

**Pt. 451**

**REPLACEMENT FURNACES, BOILERS, AND WOOD STOVES**

[Standards for conformance]

Chimneys, fireplaces, vents and solid fuel burning appliances.	NFPA <sup>1</sup> 211–1988.
Gas-fired furnaces .....	ANSI <sup>2</sup> Z21.47–1987, Z21.47a–1988, and Z21.47b–1989. ANSI Z223.1–1988 (NFPA 54–1988).
Oil-fired furnaces .....	UL <sup>3</sup> 727, August 27, 1991 Revision and NFPA 31–1987.
Liquified petroleum gas storage.	NFPA 58–1989.
Ventilation fans: Including electric attic, ceiling, and whole house fans.	UL 507, August 23, 1990 Revision.

<sup>1</sup> NFPA indicates National Fire Prevention Association.  
<sup>2</sup> ANSI indicates American National Standards Institute.  
<sup>3</sup> UL indicates Underwriters Laboratories.

**AIR CONDITIONERS AND COOLING EQUIPMENT**

[Standards for conformance]

Air conditioners: Central air conditioners Room size units .....	ARI <sup>1</sup> 210/240–1989. ANSI/AHAM <sup>2</sup> RAC–1–1982.
Other cooling equipment: Including evaporative coolers, heat pumps and other equipment.	UL <sup>3</sup> 1995, November 30, 1990. <sup>4</sup>

<sup>1</sup> ARI indicates Air Conditioning and Refrigeration Institute.  
<sup>2</sup> AHAM/ANSI indicates American Home Appliance Manufacturers/American National Standards Institute.  
<sup>3</sup> UL indicates Underwriters Laboratories.  
<sup>4</sup> This standard is a general standard covering many different types of heating and cooling equipment.

**SCREENS, WINDOW FILMS, AND REFLECTIVE MATERIALS**

[Standards for conformance]

Insect screens .....	Commercially available.
Window films .....	Commercially available.
Shade screens: Fiberglass shade screens ...	Commercially available.
Polyester shade screens .....	Commercially available.
Rigid awnings: Wood rigid awnings .....	Commercially available.
Metal rigid awnings .....	Commercially available.
Louver systems: Wood louver systems .....	Commercially available.
Metal louver systems .....	Commercially available.

**10 CFR Ch. II (1–1–06 Edition)**

**SCREENS, WINDOW FILMS, AND REFLECTIVE MATERIALS—Continued**

[Standards for conformance]

Industrial-grade white paint used as a heat-reflective measure on awnings, window louvers, doors, and exterior duct work (exposed).	Commercially available.
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[58 FR 12529, Mar. 4, 1993, as amended at 69 FR 18803, Apr. 9, 2004]

**PART 445 [RESERVED]**

**PART 451—RENEWABLE ENERGY PRODUCTION INCENTIVES**

Sec.

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- 451.10 Administrative appeals.

AUTHORITY: 42 U.S.C. § 7254; 42 U.S.C. § 13317.

SOURCE: 60 FR 36964, July 19, 1995, unless otherwise noted.

**§ 451.1 Purpose and scope.**

(a) The provisions of this part cover the policies and procedures applicable to the determinations by the Department of Energy (DOE) to make incentive payments for electric energy generated and sold by a qualified renewable energy facility owned by a State or nonprofit electric cooperative under the authority of 42 U.S.C. 13317.

(b) Determinations to make incentive payments under this part are not subject to the provisions of 10 CFR part 600 and such payments shall not be construed to be financial assistance.

**§ 451.2 Definitions.**

As used in this part—  
*Closed-loop biomass* means any organic material from a plant which is planted exclusively for purposes of being used at a qualified renewable energy facility to generate electricity or

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from a second harvesting of such a plant if planted before October 1, 1993.

*Deciding Official* means the Assistant Secretary for Energy Efficiency and Renewable Energy (or any DOE official to whom the authority of the Assistant Secretary may be redelegated by the Secretary of Energy).

*DOE* means the Department of Energy.

*Finance Office* means the DOE Office of the Chief Financial Officer (or any office to which that Office's authority may be redelegated by the Secretary of Energy).

*Fiscal year* means the Federal fiscal year beginning October 1 and ending on September 30 of the following calendar year.

*Net electric energy* means the metered kilowatt-hours (kWh) generated and sold, and excludes electric energy used within the renewable energy facility to power equipment such as pumps, motors, controls, lighting, heating, cooling, and other systems needed to operate the facility.

*Nonprofit electrical cooperative* means a cooperative association that is legally obligated to operate on a nonprofit basis and is organized under the laws of any State for the purpose of providing electric service to its members.

*Renewable energy facility* means a single module or unit, or an aggregation of such units, that generates electric energy which is independently metered and which results from the utilization of a renewable energy source.

*Renewable energy source* means solar heat, solar light, wind, geothermal energy, and biomass, except for—

(1) Heat from the burning of municipal solid waste; or

(2) Heat from a dry steam geothermal reservoir which—

(i) Has no mobile liquid in its natural state;

(ii) Is a fluid composed of at least 95 percent water vapor; and

(iii) Has an enthalpy for the total produced fluid greater than or equal to 2.791 megajoules per kilogram (1200 British thermal units per pound).

*State* means the District of Columbia, Puerto Rico, and any of the States, territories, and possessions of the United States.

### § 451.3 Who may apply.

Any owner, or operator with the written consent of the owner, but not both, of a qualified renewable energy facility, may apply for incentive payments for net electric energy generated from a renewable energy source and sold.

### § 451.4 What is a qualified renewable energy facility.

In order to qualify for an incentive payment under this part, a renewable energy facility must meet the following qualifications—

(a) *Owner qualifications.* The owner must be—

(1) A State or a political subdivision of a State (or agency, authority, or instrumentality thereof);

(2) A corporation or association wholly owned, directly or indirectly, by a State or a political subdivision of a State; or

(3) A nonprofit electrical cooperative.

(b) *What constitutes ownership.* The owner must have all rights to the beneficial use of the renewable energy facility, and legal title must be held by, or for the benefit of, the owner.

(c) *Sales affecting interstate commerce.* The net electric energy generated by the renewable energy facility must be sold to another entity for consideration.

(d) *Type of renewable energy sources.* The source of the electric energy for which an incentive payment is sought must be a renewable energy source, as defined in § 451.2.

(e) *Time of first use.* The date of the first use of a newly constructed renewable energy facility, or a facility covered by paragraph (f) of this section, must occur during the inclusive period beginning October 1, 1993, and ending on September 30, 2003.

(f) *Conversion of non-qualified facilities.* Existing non-qualified facilities that are converted must meet either of the following criteria—

(1) A facility employing solar, wind, geothermal or biomass sources must be refurbished during the allowed time of first use such that the fair market value of any previously used property does not exceed 20% of the facility's total value.