

DOCKETED

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Project Title:	Commercial and Industrial Fans and Blowers
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Document Title:	Notice of 15-day Public Comment Period
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Filer:	Alex Galdamez
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CALIFORNIA ENERGY COMMISSION

715 P Street
Sacramento, California 95814

energy.ca.gov



CEC-057 (Revised 1/21)

**NOTICE OF 15-DAY PUBLIC COMMENT PERIOD
PROPOSED REVISIONS TO THE
COMMERCIAL AND INDUSTRIAL FANS AND BLOWER REGULATIONS**

**California Energy Commission
Docket No. 22-AAER-01**

On February 25, 2022, the California Energy Commission (CEC) published a Notice of Proposed Action with proposed amendments to the commercial and industrial fans and blower regulations contained in the California Code of Regulations, Title 20. The CEC made all the documents available for a 45-day comment period, which was extended from April 11, 2022, to April 29, 2022, and the public hearing was held on April 12, 2022.

Based on comments received during the written comment period and the public hearing, the CEC is proposing changes to the proposed amendments offered on February 25, 2022. **Any interested persons are invited to review and provide written comments to the CEC for consideration during the 15-day comment period from July 11, 2022, through July 26, 2022.** The CEC appreciates receiving written comments at the earliest possible date. Comments submitted after July 26, 2022, are considered untimely and the CEC may, but is not required to, respond to such comments, including those raising significant issues.

The CEC encourages use of its electronic commenting system. Visit the e-commenting page at <https://www.energy.ca.gov/rules-and-regulations/appliance-efficiency-regulations-title-20/appliance-efficiency-proceedings-11>, which links to the comment page for this docket. Enter your contact information and a comment title describing the subject of your comment(s). Comments may be included in the "Comment Text" box or attached as a downloadable, searchable document consistent with 20 California Code of Regulations Section 1208.1. The maximum files size allowed is 10 MB.

Written comments may also be submitted by email. Include docket number 22-AAER-01 in the subject line and email to docket@energy.ca.gov.

A paper copy may be sent to:

California Energy Commission
Docket Unit
Docket No.22-AAER-01
715 P Street, MS-4
Sacramento, CA 95814.

Written and oral comments, attachments, and associated contact information (including address, phone number, and email address) will become part of the public record of this proceeding with access available via any internet search engine.

The 15-day proposed language and related documents are available for review on the CEC website at <https://www.energy.ca.gov/rules-and-regulations/appliance-efficiency-regulations-title-20/appliance-efficiency-proceedings-11>.

In accordance with Government Code sections 11346.8 and 11347.1, these documents are made available for public comment at least 15 days before the CEC's consideration and possible adoption of the proposed regulations. Copies of these documents are available for public inspection at the CEC located at the address above, subject to COVID-19 limitations. The CEC has considered all public comments received in developing the 15-day proposed language.

The text of the modified regulatory language is also included as Attachment A. Amendments to the existing code that were made public with the 45-day notice on February 25, 2022, are shown in ~~strike through~~ to indicate deletions and underline to indicate additions. Additional amendments proposed with this 15-day notice are shown in ~~double strikethrough~~ for deletions and double underline for additions.

In the Final Statement of Reasons, staff will respond to all comments received on the record during comment periods. The Administrative Procedure Act requires that staff respond to comments received regarding all noticed changes. Therefore, staff will only address comments received during opportunities to comment that are responsive to this notice, documents added to the record, or the changes detailed in the proposed 15-day language at the above-referenced website.

To stay informed about this proceeding and receive documents and notices of upcoming workshops and hearings as they are filed, please subscribe to the proceeding email subscription at the following link: <https://www.energy.ca.gov/rules-and-regulations/appliance-efficiency-regulations-title-20/appliance-efficiency-proceedings-11>. The email subscription sends out email notifications and direct links when documents and notices are filed in the proceeding docket. If you are unable to access the website and would like a copy of the rulemaking documents mailed or emailed to you, or if you have any questions, please contact Corrine Fishman at corrine.fishman@energy.ca.gov.

The CEC's Public Advisor provides the public assistance in participating in CEC proceedings. If you want information on how to participate in this forum, please contact

the Public Advisor at publicadvisor@energy.ca.gov, or by phone at (916) 957-7910. Requests for language services and reasonable accommodations should be made as soon as possible or at least five days in advance. The CEC will work diligently to accommodate late requests.

Direct media inquiries to the Media and Public Communications Office at (916) 654-4989, or by email at mediaoffice@energy.ca.gov.

If you have question on the subject matter of this notice, please contact Alejandro Galdamez at alejandro.galdamez@energy.ca.gov or (916) 237-2550.

SUMMARY OF PROPOSED MODIFICATIONS

The following is a summary of the amendments proposed with 15-day language. It does not include non-substantive amendments to correct typographical or grammatical errors, change/correct numbering or formatting, or improve clarity.

Section 1601:

- Removed referenced to AMCA and ANSI/AMCA 214-21 Test Procedure for Calculating Fan Energy Index (FEI) for Commercial and Industrial Fans and Blowers because it is unnecessary for this section. This change is necessary since the language in section 1601 does not make reference to any test procedure.

Section 1602:

- The following definitions were edited or deleted:
 - o Air curtain unit was edited to clarify and assimilate to the definition used by industry.
 - o Commercial and Industrial Fan or Blower was edited to include the definition adopted by the U.S. Department of Energy under their final rule determination of August 19, 2021.
 - o Power roof ventilator was edited to address typographical error.
 - o Safety Fan, edits to, addition, and deletion of listed terms was necessary to prevent unintended loopholes, introduce correct references, and remove words that caused ambiguity.
 - o Series calculated fan, was edited to address a typographical error.
- The following definitions were added to the proposed regulatory language:
 - o Maximum airflow
 - o Maximum fan speed
 - o Maximum pressure
 - o Positive pressure ventilator

The added definitions for maximum airflow, maximum fan speed, and maximum pressure were necessary to clearly identify the efficiency boundaries of the proposed regulation and address the different comments received. The definition for “positive pressure ventilator” was added to the regulatory language to prevent future ambiguity as a result of edits to ANSI/AMCA standard 240-15.

- Corrections were made to the documents incorporated by reference to section 1602. The corrections were necessary to list only the necessary referenced industry standards.
- References to ANSI/AMCA 99-16 Standards Handbook, ANSI/AMCA Standard 240-15 Laboratory Methods of Testing Positive Pressure Ventilators for Aerodynamic Performance Rating, and EN 13463-1:2001 non-electrical Equipment for Potentially Explosive Atmospheres were removed from the documents incorporated by reference to section 1602. The deletion was necessary since the referenced standards are no longer being referenced in the new proposed language and are not necessary to appear as referenced material.
- Added reference to International Organization for Standardization and ISO 80079-26:2016 Explosive atmospheres – Part 36: Non-electrical equipment for explosive atmospheres – Basic method and requirements to the documents incorporated by reference to section 1602. The added reference was in response to stakeholder comments and is necessary to reference the correct industry standard for fans used in explosive atmospheres.

Section 1606:

- Table X was edited to remove unnecessary data or terms and to incorporate new terms and requirements needed for certification per the comments received. The changes to Table X were necessary to address all of the comments received by stakeholders which expressed a lack of clarity of the previously proposed terms. The new terms and data clearly indicate the necessary information required for certification for commercial and industrial fan or blower.

Section 1607:

- Section 1607(d)(16) was amended to reflect the definition for “commercial and industrial fan or blower” rather than “commercial and industrial fan and blower.” The change was necessary to correctly reference the definition for the appliance and not the proposed category.
- In response to stakeholder feedback, section 1607(d)(16)(A) was edited to remove the previously suggested data and include the maximum airflow, maximum fan speed, and maximum pressure as defined in section 1602, which includes the $FEI \geq 1.00$ efficiency boundaries and clearly communicate to any consumer the efficient boundaries at which the commercial and industrial fan or blower will operate efficiently. The changes were necessary to clearly

communicate the efficient operational boundaries of the fan or blower noting that operation out of the boundaries will result in an energy inefficient operation.

- The information disclosure requirement in section 1607(d)(16)(B) was deleted. The deletion was necessary to remove ambiguity and address the concerns communicated by stakeholders.