



Energy Conservation Program for  
Consumer Products and Commercial  
and Industrial Equipment

IAPMO/PMI  
CCE Overview and Update  
June 24, 2011

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**How to Submit Questions**

## Regulated Plumbing Products

- Water closets.
- Urinals.
- Showerheads.
- Faucets, includes lavatory and kitchen faucets irrespective of intended use (consumer or commercial).
- Commercial prerinse spray valves.

## Regulated Entities

- Manufacturers.
  - Includes importers.
- Private labelers.
- NOT retailers, distributors unless also manufacturer or private labeler.

## A Manufacturer

- Is the domestic manufacturer or an importer.
- May produce products at multiple facilities in various locations with the same model characteristics.
- May group individual models into basic models at the manufacturer's discretion.
- May elect to use a third-party (e.g., certified laboratory) for testing and submission purposes.
- Must determine certified ratings through testing.
- Is responsible for certification to the Department.

**A manufacturer produces equipment at multiple facilities and imports all of the equipment through the same entity.**

- The importer is the manufacturer. Units of a model from multiple locations can be grouped into same basic model and can be reported on one certification report as one basic model.

**A manufacturer produces equipment at multiple facilities and utilizes different importers.**

- Each importer is a manufacturer, and each importer has an *independent* responsibility to certify. Units from multiple locations can be grouped only to the extent that they are imported by one importer. The OEM may submit the certification as a third party representative on behalf of multiple importers.

## A Basic Model

- *May* contain multiple models/model numbers.
- Is manufactured by a single manufacturer, although it may be distributed under different brand names.
- Of faucets, showerheads, or commercial prerinse spray valves have the identical flow control mechanism installed within the fixture fitting or the identical water-passage features that use the same path of water in the highest-flow mode.
- Of water closets or urinals have hydraulic characteristics that are essentially identical, and do not have any differing physical or functional characteristics that affect water consumption.
- May not contain models from multiple product classes (e.g., a gravity-tank type water closet and flushometer valve water closet cannot be the same basic model).
- Can be made up of only one model. There is no requirement for multiple models within a basic model.

**Test the Minimum Number of Units of a Basic Model Specified in Sections 429.14 to 429.54 Using the DOE Test Procedure**  
(Maximum Number of Units is at the Discretion of the Manufacturer)

**Determine which Federal Conservation Standards Apply to the Product**

Consumer products: 430.32

Commercial equipment: 431

**Calculate the Product Specific Certification Statistics, 429.14 to 429.54**

Consumer 430.32,  
Commercial 431

Sample Mean (x)

Upper Confidence Limit  
(UCL)

Lower Confidence Limit  
(LCL)

**Determine Minimum and Maximum Rating Values**

Compare Mean and UCL or LCL to Consumption or Efficiency Standard Per Regulations

**Generate Certified Rating Between Minimum and Maximum Values**

Test Procedures are specified for each product in 430.23(s) and (t) and in 431.264:

- Showerheads and Faucets: Section 6.5 (flow capacity test) of ASME/ANSI A112.18.1M-1996 (as explained in Part 430, Subpart B, Appendix S)
- Water Closets and Urinals: Section 7.1.2 (general requirements) and Sections 7.1.2.1, 7.1.2.2, and 7.1.2.3 of ASME/ANSI A112.19.6-1995 (as explained in Part 430, Subpart B, Appendix T)
- Commercial Prerinse Spray Valves: See 10 C.F.R. § 431.264 for the specific provisions of ASTM F2324-03 incorporated by DOE



For each basic model:

- Showerheads, faucets, water closets, urinals, commercial prerinse spray valves – sample “of a sufficient size” based upon sampling statistics for each product (429.28, 429.29, 429.30, 429.31, 429.51).
- Must test 2 at a minimum.
- Manufacturers have the option to rate products conservatively (e.g., for a measured flow of 1.9 gpm, it is permissible to use a rated value of 2.2 gpm).

- Effective date for compliance with certification provisions is July 5, 2011, for any model not previously certified with DOE.
  - This includes those models entered into commerce on or after July 5<sup>th</sup> and those currently offered on the market that were not previously certified.
- Only electronic submission accepted. Submit online at <https://www.regulations.doe.gov/ccms> using product-specific, Excel templates provided by DOE.
- Submit certification report before distribution in commerce for all new models.
- Annual submittal of carry-over basic models on or before the 1<sup>st</sup> of the month specified in the annual certification table (429.12(d)).
- No additional certification testing required for annual submission.
- During the year, recertify if the redesign of an existing model increases water consumption resulting in re-rating.

<b>DOE Office of the General Counsel, Office of Enforcement</b>	Enforces the energy conservation, water conservation, and design standards.
<b>Certification</b>	<ul style="list-style-type: none"><li>• Seeking civil penalties for failure to certify and improper certification.</li><li>• Certification must be based on testing in accordance with the applicable test procedure and sampling plan.</li></ul>
<b>Standards</b>	<ul style="list-style-type: none"><li>• Seeking civil penalties for distribution of products that do not meet Federal standards.</li><li>• Testing products suspected of failing to meet Federal standards.</li></ul>

<b>Civil Penalty</b>	<ul style="list-style-type: none"><li>• Failure to meet applicable water conservation standards and certification violations.</li><li>• Penalties for violations of standards calculated per unit offered for distribution in commerce.</li><li>• Penalties for certification violations calculated per day for each basic model improperly certified or not certified.</li><li>• DOE has issued guidance on the imposition of civil penalties.</li></ul>
<b>Subpoena</b>	DOE issues a subpoena in order to obtain test data and to obtain information regarding distribution of regulated products.
<b>Noncompliance Determination</b>	DOE makes a determination of noncompliance based on certification information, on test data provided by a manufacturer, or on test data obtained through DOE testing.
<b>Injunction</b>	DOE may seek a court order to ensure compliance with any regulatory requirement.

<b>Submit a Question:</b>	<ul style="list-style-type: none"><li>• DOE Test Procedure Website: <a href="http://www.eere.energy.gov/guidance/default.aspx?pid=2&amp;spid=1">http://www.eere.energy.gov/guidance/default.aspx?pid=2&amp;spid=1</a></li><li>• Ashley Armstrong: <a href="mailto:Ashley.Armstrong@EE.Doe.Gov">Ashley.Armstrong@EE.Doe.Gov</a></li></ul>
<b>Request a Test Procedure Waiver:</b>	<ul style="list-style-type: none"><li>• 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.</li><li>• Email: <a href="mailto:AS_Waiver_Requests@ee.doe.gov">AS_Waiver_Requests@ee.doe.gov</a></li></ul>
<b>File a Complaint:</b>	<p>Email: <a href="mailto:energyefficiencyenforcement@hq.doe.gov">energyefficiencyenforcement@hq.doe.gov</a>.</p> <p>The Office of Enforcement will protect the identity of complainants to the maximum extent permitted by law.</p>
<b>DOE's Certification, Compliance, and Enforcement Website:</b>	<a href="http://www.eere.energy.gov/buildings/appliance_standards/certification_enforcement.html">http://www.eere.energy.gov/buildings/appliance_standards/certification_enforcement.html</a>
<b>DOE's Online Certification System:</b>	<a href="https://www.regulations.doe.gov/ccms/">https://www.regulations.doe.gov/ccms/</a>
<b>Enforcement Information:</b>	<a href="http://gc.doe.gov/energy_efficiency_enforcement.htm">http://gc.doe.gov/energy_efficiency_enforcement.htm</a>