

## Energy Efficiency Advisory

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### **DOE Continues Sprint to Update Energy Efficiency Rules**

*Scott Blake Harris, John A. Hodges, and Stephanie S. Weiner*

The Department of Energy (DOE) is continuing its rapid-fire effort not only to roll back Trump-era energy efficiency rules,<sup>1</sup> but also to update other energy efficiency standards and test procedures. This effort is likely motivated, in no small way, by President Biden’s Executive Order, issued on Inauguration Day, to, among other objectives, “reduce greenhouse gas emissions” and “immediately commence work to confront the climate crisis.”<sup>2</sup> It’s also consistent with DOE’s statutory obligation periodically to update standards and test procedures—an obligation the agency has often failed to meet in a timely way.<sup>3</sup>

There are literally dozens of standards and test procedure rules, affecting all sorts of products and equipment, in DOE’s pipeline—and so many have been issued it is hard to keep up with them all.<sup>4</sup> We thought it might be useful to recap the Department’s blizzard of such activity since Inauguration Day:<sup>5</sup>

- **Boilers.** DOE has issued a request for information (RFI) undertaking an early assessment review to determine whether to amend the standards for consumer boilers.<sup>6</sup> Comments were due by May 26, 2021. This will be followed by further rulemaking potentially leading to amended standards.
- **Walk-in Coolers and Walk-in Freezers.** DOE has amended the test procedure for hot gas defrost unit coolers by making it consistent with a recent update to an industry testing standard.<sup>7</sup> The changes are mandatory for testing starting September 22, 2021. The agency has also undertaken an early assessment to determine whether to amend the test procedures for WICFs.<sup>8</sup> Comments were due by July 19, 2021. DOE has also issued an RFI to evaluate whether to amend the standards for this equipment.<sup>9</sup> Comments were due by August 16, 2021. These will be followed by further rulemakings potentially leading to amended test procedures and amended standards.
- **Room Air Conditioners.** DOE has amended the test procedure for room air conditioners to, among other things, incorporate current versions of industry standards; establish test provisions to measure energy use of variable-speed room ACs during a representative average use cycle; and update definitions to define key terms and support provisions for testing variable-speed room ACs.<sup>10</sup> The changes became mandatory for testing starting September 27, 2021.

- **Commercial and Industrial Pumps.** DOE issued an RFI to consider amendments to the test procedure for commercial and industrial pumps.<sup>11</sup> Comments were due by July 1, 2021. The agency has also issued an RFI undertaking an early assessment review for amended standards for this equipment.<sup>12</sup> Comments are due by October 8, 2021. These will be followed by further rulemakings potentially leading to amended test procedures and amended standards.
- **Direct Heating Equipment.** DOE issued a proposal to amend the test procedure for direct heating equipment.<sup>13</sup> The proposal is to incorporate the most recent versions of the industry consensus test standards; update definitions regarding unvented heaters; account for multiple operational modes; specify the allowable measurement error for oil pressure; specify the use of manufacturer values for gas supply pressure in certain circumstances; reduce the number of thermocouples required in the thermocouple grid for models with small flues; and clarify instructions for calculations regarding condensate mass measurements. DOE scheduled a webinar for June 4, 2021; comments were due by June 30, 2021.
- **Portable Air Conditioners.** DOE issued an RFI to consider amendments to the test procedure for portable air conditioners.<sup>14</sup> Comments were due by May 17, 2021. This will be followed by further rulemaking potentially leading to an amended test procedure.
- **Clothes Dryers.** DOE held a webinar on May 26, 2021, to discuss and receive comments on the preliminary analysis it has conducted for purposes of evaluating standards for consumer clothes dryers.<sup>15</sup> Comments were due by July 6, 2021. This will be followed by further rulemaking potentially leading to standards.
- **Ceiling Fan Light Kits.** DOE issued an RFI undertaking an early assessment review to determine whether amendments are warranted for the test procedure for ceiling fan light kits.<sup>16</sup> Comments were due by June 3, 2021. The agency also issued an RFI undertaking an early assessment review to determine whether to amend standards for this product.<sup>17</sup> Comments were due by July 6, 2021. These will be followed by further rulemakings potentially leading to amended test procedures and standards.
- **Ceiling Fans.** DOE issued an RFI undertaking an early assessment review for amended standards for ceiling fans.<sup>18</sup> Comments were due by June 28, 2021. This will be followed by further rulemaking potentially leading to amended standards. The agency also issued a final rule to make technical and conforming amendments to the regulations for large-diameter ceiling fans.<sup>19</sup>
- **Circulator Pumps and Small Vertical In-Line Pumps.** DOE issued an RFI undertaking an early assessment review for potential test procedures and standards for circulator pumps and small vertical in-line pumps.<sup>20</sup> Comments were due by July 30, 2021. This will be followed by further rulemaking potentially leading to test procedures and standards.

- **Commercial and Industrial Fans.** DOE issued an RFI on a potential definition of “commercial and industrial fan” for consideration in determining whether such equipment should be classified as covered equipment for purposes of EPCA.<sup>21</sup> Comments were due by May 25, 2021. This will be followed by further rulemaking potentially leading to such classification.
- **Refrigerated Bottled or Canned Beverage Vending Machines.** DOE issued an RFI undertaking an early assessment review to determine whether amendments are warranted for the test procedure for refrigerated bottled or canned beverage vending machines.<sup>22</sup> Comments were due by June 18, 2021. This will be followed by further rulemaking potentially leading to an amended test procedure.
- **Commercial Prerinse Spray Valves.** DOE issued a proposal to amend the test procedure for commercial prerinse spray valves to incorporate by reference the current version of an industry standard, and to amend the commercial prerinse spray valves definition to codify existing guidance on the application of the definition.<sup>23</sup> Comments were due by July 19, 2021. The agency has also initially determined that amended standards are not needed.<sup>24</sup> It scheduled a webinar for September 1, 2021; comments are due by October 18, 2021.
- **Water Closets and Urinals.** DOE issued a proposal to amend the test procedure for water closets and urinals to reference the most recent update to an industry standard, and to replace and add terms and definitions.<sup>25</sup> It scheduled a webinar for June 16, 2021; comments were due by July 19, 2021.
- **General Service Lamps.** DOE issued an RFI to re-evaluate its prior determination that it was not required to implement the statutory backstop requirement for GSLs.<sup>26</sup> If DOE fails to complete a rulemaking in accordance with certain statutory criteria, or if a final rule for GSLs does not produce savings that are greater than or equal to the savings from a minimum efficacy standard of 45 lumens per watt, the agency must prohibit the sale of any GSL that does not meet a minimum efficacy standard of 45 lm/W. The RFI solicited information that may be relevant to a possible implementation of the statutory backstop. Comments were due by June 24, 2021.
- **Packaged Terminal Air Conditioners and Packaged Terminal Heat Pumps.** DOE issued an RFI to consider amendments to the test procedure for PTACs and PTHPs.<sup>27</sup> Comments were due by June 24, 2021. This will be followed by further rulemaking potentially leading to an amended test procedure.
- **General Service Fluorescent Lamps, Incandescent Reflector Lamps, and General Service Incandescent Lamps.** DOE issued a proposal to amend the test procedures for GSFLs, IRLs, and GSILs.<sup>28</sup> This is to update to the latest versions of the referenced industry test standards and provide related cites; to clarify definitions, test conditions and methods, and measurement procedures; to clarify test frequency and inclusion of cathode power in measurements for GSFLs; to provide a test method for measuring color rendering index (CRI) of GSILs and IRLs and for measuring lifetime of IRLs; to allow manufacturers to make voluntary (optional) representations of GSFLs at high frequency settings; to revise

the sampling requirements; and to align sampling and certification requirements with proposed test procedure terminology and with the Federal Trade Commission's labeling program. DOE scheduled a webinar for June 24, 2021; comments were due by August 2, 2021.

- **Unfired Hot Water Storage Tanks.** DOE has initially determined that conservation standards for UFHWSTs do not need to be amended.<sup>29</sup> It scheduled a webinar for July 13, 2021; comments were due by August 9, 2021.
- **Commercial Refrigerators, Refrigerator-Freezers, and Freezers.** DOE issued an RFI to consider whether amendments are warranted to the test procedure for commercial refrigerators, refrigerator-freezers, and freezers.<sup>30</sup> Comments were due by July 26, 2021. It also issued an RFI to consider amendments to the standards for these products.<sup>31</sup> Comments were due by August 30, 2021. These will be followed by further rulemaking potentially leading to an amended test procedure and amended standards.
- **Dehumidifiers.** DOE issued an RFI undertaking an early assessment review for amended standards for dehumidifiers.<sup>32</sup> Comments were due by July 21, 2021. It also issued an RFI to determine whether to proceed with a rulemaking to amend the test procedure for dehumidifiers.<sup>33</sup> Comments were due by July 30, 2021. These will be followed by further rulemakings potentially leading to amended test procedures and amended standards.
- **Dehumidifying Direct Expansion-Dedicated Outdoor Air Systems.** DOE issued a proposal to amend the test procedures for dehumidifying direct expansion-dedicated outdoor air systems.<sup>34</sup> This includes establishing definitions for various systems; establishing a test procedure for one system; and add supporting definitions, energy efficiency metrics for dehumidification and heating modes, and provisions governing public representations. DOE scheduled a webinar for August 2, 2021; comments were due by September 7, 2021.
- **Consumer Furnace Fans.** DOE issued an RFI to consider amendments to the test procedure for consumer furnace fans.<sup>35</sup> Comments were due by August 6, 2021. This will be followed by further rulemaking potentially leading to an amended test procedure.
- **Evaporatively-Cooled Commercial Package Air Conditioners and Water-Cooled Commercial Package Air Conditioners.** DOE issued a determination that standards for small, large, and very large ECUACs and WCUACs do not need to be amended.<sup>36</sup>
- **Metal Halide Lamp Fixtures.** DOE issued a proposal to amend the test procedures for metal halide lamp fixtures.<sup>37</sup> This includes incorporating by reference the latest versions of relevant industry standards; clarifying the selection of reference lamps used for testing; reorganizing the content of the test procedure for better readability and clarity; and revising the standby mode test procedure for MHLFs. DOE scheduled a webinar for August 5, 2021; comments are due by September 13, 2021.

- **Dedicated-Purpose Pool Pump Motors.** DOE issued a final rule establishing a test procedure for DPPP motors.<sup>38</sup> It incorporates by reference an industry standard pertaining to DPPP definitions; and requires the use of an industry testing standard for testing the energy efficiency of DPPP motors.
- **Microwave Ovens.** DOE issued a supplemental proposal to amend the current test procedure microwave ovens to clarify the current procedure for testing a microwave oven that has a connected (*i.e.*, network) function, and to address aspects of measurement of standby power.<sup>39</sup> Comments were due by September 2, 2021. It has also initially determined that standards for microwave ovens do not need to be amended.<sup>40</sup> DOE will hold a webinar on September 13, 2021; comments are due by October 12, 2021
- **Certification Provisions.** DOE has proposed to amend the certification provisions for ceiling fan light kits, general service incandescent lamps, incandescent reflector lamps, ceiling fans, consumer furnaces and boilers, consumer water heaters, dishwashers, commercial clothes washers, battery chargers, and dedicated-purpose pool pumps.<sup>41</sup> The agency wants to ensure reporting that is consistent with currently applicable conservation standards and to ensure that it has the information necessary to determine the appropriate classification of products for the application of standards. Comments are due by October 5, 2021.
- **Fans and Blowers.** DOE issued a final determination classifying certain fans and blowers as “covered equipment” under EPCA and establishing the definition of equipment that is considered fans and blowers.<sup>42</sup>
- **Manufactured Housing.** DOE has issued a supplemental proposal to establish standards for manufactured housing.<sup>43</sup> It will hold a webinar September 28, 2021; comments will be due by October 25, 2021.
- **Distribution Transformers.** DOE will hold a webinar on September 29, 2021, to discuss and receive comments on its preliminary analysis on evaluating standards for distribution transformers.<sup>44</sup> Comments will be due by November 10, 2021. It has also issued a pre-publication Federal Register notice amending the test procedure for distribution transformers.<sup>45</sup> The changes will be mandatory for testing starting 180 days after the notice has been published in the Federal Register; publication is scheduled for September 14, 2021.
- **Residential and Commercial Clothes Washers.** DOE has issued a proposal to amend the test procedures for residential and commercial clothes washers. It also proposes to create a new test procedure for residential and commercial clothes washers with additional modifications for certain test conditions, measurement of average cycle time, required test cycles, tested load sizes, semi-automatic clothes washer provisions, new performance metrics, and updated usage factors.<sup>46</sup> DOE will conduct a webinar on September 14, 2021; comments are due by November 1, 2021.

- **Faucets and Showerheads.** DOE has issued an RFI undertaking an early assessment review to determine whether to proceed with a rulemaking to amend the test procedures for faucets and showerheads.<sup>47</sup> Comments are due by October 4, 2021. This will be followed by further rulemaking potentially leading to an amended test procedure.

**Conclusion.** As one would expect, the drive for energy efficiency is dramatically accelerating under the Biden Administration. There have been a host of DOE rulemakings for a broad range of products and equipment—and there is much more to come. DOE civil penalties for violations are steep, currently \$474 per unit sold in violation of a rule—and the level will increase periodically for inflation. The voluntary Energy Star program, jointly managed by DOE and the Environmental Protection Agency, can be expected to adopt more stringent criteria based on amended DOE standards; this will also affect procurement rules and rebate programs that take into account Energy Star criteria. And DOE efficiency rules influence rules throughout the world. Thus, the stakes in DOE rulemakings are high.

Fortunately, the Department must seek and respond to public comment in rulemaking proceedings. Interested parties should take advantage of such opportunities (and remember that filings are permissible even after the public comment period has closed).

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For more information on this subject or Harris, Wiltshire & Grannis LLP's energy practice, please contact [Scott Blake Harris](#), [Stephanie Weiner](#), or [John A. Hodges](#).

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- <sup>1</sup> This includes proposals to change Trump-era rules on furnaces and water heaters, lamps, showerheads, dishwashers, clothes washers, clothes dryers, interim waivers, DOE's Process Rule for adopting standards and test procedures, and guidance documents. See Scott Blake Harris, John A. Hodges, and Stephanie S. Weiner, *DOE Continues Rollback of Trump-Era Rules; Updates Other Energy Efficiency Rules* (Aug. 19, 2021), <http://www.hwglaw.com/wp-content/uploads/2021/08/HWG-Energy-Update-August-2021.pdf>.
- <sup>2</sup> Executive Order 13990 of January 20, 2021, *Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis*, 86 Fed. Reg. 7037 (Jan. 25, 2021).
- <sup>3</sup> See Energy Policy and Conservation Act (EPCA), 42 U.S.C.A. § 6291 *et seq.*
- <sup>4</sup> See Office of Management and Budget, Office of Information and Regulatory Affairs, Agency Rule List – Spring 2021, DOE (last accessed: Sept. 13, 2021), [https://www.reginfo.gov/public/do/eAgendaMain?operation=OPERATION\\_GET\\_AGENCY\\_RULE\\_LIST&currentPub=true&agencyCode=&showStage=active&agencyCd=1900&csrf\\_token=1C66B36911F60D88661B0A3567C24492A614BAF3C8847C286386EDB04E8FEB4A6B165EDFCC748F959B6094A3017D5C9D4803B](https://www.reginfo.gov/public/do/eAgendaMain?operation=OPERATION_GET_AGENCY_RULE_LIST&currentPub=true&agencyCode=&showStage=active&agencyCd=1900&csrf_token=1C66B36911F60D88661B0A3567C24492A614BAF3C8847C286386EDB04E8FEB4A6B165EDFCC748F959B6094A3017D5C9D4803B).
- <sup>5</sup> Proposals to change Trump-era rules are separately discussed in Harris, Hodges, and Weiner, *supra* note 1.
- <sup>6</sup> DOE, Office of Energy Efficiency and Renewable Energy, Energy Conservation Standards for Consumer Products; Early Assessment Review; Boilers, RFI, 86 Fed. Reg. 15804 (March 25, 2021); *id.* 18478 (April 9, 2021) (extension of public comment period).
- <sup>7</sup> DOE, Office of Energy Efficiency and Renewable Energy, Test Procedure for Walk-In Coolers and Walk-In Freezers, Final Rule, *id.* 16027 (March 26, 2021).
- <sup>8</sup> DOE, Office of Energy Efficiency and Renewable Energy, Test Procedures for Certain Commercial and Industrial Equipment; Early Assessment Review: Walk-In Coolers and Freezers, RFI, *id.* 32332 (June 17, 2021).
- <sup>9</sup> DOE, Office of Energy Efficiency and Renewable Energy, Energy Conservation Standards for Certain Commercial and Industrial Equipment; Early Assessment Review; Walk-In Coolers and Freezers, RFI, *id.* 37687 (July 16, 2021).
- <sup>10</sup> DOE, Office of Energy Efficiency and Renewable Energy, Test Procedure for Room Air Conditioners, Final Rule, *id.* 16446 (March 29, 2021); *id.* 24483 (May 7, 2021) (correction of Final Rule).
- <sup>11</sup> DOE, Office of Energy Efficiency and Renewable Energy, Test Procedure for Commercial & Industrial Pumps, RFI, *id.* 20075 (April 16, 2021); *id.* 23875 (May 5, 2021) (extension of public comment period).
- <sup>12</sup> DOE, Office of Energy Efficiency and Renewable Energy, Energy Conservation Standards for Certain Commercial and Industrial Equipment; Early Assessment Review; Commercial and Industrial Pumps, RFI, *id.* 43430 (Aug. 9, 2021); *id.* 49266 (Sept. 2, 2021) (extension of public comment period).
- <sup>13</sup> DOE, Office of Energy Efficiency and Renewable Energy, Test Procedure for Direct Heating Equipment, Notice of Proposed Rulemaking (NPR), *id.* 20053 (April 16, 2021).
- <sup>14</sup> DOE, Office of Energy Efficiency and Renewable Energy, Test Procedure for Portable Air Conditioners, RFI, *id.* 20044 (April 16, 2021).
- <sup>15</sup> DOE, Office of Energy Efficiency and Renewable Energy, Energy Conservation Standards for Consumer Clothes Dryers, Webinar and Availability of the Preliminary Technical Support Document, *id.* 20327 (April 19, 2021).
- <sup>16</sup> DOE, Office of Energy Efficiency and Renewable Energy, Test Procedures for Consumer Products; Early

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Assessment Review: Ceiling Fan Light Kits, RFI, *id.* 23635 (May 4, 2021).

- 17 DOE, Office of Energy Efficiency and Renewable Energy, Energy Conservation Standards for Consumer Products/Certain Commercial and Industrial Equipment; Early Assessment Review; Ceiling Fan Light Kits, RFI, *id.* 29954 (June 4, 2021).
- 18 DOE, Office of Energy Efficiency and Renewable Energy, Energy Conservation Standards for Consumer Products; Early Assessment Review; Ceiling Fans, RFI, *id.* 24538 (May 7, 2021); *id.* 29704 (June 3, 2021) (extension of public comment period).
- 19 DOE, Office of Energy Efficiency and Renewable Energy, Energy Conservation Standards and Test Procedures for Ceiling Fans, Final Rule, *id.* 28469 (May 27, 2021).
- 20 DOE, Office of Energy Efficiency and Renewable Energy, Test Procedures and Energy Conservation Standards for Circulator Pumps and Small Vertical In-Line Pumps, RFI, *id.* 24516 (May 7, 2021); *id.* 28298 (May 26, 2021) (extension of public comment period).
- 21 DOE, Office of Energy Efficiency and Renewable Energy, Coverage Determination for Commercial and Industrial Fans, RFI, *id.* 24752 (May 10, 2021).
- 22 DOE, Office of Energy Efficiency and Renewable Energy, Test Procedures for Certain Commercial and Industrial Equipment; Early Assessment Review: Refrigerated Bottled or Canned Beverage Vending Machines, RFI, *id.* 27054 (May 19, 2021).
- 23 DOE, Office of Energy Efficiency and Renewable Energy, Test Procedure for Commercial Prerinse Spray Valves, NOPR, *id.* 27298 (May 20, 2021).
- 24 DOE, Office of Energy Efficiency and Renewable Energy, Energy Conservation Standards for Commercial Prerinse Spray Valves, Notification of Proposed Determination (NOPD), *id.* 46330 (Aug. 18, 2021).
- 25 DOE, Office of Energy Efficiency and Renewable Energy, Test Procedures for Water Closets and Urinals, NOPR, *id.* 27281 (May 20, 2021).
- 26 DOE, Office of Energy Efficiency and Renewable Energy, Backstop Requirement for General Service Lamps, RFI, *id.* 28001 (May 25, 2021).
- 27 DOE, Office of Energy Efficiency and Renewable Energy, Test Procedures for Packaged Terminal Air Conditioners and Packaged Terminal Heat Pumps; RFI, *id.* 28005 (May 25, 2021).
- 28 DOE, Office of Energy Efficiency and Renewable Energy, Test Procedures for General Service Fluorescent Lamps, Incandescent Reflector Lamps, and General Service Incandescent Lamps, NOPR, *id.* 29888 (June 3, 2021).
- 29 DOE, Office of Energy Efficiency and Renewable Energy, Energy Conservation Standards for Unfired Hot Water Storage Tanks, NOPD, *id.* 30796 (June 10, 2021).
- 30 DOE, Office of Energy Efficiency and Renewable Energy, Test Procedures for Commercial Equipment; Early Assessment Review: Commercial Refrigerators, Refrigerator-Freezers, and Freezers, RFI, *id.* 31182 (June 11, 2021).
- 31 DOE, Office of Energy Efficiency and Renewable Energy, Energy Conservation Standards for Certain Commercial and Industrial Equipment; Early Assessment Review; Commercial Refrigerators, Freezers, and Refrigerator-Freezers, RFI, *id.* 37708 (July 16, 2021).
- 32 DOE, Office of Energy Efficiency and Renewable Energy, Energy Conservation Standards for Consumer



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- Products; Early Assessment Review; Dehumidifiers, RFI, *id.* 29964 (June 4, 2021); *id.* 34639 (June 30, 2021) (extension of public comment period).
- <sup>33</sup> DOE, Office of Energy Efficiency and Renewable Energy, Test Procedures for Consumer Products; Early Assessment Review: Dehumidifiers, RFI, *id.* 34640 (June 30, 2021).
- <sup>34</sup> DOE, Office of Energy Efficiency and Renewable Energy, Test Procedure for Dehumidifying Direct Expansion-Dedicated Outdoor Air Systems, NOPR, *id.* 36018 (July 7, 2021).
- <sup>35</sup> DOE, Office of Energy Efficiency and Renewable Energy, Test Procedures for Consumer Products; Early Assessment Review: Consumer Furnace Fans, RFI, *id.* 35660 (July 7, 2021).
- <sup>36</sup> DOE, Office of Energy Efficiency and Renewable Energy, Energy Conservation Standards for Evaporatively-Cooled Commercial Package Air Conditioners and Water-Cooled Commercial Package Air Conditioners, Final Determination, *id.* 37001 (July 14, 2021).
- <sup>37</sup> DOE, Office of Energy Efficiency and Renewable Energy, Test Procedure for Metal Halide Lamp Fixtures, NOPR, *id.* 37069 (July 14, 2021).
- <sup>38</sup> DOE, Office of Energy Efficiency and Renewable Energy, Test Procedure for Dedicated-Purpose Pool Pump Motors, Final Rule, *id.* 40765 (July 29, 2021).
- <sup>39</sup> DOE, Office of Energy Efficiency and Renewable Energy, Test Procedure for Microwave Ovens, Supplemental Notice of Proposed Rulemaking (SNOPR), *id.* 41759 (Aug. 3, 2021). This follows a 2019 NOPR to amend the test procedure. 84 Fed. Reg. 61836 (Nov. 14, 2019).
- <sup>40</sup> DOE, Office of Energy Efficiency and Renewable Energy, Energy Conservation Standards for Microwave Ovens, NOPD, 86 Fed. Reg. 44298 (Aug. 12, 2021).
- <sup>41</sup> DOE, Office of Energy Efficiency and Renewable Energy, Certification for Ceiling Fan Light Kits, General Service Incandescent Lamps, Incandescent Reflector Lamps, Ceiling Fans, Consumer Furnaces and Boilers, Consumer Water Heaters, Dishwashers, Commercial Clothes Washers, Battery Chargers, and Dedicated-Purpose Pool Pumps, NOPR, *id.* 43120 (Aug. 6, 2021).
- <sup>42</sup> DOE, Office of Energy Efficiency and Renewable Energy, Final Determination of Fans and Blowers as Covered Equipment, Final Rule, Final Determination, *id.* 46579 (Aug. 19, 2021).
- <sup>43</sup> DOE, Office of Energy Efficiency and Renewable Energy, Energy Conservation Standards for Manufactured Housing, SNOPR, *id.* 47744 (Aug. 26, 2021). This is pursuant to the Energy Independence and Security Act of 2007, 42 U.S.C.A. § 17071.
- <sup>44</sup> DOE, Office of Energy Efficiency and Renewable Energy, Energy Conservation Standards for Distribution Transformers, Webinar and Availability of the Preliminary Technical Support Document, Notification of a Webinar and Availability of Preliminary Technical Support Document, 86 Fed. Reg. 48058 (Aug. 27, 2021).
- <sup>45</sup> DOE, Office of Energy Efficiency and Renewable Energy, Test Procedure for Distribution Transformers, Final Rule, <https://public-inspection.federalregister.gov/2021-19366.pdf>.
- <sup>46</sup> DOE, Office of Energy Efficiency and Renewable Energy, Test Procedures for Residential and Commercial Clothes Washers, NOPR, 86 Fed. Reg. 49140 (Sept. 1, 2021).
- <sup>47</sup> DOE, Office of Energy Efficiency and Renewable Energy, Test Procedures for Consumer Products; Early Assessment Review; Faucets and Showerheads, RFI, *id.* 49261 (Sept. 2, 2021).