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Proposed Regulatory Language

California Code of Regulations

Title 20. Public Utilities and Energy

Division 2. State Energy Resources Conservation and Development Commission

Chapter 4. Energy Conservation

Article 4. Appliance Efficiency Regulations, Portable Air Conditioners

Sections 1602, 1605, 1605.1, 1605.2, 1605.3, 1606, and 1608

October 12, 2018

Proposed new language appears as underline (example) and proposed deletions appear as strikeout (~~example~~). Existing language appears as plain text. Three dots or “...” represents the substance of the regulations that exists between the proposed language and current language. The proposed regulatory language includes changes recently made to the Appliance Efficiency Regulations, approved September 26, 2018, and which became effective October 1, 2018. These changes are available <https://efiling.energy.ca.gov/GetDocument.aspx?tn=224840>.

§ 1601. Scope. [No changes]

§ 1602. Definitions.

...[skipping (a) through (c)]

(d) Portable Air Conditioners, Evaporative Coolers, Ceiling Fans, Ceiling Fan Light Kits, Whole House Fans, Residential Exhaust Fans, Dehumidifiers, and Residential Furnace Fans.

“Adjusted cooling capacity at 83°F conditions” means the adjusted cooling capacity of a single-duct or dual-duct portable air conditioner tested at the 83°F dry-bulb outdoor conditions, as determined using the test method specified in section 1604(d) of this Article.

“Adjusted cooling capacity at 95°F conditions” means the adjusted cooling capacity of a single-duct or dual-duct portable air conditioner tested at the 95°F dry-bulb outdoor conditions, as determined using the test method specified in section 1604(d) of this Article.

...[skipping “Airflow”]

“Annual energy consumption in cooling mode” means the annual energy consumption of a single-duct portable air conditioner in cooling mode, as determined using the test method specified in section 1604(d) of this Article.

“Annual energy consumption in cooling mode at 83°F conditions” means the annual energy consumption of a dual-duct portable air conditioner in cooling mode tested at the 83°F dry-bulb outdoor conditions, as determined using the test method specified in section 1604(d) of this Article.

“Annual energy consumption in cooling mode at 95°F conditions” means the annual energy consumption of a dual-duct portable air conditioner in cooling mode tested at the 95°F dry-bulb outdoor conditions, as determined using the test method specified in section 1604(d) of this Article.

“Annual energy consumption in inactive or off mode” means the annual energy consumption of a single-duct or dual-duct portable air conditioner in inactive or off mode, as determined using the test method specified in section 1604(d) of this Article.

“Annual energy consumption in off-cycle mode” means the annual energy consumption of a single-duct or dual-duct portable air conditioner in off-cycle mode, as determined using the test method specified in section 1604(d) of this Article.

...[skipping “Basic model” through “Centrifugal ceiling fan”]

“Combined energy efficiency ratio (CEER)” of a single-duct or dual-duct portable air conditioner means is the energy efficiency of a portable air conditioner in Btu per watt-hours (Btu/Wh), as determined using the test method specified in section 1604(d) of this Article.

...[skipping “Cooling efficiency ratio (CER)” through “Packaged indirect/direct evaporative cooler”]

“Portable air conditioner” means a portable encased assembly, other than a “packaged terminal air conditioner,” “room air conditioner,” or “dehumidifier,” that delivers cooled, conditioned air to an enclosed space, and is powered by single-phase electric current. It includes a source of refrigeration and may include additional means for air circulation and heating. ~~A portable air conditioner is typically mounted on wheels for moving from place to place within a building or structure.~~

...[skipping “Portable dehumidifier”]

“Portable or Spot Evaporative Cooler” means a ~~spot~~ spot air conditioner that uses evaporative cooling ~~er~~ that is non-ducted, not designed for permanent installation, and can be plugged into a standard mains outlet.

...[skipping “Product capacity for dehumidifiers” through “Residential exhaust fan”]

“Seasonally adjusted cooling capacity (SACC)” of a single-duct or dual-duct portable air conditioner means the amount of cooling, measured in Btu/h, provided to the indoor conditioned space, ~~measured under the specified ambient conditions~~ as determined using the test method specified in section 1604(d) of this Article.

...[skipping “Single-duct portable air conditioner” through “Small-diameter ceiling fan”]

“Spot air conditioner” means a portable air conditioner that discharges cool air into a space and discharges rejected heat back into that space, where there is no physical boundary separating the discharges. ~~Spot air conditioners are considered a subset of portable air conditioners.~~

...[skipping “Standard ceiling fan” through end of section 1602]

Note: Authority cited: Sections 25213, 25218(e), 25402(a)-25402(c), and 25960, Public Resources Code; and sections 16, 26, and 30, Governor's Exec. Order No. B-29-15 (April 1, 2015). Reference: Sections 25216.5(d), 25402(a)-25402(c), 25402.5.4, and 25960, Public Resources Code; and section 16, Governor's Exec. Order No. B-29-15 (April 1, 2015).

§ 1602.1. Rules of Construction. [No changes]

§ 1603. Testing: All Appliances. [No changes]

§ 1604. Test Methods for Specific Appliances. [No changes]

§ 1605. Energy Performance, Energy Design, Water Performance, and Water Design Standards: In General.

...[skipping (a) through (f)]

(g) Portable Air Conditioners. If a model of portable air conditioner sold or offered for sale in California has both single-duct and dual-duct configuration options, both configurations must meet the applicable standard in section 1605.3.

Note: Authority cited: Sections 25213, 25218(e), 25402(a)-(c), and 25960, Public Resources Code.

Reference: Sections 25216.5(d), 25402(a)-(c), and 25960, Public Resources Code.

§ 1605.1. Federal and State Standards for Federally Regulated Appliances.

...[skipping (a) through (c)]

(d) Portable Air Conditioners, Evaporative Coolers, Ceiling Fans, Ceiling Fan Light Kits, Whole House Fans, Residential Exhaust Fans, Dehumidifiers, and Residential Furnace Fans.

...[skipping (1) through (4)]

(5) See section 1605.3(d) of this Article for energy efficiency standards for portable air conditioners.

(6) There are no energy efficiency standards or energy design standards for portable spot air conditioners, evaporative coolers, whole house fans, or residential exhaust fans. There are no efficiency standards for ceiling fans.

...[skipping (e) through end of section 1605.1]

Note: Authority cited: Sections 25213, 25218(e), 25402(a)-25402(c), and 25960, Public Resources Code; and sections 16, 26, and 30, Governor's Exec. Order No. B-29-15 (April 1, 2015). Reference: Sections 25216.5(d), 25402(a)-25402(c), and 25960, Public Resources Code; and section 16, Governor's Exec. Order No. B-29-15 (April 1, 2015).

§ 1605.2. State Standards for Federally Regulated Appliances

...[skipping (a) through (c)]

(d) Portable Air Conditioners, Evaporative Coolers, Ceiling Fans, Ceiling Fan Light Kits, Whole House Fans, Residential Exhaust Fans, Dehumidifiers, and Residential Furnace Fans.

...[skipping (1)]

(2) **Portable Air Conditioners.** See section 1605.3(d) of this Article for energy efficiency standards for portable air conditioners.

(3) There are no energy efficiency standards or energy design standards for portable spot air conditioners, evaporative coolers, whole house fans, or residential exhaust fans. There are no energy efficiency standards for ceiling fans.

...[skipping (e) through end of section 1605.2]

Note: Authority cited: Sections 25213, 25218(e), 25402(a)-25402(c), and 25960, Public Resources Code; and sections 16, 26, and 30, Governor's Exec. Order No. B-29-15 (April 1, 2015). Reference: Sections 25216.5(d), 25402(a)-25402(c), and 25960, Public Resources Code; and section 16, Governor's Exec. Order No. B-29-15 (April 1, 2015).

§ 1605.3. State Standards for Non-Federally Regulated Appliances.

...[skipping (a) through (c)]

(d) Portable Air Conditioners, Evaporative Coolers, Ceiling Fans, Ceiling Fan Light Kits, Whole House Fans, Residential Exhaust Fans, Dehumidifiers, and Residential Furnace Fans.

(1) **Energy Efficiency Standards for Portable Air Conditioners.** The combined energy efficiency ratio (CEER) of single-duct and dual-duct portable air conditioners manufactured on or after February 1, 2020, shall not be less than the value calculated

in the following equation, where SACC is the seasonally adjusted cooling capacity of a portable air conditioner:

$$CEER = 1.04 \times \frac{SACC}{(3.7117 \times SACC^{0.6384})}$$

(12) See section 1605.1(d) of this Article for energy efficiency standards for ceiling fan light kits, dehumidifiers, and residential furnace fans.

(23) See section 1605.1(d) of this Article for energy design standards for ceiling fans.

(34) There are no energy efficiency standards or energy design standards for ~~portable~~ spot air conditioners, evaporative coolers, whole house fans, or residential exhaust fans. There are no efficiency standards for ceiling fans.

...[skipping (e) through end of section 1605.3]

Note: Authority cited: Sections 25213, 25218(e), 25402(a)-25402(c), and 25960, Public Resources Code; and sections 16, 26, and 30, Governor's Exec. Order No. B-29-15 (April 1, 2015). Reference: Sections 25216.5(d), 25402(a)-25402(c), and 25960, Public Resources Code; and section 16, Governor's Exec. Order No. B-29-15 (April 1, 2015).

§ 1606. Filing by Manufacturers; Listing of Appliances in the MAEDbS.

(a) Filing of Statements.

Each manufacturer shall electronically file with the Executive Director through the MAEDbS a statement for each appliance that is sold or offered for sale in California. The statement shall contain all of the information described in paragraphs (2) through (4) of this subsection and shall meet all of the requirements of paragraph (1) of this subsection and all other applicable requirements in this Article.

The effective dates of this section shall be the same as the effective dates shown in section 1605.1, 1605.2 or 1605.3 of this Article for appliances for which there is an energy efficiency, energy consumption, energy design, water efficiency, water consumption, or water design standard in section 1605.1, 1605.2, or 1605.3 of this Article. For appliances with no energy efficiency, energy consumption, energy design, water efficiency, water consumption, or water design standard in section 1605.1, 1605.2, or 1605.3 of this Article, the effective date of this section shall be one year after they are added to section 1601 of this Article, unless a different effective date is specified.

Exceptions to Section 1606(a) of this Article: Section 1606(a) of this Article is not applicable to:

1. external power supplies,
2. compressors,
- ~~3. portable air conditioners (except for spot air conditioners),~~
4. small electric motors, or

54. à la carte chargers meeting the EXCEPTION noted in section 1605.3(w)(2) of this Article.

...[skipping (a)(1)(A) through (a)(1)(G)]

(H) Portable Air Conditioners. A manufacturer shall file two statements for a single model of portable air conditioner if the model is sold or offered for sale in California with both single-duct and dual-duct configuration options. One statement shall be for the single-duct configuration, and the other statement shall be for the dual-duct configuration.

...[skip to Table X]

**Table X
Data Submittal Requirements**

	<i>Appliance</i>	<i>Required Information</i>	<i>Permissible Answers</i>
	All Appliances	*Manufacturer's Name	
		*Brand Name	
		*Model Number	
		Date model to be displayed	
		Regulatory Status	Federally regulated consumer product, federally regulated commercial and industrial equipment, non-federally regulated

...[skipping A through C]

D	<u>All Single-Duct and Dual-Duct Portable Air Conditioners</u>	<u>*Duct configuration</u>	<u>Single-duct, dual-duct, ability to operate in both single-duct and dual-duct configurations</u>
		<u>Heating function available</u>	<u>True, False</u>
		<u>Dehumidification mode available</u>	<u>True, False</u>
		<u>Primary condensate removal feature</u>	<u>Auto-evaporation, gravity drain, removable internal collection bucket, condensate pump</u>

<u>Single-Duct Portable Air Conditioners</u>	<u>Combined Energy Efficiency Ratio (CEER) (Btu/Wh)</u>	
	<u>Seasonally Adjusted Cooling Capacity (SACC) (Btu/h)</u>	
	<u>Adjusted Cooling Capacity at 83°F conditions (Btu/h)</u>	
	<u>Adjusted Cooling Capacity at 95°F conditions (Btu/h)</u>	
	<u>Annual energy consumption in off-cycle mode (kWh/year)</u>	
	<u>Annual energy consumption in inactive or off mode (kWh/year)</u>	
	<u>Annual energy consumption in cooling mode (kWh/year)</u>	
<u>Dual-Duct Portable Air Conditioners</u>	<u>Combined Energy Efficiency Ratio (CEER) (Btu/Wh)</u>	
	<u>Seasonally Adjusted Cooling Capacity (SACC) (Btu/h)</u>	
	<u>Adjusted Cooling Capacity at 83°F conditions (Btu/h)</u>	
	<u>Adjusted Cooling Capacity at 95°F conditions (Btu/h)</u>	
	<u>Annual energy consumption in off-cycle mode (kWh/year)</u>	
	<u>Annual energy consumption in inactive or off mode (kWh/year)</u>	
	<u>Annual energy consumption in cooling mode at 83°F conditions (kWh/year)</u>	

		<u>Annual energy consumption in cooling mode at 95°F conditions (kWh/year)</u>	
Spot Air Conditioners	*Type		Single package, air-cooled; single package, evaporatively-cooled; split system: air-cooled condensing unit, coil with blower; split system: evaporatively-cooled condensing unit, coil alone; single package, air-cooled (FD); single package, evaporatively-cooled (FD); split system: air-cooled condensing unit, coil with blower (FD); split system: evaporatively-cooled condensing unit, coil alone (FD)
	Cooling Capacity		
	Total Electrical Input		
	Cooling Efficiency Ratio (CER)		
	Fan Electrical Input		
	Refrigerant Type		Ozone-depleting, non-ozone-depleting

* "Identifier" information as described in section 1602(a) of this Article.

1 = Voluntary for federally-regulated appliances

2 = Voluntary for state-regulated appliances

...[skipping remaining text in Table X through end of section 1606]

Note: Authority cited: Sections 25213, 25218(e), 25402(a)-25402(c), and 25960, Public Resources Code; and sections 16, 26, and 30, Governor's Exec. Order No. B-29-15 (April 1, 2015). Reference: Sections 25216.5(d), 25402(a)-25402(c), 25402.5.4, and 25960, Public Resources Code; and section 16, Governor's Exec. Order No. B-29-15 (April 1, 2015).

§ 1607. Marking of Appliances. [No changes]

§ 1608. Compliance, Enforcement, and General Administrative Matters.

(a) General Requirements for the Sale or Installation of All Appliances.

Any unit of any appliance within the scope of section 1601 of this Article may be sold or offered for sale in California only if:

- (1) the appliance appears in the most recent MAEDbS established pursuant to section 1606(c) of this Article, unless the only reason for the appliance's absence from the MAEDbS is its failure to comply with an applicable standard in section 1605.1 of this Article;
- (2) the manufacturer has:
 - (A) tested the appliance as required by sections 1603 and 1604 of this Article;
 - (B) marked the unit as required by section 1607 of this Article;
 - (C) for any appliance for which there is an applicable standard in section 1605.2 or 1605.3 of this Article, certified under section 1606(a) of this Article that the appliance complies with the standard;
- (3) the unit has the same components, design characteristics, and all other features that affect energy or water consumption or energy or water efficiency, as applicable, as the units that were tested under sections 1603 and 1604 of this Article and for which information was submitted under section 1606(a) of this Article; and
- (4) for any appliance for which there is an applicable standard in section 1605.2 or 1605.3 of this Article, the unit complies with the standard.

Exceptions to Sections 1608(a)(1) and 1608(a)(2)(C) of this Article. Sections 1608(a)(1) and 1608(a)(2)(C) of this Article are not applicable to:

- 1. external power supplies,
- 2. compressors,
- ~~3. portable air conditioners (except for spot air conditioners),~~
- ~~4. small electric motors, or~~
- ~~5. à la carte chargers meeting the EXCEPTION noted in section 1605.3(w)(2) of this Article.~~

...[skipping through end of the section]

Note: Authority cited: Sections 25213, 25218(e), 25402(a)-(c), and 25960, Public Resources Code.
Reference: Sections 25216.5(d), 25402(a)-(c), and 25960, Public Resources Code.

§ 1609. Administrative Civil Penalties. [No changes]