

**INITIAL STATEMENT OF REASONS**  
**PROPOSED AMENDMENTS TO APPLIANCE**  
**EFFICIENCY REGULATIONS**  
**California Code of Regulations, Title 20,**  
**Sections 1601 through 1608**

**CALIFORNIA ENERGY COMMISSION**  
**Docket Number**  
**CEC-400-2013-015-ISOR**  
**November 22, 2013**

**INTRODUCTION**

This Initial Statement of Reasons (“ISOR”) describes the purposes, rationales, and necessity of the California Energy Commission’s proposed amendments to its appliance energy efficiency regulations. The majority of proposed changes simply recites existing updated federal standards and imposes no additional obligations or reporting requirements. Other proposed changes correct grammatical and formatting errors or clarify definitions for state regulated appliances but impose not additional obligations.

**A. Scope of this Rulemaking, Problem the Agency Intends to Address and Anticipated Benefits (Gov Code section 11346.2(b)(1))**

The Appliance Efficiency Regulations (Title 20, Sections 1601 – 1608 of the California Code of Regulations (CCR)) contain definitions, test procedures, labeling requirements, and efficiency standards for both federally-regulated and state-regulated appliances. Appliance manufacturers are required to certify to the California Energy Commission that their products meet all applicable State and federal regulations pertaining to efficiency before their products can be included in the Energy Commission’s data base of approved appliances, and for state-regulated appliances, sold or offered for sale within California. To provide manufacturers, retailers, and consumers of appliances with a clear and comprehensive set of requirements, in a single location, the Appliance Efficiency Regulations contain the efficiency standards and test procedures for both federally-regulated and state-regulated appliances. The majority of the proposed express terms update the federal portion of the Appliance Efficiency Regulations.

Under federal law no State regulation, or revision thereof, concerning the energy efficiency, energy use, or water use of a covered product shall be effective with respect to such covered product, (See 42 U.S.C. Section 6297(a)-(c) and 10 C.F.R. Section 430.33(a).)

Because the Appliance Efficiency Regulations include the federal appliance efficiency requirements, when federal law changes, it is necessary to update the Appliance Efficiency Regulations to correctly reflect these changes. Otherwise, the recitation of federal regulations contained in Title 20 is out of date and not reflective of current federal law.

The majority of the changes described in this statement of reasons reflect currently effective federal requirements. Because these federal regulations are already effective by operation of preemption in California, and because regulated parties must comply with them regardless of California's regulations, these changes do not materially alter any requirement, right, responsibility, condition, prescription or other regulatory element of any California Code of Regulations.

To address the scenario of federal repeal of a federal efficiency standard or test method, current state law, Title 20 section 1605(a)(2), provides for the status quo in the event that a federal standard is repealed. Each federal standard in Section 1605.1 is also adopted as California state law applicable to the sale and offering for sale of appliances in California, if the corresponding federal standard is repealed or becomes inoperable, inapplicable, or otherwise invalid as federal law. Immediately upon the effect of such federal repeal or invalidity the standard becomes effective as California state law. This current rulemaking makes no changes to section 1605(a)(2) and leaves this status quo provision in place. While the proposed changes reflect federal updates, these updates would become state law in the event that the federal standard is repealed. For example, if the Department of Energy decided to repeal its standards regulating the energy usage by federally regulated motors or refrigerators, those standards would continue as state law until the Commission took further action to amend the regulations. A few proposed changes to state regulations are also included. These changes remove obsolete language and clarify areas that have resulted in confusion among the regulated community. Changes to third party data submission procedures have been simplify and unnecessary filings eliminated. This is expected to save businesses and the state time and money.

Other changes without regulatory effect described below include section and table renumbering to accommodate the updated federal requirements, changes to correct typographical errors and simplification to the process of third party submittal of data.

**B. The Specific Purpose, Rationale, and Necessity of Each Section of the Proposed Amendments (Gov Code section 11346.2(b)(1) and section 11349(a))**

TYPOGRAPHICAL/FORMAT CHANGES

Multiple changes throughout regulations:

*Action:* Change all references to "CFR" (Code of Federal Regulations) to "C.F.R."

The revision to "C.F.R." corrects a typographical error, ensures all use of "C.F.R." is consistent throughout the regulations, comports with the California Style Manual, and is a change without regulatory effect.

Multiple changes throughout regulations:

*Action:* For all Code of Federal Regulations (“C.F.R.”) references where specific sections or parts are referenced as “Section” or “Part,” change to “section” and “part,” respectively.

The revision to “section” and “part,” corrects typographical errors, ensures consistent use throughout the regulations, comports with the California Style Manual and is a change without regulatory effect.

Page 1, Section 1601 Scope, note to opening paragraph

*Action:* Update the reference to Part 6 Title 24 of the California Building Code to reflect recent section changes. Section 110 is now section 110.0 and section 111 is now section 110.1.

Multiple changes throughout regulations:

*Action:* Delete all reference dates to the C.F.R.

These changes are status conferred edits to remove specific dates because the only regulation in effect is the current federal law. Deleting the reference date is a change without regulatory effect because the Energy Commission is preempted under federal law (42 U.S.C. Section 6297 (a)-(c)) from adopting any regulation for appliance efficiency that is not identical to the currently effective Code of Federal Regulations, and cannot adopt a particular version of the Code of Federal Regulations. As a “status conferred” situation, the Energy Commission can only use the currently effective federal appliance efficiency regulations that the United States Department of Energy adopts through its own public rulemaking process for appliances.

Including dates in the regulations referring to specific versions of the C.F.R. creates confusion in the regulated community when the Commission regulations cite to outdated versions of the C.F.R. The Department of Energy updates its regulations at different frequency and it is not possible for the Commission to always immediately make corresponding changes in its regulations. To address this and to reduce confusion, all the reference dates will be eliminated as only the most recent version of the C.F.R. is in effect. This also ensures and clarifies that the status quo is maintained in the event that a section of the C.F.R. is repealed and Title 20 section 1605(a)(2) is triggered. It would not be practical for the state regulations to revert back to some possibly long obsolete federal standard as opposed to the last federal standard in operation.

The following sections of the Commission’s regulations contain reference dates to versions of the C.F.R. that have been removed:

Section 1602, definition of basic model of a federally-regulated consumer product  
Section 1602, definition of basic model of a distributed transformer  
Section 1602, reference of basic model in definition of model number

Section 1602, definition of commercial refrigerator, commercial freezer, or commercial refrigerator-freezer as defined by 10 C.F.R. part 430 section 430.2

Section 1602, definition of compact freezer as determined using 10 C.F.R. part 430, Appendix B1.

Section 1602, definition of compact refrigerator as determined using 10 C.F.R. part 430, Appendix A1

Section 1602, definition of compact refrigerator-freezer as determined using 10 C.F.R. part 430, Appendix A1

Section 1602(e), definition of combustion efficiency for commercial package boiler as determined using test procedures prescribed under 10 C.F.R. section 431.86

Section 1602, definition of thermal efficiency as determined using test procedures under 10 C.F.R. section 431.76

Section 1602(h), definition of water use as determined using test procedures under Appendix S of subpart B of 10 C.F.R. part 430

Section 1602(i), definition of water use as determined using test procedures under Appendix T of subpart B of 10 C.F.R. part 430

Section 1602(o), definition of compact dishwasher under 10 C.F.R. part 430, Appendix C

Section 1602(o), definition of standard dishwasher under 10 C.F.R. part 430, Appendix C

Section 1602, documents incorporated by reference 10 C.F.R. parts 430, 431

Section 1603(c)(1) and 1603(c)(2) relating to test procedures 10 C.F.R. section 430.27

Section 1604 table A-1 relating to test methods for non-commercial refrigerators, refrigerator-freezers and freezers

Section 1604 table A-2 relating to test methods for commercial refrigerators, refrigerator-freezers and freezers

Section 1604 table B-1 relating to test methods for air conditioners and heat pumps

Section 1604 table D-1 relating to test methods for ceiling fans and dehumidifiers

Section 1604 table E-1 relating to test methods for gas, oil space heaters, boilers and furnaces

Section 1604 table F-1 relating to test methods for small water heaters

Section 1604(j) test method for fluorescent lamp ballasts 10 C.F.R. section 430.23(q)

Section 1604(k) test method for fluorescent and incandescent lamps section 10 C.F.R. section 430.23(r)

Section 1604(l) test method for emergency lighting section 10 C.F.R section 431.204(b)

Section 1604(m) test method for traffic signals 10 C.F.R. sections 431.223 and 431.224

Section 1604(n) (3) test method for under cabinet luminaires 10 C.F.R. section 430.23(q)

Section 1604(o) test method for dishwashers 10 C.F.R. section 430.23(c)

Section 1604(q) test method for clothes dryers 10 C.F.R. section 430.23(d)

Section 1604(r) table R-1 test method for cooking equipment 10 C.F.R. section 430.23(i)

Section 1604(s) test method for electric motors

Section 1604(t) test method for distribution transformers

Section 1604 documents incorporated by reference various sections of the C.F.R.

Section 1606(4)(A) test method for wine chillers 10 C.F.R. section 430.23(a)

Section 1607(d) Energy Performance Information under 16 C.F.R. part 305

**CHANGES TO REFLECT UPDATES TO FEDERAL LAW**

Various changes in federal law, found either in 10 CFR 430, 10 CFR 431, 16 CFR 305, or the Energy Independence and Security Act of 2007 (EISA), beginning at 42 U.S.C. 6291, amended the federal appliance regulations. Therefore the federal portion of the California regulations needs to be updated to reflect these changes.

Purpose and Rationale: These changes will ensure that California’s Appliance Efficiency Regulations are consistent with federal standards.

Necessity: These changes will provide regulatory certainty with respect to the accurate inclusion of federal regulatory language in California’s Regulations. In addition under Government Code section 11346.2(c).

A state agency that adopts or amends a regulation mandated by federal law or regulations, the provisions of which are identical to a previously adopted or amended federal regulation, shall be deemed to have complied with subdivision (b) if a statement to the effect that a federally mandated regulation or amendment to a regulation is being proposed.

Because a federally mandated regulation is being proposed, the Commission’s obligation to provide a rationale for these changes as required under Government Code section 11346.2(b) is deemed met. The following Summary Table shows the sections in Title 20 which have been updated and the corresponding sections in the federal regulations. The table also reflects sections where typographic corrections have been made.

**SUMMARY TABLE**

Title 20	CFR	Title 20	CFR
1601(a)(2),(3)	10 C.F.R. §§ 431.61- 431.6610	1602(q)	§ 1.5 and 1.6 of Appendix D to Subpart B of 10 C.F.R. § 430
1601(a)(4)	C.F.R. §§ 431.131- 431.136.	1602(s)	10 C.F.R. § 431.12 10 C.F.R. § 431.442 Relocation of definition from 1602(s) to 1602(a)
1601(e)	10 C.F.R. § 430.32(i)(2) a	1602(u)	10 C.F.R. § 430.2
1602(a)	10 C.F.R. § 430.2 10 C.F.R. § 431.12	1602 end*	10 C.F.R. § 430.2 10 C.F.R. § 431.12 10 C.F.R. § 431.15(f)

	10 C.F.R. § 431.442 42 U.S.C. § 6311 et seq.		
1602(b)	10 C.F.R. § 431.61 – 431.66 10 C.F.R. § 431.132 10 C.F.R. § 430.2 10 C.F.R. § 431.292 10 C.F.R. 430 Appendix A to Subpart B	1603(a)	Punctuation correction
1602(c)	10 C.F.R. § 431.92	Table A-1	Appendix A to Subpart B of 10 C.F.R. § 430 Appendix A1 to Subpart B of 10 C.F.R. § 430
1602(e)	10 C.F.R. § 431.82 10 C.F.R. § 430.2 Correction of transcription error	Table A-2	10 C.F.R. §§ 431.131-431.136 10 C.F.R. § 431.134 10 C.F.R. § 431.294 10 C.F.R. §§ 431.63 and 431.64 10 C.F.R. §§ 431.303 and 431.304
1602(f)	§ 1.6 of Appendix E to Subpart B of 10 C.F.R. § 430	1604(a)(5)	10 C.F.R. §§ 431.303 and 431.304
1602(g)	Update the cross-reference; Change reference from “Table G” to Table G-1	Table B-1	10 C.F.R. § 430.32(f) 10 C.F.R. §§ 431.95 and 431.96
1602(j)	10 C.F.R. § 431.282	Table C-1	10 C.F.R. § 430.23(m) 10 C.F.R. §§ 431.95 and 431.96
1602(k)	10 C.F.R. § 430.2 Name change	1604(e)	Change section headings

	to "IES" from "IESNA"		
1602(n)	Name change to "IES" from "IESNA"	Table F-2	10 C.F.R. §§ 431.105 and 431.106
1602(p)	§ 1.17 of Appendix J2 to Subpart B of 10 C.F.R. § 430	1604(g)(1)	updates a cross-reference to a re-numbered section of the regulations
Table G-1	updates a cross-reference to a re-numbered section of the regulations		
1604(g)(2)	add a period at the end of the specified sentence		
1604(g)(3)(A)	remove the notation "(Corrected)" from the test method title		
1604(h)	Update reference to federally required test procedures to reference the C.F.R.	1604(l)(1)	Remove publication date from reference to C.F.R.
		1604(m)(1)	Remove publication date from reference to C.F.R.
1604(i)	Update reference to federally required test procedures to reference the C.F.R.	1604(n)(1),(2),(3),(4)	More clearly state which test methods apply to which types of torchieres and luminaires
1604(j)	10 C.F.R. § 430.3	1604(n)(3)	Remove publication date from reference to C.F.R.
1604(k)	add "federally regulated general service incandescent lamps" 10 C.F.R. § 430.3	1604(o)	Remove publication date from reference to C.F.R.

	Appendix R to Subpart B of Part 430		
1604(p)	Remove publication date from reference to C.F.R., and remove unneeded table	1605.1(a)(2)(C)	10 C.F.R. § 431.61 – 431.66
1604(q)	Remove publication date from reference to C.F.R.	Table A-6	10 C.F.R. § 431.61 – 431.66
Table R	Remove publication date from reference to C.F.R.	1605.1(a)(2)(D),(E)	10 C.F.R. § 431.61 – 431.66
1604(s)(1)	Remove publication date from reference to C.F.R., number section	1605.1(a)(3)	Maintain consistent table numbering, internal references
1604(s)(2)	10 C.F.R. §§ 431.443, 431.444, and 431.445	Table A-7	Change reference to “Table A-5” to “Table A-7” in both the paragraph and table heading
1604(t)	Remove publication date from reference to C.F.R.	1605.1(a)(6)	10 C.F.R. § 431.291 – 431.296
1604(u)	10 C.F.R. § 430.32(bb) (Appendix Z to Subpart B of Part 430).	Table A-8	10 C.F.R. § 431.291 – 431.296
1604(v)(3)(D)2	correct a typographical error	1605.1(a)(7)	maintain consistent section and subsection numbering throughout the Regulations
1604(v)(3)(D)6	correct a typographical error	1605.1(b)(1)	10 C.F.R. § 430.32(b)
1604(w)	Remove publication	Tables B-2 & B-3	10 C.F.R. § 430.32(b)

	date from reference to C.F.R.		
1604 end*	Update references to external documents consistent with other changes to this section	1605.1(b)(2)	10 C.F.R. § 431.91 – 431.97
Table A-3	10 C.F.R. § 430.32(a)	Tables B-4, B-5, & B-6	10 C.F.R. § 431.91 – 431.97
1605.1(a)(2)	reflect proper section and subsection numbering throughout the regulations	1605.1(c)(1)	10 C.F.R. § 431.91 – 431.97
1605.1(a)(2)	10 CFR § 431.66	Tables C-3, C-4, & C-5	10 C.F.R. § 431.91 – 431.97
Tables A-4, A-5, A-6	10 C.F.R. § 431.61 – 431.66	Table C-7	10 C.F.R. § 431.91 – 431.97
1605.1(d)	Correct a typographical error	Table K-1	
1605.1(e)(1)	10 C.F.R. § 430.2 and 430.32(i)(2)	1605.1(k)(1)(B)	10 C.F.R. § 430.32(n)(3)
Table E-2	10 C.F.R. § 430.2 and 430.32(i)(2)	Table K-2	10 C.F.R. § 430.32(n)(3)
1605.1(e)(2)	(i) Reorganize the referenced federal standards for residential and non-residential boilers and furnaces for needed clarity and  (ii) Add federal standards that took effect September 1, 2012	1605.1(k)(2)(A)	(i) Maintain consistency in numbering of the tables and subsections throughout the regulations and  (ii) Add federal standards which took effect July 15, 2012
Tables E-3,E-4,E-5, & E-6	10 C.F.R. §§ 430.32(e), 431.71 –	Table K-3	Adding end date to title

	431.77 (inclusive), and 431.81 – 431.87		
1605.1(e)(5)	remove a reference to expired California standards	1605.1(k)(2)(B)	10 C.F.R. § 430.32(n)(5)
Tables F-3 & F-4	10 C.F.R. § 430.32	Table K-4	10 C.F.R. § 430.32(n)(5)
1605.1(g)(1)	10 C.F.R. § 430.32(k)(2)	1605.1(k)(3)	Amend the reference to IES LM-65 to properly abbreviate the name “Illuminating Engineering Society of North America”
Table G-2	10 C.F.R. § 430.32(k)(2)	Table K-5	Renumbering table
1605.1(h)(1)	10 C.F.R. § 430.32(o)	1605.1(k)(4)	(i) Maintain consistency in numbering of the tables throughout the regulations and (ii) Add federal standards which took effect July 15, 2012 per 10 C.F.R. § 430.32(n)(5).
Table H-1	10 C.F.R. § 430.32(o)	Tables K-6 & K-7	Renumbering Tables
1605.1(j)	Conform this section header to match all other similar section headers within the Regulations	1605.1(k)(5)	i) Maintain consistency in numbering of the tables throughout the regulations and ii) add federal standards which took effect July 15, 2012 per 10 C.F.R. § 430.32(n)(5).
1605.1(j)(3)	10 C.F.R. § 431.286	Table K-8	Renumbering table
1605.1(k)(1)(A)	(i) add a subsection letter “(A)” in front of existing language in order to add another subsection below, and (ii) to add an end date to the existing federal standards	1605.1(n)(2)(C)	10 C.F.R. § 431.326(a)(3)
1605.1(n)(2)(C)1	10 C.F.R. §	1605.1(s)(1)(B)	10 C.F.R. § 431.441 –

	431.326(a)(3)		431.446
Table O	10 C.F.R. 430.32(f)	Table S-2	10 C.F.R. § 431.441 – 431.446
1605.1(p)(1)	Conform this section header to match all other similar section headers within the Regulations, 10 C.F.R. § 430.32(g)	1605.1(s)(1)(C)	10 C.F.R. § 431.446
Table P-2 (former P-2)	Re-number table	1605.1(s)(2)	10 C.F.R. § 431.11 - § 431.36
Table P-2 (new P-2)	10 C.F.R. § 430.32(g)	Table S-3	10 C.F.R. § 431.11 - § 431.36
Table P-3 (new P-3)	10 C.F.R. § 431.156	1605.1(s)(3)	10 C.F.R. § 431.11 - § 431.36
1605.1(p)(4)	Remove invalid cross-reference	Table S-4	10 C.F.R. § 431.11 - § 431.36
1605.1(q)(1)	consistency in numbering of the tables throughout the regulations	1605.1(s)(4)	10 C.F.R. § 431.11 - § 431.36
Table Q-1	Re-number existing “Table Q” to “Table Q-1”	Table S-5	10 C.F.R. § 431.11 - § 431.36
1605.1(q)(2)	10 C.F.R. § 430.32(h)(3)	1605.1(s)(5)	10 C.F.R. § 431.11 - § 431.36
Table Q-2	10 C.F.R. § 430.32(h)(3)	Table S-6	10 C.F.R. § 431.11 - § 431.36
1605.1(r)(1)	10 C.F.R. § 430.32(j)(1) & (2)	1605.1(t)(2)	maintain consistency in language formatting throughout the Regulations
1605.1(r)(1)(A)	10 C.F.R. § 430.32(j)(1)	1605.1(u)(1)(B),(C)	10 C.F.R. § 430.32(w)(1)(iii) (2012)
1605.1(r)(1)(B)	10 C.F.R. § 430.32(j)(2)	1605.1(v)	Conform this section header to match all other similar section headers within the Regulations
1605.1(s)(1)(A)	10 C.F.R. § 431.25 and the addition of § 431.446	1605.1 end	10 C.F.R. § 430.32(w)(1)(iii) (2012) 10 C.F.R. § 430.32(u) (2012)

Table S-1	10 C.F.R. § 431.25 and the addition of § 431.446	1605.2(c)(1)	Reformatting the table and updating the numbering
Table C-7	Table Numbering Update	Table A-12	10 C.F.R. § 431.291 – 431.296
1605.2(n)(2)(A)	Consistent subsection numbering throughout the Regulations	1605.3(a)(7)(B)	Change “above 40 degrees F” to “above 40°F.”
1605.2(p)(1)	Remove obsolete, now-preempted state standards and correctly direct readers to appropriate sections of the regulations	1605.3(a)(9)	10 C.F.R. § 431.131 – 431.136
1605.2(r)(2)	10 C.F.R. § 430.32(j)(1) & (2)	Table A-11 (former A-11)	10 C.F.R. § 431.131 – 431.136
1605.2(s)	Change “consumer” to “commercial”	1605.3(a)(8)	Renumber Section
1605.2(v)	Rename subsection header and language to match change shown throughout these regulations	1605.3(a)(9)	Remove obsolete language to reflect federal standards now in effect
1605.3(a)(1)	Maintain consistent table numbering throughout the Regulations	1605.3(a)(11)	10 C.F.R. § 431.66(d)
Table A-9	Renumber what is now Table A-6 to Table A-9	1605.3(c)(2)	Eliminate obsolete, federally-preempted standards and simplify the references to remaining standards
1605.3(a)(2)	Maintain consistent table	1605.3(c)(3)	10 C.F.R. § 431.97(b)

	numbering throughout the Regulations		
Table A-10	Renumber what is now Table A-7 to Table A-10	1605.3(c)(4)	Renumber section
1605.3(a)(3)	10 C.F.R. § 431.61 – 431.66	1605.3(c)(5)	Renumber section
1605.3(a)(4)	10 C.F.R. § 431301 – 431.30	1605.3(e)(1)(A)	Consistency for section and table numbering
Table A-8	10 C.F.R. § 431301 – 431.30	old Tables E-5,E-6,E-7, & E-8	Renumber to E-7, E-8, and E-9, respectively
1605.3(a)(5),(6)	10 C.F.R. § 431.61 – 431.66	1605.3(e)(1)(B)	10 C.F.R. § 431.246
Table A-11	10 C.F.R. § 431.61 – 431.66	1605.3(e)(1)(C)	10 C.F.R. § 431.246
1605.3(a)(6)	10 C.F.R. § 431.61 – 431.66 10 C.F.R. § 431.291 – 431.996	1605.3(f)(1)	Maintain consistent numbering of Exceptions found throughout the Regulations
1605.3(a)(7)	10 C.F.R. § 431.291 – 431.296	1606, Table X	10 C.F.R. 430.32(o)
1605.3(f)(2)	Maintain consistent numbering	1606(a)(4)(A)4	Eliminate subsections b., c., d., and l., and re-letter others accordingly
current Table F-4	Renumber existing “Table F-5” to “Table F-4” for consistency	1606(a)(4)(A)4.h	accurately reference the referenced table
1605.3(g)(1),(2),(3),(4),(5),(6)	Remove obsolete language since the implementation of federal standards, per change to 1605.1(g) Renumber	1606(a)(4)(A)5	amend the reference to ASHRAE/IES Standard 90.1-1999 to properly abbreviate the name “Illuminating Engineering Society of North America”

	Section.		
1605.3(g)(4)(B)1	eliminate redundant, unnecessary language	1606(h)(1)(F)	update the contact information for Appliance Efficiency Program staff
1605.3(g)(5)(B)1	remove obsolete language	1606(i)	Add a period at the end of subsection header to match other formatting
1605.3(g)(5)(B)2,3	Maintain consistent section and subsection numbering found throughout the Regulations	1606(j)	Add a period at the end of subsection header to match other formatting
1605.3(h)(1)	Maintain consistent formatting throughout the Regulations	1607(d)(1)	16 C.F.R. Part 305
1605.3(k)	Maintain consistent table numbering found throughout the Regulations due to the addition of preceding tables	1607(d)(3)	Abbreviate the name
1605.3(k)(1)	Remove obsolete standards and clarify remaining standards	1607(d)(7)	16 C.F.R. Part 305 in Section 1607(d)(1)
1605.3(n)	Remove obsolete standards and clarify other references to this section	1607(d)(11)	16 C.F.R. Part 305
1605.3(n)2	remove obsolete standards	1607 end	Update web-link to eC.F.R
Table U-3	Change table title	1608(a)	Eliminate an existing, now obsolete, Exception, and renumber the remaining Exceptions accordingly,

			consistent with changes to 1605.1(a) and similar change made to 1606(a)
1605.3(v)(3)(A)	Change “and/or” to “or” to comply with the rule of construction found in Section 1602.1(b)	1608(a)(1)	Re-number Subsection
1605.3 end	Amend “standards” to “documents” and to maintain consistency in this wording	1608(a)(2)(C)	Re-number Subsection
1606(a)	Remove last sentence of first paragraph of this Section referring to models submitted before 2002.  Remove EXCEPTION 3 of this Section, and renumber remaining two subsections accordingly, consistent with changes to 1605.1(a)	1608(b)	Clarify that the only appliances to which this section applies are those requiring certification
1606(a)(2)	Punctuation, insert period after section heading	1608(e)(3)	10 C.F.R. § 429
1608 end*	Update web-link to eC.F.R		

**DESCRIPTION OF REGULATION CHANGES CONSISTENT WITH UPDATES TO FEDERAL STANDARDS**

Because the proposed changes meet the requirements of Government Code section 11346.2(c) a detailed discussion of each federally mandated change is not necessary. Given the number of proposed changes, the following supplemental information is being provided as a summary for

the public to better understand the specific changes being made and the section of federal standards that are controlling.

Page 1, **Section 1601(a):**

*Action:* Remove hyphen in "ice-makers."

This deletion is a change that is consistent with the federal regulation for ice makers, 10 C.F.R. Section 431.131-431.136.

Page 1, **Section 1601(a)(2), (3), and (4):**

*Action:* Remove subparagraph (2) and renumber subsequent subsections to eliminate exclusion of commercial refrigeration products > 85 ft3. (10 C.F.R. Section 431.61-431.66.)

Page 1, **Section 1601(a)(3)** (as newly numbered):

*Action:* Change maximum capacity range for regulated automatic commercial ice makers from 2500 lbs/24 hours to 4000 lbs/24 hours. (10 C.F.R. Section 431.61-431.6610)

Page 1, **Section 1601(e):**

*Action:* Add "vented hearth heaters" to scope. 10 C.F.R. Section 430.32(i)(2) added "vented gas hearth heaters" as a specific subtype of vented home heating equipment that are federally-regulated.

Page 4, **Section 1602(a):**

*Action:* Add "the Energy Policy Act of 2005" in initial narrative.

The purpose of this change is to differentiate between the previously adopted (and still referenced) Energy Policy Act (of 1992), commonly called "EPAct", from the later amendments adopted in 2005 that were also titled "Energy Policy Act". This addition is a change without regulatory effect because it cross references and identifies an existing federal law, among other sources, where definitions of terms, not found in these regulations, can be found.

Page 5, **Section 1602(a):**

*Action:* Change definition of "'Basic model' of a distribution transformer" to reference 10 C.F.R. Section 431.192 (2012) to accurately reflect the proper section of federal law where this definition appears and to change the Code of Federal Regulations reference from 2008 to 2012.

Page 5, **Section 1602(a):**

*Action:* Move definition of "'Basic model' of a federally regulated electric motor" AND correct word misspelled ("efficiency") in CCR.

Page 5, **Section 1602(a):**

*Action:* Add definition for "'Basic model' of a federally regulated small electric motor."

Page 6, **Section 1602(a)**:

*Action:* Amend definition of “CSA.” to maintain consistency with the definition of the term present in 10 C.F.R. Section 431.442.

Page 6, **Section 1602(a)**:

*Action:* Add definition of “the Energy Policy Act of 2005.”

The purpose of this change is to provide separate definitions for the Energy Policy Act of 1992 and the Energy Policy Act of 2005 to provide clarity and consistency with federal law.

Page 7, **Section 1602(a)**:

*Action:* Change definition of “federally regulated commercial and industrial equipment” to include references to the Energy Policy Act of 2005 and EISA.

The purpose of this change is to clarify and correctly state that commercial and industrial equipment regulated under either of the federal Energy Policy Acts or under the Energy Independence and Security Act is “federally-regulated commercial and industrial equipment”.

Page 7, **Section 1602(a)**:

*Action:* Delete “FSTC” definition

The purpose of this change is to remove a definition that is no longer used within the regulations and thereby make the regulations clearer. The Food Service Technology Center (FSTC) was originally referenced in a test method that the Energy Commission has since amended through a formal rulemaking to remove the FSTC. (CEC Order No. 08-1203-11 (Dec. 3, 2008), Docket No. 08-AAER-1B; OAL File No. Z2008081903). This deletion is a change without regulatory effect because the Energy Commission formally removed the functional references to the FSTC and only inadvertently left the term FSTC both here and in Table X (in Section 1606), even though it is no longer otherwise used.

Pages 7 & 55, **Section 1602(a)**:

*Action:* Move “IEC” definition from Section 1602(s) to Section 1602(a).

The purpose of this change is to move a definition that applies to more than one type of appliance from a section containing definitions relating to electric motors to a section of general definitions.

Page 9, **Section 1602(a)**:

*Action:* Add definition for “pin-based.”

The purpose of this change is to add the federal definition for the term “pin-based” found in 10 C.F.R. Section 430.2, as it relates to federally regulated lamps, ceiling fan light kits, and torchieres.

Page 9, **Section 1602(b)**:

*Action:* Amend definition for “Adjusted total volume.”

The purpose of this change is to amend the definition for the term “adjusted total volume” to reference the definition as it appears in the federal test method as found in 10 C.F.R. part 430 Appendices A and A1 to Subpart B, and to remove the reference to HRF-1-1979.

Page 10, **Section 1602(b)**:

*Action:* Add definition for “anti-condensate energy consumption (AEC).”

The purpose of this change is to add the federal definition for the term “anti-condensate energy consumption (AEC)” found in 10 C.F.R. Section 431.66(d)(2)(i).

Page 10, **Section 1602(b)**:

*Action:* Change “automatic commercial ice maker” definition to (1) remove hyphen between “ice” and “maker” and (2) edit to match current federal definition.

The purpose of this change is to create consistency between federal and State regulations for ice makers.

Page 10, **Section 1602(b)**:

*Action:* Add definition for “Batch type ice maker.”

The purpose of this change is to add the federal definition for the term “Batch type ice maker” to provide consistency with federal law. The U.S. Department of Energy added a definition for “batch type ice maker” to 10 C.F.R. Section 431.132 in its recent amendments to the ice maker test procedures (77 Fed. Reg. 1591, 1613).

Pages 10 & 11, **Section 1602(b)**:

*Action:* Add definitions for “Built-in freezer,” “Built-in refrigerator,” and “Built-in refrigerator-freezer.”

The purpose of this change is to add the federal definitions for the terms “Built-in freezer,” “Built-in refrigerator,” and “Built-in refrigerator-freezer” to the Regulations to provide consistency with federal law. The U.S. Department of Energy added these definitions to 10 C.F.R. Section 430.2 in its recent amendments to the energy conservation standards for residential refrigerators and freezers (76 Fed. Reg. 57515, 57609).

Page 11, **Section 1602(b)**:

*Action:* Add definition for “Calculated daily energy consumption (CDEC).”

The purpose of this change is to add the federal description for the term “Calculated daily energy consumption (CDEC)” to the Regulations to provide consistency with federal law. This change is necessary due to adoption of amendments to 10 C.F.R. Section 431.61 – 431.66 updating federal scope, definitions, test methods, and standards for commercial refrigerators, commercial freezers, and commercial refrigerator-freezers affecting products manufactured on or after January 1, 2012. The term is found specifically in Section 431.64(b)(2)(iii)(C) and 431.66(d).

Page 11, **Section 1602(b)**:

*Action:* Add definitions for “Class A,” “Class B,” and “Combination vending machine.”

The purpose of these changes is to add the federal definitions for the term “Class A,” “Class B,” and “Combination vending machine” to the Regulations to provide consistency with federal law. The U.S. Department of Energy added these definitions to 10 C.F.R. Section 431.292 in its recent amendments to the energy conservation standards for vending machines (74 Fed. Reg. 44967 (Aug. 31, 2009)).

Page 11, **Section 1602(b)**:

*Action:* Add definition for “Commercial hybrid refrigerator, freezer, and refrigerator-freezer.”

The purpose of this change is to add the federal definition for the term “Commercial hybrid refrigerator, freezer, and refrigerator-freezer” to the Regulations to provide consistency with federal law. The U.S. Department of Energy added this definition to 10 C.F.R. Section 431.62 in its amendments to the energy conservation standards for residential refrigerators and freezers (74 Fed. Reg. 1139 (Jan. 9, 2009)).

Page 12, **Section 1602(b)**:

*Actions:* Amend definitions for “Compact freezer,” “Compact refrigerator,” and “Compact refrigerator-freezer.”

The purpose of this change is to change is to revise the state definitions to be the same as the federal definitions for compact freezers, compact refrigerators, and compact refrigerator-freezers. The U.S. Department of Energy added these definitions to 10 C.F.R. Section 430.2 in its amendments to the energy conservation standards for residential refrigerators and freezers (76 Fed. Reg. 57609 (Sept. 15, 2009)).

Page 12, **Section 1602(b)**:

*Action:* Add definition for “Compressor energy consumption (CEC).”

The purpose of this change is to add the federal description for the term “Compressor energy consumption (CEC)” to the Regulations to provide consistency with federal law found specifically in 10 C.F.R. Section 431.64(b)(2) and 431.66(d).

Page 12, **Section 1602(b)**:

*Action:* Add definition for “Condensate evaporator pan energy consumption (PEC).”

The purpose of this change is to add the federal definition for the term “Condensate evaporator pan energy consumption (PEC)” to the Regulations to provide consistency with federal law. The term is found specifically in 10 C.F.R. Section 431.64(b)(2) and 431.66(d).

Page 12, **Section 1602(b)**:

*Action:* Add definition for “Continuous type ice maker.”

The purpose of this change is to add the federal definition for the term “Continuous type ice maker” to the state regulations to provide consistency with federal law. The U.S. Department of Energy added this definition to 10 C.F.R. Section 431.132 in its recent amendments to the ice maker test procedures (77 Fed. Reg. 1613 (Jan. 11, 2012)).

Page 12, **Section 1602(b)**:

*Action:* Add definition for “Defrost energy consumption (DEC).”

The purpose of this change is to add the federal description for the term “Defrost energy consumption (DEC)” to the Regulations to provide consistency with federal law. The term is found specifically in 10 C.F.R. Section 431.64(b)(2) and 431.66(d).

Page 12, **Section 1602(b)**:

*Action:* Add definition for “‘Energy use’ of an automatic commercial ice maker.”

The purpose of this change is to add the federal definition for the term “‘Energy use’ of an automatic commercial ice maker” to provide consistency with federal law. The U.S. Department of Energy added this definition to 10 C.F.R. Section 431.132 in its recent amendments to the ice maker test procedures (77 Fed. Reg. 1613 (Jan. 11, 2012)).

Page 12, **Section 1602(b)**:

*Action:* Add definition for “Fan energy consumption (FEC).”

The purpose of this change is to add the federal definition for the term “Fan energy consumption (FEC)” to the Regulations to provide consistency with federal law. This change is necessary due to adoption of amendments to 10 C.F.R. Section 431.61 – 431.66 (inclusive) updating federal scope, definitions, test methods, and standards for commercial refrigerators, commercial freezers, and commercial refrigerator-freezers

affecting products manufactured on or after January 1, 2012. The term is found specifically in Section 431.64(b)(2) and 431.66(d).

Page 13, **Section 1602(b)**:

*Action:* Amend definition for “freezer volume.”

The purpose of this change is to amend the definition for the term “freezer volume” to reference the definition as it appears within the “adjusted total volume” definition found in the federal test method at 10 C.F.R. part 430 Appendices B and B1 to Subpart B, and to remove the reference to HRF-1-1979.

Page 13, **Section 1602(b)**:

*Action:* Add definition for “Horizontal closed” and for “Horizontal open.”

The purpose of this change is to add the federal definition for the terms “Horizontal closed” and “Horizontal open” to provide consistency with federal law. The U.S. Department of Energy added these definitions to 10 C.F.R. Section 431.62 in its amendments to the efficiency standards for commercial refrigerators and freezers (74 Fed. Reg. 1139 (Jan. 9, 2009)).

Page 13, **Section 1602(b)**:

*Action:* Add definition for “Ice hardness factor.”

The purpose of this change is to add the federal definition for the term “Ice hardness factor” to the Regulations to provide consistency with federal law. The U.S. Department of Energy added this definition to 10 C.F.R. Section 431.132 in its amendments to the test procedures for automatic commercial ice makers (77 Fed. Reg. 1613 (Jan. 11, 2012)).

Page 13, **Section 1602(b)**:

*Action:* Add definition for “Lighting energy consumption (LEC).”

The purpose of this change is to add the federal definition for the term “Lighting energy consumption (LEC)” to the Regulations to provide consistency with federal law. This change is necessary due to adoption of amendments to 10 C.F.R. Section 431.61 – 431.66 (inclusive) updating federal scope, definitions, test methods, and standards for commercial refrigerators, commercial freezers, and commercial refrigerator-freezers affecting products manufactured on or after January 1, 2012. The term is found specifically in Section 431.64(b)(2) and 431.66(d).

Page 14, **Section 1602(b)**:

*Action:* Add definition for “Maximum condenser water use.”

The purpose of this change is to add the federal definition for the term “Maximum condenser water use” to the Regulations to provide consistency with federal law. The U.S. Department of Energy added this definition to 10 C.F.R. Section 431.132.

Page 14, **Section 1602(b)**:

*Action:* Add definition for “Maximum daily energy consumption (MDEC).”

The purpose of this change is to add the federal definition for the term “Maximum daily energy consumption (MDEC)” to the Regulations to provide consistency with federal law. This change is necessary due to adoption of amendments to 10 C.F.R. Section 431.61 – 431.66 updating the federal scope, definitions, test methods, and standards for commercial refrigerators, commercial freezers, and commercial refrigerator-freezers. The term is used in 10 C.F.R. 431.66(d)(2), (3), and 431.296.

Page 15, **Section 1602(b)**:

*Action:* Amend definition for “refrigerator volume.”

The purpose of this change is to amend the definition for the term “refrigerator volume” to reference the definition as it appears in the federal test method as found in 10 C.F.R. part 430 Appendix A to Subpart B, and to remove the reference to HRF-1-1979.

Page 16, **Section 1602(b)**:

*Action:* Add definition for “Semivertical open.”

The purpose of this change is to add the federal definition for the term “Semivertical open” to the Regulations to provide consistency with federal law. The U.S. Department of Energy added this definition to 10 C.F.R. Section 431.62 in its amendments to the efficiency standards for commercial refrigerators and freezers (74 Fed. Reg. 1139 (Jan. 9, 2009)).

Page 16, **Section 1602(b)**:

*Action:* Add definition for “Total daily energy consumption (TDEC).”

The purpose of this change is to add the federal definition for the term “Total daily energy consumption (TDEC)” to the Regulations to provide consistency with federal law. This change is necessary due to adoption of amendments to 10 C.F.R. Section 431.61 – 431.66 updating federal scope, definitions, test methods, and standards for commercial refrigerators, commercial freezers, and commercial refrigerator-freezers. The term is found specifically in Section 431.64(b)(2) and 431.66(d).

Page 16, **Section 1602(b)**:

*Action:* Add definition for “Total display area (TDA).”

The purpose of this change is to add the federal definition for the term “Total display area (TDA)” to the Regulations to provide consistency with federal law. The U.S. Department of Energy added this definition to 10 C.F.R. Section 431.66 in its amendments to the efficiency standards for commercial refrigerators and freezers (74 Fed. Reg. 1140 (Jan. 9, 2009)).

**Page 16, Section 1602(b):**

*Action:* Add definitions for “Vertical closed,” “Vertical Open,” and “Wedge case.”

The purpose of this change is to add the federal definitions for these terms to provide consistency with federal law. The U.S. Department of Energy added these definitions to 10 C.F.R. Section 431.62 in its amendments to the efficiency standards for commercial refrigerators and freezers (74 Fed. Reg. 1139 (Jan. 9, 2009)).

**Page 17, Section 1602(c):**

*Action:* Amend definition of “Computer Room Air Conditioner.”

The purpose of this change is to amend the definition of “Computer Room Air Conditioner” to match the federal definition of the term. The U.S. Department of Energy added a definition of “computer room air conditioner” to 10 C.F.R. Section 431.92 when it adopted new efficiency standards for computer room air conditioners (77 Fed. Reg. 28988 (May 16, 2012)).

**Page 18, Section 1602(c):**

*Action:* Add definition for “Heat recovery.”

The purpose of this change is to add the federal definition for the term “Heat recovery” to provide consistency with federal law. The U.S. Department of Energy added this definition to 10 C.F.R. Section 431.92 when it amended its efficiency standards for commercial heating, air-conditioning, and water-heating equipment (77 Fed. Reg. 28988 (May 16, 2012)).

**Page 18, Section 1602(c):**

*Action:* Add definition for “Non-standard size.”

The purpose of this change is to add the federal definition for the term “Non-standard size” to provide consistency with federal law. The U.S. Department of Energy added this definition to 10 C.F.R. Section 431.92 when it amended its efficiency standards for packaged terminal air conditioners and packaged terminal heat pumps (73 Fed. Reg. 58828 (Oct. 7, 2008)).

**Page 19, Section 1602(c):**

*Action:* Add definition of “Sensible coefficient of performance.”

The purpose of this change is to add the federal definition for the term “Sensible coefficient of performance” to the Regulations to provide consistency with federal law. The U.S. Department of Energy added this definition to 10 C.F.R. Section 431.92 when it amended its efficiency standards for commercial heating, air-conditioning, and water-heating equipment (77 Fed. Reg. 28988 (May 16, 2012)).

**Page 20, Section 1602(c):**

*Action:* Add definition for “Standard size.”

The purpose of this change is to add the federal definition for the term “Standard size” to the Regulations to provide consistency with federal law. The U.S. Department of Energy added this definition to 10 C.F.R. Section 431.92 when it amended its efficiency standards for packaged terminal air conditioners and packaged terminal heat pumps (73 Fed. Reg. 58828 (Oct. 7, 2008)).

**Page 21, Section 1602(c):**

*Action:* Add definitions for “Variable refrigerant flow (VRF) multi-split air conditioner” and “Variable refrigerant flow (VRF) multi-split heat pump”

The purpose of this change is to add the federal definitions for these terms to the Regulations to provide consistency with federal law. The U.S. Department of Energy added these definitions to 10 C.F.R. Section 431.92 when it amended its efficiency standards for commercial heating, air-conditioning, and water-heating equipment (77 Fed. Reg. 28988 (May 16, 2012)).

**Page 24, Section 1602(e):**

*Action:* Change the equation found in the definition of “Combined annual efficiency (CAE)” to properly reflect the equation shown in the test method by subscripting “hs” and “ss” as Effyhs and Effyss.

The purpose of this change is to accurately reflect the equation used to determine the combined annual efficiency rating. The equation itself, as part of the test method in section 1604, subdivision (e)(3) of Title 20 of the California Code of Regulations (referencing ANSI/AHRAE 124-2007), is not changing. (See section 11.4 of ANSI/ASHRAE 124-2007 for the applicable equation for combined annual efficiency.)

**Page 24, Section 1602(e),**

*Action:* Change: “... and equals to ...” to “... and is equal to ...”

The text is grammatically incorrect as currently written; changing to match federal definition found in 10 C.F.R. section 431.82.

**Page 24, Section 1602(e):**

*Action:* Add definitions for “Commercial packaged boiler” and for “Condensing boiler.”

The purpose of this change is to add the federal definitions for these terms to the Regulations to provide consistency with federal law. The U.S. Department of Energy added these definitions to 10 C.F.R. Section 431.82 when it adopted efficiency standards for commercial packaged boilers (69 Fed. Reg. 61960 (Oct. 21, 2004)).

**Pages 25 & 26, Section 1602(e):**

*Action:* Add definitions for “Packaged high-pressure boiler” and “Packaged low-pressure boiler.”

The purpose of these changes is to add the federal definitions for the terms “Packaged high-pressure boiler” and “Packaged low-pressure boiler” to the Regulations to provide consistency with federal law. The U.S. Department of Energy added these definitions to 10 C.F.R. Section 431.82 when it adopted efficiency standards for commercial packaged boilers (69 Fed. Reg. 61960 (Oct. 21, 2004)).

**Page 27, Section 1602(e):**

*Action:* Add definition for “Vented hearth heater.”

The purpose of this change is to add the federal definition for the term “Vented hearth heater” to the Regulations to provide consistency with federal law. The U.S. Department of Energy added a definition for “vented hearth heater” (75 Fed. Reg. 20234 (Apr. 16, 2010)) and subsequently amended its definition of “vented hearth heater” (76 Fed. Reg. 71859 (Nov. 18, 2011)) in 10 C.F.R. Section 430.2 when it amended its efficiency standards for direct heating equipment.

**Page 27, Section 1602(e):**

*Action:* Amend definition of “Vented home heat equipment.”

The purpose of this change is to amend the definition for the term “Vented home heating equipment” to provide consistency with federal law. The U.S. Department of Energy amended the definition for “vented home heat equipment” when it added its definition for “vented hearth heater” (75 Fed. Reg. 20234 (Apr. 16, 2010)) in 10 C.F.R. Section 430.2),

**Page 28, Section 1602(f):**

*Action:* Add definition for “Heat trap.”

The purpose of this change is to add the federal definition for the term “Heat trap” to the Regulations to provide consistency with federal law. The U.S. Department of Energy

has added this definition to Section 1.6 of Appendix E to Subpart B of 10 C.F.R. Section 430 (governing test procedures for federally-regulated water heaters).

**Page 29, Section 1602(g):**

*Action:* Change reference from “Table G” to Table G-1” in definition for “Low temperature rating.”

The purpose of this change is to update the cross-reference in this definition to the pool heater test methods, due to the addition of Table G-2 in Section 1605.1(g)(1) and the subsequent renumbering of “Table G” to “Table G-1” in Section 1604(g).

**Page 30, Section 1602(g):**

*Action:* Change reference from “Table G” to Table G-1” in definition for “Spa conditions rating” and for “Standard temperature rating.”

The purpose of this change is to update the cross-reference in this definition to the pool heater test methods, due to the addition of Table G-2 in Section 1605.1(g)(1) and the subsequent renumbering of “Table G” to “Table G-1” in Section 1604(g).

**Page 34, Section 1602(j):**

*Action:* Add definition for “Specialty application mercury vapor lamp ballast.”

The purpose of this change is to add the federal definition for the term “Specialty application mercury vapor lamp ballast” to the Regulations to provide consistency with federal law. The U.S. Department of Energy added the definition for “specialty application mercury vapor lamp ballast” in 10 C.F.R. Section 431.282, as part of adding and amending efficiency standards in response to the Energy Independence and Security Act of 2007, Public Law 110-140 (74 Fed. Reg. 12066 (Mar. 23, 2009)).

**Page 36, Section 1602(k):**

*Action:* Amend definition of “Colored fluorescent lamp.”

The purpose of this change is to amend the definition for the term “Colored fluorescent lamp” to match the federal definition. The U.S. Department of Energy twice amended the definition of “colored fluorescent lamp” in 10 C.F.R. Section 430.2, as part of adding and amending efficiency standards and test procedures for lamps (74 Fed. Reg. 34176 (July 14, 2009); 77 Fed. Reg. 4215-4216 (Jan. 27, 2012)).

**Page 41, Section 1602(k):**

*Action:* Amend reference to IES Lighting Handbook found in the definition of “Rough service lamp.”

The purpose of this change is to amend the reference to the IES Lighting Handbook to properly abbreviate the name "Illuminating Engineering Society of North America". This change is necessary to maintain the correctness of the citation following a change in the official abbreviation of "Illuminating Engineering Society of North America" from "IESNA" to "IES" as stated by IES (for example, on their website at [http://www.ies.org/about/what\\_is\\_iesna.cfm](http://www.ies.org/about/what_is_iesna.cfm) and here <http://www.ies.org/handbook/pdf/>).

Page 42, **Section 1602(k)**:

*Action:* Correct misspelling in definition for "Soft white type lamp" by changing "emmissive" to "emissive."

Page 43, **Section 1602(k)**:

*Action:* Amend reference to IES Lighting Handbook found in the definition of "Vibration service lamp."

The purpose of this change is to amend the reference to the IES Lighting Handbook to properly abbreviate the name "Illuminating Engineering Society of North America". This change is necessary to maintain the correctness of the citation following a change in the official abbreviation of "Illuminating Engineering Society of North America" from "IESNA" to "IES" as stated by IES (for example, on their website at [http://www.ies.org/about/what\\_is\\_iesna.cfm](http://www.ies.org/about/what_is_iesna.cfm) and here <http://www.ies.org/handbook/pdf/>).

Page 46, **Section 1602(n)**:

*Action:* Amend reference to IES LM-16-1993 found in the definition of "Color Correlated Temperature (CCT)."

The purpose of this change is to amend the reference to IES LM-16-1993 to properly abbreviate the name "Illuminating Engineering Society of North America", which has formally shortened the acronym for its name to "IES" from "IESNA" (see [http://www.ies.org/about/what\\_is\\_iesna.cfm](http://www.ies.org/about/what_is_iesna.cfm)).

Page 48, **Section 1602(n)**:

*Action:* Amend reference to IES LM-79-08 found in the definition of "Luminaire efficacy."

The purpose of this change is to amend the reference to IES LM-79-08 to properly abbreviate the name "Illuminating Engineering Society of North America", which has formally shortened the acronym for its name to "IES" from "IESNA" (see [http://www.ies.org/about/what\\_is\\_iesna.cfm](http://www.ies.org/about/what_is_iesna.cfm)).

Page 50, **Section 1602(p)**:

*Action:* Add definition for "Integrated modified energy factor."

The purpose of this change is to add the federal definition for the term “Integrated modified energy factor” to the Regulations to provide consistency with federal law. The U.S. Department of Energy added the definition of “integrated modified energy factor” in Section 1.16 of Appendix J2 to Subpart B of 10 C.F.R. Section 430 (77 Fed. Reg. 13940 (Mar. 7, 2012)).

Page 50, **Section 1602(p)**:

*Action:* Add definition for “Integrated water factor.”

The purpose of this change is to add the federal definition for the term “Integrated water factor” to the Regulations to provide consistency with federal law. The U.S. Department of Energy added the definition of “integrated water factor” in Section 1.17 of Appendix J2 to Subpart B of 10 C.F.R. Section 430 (77 Fed. Reg. 13940 (Mar. 7, 2012)). already in effect, regardless of the Energy Commission’s regulations, and the addition here therefore does not change its regulatory effect.

Page 51, **Section 1602(q)**:

*Action:* Add definition for “Cycle.”

The purpose of this change is to add the federal definition for the term “Cycle” (as it applies to clothes dryers) to the Regulations to provide consistency with federal law, and further to differentiate the same term as it applies to dishwashers (found in Section 1602(o)) and clothes washers (found in Section 1602(p)). The U.S. Department of Energy added the definition of “cycle” in Section 1.5 of Appendix D to Subpart B of 10 C.F.R. Section 430 in May 1981 (46 Fed. Reg. 27324).

Page 51, **Section 1602(q)**:

*Action:* Add definition for “Drum capacity.”

The purpose of this change is to add the federal definition for the term “Drum capacity” to the Regulations to provide consistency with federal law. The U.S. Department of Energy added the definition of “drum capacity” in Section 1.6 of Appendix D to Subpart B of 10 C.F.R. Section 430 in May 1981 (46 Fed. Reg. 27324). The Energy Commission inadvertently omitted the definition in previous amendments to the state regulations.

Pages 52-53, **Section 1602(r)**:

*Action:* Add definitions found in 10 C.F.R. Section 430.2 AND Appendix I to Subpart B of Part 430

The purpose of this change is to include the following new federal definitions for regulated non-commercial appliance: Built-in microwave over, Convection microwave over, Forced convection, Microwave/convection cooking top, Microwave/conventional oven, Microwave/conventional range, Microwave oven and Standby mode.

Page 54, **Section 1602(s)**:

*Action:* Delete definition for “closed motor.”

The purpose of this change is to eliminate a term previously used in reference to federally regulated motors but which is not referenced in federal regulations, thus providing consistency with federal law. This change is necessary in order to remove a term that is no longer referenced in the Regulations. This term only applies to electric motors, all of which are federally regulated (see 10 C.F.R. Section 431.11 through 431.36 (inclusive) and Section 431.441 through 431.448 (inclusive)). The correct terminology, as found in this Section of 10 C.F.R., references “open” and “enclosed” motors [emphasis added].

Page 54, **Section 1602(s)**:

*Action:* Amend definition of “Definite purpose motor.”

The purpose of this change is to amend the definition of the term “Definite purpose motor” to match the federal definition to provide consistency with federal law. The U.S. Department of Energy recently amended its definition of “definite purpose motor” in 10 C.F.R. Section 431.12 (77 Fed. Reg. 26633 (Mar. 4, 2012)).

Page 54, **Section 1602(s)**:

*Action:* Amend definition of “Electric motor.”

The purpose of this change is to amend the definition of the term “Electric motor” to match the federal definition. The U.S. Department of Energy amended its definition of “electric motor” in 10 C.F.R. Section 431.12 (77 Fed. Reg. 26633 (Mar. 4, 2012)).

Page 55, **Section 1602(s)**:

*Action:* Add definition for “Fire pump electric motor.”

The purpose of this change is to add the federal definition for the term “Fire pump electric motor” to the Regulations. The U.S. Department of Energy added the definition of “Fire pump electric motor” in 10 C.F.R. Section 431.12 (77 Fed. Reg. 26633 (Mar. 4, 2012)).

Page 55, **Section 1602(s)**:

*Action:* Remove definition of “General purpose motor” and replace with definition for “General purpose electric motor.”

The purpose of this change is to amend the definition of the term “General purpose motor” to provide consistency with federal law. The U.S. Department of Energy recently removed its definition of “general purpose motor” and added the definition of “general purpose electric motor” in 10 C.F.R. Section 431.12 (77 Fed. Reg. 26633 (Mar. 4, 2012)).

Page 56, **Section 1602(s)**:

*Action:* Amend definitions of “General purpose electric motor (subtype I)” and “General purpose electric motor (subtype II).”

The purpose of this change is to amend the definitions of the terms “General purpose electric motor (subtype I)” and “General purpose electric motor (subtype II)” to match the federal definitions. The U.S. Department of Energy amended its definitions for “general purpose electric motor (subtype I)” and “general purpose electric motor (subtype 2)” in 10 C.F.R. Section 431.12 (77 Fed. Reg. 26633 (Mar. 4, 2012)).

Pages 56, **Section 1602(s)**:

*Action:* Move “IEC” definition from Section 1602(s) to Section 1602(a).

The purpose of this change is to relocate this acronym and definition for a standards- and test methods-setting organization so that it appears in the same section where all other such acronyms and definitions appear.

Page 57, **Section 1602(s)**:

*Action:* Add definition for “NEMA Design B motor.”

The purpose of this change is to add the federal definition for the term “NEMA Design B motor” to the Regulations to provide consistency with federal law. The U.S. Department of Energy added a definition of “NEMA Design B motor” in 10 C.F.R. Section 431.12 (77 Fed. Reg. 26634 (Mar. 4, 2012)).

Page 57, **Section 1602(s)**:

*Action:* Amend definition for “Nominal full load efficiency.”

The purpose of this change is to revise the definition of the term “Nominal full load efficiency” to be consistent with federal law. The U.S. Department of Energy recently amended its definition of “Nominal full load efficiency” in 10 C.F.R. Section 431.12 (77 Fed. Reg. 26634 (Mar. 4, 2012)).

Page 57, **Section 1602(s)**:

*Action:* Add definition for “Small electric motor.”

The purpose of this change is to add the federal definition for the term “Small electric motor” to the Regulations. The U.S. Department of Energy added a definition for “Small electric motor” in 10 C.F.R. Section 431.422 (74 Fed. Reg. 32072 (July 7, 2009)).

Page 61, **Section 1602(u)**:

*Action:* Add definition for “Security or life safety alarm or surveillance system.”

The purpose of this change is to add the federal definition for the term “Security or life safety alarm or surveillance system” to the Regulations. The U.S. Department of Energy added a definition for “Security or life safety alarm or surveillance system” in 10 C.F.R. Section 430.2 (76 Fed. Reg. 57899 (Sept. 19, 2011)), as part of its effort to exclude certain products from the scope of standards for external power supplies.

**Page 66, Section 1602 (end) – Documents incorporated by reference section:**

*Action:* Change “... standards incorporated by reference ...” to “documents incorporated by reference ....”

The purposes of this change are to amend “standards” to “documents” and to maintain consistency in this wording found at the end of all other sections in these Regulations.

**Page 66, Section 1602 (end) – Documents incorporated by reference section:**

*Action:* Change “Test Methods” to “Statutes and Regulations.”

The purpose of this change is to accurately reflect the type of federal laws being incorporated by reference within the Appliance Efficiency Regulations. The existing reference to “test methods” is inaccurate because not all referenced federal documents contain test methods. The documents properly incorporated by reference here are federal statutes and regulations; while some contain test methods (or references thereto), not all are, in fact, test methods.

**Page 66, Section 1602 (end) – Documents incorporated by reference section:**

*Action:* Modify web address for access to the C.F.R.

The purpose of this change is to update the hyperlink for where to find these documents online.

**Page 66, Section 1602 (end) – Documents incorporated by reference section:**

*Action:* Add listings for ANSI Z21.50 and Z21.88.

The purpose of this change is to add two documents incorporated by reference into the definition for “Vented hearth heater” found in Section 1602(e). The U.S. Department of Energy added a definition for “vented hearth heater” (75 Fed. Reg. 20234 (Apr. 16, 2010)) and subsequently amended its definition of “vented hearth heater” (76 Fed. Reg. 71859 (Nov. 18, 2011)) in 10 C.F.R. Section 430.2 when it amended its efficiency standards for direct heating equipment.

**Page 67, Section 1602 (end) – Documents incorporated by reference section:**

*Action:* Remove the reference to ANSI/AHAM HRF-1-1979 found under the “Association of Home Appliance Manufacturers (AHAM) heading.

The purpose of this change is to remove the reference to a document that is no longer used within this section of the regulations and thereby make the regulations clearer.

**Page 67, Section 1602 (end) – Documents incorporated by reference section:**

*Action:* Amend listing for the Illuminating Engineering Society to properly state the name of the organization and update the listed web address to the current web address of the organization.

The purpose of this change is to amend the name of the “Illuminating Engineering Society” to remove the appellation “of North America”, to make a matching change to the abbreviation of the name, and to update the stated web address to the web address currently used by the Illuminating Engineering Society. The Illuminating Engineering Society has formally shortened the acronym for its name to “IES” from “IESNA” (see [http://www.ies.org/about/what\\_is\\_iesna.cfm](http://www.ies.org/about/what_is_iesna.cfm)).

**Page 67, Section 1602 (end) – Documents incorporated by reference section:**

*Action:* Add LM-9-09 (Electrical and Photometric Measurements of Fluorescent Lamps) to the list of IES published documents that are incorporated by reference by federal law within Section 1602.

The purpose of this change is to add IESNA LM-9-09 (Electrical and Photometric Measurements of Fluorescent Lamps) to the list of documents that the federal definition for “Colored fluorescent lamp”, added to section 1602, incorporated by reference. The U.S. Department of Energy incorporated the IESNA LM-9-09 document by reference as part of its amended definition of “colored fluorescent lamp” in 10 C.F.R. Section 430.2 (74 Fed. Reg. 34176 (July 14, 2009); 77 Fed. Reg. 4216 (Jan. 27, 2012); see also 10 C.F.R. Section 430.3 (incorporating IESNA LM-9-09 by reference)).

**Page 68, Section 1602 (end) – Documents incorporated by reference section:**

*Action:* Amend list of documents incorporated by reference published by NEMA to correctly state the versions of NEMA MG1 incorporated by reference within Section 1602.

The purpose of this change is to remove NEMA MG1-1993 and to add NEMA MG1-1967 and NEMA MG1-2009 to the list of documents published by NEMA that are incorporated by reference into the regulations to correctly account for the federal amendments to the definitions relating to general purpose electric motors. The U.S. Department of Energy incorporated NEMA MG1-1967 and NEMA MG1-2009, and removed the incorporation of NEMA MG1-1993, when it amended its definitions related to general purpose electric motors in 10 C.F.R. Section 431.12 (77 Fed. Reg. 26635 (Mar. 4, 2012); see also 10 C.F.R. Section 431.15 (incorporating NEMA MG1-1967 and NEMA MG1-2009 by reference)).

**Page 68, Section 1602 (end) – Documents incorporated by reference section:**

*Action:* Add the “National Fire Protection Association (NFPA)” as a publisher, associated documents “NFPA 20 (2010)” and “ANSI/NFPA 70 (2002)”, and contact information to the list of documents incorporated by reference within Section 1602.

The purpose of this change is to include NFPA as a publisher of a document that is incorporated by reference into Section 1602 of the regulations to correctly account for the federal amendment to the definition for “fire pump electric motor,” to state the document that is so incorporated, and to add the relevant contact information. The U.S. Department of Energy incorporated NFPA 20 (2010) by reference when it added its definition for “fire pump electric motor” in 10 C.F.R. Section 431.12 (77 Fed. Reg. 26635 (Mar. 4, 2012); see also 10 C.F.R. Section 431.15(f) (incorporating NFPA 20 (2010) by reference)).

**Page 69, Section 1602 (end) – Documents incorporated by reference section:**

*Action:* Change “D.C.” in the address for the Optical Society of America to “DC.”

The purpose of this change is to change the postal abbreviation for the District of Columbia to remove the periods. This modification reflects the proper United States Postal Service abbreviation (see: <https://www.usps.com/ship/official-abbreviations.htm>).

**Page 71, Section 1603(a)(2):**

*Action:* Add as Section 1603(a)(2)(A) requirements for test laboratories to comply with 10 C.F.R. Section 429 Subpart C when testing federally regulated appliances and equipment.

The purpose of this change is to prevent the Energy Commission from authorizing a laboratory to perform federal testing when that laboratory does not meet the federal requirements for performing such testing.

**Page 71, Section 1603(a), EXCEPTIONS 1 and 2:**

*Action:* Remove EXCEPTION 2, currently excluding federally regulated consumer cooking products from the requirements to test. With “EXCEPTION 2” removed, existing “EXCEPTION 1” should simply be renamed “EXCEPTION.”

Some federally regulated consumer cooking products have testing requirements in federal law, and there is a specified future standard. Therefore, testing of such products, and certification based upon such testing, should no longer be an EXCEPTION. As there is only one exception remaining, there is no need to number it.

**Page 71, Section 1603(a), EXCEPTION 1: (Now EXCEPTION)**

*Action:* Add colon at end of line.

**Page 73, Section 1604(a), Table A-1:**

*Action:* Add end date to existing test method and add updated test method references for test method that will become effective for all models manufactured on or after September 15, 2014.

The purposes of these changes are to add references to the federal test methods that will apply to all models manufactured on or after September 15, 2014, and to add an end date to the existing test methods as they only apply to models manufactured prior to that date. The U.S. Department of Energy amended its test methods for residential refrigerators, refrigerator-freezers, and freezers in Appendix A to Subpart B of 10 C.F.R. Section 430 for products manufactured on or after September 15, 2014 (77 Fed. Reg. 3559 (Jan. 25, 2012)). Appendix A1 to Subpart B of 10 C.F.R. Section 430 continues to apply to products manufactured before September 15, 2014. (77 Fed. Reg. 3560 (Jan. 25, 2012).)

**Page 74, Section 1604(a), Table A-2:**

*Action:* Change “automatic commercial ice maker” to remove hyphen between “ice” and “maker” to match current federal nomenclature.

**Page 74, Section 1604(a), Table A-2:**

*Action:* Change test method reference for automatic commercial ice makers to refer to the Code of Federal Regulations.

The purpose of this change is to change the currently referenced test method to the section of the C.F.R. where the federal test method appears. The U.S. Department of Energy adopted new test methods for automatic commercial ice makers in 10 C.F.R. Section 431.134 for products tested on or after January 7, 2013, and for manufacturers reporting test results on or after January 7, 2013 (77 Fed. Reg. 1591 (Jan. 11, 2012)).

**Page 74, Section 1604(a), Table A-2:**

*Action:* Change test method reference for refrigerated bottled or canned beverage vending machines to reflect current C.F.R. reference.

The purpose of this change is to replace the test method listed in the table with a reference to the test method in the Code of Federal Regulations in 10 C.F.R. Section 431.294.

**Page 74, Section 1604(a), Table A-2:**

*Action:* Change test method reference for other commercial refrigerators, refrigerator-freezers, and freezers, with doors to reflect the C.F.R. reference.

The purpose of this change is to replace the test method listed in the table with a reference to the test method in the Code of Federal Regulations. The change references 10 C.F.R. Section 431.63 and 431.64 in the current version of the Code of Federal

Regulations where the applicable test method is located, and maintains consistency between the state and federal regulations.

**Page 74, Section 1604(a), Table A-2:**

*Action:* Change test method reference for other commercial refrigerators, refrigerator-freezers, and freezers, without doors to reflect the C.F.R. reference.

The purpose of this change is to replace the test method listed in the table with a reference to the test method in the Code of Federal Regulations. The change references 10 C.F.R. Section 431.63 and 431.64 in the current version of the Code of Federal Regulations where the applicable test method is located, and maintains consistency between the state and federal regulations.

**Page 74, Section 1604(a), Table A-2:**

*Action:* Add federal test method for walk-in coolers and walk-in freezers to reflect the C.F.R. reference.

The purpose of this change is to add the test method as referenced in 10 C.F.R. Section 431.303 and 431.304, and maintain consistency between the state and federal regulations.

**Page 74, Section 1604(a)(5):**

*Action:* Remove previously referenced test method for walk-in coolers and walk-in freezers. [See entry immediately above.]

The purpose of this change is to eliminate an obsolete test method that has been preempted by a newer federally prescribed test method.

**Page 75, Section 1604(b), Table B-1:**

*Action:* Change all test method references to reflect the C.F.R. reference.

The purpose of this change is to reference only the federally referenced test methods for these federally regulated appliances. This change updates the required test method as referenced in the current 10 C.F.R. Section 430.32(f) (Appendix F to Subpart B of Part 430) and 10 C.F.R. Section 431.95 and 431.96, and maintains consistency between the state and federal regulations.

**Page 76, Section 1604(c), Table C-1:**

*Action:* Change test method references to reflect the C.F.R. reference, where appropriate, as follows:

Air-cooled air conditioners and air source heat pumps < 65,000 Btu/hour single phase:  
10 C.F.R. Section 430.23(m) (Appendix M to Subpart B of part 430);

Air-cooled air conditioners and air source heat pumps < 65,000 Btu/hour three phase;  
Air-cooled air conditioners and air source heat pumps ≥ 65,000 and < 760,000 Btu/hour;  
Air-cooled, glycol-cooled, and water-cooled computer room air conditioners;  
Evaporatively-cooled air conditioners < 240,000 Btu/hour;  
Single package vertical air conditioners and single package vertical heat pumps;  
Variable refrigerant flow multi-split systems; and  
Water-cooled air conditioners and water source heat pumps < 240,000 Btu/hour 10 C.F.R.  
Section 431.95 and 431.96.

Also, add air-cooled, glycol-cooled, and water-cooled computer room air conditioners, variable refrigerant flow multi-split systems, and single package vertical air conditioners and single package vertical heat pumps as specific types of central air conditioner.

The purpose of these changes is to update the referenced test methods to the C.F.R., and to update the categorization of types of central air conditioners to match the categorization used by the C.F.R.

**Page 76, Section 1604(c), Table C-1:**

*Action:* Add “evaporatively-cooled” as a separate type of computer room air conditioner.

The purpose of this change is to correctly state that test procedure ANSI/ASHRAE 127-2001 continues to apply to evaporatively cooled computer room air conditioners not subject to federal preemption. Changes are necessary due to preemptive federal standards for computer room air conditioners applying only to air-cooled, glycol-cooled, and water-cooled air conditioners. State regulations prior to preemption applied inclusively to all four types of computer room air conditioners and thus continue to apply to evaporatively cooled air conditioners.

**Page 77, Section 1604(d), Table D-1:**

*Action:* Update referenced federal test methods for evaporative coolers, whole house fans, and residential exhaust fans to the most current edition of each; remove required modifications for both evaporative cooler test methods. Changes provide harmonization with current industry standards by using current editions of the referenced test methods.

**Page 78, Section 1604(e), header:**

*Action:* Change section heading to match same section headers throughout regulations.

The purpose of this change is to update the Section 1604(e) header to match all similar section headers throughout the regulations. (See Sections 1602(e), 1605.1(e), 1605.2(e), and 1605.3(e))

**Page 80, Section 1604(f)(2), Table F-2:**

*Action:* Remove table and insert changed text in 1604(f)(2)(A).

The purpose of these changes is to update to the reference as shown in the C.F.R.

Pages 86, **Section 1604(g)(1)**:

*Action:* Rename “Table G” to “Table G-1” since Table G-2 is now inserted in Section 1605.1(g).

The purpose of this change is to provide consistency within these Regulations due to the necessity of adding Table G-2 in Section 1605.1(g)(1) and the subsequent renumbering of this “Table G” to “Table G-1.”

Page 86, **Section 1604(g)(1), Table G-1**:

*Action:* Change test method reference for gas-fired pool heaters and oil-fired pool heaters to reflect C.F.R. reference.

The purpose of these changes is to update to the reference as shown in the C.F.R.

Page 86, **Section 1604(g)(2)**:

*Action:* Add a period at the end of sentence.

Page 87, **Section 1604(g)(3)(A)**:

*Action:* Remove “(Corrected)” from the IEEE 114-2001 test method reference.

The purpose of this change is to remove the notation “(Corrected)” from the test method title as that notation does not appear in the published test method. This change eliminates confusion because the current version of this test method published by IEEE (and that which the Energy Commission intends to reference) does not specify a “corrected” version.

Page 88, **Section 1604(h)(1)**:

*Action:* Change test method reference for commercial pre rinse spray valves to reflect C.F.R. reference.

Page 88, **Section 1604(h)(2)**:

*Action:* Change test method reference for other plumbing fittings to reflect C.F.R. reference.

Page 88, **Section 1604(i)**:

*Action:* Change test method reference for plumbing fixtures to reflect C.F.R. reference.

Page 88, **Section 1604(j)**:

*Action:* Change test method reference for fluorescent lamp ballasts to reflect C.F.R. reference.

Page 88, **Section 1604(j)**:

*Action:* Add updated test method references for test method that will become effective for all models manufactured on or after November 14, 2014. Additionally, reference existing test method as Section 1604(j)(1), and future test method as Section 1604(j)(2).

The purposes of these changes are to add references to test methods found in the C.F.R. that will apply to all models manufactured on or after November 14, 2014 and to update the existing referenced test methods as only applying to models manufactured prior to that date. These changes include a reference to the test method that will become effective for all models manufactured on or after November 14, 2014, and as specified in Appendices Q and Q1 to Subpart B of 10 C.F.R. 430; and (ii) change the existing reference to the test method currently in effect for all models manufactured prior to November 14, 2014, and as specified in Appendices Q and Q1 to Subpart B of 10 C.F.R. 430.

Page 88, **Section 1604(k)(1)**:

*Action:* Add “federally regulated general service incandescent lamps,” AND change test method reference to reflect C.F.R. reference.

The purpose of these changes are to add “federally regulated general service incandescent lamps” to the list of federally regulated lamps tested under this test method and to add the test method as found in the C.F.R. These changes reflect the language found in the Scope of “Appendix R to Subpart B of Part 430—Uniform Test Method for Measuring Average Lamp Efficacy (LE), Color Rendering Index (CRI), and Correlated Color Temperature (CCT) of Electric Lamps,” which includes the following: “This appendix applies to the measurement of lamp lumens, electrical characteristics, CRI, and CCT for general service fluorescent lamps, and to the measurement of lamp lumens, electrical characteristics for general service incandescent lamps and incandescent reflector lamps.” [emphasis added.]

Page 88, **Section 1604(k)(2)**:

*Action:* Change test method reference to reflect C.F.R. reference.

The purpose of this change is to update the test method as found in the C.F.R. This change references the current version of the Code of Federal Regulations and changes shown in 77 FR 4203 et. seq., and maintains consistency between the state and federal regulations.

Page 88, **Section 1604(k)(3)**:

*Action:* Change test method reference to reflect C.F.R. reference.

The purpose of this change is to update the test method as found in the C.F.R. This change references the current version of the Code of Federal Regulations, and maintains consistency between the state and federal regulations.

Page 89, **Section 1604(l)(1)**:

*Action:* Change test method reference to reflect C.F.R. reference.

The purpose of this change is to update the test method as found in the C.F.R. This change references the current version of the Code of Federal Regulations, maintains consistency between the state and federal regulations.

Page 89, **Section 1604(m)(1)**:

*Action:* Change test method reference to reflect C.F.R. reference.

The purpose of this change is to update the test method as found in the C.F.R. This change references the current version of the Code of Federal Regulations, and maintains consistency between the state and federal regulations.

Page 89, **Section 1604(n)(1), (2), (3), and (4)**:

*Action:* Add specific luminaire or torchiere type as a header to provided needed clarity.

The purpose of this change is to more clearly state which test methods apply to which types of torchieres and luminaires and ensures subsection headings follow the same formatting found throughout these Regulations.

Page 89, **Section 1604(n)(3)**:

*Action:* Change test method reference to reflect C.F.R. reference.

The purpose of this change is to update the test method as found in the C.F.R. This change references the current version of the Code of Federal Regulations, and maintains consistency between the state and federal regulations.

Page 90, **Section 1604(o)**:

*Action:* Change test method reference to reflect C.F.R. reference.

The purpose of this change is to update the test method as found in the C.F.R. This change references the current version of the Code of Federal Regulations, and maintains consistency between the state and federal regulations.

Page 90, **Section 1604(p)**:

*Action:* Remove Table P-1 and insert single test method for both types of clothes washers into narrative, AND change test method reference to reflect C.F.R. reference.

The purpose of these changes is to (i) provide the single federally referenced test method in narrative form and (ii) update the test method as found in the C.F.R. This is a change without regulatory effect because it only updates a cross-reference (Cal. Code Regs., tit. 1, Section 100, subd. (a)(4)). These changes simplify the test method reference, reference the current version of the Code of Federal Regulations, and maintain consistency between the state and federal regulations.

**Page 90, Section 1604(q):**

*Action:* Change test method reference to reflect C.F.R. reference.

The purpose of this change is to update the test method as found in the C.F.R. This change references the current version of the Code of Federal Regulations, and maintains consistency between the state and federal regulations.

**Page 90, Section 1604(r), Table R:**

*Action:* Change table from "Table R" to "Table R-1."

The purpose of this change is to add standards for microwave ovens into section 1605.1(r), a new table featuring those standards was incorporated as Table R-2. Therefore, existing Table R, and all references thereto, were changed to Table R-1.

**Page 90, Section 1604(r), Table R, (now R-1):**

*Action:* Change test method reference to reflect C.F.R. reference for cooking products that are consumer products.

The purpose of this change is to update the test method as found in the C.F.R. This change references the current version of the Code of Federal Regulations, and maintains consistency between the state and federal regulations.

**Page 91, Section 1604(s):**

*Action:* Add "(1)" to existing language AND change test method reference to reflect C.F.R. reference.

The purposes of these changes are to update the test method as found in the C.F.R. and to properly format this section to add a subsection number to differentiate the existing language from the new subsection (discussed in the section immediately below). These changes include a subsection number because another subsection is being added, references the current version of the Code of Federal Regulations, and maintains consistency between the state and federal regulations.

**Page 91, Section 1604(s)(2):**

*Action:* Add new section to reflect federal test method for small electric motors found in 10 C.F.R. Section 431.443, 431.444, and 431.445.

The purpose of this change is to add the federal test method for recently regulated small electric motors. This change is necessary due to adoption of amendments to 10 C.F.R. Section 431.441 – 431.446 setting federal scope, definitions, test methods, and updated standards for small electric motors affecting products manufactured on or after March 9, 2015.

Page 91, **Section 1604(t):**

*Action:* Change test method reference to reflect C.F.R. reference.

The purpose of this change is to update the test method as found in the C.F.R. This change references the current version of the Code of Federal Regulations, and maintains consistency between the state and federal regulations.

Page 91, **Section 1604(u):**

*Action:* Delete extraneous “Power Supplies.” reference immediately after section heading; AND split existing language into two separate sections to reflect federal test method reference found in 10 C.F.R. Section 430.32(bb) (Appendix Z to Subpart B of Part 430).

The purposes of these changes are to eliminate a redundant subsection header and update the test method as found in the C.F.R. These changes eliminate redundancy, reference the current version of the Code of Federal Regulations, and maintain consistency between the state and federal regulations.

Page 91, **Section 1604(v)(2) and (3):**

*Action:* New federal standard relating to televisions manufactured after April 2014 has been added to the regulations. Therefore, language needed to be included to cover products manufactured before April 2014, which would fall under the state standards. The remaining changes to subsection (v) reorganize the section but do not change the substance.

Page 92, **Section 1604(v)(3)(D)2:**

*Action:* Internal reference to Section 1604(V)(3) is inaccurate; it should be 1604(v)(3).

The purpose of this change is to correct a typographical error.

Page 93, **Section 1604(v)(3)(D)6:**

*Action:* Add period at end of section.

Page 94, **Section 1604(w):**

*Action:* Change test method reference to reflect current C.F.R. reference.

The purpose of this change is to update the test method as found in the C.F.R. This change references the current version of the Code of Federal Regulations, and maintains consistency between the state and federal regulations.

Pages 94-101, **Section 1604, “Documents Incorporated by Reference” section:**

*Actions:*

- Update web-link to eC.F.R.;
- Delete entries for test methods no longer referenced, as follows:
  - AIR-CONDITIONING, HEATING, AND REFRIGERATION INSTITUTE (AHRI) – all
  - AMERICAN NATIONAL STANDARDS INSTITUTE (ANSI) – Z21.47-2001 and Z21.56-1994
  - AMERICAN SOCIETY FOR TESTING AND MATERIALS (ASTM) – C518-2004 and F2324-03
  - AMERICAN SOCIETY OF HEATING, REFRIGERATING, AND AIR-CONDITIONING ENGINEERS (ASHRAE) – 32.1-2004 AND 58-74
  - AMERICAN SOCIETY OF MECHANICAL ENGINEERS (ASME) – all
  - ASSOCIATION OF HOME APPLIANCE MANUFACTURERS (AHAM) – all
  - HYDRONICS INSTITUTE SECTION OF AHRI (HI-A) – all
  - NATIONAL ELECTRICAL MANUFACTURERS ASSOCIATION (NEMA) – all
  - UNDERWRITERS LABORATORIES, INC. (UL) – 727-1994 and 924-1995

The purposes of these changes are to delete references to obsolete test methods, and to update the web-line to the electronic C.F.R. Additionally, the hyperlink for where to find these documents online is being updated.

Page 99, **Section 1604, “Documents Incorporated by Reference” section:**

*Action:* Amend listing for the Illuminating Engineering Society to properly state the name of the organization and update the listed web address to the current web address of the organization.

The purpose of this change is to amend the stated name of the “Illuminating Engineering Society” to remove the appellative “of North America”, to make a matching change to the abbreviation of the name, and to update the stated web address to the web address currently used by the Illuminating Engineering Society.

Pages 104-105, **Section 1605.1(a), Table A-3:**

*Action:* Replace entire table to reflect updated efficiency standards that will take effect for all models manufactured on or after September 15, 2014.

The purpose of this change is to include federal standards scheduled to take effect on September 15, 2014. These changes are necessary due to amendments to 10 C.F.R. Section 430.32(a) found in the September 15, 2011 Federal Register (76 FR 57609)

implementing standards for products that are manufactured on or after September 15, 2014, in order to maintain consistency between the state and federal regulations.

Page 104-105, **Section 1605.1(a)(1), Table A-3 Referenced changes found in 10 C.F.R. Section 430.32(a):**

*Action:* Table A-3, under “Chest Freezers” changed the first listing under “Automatic” (defrost) from “Neither” to “NOT Compact.”

The purpose of this change is to accurately reflect federal law. The interior size restrictions for both “Compact” and “Built-in” mean they are mutually exclusive: “compact” is defined, in pertinent part, as having a total volume of less than 7.75 ft<sup>3</sup>; “built-in” is defined, in pertinent part, as having “7.75 ft<sup>3</sup> or greater total volume.”

Page 104, **Table A-3: “Dispenser Ice Through Door” column, Table A-3 Referenced changes found in 10 C.F.R. Section 430.32(a):**

*Action:* For compact, automatic-defrost refrigerator-freezers (bottom freezer, side-by-side, and top freezer) that are equipped with an automatic ice maker, the entry in the “Dispenser Ice Through Door” column has been changed from “No” to “—” signifying the “Dispenser Ice Through Door” column does not apply for these (or any other) compact models.

The purpose of this change is to accurately reflect federal law, which is silent concerning “Through-the-Door-Ice-Service” for all compact models.

Page 106, **Section 1605.1(a)(2):**

*Action:* Add “(A)” to existing language to separate it from the two new sections being added.

The purpose of this change is to reflect proper section and subsection numbering throughout the regulations.

Pages 106-107, **Section 1605.1(a)(2)(A), Table A-4:**

*Action:* This table is being removed in order to incorporate all the standards for self-contained commercial refrigeration equipment in one complete table. Further, the text for the commercial refrigerator-freezers is changed to narrative.

The purpose of this change is to incorporate all self-contained commercial refrigeration equipment standards in one table and add one standard in narrative. These changes reflect updated federal standards, and maintain consistency between the state and federal regulations.

Pages 106-107, **Section 1605.1(a)(2)(B), including Tables A-4 & A-5:**

*Action:* Add section (a)(2)(B) and Tables A-4 & A-5 to incorporate existing federal standards for self-contained refrigeration equipment and new federal standards effective January 1, 2012.

The purpose of these changes is to incorporate both 2010 and 2012 standards for self-contained commercial refrigeration equipment in one table within the Regulations. These changes reflect amendments to 10 C.F.R. Section 431.61 – 431.66 updating federal scope, definitions, test methods, and standards for commercial refrigerators, commercial freezers, and commercial refrigerator-freezers affecting products manufactured on or after January 1, 2012. These changes will maintain consistency between the state and federal regulations.

**Page 108, Section 1605.1(a)(2)(C), including Table A-6:**

*Action:* Add section (a)(2)(C) and Table A-6 to incorporate new federal standards effective January 1, 2012.

The purpose of these changes is to incorporate 2012 standards for certain commercial ice cream freezers in one table within the Regulations. These changes are due to amendments to 10 C.F.R. Section 431.61 – 431.66 (inclusive) updating federal scope, definitions, test methods, and standards for commercial refrigerators, commercial freezers including ice cream freezers, and commercial refrigerator-freezers affecting products manufactured on or after January 1, 2012. These changes will maintain consistency between the state and federal regulations.

**Pages 108-109, Sections 1605.1(a)(2)(D) and 1605.1(a)(2)(E):**

*Action:* Add section (a)(2)(D) and (a)(2)(E) to Incorporate federal standards for (D) commercial refrigeration equipment with two (or more) compartments and (E) wedge cases.

The purpose of these changes is to incorporate new federal standards for commercial hybrid refrigeration equipment and wedge cases. These changes are due to amendments to 10 C.F.R. Section 431.61 – 431.66 updating federal scope, definitions, test methods, and standards for commercial refrigerators, commercial freezers, and commercial refrigerator-freezers affecting products manufactured on or after January 1, 2012. These changes will maintain consistency between the state and federal regulations.

**Page 109, Section 1605.1(a)(2)(D)(ii)c. Referenced changes found in 10 C.F.R. Section 431.66(d)(2)(ii)(C) and following paragraph.**

*Action:* Add a paragraph break at the end of the first sentence of this subsection.

**Page 109, Section 1605.1(a)(2)(E):**

*Action:* Reference to “Paragraph (d)(1) of this section” must be changed to read “Paragraph (D) of this section” in line 4.

The purpose of this change is to update the lettering. There is no paragraph (d)(1) in Section 1605.1(a); and Section 1605.1(a)(2)(D) accurately references the equation referenced in Section 1605.1(a)(2)(E).

Page 110, **Section 1605.1(a)(3), including Table A-7:**

*Action:* Change reference to “Table A-5” to “Table A-7” in both the paragraph and table heading. Due to the incorporation of Tables A-5 and A-6, the table that was formerly Table A-5 is being changed to the next consecutive table in this table numbering structure.

Page 111, **Section 1605.1(a)(6), including Table A-8:**

*Action:* Add section (a)(6) and Table A-8 due to change in federal regulations. Refrigerated Canned & Bottled Beverage Vending Machines are federally regulated as of August 31, 2012.

The purpose of these changes is to add federal standards for refrigerated bottled or canned beverage vending machines. These changes are due to adoption of 10 C.F.R. Section 431.291 – 431.296 setting federal standards for refrigerated bottled or canned beverage vending machine affecting products manufactured on or after August 31, 2012. These changes will maintain consistency between the state and federal regulations.

Page 112, **Section 1605.1(a)(7):**

*Action:* This section is re-numbered, as it is the last subsection in Section 1605.1(a). Additionally, it is updated to reference the changes incorporated into Section 1605.1(a)(1) – (6), inclusive.

The purpose of this change is to maintain consistent section and subsection numbering throughout the Regulations. This change is due to reorganizing of Section 1605.1(a) to accurately reflect recent significant changes in federal law, adding more appliances that are now federally regulated.

Pages 112-113, **Section 1605.1(b)(1), including Tables B-2 and B-3:**

*Actions:* New federal standards for room air conditioners and room air conditioning heat pumps are taking effect on June 1, 2014. This section is split into 1605.1(b)(1)(A) and 1605.1(b)(1)(B) to reflect the last date of the current standards and to further reflect the new standards and their effective date. In order to provide adequate clarity, the new standards are incorporated into a new table.

The purpose of these changes is to add updated federal standards for room air conditioners and room air-conditioning heat pumps taking effect June 1, 2014. These changes are due to amendments to 10 C.F.R. Section 430.32(b), updating federal standards for room air conditioners and room air conditioning heat pumps. The existing standards are shown in the newly created subsection 1605.1(b)(1)(A) (only the subsection “(A)” is new) and the existing Table B-2 which has had its title changed to reflect the last date the existing standards are effective. The new standards, effective June 1, 2014, are shown in the newly created subsection 1605.1(b)(1)(B) and Table B-3. These changes will maintain consistency between the state and federal regulations.

Pages 113-114, **Section 1605.1(b)(2), including Tables B-4, B-5, and B-6:**

*Action:* New federal standards for packaged terminal air conditioners and packaged terminal heat pumps took effect on October 7, 2010, and October 8, 2012. The changes incorporated into this subsection have been split into Sections 1605.1(b)(2)(A) and 1605.1(b)(2)(B). Because of the addition of Table B-3 in Section 1605.1(b)(1)(B) (discussed immediately above), the previously existing Table B-3 in Section 1605.1(b)(2) has been renumbered to “Table B-4.” Further, the (new) Table B-4 title is amended to reflect the effective dates for the affected federally regulated packaged terminal air conditioners and packaged terminal heat pumps. Tables B-5 and B-6 are added to incorporate the new federal standards.

The purpose of these changes is to add updated federal standards for both standard size and non-standard size packaged terminal air conditioners and packaged terminal heat pumps which took effect October 7, 2010 and October 8, 2012.

Page 113, **Section 1605.1(b)(2), New Table B-4 Referenced changes found in 10 C.F.R. Section 431.97(c), including Table 4 to Section 431.97**

*Action:* Previously existing efficiency standards for heat pumps ... specifically COP, is now shown as it is reflected in federal regulations.

Page 114, **Section 1605.1(c)(1):**

*Action:* Removing “Other than Water-Source Heat Pumps < 240,000 Btu/hour.”

The purpose of this change is to accurately reflect the scope of coverage of federal efficiency standards. This change is due to amendments to 10 C.F.R. Section 431.91 – 431.97 updating federal scope, definitions, test methods, and standards for water source heat pumps affecting some products manufactured on or after January 10, 2010. The amended federal standards apply to all units < 760,000 Btu/hour, so the 240,000 Btu/hour restriction regarding water source heat pumps no longer applies. This change will maintain consistency between the state and federal regulations.

Page 114, **Section 1605.1(c)(1):**

*Action:* Adding language specifying the location of standards relating to computer room air conditioners.

The purpose of this change is to accurately reflect the scope of coverage of federal efficiency standards and correctly direct readers to appropriate sections and tables. This change is due to amendments to 10 C.F.R. Section 431.91 – 431.97 establishing federal scope, definitions, test methods, and standards for computer room air conditioners manufactured on or after October 29, 2012. This change will maintain consistency between the state and federal regulations.

Page 115, **Section 1605.1(c)(1), Table C-2:**

*Action:* (1) Removing obsolete standards effective prior to January 23, 2006 to eliminate confusion. (2) Removing standards for through-the-wall units that expired January 23, 2010, to eliminate confusion. (3) Adding standards effective January 1, 2015.

The purposes of these changes are to remove references to obsolete standards and to add standards now in effect or taking effect by January 1, 2015. These changes eliminate confusion within the regulations since more current standards are now in effect and reflect updates to amendments incorporated into 10 C.F.R. Section 430.32(c) as found in the June 27, 2011 Federal Register (76 FR 37545) implementing regional standards for products that are manufactured on or after January 1, 2015. These changes will maintain consistency between the state and federal regulations.

Page 115, **Section 1605.1(c)(1), EXCEPTION immediately below (A): Corrects a typographical error.**

*Action:* (i) Change “Exception to ...” to “EXCEPTION to ...” (ii) Change listing of tables from “C-2, C-3, C-4, and C-5” to “C-2, C-3, C-4, and C-6.”

The purpose of these changes is the following: (i) All other similar exceptions found throughout these regulations show the word “exception” completely capitalized. (ii) This exception states which tables have standards that do not apply to single-package vertical air conditioners and single-package vertical heat pumps manufactured on or after January 1, 2010. Table C-5 is the standards table for these types of air conditioners.

Page 116, **Section 1605.1(c)(1), Table C-3:**

*Action:* Removing obsolete standards effective January 1, 1994 or January 1, 1995 because they are no longer in effect.

The purposes of these changes are to remove references to obsolete standards. These changes eliminate confusion within the regulations since more current standards are now in effect, and these standards are no longer applicable. These changes will maintain consistency between the state and federal regulations.

Page s 116-117, **Section 1605.1(c)(1), Table C-4:**

*Action:* Adding (1) standards effective January 10, 2011 and June 1, 2014 to models  $\geq 240,000$  and  $< 760,000$  Btu/hr, (2) standards effective June 1, 2013 to models  $\geq 65,000$  and  $< 135,000$ , (3) standards effective June 1, 2014 to models  $\geq 135,000$  and  $< 240,000$ , and (4) a clarifying footnote to match federal standards.

The purpose of these changes is to clarify the scope of federal coverage and add recently adopted updates to federal standards. These changes are due to amendments to 10 C.F.R. Section 431.91 – 431.97 (inclusive) updating federal scope, definitions, test methods, and standards for evaporatively cooled air conditioners affecting some

products manufactured on or after January 10, 2011. These changes will maintain consistency between the state and federal regulations.

**Page 116, Section 1065.1(c)(1), existing Table C-4:**

*Action:* Remove existing Table C-4 (standards for evaporatively cooled air conditioners).

The purpose of this change is to accurately reflect federal law because the standards for evaporatively cooled air conditioners are identical to those for water-cooled air conditioners, except for the two largest sizes.

**Page 117, Section 1065.1(c)(1), new Table C-4 Referenced changes found in 10 C.F.R. Section 431.97(b), including Table 3 to Section 431.97**

*Action:* Add evaporatively cooled air conditioners wherever water-cooled air conditioners are mentioned, EXCEPT FOR THE TWO LARGEST SIZES (in which case, add new lines for these units).

The purpose of this change is to accurately reflect federal law, as the standards for evaporatively cooled air conditioners are identical to those for water-cooled air conditioners, except for the two largest sizes under the June 1, 2014 federal updates.

**Page 117, Section 1605.1(c)(1), new Table C-4 Referenced changes found in 10 C.F.R. Section 431.97(b), including Table 1 to Section 431.97**

*Action:* Cooling efficiency standards for water-source heat pumps between 135,000 Btu/hour and less than 240,000 Btu/hour.

**Page 117, Section 1065.1(c)(1), new Table C-4 Referenced changes found in 10 C.F.R. Section 431.97(b), including Table 1 to Section 431.97**

*Action:* Add column for standards effective January 10, 2011

**Page 117, Section 1605.1(c)(1), New Table C-4:**

*Action:* Adding the following federal standards:

- (1) standards effective prior to October 29, 2012 to water-source variable refrigerant flow multi-split heat pumps < 17,000 Btu/hr,
- (2) standards effective prior to October 29, 2012 to water-cooled air conditioners and water-source heat pumps  $\geq$  240,000 and < 760,000 Btu/hr,
- (3) standards effective October 29, 2012 to water-source variable refrigerant flow multi-split heat pumps < 17,000 Btu/hr,
- (4) standards effective October 29, 2013 to water-source variable refrigerant flow multi-split heat pumps  $\geq$  135,000 and < 760,000 Btu/hr,
- (5) standards effective June 1, 2013 to water-cooled air conditioners and water-source heat pumps  $\geq$  65,000 and < 135,000 Btu/hr,

- (6) standards effective June 1, 2014 to water-cooled air conditioners and water-source heat pumps  $\geq 135,000$  and  $< 760,000$  Btu/hr, and
- (7) add a clarifying footnote to match federal standards.

The purpose of these changes is to expand the scope of federally regulated water-cooled air conditioners and water-source heat pumps and add recently adopted updates to federal standards. These changes are due to amendments to 10 C.F.R. Section 431.91 – 431.97 updating federal scope, definitions, test methods, and standards for water-cooled air conditioners and water-source heat pumps affecting some products manufactured on or after October 29, 2012. These changes will maintain consistency between the state and federal regulations.

**Page 118, Section 1605.1(c)(1), Table C-6:**

*Action:* Add Table C-6 stating the federal standards for computer room air conditioners.

The purpose of this change is to expand the scope of federally regulated computer room air conditioners and add recently adopted federal standards. These changes are due to amendments to 10 C.F.R. Section 431.91 – 431.97 updating federal scope, definitions, test methods, and standards for computer room air conditioners affecting some products manufactured on or after October 29, 2012. These changes will maintain consistency between the state and federal regulations.

**Page 119, Section 1605.1(d):**

*Action:* Changing subsection reference from “(3)” to “(4)” to correct a typo in the CCR.

The purpose of this changes it to correct a typographical error in the CCR. This change corrects Section 1605.1(d) of the CCR which currently has two subsections numbered “(3).”

**Page 119, Section 1605.1(d)(2)(A)1.b. Referenced changes found in 10 C.F.R. Section 430.32(s)(2)(ii)(B)**

*Action:* Change reference from “1605.1(d)(2)(A)1.” to “1605.1(d)(2)(A)1.a.”

The purpose of this change is to accurately reflect federal law.

**Page 119, Section 1605.1(d)(2)(B)2. Referenced changes found in 10 C.F.R. Section 430.32(s)(3)(ii)**

REASON: This change accurately reflects changes to federal law.

**Page 119, Section 1605.1(d)(2)(C): To maintain consistent formatting throughout the Regulations.**

*Action:* Add “shall” at the end of the Section 1605.1(d)(2)(C) narrative; remove “shall” at the beginning of both sections 1605.1(d)(2)(C)1. And 1605.1(d)(2)(C)2.

The purpose of this change is to match formatting throughout the document.

Page 120, **Section 1605.1(e)(1), including Table E-2:**

*Action:* Adding gas hearth heaters and updated standards effective April 16, 2013 to match federal standards.

The purposes of these changes are to accurately reflect the expanded scope of federal standards for vented home heating equipment. These changes are due to amendments to 10 C.F.R. Section 430.2 and 430.32(i)(2) updating federal scope, definitions, test methods, and standards for vented home heating equipment affecting products manufactured on or after April 16, 2013. These changes will maintain consistency between the state and federal regulations.

Pages 121 - 123, **Section 1605.1(e)(2), including Tables E-3, E-4, E-5, and E-6:**

*Action:* Rearranging standards to reflect updates to standards for residential and non-residential boilers and furnaces.

The purposes of these changes are to (i) reorganize the referenced federal standards for residential and non-residential boilers and furnaces for needed clarity and (ii) add federal standards that took effect September 1, 2012. These changes are due to amendments to 10 C.F.R. Sections 430.32(e), 431.71 – 431.77 and 431.81 – 431.87 updating federal scope, definitions, test methods, and standards for furnaces and boilers affecting products manufactured on or after September 1, 2012 and later. The header for Table E-3 was amended to accurately reflect the amended table covers a limited size of boilers. A new “Table E-4” was added, as a result, the existing Table E-4 was renumbered to Table E-5 and further amended to only reflect standards for commercial furnaces, and a new table (E-6) was added. These changes will also maintain consistency between the state and federal regulations.

Page 122, **Section 1605.1(e)(2)(B): Referenced changes found in 10 C.F.R. Section 430.32(e)(2)(iv)**

*Action:* Add last sentence.

The purpose of this change is to accurately reflect changes made to federal law.

Page 123, **Section 1605.1(e)(5):**

*Action:* Removing reference to unit heaters manufactured prior to August 8, 2008 found in Section 1605.3(e). Unit heaters remained regulated exclusively by California until federal design standards took effect for all models manufactured on or after August 8, 2008 (as part of The

Energy Policy Act of 2005). As of that date, California standards were preempted. The change in this section is simply intended to remove a reference to the now obsolete California standards.

Page 124, **Section 1605.1(f)(1), current Table F-3:**

*Action:* Renumber existing “Table F-3” to “Table F-2.” Due to the elimination of Table F-2 in Section 1604(f)(2), all subsequent tables beginning with “F” are being renumbered.

The purpose of this change is to maintain consistency in numbering of the tables throughout the regulations.

Page 125, **Section 1605.1(f)(2), current Table F-4:**

*Action:* Renumber existing “Table F-4” to “Table F-3.” Due to the elimination of Table F-2 in Section 1604(f)(2), all subsequent tables beginning with “F” are being renumbered.

Additionally, the new Table F-3 both removes standards not in effect since January 20, 2004 and incorporates the federal standards due to take effect on April 16, 2015.

The purposes of these changes are to (i) maintain consistency in numbering of the tables throughout the regulations and (ii) add federal standards taking effect April 16, 2015. These changes are due to amendments to 10 C.F.R. Section 430.32(d) updating federal standards for small water heaters affecting products manufactured on or after April 16, 2015. Additionally, these changes also renumber a table within the Regulations after removal of Table F-2 in Section 1604(f), and remove obsolete standards.

Page 126, **Section 1605.1(g)(1), including Table G-2:**

*Action:* Adding standards effective April 16, 2013 to match federal standards.

The purposes of these changes are to change the current format from narrative to table and to add updated federal standards. These changes are due to amendments to 10 C.F.R. Section 430.32(k)(2) updating federal standards for gas-fired pool heaters affecting products manufactured on or after April 16, 2013. These changes will provide additional clarity, and also maintain consistency between the state and federal regulations.

Page 127, **Section 1605.1(h)(1), Table H-1:**

*Action:* Adding footnotes to match federal standards.

The purpose of these changes is to add additional information applicable to these federal standards. These changes are due to notes found in 10 C.F.R. Section 430.32(o) clarifying the flow rate standards for lavatory faucets and metering faucets. These changes will maintain consistency between the state and federal regulations.

Page 128, **Section 1605.1(j), Section header:**

*Action:* Remove “and Replacement Fluorescent Ballasts” from section header.

The purpose of this change is to match this section header with other similar section headers found in Sections 1602(j), 1604(j), 1605.2(j), and 1605.3(j) covering Fluorescent Lamp Ballasts.

Page 129, **Section 1605.1(j)(3):**

*Action:* Add "..., other than specialty application mercury vapor lamp ballasts ...."

The purpose of this change is to accurately reflect the relevant federal scope for mercury vapor lamp ballasts. This change reflects the language found in 10 C.F.R. Section 431.286.

Page 129-131, **Section 1605.1(j)(3), (4), (5), (6), and (7). Referenced standards (1605.1(j)(3), (4), and (5) found in 10 C.F.R. Section 430.32(m)(8), (9), and (10). What were previously sections 1605.1(j)(3) and (4) have been renumbered accordingly.**

*Action:* Add standards found in 10 C.F.R. Section 430.32(m)(8), (9), and (10); and re-number last two (existing) sections accordingly.

The purpose of these changes is to add in federal standards generally scheduled to take effect for models manufactured on or after November 14, 2014.

Page 131, **Section 1605.1(k)(1)(A), including Table K-1:**

*Action:* Create Subsection "(A)" from existing language, including adding an end date to reflect when new federal standards take effect.

The purposes of these changes are to (i) add a subsection letter "(A)" in front of existing language in order to add another subsection below, and (ii) to add an end date to the existing federal standards. These changes add Section 1605.1(k)(1)(B) (including Table K-2) to reflect new federal standards for general service fluorescent lamps effective July 15, 2012. The change to this section and table incorporate creating a new subsection letter from existing language and adding an end date compatible with the effective date found in Section 1605.1(k)(1)(B). These changes will maintain consistency between the state and federal regulations and incorporate similar formatting throughout the Regulations.

Pages 132, **Section 1605.1(k)(1)(B), including Table K-2:**

*Action:* Adding new federal standards in effect since July 15, 2012.

The purposes of these changes are to (i) maintain consistency in numbering of the tables throughout the regulations and (ii) add federal standards which took effect July 15, 2012. These changes are due to amendments to 10 C.F.R. Section 430.32(n)(3) updating federal standards for general service fluorescent lamps affecting products manufactured on or after July 15, 2012. These changes will maintain consistency between the state and federal regulations and incorporate similar formatting throughout the Regulations.

Pages 132-133, **Section 1605.1(k)(2)(A), including Table K-3:**

*Action:* Create renumbered Subsection “(A)”, subsections “(A)1.a. and b.” and “(A)2.a. b. and c.” from existing regulations, and renumber Table K-2 (to Table K-3) from existing language, including adding an end date in the Table K-3 title to reflect when existing federal standards expire.

The purposes of these changes are to (i) maintain consistency in numbering of the tables and subsections throughout the regulations and (ii) add federal standards which took effect July 15, 2012. These changes add Section 1605.1(k)(2)(B) (see below) (including Table K-4) to reflect new federal standards for incandescent reflector lamps effective July 15, 2012. The change to this section and table incorporate creating a new subsection letter from existing language and adding an end date compatible with the effective date found in Section 1605.1(k)(1)(B). These changes will maintain consistency between the state and federal regulations and incorporate similar formatting throughout the Regulations.

Page 133, **Section 1605.1(k)(2)(B), including Table K-4:**

*Action:* Add new 2012 federal standards.

The purposes of these changes are to (i) maintain consistency in numbering of the tables and subsections throughout the regulations and (ii) add federal standards which took effect July 15, 2012. These changes are due to amendments to 10 C.F.R. Section 430.32(n)(5) updating federal standards for incandescent reflector lamps affecting products manufactured on or after July 15, 2012. These changes will maintain consistency between the state and federal regulations and incorporate similar formatting throughout the Regulations.

Pages 134, **Section 1605.1(k)(3), including Table K-5:**

*Action:* Renumbering table and changing related reference to table in subsection narrative.

The purposes of these changes are to (i) maintain consistency in numbering of the tables and subsections throughout the regulations and (ii) add federal standards which took effect July 15, 2012. These changes are due to the addition of two new tables and the renumbering of one table in Section 1605.1(k)(2) referenced above.

Page 134, **Section 1605.1(k)(3), Table K-5:**

*Action:* Amend reference to IES LM-65.

The purpose of this change is to amend the reference to IES LM-65 to properly abbreviate the name “Illuminating Engineering Society of North America”. This change maintains the correctness of the citation following a change in the official abbreviation of “Illuminating Engineering Society of North America” from “IESNA” to “IES” as stated

by IES (for example, on their website at [http://www.ies.org/about/what\\_is\\_iesna.cfm](http://www.ies.org/about/what_is_iesna.cfm) and here <http://www.ies.org/handbook/pdf/>).

**Pages 134-135, Section 1605.1(k)(4), including Tables K-6 and K-7:**

*Action:* Renumbering tables and changing related references to tables in subsection narrative.

The purpose of these changes is to (i) maintain consistency in numbering of the tables throughout the regulations and (ii) add federal standards which took effect July 15, 2012. These changes are due to the addition of two new tables and the renumbering of one table in Section 1605.1(k)(2) and the subsequent renumbering of one table in Section 1605.1(k)(3) referenced above.

**Page 135, Section 1605.1(k)(5), including Table K-8:**

*Action:* Renumbering table and changing related references to tables in subsection narrative.

The purpose of these changes is to (i) maintain consistency in numbering of the tables throughout the regulations and (ii) add federal standards which took effect July 15, 2012. These changes are due to the addition of two new tables and the renumbering of one table in Section 1605.1(k)(2) and the subsequent renumbering of one table in Section 1605.1(k)(3) and two tables in Section 1605.1(k)(4) referenced above.

**Page 136, Sections 1605.1(n)(2)(C) and 1605.1(n)(2)(C)1:**

*Action:* Adding and removing language to match federal language.

The purpose of these changes is to maintain consistency in wording for federally regulated appliances. These changes are due to amendments to 10 C.F.R. Section 431.326(a)(3) in order to match the language of the federal standard found therein. These changes will maintain consistency between the state and federal regulations.

**Page 137, Sections 1605.1(o), Table O:**

*Action:* Removing obsolete federal standard and adding updated federal standard effective May 30, 2013.

The purpose of this change is to eliminate obsolete federal standards and add newly adopted federal standards for dishwashers. This change matches the federal standards currently in effect following amendment of 10 C.F.R. 430.32(f).

**Page 137, Section 1605.1(p)(1), including section header and former Table P-2 (now Table P-1):**

*Action:* Remove "Energy Efficiency" from the bolded heading of Section 1605.1(p)(1) AND from the new Table P-1 title to accurately reflect the federal standards now encompass more than just energy efficiency standards. Add "Manufactured On or After January 1, 2007 and Manufactured Before March 7, 2015" to title of Table P-1 to accurately reflect effective dates of

federal standards. Renumber existing "Table P-2" to "Table P-1" due to the elimination of Table P-1 in Section 1604(p). All subsequent tables beginning with "P" are being renumbered.

The purposes of these changes are to provide needed clarity by eliminating a now confusing reference and to maintain consistency in numbering of tables throughout the Regulations.

Page s 137-138, **Section 1605.1(p)(1), new Table P-2:**

*Action:* Adding new Table P-2 containing federal standards for residential clothes washers taking effect March 7, 2015 and January1, 2018.

The purposes of these changes are to incorporate new federal standards taking effect on March 7, 2015 and January1, 2018 and to provide proper references to these new standards. These changes are due to amendments to 10 C.F.R. Section 430.32(g) updating federal standards for residential clothes washers affecting products manufactured on or after March 7, 2015 and January1, 2018. The new Table P-2 incorporates the federal standards due to take effect in order to reflect both current and future federal standards.

Page 138, **Section 1605.1(p)(3), including new Table P-3:**

*Action:* Adding new standards which took effect January 8, 2013.

The purposes of these changes are to incorporate new federal standards taking effect on January 8, 2013 and to provide proper references to these new standards. These changes are due to amendments to 10 C.F.R. Section 431.156 updating federal standards for commercial clothes washers affecting products manufactured on or after January 8, 2013. The new Table P-2 incorporates the federal standards which took effect on January 8, 2013.

Page 138, **Section 1605.1(p)(4):**

*Action:* Remove section that references Section 1605.2(p) for water efficiency standards for clothes washers.

The purpose of this deletion is to remove a cross reference that is no longer valid. Water efficiency standards previously referenced in Section 1605.2(p) are now shown in Section 1605.1(p)(1), including Tables P-1 and P-2..

Page 138, **Section 1605.1(q)(1), including Table Q-1:**

*Action:* Renumber existing "Table Q" to "Table Q-1" and add effective dates for current standard. Due to the addition of Table Q-2 in Section 1605.1(q)(2), the earlier table beginning with "Q" is being renumbered.

The purpose of these changes is to maintain consistency in numbering of the tables throughout the regulations and clarify effective dates of current standard. This change is

necessary in order to renumber tables within the Regulations after addition of Table Q-2 in Section 1605.1(q)(2). This section reflects the current federal standards for clothes dryers, which will remain in effect until the new standards take effect January 1, 2015.

**Page 139, Section 1605.1(q)(2), current Table Q-2:**

*Action:* Add future federal clothes dryer standards due to take effect January 1, 2015. Due to the addition of this Section 1605.1(q)(2), the only pre-existing table beginning with “Q” was renumbered to Q-1 (see above), so the standards in this section appear in “Table Q-2.”

The purpose of these changes is to add new federal standards for clothes dryers scheduled to take effect January 1, 2015. These changes are due to amendments to 10 C.F.R. Section 430.32(h)(3) updating federal standards for clothes dryers affecting products manufactured on or after January 1, 2015. These changes will maintain consistency between the state and federal regulations.

**Page 139, Section 1605.1(r)(1):**

*Action:* Remove caveat concerning “with an Electrical Supply Cord.”

The purpose of this change is to accurately reflect the updated federal scope. This change is due to amendments to 10 C.F.R. Section 430.32(j)(1) & (2) that currently exclude gas cooking products without an electrical supply cord from having to comply with the design standards; that exclusion was removed effective April 9, 2012. This change will maintain consistency between the state and federal regulations.

**Page 139, Section 1605.1(r)(1)(A):**

*Action:* Create new subsection to reference existing standard.

The purpose of this change is to add a lettered subsection to the existing federal standard to allow for adding the updated federal standard (see immediately below). This change is due to amendments to 10 C.F.R. Section 430.32(j)(1) reflecting existing federal standards for gas cooking products with an electrical supply cord affecting products manufactured on or after January 1, 1990. This change will maintain consistency between the state and federal regulations.

**Page 139, Section 1605.1(r)(1)(B):**

*Action:* Add new federal standard which took effect April 9, 2012.

The purpose of this change is to add the updated federal design standard for gas cooking products that became effective April 9, 2012. This change is due to amendments to 10 C.F.R. Section 430.32(j)(2) reflecting federal standards for gas cooking products without an electrical supply cord affecting products manufactured on or after April 9, 2012. This change will maintain consistency between the state and federal regulations.

Page 139, **Section 1605.1(r)(2), (3), and (4) Referenced standards (1605.1(r)(2)) found in 10 C.F.R. Section 430.32(j)(3).**

*Action:* Add new federal standards for microwave ovens in 1605.1(r)(2); move current language found in existing section 1605.1(r)(2) to section 1605.1(r)(3); move current language found in existing section 1605.1(r)(3) to new section 1605.1(r)(4).

These changes incorporate new federal standards for microwave ovens, and renumbers following sections accordingly.

Page 140, **Section 1605.1(s)(1)(A), including Table S-1:**

*Action:* (1) Number existing section as “(A)” and change “Closed Motors” heading in Table S-1 to “Enclosed Motors.” (2) Incorporate caveat to motors with different standards found within Section 1605.1(s).

The purposes of these changes are to maintain consistency in subsection numbering throughout the regulations and to accurately reflect federal motor standards. These changes are due to amendments to 10 C.F.R. Section 431.25 and the addition of Section 431.446 updating federal standards for different types of electric motors affecting products manufactured on or after December 19, 2010, and adding federal standards for small electric motors affecting products manufactured on or after March 9, 2015.

Page 141, **Section 1605.1(s)(1)(B), including Table S-2:**

*Action:* Add federal standards for small electric motors effective after March 9, 2015 (or March 9, 2017 for some motors).

The purpose of these changes is to add new federal standards for small electric motors. These changes are due to amendments to 10 C.F.R. Section 431.441 – 431.446 updating federal scope, definitions, test methods, and standards for small electric motors affecting some products manufactured on or after March 9, 2015 (or March 9, 2017, for some motors).

Page 141, **Section 1605.1(s)(1)(C):**

*Action:* Renumber existing subsection “(A)” as “(C)” and change language to match existing federal language.

The purposes of these changes are to maintain consistency in subsection numbering throughout the regulations and to accurately reflect federal motor standards. These changes are due to amendments to Sections 1605.1(s)(1)(A) & (B) referenced immediately above and to reflect that this subsection also applies to both Sections 1605.1(s)(1)(A) & (B) that immediately precede it.

Page 142, **Section 1605.1(s)(2), including Table S-3:**

*Action:* Change language to match existing federal standards, including changing Table number, table name, and table contents.

The purposes of these changes are to maintain consistency in subsection numbering throughout the regulations and to accurately reflect federal motor standards. These changes are due to amendments to 10 C.F.R. Section 431.11 - Section 431.36 updating federal standards for different types of electric motors including Subtype I General Purpose Electric Motors (except Fire Pump Electric Motors) affecting products manufactured on or after December 19, 2010.

Pages 143, **Section 1605.1(s)(3), including Table S-4:**

*Action:* Add language to match existing federal language and standards for fire pump motors.

The purpose of these changes is to accurately reflect federal motor standards. These changes are due to amendments to 10 C.F.R. Section 431.11 - Section 431.36 (inclusive) updating federal standards for different types of electric motors including Fire Pump Electric Motors affecting products manufactured on or after December 19, 2010.

Page 144, **Section 1605.1(s)(4), including Table S-5:**

*Action:* Add language to match existing federal language and standards for general purpose electric motors, Subtype II.

The purpose of these changes is to accurately reflect federal motor standards. These changes are due to amendments to 10 C.F.R. Section 431.11 - Section 431.36 updating federal standards for different types of electric motors including General Purpose Electric Motors, Subtype II, affecting products manufactured on or after December 19, 2010. These changes will maintain consistency between the state and federal regulations.

Page 144, **Section 1605.1(s)(5), including Table S-6:**

*Action:* Add language to match existing federal language and standards for NEMA Design B electric motors.

The purpose of these changes is to accurately reflect federal motor standards. These changes are due to amendments to 10 C.F.R. Section 431.11 - Section 431.36 updating federal standards for different types of electric motors including NEMA Design B Electric Motors affecting products manufactured on or after December 19, 2010. These changes will maintain consistency between the state and federal regulations.

Page 146, **Section 1605.1(t)(2):**

*Action:* Change end of first sentence from "... as shown the table T-4" to "... as shown in Table T-4" to conform to similar wording found throughout these regulations.

The purpose of this change is to maintain consistency in language formatting throughout the Regulations. This is a grammatical change, without regulatory effect (Cal. Code Regs., tit. 1, Section 100, subd. (a)(4)).

Pages 145-148, Section **1605.1(t)** Referenced changes found in 10 C.F.R. Section **431.196(a)(2)**, **431.196(b)(2)**, and **431.196(c)(2)**

*Action:* All changes in this section, including in narrative paragraphs, Tables T-3, T-4, and T-5, and adding a new Table T-6 are to incorporate more stringent federal standards taking effect January 1, 2016.

The purpose of these changes is to incorporate new federal standards for distribution transformers, scheduled to take effect January 1, 2016.

Pages 148-149, Section **1605.1(u)(1)(B)** and **(C)**:

*Action:* Add language found in (B), subsections (1) through (4), and change what was formerly “(B)” to “(C).” The new federal requirements are added as Section 1605.1(u)(1)(B), and what was formerly Section 1605.1(u)(1)(B) is being changed to Section 1605.1(u)(C).

The purpose of these changes is to reflect federal external power supply standards. These changes add updated federal requirements found in 10 C.F.R. Section 430.32(w)(1)(iii) (2012).

Page 149, Section **1605.1(v)**:

*Action:* Change header to match similar headers throughout the regulations by adding “Televisions and” in front of “Consumer Audio and Video Equipment.”

The purpose of this change is to conform this section header to match all other similar section headers within the Regulations found in Sections 1602(v), 1604(v), and 1605.3(v) for Televisions and Consumer Audio and Video Equipment.

Page 150, Section **1605.1 – end – “Documents Incorporated by Reference” Section:**

*Action:* Incorporate a header and the UNITED STATES ENVIRONMENTAL PROTECTION AGENCY’S (EPA) “External Power Supply International Efficiency Marking Protocol” as a “document incorporated by reference.”

The purpose of this change is to maintain consistent formatting in similar sections throughout the Regulations. This change matches the formatting found in all other “Documents Incorporated by Reference” sections at the end of all other sections of the Regulations. This document being incorporated by reference is found in Section 1605.1(u)(1)(B)4. This document is relied upon in the federal regulations, specifically at 10 C.F.R. Section 430.32(w)(1)(iii) (2012).

Page 150, **Section 1605.1 – end – “Documents Incorporated by Reference” Section:**

*Action:* Incorporate American National Standards Institute (ANSI) C78.5 “Standard for Electric Lamps – Specifications for Performance of Self-Ballasted Compact Fluorescent Lamps” as a “document incorporated by reference.”

The purpose of this change is to correct an oversight for not including a document previously referenced. This change incorporates by reference the document referenced in Section 1605.1(k)(3), specifically in Table K-5. This document is relied upon in the federal regulations, specifically at 10 C.F.R. Section 430.32(u) (2012) as a mandated requirement for the lumen maintenance factor.

Page 150, **Section 1605.1 – end – “Documents Incorporated by Reference” Section:**

*Action:* Incorporate Illuminating Engineering Society of North America (IESNA) LM-65 “Life Testing of Compact Fluorescent Lamps” as a “document incorporated by reference.”

The purpose of this change is to correct an oversight for not including a document previously referenced. This change incorporates by reference the document referenced in Section 1605.1(k)(3), specifically in Table K-5. This document is relied upon in the federal regulations, specifically at 10 C.F.R. Section 430.32(u) (2012) as a mandated requirement for the rapid cycle stress test.

Page 150, **Section 1605.1 (end) – Documents incorporated by reference section:**

*Action:* Amend listing for the Illuminating Engineering Society to properly state the name of the organization and update the listed web address to the current web address of the organization.

The purpose of this change is to amend the stated name of the “Illuminating Engineering Society” to remove the appellation “of North America”, to make a matching change to the abbreviation of the name, and to update the stated web address to the web address currently used by the Illuminating Engineering Society.

Page 151, **Section 1605.1 (end) – “Documents Incorporated by Reference” Section:**

*Action:* Remove NEMA MG1 2006 reference, as reference to this document is no longer found in this section.

The purpose of this change is to eliminate reference to a document previously incorporated by reference but no longer included in Section 1605.1.

Pages 152-153, **Section 1605.2(c)(1), (2), and (3)**

*Action:* Delete Section 1605.2(c)(1) entirely, renumber subsequent sections accordingly, and make minor language changes to the new Section 1605.2(c)(1).

The standards found in Section 1605.2(c)(1) were first adopted by the Energy Commission for the Appliance Efficiency Regulations that took effect in November 2002.

Because the standards apply to federally-regulated appliances, they take effect as state law only on (1) the effective date of a U.S. Department of Energy waiver from federal preemption; or (2) one year after removal of federal preemption by action such as a change in federal law, but no earlier than July 1, 2004. Since these standards were first adopted, the Energy Commission has not ever applied for a waiver from federal preemption. The vast majority of the efficiency standards found in the existing Table C-7 are already met or exceeded either by federal standards currently in effect or due to take effect in 2015. Leaving these standards in the regulations leads to confusion among the public covered by these regulations. Removing Section 1605.2(c)(1) will provide needed clarity.

Page 155, **Section 1605.2(n)(2)(A):**

*Action:* Subparagraphs 1. and 2. renumbered (from “i” and “ii”) to match subsection numbering throughout.

The purpose of this change is to provide consistent subsection numbering throughout the Regulations. These changes correctly reference these subsections to match such numbering throughout the Regulations.

Page 155, **Section 1605.2(p)(1):**

*Action:* Strike all obsolete language for appliance types that are now federally regulated, and add language specifying the location of federal standards relating to clothes washers.

The purpose of this change is to remove obsolete, now-preempted state standards and correctly direct readers to appropriate sections of the regulations for federal standards relating to residential clothes washers. This change prevents confusion resulting from examining this section of the regulations out of context. This change will maintain consistency between the state and federal regulations.

Page 156, **Section 1605.2(r)(2), including header:**

*Action:* Remove caveats concerning “with an Electrical Supply Cord.”

The purpose of this change is to accurately reflect the updated federal scope. These changes are due to amendments to 10 C.F.R. Section 430.32(j)(1) & (2) that previously excluded gas cooking products without an electrical supply cord from having to comply with the design standards; that exclusion was removed effective April 9, 2012. Since the exclusion of regulated products equipped with an electrical supply cord no longer applies, this language was removed from both the header and the text. This change will maintain consistency between the state and federal regulations.

Page 156, **Section 1605.2(r)(3)and (4)**

*Action:* Add new language as Section 1605.2(r)(3) to read “See Section 1605.1(r) for energy efficiency standards and energy design standards for cooking products that are federally regulated consumer products.” Renumber existing Section 1605.2(r)(3) to Section 1605.2(r)(4).

The purpose of this change is to add in the upcoming federal standards for various types of microwave ovens and other cooking products that are federally regulated consumer products.

Page 156, **Section 1605.2(s):**

*Action:* Change “consumer” to “commercial” to match the language and intent of federal law.

The purpose of this change is to correct a transcription error. This change is necessary in order to accurately reflect current federal statute and regulations, and is correcting a transcription error to the regulation that was properly adopted by the Energy Commission on December 3, 2008 through a previous rulemaking conducted by the Energy Commission under Docket Number 08-AAER-1B.

Page 156, **Section 1605.2(v):**

*Action:* Rename subsection header and language to match change shown throughout these regulations.

The purpose of this change is to match this section header to all other similar section headers found in Sections 1602(v), 1604(v), and 1605.3(v) for Televisions and Consumer Audio and Video Equipment. Similar changes are being incorporated into Section 1605.1(v). This change is necessary in order to have the name of this subsection consistent with identical subsections throughout the rest of the Regulations.

Page 157, **Section 1605.3(a)(1), including current Table A-9:**

*Action:* Renumber what is now Table A-6 to Table A-9 (both in narrative and table header) to continue numbering format from previous sections where additional tables were added.

Page 157, **Section 1605.3(a)(2), including current Table A-10:**

*Action:* Renumber what is now Table A-7 to Table A-10 (both in narrative and table header) to continue numbering format from previous sections where additional tables were added.

Page 157, **Section 1605.3(a)(3):**

*Action:* Add caveat “Manufactured before January 1, 2012” to reflect when federal standards took effect.

The purpose of this change is to accurately reflect the effective date of these federal standards. This change is due to amendments to 10 C.F.R. Section 431.61 – 431.66 updating federal scope, definitions, test methods, and standards for commercial

refrigerators, commercial freezers, and commercial refrigerator-freezers affecting products manufactured on or after January 1, 2012.

Pages 157-158, **Section 1605.3(a)(4) and Table A-8:**

*Action:* Strike all obsolete language for walk-ins, including Table 8 in its entirety, which are now federally regulated.

The purpose of this change is to remove obsolete, now-preempted state standards since the implementation of almost identical federal standards. These changes are due to amendments to 10 C.F.R. Section 431301 – 431.30 updating federal scope, definitions, test methods, and standards for walk-in coolers and walk-in freezers affecting products manufactured on or after January 1, 2009. This change will maintain consistency between the state and federal regulations.

Pages 158-159, **Sections 1605.3(a)(5) and 1605.3(a)(6), including renumbered Table A-11 (formerly Table A-9):**

*Action:* # 1: Strike all obsolete language for appliance types that are now federally regulated.

The purpose of this change is to remove obsolete, now-preempted state standards since the implementation of almost identical federal standards. All appliances (except commercial wine chillers) previously regulated only in California and, therefore, shown in Section 1605.3(a)(5) are now federally regulated due to amendments to 10 C.F.R. Section 431.61 – 431.66 updating federal scope, definitions, test methods, and standards for commercial refrigerators, commercial freezers, and commercial refrigerator-freezers affecting products manufactured on or after January 1, 2012. The standards for these products now appear in Section 1605.1(a). Commercial wine chillers, still regulated by the California Energy Commission, are now accurately shown in this remaining (unstruck) language. This change will maintain consistency between the state and federal regulations.

*Action:* # 2: Add caveat “Manufactured before January 1, 2012” to reflect when federal standards took effect for non-consumer product wine chillers.

The purpose of this change is to accurately reflect the effective date of these federal standards. This change is due to amendments to 10 C.F.R. Section 431.61 – 431.66 updating federal scope, definitions, test methods, and standards for commercial refrigerators, commercial freezers, and commercial refrigerator-freezers affecting products manufactured on or after January 1, 2012. This change will maintain consistency between the state and federal regulations.

Page 160, **Section 1605.3(a)(6):**

*Action:* Newly numbered section (previously 1605.3(a)(7)) adding an end date to California standards based on when federal standards take effect.

The purpose of this change is to accurately reflect the effective end date of these California standards due to pre-empting federal standards taking effect. These changes are due to amendments to 10 C.F.R. Section 431.291 – 431.996 updating federal scope, definitions, test methods, and standards for commercial refrigerators, commercial freezers, and commercial refrigerator-freezers affecting products manufactured on or after August 31, 2012. This change will maintain consistency between the state and federal regulations.

Page 160, **Section 1605.3(a)(7) and Table A-12:**

*Action:* Newly numbered section (previously 1605.3(a)(8)) and table adding an end date to California standards based on when federal standards take effect. Table renumbered to continue numbering format from previous sections where additional tables were added. ADDITIONALLY, “Table A-“needs to be added in front of the table number.

The purposes of these changes are to (i) accurately reflect the effective end date of these California standards due to pre-empting federal standards taking effect, and (ii) correctly reference the table heading shown in this subsection. These changes are due to amendments to 10 C.F.R. Section 431.291 – 431.296 updating federal scope, definitions, test methods, and standards for refrigerated bottled or canned beverage vending machines affecting products manufactured on or after August 31, 2012. An additional change is needed to add “Table A-“in front of the table Number in the CCR. These changes will maintain consistency between the state and federal regulations and maintain consistent table numbering throughout the Regulations.

Page 160, **Section 1605.3(a)(7)(B):**

*Action:* Change “above 40 degrees F” to “above 40°F.”

The purpose of this change is to reference a Fahrenheit temperature using the format specified in Section 1602(a), as “°F.”

Pages 160-161, **Section 1605.3(a)(9) and (old) Table A-11:**

*Action:* Remove obsolete language to reflect federal standards now in effect.

The purpose of this change is to remove obsolete, now-preempted state standards since the implementation of almost identical federal standards. This change is due to amendments to 10 C.F.R. Section 431.131 – 431.136 updating federal scope, definitions, test methods, and standards for automatic commercial ice makers affecting products manufactured on or after January 1, 2010. This change will maintain consistency between the state and federal regulations.

Page 161, **Section 1605.3(a)(8):**

*Action:* Renumbered section (formerly 1605.3(a)(10)) to reflect other sections removed and to retain consistency.

Page 161, **Section 1605.3(a)(11)**:

*Action:* Remove – language no longer applicable.

The purpose of this change is to remove obsolete language since the implementation of federal standards for commercial refrigerators without doors due to amendments to 10 C.F.R. Section 431.66(d).

Page 161, **Section 1605.3(a)(9)**:

*Action:* Renumbered section (formerly 1605.3(a)(12)) to reflect other sections removed and to retain consistency.

This change maintains consistent section numbering throughout the Regulations due to the insertion and removal of other subsections found in Section 1605.3(a).

Page 162, **Section 1605.3(c), Renumber existing Tables C-8 and C-9, and eliminate existing Table C-10 to make table numbering internally consistent.**

*Action:* Renumber existing Tables C-8 and C-9 to Tables C-7 and C-8, respectively; eliminate Table C-10.

Due to the elimination of Tables C-4 and C-7, all subsequent “C-” tables need to be renumbered, and any references in the text to these tables must be changed. The only remaining computer room air conditioners not regulated by U.S. D.O.E. are evaporatively cooled models; this change removes all other computer room air conditioners and leave in place the standards for evaporatively cooled models.

Page 162, **Section 1605.3(c)(2)**:

*Action:* Remove obsolete standards, add language specifying the location of federal standards relating to computer room air conditioners, and combine (formerly) two tables into one (now Table C-9) for simplicity.

The purposes of these changes are to eliminate obsolete, federally-preempted standards and simplify the references to remaining standards. These changes eliminate references to several obsolete, pre-empted standards per the changes to Section 1605.1(c).

Page 163, **Section 1605.3(c)(3)**:

*Action:* Remove obsolete language to reflect federal standards now in effect.

The purpose of this change is to remove obsolete language since the implementation of federal standards for large air-cooled unitary air conditioners due to amendments to 10 C.F.R. Section 431.97(b).

Page 163, **Section 1605.3(c)(4)**:

*Action:* Renumber section to 1605.3(c)(3) (formerly 1605.3(c)(4)) to reflect other section removed and to retain consistency.

Page 163, **Section 1605.3(c)(5)**:

*Action:* Renumber section to 1605.3(c)(4) (formerly 1605.3(c)(5)) to reflect other section removed and to retain consistency.

Pages 163-165, **Section 1605.3(e)(1)(A), including old tables E-5, E-6, E-7, and E-8**:

*Action:* Because of reformatting and adding tables in Section 1605.1(e), the tables in Section 1605.3(e) formerly numbered E-5, E-6, and E-7, respectively, are now being renumbered to E-7, E-8, and E-9, respectively. The old table E-8 is eliminated because new federal standards took effect on August 8, 2008 for appliances referenced in old Table E-8.

Page 165, **Section 1605.3(e)(1)(B)**:

*Action:* Removing obsolete language for appliances now regulated under Section 1605.1(e).

The purpose of this change is to remove obsolete language since the implementation of federal standards for unit heaters due to amendments to 10 C.F.R. Section 431.246.

Page 165, **Section 1605.3(e)(1)(C)**:

*Action:* Removing obsolete language for appliances now regulated under Section 1605.1(e).

The purpose of this change is to remove obsolete language since the implementation of federal standards for unit heaters due to amendments to 10 C.F.R. Section 431.246.

Pages 165-166, **Section 1605.3(f)(1), EXCEPTIONS**:

*Action:* Subparagraphs 1., 2., and 3. renumbered (from "(1)", "(2)", and "(3)") to match exception subsection numbering throughout. This is a correction to the CCR only.

The purpose of this change is to maintain consistent numbering of Exceptions found throughout the Regulations. (a)(4).

Page 166, **Section 1605.3(f)(2), EXCEPTIONS**:

*Action:* Subparagraphs 1., 2., and 3. renumbered (from "(1)", "(2)", and "(3)" respectively) to match exception subsection numbering throughout. This is a correction to the CCR only.

The purpose of this change is to maintain consistent numbering of Exceptions found throughout the Regulations.

Page 166, **Section 1605.3(f)(2), current Table F-4**:

*Action:* Renumber existing "Table F-5" to "Table F-4." Due to the elimination of Table F-2 in Section 1604(f)(2), all subsequent tables beginning with "F" are being renumbered.

The purpose of this change is to maintain consistent table numbering found throughout the Regulations due to the removal of preceding tables.

Page 167, **Section 1605.3(g)(1):**

*Action:* Eliminate federal efficiency standard found in 1605.1(g) because federal regulation supersedes design standard imposed by California.

The purpose of this change is to remove obsolete language since the implementation of federal standards for pool heaters.

Page 167, **Sections 1605.3(g)(2), 1605.3(g)(3), 1605.3(g)(4), 1605.3(g)(5), and 1605.3(g)(6):**

*Action:* Renumber existing section 1605.3(g)(2) to 1605.3(g)(1) since original section with that number was eliminated. Renumber subsequent sections accordingly (1605.3(g)(3), 1605.3(g)(4), 1605.3(g)(5), and 1605.3(g)(6) will be renumbered to 1605.3(g)(2), (1605.3(g)(3), 1605.3(g)(4), and 1605.3(g)(5), respectively).

The purpose of this change is to maintain consistent section and subsection numbering found throughout the Regulations due to the removal of preceding sections and subsections.

Page 167, **Section 1605.3(g)(2) [old]:**

*Action:* Change “all pool heaters” to “heat pump pool heaters” in two places. Heat pump pool heaters are not federally regulated, but gas-fired types previously covered by this design standard are federally regulated. Federal preemption applies to all gas-fired models but not to heat pump pool heaters.

The purpose of this change is to limit this design standard to only state-regulated pool heaters. These changes specify this design standard is no longer applicable to federally regulated pool heaters, but that it still applies to state-regulated pool heaters.

Page 167, **Section 1605.3(g)(5)(B)1 [old]:**

*Action:* Delete existing section 1605.3(g)(5)(B)1.

The purpose of this change is to remove obsolete language removed from federal standards.

Page 167, **Sections 1605.3(g)(5)(B)2 [old] and 1605.3(g)(6)(B)3 [old]:**

*Action:* As per discussion of “Sections 1605.3(g)(2), 1605.3(g)(3), 1605.3(g)(4), 1605.3(g)(5), and 1605.3(g)(6)” AND “Section 1605.3(g)(5)(B)1” above, renumber these two subsections 1605.3(g)(4)(B)1, and 1605.3(g)(4)(B)2, respectively.

The purpose of this change is to maintain consistent section and subsection numbering found throughout the Regulations due to the removal of preceding sections and subsections.

Page 167, **Section 1605.3(g)(4)(B)1 [new section]:**

*Action:* Eliminate last sentence, currently reading “Section 1605.3(g)(5)(B)2 applies to models manufactured on or after January 1, 2010.”

The purpose of this change is to eliminate redundant, unnecessary language. This same effective date is properly referenced in the first sentence of this subsection.

Page 168, **Section 1605.3(h)(1):**

*Action:* Move effective date to narrative from table to match similar formatting throughout the regulations.

The purpose of this change is to maintain consistent formatting throughout the Regulations.

Pages 175 - 176, Section 1605.3(n):

*Action:* (1) Remove text and Table N-1 currently in Section 1605.3(n)(1); (2) renumber remaining subsections, and references thereto, in Section 1605.3(n) accordingly.

The purposes of these changes are to remove obsolete standards and, as applicable, renumber all remaining references to this section throughout the Regulations.

Page 177, **EXCEPTIONS to (existing) Section 1605.3(n)(2):**

*Action:* Change reference currently found in “EXCEPTIONS to Section 1605.3(n)(2)” to “EXCEPTIONS to Section 1605.3(n)(1)” to reflect the removal of the existing Section 1605.3(n)(1) and the renumbering of the existing Section 1605.3(n)(2), as discussed immediately above. The exceptions are intended to apply to the same regulatory language as before.

The purposes of these changes are to remove obsolete standards and to renumber all remaining references to this section throughout the Regulations.

Page 180, **Section 1605.3(r)(3)**

*Action:* Amend existing language that currently reads “See Section 1605.1(r) for the energy design standard for cooking products that are federally regulated consumer products” to read “See Section 1605.1(r) for energy efficiency standards and energy design standards for cooking products that are federally regulated consumer products.”

The purpose of this change is to add in the upcoming federal standards for various types of microwave ovens and other cooking products that are federally regulated consumer products.

Page 181, **Section 1605.3(u), Table U-3:**

*Action:* Change table title from “Standards for State-Required External Power Supplies ... “ to “Standards for State-Regulated External Power Supplies ... .“

The purpose of this change is to correct previously adopted language. This change accurately reflects current state regulations, and is correcting a transcription error to the regulation that was properly adopted by the Energy Commission on December 3, 2008 through a previous rulemaking conducted by the Energy Commission under Docket Number 08-AAER-1B.

Page 182, **Section 1605.3(v)(3)(A):**

*Action:* Change “and/or” to “or” to comply with the rule of construction found in Section 1602.1(b).

The purpose of this change is to ensure these Regulations comply with the Rules of Construction found therein. This change is necessary in order to have this section comply with the requirements found in Section 1602.1(b) of these Regulations.

Page 184, **Section 1605.3 (end) – Documents incorporated by reference section:**

*Action:* Change “... standards incorporated by reference ...” to “documents incorporated by reference ... .”

The purposes of this change are to amend “standards” to “documents” and to maintain consistency in this wording found at the end of all other sections in these Regulations.

Page 184, **Section 1605.3, “Documents Incorporated by Reference” section:**

*Action:* Amend web address shown for U.S. Government Printing Office

The purpose of this change is to provide the correct current web address of the U.S. Government Printing Office.

Page 185, **Section 1605.3, “Documents Incorporated by Reference” section:**

*Action:* Delete entries for documents no longer referenced, as follows:

- o Illuminating Engineering Society of North America (IESNA) LM 79-08, and
- o National Electric Code (NEC) ANSI/NFPA 70-2002.

The purpose of this change is to eliminate reference to two documents previously incorporated by reference but no longer included in Section 1605.3. This is a change for consistency with existing federal documents.

Page 186, **Section 1606(a), first paragraph:**

*Action:* Remove last sentence of first paragraph of this Section.

The purpose of this change is to eliminate obsolete language for consistency with existing federal standards.

Page 186, **Section 1606(a), EXCEPTION 1-5:**

*Action:* Remove existing Exceptions 1 and 3 for consumer cooking products and certain refrigerators and freezers without doors; renumber existing exceptions accordingly, including striking “, and” at the end of the exception for walk-in coolers and adding “and” at the end of the exception for low-profile ceiling fans; add additional exception for à la carte chargers that meet requirements in Section 1605.3(w)(2).

Remove Exception 1 for consumer cooking products since future standards for microwave ovens are now included, and data collection is necessary to ensure compliance with these standards. Remove Exception 3 for certain refrigerators and freezers without doors since the federal efficiency standards for commercial refrigerators and freezers includes those that have “... transparent or solid doors, sliding or hinged doors, a combination of hinged, sliding, transparent, or solid doors, or no doors; ....” Add exception for à la carte chargers; the original intent of excluding these products from having to meet a specific efficiency standard was also intended to exclude à la carte chargers from the need to comply with any requirements in these Regulations – adding this exception makes that intent clear.

Page 187, **Section 1606(a)(2):**

*Action:* Insert period after section heading.

Pages 190 - 217, **Section 1606, Table X:**

The purpose of these changes to Table X described below is to change data collection parameters to match all updated federal data reporting requirements. These changes allow appliance manufacturers to show compliance with standards in effect now or in the future through the submission of this data to both the Department of Energy and the California Energy Commission.

A: Non-Commercial Refrigerators, Non-Commercial Refrigerator-Freezers, Non-Commercial Freezers:

*Action:* Add additional fields for collecting information on “Compact, built-in, or neither compact nor built-in,” “Equipped with Automatic Ice Maker (for those units manufactured on or after September 15, 2014)” and “Dispenses Ice Through Door” to allow for verification of data to show compliance with efficiency standards now in effect and becoming effective on September 15, 2014.

A: Automatic Commercial Ice Makers:

*Actions:* (1) Remove hyphen between “Ice” and “Maker” to match other similar changes. (2) Add “Ice Maker Process Type” with allowable answers of “Batch, continuous, other

(specify)” and “Ice Hardness Adjustment Factor (for continuous type models)” to fields collected for this appliance type (found in the January 11, 2012 Federal Register (77 FR 1591, et. seq.)).

A: Self-Contained Commercial Refrigerators...:

Action: All changes are based on federal standards taking effect January 1, 2012. Collecting of this data is necessary to determine compliance with the new standard(s). Removal of pre-existing data fields is due to federal pre-emption and changes in the federally prescribed test method.

A: Refrigerators without doors not specifically designed for the display and sale of bottled or canned beverages, Freezers without doors:

Action: Strike as products not requiring certification, as commercial refrigerators without doors manufactured on or after January 1, 2012 have standards and data certification requirements.

A: Refrigerated Bottled or Canned Beverage Vending Machines:

Action: Addition of “Equipment Class” will allow manufacturers to show compliance with federal standards taking effect on August 31, 2012. Changing of fields from “Daily Energy Consumption at ...” to “Maximum Daily Energy Consumption at ...” will accurately reflect nomenclature of new federal standard. Striking out several fields and amending others to provide more clarity reflect the changes implements as part of federal regulation of these products.

B: Room Air Conditioners & Room Air-Conditioning Heat Pumps:

Action: Addition of “Combined Energy Efficiency Ratio (for models manufactured on or after June 1, 2014 only)” will allow manufacturers to show compliance with federal standards that take effect for models manufactured on or after June 1, 2014.

B: Packaged Terminal Air Conditioners & Packaged Terminal Heat Pumps:

Action: Addition of “Size” will allow manufacturers to show compliance with federal standards that took effect for some models September 30, 2010.

C: All Central Air Conditioners and Central Air-Conditioning Heat Pumps:

Action: Remove data field for “Computer Room Air Conditioner”, add data fields for “Variable Refrigerant Flow” and “Heat Recovery (for Variable Refrigerant Flow models only)” with Permissible Answers of “Yes, no.”

C: Air-Cooled, Single Package CAC < 65,000 Btu/hour and Air-Cooled, Split System CAC < 65,000 Btu/hour:

Action: (1) Eliminate six data fields that have been voluntary for several years and no manufacturer has ever certified. (2) Add “Average Off Mode Power Consumption (Watts) (for models manufactured on or after January 1, 2015 only).”

C: Air-Cooled, Single Package CAC < 65,000 Btu/hour and Air-Cooled, Split System CAC < 65,000 Btu/hour:

Action: Add footnote 3 (Voluntary for single package vertical air conditioners and single package vertical heat pumps only) to the following fields:

Seasonal Energy Efficiency Ratio (SEER);

Cooling Capacity at 82°F;

Electrical Input at 82°F;

Degradation Coefficient at 82°F.

C: Air-Cooled, Single Package Heat Pumps < 65,000 Btu/hour and Air-Cooled, Split System Heat Pumps < 65,000 Btu/hour:

Action: (1) Eliminate six data fields that have been voluntary for several years and no manufacturer has ever certified. (2) Add "Average Off Mode Power Consumption (Watts) (for models manufactured on or after January 1, 2015 only)."

C: Air-Cooled, Single Package Heat Pumps < 65,000 Btu/hour and Air-Cooled, Split System Heat Pumps < 65,000 Btu/hour:

Action: Add footnote 3 (Voluntary for single package vertical air conditioners and single package vertical heat pumps only) to the following fields:

Seasonal Energy Efficiency Ratio (SEER);

Cooling Capacity at 82°F;

Electrical Input at 82°F;

Degradation Coefficient at 82°F;

Heating Seasonal Performance Factor (HSPF).

C: To the following eight categories:

- o Air-Source, Single Package Heat Pumps @ 65,000 Btu/hour ...;
- o Air-Source, Split-System Heat Pumps ≥ 65,000 ...;
- o Evaporatively-Cooled Single Package CAC;
- o Evaporatively-Cooled Split System CAC;
- o Water-Cooled Single-Package CAC;
- o Water-Cooled, Split System CAC;
- o Water-Source, Single Package Heat Pumps;
- o Water-Source Split System Heat Pumps.

Action: Change the upper size limit for which certification is required from "< 240,000" to "< 760,000".

C: Ground Water-Source, Single Package Heat Pumps and Ground Water-Source Split System Heat Pumps:

Action: Remove the "< 240,000 Btu/hour (except as noted)" restriction.

C: Computer Room Air Conditioners:

Action: Add section specific to Computer Room Air Conditioners with data fields for "Equipment Type", "Net Sensible Cooling Capacity", "Downflow Unit Power Input (watts)", "Downflow Unit SCOP", "Upflow Unit Power Input (watts)", and "Upflow Unit SCOP". Add Permissible Answers for "Equipment Type" of "air-cooled", "water-cooled", "water-cooled with a fluid economizer", "glycol-cooled", "glycol-cooled with a fluid economizer", and "evaporatively cooled."

E: All Space Heaters:

Action: Remove "(electric residential boilers only)" caveat from "Energy Source" type of "Electricity."

E: Central Furnaces:

Action: Add a "Required Information" field for "Weatherized (required for non mobile-home furnaces manufactured on or after November 19, 2015 only)" [with "permissible answers" of "Yes, no"] to allow for collection of data to show compliance with federal standards in effect on or after November 19, 2015.

E: Central Furnaces:

Action: Change four (4) references in the "Required Information" fields that currently read "ANSI Z21.47-2001" to " C.F.R. Section 431.75 and 431.76 (2012))" to reflect change made in Section 1604(f).

E: Room heaters, floor furnaces, and wall furnaces:

Action: Add "Hearth heaters" to Appliance category "Room heaters, floor furnaces, and wall furnaces" AND add a permissible answer "type" of "vented hearth heater."

E: Duct furnaces and Unit heaters:

Action: Under "Required Information" add the phrase "(mandatory for duct furnaces, voluntary for unit heaters only)" to the following three fields: "Thermal Efficiency at Maximum Rated Capacity," "Energy Consumption During Standby," and "Thermal Efficiency at Minimum Rated Capacity." This change reflects voluntary provision of data only required if unit heaters continue to be tested to a test method not found in the federal regulations which preempt the previous standards in effect in California.

E: Infrared Gas Space Heaters:

Action: Under "Required Information," "Effective heating area," and "Efficiency index" fields, change "(for models using FSTC test method only)" to "(for patio heaters only)". This change is for clarity, since the test method for these models is no longer published by FSTC.

E: Boilers:

Action: Under "Required Information" add a field for Natural Draft (for gas-fired steam models manufactured on or after March 2, 2012 and  $\geq 300,000$  Btu/hour input only) with "Permissible answers" of "Yes, no."

G: Other Pool Heaters:

Action: Remove data fields for "Readily Accessible On-Off Switch" and "Constant Burning Pilot Light (for gas models)" to comply with federal preemption requirements.

G: Residential Pool Pump and Motor Combinations and Replacement Residential Pool Pump Motors:

Action: Add a "Required Information" field of "Pump Control Speed (compliance with Section 1605.3(g)(5)(B)3)" with "Permissible Answers" of "Yes, no."

H: Plumbing Fittings:

Action: Add "(independent or collective)" to both Permissible Answers of "lavatory faucet" and "metering faucet" under "Required Information" field of "Type" to clarify that there are two subtypes of lavatory faucets and metering faucets in 10 C.F.R. 430.32(o).

K: Federally-regulated general service fluorescent lamps:

Action: For "Required Information" of "Type" add "Permissible Answers" of "4-foot miniature bi-pin standard output general service fluorescent lamp, 4-foot miniature bi-pin high output general service fluorescent lamp." Also add a "Required Information" field for "Correlated Color Temperature (for lamps manufactured on or after July 15, 2012)."

N: Metal Halide Luminaires:

Action: Add a "Lamp Exception" (with a footnote # 2 signifying "voluntary for state-regulated appliances") under "Required Information" with "Permissible Answers" allowed of "Exception(s) met; no exceptions met."

This category only applies to state-regulated metal halide luminaires. This is a non-mandatory addition of a reporting category for voluntary compliance reporting. This will add a missing category to the reporting form.

O: Dishwashers:

Action: Remove data fields for "Power Consumption Per Cycle" and "Energy Factor", and parentheses following "Maximum Energy Use" and "Maximum Water Use". Add a "Soil Sensing" field with Permissible Answers of "Yes, no."

S: Electric Motors:

Action: For "Permissible Answer" of "Type" add a caveat for "(data required for small electric motors manufactured on or after March 9, 2015 only)."

Page 213, **Section 1606, Table X, Section R (Consumer Product Cooking Products)**

Allows for data collection to show compliance with new standards found in Section 1605.1(r) for appliance types defined in Section 1602(r) and in the test method referenced in Section 1604(r).

Action: Strike "filing requirements" restrictions under "Appliance" column; strike the asterisk signifying "identifier" field for "Constant Burning Pilot Light" under "Required Information" column; add "Average Standby Power" field in "Required Information" column; add additional types of microwave ovens under "Permissible Answers" for type field.

The purpose of these changes is to reflect federal standards for certain types of microwave ovens which take effect for all such models manufactured on or after June 17, 2016. The standards for these types are being added into Section 1605.1(r), and the changes in Table X allow for the collection of applicable data for confirming these models meet the standards when they take effect.

[END OF TABLE X REFERENCES]

Page 218, **Section 1606(a)(4)(A)4:**

Action: Eliminate subsections b., c., d., and l., and re-letter others accordingly.

The purpose of these changes is to eliminate the requirement for manufacturers to declare that certain appliances were tested to now obsolete conditions. These changes are due to amendments to test methods for these appliances found in Section 1604.

Page 218, **Section 1606(a)(4)(A)4.h (new):**

Action: Change reference from "Table G" to "Table G-1."

The purpose of this change is to accurately reference the referenced table. This change is necessary in order to reference the correct updated table number for pool heater test methods found in Section 1604(g).

Page 219, **Exceptions to Section 1606(a)(4)(A)4:**

Action: Add exception for all appliance types for which there is no test method in Section 1604.

The purpose of these changes is to exclude test method reporting requirements for appliances without a referenced test method. These changes eliminate the requirement for certifying parties to provide the test method the appliance was tested to for appliances for which no test method is referenced.

Page 219, **Section 1606(a)(4)(A)5.**:

*Action:* Amend reference to ASHRAE/IES Standard 90.1-1999.

The purpose of this change is to amend the reference to ASHRAE/IES Standard 90.1-1999 to properly abbreviate the name "Illuminating Engineering Society of North America". This change maintains the correctness of the citation following a change in the official abbreviation of "Illuminating Engineering Society of North America" from "IESNA" to "IES" as stated by IES (for example, on their website at [http://www.ies.org/about/what\\_is\\_iesna.cfm](http://www.ies.org/about/what_is_iesna.cfm) and here <http://www.ies.org/handbook/pdf/>).

Page 220, **Section 1606(a)(4)(A)5.**:

*Action:* Eliminate subsections f., j., and k., and re-letter others accordingly.

The purpose of these changes is to eliminate the requirement for manufacturers to declare that certain appliances were properly marked to now obsolete marking requirements. These changes are due to amendments to marking requirements for these appliances found in Section 1607.

Page 226, **Section 1606(h)(1)(F).**:

*Action:* Update contact information.

Page 227, **Section 1606(i).**:

*Action:* Add a period at the end of subsection header to match other formatting.

Page 227, **Section 1606(j).**:

*Action:* Add a period at the end of subsection header to match other formatting.

Page 229, **Section 1607(d)(1).**:

*Action:* Change "... shall be displayed on all units of..." to "shall be displayed as required for...."

The purpose of these changes is to provide more generic specifications based on federal requirements. These changes clarify that appliance labeling required under U.S. Federal Trade Commission (FTC) regulations complies with those requirements, and accurately clarify that not all federal labeling requirements specify the label appear on the actual unit.

Page 229, **Section 1607(d)(1).**:

*Action:* Amend list of appliances shown immediately prior to Section 1607(d)(2) to accurately reflect those products covered in 16 C.F.R. Part 305 by (a) deleting "clothes dryers" and adding "boilers," "metal halide lamp fixtures," and "televisions."

The purpose of these changes is to accurately reference the appliance covered under the U.S. Federal Trade Commission's Appliance Labeling Rule at 16 C.F.R. Part 305.

Page 230, **Section 1607(d)(3)**:

*Action:* Amend reference to ANSI/ASHRAE/IES Standard 90.1-2007.

The purpose of this change is to amend the reference to ANSI/ASHRAE/IES Standard 90.1-2007 to properly abbreviate the name "Illuminating Engineering Society of North America". This change maintains the correctness of the citation following a change in the official abbreviation of "Illuminating Engineering Society of North America" from "IESNA" to "IES" as stated by IES (for example, on their website at [http://www.ies.org/about/what\\_is\\_iesna.cfm](http://www.ies.org/about/what_is_iesna.cfm) and here <http://www.ies.org/handbook/pdf/>).

Pages 230, **Section 1607(d)(7)**:

*Action:* Eliminate, and renumber following sections accordingly.

The purposes of these changes are to (i) remove an obsolete requirement and (ii) renumber subsequent subsections accordingly. These changes remove obsolete marking for ceiling fans which now reflect accurate federal marking requirements found in 16 C.F.R. Part 305 in Section 1607(d)(1) of these Regulations.

Page 231, **Section 1607(d)(11) Televisions**:

*Action:* Eliminate, and renumber following sections accordingly.

The purpose of this change is to eliminate a now-obsolete requirement. This change is necessary due to changes in federal and state law, specifically 16 C.F.R. Part 305, continuing the Energy Commission's regulations in effect until the U.S. Federal Trade Commission's final labeling rule is effective.

Page 232, **Section 1607 (end) – Documents incorporated by reference section**:

*Action:* Change "... standards incorporated by reference ..." to "documents incorporated by reference ...."

The purposes of this change are to amend "standards" to "documents" and to maintain consistency in this wording found at the end of all other sections in these Regulations.

Page 232, **Section 1607 (end) - Documents incorporated by reference section**:

*Actions:*

- delete all references to obsolete documents;
- Update web-link to eC.F.R.

These changes reference the current version of the Code of Federal Regulations, update the web-link to the currently available C.F.R. online and delete references to test methods no longer included in this section.

Page 232, **Section 1607 (end) – Documents incorporated by reference section:**

*Action:* Change “D.C.” in the address for the Superintendent of Documents to “DC.”

The purpose of this change is to change the postal abbreviation for the District of Columbia to remove the periods. This modification reflects the proper United States Postal Service abbreviation (see: <https://www.usps.com/ship/official-abbreviations.htm>).

Page 232, **Section 1607 (end) - Documents incorporated by reference section:**

*Action:* Amend reference to ANSI/ASHRAE/IES Standard 90.1-2007.

The purpose of this change is to amend the reference to ANSI/ASHRAE/IES Standard 90.1-2007 to properly abbreviate the name “Illuminating Engineering Society of North America”. This change maintains the correctness of the citation following a change in the official abbreviation of “Illuminating Engineering Society of North America” from “IESNA” to “IES” as stated by IES (for example, on their website at [http://www.ies.org/about/what\\_is\\_iesna.cfm](http://www.ies.org/about/what_is_iesna.cfm) and here <http://www.ies.org/handbook/pdf/>).

Page 233, **Section 1608(a), Exceptions to Sections 1608(a)(1) and 1608(a)(2)(C):**

Section 1608(a), EXCEPTIONS 1-5

*Action:* Remove existing Exceptions 1 and 3 for consumer cooking products and certain refrigerators and freezers without doors; renumber existing exceptions accordingly, including striking “, and” at the end of the exception for walk-in coolers and adding “and” at the end of the exception for low-profile ceiling fans; add additional exception for à la carte chargers that meet requirements in Section 1605.3(w)(2).

It is intended that the EXCEPTIONS found here be identical with those EXCEPTIONS to Section 1606(a) discussed above. Remove Exception 1 for consumer cooking products since future standards for microwave ovens are now included, and data collection and related enforcement is necessary to ensure compliance with these standards. Remove Exception 3 for certain refrigerators and freezers without doors since the federal efficiency standards for commercial refrigerators and freezers includes those that have “... transparent or solid doors, sliding or hinged doors, a combination of hinged, sliding, transparent, or solid doors, or no doors; ....” Add exception for à la carte chargers; the original intent of excluding these products from having to meet a specific efficiency standard was also intended to exclude à la carte chargers from the need to comply with any requirements in these Regulations – adding this exception makes that intent clear.

Page 233, **Section 1608(b)**:

*Action:* Add clarifying language to narrative.

The purpose of this change is to clarify that the only appliances to which this section applies are those requiring certification.

Page 234, **Section 1608(c)(1) & (3)**

*Action:* Change three references to “Section 1606(a)(3)(D)” to “Section 1606(a)(3)(C).”

Existing Section 1606(a)(3)(C) is being eliminated, and existing Section 1606(a)(3)(D) is being renumbered.

Page 236, **Section 1608(e)(3)**:

*Action:* Change references to recently enacted federal regulations specifying the federal requirements for a sampling plan for enforcement testing of certain regulated appliances and equipment.

The purpose of these changes is to amend the references to relevant federal requirements. These changes accurately reflect recent amendments to 10 C.F.R. Section 429, specifically Appendices A, B, and C.

Page 237, **Section 1608 (end) – Documents incorporated by reference section:**

*Action:* Change “... standards incorporated by reference ...” to “documents incorporated by reference ... .”

The purposes of this change are to amend “standards” to “documents” and to maintain consistency in this wording found at the end of all other sections in these Regulations. This change amends the word “standards” to the word “documents” since not all the documents that are incorporated by reference are “standards,” and maintains consistency in this wording with all other sections of these Regulations.

Page 237, **Section 1608 (end) - Documents incorporated by reference section:**

*Action:* Update web-link to eC.F.R.

The purpose of this change is to update the hyperlink for where to find these documents online.

#### CHANGES TO REFLECT UPDATES TO STATE LAW

The following changes to the efficiency regulations for state regulated appliances provide clarity to existing language and remove obsolete sections that no longer have any affect.

Purpose and Rationale: These changes remove ambiguities that have been discovered through practical application of the regulations which have caused confusion among manufactures. In addition, as described in more detail below, forklift battery chargers were inadvertently left out of the definition of regulated devices.

Necessity: Changes are necessary to ensure clear regulations and eliminate obsolete language that results in public confusion.

Page 8, **Section 1602(a)**:

*Action:* Clarify definition of Manufacturer.

Currently there are entities that for all practical purposes are manufacturers but don't meet the technical definition of "Manufacturer" under the state regulations. These entities would like to be able to submit compliance data in order to sell products in California. Because they don't meet the technical definition of "Manufacturer" they must rely on another entity, often located in a foreign country, to submit the information to the Energy Commission. This process is causing additional time and expense and is not necessary to meet the spirit of the efficiency regulations.

The purpose of this change is to allow for the expansion of who can be deemed a "manufacturer," remove restrictive list of appliance types for which private packagers or reassemblers can be considered the "manufacturer." The former change allows for those entities providing full product warranty and liability, as well as full compliance with State and federal requirements, to be considered the manufacturer of record. The latter change expands the "private brand packager" and "reassembler" designations to all appliance types. Both of these changes will provide much-needed flexibility in allowing those entities acting as manufacturers, even if they do not directly manufacture a product, to submit compliance information when currently they could not. This change will streamline compliance and reduce costs for those entities that currently must rely in another entity, often located in a foreign country, to submit compliance data on their behalf.

Page 2, **Section 1601(v)**:

*Action:* Remove the 1400 square inch cap currently identified for televisions.

The purpose of this change is to remove a misleading limitation. The existing regulatory language found in section 1605.3(v) identifies when the 1400 square inch cap applies and when it does not based on whether the efficiency is for standby power or operational power. Because the application of the 1400 square inch cap varies depending on the type of power consumption as set forth in 1605.3(v) the existing limitation noted in 1601(v) is misleading and needs to be removed.

Page 2, **Section 1601(w)**:

*Action:* Add forklifts as a product whose battery charger is regulated for energy efficiency.

The purpose of this change is to correct an omission that occurred during the rulemaking proceeding in 2012, Docket #11-AAER-2, OFFICE OF ADMINISTRATIVE LAW NOTICE FILE NUMBER Z-2011-0926-01 in which battery chargers for forklifts were included as a regulated product but omitted from section 1601(w). The background information and staff report supporting the development of the regulations identified forklift battery chargers.

See the following documents from the 2012 rule making record:

<http://www.energy.ca.gov/2011publications/CEC-400-2011-001/CEC-400-2011-001-SF.pdf>;

[http://www.energy.ca.gov/appliances/battery\\_chargers/documents/2010-10-11\\_workshop/2010-10-11\\_Battery\\_Charger\\_Title\\_20\\_CASE\\_Report\\_v2-2-2.pdf](http://www.energy.ca.gov/appliances/battery_chargers/documents/2010-10-11_workshop/2010-10-11_Battery_Charger_Title_20_CASE_Report_v2-2-2.pdf)

<http://www.energy.ca.gov/2011publications/CEC-400-2011-001/CEC-400-2011-001-SD.PDF>

[http://www.energy.ca.gov/appliances/battery\\_chargers/documents/reference/1270\\_BatteryChargerTechnicalPrimer\\_FINAL\\_29Sep2006.pdf](http://www.energy.ca.gov/appliances/battery_chargers/documents/reference/1270_BatteryChargerTechnicalPrimer_FINAL_29Sep2006.pdf)

Forklifts were inadvertently left out of section 1601(w) and correcting this will allow the section to comport with the understanding manufacturers and the Commission have that battery chargers for forklifts are included as a regulated product.

Page 47, **Section 1602(n) Luminaires and Torchiers:**

*Action:* Remove obsolete definitions for LED Lamp, LED light engine, LED light engine with Integral Heat Sink and LED luminair and add current definitions found in the 2013 version of Title 24 and based on the industry standard found in ANSI/IES RP-16-10

The purpose of these changes is to harmonize the definitions found in these regulations with the definitions already in effect in the Title 24 California building standards and ANSI/IES RP-16-10. The definitions being removed are obsolete and no longer serve any purpose as manufactures and builders use the ANSI/IES definitions. These definitions do not impose any additional requirements as they are already applicable as the industrial standard through the adoption of the 2013 Title 24 building code and the industry developed ANSI/IES standards. Updating section 1602(n) provides cohesion among the various regulatory standards covering lighting and eliminates confusion and the potential for manufacturers to be subject to conflicting requirements.

Page 48, **Section 1602(n) definition of portable luminaire:**

*Action:* Add in additional exclusions for products that are not considered portable luminaires.

The purpose of these changes is to clarify the definition of portable luminaires to address questions from manufacturers that have occurred regarding the characterization of various products and to ensure consistency with ANSI/NFPA 70 and UL 588 standards. The updated language clarifies that illuminated vanity mirrors, lava lamps, certain industrial work lights and holiday lighting, are not portable luminaires. Since these newly listed products are not regulated products under the definition of portable luminaire, these clarifications do not impose any additional requirements on manufacturers.

Page 87, **Section 1604(k)(4)**:

*Action:* Add clarification concerning lack of test method for federally regulated light emitting diode (LEDs) lamps, federally regulated organic light emitting diode (OLED) lamps, federally regulated candelabra base incandescent lamps, and intermediate base incandescent lamps.

The purpose of this change is to clarify that while these types of lamps are federally regulated, there is no current federal test method.

Pages 168-170, **Section 1605.3(k)(1) and Table K-7**

*Action:* Remove section (k)(1) and corresponding table K-7, Standards for State Regulated General Service Incandescent Lamps, and renumber existing tables K-8 to K-11 to reflect the elimination of Table K-7. Renumber subsections (k)(1-3) and change any text referring to these sections.

The purpose of this change is to remove obsolete language and a corresponding table, both of which have been superseded by the standards found in section 1605.3(k)(2) (newly renumbered, formally (k)(3)).

Page 170, **Section 1605.3(k)(2), (new number, formally (k)(3))**

*Action:* Update the table numbering and improve the syntax of the subsection by eliminating the second listing of the three tables.

Page 183, **Section 1605.3(w)(2)(A)**

*Action:* Existing language reads: “consumer products that are not USB charger systems with a battery capacity of 20 watt-hours or more and are manufactured on or after February 1, 2013.” This language needs to be changed to read: “consumer products that are manufactured on or after February 1, 2013, except for USB charger systems that have a battery capacity of 20 watt-hours or more and are manufactured before January 1, 2014.”

As currently written, this language is confusing, vague, and allows for an unintended alternate reading. Amending this language provides needed clarification.

Page 223, **Section 1606(f) Filing by Third Parties.**

*Action:* This section allows for third parties to file compliance data on behalf of a manufacturer which is a flexibility that benefits manufacturers and third parties.

The purpose of the proposed changes is to streamline and simplify the process allowing for the third party to file data on behalf of the manufacturer. The changes eliminate the need to file annual declarations and remove language that has proven to be unnecessary. The changes should make compliance easier for both third parties and manufacturers and reduce submissions while ensuring the third parties are fully authorized to provide data and capable of actually doing so. The changes also eliminate an unnecessary separate process covering when the third party is another manufacturer.

**C. TECHNICAL, THEORETICAL, AND EMPIRICAL STUDIES, REPORTS, AND SIMILAR DOCUMENTS RELIED UPON (Gov Code 11346.2(b)(3))**

FEDERAL STANDARDS

The updated federal appliance efficiency standards reflected in the state regulations can be found at 10 CFR 430, 10 CFR 431, 16 CFR 305, and the Energy Independence and Security Act of 2007 (EISA), beginning at 42 U.S.C. 6291. No reports or studies were relied on in incorporating the federal updated standards.

STATE STANDARDS

Additional reports and studies relied on include reports referenced and submitted in OFFICE OF ADMINISTRATIVE LAW NOTICE FILE NUMBER Z-2011-0926-01 to support the inclusion of battery chargers for forklifts. These documents include:

<http://www.energy.ca.gov/2011publications/CEC-400-2011-001/CEC-400-2011-001-SF.pdf>;

[http://www.energy.ca.gov/appliances/battery\\_chargers/documents/2010-10-11\\_workshop/2010-10-11\\_Battery\\_Charger\\_Title\\_20\\_CASE\\_Report\\_v2-2-2.pdf](http://www.energy.ca.gov/appliances/battery_chargers/documents/2010-10-11_workshop/2010-10-11_Battery_Charger_Title_20_CASE_Report_v2-2-2.pdf)

<http://www.energy.ca.gov/2011publications/CEC-400-2011-001/CEC-400-2011-001-SD.PDF>

[http://www.energy.ca.gov/appliances/battery\\_chargers/documents/reference/1270\\_BatteryChargerTechnicalPrimer\\_FINAL\\_29Sep2006.pdf](http://www.energy.ca.gov/appliances/battery_chargers/documents/reference/1270_BatteryChargerTechnicalPrimer_FINAL_29Sep2006.pdf)

**D. ECONOMIC IMPACT ANALYSIS (Gov Code sections 11346.2(b)(1) 11346.3(b), 11346.3(c))**

FEDERAL STANDARDS

Updating of the federal standards contained in the Energy Commission's appliance regulations would not impact businesses and/or employees, impose reporting requirements, impact small businesses, impose prescriptive instead of performance requirements, impact jobs or

occupations, impact individuals or impact California competitiveness because manufactures and retailers are already obligated to follow the federal standards related to appliance efficiency and data reporting.

#### STATE STANDARDS

Clarifying and removing obsolete language contained in the Energy Commission's state regulations would not impact businesses and/or employees, impose reporting requirements, impact small businesses, impose prescriptive instead of performance requirements, impact jobs or occupations, impact individuals or impact California competitiveness because the proposed changes do not add any additional obligations on manufacturers or retailers. The language changes either ensure conformance with existing building and industry definitions relating to LED lamps or eliminate ambiguities in existing state regulations. Expanding the entities that can file compliance information as "manufacturers" will save entities time and money as the entity will be able to submit information in lieu of having to rely on a third party entity. In the event that a third party does provide data, proposed changes make third party authorizations and submissions simpler potentially reducing costs.

#### **E. CONSIDERATION OF REASONABLE ALTERNATIVES, INCLUDING THOSE THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS (Gov Code sections 11346.2(b)(5)(A-B))**

#### FEDERAL STANDARDS

Because these are federal standards there is no discretion to have an alternative to the regulation.

A state agency that adopts or amends a regulation mandated by federal law or regulations, the provisions of which are identical to a previously adopted or amended federal regulation, shall be deemed to have complied with subdivision (b) if a statement to the effect that a federally mandated regulation or amendment to a regulation is being proposed. (Government Code section 11346.2(c))

#### STATE STANDARDS

For the proposed changes to state only regulations, the Commission is unaware of any alternative beyond the proposed changes removing the obsolete sections of the state regulations and clarifying ambiguities that have been identified. The state language changes ensure conformance with existing building and industry definitions relating to LED lamps, simplify third party authorizations and submissions or eliminate ambiguities in existing state regulations. Not making these changes will result in continued ambiguity and more burdensome compliance filings.

**MANDATE OF SPECIFIC TECHNOLOGY (Gov Code sections 11340.1(a); 11346.2(b)(5))**

FEDERAL STANDARDS

The proposed federal standards do not mandate a specific technology but provide a recitation of federal appliance standards.

STATE STANDARDS

The proposed changes to state regulations do not mandate a specific technology but clarify language of existing efficiency regulations and remove obsolete sections.

**F. FACTS, EVIDENCE, DOCUMENTS, TESTIMONY, OR OTHER EVIDENCE OF NO SIGNIFICANT ADVERSE IMPACT ON BUSINESS (Gov Code section 11346.2(b)(6))**

FEDERAL STANDARDS

Updating the federal standards contained in state regulation would have no impact on business because manufacturers are already obligated to follow the new standards under federal law.

A state agency that adopts or amends a regulation mandated by federal law or regulations, the provisions of which are identical to a previously adopted or amended federal regulation, shall be deemed to have complied with subdivision (b) if a statement to the effect that a federally mandated regulation or amendment to a regulation is being proposed. (Government Code section 11346.2(c))

STATE STANDARDS

Updates and clarifications of state appliance efficiency regulations do not impose any additional obligations on business therefore there could not be any adverse impacts on business. On the contrary, the proposed changes will make compliance easier by removing ambiguity, obsolete language and eliminating barriers to compliance. This is especially the case with the clarification to the term “manufacturer” which will allow more entities to submit compliance data directly to the Commission as opposed to having to rely on a third party entity. When third parties are used, authorization and submission processes have been simplified, and unnecessary filings have been eliminated.

**G. DUPLICATION OR CONFLICTS WITH FEDERAL REGULATIONS (Gov Code section 11346.2(b)(7))**

## FEDERAL STANDARDS

The state regulations contain outdated federal standards which conflict with current federal standards. The purpose of these amendments is to ensure consistency with updated federal standards.

## STATE STANDARDS

The proposed changes to the state regulations for state regulated appliances do not duplicate or conflict with federal regulations.