative). The analytical procedures in this subpart are only for determining design compliance, and are not to be used either to predict, document or verify annual energy consumption.

Figure 601.3

Building Energy Compliance Alternative



REVISED VERSION
September 14, 2000

601.4 Compliance under the Building Energy Use Budget method requires a detailed energy analysis, using a conventional simulation tool, of the Proposed Design. A life cycle cost analysis shall be used to select the fuel source for the HVAC systems, service hot water, and process loads from available alternatives. The Annual Energy Consumption of the Proposed Design with the life cycle cost-effective fuel selection is calculated to determine the modeled energy consumption, called the Design Energy Use.

601.5 The Design Energy Use is defined as the energy that is consumed within the five foot line of a proposed building per ft^2 over a 24-hour day, 365-

day year period and specified operating hours. The calculated Design Energy Use is then compared to a calculated Energy Use Budget.

601.6 *Compliance*. The Energy Use Budget is determined by calculating the annual energy usage for a Reference or Prototype Building that is configured to comply with the provisions of subpart E for such buildings, except that the fuel source(s) of the Prototype or Reference Building shall be the same life cycle cost-effective source(s) selected for the Proposed Design. If the Design Energy Use is less than or equal to the Energy Use Budget then the proposed design complies with these standards.

601.7 This section provides instructions for determining the Design Energy Use and for calculating the Energy Use Budget. The Energy Use Budget is the highest allowable calculated annual energy consumption for a specified building design. Designers are encouraged to design buildings whose Design Energy Use is lower than the Energy Use Budget.

§ 434.602 Determination of the annual energy budget.

602.1 The Energy Use Budget shall be calculated for the appropriate Prototype or Reference Building in accordance with the procedures prescribed in subsection 502 with the following exceptions: The Energy Use Budget shall be stated in units of Btu/ft^2/yr and the simulation tool shall segregate the calculated energy consumption by fuel type producing an Energy Use Budget for each fuel (the fuel selections having been made by a life cycle cost analysis in determining the proposed design).

602.2 The Energy Use Budget is calculated similarly for the Reference or Prototype Building using equation 602.2.

$$EUB = EUB_1 xf_1 + EUB_2 xf_2 + ... + EUB_i xf_i \qquad \text{Equation 602.2}$$

Where EUB_1, EUB_2, EUB_i are the calculated annual energy targets for each fuel used in the Reference or Prototype building and f_1, f_2, . . . f_i are the energy conversion factors given in Table 602.2, Fuel Conversion Factors for Computing Design Annual Energy Uses. In lieu of case by case calculation of the Energy Use Budget, the designer may construct Energy Use Budget tables for the combinations of energy source(s) that may be considered in a set of project designs, such as electric heating, electric service water, and gas cooling or oil heating, gas service water and electric cooling. The values in such optional Energy Use Budget tables shall be equal to or less than the corresponding Energy Use Budgets calculated on a case by case basis according to this section. Energy Use Budget tables shall be constructed to correspond to the climatic regions and building types in accordance with provisions for Prototype or Reference Building models in subpart E of this part.

TABLE 602.2—FUEL CONVERSION FACTORS, FOR COMPUTING DESIGN ANNUAL ENERGY USES

Fuels	Conversion factor
Electricity	3412 Btu/kilowatt hour.
Fuel Oil	138,700 Btu/gallon.
Natural Gas	1,031,000 Btu/1000 ft^2.
Liquified Petroleum (including Propane and Butane)	95,5000 Btu/gallon.
Anthracite Coal	28,300,000 Btu/short ton.
Bituminous Coal	24,580,000 Btu/short ton.
Purchase Steam and Steam from Central Plants	1,000 Btu/Pound.
High Temperature or Medium Temperature Water from Central Plants.	Use the heat value based on the water actually delivered at the building five foot line.

NOTE: At specific locations where the energy source Btu content varies significantly from the value presented above then the local fuel value may be used provided there is supporting documentation from the fuel source supplier stating this actual energy value and varifying that this value will remain consistent for the foreseeable future. The fuel content for fuels not given this table shall be determined from the best available source.

§ 434.603 Determination of the design energy use.

603.1 The Design Energy Use shall be calculated by modeling the Proposed Design using the same methods, assumptions, climate data, and simulation tool as were used to establish the Energy Use Budget, but with the design features that will be used in the final building design. The simulation tool used shall segregate the calculated energy consumption by fuel type giving an annual Design Energy Use for each fuel. The sum of the Design Energy Uses multiplied by the fuel conversion factors in Table 602.2 yields the Design Energy Use for the proposed design:

$$DEU = DEU_1 xf_1 + DEU_2 xf_2 + ... + DEU_i xf_i \qquad \text{Equation 603.1}$$

Where f_1, f_2, * * * f_i are the fuel conversion factors in Table 602.2.

603.2 *Required Life Cycle Cost Analysis for Fuel Selection*.

603.2.1 Fuel sources selected for the Proposed Design and Prototype or Reference buildings shall be determined by considering the energy cost and other costs and cost savings that occur during the expected economic life of the alternative.

603.2.2 The designer shall use the procedures set forth in subpart A of 10 CFR part 436 to make this determination. The fuel selection life cycle cost analysis shall include the following steps:

603.2.2.1 Determine the feasible alternatives for energy sources of the Proposed Design's HVAC systems, service hot water, and process loads.

603.2.2.2 Model the Proposed Design including the alternative HVAC and service water systems and conduct an annual energy analysis for each fuel source alternative using the simulation tool specified in this section. The annual energy analysis shall be computed on a monthly basis in conformance with subpart E with the exception that all process loads shall be included in the calculation. Separate the output of the analysis by fuel type.

603.2.2.3 Determine the unit price of each fuel using information from the utility or other reliable local source. During rapid changes in fuel prices it is recommended that an average fuel price for the previous twelve months be used in lieu of the current price. Calculate the annual energy cost of each energy source alternative in accordance with procedures in subpart E for the Design Energy Cost. Estimate the initial cost of the HVAC and service water systems and other initial costs such as energy distribution lines and service connection fees associated with each fuel source alternative. Estimate other costs and benefits for each alternative including, but not necessarily limited to, annual maintenance and repair, periodic and one time major repairs and replacements and salvage of the energy and service water systems. Cost estimates shall be prepared using professionally recognized cost estimating tools, guides and techniques.

603.2.2.4 Perform a life cycle cost analysis using the procedure specified in subsection 603.2.

603.2.2.5 Compare the total life cycle cost of each energy source alternative. The alternative with the lowest total life cycle cost shall be chosen as the energy source for the proposed design.

§ 434.604 Compliance.

604.1 Compliance with this section is demonstrated if the Design Energy Use is equal to or less than the Energy Use Budget.

$$DEU < EUB \qquad \text{Equation 604.1}$$

604.2 The energy consumption shall be measured at the building five foot line for all fuels. Energy consumed from non-depletable energy sources and heat recovery systems shall not be included in the Design Energy Use calculations. The thermal efficiency of fixtures, equipment, systems or plants in the proposed design shall be simulated by the selected calculation tool.

§ 434.605 Standard Calculation Procedure.

605.1 The Standard Calculation Procedure consists of methods and assumptions for calculating the Energy Use Budgets for Prototype and Reference Buildings and the Energy Use for the Proposed Design. In order to maintain consistency between the Energy Use Budgets and the Design Energy Use, the input assumptions stated in subsection 510.2 are to be used.

605.2 The terms Energy Cost Budget and Design Energy Cost or Design Energy Consumption used in subpart E of this part correlate to Energy Use Budget and Design Energy Use, respectively, in subpart F of this part.

§ 434.606 Simulation tool.

606.1 The criteria established in subsection 521 for the selection of a simulation tool shall be followed when using the compliance path prescribed in subpart F of this part.

§ 434.607 Life cycle cost analysis criteria.

607.1 The following life cycle cost criteria applies to the fuel selection requirements of this subpart and to option life cycle cost analyses performed to evaluate energy conservation design alternatives. The fuel source(s) selection shall be made in accordance with the requirements of subpart A of 10 CFR part 436. When performing optional life cycle cost analyses of energy conservation opportunities the designer may use the life cycle cost procedures of subpart A of 10 CFR part 436 or OMB Circular 1–94 or an equivalent procedure that meets the assumptions listed below:

607.1.1 The economic life of the Prototype Building and Proposed Design shall be 25 years. Anticipated replacements or renovations of energy related features and systems in the Prototype or Reference Building and Proposed Design during this period shall be included in their respective life cycle cost calculations.

607.1.2 The designer shall follow established professional cost estimating practices when determining the costs and benefits associated with the energy related features of the Prototype or Reference Building and Proposed Design.

607.1.3 All costs shall be expressed in current dollars. General inflation shall be disregarded. Differential escalation of prices (prices estimated to rise faster or slower than general inflation) for energy used in the life cycle cost calculations shall be those in effect at the time of the latest ''Annual Energy Outlook'' (DOE/EIA–0383) as published by the Department of Energy's Energy Information Administration.

607.1.4 The economic effects of taxes, depreciation and other factors not consistent with the practices of subpart A of 10 CFR part 436 shall not be included in the life cycle cost calculation.

Subpart G—Reference Standards

§ 434.701 General.

701.1 *General.* The standards, technical handbooks, papers, regulations, and portions thereof, that are referred to in the sections and subsections in the following list are hereby incorporated by reference into this part 434. The following standards have been approved for incorporation by reference by the Director of the Federal Register in accordance with 5 U.S.C. 522(a) and 1 CFR part 51. A notice of any change in these materials will be published in the FEDERAL REGISTER. The standards incorporated by reference are available for inspection at the U.S. Department of Energy, Office of Energy Efficiency, Hearings and Dockets, Forrestal Building, 1000 Independence Avenue SW, Washington, DC 20585, or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.* The standards may be purchased at the addresses listed at the end of each standard. The following standards are incorporated by reference in this part:

Ref. No.	Standard designation	CFR section
RS–1	ANSI/ASHRAE/IESNA 90.1–1989, Energy Efficient Design of New Buildings Except Low-Rise Residential Buildings, and Addenda 90.1b–1992, 90.1c–1993, 90.1d–1992, 90.1e–1992, 90.1f–1995, 90.1g–1993, 90.1i–1993, American Society of Heating, Refrigerating and Air-Conditioning Engineers, Inc., ASHRAE 1791 Tullie Circle NE, Atlanta, GA 30329.	434.301.1; 434.402.1.2.4; 434.402.4.2; 434.403.2.1.
RS–2	ANSI/ASHRAE 55–1992 including addenda 55a–1995, Thermal Environmental Conditions for Human Occupancy, American Society of Heating, Refrigerating and Air-Conditioning Engineers, Inc., 1791 Tullie Circle NE, Atlanta, GA 30329.	434.301.2; 434.519.1.1.
RS–3	NEMA MG1–1993, ''Motors and Generators,'' Revision No. 1, December 7, 1993, National Electrical Manufacturers Association, 1300 North 17th Street, Suite 1847, Rosslyn, VA 22209.	434.401.2.1.
RS–4	ASHRAE, Handbook, 1993 Fundamentals Volume, American Society of Heating, Refrigerating, and Air-Conditioning Engineers, Inc., 1791 Tullie Circle NE, Atlanta, GA 30329.	434.402.1.1; 434.402.1.2.1; 434.402.1.2.2; 434.402.1.2.4; 434.402.2.2.5.
RS–5	ASTM C 177–85 (Reapproved 1993), Test Method for Steady-State Heat Flux Measurements and Thermal Transmission Properties by Means of the Guarded-Hot-Plate Apparatus, American Society for Testing and Materials, 1916 Race Street, Philadelphia, PA 19103.	434.402.1.1; 434.402.1.2.1; 434.402.1.2.2.
RS–6	ASTM C 518–91, Test Method for Steady-State Heat Flux Measurements and Thermal Transmission Properties by Means of the Heat Flow Meter Apparatus, American Society for Testing and Materials, 1916 Race Street, Philadelphia, PA 19103.	434.402.1.1; 434.402.1.2.1; Table 402.1.2.2; Table 403.2.9.2.
RS–7	ASTM C 236–89 (Reapproved 1993), Test Method for Steady-State Thermal Performance of Building Assemblies by Means of a Guarded Hot Box, American Society for Testing and Materials, 1916 Race Street, Philadelphia, PA 19103.	434.402.1.1; 434.402.1.2.1; 434.402.1.2.2.
RS–8	ASTM C 976–90, Test Method for Thermal Performance of Building Assemblies by Means of a Calibrated Hot Box, American Society for Testing and Materials, 1916 Race Street, Philadelphia, PA 19103.	434.402.1.1; 434.402.1.2.1; 434.402.1.2.2.
RS–9	Report TVAHB–3007, 1981, ''Thermal Bridges in Sheet Metal Construction'' by Gudni Johannesson. Lund Institute of Technology, Lund, Sweden.	434.402.1.2.3.
RS–10	ASTM E 283–91, Test Method for Determining the Rate of Air Leakage Through Exterior Windows, Curtain Walls, and Doors Under Specified Pressure Difference Across the Specimen, American Society for Testing and Materials, 1916 Race Street, Philadelphia, PA 19103.	434.402.2; 434.402.2.1.
RS–11	ANSI/AAMA/NWWDA 101/I.S.2–97, Voluntary Specifications for Aluminum, Vinyl (PVC) and Wood Windows and Glass Doors, American Architectural Manufacturers Association, 1827 Walden Office Square, Suite 104, Schaumburg, IL 60173–4628.	434.402.2.1; 434.402.2.2.4.
RS–12	ASTM D 4099–95, Standard Specification for Poly (Vinyl Chloride) (PVC) Prime Windows/Sliding Glass Doors, American Society for Testing and Materials, 1916 Race Street, Philadelphia, PA 19103.	434.402.2.1.
RS–13	ANSI/AAMA/NWWDA 101/I.S.2–97, Voluntary Specifications for Aluminum, Vinyl (PVC) and Wood Windows and Glass Doors, National Wood Window and Door Association (formerly the National Woodwork Manufacturers Association), 1400 East Toughy Avenue, Suite 470, Des Plaines, IL 60018.	434.402.2.1.
RS–14	ANSI/NWWDA I.S.3–95, Wood Sliding Patio Doors, National Wood Window and Door Association (formerly the National Woodwork Manufacturers Association), 1400 East Toughy Avenue, Suite 470, Des Plaines, IL 60018.	434.402.2.2.1.
RS–15	ARI Standard 210/240–94, Unitary Air-Conditioning and Air-Source Heat Pump Equipment 1994. Air-Conditioning and Refrigeration Institute, 4301 North Fairfax Drive, Suite 425, Arlington, VA 22203.	434.403.1.
RS–16	ARI Standard 340/360–93, Commercial and Industrial Unitary Air-Conditioning and Heat Pump Equipment 1993 edition. Air-Conditioning and Refrigeration Institute, 4301 North Fairfax Drive, Suite 425, Arlington, VA 22203.	434.403.1.
RS–17	ARI 310/380–93, Packaged Terminal Air-Conditioners and Heat Pumps, 1993 edition. Air-Conditioning and Refrigeration Institute, 4301 North Fairfax Drive, Suite 425, Arlington, VA 22203.	434.403.1.
RS–18	NFRC 100–97, Procedure for Determining Fenestration Product Thermal Properties, National Fenestration Rating Council, Inc., 1300 Spring Street, Suite 500, Silver Spring, MD 20910.	434.402.1.2.4.
RS–19	NFRC 200—Procedure for Determining Fenestration Product Solar Heat Gain Coefficients at Normal Incidence (1995) National Fenestration Rating Council, Inc., 1300 Spring Street, Suite 500, Silver Spring, MD 20910.	434.402.1.2.4.
RS–20	Reserved.	
RS–21	Z21.47–1993, Gas-Fired Central Furnaces, including addenda Z21.47a–1995, American Gas Association, 400 North Capitol Street, N.W. Washington, DC 20001.	434.403.1.
RS–22	U.L. 727, including addendum dated January 30, 1996, Oil-Fired Central Furnaces (Eighth Edition) 1994, available from: Global Documents, 15 Inverness Way East, Englewood, CO 80112–5704, Underwriters Laboratories, Northbrook, IL 60062, 1994..	434.403.1.
RS–23	ANSI Z83.9–90, Including addenda Z83.9a–1992, Gas-Fired Duct Furnaces, 1990. (Addendum 90.1b) available from: Global Documents, 15 Inverness Way East, Englewood, CO 80112–5704.	434.403.1.
RS–24	ANSI Z83.8–96, Gas Unit Heater and Gas-Fired Duct Furnaces, American National Standards Institute, 11 West 42nd Street, New York, NY 10036.	434.403.1.

Ref. No.	Standard designation	CFR section
RS–25	U.L. 731, Oil-Fired Unit Heaters (Fifth Edition) 1995 available from: Global Documents, 15 Inverness Way East, Englewood, CO 80112–5704, Underwriters Laboratories, Northbrook, IL 60062.	434.403.1.
RS–26	CTI Standard–201, Standard for the Certification of Water-Cooling Towers Thermal Performance, November 1996, Cooling Tower Institute, P.O. Box 73383, Houston, TX 77273.	434.403.1.
RS–27	ARI Standard 320–93, Water-Source Heat Pumps, Air-Conditioning and Refrigeration Institute, 4301 North Fairfax Drive, Arlington, VA 22203.	434.403.1.
RS–28	ARI Standard 325–93, Ground Water-Source Heat Pumps, Air-Conditioning and Refrigeration Institute, 4301 North Fairfax Drive, Arlington, VA 22203.	434.403.1.
RS–29	ARI Standard 365–94, Commercial and Industrial Unitary Air-Conditioning Condensing Units, Air-Conditioning and Refrigeration Institute, 4301 North Fairfax Drive, Arlington, VA 22203.	434.403.1.
RS–30	ARI Standard 550–92, Centrifugal and Rotary Screw Water-Chilling Packages, Air-Conditioning and Refrigeration Institute, 4301 North Fairfax Drive, Arlington, VA 22203.	434.403.1.
RS–31	ARI Standard 590–92, Positive Displacement Compressor Water-Chilling Packages, Air-Conditioning and Refrigeration Institute, 4301 North Fairfax Drive, Arlington, VA 22203.	434.403.1.
RS–32	ANSI Z21.13–1991, including addenda Gas-Fired Low-Pressure Steam and Hot Water Boilers, Addenda Z21.13a–1993 and Z21–13b–1994, American National Standards Institute, 11 West 42nd Street, New York, NY 10036.	434.403.1.
RS–33	ANSI/U.L. 726 (7th edition, 1995), Oil-Fired Boiler Assemblies, available from: Global Documents, 15 Inverness Way East, Englewood, CO 80112–5704, Underwriters Laboratories, Northbrook, IL 60062.	434.403.1.
RS–34	HVAC Duct Construction Standards—Metal and Flexible, 2nd edition, 1995, Sheet Metal and Air-Conditioning Contractors' National Association, Inc., 4201 Lafayette Center Drive, Chantilly, VA 20151.	434.403.2.9.3.
RS–35	HVAC Air Duct Leakage Test Manual, 1st edition, 1985, Sheet Metal and Air-Conditioning Contractors' National Association, Inc., 4201 Lafayette Center Drive, Chantilly, VA 20151.	434.403.2.9.3; 434.403.1.
RS–36	Fibrous Glass Duct Construction Standards, 6th edition, 1992, Sheet Metal and Air-Conditioning Contractors National Association, Inc., 4201 Lafayette Center Drive, Chantilly, VA 20151.	434.403.2.9.3.
RS–37	Reserved.	
RS–38	ANSI Z21.56–1994, Gas-Fired Pool Heaters; Addenda Z21.56a–1996, American National Standards Institute, 11 West 42nd Street, New York, NY 10036; American Gas Association, 1515 Wilson Boulevard, Arlington, VA 22209.	Table 404.1.
RS–39	ANSI Z21.10.3–1993, Gas Water Heaters, Volume III, Storage with Input Ratings above 75,000 Btu's per Hour, Circulating and Instantaneous Water Heaters, American National Standards Institute, 11 West 42nd Street, New York, NY 10036; American Gas Association, 1515 Wilson Boulevard, Arlington, VA 22209.	Table 404.1; 434.404.1.1.
RS–40	ANSI/AHAM RAC–1–1992, Room Air Conditioners, Association of Home Appliance Manufacturers, 20 North Wacker Drive, Chicago, IL 60606.	434.403.1.
RS–41	ASHRAE Standard 62–1989, Ventilation for Acceptable Indoor Air Quality, American Society of Heating, Refrigerating and Air-Conditioning Engineers, 1791 Tulle Circle, Atlanta, GA 30329.	434.403.2.4; 434.403.2.8; 434.519.3.
RS–42	ANSI Z21.66–1996, Automatic Vent Damper Devices for Use with Gas-Fired Appliances, available from: Global Documents, 15 Inverness Way East, Englewood, CO 80112–5704..	434.404.1.
RS–43	NEMA MG 10–1994, Energy Management Guide for Selection and Use of Polyphase Motors, National Electric Manufacturers Association, National Electrical Manufacturers Association, 1300 North 17th Street, Suite 1847, Rosslyn, VA 22209.	434.401.2.1.
RS–44	NEMA MG 11–1977 (Revised 1982, 1987, Energy Management Guide for Selection and Use of Single-Phase Motors, National Electrical Manufacturers Association, National Electrical Manufacturers Association, 1300 North 17th Street, Suite 1847, Rosslyn, VA 22209.	434.401.2.1.
RS–45	ARI Standard 330–93, Ground-Source Closed-Loop Heat Pumps, Air-Conditioning and Refrigeration Institute, 4301 North Fairfax Drive, Arlington, VA 22209.	434.403.1.
RS–46	ARI Standard 560–92, Absorption Water Chilling and Water Heating Packages, Air-Conditioning and Refrigeration Institute, 4301 North Fairfax Drive, Arlington, VA 22209.	434.403.1.
RS–47	ASHRAE, Handbook, HVAC Applications; I-P Edition, 1995, American Society of Heating, Refrigerating, and Air-Conditioning Engineers, Inc., 1791 Tullie Circle NE, Atlanta, GA 30329.	434.518.2.

[65 FR 60012, Oct. 6, 2000, as amended at 69 FR 18803, Apr. 9, 2004]

PART 435—ENERGY EFFICIENCY STANDARDS FOR THE DESIGN AND CONSTRUCTION OF NEW FEDERAL LOW-RISE RESIDENTIAL BUILDINGS

Subpart A—Mandatory Energy Efficiency Standards for Federal Low-Rise Residential Buildings.

Sec.
435.1 Purpose and scope.
435.2 Definitions.
435.3 Material incorporated by reference.
435.4 Energy efficiency performance standard.
435.5 Performance level determination.
435.6 Life-cycle costing.

Subpart B—Reduction in Scope 1 Fossil Fuel-Generated Energy Consumption

435.200 Scope 1 Fossil fuel-generated energy consumption requirement.
435.201 Scope 1 Fossil fuel-generated energy consumption determination.
435.202 Petition for downward adjustment.
APPENDIX A TO SUBPART B OF PART 435—MAXIMUM ALLOWABLE SCOPE 1 FOSSIL FUEL-GENERATED ENERGY CONSUMPTION

Subpart C—Green Building Certification for Federal Buildings

435.300 Green building certification.

Subpart D—Voluntary Performance Standards for New Non-Federal Residential Buildings [Reserved]

Subpart E—Mandatory Energy Efficiency Standards for Federal Residential Buildings

435.500 Purpose.
435.501 Scope.
435.502 Definitions.
435.503 Requirements for the design of a Federal residential building.
435.504 The COSTSAFR Program.
435.505 Alternative compliance procedure.
435.506 Selecting a life cycle effective proposed building design.

AUTHORITY: 42 U.S.C. 6831–6832; 6834–6836; 42 U.S.C. 8253–54; 42 U.S.C. 7101 *et seq.*

SOURCE: 53 FR 32545, Aug. 25, 1988, unless otherwise noted.

Subpart A—Mandatory Energy Efficiency Standards for Federal Low-Rise Residential Buildings.

SOURCE: 71 FR 70283, Dec. 4, 2006, unless otherwise noted.

§ 435.1 Purpose and scope.

(a) This part establishes energy efficiency performance standard for the construction of new Federal low-rise residential buildings as required by section 305(a) of the Energy Conservation and Production Act, as amended (42 U.S.C. 6834(a)).

(b) This part also establishes a maximum allowable fossil fuel-generated energy consumption standard for new Federal buildings that are low-rise residential buildings and major renovations to Federal buildings that are low-rise residential buildings, for which design for construction began on or after May 1, 2025

(c) This part also establishes green building certification requirements for new Federal buildings that are low-rise residential buildings and major renovations to Federal buildings that are low-rise residential buildings, for which design for construction began on or after October 14, 2015.

[71 FR 70283, Dec. 4, 2006, as amended at 79 FR 61571, Oct. 14, 2014; 89 FR 35433, May 1, 2024]

§ 435.2 Definitions.

For purposes of this part, the following terms, phrases and words shall be defined as follows:

Construction cost means all costs associated with the construction of a new Federal building. It includes, but not limited to, the cost of preliminary planning, engineering, architectural, permitting, fiscal, and economic investigations and studies, surveys, designs, plans, working drawings, specifications, procedures, and other similar actions necessary for the construction of a new Federal building. It does not include the cost of acquiring the land.

Design for construction means the stage when the energy efficiency and sustainability details (such as insulation levels, HVAC systems, water-using

systems, etc.) are either explicitly determined or implicitly included in a project cost specification.

Design for renovation means the stage when the energy efficiency and sustainability details (such as insulation levels, HVAC systems, water-using systems, etc.) are either explicitly determined or implicitly included in a renovation project cost specification.

DOE means U.S. Department of Energy.

EISA-subject building or project means, for purposes of this rule, any new building or renovation project that is subject to the cost thresholds and reporting requirements in Section 433 of EISA ((42 U.S.C. 6834(a)(3)(D)(i))). The cost threshold referenced in Section 433 of EISA is $2.5 million in 2007 dollars. GSA provides a table of annual updates to this cost threshold at *https://www.gsa.gov/real-estate/design-and-construction/annual-prospectus-thresholds*. GSA also provides a second cost threshold for renovations of leased buildings that is ½ of the cost threshold for renovation of Federally owned buildings.

Federal agency means any department, agency, corporation, or other entity or instrumentality of the executive branch of the Federal Government, including the United States Postal Service, the Federal National Mortgage Association, and the Federal Home Loan Mortgage Corporation.

Federal building means any building to be constructed by, or for the use of, any Federal agency. Such term shall include buildings built for the purpose of being leased by a Federal agency and privatized military housing.

Fiscal Year (FY) means the 12-month period beginning on October 1 of the year prior to the specified calendar year and ending on September 30 of the specified calendar year.

Fossil fuel-generated energy consumption means the on-site stationary consumption of fossil fuels that contribute to Scope 1 emissions for generation of electricity, heat, cooling, or steam as defined by ''Federal Greenhouse Gas Accounting and Reporting Guidance'' (Council on Environmental Quality, January 17, 2016). This includes, but is not limited to, emissions that result from combustion of fuels in stationary sources (*e.g.*, boilers, furnaces, turbines, and emergency generators). This term does not include mobile sources, fugitive emissions, or process emissions as defined by ''Federal Greenhouse Gas Accounting and Reporting Guidance'' (Council on Environmental Quality, January 17, 2016).

ICC means International Code Council.

IECC means International Energy Conservation Code.

IECC Baseline Building 2004 means a building that is otherwise identical to the proposed building but is designed to meet, but not exceed, the energy efficiency specifications in the ICC IECC 2004 (incorporated by reference, see § 435.3).

IECC Baseline Building 2009 means a building that is otherwise identical to the proposed building but is designed to meet, but not exceed, the energy efficiency specifications in the ICC IECC 2009 (incorporated by reference, see § 435.3).

IECC Baseline Building 2015 means a building that is otherwise identical to the proposed building but is designed to meet, but not exceed, the energy efficiency specifications in the ICC IECC 2015 (incorporated by reference, see § 435.3).

IECC Baseline Building 2021 means a building that is otherwise identical to the proposed building but is designed to meet, but not exceed, the energy efficiency specifications in the ICC IECC 2021 (incorporated by reference, see § 435.3).

Life-cycle cost means the total cost related to energy conservation measures of owning, operating and maintaining a building over its useful life as determined in accordance with 10 CFR part 436.

Life-cycle cost-effective means that the proposed building has a lower life-cycle cost than the life-cycle costs of the baseline building, as described by 10 CFR 436.19, or has a positive estimated net savings, as described by 10 CFR 436.20, or has a savings-to-investment ratio estimated to be greater than one, as described by 10 CFR 436.21; or has an adjusted internal rate of return, as described by 10 CFR 436.22, that is estimated to be greater than the discount rate as listed in OMB Circular Number

A–94 ''Guidelines and Discount Rates for Benefit-Cost Analysis of Federal Programs.''

Low-rise residential building means any building three stories or less in height above grade that includes sleeping accommodations where the occupants are primarily permanent in nature (30 days or more).

Major renovation means either major renovation of all Scope 1 fossil fuel-using systems in a building or major renovation of one or more Scope 1 fossil fuel-using building systems or components, as defined in this section.

Major renovation cost means all costs associated with the repairing, remodeling, improving, extending, or other changes in a Federal building. It includes, but is not limited to, the cost of preliminary planning, engineering, architectural, permitting, fiscal, and economic investigations and studies, surveys, designs, plans, working drawings, specifications, procedures, and other similar actions necessary for the alteration of a Federal building.

Major renovation of all Scope 1 fossil fuel-using systems in a building means construction on an existing building that is so extensive that it replaces all Scope 1 fossil fuel-using systems in the building. This term includes, but is not limited to, comprehensive replacement or restoration of most or all major systems, interior work (such as ceilings, partitions, doors, floor finishes, etc.), or building elements and features.

Major renovation of a Scope 1 fossil fuel-using building system or Scope 1 fossil fuel-using component means changes to a building that provide significant opportunities for energy efficiency or reduction in fossil fuel-related energy consumption. This includes, but is not limited to, replacement of the HVAC system, hot water system, or cooking system, or other fossil fuel-using systems or components of the building that have a major impact on fossil fuel usage.

New Federal building means any new building (including a complete replacement of an existing building from the foundation up) to be constructed by, or for the use of, any federal agency. Such term shall include buildings built for the purpose of being leased by a federal agency, and privatized military housing.

Proposed building means the design for construction of a new Federal low-rise residential building, or major renovation to a Federal low-rise residential building, proposed for construction.

Shift adjustment multiplier means that agencies can apply a multiplication factor to their Maximum Allowable Fossil Fuel-Generated Energy Consumption by Building Category target based upon the weekly hours of active operation of the building. The weekly hours of operation to use as a basis for the shift adjustment multiplier lookup should be based upon the time in which in the building is actively occupied and operating per its intended use type and should include unoccupied hours or other times of limited use (such as night-time setback hours).

Technical impracticability means achieving the Scope 1 fossil fuel-based energy consumption targets would:

(1) Not be feasible from an engineering design or execution standpoint due to existing physical or site constraints that prohibit modification or addition of elements or spaces;

(2) Significantly obstruct building operations and the functional needs of a building, specifically for industrial process loads, critical national security functions, mission critical information systems as defined in NIST SP 800–60 Vol. 2 Rev. 1, and research operations, or

(3) Significantly degrade energy resiliency and energy security of building operations as defined in 10 U.S.C. 101(e)(6) and 10 U.S.C. 101(e)(7) respectively.

[71 FR 70283, Dec. 4, 2006, as amended at 72 FR 72571, Dec. 21, 2007; 76 FR 49285, Aug. 10, 2011; 82 FR 2867, Jan. 10, 2017; 87 FR 19613, Apr. 5, 2022; 89 FR 35433, May 1, 2024]

§ 435.3 Materials incorporated by reference.

(a) Certain material is incorporated by reference into this subpart with the approval of the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in this section, DOE must publish a document in the FEDERAL REGISTER and the

material must be available to the public. All approved material is available for inspection at DOE, and at the National Archives and Records Administration (NARA). Contact DOE at: The U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Program, Sixth Floor, 950 L'Enfant Plaza SW, Washington, DC 20024, (202) 586–9127, *Buildings@ee.doe.gov*, *https://www.energy.gov/eere/buildings/building-technologies-office*. For information on the availability of this material at NARA, email: *fr.inspection@nara.gov*, or go to: *www.archives.gov/federal-register/cfr/ibr-locations.html*. The material may be obtained from the sources in the following paragraphs of this section.

(b) *ICC*. International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478, 1–888–422–7233, or go to *http://www.iccsafe.org/*.

(1) ICC International Energy Conservation Code (IECC), 2004 Supplement Edition (''IECC 2004''), January 2005, IBR approved for §§ 435.2, 435.4, 435.5;

(2) ICC International Energy Conservation Code (IECC), 2009 Edition (''IECC 2009''), January 2009, IBR approved for §§ 435.2, 435.4, 435.5.

(3) ICC International Energy Conservation Code (IECC), 2015 Edition (''IECC 2015''), published May 30, 2014, IBR approved for §§ 435.2, 435.4, 435.5.

(4) ICC 2021 International Energy Conservation Code (IECC), Redline Version, Copyright 2021, (''IECC 2021''), IBR approved for §§ 435.2, 435.4, and 435.5.

[76 FR 49285, Aug. 10, 2011, as amended at 82 FR 2867, Jan. 10, 2017; 87 FR 19613, Apr. 5, 2022]

§ 435.4 Energy efficiency performance standard.

(a)(1) All Federal agencies shall design new Federal buildings that are low-rise residential buildings, for which design for construction began on or after January 3, 2007, but before August 10, 2012, to:

(i) Meet the IECC 2004 (incorporated by reference, see § 435.3), and

(ii) If life-cycle cost-effective, achieve energy consumption levels, calculated consistent with paragraph (b) of this section, that are at least 30 percent below the levels of the IECC Baseline Building 2004.

(2) All Federal agencies shall design new Federal buildings that are low-rise residential buildings, for which design for construction began on or after August 10, 2012, but before January 10, 2018 to:

(i) Meet the IECC 2009 (incorporated by reference, see § 435.3), and

(ii) If life-cycle cost-effective, achieve energy consumption levels, calculated consistent with paragraph (b) of this section, that are at least 30 percent below the levels of the IECC Baseline Building 2009.

(3) All Federal agencies shall design new Federal buildings that are low-rise residential buildings, for which design for construction began on or after January 10, 2018, but before April 5, 2023 to:

(i) Meet the IECC 2015, (incorporated by reference, see § 435.3), including the mandatory mechanical ventilation requirements in Section R403.6 of the IECC 2015; and

(ii) If life-cycle cost-effective, achieve energy consumption levels, calculated consistent with paragraph (b) of this section, that are at least 30 percent below the levels of the IECC Baseline Building 2015.

(4) All Federal agencies shall design new Federal buildings that are low-rise residential buildings, for which design for construction began on or after April 5, 2023 to:

(i) Meet the IECC 2021, (incorporated by reference, see § 435.3); and

(ii) If life-cycle cost-effective, achieve energy consumption levels, calculated consistent with paragraph (b) of this section, that are at least 30 percent below the levels of the IECC Baseline Building 2021.

(b)(1) For new Federal low-rise residential buildings whose design for construction began before January 10, 2018, energy consumption for the purposes of calculating the 30 percent savings shall include space heating, space cooling, and domestic water heating.

(2) For new Federal low-rise residential buildings whose design for construction began on or after before January 10, 2018, energy consumption for

the purposes of calculating the 30 percent savings shall include space heating, space cooling, lighting, mechanical ventilation, and domestic water heating.

(c) If a 30 percent reduction is not life-cycle cost-effective, the design of the proposed building shall be modified so as to achieve an energy consumption level at or better than the maximum level of energy efficiency that is life-cycle cost-effective, but at a minimum complies with paragraph (a) of this section.

[71 FR 70283, Dec. 4, 2006, as amended at 72 FR 72571, Dec. 21, 2007; 76 FR 49285, Aug. 10, 2011; 82 FR 2867, Jan. 10, 2017; 87 FR 19613, Apr. 5, 2022]

§ 435.5 Performance level determination.

(a) For new Federal buildings for which design for construction began on or after January 3, 2007, but before August 10, 2012, each Federal agency shall determine energy consumption levels for both the IECC Baseline Building 2004 and proposed building by using the Simulated Performance Alternative found in section 404 of the IECC 2004 (incorporated by reference, see § 435.3).

(b) For new Federal buildings for which design for construction began on or after August 10, 2012, but before January 10, 2018, each Federal agency shall determine energy consumption levels for both the IECC Baseline Building 2009 and proposed building by using the Simulated Performance Alternative found in section 405 of the IECC 2009 (incorporated by reference, see § 435.3).

(c) For new Federal buildings for which design for construction began on or after January 10, 2018 but before April 5, 2023 each Federal agency shall determine energy consumption levels for both the IECC Baseline Building 2015 and proposed building by using the Simulated Performance Alternative found in section R405 of the IECC 2015 (incorporated by reference, see § 435.3).

(d) For new Federal buildings for which design for construction began on or after April 5, 2023 each Federal agency shall determine energy consumption levels for both the IECC Baseline Building 2021 and proposed building by using the Simulated Performance Alternative found in section R405 of the IECC 2021 (incorporated by reference, *see* § 435.3).

[82 FR 2867, Jan. 10, 2017, as amended at 87 FR 19613, Apr. 5, 2022]

§ 435.6 Life-cycle costing.

Each Federal agency shall determine life-cycle cost-effectiveness by using the procedures set out in subpart A of 10 CFR part 436. A Federal agency may choose to use any of four methods, including lower life-cycle costs, positive net savings, savings-to-investment ratio that is estimated to be greater than one, and an adjusted internal rate of return that is estimated to be greater than the discount rate as listed in OMB Circular Number A–94 ''Guidelines and Discount Rates for Benefit-Cost Analysis of Federal Programs.''

[71 FR 70283, Dec. 4, 2006, redesignated at 79 FR 61571, Oct. 14, 2014]

Subpart B—Reduction in Scope 1 Fossil Fuel-Generated Energy Consumption

SOURCE: 89 FR 35434, May 1, 2024, unless otherwise noted.

§ 435.200 Scope 1 Fossil fuel-generated energy consumption requirement.

(a) *New EISA-Subject buildings.* (1) New Federal buildings that are low-rise residential buildings, for which design for construction began on or after May 1, 2025, must be designed to meet the requirements of paragraph (c) of this section if:

(i) For all leased buildings, the construction cost of the new building exceeds GSA's Annual Prospectus Thresholds that are found at *www.gsa.gov/real-estate/design-construction/gsa-annual-prospectus-thresholds*.

(ii) For all Federally owned non-public buildings, the cost of the building is at least $2,500,000 (in 2007 dollars, adjusted for inflation). For the purposes of calculating this threshold, agencies must set the Bureau of Labor and Statistics CPI Inflation calculator to $2,500,000 in October of 2006 (to represent the value of the original cost threshold) and then set for October of the FY during which the design for construction of the project began or is set to begin.

(b) *Major renovations of EISA-Subject buildings.* (1) Major renovations to Federal buildings that are low-rise residential buildings, for which design for construction began on or after May 1, 2025, must be designed to meet the requirements of paragraph (c) of this section if the cost of the major renovation is at least $2,500,000 (in 2007 dollars, adjusted for inflation). For the purposes of calculating this threshold, projects should set the Bureau of Labor and Statistics CPI Inflation calculator to $2,500,000 in October of 2006 (to represent the value of the original cost threshold) and then set for October of the FY during which the design for construction of the project began or is set to begin.

(2) This subpart applies only to the portions of the proposed building or proposed building systems that are being renovated and to the extent that the scope of the renovation permits compliance with the applicable requirements in this subpart. Unaltered portions of the proposed building or proposed building systems are not required to comply with this subpart.

(3) For leased buildings, this subpart applies to major renovations only if the proposed building was originally built for the use of any Federal agency, including for the purpose of being leased by a Federal agency.

(c) *Federal buildings that are of the type included in Appendix A of this subpart*—(1) *New Construction and Major Renovations of all Scope 1 Fossil Fuel-Using Systems in an EISA-Subject Building.*

(i) Design for construction began during FY 2024 through FY 2029. For new construction or major renovations of all fossil fuel-using systems in an EISA-subject building, for which design for construction or renovation, as applicable, began during FY 2024 through 2029, the Scope 1 fossil fuel-generated energy consumption of the proposed building, based on the building design and calculated according to § 435.201(a), must not exceed the value identified in Tables A–1a to A–2a (if targets based on Scope 1 emissions are used) or Tables A–1b to A–2b (if targets based on kBtu of fossil fuel usage are used) of Appendix A of this subpart for the associated building type, climate zone, and fiscal year in which design for construction began.

(A) Federal agencies may apply a shift adjustment multiplier to the values in Tables A–1a to A–2a or Tables A–1b to A–2b based on the following baseline hours of operation assumed in Tables A–1a to A–2a or Tables A–1b to A–2b.

(B) To calculate the shift adjustment multiplier, agencies shall estimate the number of shifts for their new building and multiply by the appropriate factor shown below in Table 1 for their building type. The Scope 1 fossil fuel-generated energy consumption target for the building would be the value in either Tables A–1a to A–2a or Tables A–1b to A–2b multiplied by the multiplier calculated in the previous sentence.

TABLE 1—SHIFT ADJUSTMENT MULTIPLIER BY HOURS OF OPERATION AND BUILDING TYPE

Building activity/type	Weekly hours of operation		
	50 or less	51 to 167	168
Admin/professional office	1	1	1.4
Bank/other financial	1	1	1.4
Government office	1	1	1.4
Medical office(non-diagnostic)	1	1	1.4
Mixed-use office	1	1	1.4
Other office	1	1	1.4
Laboratory	1	1	1.4
Distribution/shipping center	0.7	1.4	2.1
Nonrefrigerated warehouse	0.7	1.4	2.1
Convenience store	1	1	1.4
Convenience store with gas	1	1	1.4
Grocery store/food market	1	1	1.4
Other food sales	1	1	1.4
Fire station/police station	0.8	0.8	1.1
Other public order and safety	0.8	0.8	1.1
Medical office (diagnostic)	1	1	1.5
Clinic/other outpatient health	1	1	1.5
Refrigerated warehouse	1	1	1

TABLE 1—SHIFT ADJUSTMENT MULTIPLIER BY HOURS OF OPERATION AND BUILDING TYPE—Continued

Building activity/type	Weekly hours of operation		
	50 or less	51 to 167	168
Religious worship	0.9	1.7	1.7
Entertainment/culture	0.8	1.5	1.5
Library	0.8	1.5	1.5
Recreation	0.8	1.5	1.5
Social/meeting	0.8	1.5	1.5
Other public assembly	0.8	1.5	1.5
College/university	0.8	1.3	1.3
Elementary/middle school	0.8	1.3	1.3
High school	0.8	1.3	1.3
Preschool/daycare	0.8	1.3	1.3
Other classroom education	0.8	1.3	1.3
Fast food	0.4	1.1	2.1
Restaurant/cafeteria	0.4	1.1	2.1
Other food service	0.4	1.1	2.1
Hospital/inpatient health	1	1	1
Nursing home/assisted living	1	1	1
Dormitory/fraternity/sorority	1	1	1
Hotel	1	1	1
Motel or inn	1	1	1
Other lodging	1	1	1
Vehicle dealership/showroom	0.8	1.2	1.8
Retail store	0.8	1.2	1.8
Other retail	0.8	1.2	1.8
Post office/postal center	0.7	1.5	1.5
Repair shop	0.7	1.5	1.5
Vehicle service/repair shop	0.7	1.5	1.5
Vehicle storage/maintenance	0.7	1.5	1.5
Other service	0.7	1.5	1.5
Strip shopping mall	1	1	1
Enclosed mall	1	1	1
Bar/Pub/Lounge	1	1	1.4
Courthouse/Probation Office	1	1	1.4

(ii) Design for construction began during or after FY 2030. For new construction and major renovations of all Scope 1 fossil fuel-using systems in an EISA-subject building, the Scope 1 fossil fuel-generated energy consumption of the proposed building, based on building design and calculated according to § 435.201(a), must be zero.

(2) Major Renovations of a Scope 1 Fossil Fuel-Using Building System or Component within an EISA-Subject Building shall follow the renovation requirements in section 4.2.1.3 of the applicable building baseline energy efficiency standards listed in § 435.4 substituting the term ''design for construction'' with ''design for renovation'' for the relevant date, and shall replace all equipment that is included in the renovation with all electric or non-fossil fuel-using ENERGY STAR or FEMP designated products as defined in § 436.42. For component level renovations, Agencies shall replace all equipment that is part of the renovation with all electric or non-fossil fuel-using ENERGY STAR or FEMP designated products as defined in § 436.42.

(d) *EISA-Subject buildings that are of the type not included in Appendix A of this subpart*—(1) *Process load buildings.* For building types that are not included in any of the building types listed in Tables A–1a to A–2a or A–1b to A–2b of appendix A of this subpart, or for building types in these tables that contain significant process loads, Federal agencies must select the applicable building type, climate zone, and fiscal year in which design for construction began from Tables A–1a to A–2a or A–1b to A–2b of appendix A of this subpart that most closely corresponds to the proposed building without the process load. The estimated Scope 1 fossil fuel-generated energy consumption of the process load must be added to the maximum allowable Scope 1 fossil fuel-generated energy consumption of the applicable building type for the appropriate fiscal year and climate zone to

calculate the maximum allowable Scope 1 fossil fuel-generated energy consumption for the building. The same estimated Scope 1 fossil fuel-generated energy consumption of the process load that is added to the maximum allowable Scope 1 fossil fuel-generated energy consumption of the applicable building must also be used in determining the Scope 1 fossil fuel-generated energy consumption of the proposed building.

(2) *Mixed-use buildings.* For buildings that combine two or more building types with process loads or, alternatively, that combine one or more building types with process loads with one or more building types in Tables A–1a toA–2a or A–1b to A–2b of appendix A of this subpart, the maximum allowable Scope 1 fossil fuel-generated energy consumption of the proposed building is equal to the averaged process load building values determined under paragraph (d)(1) of this section and the applicable building type values in Tables A–1a toA–2a or A–1b to A–2b of appendix A of this subpart, weighted by floor area. Equation 1 shall be used for mixed use buildings.

Equation 1: Scope 1 Fossil fuel generated energy consumption for a mixed-use building = the sum across all building uses of (the fraction of total floor building floor area for building use i times the allowable fossil fuel-generated energy consumption for building use i)

Equation 1 may be rewritten as:

$$\text{Scope 1 Fossil Fuel} - \text{Generated Energy Consumption for a Mixed Use Building} = \sum_{i=1}^{n} (\text{Fraction of Total Building Floor Area for Building Use } i \text{ times Allowable Scope 1 Fossil Fuel} - \text{Generated Energy Consumption for Building Use } i)$$

§ 435.201 Scope 1 Fossil fuel-generated energy consumption determination.

(a) The Scope 1 fossil fuel-generated energy consumption of a proposed design is calculated as follows:

Equation: Scope 1 Fossil Fuel-Generated Energy Consumption = Direct Fossil Fuel Consumption of Proposed Building/Floor Area

Where:

Direct Scope 1 Fossil Fuel-Generated Energy Consumption of Proposed Building equals the total site Scope 1 fossil fuel-generated energy consumption of the proposed building calculated in accordance with the method required in § 435.5(d), and measured in thousands of British thermal units per year (kBtu/yr), except that this term does not include fossil fuel consumption for emergency electricity generation. Agencies must include all onsite fossil fuel use or Scope 1 emissions associated with non-emergency generation from backup generators (such as those for peak shaving or peak shifting). Any energy generation or Scope 1 emissions associated with biomass fuels are excluded. Any emissions associated with natural gas for alternatively fueled vehicles (''AFVs'') (or any other alternative fuel defined at 42 U.S.C. 13211 that is provided at a Federal building) is excluded. For buildings with manufacturing or industrial process loads, such process loads shall be accounted for in the analysis for the building's fossil fuel consumption and GHG emissions, but the process loads are not subject to the phase down targets.

Floor Area is the floor area of the structure that is enclosed by exterior walls, including finished or unfinished basements, finished or heated space in attics, and garages if they have an uninsulated wall in common with the house. Not included are crawl spaces, and sheds and other buildings that are not attached to the house.

§ 435.202 Petition for downward adjustment.

(a) *New Federal buildings major renovations of all Scope 1 fossil fuel-using systems, and major renovations of a Scope 1 fossil fuel-using building system or component in an EISA-subject building.* (1) Upon petition by a Federal agency, the Director of FEMP may adjust the applicable maximum allowable Scope 1 fossil fuel energy consumption standard with respect to a specific building, upon written certification from the head of the agency designing the building, that the requested adjustment is the largest feasible reduction in Scope 1 fossil fuel energy consumption that

can practicably be achieved in light of the specified functional needs for that building, as demonstrated by:

(i) A statement from the Head of the Agency or their designee requesting the petition for downward adjustment for the building or renovation, that the building or renovation reduces consumption of Scope 1 fossil fuel energy consumption in accordance with the applicable energy performance standard to the maximum extent practicable and that each fossil fuel using product included in the proposed building that is of a product category covered by the ENERGY STAR program or FEMP for designated products is an ENERGY STAR product or a product meeting the FEMP designation criteria, as applicable;

(ii) A description of the systems, technologies, and practices that were evaluated and unable to meet the required fossil fuel reduction including a justification of why achieving the Scope 1 fossil fuel-based energy consumption targets would be technically impracticable; and

(iii) Any other information the agency determines would help explain its request.

(2) The head of the agency designing the building, or their designee, must also include the following information in the petition:

(i) A general description of the building or major renovation, including but not limited to location, use type, floor area, stories, expected number of occupants and occupant schedule, project type, project cost, and functional needs, mission critical activity, research, and national security operations as applicable;

(ii) The maximum allowable Scope 1 fossil fuel energy consumption for the building from paragraphs (c) or (d) of this section;

(iii) The estimated Scope 1 fossil fuel energy consumption of the proposed building; and

(iv) A description of the proposed building's energy-related features, such as:

(A) HVAC system or component type and configuration;

(B) HVAC equipment sizes and efficiencies;

(C) Ventilation systems or components (including outdoor air volume, controls technique, heat recovery systems, and economizers, if applicable);

(D) Service water heating system or component configuration and equipment (including solar hot water, wastewater heat recovery, and controls for circulating hot water systems, if applicable);

(E) Estimated industrial process loads; and

(F) Any other on-site fossil fuel using equipment.

(3) (i) Agencies may file one petition for a project with multiple buildings if the buildings are

(A) Of the same building, building system, or component type and of similar size and location;

(B) Are being designed and constructed to the same set of targets for fossil fuel-generated energy consumption reduction; and

(C) Would require similar measures to reduce fossil fuel-generated energy consumption and similar adjustment to the numeric reduction requirement.

(ii) The bundled petition must include the information in section (a) that pertains to all buildings, building systems or components included in the petition and an additional description of the differences between each of the buildings, building systems or components. The agency is only required to show work for adjustment once.

(4) Petitions for downward adjustment should be submitted to *cerpetition@hq.doe.gov*, or to:

U.S. Department of Energy, FEMP, Director, Clean Energy Reduction Petitions, EE–5F, 1000 Independence Ave. SW, Washington, DC 20585–0121.

(5) The Director will make a best effort to notify the requesting agency in writing whether the petition for downward adjustment to the numeric reduction requirement is approved or rejected, in 30 calendar days of submittal of a complete petition. If the Director rejects the petition or establishes a value other than that presented in the petition, the Director will forward the reasons for rejection to the petitioning agency.

(b) *Exclusions.* The General Services Administration (GSA) may not submit petitions under paragraphs (a) of this

section. Agencies that are tenants of GSA buildings for which the agency, not GSA, has significant design control may submit petitions in accordance with this section.

APPENDIX A TO SUBPART B OF PART 435 MAXIMUM ALLOWABLE FOSSIL FUEL GENERATED ENERGY CONSUMPTION

(a) For purposes of the tables in this appendix, the climate zones are listed in the performance standards required by §435.4(a)(4)(i).

(b) For purpose of appendix A, the following definitions apply:

(1) *Mobile Home* means a dwelling unit built to the Federal Manufactured Home Construction and Safety Standards in 24 CFR part 3280, that is built on a permanent chassis and moved to a site. It may be placed on a permanent or temporary foundation and may contain one or more rooms.

(2) *Multi-Family in 2–4 Unit Buildings* means a category of structures that is divided into living quarters for two, three, or four families or households in which one household lives above or beside another. This category also includes houses originally intended for occupancy by one family (or for some other use) that have since been converted to separate dwellings for two to four families.

(3) *Multi-Family in 5 or More Unit Buildings* means a category of structures that contain living quarters for five or more households or families and in which one household lives above or beside another.

(4) *Single-Family Attached* means a building with two or more connected dwelling units, generally with a shared wall, each providing living space for one household or family. Attached houses are considered single-family houses as long as they are not divided into more than one dwelling unit and they have independent outside entrances. A single-family house is contained within walls extending from the basement (or the ground floor, if there is no basement) to the roof. Townhouses, row houses, and duplexes are considered single-family attached dwelling units, as long as there is no dwelling unit above or below another.

(5) *Single-Family Detached* means a separate, unconnected dwelling unit, not sharing a wall with any other building or dwelling unit, which provides living space for one household or family. A single-family house is contained within walls extending from the basement (or the ground floor, if there is no basement) to the roof. This includes modular homes but does not include mobile homes.

Table A-1a – FY 2020-FY 2024 Maximum Allowable Fossil Fuel-Generated Energy Consumption by Building Category, Building Type and Climate Zone, Residential Buildings (CO_2e/yr-sqft)

Building Category	Climate Zone:	0A	0B	1A	1B	2A	2B	3A	3B	3C	4A	4B	4C	5A	5B	5C	6A	6B	7	8
	Building Activity/ Type	Fossil Fuel-Generated Energy Use Intensity (CO_2e/yr-sqft)																		
Residential	Mobile	0.66	0.67	0.68	0.73	0.80	0.78	0.92	0.76	0.87	0.92	1.07	1.05	1.06	1.23	1.19	1.11	1.36	1.36	1.51
Residential	Single-family detached	0.40	0.41	0.41	0.45	0.50	0.48	0.58	0.47	0.55	0.58	0.69	0.67	0.68	0.79	0.76	0.71	0.88	0.88	0.99
Residential	Single-family attached	0.76	0.76	0.77	0.78	0.80	0.79	0.83	0.79	0.82	0.83	0.87	0.87	0.87	0.92	0.90	0.88	0.95	0.95	0.99
Residential	Multi-family (in 2-4 unit building)	0.56	0.57	0.61	0.74	0.93	0.87	1.25	0.83	1.11	1.25	1.64	1.58	1.62	2.06	1.95	1.74	2.40	2.41	2.82
Residential	Multi-family (in 5+ unit building)	0.24	0.25	0.29	0.42	0.61	0.55	0.93	0.51	0.80	0.93	1.32	1.26	1.30	1.74	1.63	1.42	2.08	2.09	2.50

Table A-1b – FY 2020-FY 2024 Maximum Allowable Fossil Fuel-Generated Energy Consumption by Building Category, Building Type and Climate Zone, Residential Buildings (source kBtu/yr-sqft)

Building Category	Climate Zone:	0A	0B	1A	1B	2A	2B	3A	3B	3C	4A	4B	4C	5A	5B	5C	6A	6B	7	8
	Building Activity/ Type	Fossil Fuel-Generated Energy Use Intensity (site kBtu/yr-sqft)																		
Residential	Mobile	6	6	6	7	7	7	8	7	8	8	10	10	10	11	11	10	12	12	14
Residential	Single-family detached	4	4	4	4	5	4	5	4	5	5	6	6	6	7	7	6	8	8	9
Residential	Single-family attached	7	7	7	7	7	7	8	7	7	8	8	8	8	8	8	8	9	9	9
Residential	Multi-family (in 2-4 unit building)	5	5	6	7	8	8	11	8	10	11	15	14	15	19	18	16	22	22	26
Residential	Multi-family (in 5+ unit building)	2	2	3	4	6	5	8	5	7	8	12	11	12	16	15	13	19	19	23

Table A-2a – FY 2025-FY 2029 Maximum Allowable Fossil Fuel-Generated Energy Consumption by Building Category, Building Type and Climate Zone, Residential Buildings (CO_2e/yr-sqft)

Building Category	Climate Zone:	0A	0B	1A	1B	2A	2B	3A	3B	3C	4A	4B	4C	5A	5B	5C	6A	6B	7	8
	Building Activity/ Type	Fossil Fuel-Generated Energy Use Intensity (CO_2e/yr-sqft)																		
Residential	Mobile	0.33	0.34	0.37	0.40	0.39	0.46	0.38	0.44	0.46	0.54	0.52	0.53	0.62	0.59	0.55	0.68	0.68	0.76	0.33
Residential	Single-family detached	0.20	0.21	0.22	0.25	0.24	0.29	0.24	0.27	0.29	0.34	0.33	0.34	0.40	0.38	0.35	0.44	0.44	0.50	0.20
Residential	Single-family attached	0.38	0.38	0.39	0.40	0.40	0.42	0.39	0.41	0.42	0.44	0.43	0.44	0.46	0.45	0.44	0.47	0.48	0.50	0.38
Residential	Multi-family (in 2-4 unit building)	0.28	0.30	0.37	0.46	0.44	0.62	0.41	0.56	0.63	0.82	0.79	0.81	1.03	0.97	0.87	1.20	1.20	1.41	0.28
Residential	Multi-family (in 5+ unit building)	0.13	0.14	0.21	0.30	0.28	0.46	0.25	0.40	0.47	0.66	0.63	0.65	0.87	0.81	0.71	1.04	1.04	1.25	0.13

Table A-2b – FY 2025-FY 2029 Maximum Allowable Fossil Fuel-Generated Energy Consumption by Building Category, Building Type and Climate Zone, Residential Buildings (source kBtu/yr-sqft)

Building Category	Climate Zone:	0A	0B	1A	1B	2A	2B	3A	3B	3C	4A	4B	4C	5A	5B	5C	6A	6B	7	8
	Building Activity/ Type	Fossil Fuel-Generated Energy Use Intensity (site kBtu/yr-sqft)																		
Residential	Mobile	3	3	3	3	4	4	4	3	4	4	5	5	5	6	5	5	6	6	7
Residential	Single-family detached	2	2	2	2	2	2	3	2	2	3	3	3	3	4	3	3	4	4	4
Residential	Single-family attached	3	3	3	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	5
Residential	Multi-family (in 2-4 unit building)	3	3	3	3	4	4	6	4	5	6	7	7	7	9	9	8	11	11	13
Residential	Multi-family (in 5+ unit building)	1	1	1	2	3	3	4	2	4	4	6	6	6	8	7	6	9	9	11

Subpart C—Green Building Certification for Federal Buildings

§ 435.300 Green building certification.

(a) If a Federal agency chooses to use a green building certification system to certify a new Federal building or a Federal building undergoing a major renovation and construction costs for such new building or major renovation are at least $2,500,000 (in 2007 dollars, adjusted for inflation), and design for construction began on or after October 14, 2015:

(b) The system under which the building is certified must:

(1) Allow assessors and auditors to independently verify the criteria and measurement metrics of the system;

(2) Be developed by a certification organization that

(i) Provides an opportunity for public comment on the system; and

(ii) Provides an opportunity for development and revision of the system through a consensus-based process;

(3) Be nationally recognized within the building industry;

(4) Be subject to periodic evaluation and assessment of the environmental and energy benefits that result under the rating system; and

(5) Include a verification system for post occupancy assessment of the rated buildings to demonstrate continued energy and water savings at least every four years after initial occupancy.

(c) *Certification level.* The building must be certified to a level that promotes the high performance sustainable building guidelines referenced in Executive Order 13423 ''Strengthening Federal Environmental, Energy, and Transportation Management'' and Executive Order 13514 ''Federal Leadership in Environmental, Energy and Economic Performance.''

[79 FR 61571, Oct. 14, 2014]

Subpart D—Voluntary Performance Standards for New Non-Federal Residential Buildings [Reserved]

Subpart E—Mandatory Energy Efficiency Standards for Federal Residential Buildings

§ 435.500 Purpose.

(a) This subpart establishes voluntary energy conservation performance standards for new residential buildings. The voluntary energy conservation performance standards are designed to achieve the maximum practicable improvements in energy efficiency and increases in the use of non-depletable sources of energy.

(b) Voluntary energy conservation performance standards prescribed under this subpart shall be developed solely as guidelines for the purpose of providing technical assistance for the design of energy conserving buildings, and shall be mandatory only for the Federal buildings for which design for construction began before January 3, 2007.

(c) The energy conservation performance standards will direct Federal policies and practices to ensure that cost-effective energy conservation features will be incorporated into the designs of all new Federal residential buildings for which design for construction began January 3, 2007.

[53 FR 32545, Aug. 25, 1988, as amended at 71 FR 70284, Dec. 4, 2006. Redesignated at 79 FR 61571, Oct. 14, 2014]

§ 435.501 Scope.

(a) The energy conservation performance standards in this subpart will apply to all Federal residential buildings for which design of construction began before January 3, 2007 except multifamily buildings more than three stories above grade.

(b) The primary types of buildings built by or for the Federal agencies, to which the energy conservation performance standards will apply, are:

(1) Single-story single-family residences;

(2) Split-level single-family residences;

(3) Two-story single-family residences;

(4) End-unit townhouses;

(5) Middle-unit townhouses;

(6) End-units in multifamily buildings (of three stories above grade or less);

(7) Middle-units in multifamily buildings (of three stories above grade or less);

(8) Single-section mobile homes; and

(9) Multi-section mobile homes.

[53 FR 32545, Aug. 25, 1988, as amended at 71 FR 70284, Dec. 4, 2006. Redesignated at 79 FR 61571, Oct. 14, 2014]

§ 435.502 Definitions.

(a) *ANSI* means American National Standards Institute.

(b) *ASHRAE Handbook* means American Society of Heating, Refrigerating and Air-Conditioning Engineers, Inc., ASHRAE Handbook, 1985 Fundamentals. Volume, 1–P Edition.

(c) *ASTM* means American Society of Testing and Measurement.

(d) *British thermal unit (Btu)* means approximately the amount of heat required to raise the temperature of one pound of water from 59 °F to 60 °F.

(e) *Building* means any new residential structure:

(1) That includes or will include a heating or cooling system, or both, or a domestic hot water system, and

(2) For which a building design is created after the effective date of this rule.

(f) *Building design* means the development of plans and specifications for human living space.

(g) *Conservation Optimization Standard for Savings in Federal Residences* means the computerized calculation procedure that is used to establish an energy consumption goal for the design of Federal residential buildings.

(h) *COSTSAFR* means the Conservation Optimization Standard for Savings in Federal Residences.

(i) *DOE* means U.S. Department of Energy.

(j) *Domestic hot water (DHW)* means the supply of hot water for purposes other than space conditioning.

(k) *Energy conservation measure (ECM)* means a building material or component whose use will affect the energy consumed for space heating, space cooling, domestic hot water or refrigeration.

(l) *Energy performance standard* means an energy consumption goal or goals to be met without specification of the method, materials, and processes to be employed in achieving that goal or goals, but including statements of the requirements, criteria evaluation methods to be used, and any necessary commentary.

(m) *Federal agency* means any department, agency, corporation, or other entity or instrumentality of the executive branch of the Federal Government, including the United States Postal Service, the Federal National Mortgage Association, and the Federal Home Loan Mortgage Corporation.

(n) *Federal residential building* means any residential building to be constructed by or for the use of any Federal agency in the Continental U.S., Alaska, or Hawaii that is not legally subject to state or local building codes or similar requirements.

(o) *Life cycle cost* means the minimum life cycle cost calculated by using a methodology specified in subpart A of 10 CFR part 436.

(p) *Point system* means the tables that display the effect of the set of energy conservation measures on the design energy consumption and energy costs of a residential building for a particular location, building type and fuel type.

(q) *Practicable optimum life cycle energy cost* means the energy costs of the set of conservation measures that has the minimum life cycle cost to the Federal government incurred during a 25 year period and including the costs of construction, maintenance, operation, and replacement.

(r) *Project* means the group of one or more Federal residential buildings to be built at a specific geographic location that are included by a Federal agency in specifications issued or used by a Federal agency for design or construction of the buildings.

(s) *Prototype* means a fundamental house design based on typical construction assumptions. The nine prototypes in COSTSAFR are: single-section manufactured house, double-section manufactured house, ranch-style house, two-story house, split-level house, mid-unit apartment, end-unit apartment, mid-unit townhouse, end-unit townhouse.

(t) *Residential building* means a new building that is designed to be constructed and developed for residential occupancy.

(u) *Set of conservation options* means the combination of envelope design and equipment measures that influences the long term energy use in a building designed to maintain a minimum of ventilation level of 0.7 air changes per hour, including the heating and cooling equipment, domestic hot water equipment, glazing, insulation, refrigerators and air infiltration control measures.

(v) *Shading coefficient* means the ratio of the heat gains through windows, with or without integral shading devices, to that occurring through unshaded, ⅛-inch clear glass.

(w) *Total annual coil load* means the energy for space heating and/or cooling with no adjustment for HVAC equipment efficiency.

[56 FR 3772, Jan. 31, 1991, redesignated at 79 FR 61571, Oct. 14, 2014]

§ 435.503 Requirements for the design of a Federal residential building.

(a) The head of each Federal agency responsible for the construction of Federal residential buildings shall establish an energy consumption goal for each residential building to be designed or constructed by or for the agency, for which design for construction began before January 3, 2007.

(b) The energy consumption goal for a Federal residential building for which design for construction began before January 3, 2007, shall be a total point score derived by using the microcomputer program and user manual entitled ''Conservation Optimization Standard for Savings in Federal Residences (COSTSAFR),'' unless the head of the Federal agency shall establish more stringent requirements for that agency.

(c) The head of each Federal agency shall adopt such procedures as may be necessary to ensure that the design of a Federal residential building is not less energy conserving than the energy consumption goal established for the building.

[53 FR 32545, Aug. 25, 1988, as amended at 71 FR 70284, Dec. 4, 2006. Redesignated at 79 FR 61571, Oct. 14, 2014]

§ 435.504 The COSTSAFR Program.

(a) The COSTSAFR Program (Version 3.0) provides a computerized calculation procedure to determine the most effective set of energy conservation measures, selected from among the measures included within the Program that will produce the practicable optimum life cycle cost for a type of residential building in a specific geographic location. The most effective set of energy conservation measures is expressed as a total point score that serves as the energy consumption goal.

(b) The COSTSAFR Program (Version 3.0) also prints out a point system that identifies a wide array of different energy conservation measures indicating how many points various levels of each measure would contribute to reaching the total point score of the energy consumption goal. This enables a Federal agency to use the energy consumption goal and the point system in the design and procurement procedures so that designers and builders can pick and choose among different combinations of energy conservation measures to meet or exceed the total point score required to meet the energy consumption goal.

(c) The COSTSAFR Program (Version 3.0) operates on a micro-computer system that uses the MS DOS operating system and is equipped with an 8087 coprocessor.

(d) The COSTSAFR Program (Version 3.0) may be obtained from:

National Technical Information Service; Department of Commerce; Springfield, Virginia 22161; (202) 487-4600

[53 FR 32545, Aug. 25, 1988, as amended at 56 FR 3772, Jan. 31, 1991. Redesignated at 79 FR 61571, Oct. 14, 2014]

§ 435.505 Alternative compliance procedure.

(a) If a proposed building design includes unusual or innovative energy conservation measures which are not covered by the COSTSAFR program, the Federal agency shall determine whether that design meets or exceeds the applicable energy consumption goal in compliance with the procedures set forth in this section.

(b) The Federal agency shall determine the estimated discounted energy

cost for the COSTSAFR prototype building design, which is the most similar of the COSTSAFR prototypes to the proposed building design, by—

(1) Printing out the COSTSAFR compliance forms for the prototype showing the points attributable to levels of various energy conservation measures;

(2) Calculating the estimated unit energy cost on the compliance forms, on the basis of selecting the optimum levels on the compliance forms or otherwise in the User's Manual for each energy conservation measure; and

(3) Multiplying the estimated unit energy cost by 100.

(c) The Federal agency shall determine the estimated discounted energy cost for the proposed building design by—

(1) Estimating the heating and cooling total annual coil loads of the proposed building design with the DOE 2.1C computer program on the basis of input assumptions including—

(i) Shading coefficients of 0.6 for summer and 0.8 for winter;

(ii) Thermostat setpoints of 78 degrees Fahrenheit for cooling, 70 degrees Fahrenheit for heating (6 am to 12 midnight), and 60 degrees Fahrenheit for Night Setback (12 midnight to 6 am, except for houses with heat pumps);

(iii) The infiltration rate measured in air changes per hour as calculated using appendix B of the COSTSAFR User's Manual;

(iv) Natural venting with a constant air change rate of 10 air changes per hour—

(A) When the outdoor temperature is lower than the indoor temperature, but not above 78 degrees Fahrenheit; and

(B) When the enthalpy of the outdoor air is lower than the indoor air.

(v) Internal gains in accordance with the following table for a house with 1540 square feet of floor area, adjusted by 0.35 Btu/ft^2/hr to account for changes in lighting as the floor area varies from 1540 square feet—

TABLE 1—INTERNAL GAIN SCHEDULE (BTU)

Hour of day	Sensible	Latent
1	1139	247
2	1139	247
3	1139	247
4	1139	247
5	1139	247
6	1903	412
7	2391	518
8	4782	1036
9	2790	604
10	1707	370
11	1707	370
12	2277	493
13	1707	370
14	1424	308
15	1480	321
16	1480	321
17	2164	469
18	2334	506
19	2505	543
20	3928	851
21	3928	851
22	4101	888
23	4101	888
24	3701	802

(vi) Thermal transmittances for building envelope materials measured in accordance with applicable ASTM procedures or from the ASHRAE Handbook;

(vii) Proposed heating and cooling equipment types included in COSTSAFR or having a certified seasonal efficiency rating;

(viii) Weather Year for Energy Calculations (WYEC) weather year data (WYEC data are on tapes available from ASHRAE, 1791 Tullie Circle, N.E., Atlanta, Georgia 30329), or if unavailable, Test Reference Year (TRY) weather data (obtainable from National Climatic Data Center, 1983 *Test Reference Year*, Tape Reference Manual, TD–9706, Asheville, North Carolina) relevant to project location.

(2) Estimating the discounted energy cost for the heating and cooling energy loads, respectively, according to the following equation—

$$\text{Discounted Energy Cost} = \frac{\text{Total Annual Coil Load} \times \text{Fuel Cost} \times \text{UPW*}}{\text{Equipment Efficiency}}$$

Where:

Total Annual Coil Load = the total heating or cooling annual coil load calculated under paragraph (c)(1);

Fuel Cost = the heating or cooling fuel cost calculated in accordance with sections 3.3.D and 3.3.E of the User's Manual;

UPW* = the uniform present worth discount factor; selected from the last page of the compliance forms.

Equipment Efficiency = the test seasonal efficiency rating of the heating and cooling equipment only (i.e., not including duct or distribution system losses).

(3) Estimating the discounted energy cost for water heating and refrigerator/freezer energy consumption—

(i) For equipment types covered by the COSTSAFR compliance forms, by multiplying the estimated unit energy cost by 100; or

(ii) For equipment types not covered by COSTSAFR—

$$\text{Discounted Energy Cost} = \frac{\text{Annual Energy Consumption} \times \text{Fuel Cost} \times \text{UPW*}}{\text{Energy Factor}}$$

Where:

Fuel Cost and UPW* are as defined in paragraph (c)(2) of this section; Annual Energy Consumption is as calculated in 10 CFR 430.22; and Energy Factor is the measure of energy efficiency as calculated under 10 CFR 430.22

(iii) [Reserved]

(4) Adding together the discounted energy costs calculated under paragraphs (c)(2) and (c)(3) of this section;

(d) If the discounted energy cost of the proposed building design calculated under paragraph (c)(4) of this section is equal to or less than the discounted energy cost of the COSTSAFR prototype building design calculated under paragraph (b) of this section, then the proposed building design is in compliance with the applicable energy consumption goal under this part.

[56 FR 3772, Jan. 31, 1991, redesignated at 79 FR 61571, Oct. 14, 2014]

§ 435.506 Selecting a life cycle effective proposed building design.

In selecting between or among proposed building designs which comply with the applicable energy consumption goal under this part, each Federal agency shall select the design which, in comparison to the applicable COSTSAFR prototype, has the highest Net Savings or lowest total life cycle costs calculated in compliance with subpart A of 10 CFR part 436.

[56 FR 3773, Jan. 31, 1991, redesignated at 79 FR 61571, Oct. 14, 2014]

PART 436—FEDERAL ENERGY MANAGEMENT AND PLANNING PROGRAMS

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APPENDIX D TO PART 436—ENERGY PROGRAM CONSERVATION ELEMENTS

AUTHORITY: 42 U.S.C. 7101 *et seq.*; 42 U.S.C. 8254; 42 U.S.C. 8258; 42 U.S.C. 8259b; 42 U.S.C. 8287, *et seq*.

SOURCE: 44 FR 60669, Oct. 19, 1979, unless otherwise noted.

§ 436.1 Scope.

This part sets forth the rules for Federal energy management and planning programs to reduce Federal energy consumption and to promote life cycle cost effective investments in building energy systems, building water systems and energy and water conservation measures for Federal buildings.

[61 FR 32649, June 25, 1996]

§ 436.2 General objectives.

The objectives of Federal energy management and planning programs are:

(a) To apply energy conservation measures to, and improve the design for construction of Federal buildings such that the energy consumption per gross square foot of Federal buildings in use during the fiscal year 1995 is at least 10 percent less than the energy consumption per gross square foot in 1985;

(b) To promote the methodology and procedures for conducting life cycle cost analyses of proposed investments in building energy systems, building water systems and energy and water conservation measures;

(c) To promote the use of energy savings performance contracts by Federal agencies for implementation of privately financed investment in building and facility energy conservation measures for existing Federally owned buildings; and

(d) To promote efficient use of energy in all agency operations through general operations plans.

[55 FR 48220, Nov. 20, 1990, as amended at 60 FR 18334, Apr. 10, 1995; 61 FR 32649, June 25, 1996]

Subpart A—Methodology and Procedures for Life Cycle Cost Analyses

SOURCE: 55 FR 48220, Nov. 20, 1990, unless otherwise noted.

§ 436.10 Purpose.

This subpart establishes a methodology and procedures for estimating and comparing the life cycle costs of Federal buildings, for determining the life cycle cost effectiveness of energy conservation measures and water conservation measures, and for rank ordering life cycle cost effective measures in order to design a new Federal building or to retrofit an existing Federal building. It also establishes the method by which efficiency shall be considered when entering into or renewing leases of Federal building space.

[61 FR 32649, June 25, 1996]

§ 436.11 Definitions.

As used in this subpart—

Base Year means the fiscal year in which a life cycle cost analysis is conducted.

Building energy system means an energy conservation measure or any portion of the structure of a building or any mechanical, electrical, or other functional system supporting the building, the nature or selection of

which for a new building influences significantly the cost of energy consumed.

Building water system means a water conservation measure or any portion of the structure of a building or any mechanical, electrical, or other functional system supporting the building, the nature or selection of which for a new building influences significantly the cost of water consumed.

Component price means any variable sub-element of the total charge for a fuel or energy or water, including but not limited to such charges as ''demand charges,'' ''off-peak charges'' and ''seasonal charges.''

Demand charge means that portion of the charge for electric service based upon the plant and equipment costs associated with supplying the electricity consumed.

DOE means Department of Energy.

Energy conservation measures means measures that are applied to an existing Federal building that improve energy efficiency and are life cycle cost effective and that involve energy conservation, cogeneration facilities, renewable energy sources, improvements in operation and maintenance efficiencies, or retrofit activities.

Federal agency means ''agency'' as defined by 5 U.S.C. 551(1).

Federal building means an energy or water conservation measure or any building, structure, or facility, or part thereof, including the associated energy and water consuming support systems, which is constructed, renovated, leased, or purchased in whole or in part for use by the Federal government. This term also means a collection of such buildings, structures, or facilities and the energy and water consuming support systems for such collection.

Investment costs means the initial costs of design, engineering, purchase, construction, and installation exclusive of sunk costs.

Life cycle cost means the total cost of owning, operating and maintaining a building over its useful life (including its fuel and water, energy, labor, and replacement components), determined on the basis of a systematic evaluation and comparison of alternative building systems, except that in the case of leased buildings, the life cycle cost shall be calculated over the effective remaining term of the lease.

Non-fuel operation and maintenance costs means material and labor cost for routine upkeep, repair and operation exclusive of energy cost.

Non-recurring costs means costs that are not uniformly incurred annually over the study period.

Non-water operation and maintenance costs mean material and labor cost for routine upkeep, repair and operation exclusive of water cost.

Recurring costs means future costs that are incurred uniformly and annually over the study period.

Replacement costs mean future cost to replace a building energy system or building water system, an energy or water conservation measure, or any component thereof.

Retrofit means installation of a building energy system or building water system alternative in an existing Federal building.

Salvage value means the value of any building energy system or building water system removed or replaced during the study period, or recovered through resale or remaining at the end of the study period.

Study period means the time period covered by a life cycle cost analysis.

Sunk costs means costs incurred prior to the time at which the life cycle cost analysis occurs.

Time-of-day rate means the charge for service during periods of the day based on the cost of supplying services during various times of the day.

Water conservation measures mean measures that are applied to an existing Federal building that improve the efficiency of water use, reduce the amount of water for sewage disposal and are life cycle cost effective and that involve water conservation, improvements in operation and maintenance efficiencies, or retrofit activities.

[55 FR 48220, Nov. 20, 1990, as amended at 61 FR 32649, June 25, 1996]

§ 436.12 Life cycle cost methodology.

The life cycle cost methodology for this part is a systematic analysis of relevant costs, excluding sunk costs, over a study period, relating initial costs to future costs by the technique

of discounting future costs to present values.

§ 436.13 Presuming cost-effectiveness results.

(a) If the investment and other costs for an energy or water conservation measure considered for retrofit to an existing Federal building or a building energy system or building water system considered for incorporation into a new building design are insignificant, a Federal agency may presume that such a system is life cycle cost-effective without further analysis.

(b) A Federal agency may presume that an investment in an energy or water conservation measure retrofit to an existing Federal building is not life cycle cost-effective for Federal investment if the Federal building is—

(1) Occupied under a short-term lease with a remaining term of one year or less, and without a renewal option or with a renewal option which is not likely to be exercised;

(2) Occupied under a lease which includes the cost of utilities in the rent and does not provide a pass-through of energy or water savings to the government; or

(3) Scheduled to be demolished or retired from service within one year or less.

[55 FR 48220, Nov. 20, 1990, as amended at 61 FR 32650, June 25, 1996]

§ 436.14 Methodological assumptions.

(a) Each Federal Agency shall discount to present values the future cash flows established in either current or constant dollars consistent with the nominal or real discount rate, and related tables, published in the annual supplement to the Life Cycle Costing Manual for the Federal Energy Management Program (NIST 85–3273) and determined annually by DOE as follows—

(1) The nominal discount rate shall be a 12 month average of the composite yields of all outstanding U.S. Treasury bonds neither due nor callable in less than ten years, as most recently reported by the Federal Reserve Board; and

(2) Subject to a ceiling of 10 percent and a floor of three percent the real discount rate shall be a 12 month average of the composite yields of all outstanding U.S. Treasury bonds neither due nor callable in less than ten years, as most recently reported by the Federal Reserve Board, adjusted to exclude estimated increases in the general level of prices consistent with projections of inflation in the most recent Economic Report of the President's Council of Economic Advisors.

(b) Each Federal agency shall assume that energy prices will change at rates projected by DOE's Energy Information Administration and published by NIST annually no later than the beginning of the fiscal year in the Annual Supplement to the Life Cycle Costing Manual for the Federal Energy Management Program, in tables consistent with the discount rate determined by DOE under paragraph (a) of this section, except that—

(1) If the Federal agency is using component prices under § 436.14(c), that agency may use corresponding component escalation rates provided by the energy or water supplier.

(2) For Federal buildings in foreign countries, the Federal agency may use a ''reasonable'' escalation rate.

(c) Each Federal agency shall assume that the price of energy or water in the base year is the actual price charged for energy or water delivered to the Federal building and may use actual component prices as provided by the energy or water supplier.

(d) Each Federal agency shall assume that the appropriate study period is as follows:

(1) For evaluating and ranking alternative retrofits for an existing Federal building, the study period is the expected life of the retrofit, or 40 years from the beginning of beneficial use, whichever is shorter.

(2) For determining the life cycle costs or net savings of mutually exclusive alternatives for a given building energy system or building water system (e.g., alternative designs for a particular system or size of a new or retrofit building energy system or building water system), a uniform study period for all alternatives shall be assumed which is equal to—

(i) The estimated life of the mutually exclusive alternative having the longest life, not to exceed 40 years from the

beginning of beneficial use with appropriate replacement and salvage values for each of the other alternatives; or

(ii) The lowest common multiple of the expected lives of the alternative, not to exceed 40 from the beginning of beneficial use with appropriate replacement and salvage values for each alternative.

(3) For evaluating alternative designs for a new Federal building, the study period extends from the base year through the expected life of the building or 40 years from the beginning of beneficial use, whichever is shorter.

(e) Each Federal agency shall assume that the expected life of any building energy system or building water system is the period of service without major renewal or overhaul, as estimated by a qualified engineer or architect, as appropriate, or any other reliable source except that the period of service of a building energy or water system shall not be deemed to exceed the expected life of the owned building, or the effective remaining term of the leased building (taking into account renewal options likely to be exercised).

(f) Each Federal agency may assume that investment costs are a lump sum occurring at the beginning of the base year, or may discount future investment costs to present value using the appropriate present worth factors under paragraph (a) of this section.

(g) Each Federal agency may assume that energy or water costs and non-fuel or non-water operation and maintenance costs begin to accrue at the beginning of the base year or when actually projected to occur.

(h) Each Federal agency may assume that costs occur in a lump sum at any time within the year in which they are incurred.

(i) This section shall not apply to calculations of estimated simple payback time under § 436.22 of this part.

[55 FR 48220, Nov. 20, 1990, as amended at 61 FR 32650, June 25, 1996; 79 FR 61571, Oct. 14, 2014]

§ 436.15 Formatting cost data.

In establishing cost data under §§ 436.16 and 436.17 and measuring cost effectiveness by the modes of analysis described by § 436.19 through § 436.22, a format for accomplishing the analysis which includes all required input data and assumptions shall be used. Subject to § 436.18(b), Federal agencies are encouraged to use worksheets or computer software referenced in the Life Cycle Cost Manual for the Federal Energy Management Program.

§ 436.16 Establishing non-fuel and non-water cost categories.

(a) The relevant non-fuel cost categories are—

(1) Investment costs;

(2) Non-fuel operation and maintenance cost;

(3) Replacement cost; and

(4) Salvage value.

(b) The relevant non-water cost categories are—

(1) Investment costs;

(2) Non-water operation and maintenance cost;

(3) Replacement cost; and

(4) Salvage value.

(c) The present value of recurring costs is the product of the base year value of recurring costs as multiplied by the appropriate uniform present worth factor under § 436.14, or as calculated by computer software indicated in § 436.18(b) and used with the official discount rate and escalation rate assumptions under § 436.14. When recurring costs begin to accrue at a later time, subtract the present value of recurring costs over the delay, calculated using the appropriate uniform present worth factor for the period of the delay, from the present value of recurring costs over the study period or, if using computer software, indicate a delayed beneficial occupancy date.

(d) The present value of non-recurring cost under § 436.16(a) is the product of the non-recurring costs as multiplied by appropriate single present worth factors under § 436.14 for the respective years in which the costs are expected to be incurred, or as calculated by computer software provided or approved by DOE and used with the official discount rate and escalation rate assumptions under § 436.14.

[55 FR 48220, Nov. 20, 1990, as amended at 61 FR 32650, June 25, 1996]

§ 436.17 Establishing energy or water cost data.

(a) Each Federal agency shall establish energy costs in the base year by multiplying the total units of energy used in the base year by the price per unit of energy in the base year as determined in accordance with § 436.14(c).

(b) When energy costs begin to accrue in the base year, the present value of energy costs over the study period is the product of energy costs in the base year as established under § 436.17(a), multiplied by the appropriate modified uniform present worth factor adjusted for energy price escalation for the applicable region, sector, fuel type, and study period consistent with § 436.14, or as calculated by computer software provided or approved by DOE and used with the official discount rate and escalation rate assumptions under § 436.14. When energy costs begin to accrue at a later time, subtract the present value of energy costs over the delay, calculated using the adjusted, modified uniform present worth factor for the period of delay, from the present value of energy costs over the study period or, if using computer software, indicate a delayed beneficial occupancy date.

(c) Each Federal agency shall establish water costs in the base year by multiplying the total units of water used in the base year by the price per unit of water in the base year as determined in accordance with § 436.14(c).

(d) When water costs begin to accrue in the base year, the present value of water costs over the study period is the product of water costs in the base year as established under § 436.17(a), or as calculated by computer software provided or approved by DOE and used with the official discount rate and assumptions under § 436.14. When water costs begin to accrue at a later time, subtract the present value of water costs over the delay, calculated using the uniform present worth factor for the period of delay, from the present value of water costs over the study period or, if using computer software, indicate a delayed beneficial occupancy date.

[55 FR 48220, Nov. 20, 1990, as amended at 61 FR 32650, June 25, 1996]

§ 436.18 Measuring cost-effectiveness.

(a) In accordance with this section, each Federal agency shall measure cost-effectiveness by combining cost data established under §§ 436.16 and 436.17 in the appropriate mode of analysis as described in § 436.19 through § 436.22.

(b) Federal agencies performing LCC analysis on computers shall use either the Federal Buildings Life Cycle Costing (FBLCC) software provided by DOE or software consistent with this subpart.

(c) Replacement of a building energy or water system with an energy or water conservation measure by retrofit to an existing Federal building or by substitution in the design for a new Federal building shall be deemed cost-effective if—

(1) Life cycle costs, as described by § 436.19, are estimated to be lower; or

(2) Net savings, as described by § 436.20, are estimated to be positive; or

(3) The savings-to-investment ratio, as described by § 436.21, is estimated to be greater than one; or

(4) The adjusted internal rate of return, as described by § 436.22, is estimated to be greater than the discount rate as set by DOE.

(d) As a rough measure, each Federal agency may determine estimated simple payback time under § 436.23, which indicates whether a retrofit is likely to be cost effective under one of the four calculation methods referenced in § 436.18(c). An energy or water conservation measure alternative is likely to be cost-effective if estimated payback time is significantly less than the useful life of that system, and of the Federal building in which it is to be installed.

(e) Mutually exclusive alternatives for a given building energy or water system, considered in determining such matters as the optimal size of a solar energy system, the optimal thickness of insulation, or the best choice of double-glazing or triple-glazing for windows, shall be compared and evaluated on the basis of life cycle costs or net savings over equivalent study periods. The alternative which is estimated to result in the lowest life cycle costs or the highest net savings shall be deemed the most cost-effective because it tends

to minimize the life cycle cost of Federal building.

(f) When available appropriations will not permit all cost-effective energy or water conservation measures to be undertaken, they shall be ranked in descending order of their savings-to-investment ratios, or their adjusted internal rate of return, to establish priority. If available appropriations cannot be fully exhausted for a fiscal year by taking all budgeted energy or water conservation measures according to their rank, the set of energy or water conservation measures that will maximize net savings for available appropriations should be selected.

(g) Alternative building designs for new Federal buildings shall be evaluated on the basis of life cycle costs. The alternative design which results in the lowest life cycle costs for a given new building shall be deemed the most cost-effective.

[55 FR 48220, Nov. 20, 1990, as amended at 61 FR 32650, June 25, 1996]

§ 436.19 Life cycle costs.

Life cycle costs are the sum of the present values of—

(a) Investment costs, less salvage values at the end of the study period;

(b) Non-fuel operation and maintenance costs:

(c) Replacement costs less salvage costs of replaced building systems; and

(d) Energy and/or water costs.

[55 FR 48220, Nov. 20, 1990, as amended at 61 FR 32651, June 25, 1996]

§ 436.20 Net savings.

For a retrofit project, net savings may be found by subtracting life cycle costs based on the proposed project from life cycle costs based on not having it. For a new building design, net savings is the difference between the life cycle costs of an alternative design and the life cycle costs of the basic design.

§ 436.21 Savings-to-investment ratio.

The savings-to-investment ratio is the ratio of the present value savings to the present value costs of an energy or water conservation measure. The numerator of the ratio is the present value of net savings in energy or water and non-fuel or non-water operation and maintenance costs attributable to the proposed energy or water conservation measure. The denominator of the ratio is the present value of the net increase in investment and replacement costs less salvage value attributable to the proposed energy or water conservation measure.

[61 FR 32651, June 25, 1996]

§ 436.22 Adjusted internal rate of return.

The adjusted internal rate of return is the overall rate of return on an energy or water conservation measure. It is calculated by subtracting 1 from the nth root of the ratio of the terminal value of savings to the present value of costs, where n is the number of years in the study period. The numerator of the ratio is calculated by using the discount rate to compound forward to the end of the study period the yearly net savings in energy or water and non-fuel or non-water operation and maintenance costs attributable to the proposed energy or water conservation measure. The denominator of the ratio is the present value of the net increase in investment and replacement costs less salvage value attributable to the proposed energy or water conservation measure.

[61 FR 32651, June 25, 1996]

§ 436.23 Estimated simple payback time.

The estimated simple payback time is the number of years required for the cumulative value of energy or water cost savings less future non-fuel or non-water costs to equal the investment costs of the building energy or water system, without consideration of discount rates.

[61 FR 32651, June 25, 1996]

§ 436.24 Uncertainty analyses.

If particular items of cost data or timing of cash flows are uncertain and are not fixed under § 436.14, Federal agencies may examine the impact of uncertainty on the calculation of life cycle cost effectiveness or the assignment of rank order by conducting additional analyses using any standard engineering economics method such as

sensitivity and probabilistic analysis. If additional analysis casts substantial doubt on the life cycle cost analysis results, a Federal agency should consider obtaining more reliable data or eliminating the building energy or water system alternative.

[55 FR 48220, Nov. 20, 1990, as amended at 61 FR 32651, June 25, 1996]

Subpart B—Methods and Procedures for Energy Savings Performance Contracting

SOURCE: 60 FR 18334, Apr. 10, 1995, unless otherwise noted.

§ 436.30 Purpose and scope.

(a) *General.* This subpart provides procedures and methods which apply to Federal agencies with regard to the award and administration of energy savings performance contracts. This subpart applies in addition to the Federal Acquisition Regulation at Title 48 of the CFR and related Federal agency regulations. The provisions of this subpart are controlling with regard to energy savings performance contracts notwithstanding any conflicting provisions of the Federal Acquisition Regulation and related Federal agency regulations.

(b) *Utility incentive programs.* Nothing in this subpart shall preclude a Federal agency from—

(1) Participating in programs to increase energy efficiency, conserve water, or manage electricity demand conducted by gas, water, or electric utilities and generally available to customers of such utilities;

(2) Accepting financial incentives, goods, or services generally available from any such utility to increase energy efficiency or to conserve water or manage electricity demand; or

(3) Entering into negotiations with electric, water, and gas utilities to design cost-effective demand management and conservation incentive programs to address the unique needs of each Federal agency.

(c) *Promoting competition.* To the extent allowed by law, Federal agencies should encourage utilities to select contractors for the conduct of utility incentive programs in a competitive manner to the maximum extent practicable.

(d) *Interpretations.* The permissive provisions of this subpart shall be liberally construed to effectuate the objectives of Title VIII of the National Energy Conservation Policy Act, 42 U.S.C. 8287–8287c.

[60 FR 18334, Apr. 10, 1995, as amended at 60 FR 19343, Apr. 18, 1995; 65 FR 39786, June 28, 2000; 89 FR 19501, Mar. 19, 2024]

§ 436.31 Definitions.

As used in this subpart—

Act means Title VIII of the National Energy Conservation Policy Act.

Annual energy audit means a procedure including, but not limited to, verification of the achievement of energy cost savings and energy unit savings guaranteed resulting from implementation of energy conservation measures and determination of whether an adjustment to the energy baseline is justified by conditions beyond the contractor's control.

Building means any closed structure primarily intended for human occupancy in which energy is consumed, produced, or distributed.

Detailed energy survey means a procedure which may include, but is not limited to, a detailed analysis of energy cost savings and energy unit savings potential, building conditions, energy consuming equipment, and hours of use or occupancy for the purpose of confirming or revising technical and price proposals based on the preliminary energy survey.

DOE means Department of Energy.

Energy baseline means the amount of energy that would be consumed annually without implementation of energy conservation measures based on historical metered data, engineering calculations, submetering of buildings or energy consuming systems, building load simulation models, statistical regression analysis, or some combination of these methods.

Energy conservation measures means measures that are applied to an existing Federally owned building or facility that improves energy efficiency, are life-cycle cost-effective under subpart A of this part, and involve energy conservation, cogeneration facilities,

renewable energy sources, improvements in operation and maintenance efficiencies, or retrofit activities.

Energy cost savings means a reduction in the cost of energy and related operation and maintenance expenses, from a base cost established through a methodology set forth in an energy savings performance contract, utilized in an existing federally owned building or buildings or other federally owned facilities as a result of—

(1) The lease or purchase of operating equipment, improvements, altered operation and maintenance, or technical services; or

(2) The increased efficient use of existing energy sources by cogeneration or heat recovery, excluding any cogeneration process for other than a federally owned building or buildings or other federally owned facilities.

Energy savings performance contract means a contract which provides for the performance of services for the design, acquisition, installation, testing, operation, and, where appropriate, maintenance and repair of an identified energy conservation measure or series of measures at one or more locations.

Energy unit savings means the determination, in electrical or thermal units (e.g., kilowatt hour (kwh), kilowatt (kw), or British thermal units (Btu)), of the reduction in energy use or demand by comparing consumption or demand, after completion of contractor-installed energy conservation measures, to an energy baseline established in the contract.

Facility means any structure not primarily intended for human occupancy, or any contiguous group of structures and related systems, either of which produces, distributes, or consumes energy.

Federal agency has the meaning given such term in section 551(1) of Title 5, United States Code.

Preliminary energy survey means a procedure which may include, but is not limited to, an evaluation of energy cost savings and energy unit savings potential, building conditions, energy consuming equipment, and hours of use or occupancy, for the purpose of developing technical and price proposals prior to selection.

Secretary means the Secretary of Energy.

§ 436.32 Qualified contractors lists.

(a) DOE shall prepare a list, to be updated annually, or more often as necessary, of firms qualified to provide energy cost savings performance services and grouped by technology. The list shall be prepared from statements of qualifications by or about firms engaged in providing energy savings performance contract services on questionnaires obtained from DOE. Such statements shall, at a minimum, include prior experience and capabilities of firms to perform the proposed energy cost savings services by technology and financial and performance information. DOE shall issue a notice annually, for publication in the Commerce Business Daily, inviting submission of new statements of qualifications and requiring listed firms to update their statements of qualifications for changes in the information previously provided.

(b) On the basis of statements of qualifications received under paragraph (a) of this section and any other relevant information, DOE shall select a firm for inclusion on the qualified list if—

(1) It has provided energy savings performance contract services or services that save energy or reduce utility costs for not less than two clients, and the firm possesses the appropriate project experience to successfully implement the technologies which it proposes to provide;

(2) Previous project clients provide ratings which are ''fair'' or better;

(3) The firm or any principal of the firm has neither been insolvent nor declared bankruptcy within the last five years;

(4) The firm or any principal of the firm is not on the list of parties excluded from procurement programs under 48 CFR part 9, subpart 9.4; and

(5) There is no other adverse information which warrants the conclusion that the firm is not qualified to perform energy savings performance contracts.

(c) DOE may remove a firm from DOE's list of qualified contractors

after notice and an opportunity for comment if—

(1) There is a failure to update its statement of qualifications;

(2) There is credible information warranting disqualification; or

(3) There is other good cause.

(d) A Federal agency shall use DOE's list unless it elects to develop its own list of qualified firms consistent with the procedures in paragraphs (a) and (b) of this section.

(e) A firm not designated by DOE or a Federal agency pursuant to the procedures in paragraphs (a) and (b) of this section as qualified to provide energy cost savings performance services shall receive a written decision and may request a debriefing.

(f) Any firm receiving an adverse final decision under this section shall apply to the Board of Contract Appeals of the General Services Administration in order to exhaust administrative remedies.

§ 436.33 Procedures and methods for contractor selection.

(a) *Competitive selection.* Competitive selections based on solicitation of firms are subject to the following procedures—

(1) With respect to a particular proposed energy cost savings performance project, Federal agencies shall publish a Commerce Business Daily notice which synopsizes the proposed contract action.

(2) Each competitive solicitation—

(i) Shall request technical and price proposals and the text of any third-party financing agreement from interested firms;

(ii) Shall consider DOE model solicitations and should use them to the maximum extent practicable;

(iii) May provide for a two-step selection process which allows Federal agencies to make an initial selection based, in part, on proposals containing estimated energy cost savings and energy unit savings, with contract award conditioned on confirmation through a detailed energy survey that the guaranteed energy cost savings are within a certain percentage (specified in the solicitation) of the estimated amount; and

(iv) May state that if the Federal agency requires a detailed energy survey which identifies life cycle cost effective energy conservation measures not in the initial proposal, the contract may include such measures.

(3) Based on its evaluation of the technical and price proposals submitted, any applicable financing agreement (including lease-acquisitions, if any), statements of qualifications submitted under § 436.32 of this subpart, and any other information determines to be relevant, the Federal agency may select a firm on a qualified list to conduct the project.

(4) If a proposed energy cost savings project involves a large facility with too many contiguously related buildings and other structures at one site for proposing firms to assume the costs of a preliminary energy survey of all such structures, the Federal agency—

(i) May request technical and price proposals for a representative sample of buildings and other structures and may select a firm to conduct the proposed project; and

(ii) After selection of a firm, but prior to award of an energy savings performance contract, may request the selected firm to submit technical and price proposals for all or some of the remaining buildings and other structures at the site and may include in the award for all or some of the remaining buildings and other structures.

(5) After selection under paragraph (a)(3) or (a)(4) of this section, but prior to award, a Federal agency may require the selectee to conduct a detailed energy survey to confirm that guaranteed energy cost savings are within a certain percentage (specified in the solicitation) of estimated energy cost savings in the selectee's proposal. If the detailed energy survey does not confirm that guaranteed energy savings are within the fixed percentage of estimated savings, the Federal agency may select another firm from those within the competitive range.

(b) *Unsolicited proposals.* Federal agencies may—

(1) Consider unsolicited energy savings performance contract proposals from firms on a qualified contractor list under this subpart which include

technical and price proposals and the text of any financing agreement (including a lease-acquisition) without regard to the requirements of 48 CFR 15.602 and 15.602–2(a)(1); 48 CFR 15.603; and 48 CFR 15.607(a), (a)(2), (a)(3), (a)(4) and (a)(5).

(2) Reject an unsolicited proposal that is too narrow because it does not address the potential for significant energy conservation measures from other than those measures in the proposal.

(3) After requiring a detailed energy survey, if appropriate, and determining that technical and price proposals are adequate, award a contract to a firm on a qualified contractor list under this subpart on the basis of an unsolicited proposal, provided that the Federal agency complies with the following procedures—

(i) An award may not be made to the firm submitting the unsolicited proposal unless the Federal agency first publishes a notice in the Commerce Business Daily acknowledging receipt of the proposal and inviting other firms on the qualified list to submit competing proposals.

(ii) Except for unsolicited proposals submitted in response to a published general statement of agency needs, no award based on such an unsolicited proposal may be made in instances in which the Federal agency is planning the acquisition of an energy conservation measure through an energy savings performance contract.

(c) *Certified cost or pricing data.* (1) Energy savings performance contracts under this part are firm fixed-price contracts.

(2) Pursuant to the authority provided under section 304A(b)(1)(B) of the Federal Property and Administrative Services Act of 1049, the heads of procuring activities shall waive the requirement for submission of certified cost or pricing data. However, this does not exempt offerors from submitting information (including pricing information) required by the Federal agency to ensure the impartial and comprehensive evaluation of proposals.

[60 FR 18334, Apr. 10, 1995, as amended at 65 FR 39786, June 28, 2000]

§ 436.34 Multiyear contracts.

(a) Subject to paragraph (b) of this section, Federal agencies may enter into a multiyear energy savings performance contract for a period not to exceed 25 years, as authorized by 42 U.S.C. 8287, without funding of cancellation charges, if:

(1) The multiyear energy savings performance contract was awarded in a competitive manner using the procedures and methods established by this subpart;

(2) Funds are available and adequate for payment of the scheduled energy cost for the first fiscal year of the multiyear energy savings performance contract;

(3) Thirty days before the award of any multiyear energy savings performance contract that contains a clause setting forth a cancellation ceiling in excess of $750,000, the head of the awarding Federal agency gives written notification of the proposed contract and the proposed cancellation ceiling for the contract to the appropriate authorizing and appropriating committees of the Congress; and

(4) Except as otherwise provided in this section, the multiyear energy savings performance contract is subject to 48 CFR part 17, subpart 17.1, including the requirement that the contracting officer establish a cancellation ceiling.

(b) Neither this subpart nor any provision of the Act requires, prior to contract award or as a condition of a contract award, that a Federal agency have appropriated funds available and adequate to pay for the total costs of an energy savings performance contract for the term of such contract.

§ 436.35 Standard terms and conditions.

(a) *Mandatory requirements.* In addition to contractual provisions otherwise required by the Act or this subpart, any energy savings performance contract shall contain clauses—

(1) Authorizing modification, replacement, or changes of equipment, at no cost to the Federal agency, with the prior approval of the contracting officer who shall consider the expected level of performance after such modification, replacement or change;

(2) Providing for the disposition of title to systems and equipment;

(3) Requiring prior approval by the contracting officer of any financing agreements (including lease-acquisitions) and amendments to such an agreement entered into after contract award for the purpose of financing the acquisition of energy conservation measures;

(4) Providing for an annual energy audit and identifying who shall conduct such an audit, consistent with § 436.37 of this subpart; and

(5) Providing for a guarantee of energy cost savings to the Federal agency, and establishing payment schedules reflecting such guarantee.

(b) *Third party financing.* If there is third party financing, then an energy savings performance contract may contain a clause:

(1) Permitting the financing source to perfect a security interest in the installed energy conservation measures, subject to and subordinate to the rights of the Federal agency; and

(2) Protecting the interests of a Federal agency and a financing source, by authorizing a contracting officer in appropriate circumstances to require a contractor who defaults on an energy savings performance contract or who does not cure the failure to make timely payments, to assign to the financing source, if willing and able, the contractor's rights and responsibilities under an energy savings performance contract;

§ 436.36 Conditions of payment.

(a) Any amount paid by a Federal agency pursuant to any energy savings performance contract entered into under this subpart may be paid only from funds appropriated or otherwise made available to the agency for the payment of energy expenses and related operation and maintenance expenses which would have been incurred without an energy savings performance contract. The amount the agency would have paid is equal to:

(1) The energy baseline under the energy savings performance contract (adjusted if appropriate under § 436.37), multiplied by the unit energy cost; and

(2) Any related operations and maintenance cost prior to implementation of energy conservation measures, adjusted for increases in labor and material price indices.

(b) Federal agencies may incur obligations pursuant to energy savings performance contracts to finance energy conservation measures provided guaranteed energy cost savings exceed the contractor's debt service requirements.

§ 436.37 Annual energy audits.

(a) After contractor implementation of energy conservation measures and annually thereafter during the contract term, an annual energy audit shall be conducted by the Federal agency or the contractor as determined by the contract. The annual energy audit shall verify the achievement of annual energy cost savings performance guarantees provided by the contractor.

(b) The energy baseline is subject to adjustment due to changes beyond the contractor's control, such as—

(1) Physical changes to building;

(2) Hours of use or occupancy;

(3) Area of conditioned space;

(4) Addition or removal of energy consuming equipment or systems;

(5) Energy consuming equipment operating conditions;

(6) Weather (i.e., cooling and heating degree days); and

(7) Utility rates.

(c) In the solicitation or in the contract, Federal agencies shall specify requirements for annual energy audits, the energy baseline, and baseline adjustment procedures.

§ 436.38 Terminating contracts.

(a) Except as otherwise provided by this subpart, termination of energy savings performance contracts shall be subject to the termination procedures of the Federal Acquisition Regulation in 48 CFR part 49.

(b) In the event an energy savings performance contract is terminated for the convenience of a Federal agency, the termination liability of the Federal agency shall not exceed the cancellation ceiling set forth in the contract, for the year in which the contract is terminated.

Subpart C—Agency Procurement of Energy Efficient Products

SOURCE: 74 FR 10835, Mar. 13, 2009, unless otherwise noted.

§ 436.40 Purpose and scope.

This subpart provides guidance to promote the procurement of energy efficient products by Federal agencies and promote procurement practices which facilitate the procurement of energy efficient products, consistent with the requirements in section 553 of the National Energy Conservation Policy Act. (42 U.S.C. 8259b)

§ 436.41 Definitions.

Agency means each authority of the Government of the United States, whether or not it is within or subject to review by another agency, but does not include—

(1) The Congress, and agencies thereof;

(2) The courts of the United States;

(3) The governments of the territories or possessions of the United States; or

(4) The government of the District of Columbia.

Covered product means a product that is of a category for which an ENERGY STAR qualification or FEMP designation is established.

ENERGY STAR qualified product means a product that is rated for energy efficiency under an ENERGY STAR program established by section 324A of the Energy Policy and Conservation Act (42 U.S.C. 6294a).

FEMP designated product means a product that is designated under the Federal Energy Management Program as being among the highest 25 percent of equivalent products for energy efficiency.

§ 436.42 Evaluation of Life-Cycle Cost Effectiveness.

For the purpose of compliance with section 553 of the National Energy Conservation Policy Act:

(a) ENERGY STAR qualified and FEMP designated products may be assumed to be life-cycle cost-effective.

(b) In making a determination that a covered product is not life-cycle cost-effective, an agency should rely on the life-cycle cost analysis method in part 436, subpart A, of title 10 of the Code of Federal Regulations.

§ 436.43 Procurement planning.

(a) Agencies should consider the procurement planning requirements of section 553 of the National Energy Conservation Policy Act as applying to:

(1) Design, design/build, renovation, retrofit and services contracts; facility maintenance and operations contracts;

(2) Energy savings performance contracts and utility energy service contracts;

(3) If applicable, lease agreements for buildings or equipment, including build-to-lease contracts;

(b) Agencies should require the procurement of ENERGY STAR and FEMP designated products in new service contracts and other existing service contracts as they are recompeted and should, to the extent possible, incorporate such requirements and preferences into existing contracts as they are modified or extended through options.

(c) Agencies should include criteria for energy efficiency that are consistent with the criteria used for rating qualified products in the factors for the evaluation of:

(1) Offers received for procurements involving covered products, and

(2) Offers received for construction, renovation, and services contracts that include provisions for covered products.

(d) Agencies should notify their vendors of the Federal requirements for energy efficient purchasing.

Subparts D–E [Reserved]

Subpart F—Guidelines for General Operations Plans

AUTHORITY: Energy Policy and Conservation Act, as amended, 42 U.S.C. 6361; Executive Order 11912, as amended, 42 FR 37523 (July 20, 1977); National Energy Conservation Policy Act, title V, part 3, 42 U.S.C. 8251 *et seq.;* Department of Energy Organization Act, 42 U.S.C. 7254.

SOURCE: 45 FR 44561, July 1, 1980, unless otherwise noted.

§ 436.100 Purpose and scope.

(a) *Purpose.* The purpose of this subpart is to provide guidelines for use by Federal agencies in their development of overall 10-year energy management plans to establish energy conservation goals, to reduce the rate of energy consumption, to promote the efficient use of energy, to promote switching for petroleum-based fuels and natural gas to coal and other energy sources, to provide a methodology for reporting their progress in meeting the goals of those plans, and to promote emergency energy conservation planning to assuage the impact of a sudden disruption in the supply of oil-based fuels, natural gas or electricity. The plan is intended to provide the cornerstone for a program to conserve energy in the general operations of an agency.

(b) *Scope.* This subpart applies to all general operations of Federal agencies and is applicable to management of all energy used by Federal agencies that is excluded from coverage pursuant to section 543(a)(2) of part 3 of title V of the National Energy Conservation Policy Act, as amended (42 U.S.C. 8251–8261).

[45 FR 44561, July 1, 1980, as amended at 55 FR 48223, Nov. 20, 1990]

§ 436.101 Definitions.

As used in this subpart—

Automotive gasoline means all grades of gasoline for use in internal combustion engines except aviation gasoline. Does not include diesel fuel.

Aviation gasoline (AVGAS) means all special grades of gasoline for use in aviation reciprocating engines.

Btu means British thermal unit; the quantity of heat required to raise the temperature of one pound of water one degree Fahrenheit.

Cogeneration means the utilization of surplus energy, e.g., steam, heat or hot water produced as a by-product of the manufacture of some other form of energy, such as electricity. Thus, diesel generators are converted to cogeneration sets when they are equipped with boilers that make steam and hot water (usable as energy) from the heat of the exhaust and the water that cools the generator.

Diesel and petroleum distillate fuels means the lighter fuel oils distilled-off during the refining process. Included are heating oils, fuels, and fuel oil. The major uses of distillate fuel oils include heating, fuel for on- and off-highway diesel engines, marine diesel engines and railroad diesel fuel.

DOE means the Department of Energy.

Emergency conservation plan means a set of instructions designed to specify actions to be taken in response to a serious interruption of energy supply.

Energy efficiency goal means the ratio of production achieved to energy used.

Energy use avoidance means the amount of energy resources, e.g., gasoline, not used because of initiatives related to conservation. It is the difference between the baseline without a plan and actual consumption.

Facility means any structure or group of closely located structures, comprising a manufacturing plant, laboratory, office or service center, plus equipment.

Federal agency means any Executive agency under 5 U.S.C. 105 and the United States Postal Service, each entity specified in 5 U.S.C. 5721(1) (B) through (H) and, except that for purposes of this subpart, the Department of Defense shall be separated into four reporting organizations: the Departments of the Army, Navy and Air Force and the collective DOD agencies, with each responsible for complying with the requirements of this subpart.

Fiscal year or *FY* means, for a given year, October 1 of the prior year through September 30 of the given year.

Fuel types means purchased electricity, fuel oil, natural gas, liquefied petroleum gas, coal, purchased steam, automotive gasoline, diesel and petroleum distillate fuels, aviation gasoline, jet fuel, Navy special, and other identified fuels.

General operations means world-wide Federal agency operations, other than building operations, and includes services; production and industrial activities; operation of aircraft, ships, and land vehicles; and operation of Government-owned, contractor-operated plants.

General transportation means the use of vehicles for over-the-road driving as opposed to vehicles designed for off-road conditions, and the use of aircraft and vessels. This category does not include special purpose vehicles such as combat aircraft, construction equipment or mail delivery vehicles.

Goal means a specific statement of an intended energy conservation result which will occur within a prescribed time period. The intended result must be time-phased and must reflect expected energy use assuming planned conservation programs are implemented.

Guidelines means a set of instructions designed to prescribe, direct and regulate a course of action.

Industrial or production means the operation of facilities including buildings and plants which normally use large amounts of capital equipment, e.g., GOCO plants, to produce goods (hardware).

Jet fuel means fuels for use, generally in aircraft turbine engines.

Life cycle cost means the total cost of acquiring, operating and maintaining equipment over its economic life, including its fuel costs, determined on the basis of a systematic evaluation and comparison of alternative investments in programs, as defined in subpart A of this part.

Liquefied petroleum gas means propane, propylene-butanes, butylene, propane-butane mixtures, and isobutane that are produced at a refinery, a natural gas processing plant, or a field facility.

Maintenance means activities undertaken to assure that equipment and energy-using systems operate effectively and efficiently.

Measures means actions, procedures, devices or other means for effecting energy efficient changes in general operations which can be applied by Federal agencies.

Measure of performance means a scale against which the fulfillment of a requirement can be measured.

Navy special means a heavy fuel oil that is similar to ASTM grade No. 6 oil or Bunker C oil. It is used to power U.S. Navy ships.

Non-renewable energy source means fuel oil, natural gas, liquefied petroleum gas, synthetic fuels, and purchased steam or electricity, or other such energy sources.

Operational training and readiness means those activities which are necessary to establish or maintain an agency's capability to perform its primary mission. Included are major activities to provide essential personnel strengths, skills, equipment/supply inventory and equipment condition. General administrative and housekeeping activities are not included.

Overall plan means the comprehensive agency plan for conserving fuel and energy in all operations, to include both the Buildings Plan developed pursuant to subpart C of this part and the General Operations Plan.

Plan means those actions which an agency envisions it must undertake to assure attainment of energy consumption and efficiency goals without an unacceptably adverse impact on primary missions.

Program means the organized set of activities and allocation of resources directed toward a common purpose, objective, or goal undertaken or proposed by an agency in order to carry out the responsibilities assigned to it.

Renewable energy sources means sunlight, wind, geothermal, biomass, solid wastes, or other such sources of energy.

Secretary means the Secretary of the Department of Energy.

Services means the provision of administrative assistance or something of benefit to the public.

Specific Functional Category means those Federal agency activities which consume energy, or which are directly linked to energy consuming activities and which fall into one of the following groups: Services, General Transportation, Industrial or Production, Operational Training and Readiness, and Others.

Standard means an energy conservation measure determined by DOE to be applicable to a particular agency or agencies. Once established as a standard, any variance or decision not to adopt the measure requires a waiver.

Under Secretary means the Under Secretary of the Department of Energy.

Variance means the difference between actual consumption and goal.

656 Committee means the Interagency Federal Energy Policy Committee, the group designated in section 656 of the DOE Organization Act to provide general oversight for interdepartmental FEMP matters. It is chaired by the Under Secretary of DOE and includes the designated Assistant Secretaries or Assistant Administrator of the Department of Defense, Commerce, Housing and Urban Development, Transportation, Agriculture, Interior and the U.S. Postal Service and General Services Administration, along with similar level representatives of the National Aeronautics and Space Administration and the Veterans Administration.

§ 436.102 General operations plan format and content.

(a) Each Federal agency shall prepare and submit to the Under Secretary, DOE, within six months from the effective date of these guidelines, a general operations 10-year plan which shall consist of two parts, an executive summary and a text. Subsequent agency revisions to plans shall be included in each agency's annual report on progress which shall be forwarded to DOE by July 1 annually.

(b) The following information shall be included in each Federal agency general operations 10-year plan for the period of fiscal years 1980–1990:

(1) An Executive Summary which includes—

(i) A brief description of agency missions, and applicable functional categories pursuant to § 436.106(a)(2);

(ii) A Goals and Objectives Section which summarizes what energy savings or avoidance will be achieved during the plan period, and what actions will be taken to achieve those savings, and the costs and benefits of measures planned for reducing energy consumption, increasing energy efficiencies, and shifting to a more favorable fuel mix. Assumptions of environmental, safety and health effects of the goals should be included;

(iii) A chart depicting the agency organizational structure for energy management, showing energy management program organization for headquarters and for major subordinate elements of the agency;

(iv) A schedule for completion of requirements directed in this subpart, including phase-out of any procedures made obsolete by these guidelines; and

(v) Identification of any significant problem which may impede the agency from meeting its energy management goals.

(2) A Text which includes—

(i) A Goals and Objectives Section developed pursuant to § 436.103 describing agency conservation goals; these goals will be related to primary mission goals;

(ii) An Investment Section describing the agency planned investment program by fiscal year, pursuant to appendix B of this subpart, all measures selected pursuant to § 436.104, and the estimated costs and benefits of the measures planned for reducing energy consumption and increasing energy efficiencies;

(iii) An Organization Section which includes: (A) Designation of the principal energy conservation officer, such as an Assistant Secretary or Assistant Administrator, who is responsible for supervising the preparation, updating and execution of the Plan, for planning and implementation of agency energy conservation programs, and for coordination with DOE with respect to energy matters; (B) designation of a middle-level staff member as a point of contact to interface with the DOE Federal Programs Office at the staff level; and (C) designation of key staff members within the agency who are responsible for technical inputs to the plan or monitoring progress toward meeting the goals of the plan;

(iv) An Issues Section addressing problems, alternative courses of action for resolution, and agency recommendations that justify any decisions not to plan for or implement measures contained in appendix C of this subpart, and identifying any special projects, programs, or administrative procedures which may be beneficial to other Federal agency energy management programs:

(v) An implementing Instructions Section which includes a summary of implementing instructions issued by agency headquarters, and attachments of appropriate documents such as:

(A) Specific tasking resulting from development of the Plan;

(B) Guidance for the development of emergency conservation plans;

(C) Task milestones;

(D) Listing of responsible sub-agencies and individuals at both agency headquarters and subordinate units;

(E) Reporting and administrative procedures for headquarters and subordinate organizations;

(F) Report schedules pursuant to § 436.106(c);

(G) Schedules for feedback in order to facilitate plan updating, to include reviews of emergency conservation plans developed pursuant to § 436.105;

(H) Schedules for preparing and submitting the annual report on energy management pursuant to § 436.106(a);

(I) Schedules of plan preparation and publication;

(J) Communication, implementation, and control measures such as inspections, audits, and others; and

(vi) An Emergency Conservation Plan Summary Section pursuant to the requirements of § 436.105(d).

(3) Appendices which are needed to discuss and evaluate any innovative energy conserving technologies or methods, not included in this part, which the agency has identified for inclusion in its plan.

(c) Each plan must be approved and signed by the principal energy conservation officer designated pursuant to paragraph (b)(2) of this section.

§ 436.103 Program goal setting.

(a) In developing and revising plans for a projected 10-year plan each agency shall establish and maintain energy conservation goals in accordance with the requirements of this section.

(b) Agencies shall establish three types of conservation goals:

(1) Energy consumption goals, by fuel type by functional category (see appendix B).

(2) Energy efficiency goals by fuel type by functional category (see appendix B).

(3) Fuel switching goals for shifting energy use from oil and natural gas to other fuels in more plentiful supply from domestic sources (see appendix B).

(c) General operations energy conservation goals shall be established by each Federal agency with the broad purpose of achieving reductions in total energy consumption and increased efficiency without serious mission degradation or unmitigated negative environmental impacts. Within the broad framework, each agency should seek first to reduce energy consumption per unit of output in each applicable functional category. In evaluating energy efficiency, each agency should select and use standards of measurement which are consistent throughout the planning period. Particular attention should be given to increased energy use efficiency in nonrenewable fuel consumption. The second focus of attention should be on initiatives which shift energy use from oil and natural gas to other fuels in more plentiful supply from domestic sources.

§ 436.104 Energy conservation measures and standards.

(a) Each agency shall consider for inclusion in its plan the measures identified in appendix C of this subpart.

(b) The following questions should be considered in the evaluation of each measure:

(1) Does this measure provide an incentive or disincentive?

(2) What is the estimate of savings by fuel type?

(3) What are the direct and indirect impacts of this measure?

(4) Is this measure to be mandatory throughout the agency?

(5) If not mandatory, under what circumstances will it be implemented, and who will be responsible for determining specific applicability?

(6) Who will be the direct participants in the implementation of this measure?

(7) What incentives (if any) are to be provided for the participants?

(8) When will this measure be implemented?

(9) Will this measure be implemented in a single step or will it be phased in? If it will be phased in, over what period of time?

(10) Will performance of the measure be evaluated and reported?

(11) By what criterion will performance be determined?

(12) Who will prepare performance reports?

(13) What is the reporting chain?

(14) What is the reporting period?

(c) Each agency will take all necessary steps to implement the energy conservation standards for general operations listed in appendix A (reserved).

§ 436.105 Emergency conservation plan.

(a) Each agency shall establish an emergency conservation plan, a summary of which shall be included in the general operations plan, for assuaging the impact of a sudden disruption in the supply of oil-based fuels, natural gas or electricity. Priorities for temporarily reducing missions, production, services, and other programmatic or functional activities shall be developed in accordance with paragraph (b) of this section. Planning for emergencies is to address both buildings and general operations. Provisions shall be made for testing emergency actions to ascertain that they are effective.

(b) Federal agencies shall prepare emergency conservation plans for 10 percent, fifteen percent, and 20 percent reduction compared to the previous fiscal year in gasoline, other oil-based fuels, natural gas, or electricity for periods of up to 12 months. In developing these plans, agencies shall consider the potential for emergency reductions in energy use in buildings and facilities which the agency owns, leases, or has under contract and by employees through increased use of car and van pooling, preferential parking for multipassenger vehicles, and greater use of mass transit. Agencies may formulate whatever additional scenarios they consider necessary to plan for various energy emergencies.

(c) In general, Federal agencies' priorities shall go to those activities which directly support the agencies' primary missions. Secondary mission activities which must be curtailed or deferred will be reported to DOE as mission impacts. The description of mission impacts shall include estimates of the associated resources and time required to mitigate the effects of the reduction in energy. Other factors or assumptions to be used in energy conservation emergency planning are as follows:

(1) Agencies will be given 15–30 days notice to implement any given plan.

(2) Substitution of fuels in plentiful supply for fuels in short supply is authorized, if the substitution can be completed within a 3-month period and the cost is within the approval authority of the executive branch.

(3) All costs and increases in manpower or other resources associated with activities or projects to assuage mission impacts will be clearly defined in respective agency plans. One-time costs will be identified separately.

(4) Confronting the emergency situation will be considered a priority effort and all projects and increases in operating budgets within the approval authority of the executive branch will be expeditiously considered and approved if justified.

(d) Summary plans for agency-wide emergency conservation management shall be provided to DOE pursuant to § 436.102(b)(2)(vi). Such summaries shall include:

(1) Agency-wide impacts of energy reductions as determined in accordance with paragraph (b) of this section.

(2) Actions to be taken agency-wide to alleviate the energy shortfalls as they occur.

(3) An assessment of agency services or production that may need to be curtailed or limited after corrective actions have been taken.

(4) A summation of control and feedback mechanisms for managing an energy emergency situation.

§ 436.106 Reporting requirements.

(a) By July 1 of each year each Federal agency shall submit an ''Annual Report on Energy Management'' based on fiscal year data to the Secretary of DOE. The general operations portion of this report will encompass all agency energy use not reported in the buildings portion and shall include:

(1) A summary evaluation of progress toward the achievement of energy consumption, energy efficiency, and fuel switching goals established by the agency in its plans;

(2) Energy consumption reported by functional categories. Reports must include General Transportation and one

or more of the following functional categories: industrial or production, services, operational training and readiness, and other. Agencies may report in subcategories of their own choosing. The following information is to be reported for the usage of each fuel type in physical units for each selected functional category:

(i) Total energy consumption goal;

(ii) Total energy consumed;

(iii) Total energy use avoidance;

(iv) Variance between actual consumption and consumption goal;

(v) Cost saved;

(vi) Status of planned investments, and if different from the investment program upon which existing goals are based, the expected impact on meeting goals; and

(vii) Summary of any other benefits realized.

(3) The energy efficiencies as calculated in accordance with appendix B of this subpart, or by an equivalent method, for the appropriate functional categories identified in paragraph (a)(2) of this section. The following information is to be reported for the energy efficiency for each fuel type by functional category:

(i) Energy efficiency goal;

(ii) Efficiency for the reporting period;

(iii) Summary of any other benefits realized.

(4) A summary of fuel switching progress including:

(i) Description and cost of investments in fuel switching;

(ii) Avoidance in use of oil-based fuels and natural gas;

(iii) Increased use of solar, wood, gasohol and other renewable energy sources;

(iv) Increased use of coal and coal derivatives, and

(v) Use of all other alternative fuels.

(b) Each agency's annual report shall be developed in accordance with a format to be provided by DOE and will include agency revisions to 10-year plans.

(c) Agencies whose annual total energy consumption exceeds one hundred billion Btu's, shall, in addition to the annual report required under paragraph (a) of this section, submit quarterly reports of the energy usage information specified in paragraph (a)(2) of this section.

(d) Agencies who consume energy in operations in foreign countries will include data on foreign operations if foreign consumption is greater than 10% of that consumed by the agency in the United States, its territories and possessions. If an agency's estimated foreign consumption is less than 10% of its total domestic energy use, reporting of foreign consumption is optional. Reports should be annotated if foreign consumption is not included.

[45 FR 44561, July 1, 1980, as amended at 51 FR 4586, Feb. 6, 1986]

§ 436.107 Review of plan.

(a) Each plan or revision of a plan shall be submitted to DOE and DOE will evaluate the sufficiency of the plan in accordance with the requirements of this subpart. Written notification of the adequacy of the plan including a critique, will be made by DOE and sent to the agency submitting the plan or revision within 60 days of submission. Agencies shall be afforded an opportunity to modify and return the plan within an appropriate period of time for review by DOE.

(b) A general operations plan under the guidelines will be evaluated with respect to:

(1) Adequacy of information or plan content required to be included by § 436.102;

(2) Adequacy of goal setting methodology or baseline justification as stated in § 436.103;

(3) Adequacy of a well-justified investment program which considers all measures included in appendix C of this subpart; and

(4) Other factors as appropriate.

(c) After reviewing agency plans or revisions of plans, the Under Secretary of DOE, may submit to the ''656'' Committee for its recommendation, major problem areas or common deficiencies.

(d) Status of the plan review, the Under Secretary's decisions, and ''656'' Committee recommendations, will be published as appropriate in the DOE annual report to the President, titled ''Energy Management in the Federal Government.''

§ 436.108 Waivers.

(a) Any Federal agency may submit a written request to the Under Secretary for a waiver from the procedures and requirements of this subpart. The request for a waiver must identify the specific requirements and procedures of this subpart from which a waiver is sought and provide a detailed explanation, including appropriate information or documentation, as to why a waiver should be granted.

(b) A request for a waiver under this section must be submitted at least 60 days prior to the due date for the required submission.

(c) A written response to a request for a waiver will be issued by the Under Secretary no later than 30 days from receipt of the request. Such a response will either (1) grant the request with any conditions determined to be necessary to further the purposes of this subpart, (2) deny the request based on a determination that the reasons given in the request for a waiver do not establish a need that takes precedence over the futherance of the purposes of this subpart, or (3) deny the request based on the failure to submit adequate information upon which to grant a waiver.

(d) A requested waiver may be submitted by the Under Secretary to the ''656'' Committee for its review and recommendation. The agency official that submitted the request may attend any scheduled meeting of the ''656'' Committee at which the request is planned to be discussed. The determination to approve or disapprove a request for a waiver shall be made by the Under Secretary.

(e) Status of the requests for a waiver, the Under Secretary's decisions, and ''656'' Committee recommendations, will be published, as appropriate, in the DOE annual report to the President, entitled ''Energy Management in the Federal Government.''

APPENDIX A TO PART 436—ENERGY CONSERVATION STANDARDS FOR GENERAL OPERATIONS [RESERVED]

APPENDIX B TO PART 436—GOAL SETTING METHODOLOGY

In establishing and updating agency goals for energy conservation, the following methodology or an equivalent method should be utilized:

(a) For overall energy consumption—

(1) An analysis shall be made to determine what factors have the most significant impact upon the amount of each fuel type used by the agency in performing functions in support of its overall mission. Consideration is to be given, but not limited to, the following factors: Number of people using energy; number of vehicles using gasoline; amounts of other equipment using energy; tempo of operations (one, two, or three shifts); the type of operations (degree of equipment or labor intensity); equipment fuel limitations; environmental conditions (tropical versus arctic, etc.); budget levels for fuel, operations, maintenance, and equipment acquisition; and phase-out schedule (of older equipment or plants which may be inefficient). After identifying these factors, a further analysis shall be made to identify any projected workload changes in the quality or quantity of these factors on a yearly basis up to 1990.

(2) Based upon the analysis in (a)(1) and an evaluation of available information on past energy usage, a baseline of energy use by fuel type by functional category shall be established beginning with FY 1975. In addition to ''General Transportation,'' other functional categories should be selected to enhance energy management. Total fuel use for a particular activity may be allocated to the functional category for which the preponderance of fuel is used. Figure B–1 is an example of one such baseline.

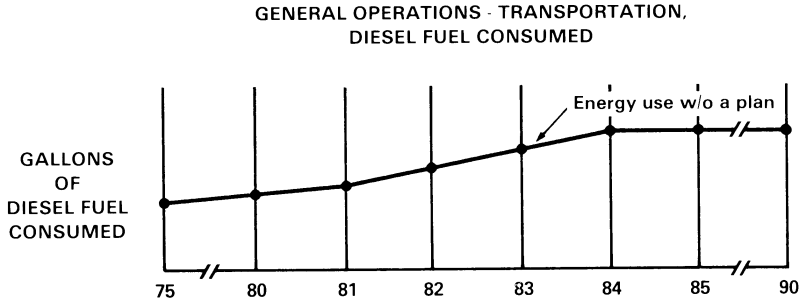


FIGURE B-1: GENERAL OPERATIONS - TRANSPORTATION, DIESEL FUEL CONSUMED

This example shows an increase in energy use, for a specific fuel type, during the period 1975–1981, with a further increase from 1981 to 1984 and a leveling off and no growth from 1984–1990. A justification, based on factors as discussed above, shall accompany each baseline.

(3) Thereafter, analyses should be made of the measures available for reducing the energy consumption profiles without adverse impact on mission accomplishment. Finding viable opportunities for reducing energy use, increasing energy efficiency and switching energy sources, will require consultation with specialists in the fields of operations, maintenance, engineering, design, and economics, and consideration of the measures identified in appendix C. The DOE Federal Energy Management Programs Office can, upon request, provide information on where such resources can be located. Once these measures are identified, they are to be incorporated into a time-phased investment program, (using where appropriate, the life cycle costing factors and methodology in subpart A of this part). If investment and other costs for implementing a measure are insignificant, a Federal agency may presume that a measure is cost-effective without further analysis. An estimate must then be made as to the lead time required to implement the program and realize energy reductions.

Figure B–2 shows a summarized investment program, which should be accompanied by a detailed description of the measures, projects, and programs making up the total planned investments for each year. This summary need not be by function or fuel type.

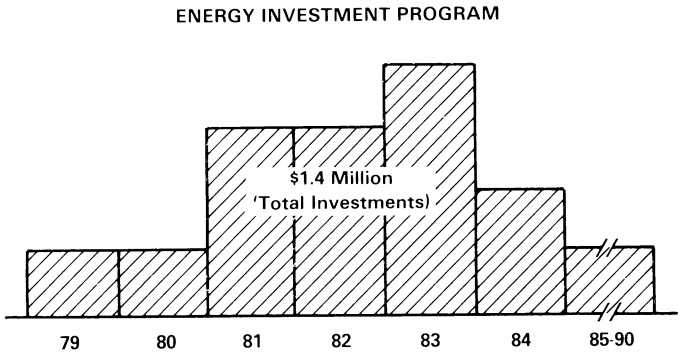


FIGURE B-2: ENERGY INVESTMENT PROGRAM

These analyses should enable the agency to project an energy consumption goal, with the assumption that funds for executing the planned projects will be approved. Figure B–3 shows a new energy use profile, with planned initiatives and related investments taken into consideration, and the resulting goal entitled ''Energy Use With A Plan'' superimposed on Figure B–1. Included are the anticipated effects on consumption cause by improvements in energy efficiency and fuel switching.

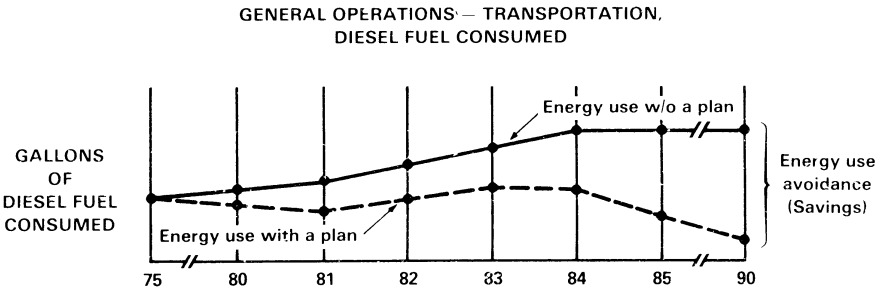


FIGURE B-3: GENERAL OPERATIONS — TRANSPORTATION, DIESEL FUEL CONSUMED

A comparison of these projections will show the energy use avoidance resulting from the investment program as depicted in Figure B–2. Using the prices of fuel contained in appendix C to subpart A, the dollars saved can be projected against the dollars invested. Life cycle costing methodology pursuant to subpart A, will be used to determine priorities for submitting individual initiatives into the appropriate budget year.

(b) For energy efficiencies—Energy efficiency baselines and goals for each fuel type shall be calculated using the same consumption factors and similar methodology to that outlined in paragraph (a). Energy consumption by fuel type shall be linked to mission through the functional categories listed in §436.106(a)(2). This will identify a rate which will indicate energy efficiency trends. This linkage may be accomplished through the following algorithm:

Step 1: Determine functional categories from section 436.106(a)(2) which best describe the Agency overall mission.

Step 2: Determine types of fuels used to support the functions selected in Step 1.

Step 3: Determine quantities of fuel consumed or planned for consumption over a specific period of time.

Step 4: Determine quantity of output of function for same period of time used in Step 3. Quantify output in a standard measure which best describes functional category.

Step 5: Determine the energy efficiency ratio by dividing quantity from Step 4 by quantity from Step 3.

This ratio of fuel consumed to a unit measure of output will be used to develop a projection of a baseline and goals through 1990, and used in reporting variance. Examples of ratios that should be considered are:

- Production or industrial process type operations

Ton of product
Cu. ft. of natural gas

- Services, such as postal delivery

Customers served or
pounds delivered
Gallons of automotive
gasoline

- General transportation

Passenger miles
Gallons of automotive gasoline

- Training

Persons trained
or in training
Gallons of navy special

Agencies shall select one or more of these ratios, which shall be used throughout the planning period, or use more appropriate energy efficiency ratios, to describe their overall functions. Figure B–4 illustrates the planning baseline and goal resulting from this type of analysis.

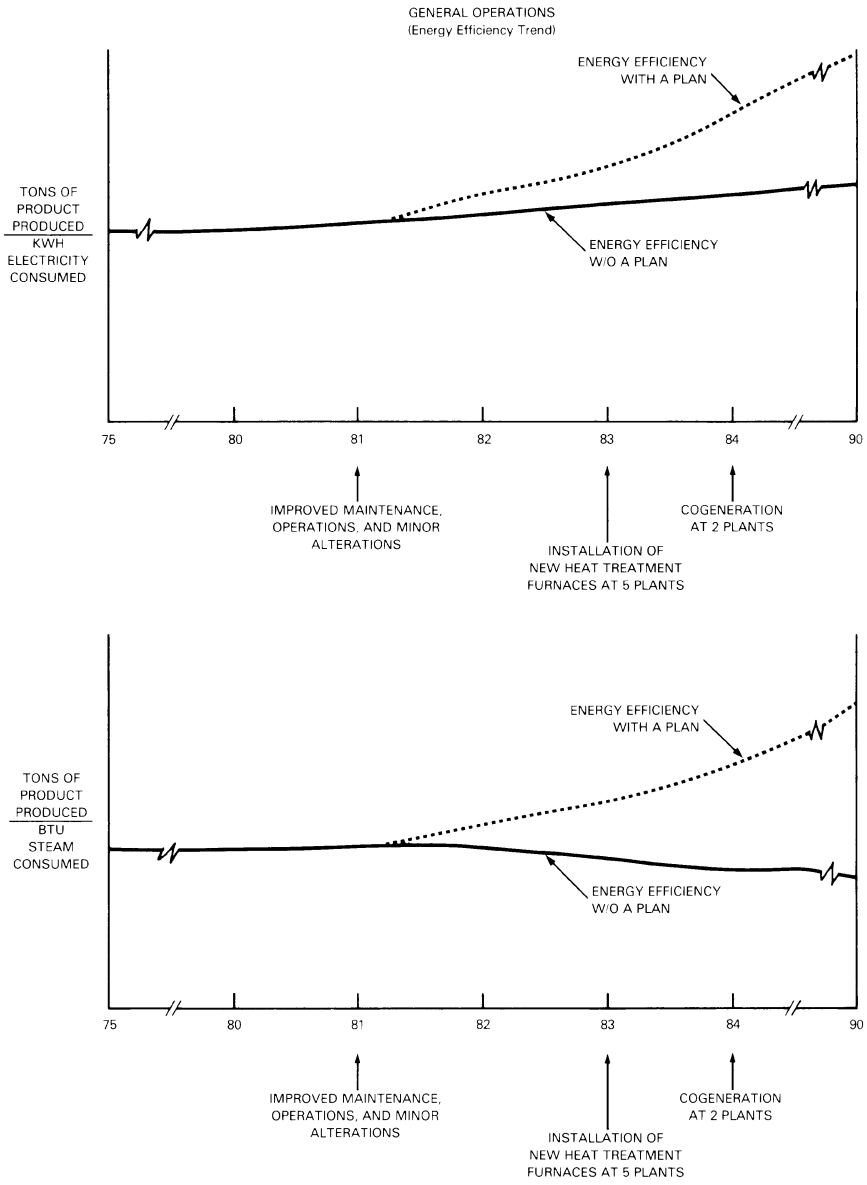


FIGURE B-4: GENERAL OPERATIONS, ELECTRICITY, STEAM CONSUMED.

(c) For fuel switching—Fuel switching goals for gasoline other oil-based fuel and natural gas may be calculated as follows:

Step 1: For each fiscal year, identify investments, where appropriate, in fuel switching

from gasoline, other oil-based fuel and natural gas to alternate renewable or nonrenewable fuel sources.

Step 2: Project for each fiscal year, the avoidance in the use of gasoline, other oil-based fuel and natural gas resulting from previous fuel switching investments.

Completion of these steps will permit the formulation of charts such as that shown in Figure B–5.

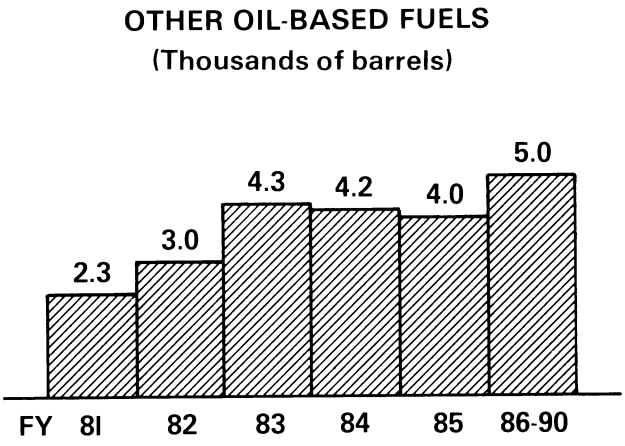


FIGURE B-5
FUEL SWITCHING GOALS

APPENDIX C TO PART 436—GENERAL OPERATIONS ENERGY CONSERVATION MEASURES

(a) The following individual measures or set of measures must be considered for inclusion in each agency 10-year energy management plan:

(1) Federal Employee Ridesharing Programs—Includes the use of vanpooling and carpooling and complies with existing orders and regulations governing parking for vanpools and carpools.

(2) Fleet Profile Change—Includes energy considerations in equipment selection and assignment.

(3) Fleet Mileage Efficiency—Includes agency plans to implement existing orders, goals, and laws related to vehicle fuel economy.

(4) Driver Training—Includes development of appropriate programs for training operators of U.S. Government vehicles in energy conservation.

(5) Maintenance Procedures Improvement—Includes activities to insure proper vehicle maintenance to optimize energy conservation.

(6) Operating Procedures Improvement—Includes use of cooperative passenger shuttle and courier services on an interagency or other basis within each metropolitan area.

(7) Mass Transit—Includes employee use of existing services for business-related activities and commuting.

(8) Public Education to Promote Vanpooling and Carpooling—Includes activities to support the EPCA requirement to establish ''responsible public education programs to promote vanpooling and carpooling arrangements'' through their employee awareness programs.

(9) Elimination of Free or Subsidized Employee Parking—Includes elimination of free or subsidized employee parking on Federal installations in accordance with OMB Cir. A–118, August 13, 1979.

(10) Two-Wheeled Vehicle Programs—Includes activities to encourage the substitution of bicycles, mopeds, etc. for automobiles for commuting and operational purposes. These may include the establishment of weather-protected secure storage facilities, shower and locker facilities, and restricted routes for these vehicles on Federal property. Cooperative programs with local civil authorities may also be included.

(11) Consolidation of Facilities and Process Activities—Includes such measures as physical consolidation of operations to minimize intra-operational travel and may include facility closure or conversion. Alternative work patterns, availability of transportation, energy source availability, and technical and financial feasibility are among the considerations that should be evaluated.

(12) Agency Procurement Programs—Includes activities to ensure that energy conservation opportunities are fully exploited with respect to the agency's procurement programs including procurements relating to operations and maintenance activities; e.g., (a) giving preference to fuel-efficient products whenever practicable, and (b) ensuring that agency's contractors having a preponderance of cost-type contracts pursue a comprehensive energy conservation program.

(13) Energy Conservation Awareness Programs—Includes programs aimed toward gaining and perpetuating employee awareness and participation in energy conservation measures on the job and in their personal activities.

(14) Communication—Includes substitution of communications for physical travel.

(15) Dress Code—Includes measures to allow employees greater freedom in their choice of wearing apparel to promote greater participation in conservation.

(16) Land Use—Includes energy considerations to be employed in new site selection, such as colocation.

(17) Automatic Data Processing (ADP)—Includes all energy aspects of ADP operation and equipment selection.

(18) Aircraft Operations—Includes energy-conserving measures developed for both military and Federal administrative and research and development aircraft operations.

(19) GOCO Facilities and Industrial Plants Operated by Federal Employees—Includes development of energy conservation plans at these facilities and plants which contain measures such as energy efficient periodic maintenance.

(20) Energy Conserving Capital Plant and Equipment Modification—Includes development of energy conservation and life cycle cost parameter measures for replacement of capital plant and equipment.

(21) Process Improvements—Includes measures to improve energy conservation in industrial process operations. These may include consideration of equipment replacement or modification, as well as scheduling and other operational changes.

(22) Improved Steam Maintenance and Management—Includes measures to improve energy efficiency of steam systems. These may include improved maintenance, installation of energy-conserving devices, and the operational use of substitutes for live steam where feasible.

(23) Improvements in Waste Heat Recovery—Includes measures utilizing waste heat for other purposes.

(24) Improvement in Boiler Operations—Includes energy-conserving retrofit measures for boiler operations.

(25) Improved Insulation—Includes measures addressing the addition or replacement of insulation on pipes, storage tanks, and in other appropriate areas.

(26) Scheduling by Major Electric Power Users—Includes measures to shift major electrical power demands to non-peak hours, to the maximum extent possible.

(27) Alternative Fuels—Includes measures to alter equipment such as generators to use lower quality fuels and to fill new requirements with those that use alternative fuels. The use of gasohol in stationary gasoline-powered equipment should be considered, in particular.

(28) Cogeneration—Includes measures to make full use of cogeneration in preference to single-power generation.

(29) Mobility Training and Operational Readiness—Includes measures which can reduce energy demands through the use of simulators, communications, computers for planning, etc.

(30) Energy Conservation Inspection or Instruction Teams—Includes measures which formulate and perpetuate the review of energy conservation through inspections to determine where specific improvements can be made and then followed by an instruction and training program.

(31) Intra-agency and Interagency Information Exchange Program—Includes measures providing a free exchange of energy conservation ideas and experiences between elements of an agency and between other agencies in the same geographic area.

(32) Recycled Waste—Includes measures to recycle waste materials such as paper products, glass, aluminum, concrete and brick, garbage, asphalt road materials or any material which requires a petroleum base.

(33) Fuel Conversion—Includes measures to accomplish conversion from petroleum based fuels and natural gas to coal and other alternative fuels for appropriate equipment.

(34) Operational Lighting—Includes measures to reduce energy consumption for lighting in operational areas and GOCO plants by: switching off by means of automatic controls; maximizing the use of daylight by floor planning; keeping window and light fixtures clean and replacing fixtures when they begin to deteriorate, rather than when they fail altogether; providing automatic dimmer controls to reduce lighting when daylight increases; and cleaning the work area during daylight, if possible, rather than at night.

(35) Lighting Fixtures—Includes measures to increase energy efficiency of lighting. The following reveals the relative efficiencies of common lamp types.

Lamp type	Lumens watt	Improvement over tungsten
Tungsten lamp	12	X1
Modern fluorescent lamp	85	X7
Mercury halide lamp	100	X8
High pressure sodium lamp	110	X9
Low pressure sodium lamp	180	X15

(36) Industrial Buildings Heating—Includes measures to improve the energy conservation of industrial buildings such as: fixing holes in roofs, walls and windows; fitting flexible doors, fitting controls to heating systems; use of ''economizer units'' which circulate hot air back down from roof level to ground level; use of controlled ventilation; insulation of walls and roof; use of ''optimisers'' or optimum start controls in heating systems, so that the heating switch-on is dictated by actual temperature conditions rather than simply by time.

(37) Hull Cleaning and Antifouling Coating—Includes measures to reduce energy consumption through periodic cleaning of hulls and propellers or through the use of antifouling coatings.

(38) [Reserved]

(39) Building Temperature Restrictions on Thermostat Setting for Heating, Cooling and Hot Water—Includes enforcement of suggested restriction levels: 65 degrees for heating, 78 degrees for cooling, and 105 degrees or ban for hot water.

(40) Such other measures as DOE may from time-to-time add to this appendix, or as the Federal agency concerned may find to be energy-saving or efficient.

APPENDIX D TO PART 436—ENERGY PROGRAM CONSERVATION ELEMENTS

(a) In all successful energy conservation programs, certain key elements need to be present. The elements listed below must be incorporated into each agency conservation program and must be reflected in the 10-year plan prescribed in §436.102. Those organizations that have already developed programs should review them to determine whether the present management systems incorporate these elements.

(1) *Top Management Control.* Top management must have a personal and sustained commitment to the program, provide active direction and motivation, and require regular review of overall energy usage at senior staff meetings.

(2) *Line Management Accountability.* Line managers must be accountable for the energy conservation performance of their organizations and should participate in establishing realistic goals and developing strategies and budgets to meet these goals.

(3) *Formal Planning.* An overall 10-year plan for the period 1980–1990 must be developed and formalized which sets forth performance-oriented conservation goals, including the categorized reduction in rates of energy consumption that the program is expected to realize. The plan will be supplemented by guidelines enumerating specific conservation procedures that will be followed. These procedures and initiatives must be life cycle cost-effective as well as energy efficient.

(4) *Goals.* Goals must be established in a measurable manner to answer questions of ''Where are we?'' ''Where do we want to go?'' ''Are we getting there?'' and ''Are our initiatives for getting there life cycle cost-effective?''

(5) *Monitoring.* Progress must be reviewed periodically both at the agency headquarters and at local facility levels to identify program weakness or additional areas for conservation actions. Progress toward achievement of goals should be assessed, and explanations should be required for non-achievement or unusual variations in energy use. Monitoring should include personal inspections and staff visits, management information reporting and audits.

(6) *Using Technical Expertise.* Personnel with adequate technical background and knowledge of programmatic objectives should be used to help management set technical goals and parameters for efficient planning and implementation of energy conservation programs. These technicians should work in conjunction with the line managers who are accountable for both mission accomplishment and energy conservation.

(7) *Employee Awareness.* Employees must gain an awareness of energy conservation through formal training and employee information programs. They should be invited to participate in the process of developing an energy conservation program, and to submit definitive suggestions for conservation of energy.

(8) *Energy Emergency Planning.* Every energy management plan must provide for programs to respond to contingencies that may occur at the local, state or National level. Programs must be developed for potential energy emergency situations calling for reductions of 10 percent, 15 percent and 20 percent for up to 12 months. Emergency plans must be tested to ascertain their effectiveness.

(9) *Budgetary and Fiscal Support.* Resources necessary for the energy conservation program must be planned and provided for, and the fiscal systems adjusted to support energy management investments and information reporting.

(10) *Environmental Considerations.* Each agency shall fulfill its obligations under the National Environmental Policy Act in developing its plan.

PART 440—WEATHERIZATION ASSISTANCE FOR LOW-INCOME PERSONS

Sec.
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APPENDIX A TO PART 440—STANDARDS FOR WEATHERIZATION MATERIALS

AUTHORITY: 42 U.S.C. 6861 *et seq.;* 42 U.S.C. 7101 *et seq.*

SOURCE: 49 FR 3629, Jan. 27, 1984, unless otherwise noted.

§ 440.1 Purpose and scope.

This part implements a weatherization assistance program to increase the energy efficiency of dwellings owned or occupied by low-income persons or to provide such persons renewable energy systems or technologies, reduce their total residential expenditures, and improve their health and safety, especially low-income persons who are particularly vulnerable such as the elderly, persons with disabilities, families with children, high residential energy users, and households with high energy burden.

[65 FR 77217, Dec. 8, 2000, as amended at 71 FR 35778, June 22, 2006]

§ 440.2 Administration of grants.

Grant awards under this part shall comply with applicable law including, without limitation, the requirements of:

(a) Executive Order 12372 entitled ''Intergovernmental Review of Federal Programs'', 48 FR 3130, and the DOE Regulation implementing this Executive Order entitled ''Intergovernmental Review of Department of Energy Programs and Activities'' (10 CFR part 1005);

(b) Office of Management and Budget Circular A–97, entitled ''Rules and Regulations Permitting Federal Agencies to Provide Specialized or Technical Services to State and Local Units of Government under Title III of the Inter-Governmental Coordination Act of 1968;''

(c) Unless in conflict with provisions of this part, the DOE Financial Assistance Rule (10 CFR part 600); and

(d) Such other procedures applicable to this part as DOE may from time to time prescribe for the administration of financial assistance.

(e)(1) States, Tribes and their subawardees, including, but not limited to subrecipients, subgrantees, contractors and subcontractors that participate in the program established under this Part are required to treat all requests for information concerning applicants and recipients of WAP funds in a manner consistent with the Federal Government's treatment of information requested under the Freedom of Information Act (FOIA), 5 U.S.C. 552, including the privacy protections contained in Exemption (b)(6) of the FOIA, 5 U.S.C. 552(b)(6). Under 5 U.S.C. 552(b)(6), information relating to an individual's eligibility application or the individual's participation in the program, such as name, address, or income information, are generally exempt from disclosure.

(2) A balancing test must be used in applying Exemption (b)(6) in order to determine:

(i) Whether a significant privacy interest would be invaded;

(ii) Whether the release of the information would further the public interest by shedding light on the operations or activities of the Government; and

(iii) Whether in balancing the privacy interests against the public interest, disclosure would constitute a clearly unwarranted invasion of privacy.

(3) A request for personal information including but not limited to the names, addresses, or income information of WAP applicants or recipients

would require the State or other service provider to balance a clearly defined public interest in obtaining this information against the individuals' legitimate expectation of privacy.

(4) Given a legitimate, articulated public interest in the disclosure, States and other service providers may release information regarding recipients in the aggregate that does not identify specific individuals. However, a State or service provider must apply an FOIA Exemption (b)(6) balancing test to any request for information that can not be satisfied by such less-intrusive methods.

[49 FR 3629, Jan. 27, 1984, as amended at 75 FR 11422, Mar. 11, 2010; 77 FR 11737, Feb. 28, 2012]

§ 440.3 Definitions.

As used in this part:

Act means the Energy Conservation in Existing Buildings Act of 1976, as amended, 42 U.S.C. 6851 *et seq*.

Assistant Secretary means the Assistant Secretary for Conservation and Renewable Energy or official to whom the Assistant Secretary's functions may be redelegated by the Secretary.

Base Allocation means the fixed amount of funds for each State as set forth in § 440.10(b)(1).

Base temperature means the temperature used to compute heating and cooling degree days. The average daily outdoor temperature is subtracted from the base temperature to compute heating degree days, and the base temperature is subtracted from the average daily outdoor temperature to compute cooling degree days.

Biomass means any organic matter that is available on a renewable or recurring basis, including agricultural crops and trees, wood and wood wastes and residues, plants (including aquatic plants), grasses, residues, fibers, and animal wastes, municipal wastes, and other waste materials.

CAA means a Community Action Agency.

Capital-Intensive furnace or cooling efficiency modifications means those major heating and cooling modifications which require a substantial amount of funds, including replacement and major repairs, but excluding such items as tune-ups, minor repairs, and filters.

Children means dependents not exceeding 19 years or a lesser age set forth in the State plan.

Community Action Agency means a private corporation or public agency established pursuant to the Economic Opportunity Act of 1964, Pub. L. 88–452, which is authorized to administer funds received from Federal, State, local, or private funding entities to assess, design, operate, finance, and oversee antipoverty programs.

Cooling Degree Days means a population-weighted annual average of the climatological cooling degree days for each weather station within a State, as determined by DOE.

Deputy Assistant Secretary means the Deputy Assistant Secretary for Technical and Financial Assistance or any official to whom the Deputy Assistant Secretary's functions may be redelegated by the Assistant Secretary.

DOE means the Department of Energy.

Dwelling Unit means a house, including a stationary mobile home, an apartment, a group of rooms, or a single room occupied as separate living quarters.

Elderly Person means a person who is 60 years of age or older.

Electric base-load measures means measures which address the energy efficiency and energy usage of lighting and appliances.

Family Unit means all persons living together in a dwelling unit.

Formula Allocation means the amount of funds for each State as calculated based on the formula in § 440.10(b)(3).

Formula Share means the percentage of the total formula allocation provided to each State as calculated in § 440.10 (b)(3).

Governor means the chief executive officer of a State, including the Mayor of the District of Columbia.

Grantee means the State or other entity named in the Notification of Grant Award as the recipient.

Heating Degree Days means a population-weighted seasonal average of the climatological heating degree days for each weather station within a State, as determined by DOE.

High residential energy user means a low-income household whose residential energy expenditures exceed the median level of residential expenditures for all low-income households in the State.

Household with a high energy burden means a low-income household whose residential energy burden (residential expenditures divided by the annual income of that household) exceeds the median level of energy burden for all low-income households in the State.

Incidental Repairs means those repairs necessary for the effective performance or preservation of weatherization materials. Such repairs include, but are not limited to, framing or repairing windows and doors which could not otherwise be caulked or weatherstripped and providing protective materials, such as paint, used to seal materials installed under this program.

Indian Tribe means any tribe, band, nation, or other organized group or community of Native Americans, including any Alaskan native village, or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act, Pub. L. 92–203, 85 Stat. 688, which (1) is recognized as eligible for the special programs and services provided by the United States to Native Americans because of their status as Native Americans, or (2) is located on, or in proximity to, a Federal or State reservation or rancheria.

Local Applicant means a CAA or other public or non profit entity unit of general purpose local government.

Low income means that income in relation to family size which:

(1) At or below 200 percent of the poverty level determined in accordance with criteria established by the Director of the Office of Management and Budget, except that the Secretary may establish a higher level if the Secretary, after consulting with the Secretary of Agriculture and the Secretary of Health and Human Services, determines that such a higher level is necessary to carry out the purposes of this part and is consistent with the eligibility criteria established for the weatherization program under Section 222(a)(12) of the Economic Opportunity Act of 1964;

(2) Is the basis on which cash assistance payments have been paid during the preceding twelve month-period under Titles IV and XVI of the Social Security Act or applicable State or local law; or

(3) If a State elects, is the basis for eligibility for assistance under the Low Income Home Energy Assistance Act of 1981, provided that such basis is at least 200 percent of the poverty level determined in accordance with criteria established by the Director of the Office of Management and Budget.

Native American means a person who is a member of an Indian tribe.

Non-Federal leveraged resources means those benefits identified by State or local agencies to supplement the Federal grant activities and that are made available to or used in conjunction with the DOE Weatherization Assistance Program for the purposes of the Act for use in eligible low-income dwelling units.

Persons with Disabilities means any individual (1) who is a handicapped individual as defined in section 7(6) of the Rehabilitation Act of 1973, (2) who is under a disability as defined in section 1614(a)(3)(A) or 223(d)(1) of the Social Security Act or in section 102(7) of the Developmental Disabilities Services and Facilities Construction Act, or (3) who is receiving benefits under chapter 11 or 15 of title 38, U.S.C.

Program Allocation means the base allocation plus formula allocation for each State.

Relevant Reporting Period means the Federal fiscal year beginning on October 1 and running through September 30 of the following calendar year.

Renewable energy system means a system which when installed in connection with a dwelling—

(1) Transmits or uses solar energy, energy derived from geothermal deposits, energy derived from biomass (or any other form of renewable energy which DOE subsequently specifies through an amendment of this part) for the purpose of heating or cooling such dwelling or providing hot water or electricity for use within such dwelling; or wind energy for nonbusiness residential purposes; and

(2) Which meets the performance and quality standards prescribed in § 440.21 (c) of this part.

Rental Dwelling Unit means a dwelling unit occupied by a person who pays rent for the use of the dwelling unit.

Residential Energy Expenditures means the average annual cost of purchased residential energy, including the cost of renewable energy resources.

Secretary means the Secretary of the Department of Energy.

Separate Living Quarters means living quarters in which the occupants do not live and eat with any other persons in the structure and which have either direct access from the outside of the building or through a common hall or complete kitchen facilities for the exclusive use of the occupants. The occupants may be a single family, one person living alone, two or more families living together, or any other group of related or unrelated persons who share living arrangements, and includes shelters for homeless persons.

Shelter means a dwelling unit or units whose principal purpose is to house on a temporary basis individuals who may or may not be related to one another and who are not living in nursing homes, prisons, or similar institutional care facilities.

Single-Family Dwelling Unit means a structure containing no more than one dwelling unit.

Skirting means material used to border the bottom of a dwelling unit to prevent infiltration.

State means each of the States, the District of Columbia, American Samoa, Guam, Commonwealth of the Northern Mariana Islands, Commonwealth of Puerto Rico, and the Virgin Islands.

Subgrantee means an entity managing a weatherization project which receives a grant of funds awarded under this part from a grantee.

Support Office Director means the Director of the DOE Field Support Office with the responsibility for grant administration or any official to whom that function may be redelegated by the Assistant Secretary.

Total Program Allocations means the annual appropriation less funds reserved for training and technical assistance.

Tribal Organization means the recognized governing body of any Indian tribe or any legally established organization of Native Americans which is controlled, sanctioned, or chartered by such governing body.

Unit of General Purpose Local Government means any city, county, town, parish, village, or other general purpose political subdivision of a State.

Vestibule means an enclosure built around a primary entry to a dwelling unit.

Weatherization Materials mean:

(1) Caulking and weatherstripping of doors and windows;

(2) Furnace efficiency modifications including, but not limited to—

(i) Replacement burners, furnaces, or boilers or any combination thereof;

(ii) Devices for minimizing energy loss through heating system, chimney, or venting devices; and

(iii) Electrical or mechanical furnace ignition systems which replace standing gas pilot lights;

(3) Cooling efficiency modifications including, but not limited to—

(i) Replacement air conditioners;

(ii) Ventilation equipment;

(iii) Screening and window films; and

(iv) Shading devices.

Weatherization Project means a project conducted in a single geographical area which undertakes to weatherize dwelling units that are energy inefficient.

[49 FR 3629, Jan. 27, 1984, as amended at 50 FR 712, Jan. 4, 1985; 50 FR 49917, Dec. 5, 1985; 55 FR 41325, Oct. 10, 1990; 58 FR 12525, Mar. 4, 1993; 60 FR 29480, June 5, 1995; 65 FR 77217, Dec. 8, 2000; 71 FR 35778, June 22, 2006; 74 FR 12539, Mar. 25, 2009]

§ 440.10 Allocation of funds.

(a) DOE shall allocate financial assistance for each State from sums appropriated for any fiscal year, upon annual application.

(b) Based on total program allocations at or above the amount of $209,724,761, DOE shall determine the program allocation for each State from available funds as follows:

(1) Allocate to each State a ''Base Allocation'' as listed in Table 1.

BASE ALLOCATION TABLE

Alabama	$1,636,000

BASE ALLOCATION TABLE—Continued

Alaska	1,425,000
Arizona	760,000
Arkansas	1,417,000
California	4,404,000
Colorado	4,574,000
Connecticut	1,887,000
Delaware	409,000
District of Columbia	487,000
Florida	761,000
Georgia	1,844,000
Hawaii	120,000
Idaho	1,618,000
Illinois	10,717,000
Indiana	5,156,000
Iowa	4,032,000
Kansas	1,925,000
Kentucky	3,615,000
Louisiana	912,000
Maine	2,493,000
Maryland	1,963,000
Massachusetts	5,111,000
Michigan	12,346,000
Minnesota	8,342,000
Mississippi	1,094,000
Missouri	4,615,000
Montana	2,123,000
Nebraska	2,013,000
Nevada	586,000
New Hampshire	1,193,000
New Jersey	3,775,000
New Mexico	1,519,000
New York	15,302,000
North Carolina	2,853,000
North Dakota	2,105,000
Ohio	10,665,000
Oklahoma	1,846,000
Oregon	2,320,000
Pennsylvania	11,457,000
Rhode Island	878,000
South Carolina	1,130,000
South Dakota	1,561,000
Tennessee	3,218,000
Texas	2,999,000
Utah	1,692,000
Vermont	1,014,000
Virginia	2,970,000
Washington	3,775,000
West Virginia	2,573,000
Wisconsin	7,061,000
Wyoming	967,000
American Samoa	120,000
Guam	120,000
Puerto Rico	120,000
Northern Mariana Islands	120,000
Virgin Islands	120,000
Total	171,858,000

(2) Subtract 171,258,000 from total program allocations.

(3) Calculate each State's formula share as follows:

(i) Divide the number of ''Low Income'' households in each State by the number of ''Low Income'' households in the United States and multiply by 100.

(ii) Divide the number of ''Heating Degree Days'' for each State by the median ''Heating Degree Days'' for all States.

(iii) Divide the number of ''Cooling Degree Days'' for each State by the median ''Cooling Degree Days'' for all States, then multiply by 0.1.

(iv) Calculate the sum of the two numbers from paragraph (b)(3)(ii) and (iii) of this section.

(v) Divide the residential energy expenditures for each State by the number of households in the State.

(vi) Divide the sum of the residential energy expenditures for the States in each Census division by the sum of the households for the States in that division.

(vii) Divide the quotient from paragraph (b)(3)(v) of this section by the quotient from paragraph (b)(3)(vi) of this section.

(viii) Multiply the quotient from paragraph (b)(3)(vii) of this section for each State by the residential energy expenditures per low-income household for its respective Census division.

(ix) Divide the product from paragraph (b)(3)(viii) of this section for each State by the median of the products of all States.

(x) Multiply the results for paragraph (b)(3)(i), (iv) and (ix) of this section for each State.

(xi) Divide the product in paragraph (b)(3)(x) of this section for each State by the sum of the products in paragraph (b)(3)(x) of this section for all States.

(4) Calculate each State's program allocation as follows:

(i) Multiply the remaining funds calculated in paragraph (b)(2) of this section by the formula share calculated in paragraph (b)(3)(xi) of this section,

(ii) Add the base allocation from paragraph (b)(1) of this section to the product of paragraph (b)(4)(i) of this section.

(c) Should total program allocations for any fiscal year fall below $209,724,761, then each State's program allocation shall be reduced from its allocated amount under a total program allocation of $209,724,761 by the same percentage as total program allocations for the fiscal year fall below $209,724,761.

(d) All data sources used in the development of the formula are publicly available. The relevant data is available from the Bureau of the Census, the

Department of Energy's Energy Information Administration and the National Oceanic and Atmospheric Administration.

(e) Should updates to the data used in the formula become available in any fiscal year, these changes would be implemented in the formula in the following program year.

(f) DOE may reduce the program allocation for a State by the amount DOE determines cannot be reasonably expended by a grantee to weatherize dwelling units during the budget period for which financial assistance is to be awarded. In reaching this determination, DOE will consider the amount of unexpended financial assistance currently available to a grantee under this part and the number of dwelling units which remains to be weatherized with the unexpended financial assistance.

(g) DOE may increase the program allocation of a State by the amount DOE determines the grantee can expend to weatherize additional dwelling units during the budget period for which financial assistance is to be awarded.

(h) The Support Office Director shall notify each State of the program allocation for which that State is eligible to apply.

[60 FR 29480, June 5, 1995, as amended at 74 FR 12539, Mar. 25, 2009]

§ 440.11 Native Americans.

(a) Notwithstanding any other provision of this part, the Support Office Director may determine, after taking into account the amount of funds made available to a State to carry out the purposes of this part, that:

(1) The low-income members of an Indian tribe are not receiving benefits under this part equivalent to the assistance provided to other low-income persons in the State under this part and

(2) The low-income members of such tribe would be better served by means of a grant made directly to provide such assistance.

(b) In any State for which the Support Office Director shall have made the determination referred to in paragraph (a) of this section, the Support Office Director shall reserve from the sums that would otherwise be allocated to the State under this part not less than 100 percent, or more than 150 percent, of an amount which bears the same ratio to the State's allocation for the fiscal year involved as the population of all low-income Native Americans for whom a determination under paragraph (a) of this section has been made bears to the population of all low-income persons in the State.

(c) The Support Office Director shall make the determination prescribed in paragraph (a) of this section in the event a State:

(1) Does not apply within the sixty-day time period prescribed in § 440.12(a);

(2) Recommends that direct grants be made for low-income members of an Indian tribe as provided in § 440.12(b)(5);

(3) Files an application which DOE determines, in accordance with the procedures in § 440.30, not to make adequate provision for the low-income members of an Indian tribe residing in the State; or

(4) Has received grant funds and DOE determines, in accordance with the procedures in § 440.30, that the State has failed to implement the procedures required by § 440.16(6).

(d) Any sums reserved by the Support Office Director pursuant to paragraph (b) of this section shall be granted to the tribal organization serving the individuals for whom the determination has been made, or where there is no tribal organization, to such other entity as the Support Office Director determines is able to provide adequate weatherization assistance pursuant to this part. Where the Support Office Director intends to make a grant to an organization to perform services benefiting more than one Indian tribe, the approval of each Indian tribe shall be a prerequisite for the issuance of a notice of grant award.

(e) Within 30 days after the Support Office Director has reserved funds pursuant to paragraph (b) of this section, the Support Office Director shall give written notice to the tribal organization or other qualified entity of the amount of funds reserved and its eligibility to apply therefor.

(f) Such tribal organization or other qualified entity shall thereafter be treated as a unit of general purpose local government eligible to apply for

funds hereunder, pursuant to the provisions of § 440.13.

[49 FR 3629, Jan. 27, 1984, as amended at 58 FR 12529, Mar. 4, 1993]

§ 440.12 State application.

(a) To be eligible for financial assistance under this part, a State shall submit an application to DOE in conformity with the requirements of this part not later than 60 days after the date of notice to apply is received from the Support Office Director. After receipt of an application for financial assistance or for approval of an amendment to a State plan, the Support Office Director may request the State to submit within a reasonable period of time any revisions necessary to make the application complete or to bring the application into compliance with the requirements of this part. The Support Office Director shall attempt to resolve any dispute over the application informally and to seek voluntary compliance. If a State fails to submit timely appropriate revisions to complete the application, the Support Office Director may reject the application as incomplete in a written decision, including a statement of reasons, which shall be subject to administrative review under § 440.30 of this part.

(b) Each application shall include:

(1) The name and address of the State agency or office responsible for administering the program;

(2) A copy of the final State plan prepared after notice and a public hearing in accordance with § 440.14(a), except that an application by a local applicant need not include a copy of the final State plan;

(3) The budget for total funds applied for under the Act, which shall include a justification and explanation of any amounts requested for expenditure pursuant to § 440.18(d) for State administration;

(4) The total number of dwelling units proposed to be weatherized with grant funds during the budget period for which assistance is to be awarded—

(i) With financial assistance previously obligated under this part, and

(ii) With the program allocation to the State;

(5) A recommendation that a tribal organization be treated as a local applicant eligible to submit an application pursuant to § 440.13(b), if such a recommendation is to be made;

(6) A monitoring plan which shall indicate the method used by the State to insure the quality of work and adequate financial management control at the subgrantee level;

(7) A training and technical assistance plan which shall indicate how funds for training and technical assistance will be used; and

(8) Any further information which the Secretary finds necessary to determine whether an application meets the requirements of this part.

(c) On or before 60 days from the date that a timely filed application is complete, the Support Office Director shall decide whether DOE shall approve the application. The Support Office Director may—

(1) Approve the application in whole or in part to the extent that the application conforms to the requirements of this part;

(2) Approve the application in whole or in part subject to special conditions designed to ensure compliance with the requirements of this part; or

(3) Disapprove the application if it does not conform to the requirements of this part.

(Approved by the Office of Management and Budget under control number 1904–0047)

[49 FR 3629, Jan. 27, 1984, as amended at 50 FR 712, Jan. 4, 1985; 55 FR 41325, Oct. 10, 1990; 58 FR 12529, Mar. 4, 1993; 60 FR 29481, June 5, 1995]

§ 440.13 Local applications.

(a) The Support Office Director shall give written notice to all local applicants throughout a State of their eligibility to apply for financial assistance under this part in the event:

(1) A State, within which a local applicant is situated, fails to submit an application within 60 days after notice in accordance with § 440.12(a) or

(2) The Support Office Director finally disapproves the application of a State, and, under § 440.30, either no appeal is filed or the Support Office Director's decision is affirmed.

(b) To be eligible for financial assistance, a local applicant shall submit an application pursuant to § 440.12(b) to the Support Office Director within 30

days after receiving the notice referred to in paragraph (a) of this section.

(c) In the event one or more local applicants submits an application for financial assistance to carry out projects in the same geographical area, the Support Office Director shall hold a public hearing with the same procedures that apply under section § 440.14(a).

(d) Based on the information provided by a local applicant and developed in any hearing held under paragraph (c) of this section, the Support Office Director shall determine in writing whether to award a grant to carry out one or more weatherization projects.

(e) If there is an adverse decision in whole or in part under paragraph (d) of this section, that decision is subject to administrative review under § 440.30 of this part.

(f) If, after a State application has been finally disapproved by DOE and the Support Office Director approves local applications under this section, the Support Office Director may reject a new State application in whole or in part as disruptive and untimely without prejudice to submission of an application for the next program year.

(Approved by the Office of Management and Budget under control number 1904–0047)

[49 FR 3629, Jan. 27, 1984, as amended at 58 FR 12525, 12529, Mar. 4, 1993]

§ 440.14 State plans.

(a) Before submitting to DOE an application, a State must provide at least 10 days notice of a hearing to inform prospective subgrantees, and must conduct one or more public hearings to receive comments on a proposed State plan. The notice for the hearing must specify that copies of the plan are available and state how the public may obtain them. The State must prepare a transcript of the hearings and accept written submission of views and data for the record.

(b) The proposed State plan must:

(1) Identify and describe proposed weatherization projects, including a statement of proposed subgrantees and the amount of funding each will receive;

(2) Address the other items contained in paragraph (c) of this section; and

(3) Be made available throughout the State prior to the hearing.

(c) After the hearing, the State must prepare a final State plan that identifies and describes:

(1) The production schedule for the State indicating projected expenditures and the number of dwelling units, including previously weatherized units which are expected to be weatherized annually during the program year;

(2) The climatic conditions within the State;

(3) The type of weatherization work to be done;

(4) An estimate of the amount of energy to be conserved;

(5) Each area to be served by a weatherization project within the State, and must include for each area:

(i) The tentative allocation;

(ii) The number of dwelling units expected to be weatherized during the program year; and

(iii) Sources of labor.

(6) How the State plan is to be implemented, including:

(i) An analysis of the existence and effectiveness of any weatherization project being carried out by a subgrantee;

(ii) An explanation of the method used to select each area served by a weatherization project;

(iii) The extent to which priority will be given to the weatherization of single-family or other high energy-consuming dwelling units;

(iv) The amount of non-Federal resources to be applied to the program;

(v) The amount of Federal resources, other than DOE weatherization grant funds, to be applied to the program;

(vi) The amount of weatherization grant funds allocated to the State under this part;

(vii) The expected average cost per dwelling to be weatherized, taking into account the total number of dwellings to be weatherized and the total amount of funds, Federal and non-Federal, expected to be applied to the program;

(viii) The average amount of the DOE funds specified in § 440.18(c)(1) through (9) to be applied to any dwelling unit;

(ix) [Reserved]

(x) The procedures used by the State for providing additional administrative

funds to qualified subgrantees as specified in § 440.18(d);

(xi) Procedures for determining the most cost-effective measures in a dwelling unit;

(xii) The definition of ''low-income'' which the State has chosen for determining eligibility for use statewide in accordance with § 440.22(a);

(xiii) The definition of ''children'' which the State has chosen consistent with § 440.3; and

(xiv) The amount of Federal funds and how they will be used to increase the amount of weatherization assistance that the State obtains from non-Federal sources, including private sources, and the expected leveraging effect to be accomplished.

[65 FR 77217, Dec. 8, 2000, as amended at 66 FR 58366, Nov. 21, 2001]

§ 440.15 Subgrantees.

(a) The grantee shall ensure that:

(1) Each subgrantee is a CAA or other public or nonprofit entity;

(2) Each subgrantee is selected on the basis of public comment received during a public hearing conducted pursuant to § 440.14(a) and other appropriate findings regarding:

(i) The subgrantee's experience and performance in weatherization or housing renovation activities;

(ii) The subgrantee's experience in assisting low-income persons in the area to be served; and

(iii) The subgrantee's capacity to undertake a timely and effective weatherization program.

(3) In selecting a subgrantee, preference is given to any CAA or other public or nonprofit entity which has, or is currently administering, an effective program under this part or under title II of the Economic Opportunity Act of 1964, with program effectiveness evaluated by consideration of factors including, but not necessarily limited to, the following:

(i) The extent to which the past or current program achieved or is achieving weatherization goals in a timely fashion;

(ii) The quality of work performed by the subgrantee;

(iii) The number, qualifications, and experience of the staff members of the subgrantee; and

(iv) The ability of the subgrantee to secure volunteers, training participants, public service employment workers, and other Federal or State training programs.

(b) The grantee shall ensure that the funds received under this part will be allocated to the entities selected in accordance with paragraph (a) of this section, such that funds will be allocated to areas on the basis of the relative need for a weatherization project by low-income persons.

(c) If DOE finds that a subgrantee selected to undertake weatherization activities under this part has failed to comply substantially with the provisions of the Act or this part and should be replaced, such finding shall be treated as a finding under § 440.30(i) for purposes of § 440.30.

(d) Any new or additional subgrantee shall be selected at a hearing in accordance with § 440.14(a) and upon the basis of the criteria in paragraph (a) of this section.

(e) A State may terminate financial assistance under a subgrant agreement for a grant period only in accordance with established State procedures that provide to the subgrantee appropriate notice of the State's reasons for termination and afford the subgrantee an adequate opportunity to be heard.

[49 FR 3629, Jan. 27, 1984, as amended at 55 FR 41326, Oct. 10, 1990; 58 FR 12526, Mar. 4, 1993; 65 FR 77218, Dec. 8, 2000]

§ 440.16 Minimum program requirements.

Prior to the expenditure of any grant funds each grantee shall develop, publish, and implement procedures to ensure that:

(a) No dwelling unit may be weatherized without documentation that the dwelling unit is an eligible dwelling unit as provided in § 440.22;

(b) Priority is given to identifying and providing weatherization assistance to:

(1) Elderly persons;

(2) Persons with disabilities;

(3) Families with children;

(4) High residential energy users; and

(5) Households with a high energy burden.

(c) Financial assistance provided under this part will be used to supplement, and not supplant, State or local funds, and, to the maximum extent practicable as determined by DOE, to increase the amounts of these funds that would be made available in the absence of Federal funds provided under this part;

(d) To the maximum extent practicable, the grantee will secure the services of volunteers when such personnel are generally available, training participants and public service employment workers, other Federal or State training program workers, to work under the supervision of qualified supervisors and foremen;

(e) To the maximum extent practicable, the use of weatherization assistance shall be coordinated with other Federal, State, local, or privately funded programs in order to improve energy efficiency and to conserve energy;

(f) The low-income members of an Indian tribe shall receive benefits equivalent to the assistance provided to other low-income persons within a State unless the grantee has made the recommendation provided in § 440.12(b)(5);

(g) No dwelling unit may be reported to DOE as completed until all weatherization materials have been installed and the subgrantee, or its authorized representative, has performed a final inspection(s) including any mechanical work performed and certified that the work has been completed in a workmanlike manner and in accordance with the priority determined by the audit procedures required by § 440.21; and

(h) Subgrantees limit expenditure of funds under this part for installation of materials (other than weatherization materials) to abate energy-related health and safety hazards, to a list of types of such hazards, permissible abatement materials and their costs which is submitted, and updated as necessary at the same time as an annual application under § 440.12 of this part and which DOE shall approve if—

(1) Elimination of such hazards are necessary before, or as a result of, installation of weatherization materials; and

(2) The grantee sets forth a limitation on the percent of average dwelling unit costs which may be used to abate such hazards which is reasonable in light of the primary energy conservation purpose of this part;

(i) The benefits of weatherization to occupants of rental units are protected in accordance with § 440.22(b)(3) of this part.

(Approved by the Office of Management and Budget under control number 1904–0047)

[49 FR 3629, Jan. 27, 1984, as amended at 58 FR 12526, Mar. 4, 1993; 65 FR 77218, Dec. 8, 2000]

§ 440.17 Policy Advisory Council.

(a) Prior to the expenditure of any grant funds, a State policy advisory council, or a State commission or council which serves the same functions as a State policy advisory council, must be established by a State or by the Regional Office Director if a State does not participate in the Program which:

(1) Has special qualifications and sensitivity with respect to solving the problems of low-income persons, including the weatherization and energy conservation problems of these persons;

(2) Is broadly representative of organizations and agencies, including consumer groups that represent low-income persons, particularly elderly and handicapped low-income persons and low-income Native Americans, in the State or geographical area in question; and

(3) Has responsibility for advising the appropriate official or agency administering the allocation of financial assistance in the State or area with respect to the development and implementation of a weatherization assistance program.

(b) Any person employed in any State Weatherization Program may also be a member of an existing commission or council, but must abstain from reviewing and approving activities associated with the DOE Weatherization Assistance Program.

(c) States which opt to utilize an existing commission or council must certify to DOE, as a part of the annual application, of the council's or commission's independence in reviewing and

approving activities associated with the DOE Weatherization Assistance Program.

[49 FR 3629, Jan. 27, 1984, as amended at 58 FR 12529, Mar. 4, 1993; 65 FR 77218, Dec. 8, 2000]

§ 440.18 Allowable expenditures.

(a) Except as adjusted, the expenditure of financial assistance provided under this part for labor, weatherization materials, and related matters included in paragraphs (c)(1) through (9) of this section shall not exceed an average of $6,500 per dwelling unit weatherized in the State, except as adjusted in paragraph (c) of this section.

(b) The expenditure of financial assistance provided under this part for labor, weatherization materials, and related matters for a renewable energy system, shall not exceed an average of $3,000 per dwelling unit.

(c) The $6,500 average will be adjusted annually by DOE beginning in calendar year 2010 and the $3,000 average for renewable energy systems will be adjusted annually by DOE beginning in calendar year 2007, by increasing the limitations by an amount equal to:

(1) The limitation amount for the previous year, multiplied by

(2) The lesser of:

(i) The percentage increase in the Consumer Price Index (all items, United States city average) for the most recent calendar year completed before the beginning of the year for which the determination is being made, or

(ii) Three percent.

(3) For the purposes of determining the average cost per dwelling limitation, costs for the purchase of vehicles or other certain types of equipment as defined in 10 CFR part 600 may be amortized over the useful life of the vehicle or equipment.

(d) Allowable expenditures under this part include only:

(1) The cost of purchase and delivery of weatherization materials;

(2) Labor costs, in accordance with § 440.19;

(3) Transportation of weatherization materials, tools, equipment, and work crews to a storage site and to the site of weatherization work;

(4) Maintenance, operation, and insurance of vehicles used to transport weatherization materials;

(5) Maintenance of tools and equipment;

(6) The cost of purchasing vehicles, except that any purchase of vehicles must be referred to DOE for prior approval in every instance.

(7) Employment of on-site supervisory personnel;

(8) Storage of weatherization materials, tools, and equipment;

(9) The cost of incidental repairs if such repairs are necessary to make the installation of weatherization materials effective;

(10) The cost of liability insurance for weatherization projects for personal injury and for property damage;

(11) The cost of carrying out low-cost/no-cost weatherization activities in accordance with § 440.20;

(12) The cost of weatherization program financial audits as required by § 440.23(d);

(13) Allowable administrative expenses under paragraph (d) of this section; and

(14) Funds used for leveraging activities in accordance with § 440.14(b)(9)(xiv); and

(15) The cost of eliminating health and safety hazards elimination of which is necessary before, or because of, installation of weatherization materials.

(e) Not more than 10 percent of any grant made to a State may be used by the grantee and subgrantees for administrative purposes in carrying out duties under this part, except that not more than 5 percent may be used by the State for such purposes, and not less than 5 percent must be made available to subgrantees by States. A State may provide in its annual plan for recipients of grants of less than $350,000 to use up to an additional 5 percent of such grants for administration if the State has determined that such recipient requires such additional amount to implement effectively the administrative requirements established by DOE pursuant to this part.

(f) No grant funds awarded under this part shall be used for any of the following purposes:

(1) To weatherize a dwelling unit which is designated for acquisition or clearance by a Federal, State, or local program within 12 months from the date weatherization of the dwelling unit would be scheduled to be completed; or

(2) To install or otherwise provide weatherization materials for a dwelling unit weatherized previously with grant funds under this part, except:

(i) As provided under § 440.20;

(ii) If such dwelling unit has been damaged by fire, flood, or act of God and repair of the damage to weatherization materials is not paid for by insurance; or

(iii) That dwelling units partially weatherized under this part or under other Federal programs during the period September 30, 1975, through September 30, 1993, may receive further financial assistance for weatherization under this part. While DOE will continue to require these homes to be reported separately, States may count these homes as completions for the purposes of compliance with the per-home expenditure limit in § 440.18. Each dwelling unit must receive a new energy audit which takes into account any previous energy conservation improvements to the dwelling.

[58 FR 12526, Mar. 4, 1993, as amended at 65 FR 77218, Dec. 8, 2000; 66 FR 58366, Nov. 21, 2001; 71 FR 35778, June 22, 2006; 74 FR 12540, Mar. 25, 2009]

§ 440.19 Labor.

Payments for labor costs under § 440.18(c)(2) must consist of:

(a) Payments permitted by the Department of Labor to supplement wages paid to training participants, public service employment workers, or other Federal or State training programs; and

(b) Payments to employ labor or to engage a contractor (particularly a nonprofit organization or a business owned by disadvantaged individuals which performs weatherization services), provided a grantee has determined an adequate number of volunteers, training participants, public service employment workers, or other Federal or State training programs are not available to weatherize dwelling units for a subgrantee under the supervision of qualified supervisors.

[65 FR 77218, Dec. 8, 2000]

§ 440.20 Low-cost/no-cost weatherization activities.

(a) An eligible dwelling unit may be weatherized without regard to the limitations contained in § 440.18 (e)(2) or § 440.21(b) from funds designated by the grantee for carrying out low-cost/no-cost weatherization activities provided:

(1) Inexpensive weatherization materials are used, such as water flow controllers, furnace or cooling filters, or items which are primarily directed toward reducing infiltration, including weatherstripping, caulking, glass patching, and insulation for plugging and

(2) No labor paid with funds provided under this part is used to install weatherization materials referred to in paragraph (a)(1) of this section.

(b) A maximum of 10 percent of the amount allocated to a subgrantee, not to exceed $50 in materials costs per dwelling unit, may be expended to carry out low-cost/no-cost weatherization activities, unless the Support Office Director approves a higher expenditure per dwelling unit.

[49 FR 3629, Jan. 27, 1984, as amended at 50 FR 713, Jan. 4, 1985; 58 FR 12529, Mar. 4, 1993]

§ 440.21 Weatherization materials standards and energy audit procedures.

(a) Paragraph (b) of this section describes the required standards for weatherization materials. Paragraph (c)(1) of this section describes the performance and quality standards for renewable energy systems. Paragraph (c)(2) of this section specifies the procedures and criteria that are used for considering a petition from a manufacturer requesting the Secretary to certify an item as a renewable energy system. Paragraphs (d) and (e) of this section describe the cost-effectiveness tests that weatherization materials must pass before they may be installed in an eligible dwelling unit. Paragraph (f) of this section lists the other energy audit requirements that do not pertain to cost-effectiveness tests of weatherization materials. Paragraphs (g) and

(h) of this section describe the use of priority lists and presumptively cost-effective general heat waste reduction materials as part of a State's energy audit procedures. Paragraph (i) of this section explains that a State's energy audit procedures and priority lists must be re-approved by DOE every five years.

(b) Only weatherization materials which are listed in appendix A to this part and which meet or exceed standards prescribed in appendix A to this part may be purchased with funds provided under this part. However, DOE may approve an unlisted material upon application from any State.

(c)(1) A system or technology shall not be considered by DOE to be a renewable energy system under this part unless:

(i) It will result in a reduction in oil or natural gas consumption;

(ii) It will not result in an increased use of any item which is known to be, or reasonably expected to be, environmentally hazardous or a threat to public health or safety;

(iii) Available Federal subsidies do not make such a specification unnecessary or inappropriate (in light of the most advantageous allocation of economic resources); and

(iv) If a combustion rated system, it has a thermal efficiency rating of at least 75 percent; or, in the case of a solar system, it has a thermal efficiency rating of at least 15 percent.

(2) Any manufacturer may submit a petition to DOE requesting the Secretary to certify an item as a renewable energy system.

(i) Petitions should be submitted to: Weatherization Assistance Program, Office of Energy Efficiency and Renewable, Mail Stop EE–2K, 1000 Independence Avenue, SW., Washington, DC 20585.

(ii) A petition for certification of an item as a renewable energy system must be accompanied by information demonstrating that the item meets the criteria in paragraph (c)(1) of this section.

(iii) DOE may publish a document in the FEDERAL REGISTER that invites public comment on a petition.

(iv) DOE shall notify the petitioner of the Secretary's action on the request within one year after the filing of a complete petition, and shall publish notice of approvals and denials in the FEDERAL REGISTER.

(d) Except for materials to eliminate health and safety hazards allowable under §440.18(c)(15), each individual weatherization material and package of weatherization materials installed in an eligible dwelling unit must be cost-effective. These materials must result in energy cost savings over the lifetime of the measure(s), discounted to present value, that equal or exceed the cost of materials, installation, and on-site supervisory personnel as defined by the Department. States have the option of requiring additional related costs to be included in the determination of cost-effectiveness. The cost of incidental repairs must be included in the cost of the package of measures installed in a dwelling.

(e) The energy audit procedures must assign priorities among individual weatherization materials in descending order of their cost-effectiveness according to paragraph (d) of this section after:

(1) Adjusting for interaction between architectural and mechanical weatherization materials by using generally accepted engineering methods to decrease the estimated fuel cost savings for a lower priority weatherization material in light of fuel cost savings for a related higher priority weatherization material; and

(2) Eliminating any weatherization materials that are no longer cost-effective, as adjusted under paragraph (e)(1) of this section.

(f) The energy audit procedures also must—

(1) Compute the cost of fuel saved per year by taking into account the climatic data of the area where the dwelling unit is located, where the base temperature that determines the number of heating or cooling degree days (if used) reasonably approximates conditions when operation of heating and cooling equipment is required to maintain comfort, and must otherwise use reasonable energy estimating methods and assumptions;

(2) Determine existing energy use and energy requirements of the dwelling

unit from actual energy bills or by generally accepted engineering calculations;

(3) Address significant heating and cooling needs;

(4) Make provision for the use of advanced diagnostic and assessment techniques which DOE has determined are consistent with sound engineering practices;

(5) Identify health and safety hazards to be abated with DOE funds in compliance with the State's DOE-approved health and safety procedures under § 440.16(h);

(6) Treat the dwelling unit as a whole system by examining its heating and cooling system, its air exchange system, and its occupants' living habits and needs, and making necessary adjustments to the priority of weatherization materials with adequate documentation of the reasons for such an adjustment; and

(7) Be specifically approved by DOE for use on each major dwelling type that represents a significant portion of the State's weatherization program in light of the varying energy audit requirements of different dwelling types including single-family dwellings, multi-family buildings, and mobile homes.

(g) For similar dwelling units without unusual energy-consuming characteristics, energy audits may be accomplished by using a priority list developed by conducting, in compliance with paragraphs (b) through (f) of this section, site-specific energy audits of a representative subset of these dwelling units. For DOE approval, States must describe how the priority list was developed, how the subset of similar homes was determined, and circumstances that will require site-specific audits rather than the use of the priority lists. States also must provide the input data and list of weatherization measures recommended by the energy audit software or manual methods for several dwelling units from the subset of similar units.

(h) States may use, as a part of an energy audit, general heat waste reduction weatherization materials that DOE has determined to be generally cost-effective. States may request approval to use general heat waste materials not listed in DOE policy guidance by providing documentation of their cost-effectiveness and a description of the circumstances under which such materials will be used.

(i) States must resubmit their energy audit procedures (and priority lists, if applicable, under certain conditions) to DOE for approval every five years. States must also resubmit to DOE, for approval every five years, their list of general heat waste materials in addition to those approved by DOE in policy guidance, if applicable. Policy guidance will describe the information States must submit to DOE and the circumstances that reduce or increase documentation requirements.

[65 FR 77218, Dec. 8, 2000, as amended at 71 FR 35778, June 22, 2006]

§ 440.22 Eligible dwelling units.

(a) A dwelling unit shall be eligible for weatherization assistance under this part if it is occupied by a family unit:

(1) Whose income is at or below 200 percent of the poverty level determined in accordance with criteria established by the Director of the Office of Management and Budget,

(2) Which contains a member who has received cash assistance payments under Title IV or XVI of the Social Security Act or applicable State or local law at any time during the 12-month period preceding the determination of eligibility for weatherization assistance; or

(3) If the State elects, is eligible for assistance under the Low-Income Home Energy Assistance Act of 1981, provided that such basis is at least 200 percent of the poverty level determined in accordance with criteria established by the Director of the Office of Management and Budget.

(b) A subgrantee may weatherize a building containing rental dwelling units using financial assistance for dwelling units eligible for weatherization assistance under paragraph (a) of this section, where:

(1) The subgrantee has obtained the written permission of the owner or his agent;

(2) Not less than 66 percent (50 percent for duplexes and four-unit buildings, and certain eligible types of large

multi-family buildings) of the dwelling units in the building:

(i) Are eligible dwelling units, or

(ii) Will become eligible dwelling units within 180 days under a Federal, State, or local government program for rehabilitating the building or making similar improvements to the building; and

(3) The grantee has established procedures for dwellings which consist of a rental unit or rental units to ensure that:

(i) The benefits of weatherization assistance in connection with such rental units, including units where the tenants pay for their energy through their rent, will accrue primarily to the low-income tenants residing in such units;

(ii) For a reasonable period of time after weatherization work has been completed on a dwelling containing a unit occupied by an eligible household, the tenants in that unit (including households paying for their energy through their rent) will not be subjected to rent increases unless those increases are demonstrably related to matters other than the weatherization work performed;

(iii) The enforcement of paragraph (b)(3)(ii) of this section is provided through procedures established by the State by which tenants may file complaints, and owners, in response to such complaints, shall demonstrate that the rent increase concerned is related to matters other than the weatherization work performed; and

(iv) No undue or excessive enhancement shall occur to the value of the dwelling units.

(4)(i) A building containing rental dwelling units meets the requirements of paragraph (b)(2), and paragraphs (b)(3)(ii) and (b)(3)(iv), of this section if it is included on the most recent list posted by DOE of Assisted Housing and Public Housing buildings identified by the U.S. Department of Housing and Urban Development as meeting those requirements.

(ii) A building containing rental dwelling units meets the requirements of paragraph (b)(2), and paragraph (b)(3)(iv), of this section if it is included on the most recent list posted by DOE of Assisted Housing and Public Housing buildings identified by the U.S. Department of Housing and Urban Development as meeting those requirements.

(iii) A building containing rental dwelling units meets the requirement of paragraph (b)(2) of this section if it is included on the most recent list posted by DOE of Low Income Housing Tax Credit buildings identified by the U.S. Department of Housing and Urban Development as meeting that requirement and of Rural Housing Service Multifamily Housing buildings identified by the U.S. Department of Agriculture as meeting that requirement.

(iv) For buildings identified under paragraphs (b)(4)(i), (ii) and (iii) of this section, States will continue to be responsible for ensuring compliance with the remaining requirements of this section, and States shall establish requirements and procedures to ensure such compliance in accordance with this section.

(c) In order to secure the Federal investment made under this part and address the issues of eviction from and sale of property receiving weatherization materials under this part, States may seek landlord agreement to placement of a lien or to other contractual restrictions;

(d) As a condition of having assistance provided under this part with respect to multifamily buildings, a State may require financial participation, when feasible, from the owners of such buildings. Such financial participation shall not be reported as program income, nor will it be treated as if it were appropriated funds. The funds contributed by the landlord shall be expended in accordance with the agreement between the landlord and the weatherization agency.

(e) In devising procedures under paragraph (b)(3)(iii) of this section, States should consider requiring use of alternative dispute resolution procedures including arbitration.

(f) A State may weatherize shelters. For the purpose of determining how many dwelling units exist in a shelter, a grantee may count each 800 square feet of the shelter as a dwelling unit or

it may count each floor of the shelter as a dwelling unit.

[58 FR 12528, Mar. 4, 1993, as amended at 65 FR 77219, Dec. 8, 2000; 74 FR 12540, Mar. 25, 2009; 75 FR 3856, Jan. 25, 2010]

§ 440.23 Oversight, training, and technical assistance.

(a) The Secretary and the appropriate Support Office Director, in coordination with the Secretary of Health and Human Services, shall monitor and evaluate the operation of projects carried out by CAA's receiving financial assistance under this part through on-site inspections, or through other means, in order to ensure the effective provision of weatherization assistance for the dwelling units of low-income persons.

(b) DOE shall also carry out periodic evaluations of a program and weatherization projects that are not carried out by a CAA and that are receiving financial assistance under this part.

(c) The Secretary and the appropriate Support Office Director, the Comptroller General of the United States, and for a weatherization project carried out by a CAA, the Secretary of Health and Human Services or any of their duly authorized representatives, shall have access to any books, documents, papers, information, and records of any weatherization project receiving financial assistance under the Act for the purpose of audit and examination.

(d) Each grantee shall ensure that audits by or on behalf of subgrantees are conducted with reasonable frequency, on a continuing basis, or at scheduled intervals, usually annually, but not less frequently than every two years, in accordance with 10 CFR part 600, and OMB Circular 110, Attachment F, as applicable.

(e) The Secretary may reserve from the funds appropriated for any fiscal year an amount not to exceed 20 percent to provide, directly or indirectly, training and technical assistance to any grantee or subgrantee. Such training and technical assistance may include providing information concerning conservation practices to occupants of eligible dwelling units.

[49 FR 3629, Jan. 27, 1984, as amended at 58 FR 12529, Mar. 4, 1993; 74 FR 12540, Mar. 25, 2009]

§ 440.24 Recordkeeping.

Each grantee or subgrantee receiving Federal financial assistance under this part shall keep such records as DOE shall require, including records which fully disclose the amount and disposition by each grantee and subgrantee of the funds received, the total cost of a weatherization project or the total expenditure to implement the State plan for which assistance was given or used, the source and amount of funds for such project or program not supplied by DOE, the average costs incurred in weatherization of individual dwelling units, the average size of the dwelling being weatherized, the average income of households receiving assistance under this part, and such other records as DOE deems necessary for an effective audit and performance evaluation. Such recordkeeping shall be in accordance with the DOE Financial Assistance Rule, 10 CFR part 600, and any further requirements of this part.

[58 FR 12529, Mar. 4, 1993]

§ 440.25 Reports.

DOE may require any recipient of financial assistance under this part to provide, in such form as may be prescribed, such reports or answers in writing to specific questions, surveys, or questionnaires as DOE determines to be necessary to carry out its responsibilities or the responsibilities of the Secretary of Health and Human Services under this part.

(Approved by the Office of Management and Budget under control number 1901–0127)

§§ 440.26–440.29 [Reserved]

§ 440.30 Administrative review.

(a) An applicant shall have 20 days from the date of receipt of a decision under § 440.12 or § 440.13 to file a notice requesting administrative review. If an applicant does not timely file such a notice, the decision under § 440.12 or § 440.13 shall become final for DOE.

(b) A notice requesting administrative review shall be filed with the Support Office Director and shall be accompanied by a written statement containing supporting arguments and requesting, if desired, the opportunity for a public hearing.

(c) A notice or any other document shall be deemed filed under this section upon receipt.

(d) On or before 15 days from receipt of a notice requesting administrative review which is timely filed, the Support Office Director shall forward to the Deputy Assistant Secretary, the notice requesting administrative review, the decision under §440.12 or §440.13 as to which administrative review is sought, a draft recommended final decision for the concurrence of the Deputy Assistant Secretary, and any other relevant material.

(e) If the applicant requests a public hearing, the Deputy Assistant Secretary, within 15 days, shall give actual notice to the State and FEDERAL REGISTER notice of the date, place, time, and procedures which shall apply to the public hearing. Any public hearing under this section shall be informal and legislative in nature.

(f) On or before 45 days from receipt of documents under paragraph (d) of this section or the conclusion of the public hearing, whichever is later, the Deputy Assistant Secretary shall concur in, concur in as modified, or issue a substitute for the recommended decision of the Support Office Director.

(g) On or before 15 days from the date of receipt of the determination under paragraph (f) of this section, the Governor may file an application, with a supporting statement of reasons, for discretionary review by the Assistant Secretary. On or before 15 days from filing, the Assistant Secretary shall send a notice to the Governor stating whether the Deputy Assistant Secretary's determination will be reviewed. If the Assistant Secretary grants review, a decision shall be issued no later than 60 days from the date review is granted. The Assistant Secretary may not issue a notice or decision under this paragraph without the concurrence of the DOE Office of General Counsel.

(h) A decision under paragraph (f) of this section shall be final for DOE if there is no review under paragraph (g) of this section. If there is review under paragraph (g) of this section, the decision thereunder shall be final for DOE, and no appeal shall lie elsewhere in DOE.

(i) Prior to the effective date of the termination of eligibility for further participation in the program because of failure to comply substantially with the requirements of the Act or of this part, a grantee shall have the right to written notice of the basis for the enforcement action and the opportunity for a public hearing notwithstanding any provisions to contrary of 10 CFR 600.26, 600.28(b), 600.29, 600.121(c), and 600.443. A notice under this paragraph shall be mailed by the Support Office Director by registered mail, return-receipt requested, to the State, local grantee, and other interested parties. To obtain a public hearing, the grantee must request an evidentiary hearing, with prior FEDERAL REGISTER notice, in the election letter submitted under Rule 2 of 10 CFR 1024.4 and the request shall be granted notwithstanding any provisions of Rule 2 to the contrary.

[55 FR 41326, Oct. 10, 1990, as amended at 58 FR 12529, Mar. 4, 1993]

APPENDIX A TO PART 440—STANDARDS FOR WEATHERIZATION MATERIALS

The following Government standards are produced by the Consumer Product Safety Commission and are published in title 16, Code of Federal Regulations:

Thermal Insulating Materials for Building Elements Including Walls, Floors, Ceilings, Attics, and Roofs Insulation—organic fiber—conformance to Interim Safety Standard in 16 CFR part 1209;

Fire Safety Requirements for Thermal Insulating Materials According to Insulation Use—Attic Floor—insulation materials intended for exposed use in attic floors shall be capable of meeting the same flammability requirements given for cellulose insulation in 16 CFR part 1209;

Enclosed spaces—insulation materials intended for use within enclosed stud or joist spaces shall be capable of meeting the smoldering combustion requirements in 16 CFR part 1209.

The following standards which are not otherwise set forth in part 440 are incorporated by reference and made a part of part 440. The following standards have been approved for

incorporation by reference by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. These materials are incorporated as they exist on April 5, 1993 and a notice of any change in these materials will be published in the FEDERAL REGISTER. The standards incorporated by reference are available for inspection at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html*.

The standards incorporated by reference in part 440 can be obtained from the following sources:

Air Conditioning and Refrigeration Institute, 1501 Wilson Blvd., Arlington, VA 22209; (703) 524–8800.

American Gas Association, 1515 Wilson Blvd., Arlington, VA 22209; (703) 841–8400.

American National Standards Institute, Inc., 1430 Broadway, New York, NY 10018; (212) 642–4900.

American Society of Mechanical Engineers, United Engineering Center, 345 East 47th Street, New York, NY 10017; (212) 705–7800.

American Society for Testing and Materials, 1916 Race Street, Philadelphia, PA 19103; (215) 299–5400.

American Architectural Manufacturers Association, 1540 East Dundee Road, Palatine, IL 60067; (708) 202–1350.

Federal Specifications, General Services Administration, Specifications Section, Room 6654, 7th and D Streets, SW, Washington, DC 20407; (202) 708–5082.

Gas Appliance Manufacturers Association, 1901 Moore St., Arlington, VA 22209; (703) 525–9565.

National Electrical Manufacturers Association, 2101 L Street, NW, Suite 300, Washington, DC 20037; (202) 457–8400.

National Fire Protection Association, Batterymarch Park, P.O. Box 9101, Quincy, MA 02269; (617) 770–3000.

National Standards Association, 1200 Quince Orchard Blvd., Gaithersburg, MD 20878; (301) 590–2300. (NSA is a local contact for materials from ASTM).

National Wood Window and Door Association, 1400 East Touhy Avenue, Des Plaines, IL 60018; (708) 299–5200.

Sheet Metal and Air Conditioning Contractors Association, P.O. Box 221230, Chantilly, VA 22022–1230; (703) 803–2980.

Steel Door Institute, 712 Lakewood Center North, 14600 Detroit Avenue, Cleveland, OH 44107; (216) 899–0100.

Steel Window Institute, 1230 Keith Building, Cleveland, OH 44115; (216) 241–7333.

Tubular Exchanger Manufacturers Association, 25 North Broadway, Tarrytown, NY 10591; (914) 332–0040.

Underwriters Laboratories, Inc., P.O. Box 75530, Chicago, IL 60675–5330; (708) 272–8800.

More information regarding the standards in this reference can be obtained from the following sources:

Environmental Protection Agency, 401 M Street, NW, Washington, DC 20006; (202) 554–1080.

National Institute of Standards and Technology, U.S. Department of Commerce, Gaithersburg, MD 20899, (301) 975–2000

Weatherization Assistance Programs Division, Conservation and Renewable Energy, Mail Stop 5G–023, Forrestal Bldg, 1000 Independence Ave, SW, Washington, DC 20585; (202) 586–2207.

THERMAL INSULATING MATERIALS FOR BUILDING ELEMENTS INCLUDING WALLS, FLOORS, CEILINGS, ATTICS, AND ROOFS

[Standards for conformance]

Insulation—mineral fiber:	
Blanket insulation	ASTM[1] C665–88.
Roof insulation board	ASTM C726–88.
Loose-fill insulation	ASTM C764–88.
Insulation—mineral cellular:	
Vermiculite loose-fill insulation	ASTM C516–80 (1990).
Perlite loose-fill insulation	ASTM C549–81 (1986).
Cellular glass insulation block	ASTM C552–88.
Perlite insulation board	ASTM C728–89a.
Insulation—organic fiber:	
Cellulosic fiber insulating board	ASTM C208–72 (1982).
Cellulose loose-fill insulation	ASTM C739–88.
Insulation-organic cellular:	
Preformed block-type polystyrene insulation	ASTM C578–87a.
Rigid preformed polyurethane insulation board	ASTM C591–85.
Polyurethane or polyisocyanurate insulation board faced with aluminum foil on both sides	FS[2] HH-I–1972/1 (1981).
Polyurethane or polyisocyanurate insulation board faced with felt on both sides	FS HH-I–1972/2 (1981). And Amendment 1, October 3, 1985.
Insulation—composite boards:	
Mineral fiber and rigid cellular polyurethane composite roof insulation board	ASTM C726–88.
Perlite board and rigid cellular polyurethane composite roof insulation	ASTM C984–83.
Gypsum board and polyurethane or polisocyanurate composite board	FS HH–I–1972/4 (1981).

THERMAL INSULATING MATERIALS FOR BUILDING ELEMENTS INCLUDING WALLS, FLOORS, CEILINGS, ATTICS, AND ROOFS—Continued

[Standards for conformance]

Materials used as a patch to reduce infiltration through the building envelope	Commercially available.

[1] ASTM indicates American Society for Testing and Materials.
[2] FS indicates Federal Specifications.

THERMAL INSULATING MATERIALS FOR PIPES, DUCTS, AND EQUIPMENT SUCH AS BOILERS AND FURNACES

[Standards for conformance]

Insulation—mineral fiber:	
Preformed pipe insulation	ASTM[1] C547–77.
Blanket and felt insulation (industrial type)	ASTM C553–70 (1977).
Blanket insulation and blanket type pipe insulation (metal-mesh covered) (industrial type).	ASTM C592–80.
Block and board insulation	ASTM C612–83.
Spray applied fibrous insulation for elevated temperature	ASTM C720–89.
High-temperature fiber blanket insulation	ASTM C892–89.
Duct work insulation	Selected and applied according to ASTM C971–82.
Insulation—mineral cellular:	
Diatomaceous earth block and pipe insulation	ASTM C517–71 (1979)
Calcium silicate block and pipe insulation	ASTM C533–85 (1990).
Cellular glass insulation	ASTM C552–88.
Expanded perlite block and pipe insulation	ASTM C610–85.
Insulation—Organic Cellular:	
Preformed flexible elastomeric cellular insulation in sheet and tubular form.	ASTM C534–88.
Unfaced preformed rigid cellular polyurethane insulation	ASTM C591–85.
Insulation skirting	Commercially available.

[1] ASTM indicates American Society for Testing and Materials.

FIRE SAFETY REQUIREMENTS FOR INSULATING MATERIALS ACCORDING TO INSULATION USE

[Standards for conformance]

Attic floor	Insulation materials intended for exposed use in attic floors shall be capable of meeting the same smoldering combustion requirements given for cellulose insulation in ASTM[1] C739–88.
Enclosed space	Insulation materials intended for use within enclosed stud or joist spaces shall be capable of meeting the smoldering combustion requirements in ASTM C739–88.
Exposed interior walls and ceilings.	Insulation materials, including those with combustible facings, which remain exposed and serve as wall or ceiling interior finish, shall have a flame spread classification not to exceed 150 (per ASTM E84–89a).
Exterior envelope walls and roofs.	Exterior envelope walls and roofs containing thermal insulations shall meet applicable local government building code requirements for the complete wall or roof assembly.
Pipes, ducts, and equipment	Insulation materials intended for use on pipes, ducts and equipment shall be capable of meeting a flame spread classification not to exceed 150 (per ASTM E84–89a).

[1] ASTM indicates American Society for Testing and Materials.

STORM WINDOWS

[Standards for conformance]

Storm windows:	
Aluminum insulating storm windows	ANSI/AAMA[1]1002.10–83.
Aluminum frame storm windows	ANSI/AAMA 1002.10–83.
Wood frame storm windows	ANSI/NWWDA[2] I.S. 2–87. (Section 3)
Rigid vinyl frame storm windows	ASTM[3] D4099–89.
Frameless plastic glazing storm	Required minimum thickness windows is 6 mil (.006 inches).
Movable insulation systems for windows	Commercially available.

[1] ANSI/AAMA indicates American National Standards Institute/American Architectural Manufacturers Association.
[2] ANSI/NWWDA indicates American National Standards Institute/National Wood Window & Door Association.
[3] ASTM indicates American Society for Testing and Materials.

STORM DOORS

[Standards for conformance]

Storm doors—Aluminum:	
Storm Doors	ANSI/AAMA[1] 1102.7–89.
Sliding glass storm doors	ANSI/AAMA 1002.10–83.

STORM DOORS—Continued

[Standards for conformance]

Wood storm doors	ANSI/NWWDA[2] I.S. 6–86.
Rigid vinyl storm doors	ASTM[3] D3678–88.
Vestibules:	
Materials to construct vestibules	Commercially available.
Replacement windows:	
Aluminum frame windows	ANSI/AAMA 101–88.
Steel frame windows	Steel Window Institute recommended specifications for steel windows, 1990.
Wood frame windows	ANSI/NWWDA I.S. 2–87.
Rigid vinyl frame windows	ASTM D4099–89.

[1] ANSI/AAMA indicates American National Standards Institute/American Architectural Manufacturers Association.
[2] ANSI/NWWDA indicates American National Standards Institute/National Wood Window & Door Association.
[3] ASTM indicates American Society for Testing and Materials.

REPLACEMENT DOORS

[Standards for conformance]

Replacement doors—Hinged doors:	
Steel doors	ANSI/SDI[1] 100–1985.
Wood doors:	
Flush doors	ANSI/NWWDA[2] I.S. 1–87. (exterior door provisions)
Pine, fir, hemlock and spruce doors	ANSI/NWWDA I.S. 6–86.
Sliding patio doors:	
Aluminum doors	ANSI/AAMA[3] 101–88.
Wood doors	NWWDA I.S. 3–83.

[1] ANSI/SDI indicates American National Standards Institute/Steel Door Institute.
[2] ANSI/NWWDA indicates American National Standards Institute/National Wood Window & Door Association.
[3] ANSI/AAMA indicates American National Standards Institute/American Architectural Manufacturers Association.

CAULKS AND SEALANTS:

[Standards for conformance]

Caulks and sealants:	
Putty	FS[1] TT–P–00791B, October 16, 1969 and Amendment 2, March 23, 1971.
Glazing compounds for metal sash	ASTM[2] C669–75 (1989).
Oil and resin base caulks	ASTM C570–72 (1989).
Acrylic (solvent types) sealants	FS TT–S–00230C, February 2, 1970 and Amendment 2, October 9, 1970.
Butyl rubber sealants	FS TT–S–001657, October 8, 1970.
Chlorosulfonated polyethylene sealants	FS TT–S–00230C, February 2, 1970 and Amendment 2, October 9, 1970.
Latex sealing compounds	ASTM C834–76 (1986).
Elastomeric joint sealants (normally considered to include polysulfide, polyurethane, and silicone).	ASTM C920–87.
Preformed gaskets and sealing materials	ASTM C509–84.

[1] FS indicates Federal Specifications.
[2] ASTM indicates American Society for Testing and Materials.

WEATHERSTRIPPING

[Standards for conformance]

Weatherstripping	Commercially available.
Vapor retarders	Selected according to the provisions cited in ASTM[1] C755–85 (1990). Permeance not greater than 1 perm when determined according to the desiccant method de- scribed in ASTM E96–90.
Items to improve attic ventilation	Commercially available.
Clock thermostats	NEMA[2] DC 3–1989.

[1] ASTM indicates American Society for Testing and Materials.
[2] NEMA indicates National Electrical Manufacturers Association.

HEAT EXCHANGERS

[Standards for conformance]

Heat exchangers, water-to-water and steam-to-water.	ASME[1] Boiler and Pressure Vessel Code, 1992, Sections II, V, VIII, IX, and X, as applicable to pressure vessels. Standards of Tubular Exchanger Manufacturers Association, Seventh Edition, 1988.
Heat exchangers with gas-fired appliances[2].	Conformance to AGA[3] Requirements for Heat Reclaimer Devices for Use with Gas-Fired Appliances No. 1–80, June 1, 1980. AGA Laboratories Certification Seal.

HEAT EXCHANGERS—Continued

[Standards for conformance]

Heat pump water heating heat recovery systems.	Electrical components to be listed by UL.[4]

[1] ASME indicates American Society of Mechanical Engineers.
[2] The heat reclaimer is for installation in a section of the vent connector from appliances equipped with draft hoods or appliances equipped with powered burners or induced draft and not equipped with a draft hood.
[3] AGA indicates American Gas Association.
[4] UL indicates Underwriters Laboratories.

BOILER/FURNACE CONTROL SYSTEMS

[Standards for conformance]

Automatic set back thermostats	Listed by UL.[1] Conformance to NEMA[2] DC 3–1989.
Line voltage or low voltage room thermostats	NEMA DC 3–1989.
Automatic gas ignition systems	ANSI[3] Z21.21–1987 and Z21.21a-1989. AGA[4] Laboratories Certification Seal.
Energy management systems	Listed by UL.
Hydronic boiler controls	Listed by UL.
Other burner controls	Listed by UL.

[1] UL indicates Underwriters Laboratories.
[2] NEMA indicates National Electrical Manufacturers Association.
[3] ANSI indicates American National Standards Institute.
[4] AGA indicates American Gas Association.

WATER HEATER MODIFICATIONS

[Standards for conformance]

Insulate tank and distribution piping	(See insulation section of this appendix).
Install heat traps on inlet and outlet piping	Applicable local plumbing code.
Install/replace water heater heating elements	Listed by UL.[1]
Electric, freeze-prevention tape for pipes	Listed by UL.
Reduce thermostat settings	State or local recommendations.
Install stack damper, gas-fueled	ANS1[2] Z21.66–1988, including Exhibits A&B, and ANSI Z223.1–1988.
Install stack damper, oil-fueled	UL 17, November 28, 1988, and NFPA[3] 31–1987.
Install water flow modifiers	Commercially available.

[1] UL indicates Underwriters Laboratories.
[2] ANSI indicates American National Standards Institute.
[3] NFPA indicates National Fire Prevention Association.

WASTE HEAT RECOVERY DEVICES

[Standards for conformance]

Desuperheater/water heaters	ARI[1] 470–1987.
Condensing heat exchangers	Commercially available components and in new heating furnace systems to manufacturers' specifications.
Condensing heat exchangers	Commercially available (Commercial, multi-story building, with teflon-lined tubes institutional) to manufacturers' specifications.
Energy recovery equipment	Energy Recovery Equipment and Systems Air-to-Air (1978) Sheet Metal and Air-Conditioning Contractors National Association (SMACNA).[2]

[1] ARI indicates Air Conditioning and Refrigeration Institute.
[2] SMACNA denotes Sheet Metal and Air Conditioning Contractors' National Association.

BOILER REPAIR AND MODIFICATIONS/EFFICIENCY IMPROVEMENTS

[Standards for conformance]

Install gas conversion burners	ANSI[1] Z21.8–1984, (for gas or oil-fired systems) ANSI Z21.17–1984, ANSI Z21.17a-1990, and ANSI Z223.1–1988. AGA[2] Laboratories Certification seal.
Replace oil burner	UL[3] 296, February 28, 1989 Revision and NFPA[4] 31–1987.
Install burners (oil/gas)	ANSI Z223.1–1988 for gas equipment and NFPA 31–1987 for oil equipment.
Re-adjust boiler water temperature or install automatic boiler temperature reset control.	ASME[5] CSD–1–1988, ASME CSD–1a-1989, ANSI Z223.1–1988, and NFPA 31–1987.
Replace/modify boilers	ASME Boiler and Pressure Vessel Code, 1992, Sections II, IV, V, VI, VIII, IX, and X. Boilers must be Institute of Boilers and Radiation Manufacturers (IBR) equipment.
Clean heat exchanger, adjust burner air shutter(s), check smoke no. on oil-fueled equipment. Check operation of pump(s) and replacement filters.	Per manufacturers' instructions.
Repair combustion chambers	Refractory linings may be required for conversions.

BOILER REPAIR AND MODIFICATIONS/EFFICIENCY IMPROVEMENTS—Continued

[Standards for conformance]

Replace heat exchangers, tubes	Protection from flame contact with conversion burners by refractory shield.
Install/replace thermostatic radiator valves	Commercially available. One pipe steam systems require air vents on each radiator; see manufacturers' requirements.
Install boiler duty cycle control system	Commercially available. NFPA 70, National Electrical Code (NEC) 1993 and local electrical codes provisions for wiring.

[1] ANSI indicates American National Standards Institute.
[2] AGA indicates American Gas Association.
[3] UL indicates Underwriters Laboratories.
[4] NFPA indicates National Fire Prevention Association.
[5] ANSI/ASME indicates American National Standards Institute/American Society of Mechanical Engineers.

HEATING AND COOLING SYSTEM REPAIRS AND TUNE-UPS/EFFICIENCY IMPROVEMENTS

[Standards for conformance]

Install duct insulation	FS[1] HH-I–558C, January 7, 1992 (see insulation sections of this appendix).
Reduce input of burner; derate gas-fueled equipment	Local utility company and procedures if applicable for gas-fueled furnaces and ANSI[2] Z223.1–1988 (NFPA[3] 54–1988) including appendix H.
Repair/replace oil-fired equipment	NFPA 31–1987.
Replace combustion chamber in oil-fired furnaces or boilers	NFPA 31–1987.
Clean heat exchanger and adjust burner: adjust air shutter and check CO_2 and stack temperature. Clean or replace air filter on forced air furnace.	ANSI Z223.1–1988 (NFPA 54–1988) including appendix H.
Install vent dampers for gas-fueled heating systems	Applicable sections of ANSI Z223.1–1988 (NFPA 54–1988) including appendices H, I, J, and K. ANSI Z21.66–1988 and exhibits A & B for electrically operated dampers.
Install vent dampers for oil-fueled heating systems	Applicable sections of NFPA 31–1987 for installation and in conformance with UL[4] 17, November 28, 1988.
Reduce excess combustion air:	
A: Reduce vent connector size of gas-fueled appliances	ANSI Z223.1–1988 (NFPA 54–1988) part 9 and appendices G & H.
B: Adjust barometric draft regulator for oil fuels	NFPA 31–1987 and per manufacturers' (furnace or boiler) instructions.
Replace constant burning pilot with electric ignition device on gas-fueled furnaces or boilers.	ANSI Z21.71–1981, Z21.71a-1985, and Z21.71b-1989.
Readjust fan switch on forced air gas or oil-fueled furnaces	Applicable sections and appendix H of ANSI Z223.1–1988 (NFPA 54–1988) for gas furnaces and NFPA 31–1987 for oil furnaces.
Replace burners	See power burners (oil/gas).
Install/replace duct furnaces (gas)	ANSI Z223.1–1988 (NFPA 54–1988).
Install/replace heat pumps	Listed by UL.
Replace air diffusers, intakes, registers, and grilles	Commercially available.
Install/replace warm air heating metal ducts	Commercially available.
Filter alarm units	Commercially available.

[1] FS indicates Federal Specifications.
[2] ANSI indicates American National Standards Institute.
[3] NFPA indicates National Fire Prevention Association.
[4] UL indicates Underwriters Laboratories.

REPLACEMENT FURNACES, BOILERS, AND WOOD STOVES

[Standards for conformance]

Chimneys, fireplaces, vents and solid fuel burning appliances	NFPA[1] 211–1988.
Gas-fired furnaces	ANS1[2] Z21.47–1987, Z21.47a–1988, and Z21.47b–1989. ANSI Z223.1–1988 (NFPA 54–1988).
Oil-fired furnaces	UL[3] 727, August 27, 1991 Revision and NFPA 31–1987.
Liquified petroleum gas storage	NFPA 58–1989.
Ventilation fans:	
Including electric attic, ceiling, and whole house fans	UL 507, August 23, 1990 Revision.

[1] NFPA indicates National Fire Prevention Association.
[2] ANSI indicates American National Standards Institute.
[3] UL indicates Underwriters Laboratories.

AIR CONDITIONERS AND COOLING EQUIPMENT

[Standards for conformance]

Air conditioners:	
Central air conditioners	ARI[1] 210/240–1989.

AIR CONDITIONERS AND COOLING EQUIPMENT—Continued

[Standards for conformance]

Room size units	ANSI/AHAM[2] RAC–1–1982.
Other cooling equipment:	
Including evaporative coolers, heat pumps and other equipment	UL[3] 1995, November 30, 1990.[4]

[1] ARI indicates Air Conditioning and Refrigeration Institute.
[2] AHAM/ANSI indicates American Home Appliance Manufacturers/American National Standards Institute.
[3] UL indicates Underwriters Laboratories.
[4] This standard is a general standard covering many different types of heating and cooling equipment.

SCREENS, WINDOW FILMS, AND REFLECTIVE MATERIALS

[Standards for conformance]

Insect screens	Commercially available.
Window films	Commercially available.
Shade screens:	
Fiberglass shade screens	Commercially available.
Polyester shade screens	Commercially available.
Rigid awnings:	
Wood rigid awnings	Commercially available.
Metal rigid awnings	Commercially available.
Louver systems:	
Wood louver systems	Commercially available.
Metal louver systems	Commercially available.
Industrial-grade white paint used as a heat-reflective measure on awnings, window louvers, doors, and exterior duct work (exposed).	Commercially available.

[58 FR 12529, Mar. 4, 1993, as amended at 69 FR 18803, Apr. 9, 2004]

PART 445 [RESERVED]

PART 451—RENEWABLE ENERGY PRODUCTION INCENTIVES

Sec.
451.1 Purpose and scope.
451.2 Definitions.
451.3 Who may apply.
451.4 What is a qualified renewable energy facility.
451.5 Where and when to apply.
451.6 Duration of incentive payments.
451.7 Metering requirements.
451.8 Application content requirements.
451.9 Procedures for processing applications.
451.10 Administrative appeals.

AUTHORITY: 42 U.S.C. 7101, *et seq.;* 42 U.S.C. 13317.

SOURCE: 60 FR 36964, July 19, 1995, unless otherwise noted.

§ 451.1 Purpose and scope.

(a) The provisions of this part cover the policies and procedures applicable to the determinations by the Department of Energy (DOE) to make incentive payments, under the authority of 42 U.S.C. 13317, for electric energy generated and sold by a qualified renewable energy facility owned by a State or political subdivision thereof; a not-for-profit electric cooperative; a public utility described in section 115 of the Internal Revenue Code of 1986; an Indian tribal government or subdivision thereof; or a Native corporation.

(b) Determinations to make incentive payments under this part are not subject to the provisions of 10 CFR part 600 and such payments shall not be construed to be financial assistance.

[60 FR 36964, July 19, 1995, as amended at 71 FR 46386, Aug. 14, 2006]

§ 451.2 Definitions.

As used in this part—

Biomass means biologically generated energy sources such as heat derived from combustion of plant matter, or from combustion of gases or liquids derived from plant matter, animal wastes, or sewage, or from combustion of gases derived from landfills, or hydrogen derived from these same sources.

Closed-loop biomass means any organic material from a plant which is planted exclusively for purposes of being used at a qualified renewable energy facility to generate electricity.

Date of first use means, at the option of the facility owner, the date of the first kilowatt-hour sale, the date of

completion of facility equipment testing, or the date when all approved permits required for facility construction are received.

Deciding Official means the Manager of the Golden Field Office of the Department of Energy (or any DOE official to whom the authority of the Manager of the Golden Field Office may be redelegated by the Secretary of Energy).

DOE means the Department of Energy.

Finance Office means the DOE Office of the Chief Financial Officer (or any office to which that Office's authority may be redelegated by the Secretary of Energy).

Fiscal year means the Federal fiscal year beginning October 1 and ending on September 30 of the following calendar year.

Indian tribal government means the governing body of an Indian tribe as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

Native corporation has the meaning set forth in the Alaska Native Claims Settlement Act (25 U.S.C. 1602).

Net electric energy means the metered kilowatt-hours (kWh) generated and sold, and excludes electric energy used within the renewable energy facility to power equipment such as pumps, motors, controls, lighting, heating, cooling, and other systems needed to operate the facility.

Not-for-profit electrical cooperative means a cooperative association that is legally obligated to operate on a not-for-profit basis and is organized under the laws of any State for the purpose of providing electric service to its members.

Ocean means the waters of the Atlantic Ocean (including the Gulf of Mexico) and the Pacific Ocean within the jurisdiction of the United States from which energy may be derived through application of tides, waves, currents, thermal differences, or other means.

Renewable energy facility means a single module or unit, or an aggregation of such units, that generates electric energy which is independently metered and which results from the utilization of a renewable energy source.

Renewable energy source means solar heat, solar light, wind, ocean, geothermal heat, and biomass, except for—

(1) Heat from the burning of municipal solid waste; or

(2) Heat from a dry steam geothermal reservoir which—

(i) Has no mobile liquid in its natural state;

(ii) Is a fluid composed of at least 95 percent water vapor; and

(iii) Has an enthalpy for the total produced fluid greater than or equal to 2.791 megajoules per kilogram (1200 British thermal units per pound).

State means the District of Columbia, Puerto Rico, and any of the States, Commonwealths, territories, and possessions of the United States.

[60 FR 36964, July 19, 1995, as amended at 71 FR 46386, Aug. 14, 2006]

§ 451.3 Who may apply.

Any owner, or operator with the written consent of the owner, but not both, of a qualified renewable energy facility, may apply for incentive payments for net electric energy generated from a renewable energy source and sold.

§ 451.4 What is a qualified renewable energy facility.

In order to qualify for an incentive payment under this part, a renewable energy facility must meet the following qualifications—

(a) *Owner qualifications.* The owner must be—

(1) A State or a political subdivision of a State (or agency, authority, or instrumentality thereof);

(2) A public utility described in section 115 of the Internal Revenue Code of 1986;

(3) A not-for-profit electrical cooperative;

(4) An Indian tribal government or subdivision thereof; or

(5) A Native corporation.

(b) *What constitutes ownership.* The owner must have all rights to the beneficial use of the renewable energy facility, and legal title must be held by, or for the benefit of, the owner.

(c) *Sales affecting interstate commerce.* The net electric energy generated by the renewable energy facility must be

sold to another entity for consideration.

(d) *Type of renewable energy sources.* The source of the electric energy for which an incentive payment is sought must be a renewable energy source, as defined in § 451.2.

(e) *Time of first use.* The date of the first use of a newly constructed renewable energy facility, or a facility covered by paragraph (f) of this section, must occur during the inclusive period beginning October 1, 1993, and ending on September 30, 2016. For facilities whose date of first use occurred in the period October 1, 2003, through September 30, 2004, the time of first use shall be deemed to be October 1, 2004.

(f) *Conversion of non-qualified facilities.* Existing non-qualified facilities that are converted must meet either of the following criteria—

(1) A facility employing solar, wind ocean, geothermal or biomass sources must be refurbished during the allowed time of first use such that the fair market value of any previously used property does not exceed 20% of the facility's total value.

(2) A facility not employing solar, wind ocean, geothermal or biomass sources must be converted in part or in whole to a qualified facility during the allowed time of first use.

(g) *Location.* The qualified renewable energy facility must be located in a State or in U.S. jurisdictional waters.

[60 FR 36964, July 19, 1995, as amended at 71 FR 46386, Aug. 14, 2006]

§ 451.5 Where and when to apply.

(a) *Pre-application and notification.* (1) An applicant may submit at any time a pre-application, containing the information described in § 451.8 (a) through (e), to obtain a preliminary and conditional determination of eligibility.

(2) To assist DOE in its budget planning, the owner or operator of a qualified renewable energy facility is requested to provide notification at least 6 months in advance of when a facility is expected to be first used, providing projected information specified in § 451.8 (a) through (e).

(b) *Application.* (1) An application for an incentive payment for electric energy generated and sold in a fiscal year must be filed during the first quarter (October 1 through December 31) of the next fiscal year, except as provided in paragraph (b)(2) of this section.

(2) For facilities whose date of first use occurred in the period October 1, 2003, through September 30, 2005, applications for incentive payments for electric energy generated and sold in fiscal year 2005 must be filed by August 31, 2006.

(3) Failure to file an application in any fiscal year for payment for energy generated in the preceding fiscal year shall disqualify the owner or operator from eligibility for any incentive payment for energy generated in that preceding fiscal year.

(c) *Where.* Applications and notifications to the Department shall be submitted to the Renewable Energy Production Incentive Program, U.S. Department of Energy, Golden Field Office, 1617 Cole Boulevard, Golden, CO, 80401.

[60 FR 36964, July 19, 1995, as amended at 71 FR 46387, Aug. 14, 2006]

§ 451.6 Duration of incentive payments.

Subject to the availability of appropriated funds, DOE shall make incentive payments under this part with respect to a qualified renewable energy facility for 10 consecutive fiscal years. Such period shall begin with the fiscal year in which application for payment for electricity generated by the facility is first made and the facility is determined by DOE to be eligible for receipt of an incentive payment. The period for payment under this program ends with fiscal year 2026.

[60 FR 36964, July 19, 1995, as amended at 71 FR 46387, Aug. 14, 2006]

§ 451.7 Metering requirements.

The net electric energy generated and sold (kilowatt-hours) by the owner or operator of a qualified renewable energy facility must be measured by a standard metering device that—

(a) Meets generally accepted industry standards;

(b) Is maintained in proper working order according to the instructions of its manufacturer; and

(c) Is calibrated according to generally accepted industry standards.

§ 451.8 Application content requirements.

An application for an incentive payment under this part must be signed by an authorized executive official and shall provide the following information—

(a) A statement indicating that the applicant is the owner of the facility or is the operator of the facility and has the written consent of an authorized executive official of the owner to file an application;

(b) The name of the facility or other official designation;

(c) The location and address of the facility and type of renewable energy source;

(d) The name, address, and telephone number of a point of contact to respond to questions or requests for additional information;

(e) A clear statement of how the application satisfies each and every part of the eligibility criteria under § 451.4;

(f) A statement of the annual and monthly metered net electric energy generated and sold during the prior fiscal year by the qualified renewable energy facility, measured in kilowatt-hours, for which an incentive payment is requested;

(g) In the case of a qualified renewable energy facility which generates electric energy using a fossil fuel, nuclear energy, or other non-qualified energy source in addition to using a renewable energy source, a statement of the net electric energy generated, measured in kilowatt-hours, attributable to the renewable energy source, including a calculation showing the total monthly and annual kilowatt-hours generated and sold during the fiscal year multiplied by a fraction consisting of the heat input, as measured in appropriate energy units, received by the working fluid from the renewable energy sources divided by the heat input, as measured in the same energy units, received by the working fluid from all energy sources;

(h) The total amount of electric energy for which payment is requested, including the net electric energy generated in the prior fiscal year, as determined according to paragraph (f) or (g) of this section;

(i) Copies of permit authorizations if the date of first use is based on permit approvals and this is the initial application;

(j) Instructions for payment by electronic funds transfer;

(k) A statement agreeing to retain records for a period of three (3) years which substantiate the annual and monthly metered number of kilowatt-hours generated and sold, and to provide access to, or copies of, such records within 30 days of a written request by DOE; and

(l) A statement signed by an authorized executive official certifying that the information contained in the application is accurate.

(m) If a not-for-profit electric cooperative, a statement certifying that no claim for tax credit has been made for the same electricity for which incentive payments are requested.

[60 FR 36964, July 19, 1995, as amended at 71 FR 46387, Aug. 14, 2006]

§ 451.9 Procedures for processing applications.

(a) *Supplemental information.* DOE may request supplementary information relating to the application.

(b) *Audits.* DOE may require the applicant to conduct at its own expense and submit an independent audit, or DOE may conduct an audit, to verify the number of kilowatt-hours claimed to have been generated and sold by the qualified renewable energy facility and for which an incentive payment has been requested or made.

(c) *DOE determinations.* The Assistant Secretary for Energy Efficiency and Renewable Energy shall determine the extent to which appropriated funds are available to be obligated under this program for each fiscal year. Upon evaluating each application and any other relevant information, DOE shall further determine:

(1) Eligibility of the applicant for receipt of an incentive payment, based on the criteria for eligibility specified in this part;

(2) The number of kilowatt-hours to be used in calculating a potential incentive payment, based on the net electric energy generated from a qualified

renewable energy source at the qualified renewable energy facility and sold during the prior fiscal year;

(3) The number of kilowatt-hours to be used in calculating a potential additional incentive payment, based on the total quantity of accrued energy generated during prior fiscal years;

(4) The amounts represented by 60 percent of available funds and by 40 percent of available funds; and

(5) Whether justification exists for altering the 60:40 payment ratio specified in paragraph (e) of this section. If DOE intends to modify the 60:40 ratio, the Department shall notify Congress, setting forth reasons for such change.

(d) *Calculating payments.* Subject to the provisions of paragraph (e) of this section, potential incentive payments under this part shall be determined by multiplying the number of kilowatt-hours determined under § 451.9(c)(2) by 1.5 cents per kilowatt-hour, and adjusting that product for inflation for each fiscal year beginning after calendar year 1993 in the same manner as provided in section 29(d)(2)(B) of the Internal Revenue Code of 1986, except that in applying such provisions calendar year 1993 shall be substituted for calendar year 1979. Using the same procedure, a potential additional payment shall be determined for the number of kilowatt-hours determined under paragraph (c)(3) of this section. If the sum of these calculated payments does not exceed the funds determined to be available by the Assistant Secretary for Energy Efficiency and Renewable Energy under § 451.9(c), DOE shall make payments to all qualified applicants.

(e) *Insufficient funds.* If funds are not sufficient to make full incentive payments to all qualified applicants, DOE shall—

(1) Calculate potential incentive payments, if necessary on a *pro rata* basis, not to exceed 60 percent of available funds to owners or operators of qualified renewable energy facilities using solar, wind, ocean, geothermal, and closed-loop biomass technologies based on prior year energy generation;

(2) Calculate potential incentive payments, if necessary on a *pro rata* basis, not to exceed 40 percent of available funds to owners or operators of all other qualified renewable energy facilities based on prior year energy generation;

(3) If the amounts calculated in paragraph (e)(1) and (2) of this section result in one owner group with insufficient funds and one with excess funds, allocate excess funds to the owner group with insufficient funds and calculate additional incentive payments, on a *pro rata* basis if necessary, to such owners or operators based on prior year energy generation.

(4) If potential payments calculated in paragraphs (e)(1), (2), and (3) of this section do not exceed available funding, allocate 60% of remaining funds to paragraph (e)(1) recipients and 40% to paragraph (e)(2) recipients and calculate additional incentive payments, if necessary on a *pro rata* basis, to owners or operators based on accrued energy;

(5) If the amounts calculated in paragraph (e)(4) of this section result in one owner group with insufficient funds and one with excess funds, allocate excess funds to the owner group with insufficient funds and calculate additional incentive payments, on a *pro rata* basis if necessary, to such owners or operators based on accrued energy.

(6) Notify Congress if potential payments resulting from paragraphs (e)(3) or (5) of this section above will result in alteration of the 60:40 payment ratio;

(7) Make incentive payments based on the sum of the amounts determined in paragraphs (e)(1) through (5) of this section for each applicant;

(8) Treat the number of kilowatt-hours for which an incentive payment is not made as a result of insufficient funds as accrued energy for which future incentive payment may be made; and

(9) Maintain a record of each applicant's accrued energy.

(f) *Notice to applicant.* After calculating the amount of the incentive payment under paragraphs (e) through (g) of this section, the DOE Deciding Official shall then issue a written notice of the determination to the applicant—

(1) Approving the application as eligible for payment and forwarding a copy to the DOE Finance Office with a request to pay;

(2) Setting forth the calculation of the approved amount of the incentive payment; and

(3) Stating the amount of accrued energy, measured in kilowatt-hours, for each qualified renewable energy facility, if any, and the energy source for same.

(g) *Disqualification.* If the application does not meet the requirements of this part or some of the kilowatt-hours claimed in the application are disallowed as unqualified, the Deciding Official shall issue a written notice denying the application in whole or in part with an explanation of the basis for denial.

[60 FR 36964, July 19, 1995, as amended at 71 FR 46387, Aug. 14, 2006]

§ 451.10 Administrative appeals.

(a) In order to exhaust administrative remedies, an applicant who receives a notice denying an application in whole or in part shall appeal, on or before 45 days from date of the notice issued by the DOE Deciding Official, to the Office of Hearings and Appeals, 1000 Independence Avenue, S.W., Washington, D.C. 20585, in accordance with the procedures set forth in subpart C of 10 CFR part 1003.

(b) If an applicant does not appeal under paragraph (a) of this section, the determination of the DOE Deciding Official shall become final for DOE and judicially unreviewable.

(c) If an applicant appeals on a timely basis under paragraph (a) of this section, the decision and order of the Office of Hearings and Appeals shall be final for DOE.

(d) If the Office of Hearings and Appeals orders an incentive payment, the DOE Deciding Official shall send a copy of such order to the DOE Finance Office with a request to pay.

PART 452—PRODUCTION INCENTIVES FOR CELLULOSIC BIOFUELS

Sec.

452.1 Purpose and scope.
452.2 Definitions.
452.3 Solicitations.
452.4 Eligibility requirements.
452.5 Bidding procedures.
452.6 Incentive award terms and limitations.

AUTHORITY: 42 U.S.C. 7101 *et seq.;* 42 U.S.C. 16251.

SOURCE: 74 FR 52871, Oct. 15, 2009, unless otherwise noted.

§ 452.1 Purpose and scope.

(a) This part sets forth the standards, policies, and procedures that the Department of Energy uses for receiving, evaluating, and awarding bids in reverse auctions of production incentive payments for cellulosic biofuels under section 942 of the Energy Policy Act of 2005 (42 U.S.C. 16251).

(b) Part 1024 of chapter X of title 10 of the Code of Federal Regulations shall not apply to actions taken under this part.

§ 452.2 Definitions.

As used in this part:

Cellulosic biofuel means any liquid fuel produced from cellulosic feedstocks.

Cellulosic feedstock means any lignocellulosic feedstock as defined by EPAct, section 932(a)(2).

Commercially significant quantity means 10 million gallons or more of cellulosic biofuels produced in one year.

DOE means the U.S. Department of Energy.

Eligible biofuels producer means a business association, including but not limited to a sole proprietorship, partnership, joint venture, corporation, or other business entity that owns and operates, or plans to own and operate, an eligible cellulosic biofuels production facility and that meets all other eligibility requirements that are conditions on the receipt of production incentives under this part.

Eligible cellulosic biofuels production facility means a facility—

(1) Located in the United States (including U.S. territories and possessions);

(2) Which meets all applicable Federal and State permitting requirements;

(3) Employs a demonstrated refining technology; and

(4) Meets any relevant financial criteria established by the Secretary.

EPAct 2005 means the Energy Policy Act of 2005, Public Law 109–58 (August 8, 2005).

Open window means the period during each reverse auction, as specified in an associated solicitation, during which DOE accepts bids for production incentives under this part.

Secretary means the Secretary of Energy.

§ 452.3 Solicitations.

The reverse auction process commences with the issuance of a solicitation by DOE. DOE will publish a solicitation in the FEDERAL REGISTER and shall post the solicitation on its website at *www.eere.energy.gov* no later than 60 days before the bidding in a reverse auction under this part commences. The solicitation shall:

(a) Invite interested persons and businesses to submit pre-qualification statements;

(b) Set forth the terms on which bids will be accepted;

(c) Specify the open window for bidding; and

(d) Specify the date by which successful bidders will be required to file pre-auction eligibility submissions.

§ 452.4 Eligibility requirements.

(a) *Pre-auction eligibility submissions.* (1) Entities that intend to participate in a reverse auction, within the time period stated in the relevant solicitation, must file a pre-auction eligibility submission that provides all information requested in the applicable solicitation to which it is responding, including an implementation plan.

(2) Each pre-auction eligibility submission's implementation plan must, at a minimum:

(i) Demonstrate that the filing party owns and operates or plans to own and operate an eligible cellulosic biofuels production facility;

(ii) Identify the site or proposed site for the filing party's eligible cellulosic biofuels production facility;

(iii) Demonstrate that the cellulosic biofuel to be produced for purposes of receiving an award either currently is suitable for widespread general use as a transportation fuel or will be suitable for such use in a timeframe and in sufficient volumes to significantly contribute to the goal of 1 billion gallons of refined cellulosic biofuel by August 2015.

(iv) Provide audited or *pro forma* financial statements for the latest 12 month period; and

(v) Identify one or more proposed sources of financing for the construction or expansion of the filing party's eligible cellulosic biofuels production facility.

(b) *Notification of pre-auction eligibility status.* DOE shall notify each entity that files a pre-auction eligibility submission of its acceptance or rejection no later than 15 days before the reverse auction for which the submission was made. A DOE decision constitutes final agency action and is conclusive.

(c) *Progress reports.* Within one year after the reverse auction in which a bidder successfully competed, the bidder must submit a progress report that includes all additional information required by the solicitation in which the bidder submitted a successful bid and which demonstrates that the bidder has:

(1) Acquired the site where its proposed eligible cellulosic biofuels production facility is or will be located;

(2) Obtained secure financing commitments for the plant or expansion thereof, as necessary to produce cellulosic biofuels; and

(3) Entered into a written engineering, procurement, and construction (EPC) contract for design and construction of the eligible cellulosic biofuels production facility; such EPC contract must provide for completion of construction of the eligible cellulosic biofuels production facility such that operations at the plant or plant expansion will commence within three years of the reverse auction in which the bidder successfully competed.

(d) *Production agreement.* Within 90 days after submission of its progress report under paragraph (c) of this section, the successful bidder must enter into an agreement with DOE which requires the bidder to begin production of commercially significant quantities of cellulosic biofuels, at the eligible cellulosic biofuels production facility that was the subject of the relevant bid, not later than three years from the date of the acceptance of the successful bid.

(e) *Confirmation of continuing eligibility*. After receiving the progress report described in the paragraph (e) of the section and upon confirmation by DOE that the successful bidder has entered into a production agreement with DOE, as described in paragraph (d) of this section, DOE will confirm to the bidder that it continues to meet the eligibility requirements of this part.

(f) *Contractual condition on eligibility*. (1) As a condition of the receipt of an award under this part, a successful bidder in a reverse auction under this part must demonstrate that it has fulfilled the terms of its production agreement entered into with DOE pursuant to paragraph (d) of this section.

(2) As a condition of continuing to receive production incentive payments under this part, a bidder that has entered into a production agreement with DOE must annually submit to DOE, by a commercially reasonable date specified by DOE, verification of the bidder's production volumes for the prior calendar year. Within 90 days of the submission of such verification, DOE shall notify the successful bidder whether the bidder has fulfilled the terms of the production agreement and shall make payment of any production incentive awards then outstanding for the one year period covered by the verified data submission.

§ 452.5 Bidding procedures.

DOE shall conduct an electronic reverse auction through a limited duration single bid per producer auction process open only to pre-auction eligible cellulosic biofuels producers. The following procedures shall be used:

(a) DOE shall accept only electronic bids received from pre-auction eligible cellulosic biofuels producers during the open window established in the solicitation. The open window shall consist of a single continuous period of at least four hours for each auction.

(b) Bids shall identify an estimated annual production amount from an eligible cellulosic biofuels production facility on a per gallon, site, entity, and year specific basis for a consecutive six year production period. A bid also may be submitted for additional incentives for uncovered production volumes at a site where an award was made in an earlier auction round.

(c) All bids must set forth the methodology used to derive the estimates of annual production volumes covered by the bid and the bid shall be calculated on a gasoline equivalent volumetric basis using the lower heating Btu value of the fuel compared to the lower heating Btu value of gasoline.

(d) All bids will be confidential until 45 days after the close of the window for submission of bids for the reverse auction.

(e) Bid evaluation and incentive awards selection procedures include the following:

(1) After DOE evaluates the bids received during the open window, it shall, within 45 days following the close of the open window for submission of bids for the reverse auction, announce on DOE's website and by direct mail the names of the successful bidders and the terms of their bids.

(2) DOE shall issue awards for the bid production amounts beginning with the bidder that submitted the bid for the lowest level of production incentive on a per gallon basis.

(3) In the event of a tie among the lowest bids, preference will be given to the lowest tied bidder based on DOE's evaluation of the extent to which the tied bids meet the following criteria:

(i) Demonstrates outstanding potential for local and regional economic development;

(ii) Includes agricultural producers or cooperatives of agricultural producers as equity partners in the ventures; and

(iii) Has a strategic agreement in place to fairly reward feedstock suppliers.

(4) In the event more than one lowest tied bid equally meets the standards in paragraph (c)(3) of this section, the award will be distributed equally on a per capita basis among those lowest tied bidders meeting the standards.

§ 452.6 Incentive award terms and limitations.

(a) *Amount of incentive*. Subject to the availability of appropriated funds and the limitations in paragraph (c) of this section, an eligible cellulosic biofuels producer selected to receive an award

shall receive the amount of the production incentive on the per gallon basis requested in the auction solicitation for each gallon produced and sold by the entity during the first six years of operation of its eligible cellulosic biofuels production facility.

(b) *Failure to commence production.* Except in the circumstance of a force majeure event, as solely determined by DOE, failure by an eligible cellulosic biofuels producer that made a successful bid to commence production of cellulosic biofuels, at the eligible cellulosic biofuels production facility that was the subject of the successful bid, by the end of the third year after the close of submission of the open window of bids for the reverse auction in which it submitted a successful bid, shall result in immediate revocation of DOE's award to that producer.

(c) *Failure of the successful bidder to meet annual production obligations.* Except in the circumstance of a force majeure event, as solely determined by DOE, a successful bidder's failure to produce at least 50 percent of the volumes specified in its production agreement by December 31 of any year covered by the bid shall result in immediate revocation of DOE's award; if the successful bidder produces 50 percent or more of the volumes set forth in the production agreement on an annual basis by December 31 of any year covered by the agreement, any production shortfall will be carried forward and added to the successful bidder's production obligations for next year covered by the agreement.

(d) *Shortfalls remaining at the end of the production period.* If, for any reason, by December 31 of the last year of the production agreement, the bidder has failed to produce the total production volumes for all years covered by the agreement, any such remaining shortfall shall be awarded to the bidder with the next lowest bid in the auction round for which the award was made. If, however, the next best bidder is unable to enter into a production agreement with DOE within 30 days after being notified of its award, the shortfall shall be allocated instead to the next reverse auction.

(e) *Incentive award limitations.* The following limits shall apply to awards of cellulosic biofuels production incentives under this part:

(1) During the first four years after the commencement of the program, the incentive shall be limited to $1.00 per gallon. For purposes of this limitation, the program shall be deemed to have commenced on the date that the first solicitation for a reverse auction is issued;

(2) A per gallon cap over the remaining lifetime of the program of $.95 per gallon provided that—

(i) This cap shall be lowered by $.05 each year commencing the first year after annual cellulosic biofuels production in the United States exceeds 1 billion gallons;

(ii) Not more than 25 percent of the funds committed within each reverse auction shall be awarded to any single project;

(iii) Not more than $100 million in production incentives shall be awarded in any one calendar year; and

(iv) Not more than $1 billion in production incentives shall be awarded over the lifetime of the program.

(f) *Participation in subsequent auctions.* A successful bidder in a reverse auction under this part may participate in subsequent reverse auctions if the incentives sought will assist the addition of plant production capacity for the eligible cellulosic biofuels production facility associated with its previously successful bid.

(g) *Transferability of awards.* A production incentive award under this part may be transferred to a successor entity at the same production facility for which the award was made, provided that the successor entity meets all eligibility requirements of this part, including execution of an agreement with DOE to commence production of cellulosic biofuels in commercially significant quantities not later than three years of the date that bidding closes on the reverse auction in which the predecessor entity submitted a successful bid.

PART 455—GRANT PROGRAMS FOR SCHOOLS AND HOSPITALS AND BUILDINGS OWNED BY UNITS OF LOCAL GOVERNMENT AND PUBLIC CARE INSTITUTIONS

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AUTHORITY: 42 U.S.C. 6371 *et seq.*, and 42 U.S.C. 7101 *et seq.*

SOURCE: 58 FR 9438, Feb. 19, 1993, unless otherwise noted.

Subpart A—General Provisions

§ 455.1 Purpose and scope.

(a) This part establishes programs of financial assistance pursuant to Title III of the Energy Policy and Conservation Act, as amended, 42 U.S.C. 6371 *et seq.*

(b) This part authorizes grants to States or to public or non-profit schools and hospitals to assist them in conducting preliminary energy audits and energy audits, in identifying and implementing energy conservation maintenance and operating procedures, and in evaluating, acquiring, and installing energy conservation measures, including renewable resource measures, to reduce the energy use and anticipated energy costs of buildings owned by schools and hospitals.

(c) This part also authorizes grants to States or units of local government and public care institutions to assist them in conducting preliminary energy audits and energy audits, in identifying and implementing energy conservation maintenance and operating procedures, and in evaluating energy conservation measures, including renewable resource measures, to reduce the energy use and anticipated energy costs of buildings owned by units of local government and public care institutions.

§ 455.2 Definitions.

Act, as used in this part, means the Energy Policy and Conservation Act, Public Law 94–163, 89 Stat. 871 (42 U.S.C. 6201, *et seq.*), as amended by title III of the National Energy Conservation Policy Act, Public Law 95–619, 92 Stat. 3238 (42 U.S.C. 6371), and the State Energy Efficiency Programs Improvement Act of 1990, Public Law 101–440, 104 Stat. 1011.

Assistant Secretary means the Assistant Secretary for Conservation and Renewable Energy or any official to whom the Assistant Secretary's functions may be redelegated by the Secretary.

Auditor means any person who is qualified in accordance with 10 CFR 450.44 and with State requirements pursuant to §455.20(k), to conduct an energy audit.

Building means any structure, including a group of closely situated structural units that are centrally metered or served by a central utility plant, or an eligible portion thereof, the construction of which was completed on or before May 1, 1989, which includes a heating or cooling system, or both.

Civil rights requirements means civil rights responsibilities of applicants and grantees pursuant to the Nondiscrimination in Federally Assisted Programs regulation of the Department of Energy (10 CFR part 1040).

Complex means a closely situated group of buildings on a contiguous site such as a school or college campus or multibuilding hospital.

Construction completion means the date of issuance of an occupancy permit for a building or the date the building is ready for occupancy as determined by DOE.

Cooling degree days means the annual sum of the number of Fahrenheit degrees of each day's mean temperature above 65° for a given locality.

Coordinating agency means a State or any public or nonprofit organization legally constituted within a State which provides either administrative control or services for a group of institutions within a State and which acts on behalf of such institutions with respect to their participation in the program.

Deputy Assistant Secretary means the Deputy Assistant Secretary for Technical and Financial Assistance or any official to whom the Deputy Assistant Secretary's functions may be redelegated by the Assistant Secretary.

DOE means the Department of Energy.

Energy audit means a determination of the energy consumption characteristics of a building which:

(1) Identifies the type, size, and rate of energy consumption of such building and the major energy-using systems of such building;

(2) Determines appropriate energy conservation maintenance and operating procedures;

(3) Indicates the need, if any, for the acquisition and installation of energy conservation measures; and

(4) If paid for with financial assistance under this part, complies with 10 CFR 450.43.

Energy conservation maintenance and operating procedures means modifications in the maintenance and operations of a building and any installation therein which are designed to reduce the energy consumption in such building and which require no significant expenditure of funds, including, but not limited to:

(1) Effective operation and maintenance of ventilation systems and control of infiltration conditions, including:

(i) Repair of caulking or weatherstripping around windows and doors;

(ii) Reduction of outside air intake, shutting down ventilation systems in unoccupied areas, and shutting down ventilation systems when the building is not occupied; and

(iii) Assuring central or unitary ventilation controls, or both, are operating properly;

(2) Changes in the operation and maintenance of heating or cooling systems through:

(i) Lowering or raising indoor temperatures;

(ii) Locking thermostats;

(iii) Adjusting supply or heat transfer medium temperatures; and

(iv) Reducing or eliminating heating or cooling at night or at times when a building or complex is unoccupied;

(3) Changes in the operation and maintenance of lighting systems through:

(i) Reducing illumination levels;

(ii) Maximizing use of daylight;

(iii) Using higher efficiency lamps; and

(iv) Reducing or eliminating evening cleaning of buildings;

(4) Changes in the operation and maintenance of water systems through:

(i) Repairing leaks;

(ii) Reducing the quantity of water used, e.g., using flow restrictors;

(iii) Lowering settings for hot water temperatures; and

(iv) Raising settings for chilled water temperatures;

(5) Changes in the maintenance and operating procedures of the building's mechanical systems through:

(i) Cleaning equipment;

(ii) Adjusting air/fuel ratio;

(iii) Monitoring combustion;

(iv) Adjusting fan, motor, or belt drive systems;

(v) Maintaining steam traps; and

(vi) Repairing distribution pipe insulation; and

(6) Such other actions relating to operations and maintenance procedures as the State may determine useful or necessary. In general, energy conservation maintenance and operating procedures involve cleaning, repairing or adjusting existing equipment rather than acquiring new equipment.

Energy conservation measure means an installation or modification of an installation in a building which is primarily intended to maintain (in the case of load management systems) or reduce energy consumption and reduce energy costs, or allow the use of an alternative energy source, including, but not limited to:

(1) Insulation of the building structure and systems within the building;

(2) Storm windows and doors, multiglazed windows and doors, heat-absorbing or heat-reflective glazed and coated windows and door systems, additional glazing, reductions in glass area, and other window and door systems modifications;

(3) Automatic energy control systems which would reduce energy consumption;

(4) Load management systems which would shift demand for energy from peak hours to hours of low demand and lower cost;

(5) Equipment required to operate variable steam, hydraulic, and ventilating systems adjusted by automatic energy control systems;

(6) Active or passive solar space heating or cooling systems, solar electric generating systems, or any combination thereof;

(7) Active or passive solar water heating systems;

(8) Furnace or utility plant and distribution system modifications including:

(i) Replacement burners, furnaces, boilers, or any combination thereof which substantially increase the energy efficiency of the heating system;

(ii) Devices for modifying flue openings which will increase the energy efficiency of the heating system;

(iii) Electrical or mechanical furnace ignition systems which replace standing gas pilot lights; and

(iv) Utility plant system conversion measures including conversion of existing oil- and gas-fired boiler installations to alternative energy sources;

(9) Addition of caulking and weatherstripping;

(10) Replacement or modification of lighting fixtures (including exterior light fixtures which are physically attached to, or connected to, the building) to increase the energy efficiency of the lighting system without increasing the overall illumination of a facility, unless such increase in illumination is necessary to conform to any applicable State or local building code or, if no such code applies, the increase is considered appropriate by DOE;

(11) Energy recovery systems;

(12) Cogeneration systems which produce steam or forms of energy such as heat as well as electricity for use primarily within a building or a complex of buildings owned by an eligible institution and which meet such fuel efficiency requirements as DOE may by rule prescribe;

(13) Such other measures as DOE identifies by rule for purposes of this part as set forth in subpart D of 10 CFR part 450; and

(14) Such other measures as a grant applicant shows will save a substantial amount of energy and as are identified in an energy audit or energy use evaluation in accordance with § 455.20(k) or a technical assistance report in accordance with § 455.62.

Energy use evaluation means a determination of:

(1) Whether the building is a school facility, hospital facility, or a building owned and primarily occupied and used throughout the year by a unit of local government or by a public care institution.

(2) The name and address of the owner of record, indicating whether owned by a public institution, private nonprofit institution, or an Indian tribe;

(3) The building's potential suitability for renewable resource applications;

(4) Major changes in functional use or mode of operation planned in the next 15 years, such as demolition, disposal, rehabilitation, or conversion from office to warehouse;

(5) Appropriate energy conservation maintenance and operating procedures which have been implemented for the building;

(6) The need, if any, for the acquisition and installation of energy conservation measures including an assessment of the estimated costs and energy and cost savings likely to result from the purchase and installation of one or more energy conservation measures and an evaluation of the need and potential for retrofit based on consideration of one or more of the following:

(i) An energy use index or indices, for example, Btu's per gross square foot per year;

(ii) An energy cost index or indices, for example, annual energy costs per gross square foot; or

(iii) The physical characteristics of the building envelope and major energy-using systems; and

(7) Such other information as the State has determined useful or necessary, in accordance with § 455.20(k).

Fuel means any commercial source of energy used within the building or complex being surveyed such as natural gas, fuel oil, electricity, or coal.

Governor means the chief executive officer of a State including the Mayor of the District of Columbia or a person duly designated in writing by the Governor to act on her or his behalf.

Grant program cycle means the period of time specified by DOE which relates to the fiscal year or years for which monies are appropriated for grants under this part, during which one complete cycle of DOE grant activity occurs including fund allocations to the States; applications receipt, review, approval, or disapproval; and award of grants by DOE but which does not include the grantee's performance period.

Grantee means the entity or organization named in the Notice of Financial Assistance Award as the recipient of the grant.

Gross square feet means the sum of all heated or cooled floor areas enclosed in a building, calculated from the outside dimensions or from the centerline of common walls.

Heating or cooling system means any mechanical system for heating, cooling, or ventilating areas of a building including a system of through-the-wall air conditioning units.

Heating degree days means the annual sum of the number of Fahrenheit degrees for each day's mean temperature below 65° for a given locality.

Hospital means a public or nonprofit institution which is a general hospital, tuberculosis hospital, or any other type of hospital other than a hospital furnishing primarily domiciliary care and which is duly authorized to provide hospital services under the laws of the State in which it is situated.

Hospital facilities means buildings housing a hospital and related facilities including laboratories, laundries, outpatient departments, nurses' residence and training facilities, and central service facilities operated in connection with a hospital; it also includes buildings containing education or training facilities for health profession personnel operated as an integral part of a hospital.

Indian tribe means any tribe, band, nation, or other organized group or community of Indians including any Alaska native village or regional or village corporation, as defined in or established pursuant to, the Alaska Native Claims Settlement Act, Public Law 92–203; 85 Stat. 688, which (a) is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians; or (b) is located on, or in proximity to, a Federal or State reservation or rancheria.

Load management system means a device or devices which are designed to shift energy use to hours of low demand in order to reduce energy costs and which do not cause more energy to be used than was used before their installation.

Local educational agency means a public board of education or other public authority or a nonprofit institution legally constituted within, or otherwise recognized by, a State either for administrative control or direction of, or to perform administrative services for, a group of schools within a State.

Maintenance means activities undertaken in a building to assure that equipment and energy-using systems operate effectively and efficiently.

Marketing means a program or activity managed or performed by the State including but not limited to:

(1) Obtaining non-Federal funds to finance energy conservation measures consistent with this part;

(2) Making site visits to school and hospital officials to review program opportunities;

(3) Giving presentations to groups such as school or hospital board officials and personnel; and

(4) Preparing and disseminating articles in publications directed to school and hospital personnel.

Native American means a person who is a member of an Indian tribe.

Non-Federal funds means financing sources obtained or arranged for by a State as a result of the State program(s) pursuant to § 455.20(j), to be used to pay for energy conservation measures for institutions eligible under this part, and includes petroleum violation escrow funds except for those funds required to be treated as if they were Federal funds by statute, court order, or settlement agreement.

Operating means the operation of equipment and energy-using systems in

a building to achieve or maintain specified levels of environmental conditions of service.

Owned or *owns* means property interest including without limitation a leasehold interest which is or shall become a fee simple title in a building or complex.

Preliminary energy audit means a determination of the energy consumption characteristics of a building including the size, type, rate of energy consumption, and major energy-using systems of such building which if paid for with financial assistance under this part, complies with 10 CFR 450.42.

Primarily occupied means that in excess of 50 percent of a building's square footage or time of occupancy is occupied by a public care institution or an office or agency of a unit of local government.

Program assistance means a program or activity managed or performed by the State and designed to provide support to eligible institutions to help ensure the effectiveness of energy conservation programs carried out consistent with this part including such relevant activities as:

(1) Evaluating the services and reports of consulting engineers;

(2) Training school or hospital personnel to perform energy accounting and to identify and implement energy conservation maintenance and operating procedures;

(3) Monitoring the implementation and operation of energy conservation measures; and

(4) Aiding in the procurement of energy-efficient equipment.

Public care institution means a public or nonprofit institution which owns:

(1) A facility for long-term care, rehabilitation facility, or public health center, as described in section 1624 of the Public Health Service Act (42 U.S.C. 300s–3; 88 Stat. 2270); or

(2) A residential child care center which is an institution, other than a foster home, operated by a public or nonprofit institution. It is primarily intended to provide full-time residential care, with an average length of stay of at least 30 days, for at least 10 minor persons who are in the care of such institution as a result of a finding of abandonment or neglect or of being persons in need of treatment or supervision.

Public or nonprofit institution means an institution owned and operated by:

(1) A State, a political subdivision of a State, or an agency or instrumentality of either; or

(2) A school or hospital which is, or would be in the case of such entities situated in American Samoa, Guam, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and the U.S. Virgin Islands, exempt from income tax under section 501(c)(3) of the Internal Revenue Code of 1954; or

(3) A unit of local government or public care institution which is, or would be in the case of such entities situated in American Samoa, Guam, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and the U.S. Virgin Islands, exempt from income tax under section 501(c)(3) or 501(c)(4) of the Internal Revenue Code of 1954.

Renewable resource energy conservation measure means an energy conservation measure which produces at least 50 percent of its Btu's from a non-depletable energy source.

School means a public or nonprofit institution which:

(1) Provides, and is legally authorized to provide, elementary education or secondary education, or both, on a day or residential basis;

(2) Provides, and is legally authorized to provide, a program of education beyond secondary education, on a day or residential basis and:

(i) Admits as students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such certificate;

(ii) Is accredited by a nationally recognized accrediting agency or association; and

(iii) Provides an educational program for which it awards a bachelor's degree or higher degree or provides not less than a 2-year program which is acceptable for full credit toward such a degree at any institution which meets the preceding requirements and which provides such a program;

(3) Provides not less than a 1-year program of training to prepare students for gainful employment in a recognized occupation and which meets the provisions cited in paragraph (2), and subparagraphs (2)(i), and (2)(ii) of this definition; or

(4) Is a local educational agency.

School facilities means buildings housing classrooms, laboratories, dormitories, administrative facilities, athletic facilities, or related facilities operated in connection with a school.

Secretary means the Secretary of the Department of Energy or his/her designee.

State means, in addition to the several States of the Union, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and the U.S. Virgin Islands.

State energy agency means the State agency responsible for developing State energy conservation plans pursuant to section 362 of the Energy Policy and Conservation Act (42 U.S.C. 6322) or, if no such agency exists, a State agency designated by the Governor of such State to prepare and submit the State Plan required under section 394 of the Energy Policy and Conservation Act.

State hospital facilities agency means an existing agency which is broadly representative of the public hospitals and the nonprofit hospitals or, if no such agency exists, an agency designated by the Governor of such State which conforms to the requirements of this definition.

State school facilities agency means an existing agency which is broadly representative of public institutions of higher education, nonprofit institutions of higher education, public elementary and secondary schools, nonprofit elementary and secondary schools, public vocational education institutions, nonprofit vocational education institutions, and the interests of handicapped persons in a State or, if no such agency exists, an agency which is designated by the Governor of such State which conforms to the requirements of this definition.

Support office director means the Director of the DOE field support office with the responsibility for grant administration or any official to whom that function may be redelegated.

Technical assistance means: (1) The conduct of specialized studies to identify and specify energy savings or energy cost savings that are likely to be realized as a result of the modification of maintenance and operating procedures in a building, the acquisition and installation of one or more specified energy conservation measures in a building, or both; and

(2) The planning or administration of such specialized studies. For schools and hospitals which are eligible to receive grants to carry out energy conservation measures, the term also means the planning or administration of specific remodeling, renovation, repair, replacement, or insulation projects related to the installation of energy conservation or renewable resource measures in a building.

Technical assistance program update means a brief revision to an existing technical assistance program report designed to provide current information such as that relating to energy use, equipment costs, and other data needed to substantiate an application for an energy conservation measure grant. Such an update shall be limited to the particular measures included in the related grant application together with any relevant data regarding interactions or relationships to previously installed energy conservation measures.

Unit of local government means the government of a county, municipality, parish, borough, or township which is a unit of general purpose government below the State (determined on the basis of the same principles as are used by the Bureau of the Census for general statistical purposes) and the District of Columbia. Such term also means the recognized governing body of an Indian tribe which governing body performs substantial governmental functions and includes libraries which serve all residents of a political subdivision below the State level (such as a community, district, or region) free of charge and which derive at least 40 percent of their operating funds from tax revenues of a taxing authority below the State level.

§ 455.3 Administration of grants.

Grants provided under this part shall comply with applicable law, regulation, or procedure including, without limitation, the requirements of:

(a) The DOE Financial Assistance Rules (10 CFR part 600 as amended) except as otherwise provided in this rule;

(b) Executive Order 12372 entitled ''Intergovernmental Review of Federal Programs'' (48 FR 3130, January 24, 1983; 3 CFR, 1982 Comp., p. 197) and the DOE regulation implementing this Executive Order entitled ''Intergovernmental Review of Department of Energy Programs and Activities'' (10 CFR part 1005);

(c) Office of Management and Budget Circular A–97 entitled ''Rules and Regulations Permitting Federal Agencies to Provide Specified or Technical Services to State and Local Units of Government under title III of the Inter-Governmental Coordination Act of 1968'' available from the Office of Management and Budget, Office of Publication Services, 725 17th Street, NW., Washington, DC 20503;

(d) DOE regulation entitled ''Nondiscrimination in Federally Assisted Programs'' (10 CFR part 1040) which implements the following public laws: Title VI of the Civil Rights Act of 1964; section 16 of the Federal Energy Administration Act of 1974; section 401 of the Energy Reorganization Act of 1974; title IX of the Education Amendments of 1972; The Age Discrimination Act of 1975; and section 504 of the Rehabilitation Act of 1973; and

(e) Such other procedures applicable to this part as DOE may from time to time prescribe for the administration of financial assistance.

§ 455.4 Recordkeeping.

Each State or other entity within a State receiving financial assistance under this part shall make and retain records required and specified by the DOE Financial Assistance Rules, 10 CFR part 600, and this part.

§ 455.5 Suspension and termination of grants.

Suspension and termination procedures shall be as set forth in the DOE Financial Assistance Rules, 10 CFR part 600.

Subpart B—State Plan Development and Approval

§ 455.20 Contents of State Plan.

Each State shall develop and submit to DOE a State Plan for technical assistance programs and energy conservation measures, including renewable resource measures and, to the extent appropriate, program assistance, and/or marketing. The State Plan shall include:

(a) A statement setting forth the procedures by which the views of eligible institutions or coordinating agencies representing such institutions, or both, were solicited and considered during development of the State Plan and any amendment to a State Plan;

(b) The procedures the State will follow to notify eligible institutions and coordinating agencies of the content of the approved State Plan or any approved amendment to a State Plan;

(c) The procedures the State will follow to notify eligible institutions and coordinating agencies of the availability (each funding cycle) of funding under this program and related funding available from non-Federal sources to fund technical assistance programs and energy conservation measures consistent with this part;

(d) The procedures for submittal of grant applications to the State;

(e) The procedures to be used by the State for evaluating and ranking technical assistance and energy conservation measure grant applications pursuant to § 455.130 and § 455.131, including the weights assigned to each criterion set forth in §§ 455.131 (c)(1), (c)(2), (c)(3), (c)(4) and (c)(5). In addition, the State shall determine the order of priority given to fuel types that include oil, natural gas, and electricity, under § 455.131(c)(2);

(f) The procedures that the State will follow to insure that funds will be allocated equitably among eligible applicants within the State including procedures to insure that funds will not be allocated on the basis of size or type of institution, but rather on the basis of relative need, taking into account such factors as cost, energy consumption, and energy savings, in accordance with § 455.131;

(g) The procedures that the States will follow for identifying schools and hospitals experiencing severe hardship and for apportioning the funds that are available for schools and hospitals in a case of severe hardship. Such policies and procedures shall be in accordance with § 455.132;

(h) A statement setting forth the extent to which, and by which methods, the State will encourage utilization of solar space heating, cooling and electric systems, and solar water heating systems;

(i) The procedures to assure that all financial assistance under this part will be expended in compliance with the requirements of the State Plan, in compliance with the requirements of this part, and in coordination with other State and Federal energy conservation programs;

(j) If a State is eligible and elects to use up to 100 percent of the funds provided by DOE under this part for any fiscal year for program and technical assistance and/or up to 50 percent of such funds for marketing:

(1) A description of each activity the State proposes, including the procedures for program operation, monitoring, and evaluation;

(2) The level of funding to be used for each program and the source of those funds;

(3) The amount of the State's allocated funds that the State proposes to use for each;

(4) A description of the non-Federal financing mechanisms to be used to fund energy conservation measures in the State during the fiscal year;

(5) A description of the evaluation/selection criteria to be used by the State in determining which institutions receive funding for energy conservation measures;

(6) The procedures for assuring that all segments of the State's eligible institutions, including religiously affiliated institutions receive an equitable share of the assistance provided both for program and technical assistance, marketing, and energy conservation measures;

(7) A description of how the State will track: the amount of total available funds by source; the amount of funds obligated against those funds; and any limits on types of institutions eligible for particular funding sources; and

(8) The procedures for assisting institutions which initially receive program, technical, or marketing assistance (as part of the State's special program(s)) in later participating in the State's program(s) to provide energy conservation measure funding;

(k) The requirements for an energy audit or an energy use evaluation, and the requirements for qualifications for auditors or persons who will conduct energy use evaluations in the State;

(l) With regard to energy conservation maintenance and operating procedures:

(1) The procedures to insure implementation of energy conservation maintenance and operating procedures in those buildings for which financial assistance is requested under this part;

(2) A provision that all maintenance and operating procedure changes recommended in an energy audit pursuant to § 455.20(k), or in a technical assistance report under § 455.62, or a combination of these are implemented as provided under this part; or

(3) An assurance that the maintenance and operating procedures will be implemented in the future, or a reasonable justification for not implementing such procedures, as appropriate;

(m) The procedures to assure that financial assistance under this part will be used to supplement, and not to supplant, State, local or other funds, including at least:

(1) The screening of applicants for eligibility for available State funds;

(2) The identification of applicants which are seeking or have obtained private sector funds; and,

(3) Limiting or excluding (at the option of the State) the availability of financial assistance under this part for funding particular measures for which funding is being provided by other sources in the State (such as utility rebates) together with any requirements for potential applicants to first seek other sources of funding and document the results of that attempt before seeking financial assistance under this part and a description of the State's plan to

assist potential applicants in identifying and obtaining other sources of funding;

(n) The procedures for determining that technical assistance programs performed without the use of Federal funds and used as the basis for energy conservation measure grant applications have been performed in compliance with the requirements of § 455.62, for the purposes of satisfying the eligibility requirements contained in § 455.71(a)(3);

(o) The State's policy regarding reasonable selection of energy conservation measures for study in a technical assistance program including any restrictions based on category of building or on groups of structures where measures may, or may not, be appropriate for all the structures and any additional State requirements for the conduct of such a program;

(p) The procedures for State management, monitoring, and evaluation of technical assistance programs and energy conservation measures receiving financial assistance under this part. This includes any State requirements for hospital certifications from a State agency with descriptions of the review procedures and coordination process applicable in such cases. If there is no school facilities agency in the State, or if the existing agency does not certify all types of schools, it also includes any State requirements for an alternative review and certification process for schools;

(q) The circumstances under which the State requires an updated technical assistance program report to accompany an application for an energy conservation measure grant and the scope and contents of such an update;

(r) A description of the State's policies for establishing and insuring compliance with qualifications for technical assistance analysts. Such policies shall require that technical assistance analysts be free from financial interests which may conflict with the proper performance of their duties and have experience in energy conservation and:

(1) Be a registered professional engineer licensed under the regulatory authority of the State;

(2) Be an architect-engineer team, the principal members of which are licensed under the regulatory authority of the State; or

(3) Be otherwise qualified in accordance with such criteria as the State may prescribe in its State Plan to insure that individuals conducting technical assistance programs possess the appropriate training and experience in building energy systems;

(s) The circumstances under which the State will or will not consider accepting applications for technical assistance programs or energy conservation measures which were included in earlier approved grant awards but which were not implemented and for which no funds were expended after the original grant award;

(t) A statement setting forth:

(1) An estimate of energy savings which may result from the modification of maintenance and operating procedures and installation of energy conservation measures;

(2) A recommendation as to the types of energy conservation measures considered appropriate within the State; and

(3) An estimate of the costs of carrying out technical assistance and energy conservation measure programs;

(u) For purposes of the technical assistance program pursuant to § 455.62:

(1) A statement setting forth uniform conversion factors to be used by all grant applicants in the technical assistance analysis for conversion of fuels to Btu equivalents. For the conversion of kilowatt hours to Btus, the State may use 3,413, representing consumption at the consumer's end, or 11,600, representing consumption at the producer's end, or may assign 3,413 to some types of energy conservation measures and 11,600 to other types of measures in which case the State shall specify the conversion factor to be used for each type of measure, providing a rationale and citing the sources used in making this decision, and the State shall always apply the specified factor consistently to all ECMs of a particular type;

(2) A statement setting forth the cost-effectiveness testing approach to be used to evaluate energy conservation measures pursuant to § 455.63. States may select either the simple payback approach or the life-cycle

costing approach. Only one approach may be used for all technical assistance programs in the State. If the State elects to use the life-cycle costing approach, it must specify, consistent with § 455.64(g), whether it will use DOE-provided or its own energy cost escalation rate or annual discount rate, together with any other procedures required to be used (in addition to those specified in § 455.64); and

(3) A statement setting forth that 50 percent (or a higher percent) of total cost savings (used in calculating cost effectiveness pursuant to § 455.63(a)(1) for simple payback, or § 455.64(c) for life-cycle costing) must be from the cost of the energy to be saved.

(v) For any coordinating agency, a description of how it will operate including but not limited to:

(1) Name and address;

(2) Type of institutions covered;

(3) Application processing procedures;

(4) Whether TA applications, ECM applications, or both are covered;

(5) Intended schedule for soliciting and processing applications;

(6) Any special provisions for religiously affiliated institutions;

(7) Nature of subagreement to be used with institutions;

(8) Whether TA or ECM contractors selected by the coordinating agency will be offered incident to, or as a condition in, subagreements; and

(9) Other significant policies and procedures;

(w) If a State elects to allow credit toward the cost share for an energy conservation measure for the costs of technical assistance programs, technical assistance program updates, or energy conservation measures previously incurred and wholly paid for with non-Federal funds, the policies regarding such credit, including any time limits for the age of the earlier-funded work being proposed for credit; and

(x) The limit to the Federal share to be provided to applicants in the State if a State elects to provide less than a 50 percent Federal share to its applicants that do not qualify for severe hardship.

§ 455.21 Submission and approval of State Plans and State Plan amendments.

(a) Proposed State Plans or Plan amendments necessitated by a change in regulations shall be submitted to DOE within 90 days of the effective date of this subpart or any amended regulations. Upon request by a State, and for good cause shown, DOE may grant an extension of time.

(b) The Support Office Director shall, within 60 days of receipt of a proposed State Plan, review each plan and, if it is reasonable and found to conform to the requirements of this part, approve the State Plan. If the Support Office Director does not disapprove a State Plan within the 60-day period, the State Plan will be deemed to have been approved.

(c) If the Support Office Director determines that a proposed State Plan fails to comply with the requirements of this part or is not reasonable, DOE shall return the plan to the State with a statement setting forth the reasons for disapproval.

(d) Except for State Plan amendments covered by paragraph (a) of this section, if a State wishes to deviate from its approved State Plan, the State must submit and obtain DOE approval of the State Plan amendment.

(e) The Support Office Director shall, within 60 days or less of receipt of a proposed State Plan amendment review each amendment and, if it is found to conform to the requirements of this part, approve the amendment. If the Support Office Director determines that a proposed State Plan amendment fails to comply with the requirements of this part, or is not reasonable, DOE shall return the amendment to the State with a statement setting forth the reasons for disapproval.

Subpart C—Allocation of Appropriations Among the States

§ 455.30 Allocation of funds.

(a) DOE will allocate available funds among the States for two purposes: to award grants to schools, hospitals, units of local government, and public care institutions and coordinating agencies representing them to implement technical assistance and energy

conservation measures grant programs and to award grants to eligible States for administrative expenses, technical assistance programs, program assistance, and marketing expenses in accordance with this part.

(b) DOE shall notify each Governor of the total amount allocated for grants within the State for any grant program cycle:

(1) For schools and hospitals, the allocation amount shall be for technical assistance programs, subject to any limitation placed on technical assistance, and energy conservation measures;

(2) For States that are eligible pursuant to § 455.91, up to 100 percent of the funds allocated to the State by DOE may be used for technical assistance programs and/or for program assistance and up to 50 percent of the funds allocated to the State by DOE may be used for marketing as defined in § 455.2;

(3) For States eligible under § 455.81, a portion of the allocation may be used for a grant to the State for administrative expenses as described in § 455.120;

(4) For unit of local government and public care institutions, the allocation amount shall be solely for technical assistance programs; and

(5) For coordinating agencies, the allocation amount shall be for either technical assistance programs subject to any limitation placed on technical assistance, or energy conservation measures, or both depending on how the coordinating agency elects to operate.

(c) DOE shall notify each Governor of the period for which funds allocated for a grant program cycle will be made available for grants within the State.

(d) Each State shall make available up to 10 percent of its allocation for schools and hospitals in each grant program cycle to provide financial assistance, not to exceed a 90 percent Federal share, for technical assistance programs and energy conservation measures for schools and hospitals determined to be in a class of severe hardship. Such determinations shall be made in accordance with § 455.132.

§ 455.31 Allocation formulas.

(a) Financial assistance for conducting technical assistance programs for units of local government and public care institutions shall be allocated among the States by multiplying the sum available by the allocation factor set forth in paragraph (c) of this section.

(b) Financial assistance for conducting technical assistance programs and acquiring and installing energy conservation measures, including renewable resource measures, for schools and hospitals, shall be allocated among the States by multiplying the sum available by the allocation factor set forth in paragraph (c) of this section.

(c) The allocation factor (K) shall be determined by the formula:

$$K = \frac{0.07}{N} + 0.1\frac{(Sfc)}{(Nfc)} + 0.83\frac{(SP)(SC)}{(NPC)}$$

where, as determined by DOE:

(1) Sfc is the projected average retail cost per million Btu's of energy consumed within the region in which the State is located as contained in current regional energy cost projections obtained from DOE.

(2) Nfc is the summation of the Sfc numerators for all States;

(3) N is the total number of eligible States;

(4) SP is the population of the State;

(5) SC is the sum of the State's heating and cooling degree days; and

(6) NPC is the summation of the (SP)(SC) numerators for all States.

(d) Except for the District of Columbia, Puerto Rico, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and the U.S. Virgin Islands, no allocation available to any State may be less than 0.5 percent of all amounts allocated in any grant program cycle. No State will be allocated more than 10 percent of the funds allocated in any grant program cycle.

§ 455.32 Reallocation of funds.

(a) If a State Plan has not been approved and implemented by a State by the close of the period for which allocated funds are available as set forth in the notice issued by DOE pursuant to § 455.30(c), funds allocated to that State for technical assistance and energy

conservation measures will be reallocated among all States for the next grant program cycle, if available.

(b) Funds which have been allocated to States in a grant program cycle but which have not been obligated to eligible State, school, or hospital grant applicants by the end of that cycle shall be reallocated by DOE among all States in the next grant program cycle.

(c) Funds which become available due to deobligations resulting from funds returned by grantees due to cost underruns or scope-of-work reductions on completed projects shall be reallocated by DOE among all States in the next grant program cycle.

(d) Funds which become available because of declined grants to schools and hospitals within a State may be reobligated to other eligible applicants in the State until the December 31 following the close of the cycle for which the funds were allocated to the State. Such funds which have not been reobligated by that deadline shall be reallocated by DOE among all States in the next grant program cycle.

(e) Funds which become available because of declined or deobligated financial assistance provided through coordinating agencies to schools and hospitals within a State may be reobligated to other eligible applicants in the State until the December 31 following the close of the cycle for which the funds were allocated to the coordinating agency. Such funds which have not been reobligated by that deadline shall be reallocated by DOE among all States in the next grant program cycle.

(f) Funds granted to States for technical assistance, program assistance, and marketing pursuant to § 455.144 are subject to reallocation by DOE among all the States in the next program cycle if such funds are not committed by the State to their intended purposes by means of grants, contracts, or other legally binding obligations, or redirected to schools and hospitals grant applications pursuant to § 455.144(d), by the December 31 following the close of the cycle for which the funds were allocated to the State.

Subpart D—Preliminary Energy Audit and Energy Audit Grants [Reserved]

Subpart E—Technical Assistance Programs for Schools, Hospitals, Units of Local Government, and Public Care Institutions

§ 455.60 Purpose.

This subpart specifies what constitutes a technical assistance program eligible for financial assistance under this part and sets forth the eligibility criteria for schools, hospitals, units of local government, and public care institutions to receive grants for technical assistance to be performed in buildings owned by such institutions.

§ 455.61 Eligibility.

To be eligible to receive financial assistance for a technical assistance program, an applicant must:

(a) Be a school, hospital, unit of local government, public care institution, or coordinating agency representing them except that financial assistance for units of local government and public care institutions will be provided only for buildings which are owned and primarily occupied by offices or agencies of a unit of local government or public care institution and which are not intended for seasonal use and not utilized primarily as a school or hospital eligible for assistance under this program;

(b) Be located in a State which has an approved State Plan as described in subpart B of this part;

(c) Have conducted an energy audit or an energy use evaluation required pursuant to § 455.20(k) and adequate to estimate energy conservation potential for the building for which financial assistance is to be requested, subsequent to the most recent construction, reconfiguration, or utilization change which significantly modified energy use within the building;

(d) If an energy audit has been performed, give assurance that it has implemented all energy conservation maintenance and operating procedures required pursuant to § 455.20(k) or provide a written justification for not implementing them pursuant to § 455.20(l)(3); and

(e) Submit an application in accordance with the provisions of this part and the approved State Plan.

§ 455.62 Contents of a technical assistance program.

(a) The purpose of a technical assistance program is to provide a report based on an on-site analysis of the building which meets the requirements of this section and the State's procedures for implementing this section.

(b) A technical assistance program shall be designed to identify and document energy conservation maintenance and operating procedure changes and energy conservation measures in sufficient detail to support possible application for an energy conservation measure grant and to provide reviewers and decision makers handling such applications sufficient information upon which to base a judgment as to their reasonableness and a decision whether to pursue any or all of the recommended improvements.

(c) A technical assistance program shall be conducted by a technical assistance analyst who has the qualifications established in the State Plan in accordance with § 455.20(r).

(d) At the conclusion of a technical assistance program, the technical assistance analyst shall prepare a report which shall include:

(1) A description of building characteristics and energy data including:

(i) The results of the energy audit or energy use evaluation of the building together with a statement as to the accuracy and completeness of the energy audit or energy use evaluation data and recommendations;

(ii) The operation characteristics of energy-using systems; and

(iii) The estimated remaining useful life of the building;

(2) An analysis of the estimated energy consumption of the building, by fuel type in total Btus and Btu/sq.ft./yr., using conversion factors prescribed by the State in the State Plan, at optimum efficiency (assuming implementation of all energy conservation maintenance and operating procedures);

(3) A description and analysis of all identified energy conservation maintenance and operating procedure changes, if any, and energy conservation measures selected in accordance with the State Plan, including renewable resource measures, setting forth:

(i) A description of each energy conservation maintenance and operating procedure change and an estimate of the costs of adopting such energy conservation maintenance and operating procedure changes;

(ii) An estimate of the cost of design, acquisition and installation of each energy conservation measure, discussing pertinent assumptions as necessary;

(iii) Estimated useful life of each energy conservation measure;

(iv) An estimate of any increases or decreases in maintenance and operating costs that would result from each conservation measure, if relevant to the cost effectiveness test applicable under this part;

(v) An estimate of any significant salvage value or disposal cost of each energy conservation measure at the end of its useful life if relevant to the cost effectiveness test applicable under this part;

(vi) An estimate, supported by all data and assumptions used in arriving at the estimate, of the annual energy savings, the annual cost of energy to be saved, and total annual cost savings using current energy prices including demand charges expected from each energy conservation maintenance and operating procedure change and the acquisition and installation of each energy conservation measure. In calculating the potential annual energy savings, annual cost of energy to be saved, or total annual cost savings of each energy conservation measure, including renewable resource measures, the technical assistance analyst shall:

(A) Assume that all energy savings obtained from energy conservation maintenance and operating procedures have been realized;

(B) Calculate the total annual energy savings, annual cost of energy to be saved, and total annual cost savings, by fuel type, expected to result from the acquisition and installation of the energy conservation measures, taking into account the interaction among the various measures;

(C) Calculate that portion of the total annual energy savings, annual cost of energy to be saved, and total annual cost savings, as determined in paragraph (d)(3)(vi)(B) of this section,

attributable to each individual energy conservation measure; and

(D) Consider climate and other variables;

(vii) An analysis of the cost effectiveness of each energy conservation measure consistent with § 455.63 and, if applicable, § 455.64 of this part;

(viii) The estimated cost of the measure, which shall be the total cost for design and other professional service (excluding the cost of a technical assistance program), if any, and acquisition and installation costs. If required by the State in its State Plan, or if requested by the applicant, the technical assistance report shall provide a life-cycle cost analysis which is consistent with § 455.64 and states the discount and energy cost escalation rates that were used;

(ix) The simple payback period of each energy conservation measure, calculated pursuant to § 455.63(a);

(4) Energy use and cost data, actual or estimated, for each fuel type used for the prior 12-month period, by month, if possible;

(5) Documentation of demand charges paid by the institution for the prior 12-month period, by month if possible, when demand charges are included in current energy prices or when the technical assistance report recommends an energy conservation measure that shifts energy usage to periods of lower demand and cost; and

(6) A signed and dated certification that the technical assistance program has been conducted in accordance with the requirements of this section and that the data presented is accurate to the best of the technical assistance analyst's knowledge.

§ 455.63 Cost-effectiveness testing.

(a) This paragraph applies to calculation of the simple payback period of energy conservation measures.

(1) The simple payback period of each energy conservation measure (except measures to shift demand, or renewable resource measures) shall be calculated, taking into account the interactions among the various measures, by dividing the estimated total cost of the measure, as determined pursuant to § 455.62(d)(3)(ii), by the estimated annual cost savings accruing from the measure (adjusted for demand charges), as determined pursuant to § 455.62(d)(3)(vi), provided that:

(i) At least 50 percent of the annual cost savings used in this calculation shall be from the cost of the energy to be saved or a higher percent if required by a State in its State Plan pursuant to § 455.20(u)(3); and

(ii) No more than 50 percent of the annual cost savings used in this calculation shall be from other cost savings, such as those resulting from energy conservation maintenance and operating procedures related to particular energy conservation measures, or from changes in type of fuel used, or a lower percent if required by a State in its State Plan pursuant to § 455.20(u)(3).

(2) The simple payback period of each renewable resource energy conservation measure shall be calculated, taking into account the interactions among the various measures, by dividing the estimated total cost of the measure, as determined pursuant to § 455.62(d)(3)(ii), by the estimated annual cost savings accruing from the measure taking into account at least the annual cost of the non-renewable fuels displaced less the annual cost of the renewable fuel, if any, and the annual cost of any backup non-renewable fuel needed to operate the system, adjusted for demand charges, as determined pursuant to § 455.62(d)(3)(vi).

(3) The simple payback period of each energy conservation measure designed to shift demand to a period of lower demand and lower cost shall be calculated, taking into account the interactions among the various measures, by dividing the estimated total cost of the measure, as determined pursuant to § 455.62(d)(3)(ii), by the estimated annual cost savings accruing from the measure taking into account at least the annual cost of the energy used before the measure is installed less the estimated annual cost of the energy to be used after the measure is installed, adjusted for demand charges, as determined pursuant to § 455.62(d)(3)(vi).

(b) This paragraph applies, in addition to paragraph (a) of this section, if the State plan requires the cost effectiveness of an energy conservation measure to be determined by life-cycle

cost analysis or if the applicant requests such an analysis.

(1) A life-cycle cost analysis, showing a savings-to-investment ratio greater than or equal to one over the useful life of the energy conservation measure or 15 years, whichever is less, shall be conducted in accordance with the requirements set forth in the State Plan pursuant to §§ 455.20(u)(2), 455.20(u)(3) and § 455.64.

(2) The resulting savings-to-investment ratio shall be used for the purpose of ranking applications.

§ 455.64 Life-cycle cost methodology.

(a) The life-cycle cost methodology under § 455.63(b) of this part is a systematic comparison of the relevant significant cost savings and costs associated with an energy conservation measure over its expected useful life, or other appropriate study period with future cost savings and costs discounted to present value. The format for displaying life-cycle costs shall be a savings-to-investment ratio.

(b) An energy conservation measure must be cost effective, and its savings-to-investment ratio must be greater than or equal to one no earlier than the end of the second year of the study period.

(c) A savings-to-investment ratio is the ratio of the present value of net cost savings attributable to an energy conservation measure to the present value of the net increase in investment, maintenance and operating, and replacement costs less salvage value or disposal cost attributable to that measure over a study period.

(d) Except for energy conservation measures to shift demand or to use renewable energy resources, the numerator of the savings-to-investment ratio shall include net cost savings, appropriately discounted and adjusted for energy cost escalation consistent with paragraph (g) of this section, subject to the limitation that the cost of the energy to be saved shall constitute at least 50 percent of the net cost savings unless the State specifies a higher percent in its State plan pursuant to § 455.20(u)(3).

(e) With respect to energy conservation measures to shift demand or to use renewable energy resources, the numerator of the savings-to-investment ratio shall be net cost savings appropriately discounted and adjusted for energy cost escalation consistent with paragraph (g) of this section.

(f) The study period for a life-cycle cost analysis, which may not exceed 15 years, shall be the useful life of the energy conservation measure or of the energy conservation measure with the longest life (for purposes of ranking buildings with multiple energy conservation measures).

(g) The discount rate must equal or exceed the discount rate annually provided by DOE under 10 CFR part 436. The energy cost escalation rates must not exceed those annually provided by DOE under 10 CFR part 436.

(h) Investment costs may be assumed to be a lump sum occurring at the beginning of the base year, or to the extent that there are future investment costs, discounted to present value.

(i) The cost of energy and maintenance and operating costs may be assumed to begin to accrue at the beginning of the base year or when they are actually projected to occur.

(j) It may be assumed that costs occur in a lump sum at any time within the year in which they are incurred.

Subpart F—Energy Conservation Measures for Schools and Hospitals

§ 455.70 Purpose.

This subpart sets forth the eligibility criteria for schools and hospitals to receive grants for energy conservation measures, including renewable resource measures, and the elements of an energy conservation measure program.

§ 455.71 Eligibility.

(a) To be eligible to receive financial assistance for an energy conservation measure, including renewable resource measures, an applicant must:

(1) Be a school, hospital, or coordinating agency representing them as defined in § 455.2;

(2) Be located in a State which has an approved State Plan as described in subpart B of this part;

(3) Have completed a technical assistance program consistent with § 455.62,

as determined by the State in accordance with the State Plan, for the building for which financial assistance is to be requested subsequent to the most recent construction, reconfiguration, or utilization change to the building which significantly modified energy use within the building;

(4) Have completed an updated technical assistance program if required in the State Plan as specified in § 455.20(q);

(5) Have implemented all energy conservation maintenance and operating procedures which are identified as the result of a technical assistance program or have provided pursuant to the State plan a satisfactory written justification for not implementing any specific maintenance and operating procedures so identified;

(6) Have met any requirements set forth in the State Plan pursuant to § 455.20(m) regarding the avoidance of supplanting other funds in the financing of energy conservation measures under this part;

(7) Have no plan or intention at the time of application to close or otherwise dispose of the building for which financial assistance is to be requested within the simple payback period or useful life (depending on the State's requirement for determining cost effectiveness) of any energy conservation measure recommended for that building; and

(8) Submit an application in accordance with the provisions of this part and the approved State Plan;

(b) To be eligible for financial assistance:

(1) In States where simple payback has been selected as the cost-effectiveness test pursuant to § 455.20(u)(2), the simple payback period of each energy conservation measure for which financial assistance is requested shall not be less than 2 years nor greater than 10 years, and the estimated useful life of the measure shall be greater than its simple payback period; or

(2) In States where life-cycle costing has been selected as the cost-effectiveness test pursuant to § 455.20(u)(2), the savings-to-investment ratio of each energy conservation measure must be greater than or equal to one under § 455.63(b)(1), over a period for analysis which does not exceed 15 years, and the useful life of the energy conservation measure must be at least 2 years.

(c) Leased equipment is not eligible for financial assistance under this part. Equipment which becomes the property of the grantee at the conclusion of a long-term purchase agreement without any additional payment is eligible.

§ 455.72 Scope of the grant.

Financial assistance awarded under this subpart may be expended for the design (excluding design costs funded under the technical assistance program), acquisition, and installation of energy conservation measures to reduce energy consumption or measures to allow the use of renewable resources in schools and hospitals or to shift energy usage to periods of low demand and cost. Such measures include, but are not necessarily limited to, those included in the definition of ''energy conservation measure'' in § 455.2.

Subpart G—State Administrative Expenses

§ 455.80 Purpose.

This subpart describes what constitutes a State administrative expense that may receive financial assistance under this part and sets forth the eligibility criteria for States to receive grants for administrative expenses.

§ 455.81 Eligibility.

To be eligible to receive financial assistance for administrative expenses, a State must:

(a) Have in place a State Plan approved by DOE pursuant to § 455.21 and

(b) Be operating a program to provide technical assistance and energy conservation measure grants, or technical assistance, program assistance, and marketing (where energy conservation measures are funded non-Federally) to eligible institutions pursuant to this part.

§ 455.82 Scope of the grant.

A State's administrative expenses shall be limited to those directly related to administration of technical assistance programs, program assistance and marketing programs, and energy

conservation measures including costs associated with:

(a) Personnel whose time is expended directly in support of such administration;

(b) Supplies and services expended directly in support of such administration;

(c) Equipment purchased or acquired solely for and utilized directly in support of such administration, subject to 10 CFR 600.436;

(d) Printing, directly in support of such administration; and

(e) Travel, directly related to such administration.

Subpart H—State Grants for Technical Assistance, Program Assistance, and Marketing

§ 455.90 Purpose.

This subpart describes what constitutes a State program for technical assistance, program assistance, and marketing that may receive financial assistance under this part and sets forth the eligibility criteria for States to receive grants for technical assistance, program assistance, and marketing.

§ 455.91 Eligibility.

To be eligible to receive financial assistance for technical assistance, program assistance, and marketing, a State must:

(a) Have in place a State Plan approved by DOE which includes a description of the State's program or programs to provide technical assistance, program assistance, and marketing, pursuant to § 455.20(j)(1);

(b) Have established a program consistent with this part to fund, from non-Federal sources, energy conservation measures for eligible institutions; and

(c) Provide to DOE a certification pursuant to § 455.122.

§ 455.92 State technical assistance awards.

Technical assistance awards by States under this subpart are subject to all requirements of this part which apply to DOE-awarded technical assistance program grants except that States:

(a) Are not required to award the funds in grant instruments;

(b) May award the funds throughout the fiscal year subject to § 455.144(a)(3); and

(c) Are not required to rank applications under § 455.131(b) of this part.

Subpart I—Cost Sharing

§ 455.100 Limits to Federal share.

Amounts made available under this part, together with any other amounts made available from other Federal sources, may not be used to pay more than 50 percent of the costs of technical assistance programs and energy conservation measures unless the grantee qualifies for the exceptions specified in §§ 455.141(a), 455.142(a), 455.142(b), or for severe hardship assistance specified in § 455.142(c). In cases of severe hardship, the Federal share of the cost cannot exceed 90 percent.

§ 455.101 Borrowing the non-Federal share/title to equipment.

The non-Federal share of the costs of acquiring and installing energy conservation measures may be provided by using financing or other forms of borrowed funds, such as those provided by loans and performance contracts, even if such financing does not provide for the grantee to receive clear title to the equipment being financed until after the grant is closed out. However, grantees in such cases must otherwise meet all the requirements of this part, and financing and loan agreements and performance contracts under this section are subject to the requirements of 10 CFR part 600 and the certification requirements under § 455.111(e). Grantees must receive clear title to the equipment when the loan is paid off.

§ 455.102 Energy conservation measure cost-share credit.

To the extent a State provides in its State Plan, DOE may wholly or partially credit the costs of the following, with respect to a building, toward the required cost-share for an energy conservation measure grant in that building:

(a) A non-Federally funded technical assistance program;

(b) A non-Federally funded technical assistance program update to comply with § 455.20(q); and

(c) The non-Federally funded implementation of one or more energy conservation measures, which complies with the eligibility criteria set forth in § 455.71.

§ 455.103 Requirements for applications for credit.

(a) If a State has provided for credit in its State Plan pursuant to § 455.20(w), applications for credit will be considered only when the technical assistance programs or updates and the energy conservation measure projects for which credit is sought meet the applicable program requirements, such as those specified in § 455.61, § 455.62, § 455.71, and the relevant sections of 10 CFR part 600, except that the project need not comply with the Davis-Bacon Act regarding labor standards or wage rates.

(b) Credit for energy conservation measures will be considered only when supported by a technical assistance analysis that meets the requirements of § 455.62 and that was performed prior to the installation of the energy conservation measures.

§ 455.104 Rebates from utilities and other entities.

(a) Grantees which receive rebates or other monetary considerations from utilities or other entities for installing the energy conservation measures funded by a grant under this part may use such funds to meet their cost- sharing obligations pursuant to § 455.100.

(b) Where the rebate or monetary consideration does not exceed the non-Federal share of the cost of the measures applied for in a grant application, grantees are not required to deduct the amount of the rebate or monetary consideration from the cost of the measures, and DOE does not consider such rebates or monetary considerations to be program income which would have to be remitted to DOE upon receipt by the grantee.

(c) Where the rebate or monetary consideration does exceed the non-Federal share of the cost of the measures applied for in a grant application, grantees may use the excess to fund additional measures if such measures have been recommended in the technical assistance report. If it is not possible to use the excess funding in this way, the grantee must reduce the cost—and DOE will reduce the Federal share—by the amount of the excess above the non-Federal share.

Subpart J—Applicant Responsibilities—Grants to Institutions and Coordinating Agencies

§ 455.110 Grant application submittals for technical assistance and energy conservation measures.

(a) Each eligible applicant desiring to receive financial assistance (either from DOE directly, through a State serving as a coordinating agency, or through another organization serving as a coordinating agency) shall file an application in accordance with the provisions of this subpart and the approved State Plan of the State in which such building is located. The application, which may be amended in accordance with applicable State procedures at any time prior to the State's final determination thereon, shall be filed with the State energy agency designated in the State Plan. Coordinating agencies shall file a single application with DOE which includes all of the information required below for each building for which assistance has been requested and to which is attached a copy of each application from each building owner.

(b) Applications from schools, hospitals, units of local government, public care institutions, and coordinating agencies for financial assistance for technical assistance programs shall include the certifications contained in § 455.111 and:

(1) The applicant's name and mailing address;

(2) The energy audit or energy use evaluation required by the State pursuant to § 455.20(k) for each building for which financial assistance is requested;

(3) A project budget, by building, which stipulates the intended use of all Federal and non-Federal funds, including in-kind contributions (valued in accordance with the guidelines in 10 CFR part 600), to be used to meet the cost-

sharing requirements described in subpart I of this part;

(4) A brief description, by building, of the proposed technical assistance program, including a schedule, with appropriate milestone dates, for completing the technical assistance program;

(5) Additional information required by the applicable State Plan and any other information which the applicant desires to have considered, such as information to support an application from a school or hospital for financial assistance in excess of the 50 percent Federal share on the basis of severe hardship or an application which proposes the use of Federal funds, paid under and authorized by another Federal agreement to meet cost sharing requirements.

(c) Applications from schools and hospitals and coordinating agencies for financial assistance for energy conservation measures, including renewable resource measures, shall include the certifications contained in § 455.111 and:

(1) The applicant's name and mailing address;

(2) A description of each building for which financial assistance is requested sufficient to determine the building's eligibility, ownership, use, and size in gross square feet;

(3) A project budget, by measure or building, as provided in the State Plan which stipulates the intended use of all Federal and non-Federal funds and identifies the sources and amounts of non-Federal funds, including in-kind contributions (valued in accordance with the guidelines in 10 CFR part 600) to be used to meet the cost-sharing requirements described in subpart I of this part;

(4) A schedule, including appropriate milestone dates, for the completion of the design, acquisition, and installation of the proposed energy conservation measures for each building;

(5) For each energy conservation measure proposed for funding, the projected cost, the projected simple payback period, and if appropriate, the life-cycle cost savings-to-investment ratio calculated under § 455.64. Applications with more than one energy conservation measure per building shall include projected costs and paybacks, and if appropriate, the savings-to-investment ratios for each measure and the average simple payback period or overall savings-to-investment ratio for all measures proposed for the building;

(6) The report of the technical assistance analyst (unless waived by DOE because the report is already in its possession). This report must have been completed since the most recent construction, reconfiguration, or utilization change to the building which significantly modified energy use, for each building;

(7) An update of the technical assistance program report if required by the State in its State Plan and as specified in § 455.20(q);

(8) If the applicant is aware of any adverse environmental impact which may arise from adoption of any energy conservation measure, an analysis of that impact and the applicant's plan to minimize or avoid such impact; and

(9) Additional information required by the applicable State Plan, and any additional information which the applicant desires to have considered, such as information to support an application for financial assistance in excess of the non-Federal share set forth in the State plan on the basis of severe hardship, or an application which proposes the use of Federal funds paid under and authorized by another Federal agreement to meet cost sharing requirements.

§ 455.111 Applicant certifications for technical assistance and energy conservation measure grants to institutions and coordinating agencies.

Applications for financial assistance for technical assistance programs and energy conservation measures, including renewable resource measures, shall include certification that the applicant:

(a) Is eligible under § 455.61 for technical assistance or § 455.71 for energy conservation measures;

(b) Has satisfied the requirements set forth in § 455.110;

(c) For applications for technical assistance, has implemented all energy conservation maintenance and operating procedures recommended in the energy audit pursuant to § 455.20(k), if done, and for applications for energy

conservation measures, those recommended in the report obtained under a technical assistance program pursuant to § 455.62. If any such procedure has not been implemented, the application shall contain a satisfactory written justification consistent with the State plan for not implementing that procedure;

(d) Will obtain from the technical assistance analyst, before the analyst performs any work in connection with a technical assistance program or energy conservation measure, a signed statement certifying that the technical assistance analyst has no conflicting financial interest and is otherwise qualified to perform the duties of technical assistance analyst in accordance with the standards and criteria established in the approved State Plan;

(e) When using borrowed funds for the non-Federal share of an energy conservation project where a lien is placed by the lender on equipment funded under the grant, will obtain clauses in the financing contract:

(1) Stating the percent of DOE interest in the equipment (i.e., the percent of the total cost provided by the grant); and

(2) Requiring lender notification, with certified return receipt requested, to the applicable Support Office Director of the filing of a lawsuit seeking a remedy for a default; and

(f) Will comply with all reporting requirements contained in § 455.113.

§ 455.112 Davis-Bacon wage rate requirement.

When an energy conservation measure or group of measures in a building, funded under this part, has a total estimated cost for acquisition and installation of more than $5,000, any construction contract or subcontract in excess of $2,000, using any grant funds awarded under this part must include:

(a) Those contract labor standards provisions set forth in 29 CFR 5.5 and

(b) A provision for payment of laborers and mechanics at the minimum wage rates determined by the Secretary of Labor in accordance with the Davis-Bacon Act (40 U.S.C. 276a) as set forth in 29 CFR part 1.

§ 455.113 Grantee records and reports for technical assistance and energy conservation measure grants to institutions and coordinating agencies.

(a) Each unit of local government or public care institution which receives a grant for a technical assistance program and each school, hospital, and coordinating agency which receives a grant for a technical assistance program or an energy conservation measure, including renewable resource measures, shall keep all the records required by § 455.4 in accordance with this part and the DOE Financial Assistance Rules.

(b) Each grantee shall submit reports as follows:

(1) For technical assistance programs, two copies of a final report of the analysis completed on each building for which financial assistance was provided shall be submitted, either both to the State energy agency, or one to the State energy agency, and one to DOE as agreed upon between the State and the DOE Support Office no later than 90 days following completion of the analysis. These reports shall contain:

(i) The report submitted to the institution by the technical assistance analyst, and

(ii) The institution's plan to implement energy conservation maintenance and operating procedures;

(2) For energy conservation measure projects:

(i) Semi-annual progress reports. Two copies shall be submitted, either both to the State energy agency or one to the State energy agency and one to DOE, as agreed upon between the State and the DOE Support Office, no later than the end of July (for the period January 1 through June 30), and January (for the period July 1 through December 31) and shall detail and discuss milestones accomplished, those not accomplished, status of in-progress activities, and remedial actions if needed to achieve project objectives. Reports of coordinating agency grantees shall include financial assistance which an institution declines or does not use as a result of a change in scope. A final report may be submitted in lieu of the last semi-annual report if it satisfies

the semi-annual progress report and final report designated time frames;

(ii) A final report. Two copies shall be submitted, either both to the State energy agency or one to the State energy agency and one to DOE, as agreed upon between the State and the DOE Support Office, within 90 days of the completion of the project and shall list and describe the energy conservation measures acquired and installed, contain a final actual cost and a final estimated simple payback period for each measure and the project as a whole, or a final savings-to-investment ratio for each measure and the project as a whole (depending on the State requirement), and include a statement that the completed energy conservation measures conform to the approved grant application;

(iii) Annual energy use reports from a representative sample to be selected by the State which will reflect the grantee's actual post-retrofit energy use experiences for 3 years after project completion. Two copies of these reports shall be submitted, either both to the State energy agency or one to the State energy agency and one to DOE, as agreed upon between the State and the DOE Support Office within 60 days after the end of each 12-month period covered in the reports and shall identify each building and provide data on energy use for that building for the relevant 12-month period. To the extent feasible, energy consumption data in each annual report should be the monthly usage data by fuel or energy type, and the reports should include brief descriptions of any changes in building usage, equipment, or structure occurring during the reporting period.

(3) Each copy of any technical assistance or energy conservation measure report shall be accompanied by a financial status report completed in accordance with the documents listed in § 455.3;

(4) In cases where both copies of the grantee technical assistance, energy conservation measure, and financial status reports are submitted to the State, as agreed upon between the State and the DOE Support Office, the State shall in turn submit copies to DOE on a mutually agreed-upon schedule; and

(5) Such other information as DOE may from time to time request.

Subpart K—Applicant Responsibilities—Grants to States

§ 455.120 Grant applications for State administrative expenses.

Each State desiring to receive grants to help defray State administrative expenses shall file an application in accordance with the provisions of this section.

(a) Where a State is operating a program solely to provide grants to schools and hospitals, the maximum amount of administrative expenses the State may apply for is $50,000 or 5 percent of the Federal share of its schools and hospitals grant awards, whichever is greater.

(1) At any time after notice by DOE of the amounts allocated to each State for a grant program cycle, each State may apply to DOE for an amount for administrative expenses not exceeding $50,000.

(2) After making a submittal to DOE as required under § 455.133, each State may apply for a further grant not exceeding 5 percent of the total Federal share of all grant awards for technical assistance and energy conservation measures within the State, less the $50,000 provided for in paragraph (a)(1) of this section if that was previously awarded to the State for administrative expenses in the same grant program cycle.

(b) Where a State is eligible and elects to apply to use its appropriated allocation for grants for technical assistance, program assistance, and/or marketing pursuant to § 455.121, the maximum amount of administrative expenses the State may apply for is $50,000 or 5 percent of the total amount obligated or legally committed to eligible recipients in the State pursuant to the State's program under this part, whichever is greater.

(1) At any time after notice by DOE of amounts allocated to each State for a grant program cycle, each State may apply to DOE for an amount for administrative expenses not exceeding $50,000.

(2) Once the total amount obligated or legally committed to the program in

the cycle is known, a State may subsequently apply for a further grant, not exceeding 5 percent of the total amount (less the $50,000 provided for in paragraph (b)(1) of this section if that was previously awarded to the State for administrative expenses in the same fiscal year) obligated or legally committed to eligible recipients in the State during the fiscal year for technical assistance, program assistance, and marketing, and for energy conservation measures which are funded with non-Federal funds but which meet the certification and other requirements of this part for such energy conservation measures.

(3) The aggregate amount applied for to cover State administrative expenses, technical assistance, program assistance, and marketing cannot exceed the State's allocation for the fiscal year.

(c) In the event that a State cannot, or decides not to use the amount available to it for an administrative grant under this section for administrative purposes, these funds may, at the discretion of the State, be used for technical assistance and energy conservation measure grants to eligible institutions within that State in accordance with this part.

(d) Applications for financial assistance to defray State administrative expenses shall include:

(1) The name and address of the person designated by the State to be responsible for the State's functions under this part;

(2) An identification of intended use of all Federal and non-Federal funds to be used for the State administrative expenses listed in § 455.82; and

(3) Any other information required by DOE.

§ 455.121 Grant applications for State technical assistance, program assistance, and marketing programs.

(a) A State may apply for up to 100 percent of the amount allocated to it for a grant program cycle to fund administrative expenses under § 455.120 and technical assistance and program assistance programs, or for up to 50 percent of the amount allocated to it for a grant program cycle to fund marketing programs provided that:

(1) The State has established a program to fund technical assistance, program assistance, or marketing programs, and has described its program or programs in its State Plan, as specified in § 455.20(j);

(2) The State has a program or programs established consistent with this part of that fund, from non-Federal sources, energy conservation measures eligible under this part;

(3) Not more than 15 percent of the aggregate amount of Federal and non-Federal funds legally committed or obligated to eligible recipients in the State to provide program assistance, marketing and technical assistance programs, implement energy conservation measures consistent with this part, and otherwise carry out a program pursuant to this part for the fiscal year concerned are expended for program assistance, technical assistance and marketing costs for such program;

(4) The energy conservation measures funded from non-Federal sources under this section would be eligible for funding under § 455.71; and

(5) The institutions undertaking the non-Federally funded energy conservation measures do so in accordance with all applicable Federal, State, and local laws and regulations with particular attention paid to applicable Federal and State non-discrimination laws and regulations.

(b) Applications for financial assistance to defray State technical assistance, program assistance, or marketing expenses shall include:

(1) The name and address of the person designated by the State to be responsible for the State's functions under this part;

(2) An identification of intended use of all Federal and non-Federal funds for the State administrative expenses listed in § 455.82, or the technical assistance, program assistance, or marketing programs pursuant to this section;

(3) Descriptions of the activities to be implemented together with a description of the State's program to provide non-Federal sources of funding to carry out the State's program(s) for energy conservation measures consistent with this part;

(4) A certification that the 15 percent limit specified in subparagraph (a)(3) of this section will not be exceeded; and

(5) Any other information required by DOE.

§ 455.122 Applicant certifications for State grants for technical assistance, program assistance, and marketing.

Applications from States for financial assistance for technical assistance programs, program assistance, and marketing shall include certifications that the State:

(a) Has established a program or programs to fund, from non-Federal sources, energy conservation measures for eligible buildings consistent with this part;

(b) Will not expend, for technical assistance, program assistance, and marketing, more than 15 percent of the aggregate amount of Federal and non-Federal funds legally obligated or committed to eligible recipients in the State to provide technical assistance, program assistance, marketing programs, implement energy conservation measures consistent with this part, and otherwise carry out a program pursuant to this part for the fiscal year concerned; and

(c) Has provided for regular DOE-funded grants to eligible religiously affiliated institutions if the State has a State constitutional or other legal prohibition on providing State assistance to such institutions and if such institutions would be ineligible to apply for the non-Federally funded energy conservation measures or State-funded technical assistance.

§ 455.123 Grantee records and reports for State grants for administrative expenses, technical assistance, program assistance, and marketing.

(a) Each State which receives a grant for administrative expenses, or a grant for technical assistance programs, program assistance, or marketing shall keep all the records required by § 455.4 in accordance with this part and the DOE Financial Assistance Rules.

(b) Each State shall submit a semi-annual program performance report to DOE by the close of each February and August, including, but not limited to:

(1) A discussion of administrative activities pursuant to § 455.82, if a State has received a grant to fund such activities, and a discussion of milestones accomplished, those not accomplished, status of in-progress activities, problems encountered, and remedial actions, if any, planned pursuant to § 455.135(f);

(2) A discussion of technical assistance, program assistance, and/or marketing programs pursuant to § 455.121, if the State has received grants to fund such activities, including a discussion of the results of the State's program to non-Federally fund energy conservation measures consistent with this part pursuant to § 455.121, with a list of buildings receiving assistance for technical assistance programs and a list of buildings which obtained energy conservation measures using non-Federal funds, including the name and address of each building, the amount and type of funding provided to each, and for energy conservation measures, the types of measures funded in each building together with each measure's total estimated cost and estimated annual cost savings, annual energy savings, and the annual cost of the energy to be saved (determined pursuant to § 455.62(d)) consistent with the data currently provided to DOE on all ICP grants;

(3) A summary of grantee reports received by the State during the report period pursuant to §§ 455.113(b)(1) and (b)(2);

(4) For the report due to be submitted to DOE by the close of each August, an estimate of annual energy use reductions in the State, by energy source, attributable to implementation of energy conservation maintenance and operating procedures and installation of energy conservation measures under this part. Such estimates shall be based upon a sampling of institutions participating in the technical assistance phase of this program and upon the energy use reports submitted to the State pursuant to § 455.113(b)(2)(iii); and

(5) Such other information as DOE may from time to time request.

(c) Each copy of any report covering grants for State administrative, technical assistance, program assistance,

or marketing expenses shall be accompanied by a financial status report completed in accordance with the documents listed in §455.3. In addition, States shall file quarterly financial status reports for the quarters which occur between the semi-annual report periods covered in their program performance reports. These quarterly reports are due within 30 days following the end of the applicable quarters.

Subpart L—State Responsibilities

§455.130 State evaluation of grant applications.

(a) If an application received by a State is reviewed and evaluated by that State and determined to be in compliance with subparts E, F, and J of this part, §455.130(b), any additional requirements of the approved State Plan, State environmental laws, and other applicable laws and regulations, then such application will be eligible for financial assistance.

(b) Concurrent with its evaluation and ranking of grant applications pursuant to §455.131, the State will forward applications for technical assistance or for energy conservation measures for schools to the State school facilities agency for review and certification that each school application is consistent with related State programs for educational facilities. For hospitals the certification requirement applies only if there is a State requirement for it in which case the procedure should be described in the State Plan.

§455.131 State ranking of grant applications.

(a) Except as provided by §455.92 of this part, all eligible applications received by the State will be ranked by the State in accordance with its approved State Plan.

(b) For technical assistance programs, buildings shall be ranked in descending priority based upon the energy conservation potential, on a savings percentage basis, of the building as determined in the energy audit or energy use evaluation pursuant to §455.20(k). Each State shall develop separate rankings for all buildings covered by eligible applications for:

(1) Technical assistance programs for units of local government and public care institutions and

(2) Technical assistance programs for schools and hospitals.

(c) All eligible applications for energy conservation measures received will be ranked by the State on building-by-building or a measure-by-measure basis. If a State ranks on a building-by-building basis, several buildings may be ranked as a single building if the application proposes a single energy conservation measure which is physically connected to all of the buildings. If a State ranks on a measure-by-measure basis, a measure that is physically connected to a number of buildings may be ranked as a single measure. Buildings or measures shall be ranked in accordance with the procedures established by the State Plan on the basis of the information developed during a technical assistance program (or its equivalent) for the building and the criteria for ranking applications. The criterion set forth in paragraph (1) of this subsection shall receive at least 50 percent of the weight given to the criteria used to rank applications. Each State may assign weights to the other criteria as set forth in the State Plan pursuant to §455.20(e). The criteria for ranking applications are:

(1) Simple payback or a life-cycle cost analysis, calculated in accordance with §455.63 and §455.64, as applicable;

(2) The types and quantities of energy to be saved, including oil, natural gas, or electricity, in a priority as established in the approved State Plan;

(3) The types of energy sources to which conversion is proposed, including renewable energy;

(4) The quality of the technical assistance program report; and

(5) Other factors as determined by the State.

(d) A State is exempt from the ranking requirements of this section when:

(1) The total amount requested by all applications for schools and hospitals for technical assistance and energy conservation measures in a given grant program cycle for grants up to 50 percent is less than or equal to the funds available to the State for such grants and the total amount recommended for

hardship funding is less than or equal to the amounts available to the State for such grants and

(2) The total amount requested by all applications for buildings owned by units of local government and public care institutions in a given grant program cycle is less than or equal to the total amount allocated to the State for technical assistance program grants in the State;

(e) If a State elects to permit applications for credit pursuant to § 455.102, such applications for completed or partially completed energy conservation measures shall reflect both the work done and the work to be done and will be reviewed and ranked on the basis of the cost of all of the measures in the project. The credit shall not exceed the non-Federal share of the proposed additional energy conservation measures (and the Federal share shall not exceed the cost of the work remaining to be done).

(f) Within the rankings of school and hospital buildings for technical assistance and energy conservation measures including renewable resource measures to the extent that approvable applications are submitted, a State shall initially assure that:

(1) Schools receive at least 30 percent of the total funds allocated for schools and hospitals to the State in any grant program cycle and

(2) Hospitals receive at least 30 percent of the total funds allocated for schools and hospitals to the State in any grant program cycle.

(g) If there are insufficient applications from schools or hospitals to cover the respective 30 percent requirements specified in paragraph (f) of this section, then the State may recommend use of the remaining funds in those allocations for other qualified applicants.

§ 455.132 State evaluation of requests for severe hardship assistance.

(a) To the extent provided in § 455.30(d), financial assistance will be initially available for schools and hospitals experiencing severe hardship based upon an applicant's inability to provide the non-Federal share as specified in the State plan pursuant to § 455.20(g). This financial assistance will be available only to the extent necessary to enable such institutions to participate in the program.

(b) The State shall recommend funds for severe hardship applications wholly or partially from the funds reserved in accordance with § 455.30(d) and as stated in an approved State Plan.

(c) Applications for Federal funding in excess of the non-Federal share in the State plan pursuant to § 455.20(x) based on claims of severe hardship shall be given an additional evaluation by the State to assess on a quantifiable basis to the maximum extent practicable the relative need among eligible institutions. The minimum amount of additional Federal funding necessary for the applicant to participate in the program will be determined by the State in accordance with the procedures established in the State Plan. The primary consideration shall be the institution's inability to provide the non-Federal share of the project cost as specified in the State plan pursuant to § 455.20(x). Secondary criteria such as climate, fuel cost and fuel availability, borrowing capacity, median family income in the area, and other relevant factors as determined by the State may be addressed in the State Plan as specified in § 455.20(g).

(d) A State shall indicate, for those schools and hospitals with the highest rankings, determined pursuant to § 455.131(b) and (c):

(1) The amount of additional hardship funding requested by each eligible applicant for each building determined to be in a class of severe hardship and

(2) The amount of hardship funding recommended by the State based upon relative need, as determined in accordance with the State Plan, to the limit of the hardship funds available. The State must decide on a case-by-case basis whether, and to what extent, it will recommend hardship funding.

(e) If there are insufficient applications from hardship applicants to cover the 10 percent allocation provided for in § 455.30(d), then the State may recommend use of the remaining funds for other qualified applicants. The total amount recommended for hardship grants cannot exceed the 10 percent limit.

§ 455.133 Forwarding of applications from institutions and coordinating agencies for technical assistance and energy conservation measure grants.

(a) Except as provided by § 455.92 of this part, each State shall forward all applications recommended for funding within its allocation to DOE once each program cycle along with a listing of buildings or measures covered by eligible applications for schools, hospitals, units of local government, and public care institutions ranked by the State if necessary pursuant to the provisions of § 455.131. If ranking has been employed, the list shall include the standings of buildings or measures.

(1) Measure-by-measure rankings will be recombined for the respective buildings with more than one recommended measure and

(2) Buildings will be consolidated under one grantee application.

(b) The State shall indicate the amount of financial assistance requested by the applicant for each eligible building and, for those buildings recommended for funding within the limits of the State's allocation, the amount recommended for funding. If the amount recommended is less than the amount requested by the applicant, the list shall also indicate the reason for that recommendation.

(c) The State shall indicate that it has reviewed and evaluated all of the submitted applications and that those applications meet the relevant requirements of the program, and shall certify that applications submitted are eligible pursuant to § 455.130(a).

§ 455.134 Forwarding of applications for State grants for technical assistance, program assistance, and marketing.

A State eligible to apply for grants for technical assistance, program assistance, or marketing, as described in § 455.121, may submit such an application to DOE any time after the allocations have been announced as part of, or in lieu of, an application for a grant for State administrative expenses. Such applications shall provide separate narrative descriptions, budgets and appropriate milestone dates, covering each activity or program, that are sufficiently detailed to enable DOE to reasonably evaluate the application.

§ 455.135 State liaison, monitoring, and reporting.

Each State shall be responsible for:

(a) Consulting with eligible institutions and coordinating agencies representing such institutions in the development of its State Plan;

(b) Notifying eligible institutions and coordinating agencies of the content of the approved State Plan and any amendment to a State Plan;

(c) Notifying each applicant how the applicant's building or measure ranked among other applications, and whether and to what extent its application will be recommended for funding or if not to be recommended for funding, the specific reasons(s) therefor;

(d) Certifying that each institution has given its assurance that it is willing and able to participate on the basis of any changes in amounts recommended for that institution in the State ranking pursuant to § 455.131;

(e) Reporting requirements pursuant to § 455.113; and

(f) Direct program oversight and monitoring of the activities for which grants are awarded as defined in the State Plan. States shall immediately notify DOE of any noncompliance or indication thereof.

Subpart M—Grant Awards

§ 455.140 Approval of applications from institutions and coordinating agencies for technical assistance and energy conservation measures.

(a) DOE shall review and approve applications submitted by a State in accordance with § 455.133 if DOE determines that the applications meet the objectives of the Act, and comply with the applicable State Plan and the requirements of this part. DOE may disapprove all or any portion of an application to the extent funds are not available to carry out a program or measure (or portion thereof) contained in the application, or for such other reason as DOE may deem appropriate.

(b) DOE shall notify a State and the applicant of the final approval or disapproval of an application at the earliest practicable date after the DOE receipt of the application, and, in the event of disapproval, shall include a statement of the reasons therefor.

(c) An application which has been disapproved for reasons other than lack of funds may be amended to correct the cause of its disapproval and resubmitted in the same manner as the original application at any time within the same grant program cycle. Such an application will be considered to the extent funds have not already been designated for applicants by the ranking process at the time of resubmittal. However, nothing in this provision shall obligate either the State or DOE to take final action regarding a resubmitted application within the grant program cycle. An application not acted upon may be resubmitted in a subsequent grant program cycle.

(d) DOE shall not provide supplemental funds to cover cost overruns or other additional costs beyond those provided for in the original grant award for technical assistance projects and shall fund only one technical assistance project per building.

(e) DOE shall not provide supplemental funds to cover cost overruns or other additional costs beyond those provided for in the original grant award for energy conservation measures funded under a grant in a given grant program cycle. DOE shall not provide funds to cover energy conservation measures intended to replace energy conservation measures funded in an earlier grant cycle unless the State has funds remaining after all applications for new energy conservation measures have been evaluated and submitted to DOE for funding.

(f) If provided for in the State Plan, an applicant may reapply for a technical assistance program or an energy conservation measure grant which was included in a prior grant application but which was not implemented and for which no funds were expended.

(g) An applicant may apply for, and DOE may make, grant awards in another grant program cycle for additional energy conservation measures which relate to a building which previously received grants for other energy conservation measures.

(h) Funds which become available to a grantee after the installation of all approved measures, due to cost underruns in the installed measures, may be used by the grantee for additional measures if such measures are approved in writing by the State and DOE.

(i) DOE may fund costs incurred by an applicant for technical assistance and energy conservation measure projects after the date of the grant application, so long as that date is no earlier than the close of the preceding grant program cycle. Such costs may be funded when, in the judgment of DOE, the applicant has complied with program requirements and the costs incurred are allowable under applicable cost principles and the approved project budget. The applicant bears the responsibility for the entire project cost unless the application is approved by DOE in accordance with this part.

(j) In addition to the prior approval requirements for project changes as specified in the DOE Financial Assistance Rules (10 CFR part 600), a grantee shall request prior written approval from DOE before:

(1) Transferring DOE or matching amounts between buildings included in an approved application when the State ranks applications on a building-by-building basis or

(2) Transferring DOE or matching amounts between energy conservation measures included in an approved application when the State ranks on a measure-by-measure basis.

§ 455.141 Grant awards for units of local government, public care institutions, and coordinating agencies.

(a) DOE may make grants to units of local government, public care institutions, and coordinating agencies representing them for up to 50 percent of the costs of performing technical assistance programs for buildings covered by an application approved in accordance with § 455.140 except that in the case of units of local government and public care institutions a majority of whose operating and capital funds are provided by the Government of the U.S. Virgin Islands, Guam, American

Samoa, or the Commonwealth of the Northern Mariana Islands, a grant may be made for up to 100 percent of such costs.

(b) Total grant awards within any State to units of local government and public care institutions are limited to funds allocated to each State in accordance with § 455.30.

(c) Units of local government and public care institutions are not eligible for financial assistance for severe hardship.

§ 455.142 Grant awards for schools, hospitals, and coordinating agencies.

(a) DOE may make grants to schools, hospitals, and coordinating agencies for up to 50 percent of the costs of performing technical assistance programs for buildings covered by an application approved in accordance with § 455.140; except that in the case of schools and hospitals a majority of whose operating and capital funds are provided by the Government of the U.S. Virgin Islands, Guam, American Samoa, or the Commonwealth of the Northern Mariana Islands a grant may be made for up to 100 percent of such costs. Grant awards for technical assistance programs in any State within any grant program cycle shall be limited to a portion of the total allocation as specified in § 455.30(b)(1).

(b) DOE may make grants to schools, hospitals and coordinating agencies for up to 50 percent of the costs of acquiring and installing energy conservation measures, including renewable resource measures, for buildings covered by an application approved in accordance with § 455.140, except that in the case of schools and hospitals a majority of whose operating and capital funds are provided by the Government of the U.S. Virgin Islands, Guam, American Samoa, or the Commonwealth of the Northern Mariana Islands, a grant may be made for up to 100 percent of such costs.

(c) DOE may award up to 10 percent of the total amount allocated to a State for schools and hospitals in cases of severe hardship, ascertained by the State in accordance with the State Plan, for buildings recommended and in amounts determined by the State pursuant to § 455.132(d)(2).

§ 455.143 Grant awards for State administrative expenses.

(a) For the purpose of defraying State expenses in the administration of technical assistance programs in accordance with subpart E and energy conservation measures in accordance with subpart F or energy conservation measures non-Federally funded pursuant to § 455.121, DOE may make grant awards to a State:

(1) Immediately following public notice of the amounts allocated to a State for the grant program cycle, and upon approval of the application for administrative costs, in an amount not exceeding $50,000;

(2) Concurrent with grant awards for approved applications for technical assistance or energy conservation measures for institutions in that State and upon approval of an application for administrative costs, in an amount not exceeding the difference between the amount granted pursuant to paragraph (a)(1) of this section and 5 percent of the Federal share of the total amount of grants awarded within the State for technical assistance programs and energy conservation measures in the applicable grant program cycle; or

(3) Upon receipt by DOE of documentation from the State demonstrating that sufficient non-Federal funding has been obligated or legally committed to schools and hospitals for energy conservation measures pursuant to § 455.121(a) and § 455.123(b)(2), and upon approval of an application for administrative costs, in an amount not exceeding the difference between the amount granted pursuant to paragraph (a)(1) of this section and 5 percent of the aggregate Federal and non-Federal funds obligated or legally committed to eligible recipients in the State to provide technical assistance, program assistance, and marketing programs and implement energy conservation measures consistent with this part, for the fiscal year concerned.

(b) Grants for such purposes may be made for up to 100 percent of the projected administrative expenses, not to exceed the State's allocation or the

$50,000 or 5 percent limit, as approved by DOE.

(c) The total of all grants for State administrative costs, technical assistance programs, and energy conservation measures (or for State administrative costs, technical assistance, program assistance, and marketing, if the State elects and is eligible to apply for such grants) in that State shall not exceed the total amount allocated for that State for any grant program cycle.

(d) In the event that a State cannot or decides not to use the amount available to it for an administrative grant under this section for administrative purposes, these funds may, at the discretion of the State, be used for technical assistance and energy conservation grants to eligible institutions within that State in accordance with this part.

§ 455.144 Grant awards for State programs to provide technical assistance, program assistance, and marketing.

(a) For the purpose of defraying State expenses in the administration of special programs to provide technical assistance and program assistance pursuant to § 455.121, DOE may make a grant award to a State for up to 100 percent of the funds allocated to the State for the grant program cycle, provided that the State meets the requirements described in § 455.121(b). In addition:

(1) Funds for individual technical assistance programs provided by the State pursuant to this section shall not exceed 50 percent of the cost of the technical assistance program;

(2) Grants for program assistance may be made for up to 100 percent of a State's projected program assistance expenses; and

(3) Grants for State technical assistance, and program assistance programs may be awarded by DOE upon approval of an application from the State.

(b) For the purpose of defraying State expenses in the administration of a marketing program pursuant to § 455.121, DOE may make a grant award to a State for up to 50 percent of the funds allocated to the State for the grant program cycle, provided that the State meets the requirements described in § 455.121(b). In addition:

(1) Grants for marketing may be made for up to 100 percent of a State's projected marketing expenses; and

(2) Such grants may be awarded by DOE upon approval of an application from the State.

(c) If a State provides a certification under section 455.121(b) and is unable to document that the required non-Federal funding levels for energy conservation measures were achieved substantially for the previous fiscal year for which a similar certification was submitted, DOE may deny the application, accept it after the percentage of allocated funds is reduced in light of past performance, or take other appropriate action.

(d) In the event that a State, after receiving a grant under this section, cannot or decides not to use all or part of the amount available to it for technical assistance, program assistance, and marketing, these funds may, at the discretion of the State and after appropriate application to and approval of DOE, be used for technical assistance and energy conservation grants to eligible institutions within that State in accordance with this part.

Subpart N—Administrative Review

§ 455.150 Right to administrative review.

(a) A State shall have a right to file a notice requesting administrative review of a decision under § 455.143 by a Support Office Director to disapprove an application for a grant award for State administrative expenses subject to special conditions or a decision under § 455.21 of this part by a Support Office Director to disapprove a State Plan or an amendment to a State Plan.

(b) A State shall have a right to file a notice requesting administrative review of a decision under § 455.144 by a Support Office Director to disapprove an application for a grant award for State technical assistance, program assistance, or marketing programs.

(c) A school, hospital, coordinating agency, or State acting as an institution's duly authorized agent shall have a right to file a notice requesting administrative review of a decision under

§ 455.140 by a Support Office Director to disapprove an application for a grant award to perform technical assistance programs or to acquire and install an energy conservation measure if the disapproval is based on a determination that:

(1) The applicant is ineligible, under § 455.61 or § 455.71 or for any other reason; or

(2) An energy use evaluation submitted in lieu of an energy audit is unacceptable under the State Plan; or

(3) A technical assistance program equivalent performed without the use of Federal funds does not comply with the requirements of § 455.62 for purposes of satisfying the eligibility requirements of § 455.71(a)(3).

§ 455.151 Notice requesting administrative review.

(a) Any applicant shall have 20 days from the date of receipt of a decision subject to administrative review under § 455.150 to disapprove its application for a grant award to file a notice requesting administrative review. If an applicant does not timely file such a notice, the decision to disapprove shall become final for DOE.

(b) A notice requesting administrative review shall be filed with the Support Office Director and shall be accompanied by a written statement containing supporting arguments.

(c) If the applicant is a State appealing pursuant to paragraph (a) of § 455.150, the State shall have the right to a public hearing. To exercise that right, the State must request such a hearing in the notice filed under paragraph (b) of this section. A public hearing under this section shall be informal and legislative in nature.

(d) A notice or any other document shall be deemed filed under this subpart upon receipt.

§ 455.152 Transmittal of record on review.

On or before 15 days from receipt of a notice requesting administrative review which is timely filed, the Support Office Director shall forward to the Deputy Assistant Secretary the notice requesting administrative review, the decision to disapprove as to which administrative review is sought, a draft recommended final decision for concurrence, and any other relevant material.

§ 455.153 Review by the Deputy Assistant Secretary.

(a) If a State requests a public hearing pursuant to paragraph (a) of § 455.150, the Deputy Assistant Secretary, within 15 days, shall give actual notice to the State and FEDERAL REGISTER notice of the date, place, time, and procedures which shall apply to the public hearing. Any public hearing under this section shall be informal and legislative in nature.

(b) The Deputy Assistant Secretary shall concur in, concur in as modified, or issue a substitute for the recommended decision of the Support Office Director:

(1) With respect to a notice filed pursuant to paragraph (a) of § 455.150, on or before 60 days from receipt of documents under § 455.152 or the conclusion of a public hearing, whichever is later; or

(2) With respect to a notice filed pursuant to paragraph (b) of § 455.150, on or before 30 days from receipt of documents under § 455.152.

§ 455.154 Discretionary review by the Assistant Secretary.

On or before 15 days from the date of the determination under § 455.153(b), the applicant for a grant award may file an application, with a supporting statement of reasons, for discretionary review by the Assistant Secretary. If administrative review is sought pursuant to paragraph (a) of § 455.150, the Assistant Secretary shall send a notice granting or denying discretionary review within 15 days and upon granting such review, shall issue a decision no later than 60 days from the date discretionary review is granted. If administrative review is sought pursuant to paragraph (b) of § 455.150, the Assistant Secretary shall send a notice granting or denying discretionary review within 15 days and upon granting such review shall issue a decision no later than 30 days from the date discretionary review is granted. The Assistant Secretary may not issue a notice or decision under this paragraph without the concurrence of the DOE Office of General Counsel.

§ 455.155 Finality of decision.

A decision under § 455.153 shall be final for DOE if there is no review sought under § 455.154. If there is review under § 455.154, the decision thereunder shall be final for DOE, and no appeal shall lie elsewhere in DOE.

PART 456 [RESERVED]

PART 460—ENERGY CONSERVATION STANDARDS FOR MANUFACTURED HOMES

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Subpart D [Reserved]

AUTHORITY: 42 U.S.C. 17071; 42 U.S.C. 7101 *et seq.*

SOURCE: 87 FR 32818, May 31, 2022, unless otherwise noted.

Subpart A—General

§ 460.1 Scope.

This subpart establishes energy conservation standards for manufactured homes as manufactured at the factory, prior to distribution in commerce for sale or installation in the field. Manufacturers must apply the requirements of this part to a manufactured home subject to § 460.4(b) that is manufactured on or after 60 days after publication of final enforcement procedures for this part. DOE will amend this section to include the specific compliance date, once known. Manufacturers must apply the requirements of this part to a manufactured home subject to § 460.4(c) that is manufactured on or after 180 days after publication of final enforcement procedures for this part. DOE will amend this section to include the specific compliance date, once known.

[90 FR 28878, July 2, 2025]

§ 460.2 Definitions.

Adapted from section R202 of the 2021 IECC and as used in this part—

2021 IECC means the 2021 version of the International Energy Conservation Code, issued by the International Code Council.

Access (to) means that which enables a device, appliance or equipment to be reached by ready access or by a means that first requires the removal or movement of a panel or similar obstruction.

Air barrier means one or more materials joined together in a continuous manner to restrict or prevent the passage of air through the building thermal envelope and its assemblies.

Automatic means self-acting or operating by its own mechanism when actuated by some impersonal influence.

Building thermal envelope means exterior walls, exterior floors, exterior ceiling, or roofs, and any other building element assemblies that enclose conditioned space or provide a boundary between conditioned space and unconditioned space.

Ceiling means an assembly that supports and forms the overhead interior surface of a building or room that covers its upper limit and is horizontal or tilted at an angle less than 60 degrees (1.05 rad) from horizontal.

Climate zone means a geographical region identified in § 460.101.

Conditioned space means an area, room, or space that is enclosed within the building thermal envelope and that is directly or indirectly heated or cooled. Spaces are indirectly heated or cooled where they communicate through openings with conditioned space, where they are separated from conditioned spaces by uninsulated walls, floors or ceilings, or where they

contain uninsulated ducts, piping, or other sources of heating or cooling.

Continuous air barrier means a combination of materials and assemblies that restrict or prevent the passage of air from conditioned space to unconditioned space.

Door means an operable barrier used to block or allow access to an entrance of a manufactured home.

Dropped ceiling means a secondary nonstructural ceiling, hung below the exterior ceiling.

Dropped soffit means a secondary nonstructural ceiling that is hung below the exterior ceiling and that covers only a portion of the ceiling.

Duct means a tube or conduit, except an air passage within a self-contained system, utilized for conveying air to or from heating, cooling, or ventilating equipment.

Duct system means a continuous passageway for the transmission of air that, in addition to ducts, includes duct fittings, dampers, plenums, fans, and accessory air-handling equipment and appliances.

Eave means the edge of the roof that overhangs the face of an exterior wall and normally projects beyond the side of the manufactured home.

Equipment includes material, devices, fixtures, fittings, or accessories both in the construction of, and in the plumbing, heating, cooling, and electrical systems of a manufactured home.

Exterior ceiling means a ceiling that separates conditioned space from unconditioned space.

Exterior floor means a floor that separates conditioned space from unconditioned space.

Exterior wall means a wall, including a skylight well, that separates conditioned space from unconditioned space.

Fenestration means vertical fenestration and skylights.

Floor means a horizontal assembly that supports and forms the lower interior surface of a building or room upon which occupants can walk.

Glazed or glazing means an infill material, including glass, plastic, or other transparent or translucent material used in fenestration.

Heated water circulation system means a water distribution system in which one or more pumps are operated in the service hot water piping to circulate heated water from the water heating equipment to fixtures and back to the water heating equipment.

Insulation means material deemed to be insulation under 16 CFR 460.2.

Manual means capable of being operated by personal intervention.

Manufactured home means a structure, transportable in one or more sections, which in the traveling mode is 8 body feet or more in width or 40 body feet or more in length or which when erected onsite is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained in the structure. This term includes all structures that meet the above requirements except the size requirements and with respect to which the manufacturer voluntarily files a certification pursuant to 24 CFR 3282.13 and complies with the construction and safety standards set forth in 24 CFR part 3280. The term does not include any self-propelled recreational vehicle. Calculations used to determine the number of square feet in a structure will be based on the structure's exterior dimensions, measured at the largest horizontal projections when erected on site. These dimensions will include all expandable rooms, cabinets, and other projections containing interior space, but do not include bay windows. Nothing in this definition should be interpreted to mean that a manufactured home necessarily meets the requirements of the U.S. Department of Housing and Urban Development Minimum Property Standards (HUD Handbook 4900.1) or that it is automatically eligible for financing under 12 U.S.C. 1709(b).

Manufacturer means any person engaged in the factory construction or assembly of a manufactured home, including any person engaged in importing manufactured homes for resale.

Opaque door means a door that is not less than 50 percent opaque in surface area.

R-value (thermal resistance) means the inverse of the time rate of heat flow

through a body from one of its bounding surfaces to the other surface for a unit temperature difference between the two surfaces, under steady state conditions, per unit area ($h \times ft^2 \times °F$/Btu).

Rough opening means an opening in the exterior wall or roof, sized for installation of fenestration.

Service hot water means supply of hot water for purposes other than comfort heating.

Skylight means glass or other transparent or translucent glazing material, including framing materials, installed at an angle less than 60 degrees (1.05 rad) from horizontal, including unit skylights, tubular daylighting devices, and glazing materials in solariums, sunrooms, roofs and sloped walls.

Skylight well means the exterior walls underneath a skylight that extend from the interior finished surface of the exterior ceiling to the exterior surface of the location to which the skylight is attached.

Solar heat gain coefficient (SHGC) means the ratio of the solar heat gain entering a space through a fenestration assembly to the incident solar radiation. Solar heat gain includes directly transmitted solar heat and absorbed solar radiation that is then reradiated, conducted, or convected into the space.

State means each of the 50 states, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the U.S. Virgin Islands, and American Samoa.

Thermostat means an automatic control device used to maintain temperature at a fixed or adjustable set point.

U-factor (thermal transmittance) means the coefficient of heat transmission (air to air) through a building component or assembly, equal to the time rate of heat flow per unit area and unit temperature difference between the warm side and cold side air films ($Btu/h \times ft^2 \times °F$).

U_o *(overall thermal transmittance)* means the coefficient of heat transmission (air to air) through the building thermal envelope, equal to the time rate of heat flow per unit area and unit temperature difference between the warm side and cold side air films ($Btu/h \times ft^2 \times °F$).

Ventilation means the natural or mechanical process of supplying conditioned or unconditioned air to, or removing such air from, any space.

Vertical fenestration means windows (fixed or moveable), opaque doors, glazed doors, glazed block and combination opaque and glazed doors composed of glass or other transparent or translucent glazing materials and installed at a slope of greater than or equal to 60 degrees (1.05 rad) from horizontal.

Wall means an assembly that is vertical or tilted at an angle equal to greater than 60 degrees (1.05 rad) from horizontal that encloses or divides an area of a building or room.

Whole-house mechanical ventilation system means an exhaust system, supply system, or combination thereof that is designed to mechanically exchange indoor air with outdoor air when operating continuously or through a programmed intermittent schedule to satisfy the whole house ventilation rates.

Window means glass or other transparent or translucent glazing material, including framing materials, installed at an angle greater than 60 degrees (1.05 rad) from horizontal.

Zone means a space or group of spaces within a manufactured home with heating or cooling requirements that are sufficiently similar so that desired conditions can be maintained using a single controlling device.

§ 460.3 Materials incorporated by reference.

Certain material is incorporated by reference into this part with the approval of the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in this section, the U.S. Department of Energy (DOE) must publish a document in the FEDERAL REGISTER and the material must be available to the public. All approved material is available for inspection at DOE and at the National Archives and Records Administration (NARA). Contact DOE at: The U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Program, Sixth Floor, 950 L'Enfant Plaza SW, Washington, DC 20024, (202) 586–9127, *Buildings@ee.doe.gov*, *https://*

www.energy.gov/eere/buildings/building-technologies-office. For information on the availability of this material at NARA, email: *fr.inspection@nara.gov*, or go to: *www.archives.gov/federal-register/cfr/ibr-locations.html*. The material may be obtained from the following sources:

(a) *ACCA*. Air Conditioning Contractors of America, Inc., 2800 S. Shirlington Road, Suite 300, Arlington, VA 22206, 703–575–4477; *www.acca.org/*.

(1) ANSI/ACCA 2 Manual J–2016 (ver 2.50) (''ACCA Manual J''), Manual J–Residential Load Calculations, Eight Edition, Version 2.50, Copyright 2016; IBR approved for § 460.205.

(2) ANSI/ACCA 3 Manual S–2014 (''ACCA Manual S''), Manual S– Residential Equipment Selection, Second Edition, Version 1.00, Copyright 2014; IBR approved for § 460.205.

(b) *HUD User*, 11491 Sunset Hills Road, Reston, VA 20190–5254; *www.huduser.gov/portal/publications/pdrpubli.html*.

(1) HUD User No. 0005945, Overall U-Values and Heating/Cooling Loads—Manufactured Homes, February 1, 1992 (available from *www.huduser.org/portal/publications/manufhsg/uvalue.html*); IBR approved for § 460.102(e).

(2) [Reserved].

§ 460.4 Energy conservation standards.

(a) *General*. A manufactured home must comply with the energy conservation standards specified for the applicable tier as presented in paragraphs (b) and (c) of this section.

(b) *Tier 1*. A single-section manufactured home (*i.e.*, a Tier 1 manufactured home) must comply with all applicable requirements in subparts B and C of this part.

(c) *Tier 2*. A multi-section manufactured home (*i.e.*, a Tier 2 manufactured home) must comply with all applicable requirements in subparts B and C of this part.

Subpart B—Building Thermal Envelope

§ 460.101 Climate zones.

Manufactured homes subject to the requirements of this subpart must comply with the requirements applicable to one or more of the climate zones set forth in figure 1 to § 460.101 and table 1 to § 460.101.

Figure 1 to § 460.101 Climate Zones

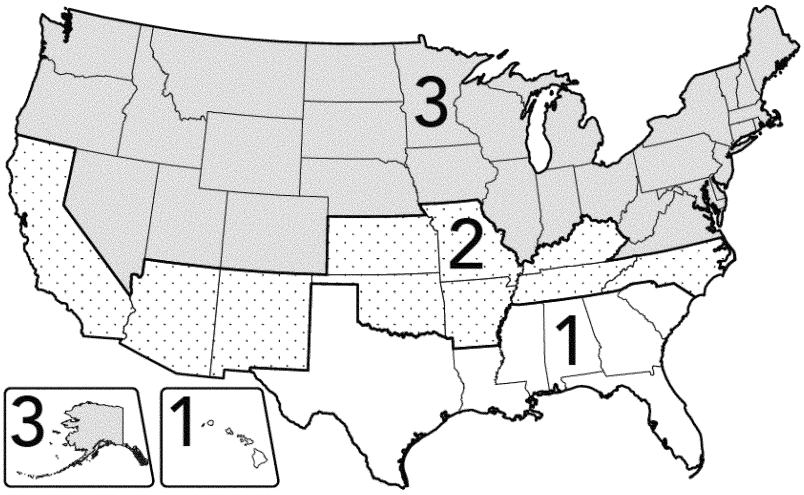


TABLE 1 TO § 460.101—U.S. STATES AND TERRITORIES PER CLIMATE ZONE

Zone 1	Zone 2	Zone 3
Alabama	Arkansas	Alaska
American Samoa	Arizona	Colorado
Florida	California	Connecticut
Georgia	Kansas	Delaware
Guam	Kentucky	District of Columbia
Hawaii	Missouri	Idaho
Louisiana	New Mexico	Illinois
Mississippi	North Carolina	Indiana
South Carolina	Oklahoma	Iowa
Texas	Tennessee	Maine
The Commonwealth of Puerto Rico		Maryland
U.S. Virgin Islands		Massachusetts
		Michigan
		Minnesota
		Montana
		Nebraska
		Nevada
		New Hampshire
		New Jersey
		New York
		North Dakota
		Ohio
		Oregon
		Pennsylvania
		Rhode Island
		South Dakota
		Utah
		Vermont
		Virginia
		Washington
		West Virginia
		Wisconsin
		Wyoming

§ 460.102 Building thermal envelope requirements.

(a) *Compliance options.* The building thermal envelope must meet either the prescriptive requirements of paragraph (b) of this section or the performance requirements of paragraph (c) of this section.

(b) *Prescriptive requirements.* (1) The building thermal envelope must meet the applicable minimum *R*-value (nominal value of insulation), and the glazing maximum *U*-factor and SHGC, requirements set forth in table 1 to § 460.102(b)(1) and table 2 to § 460.102(b)(2) or component U-values set forth in table 3 to § 460.102(b)(5) and table 4 to § 460.102(b)(5).

TABLE 1 TO § 460.102(b)(1)—TIER 1 BUILDING THERMAL ENVELOPE PRESCRIPTIVE REQUIREMENTS

Climate zone	Exterior wall insulation *R*-value	Exterior ceiling insulation *R*-value	Exterior floor insulation *R*-value	Window *U*-factor	Skylight *U*-factor	Door *U*-factor	Glazed fenestration SHGC
1	13	22	22	1.08	0.75	0.40	0.7
2	13	22	19	0.5	0.55	0.40	0.6
3	19	22	22	0.35	0.55	0.40	Not applicable.

TABLE 2 TO § 460.102(b)(1)—TIER 2 BUILDING THERMAL ENVELOPE PRESCRIPTIVE REQUIREMENTS

Climate zone	Exterior wall insulation *R*-value	Exterior ceiling insulation *R*-value	Exterior floor insulation *R*-value	Window *U*-factor	Skylight *U*-factor	Door *U*-factor	Glazed fenestration SHGC
1	13	30	13	0.32	0.75	0.40	0.33
2	21	30	19	0.30	0.55	0.40	0.25
3	21	38	30	0.30	0.55	0.40	Not applicable.

(2) For the purpose of compliance with the exterior ceiling insulation *R*-value requirement of paragraph (b)(1) of this section, the truss heel height must be a minimum of 5.5 inches at the outside face of each exterior wall.

(3) A combination of *R*-21 batt insulation and *R*-14 blanket insulation may be used for the purpose of compliance with the floor insulation *R*-value requirement of table 2 to § 460.102(b)(1), Climate Zone 3.

(4) An individual skylight that has an SHGC that is less than or equal to 0.30 is not subject to the glazed fenestration SHGC requirements established in paragraph (b)(1) of this section. Adapted from section R402 of the 2021 IECC.

(5) *U*-factor alternatives to *R*-value requirements. Compliance with the applicable requirements in paragraph (b)(1) of this section may be determined using the applicable maximum *U*-factor values set forth in table 3 to § 460.102(b)(5) and table 4 to § 460.102(b)(5), which reflect the thermal transmittance of the component, excluding fenestration, and not just the insulation of that component, as an alternative to the minimum nominal *R*-value requirements set forth in table 1 to § 460.102(b)(1) and table 2 to § 460.102(b)(1), respectively.

TABLE 3 TO § 460.102(b)(5)—*U*-FACTOR ALTERNATIVES TO TIER 1 *R*-VALUE REQUIREMENTS

Climate zone	Exterior ceiling *U*-factor	Exterior wall *U*-factor	Exterior floor *U*-factor
1	0.061	0.094	0.049
2	0.061	0.094	0.056
3	0.061	0.068	0.049

TABLE 4 TO § 460.102(b)(5)—*U*-FACTOR ALTERNATIVES TO TIER 2 R-VALUE REQUIREMENTS

Climate zone	Exterior ceiling *U*-factor	Exterior wall *U*-factor	Exterior floor *U*-factor
1	0.043	0.094	0.078
2	0.043	0.063	0.056
3	0.037	0.063	0.032

(c) *Performance requirements.* (1) The building thermal envelope must have a U_o that is less than or equal to the applicable value specified in table 5 to § 460.102(c)(1) and table 6 to § 460.102(c)(1).

TABLE 5 TO § 460.102(c)(1)—TIER 1 BUILDING THERMAL ENVELOPE PERFORMANCE REQUIREMENTS

Climate zone	Single-section U_o
1	0.110
2	0.091
3	0.074

TABLE 6 TO § 460.102(c)(1)—TIER 2 BUILDING THERMAL ENVELOPE PERFORMANCE REQUIREMENTS

Climate zone	Multi-section U_o
1	0.082
2	0.066
3	0.055

(2) Area-weighted average vertical fenestration *U*-factor must not exceed 0.48 in Climate Zone 2 or 0.40 in Climate Zone 3. Adapted from section R402 of the 2021 IECC.

(3) Area-weighted average skylight *U*-factor must not exceed 0.75 in Climate Zone 2 and Climate Zone 3. Adapted from section R402 of the 2021 IECC.

(4) Windows, skylights and doors containing more than 50 percent glazing by area must satisfy the SHGC requirements established in paragraph (b)(1) of this section on the basis of an area-weighted average. Adapted from section R402 of the 2021 IECC.

(d) [Reserved].

(e) *Determination of compliance with paragraph (c) of this section.* (1) U_o must be determined in accordance with Overall *U*-Values and Heating/Cooling Loads—Manufactured Homes (incorporated by reference; see § 460.3)

(2) [Reserved]

§ 460.103 Installation of insulation.

Insulating materials must be installed according to the insulation manufacturer's installation instructions and the requirements set forth in table 1 to 460.103, which is adapted from section R402 of the 2021 IECC.

TABLE 1 TO § 460.103—INSTALLATION OF INSULATION

Component	Installation requirements
General	Air-permeable insulation must not be used as a material to establish the air barrier.
Access hatches, panels, and doors	Access hatches, panels, and doors between conditioned space and unconditioned space, such as attics and crawlspaces, must be insulated to a level equivalent to the insulation of the surrounding surface, must provide access to all equipment that prevents damaging or compressing the insulation, and must provide a wood-framed or equivalent baffle or retainer when loose fill insulation is installed within an exterior ceiling assembly to retain the insulation both on the access hatch, panel, or door and within the building thermal envelope.
Baffles	For air-permeable insulations in vented attics, a baffle must be installed adjacent to soffit and eave vents. Baffles, when used in conjunction with eave venting, must be constructed using a solid material, maintain an opening equal or greater than the size of the vents, and extend over the top of the attic insulation.

TABLE 1 TO § 460.103—INSTALLATION OF INSULATION—Continued

Component	Installation requirements
Ceiling or attic	The insulation in any dropped ceiling or dropped soffit must be aligned with the air barrier.
Narrow cavities	Batts to be installed in narrow cavities must be cut to fit or narrow cavities must be filled with insulation that upon installation readily conforms to the available cavity space.
Rim joists	Rim joists must be insulated such that the insulation maintain permanent contact with the exterior rim board.
Shower or tub adjacent to exterior wall	Exterior walls adjacent to showers and tubs must be insulated.
Walls	Air permeable exterior building thermal envelope insulation for framed exterior walls must completely fill the cavity, including within stud bays caused by blocking lay flats or headers.

§ 460.104 Building thermal envelope air leakage.

Manufactured homes must be sealed against air leakage at all joints, seams, and penetrations associated with the building thermal envelope in accordance with the component manufacturer's installation instructions and the requirements set forth in table 1 to 460.104. Sealing methods between dissimilar materials must allow for differential expansion, contraction and mechanical vibration, and must establish a continuous air barrier upon installation of all opaque components of the building thermal envelope. All gaps and penetrations in the exterior ceiling, exterior floor, and exterior walls, including ducts, flue shafts, plumbing, piping, electrical wiring, utility penetrations, bathroom and kitchen exhaust fans, recessed lighting fixtures adjacent to unconditioned space, and light tubes adjacent to unconditioned space, must be sealed with caulk, foam, gasket or other suitable material. The air barrier installation criteria are adapted from section R402 of the 2021 IECC.

TABLE 1 TO § 460.104—AIR BARRIER INSTALLATION CRITERIA

Component	Air barrier criteria
Ceiling or attic	The air barrier in any dropped ceiling or dropped soffit must be aligned with the insulation and any gaps in the air barrier must be sealed with caulk, foam, gasket, or other suitable material. Access hatches, panels, and doors, drop-down stairs, or knee wall doors to unconditioned attic spaces must be weather-stripped or equipped with a gasket to produce a continuous air barrier.
Duct system register boots	Duct system register boots that penetrate the building thermal envelope or the air barrier must be sealed to the subfloor, wall covering or ceiling penetrated by the boot, air barrier, or the interior finish materials with caulk, foam, gasket, or other suitable material.
Electrical box or phone box on exterior walls.	The air barrier must be installed behind electrical and communication boxes or the air barrier must be sealed around the box penetration with caulk, foam, gasket, or other suitable material.
Floors	The air barrier must be installed at any exposed edge of insulation. The bottom board may serve as the air barrier.
Mating line surfaces	Mating line surfaces must be equipped with a continuous and durable gasket.
Recessed lighting	Recessed light fixtures installed in the building thermal envelope must be sealed to the drywall with caulk, foam, gasket, or other suitable material.
Rim joists	The air barrier must enclose the rim joists. The junctions of the rim board and the subfloor must be air sealed.
Shower or tub adjacent to exterior wall	The air barrier must separate showers and tubs from exterior walls.
Walls	The junction of the top plate and the exterior ceiling, and the junction of the bottom plate and the exterior floor, along exterior walls must be sealed with caulk, foam, gasket, or other suitable material.
Windows, skylights, and exterior doors	The rough openings around windows, exterior doors, and skylights must be sealed with caulk or foam.

Subpart C—HVAC, Service Hot Water, and Equipment Sizing

§ 460.201 Duct system.

Each manufactured home equipped with a duct system, which may include air handlers and filter boxes, must be sealed to limit total air leakage to less than or equal to four (4) cubic feet per minute per 100 square feet of conditioned floor area at a pressure differential of 0.1 inch w.g. (25 Pascals) across the system. Building framing cavities must not be used as ducts or plenums when directly connected to mechanical systems. The duct total air leakage requirements are adapted from section R403 of the 2021 IECC.

§ 460.202 Thermostats and controls.

(a) At least one thermostat must be provided for each separate heating and cooling system installed by the manufacturer. The thermostat and controls requirements are adapted from section R403 of the 2021 IECC.

(b) Any programmable thermostat installed by the manufacturer that controls the heating or cooling system must—

(1) Be capable of controlling the heating and cooling system on a daily schedule to maintain different temperature set points at different times of the day and different days of the week;

(2) Include the capability to set back or temporarily operate the system to maintain zone temperatures down to 55 °F (13 °C) or up to 85 °F (29 °C); and

(3) Initially be programmed with a heating temperature set point no higher than 70 °F (21 °C) and a cooling temperature set point no lower than 78 °F (26 °C).

(c) Heat pumps with supplementary electric-resistance heat must be provided with controls that, except during defrost, prevent supplemental heat operation when the heat pump compressor can meet the heating load.

§ 460.203 Service hot water.

(a) Service hot water systems installed by the manufacturer must be installed according to the service hot water manufacturer's installation instructions. Where service hot water systems are installed by the manufacturer, the manufacturer must ensure that any maintenance instructions received from the service hot water system manufacturer are provided with the manufactured home. The service hot water requirements are adapted from section R403 of the 2021 IECC.

(b) Any automatic and manual controls, temperature sensors, pumps associated with service hot water systems must provide access.

(c) Heated water circulation systems must—

(1) Be provided with a circulation pump;

(2) Ensure that the system return pipe is a dedicated return pipe or a cold water supply pipe;

(3) Not include any gravity or thermosyphon circulation systems;

(4) Ensure that controls for circulating heated water circulation pumps start the pump based on the identification of a demand for hot water within the occupancy; and

(5) Ensure that the controls automatically turn off the pump when the water in the circulation loop is at the desired temperature and when there is no demand for hot water.

(d) All hot water pipes—

(1) Outside conditioned space must be insulated to a minimum *R*-value of *R*-3; and

(2) From a service hot water system to a distribution manifold must be insulated to a minimum *R*-value of *R*-3.

§ 460.204 Mechanical ventilation fan efficacy.

(a) Whole-house mechanical ventilation system fans must meet the minimum efficacy requirements set forth in table 1 to 460.204(a), except as provided in paragraph (b) of this section. The mechanical ventilation fan efficacy requirements are adapted from section R403 of the 2021 IECC.

TABLE 1 TO § 460.204(a)—MECHANICAL VENTILATION SYSTEM FAN EFFICACY

Fan type description	Airflow rate minimum (cfm)	Minimum efficacy (cfm/watt)
Heat recovery ventilator or energy recovery ventilator	Any	1.2
In-line supply or exhaust fans	Any	3.8
Other exhaust fan	<90	2.8
Other exhaust fan	≥90	3.5

(b) Mechanical ventilation fans that are integral to heating, ventilating, and air conditioning equipment, including furnace fans as defined in § 430.2 of this subchapter, are not subject to the efficiency requirements in paragraph (a) of this section.

§ 460.205 Equipment sizing.

Sizing of heating and cooling equipment installed by the manufacturer must be determined in accordance with ACCA Manual S (incorporated by reference; see § 460.3) based on building loads calculated in accordance with ACCA Manual J (incorporated by reference; see § 460.3). The equipment sizing criteria are adapted from section R403 of the 2021 IECC.

Subpart D [Reserved]

PART 470—APPROPRIATE TECHNOLOGY SMALL GRANTS PROGRAM

Sec.

470.1 Purpose and scope.
470.2 Definitions.
470.10 Establishment of program.
470.11 Eligibility requirements.
470.12 Management.
470.13 Program solicitation.
470.14 Evaluation and selection.
470.15 Allocation of funds.
470.16 Cost sharing and funds from other sources.
470.17 General requirements.
470.18 Debriefing.
470.20 Dissemination of information.

AUTHORITY: Energy Research and Development Administration Appropriation Authorization of 1977, Pub. L. 95–39; Energy Reorganization Act of 1974, Pub. L. 93–438; Department of Energy Organization Act, Pub. L. 95–91.

SOURCE: 45 FR 8928, Feb. 8, 1980, unless otherwise noted.

§ 470.1 Purpose and scope.

This part contains guidelines for the implementation of the appropriate technology small grants program required to be prescribed by section 112 of the Act.

§ 470.2 Definitions.

As used in this part—

Act means the Energy Research and Development Administration Appropriation Authorization of 1977, Pub. L. 95–39, 91 Stat. 180, 42 U.S.C. 5907a.

Affiliate means a concern which, either directly or indirectly, controls or has the power to control another concern, is controlled by or is within the power to control of another concern or, together with another concern, is controlled by or is within the power to control of a third party, taking into consideration all appropriate factors, including common ownership, common management and contractual relationships.

Concern means any business entity organized for profit (even if its ownership is in the hands of a nonprofit entity) with its principal place of business located in the United States. ''Concern'' includes, but is not limited to, an individual, partnership, corporation, joint venture, association or cooperative. For the purpose of making affiliation findings, any business entity, whether organized for profit or not, and any foreign business entity (i.e., any entity located outside the United States), shall be included.

DOE means the Department of Energy.

DOE-AR means the Department of Energy Assistance Regulations (10 CFR part 600).

DOE-PR means the Department of Energy Procurement Regulations (41 CFR part 9).

Indian tribe means any tribe band, nation, or other organized group or community of Indians (including any Alaska native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act, Pub. L. 92–203, 85 Stat. 688, which (1) is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians; or (2) is located on, or in proximity to, a Federal or State reservation or rancheria, acting through its tribal organization.

Local agency means an agency or instrumentality of a local government.

Local government means a local unit of government including specifically a county, municipality, city, town, township, local public authority, special district, intrastate district, council of governments, sponsor group representative organization, and other regional or intrastate government entity.

Local nonprofit organization or institution means any corporation trust, foundation, trade association, or other institution (1) which is entitled to exemption under section 501(c)(3) of the Internal Revenue Code or (2) which is not organized for profit and no part of the net earnings of which insure to the benefit of any private shareholder or individual.

Program means the appropriate technology small grants program.

Small business means a concern, including its affiliates, which is organized for profit, is independently owned and operated, is not dominant in the field of operation in which it is submitting a proposal to DOE, and has 100 employees or less.

Standard Federal regions means the 10 standard Federal regions established by Office of Management and Budget Circular A–105, entitled ''Standard Federal Regions.''

State means any of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

State agency means an agency or instrumentality of a State government.

State government means the government of a State, or an interstate organization.

Support means financial support or award under the program by grants, cooperative agreements or contracts.

Tribal organization means the recognized governing body of an Indian tribe, or any legally established organization of Native Americans which is controlled, sanctioned, or chartered by such governing body.

§ 470.10 Establishment of program.

There is established, under direction of the Assistant Secretary for Conservation and Solar Energy of DOE, an appropriate technology small grants program for the purpose of encouraging development and demonstration of, and the dissemination of information with respect to, energy-related systems and supporting technologies appropriate to—

(a) The needs of local communities and the enhancement of community self-reliance through the use of available resources;

(b) The use of renewable resources and the conservation of non-renewable resources;

(c) The use of existing technologies applied to novel situations and uses;

(d) Applications which are energy conserving, environmentally sound, small scale and low cost; and

(e) Applications which demonstrate simplicity of installation, operation and maintenance.

§ 470.11 Eligibility requirements.

(a) Support under this part may be made to individuals, local non-profit organizations and institutions. State and local agencies, Indian tribes and small businesses.

(b) The aggregate amount of support made available to any participant in the program, including affiliates, shall not exceed $50,000 during any 2-year period. This limitation applies only to support for projects and not to funds received by participants from DOE for other purposes, such as performance of services.

(c) Projects which shall be considered for support are those which carry out the purposes of the program as expressed in § 470.10 and which are within the following categories—

(1) Idea development, i.e., the development of an idea or concept or an investigative finding in areas ranging from development of new concepts of energy sources to the utilization of old procedures or systems for a new application;

(2) Device development, i.e., the systematic use and practical application of investigative findings and theories of a scientific or technical nature toward the production of, or improvements in, useful products to meet specific performance requirements but exclusive of manufacturing and production engineering. The dominant characteristic is that the effort be pointed toward specific energy problem areas to develop and evaluate the feasibility and practicability of proposed solutions and determine their parameters. Device development includes studies, investigations, initial hardware development and ultimately development of hardware, systems, or other means for experimental or operational test; or

(3) Demonstration, i.e., the testing of a system or technique under operation conditions to show that commercial application is technically, economically and environmentally feasible.

(d) Support for each category in paragraph (c) of this section shall not, for a single participant in the program, including affiliates, exceed the following limits for any project—

(1) For idea development, $10,000;

(2) For device development, $50,000; and

(3) For demonstration, $50,000.

(4) A participant may receive under a subsequent program solicitation—

(i) Additional support for a funded project or;

(ii) Initial support for a new project, subject to the support limits set forth in paragraphs (b) and (d) of this section.

§ 470.12 Management.

(a) The program shall be managed by a National Program Director within the Office of the Assistant Secretary for Conservation and Solar Energy of DOE.

(b) The program shall be implemented regionally, based on the 10 standard Federal regions or combinations thereof, to insure substantial consideration of the needs, resources, and special circumstances of local communities. Regions may be combined provided the requirements of Office of Management and Budget Circular A–106 entitled ''Standard Federal Regulations'' are met. Regional Program Managers shall design and manage the regional programs as directed by the National Program Director and shall consult, as appropriate, with State and local officials, the appropriate technology community and other interested parties.

§ 470.13 Program solicitation.

(a) The Regional Program Managers shall be responsible for the preparation of program solicitations which solicit proposals for support under the program pursuant to simplified application procedures. Projects may be supported under the program only if they have successfully completed under a program solicitation.

(b) Each program solicitation shall include—

(1) A description of the program;

(2) The eligibility requirements;

(3) A time schedule for submission of, and action on, proposals;

(4) A simple application form for submitting a proposal for support under the program, together with instructions for completing the application form;

(5) Evaluation criteria, along with a narrative description of their relative importance;

(6) An explanation of the evaluation and selection procedures, including a notice to proposers that if the proposer expressly indicates that only Government evaluation is authorized, DOE may be unable to give full consideration to the proposal.

(7) Other applicable information, terms and conditions, including the desired budget format;

(8) Place for, and manner of, submission;

(9) A unique number for identification purposes;

(10) A statement notifying potential proposers that an announcement does not commit DOE to pay any proposal perparation costs and that DOE reserves the right to select for support

any, all, or none of the proposals received in response to a solicitation;

(11) A late proposal provision;

(12) A statement notifying proposers how to identify information in the proposal which the proposer does not want disclosed for purposes other than the evaluation of the proposal.

(13) A statement notifying proposers that all information contained in the proposal will be handled in accordance with the policies and procedures set forth in DOE-AR and DOE-PR, as applicable, and disclosed, if appropriate, in accordance with 10 CFR part 1004 entitled ''Freedom of Information.''

(14) A statement notifying proposers of their right to request a debriefing pursuant to the procedures set forth in § 470.18; and

(15) A statement notifying proposers of their right to request a waiver of DOE's title to inventions made under the program.

(c) Each program solicitation shall be synopsized in the *Commerce Business Daily* prior to or concurrent with release. The program solicitation also shall be announced to appropriate newspapers, trade and technical publications, and State and local governments, and shall be circulated directly to interested individuals, entities, and associations thereof, to the maximum extent feasible.

§ 470.14 Evaluation and selection.

(a) Prior to making a comprehensive evaluation of a proposal, the receiving office shall determine that it contains sufficient technical, cost, and other information to enable comprehensive evaluation and that it has been properly signed. If the proposal does not meet these requirements, a prompt reply shall be sent to the proposer, indicating the reason(s) for the proposal not being selected for support under the program solicitation. A proposer may correct any minor informality or irregularity or apparent clerical mistake prior to the entering into of grants, contracts, or cooperative agreements. A minor informality or irregularity is one which is merely a matter of form and not of substance or pertains to some immaterial or inconsequential defect or variation from the exact requirements of the program announcement.

(b)(1) The Regional Program Manager shall select a number of technical evaluation reviewers representing several disciplines to ensure adequate technical review of proposals.

(2) After receiving nominations from each State or combinations of States within the Region, the Program Manager shall select a number of State reviewers for each State or combinations of States, respectively. The nominations and selections of State reviewers shall take into consideration representation by persons from a variety of backgrounds, in order that the reviewers are able to evaluate proposals of potential merit in various fields and from various types of proposers.

(3) The Regional Program Manager or designee shall provide proposals to the technical evaluation and State reviewers and shall provide their findings and comments to the selection panel established pursuant to paragraph (3) of this section.

(4) In carrying out the responsibilities set forth in paragraphs (b) (1), (2) and (3) of this section, the Regional Program Manager (i) shall determine the number of technical evaluation and State reviewers who shall review each proposal; (ii) shall determine the sequence of the technical and State review; (iii) may designate a person to serve as both a technical and State reviewer, if appropriate to the needs of the program in the Region. A description of the Program Manager's determinations under this paragraph shall be included in the Program Solicitation pursuant to § 470.13(b)(6).

(c) Each technical evaluation reviewer shall evaluate those proposals which he or she receives from the Regional Program Manager or designee and shall provide his or her findings to the Regional Program Manager or designee. In addition to the general criteria underlying the establishment of the program as set forth in § 470.10, the major criteria to be considered by each technical evaluation reviewer shall include—

(1) Whether the proposal is technically feasible, including a determination as to whether the proposed energy

savings or energy production can be technically achieved;

(2) Whether the results being proposed are capable of being measured;

(3) Whether the proposal has any potential environmental, health and safety impacts; and

(4) From a technical standpoint, whether the proposal can be carried out within the funds being requested.

(d) Each State reviewer shall evaluate those proposals which he or she receives from the Program Manager or designee and shall provide his or her findings and comments to the Program Manager or designee. In addition to the general criteria underlying establishment of the program as set forth in § 470.10, the criteria to be considered by each State reviewer shall include—

(1) The potential impact of the proposal on the energy needs and requirements of the community or region;

(2) The energy resource involved and its importance or availability to the community or region;

(3) The expected energy savings or production that will result from the proposal and the significance of those savings or production to the energy requirements of the community or region;

(4) The institutional barriers that may substantially affect the proposal and the potential of the proposal to deal with those barriers;

(5) The likelihood of commercialization or utilization of the technology, process, or items within the proposal and extent of such commercialization/utilization;

(6) The innovative nature of the proposal;

(7) Any potential environmental, health and safety impacts of the proposal upon the community or region;

(8) The extent to which work beyond the funded project period might be required;

(9) The extent to which local resources, material, and manpower will be utilized; and

(10) The adequacy of the business aspects of the proposal, including the reasonableness of the proposer's budget for carrying out the proposal.

(e) A selection panel composed of DOE personnel appointed by the Regional Program Manager shall, taking into account the findings and comments of the technical evaluation and State reviewers, evaluate and rank the proposals in accordance with the criteria stated in the program solicitation.

(f) For each Region, a DOE selection official shall select proposals for support from the ranking established by the selection panel, taking into account the following program policy factors in order to determine the mix of proposed projects which will best further specific program goals—

(1) Regional distribution, including geography, population, and climate;

(2) Project type distribution, including a diversity of methods, approaches, and technologies;

(3) Diversity of participants; and

(4) The best overall use of the funds available.

§ 470.15 Allocation of funds.

(a) DOE shall annually allocate fiscal year funds available for support among the 10 standard Federal Regions, according to the following formula;

(1) Two-thirds to be allocated according to population; and

(2) One-third to be allocated according to the number of proposals received, per hundred thousand of population of the Region, which meet the requirements set forth in § 470.14(a).

(b) The minimum annual level of support for projects for each State within a Region shall be 10 percent of the fiscal year funds allocated to the Region, divided by the number of States in the Region.

(c) For the purposes of this section, population shall be determined by the most current complete national series, as published by the United States Bureau of the Census in *Current Population Reports*, P–25, P–26, or related series, except where data from the decennial census conducted by the Bureau of the Census is more current.

§ 470.16 Cost sharing and funds from other sources.

Proposers are encouraged to offer to share in the costs of their proposed projects or to arrange that other entities provide cost sharing on their behalf. Regional Program Managers, with the consent of the proposer, may work

with States, local governments or other entities to obtain supplemental funding.

§ 470.17 General requirements.

(a) Except where this part provides otherwise, the submission, evaluation and selection for support of proposals under the program and the entering into and administration of grants, cooperative agreements, and contracts under the program, shall be governed by the provisions of DOE-AR and DOE-PR are applicable, such other procedures applicable to grants, cooperative agreements, and contracts under the program as DOE may from time to time prescribe, and any Federal requirements applicable to grants, cooperative agreements, and contracts under the program.

(b) Each grant, cooperative agreement or contract under this part shall require that a recipient of support under the program shall submit a full written report of activities supported in whole or in part by Federal funds made available under the program and shall contain any additional report provisions and other provisions dealing with records, allowable expenses, accounting practices, publication and publicity, copyrights, patents, discrimination, conflict of interest, insurance, safety, changes, resolution of disputes and other standard and/or relevant support agreements requirements required by, or appropriate to, the needs of the program.

§ 470.18 Debriefing.

Upon written request, unsuccessful proposers will be accorded debriefings. Such debriefings must be requested within 30 working days of notification of elimination from consideration. Debriefings will be provided at the earliest feasible time as determined by the Regional Program Manager.

§ 470.20 Dissemination of information.

DOE shall disseminate to the public, in an appropriate manner, information of the nature, usage and availability of the energy-related systems and supporting technologies developed or demonstrated under the program. In addition, DOE shall maintain and make available to recipients of support under the program current information on public and private sources of possible assistance for the further development and commercialization of their projects.

PART 473—AUTOMOTIVE PROPULSION RESEARCH AND DEVELOPMENT

REVIEW AND CERTIFICATION OF GRANTS, COOPERATIVE AGREEMENTS, CONTRACTS, AND PROJECTS

Sec.

473.1 Purpose and scope.
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473.30 Standards and criteria.

AUTHORITY: Federal Energy Administration Act of 1978—Civilian Applications, Pub. L. 95–238; Department of Energy Organization Act, Pub. L. 95–91.

SOURCE: 43 FR 55230, Nov. 24, 1978, unless otherwise noted.

REVIEW AND CERTIFICATION OF GRANTS, COOPERATIVE AGREEMENTS, CONTRACTS, AND PROJECTS

§ 473.1 Purpose and scope.

These regulations implement section 304(f) of the Federal Energy Administration Act of 1978—Civilian Applications, and apply to each new contract, grant, cooperative agreement, Department of Energy project, or other agency project funded or to be funded under the authority of that Act. 15 U.S.C. 2703(f) (1970). These regulations do not apply to subcontractors, or to contracts, grants, cooperative agreements, Department of Energy projects, or other agency projects entered into, made, or formally approved and initiated prior to February 25, 1978, or with respect to any renewal or extension thereof. Insofar as grants, cooperative

agreements, and contracts are concerned, these regulations provide procedures and requirements that are in addition to those generally applicable under the assistance and procurement regulations of the Federal agency funding research and development under the Act.

§ 473.2 Definitions.

For purpose of these regulations—

Act means the Federal Energy Administration Act of 1978—Civilian Applications. Pub. L. 95–238, 92 Stat. 47.

Advanced automobile propulsion system means an energy conversion system, including engine and drivetrain, which utilizes advanced technology and is suitable for use in an advanced automobile.

Agency project means research and development under the Act by employees of a Federal agency furnishing assistance at the request of the DOE.

Annual funding period means the Federal fiscal year during which a grant, cooperative agreement, or contract is funded by an appropriation under the Act.

Applicant means any private laboratory, university, nonprofit organization, industrial organization, private agency, institution, organization, corporation, partnership, individual, or public agency other than a Federal agency.

DOE project means research and development under the Act by employees of the DOE.

Federal agency means an executive agency as defined by 5 U.S.C. 105 (1970).

Manager means the Federal program official who requests grant agreements, cooperative agreements, or contracts to be negotiated or who authorizes a DOE or agency project to begin.

Notice of availability means a notice published in the Commerce Business Daily advertising the availability of a formal solicitation document to be issued for the purpose of inviting and setting guidelines for submission of proposals for research and development grants, cooperative agreements, or contracts.

Research and development means activities constituting a project to create an advanced automobile propulsion system and does not mean activities involving technology transfer to mass production, evaluative testing, preliminary planning for a DOE or an agency project, or program administration and management.

Solicitation means a formal, written request for proposals to perform research and development under a grant, cooperative agreement, or contract, typically including evaluation criteria and a statement of the work to be done.

§ 473.10 Required information from applicant.

In accordance with applicable procedures of § 473.11 any applicant for a grant, cooperative agreement, or contract under the Act to support research and development activities of an advanced automobile propulsion system shall—

(a) State whether the activities will initiate or continue research and development of an advanced automobile propulsion system;

(b) State, insofar as the applicant has information, whether and to what extent the activities to be supported are technically the same as activities conducted previously or to be conducted during the annual funding period by any person for research and development of a substantially similar advanced automobile propulsion system;

(c) Justify research and development activities on an advanced automobile propulsion system abandoned by any person because of a lack of mass production potential by presenting information showing a significant intervening technological advance, promising conceptual innovation, or other special consideration;

(d) Provide—

(1) An assurance that the amount of funds to be expended for research and development of advanced automobile propulsion systems during the initial annual funding period will exceed the amount of funds expended, if any, during the previous year for the same purpose by at least the amount of the grant, cooperative agreement, or contract being sought; and

(2) An assurance that the level of research and development effort on advanced automobile propulsion systems in the initial annual funding period

will not be decreased in future annual funding periods.

(e) Provide to the extent possible—

(1) An assurance that the time period for completing research and development of the advanced automobile propulsion is likely to be shorter as a result of a grant, cooperative agreement, or contract; and

(2) The estimated delay, if any, which is likely to occur if the application for a grant, cooperative agreement, or contract is denied.

§ 473.11 Submission of applicant's information.

(a) An applicant submitting an unsolicited proposal to conduct research and development to be funded by a grant, cooperative agreement, or contract under the Act shall include the information required under § 473.10 in the unsolicited proposal document filed under the assistance or procurement regulations of the DOE or other Federal agency which funds the proposed research and development under the Act.

(b) In responding to a solicitation for a proposal to conduct research and development funded by a grant, cooperative agreement, or contract under the Act, the applicant shall include the information required under § 473.10 in the proposal.

(c) Information submitted under § 473.10 of these regulations shall be certified in writing as complete and accurate by the applicant, and if the applicant is not an individual, the chief executive officer of the applicant or his authorized designee shall sign the certification.

§ 473.20 Public notice and opportunity to object.

(a) In compliance with paragraph (b) of this section and unless provisions of paragraph (c) of this section apply, the manager shall cause to be published in the Commerce Business Daily a statement describing the unsolicited proposal, solicitation, DOE project, or agency project, as appropriate, inviting any interested person to submit a written objection, with supporting information at an appropriate address on or before 30 days from the date of publication, if the person believes that the research and development to be performed does not comply with standards and criteria of § 473.30.

(b) Except as paragraph (c) of this section applies, the manager shall comply with the requirements of paragraph (a) of this section—

(1) Upon receipt of an unsolicited proposal from an applicant;

(2) In any notice of availability of a solicitation;

(3) Prior to beginning a DOE project; or

(4) Prior to beginning an agency project.

(c) Without publishing a notice under paragraph (a) of this section, the manager may reject an unsolicited proposal that does not comply with these regulations or any other generally applicable requirements.

§ 473.21 Supplemental information and rebuttal.

The manager may request additional information from an applicant or any interested person who files an objection under § 473.20.

§ 473.22 Initial review by manager.

(a) Upon expiration of the time for filing information under these regulations, the manager shall—

(1) Review the proposed research and development to be performed under grant, under cooperative agreement, under contract, as a DOE project, or as an agency project and any other pertinent information received under these regulations or otherwise available; and

(2) Initially determine whether the research and development reviewed under paragraph (a)(1) of this section complies with the standards and criteria of § 473.30.

(b) A manager who makes a negative determination under paragraph (a)(2) of this section shall inform the applicant and any interested person who objected of the decision in writing with a brief statement of supporting reasons.

(c) A manager who initially determines that research and development reviewed under this section complies with the standards and criteria of § 473.30 shall cause an interagency review panel to be convened under § 473.23.

§ 473.23 Interagency review panel.

(a) The interagency review panel shall consist of—

(1) A head designated by the Federal agency that employs the manager;

(2) A representative of the DOE if the manager is not an employee of the DOE; and

(3) A representative of any other Federal agency deemed appropriate by the Federal agency that employs the manager.

(b) The interagency review panel shall—

(1) Review the research and development to be performed and consider the information presented by the applicant, in the case of a grant, cooperative agreement, or contract, and by any interested person who filed a statement of objection;

(2) Make a recommendation with a supporting statement of findings to the manager as to whether the research and development to be performed complies with the standards and criteria of § 473.30; and

(3) Operate by majority vote with the head of the panel casting the decisive vote in the event of a tie.

§ 473.24 Final action and certification by manager.

(a) Upon consideration of the recommendation of the interagency review panel and other pertinent information, the manager—

(1) Shall determine whether the research and development to be performed complies with the standards and criteria of § 473.30;

(2) Shall obtain the concurrence of the DOE if the manager is not an employee of the DOE;

(3) Shall, in the event of a negative determination under this section, advise the applicant, in the case of a grant, cooperative agreement, or contract, and any interested person who filed a statement of objection; and

(4) Shall, in the event of an affirmative determination under this section, prepare a certification—

(i) Explaining the determination;

(ii) Discussing any allegedly related or comparable industrial research and development considered and deemed to be an inadequate basis for not certifying the grant or contract;

(iii) Discussing issues regarding cost sharing and patent rights related to the standards and criteria of § 473.30 of these regulations; and

(iv) Discussing any other relevant issue.

(b) After complying with paragraph (a) of this section, the manager shall sign the certification and distribute copies to the applicant, if any, and any interested person who filed a statement of objections—

(1) Immediately in the case of a DOE or agency project; and

(2) After the agreement has been negotiated in the case of a grant, cooperative agreement, or contract.

§ 473.25 Reviewability of certification.

Any certification issued under these rules is—

(a) Subject to disclosure under 5 U.S.C. 552 (1970) and section 17 of the Federal Nonnuclear Energy Research and Development Act of 1974, as amended, 42 U.S.C. 5918 (1970);

(b) Subject neither to judicial review nor to the provisions of 5 U.S.C. 551–559 (1970), except as provided under paragraph (a) of this section; and

(c) Available to the Committee on Science and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

§ 473.30 Standards and criteria.

Research and development to be performed under a grant, under a cooperative agreement, under a contract, as a DOE project, or as an agency project under the Act may be certified under these regulations only if the research and development to be conducted—

(a) Supplements the automotive propulsion system research and development efforts of industry or any other private researcher;

(b) Is not duplicative of efforts previously abandoned by private researchers unless there has been an intervening technological advance, promising conceptual innovation, or justified by other special consideration;

(c) Would not be performed during the annual funding period but for the availability of the Federal funding being sought;

(d) Is likely to produce an advanced automobile propulsion system suitable for steps toward technology transfer to mass production in a shorter time period than would otherwise occur;

(e) Is not technologically the same as efforts by any person conducted previously or to be conducted during the annual funding period regarding a substantially similar advanced automobile propulsion system; and

(f) Is not likely to result in a decrease in the level of private resources expended on advanced automotive research and development by substituting Federal funds without justification.

PART 474—ELECTRIC AND HYBRID VEHICLE RESEARCH, DEVELOPMENT, AND DEMONSTRATION PROGRAM; PETROLEUM-EQUIVALENT FUEL ECONOMY CALCULATION

Sec.

474.1 Purpose and scope.
474.2 Definitions.
474.3 Petroleum-equivalent fuel economy calculation.
474.4 Test procedures.
474.5 [Reserved]
APPENDIX TO PART 474—SAMPLE PETROLEUM-EQUIVALENT FUEL ECONOMY CALCULATIONS

AUTHORITY: 49 U.S.C. 32901 *et seq.*

SOURCE: 65 FR 36991, June 12, 2000, unless otherwise noted.

§ 474.1 Purpose and Scope.

This part contains procedures for calculating a value for the petroleum-equivalent fuel economy of electric vehicles, as required by 49 U.S.C. 32904(a)(2). The petroleum-equivalent fuel economy value is intended to be used by the Environmental Protection Agency in calculating corporate average fuel economy values pursuant to regulations at 40 CFR Part 600—Fuel Economy of Motor Vehicles.

§ 474.2 Definitions.

For the purposes of this part, the term:

Combined energy consumption value means the weighted average of the Urban Dynamometer Driving Schedule and the Highway Fuel Economy Driving Schedule energy consumption values (weighted 55/45 percent, respectively), as determined by the Environmental Protection Agency in accordance with 40 CFR parts 86 and 600.

Electric vehicle means a vehicle that is powered by an electric motor drawing current from rechargeable storage batteries or other portable electrical energy storage devices, provided that:

(1) Recharge energy must be drawn from a source off the vehicle, such as residential electric service; and

(2) The vehicle must comply with all provisions of the Zero Emission Vehicle definition found in 40 CFR 88.104–94(g).

Highway Fuel Economy Driving Schedule energy consumption value means the average number of watt-hours of electrical energy required for an electric vehicle to travel one mile of the Highway Fuel Economy Driving Schedule, as determined by the Environmental Protection Agency.

Petroleum equivalency factor means the values specified in § 474.3, paragraphs (b) through (f) of this part, which incorporate the parameters listed in 49 U.S.C. 32904(a)(2)(B) and are used to calculate petroleum-equivalent fuel economy.

Petroleum-equivalent fuel economy means the value, expressed in miles per gallon, that is calculated for an electric vehicle in accordance with § 474.3(a) of this part, and reported to the Administrator of the Environmental Protection Agency for use in determining the vehicle manufacturer's corporate average fuel economy.

Petroleum-powered accessory means a vehicle accessory (e.g., a cabin heater, defroster, and/or air conditioner) that:

(1) Uses gasoline or diesel fuel as its primary energy source; and

(2) Meets the requirements for fuel, operation, and emissions in 40 CFR part 88.104–94(g).

Urban Dynamometer Driving Schedule energy consumption value means the average number of Watt-hours of electrical energy required for an electric vehicle to travel one mile of the Urban Dynamometer Driving Schedule, as determined by the Environmental Protection Agency.

[65 FR 36991, June 12, 2000, as amended at 89 FR 22059, Mar. 29, 2024]

§ 474.3 Petroleum-equivalent fuel economy calculation.

(a) The petroleum-equivalent fuel economy for an electric vehicle is calculated as follows:

(1) Determine the electric vehicle's Urban Dynamometer Driving Schedule energy consumption value and the Highway Fuel Economy Driving Schedule energy consumption value in units of Watt-hours per mile;

(2) Determine the combined energy consumption value by averaging the Urban Dynamometer Driving Schedule energy consumption value and the Highway Fuel Economy Driving Schedule energy consumption value using a weighting of 55 percent urban/45 percent highway; and

(3) Calculate the petroleum-equivalent fuel economy by dividing the appropriate petroleum-equivalency factor (depending on whether any petroleum-powered accessories are installed; see paragraph (b) of this section) by the combined energy consumption value, and round to the nearest 0.01 miles per gallon.

(b) For model year (MY) 2024, MY 2025, and MY 2026 electric vehicles, the petroleum-equivalency factors are as follows:

(1) If the electric vehicle does not have any petroleum-powered accessories installed, the value of the petroleum equivalency factor is 82,049 Watt-hours per gallon.

(2) If the electric vehicle has any petroleum-powered accessories installed, the value of the petroleum-equivalency factor is 73,844 Watt-hours per gallon.

(c) For MY 2027 electric vehicles, the petroleum-equivalency factor is 79,989 Watt-hours per gallon.

(d) For MY 2028 electric vehicles, the petroleum-equivalency factor is 50,427 Watt-hours per gallon.

(e) For MY 2029 electric vehicles, the petroleum-equivalency factor is 36,820 Watt-hours per gallon.

(f) For MY 2030 and later electric vehicles, the petroleum-equivalency factor is 28,996 Watt-hours per gallon.

[65 FR 36991, June 12, 2000, as amended at 89 FR 22059, Mar. 29, 2024]

§ 474.4 Test procedures.

(a) The electric vehicle energy consumption values used in the calculation of petroleum-equivalent fuel economy under § 474.3 of this part will be determined by the Environmental Protection Agency using the Highway Fuel Economy Driving Schedule and Urban Dynamometer Driving Schedule test cycles at 40 CFR parts 86 and 600.

(b) The ''Special Test Procedures'' provisions of 40 CFR 86.090–27 may be used to accommodate any special test procedures required for testing the energy consumption of electric vehicles.

§ 474.5 [Reserved]

Appendix A to Part 474—Sample Petroleum-Equivalent Fuel Economy Calculations

Example 1: Battery Electric Vehicle (BEV)

A battery electric vehicle is tested in accordance with Environmental Protection Agency procedures and is found to have an Urban Dynamometer Driving Schedule energy consumption value of 265 Watt-hours per mile and a Highway Fuel Economy Driving Schedule energy consumption value of 220 Watt-hours per mile. The vehicle is not equipped with any petroleum-powered accessories. The combined electrical energy consumption value is determined by averaging the Urban Dynamometer Driving Schedule energy consumption value and the Highway Fuel Economy Driving Schedule energy consumption value using weighting factors of 55 percent urban, and 45 percent highway:

combined electrical energy consumption value = (0.55 * urban) + (0.45 * highway) = (0.55 * 265) + (0.45 * 220) = 244.75 Wh/mile

The petroleum-equivalent fuel economy is:

PEF ÷ combined electrical energy consumption value

Thus, fuel economy for the example vehicle in MY 2030 would be:

$$BEV\ Fuel\ Economy = \frac{28{,}996\ \frac{\text{Wh}}{\text{gal}}}{244.75\ \frac{Wh}{mi}} = 118.47\ \text{MPGe}$$

where MPGe is miles per gallon equivalent.

Example 2: Plug-In Hybrid Electric Vehicle

A plug-in hybrid electric vehicle is tested in accordance with Environmental Protection Agency procedures and is found to have an Urban Dynamometer Driving Schedule energy consumption value of 265 Watt-hours per mile and a Highway Fuel Economy Driving Schedule energy consumption value of 220 Watt-hours per mile in charge depleting mode, a combined gasoline fuel economy of 50.0 miles per gallon in charge sustaining mode, and an all-electric range corresponding to a percentage utilization of 60 percent travel on electricity and 40 percent travel on gasoline.

The combined electrical energy consumption value is determined by averaging the Urban Dynamometer Driving Schedule energy consumption value and the Highway Fuel Economy Driving Schedule energy consumption value using weighting factors of 55 percent urban, and 45 percent highway to be 244.75 Wh/mile, which corresponds to 118.47 miles/gal equivalent as shown above for a BEV (using the MY 2030-and-beyond PEF value of 28,997 Wh/gal).

The PHEV fuel economy is calculated by dividing one by the sum of the percentage utilization for petroleum and electricity divided by their respective fuel economy.

In this case:

$$PHEV\ Fuel\ Economy = \frac{1}{\frac{0.60}{118.47\ \text{MPGe}} + \frac{0.40}{50.00\ \text{MPG}}} = 76.5\ \text{MPGe}$$

[89 FR 22059, Mar. 29, 2024]

PART 490—ALTERNATIVE FUEL TRANSPORTATION PROGRAM

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AUTHORITY: 42 U.S.C. 7191 *et seq.;* 42 U.S.C. 13201, 13211, 13220, 13251 *et seq;* 28 U.S.C. 2461 note.

SOURCE: 61 FR 10653, Mar. 14, 1996, unless otherwise noted.

Subpart A—General Provisions

§ 490.1 Purpose and Scope.

(a) The provisions of this part implement the alternative fuel transportation program for State government and alternative fuel provider fleets under titles III, IV, and V of the Energy Policy Act of 1992 (Pub. L. 102–486).

(b) The provisions of this subpart cover:

(1) The definitions applicable throughout this part;

(2) Procedures to obtain an interpretive ruling and to petition for a generally applicable rule to amend this part; and

(3) The goal of the replacement fuel supply and demand program established under section 502(a) of the Act (42 U.S.C. 13252(a)).

[61 FR 10653, Mar. 14, 1996, as amended at 72 FR 12060, Mar. 15, 2007; 79 FR 15902, Mar. 21, 2014]

§ 490.2 Definitions.

The following definitions apply to this part—

Acquire means to take into possession or control.

Act means the Energy Policy Act of 1992 (Pub. L. 102–486) and any amendments thereof.

After-Market Converted Vehicle means an Original Equipment Manufacturer vehicle that is reconfigured by a conversion company, which is not under contract to the Original Equipment Manufacturer, to operate on an alternative fuel and whose conversion kit components are under warranty of the conversion company.

Alternative Fuel means methanol, denatured ethanol, and other alcohols; mixtures containing 85 percent or more by volume of methanol, denatured ethanol, and other alcohols with gasoline or other fuels; natural gas, including liquid fuels domestically produced from natural gas; liquefied petroleum gas; hydrogen; coal-derived liquid fuels; fuels (other than alcohol) derived from biological materials (including neat biodiesel); three P-series fuels (specifically known as Pure Regular, Pure Premium and Pure Cold Weather) as described by United States Patent number 5,697,987, dated December 16, 1997, and containing at least 60 percent non-petroleum energy content derived from methyltetrahydrofuran, which must be manufactured solely from biological materials, and ethanol, which must be manufactured solely from biological materials; and electricity (including electricity from solar energy).

Alternative Fueled Vehicle means a dedicated vehicle or a dual fueled vehicle, as those terms are defined in this section.

Assistant Secretary means the Assistant Secretary for Energy Efficiency and Renewable Energy or any other DOE official to whom the Assistant Secretary's duties under this part may be redelegated by the Secretary.

Automobile means a 4-wheeled vehicle that is propelled by conventional fuel, or by alternative fuel, manufactured primarily for use on public streets, roads, and highways and having a gross vehicle weight rating of less than 10,000 pounds, except:

(1) A vehicle operated only on a rail line;

(2) A vehicle manufactured in different stages by two or more original equipment manufacturers, if no intermediate or final-stage original equipment manufacturer of that vehicle manufactures more than 10,000 multistage vehicles per year; or

(3) A work truck, as that term is defined in this section.

Capable of Being Centrally Fueled means that a vehicle can be fueled at least 75 percent of the time at a location that is owned, operated, or controlled by the fleet or covered person, or at a location that is under contract with the fleet or covered person for fueling purposes.

Centrally Fueled means that a vehicle is fueled at least 75 percent of the time at a location that is owned, operated, or controlled by the fleet or covered person, or is under contract with the fleet or covered person for refueling purposes.

Control—

(1) When it is used to determine whether one person controls another or whether two persons are under common control, means any one or a combination of the following:

(i) A third person or firm has equity ownership of 51 percent or more in each of two firms; or

(ii) Two or more firms have common corporate officers, in whole or in substantial part, who are responsible for the day-to-day operation of the companies; or

(iii) One person or firm leases, operates, or supervises 51 percent or more of the equipment and/or facilities of another person or firm; owns 51 percent or more of the equipment and/or facilities of another person or firm; or has equity ownership of 51 percent or more of another person or firm.

(2) When it is used to refer to the management of vehicles, means a person has the authority to decide who can operate a particular vehicle, and the purposes for which the vehicle can be operated.

Covered Person means a person that owns, operates, leases, or otherwise controls—

(1) A fleet, as defined by this section, that contains at least 20 light duty motor vehicles that are centrally fueled or capable of being centrally fueled, and are used primarily within a metropolitan statistical area or a consolidated metropolitan statistical area, as established by the Bureau of the Census, with a 1980 population of 250,000 or more (as set forth in appendix A to this subpart) or in a FEDERAL REGISTER notice; and

(2) At least 50 light duty motor vehicles within the United States.

Dealer Demonstration Vehicle means any vehicle that is operated by a motor vehicle dealer solely for the purpose of promoting motor vehicle sales, either on the sales lot or through other marketing or sales promotions, or for permitting potential purchasers to drive the vehicle for pre-purchase or prelease evaluation.

Dedicated Vehicle means—

(1) An automobile that operates solely on one or more alternative fuels; or

(2) A motor vehicle, other than an automobile, that operates solely on one or more alternative fuels.

DOE means the Department of Energy.

Dual Fueled Vehicle means—

(1) An automobile that meets the criteria for a dual fueled automobile as set forth in 49 U.S.C. 32901(a)(9); or

(2) A motor vehicle, other than an automobile, that is capable of operating on alternative fuel and on gasoline or diesel.

Emergency Motor Vehicle means any vehicle that is legally authorized by a government authority to exceed the speed limit to transport people and equipment to and from situations in

which speed is required to save lives or property, such as a rescue vehicle, fire truck or ambulance.

Fleet means a group of 20 or more light duty motor vehicles, excluding certain categories of vehicles as provided by § 490.3, used primarily in a metropolitan statistical area or consolidated metropolitan statistical area, as established by the Bureau of the Census as of December 31, 1992, with a 1980 Census population of more than 250,000 (listed in Appendix A to this subpart), that are centrally fueled or capable of being centrally fueled, and are owned, operated, leased, or otherwise controlled—

(1) By a person who owns, operates, leases, or otherwise controls 50 or more light duty motor vehicles within the United States and its possessions and territories;

(2) By any person who controls such person;

(3) By any person controlled by such person; or

(4) By any person under common control with such person.

Law Enforcement Motor Vehicle means any vehicle which is primarily operated by a civilian or military police officer or sheriff, or by personnel of the Federal Bureau of Investigation, the Drug Enforcement Administration, or other enforcement agencies of the Federal government, or by State highway patrols, municipal law enforcement, or other similar enforcement agencies, and which is used for the purpose of law enforcement activities including, but not limited to, chase, apprehension, and surveillance of people engaged in or potentially engaged in unlawful activities.

Lease means the use and control of a motor vehicle for transportation purposes pursuant to a rental contract or similar arrangement with a term of 120 days or more.

Light Duty Motor Vehicle means a light duty truck or light duty vehicle, as such terms are defined under section 216(7) of the Clean Air Act (42 U.S.C. § 7550(7)), having a gross vehicle weight rating of 8,500 pounds or less, before any after-market conversion to alternative fuel operation.

Model Year means the period from September 1 of the previous calendar year through August 31.

Motor Vehicle means a self-propelled vehicle, other than a non-road vehicle, designed for transporting persons or property on a street or highway.

Non-road Vehicle means a vehicle not licensed for on-road use, including such vehicles used principally for industrial, farming or commercial use, for rail transportation, at an airport, or for marine purposes.

Original Equipment Manufacturer means a manufacturer that provides the original design and materials for assembly and manufacture of its product.

Original Equipment Manufacturer Vehicle means a vehicle engineered, designed, produced and warranted by an Original Equipment Manufacturer.

Person means any individual, partnership, corporation, voluntary association, joint stock company, business trust, Governmental entity, or other legal entity in the United States except United States Government entities.

State means any of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, and any other territory or possession of the United States.

Used Primarily, as utilized in the definition of ''fleet,'' means that a majority of a vehicle's total annual miles are accumulated within a covered metropolitan or consolidated metropolitan statistical area.

Work Truck means a vehicle having a gross vehicle weight rating of more than 8,500 and less than or equal to 10,000 pounds that is not a medium-duty passenger vehicle as that term is defined in 40 CFR 86.1803–01.

[61 FR 10653, Mar. 14, 1996, as amended at 64 FR 26829, May 17, 1999; 79 FR 15902, Mar. 21, 2014]

§ 490.3 Excluded vehicles.

When counting light duty motor vehicles to determine under this part whether a person has a fleet or to calculate alternative fueled vehicle acquisition requirements, the following vehicles are excluded—

(a) Motor vehicles held for lease or rental to the general public, including

vehicles that are owned or controlled primarily for the purpose of short-term rental or extended-term leasing, without a driver, pursuant to a contract;

(b) Motor vehicles held for sale by motor vehicle dealers, including demonstration motor vehicles;

(c) Motor vehicles used for motor vehicle manufacturer product evaluations or tests, including but not limited to, light duty motor vehicles owned or held by a university research department, independent testing laboratory, or other such evaluation facility, solely for the purpose of evaluating the performance of such vehicle for engineering, research and development or quality control reasons;

(d) Law enforcement vehicles;

(e) Emergency motor vehicles, including vehicles directly used in the emergency repair of transmission lines and in the restoration of electricity service following power outages, as determined by DOE;

(f) Motor vehicles acquired and used for purposes that the Secretary of Defense has certified to DOE must be exempt for national security reasons;

(g) Nonroad vehicles; and

(h) Motor vehicles which, when not in use, are normally parked at the personal residences of the individuals that usually operate them, rather than at a central refueling, maintenance, or business location.

[61 FR 10653, Mar. 14, 1996, as amended at 79 FR 15903, Mar. 21, 2014]

§ 490.4 General information inquiries.

DOE responses to inquiries with regard to the provisions of this part that are not filed in compliance with §§ 490.5 or 490.6 of this part constitute general information and the responses provided shall not be binding on DOE.

§ 490.5 Requests for an interpretive ruling.

(a) *Right to file.* Any person who is or may be subject to this part shall have the right to file a request for an interpretive ruling on a question with regard to how the regulations apply to particular facts and circumstances.

(b) *How to file.* A request for an interpretive ruling shall be filed—

(1) With the Assistant Secretary;

(2) In an envelope labeled ''Request for Interpretive Ruling under 10 CFR part 490;'' and

(3) By messenger or mail at the Office of Energy Efficiency and Renewable Energy, EE–33, U.S. Department of Energy, 1000 Independence Avenue, S.W., Washington, D.C. 20585 or at such other address as DOE may provide by notice in the FEDERAL REGISTER.

(c) *Content of request for interpretive ruling.* At a minimum, a request under this section shall—

(1) Be in writing;

(2) Be labeled ''Request for Interpretive Ruling Under 10 CFR Part 490;''

(3) Identify the name, address, telephone number, and any designated representative of the person requesting the interpretive ruling;

(4) State the facts and circumstances relevant to the request;

(5) Be accompanied by copies of relevant supporting documents, if any;

(6) Specifically identify the pertinent regulations and the related question on which an interpretive ruling is sought with regard to the relevant facts and circumstances; and

(7) Contain any arguments in support of the terms of an interpretation the requester is seeking.

(d) *Public comment.* DOE may give public notice of any request for an interpretive ruling and invite public comment.

(e) *Opportunity to respond to public comment.* DOE may provide an opportunity for any person who requested an interpretive ruling to respond to public comments.

(f) *Other sources of information.* DOE may—

(1) Conduct an investigation of any statement in a request;

(2) Consider any other source of information in evaluating a request for an interpretive ruling; and

(3) Rely on previously issued interpretive rulings dealing with the same or a related issue.

(g) *Informal conference.* DOE, on its own initiative, may convene an informal conference with the person requesting an interpretive ruling.

(h) *Effect of an interpretive ruling.* The authority of an interpretive ruling shall be limited to the person requesting such ruling and shall depend on the

accuracy and completeness of the facts and circumstances on which the interpretive ruling is based. An interpretive ruling by the Assistant Secretary shall be final for DOE.

(i) *Reliance on an interpretive ruling.* No person who obtains an interpretive ruling under this section shall be subject to an enforcement action for civil penalties or criminal fines for actions reasonably taken in reliance thereon, but a person may not act in reliance on an interpretive ruling that is administratively rescinded or modified, judicially invalidated, or its prospective effect is overruled by statute or regulation.

(j) *Denials of requests for an interpretive ruling.* DOE shall deny a request for an interpretive ruling if DOE determines that—

(1) There is insufficient information upon which to base an interpretive ruling;

(2) The questions posed should be treated in a general notice of proposed rulemaking under 42 U.S.C. 7191 and 5 U.S.C. 553;

(3) There is an adequate procedure elsewhere in this part for addressing the question posed such as a petition for exemption; or

(4) For other good cause.

(k) *Public file.* DOE may file a copy of an interpretive ruling in a public file labeled ''Interpretive Rulings Under 10 CFR Part 490'' which shall be available during normal business hours for public inspection at the DOE Freedom of Information Reading Room at 1000 Independence Avenue, SW, Washington, DC 20585, or at such other addresses as DOE may announce in a FEDERAL REGISTER notice.

§ 490.6 Petitions for generally applicable rulemaking.

(a) *Right to file.* Pursuant to 42 U.S.C. 7191 and 5 U.S.C. 553(e), any person may file a petition for generally applicable rulemaking under titles III, IV, and V of the Act with the DOE General Counsel.

(b) *How to file.* A petition for generally applicable rulemaking under this section shall be filed by mail or messenger in an envelope addressed to the Office of General Counsel, GC–1, U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585.

(c) *Content of rulemaking petitions.* A petition under this section must—

(1) Be labeled ''Petition for Rulemaking Under 10 CFR Part 490'';

(2) Describe with particularity the terms of the rule being sought;

(3) Identify the provisions of law that direct, authorize, or affect the issuance of the rules being sought; and

(4) Explain why DOE should not choose to make policy by precedent through interpretive rulings, petitions for exemption, or other adjudications.

(d) *Determination upon rulemaking petitions.* After considering the petition and other information deemed to be appropriate, DOE may grant the petition and issue an appropriate rulemaking notice, or deny the petition because the rule being sought—

(1) Would be inconsistent with statutory law;

(2) Would establish a generally applicable policy in an area that should be left to case-by-case determinations;

(3) Would establish a policy inconsistent with the underlying statutory purposes; or

(4) For other good cause.

§ 490.7 Relationship to other law.

(a) Nothing in this part shall be construed to require or authorize sale of, or conversion to, light duty alternative fueled motor vehicles in violation of applicable regulations of any Federal, State or local government agency.

(b) Nothing in this part shall be construed to require or authorize the use of a motor fuel in violation of applicable regulations of any Federal, State, or local government agency.

§ 490.8 Replacement fuel production goal.

The goal of the replacement fuel supply and demand program established by section 502(b)(2) of the Act (42 U.S.C. 13252(b)(2)) and revised by DOE pursuant to section 504(b) of the Act (42 U.S.C. 13254(b)) is to achieve a production capacity of replacement fuels sufficient to replace, on an energy equivalent basis, at least 30 percent of motor fuel consumption in the United States by the year 2030.

[72 FR 12060, Mar. 15, 2007]

APPENDIX A TO SUBPART A OF PART 490—METROPOLITAN STATISTICAL AREAS/CONSOLIDATED METROPOLITAN STATISTICAL AREAS WITH 1980 POPULATIONS OF 250,000 OR MORE

Albany-Schenectady-Troy MSA NY
Albuquerque MSA NM
Allentown-Bethlehem-Easton MSA PA
Appleton-Oshkosh-Neenah MSA WI
Atlanta MSA GA
Augusta-Aiken MSA GA-SC
Austin-San Marcos MSA TX
Bakersfield MSA CA
Baton Rouge MSA LA
Beaumont-Port Arthur MSA TX
Binghamton MSA NY
Birmingham MSA AL
Boise City MSA ID
Boston-Worcester-Lawrence CMSA MA-NH-ME-CT
Buffalo-Niagara Falls MSA NY
Canton-Massillon MSA OH
Charleston MSA SC
Charleston MSA WV
Charlotte-Gastonia-Rock Hill MSA NC-SC
Chattanooga MSA TN-GA
Chicago-Gary-Kenosha CMSA IL-IN-WI
Cincinnati-Hamilton CMSA OH-KY-IN
Cleveland-Akron CMSA OH
Colorado Springs MSA CO
Columbia MSA SC
Columbus MSA OH
Columbus MSA GA-AL
Corpus Christi MSA TX
Dallas-Fort Worth CMSA TX
Davenport-Moline-Rock Island MSA IA-IL
Dayton-Springfield MSA OH
Daytona Beach MSA FL
Denver-Boulder-Greeley CMSA CO
Des Moines MSA IA
Detroit-Ann Arbor-Flint CMSA MI
Duluth MSA MN-WI
El Paso MSA TX
Erie MSA PA
Eugene-Springfield MSA OR
Evansville-Henderson MSA IN-KY
Fort Wayne MSA IN
Fresno MSA CA
Grand Rapids-Muskegon-Holland MSA MI
Greensboro-Winston Salem-High Point MSA NC
Greenville-Spartanburg-Anderson MSA SC
Harrisburg-Lebanon-Carlisle MSA PA
Hartford MSA CT
Hickory-Morganton MSA NC
Honolulu MSA HI
Houston-Galveston-Brazoria CMSA TX
Huntington-Ashland MSA WV-KY-OH
Indianapolis MSA IN
Jackson MSA MS
Jacksonville MSA FL
Johnson City-Kingsport-Bristol MSA TN-VA
Johnstown MSA PA
Kalamazoo-Battle Creek MSA MI
Kansas City MSA MO-KS
Knoxville MSA TN
Lakeland-Winter Haven MSA FL
Lancaster MSA PA
Lansing-East Lansing MSA MI
Las Vegas MSA NV-AZ
Lexington MSA KY
Little Rock-N. Little Rock MSA AR
Los Angeles-Riverside-Orange County CMSA CA
Louisville MSA KY-IN
Macon MSA GA
Madison MSA WI
McAllen-Edinburg-Mission MSA TX
Melbourne-Titusville-Palm Bay MSA FL
Memphis MSA TN-AR-MS
Miami-Fort Lauderdale CMSA FL
Milwaukee-Racine CMSA WI
Minneapolis-St. Paul MSA MN-WI
Mobile MSA AL
Modesto MSA CA
Montgomery MSA AL
Nashville MSA TN
New London-Norwich MSA CT-RI
New Orleans MSA LA
New York-N. New Jersey-Long Island CMSA NY-NJ-CT-PA
Norfolk-Virginia Beach-Newport News MSA VA-NC
Oklahoma City MSA OK
Omaha MSA NE-IA
Orlando MSA FL
Pensacola MSA FL
Peoria-Pekin MSA IL
Philadelphia-Wilmington-Atlantic City CMSA PA-NJ DE-MD
Phoenix-Mesa MSA AZ
Pittsburgh MSA PA
Portland-Salem CMSA OR-WA
Providence-Fall River-Warwick MSA RI-MA
Raleigh-Durham-Chapel Hill MSA NC
Reading MSA PA
Richmond-Petersburg MSA VA
Rochester MSA NY
Rockford MSA IL
Sacramento-Yolo CMSA CA
Saginaw-Bay City-Midland MSA MI
St. Louis MSA MO-IL
Salinas MSA CA
Salt Lake City-Ogden MSA UT
San Antonio MSA TX
San Diego MSA CA
San Francisco-Oakland-San Jose CMSA CA
San Juan MSA PR
Santa Barbara-Santa Maria-Lompoc MSA CA
Scranton-Wilkes Barre-Hazleton MSA PA
Seattle-Tacoma-Bremerton CMSA WA
Shreveport-Bossier City MSA LA
Spokane MSA WA
Springfield MSA MA
Stockton-Lodi MSA CA
Syracuse MSA NY
Tampa-St. Petersburg-Clearwater MSA FL
Toledo MSA OH
Tucson MSA AZ
Tulsa MSA OK
Utica-Rome MSA NY

Washington-Baltimore CMSA DC-MD-VA-WV
West Palm Beach-Boca Raton MSA FL
Wichita MSA KS
York MSA PA
Youngstown-Warren MSA OH

Subpart B [Reserved]

Subpart C—Mandatory State Fleet Program

§ 490.200 Purpose and scope.

This subpart sets forth rules implementing the provisions of Section 507(o) of the Act which requires, subject to some exemptions, that certain percentages of new light duty motor vehicles acquired for State fleets be alternative fueled vehicles.

§ 490.201 Alternative fueled vehicle acquisition mandate schedule.

(a) Except as otherwise provided in this part, of the new light duty motor vehicles acquired annually for State government fleets, including agencies thereof but excluding municipal fleets, the following percentages shall be alternative fueled vehicles for the following model years;

(1) 10 percent for model year 1997;

(2) 15 percent for model year 1998;

(3) 25 percent for model year 1999;

(4) 50 percent for model year 2000; and

(5) 75 percent for model year 2001 and thereafter.

(b) Each State shall calculate its alternative fueled vehicle acquisition requirements for the State government fleets, including agencies thereof, by applying the alternative fueled vehicle acquisition percentages for each model year to the total number of new light duty motor vehicles to be acquired during that model year for those fleets.

(c) If the calculation performed under paragraph (b) of this section produces a number that requires the acquisition of a partial vehicle, an adjustment to the acquisition number will be made by rounding the number of vehicles down the next whole number if the fraction is less than one half and by rounding the number of vehicles up to the next whole number if the fraction is equal to or greater than one half.

(d) A State fleet that first becomes subject to this part after model year 1997 shall acquire alternative fueled vehicles in the next model year at the percentage applicable to that model year according to the schedule in paragraph (a) of this section, unless the State is granted an exemption or reduction of the acquisition percentage pursuant to the procedures and criteria in section 490.204.

§ 490.202 Acquisitions satisfying the mandate.

The following actions within a model year qualify as acquisitions for the purpose of compliance with the requirements of section 490.201 of this part:

(a) The purchase or lease of an Original Equipment Manufacturer light duty vehicle (regardless of the model year of manufacture) that is an alternative fueled vehicle and that was not previously under the control of the State or State agency;

(b) The purchase or lease of an aftermarket converted light duty vehicle (regardless of model year of manufacture), that was not previously under control of the State or State agency;

(c) The conversion of a newly purchased or leased light duty vehicle to operate on alternative fuels within four months after the vehicle is acquired for a State fleet; and

(d) The application of alternative fueled vehicle credits allocated under subpart F of this part.

[61 FR 10653, Mar. 14, 1996, as amended at 79 FR 15903, Mar. 21, 2014]

§ 490.203 Light Duty Alternative Fueled Vehicle Plan.

(a) *General Provisions.* (1) In lieu of meeting its requirements under section 490.201 exclusively with acquisitions for State fleets, a State may follow a Light Duty Alternative Fueled Vehicle Plan that has been approved by DOE under this section.

(2) Any Light Duty Alternative Fueled Vehicle Plan must provide for voluntary acquisitions or conversions, or combinations thereof, by State, local, and private fleets that equal or exceed the State's alternative fuel vehicle acquisition requirement under section 490.201.

(3) Any acquisitions of light duty alternative fueled vehicles by participants in the State plan may be included for purposes of compliance, irrespective of whether the vehicles are in excluded categories set forth in section 490.3 of this part.

(4) Except as provided in paragraph (h) of this section or except for a fleet exempt under section 490.204, a State that does not have an approved plan in effect under this section is subject to the State fleet acquisition percentage requirements of section 490.201.

(5) If a significant commitment under an approved plan is not met by a participant of a plan, the State shall meet its percentage requirements under section 490.201 or submit to DOE an amendment to the plan for DOE approval.

(b) *Required elements of a plan.* Each plan must include the following elements:

(1) Certification by the Governor, or the Governor's designee, that the plan meets the requirements of this subpart;

(2) Identification of State, local and private fleets that will participate in the plan;

(3) Number of new alternative fueled vehicles to be acquired by each plan participant;

(4) A written statement from each plan participant to assure commitment;

(5) A statement of contingency measures by the State to offset any failure to fulfill significant commitments by plan participants, in order to meet the requirements of section 490.201;

(6) A provision by the State to monitor and verify implementation of the plan;

(7) A provision certifying that all acquisitions and conversions under the plan are voluntary and will meet the requirements of §247 of the Clean Air Act, as amended (42 U.S.C. 7587) and all applicable safety requirements.

(c) *When to submit plan.* (1) For model year 1997, a State shall submit its plan on or before March 14, 1997.

(2) Beginning with model year 1998, a State shall submit its plan to DOE no later than June 1 prior to the first model year covered by such plan.

(d) *Review and approval.* DOE shall review and approve a plan which meets the requirements of this subpart within 60 days of the date of receipt of the plan by DOE at the address in paragraph (g)(1) of this section.

(e) *Disapproval of plans.* If DOE disapproves or requests a State to submit additional information, the State may revise and resubmit the plan to DOE within a reasonable time.

(f) *How a State may modify an approved plan.* If a State determines that it cannot successfully implement its plan, it may submit to DOE for approval, at any time, the proposed modifications with adequate justifications.

(g) *Where to submit plans.* (1) A State shall submit to DOE an original and two copies of the plan and shall be addressed to the U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, EE-33, 1000 Independence Ave., SW., Washington, DC 20585, or to such other address as DOE may announce in a FEDERAL REGISTER notice.

(2) Any requests for modifications shall also be sent to the address in paragraph (g)(1) of this section.

(h) *MY 1997 Exemption.* (1) On or after September 1, 1996, a State shall be deemed automatically exempt from section 490.201 (a)(1) until DOE makes a final determination on a timely application to approve a plan for model year 1997 under this section if the State:

(i) Has submitted the application; or

(ii) Has sent a written notice to the Assistant Secretary, at the address under paragraph (g)(1) of this section, that it will file such an application on or before March 14, 1997.

(2) During the period of an automatic exemption under this paragraph, a State may procure light duty motor vehicles in accordance with its normal procurement policies.

§ 490.204 Process for granting exemptions.

(a) To obtain an exemption, in whole or in part, from the vehicle acquisition mandate in section 490.201 of this part, a State shall submit to DOE a written request for exemption, along with supporting documentation which must demonstrate that—

(1) Alternative fuels that meet the normal requirements and practices of the principal business of the State fleet

are not available from fueling sites that would permit central fueling of fleet vehicles in the area in which the vehicles are to be operated; or

(2) Alternative fueled vehicles that meet the normal requirements and practices of the principal business of the State fleet are not available for purchase or lease commercially on reasonable terms and conditions in the State; or

(3) The application of such requirements would pose an unreasonable financial hardship.

(b) Requests for exemption must be accompanied by supporting documentation, must be submitted no earlier than September 1 following the model year for which the exemption is sought and no later than January 31 following the model year for which the exemption is sought, and will only be considered following submission of the annual report under § 490.205.

(c) Exemptions are granted for one model year only, and they may be renewed annually, if supporting documentation is provided.

(d) Exemptions may be granted in whole or in part. When granting an exemption in part, DOE may, depending upon the circumstances, completely relieve a State from complying with a portion of the vehicle acquisition requirements for a model year, or it may require a State to acquire all or some of the exempted vehicles in future model years.

(e) If a State is seeking an exemption under—

(1) Paragraph (a)(1) of this section, the types of documentation that are to accompany the request must include, but are not limited to, maps of vehicle operation zones and maps of locations providing alternative fuel; or

(2) Paragraph (a)(2) of this section, the types of documentation that are to accompany the request must include, but are not limited to, alternative fueled vehicle purchase or lease requests, a listing of vehicles that meet the normal practices and requirements of the State fleet, and any other documentation that exhibits good faith efforts to acquire alternative fueled vehicles; or

(3) Paragraph (a)(3) of this section, it must submit a statement identifying what portion of the alternative fueled vehicle acquisition requirement should be subject to the exemption and describing the specific nature of the financial hardship that precludes compliance.

(f) Requests for exemption shall be addressed to the U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, EE-33, 1000 Independence Ave., SW., Washington, DC 20585, or to such other address as DOE may announce in a FEDERAL REGISTER notice.

(g) If DOE, in response to a request for exemption, seeks clarification or additional information from the State, such clarification or additional information must be submitted to DOE in accordance with paragraph (f) of this section within 30 days of DOE's inquiry. In the event a State does not comply with this timeframe, DOE will proceed under paragraph (h) of this section based on the documentation provided to date.

(h) The Assistant Secretary shall provide to the State, within 45 days of receipt of a request that complies with this section, a written determination as to whether the State's request has been granted or denied.

(i) If the Assistant Secretary denies an exemption, in whole or in part, and the State wishes to exhaust administrative remedies, the State must appeal within 30 days of the date of the determination, pursuant to 10 CFR part 1003, subpart C, to the Office of Hearings and Appeals, U.S. Department of Energy, 1000 Independence Ave., SW., Washington, DC 20585. The Assistant Secretary's determination shall be stayed during the pendency of an appeal under this paragraph.

[61 FR 10653, Mar. 14, 1996, as amended at 79 FR 15903, Mar. 21, 2014]

§ 490.205 Reporting requirements.

(a) Any State subject to the requirements of this subpart must file an annual report for each State fleet on or before the December 31 after the close of the model year, beginning with model year 1997. The State annual report may consist of a single State report or separately prepared State agency reports.

(b) The report shall include the following information:

(1) Number of new light duty motor vehicles acquired for the fleet by a State during the model year;

(2) Number of new light duty alternative fueled vehicles that are required to be acquired during the model year;

(3) Number of new light duty alternative fueled vehicle acquisitions by the State during the model year;

(4) Number of alternative fueled vehicle credits applied towards acquisition requirements pursuant to § 490.505;

(5) For each new light duty alternative fueled vehicle acquisition—

(i) Vehicle make and model;

(ii) Model year;

(iii) Vehicle identification number;

(iv) An indication of whether the vehicle is a dedicated vehicle or a dual fueled vehicle;

(v) Type(s) of alternative fuel on which the vehicle is capable of operating;

(vi) Acquisition date; and

(vii) If the annual report shows that the State fleet did not satisfy its alternative fueled vehicle acquisition mandate, an indication of whether the fleet intends to submit a request for exemption under § 490.204; and

(6) Number of light duty alternative fueled vehicles acquired by municipal and private fleets during the model year under an approved Light Duty Alternative Fueled Vehicle Plan (if applicable).

(c) If banked alternative fueled vehicle credits are applied towards a State's alternative fueled vehicle acquisition requirements pursuant to § 490.505, or if allocation of alternative fueled vehicle credits is sought under subpart F of this part, then a credit activity report, as described in § 490.508, must be included with the annual report submitted under this section.

(d) Records shall be maintained and retained for a period of three years.

(e) All reports, marked ''Annual Report,'' shall be sent to the Office of Energy Efficiency and Renewable Energy, U.S. Department of Energy, EE-33, 1000 Independence Ave., SW., Washington, DC, 20585, or such other address as DOE may provide by notice in the FEDERAL REGISTER.

[61 FR 10653, Mar. 14, 1996, as amended at 79 FR 15903, Mar. 21, 2014]

§ 490.206 Violations.

Violations of this subpart are subject to investigation and enforcement under subpart G of this part.

Subpart D—Alternative Fuel Provider Vehicle Acquisition Mandate

§ 490.300 Purpose and Scope.

This subpart implements section 501 of the Act, which requires, subject to some exemptions, that certain annual percentages of new light duty motor vehicles acquired by alternative fuel providers must be alternative fueled vehicles.

§ 490.301 Definitions.

In addition to the definitions found in section 490.2, the following definitions apply to this subpart—

Affiliate means a person that, directly or indirectly, controls, is controlled by, or is under common ownership or control of a person subject to vehicle acquisition requirements in this part.

Alternative Fuels Business means activities undertaken to derive revenue from—

(1) Producing, storing, refining, processing, transporting, distributing, importing, or selling at wholesale or retail any alternative fuel other than electricity; or

(2) Generating, transmitting, importing, or selling at wholesale or retail electricity.

Business Unit means a semi-autonomous major grouping of activities for administrative purposes and organizational structure within a business entity and that is controlled by or under control of a person subject to vehicle acquisition requirements in this part.

Division means a major administrative unit of an enterprise comprising at least several enterprise units or constituting a complete integrated unit for a specific purpose and that is controlled by or under control of a person subject to vehicle acquisition requirements in this part.

Normal Requirements and Practices means the operating business practices and required conditions under which the principal business of a person subject to vehicle acquisition requirements in this part operates.

Principal Business means the sales-related activity that produces the greatest gross revenue.

Substantial Portion means that at least 30 percent of the annual gross revenue of a covered person is derived from the sale of alternative fuels.

Substantially Engaged means that a covered person, or affiliate, division, or other business unit thereof, regularly derives more than a negligible amount of sales-related gross revenue from an alternative fuels business.

§ 490.302 Vehicle acquisition mandate schedule.

(a) Except as provided in section 490.304 of this part, of the light duty motor vehicles newly acquired by a covered person described in section 490.303 of this part, the following percentages shall be alternative fueled vehicles for the following model years:

(1) 30 percent for model year 1997.

(2) 50 percent for model year 1998.

(3) 70 percent for model year 1999.

(4) 90 percent for model year 2000 and thereafter.

(b) Except as provided in section 490.304 of this part, this acquisition schedule applies to all light duty motor vehicles that a covered person newly acquires for use within the United States.

(c) If, when the mandated acquisition percentage of alternative fuel vehicles is applied to the number of new light duty motor vehicles to be acquired by a covered person subject to this subpart, a number results that requires the acquisition of a partial vehicle, an adjustment will be made to the required acquisition number by rounding down to the next whole number if the fraction is less than one half and by rounding up the number of vehicles to the next whole number if the fraction is equal to or greater than one half.

(d) Only acquisitions satisfying the mandate, as defined by section 490.305, count toward compliance with the acquisition schedule in paragraph (a) of this section.

(e) A covered person that is first subject to the acquisition requirements of this part after model year 1997 shall acquire alternative fueled vehicles in the next model year at the percentage applicable to that model year, according to the schedule in paragraph (a) of this section, unless the covered person is granted an exemption or reduction of the acquisition percentage pursuant to the procedures and criteria in section 490.307.

[61 FR 10653, Mar. 14, 1996, as amended at 79 FR 15903, Mar. 21, 2014]

§ 490.303 Who must comply.

(a) Except as provided by paragraph (b) of this section, a covered person must comply with the requirements of this subpart if that person is—

(1) A covered person whose principal business is producing, storing, refining, processing, transporting, distributing, importing or selling at wholesale or retail any alternative fuel other than electricity; or

(2) A covered person whose principal business is generating, transmitting, importing, or selling, at wholesale or retail, electricity; or

(3) A covered person—

(i) Who produces, imports, or produces and imports in combination, an average of 50,000 barrels per day or more of petroleum; and

(ii) A substantial portion of whose business is producing alternative fuels.

(b) This subpart does not apply to a covered person or affiliate, division, or other business unit of such person whose principal business is—

(1) transforming alternative fuels into a product that is not an alternative fuel; or

(2) consuming alternative fuels as a feedstock or fuel in the manufacture of a product that is not an alternative fuel.

§ 490.304 Which new light duty motor vehicles are covered.

(a) *General rule.* Except as provided in paragraph (b) of this section, the vehicle acquisition mandate schedule in section 490.302 of this part applies to all light duty motor vehicles newly acquired for use within the United States by a covered person described in section 490.303 of this part.

(b) *Exception.* If a covered person has more than one affiliate, division, or other business unit, then section 490.302 of this part only applies to light duty motor vehicles newly acquired by an affiliate, division, or other such business unit which is substantially engaged in the alternative fuels business.

§ 490.305 Acquisitions satisfying the mandate.

The following actions within the model year qualify as acquisitions for the purpose of compliance with the requirements of section 490.302 of this part—

(a) The purchase or lease of an Original Equipment Manufacturer light duty vehicle (regardless of the model year of manufacture) that is an alternative fueled vehicle and that was not previously under the control of the covered person;

(b) The purchase or lease of an aftermarket converted light duty vehicle (regardless of the model year of manufacture), that was not previously under the control of the covered person; and

(c) The conversion of a newly purchased or leased light duty vehicle to operate on alternative fuels within four months after the vehicle is acquired by a covered person; and

(d) The application of alternative fueled vehicle credits allocated under subpart F of this part.

[61 FR 10653, Mar. 14, 1996, as amended at 79 FR 15903, Mar. 21, 2014]

§ 490.306 Vehicle operation requirements.

The alternative fueled vehicles acquired pursuant to section 490.302 of this part shall be operated solely on alternative fuels, except when these vehicles are operating in an area where the appropriate alternative fuel is unavailable.

§ 490.307 Process for granting exemptions.

(a)(1) To obtain an exemption from the vehicle acquisition mandate in this subpart, a covered person, or its affiliate, division, or business unit which is subject to section 490.302 of this part, shall submit a written request for exemption to the Office of Energy Efficiency and Renewable Energy, U.S. Department of Energy, EE-33, 1000 Independence Ave., SW., Washington, DC 20585, or such other address as DOE may publish in the FEDERAL REGISTER, along with the supporting documentation required by this section.

(2) Requests for exemption must be accompanied by supporting documentation, must be submitted no earlier than September 1 following the model year for which the exemption is sought and no later than January 31 following the model year for which the exemption is sought, and will only be considered following submission of the annual report under § 490.308.

(b) A covered person requesting an exemption must demonstrate that—

(1) Alternative fuels that meet the normal requirements and practices of the principal business of the covered person are not available from fueling sites that would permit central fueling of that person's vehicles in the area in which the vehicles are to be operated; or

(2) Alternative fueled vehicles that meet the normal requirements and practices of the principal business of the covered person are not available for purchase or lease commercially on reasonable terms and conditions in any State included in a MSA/CMSA that the vehicles are operated in.

(c) *Documentation.* (1) Except as provided in paragraph (c) (2) of this section, if a covered person is seeking an exemption under paragraph (b)(1) of this section, the types of documentation that are to accompany the request include, but are not limited to, maps of vehicle operation zones and maps of locations providing alternative fuel.

(2) If a covered person seeking an exemption under paragraph (b)(1) of this section operates light duty vehicles outside of the areas listed in appendix A of subpart A, and central fueling of those vehicles does not meet the normal requirements and practices of that person's business, then that covered person shall only be required to justify in a written request why central fueling is incompatible with its business.

(3) If a covered person is seeking an exemption under paragraph (b)(2) of this section, the types of documentation that are to accompany the request

include, but are not limited to, alternative fueled vehicle purchase or lease requests, a listing of vehicles that meet the normal practices and requirements of the covered person and any other documentation that exhibits good faith efforts to acquire alternative fueled vehicles.

(4) If DOE, in response to a request for exemption, seeks clarification or additional information from the covered person, such clarification or additional information must be submitted to DOE in accordance with paragraph (a) of this section within 30 days of DOE's inquiry. In the event a covered person does not comply with this timeframe, DOE will proceed under paragraph (f) of this section based on the documentation provided to date.

(d) Exemptions are granted for one model year only and may be renewed annually, if supporting documentation is provided.

(e) Exemptions may be granted in whole or in part. When granting an exemption in part, DOE may, depending upon the circumstances, completely relieve a covered person from complying with a portion of the vehicle acquisition requirements for a model year, or it may require a covered person to acquire all or some of the exempted vehicles in future model years.

(f) The Assistant Secretary shall provide to the covered person within 45 days after receipt of a request that complies with this section, a written determination as to whether the covered person's request has been granted or denied.

(g) If a covered person is denied an exemption, that covered person may file an appeal within 30 days of the date of determination, pursuant to 10 CFR part 1003, subpart C, with the Office of Hearings and Appeals, U.S. Department of Energy, 1000 Independence Ave, SW, Washington, DC 20585. The Assistant Secretary's determination shall be stayed during the pendency of an appeal under this paragraph.

[61 FR 10653, Mar. 14, 1996. Redesignated and amended at 79 FR 15904, Mar. 21, 2014]

§ 490.308 Annual reporting requirements.

(a) If a person is required to comply with the vehicle acquisition schedule in section 490.302, that person shall file an annual report under this section, on a form obtainable from DOE, with the Office of Energy Efficiency and Renewable Energy, U.S. Department of Energy, EE-33, 1000 Independence Ave., SW., Washington, DC 20585, or such other address as DOE may publish in the FEDERAL REGISTER, on or before the December 31 after the close of the applicable model year.

(b) This report shall include the following information—

(1) Number of new light duty motor vehicles acquired by the covered person in the United States during the model year;

(2) Number of new light duty alternative fueled vehicles that are required to be acquired during the model year;

(3) Number of new light duty alternative fueled vehicle acquisitions in the United States during the model year;

(4) Number of alternative fueled vehicle credits applied towards acquisition requirements pursuant to § 490.505;

(5) For each new light duty alternative fueled vehicle acquisition—

(i) Vehicle make and model;

(ii) Model year;

(iii) Vehicle Identification Number;

(iv) An indication of whether the vehicle is a dedicated vehicle or a dual fueled vehicle;

(v) Type(s) of alternative fuel on which the vehicle is capable of operating;

(vi) Acquisition date; and

(vii) If the annual report shows that the covered person did not satisfy its alternative fueled vehicle acquisition mandate, an indication of whether the covered person intends to submit a request for exemption under § 490.307.

(c) If banked alternative fueled vehicle credits are applied towards a covered person's alternative fueled vehicle acquisition requirements pursuant to § 490.505, or if allocation of alternative fueled vehicle credits is sought under subpart F of this part, then a credit activity report, as described in § 490.508, must be included with the annual report submitted under this section.

(d) Records shall be maintained and retained for a period of three years.

[61 FR 10653, Mar. 14, 1996. Redesignated and amended at 79 FR 15904, Mar. 21, 2014]

§ 490.309 Violations.

Violations of this subpart are subject to investigation and enforcement under subpart G of this part.

[61 FR 10653, Mar. 14, 1996. Redesignated at 79 FR 15904, Mar. 21, 2014]

Subpart E [Reserved]

Subpart F—Alternative Fueled Vehicle Credit Program

§ 490.500 Purpose and scope.

This subpart implements the statutory requirements of section 508 of the Act, which provides for the allocation of credits to fleets or covered persons that:

(a) Acquire alternative fueled vehicles in excess of the number they are required to acquire under this part or obtain alternative fueled vehicles before the model year when they are required to do so under this part;

(b) Acquire certain other vehicles as identified in this subpart; or

(c) Invest in qualified alternative fuel infrastructure or non-road equipment or an emerging technology.

[79 FR 15904, Mar. 21, 2014]

§ 490.501 Definitions.

In addition to the definitions found in §490.2, the following definitions apply to this subpart:

Alternative Fuel Infrastructure means property that is for:

(1) The storage and dispensing of an alternative fuel into the fuel tank of a motor vehicle propelled by such fuel; or

(2) The recharging of motor vehicles or neighborhood electric vehicles propelled by electricity.

Alternative Fuel Non-road Equipment means mobile, non-road equipment that operates on alternative fuel (including but not limited to forklifts, tractors, bulldozers, backhoes, front-end loaders, and rollers/compactors).

Emerging Technology means a pre-production or pre-commercially available version of a fuel cell electric vehicle, hybrid electric vehicle, medium- or heavy-duty electric vehicle, medium- or heavy-duty fuel cell electric vehicle, neighborhood electric vehicle, or plug-in electric drive vehicle, as such vehicles are defined in this section.

Fuel Cell Electric Vehicle means a motor vehicle or non-road vehicle that uses a fuel cell, as that term is defined in section 803 of the Spark M. Matsunaga Hydrogen Act of 2005 (42 U.S.C. 16152(1)).

Hybrid Electric Vehicle means a new qualified hybrid motor vehicle as defined in section 30B(d)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 30B(d)(3)).

Medium- or Heavy-Duty Electric Vehicle means an electric, hybrid electric, or plug-in hybrid electric vehicle with a gross vehicle weight rating of more than 8,500 pounds.

Medium- or Heavy-Duty Fuel Cell Electric Vehicle means a fuel cell electric vehicle with a gross vehicle weight rating of more than 8,500 pounds.

Neighborhood Electric Vehicle means a 4-wheeled on-road or non-road vehicle that—

(1) Has a top attainable speed in 1 mile of more than 20 mph and not more than 25 mph on a paved level surface; and

(2) Is propelled by an electric motor and an on-board, rechargeable energy storage system that is rechargeable using an off-board source of electricity.

Plug-in Electric Drive Vehicle means a vehicle that—

(1) Draws motive power from a battery with a capacity of at least 4 kilowatt-hours;

(2) Can be recharged from an external source of electricity for motive power;

(3) Is a light-, medium-, or heavy-duty motor vehicle or non-road vehicle, as those terms are defined in section 216 of the Clean Air Act (42 U.S.C. 7550); and

(4) In the case of a plug-in hybrid electric vehicle, also includes an on-board method of charging the energy storage system and/or providing motive power.

[79 FR 15904, Mar. 21, 2014]

§ 490.502 Applicability.

This subpart applies to all fleets and covered persons that are required to acquire alternative fueled vehicles by this part.

[79 FR 15904, Mar. 21, 2014]

§ 490.503 Creditable actions.

A fleet or covered person becomes entitled to alternative fueled vehicle credits, at the allocation levels specified in § 490.504, by:

(a)(1) Acquiring light duty alternative fueled vehicles, including those in excluded categories under § 490.3, in excess of the number of light duty alternative fueled vehicles that the fleet or covered person is required to acquire under § 490.201 or § 490.302;

(2) Acquiring alternative fueled vehicles, including those in excluded categories under § 490.3, with a gross vehicle weight rating of more than 8,500 pounds, in excess of the number of light duty alternative fueled vehicles that the fleet or covered person is required to acquire under § 490.201 or § 490.302;

(3) Acquiring in model year 2014 or in any model year thereafter, any of the following vehicles in excess of the number of light duty alternative fueled vehicles that the fleet or covered person is required to acquire under § 490.201 or § 490.302:

(i) Medium- or heavy-duty fuel cell electric vehicles that are not alternative fueled vehicles; or

(ii) Medium- or heavy-duty electric vehicles that are not alternative fueled vehicles;

(b) Acquiring alternative fueled vehicles, including those in excluded categories under § 490.3 and those with a gross vehicle weight rating of more than 8,500 pounds, in model years before the model year when that fleet or covered person is first required to acquire light duty alternative fueled vehicles under § 490.201 or § 490.302;

(c) Investing, during a model year that is model year 2014 or thereafter and is also a model year in which requirements under this part apply to the fleet or covered person, at least $25,000 in alternative fuel infrastructure or alternative fuel non-road equipment, or at least $50,000 in an emerging technology, provided that:

(1) The emerging technology, alternative fuel infrastructure, or alternative fuel non-road equipment is put into operation during the year in which the fleet or covered person has applied for credits;

(2) In the case of an emerging technology, the amount invested by the fleet or covered person is not the basis for credit under paragraphs (a), (b), or (d) of this section; and

(3) In the case of alternative fuel nonroad equipment, the equipment is being operated on alternative fuel, within the constraints of best practices and seasonal fuel availability; or

(d) Acquiring, during a model year that is model year 2014 or thereafter and is also a model year in which requirements under this part apply to the fleet or covered person, any of the following vehicles, including those in excluded categories under § 490.3:

(1) A hybrid electric vehicle that is a light duty motor vehicle, but that is not an alternative fueled vehicle;

(2) A plug-in electric drive vehicle that is a light duty motor vehicle, but that is not an alternative fueled vehicle;

(3) A fuel cell electric vehicle that is a light duty motor vehicle, but that is not an alternative fueled vehicle; or

(4) A neighborhood electric vehicle.

(e) For purposes of this subpart, a fleet or covered person that acquired a motor vehicle on or after October 24, 1992, and converted it to an alternative fueled vehicle before April 15, 1996, shall be entitled to a credit for that vehicle notwithstanding the time limit on conversions established by §§ 490.202(c) and 490.305(c).

[79 FR 15905, Mar. 21, 2014]

§ 490.504 Credit allocation.

(a) Based on annual credit activity report information, as described in § 490.508, DOE shall allocate:

(1) One alternative fueled vehicle credit for each alternative fueled vehicle, regardless of the vehicle's gross vehicle weight rating, that a fleet or covered person acquires in excess of the number of light duty alternative fueled vehicles that the fleet or covered person is required to acquire under § 490.201 or § 490.302; and

(2) One-half of an alternative fueled vehicle credit for each medium- or heavy-duty fuel cell electric vehicle that is not an alternative fueled vehicle and each medium- or heavy-duty electric vehicle that is not an alternative fueled vehicle, either or both of

which a fleet or covered person acquires in excess of the number of light duty alternative fueled vehicles that the fleet or covered person is required to acquire under § 490.201 or § 490.302.

(b) If an alternative fueled vehicle, regardless of the vehicle's gross vehicle weight rating, is acquired by a fleet or covered person in a model year before the first model year that the fleet or covered person is required to acquire light duty alternative fueled vehicles by this part, as reported in the annual credit activity report, DOE shall allocate one credit per alternative fueled vehicle for each year the alternative fueled vehicle is acquired before the model year when acquisition requirements apply.

(c) DOE shall allocate credits to fleets and covered persons under paragraph (b) of this section only for alternative fueled vehicles acquired on or after October 24, 1992.

(d) Based on annual credit activity report information, as described in § 490.508, DOE shall allocate alternative fueled vehicle credit in the amount set forth below for the associated creditable actions that a fleet or covered person undertakes as described in § 490.503(d):

(1) A hybrid electric vehicle that is a light duty motor vehicle, but that is not an alternative fueled vehicle—½ credit;

(2) A plug-in electric drive vehicle that is a light duty motor vehicle, but that is not an alternative fueled vehicle—½ credit;

(3) A fuel cell electric vehicle that is a light duty motor vehicle, but that is not an alternative fueled vehicle—½ credit; and

(4) A neighborhood electric vehicle—¼ credit.

(e) Based on annual credit activity report information, as described in § 490.508, DOE shall allocate one alternative fueled vehicle credit for every $25,000 that a fleet or covered person invests, as described in § 490.503(c), in:

(1) Alternative fuel infrastructure that is:

(i) Publicly accessible, provided that the maximum number of credits under this paragraph shall not exceed ten for the model year and the alternative fuel infrastructure became operational in the same model year, and provided further that the total number of credits allocated under this paragraph (e)(1)(i) and paragraph (e)(1)(ii) of this section do not exceed ten in a given model year; or

(ii) Not publicly accessible, provided that the maximum number of credits under this paragraph shall not exceed five for the model year and the alternative fuel infrastructure became operational in the same model year, and provided further that the total number of credits allocated under this paragraph (e)(1)(ii) and paragraph (e)(1)(i) of this section do not exceed ten in a given model year; or

(2) Alternative fuel non-road equipment, provided that the maximum number of credits under this paragraph (e)(2) shall not exceed five for the model year, and provided further that the equipment is being operated on alternative fuel.

(f) Based on annual credit activity report information, as described in § 490.508 of this subpart, DOE shall allocate two alternative fueled vehicle credits for the first $50,000, and one alternative fueled vehicle credit for every $25,000 thereafter, that a fleet or covered person invests, as described in § 490.503(c), in emerging technology, provided that the maximum number of credits under this paragraph (f) shall not exceed five for the model year, and provided further that the amount for which credit is allocated under this paragraph has not been the basis for credit allocation under paragraphs (a), (b), or (d) of this section.

(g) A fleet or covered person may aggregate the amount of money invested in alternative fuel infrastructure, alternative fuel non-road equipment, and emerging technology such that funds from multiple categories may be used to achieve the applicable threshold for the purpose of earning an alternative fueled vehicle credit, so long as no funds are aggregated from a category for which the fleet has already been allocated the maximum number of credits allowed for that category, as set forth in paragraphs (e) and (f) of this section.

[79 FR 15905, Mar. 21, 2014]

§ 490.505 Use of alternative fueled vehicle credits.

At the request of a fleet or covered person in an annual report under subpart C or D of this part, DOE shall treat each banked alternative fueled vehicle credit as the acquisition of an alternative fueled vehicle that the fleet or covered person is required to acquire under this part. Each full credit shall count as the acquisition of one alternative fueled vehicle in the model year for which the fleet or covered person requests that the credit be applied.

[79 FR 15906, Mar. 21, 2014]

§ 490.506 Credit accounts.

(a) DOE shall establish a credit account for each fleet or covered person that obtains an alternative fueled vehicle credit.

(b) DOE shall send to each fleet and covered person an annual credit account balance statement after the receipt of its credit activity report under § 490.508.

[79 FR 15906, Mar. 21, 2014]

§ 490.507 Alternative fueled vehicle credit transfers.

(a) Any fleet or covered person that is required to acquire alternative fueled vehicles may transfer an alternative fueled vehicle credit to—

(1) A fleet that is required to acquire alternative fueled vehicles; or

(2) A covered person subject to the requirements of this part, if the transferor provides certification to the covered person that the credit represents a vehicle that operates solely on alternative fuel.

(b) Proof of credit transfer may be on a form provided by DOE, or otherwise in writing, and must include dated signatures of the transferor and transferee. The proof should be received by DOE within 30 days of the transfer date at the Office of Energy Efficiency and Renewable Energy, U.S. Department of Energy, EE–2G, 1000 Independence Avenue SW, Washington, DC 20585–0121, or such other address as DOE publishes on its Web site or in the FEDERAL REGISTER.

[79 FR 15906, Mar. 21, 2014]

§ 490.508 Credit activity reporting requirements.

(a) A fleet or covered person that either applied one or more banked credits towards its alternative fueled vehicle acquisition requirements pursuant to § 490.505, seeks the allocation of alternative fueled vehicle credits under this subpart, or participated in a credit transfer under § 490.507 must include a credit activity report with its annual report submitted under subpart C or D of this part.

(b) The credit activity report must include the following information:

(1) Number of alternative fueled vehicle credits applied towards acquisition requirements pursuant to § 490.505;

(2) Number of alternative fueled vehicle credits requested for:

(i) Light duty alternative fueled vehicles acquired in excess of the required acquisition number;

(ii) Alternative fueled vehicles with a gross vehicle weight rating of more than 8,500 pounds acquired in excess of the required acquisition number;

(iii) Medium- or heavy-duty fuel cell electric vehicles that are not alternative fueled vehicles, acquired in excess of the required acquisition number;

(iv) Medium- or heavy-duty electric vehicles that are not alternative fueled vehicles, acquired in excess of the required acquisition number;

(v) Light duty alternative fueled vehicles acquired in model years before the first model year the fleet or covered person is required to acquire light duty alternative fueled vehicles by this part;

(vi) Alternative fueled vehicles with a gross vehicle weight rating of more than 8,500 pounds acquired in model years before the first model year the fleet or covered person is required to acquire light duty alternative fueled vehicles by this part;

(vii) The acquisition of light duty hybrid electric vehicles that are not alternative fueled vehicles;

(viii) The acquisition of light duty plug-in electric drive vehicles that are not alternative fueled vehicles;

(ix) The acquisition of light duty fuel cell electric vehicles that are not alternative fueled vehicles; and

(x) The acquisition of neighborhood electric vehicles.

(3) Number of alternative fueled vehicle credits, in whole number values, requested for each of the following:

(i) Investment in alternative fuel infrastructure;

(ii) Investment in alternative fuel non-road equipment; and

(iii) Investment in an emerging technology.

(4) For each vehicle that is not an alternative fueled vehicle and for which credit is requested under paragraphs (b)(2)(iii), (iv), (vii), (viii), (ix), or (x) of this section:

(i) Vehicle make and model;

(ii) Model year;

(iii) Vehicle Identification Number; and

(iv) Acquisition date.

(5) For investment in alternative fuel infrastructure, supporting documentation and a written statement, certified by a responsible official of the fleet or covered person, indicating or providing:

(i) The model year or period in which the investment was made;

(ii) The amount of money invested by the fleet or covered person and to whom the money was provided;

(iii) The physical location(s) (address and zip code) and a detailed description of the alternative fuel infrastructure, including the name and address of the construction/installation company (where appropriate), whether the infrastructure is publicly accessible, and the type(s) of alternative fuel offered; and

(iv) The date on which the alternative fuel infrastructure became operational.

(6) For investment in alternative fuel non-road equipment, supporting documentation and a written statement, certified by a responsible official of the fleet or covered person, indicating or providing:

(i) The model year or period in which the investment was made;

(ii) The amount of money invested by the fleet or covered person and to whom the money was provided; and

(iii) A detailed description of the alternative fuel non-road equipment, including the name and address of the manufacturer, the type(s) of alternative fuel on which the equipment is capable of being operated, a certification that the equipment is being operated on that alternative fuel, the date on which the fleet or covered person purchased the equipment, and the date on which it was put into operation.

(7) For investment in an emerging technology, supporting documentation and a written statement, certified by a responsible official of the fleet or covered person, indicating or providing:

(i) The model year or period in which the investment was made;

(ii) The amount of money invested by the fleet or covered person and to whom the money was provided;

(iii) A certification that the emerging technology's acquisition is not included as a new light duty alternative fueled vehicle acquisition in the fleet or covered person's annual report;

(iv) A certification that the emerging technology's acquisition is not included in paragraph (b)(2) of this section and the amount invested is not included in the amounts submitted under paragraph (b)(5)(ii) or (b)(6)(ii) of this section; and

(v) A detailed description of the emerging technology, including the name and address of the manufacturer, the date on which the fleet or covered person purchased the emerging technology, and the date on which it was put it into operation.

(8) The total number of alternative fueled vehicle credits requested by the fleet or covered person, calculated by adding the two subtotals under paragraphs (b)(2) and (b)(3) of this section and then rounding the aggregate figure to the nearest whole number; in rounding to the nearest whole number, any fraction equal to or greater than one half shall be rounded up and any fraction less than one half shall be rounded down.

(9) Purchases of alternative fueled vehicle credits:

(i) Credit source; and

(ii) Date of purchase;

(10) Sales of alternative fueled vehicle credits:

(i) Credit purchaser; and

(ii) Date of sale.

[79 FR 15906, Mar. 21, 2014]

Subpart G—Investigations and Enforcement

§ 490.600 Purpose and scope.

This subpart sets forth the rules applicable to investigations under titles III, IV, V, and VI of the Act and to enforcement of sections 501, 503(b), 507, 508, or 514 of the Act, or any regulation issued under such sections.

[72 FR 12964, Mar. 20, 2007]

§ 490.601 Powers of the Secretary.

For the purpose of carrying out titles III, IV, V, and VI of the Act, DOE may hold such hearings, take such testimony, sit and act at such times and places, administer such oaths, and require by subpoena the attendance and testimony of such witnesses and the production of such books, papers, correspondence, memoranda, contracts, agreements, or other records as the Secretary of Transportation is authorized to do under section 505(b)(1) of the Motor Vehicle Information and Cost Savings Act (15 U.S.C. 2005(b)(1)).

§ 490.602 Special orders.

(a) DOE may require by general or special orders that any person—

(1) File, in such form as DOE may prescribe, reports or answers in writing to specific questions relating to any function of DOE under this part; and

(2) Provide DOE access to (and for the purpose of examination, the right to copy) any documentary evidence of such person which is relevant to any function of DOE under this part.

(b) File under oath any reports and answers provided under this section or as otherwise prescribed by DOE, and file such reports and answers with DOE within such reasonable time and at such place as DOE may prescribe.

§ 490.603 Prohibited acts.

It is unlawful for any person to violate any provision of sections 501, 503(b), 507, 514 of the Act, or any regulations issued under such sections.

[72 FR 12964, Mar. 20, 2007]

§ 490.604 Penalties and Fines.

(a) *Civil penalties.* Whoever violates § 490.603 shall be subject to a civil penalty of not more than $11,128 for each violation.

(b) *Willful violations.* Whoever willfully violates section 490.603 of this part shall pay a criminal fine of not more than $10,000 for each violation.

(c) *Repeated violations.* Any person who knowingly and willfully violates section 490.603 of this part, after having been subjected to a civil penalty for a prior violation of section 490.603 shall pay a criminal fine of not more than $50,000 for each violation.

[61 FR 10653, Mar. 14, 1996, as amended at 62 FR 46183, Sept. 2, 1997; 74 FR 66032, Dec. 14, 2009; 79 FR 19, Jan. 2, 2014; 81 FR 41794, June 28, 2016; 81 FR 96351, Dec. 30, 2016; 83 FR 1291, Jan. 11, 2018; 83 FR 66083, Dec. 26, 2018; 85 FR 830, Jan. 8, 2020; 86 FR 2956, Jan. 14, 2021; 87 FR 1064, Jan. 10, 2022; 88 FR 2193, Jan. 13, 2023; 89 FR 1028, Jan. 9, 2024; 89 FR 105406, Dec. 27, 2024]

§ 490.605 Statement of enforcement policy.

DOE may agree not to commence an enforcement proceeding, or may agree to settle an enforcement proceeding, if the person agrees to come into compliance in a manner satisfactory to DOE. DOE normally will not commence an enforcement action against a person subject to the acquisition requirements of this part without giving that person notice of its intent to enforce 90 days before the beginning of an enforcement proceeding.

§ 490.606 Proposed assessments and orders.

DOE may issue a proposed assessment of, and order to pay, a civil penalty in a written statement setting forth supporting findings of violation of the Act or a relevant regulation of this part. The proposed assessment and order shall be served on the person named therein by certified mail, return-receipt requested, and shall become final for DOE if not timely appealed pursuant to section 490.607 of this part.

§ 490.607 Appeals.

(a) In order to exhaust administrative remedies, on or before 30 days from the date of issuance of a proposed assessment and order to pay, a person must appeal a proposed assessment and

order to the Office of Hearings and Appeals, U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585.

(b) Proceedings in the Office of Hearings and Appeals shall be subject to subpart F of 10 CFR part 1003 except that—

(1) Appellant shall have the ultimate burden of persuasion;

(2) Appellant shall have right to a trial-type hearing on contested issues of fact only if the hearing officer concludes that cross examination will materially assist in determining facts in addition to evidence available in documentary form; and

(3) The Office of Hearings and Appeals may issue such orders as it may deem appropriate on all other procedural matters.

(c) The determination of the Office of Hearings and Appeals shall be final for DOE.

Subpart H—Biodiesel Fuel Use Credit

SOURCE: 64 FR 27174, May 19, 1999, unless otherwise noted.

§ 490.701 Purpose and scope.

(a) This subpart implements provisions of the Energy Conservation Reauthorization Act of 1998 (Pub. L. 105–388) that require, subject to some limitations, the allocation of credit to a fleet or covered person under Titles III and V of the Energy Policy Act of 1992 for the purchase of a qualifying volume of the biodiesel component of a fuel containing at least 20 percent biodiesel by volume.

(b) Fleets and covered persons may use these credits to meet, in part, their mandated alternative fueled vehicle acquisition requirements.

§ 490.702 Definitions.

In addition to the definitions found in §490.2, the following definitions apply to this subpart—

Biodiesel means a diesel fuel substitute produced from nonpetroleum renewable resources that meets the registration requirements for fuels and fuel additives established by the Environmental Protection Agency under section 211 of the Clean Air Act; and

Qualifying volume means—

(1) 450 gallons; or

(2) If DOE determines by rule that the average annual alternative fuel use in light duty vehicles by fleets and covered persons exceeds 450 gallons or gallon equivalents, the amount of such average annual alternative fuel use.

§ 490.703 Biodiesel fuel use credit allocation.

(a) DOE shall allocate to a fleet or covered person one credit for each qualifying volume of the biodiesel component of a fuel that contains at least 20 percent biodiesel by volume if:

(1) Each qualifying volume of the biodiesel component of a fuel was purchased after November 13, 1998;

(2) The biodiesel component of fuel is used in vehicles owned or operated by the fleet or covered person; and

(3) The biodiesel component of the fuel is used in vehicles weighing more than 8,500 pounds gross vehicle weight rating.

(b) No credit shall be allocated under this subpart for a purchase of the biodiesel component of a fuel if the fuel is:

(1) For use in alternative fueled vehicles which have been used to satisfy the alternative fueled vehicle acquisition requirements under Titles III and V of the Energy Policy Act of 1992; or

(2) Required by Federal or State law.

[64 FR 27174, May 19, 1999, as amended at 66 FR 2210, Jan. 11, 2001]

§ 490.704 Procedures and documentation.

(a) To receive a credit under this subpart, the fleet or covered person shall submit its request, on a form obtained from DOE, to the Office of Energy Efficiency and Renewable Energy, U. S. Department of Energy, EE–34, 1000 Independence Ave. SW., Washington, DC 20585, or such other address as DOE may publish in the FEDERAL REGISTER, along with the documentation required by paragraph (b) of this section.

(b) Each request for a credit under this subpart must be submitted on or before the December 31 after the close of the applicable model year and must include written documentation stating the quantity of biodiesel purchased, for

the given model year, for use in vehicles weighing in excess of 8,500 lbs. gross vehicle weight;

(c) A fleet or covered person submitting a request for a credit under this subpart must maintain and retain purchase records verifying information in the request for a period of three years from December 31 immediately after the close of the model year for which the request is submitted.

§ 490.705 Use of credits.

(a) At the request of a fleet or covered person allocated a credit under this subpart, DOE shall, for the model year in which the purchase of a qualifying volume is made, treat that purchase as the acquisition of one alternative fueled vehicle the fleet or covered person is required to acquire under titles III and V of the Energy Policy Act of 1992.

(b) Except as provided in paragraph (c) of this section, credits allocated under this subpart may not be used to satisfy more than 50 percent of the alternative fueled vehicle requirements of a fleet or covered person under titles III and V of the Energy Policy Act of 1992.

(c) A fleet or covered person that is a biodiesel alternative fuel provider described in section 490.303 of this part may use its credits allocated under this subpart to satisfy all of its alternative fueled vehicle requirements under section 490.302.

(d) A fleet or covered person may not trade or bank biodiesel fuel credits.

[64 FR 27174, May 19, 1999, as amended at 66 FR 2210, Jan. 11, 2001]

§ 490.706 Procedure for modifying the biodiesel component percentage.

(a) DOE may, by rule, lower the 20 percent biodiesel volume requirement of this subpart for reasons related to cold start, safety, or vehicle function considerations.

(b) Any person may use the procedures in section 490.6 of this part to petition DOE for a rulemaking to lower the biodiesel volume percentage. A petitioner should include any data or information that it wants DOE to consider in deciding whether or not to begin a rulemaking.

§ 490.707 Increasing the qualifying volume of the biodiesel component.

DOE may increase the qualifying volume of the biodiesel component of fuel for purposes of allocation of credits under this subpart only after it:

(a) Collects data establishing that the average annual alternative fuel use in light duty vehicles by fleets and covered persons exceeds 450 gallons or gallon equivalents; and

(b) Conducts a rulemaking to amend the provisions of this subpart to change the qualifying volume to the average annual alternative fuel use.

§ 490.708 Violations.

Violations of this subpart are subject to investigation and enforcement under subpart G of this part.

Subpart I—Alternative Compliance

SOURCE: 72 FR 12964, Mar. 20, 2007, unless otherwise noted.

§ 490.801 Purpose and scope.

This subpart implements section 514 of the Act (42 U.S.C. 13263a) which permits States and alternative fuel providers to petition for alternative compliance waivers from the alternative fueled vehicle acquisition requirements in subparts C and D of this part, respectively.

§ 490.802 Eligibility for alternative compliance waiver.

Any State subject to subpart C of this part and any covered person subject to subpart D of this part may apply to DOE for a waiver from the applicable alternative fueled vehicle acquisition requirements.

§ 490.803 Waiver requirements.

DOE grants a State or covered person a waiver:

(a) If DOE determines that the State or covered person will achieve a reduction in petroleum consumption, through eligible reductions as specified in § 490.804 of this subpart, equal to the amount of alternative fuel used if the following vehicles were operated 100 percent of the time on alternative fuel

during the model year for which a waiver is requested:

(1) Previously required alternative fueled vehicles in the fleet's inventory at the start of the model year for which a waiver is requested;

(2) Alternative fueled vehicles that the State or covered person would have been required to acquire in the model year for which a waiver is requested, and in previous model years in which a waiver was granted, absent any waivers;

(b) The State or covered person is in compliance with all applicable vehicle emission standards established by the Administrator of the Environmental Protection Agency under the Clean Air Act (42 U.S.C. 7401 *et seq.*); and

(c) The State or covered person is in compliance with all applicable requirements of this subpart.

§ 490.804 Eligible reductions in petroleum consumption.

(a) *Motor vehicles.* Demonstrated reductions in petroleum consumption during the model year for which a waiver is requested that are attributable to motor vehicles owned, operated, leased or otherwise under the control of a State or covered person are applicable towards the petroleum fuel reduction required in § 490.803(a) of this subpart.

(b) *Qualified nonroad vehicles.* Demonstrated reductions in petroleum consumption during the model year for which a waiver is requested that are attributable to nonroad vehicles owned, operated, leased or otherwise under the control of a State or covered person acquired during waiver years are applicable towards the petroleum fuel reduction required in § 490.803(a) of this subpart:

(1) If acquisition of the nonroad vehicles leads directly to the establishment or upgrading of refueling or recharging infrastructure during a waiver year that would also allow for increased petroleum replacement by serving the fleet's on-road light-duty vehicles; and

(2) To the extent that additional reductions attributable to motor vehicles are not reasonably available.

(c) *Rollover of excess petroleum reductions.* (1) Upon approval by DOE, petroleum fuel use reductions achieved by a fleet in excess of the amount required for alternative compliance in a previous model year may be applied towards the petroleum fuel use reduction requirement under § 490.803(a) in a model year for which a waiver is granted and for which the fleet experiences a shortfall.

(2)(i) A fleet seeking to roll over for future use the petroleum fuel use reductions that it achieved in excess of the amount required for alternative compliance in a particular model year must make a written request to DOE as part of the fleet's annual report required under § 490.807 for the model year in which the excess reductions were achieved.

(ii) Following receipt of a request under paragraph (c)(2)(i) of this section, DOE will notify the requesting fleet of the amount of excess petroleum fuel use reductions that DOE has approved for rollover and potential application towards the petroleum fuel use reduction requirement in a future model year.

(iii) A fleet seeking to apply excess petroleum fuel use reductions rolled over pursuant to paragraph (c)(2)(ii) of this section in a model year for which a waiver is granted and for which the fleet experiences a shortfall in achieving the petroleum fuel use reduction requirement under § 490.803(a) must make a written request to DOE as part of the fleet's annual report required under § 490.807. The written request must specify the amount of the rollover reductions (in GGE) the fleet wishes to have applied and the total balance of rollover reductions (in GGE) the fleet possesses.

(3)(i) In considering a written request to apply rollover reductions under paragraph (c)(2)(iii) of this section, DOE may seek from the fleet additional information about the fleet and its operations.

(ii) Upon approving a request to apply rollover reductions, DOE will apply the approved rollover reductions only to the extent that other reductions in petroleum consumption through any of the means set forth in paragraphs (a) and (b) of this section were not reasonably achievable.

(4) Excess petroleum reductions are not tradable.

(d) *Ineligible reductions.* The petroleum reduction plan required by paragraph (c)(4) of this section must not include reductions in petroleum attributable to incentives for third parties to reduce their petroleum use, petroleum reductions that are not transportation-related, or petroleum reductions attributable to non-qualified nonroad vehicles.

[72 FR 12964, Mar. 20, 2007, as amended at 79 FR 15907, Mar. 21, 2014]

§ 490.805 Application for waiver.

(a) A State or covered person must apply for a waiver applicable to an entire fleet for a full model year in accordance with the deadlines specified in paragraph (b) of this section. DOE will not grant a waiver for less than an entire fleet or less than a full model year.

(b)(1) A State or covered person must register a preliminary intent to apply for a waiver by March 31 prior to the model year for which a waiver is sought.

(2) A complete waiver application must be received by DOE no later than July 31 prior to the model year for which a waiver is sought.

(c) A waiver application must include verifiable data that is sufficient to enable DOE to determine whether the State or covered person is likely to achieve the amount of petroleum reduction required for alternative compliance and whether the fleet is in compliance with Clean Air Act vehicle emission standards. At a minimum, the State entity or covered person must provide DOE with the following information:

(1) The model year for which the waiver is requested;

(2) The total number of required alternative fueled vehicle acquisitions in the fleet including:

(i) The number of alternative fueled vehicle acquisitions that the State or covered person would, without a waiver, be required to acquire during the model year for which the waiver is requested;

(ii) The number of alternative fueled vehicle acquisitions that the State or covered person would, without a waiver, have been required to acquire during the model years for which waivers were previously granted;

(iii) The number of required alternative fueled vehicles existing in the fleet that were acquired during years in which no waiver was in force; and excluding

(iv) Any required alternative fuel vehicles acquired during a waiver or nonwaiver year or light-duty vehicles acquired in lieu of alternative fuels vehicles during a waiver year that are to be retired before the beginning of the waiver year;

(3) The anticipated amount of gasoline and diesel and alternative fuel (calculated in gasoline gallon equivalents (gge)) to be used by the covered light-duty vehicles in the fleet for the waiver year including an estimate of per vehicle average fuel use in these vehicles;

(4) A petroleum reduction plan as described in paragraph (d) of this section; and

(5) Documents, or a certification by a responsible official of the State or covered person, demonstrating that the fleet is in compliance with all applicable vehicle emission standards established by the Administrator of the Environmental Protection Agency under the Clean Air Act.

(d) The petroleum reduction plan required by paragraph (c)(4) of this section must contain a documented explanation as to how the State or covered person will meet the reduction in petroleum consumption required by § 490.803(a) of this subpart.

(1) The planned actions must:

(i) Be verifiable;

(ii) Demonstrate a reduction in petroleum use by motor vehicles or qualified nonroad vehicles owned, operated, leased or otherwise controlled by the State or covered person;

(iii) Provide for a net reduction in petroleum consumption as specified in § 490.803(a) of this subpart.

(2) The documentation for the plan may include, but is not limited to, published data on fuel efficiency, Government data, letters from manufacturers, and data on actual usage.

(e) A State or covered person must send its report, and two copies, to DOE on official company or agency letterhead, and the report must be signed by

a responsible company or agency official. Send to: Regulatory Manager, Alternative Fuel Transportation Program, FreedomCAR and Vehicle Technologies Program, EE–2G/Forrestal Building, U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585.

[72 FR 12964, Mar. 20, 2007, as amended at 79 FR 15907, Mar. 21, 2014]

§ 490.806 Action on an application for waiver.

(a) DOE grants or denies a complete waiver application within 45 business days after receipt of a complete application.

(b) If DOE determines that an application is not complete in that sufficient information is not provided for DOE to make a determination, DOE notifies the State or covered person of the information that must be submitted to complete the application.

(c) If DOE denies a waiver, and the State or covered person wishes to exhaust administrative remedies, the State or covered person must appeal within 30 days of the date of the determination, pursuant to 10 CFR part 1003, subpart C, to the Office of Hearings and Appeals, U.S. Department of Energy, 1000 Independence Ave., SW., Washington, DC 20585. DOE's determination shall be stayed during the pendency of an appeal under this paragraph.

§ 490.807 Reporting requirement.

(a) By December 31 following a model year for which an alternative compliance waiver is granted, a State or covered person must submit a report to DOE that includes:

(1) A statement certifying:

(i) The total number of petroleum gallons and/or alternative fuel gge used by the fleet during the waiver year in its covered light-duty vehicles; and

(ii) The amount of petroleum motor fuel reduced by the fleet in the waiver year through alternative compliance.

(b) A State or covered person must send its report to DOE on official company or agency letterhead, and the report must be signed by a responsible company or agency official. Send to: Regulatory Manager, Alternative Fuel Transportation Program, FreedomCAR and Vehicle Technologies Program, EE–2G/Forrestal Building, U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585.

§ 490.808 Use of credits to offset petroleum reduction shortfall.

(a) If a State or covered person granted a waiver under this subpart wants to use alternative fueled vehicle credits purchased or earned pursuant to subpart F of this part to offset any shortfall in meeting the petroleum reduction required under § 490.803(a) of this subpart, it must make a written request to DOE.

(1) The State or covered person must provide details about the particular circumstances that led to the shortfall and provide documentation that shows a good faith effort to meet the requirements.

(2) DOE may request that a State or covered person supply additional information about the fleet and its operations if DOE deems such information necessary for a decision on the request.

(b) If DOE grants the request, it notifies the State or covered person of the credit amount required to offset the shortfall. DOE derives the credit amount using the fleet's fuel use per vehicle data.

(c) DOE gives the State entity or covered person until March 31 following the model year for which the waiver is granted, to acquire the number of credits required for compliance with this subpart.

§ 490.809 Violations.

If a State or covered person that received a waiver under this subpart fails to comply with the petroleum motor fuel reduction or reporting requirements of this subpart, DOE will revoke the waiver and may impose on the State or covered person a penalty under subpart G of this part. A State or covered person whose waiver has been revoked by DOE is precluded from requesting an exemption under § 490.204 or § 490.307 from the vehicle acquisition mandate for the model year of the revoked waiver.

[79 FR 15907, Mar. 21, 2014]

§ 490.810 Record retention.

A State or covered person that receives a waiver under this subpart

must retain documentation pertaining to its waiver application and alternative compliance, including petroleum fuel reduction by its fleet, for a period of three years following the model year for which the waiver is granted.

PARTS 491–499 [RESERVED]

FINDING AIDS

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