II

112TH CONGRESS
1ST SESSION

# S. 398

To amend the Energy Policy and Conservation Act to improve the energy-efficiency of certain appliances and equipment, and for other purposes.

---

IN THE SENATE OF THE UNITED STATES

FEBRUARY 17, 2011

Mr. BINGAMAN (for himself and Ms. MURKOWSKI) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

---

# A BILL

To amend the Energy Policy and Conservation Act to improve the energy-efficiency of certain appliances and equipment, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) SHORT TITLE.—This Act may be cited as the ''Implementation of National Consensus Appliance Agreements Act of 2011''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

**SEC. 2. ENERGY CONSERVATION STANDARDS.**

(a) DEFINITION OF ENERGY CONSERVATION STANDARD.—Section 321 of the Energy Policy and Conservation Act (42 U.S.C. 6291) is amended—

(1) by striking paragraph (6) and inserting the following:

''(6) ENERGY CONSERVATION STANDARD.—

''(A) IN GENERAL.—The term 'energy conservation standard' means 1 or more performance standards that—

''(i) for covered products (excluding clothes washers, dishwashers, showerheads, faucets, water closets, and urinals), prescribe a minimum level of energy efficiency

or a maximum quantity of energy use, determined in accordance with test procedures prescribed under section 323;

''(ii) for showerheads, faucets, water closets, and urinals, prescribe a minimum level of water efficiency or a maximum quantity of water use, determined in accordance with test procedures prescribed under section 323; and

''(iii) for clothes washers and dishwashers—

''(I) prescribe a minimum level of energy efficiency or a maximum quantity of energy use, determined in accordance with test procedures prescribed under section 323; and

''(II) include a minimum level of water efficiency or a maximum quantity of water use, determined in accordance with those test procedures.

''(B) INCLUSIONS.—The term 'energy conservation standard' includes—

''(i) 1 or more design requirements, if the requirements were established—

''(I) on or before the date of enactment of this subclause;

''(II) as part of a direct final rule under section 325(p)(4); or

''(III) as part of a final rule published on or after January 1, 2012; and

''(ii) any other requirements that the Secretary may prescribe under section 325(r).

''(C) EXCLUSION.—The term 'energy conservation standard' does not include a performance standard for a component of a finished covered product, unless regulation of the component is specifically authorized or established pursuant to this title.''; and

(2) by adding at the end the following:

''(67) EER.—The term 'EER' means energy efficiency ratio.

''(68) HSPF.—The term 'HSPF' means heating seasonal performance factor.''.

(b) EER AND HSPF TEST PROCEDURES.—Section 323(b) of the Energy Policy and Conservation Act (42 U.S.C. 6293(b)) is amended by adding at the end the following:

''(19) EER AND HSPF TEST PROCEDURES.—

''(A) IN GENERAL.—Subject to subparagraph (B), for purposes of residential central air conditioner and heat pump standards that take effect on or before January 1, 2015—

''(i) the EER shall be tested at an outdoor test temperature of 95 degrees Fahrenheit; and

''(ii) the HSPF shall be calculated based on Region IV conditions.

''(B) REVISIONS.—The Secretary may revise the EER outdoor test temperature and the conditions for HSPF calculations as part of any rulemaking to revise the central air conditioner and heat pump test method.''.

(c) CENTRAL AIR CONDITIONERS AND HEAT PUMPS.—Section 325(d) of the Energy Policy and Conservation Act (42 U.S.C. 6295(d)) is amended by adding at the end the following:

''(4) CENTRAL AIR CONDITIONERS AND HEAT PUMPS (EXCEPT THROUGH-THE-WALL CENTRAL AIR CONDITIONERS, THROUGH-THE-WALL CENTRAL AIR CONDITIONING HEAT PUMPS, AND SMALL DUCT, HIGH VELOCITY SYSTEMS) MANUFACTURED ON OR AFTER JANUARY 1, 2015.—

''(A) BASE NATIONAL STANDARDS.—

''(i) SEASONAL ENERGY EFFICIENCY RATIO.—The seasonal energy efficiency ratio of central air conditioners and central air conditioning heat pumps manufactured on or after January 1, 2015, shall not be less than the following:

''(I) Split Systems: 13 for central air conditioners and 14 for heat pumps.

''(II) Single Package Systems: 14.

''(ii) HEATING SEASONAL PERFORMANCE FACTOR.—The heating seasonal performance factor of central air conditioning heat pumps manufactured on or after January 1, 2015, shall not be less than the following:

''(I) Split Systems: 8.2.

''(II) Single Package Systems: 8.0.

''(B) REGIONAL STANDARDS.—

''(i) SEASONAL ENERGY EFFICIENCY RATIO.—The seasonal energy efficiency ratio of central air conditioners and central

air conditioning heat pumps manufactured on or after January 1, 2015, and installed in States having historical average annual, population weighted, heating degree days less than 5,000 (specifically the States of Alabama, Arizona, Arkansas, California, Delaware, Florida, Georgia, Hawaii, Kentucky, Louisiana, Maryland, Mississippi, Nevada, New Mexico, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, and Virginia) or in the District of Columbia, the Commonwealth of Puerto Rico, or any other territory or possession of the United States shall not be less than the following:

"(I) Split Systems: 14 for central air conditioners and 14 for heat pumps.

"(II) Single Package Systems: 14.

"(ii) ENERGY EFFICIENCY RATIO.—The energy efficiency ratio of central air conditioners (not including heat pumps) manufactured on or after January 1, 2015, and installed in the State of Arizona, Cali-

fornia, New Mexico, or Nevada shall be not less than the following:

"(I) Split Systems: 12.2 for split systems having a rated cooling capacity less than 45,000 BTU per hour and 11.7 for products having a rated cooling capacity equal to or greater than 45,000 BTU per hour.

"(II) Single Package Systems: 11.0.

"(iii) APPLICATION OF SUBSECTION (o)(6).—Subsection (o)(6) shall apply to the regional standards set forth in this subparagraph.

"(C) AMENDMENT OF STANDARDS.—

"(i) IN GENERAL.—Not later than January 1, 2017, the Secretary shall publish a final rule to determine whether the standards in effect for central air conditioners and central air conditioning heat pumps should be amended.

"(ii) APPLICATION.—The rule shall provide that any amendments shall apply to products manufactured on or after January 1, 2022.

"(D) CONSIDERATION OF ADDITIONAL PERFORMANCE STANDARDS OR EFFICIENCY CRITERIA.—

"(i) FORUM.—Not later than 4 years in advance of the expected publication date of a final rule for central air conditioners and heat pumps under subparagraph (C), the Secretary shall convene and facilitate a forum for interested persons that are fairly representative of relevant points of view (including representatives of manufacturers of the covered product, States, and efficiency advocates), as determined by the Secretary, to consider adding additional performance standards or efficiency criteria in the forthcoming rule.

"(ii) RECOMMENDATION.—If, within 1 year of the initial convening of such a forum, the Secretary receives a recommendation submitted jointly by such representative interested persons to add 1 or more performance standards or efficiency criteria, the Secretary shall incorporate the performance standards or efficiency criteria in the rulemaking process,

and, if justified under the criteria established in this section, incorporate such performance standards or efficiency criteria in the revised standard.

''(iii) NO RECOMMENDATION.—If no such joint recommendation is made within 1 year of the initial convening of such a forum, the Secretary may add additional performance standards or efficiency criteria if the Secretary finds that the benefits substantially exceed the burdens of the action.

''(E) NEW CONSTRUCTION LEVELS.—

''(i) IN GENERAL.—As part of any final rule concerning central air conditioner and heat pump standards published after June 1, 2013, the Secretary shall determine if the building code levels specified in section 327(f)(3)(C) should be amended subject to meeting the criteria of subsection (o) when applied specifically to new construction.

''(ii) EFFECTIVE DATE.—Any amended levels shall not take effect before January 1, 2018.

''(iii) AMENDED LEVELS.—The final rule shall contain the amended levels, if any.''.

(d) THROUGH-THE-WALL CENTRAL AIR CONDITIONERS, THROUGH-THE-WALL CENTRAL AIR CONDITIONING HEAT PUMPS, AND SMALL DUCT, HIGH VELOCITY SYSTEMS.—Section 325(d) of the Energy Policy and Conservation Act (42 U.S.C. 6295(d)) (as amended by subsection (c)) is amended by adding at the end the following:

''(5) STANDARDS FOR THROUGH-THE-WALL CENTRAL AIR CONDITIONERS, THROUGH-THE-WALL CENTRAL AIR CONDITIONING HEAT PUMPS, AND SMALL DUCT, HIGH VELOCITY SYSTEMS.—

''(A) DEFINITIONS.—In this paragraph:

''(i) SMALL DUCT, HIGH VELOCITY SYSTEM.—The term 'small duct, high velocity system' means a heating and cooling product that contains a blower and indoor coil combination that—

''(I) is designed for, and produces, at least 1.2 inches of external static pressure when operated at the certified air volume rate of 220–350 CFM per rated ton of cooling; and

''(II) when applied in the field, uses high velocity room outlets generally greater than 1,000 fpm that have less than 6.0 square inches of free area.

''(ii) THROUGH-THE-WALL CENTRAL AIR CONDITIONER; THROUGH-THE-WALL CENTRAL AIR CONDITIONING HEAT PUMP.—The terms 'through-the-wall central air conditioner' and 'through-the-wall central air conditioning heat pump' mean a central air conditioner or heat pump, respectively, that is designed to be installed totally or partially within a fixed-size opening in an exterior wall, and—

''(I) is not weatherized;

''(II) is clearly and permanently marked for installation only through an exterior wall;

''(III) has a rated cooling capacity no greater than 30,000 Btu/hr;

''(IV) exchanges all of its outdoor air across a single surface of the equipment cabinet; and

''(V) has a combined outdoor air exchange area of less than 800 square inches (split systems) or less than 1,210 square inches (single packaged systems) as measured on the surface area described in subclause (IV).

''(iii) REVISION.—The Secretary may revise the definitions contained in this subparagraph through publication of a final rule.

''(B) SMALL-DUCT HIGH-VELOCITY SYSTEMS.—

''(i) SEASONAL ENERGY EFFICIENCY RATIO.—The seasonal energy efficiency ratio for small-duct high-velocity systems shall be not less than 11.00 for products manufactured on or after January 23, 2006.

''(ii) HEATING SEASONAL PERFORMANCE FACTOR.—The heating seasonal performance factor for small-duct high-velocity systems shall be not less than 6.8 for products manufactured on or after January 23, 2006.

''(C) RULEMAKING.—

''(i) IN GENERAL.—Not later than June 30, 2011, the Secretary shall publish a final rule to determine whether standards for through-the-wall central air conditioners, through-the-wall central air conditioning heat pumps and small duct, high velocity systems should be amended.

''(ii) APPLICATION.—The rule shall provide that any new or amended standard shall apply to products manufactured on or after June 30, 2016.''.

(e) FURNACES.—Section 325(f) of the Energy Policy and Conservation Act (42 U.S.C. 6295(f)) is amended by adding at the end the following:

''(5) NON-WEATHERIZED FURNACES (INCLUDING MOBILE HOME FURNACES, BUT NOT INCLUDING BOILERS) MANUFACTURED ON OR AFTER MAY 1, 2013, AND WEATHERIZED FURNACES MANUFACTURED ON OR AFTER JANUARY 1, 2015.—

''(A) BASE NATIONAL STANDARDS.—

''(i) NON-WEATHERIZED FURNACES.—The annual fuel utilization efficiency of non-weatherized furnaces manufactured on or after May 1, 2013, shall be not less than the following:

''(I) Gas furnaces, a level determined by the Secretary in a final rule published not later than June 30, 2011.

''(II) Oil furnaces, 83 percent.

''(ii) WEATHERIZED FURNACES.—The annual fuel utilization efficiency of weatherized gas furnaces manufactured on or after January 1, 2015, shall be not less than 81 percent.

''(B) REGIONAL STANDARD.—

''(i) ANNUAL FUEL UTILIZATION EFFICIENCY.—Not later than June 30, 2011, the Secretary shall—

''(I) publish a final rule determining whether to establish a standard for the annual fuel utilization efficiency of non-weatherized gas furnaces manufactured on or after May 1, 2013, and installed in States having historical average annual, population weighted, heating degree days equal to or greater than 5,000 (specifically the States of Alaska, Colorado, Connecticut, Idaho, Illinois, In-

diana, Iowa, Kansas, Maine, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New York, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Dakota, Utah, Vermont, Washington, West Virginia, Wisconsin, and Wyoming); and

''(II) include in the final rule described in subclause (I) any regional standard established under this subparagraph.

''(ii) APPLICATION OF SUBSECTION (o)(6).—Subsection (o)(6) shall apply to any regional standard established under this subparagraph.

''(C) AMENDMENT OF STANDARDS.—

''(i) NON-WEATHERIZED FURNACES.—

''(I) IN GENERAL.—Not later than January 1, 2014, the Secretary shall publish a final rule to determine whether the standards in effect for non-weatherized furnaces should be amended.

"(II) APPLICATION.—The rule shall provide that any amendments shall apply to products manufactured on or after January 1, 2019.

"(ii) WEATHERIZED FURNACES.—

"(I) IN GENERAL.—Not later than January 1, 2017, the Secretary shall publish a final rule to determine whether the standard in effect for weatherized furnaces should be amended.

"(II) APPLICATION.—The rule shall provide that any amendments shall apply to products manufactured on or after January 1, 2022.

"(D) NEW CONSTRUCTION LEVELS.—

"(i) IN GENERAL.—

"(I) FINAL RULE PUBLISHED AFTER JANUARY 1, 2011.—As part of any final rule concerning furnace standards published after January 1, 2011, the Secretary shall establish the building code levels referred to in subclauses (I)(aa), (II)(aa), and (III)(aa) of section 327(f)(3)(C)(i) subject to

meeting the criteria of subsection (o) when applied specifically to new construction.

"(II) FINAL RULE PUBLISHED AFTER JUNE 1, 2013.—As part of any final rule concerning furnace standards published after June 1, 2013, the Secretary shall determine if the building code levels specified in or pursuant to section 327(f)(3)(C) should be amended subject to meeting the criteria of subsection (o) when applied specifically to new construction.

"(ii) EFFECTIVE DATE.—Any amended levels shall not take effect before January 1, 2018.

"(iii) AMENDED LEVELS.—The final rule shall contain the amended levels, if any.".

(f) EXCEPTION FOR CERTAIN BUILDING CODE REQUIREMENTS.—Section 327(f) of the Energy Policy and Conservation Act (42 U.S.C. 6297(f)) is amended—

(1) in paragraph (3), by striking subparagraphs (B) through (F) and inserting the following:

''(B) The code does not contain a mandatory requirement that, under all code compliance paths, requires that the covered product have an energy efficiency exceeding 1 of the following levels:

''(i) The applicable energy conservation standard established in or prescribed under section 325.

''(ii) The level required by a regulation of the State for which the Secretary has issued a rule granting a waiver under subsection (d).

''(C) If the energy consumption or conservation objective in the code is determined using covered products, including any baseline building designs against which all submitted building designs are to be evaluated, the objective is based on the use of covered products having efficiencies not exceeding—

''(i) for residential furnaces, central air conditioners, and heat pumps, effective not earlier than January 1, 2013, and until such time as a level takes effect for the product under clause (ii)—

"(I) for the States described in section 325(f)(5)(B)(i)—

"(aa) for gas furnaces, an AFUE level determined by the Secretary; and

"(bb) 14 SEER for central air conditioners (not including heat pumps);

"(II) for the States and other localities described in section 325(d)(4)(B)(i) (except for the States of Arizona, California, Nevada, and New Mexico)—

"(aa) for gas furnaces, an AFUE level determined by the Secretary; and

"(bb) 15 SEER for central air conditioners;

"(III) for the States of Arizona, California, Nevada, and New Mexico—

"(aa) for gas furnaces, an AFUE level determined by the Secretary;

"(bb) 15 SEER for central air conditioners;

"(cc) an EER of 12.5 for air conditioners (not including heat pumps) with cooling capacity less than 45,000 Btu per hour; and

"(dd) an EER of 12.0 for air conditioners (not including heat pumps) with cooling capacity of 45,000 Btu per hour or more; and

"(IV) for all States—

"(aa) 85 percent AFUE for oil furnaces; and

"(bb) 15 SEER and 8.5 HSPF for heat pumps;

"(ii) the building code levels established pursuant to section 325; or

"(iii) the applicable standards or levels specified in subparagraph (B).

"(D) The credit to the energy consumption or conservation objective allowed by the code for installing a covered product having an energy efficiency exceeding the applicable standard or

level specified in subparagraph (C) is on a 1-for-1 equivalent energy use or equivalent energy cost basis, which may take into account the typical lifetimes of the products and building features, using lifetimes for covered products based on information published by the Department of Energy or the American Society of Heating, Refrigerating and Air-Conditioning Engineers.

''(E) If the code sets forth 1 or more combinations of items that meet the energy consumption or conservation objective, and if 1 or more combinations specify an efficiency level for a covered product that exceeds the applicable standards and levels specified in subparagraph (B)—

''(i) there is at least 1 combination that includes such covered products having efficiencies not exceeding 1 of the standards or levels specified in subparagraph (B); and

''(ii) if 1 or more combinations of items specify an efficiency level for a furnace, central air conditioner, or heat pump that exceeds the applicable standards and

levels specified in subparagraph (B), there is at least 1 combination that the State has found to be reasonably achievable using commercially available technologies that includes such products having efficiencies at the applicable levels specified in subparagraph (C), except that no combination need include a product having an efficiency less than the level specified in subparagraph (B)(ii).

''(F) The energy consumption or conservation objective is specified in terms of an estimated total consumption of energy (which may be specified in units of energy or its equivalent cost).'';

(2) in paragraph (4)(B)—

(A) by inserting after ''building code'' the first place it appears the following: ''contains a mandatory requirement that, under all code compliance paths,''; and

(B) by striking ''unless the'' and all that follows through ''subsection (d)''; and

(3) by adding at the end the following:

''(5) REPLACEMENT OF COVERED PRODUCT.—Paragraph (3) shall not apply to the replacement of

a covered product serving an existing building unless the replacement results in an increase in capacity greater than—

''(A) 12,000 Btu per hour for residential air conditioners and heat pumps; or

''(B) 20 percent for other covered products.''.

**SEC. 3. ENERGY CONSERVATION STANDARDS FOR HEAT PUMP POOL HEATERS.**

(a) DEFINITIONS.—

(1) EFFICIENCY DESCRIPTOR.—Section 321(22) of the Energy Policy and Conservation Act (42 U.S.C. 6291(22)) is amended—

(A) in subparagraph (E), by inserting ''gas-fired'' before ''pool heaters''; and

(B) by adding at the end the following:

''(F) For heat pump pool heaters, coefficient of performance of heat pump pool heaters.''.

(2) COEFFICIENT OF PERFORMANCE OF HEAT PUMP POOL HEATERS.—Section 321 of the Energy Policy and Conservation Act (42 U.S.C. 6291) is amended by inserting after paragraph (25) the following:

''(25A) COEFFICIENT OF PERFORMANCE OF HEAT PUMP POOL HEATERS.—The term 'coefficient of performance of heat pump pool heaters' means the ratio of the capacity to power input value obtained at the following rating conditions: 50.0 °F db/ 44.2 °F wb outdoor air and 80.0 °F entering water temperatures, according to AHRI Standard 1160.''.

(3) THERMAL EFFICIENCY OF GAS-FIRED POOL HEATERS.—Section 321(26) of the Energy Policy and Conservation Act (42 U.S.C. 6291(26)) is amended by inserting ''gas-fired'' before ''pool heaters''.

(b) STANDARDS FOR POOL HEATERS.—Section 325(e)(2) of the Energy Policy and Conservation Act (42 U.S.C. 6295(e)(2)) is amended—

(1) by striking ''(2) The thermal efficiency of pool heaters'' and inserting the following:

''(2) POOL HEATERS.—

''(A) GAS-FIRED POOL HEATERS.—The thermal efficiency of gas-fired pool heaters''; and

(2) by adding at the end the following:

''(B) HEAT PUMP POOL HEATERS.—Heat pump pool heaters manufactured on or after the date of enactment of this subparagraph

shall have a minimum coefficient of performance of 4.0.''.

**SEC. 4. GU–24 BASE LAMPS.**

(a) DEFINITIONS.—Section 321 of the Energy Policy and Conservation Act (42 U.S.C. 6291) (as amended by section 2(a)(2)) is amended by adding at the end the following:

''(69) GU–24.—The term 'GU–24' means the designation of a lamp socket, based on a coding system by the International Electrotechnical Commission, under which—

''(A) 'G' indicates a holder and socket type with 2 or more projecting contacts, such as pins or posts;

''(B) 'U' distinguishes between lamp and holder designs of similar type that are not interchangeable due to electrical or mechanical requirements; and

''(C) 24 indicates the distance in millimeters between the electrical contact posts.

''(70) GU–24 ADAPTOR.—

''(A) IN GENERAL.—The term 'GU–24 Adaptor' means a 1-piece device, pig-tail, wiring harness, or other such socket or base attachment that—

"(i) connects to a GU–24 socket on 1 end and provides a different type of socket or connection on the other end; and

"(ii) does not alter the voltage.

"(B) EXCLUSION.—The term 'GU–24 Adaptor' does not include a fluorescent ballast with a GU–24 base.

"(71) GU–24 BASE LAMP.—'GU–24 base lamp' means a light bulb designed to fit in a GU–24 socket.".

(b) STANDARDS.—Section 325 of the Energy Policy and Conservation Act (42 U.S.C. 6295) is amended—

(1) by redesignating subsection (ii) as subsection (jj); and

(2) by inserting after subsection (hh) the following:

"(ii) GU–24 BASE LAMPS.—

"(1) IN GENERAL.—A GU–24 base lamp shall not be an incandescent lamp as defined by ANSI.

"(2) GU–24 ADAPTORS.—GU–24 adaptors shall not adapt a GU–24 socket to any other line voltage socket.".

**SEC. 5. EFFICIENCY STANDARDS FOR BOTTLE-TYPE WATER DISPENSERS, COMMERCIAL HOT FOOD HOLDING CABINETS, AND PORTABLE ELECTRIC SPAS.**

(a) DEFINITIONS.—Section 321 of the Energy Policy and Conservation Act (42 U.S.C. 6291) (as amended by section 4(a)) is amended by adding at the end the following:

''(72) BOTTLE-TYPE WATER DISPENSER.—The term 'bottle-type water dispenser' means a drinking water dispenser that is—

''(A) designed for dispensing hot and cold water; and

''(B) uses a removable bottle or container as the source of potable water.

''(73) COMMERCIAL HOT FOOD HOLDING CABINET.—

''(A) IN GENERAL.—The term 'commercial hot food holding cabinet' means a heated, fully-enclosed compartment that—

''(i) is designed to maintain the temperature of hot food that has been cooked in a separate appliance;

''(ii) has 1 or more solid or glass doors; and

''(iii) has an interior volume of 8 cubic feet or more.

''(B) EXCLUSIONS.—The term 'commercial hot food holding cabinet' does not include—

''(i) a heated glass merchandising cabinet;

''(ii) a drawer warmer;

''(iii) a cook-and-hold appliance; or

''(iv) a mobile serving cart with both hot and cold compartments.

''(74) COMPARTMENT BOTTLE-TYPE WATER DISPENSER.—The term 'compartment bottle-type water dispenser' means a drinking water dispenser that—

''(A) is designed for dispensing hot and cold water;

''(B) uses a removable bottle or container as the source of potable water; and

''(C) includes a refrigerated compartment with or without provisions for making ice.

''(75) PORTABLE ELECTRIC SPA.—

''(A) IN GENERAL.—The term 'portable electric spa' means a factory-built electric spa or hot tub that—

"(i) is intended for the immersion of persons in heated water circulated in a closed system; and

"(ii) is not intended to be drained and filled with each use.

"(B) INCLUSIONS.—The term 'portable electric spa' includes—

"(i) a filter;

"(ii) a heater (including an electric, solar, or gas heater);

"(iii) a pump;

"(iv) a control; and

"(v) other equipment, such as a light, a blower, and water sanitizing equipment.

"(C) EXCLUSIONS.—The term 'portable electric spa' does not include—

"(i) a permanently installed spa that, once installed, cannot be moved; or

"(ii) a spa that is specifically designed and exclusively marketed for medical treatment or physical therapy purposes.

"(76) WATER DISPENSER.—The term 'water dispenser' means a factory-made assembly that—

"(A) mechanically cools and heats potable water; and

''(B) dispenses the cooled or heated water by integral or remote means.''.

(b) COVERAGE.—

(1) IN GENERAL.—Section 322(a) of the Energy Policy and Conservation Act (42 U.S.C. 6292(a)) is amended—

(A) by redesignating paragraph (20) as paragraph (23); and

(B) by inserting after paragraph (19) the following:

''(20) Bottle-type water dispensers and compartment bottle-type water dispensers.

''(21) Commercial hot food holding cabinets.

''(22) Portable electric spas.''.

(2) CONFORMING AMENDMENTS.—

(A) Section 324 of the Energy Policy and Conservation Act (42 U.S.C. 6294) is amended by striking ''(19)'' each place it appears in subsections (a)(3), (b)(1)(B), (b)(3), and (b)(5) and inserting ''(23)''.

(B) Section 325(l) of the Energy Policy and Conservation Act (42 U.S.C. 6295(l)) is amended by striking ''paragraph (19)'' each place it appears in paragraphs (1) and (2) and inserting ''paragraph (23)''.

(c) TEST PROCEDURES.—Section 323(b) of the Energy Policy and Conservation Act (42 U.S.C. 6293(b)) (as amended by section 2(b)) is amended by adding at the end the following:

''(20) BOTTLE-TYPE WATER DISPENSERS.—

''(A) IN GENERAL.—Test procedures for bottle-type water dispensers and compartment bottle-type water dispensers shall be based on the document 'Energy Star Program Requirements for Bottled Water Coolers version 1.1' published by the Environmental Protection Agency.

''(B) INTEGRAL, AUTOMATIC TIMERS.—A unit with an integral, automatic timer shall not be tested under this paragraph using section 4D of the test criteria (relating to Timer Usage).

''(21) COMMERCIAL HOT FOOD HOLDING CABINETS.—

''(A) IN GENERAL.—Test procedures for commercial hot food holding cabinets shall be based on the test procedures described in ANSI/ASTM F2140–01 (Test for idle energy rate-dry test).

''(B) INTERIOR VOLUME.—Interior volume shall be based under this paragraph on the method demonstrated in the document 'Energy Star Program Requirements for Commercial Hot Food Holding Cabinets' of the Environmental Protection Agency, as in effect on August 15, 2003.

''(22) PORTABLE ELECTRIC SPAS.—

''(A) IN GENERAL.—Test procedures for portable electric spas shall be based on the test method for portable electric spas described in section 1604 of title 20, California Code of Regulations, as amended on December 3, 2008.

''(B) NORMALIZED CONSUMPTION.—Consumption shall be normalized under this paragraph for a water temperature difference of 37 degrees Fahrenheit.

''(C) ANSI TEST PROCEDURE.—If the American National Standards Institute publishes a test procedure for portable electric spas, the Secretary shall revise the procedure established under this paragraph, as determined appropriate by the Secretary.''.

(d) STANDARDS.—Section 325 of the Energy Policy and Conservation Act (42 U.S.C. 6295) (as amended by section 4(b)) is amended—

(1) by redesignating subsection (ii) as subsection (mm); and

(2) by inserting after subsection (hh) the following:

''(ii) BOTTLE-TYPE WATER DISPENSERS.—Effective beginning on the date that is 1 year after the date of enactment of the Implementation of National Consensus Appliance Agreements Act of 2011—

''(1) a bottle-type water dispenser shall not have standby energy consumption that is greater than 1.2 kilowatt-hours per day; and

''(2) a compartment bottle-type water dispenser shall not have standby energy consumption that is greater than 1.3 kilowatt-hours per day.

''(jj) COMMERCIAL HOT FOOD HOLDING CABINETS.—Effective beginning on the date that is 1 year after the date of enactment of the Implementation of National Consensus Appliance Agreements Act of 2011, a commercial hot food holding cabinet shall have a maximum idle energy rate of 40 watts per cubic foot of interior volume.

''(kk) PORTABLE ELECTRIC SPAS.—Effective beginning on the date that is 1 year after the date of enactment of the Implementation of National Consensus Appliance Agreements Act of 2011, a portable electric spa shall not have a normalized standby power rate of greater than 5 ($V^{2/3}$) Watts (in which 'V' equals the fill volume (in gallons)).

''(ll) REVISIONS.—

''(1) IN GENERAL.—Not later than the date that is 3 years after the date of enactment of the Implementation of National Consensus Appliance Agreements Act of 2011, the Secretary shall—

''(A) consider in accordance with subsection (o) revisions to the standards established under subsections (ii), (jj), and (kk); and

''(B)(i) publish a final rule establishing the revised standards; or

''(ii) make a finding that no revisions are technically feasible and economically justified.

''(2) EFFECTIVE DATE.—Any revised standards under this subsection shall take effect not earlier than the date that is 3 years after the date of the publication of the final rule.''.

(e) PREEMPTION.—Section 327 of the Energy Policy and Conservation Act (42 U.S.C. 6297) is amended—

(1) in subsection (b)—

(A) in paragraph (6), by striking ''or'' after the semicolon at the end;

(B) in paragraph (7), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(8) is a regulation that—

''(A) establishes efficiency standards for bottle-type water dispensers, compartment bottle-type water dispensers, commercial hot food holding cabinets, or portable electric spas; and

''(B) is in effect on or before the date of enactment of this paragraph.''; and

(2) in subsection (c)—

(A) in paragraph (8)(B), by striking ''and'' after the semicolon at the end;

(B) in paragraph (9)—

(i) by striking ''except that—'' and all that follows through ''if the Secretary'' and inserting ''except that if the Secretary'';

(ii) by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively, and indenting appropriately; and

(iii) in subparagraph (B) (as so redesignated), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(10) is a regulation that—

''(A) establishes efficiency standards for bottle-type water dispensers, compartment bottle-type water dispensers, commercial hot food holding cabinets, or portable electric spas; and

''(B) is adopted by the California Energy Commission on or before January 1, 2013.''.

**SEC. 6. TEST PROCEDURE PETITION PROCESS.**

(a) CONSUMER PRODUCTS OTHER THAN AUTOMOBILES.—Section 323(b)(1) of the Energy Policy and Conservation Act (42 U.S.C. 6293(b)(1)) is amended—

(1) in subparagraph (A)(i), by striking ''amend'' and inserting ''publish in the Federal Register amended''; and

(2) by adding at the end the following:

''(B) PETITIONS.—

''(i) IN GENERAL.—In the case of any covered product, any person may petition the Secretary to conduct a rulemaking—

''(I) to prescribe a test procedure for the covered product; or

"(II) to amend the test procedures applicable to the covered product to more accurately or fully comply with paragraph (3).

"(ii) DETERMINATION.—The Secretary shall—

"(I) not later than 90 days after the date of receipt of the petition, publish the petition in the Federal Register; and

"(II) not later than 180 days after the date of receipt of the petition, grant or deny the petition.

"(iii) BASIS.—The Secretary shall grant a petition if the Secretary finds that the petition contains evidence that, assuming no other evidence was considered, provides an adequate basis for determining that an amended test procedure would more accurately or fully comply with paragraph (3).

"(iv) EFFECT ON OTHER REQUIREMENTS.—The granting of a petition by the Secretary under this subparagraph shall create no presumption with respect to the

determination of the Secretary that the proposed test procedure meets the requirements of paragraph (3).

''(v) RULEMAKING.—

''(I) IN GENERAL.—Except as provided in subclause (II), not later than the end of the 18-month period beginning on the date of granting a petition, the Secretary shall publish an amended test procedure or a determination not to amend the test procedure.

''(II) EXTENSION.—The Secretary may extend the period described in subclause (I) for 1 additional year.

''(III) DIRECT FINAL RULE.—The Secretary may adopt a consensus test procedure in accordance with the direct final rule procedure established under section 325(p)(4).

''(C) TEST PROCEDURES.—The Secretary may, in accordance with the requirements of this subsection, prescribe test procedures for

any consumer product classified as a covered product under section 322(b).

''(D) NEW OR AMENDED TEST PROCEDURES.—The Secretary shall direct the National Institute of Standards and Technology to assist in developing new or amended test procedures.''.

(b) CERTAIN INDUSTRIAL EQUIPMENT.—Section 343 of the Energy Policy and Conservation Act (42 U.S.C. 6314) is amended—

(1) in subsection (a), by striking paragraph (1) and inserting the following:

''(1) AMENDMENT AND PETITION PROCESS.—

''(A) IN GENERAL.—At least once every 7 years, the Secretary shall review test procedures for all covered equipment and—

''(i) publish in the Federal Register amended test procedures with respect to any covered equipment, if the Secretary determines that amended test procedures would more accurately or fully comply with paragraphs (2) and (3); or

''(ii) publish notice in the Federal Register of any determination not to amend a test procedure.

"(B) PETITIONS.—

"(i) IN GENERAL.—In the case of any class or category of covered equipment, any person may petition the Secretary to conduct a rulemaking—

"(I) to prescribe a test procedure for the covered equipment; or

"(II) to amend the test procedures applicable to the covered equipment to more accurately or fully comply with paragraphs (2) and (3).

"(ii) DETERMINATION.—The Secretary shall—

"(I) not later than 90 days after the date of receipt of the petition, publish the petition in the Federal Register; and

"(II) not later than 180 days after the date of receipt of the petition, grant or deny the petition.

"(iii) BASIS.—The Secretary shall grant a petition if the Secretary finds that the petition contains evidence that, assuming no other evidence was considered, provides an adequate basis for determining

that an amended test method would more accurately promote energy or water use efficiency.

''(iv) EFFECT ON OTHER REQUIREMENTS.—The granting of a petition by the Secretary under this paragraph shall create no presumption with respect to the determination of the Secretary that the proposed test procedure meets the requirements of paragraphs (2) and (3).

''(v) RULEMAKING.—

''(I) IN GENERAL.—Except as provided in subclause (II), not later than the end of the 18-month period beginning on the date of granting a petition, the Secretary shall publish an amended test method or a determination not to amend the test method.

''(II) EXTENSION.—The Secretary may extend the period described in subclause (I) for 1 additional year.

''(III) DIRECT FINAL RULE.—The Secretary may adopt a consensus

test procedure in accordance with the direct final rule procedure established under section 325(p).'';

(2) by striking subsection (c); and

(3) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

**SEC. 7. AMENDMENTS TO HOME APPLIANCE TEST METHODS.**

Section 323(b) of the Energy Policy and Conservation Act (42 U.S.C. 6293(b)) (as amended by section 5(c)) is amended by adding at the end the following:

''(23) REFRIGERATOR AND FREEZER TEST PROCEDURE.—

''(A) IN GENERAL.—Not later than 90 days after the date on which the Secretary publishes the final standard rule that was proposed on September 27, 2010, the Secretary shall finalize the interim final test procedure rule proposed on December 16, 2010, with such subsequent modifications to the test procedure or standards as the Secretary determines to be appropriate and consistent with this part.

''(B) RULEMAKING.—

''(i) INITIATION.—Not later than January 1, 2012, the Secretary shall initiate a

rulemaking to amend the test procedure described in subparagraph (A) only to incorporate measured automatic icemaker energy use.

"(ii) FINAL RULE.—Not later than December 31, 2012, the Secretary shall publish a final rule regarding the matter described in clause (i).

"(24) ADDITIONAL HOME APPLIANCE TEST PROCEDURES.—

"(A) AMENDED TEST PROCEDURE FOR CLOTHES WASHERS.—Not later than October 1, 2011, the Secretary shall publish a final rule amending the residential clothes washer test procedure.

"(B) AMENDED TEST PROCEDURE FOR CLOTHES DRYERS.—

"(i) IN GENERAL.—Not later than 180 days after the date of enactment of this paragraph, the Secretary shall publish an amended test procedure for clothes dryers.

"(ii) REQUIREMENT.—The amendments to the test procedure shall be limited to modifications requiring that tested

dryers are run until the cycle (including cool down) is ended by automatic termination controls, if equipped with those controls.''.

**SEC. 8. CREDIT FOR ENERGY STAR SMART APPLIANCES.**

Section 324A of the Energy Policy and Conservation Act (42 U.S.C. 6294a) is amended by adding at the end the following:

''(e) CREDIT FOR SMART APPLIANCES.—Not later than 180 days after the date of enactment of this subsection, after soliciting comments pursuant to subsection (c)(5), the Administrator of the Environmental Protection Agency, in cooperation with the Secretary, shall determine whether to update the Energy Star criteria for residential refrigerators, refrigerator-freezers, freezers, dishwashers, clothes washers, clothes dryers, and room air conditioners to incorporate smart grid and demand response features.''.

**SEC. 9. VIDEO GAME CONSOLE ENERGY EFFICIENCY STUDY.**

(a) IN GENERAL.—Part B of title III of the Energy Policy and Conservation Act is amended by inserting after section 324A (42 U.S.C. 6294a) the following:

**''SEC. 324B. VIDEO GAME CONSOLE ENERGY EFFICIENCY STUDY.**

''(a) INITIAL STUDY.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Secretary shall conduct a study of—

''(A) video game console energy use; and

''(B) opportunities for energy savings regarding that energy use.

''(2) INCLUSIONS.—The study under paragraph (1) shall include an assessment of all power-consuming modes and media playback modes of video game consoles.

''(b) ACTION ON COMPLETION.—On completion of the initial study under subsection (a), the Secretary shall determine, by regulation, using the criteria and procedures described in section 325(n)(2), whether to initiate a process for establishing minimum energy efficiency standards for video game console energy use.

''(c) FOLLOW-UP STUDY.—If the Secretary determines under subsection (b) that standards should not be established, the Secretary shall conduct a follow-up study in accordance with subsection (a) by not later than 3 years after the date of the determination.''.

(b) APPLICATION DATE.—Subsection (nn)(1) of section 325 of the Energy Policy and Conservation Act (42 U.S.C. 6295) (as redesignated by section 5(d)(1)) is

amended by inserting ''or section 324B'' after ''subsection (l), (u), or (v)'' each place it appears.

**SEC. 10. REFRIGERATOR AND FREEZER STANDARDS.**

Section 325(b) of the Energy Policy and Conservation Act (42 U.S.C. 6295(b)) is amended by striking paragraph (4) and inserting the following:

''(4) REFRIGERATORS, REFRIGERATOR-FREEZERS, AND FREEZERS MANUFACTURED AS OF JANUARY 1, 2014.—

''(A) DEFINITION OF BUILT-IN PRODUCT CLASS.—In this paragraph, the term 'built-in product class' means a refrigerator, freezer, or refrigerator with a freezer unit that—

''(i) is 7.75 cubic feet or greater in total volume and 24 inches or less in cabinet depth (not including doors, handles, and custom front panels);

''(ii) is designed to be totally encased by cabinetry or panels attached during installation;

''(iii) is designed to accept a custom front panel or to be equipped with an integral factory-finished face;

"(iv) is designed to be securely fastened to adjacent cabinetry, walls, or floors; and

"(v) has 2 or more sides that are not—

"(I) fully finished; and

"(II) intended to be visible after installation.

"(B) MAXIMUM ENERGY USE.—

"(i) IN GENERAL.—Based on the test procedure in effect on July 9, 2010, the maximum energy use allowed in kilowatt hours per year for each product described in the table contained in clause (ii) (other than refrigerators and refrigerator-freezers with total refrigerated volume exceeding 39 cubic feet and freezers with total refrigerated volume exceeding 30 cubic feet) that is manufactured on or after January 1, 2014, is specified in the table contained in that clause.

"(ii) STANDARDS EQUATIONS.—The allowed maximum energy use referred to in clause (i) is as follows:

| **"Standards Equations** |
|---|

| **Product Description** | |
|---|---|
| **Automatic Defrost Refrigerator-Freezers** | |
| Top Freezer w/o TTD ice | 7.35 AV+ 207.0 |
| Top Freezer w/ TTD ice | 7.65 AV+ 267.0 |
| Side Freezer w/o TTD ice | 3.68 AV+ 380.6 |
| Side Freezer w/ TTD ice | 7.58 AV+304.5 |
| Bottom Freezer w/o TTD ice | 3.68 AV+ 367.2 |
| Bottom Freezer w/ TTD ice | 4.0 AV+ 431.2 |
| **Manual & Partial Automatic Refrigerator-Freezers** | |
| Manual Defrost | 7.06 AV+ 198.7 |
| Partial Automatic | 7.06 AV+198.7 |
| **All Refrigerators** | |
| Manual Defrost | 7.06AV+198.7 |
| Automatic Defrost | 7.35 AV+ 207.0 |
| **All Freezers** | |
| Upright with manual defrost | 5.66 AV+ 193.7 |
| Upright with automatic defrost | 8.70 AV+ 228.3 |
| Chest with manual defrost | 7.41 AV+ 107.8 |
| Chest with automatic defrost | 10.33 AV+ 148.1 |
| **Automatic Defrost Refrigerator-Freezers–Compact Size** | |
| Top Freezer and Bottom Freezer | 10.80 AV+ 301.8 |
| Side Freezer | 6.08 AV+ 400.8 |
| **Manual & Partial Automatic Refrigerator-Freezers–Compact Size** | |
| Manual Defrost | 8.03 AV+ 224.3 |
| Partial Automatic | 5.25 AV+ 298.5 |
| **All Refrigerators–Compact Size** | |
| Manual defrost | 8.03 AV+ 224.3 |
| Automatic defrost | 9.53 AV+ 266.3 |

| | |
|---|---|
| **All Freezers–Compact Size** | |
| Upright with manual defrost | 8.80 AV+ 225.7 |
| Upright with automatic defrost | 10.26 AV+ 351.9 |
| Chest | 9.41AV+ 136.8 |
| **Automatic Defrost Refrigerator-Freezers–Built-ins** | |
| Top Freezer w/o TTD ice | 7.84 AV+ 220.8 |
| Side Freezer w/o TTD ice | 3.93 AV+ 406.0 |
| Side Freezer w/ TTD ice | 8.08 AV+ 324.8 |
| Bottom Freezer w/o TTD ice | 3.91 AV+ 390.2 |
| Bottom Freezer w/ TTD ice | 4.25 AV+ 458.2 |
| **All Refrigerators–Built-ins** | |
| Automatic Defrost | 7.84 AV+ 220.8 |
| **All Freezers–Built-ins** | |
| Upright with automatic defrost | 9.32 AV+ 244.6. |

"(iii) FINAL RULES.—

"(I) IN GENERAL.—Except as provided in subclause (II), after the date of publication of each test procedure change made pursuant to section 323(b)(23), in accordance with the procedures described in section 323(e)(2), the Secretary shall publish final rules to amend the standards specified in the table contained in clause (ii).

"(II) EXCEPTION.—The standards amendment made pursuant to

the test procedure change required under section 323(b)(23)(B) shall be based on the difference between—

"(aa) the average measured automatic ice maker energy use of a representative sample for each product class; and

"(bb) the value assumed by the Department of Energy for ice maker energy use in the test procedure published pursuant to section 323(b)(23)(A).

"(III) APPLICABILITY.—Section 323(e)(3) shall not apply to the rules described in this clause.

"(iv) FINAL RULE.—The Secretary shall publish any final rule required by clause (iii) by not later than the later of the date that is 180 days after—

"(I) the date of enactment of this clause; or

"(II) the date of publication of a final rule to amend the test procedure described in section 323(b)(23).

"(v) NEW PRODUCT CLASSES.—The Secretary may establish 1 or more new product classes as part of the final amended standard adopted pursuant to the test procedure change required under section 323(b)(23)(B) if the 1 or more new product classes are needed to distinguish among products with automatic icemakers.

"(vi) EFFECTIVE DATES OF STANDARDS.—

"(I) STANDARDS AMENDMENT FOR FIRST REVISED TEST PROCEDURE.—A standards amendment adopted pursuant to a test procedure change required under section 323(b)(23)(A) shall apply to any product manufactured as of January 1, 2014.

"(II) STANDARDS AMENDMENT AFTER REVISED TEST PROCEDURE FOR ICEMAKER ENERGY.—An amendment adopted pursuant to a test procedure change required under section 323(b)(23)(B) shall apply to any product manufactured as of the date

that is 3 years after the date of publication of the final rule amending the standards.

''(vii) SLOPE AND INTERCEPT ADJUSTMENTS.—

''(I) IN GENERAL.—With respect to refrigerators, freezers, and refrigerator-freezers, the Secretary may, by rule, adjust the slope and intercept of the equations specified in the table contained in clause (ii)—

''(aa) based on the energy use of typical products of various sizes in a product class; and

''(bb) if the average energy use for each of the classes is the same under the new equations as under the equations specified in the table contained in clause (ii).

''(II) DEADLINE.—If the Secretary adjusts the slope and intercept of an equation described in subclause (I), the Secretary shall publish the final rule containing the adjustment by not later than July 1, 2011.

"(viii) EFFECT.—A final rule published under clause (iii) pursuant to the test procedure change required under section 323(b)(23)(B) or pursuant to clause (iv) shall not be considered to be an amendment to the standard for purposes of section 325(m).".

**SEC. 11. ROOM AIR CONDITIONER STANDARDS.**

Section 325(c) of the Energy Policy and Conservation Act (42 U.S.C. 6295(c)) is amended by adding at the end the following:

"(3) MINIMUM ENERGY EFFICIENCY RATIO OF ROOM AIR CONDITIONERS MANUFACTURED ON OR AFTER JUNE 1, 2014.—

"(A) IN GENERAL.—Based on the test procedure in effect on July 9, 2010, the minimum energy efficiency ratios of room air conditioners manufactured on or after June 1, 2014, shall not be less than that specified in the table contained in subparagraph (B).

"(B) MINIMUM ENERGY EFFICIENCY RATIOS.—The minimum energy efficiency ratios referred to in subparagraph (A) are as follows:

| "Product Description | Minimum EER |
|---|---|
| **Without Reverse Cycle w/Louvers** | |

| "Product Description | Minimum EER |
|---|---|
| <6,000 Btu/h | 11.2 |
| 6,000 to 7,999 Btu/h | 11.2 |
| 8,000-13,999 Btu/h | 11.0 |
| 14,000 to 19,999 Btu/h | 10.8 |
| 20,000-27,999 Btu/h | 9.4 |
| ≥28,000 Btu/h | 9.0 |
| **Without Reverse Cycle w/o Louvers** | |
| <6,000 Btu/h | 10.2 |
| 6,000 to 7,999 Btu/h | 10.2 |
| 8,000-10,999 Btu/h | 9.7 |
| 11,000-13,999 Btu/h | 9.6 |
| 14,000 to 19,999 Btu/h | 9.4 |
| ≥20,000 Btu/h | 9.4 |
| **With Reverse Cycle** | |
| <20,000 w/Louvers Btu/h | 9.9 |
| ≥ 20,000 w/Louvers Btu/h | 9.4 |
| <14,000 w/o Louvers Btu/h | 9.4 |
| ≥14,000 w/o Louvers Btu/h | 8.8 |
| **Casement** | |
| Casement Only | 9.6 |
| Casement-Slider | 10.5. |

"(C) FINAL RULE.—

"(i) IN GENERAL.—Not later than July 1, 2011, pursuant to the test procedure adopted by the Secretary on January 6, 2011, the Secretary shall amend the

standards specified in the table contained in subparagraph (B) in accordance with the procedures described in section 323(e)(2).

''(ii) STANDBY AND OFF MODE ENERGY CONSUMPTION.—

''(I) IN GENERAL.—The Secretary shall integrate standby and off mode energy consumption into the amended energy efficiency ratios standards required under clause (i).

''(II) REQUIREMENTS.—The amended standards described in subclause (I) shall reflect the levels of standby and off mode energy consumption that meet the criteria described in section 325(o).

''(iii) APPLICABILITY.—

''(I) AMENDMENT OF STANDARD.—Section 323(e)(3) shall not apply to the amended standards described in clause (i).

''(II) AMENDED STANDARDS.—The amended standards required by this subparagraph shall apply to prod-

ucts manufactured on or after June 1, 2014.''.

**SEC. 12. UNIFORM EFFICIENCY DESCRIPTOR FOR COVERED WATER HEATERS.**

Section 325(e) of the Energy Policy and Conservation Act (42 U.S.C. 6295(e)) is amended by adding at the end the following:

''(5) UNIFORM EFFICIENCY DESCRIPTOR FOR COVERED WATER HEATERS.—

''(A) DEFINITIONS.—In this paragraph:

''(i) COVERED WATER HEATER.—The term 'covered water heater' means—

''(I) a water heater; and

''(II) a storage water heater, instantaneous water heater, and unfired water storage tank (as defined in section 340).

''(ii) FINAL RULE.—The term 'final rule' means the final rule published under this paragraph.

''(B) PUBLICATION OF FINAL RULE.—Not later than 180 days after the date of enactment of this paragraph, the Secretary shall publish a final rule that establishes a uniform efficiency

descriptor and accompanying test methods for covered water heaters.

''(C) PURPOSE.—The purpose of the final rule shall be to replace with a uniform efficiency descriptor—

''(i) the energy factor descriptor for water heaters established under this subsection; and

''(ii) the thermal efficiency and standby loss descriptors for storage water heaters, instantaneous water heaters, and unfired water storage tanks established under section 342(a)(5).

''(D) EFFECT OF FINAL RULE.—

''(i) IN GENERAL.—Notwithstanding any other provision of this title, effective beginning on the effective date of the final rule, the efficiency standard for covered water heaters shall be denominated according to the efficiency descriptor established by the final rule.

''(ii) EFFECTIVE DATE.—The final rule shall take effect 1 year after the date of publication of the final rule under subparagraph (B).

"(E) CONVERSION FACTOR.—

"(i) IN GENERAL.—The Secretary shall develop a mathematical conversion factor for converting the measurement of efficiency for covered water heaters from the test procedures in effect on the date of enactment of this paragraph to the new energy descriptor established under the final rule.

"(ii) APPLICATION.—The conversion factor shall apply to models of covered water heaters affected by the final rule and tested prior to the effective date of the final rule.

"(iii) EFFECT ON EFFICIENCY REQUIREMENTS.—The conversion factor shall not affect the minimum efficiency requirements for covered water heaters otherwise established under this title.

"(iv) USE.—During the period described in clause (v), a manufacturer may apply the conversion factor established by the Secretary to rerate existing models of covered water heaters that are in existence prior to the effective date of the rule de-

scribed in clause (v)(II) to comply with the new efficiency descriptor.

''(v) PERIOD.—Subclause (E) shall apply during the period—

''(I) beginning on the date of publication of the conversion factor in the Federal Register; and

''(II) ending on April 16, 2015.

''(F) EXCLUSIONS.—The final rule may exclude a specific category of covered water heaters from the uniform efficiency descriptor established under this paragraph if the Secretary determines that the category of water heaters—

''(i) does not have a residential use and can be clearly described in the final rule; and

''(ii) are effectively rated using the thermal efficiency and standby loss descriptors applied (on the date of enactment of this paragraph) to the category under section 342(a)(5).

''(G) OPTIONS.—The descriptor set by the final rule may be—

"(i) a revised version of the energy factor descriptor in use on the date of enactment of this paragraph;

"(ii) the thermal efficiency and standby loss descriptors in use on that date;

"(iii) a revised version of the thermal efficiency and standby loss descriptors;

"(iv) a hybrid of descriptors; or

"(v) a new approach.

"(H) APPLICATION.—The efficiency descriptor and accompanying test method established under the final rule shall apply, to the maximum extent practicable, to all water heating technologies in use on the date of enactment of this paragraph and to future water heating technologies.

"(I) PARTICIPATION.—The Secretary shall invite interested stakeholders to participate in the rulemaking process used to establish the final rule.

"(J) TESTING OF ALTERNATIVE DESCRIPTORS.—In establishing the final rule, the Secretary shall contract with the National Institute of Standards and Technology, as necessary, to conduct testing and simulation of al-

ternative descriptors identified for consideration.

''(K) EXISTING COVERED WATER HEATERS.—A covered water heater shall be considered to comply with the final rule on and after the effective date of the final rule and with any revised labeling requirements established by the Federal Trade Commission to carry out the final rule if the covered water heater—

''(i) was manufactured prior to the effective date of the final rule; and

''(ii) complied with the efficiency standards and labeling requirements in effect prior to the final rule.''.

**SEC. 13. CLOTHES DRYERS.**

Section 325(g)(4) of the Energy Policy and Conservation Act (42 U.S.C. 6295(g)(4)) is amended by adding at the end the following:

''(D) MINIMUM ENERGY FACTORS FOR CLOTHES DRYERS.—

''(i) IN GENERAL.—Based on the test procedure in effect as of July 9, 2010, clothes dryers manufactured on or after January 1, 2015, shall comply with the

minimum energy factors specified in the table contained in clause (ii).

"(ii) NEW STANDARDS.—The minimum energy factors referred to in clause (i) are as follows:

| "Product Description | EF |
|---|---|
| Vented Electric Standard | 3.17. |
| Vented Electric Compact 120V | 3.29. |
| Vented Electric Compact 240V | 3.05. |
| Vented Gas | 2.81. |
| Vent-Less Electric Compact 240V | 2.37. |
| Vent-Less Electric Combination Washer/Dryer | 1.95. |

"(iii) FINAL RULE.—

"(I) REQUIREMENTS.—

"(aa) IN GENERAL.—The final rule to amend the clothes dryer test procedure adopted pursuant to section 323(b)(24)(B) shall amend the energy factors standards specified in the table contained in clause (ii) in accordance with the procedures described in section 323(e)(2).

"(bb) REPRESENTATIVE SAMPLE.—To establish a rep-

resentative sample of compliant products, the Secretary shall select a sample of minimally compliant dryers that automatically terminate the drying cycle at not less than 4 percent remaining moisture content.

''(II) STANDBY AND OFF MODE ENERGY CONSUMPTION.—

''(aa) INTEGRATION.—The Secretary shall integrate standby and off mode energy consumption into the amended standards required under subclause (I).

''(bb) REQUIREMENTS.—The amended standards described in item (aa) shall reflect levels of standby and off mode energy consumption that meet the criteria described in section 325(o).

''(III) APPLICABILITY.—

''(aa) AMENDMENT OF STANDARD.—Section 323(e)(3) shall not apply to the amended

standards described in subclause (I).

''(bb) AMENDED STANDARDS.—The amended standards required by this clause shall apply to products manufactured on or after January 1, 2015.

''(iv) OTHER STANDARDS.—Any dryer energy conservation standard that takes effect after the date of enactment of this subparagraph but before the amended standard required by this subparagraph shall not apply.''.

**SEC. 14. STANDARDS FOR CLOTHES WASHERS.**

Section 325(g)(9) of the Energy Policy and Conservation Act (42 U.S.C. 6295(g)(9)) is amended by striking subparagraph (B) and inserting the following:

''(B) AMENDMENT OF STANDARDS.—

''(i) PRODUCTS MANUFACTURED ON OR AFTER JANUARY 1, 2015.—

''(I) IN GENERAL.—Based on the test procedure in effect on July 9, 2010, clothes washers manufactured on or after January 1, 2015, shall comply with the minimum modified

energy factors and maximum water factors specified in the table contained in subclause (II).

"(II) STANDARDS.—The minimum modified energy factors and maximum water factors referred to in subclause (I) are as follows:

| | "MEF | WF |
|---|---|---|
| Top Loading—Standard | 1.72 | 8.0 |
| Top Loading—Compact | 1.26 | 14.0 |
| Front Loading—Standard | 2.2 | 4.5 |
| Front Loading—Compact (less than 1.6 cu. ft. capacity) | 1.72 | 8.0. |

"(ii) PRODUCTS MANUFACTURED ON OR AFTER JANUARY 1, 2018.—

"(I) IN GENERAL.—Based on the test procedure in effect on July 9, 2010, top-loading clothes washers manufactured on or after January 1, 2018, shall comply with the minimum modified energy factors and maximum water factors specified in the table contained in subclause (II).

"(II) STANDARDS.—The minimum modified energy factors and

maximum water factors referred to in subclause (I) are as follows:

| | ''MEF | WF |
|---|---|---|
| Top Loading—Standard | 2.0 | 6.0 |
| Top Loading—Compact | 1.81 | 11.6. |

''(iii) FINAL RULE.—

''(I) IN GENERAL.—The final rule to amend the clothes washer test procedure adopted pursuant to section 323(b)(24)(A) shall amend the standards described in clauses (i) and (ii) in accordance with the procedures described in section 323(e)(2).

''(II) STANDBY AND OFF MODE ENERGY CONSUMPTION.—

''(aa) INTEGRATION.—The Secretary shall integrate standby and off mode energy consumption into the amended modified energy factor standards required under subclause (I).

''(bb) REQUIREMENTS.—The amended modified energy factor standards described in item (aa) shall reflect levels of

standby and off mode energy consumption that meet the criteria described in section 325(o).

''(III) APPLICABILITY.—

''(aa) AMENDMENT OF STANDARD.—Section 323(e)(3) shall not apply to the amended standards described in subclause (I).

''(bb) AMENDED STANDARDS FOR PRODUCTS MANUFACTURED ON OR AFTER JANUARY 1, 2015.—Amended standards required by this clause that are based on clause (i) shall apply to products manufactured on or after January 1, 2015.

''(cc) AMENDED STANDARDS FOR PRODUCTS MANUFACTURED ON OR AFTER JANUARY 1, 2018.—Amended standards required by this clause that are based on clause (ii) shall apply to products manufactured on or after January 1, 2018.''.

**SEC. 15. DISHWASHERS.**

Section 325(g)(10) of the Energy Policy and Conservation Act (42 U.S.C. 6295(g)(10)) is amended—

(1) by striking subparagraph (A);

(2) by redesignating subparagraph (B) as subparagraph (D); and

(3) by inserting before subparagraph (D) (as redesignated by paragraph (2)) the following:

''(A) DISHWASHERS MANUFACTURED ON OR AFTER JANUARY 1, 2010.—A dishwasher manufactured on or after January 1, 2010, shall—

''(i) for a standard size dishwasher, not exceed 355 kilowatt hours per year and 6.5 gallons per cycle; and

''(ii) for a compact size dishwasher, not exceed 260 kilowatt hours per year and 4.5 gallons per cycle.

''(B) DISHWASHERS MANUFACTURED ON OR AFTER JANUARY 1, 2013.—A dishwasher manufactured on or after January 1, 2013, shall—

''(i) for a standard size dishwasher, not exceed 307 kilowatt hours per year and 5.0 gallons per cycle; and

"(ii) for a compact size dishwasher, not exceed 222 kilowatt hours per year and 3.5 gallons per cycle.

"(C) REQUIREMENTS OF FINAL RULES.—

"(i) IN GENERAL.—Any final rule to amend the dishwasher test procedure after July 9, 2010, and before January 1, 2013, shall amend the standards described in subparagraph (B) in accordance with the procedures described in section 323(e)(2).

"(ii) APPLICABILITY.—

"(I) AMENDMENT OF STANDARD.—Section 323(e)(3) shall not apply to the amended standards described in clause (i).

"(II) AMENDED STANDARDS.—The amended standards required by this subparagraph shall apply to products manufactured on or after January 1, 2013.".

**SEC. 16. PETITION FOR AMENDED STANDARDS.**

Section 325(n) of the Energy Policy and Conservation Act (42 U.S.C. 6295(n)) is amended—

(1) by redesignating paragraph (3) as paragraph (5); and

(2) by inserting after paragraph (2) the following:

''(3) NOTICE OF DECISION.—Not later than 180 days after the date of receiving a petition, the Secretary shall publish in the Federal Register a notice of, and explanation for, the decision of the Secretary to grant or deny the petition.

''(4) NEW OR AMENDED STANDARDS.—Not later than 3 years after the date of granting a petition for new or amended standards, the Secretary shall publish in the Federal Register—

''(A) a final rule that contains the new or amended standards; or

''(B) a determination that no new or amended standards are necessary.''.

**SEC. 17. PROHIBITED ACTS.**

Section 332(a) of the Energy Policy and Conservation Act (42 U.S.C. 6302(a)) is amended—

(1) in paragraph (1), by striking ''for any manufacturer or private labeler to distribute'' and inserting ''for any manufacturer (or representative of a manufacturer), distributor, retailer, or private labeler to offer for sale or distribute'';

(2) by striking paragraph (5) and inserting the following:

''(5) for any manufacturer (or representative of a manufacturer), distributor, retailer, or private labeler—

''(A) to offer for sale or distribute in commerce any new covered product that is not in conformity with an applicable energy conservation standard established in or prescribed under this part; or

''(B) if the standard is a regional standard that is more stringent than the base national standard, to offer for sale or distribute in commerce any new covered product having knowledge (consistent with the definition of 'knowingly' in section 333(b)) that the product will be installed at a location covered by a regional standard established in or prescribed under this part and will not be in conformity with the standard;'';

(3) in paragraph (6) (as added by section 306(b)(2) of Public Law 110–140 (121 Stat. 1559)), by striking the period at the end and inserting a semicolon;

(4) by redesignating paragraph (6) (as added by section 321(e)(3) of Public Law 110–140 (121 Stat. 1586)) as paragraph (7);

(5) in paragraph (7) (as so redesignated)—

(A) by striking ''for any manufacturer, distributor, retailer, or private labeler to distribute'' and inserting ''for any manufacturer (or representative of a manufacturer), distributor, retailer, or private labeler to offer for sale or distribute''; and

(B) by striking the period at the end and inserting a semicolon; and

(6) by inserting after paragraph (7) (as so redesignated) the following:

''(8) for any manufacturer or private labeler to distribute in commerce any new covered product that has not been properly certified in accordance with the requirements established in or prescribed under this part;

''(9) for any manufacturer or private labeler to distribute in commerce any new covered product that has not been properly tested in accordance with the requirements established in or prescribed under this part; and

''(10) for any manufacturer or private labeler to violate any regulation lawfully promulgated to implement any provision of this part.''.

**SEC. 18. OUTDOOR LIGHTING.**

(a) DEFINITIONS.—

(1) COVERED EQUIPMENT.—Section 340(1) of the Energy Policy and Conservation Act (42 U.S.C. 6311(1)) is amended—

(A) by redesignating subparagraph (L) as subparagraph (O); and

(B) by inserting after subparagraph (K) the following:

''(L) High light output double-ended quartz halogen lamps.

''(M) General purpose mercury vapor lamps.''.

(2) INDUSTRIAL EQUIPMENT.—Section 340(2)(B) of the Energy Policy and Conservation Act (42 U.S.C. 6311(2)(B)) is amended—

(A) by striking ''and'' before ''unfired hot water''; and

(B) by inserting after ''tanks'' the following: '', high light output double-ended quartz halogen lamps, and general purpose mercury vapor lamps''.

(3) NEW DEFINITIONS.—Section 340 of the Energy Policy and Conservation Act (42 U.S.C. 6311) is amended—

(A) by redesignating paragraphs (22) and (23) (as amended by sections 312(a)(2) and 314(a) of the Energy Independence and Security Act of 2007 (121 Stat. 1564, 1569)) as paragraphs (23) and (24), respectively; and

(B) by adding at the end the following:

''(25) GENERAL PURPOSE MERCURY VAPOR LAMP.—The term 'general purpose mercury vapor lamp' means a mercury vapor lamp (as defined in section 321) that—

''(A) has a screw base;

''(B) is designed for use in general lighting applications (as defined in section 321);

''(C) is not a specialty application mercury vapor lamp; and

''(D) is designed to operate on a mercury vapor lamp ballast (as defined in section 321) or is a self-ballasted lamp.

''(26) HIGH LIGHT OUTPUT DOUBLE-ENDED QUARTZ HALOGEN LAMP.—The term 'high light output double-ended quartz halogen lamp' means a lamp that—

''(A) is designed for general outdoor lighting purposes;

''(B) contains a tungsten filament;

"(C) has a rated initial lumen value of greater than 6,000 and less than 40,000 lumens;

"(D) has at each end a recessed single contact, R7s base;

"(E) has a maximum overall length (MOL) between 4 and 11 inches;

"(F) has a nominal diameter less than ¾ inch (T6);

"(G) is designed to be operated at a voltage not less than 110 volts and not greater than 200 volts or is designed to be operated at a voltage between 235 volts and 300 volts;

"(H) is not a tubular quartz infrared heat lamp; and

"(I) is not a lamp marked and marketed as a Stage and Studio lamp with a rated life of 500 hours or less.

"(27) SPECIALTY APPLICATION MERCURY VAPOR LAMP.—The term 'specialty application mercury vapor lamp' means a mercury vapor lamp (as defined in section 321) that is—

"(A) designed only to operate on a specialty application mercury vapor lamp ballast (as defined in section 321); and

''(B) is marked and marketed for specialty applications only.

''(28) TUBULAR QUARTZ INFRARED HEAT LAMP.—The term 'tubular quartz infrared heat lamp' means a double-ended quartz halogen lamp that—

''(A) is marked and marketed as an infrared heat lamp; and

''(B) radiates predominately in the infrared radiation range and in which the visible radiation is not of principle interest.''.

(b) STANDARDS.—Section 342 of the Energy Policy and Conservation Act (42 U.S.C. 6313) is amended by adding at the end the following:

''(g) HIGH LIGHT OUTPUT DOUBLE-ENDED QUARTZ HALOGEN LAMPS.—A high light output double-ended quartz halogen lamp manufactured on or after January 1, 2016, shall have a minimum efficiency of—

''(1) 27 LPW for lamps with a minimum rated initial lumen value greater than 6,000 and a maximum initial lumen value of 15,000; and

''(2) 34 LPW for lamps with a rated initial lumen value greater than 15,000 and less than 40,000.

''(h) GENERAL PURPOSE MERCURY VAPOR LAMPS.—A general purpose mercury vapor lamp shall not be manufactured on or after January 1, 2016.''.

(c) PREEMPTION.—Section 345 of the Energy Policy and Conservation Act (42 U.S.C. 6316) is amended—

(1) in the first sentence of subsection (a), by striking ''The'' and inserting ''Except as otherwise provided in this section, the''; and

(2) by adding at the end the following:

''(i) HIGH LIGHT OUTPUT DOUBLE-ENDED QUARTZ HALOGEN LAMPS.—

''(1) IN GENERAL.—Except as provided in paragraph (2), section 327 shall apply to high light output double-ended quartz halogen lamps to the same extent and in the same manner as described in section 325(nn)(1).

''(2) STATE ENERGY CONSERVATION STANDARDS.—Any State energy conservation standard that is adopted on or before January 1, 2015, pursuant to a statutory requirement to adopt efficiency standard for reducing outdoor lighting energy use enacted prior to January 31, 2008, shall not be preempted.''.

**SEC. 19. STANDARDS FOR COMMERCIAL FURNACES.**

Section 342(a) of the Energy Policy and Conservation Act (42 U.S.C. 6313(a)) is amended by adding at the end the following:

''(11) Warm air furnaces with an input rating of 225,000 Btu per hour or more and manufactured on or after the date that is 1 year after the date of enactment of this paragraph shall meet the following standard levels:

''(A) Gas-fired units shall—

''(i) have a minimum combustion efficiency of 80 percent;

''(ii) include an interrupted or intermittent ignition device;

''(iii) have jacket losses not exceeding 0.75 percent of the input rating; and

''(iv) have power venting or a flue damper.

''(B) Oil-fired units shall have—

''(i) a minimum thermal efficiency of 81 percent;

''(ii) jacket losses not exceeding 0.75 percent of the input rating; and

''(iii) power venting or a flue damper.''.

**SEC. 20. SERVICE OVER THE COUNTER, SELF-CONTAINED, MEDIUM TEMPERATURE COMMERCIAL REFRIGERATORS.**

Section 342(c) of the Energy Policy and Conservation Act (42 U.S.C. 6313(c)) is amended—

(1) in paragraph (1)—

(A) by redesignating subparagraph (C) as subparagraph (E); and

(B) by inserting after subparagraph (B) the following:

''(C) The term 'service over the counter, self-contained, medium temperature commercial refrigerator' or '(SOC–SC–M)' means a medium temperature commercial refrigerator—

''(i) with a self-contained condensing unit and equipped with sliding or hinged doors in the back intended for use by sales personnel, and with glass or other transparent material in the front for displaying merchandise; and

''(ii) that has a height not greater than 66 inches and is intended to serve as a counter for transactions between sales personnel and customers.

"(D) The term 'TDA' means the total display area ($ft^2$) of the refrigerated case, as defined in AHRI Standard 1200.";

(2) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively; and

(3) by inserting after paragraph (3) the following:

"(4) Each SOC–SC–M manufactured on or after January 1, 2012, shall have a total daily energy consumption (in kilowatt hours per day) of not more than 0.6 x TDA + 1.0.".

**SEC. 21. MOTOR MARKET ASSESSMENT AND COMMERCIAL AWARENESS PROGRAM.**

(a) FINDINGS.—Congress finds that—

(1) electric motor systems account for about half of the electricity used in the United States;

(2) electric motor energy use is determined by both the efficiency of the motor and the system in which the motor operates;

(3) Federal Government research on motor end use and efficiency opportunities is more than a decade old; and

(4) the Census Bureau has discontinued collection of data on motor and generator importation, manufacture, shipment, and sales.

(b) DEFINITIONS.—In this section:

(1) DEPARTMENT.—The term ''Department'' means the Department of Energy.

(2) INTERESTED PARTIES.—The term ''interested parties'' includes—

(A) trade associations;

(B) motor manufacturers;

(C) motor end users;

(D) electric utilities; and

(E) individuals and entities that conduct energy efficiency programs.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Energy, in consultation with interested parties.

(c) ASSESSMENT.—The Secretary shall conduct an assessment of electric motors and the electric motor market in the United States that shall—

(1) include important subsectors of the industrial and commercial electric motor market (as determined by the Secretary), including—

(A) the stock of motors and motor-driven equipment;

(B) efficiency categories of the motor population; and

(C) motor systems that use drives, servos, and other control technologies;

(2) characterize and estimate the opportunities for improvement in the energy efficiency of motor systems by market segment, including opportunities for—

(A) expanded use of drives, servos, and other control technologies;

(B) expanded use of process control, pumps, compressors, fans or blowers, and material handling components; and

(C) substitution of existing motor designs with existing and future advanced motor designs, including electronically commutated permanent magnet, interior permanent magnet, and switched reluctance motors; and

(3) develop an updated profile of motor system purchase and maintenance practices, including surveying the number of companies that have motor purchase and repair specifications, by company size, number of employees, and sales.

(d) RECOMMENDATIONS; UPDATE.—Based on the assessment conducted under subsection (c), the Secretary shall—

(1) develop—

(A) recommendations to update the detailed motor profile on a periodic basis;

(B) methods to estimate the energy savings and market penetration that is attributable to the Save Energy Now Program of the Department; and

(C) recommendations for the Director of the Census Bureau on market surveys that should be undertaken in support of the motor system activities of the Department; and

(2) prepare an update to the Motor Master+ program of the Department.

(e) PROGRAM.—Based on the assessment, recommendations, and update required under subsections (c) and (d), the Secretary shall establish a proactive, national program targeted at motor end-users and delivered in cooperation with interested parties to increase awareness of—

(1) the energy and cost-saving opportunities in commercial and industrial facilities using higher efficiency electric motors;

(2) improvements in motor system procurement and management procedures in the selection of higher efficiency electric motors and motor-system com-

ponents, including drives, controls, and driven equipment; and

(3) criteria for making decisions for new, replacement, or repair motor and motor system components.

**SEC. 22. STUDY OF COMPLIANCE WITH ENERGY STANDARDS FOR APPLIANCES.**

(a) IN GENERAL.—The Secretary of Energy shall conduct a study of the degree of compliance with energy standards for appliances, including an investigation of compliance rates and options for improving compliance, including enforcement.

(b) REPORT.—Not later than 18 months after the date of enactment of this Act, the Secretary of Energy shall submit to the appropriate committees of Congress a report describing the results of the study, including any recommendations.

**SEC. 23. STUDY OF DIRECT CURRENT ELECTRICITY SUPPLY IN CERTAIN BUILDINGS.**

(a) IN GENERAL.—The Secretary of Energy shall conduct a study—

(1) of the costs and benefits (including significant energy efficiency, power quality, and other power grid, safety, and environmental benefits) of

requiring high-quality, direct current electricity supply in buildings; and

(2) to determine, if the requirement described in paragraph (1) is imposed, what the policy and role of the Federal Government should be in realizing those benefits.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report describing the results of the study, including any recommendations.

**SEC. 24. TECHNICAL CORRECTIONS.**

(a) TITLE III OF ENERGY INDEPENDENCE AND SECURITY ACT OF 2007—ENERGY SAVINGS THROUGH IMPROVED STANDARDS FOR APPLIANCES AND LIGHTING.—

(1) Section 325(u) of the Energy Policy and Conservation Act (42 U.S.C. 6295(u)) (as amended by section 301(c) of the Energy Independence and Security Act of 2007 (121 Stat. 1550)) is amended—

(A) by redesignating paragraph (7) as paragraph (4); and

(B) in paragraph (4) (as so redesignated), by striking ''supplies is'' and inserting ''supply is''.

(2) Section 302(b) of the Energy Independence and Security Act of 2007 (121 Stat. 1551) is amended by striking ''6313(a)'' and inserting ''6314(a)''.

(3) Section 342(a)(6) of the Energy Policy and Conservation Act (42 U.S.C. 6313(a)(6)) (as amended by section 305(b)(2) of the Energy Independence and Security Act of 2007 (121 Stat. 1554)) is amended—

(A) in subparagraph (B)—

(i) by striking ''If the Secretary'' and inserting the following:

''(i) IN GENERAL.—If the Secretary'';

(ii) by striking ''clause (ii)(II)'' and inserting ''subparagraph (A)(ii)(II)'';

(iii) by striking ''clause (i)'' and inserting ''subparagraph (A)(i)''; and

(iv) by adding at the end the following:

''(ii) FACTORS.—In determining whether a standard is economically justified for the purposes of subparagraph (A)(ii)(II), the Secretary shall, after receiving views and comments furnished with respect to the proposed standard, determine

whether the benefits of the standard exceed the burden of the proposed standard by, to the maximum extent practicable, considering—

"(I) the economic impact of the standard on the manufacturers and on the consumers of the products subject to the standard;

"(II) the savings in operating costs throughout the estimated average life of the product in the type (or class) compared to any increase in the price of, or in the initial charges for, or maintenance expenses of, the products that are likely to result from the imposition of the standard;

"(III) the total projected quantity of energy savings likely to result directly from the imposition of the standard;

"(IV) any lessening of the utility or the performance of the products likely to result from the imposition of the standard;

''(V) the impact of any lessening of competition, as determined in writing by the Attorney General, that is likely to result from the imposition of the standard;

''(VI) the need for national energy conservation; and

''(VII) other factors the Secretary considers relevant.

''(iii) ADMINISTRATION.—

''(I) ENERGY USE AND EFFICIENCY.—The Secretary may not prescribe any amended standard under this paragraph that increases the maximum allowable energy use, or decreases the minimum required energy efficiency, of a covered product.

''(II) UNAVAILABILITY.—

''(aa) IN GENERAL.—The Secretary may not prescribe an amended standard under this subparagraph if the Secretary finds (and publishes the finding) that interested persons have established by a preponderance of

the evidence that a standard is likely to result in the unavailability in the United States in any product type (or class) of performance characteristics (including reliability, features, sizes, capacities, and volumes) that are substantially the same as those generally available in the United States at the time of the finding of the Secretary.

''(bb) OTHER TYPES OR CLASSES.—The failure of some types (or classes) to meet the criterion established under this subclause shall not affect the determination of the Secretary on whether to prescribe a standard for the other types or classes.''; and

(B) in subparagraph (C)(iv), by striking ''An amendment prescribed under this subsection'' and inserting ''Notwithstanding subparagraph (D), an amendment prescribed under this subparagraph''.

(4) Section 342(a)(6)(B)(iii) of the Energy Policy and Conservation Act (as added by section 306(c) of the Energy Independence and Security Act of 2007 (121 Stat. 1559)) is transferred and redesignated as clause (vi) of section 342(a)(6)(C) of the Energy Policy and Conservation Act (as amended by section 305(b)(2) of the Energy Independence and Security Act of 2007 (121 Stat. 1554)).

(5) Section 345 of the Energy Policy and Conservation Act (42 U.S.C. 6316) (as amended by section 312(e) of the Energy Independence and Security Act of 2007 (121 Stat. 1567)) is amended—

(A) by striking ''subparagraphs (B) through (G)'' each place it appears and inserting ''subparagraphs (B), (C), (D), (I), (J), and (K)'';

(B) by striking ''part A'' each place it appears and inserting ''part B''; and

(C) in subsection (a)—

(i) in paragraph (8), by striking ''and'' at the end;

(ii) in paragraph (9), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(10) section 327 shall apply with respect to the equipment described in section 340(1)(L) beginning on the date on which a final rule establishing an energy conservation standard is issued by the Secretary, except that any State or local standard prescribed or enacted for the equipment before the date on which the final rule is issued shall not be preempted until the energy conservation standard established by the Secretary for the equipment takes effect.''; and

(D) in subsection (h)(3), by striking ''section 342(f)(3)'' and inserting ''section 342(f)(4)''.

(6) Section 340(13) of the Energy Policy and Conservation Act (42 U.S.C. 6311(13)) (as amended by section 313(a) of the Energy Independence and Security Act of 2007 (121 Stat. 1568)) is amended—

(A) by striking subparagraphs (A) and (B) and inserting the following:

''(A) IN GENERAL.—The term 'electric motor' means any of the following:

''(i) A motor that is a general purpose T-frame, single-speed, foot-mounting, poly-phase squirrel-cage induction motor of the National Electrical Manufacturers Association, Design A and B, continuous rated, operating on 230/460 volts and constant 60 Hertz line power as defined in NEMA Standards Publication MG1–1987.

''(ii) A motor incorporating the design elements described in clause (i), but is configured to incorporate 1 or more of the following variations:

''(I) U-frame motor.

''(II) NEMA Design C motor.

''(III) Close-coupled pump motor.

''(IV) Footless motor.

''(V) Vertical solid shaft normal thrust motor (as tested in a horizontal configuration).

''(VI) 8-pole motor.

''(VII) Poly-phase motor with a voltage rating of not more than 600 volts (other than 230 volts or 460 volts, or both, or can be operated on 230 volts or 460 volts, or both).''; and

(B) by redesignating subparagraphs (C) through (I) as subparagraphs (B) through (H), respectively.

(7)(A) Section 342(b) of the Energy Policy and Conservation Act (42 U.S.C. 6313(b)) is amended—

(i) in paragraph (1), by striking ''paragraph (2)'' and inserting ''paragraph (3)'';

(ii) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4);

(iii) by inserting after paragraph (1) the following:

''(2) STANDARDS EFFECTIVE BEGINNING DECEMBER 19, 2010.—

''(A) IN GENERAL.—Except for definite purpose motors, special purpose motors, and those motors exempted by the Secretary under paragraph (3) and except as provided for in subparagraphs (B), (C), and (D), each electric motor manufactured with power ratings from 1 to 200 horsepower (alone or as a component of another piece of equipment) on or after December 19, 2010, shall have a nominal full load efficiency of not less than the nominal full load efficiency described in NEMA MG–1 (2006) Table 12–12.

"(B) FIRE PUMP ELECTRIC MOTORS.—Except for those motors exempted by the Secretary under paragraph (3), each fire pump electric motor manufactured with power ratings from 1 to 200 horsepower (alone or as a component of another piece of equipment) on or after December 19, 2010, shall have a nominal full load efficiency that is not less than the nominal full load efficiency described in NEMA MG–1 (2006) Table 12–11.

"(C) NEMA DESIGN B ELECTRIC MOTORS.—Except for those motors exempted by the Secretary under paragraph (3), each NEMA Design B electric motor with power ratings of more than 200 horsepower, but not greater than 500 horsepower, manufactured (alone or as a component of another piece of equipment) on or after December 19, 2010, shall have a nominal full load efficiency of not less than the nominal full load efficiency described in NEMA MG–1 (2006) Table 12–11.

"(D) MOTORS INCORPORATING CERTAIN DESIGN ELEMENTS.—Except for those motors exempted by the Secretary under paragraph (3), each electric motor described in section

340(13)(A)(ii) manufactured with power ratings from 1 to 200 horsepower (alone or as a component of another piece of equipment) on or after December 19, 2010, shall have a nominal full load efficiency of not less than the nominal full load efficiency described in NEMA MG–1 (2006) Table 12–11.''; and

(iv) in paragraph (3) (as redesignated by clause (ii)), by striking ''paragraph (1)'' each place it appears in subparagraphs (A) and (D) and inserting ''paragraphs (1) and (2)''.

(B) Section 313 of the Energy Independence and Security Act of 2007 (121 Stat. 1568) is repealed.

(C) The amendments made by—

(i) subparagraph (A) take effect on December 19, 2010; and

(ii) subparagraph (B) take effect on December 19, 2007.

(8) Section 321(30)(D)(i)(III) of the Energy Policy and Conservation Act (42 U.S.C. 6291(30)(D)(i)(III)) (as amended by section 321(a)(1)(A) of the Energy Independence and Security Act of 2007 (121 Stat. 1574)) is amended by inserting before the semicolon the following: ''or, in

the case of a modified spectrum lamp, not less than 232 lumens and not more than 1,950 lumens''.

(9) Section 321(30)(T) of the Energy Policy and Conservation Act (42 U.S.C. 6291(30)(T)) (as amended by section 321(a)(1)(B) of the Energy Independence and Security Act of 2007 (121 Stat. 1574)) is amended—

(A) in clause (i)—

(i) by striking the comma after ''household appliance'' and inserting ''and''; and

(ii) by striking ''and is sold at retail,''; and

(B) in clause (ii), by inserting ''when sold at retail,'' before ''is designated''.

(10) Section 325(i) of the Energy Policy and Conservation Act (42 U.S.C. 6295(i)) (as amended by sections 321(a)(3)(A) and 322(b) of the Energy Independence and Security Act of 2007 (121 Stat. 1577, 1588)) is amended by striking the subsection designation and all that follows through the end of paragraph (8) and inserting the following:

''(i) GENERAL SERVICE FLUORESCENT LAMPS, GENERAL SERVICE INCANDESCENT LAMPS, INTERMEDIATE BASE INCANDESCENT LAMPS, CANDELABRA BASE INCAN-

DESCENT LAMPS, AND INCANDESCENT REFLECTOR LAMPS.—

"(1) ENERGY EFFICIENCY STANDARDS.—

"(A) IN GENERAL.—Each of the following general service fluorescent lamps, general service incandescent lamps, intermediate base incandescent lamps, candelabra base incandescent lamps, and incandescent reflector lamps manufactured after the effective date specified in the tables listed in this subparagraph shall meet or exceed the standards established in the following tables:

"FLUORESCENT LAMPS

| Lamp Type | Nominal Lamp Wattage | Minimum CRI | Minimum Average Lamp Efficacy (LPW) | Effective Date (Period of Months) |
|---|---|---|---|---|
| 4-foot medium bi-pin | >35 W | 69 | 75.0 | 36 |
| | ≤35 W | 45 | 75.0 | 36 |
| 2-foot U-shaped | >35 W | 69 | 68.0 | 36 |
| | ≤35 W | 45 | 64.0 | 36 |
| 8-foot slimline | >65 W | 69 | 80.0 | 18 |
| | ≤65 W | 45 | 80.0 | 18 |
| 8-foot high output | >100 W | 69 | 80.0 | 18 |
| | ≤100 W | 45 | 80.0 | 18. |

"INCANDESCENT REFLECTOR LAMPS

| Nominal Lamp Wattage | Minimum Average Lamp Efficacy (LPW) | Effective Date (Period of Months) |
|---|---|---|
| 40–50 | 10.5 | 36 |
| 51–66 | 11.0 | 36 |
| 67–85 | 12.5 | 36 |
| 86–115 | 14.0 | 36 |
| 116–155 | 14.5 | 36 |
| 156–205 | 15.0 | 36. |

''GENERAL SERVICE INCANDESCENT LAMPS

| Rated Lumen Ranges | Maximum Rated Wattage | Minimum Rated Lifetime | Effective Date |
|---|---|---|---|
| 1490–2600 | 72 | 1,000 hrs | 1/1/2012 |
| 1050–1489 | 53 | 1,000 hrs | 1/1/2013 |
| 750–1049 | 43 | 1,000 hrs | 1/1/2014 |
| 310–749 | 29 | 1,000 hrs | 1/1/2014. |

''MODIFIED SPECTRUM GENERAL SERVICE INCANDESCENT LAMPS

| Rated Lumen Ranges | Maximum Rated Wattage | Minimum Rated Lifetime | Effective Date |
|---|---|---|---|
| 1118–1950 | 72 | 1,000 hrs | 1/1/2012 |
| 788–1117 | 53 | 1,000 hrs | 1/1/2013 |
| 563–787 | 43 | 1,000 hrs | 1/1/2014 |
| 232–562 | 29 | 1,000 hrs | 1/1/2014. |

''(B) APPLICATION.—

''(i) APPLICATION CRITERIA.—This subparagraph applies to each lamp that—

''(I) is intended for a general service or general illumination application (whether incandescent or not);

''(II) has a medium screw base or any other screw base not defined in ANSI C81.61–2006;

''(III) is capable of being operated at a voltage at least partially within the range of 110 to 130 volts; and

''(IV) is manufactured or imported after December 31, 2011.

"(ii) REQUIREMENT.—For purposes of this paragraph, each lamp described in clause (i) shall have a color rendering index that is greater than or equal to—

"(I) 80 for nonmodified spectrum lamps; or

"(II) 75 for modified spectrum lamps.

"(C) CANDELABRA INCANDESCENT LAMPS AND INTERMEDIATE BASE INCANDESCENT LAMPS.—

"(i) CANDELABRA BASE INCANDESCENT LAMPS.—Effective beginning January 1, 2012, a candelabra base incandescent lamp shall not exceed 60 rated watts.

"(ii) INTERMEDIATE BASE INCANDESCENT LAMPS.—Effective beginning January 1, 2012, an intermediate base incandescent lamp shall not exceed 40 rated watts.

"(D) EXEMPTIONS.—

"(i) STATUTORY EXEMPTIONS.—The standards specified in subparagraph (A) shall not apply to the following types of incandescent reflector lamps:

"(I) Lamps rated at 50 watts or less that are ER30, BR30, BR40, or ER40 lamps.

"(II) Lamps rated at 65 watts that are BR30, BR40, or ER40 lamps.

"(III) R20 incandescent reflector lamps rated 45 watts or less.

"(ii) ADMINISTRATIVE EXEMPTIONS.—

"(I) PETITION.—Any person may petition the Secretary for an exemption for a type of general service lamp from the requirements of this subsection.

"(II) CRITERIA.—The Secretary may grant an exemption under subclause (I) only to the extent that the Secretary finds, after a hearing and opportunity for public comment, that it is not technically feasible to serve a specialized lighting application (such as a military, medical, public safety, or certified historic lighting applica-

tion) using a lamp that meets the requirements of this subsection.

"(III) ADDITIONAL CRITERION.—To grant an exemption for a product under this clause, the Secretary shall include, as an additional criterion, that the exempted product is unlikely to be used in a general service lighting application.

"(E) EXTENSION OF COVERAGE.—

"(i) PETITION.—Any person may petition the Secretary to establish standards for lamp shapes or bases that are excluded from the definition of general service lamps.

"(ii) INCREASED SALES OF EXEMPTED LAMPS.—The petition shall include evidence that the availability or sales of exempted incandescent lamps have increased significantly since the date on which the standards on general service incandescent lamps were established.

"(iii) CRITERIA.—The Secretary shall grant a petition under clause (i) if the Secretary finds that—

"(I) the petition presents evidence that demonstrates that commercial availability or sales of exempted incandescent lamp types have increased significantly since the standards on general service lamps were established and likely are being widely used in general lighting applications; and

"(II) significant energy savings could be achieved by covering exempted products, as determined by the Secretary based in part on sales data provided to the Secretary from manufacturers and importers.

"(iv) NO PRESUMPTION.—The grant of a petition under this subparagraph shall create no presumption with respect to the determination of the Secretary with respect to any criteria under a rulemaking conducted under this section.

"(v) EXPEDITED PROCEEDING.—If the Secretary grants a petition for a lamp shape or base under this subparagraph, the Secretary shall—

''(I) conduct a rulemaking to determine standards for the exempted lamp shape or base; and

''(II) complete the rulemaking not later than 18 months after the date on which notice is provided granting the petition.

''(F) EFFECTIVE DATES.—

''(i) IN GENERAL.—In this paragraph, except as otherwise provided in a table contained in subparagraph (A) or in clause (ii), the term 'effective date' means the last day of the period of months specified in the table after October 24, 1992.

''(ii) SPECIAL EFFECTIVE DATES.—

''(I) ER, BR, AND BPAR LAMPS.—The standards specified in subparagraph (A) shall apply with respect to ER incandescent reflector lamps, BR incandescent reflector lamps, BPAR incandescent reflector lamps, and similar bulb shapes on and after January 1, 2008, or the date that is 180 days after the date of en-

actment of the Energy Independence and Security Act of 2007.

"(II) LAMPS BETWEEN 2.25–2.75 INCHES IN DIAMETER.—The standards specified in subparagraph (A) shall apply with respect to incandescent reflector lamps with a diameter of more than 2.25 inches, but not more than 2.75 inches, on and after the later of January 1, 2008, or the date that is 180 days after the date of enactment of the Energy Independence and Security Act of 2007.

"(2) COMPLIANCE WITH EXISTING LAW.—Notwithstanding section 332(a)(5) and section 332(b), it shall not be unlawful for a manufacturer to sell a lamp that is in compliance with the law at the time the lamp was manufactured.

"(3) RULEMAKING BEFORE OCTOBER 24, 1995.—

"(A) IN GENERAL.—Not later than 36 months after October 24, 1992, the Secretary shall initiate a rulemaking procedure and shall publish a final rule not later than the end of the 54-month period beginning on October 24,

1992, to determine whether the standards established under paragraph (1) should be amended.

"(B) ADMINISTRATION.—The rule shall contain the amendment, if any, and provide that the amendment shall apply to products manufactured on or after the 36-month period beginning on the date on which the final rule is published.

"(4) RULEMAKING BEFORE OCTOBER 24, 2000.—

"(A) IN GENERAL.—Not later than 8 years after October 24, 1992, the Secretary shall initiate a rulemaking procedure and shall publish a final rule not later than 9 years and 6 months after October 24, 1992, to determine whether the standards in effect for fluorescent lamps and incandescent lamps should be amended.

"(B) ADMINISTRATION.—The rule shall contain the amendment, if any, and provide that the amendment shall apply to products manufactured on or after the 36-month period beginning on the date on which the final rule is published.

''(5) RULEMAKING FOR ADDITIONAL GENERAL SERVICE FLUORESCENT LAMPS.—

''(A) IN GENERAL.—Not later than the end of the 24-month period beginning on the date labeling requirements under section 324(a)(2)(C) become effective, the Secretary shall—

''(i) initiate a rulemaking procedure to determine whether the standards in effect for fluorescent lamps and incandescent lamps should be amended so that the standards would be applicable to additional general service fluorescent lamps; and

''(ii) publish, not later than 18 months after initiating the rulemaking, a final rule including the amended standards, if any.

''(B) ADMINISTRATION.—The rule shall provide that the amendment shall apply to products manufactured after a date which is 36 months after the date on which the rule is published.

''(6) STANDARDS FOR GENERAL SERVICE LAMPS.—

''(A) RULEMAKING BEFORE JANUARY 1, 2014.—

''(i) IN GENERAL.—Not later than January 1, 2014, the Secretary shall initiate a rulemaking procedure to determine whether—

''(I) standards in effect for general service lamps should be amended; and

''(II) the exclusions for certain incandescent lamps should be maintained or discontinued based, in part, on excluded lamp sales collected by the Secretary from manufacturers.

''(ii) SCOPE.—The rulemaking—

''(I) shall not be limited to incandescent lamp technologies; and

''(II) shall include consideration of a minimum standard of 45 lumens per watt for general service lamps.

''(iii) AMENDED STANDARDS.—If the Secretary determines that the standards in effect for general service lamps should be amended, the Secretary shall publish a final rule not later than January 1, 2017,

with an effective date that is not earlier than 3 years after the date on which the final rule is published.

''(iv) PHASED-IN EFFECTIVE DATES.—The Secretary shall consider phased-in effective dates under this subparagraph after considering—

''(I) the impact of any amendment on manufacturers, retiring and repurposing existing equipment, stranded investments, labor contracts, workers, and raw materials; and

''(II) the time needed to work with retailers and lighting designers to revise sales and marketing strategies.

''(v) BACKSTOP REQUIREMENT.—If the Secretary fails to complete a rulemaking in accordance with clauses (i) through (iv) or if the final rule does not produce savings that are greater than or equal to the savings from a minimum efficacy standard of 45 lumens per watt, effective beginning January 1, 2020, the Secretary shall prohibit the manufacture of

any general service lamp that does not meet a minimum efficacy standard of 45 lumens per watt.

''(vi) STATE PREEMPTION.—Neither section 327 nor any other provision of law shall preclude California or Nevada from adopting, effective beginning on or after January 1, 2018—

''(I) a final rule adopted by the Secretary in accordance with clauses (i) through (iv);

''(II) if a final rule described in subclause (I) has not been adopted, the backstop requirement under clause (v); or

''(III) in the case of California, if a final rule described in subclause (I) has not been adopted, any California regulations relating to these covered products adopted pursuant to State statute in effect on the date of enactment of the Energy Independence and Security Act of 2007.

''(B) RULEMAKING BEFORE JANUARY 1, 2020.—

"(i) IN GENERAL.—Not later than January 1, 2020, the Secretary shall initiate a rulemaking procedure to determine whether—

"(I) standards in effect for general service lamps should be amended; and

"(II) the exclusions for certain incandescent lamps should be maintained or discontinued based, in part, on excluded lamp sales data collected by the Secretary from manufacturers.

"(ii) SCOPE.—The rulemaking shall not be limited to incandescent lamp technologies.

"(iii) AMENDED STANDARDS.—If the Secretary determines that the standards in effect for general service lamps should be amended, the Secretary shall publish a final rule not later than January 1, 2022, with an effective date that is not earlier than 3 years after the date on which the final rule is published.

"(iv) PHASED-IN EFFECTIVE DATES.—The Secretary shall consider

phased-in effective dates under this subparagraph after considering—

"(I) the impact of any amendment on manufacturers, retiring and repurposing existing equipment, stranded investments, labor contracts, workers, and raw materials; and

"(II) the time needed to work with retailers and lighting designers to revise sales and marketing strategies.

"(7) FEDERAL ACTIONS.—

"(A) COMMENTS OF SECRETARY.—

"(i) IN GENERAL.—With respect to any lamp to which standards are applicable under this subsection or any lamp specified in section 346, the Secretary shall inform any Federal entity proposing actions that would adversely impact the energy consumption or energy efficiency of the lamp of the energy conservation consequences of the action.

"(ii) CONSIDERATION.—The Federal entity shall carefully consider the comments of the Secretary.

''(B) AMENDMENT OF STANDARDS.—Notwithstanding section 325(n)(1), the Secretary shall not be prohibited from amending any standard, by rule, to permit increased energy use or to decrease the minimum required energy efficiency of any lamp to which standards are applicable under this subsection if the action is warranted as a result of other Federal action (including restrictions on materials or processes) that would have the effect of either increasing the energy use or decreasing the energy efficiency of the product.

''(8) COMPLIANCE.—

''(A) IN GENERAL.—Not later than the date on which standards established pursuant to this subsection become effective, or, with respect to high-intensity discharge lamps covered under section 346, the effective date of standards established pursuant to that section, each manufacturer of a product to which the standards are applicable shall file with the Secretary a laboratory report certifying compliance with the applicable standard for each lamp type.

''(B) CONTENTS.—The report shall include the lumen output and wattage consumption for

each lamp type as an average of measurements taken over the preceding 12-month period.

''(C) OTHER LAMP TYPES.—With respect to lamp types that are not manufactured during the 12-month period preceding the date on which the standards become effective, the report shall—

''(i) be filed with the Secretary not later than the date that is 12 months after the date on which manufacturing is commenced; and

''(ii) include the lumen output and wattage consumption for each such lamp type as an average of measurements taken during the 12-month period.''.

(11) Section 325(l)(4)(A) of the Energy Policy and Conservation Act (42 U.S.C. 6295(l)(4)(A)) (as amended by section 321(a)(3)(B) of the Energy Independence and Security Act of 2007 (121 Stat. 1581)) is amended by striking ''only''.

(12) Section 327(b)(1)(B) of the Energy Policy and Conservation Act (42 U.S.C. 6297(b)(1)(B)) (as amended by section 321(d)(3) of the Energy Independence and Security Act of 2007 (121 Stat. 1585)) is amended—

(A) in clause (i), by inserting ''and'' after the semicolon at the end;

(B) in clause (ii), by striking ''; and'' and inserting a period; and

(C) by striking clause (iii).

(13) Section 321(30)(C)(ii) of the Energy Policy and Conservation Act (42 U.S.C. 6291(30)(C)(ii)) (as amended by section 322(a)(1)(B) of the Energy Independence and Security Act of 2007 (121 Stat. 1587)) is amended by inserting a period after ''40 watts or higher''.

(14) Section 322(b) of the Energy Independence and Security Act of 2007 (121 Stat. 1588) is amended by striking ''6995(i)'' and inserting ''6295(i)''.

(15) Section 327(c) of the Energy Policy and Conservation Act (42 U.S.C. 6297(c)) (as amended by sections 324(f) of the Energy Independence and Security Act of 2007 (121 Stat. 1594) and section 6(e)(2)) is amended—

(A) in paragraph (6), by striking ''or'' after the semicolon at the end;

(B) in paragraph (9)(B), by striking ''or'' at the end;

(C) in paragraph (10), by striking the period at the end and inserting a semicolon;

(D) by adding at the end the following:

''(11) is a regulation for general service lamps that conforms with Federal standards and effective dates; or

''(12) is an energy efficiency standard for general service lamps enacted into law by the State of Nevada prior to December 19, 2007, if the State has not adopted the Federal standards and effective dates pursuant to subsection (b)(1)(B)(ii).''.

(16) Section 325(b) of the Energy Independence and Security Act of 2007 (121 Stat. 1596) is amended by striking ''6924(c)'' and inserting ''6294(c)''.

(17) This subsection and the amendments made by this subsection take effect as if included in the Energy Independence and Security Act of 2007 (Public Law 110–140; 121 Stat. 1492).

(b) ENERGY POLICY ACT OF 2005.—

(1) Section 325(g)(8)(C)(ii) of the Energy Policy and Conservation Act (42 U.S.C. 6295(g)(8)(C)(ii)) (as added by section 135(c)(2)(B) of the Energy Policy Act of 2005) is amended by striking ''20°F'' and inserting ''−20°F''.

(2) This subsection and the amendment made by this subsection take effect as if included in the Energy Policy Act of 2005 (Public Law 109–58; 119 Stat. 594).

(c) ENERGY POLICY AND CONSERVATION ACT.—

(1) Section 340(2)(B) of the Energy Policy and Conservation Act (42 U.S.C. 6311(2)(B)) is amended—

(A) in clause (xi), by striking ''and'' at the end;

(B) in clause (xii), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(xiii) other motors.''.

(2) Section 343(a) of the Energy Policy and Conservation Act (42 U.S.C. 6314(a)) is amended by striking ''Air-Conditioning and Refrigeration Institute'' each place it appears in paragraphs (4)(A) and (7) and inserting ''Air-Conditioning, Heating, and Refrigeration Institute''.

○