

Apparatus and General Requirements, subsections 7.1.2.1, 7.1.2.2, and 7.1.2.3 of the ASME/ANSI Standard A112.19.6-1995 (see § 430.22). Measurements shall be recorded at the resolution of the test instrumentation. Calculations shall be rounded off to the same number of significant digits as the previous step. The final water consumption value shall be rounded to one decimal place.

b. The test apparatus and instructions for testing urinals shall conform to the requirements specified in section 8.2, Test Apparatus and General Requirements, subsections 8.2.1, 8.2.2, and 8.2.3 of the ASME/ANSI Standard A112.19.6-1995 (see § 430.22). Measurements shall be recorded at the resolution of the test instrumentation. Calculations shall be rounded off to the same number of significant digits as the previous step. The final water consumption value shall be rounded to one decimal place.

3. *Test Measurement:*

a. Water closets—The measurement of the water flush volume for water closets, expressed in gallons per flush (gpf) and liters per flush (Lpf), shall be conducted in accordance with the test requirements specified in section 7.1.6, Water Consumption and Hydraulic Characteristics, of the ASME/ANSI Standard A112.19.6-1995 (see § 430.22).

b. Urinals—The measurement of water flush volume for urinals, expressed in gallons per flush (gpf) and liters per flush (Lpf), shall be conducted in accordance with the test requirements specified in section 8.5, Water Consumption, of the ASME/ANSI Standard A112.19.6-1995 (see § 430.22).

[63 FR 13317, Mar. 18, 1998]

Subpart C—Energy and Water Conservation Standards

§ 430.31 Purpose and scope.

This subpart contains energy conservation standards and water conservation standards (in the case of faucets, showerheads, water closets, and urinals) for classes of covered products that are required to be administered by

the Department of Energy pursuant to the Energy Conservation Program for Consumer Products Other Than Automobiles under the Energy Policy and Conservation Act, as amended (42 U.S.C. 6291 *et seq.*). Basic models of covered products manufactured before the date on which an amended energy conservation standard or water conservation standard (in the case of faucets, showerheads, water closets, and urinals) becomes effective (or revisions of such models that are manufactured after such date and have the same energy efficiency, energy use characteristics, or water use characteristics (in the case of faucets, showerheads, water closets, and urinals), that comply with the energy conservation standard or water conservation standard (in the case of faucets, showerheads, water closets, and urinals) applicable to such covered products on the day before such date shall be deemed to comply with the amended energy conservation standard or water conservation standard (in the case of faucets, showerheads, water closets, and urinals).

[63 FR 13317, Mar. 18, 1998]

§ 430.32 Energy and water conservation standards and effective dates.

The energy and water (in the case of faucets, showerheads, water closets, and urinals) conservation standards for the covered product classes are:

(a) *Refrigerators/refrigerator-freezers/freezers.* These standards do not apply to refrigerators and refrigerator-freezers with total refrigerated volume exceeding 39 cubic feet or freezers with total refrigerated volume exceeding 30 cubic feet.

Product class	Energy standards equations (Kwh/yr) Effective dates	
	January 1, 1990	January 1, 1993
1. Refrigerators and Refrigerator-Freezers with manual defrost	(16.3AV+316)	(13.5AV+299)
2. Refrigerator-Freezer—partial automatic defrost	(21.8AV+429)	(10.4AV+398)
3. Refrigerator-Freezers—automatic defrost with: Top-mounted freezer without through-the-door ice service ¹	(23.5AV+471)	(16.0AV+355)
4. Refrigerator-Freezers—automatic defrost with: Side-mounted freezer without through-the-door ice service	(27.7AV+488)	(11.8AV+501)
5. Refrigerator-Freezers—automatic defrost with: Bottom-mounted freezer without through-the-door ice service	(27.7AV+488)	(16.5AV+367)
6. Refrigerator-Freezers—automatic defrost with: Top-mounted freezer with through-the-door ice service	(26.4AV+535)	(17.6AV+391)
7. Refrigerator-Freezers—automatic defrost with: Side-mounted freezer with through-the-door ice service	(30.9AV+547)	(16.3AV+527)

Department of Energy

§ 430.32

Product class	Energy standards equations (Kwh/yr) Effective dates	
	January 1, 1990	January 1, 1993
8. Upright Freezers with: Manual defrost	(10.9AV+422)	(10.3AV+264)
9. Upright Freezers with: Automatic defrost	(16.0AV+623)	(14.9AV+391)
10. Chest Freezers and all other Freezers	(14.8AV+223)	(11.0AV+160)

¹ Including all refrigerators with automatic defrost
AV=Total adjusted volume, expressed in Ft.³, as determined in Appendices A1 and B1 of Subpart B of this Part.

(b) Room air conditioners.

Product class	Energy efficiency ratio, effective as of	
	Jan. 1, 1990	Oct. 1, 2000
1. Without reverse cycle, with louvered sides, and less than 6,000 Btu/h	8.0	9.7
2. Without reverse cycle, with louvered sides, and 6,000 to 7,999 Btu/h	8.5	9.7
3. Without reverse cycle, with louvered sides, and 8,000 to 13,999 Btu/h	9.0	9.8
4. Without reverse cycle, with louvered sides, and 14,000 to 19,999 Btu/h	8.8	9.7
5. Without reverse cycle, with louvered sides, and 20,000 Btu/h or more	8.2	8.5
6. Without reverse cycle, without louvered sides, and less than 6,000 Btu/h	8.0	9.0
7. Without reverse cycle, without louvered sides, and 6,000 to 7,999 Btu/h	8.5	9.0
8. Without reverse cycle, without louvered sides, and 8,000 to 13,999 Btu/h	8.5	8.5
9. Without reverse cycle, without louvered sides, and 14,000 to 19,999 Btu/h	8.5	8.5
10. Without reverse cycle, without louvered sides, and 20,000 Btu/h or more	8.2	8.5
11. With reverse cycle, with louvered sides, and less than 20,000 Btu/h	8.5	9.0
12. With reverse cycle, without louvered sides, and less than 14,000 Btu/h	8.0	8.5
13. With reverse cycle, with louvered sides, and 20,000 Btu/h or more	8.5	8.5
14. With reverse cycle, without louvered sides, and 14,000 Btu/h or more	8.0	8.0
15. Casement-Only	*	8.7
16. Casement-Slider	*	9.5

* Casement-only and casement-slider room air conditioners are not separate product classes under standards effective January 1, 1990. These units are subject to the applicable standards in classes 1 through 14 based on unit capacity and the presence or absence of louvered sides and a reverse cycle.

(c) Central air conditioners and central air conditioning heat pumps.

Product class	Seasonal energy efficiency ratio	Heating seasonal performance factor	Effective date
1. Split systems	10.0	6.8	01/01/92
2. Single package systems	9.7	6.6	01/01/93

(d) Water heaters.

The energy factor of water heaters shall not be less than the following products manufactured on or after the indicated dates:

Product class	Energy factor, as of Jan. 1, 1990	Energy factor, as of April 15, 1991
1. Gas Water Heater.	0.62 - (.0019 × Rated Storage Volume in gallons).	0.62 - (.0019 × Rated Storage Volume in gallons).
2. Oil Water Heater.	0.59 - (.0019 × Rated Storage Volume in gallons).	0.59 - (.0019 × Rated Storage Volume in gallons).

Product class	Energy factor, as of Jan. 1, 1990	Energy factor, as of April 15, 1991
3. Electric Water Heater.	0.95 - (.00132 × Rated Storage Volume in gallons).	0.93 - (.00132 × Rated Storage Volume in gallons).

Note: Rated Storage Volume=the water storage capacity of a water heater, in gallons, as specified by the manufacturer.

(e) Furnaces

Product class	AFUE ¹ (percent)	Effective date
1. Furnaces (excluding classes noted below) (percent)	78	01/01/92
2. Mobile Home Furnaces (percent) ...	75	09/01/90
3. Small furnaces (other than furnaces designed solely for installation in mobile homes) having an input rate of less than 45,000 Btu/hr		
(A) Weatherized (outdoor)	78	01/01/92
(B) Non-weatherized (indoor)	78	01/01/92
4. Boilers (excluding gas steam) (percent)	80	01/01/92
5. Gas steam boilers (percent)	75	01/01/92

¹ Annual Fuel Utilization Efficiency, as determined in § 430.22(n)(2) of this part.

(f) Dishwashers. (1) Dishwashers manufactured between January 1, 1988, and

§ 430.32

May 14 1994 shall be equipped with an option to dry without heat.

(2) Dishwashers manufactured on or after May 14, 1994, shall have an energy factor no less than:

Product class	Energy factor (cycles/KWh)
i. Compact Dishwasher (less than 22 inches in exterior width)	0.62
ii. Standard Dishwasher (equal to or greater than 22 inches in exterior width)	0.46

(g) *Clothes washers.* (1) Clothes washers manufactured between January 1, 1988, and May 14, 1994, shall include an unheated rinse water option.

(2) Clothes washers manufactured on or after May 14, 1994, shall have an energy factor no less than:

Product class	Energy factor (cu. ft./Kwh/cycle)
i. Top Loading, Compact (less than 1.6 ft. ³ capacity).	0.90.
ii. Top Loading, Standard (1.6 ft. ³ or greater capacity).	1.18.
iii. Top Loading, Semi-Automatic ..	Not Applicable. ¹
iv. Front Loading	Not Applicable. ¹
v. Suds saving	Not Applicable. ¹

¹ These classes shall have an unheated rinse water option.

(h) *Clothes dryers.* (1) Gas clothes dryers manufactured between January 1, 1988, and May 14, 1994, shall not be equipped with a constant burning pilot.

(2) Clothes dryers manufactured on or after May 14, 1994, shall have an energy factor no less than;

Product class	Energy factor (lbs/KWh)
i. Electric, Standard (4.4 ft ³ or greater capacity)	3.01
ii. Electric, Compact (120v) (less than 4.4 ft ³ capacity)	3.13
iii. Electric, Compact (240v) (less than 4.4 ft ³ capacity)	2.90
iv. Gas	2.67

(i) *Direct heating equipment.*

Product class	Annual fuel utilization efficiency, Jan. 1, 1990 (percent)
1. Gas wall fan type up to 42,000 Btu/hour	73
2. Gas wall fan type over 42,000 Btu/hour	74
3. Gas wall gravity type up to 10,000 Btu/hour	59
4. Gas wall gravity type over 10,000 Btu/hour up to 12,000 Btu/hour	60
5. Gas wall gravity type over 12,000 Btu/hour up to 15,000 Btu/hour	61
6. Gas wall gravity type over 15,000 Btu/hour up to 19,000 Btu/hour	62

10 CFR Ch. II (1-1-01 Edition)

Product class	Annual fuel utilization efficiency, Jan. 1, 1990 (percent)
7. Gas wall gravity type over 19,000 Btu/hour up to 27,000 Btu/hour	63
8. Gas wall gravity type over 27,000 Btu/hour up to 46,000 Btu/hour	64
9. Gas wall gravity type over 46,000 Btu/hour ..	65
10. Gas floor up to 37,000 Btu/hour	56
11. Gas floor over 37,000 Btu/hour	57
12. Gas room up to 18,000 Btu/hour	57
13. Gas room over 18,000 Btu/hour up to 20,000 Btu/hour	58
14. Gas room over 20,000 Btu/hour up to 27,000 Btu/hour	63
15. Gas room over 27,000 Btu/hour up to 46,000 Btu/hour	64
16. Gas room over 46,000 Btu/hour	65

(j) *Cooking Products.* Gas cooking products with an electrical supply cord shall not be equipped with a constant burning pilot light. This standard is effective on January 1, 1990.

(k) *Pool heaters.* The thermal efficiency of pool heaters must be no less than 78%. The standard is effective on January 1, 1990.

(l) *Television sets.* [Reserved]

(m) *Fluorescent lamp ballasts.* (1) Except as provided in paragraph (m)(2) of this section, each fluorescent lamp ballast—

(i)(A) Manufactured on or after January 1, 1990;

(B) Sold by the manufacturer on or after April 1, 1990; or

(C) Incorporated into a luminaire by a luminaire manufacturer on or after April 1, 1991; and

(ii) Designed—

(A) To operate at nominal input voltages of 120 or 277 volts;

(B) To operate with an input current frequency of 60 Hertz; and

(C) For use in connection with F40T12, F96T12, or F96T12HO lamps; shall have a power factor of 0.90 or greater and shall have a ballast efficacy factor not less than the following:

Application for operation of	Ballast input voltage	Total nominal lamp watts	Ballast efficacy factor
One F40T12 lamp	120	40	1.805
	277	40	1.805
Two F40T12 lamps	120	80	1.060
	277	80	1.050
Two F9T12 lamps	120	150	0.570
	277	150	0.570
Two F96T12HO lamps	120	220	0.390
	277	220	0.390

Department of Energy

§ 430.32

(2) The standards described in paragraph (m)(1) of this section do not apply to (i) a ballast which is designed for dimming or for use in ambient temperatures of 0 °F or less, or (ii) a ballast which has a power factor of less than 0.90 and is designed for use only in residential building applications.

(n) *General service fluorescent lamps and incandescent reflector lamps.* (1) Each of the following general service fluorescent lamps manufactured after the effective dates specified in the table shall meet or exceed the lamp efficacy and CRI standards shown in the table below:

FLUORESCENT LAMPS

Lamp type	Nominal lamp wattage	Minimum CRI	Minimum average lamp efficacy (LPW)	Effective date
4-foot medium bi-pin	gt;35W	69	75.0	Nov. 1, 1995.
	≤35W	45	75.0	Nov. 1, 1995.
2-foot U-shaped	gt;35W	69	68.0	Nov. 1, 1995.
	≤35W	45	64.0	Nov. 1, 1995.
8-foot slimline	gt;65W	69	80.0	May 1, 1994.
	≤65W	45	80.0	May 1, 1994.
8-foot high output	gt;100W	69	80.0	May 1, 1994.
	≤100W	45	80.0	May 1, 1994.

(2) Each of the following incandescent reflector lamps manufactured after November 1, 1995, shall meet or exceed the lamp efficacy standards shown in the table in this paragraph:

INCANDESCENT REFLECTOR LAMPS

Nominal lamp wattage	Minimum average lamp efficacy (LPW)
40–50	10.5
51–66	11.0
67–85	12.5
86–115	14.0
116–155	14.5
156–205	15.0

(o) *Faucets.* The maximum water use allowed for any of the following faucets manufactured after January 1, 1994, when measured at a flowing water pressure of 60 pounds per square inch (414 kilopascals), shall be as follows:

Faucet type	Maximum flow rate (gpm (L/min)) or (gal/cycle (L/cycle))
Lavatory faucets	2.2 gpm (8.3 L/min) ^{1,2}
Lavatory replacement aerators.	2.2 gpm (8.3 L/min)
Kitchen faucets	2.2 gpm (8.3 L/min)
Kitchen replacement aerators.	2.2 gpm (8.3 L/min)
Metering faucets	0.25 gal/cycle (0.95 L/cycle) ^{3,4}

Note:

¹ Sprayheads with independently-controlled orifices and manual controls.

The maximum flow rate of each orifice that manually turns on or off shall not exceed the maximum flow rate for a lavatory faucet.

² Sprayheads with collectively controlled orifices and manual controls.

The maximum flow rate of a sprayhead that manually turns on or off shall be the product of (a) the maximum flow rate for a lavatory faucet and (b) the number of component lavatories (rim space of the lavatory in inches (millimeters) divided by 20 inches (508 millimeters)).

³ Sprayheads with independently controlled orifices and metered controls.

The maximum flow rate of each orifice that delivers a preset volume of water before gradually shutting itself off shall not exceed the maximum flow rate for a metering faucet.

⁴ Sprayheads with collectively-controlled orifices and metered controls.

The maximum flow rate of a sprayhead that delivers a preset volume of water before gradually shutting itself off shall be the product of (a) the maximum flow rate for a metering faucet and (b) the number of component lavatories (rim space of the lavatory in inches (millimeters) divided by 20 inches (508 millimeters)).

(p) *Showerheads.* The maximum water use allowed for any showerheads manufactured after January 1, 1994, shall be 2.5 gallons per minute (9.5 liters per minute) when measured at a flowing pressure of 80 pounds per square inch gage (552 kilopascals). Any such showerhead shall also meet the requirements of ASME/ANSI Standard A112.18.1M–1996, 7.4.4(a).

(q) *Water closets.* (1) The maximum water use allowed in gallons per flush for any of the following water closets manufactured after January 1, 1994, shall be as follows:

Water closet type	Maximum flush rate (gpf (Lpf))
Gravity tank-type toilets	1.6 (6.0)
Flushometer tank toilets	1.6 (6.0)

§ 430.32

10 CFR Ch. II (1-1-01 Edition)

Water closet type	Maximum flush rate (gpf (Lpf))
Electromechanical hydraulic toilets	1.6 (6.0)
Blowout toilets	3.5 (13.2)

(2) The maximum water use allowed for flushometer valve toilets, other than blowout toilets, manufactured after January 1, 1997, shall be 1.6 gallons per flush (6.0 liters per flush).

(r) *Urinals*. The maximum water use allowed for any urinals manufactured after January 1, 1994, shall be 1.0 gallons per flush (3.8 liters per flush). The maximum water use allowed for a trough-type urinal shall be the product of:

(1) The maximum flow rate for a urinal and

(2) The length of the trough-type urinal in inches (millimeter) divided by 16 inches (406 millimeters).

[54 FR 6077, Feb. 7, 1989, as amended at 54 FR 47943, Nov. 17, 1989; 55 FR 42177, Oct. 17, 1990; 56 FR 22279, May 14, 1991; 56 FR 24333, May 30, 1991; 59 FR 49475, Sept. 28, 1994; 63 FR 13317, Mar. 18, 1998; 63 FR 48057, Sept. 8, 1998]

EFFECTIVE DATE NOTE: At 62 FR 23116, Apr. 28, 1997, §430.32 was amended by revising paragraph (a), effective July 1, 2001. For the convenience of the user, the revised text is set forth as follows:

§ 430.32 Energy conservation standards and effective dates.

* * * * *

(a) *Refrigerators/refrigerator-freezers/freezers*. These standards do not apply to refrigerators and refrigerator-freezers with total refrigerated volume exceeding 39 cubic feet (1104 liters) or freezers with total refrigerated volume exceeding 30 cubic feet (850 liters).

Product class	Energy standards equations for maximum energy use (kWh/yr)	
	Effective January 1, 1993	Effective July 1, 2001
1. Refrigerators and Refrigerator-freezers with manual defrost	13.5AV+299 0.48av+299	8.82AV+248.4 0.31av+248.4
2. Refrigerator-Freezer—partial automatic defrost	10.4AV+398 0.37av+398	8.82AV+248.4 0.31av+248.4
3. Refrigerator-Freezers—automatic defrost with top-mounted freezer without through-the-door ice service and all-refrigerators—automatic defrost	16.0AV+355 0.57av+355	9.80AV+276.0 0.35av+276.0
4. Refrigerator-Freezers—automatic defrost with side-mounted freezer without through-the-door ice service	11.8AV+501 0.42AV+501	4.91AV+507.5 0.17av+507.5
5. Refrigerator-Freezers—automatic defrost with bottom-mounted freezer without through-the-door ice service	16.5AV+367 0.58av+367	4.60AV+459.0 0.16av+459.0
6. Refrigerator-Freezers—automatic defrost with top-mounted freezer with through-the-door ice service	17.6AV+391 0.62av+391	10.20AV+356.0 0.36av+356.0
7. Refrigerator-Freezers—automatic defrost with side-mounted freezer with through-the-door ice service	16.3AV+527 0.58av+527	10.10AV+406.0 0.36av+406.0
8. Upright Freezers with Manual Defrost	10.3AV+264 0.36av+264	7.55AV+258.3 0.27av+258.3
9. Upright Freezers with Automatic Defrost	14.9AV+391 0.53av+391	12.43AV+326.1 0.44av+326.1
10. Chest Freezers and all other Freezers except Compact Freezers	11.0AV+160 0.39av+160	9.88AV+143.7 0.35av+143.7
11. Compact Refrigerators and Refrigerator-Freezers with Manual Defrost	13.5AV+299 ^a 0.48av+299 ^a	10.70AV+299.0 0.38av+299.0
12. Compact Refrigerator-Freezer—partial automatic defrost	10.4AV+398 ^a 0.37av+398 ^a	7.00AV+398.0 0.25av+398.0
13. Compact Refrigerator-Freezers—automatic defrost with top-mounted freezer and compact all-refrigerators—automatic defrost	16.0AV+355 ^a 0.57av+355 ^a	12.70AV+355.0 0.45av+355.0
14. Compact Refrigerator-Freezers—automatic defrost with side-mounted freezer	11.8AV+501 ^a 0.42 ^{av} +501 ^a	7.60AV+501.0 0.27av+501.0
15. Compact Refrigerator-Freezers—automatic defrost with bottom-mounted freezer	16.5AV+367 ^a 0.58av+367 ^a	13.10AV+367.0 0.46av+367.0
16. Compact Upright Freezers with Manual Defrost	10.3AV+264 ^a 0.36av+264 ^a	9.78AV+250.8 0.35av+250.8

Product class	Energy standards equations for maximum energy use (kWh/yr)	
	Effective January 1, 1993	Effective July 1, 2001
17. Compact Upright Freezers with Automatic Defrost	14.9AV+391 ^a 0.53av+391 ^a	11.40AV+391.0 0.40av+391.0
18. Compact Chest Freezers	11.0AV+160 ^a 0.39av+160 ^a	10.45AV+152.0 0.37av+152.0

AV=Total adjusted volume, expressed in ft.³, as determined in Appendices A1 and B1 of subpart B of this part.
 av=Total adjusted volume, expressed in Liters.
^aApplicable standards for compact refrigerator products manufactured before July 1, 2001. Compact refrigerator products are not separate product categories under the standards effective January 1, 1993.

* * * * *

EFFECTIVE DATE NOTE 2: At 65 FR 56747, Sept. 19, 2000, § 430.32 was amended by revising paragraph (m), effective April 1, 2005. For the convenience of the user, the revised text is set forth as follows:

§ 430.32 Energy and water conservation standards and effective dates.

* * * * *

(m) *Fluorescent lamp ballasts.*

(1) Except as provided in paragraphs (m)(2), (m)(3), and (m)(4) of this section, each fluorescent lamp ballast—

(i) (A) Manufactured on or after January 1, 1990;

(B) Sold by the manufacturer on or after April 1, 1990; or

(C) Incorporated into a luminaire by a luminaire manufacturer on or after April 1, 1991; and

(ii) Designed—

(A) To operate at nominal input voltages of 120 or 277 volts;

(B) To operate with an input current frequency of 60 Hertz; and

(C) For use in connection with an F40T12, F96T12, or F96T12HO lamps shall have a power factor of 0.90 or greater and shall have a ballast efficacy factor not less than the following:

Application for operation of	Ballast input voltage	Total nominal lamp watts	Ballast efficacy factor
One F40 T12 lamp	120	40	1.805
	277	40	1.805
Two F40 T12 lamps	120	80	1.060
	277	80	1.050
Two F96T12 lamps	120	150	0.570
	277	150	0.570
Two F96T12HO lamps	120	220	0.390
	277	220	0.390

(2) The standards described in paragraph (m)(1) of this section do not apply to—

(i) A ballast that is designed for dimming or for use in ambient temperatures of 0 °F or less, or

(ii) A ballast that has a power factor of less than 0.90 and is designed for use only in residential building applications.

(3) Except as provided in paragraph (m)(4) of this section, each fluorescent lamp ballast—

(i) (A) Manufactured on or after April 1, 2005;

(B) Sold by the manufacturer on or after July 1, 2005; or

(C) Incorporated into a luminaire by a luminaire manufacturer on or after April 1, 2006; and

(ii) Designed—

(A) To operate at nominal input voltages of 120 or 277 volts;

(B) To operate with an input current frequency of 60 Hertz; and

(C) For use in connection with an F40T12, F96T12, or F96T12HO lamps; shall have a power factor of 0.90 or greater and shall have a ballast efficacy factor not less than the following:

Application of operation of	Ballast input voltage	Total nominal lamp watts	Ballast efficacy factor
One F40 T12 lamp	120	40	2.29
	277	40	2.29
Two F40 T12 lamps	120	80	1.17
	277	80	1.17
Two F96T12 lamps	120	150	0.63
	277	150	0.63
Two F96T12HO lamps	120	220	0.39
	277	220	0.39

(4) (i) The standards described in paragraph (m)(3) do not apply to:

(A) A ballast that is designed for dimming to 50 percent or less of its maximum output;

(B) A ballast that is designed for use with two F96T12HO lamps at ambient temperatures of -20 °F or less and for use in an outdoor sign;

(C) A ballast that has a power factor of less than 0.90 and is designed and labeled for use only in residential building applications; or

(D) A replacement ballast as defined in paragraph (m)(4)(i) of this section.

(ii) For purposes of this paragraph (m), a replacement ballast is defined as a ballast that:

§ 430.33

(A) Is manufactured on or before June 30, 2010;

(B) Is designed for use to replace an existing ballast in a previously installed luminaire;

(C) Is marked “FOR REPLACEMENT USE ONLY”;

(D) Is shipped by the manufacturer in packages containing not more than 10 ballasts;

(E) Has output leads that when fully extended are a total length that is less than the length of the lamp with which it is intended to be operated; and

(F) Meets or exceeds the ballast efficacy factor in the following table:

Application for operation of	Ballast input voltage	Total nominal lamp watts	Ballast efficacy factor
One F40 T12 lamp	120	40	1.805
	277	40	1.805
Two F40 T12 lamps	120	80	1.060
	277	80	1.050
Two F96T12 lamps	120	150	0.570
	277	150	0.570
Two F96T12HO lamps	120	220	0.390
	277	220	0.390

§ 430.33 Preemption of State regulations.

Any State regulation providing for any energy conservation standard, or water conservation standard (in the case of faucets, showerheads, water closets, and urinals), or other requirement with respect to the energy efficiency, energy use, or water use (in the case of faucets, showerheads, water closets, or urinals) of a covered product that is not identical to a Federal standard in effect under this subpart is preempted by that standard, except as provided for in sections 327 (b) and (c) of the Act.

[63 FR 13318, Mar. 18, 1998]

APPENDIX A TO SUBPART C OF PART 430—PROCEDURES, INTERPRETATIONS AND POLICIES FOR CONSIDERATION OF NEW OR REVISED ENERGY CONSERVATION STANDARDS FOR CONSUMER PRODUCTS

1. Objectives
2. Scope
3. Setting Priorities for Rulemaking Activity
4. Process for Developing Efficiency Standards and Factors to be Considered
5. Policies on Selection of Standards
6. Effective Date of a Standard
7. Test Procedures

8. Joint Stakeholder Recommendations
9. Principles for the Conduct of Engineering Analysis
10. Principles for the Analysis of Impacts on Manufacturers
11. Principles for the Analysis of Impacts on Consumers
12. Consideration of Non-Regulatory Approaches
13. Crosscutting Analytical Assumptions
14. Deviations, Revisions, and Judicial Review

1. Objectives

This Appendix establishes procedures, interpretations and policies to guide the DOE in the consideration and promulgation of new or revised appliance efficiency standards under the Energy Policy and Conservation Act (EPCA). The Department’s objectives in establishing these guidelines include:

(a) *Provide for early input from stakeholders.* The Department seeks to provide opportunities for public input early in the rulemaking process so that the initiation and direction of rulemakings is informed by comment from interested parties. Under the guidelines established by this Appendix, DOE will seek early input from interested parties in setting rulemaking priorities and structuring the analyses for particular products. Interested parties will be invited to provide input for the selection of design options and will help DOE identify analysis, data, and modeling needs. DOE will gather input from interested parties through a variety of mechanisms, including public workshops.

(b) *Increase predictability of the rulemaking timetable.* The Department seeks to make informed, strategic decisions about how to deploy its resources on the range of possible standards development activities, and to announce these prioritization decisions so that all interested parties have a common expectation about the timing of different rulemaking activities. The guidelines in this Appendix provide for setting priorities and timetables for standards development and test procedure modification and reflect these priorities in the Regulatory Agenda.

(c) *Increase use of outside technical expertise.* The Department seeks to expand its use of outside technical experts in evaluating product-specific engineering issues to ensure that decisions on technical issues are fully informed. The guidelines in this Appendix provide for increased use of outside technical experts in developing, performing and reviewing the analyses. Draft analytical results will be distributed for peer and stakeholder review.

(d) *Eliminate problematic design options early in the process.* The Department seeks to eliminate from consideration, early in the process, any design options that present unacceptable problems with respect to