



The Second U.S.-China Energy Efficiency Forum

Compliance, Certification and Enforcement for US Appliance and Equipment Energy Efficiency Programs by US DOE



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Federal Enforcement Efforts are Lead by the DOE Office of General Counsel

As the Department of Energy is ramping up its focus on energy-efficiency, the Office of the General Counsel is [stepping up enforcement](#) and verification efforts to ensure manufacturers meet the energy and water conservation standards expected of them and save energy for American consumers and businesses.

Recent enforcement initiatives go beyond compliance with energy-efficiency standards. We are working to protect consumers through verification and supporting the enforcement of Energy Star specifications to ensure that manufacturers offer the energy savings they advertise.

Enforcement initiatives include:

- [Conservation Standards Enforcement](#)
- [Support for ENERGY STAR Enforcement](#)
- [Compliance Certification Enforcement](#)



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Energy and Water Conservation Standards Enforcement

The Office of the General Counsel is working to ensure that manufacturers of consumer products and commercial equipment meet the nation's conservation standards. Through its new focus on enforcement, the Department of Energy will save money for consumers and reduce greenhouse gas emissions. "For the sake of our environment and our economy, it's critical that we enforce our energy efficiency regulations," said Scott Blake Harris, General Counsel. "Strong enforcement of the rules will encourage compliance and keep manufacturers who break the law from having a competitive advantage over manufacturers who play by the rules." DOE enforces the energy and water conservation standards pursuant to the [Energy Policy and Conservation Act of 1975](#), as amended.

DOE's website lists cases initiated with 22 entities in this area of enforcement
See: <http://gc.doe.gov/1217.htm>



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ENERGY STAR Enforcement

By offering a means for consumers to buy products more energy-efficient than required by law, ENERGY STAR has huge potential to save money for consumers by offering buyers more options in energy-efficient products. In a new initiative, the Department is expanding verification and supporting enforcement of ENERGY STAR to preserve the viability and effectiveness of the ENERGY STAR program. Through independent testing, we are working to verify manufacturer certifications of the efficiency or energy use ratings of their appliances and ensuring manufacturers provide the increased energy and cost savings they advertise.

DOE's website lists cases initiated with at least 12 entities in this area of enforcement
See: <http://gc.doe.gov/1218.htm>



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Compliance and Certification Enforcement

In order to ensure that all covered products comply with the energy and water conservation standards, the Office of the General Counsel is reviewing manufacturers' compliance with certification requirements in accordance with the [guidance on DOE energy-efficiency enforcement regulations](#). Products covered under the [Energy Policy and Conservation Act of 1975](#), as amended, are required to "certify by means of a compliance statement and a certification report that each basic model(s) meets the applicable energy conservation standard." This new program ensures that manufacturers provide the government with information demonstrating compliance with United States law. The Office of the General Counsel also enforces the [most recent rules](#) established by the DOE Office of Energy Efficiency and Renewable Energy to ensure that modern commercial and industrial equipment deliver the energy and cost savings required by law.

In September 2010, DOE brought an unprecedented number of cases against companies for the failure to certify with the Department. As of December 30, 2010, DOE has successfully resolved each of these cases. See: <http://gc.doe.gov/1613.htm> for details



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DOE has recently updated Its Compliance and Certification Requirements

- New requirements are at:
http://www1.eere.energy.gov/buildings/appliance_standards/certification_enforcement.html
- Current effective date for compliance with certification provisions is July 5, 2011.
- Only electronic submission accepted. Submit online at
<https://www.regulations.doe.gov/ccms>.
- Use product-specific, Excel templates provided by DOE.
- Submit certification report before distribution in commerce for all new models.
- Annual submittal of carry-over products on or before the 1st of the month specified in the annual certification table (429.12(d)).
- No additional certification testing required for annual submission.
- Recertify if the redesign of an existing model increases energy consumption resulting in re-rating.



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For More Information

Submit a Question:	<ul style="list-style-type: none"> DOE Test Procedure Website: http://www1.eere.energy.gov/guidance/default.aspx?pid=2&spid=1 Ashley Armstrong: Ashley.Armstrong@EE.Doe.Gov
Request a Test Procedure Waiver:	<ul style="list-style-type: none"> DOE's regulations allow manufacturers to apply for a waiver when a manufacturer determines that a given basic model contains one or more design features that prevent testing in accordance with DOE's test procedure. Email: AS_Waiver_Requests@ee.doe.gov
File a Complaint:	<p>Email: energyefficiencyenforcement@hq.doe.gov.</p> <p>The Office of Enforcement will protect the identity of complainants to the maximum extent permitted by law.</p>
DOE's Certification, Compliance, and Enforcement Website:	http://www1.eere.energy.gov/buildings/appliance_standards/certification_enforcement.html
DOE's Online Certification System:	https://www.regulations.doe.gov/ccms/
Enforcement Information:	http://gc.doe.gov/energy_efficiency_enforcement.htm



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Lawrence Berkeley National Laboratory

Potential Areas of Cooperation

- In the US, certification, compliance and enforcement is a legally sensitive topic, making cooperation difficult
- When and if there is regular public reporting of certification data by DOE, it may be possible to standardize some certification reporting formats
- There may also be some possibilities for some standardization of test procedures and sampling/testing requirements