

November 6, 2019

MEMO

To: Rulemaking Stakeholders

From: Sarah Vorpahl, Senior Energy Policy Specialist

Glenn Blackmon, Manager, Energy Policy Office

Austin Scharff, Rules and Legislative Coordinator

RE: 2019 Appliance Standards – Phase 1 Proposed Rules

The Washington Department of Commerce has filed the attached proposed rules (CR-102) to implement the 2019 appliance standards legislation (RCW 19.260). These draft rules and CR-102 are the first phase of rules and include the majority of products from the legislation, notably the first in nation design requirement for electric storage water heaters. Draft rules for several other products are on hold while questions at the federal level are resolved.

Background

The 2019 legislation updates several existing products and adds 17 new products to state standards, which were last updated in 2009. Most standards take effect on Jan. 1, 2021. The effective dates of standards in this legislation are based on date of manufacture, not the date of sale. The standards apply to manufacturers, distributors, retailers, and installers, rather than to individual consumers. Commerce may adopt rules as needed to implement the new standards and design requirements, as well as to remove outdated rule provisions.

Chapter 194-24 WAC update

The first phase of proposed rules includes 17 products: four existing standards and 13 new standards. The updated WAC includes language from the 2019 legislation for implementation date, standard requirements and testing method. The language also adds both listing and marking requirements for each product. Listing refers to a process by which a manufacturer certifies products through a publicly available database to show compliance with known standards and testing methods. Marking refers to a physical mark on each unit or package of a product and indicates that the manufacturer has verified compliance of this product with existing standards. To minimize or avoid state specific listing and marking, the majority of products in this WAC

update use existing mechanisms from state and federal programs, including ENERGY STAR® and California Title 20.

Commerce is not proposing to adopt rules covering two sets of products that were subject to state standards before the 2019 legislation: hot water dispensers and mini-tank electric water heaters along with bottle-type water dispensers and point-of-use water dispensers. For these products, the efficiency standards and test methods are stated in statute, and Commerce is not proposing any listing or marking requirement.

Electric Storage Water Heaters

The new design requirement for electric storage water heaters was the most discussed standard at public meetings held in August and September. Several stakeholders expressed concern that the Jan. 1, 2021, implementation date did not provide enough time to redesign current products and supported a two-phase implementation, which would maintain the statutory effective date of Jan. 1, 2021, for heat pump water heaters (HPWH) and suspend the implementation for electric resistance water heaters until July 1, 2022.

Others did not support any delay or phased implementation. One stakeholder proposed a two-phase implementation that would establish Jan. 1, 2021, as the effective date for all water heaters (both HPWH and electric resistance) over 50 gallons in capacity and Jan. 1, 2022, as the effective date for all remaining tank sizes. Still others supported only a limited extension of the implementation date, of up to six months, and suggested that manufacturers be required to make a detailed case to Commerce of any undue hardships associated with the statutory implementation date.

This proposed rule reflects a compromise among these suggestions from stakeholders: A phased implementation that maintains the proposed date of Jan. 1, 2021, for heat pump water heaters and suspends the implementation until Jan. 1, 2022, for electric resistance water heaters.

A consensus opinion among stakeholders supported the use of a process to propose alternative standard technologies to CTA 2045-A, an option allowed by the statute. The proposed rule establishes a process for a manufacturer to offer an alternative standard, with technical documentation and evidence of a consultation process with interested stakeholders, and for Commerce to determine whether it is equivalent to the CTA 2045-A standard.

Other Standards

The standards that are not included in this WAC update are general service lamps, portable air conditioners, uninterruptible power supplies and air compressors. A second phase of rulemaking will commence in 2020 as federal-level issues are better understood.

Next Steps

As noted in the CR-102 form, Commerce will conduct a public hearing on the proposed rules at 2:00 a.m., Dec. 16, 2019, at the agency's Olympia office. The deadline for written comments is the same date.



PROPOSED RULE MAKING

CR-102 (December 2017) (Implements RCW 34.05.320)

Do **NOT** use for expedited rule making

Agency: Washington State Department of Commerce

☒ **Original Notice**

☐ **Supplemental Notice to WSR** _____

☐ **Continuance of WSR** _____

☒ **Preproposal Statement of Inquiry was filed as WSR** 19-14-050 ; or

☐ **Expedited Rule Making--Proposed notice was filed as WSR** _____; or

☐ **Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or**

☐ **Proposal is exempt under RCW** _____.

Title of rule and other identifying information: (describe subject) The proposed rules amend Chapter 194-37 (Energy Independence Act) and create a new section in new Chapter 194-40 (Clean Energy Transformation Act).

Hearing location(s):

Date: _____ **Time:** _____ **Location:** (be specific) _____ **Comment:** _____

Dec. 16, 2019	10:00 AM	Washington Department of Commerce 1011 Plum Street SE Olympia, WA 98501
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Date of intended adoption: Dec. 18, 2019 (Note: This is **NOT** the **effective** date)

Submit written comments to:

Name: Austin Scharff

Address: Washington Department of Commerce, PO Box 42525, Olympia, WA 98504

Email: ceta@commerce.wa.gov

Fax:

Other:

By (date) Dec. 16, 2019

Assistance for persons with disabilities:

Contact Austin Scharff

Phone: 360 764-9632

Fax:

TTY:

Email: austin.scharff@commerce.wa.gov

Other:

By (date) December 9, 2019

Purpose of the proposal and its anticipated effects, including any changes in existing rules: WAC 194-37: The proposed rules incorporate legislative changes to RCW 19.285.030 and 19.285.040. These changes improve accountability of renewable energy claims by adopting an industry-standard definition of a renewable energy credit and expand the eligibility to hydropower to include federal projects marketed by the Bonneville Power Administration. WAC 194-40: The proposed new rules establish a new chapter for rules related to the Clean Energy Transformation Act (Chapter 19.405 RCW) and utility planning laws (Chapter 19.280 RCW). The new rule sections establish the purpose and scope of the chapter and establish specific cost values for consumer-owned utilities to use when incorporating the social cost of greenhouse gas emissions into planning, evaluation, and resource acquisition.

Reasons supporting proposal: The proposed rules implement statutory changes, improve resource decisions by requiring consideration of damages caused by greenhouse gas pollution, and maintain consistent approaches to cost evaluation by between consumer-owned utilities and investor-owned utilities.

Statutory authority for adoption: RCW 19.405.010, RCW 19.285.080

Statute being implemented: RCW 19.285.030, RCW 19.285 040, RCW 19.280.030, Chapter 19.405 RCW.

Is rule necessary because of a:

Federal Law?

☐ Yes ☒ No

Federal Court Decision?

☐ Yes ☒ No

State Court Decision?

☐ Yes ☒ No

If yes, CITATION:

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: Rulemaking activity will continue under WSR 19-14-050 as the agency develops rules to implement the Clean Energy Transformation Act.

Name of proponent: (person or organization) Washington Department of Commerce

☐ Private

☒ Public

☐ Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Glenn Blackmon, Ph.D.	1011 Plum Street SE PO Box 42525 Olympia, WA 98504-2525	360 339-5619
Implementation:	Washington Department of Commerce	1011 Plum Street SE PO Box 42525 Olympia, WA 98504-2525	360 407-6000
Enforcement:	Attorney General of Washington	1125 Washington Street SE PO Box 40100 Olympia, WA 98504-0100	360 725-6200

Is a school district fiscal impact statement required under RCW 28A.305.135?

☐ Yes ☒ No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

Name:

Address:

Phone:

Fax:

TTY:

Email:

Other:

Is a cost-benefit analysis required under RCW 34.05.328?

☐ Yes: A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

Phone:

Fax:

TTY:

Email:

Other:

☒ No: Please explain: RCW 34.05.328 does not apply to the Department of Commerce.

Regulatory Fairness Act Cost Considerations for a Small Business Economic Impact Statement:

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see chapter 19.85 RCW). Please check the box for any applicable exemption(s):

☐ This rule proposal, or portions of the proposal, is exempt under RCW 19.85.061 because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:

☐ This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by RCW 34.05.313 before filing the notice of this proposed rule.

☐ This rule proposal, or portions of the proposal, is exempt under the provisions of RCW 15.65.570(2) because it was adopted by a referendum.

☐ This rule proposal, or portions of the proposal, is exempt under RCW 19.85.025(3). Check all that apply:

☐ RCW 34.05.310 (4)(b)
(Internal government operations)

☐ RCW 34.05.310 (4)(c)
(Incorporation by reference)

☐ RCW 34.05.310 (4)(d)
(Correct or clarify language)

☐ RCW 34.05.310 (4)(e)
(Dictated by statute)

☐ RCW 34.05.310 (4)(f)
(Set or adjust fees)

☐ RCW 34.05.310 (4)(g)
((i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit)

☐ This rule proposal, or portions of the proposal, is exempt under RCW ____.

Explanation of exemptions, if necessary:

COMPLETE THIS SECTION ONLY IF NO EXEMPTION APPLIES

If the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

☒ No Briefly summarize the agency's analysis showing how costs were calculated. The proposed rules do not impose any additional cost on any person. Electric utilities have greater flexibility by meeting renewable energy targets under the Energy Independence Act and have greater certainty concerning the cost values to be used in resource planning and evaluation.

☐ Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses, and a small business economic impact statement is required. Insert statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

Name:

Address:

Phone:

Fax:

TTY:

Email:

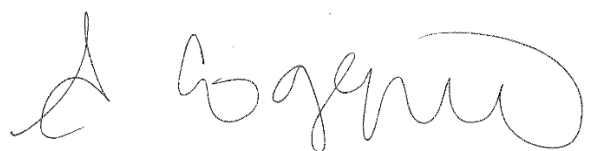
Other:

Date: November 5, 2019

Name: Sarah Coggins

Title: Legislative Coordinator

Signature:



Chapter 194-24 WAC
APPLIANCE ((ENERGY EFFICIENCY)) STANDARDS

AMENDATORY SECTION (Amending WSR 07-14-092, filed 6/29/07, effective 7/30/07)

WAC 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 ((equally)) to products ((regardless of whether they are sold, offered for sale, or)) 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.

AMENDATORY SECTION (Amending WSR 07-14-092, filed 6/29/07, effective 7/30/07)

WAC 194-24-030 Definitions. ((The following words and terms have the following meanings for the purposes of this chapter unless otherwise indicated:))

(1) "Automatic commercial ice cube machine" means a factory-made assembly, not necessarily shipped in one package, consisting of a condensing unit and ice-making section operating as an integrated unit with means for making and harvesting ice cubes. It may also include integrated components for storing or dispensing ice, or both.

(2) "Ballast" means a device used with an electric discharge lamp to obtain necessary circuit conditions, such as voltage, current, and waveform, for starting and operating the lamp.

(3)(a) "Commercial refrigerators and freezers" means refrigerators, freezers, or refrigerator-freezers designed for use by commercial or institutional facilities for the purpose of storing or merchandising food products, beverages, or ice at specified temperatures that:

(i) Incorporate most components involved in the vapor-compression cycle and the refrigerated compartment in a single cabinet; and

(ii) May be configured with either solid or transparent doors as a reach-in cabinet, pass-through cabinet, roll-in cabinet, or roll-through cabinet.

(b) "Commercial refrigerators and freezers" does not include:

(i) Products with 85 cubic feet or more of internal volume;

(ii) Walk-in refrigerators or freezers;

(iii) Consumer products that are federally regulated pursuant to 42 U.S.C. Sec. 6291 et seq.;

(iv) Products without doors; or

(v) Freezers specifically designed for ice cream.

~~(4) "Compensation" means money or any other valuable thing, regardless of form, received or to be received by a person for services rendered.~~

~~(5) "Department" means the department of community, trade, and economic development.~~

~~(6) "High-intensity discharge lamp" means a lamp in which light is produced by the passage of an electric current through a vapor or gas, and in which the light-producing arc is stabilized by bulb wall temperature and the arc tube has a bulb wall loading in excess of three watts per square centimeter.~~

~~(7) "Metal halide lamp" means a high-intensity discharge lamp in which the major portion of the light is produced by radiation of metal halides and their products of dissociation, possibly in combination with metallic vapors.~~

~~(8) "Metal halide lamp fixture" means a light fixture designed to be operated with a metal halide lamp and a ballast for a metal halide lamp.~~

~~(9) "Pass-through cabinet" means a commercial refrigerator or freezer with hinged or sliding doors on both the front and rear of the unit.~~

~~(10) "Probe-start metal halide ballast" means a ballast used to operate metal halide lamps which does not contain an igniter and which instead starts lamps by using a third starting electrode "probe" in the arc tube.~~

~~(11) "Reach-in cabinet" means a commercial refrigerator or freezer with hinged or sliding doors or lids, but does not include roll-in or roll-through cabinets or pass-through cabinets.~~

~~(12)(a) "Roll-in cabinet" means a commercial refrigerator or freezer with hinged or sliding doors that allow wheeled racks of product to be rolled into the unit.~~

~~(b) "Roll-through cabinet" means a commercial refrigerator or freezer with hinged or sliding doors on two sides of the cabinet that allow wheeled racks of product to be rolled through the unit.~~

~~(13)(a) "Single-voltage external AC to DC power supply" means a device that:~~

~~(i) Is designed to convert line voltage alternating current input into lower voltage direct current output;~~

~~(ii) Is able to convert to only one DC output voltage at a time;~~

~~(iii) Is sold with, or intended to be used with, a separate end-use product that constitutes the primary power load;~~

~~(iv) Is contained within a separate physical enclosure from the end-use product;~~

~~(v) Is connected to the end-use product via a removable or hard-wired male/female electrical connection, cable, cord, or other wiring; and~~

~~(vi) Has a nameplate output power less than or equal to 250 watts.~~

~~(b) "Single-voltage external AC to DC power supply" does not include:~~

~~(i) Products with batteries or battery packs that physically attach directly to the power supply unit;~~

~~(ii) Products with a battery chemistry or type selector switch and indicator light; or~~

~~(iii) Products with a battery chemistry or type selector switch and a state of charge meter.~~

~~(14) "State-regulated incandescent reflector lamp" means a lamp that is not colored or designed for rough or vibration service appli-~~

eations, that has an inner reflective coating on the outer bulb to direct the light, an E26 medium screw base, and a rated voltage or voltage range that lies at least partially within 115 to 130 volts, and that falls into one of the following categories:

(a) A bulged reflector or elliptical reflector bulb shape and which has a diameter which equals or exceeds 2.25 inches;

(b) A reflector, parabolic aluminized reflector, or similar bulb shape and which has a diameter of 2.25 to 2.75 inches.

(15)(a) "Unit heater" means a self-contained, vented fan-type commercial space heater that uses natural gas or propane, and that is designed to be installed without ducts within a heated space.

(b) "Unit heater" does not include any products covered by federal standards established pursuant to 42 U.S.C. Sec. 6291 et seq., or any product that is a direct vent, forced flue heater with a sealed combustion burner.) The definitions in chapter 19.260 RCW apply throughout this chapter.

(1) The following terms 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;

(h) Water closets; and

(i) Computers and computer monitors.

(2) "California Rule" means Title 20, Article 4, California Code of Regulations, in effect on January 2019, revised September 2019.

(3) "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.

AMENDATORY SECTION (Amending WSR 07-14-092, filed 6/29/07, effective 7/30/07)

WAC 194-24-070 Penalties for noncompliance. ((The energy policy division shall investigate complaints received concerning violations of these rules. Any manufacturer or distributor who violates this chapter shall be issued a warning by the director of the department for any first violation. Repeat violations are subject to a civil penalty of not more than two hundred fifty dollars per day.)) In applying the penalty provision in RCW 19.260.070(6), the department may consider each unit of a noncompliant product to be a separate violation.

NEW SECTION

WAC 194-24-100 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 February 5, 2018. 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.

NEW SECTION

WAC 194-24-105 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.

NEW SECTION

WAC 194-24-110 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.

(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.

(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.

NEW SECTION

WAC 194-24-115 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 × interior width × 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.

NEW SECTION

WAC 194-24-120 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.

NEW SECTION

WAC 194-24-125 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.

NEW SECTION

WAC 194-24-130 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.

NEW SECTION

WAC 194-24-135 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.

NEW SECTION

WAC 194-24-140 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:

- (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.

(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.

NEW SECTION

WAC 194-24-145 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.

NEW SECTION

WAC 194-24-150 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 residential ventilating fans, 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.

NEW SECTION

WAC 194-24-155 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.

(3) **Testing.** Showerheads must meet the testing criteria as measured in accordance with the test methods prescribed in the California Rule, section 1604.

(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.

NEW SECTION

WAC 194-24-160 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 spray sprinkler body product package must have a WaterSense label.

NEW SECTION

WAC 194-24-165 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.

(3) **Testing.** Urinals must meet the testing criteria as measured in accordance with the test methods prescribed in the California Rule, section 1604.

(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.

NEW SECTION

WAC 194-24-170 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.

(3) **Testing.** Water closets must meet the testing criteria as measured in accordance with the test methods prescribed in the California Rule, section 1604.

(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.

NEW SECTION

WAC 194-24-175 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.

NEW SECTION

WAC 194-24-180 Electric storage water heaters. (1) **Scope.** This rule applies to new electric storage water heaters manufactured on or after January 1, 2021. The effective date of the rule is suspended until January 1, 2022, for electric storage water heaters other than heat pump type water heaters.

(2) **Standard.** Electric storage water heaters must have a modular demand response communications port compliant with:

(a) The March 2018 version of the ANSI/CTA-2045-A communication interface standard, or a standard determined by the department to be equivalent; and

(b) The March 2018 version of the ANSI/CTA-2045-A application layer requirements.

The interface standard and application layer requirements required in this subsection are the versions established in March 2018.

(3) Upon written request by a manufacturer, the department will determine whether an alternative communications port and communication interface standard are equivalent for the purposes of subsection (2) of this section.

(a) Any requested alternative must use a standard that is open and widely available and must provide the demand response functions provided using the standards identified in subsection (2) of this section.

(b) A request for designation of a standard must provide technical documentation demonstrating that the standard satisfies the requirements in (a) of this subsection and must describe any industry or stakeholder process used in developing the standard. The department will provide reasonable opportunity for input by utilities, manufacturers, technical experts and other interested stakeholders prior to determining whether the proposed standard is equivalent. The department will make available on a publicly accessible website any standard that it determines to be equivalent.

(4) **Testing.** There is no test method required for this product.

(5) **Listing.** There is no listing requirement for this product.

(6) **Marking.** Every unit of every electric storage water heater must have a label or marking indicating compliance with the standard in this section. The format and content of the label or marking must be approved in advance by the department.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 194-24-040	Implementation dates, end dates, and applicability.
WAC 194-24-050	Labeling.
WAC 194-24-060	Testing and certification.