

DOCKETED

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CALIFORNIA ENERGY COMMISSION

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CEC-57 (Revised 1/19)

**FINAL STATEMENT OF REASONS**

Dedicated-Purpose Pool Pumps and
Replacement Dedicated-Purpose Pool Pump Motors
Z # 2020-0211-01

UPDATE OF THE INITIAL STATEMENT OF REASONS

There were no modifications to the regulation text following the close of the public comment period.

LOCAL MANDATE DETERMINATION

The California Energy Commission has determined that this action will not result in a local mandate on local agencies or school districts.

CONSIDERATION OF ALTERNATIVE PROPOSALS

The Energy Commission determined pursuant to Government Code Section 11346.9(a)(4) that no alternative before it would be more effective in carrying out the purpose for which this action is proposed no alternative would be as effective as and less burdensome to affected persons than the adoption of the proposed regulation; or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. The alternatives considered and basis for the determination that no alternative before the Commission would be more effective in carrying out the purpose for which this action is proposed are set forth in the Commission staff report at Chapter 5 of the Final Analysis of Efficiency Standards for Replacement Dedicated-Purpose Pool Pump Motors issued in February of 2020 (Staff Report). This report is included as part of the administrative record for this rulemaking.

The adopted regulations will not have a significant adverse economic impact on small business and no alternatives were proposed that would lessen any adverse economic impact on small business. The alternatives assessment is set forth in Chapter 5 of the Staff Report.

INCORPORATION BY REFERENCE

The Energy Commission provided in the Notice of Proposed Action that the following documents would be incorporated by reference:

- NSF/ANSI 50-2015. *Equipment for Swimming Pools, Spas, Hot Tubs and Other Recreational Water Facilities.*
- UL 1081-2016. (October 21, 2016). *Standard for Swimming Pool Pumps, Filters, and Chlorinators.*

- Canadian Standards Association (CSA) C747-09 (reaffirmed 2014). *Energy efficiency test methods for small motors*.
- C.F.R., Title 10 Section 431.464(b), Appendix C to subpart Y of part 431, *Uniform Test Method for the Measurement of Energy Efficiency of Dedicated-Purpose Pool Pumps*.

The documents are incorporated by reference because it would be cumbersome, unduly expensive, and impractical to publish in the California Code of Regulations. There are several documents that are several hundred pages and as such too expensive and voluminous to print out. The documents were made available upon request directly from the Energy Commission throughout the course of this rulemaking action.

EPCA provides that no state regulation concerning energy efficiency, energy use, or water use shall be effective with respect to a federally covered product before and after a federal standard established for such product becomes effective, unless an exception to preemption applies. (See 42 U.S.C. §§ 6297(b) & (c), 6316 and 10 C.F.R. § 430.33(a).) EPCA also supersedes any state regulation that requires testing or use of any measure of energy consumption, water use, or energy descriptor in any manner other than that provided under EPCA. (42 U.S.C. §§ 6297(a)(1)(A), and 6316.)”

SUMMARY OF RESPONSES TO PUBLIC COMMENTS RECEIVED

All responses to public comments, including acceptance of recommendations and justification when recommendations were not accepted, are attached to this Final Statement of Reasons, and included in tab 9 of the rulemaking file.