**Discussion draft rule language for 9/25/2019 public workshop**

**194-24-010
Authority.**

The authority to develop these rules is granted to the department in Title [**19.260**](http://app.leg.wa.gov/RCW/default.aspx?cite=19.260) RCW.

**194-24-020
Purpose and Scope.**

The purpose of these rules is to establish efficiency standards and design requirements for certain products sold or installed in the state assuring consumers and businesses that such products meet minimum efficiency performance levels thus saving energy and money on utility bills. This chapter applies to products sold or offered for sale, lease, or rent in the state, except those sold wholesale in Washington for final retail sale outside the state and those designed and sold exclusively for use in recreational vehicles, or other mobile equipment. The standards and design requirements apply regardless of whether the product is installed as a stand-alone product or as a component of another product.

**194-24-030
Definitions.**

The definitions in chapter 19.260 RCW apply throughout this chapter.

The following products have the same meaning as used in the California Rule:

(a) Showerheads;

(b) Tub spout diverters;

(c) Showerhead tub spout diverter combinations;

(d) Lavatory faucets and replacement aerators;

(e) Kitchen faucets and replacement aerators;

(f) Public lavatory faucets and replacement aerators;

(g) Urinals; and

(h) Water closets.

“California Rule” means Title 20, Article 4, California Code of Regulations in effect on January 2019, revised August 2019.

“Computer” and “computer monitor” have the same meaning as used in Section 1602 of the California Rule as adopted on May 10, 2017, and amended on November 8, 2017.

“MAEDbS” means the Modernized Appliance Efficiency Database System established pursuant to section 1606(c) of the California Rule and maintained by the California Energy Commission.

**194-24-040, -050, and -060 are repealed**

### WAC 194-24-070

### Penalties for noncompliance

 In applying the penalty provision in RCW 19.260.070(6), the department may consider each unit of a non-compliant product to be a separate violation.**194-24-XXX
Residential pool pumps**

1. **Scope.** This rule applies to new residential pool pumps manufactured on or after January 1, 2010 and installed for compensation in the state on or after January 1, 2011.
2. **Standard.** Through July 18, 2021, residential pool pumps must meet requirements specified in California Code of Regulations, Title 20, section 1605.3 in effect as of July 26, 2009. Beginning July 19, 2021, residential pool pumps must meet requirements specified in the dedicated-purpose pool pump rule published by the United States Department of Energy on January 18, 2017, (82 Fed. Reg. 5650) and effective on May 18, 2017.
3. **Testing.** Through July 18, 2021, residential pool pumps must meet the test criteria as measured in accordance with California Code of Regulations, Title 20, section 1604 in effect as of July 26, 2009. Beginning July 19, 2021, residential pool pumps must meet the test criteria specified in the dedicated-purpose pool pump rule published by the United States Department of Energy on January 18, 2017, (82 Fed. Reg. 5650) and effective on May 18, 2017.
4. **Listing.** Through July 18, 2021, each manufacturer must cause to be listed each residential pool pump, by model number, in MAEDbS.
5. **Marking.** Through July 18, 2021, every unit of every residential pool pump must comply with the requirements of California Code of Regulations, Title 20, section 1607 in effect as of July 26, 2009.
6. **Expiration.** This rule does not apply to residential pool pumps manufactured starting on July 19, 2021.

**194-24-XXX
Portable Electric Spas**

1. **Scope.** This rule applies to new portable electric spas manufactured on or after January 1, 2010 and installed for compensation in the state on or after January 1, 2011.
2. **Standard.** Portable electric spas must meet the requirements of the American National Standard for portable electric spa energy efficiency (ANSI/APSP/ICC-14 2014).
3. **Testing.** Portable electric spas must be tested in accordance with the method specified in the American National Standard for portable electric spa energy efficiency (ANSI/APSP/ICC-14 2014).
4. **Listing.** Each manufacturer must cause to be listed each portable electric spa, by model number, in MAEDbS.
5. **Marking.** Every unit of every portable electric spa must comply with the requirements of Section 1607 of the California Rule.

 **194-24-XXX
Tub Spout Diverters**

1. **Scope.** This rule applies to new tub spout diverters manufactured on or after January 1, 2010 and installed for compensation in the state on or after January 1, 2011.
2. **Standard.** Tub spout diverters that are within the scope and definition of the applicable regulation must meet the requirements in the California Rule, section 1605.3 in effect as of January 1, 2018.
3. **Testing.** Tub spout diverters must meet the testing criteria as measured in accordance with the test methods prescribed in the California Rule, section 1604 in effect as of January 1, 2018.
4. **Listing.** Each manufacturer must cause to be listed each tub spout diverter, by model number, in MAEDbS.
5. **Marking.** Every unit of every tub spout diverter must comply with the requirements of Section 1607 of the California Rule.

**194-24-XXX
Commercial Hot Food Holding Cabinets**

1. **Scope.** This rule applies to new commercial hot food holding cabinets manufactured on or after January 1, 2010 and installed for compensation in the state on or after January 1, 2011.
2. **Standard.** The idle energy rate of commercial hot food holding cabinets shall be no greater than 40 watts per cubic foot of measured interior volume.
3. **Testing.** The idle energy rate of commercial hot food holding cabinets shall be determined using ANSI/ASTM F2140-11 standard test method for the performance of hot food holding cabinets (test for idle energy rate dry test). Commercial hot food holding cabinet interior volume shall be calculated using straight line segments following the gross interior dimensions of the appliance and using the following equation: Interior height x interior width x interior depth. Interior volume shall not account for racks, air plenums, or other interior parts.
4. **Listing.** Each manufacturer must cause to be listed each commercial hot food holding cabinet, by model number, in MAEDbS.
5. **Marking.** Every unit of every commercial hot food holding cabinet must comply with the requirements of Section 1607 of the California Rule.

**194-24-XXX
Air Compressors**

1. **Scope.** This rule applies to new air compressors manufactured on or after January 1, 2022.
2. **Standard.** Air compressors must meet the twelve criteria listed on page 350 to 351 of the "energy conservation standards for air compressors" final rule issued by the United States Department of Energy on December 5, 2016, must meet the requirements in table 1 on page 352 following the instructions on page 353.
3. **Testing.** Air compressors must meet the test criteria as measured in accordance with the "uniform test method for certain air compressors" under 10 C.F.R. Part 431 (Appendix A to Subpart T) as in effect on July 3, 2017.
4. **Listing.** Each manufacturer must cause to be listed each air compressor, by model number, in MAEDbS.
5. **Marking.** Every unit of every air compressor must comply with the requirements of Section 1607 of the California Rule.

**194-24-XXX
Commercial Dishwashers**

1. **Scope.** This rule applies to new commercial dishwashers manufactured on or after January 1, 2021.
2. **Standard.** Commercial dishwashers must meet the requirements included in the scope of the Environmental Protection Agency ENERGY STAR® program product specification for commercial dishwashers, version 2.0.
3. **Testing.** Commercial dishwashers must meet the testing requirements included in the scope of the Environmental Protection Agency ENERGY STAR® program product specification for commercial dishwashers, version 2.0.
4. **Listing.** Each manufacturer must cause to be listed each commercial dishwasher, by model number, in the ENERGY STAR® product database.
5. **Marking.** Every unit of every commercial dishwasher must have an ENERGY STAR® label.

**194-24-XXX
Commercial Fryers**

1. **Scope.** This rule applies to new commercial fryers manufactured on or after January 1, 2021.
2. **Standard.** Commercial fryers must meet the requirements included in the scope of the Environmental Protection Agency ENERGY STAR® program product specification for commercial fryers, version 2.0.
3. **Testing.** Commercial fryers must meet the testing requirements included in the scope of the Environmental Protection Agency ENERGY STAR® program product specification for commercial fryers, version 2.0.
4. **Listing.** Each manufacturer must cause to be listed each commercial fryer, by model number, in the ENERGY STAR® product database.
5. **Marking.** Every unit of every commercial fryer must have an ENERGY STAR® label.

**194-24-XXX
Commercial Steam Cookers**

1. **Scope.** This rule applies to new commercial steam cookers manufactured on or after January 1, 2021.
2. **Standard.** Commercial steam cookers must meet the requirements included in the scope of the Environmental Protection Agency ENERGY STAR® program product specification for commercial steam cookers, version 1.2.
3. **Testing.** Commercial steam cookers must meet the testing requirements included in the scope of the Environmental Protection Agency ENERGY STAR® program product specification for commercial steam cookers, version 1.2.
4. **Listing.** Each manufacturer must cause to be listed each commercial steam cooker, by model number, in the ENERGY STAR® product database.
5. **Marking.** Every unit of every commercial steam cooker must have an ENERGY STAR® label.

**194-24-XXX
Computers and Computer Monitors**

1. **Scope.** This rule applies to new computers and computer monitors manufactured on or after January 1, 2021.
2. **Standard.** Computers and computer monitors must meet the requirements of Section 1605.3(v) of the California Rule.
3. **Testing.** Computers and computer monitors must meet the testing requirements of Section 1603 of the California Rule as measured in accordance with the test methods prescribed in Section 1604(v) of the California Rule.
4. **Listing.** Each manufacturer must cause to be listed each computer and computer monitor, by model number, in MAEDbS.
5. **Marking.** Every unit of every computer and computer monitor must comply with the requirements of Section 1607 of the California Rule.

**194-24-XXX
Faucets**

1. **Scope.** This rule applies to new faucets manufactured on or after January 1, 2021.
2. **Standard.** The following products that are within the scope and definition of the applicable regulation must meet the requirements in the California Rule, section 1605.3 in effect as of January 1, 2018: (a) Lavatory faucets and replacement aerators, (b) Kitchen faucets and replacement aerators, (c) Public lavatory faucets and replacement aerators.
3. **Testing.** Faucets must meet the testing criteria as measured in accordance with the test methods prescribed in the California Rule, section 1604 in effect as of January 1, 2018.
4. **Listing.** Each manufacturer must cause to be listed each faucet, by model number, in MAEDbS.
5. **Marking.** Every unit of every faucet must comply with the requirements of Section 1607 of the California Rule.

**194-24-XXX
High Color Rendering Index (CRI) Fluorescent Lamps**

1. **Scope.** This rule applies to new high CRI fluorescent lamps manufactured on or after January 1, 2023.
2. **Standard.** High CRI fluorescent lamps must meet the requirements in 10 C.F.R. Sec. 430.32(n)(4) in effect as of January 3, 2017.
3. **Testing.** High CRI fluorescent lamps must meet the testing criteria as measured in accordance with the test methods prescribed in 10 C.F.R. Sec. 430.23 (appendix R to subpart B of part 430) in effect as of January 3, 2017.
4. **Listing**.There is no listing requirement for this product
5. **Marking.** Every unit of every high CRI fluorescent lamp must comply with the requirements of Section 1607 of the California Rule..

**194-24-XXX
Portable Air Conditioners**

1. **Scope.** This rule applies to new portable air conditioners manufactured on or after February 1, 2022.
2. **Standard.** Portable air conditioners must have a combined energy efficiency ratio, that is greater than or equal to:

where "SACC" is seasonally adjusted cooling capacity in British thermal unit/hour (Btu/hr).

1. **Testing.** Portable air conditioners must meet the testing criteria as measured in accordance with the test methods prescribed in 10 C.F.R. Sec. 430.23 (appendix CC to subpart B of part 430) in effect as of January 3, 2017.
2. **Listing.** Each manufacturer must cause to be listed each portable air conditioner, by model number, in MAEDbS.
3. **Marking.** Every unit of every portable air conditioner must comply with the requirements of Section 1607 of the California Rule.

**194-24-XXX
Residential ventilating fans**

1. **Scope.** This rule applies to new residential ventilating fans manufactured on or after January 1, 2021.
2. **Standard.** Residential ventilating fans must meet the requirements included in the scope of the Environmental Protection Agency ENERGY STAR® program product specification for residential ventilating fans, version 3.2.
3. **Testing.** Residential ventilating fans must meet the testing requirements included in the scope of the Environmental Protection Agency ENERGY STAR® program product specification for commercial steam cookers, version 3.2.
4. **Listing.** Each manufacturer must cause to be listed each residential ventilating fan, by model number, in the ENERGY STAR® product database.
5. **Marking.** Every unit of every residential ventilating fan must have an ENERGY STAR® label.

**194-24-XXX
Showerheads**

1. **Scope.** This rule applies to new showerheads manufactured on or after January 1, 2021.
2. **Standard.** Showerheads that are within the scope and definition of the applicable regulation must meet the requirements in the California Rule, section 1605.3 in effect as of January 1, 2018.
3. **Testing.** Showerheads must meet the testing criteria as measured in accordance with the test methods prescribed in the California Rule, section 1604 in effect as of January 1, 2018.
4. **Listing.** Each manufacturer must cause to be listed each showerhead, by model number, in MAEDbS.
5. **Marking.** Every unit of every showerhead must comply with the requirements of Section 1607 of the California Rule.

**194-24-XXX
Spray Sprinkler Bodies**

1. **Scope.** This rule applies to new spray sprinkler bodies manufactured on or after January 1, 2021.
2. **Standard.** Spray sprinkler bodies that are not specifically excluded from the scope of the Environmental Protection Agency WaterSense program product specification for spray sprinkler bodies, version 1.0, must include an integral pressure regulator and must meet the water efficiency and performance criteria and other requirements of that specification.
3. **Testing.** Spray sprinkler bodies that are not specifically excluded from the scope of the Environmental Protection Agency WaterSense program product specification for spray sprinkler bodies, version 1.0, must include an integral pressure regulator and must meet the water efficiency and performance criteria and other requirements of that specification.
4. **Listing.** Each manufacturer must cause to be listed each spray sprinkler body, by model number, in the WaterSense product database.
5. **Marking.** Every unit of every residential ventilating fan must have WaterSense label.

**194-24-XXX
Uninterruptible Power Supplies**

1. **Scope.** This rule applies to new uninterruptible power supplies manufactured on or after January 1, 2021.
2. **Standard.** Uninterruptible power supplies that utilize a NEMA 1-15P or 5- 15P input plug and have an AC output must have an average load adjusted efficiency that meets or exceeds the values shown on page 193 of the prepublication final rule "Energy Conservation Program: Energy Conservation Standards for Uninterruptible Power Supplies" issued by the United States department of energy on December 28, 2016.
3. **Testing.** Uninterruptible power supplies must meet the testing criteria as measured in accordance with the test methods prescribed in Appendix Y to Subpart B of Part 430 of Title 10 of the Code of Federal Regulations "Uniform Test Method for Measuring the Energy Consumption of Battery Chargers" in effect as of January 11, 2017.
4. **Listing.** [pending stakeholder input]
5. **Marking.** [pending stakeholder input]

**194-24-XXX
Urinals**

1. **Scope.** This rule applies to new urinals manufactured on or after January 1, 2021.
2. **Standard.** Urinals that are within the scope and definition of the applicable regulation must meet the requirements in the California Rule, section 1605.3 in effect as of January 1, 2018.
3. **Testing.** Urinals must meet the testing criteria as measured in accordance with the test methods prescribed in the California Rule, section 1604 in effect as of January 1, 2018.
4. **Listing.** Each manufacturer must cause to be listed each urinal, by model number, in MAEDbS.
5. **Marking.** Every unit of every urinal must comply with the requirements of Section 1607 of the California Rule.

**194-24-XXX
Water Closets**

1. **Scope.** This rule applies to new water closets manufactured on or after January 1, 2021.
2. **Standard.** Water closets that are within the scope and definition of the applicable regulation must meet the requirements in the California Rule, section 1605.3 in effect as of January 1, 2018.
3. **Testing.** Water closets must meet the testing criteria as measured in accordance with the test methods prescribed in the California Rule, section 1604 in effect as of January 1, 2018.
4. **Listing.** Each manufacturer must cause to be listed each water closet, by model number, in MAEDbS.
5. **Marking.** Every unit of every water closet must comply with the requirements of Section 1607 of the California Rule.

**194-24-XXX
Water Coolers**

1. **Scope.** This rule applies to new water coolers manufactured on or after January 1, 2021.
2. **Standard.** Water coolers included in the scope of the Environmental Protection Agency ENERGY STAR® program product specification for water coolers, version 2.0 must have an on mode with no water draw energy consumption less than or equal to the following values: (a) 0.16 kilowatt-hours per day for cold-only units and cook and cold units; (b) 0.87 kilowatt-hours per day for storage type hot and cold units; and (c) 0.18 kilowatt-hours per day for on demand hot and cold units.
3. **Testing.** Water coolers must meet the testing requirements included in the scope of the Environmental Protection Agency ENERGY STAR® program product specification for water coolers, version 2.0.
4. **Listing.** Each manufacturer must cause to be listed each water cooler, by model number, in the ENERGY STAR® product database.
5. **Marking.** Every unit of every water cooler must have an ENERGY STAR® label.

**194-24-XXX
Electric Storage Water Heaters**

1. **Scope.** This rule applies to new electric storage water heaters manufactured on or after January 1, 2021.
2. **Standard.** Electric storage water heaters must have a modular demand response communications port compliant with: (i) The March 2018 version of the ANSI/CTA–2045-A communication interface standard, or a standard determined by the department to be equivalent, and (ii) the March 2018 version of the ANSI/CTA-2045-A application layer requirements. (b) The interface standard and application layer requirements required in this subsection are the versions established in March 2018.
3. **Testing.** There is no test method required for this product.
4. **Listing.** There is no listing requirement for this product.
5. **Marking.** There is no marking requirement for this product.