

Department of Energy
Chapter 330
Division 92
MINIMUM ENERGY EFFICIENCY STANDARDS FOR STATE-REGULATED APPLIANCES AND EQUIPMENT

330-092-0005

Purpose; Applicability

Commented [A1]: No changes to -0005

(1) Purpose: The purpose of these rules is to establish procedures to govern the enforcement and amendment of standards found in ORS 469.229 through 469.261, which establish minimum energy efficiency standards for equipment and appliances for sale or use in Oregon that are not federally regulated, and to establish new minimum energy efficiency standards in accordance to the procedures specified in ORS 469.261.

(2) Applicability of standards: A person may not sell, offer for sale, or install a product after the effective date specified in OAR 330-092-0015 unless that product meets or exceeds the minimum energy efficiency standards, listing, and labeling requirements specified in these rules. If the effective date is based on the date of manufacture, only products that are manufactured on or after that date are subject to the scope of these rules.

(3) Applicability of listing requirements: The listing requirements in OAR 330-092-0025 shall apply to products as long as that listing is available for the specific standard and product. If such a listing becomes unavailable, the department may determine and provide notification that there is no listing requirement for that specific product or category.

(4) Applicability of labeling requirements: The labeling requirements in OAR 330-092-0045 shall apply to products as long as that label is available for the specific standard and product. If such a label becomes unavailable, the department may determine and provide notification that there is no labeling requirement for that specific product or category.

330-092-0010

Definitions

Commented [A2]: Changes to -0010: Adds definitions for "pressure regulator" and "spray sprinkler body;" definitions in rule match definitions added to ORS 469.229 by HB 4057 (2022)

As used in OAR 330-092-0010 through 330-092-0070:

(1) "Bottle-type water dispenser" or "water cooler" means a water dispenser that uses a bottle or reservoir as the source of potable water. This includes freestanding devices that consume energy to cool or heat potable water, including cold only units, hot and cold units, cook and cold units, storage-type units, and on-demand units.

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

(3) "Commercial dishwasher" means a machine designed to clean and sanitize plates, pots, pans, glasses, cups, bowls, utensils, and trays by applying sprays of detergent solution (with or without blasting media granules) and a sanitizing rinse.

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(4) "Commercial fryer" means an appliance, including a cooking vessel, in which oil is placed to such a depth that the cooking food is essentially supported by displacement of the cooking fluid rather than by the bottom of the vessel. Heat is delivered to the cooking fluid by means of an immersed electric element of band-wrapped vessel (electric fryers) or by heat transfer from gas burners through either the walls of the fryer or through tubes passing through the cooking fluid (gas fryers).

(5) "Commercial steam cooker," also known as "compartment steamer," means a device with one or more food-steaming compartments in which the energy in the steam is transferred to the food by direct contact. Models may include countertop models, wall-mounted models, and floor models mounted on a stand, pedestal, or cabinet-style base.

(6) "Computers" and "computer monitors" have the meaning as used in California Rule.

(7) "Director" means the Director of the Oregon Department of Energy.

(8) "Department" means the Oregon Department of Energy.

(9) "Equipment" means a category of equipment or appliances regulated by ORS 469.229 to 469.261 and described in OAR 330-092-0015, below.

(10) "Electric storage water heater" means a consumer product that uses electricity as the energy source to heat domestic potable water, has a nameplate input rating of twelve kilowatts or less, contains nominally forty gallons but no more than one hundred twenty gallons of rated hot water storage volume, and supplies a maximum hot water delivery temperature less than one hundred eighty degrees Fahrenheit.

(11) "Faucet" and the following related terms have the meaning as used in California Rule:

(a) "Lavatory faucet"

(b) "Lavatory replacement aerator"

(c) "Kitchen faucet"

(d) "Kitchen replacement aerator"

(e) "Public lavatory faucet"

(f) "Flow rate"

(g) "Plumbing fitting"

(h) "Showerhead"

(i) "Water use"

(12) "High color rendering index (CRI) fluorescent lamp" means a fluorescent lamp with a color rendering index of eighty-seven or greater that is not a compact fluorescent lamp.

(13) "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.

(14) "Portable electric spa" means a factory-built electric spa or hot tub which may or may not include any combination of integral controls, water heating or water circulating equipment.

(15) "Pressure regulator" means a device that maintains constant operating pressure immediately downstream from the device, given higher pressure upstream.

Commented [A3]: Definition added, matches with statute from HB 4057

~~(1516)~~ "Product" means a particular model number or series available from a particular manufacturer, as distinct from a category of equipment.

~~(4617)~~ "Residential ventilating fan" means a ceiling, wall-mounted, or remotely mounted in-line fan designed to be used in a bathroom or utility room, whose purpose is to move air from inside the building to the outdoors.

(18) "Spray sprinkler body" means the exterior case or shell of a sprinkler incorporating a means of connection to the piping system designed to convey water to a nozzle or orifice.

Commented [A4]: Definition added, matches with statute from HB 4057

330-092-0015

Effective Dates for Regulated Equipment

The following list specifies the effective dates for equipment standards, test procedures, listing, and labeling requirements which have been adopted in these rules.

(1) Bottle-type water dispensers, as defined in OAR 330-092-0010(1): The standards in OAR 330-092-0020(1) are effective for bottle-type water dispensers that are manufactured on or after January 1, 2022.

(2) Commercial hot food holding cabinets, as defined in ORS 469.229(13): The standards in ORS 469.233(2) are effective September 1, 2009 for sale of equipment in Oregon and September 1, 2010 for installation.

(3) Compact audio products, as defined in ORS 469.229(15): The standards in ORS 469.233(3) are effective September 1, 2009 for sale of equipment in Oregon and September 1, 2010 for installation.

(4) Digital versatile disc players and digital versatile disc recorders, as defined in ORS 469.229(21): The standards in ORS 469.233(4) are effective September 1, 2009 for sale of equipment in Oregon and September 1, 2010 for installation.

(5) Portable electric spas, as defined in OAR 330-092-0010(14): The standards in OAR 330-092-0020(5) are effective for portable electric spas that are manufactured on or after January 1, 2022.

(6) Televisions, as defined in ORS 469.229(~~4446~~): The standards in ORS 469.233(6) are effective for televisions that are manufactured on or after January 1, 2014.

Commented [A5]: Changes to -0015: Adds effective date for efficiency standard for spray sprinkler bodies to align with changes to ORS 469.233 by HB 4057 (2022);

Updated numbering in reference to definition of "television" due to renumbering in statute by HB 4057 (2022); no substantive change to definition

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(7) Battery charger systems, as defined in ORS 469.229(6): The standards in ORS 469.233(7) are effective for:

(a) Large battery charger systems manufactured on or after January 1, 2014. Federally regulated large battery charger systems that are manufactured on or after June 13, 2018 are pre-empted from further state regulation.

(b) Small battery charger systems for sale at retail that are not USB charger systems with a battery capacity of 20 watt- hours or more and that are manufactured on or after January 1, 2014. Federally regulated small battery charger systems that are manufactured on or after June 13, 2018 are pre-empted from further state regulation.

(c) Small battery charger systems for sale at retail that are USB charger systems with a battery capacity of 20 watt- hours or more and that are manufactured on or after January 1, 2014. Federally regulated small battery charger systems that are manufactured on or after June 13, 2018 are pre-empted from further state regulation.

(d) Small battery charger systems that are not sold at retail that are manufactured on or after January 1, 2017. Federally regulated small battery charger systems that are manufactured on or after June 13, 2018 are pre-empted from further state regulation.

(e) Inductive charger systems manufactured on or after January 1, 2014, unless the inductive charger system uses less than one watt in battery maintenance mode, less than one watt in no battery mode and an average of one watt or less over the duration of the charge and battery maintenance mode test. Federally regulated inductive charger systems that are manufactured on or after June 13, 2018 are pre-empted from further state regulation.

(f) Battery backups and uninterruptible power supplies, manufactured on or after January 1, 2014, for small battery charger systems for sale at retail, which may not consume more than $0.8 + (0.0021 \times E_b)$ watts in battery maintenance mode, where (E_b) is the battery capacity in watt-hours. Federally regulated uninterruptible power supplies that are manufactured on or after June 13, 2018 are pre-empted from further state regulation.

(g) Battery backups and uninterruptible power supplies, manufactured on or after January 1, 2017, for small battery charger systems not sold at retail, which may not consume more than $0.8 + (0.0021 \times E_b)$ watts in battery maintenance mode, where (E_b) is the battery capacity in watt-hours. Federally regulated uninterruptible power supplies that are manufactured on or after June 13, 2018 are pre-empted from further state regulation.

(8) High light output double-ended quartz halogen lamps, as defined in ORS 469.229(27): The standards in ORS 469.233(8), are effective January 1, 2016, for sale of equipment and installation.

(9) High CRI fluorescent lamps: The standards in OAR 330-092-0020(9) are effective for high CRI fluorescent lamps that are manufactured on or after January 1, 2023.

(10) Computers and computer monitors: The standards in OAR 330-092-0020(10) are effective for computers and computer monitors that are manufactured on or after January 1, 2022.

(11) Plumbing fittings:

(a) Lavatory faucets and lavatory replacement aerators: The standards in OAR 330-092-0020(11) are effective for lavatory faucets and lavatory replacement aerators that are manufactured on or after January 1, 2022; and

(b) Kitchen faucets and kitchen replacement aerators: The standards in OAR 330-092-0020(11) are effective for kitchen faucets and kitchen replacement aerators that are manufactured on or after January 1, 2022; and

(c) Public lavatory faucets: The standards in OAR 330-092-0020(11) are effective for public lavatory faucets that are manufactured on or after January 1, 2022; and

(d) Showerheads: The standards in OAR 330-092-0020(11) are effective for showerheads that are manufactured on or after January 1, 2022.

(12) Commercial fryers: The standards in OAR 330-092-0020(12) are effective for commercial fryers that are manufactured on or after January 1, 2022.

(13) Commercial dishwashers: The standards in OAR 330-092-0020(13) are effective for commercial dishwashers that are manufactured on or after January 1, 2022.

(14) Commercial steam cookers: The standards in OAR 330-092-0020(14) rules are effective for commercial steam cookers that are manufactured on or after January 1, 2022.

(15) Residential ventilating fans: The standards in OAR 330-092-0020(15) are effective for residential ventilating fans that are manufactured on or after January 1, 2022.

(16) Electric storage water heaters: The standards in OAR 330-092-0020(16) are effective for electric storage water heaters that are manufactured on or after July 1, 2023.

[\(17\) Spray Sprinkler Bodies: The standards in OAR 330-092-0020\(17\) are effective for spray sprinkler bodies that are manufactured on or after January 1, 2023.](#)

Commented [A6]: Adds effective date to align with the date in statute from HB 4057

**330-092-0020
Minimum Energy Efficiency Standards and Test Methods**

(1) Bottle-type water dispensers: Beginning on the effective date shown in OAR 330-092-0015(1), bottle-type water dispensers, or water coolers, [that are](#) 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 as measured in accordance with the test requirements of that program:

Commented [A7]: Changes to -0020: Adds efficiency standard and test methods for spray sprinkler bodies to align with changes made to ORS 469.233 by HB 4057 (2022)

Makes non-substantive changes to capitalization and punctuation to align with ORS 469.233 for numbers (1) and (12)-(15)

(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

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(c) 0.18 kilowatt-hours per day for on demand hot and cold units.

(2) Commercial hot food holding cabinets: Beginning on the effective date shown in OAR 330-092-0015(2), commercial hot food holding cabinets shall meet the requirements of ORS 469.233(2).

(3) Compact audio products: Beginning on the effective date shown in OAR 330-092-0015(3), compact audio products shall meet the requirements of ORS 469.233(3).

(4) Digital versatile disc players and digital versatile disc recorders: Beginning on the effective date shown in OAR 330-092-0015(4), digital versatile disc players and digital versatile disc recorders shall meet the requirements of ORS 469.233(4).

(5) Portable electric spas: Beginning on the effective date shown in OAR 330-092-0015(5), portable electric spas must meet the requirements of the American National Standard for portable electric spa energy efficiency (ANSI/APSP/ICC-14 2019) and must be tested in accordance with the method specified in the American National Standard for portable electric spa energy efficiency (ANSI/APSP/ICC-14 2019).

(6) Televisions: Beginning on the effective date shown in OAR 330-092-0015(6), televisions must meet the energy efficiency standards in ORS 469.233(6) as measured in accordance with the federal test procedure described in 10 CFR Section 430.23(h) (Appendix H to Subpart B of Part 430) (2013). Alternatively, until April 23, 2014, television efficiency may be measured in accordance with:

(a) For standby passive mode, the test methods contained in International Electrotechnical Commission (IEC) 62301:2005, Edition 1.0 "Household Electrical Appliances – Measurement of Standby Power"; and

(b) For on mode and power factor test, the test methods contained in IEC 62087:20008(E), Edition 2.0 — "Methods of Measurement for the Power Consumption of Audio, Video and Related Equipment", Section 11.6.1 — "On mode (average testing with dynamic broadcast-content video signal" and the specifications contained in the California Code of Regulations, Title 20, Division 2, Chapter 4, Article 4, Section 1604(v)(3), effective January 1, 2011.

(7) Battery charger systems: Beginning on the effective date shown in OAR 330-092-0015(7), battery charger systems must meet the energy efficiency standards in ORS 469.233(7) as measured in accordance with:

(a) For small battery charger systems that are not: federally regulated battery chargers, uninterruptible power supplies, or battery backups, the test methods contained in 10 CFR Section 430.23(aa) (Appendix Y to Subpart B of Part 430) (Jan. 1, 2017).

(A) Multi-port battery charger systems shall be tested for 24-hour efficiency and maintenance mode with a battery in each port.

(B) For single port small battery charger systems, the highest 24-hour charge and maintenance energy, maintenance mode, and no battery mode results of the test procedure shall be used for purposes of reporting and determining compliance with ORS 469.233(7)(b).

(C) For purposes of computing the small battery charger system standard, the number of ports included in a multi-port charger system shall be equal to the number ports that are separately controlled. For

example, a multi-port charger system that charges eight batteries by using two charge controllers that charge four batteries in parallel would use two for “N” as described in ORS 469.233(7)(b).

(D) Small battery charger systems that are not sold at retail may use the battery manufacturer’s recommended end of discharge voltage in place of values in 10 CFR section 420.23(aa) (Appendix Y to subpart B of part 430) (Jan.1, 2017), Table 3.3.2, where the table’s values are not applicable.

(b) For battery backups and non-federally regulated uninterruptible power supplies, the test methods contained in 10 CFR Section 430.23(aa) (Appendix Y to Subpart B of Part 430) (Jan. 1, 2016).

(c) For large battery charger systems that are not federally regulated battery chargers or federally regulated uninterruptible power supplies, the test methods contained in Energy Efficiency Battery Charger System Test Procedure Version 2.2 dated November 12, 2008, and published by ECOS and EPRI Solutions, with the following modifications.

(A) The test procedure shall be conducted for 100, 80, and 40 percent discharge rates for only one charge profile, battery capacity, and battery voltage. The manufacturer shall test one battery and one charge profile using the following criteria:

(i) the charge profile with the largest charge return factor;

(ii) the smallest rated battery capacity; and

(iii) the lowest voltage battery available at that rated capacity.

(B) The battery manufacturer’s recommended end of discharge voltage may be used in place of values in the test method part 1, section III.F, Table D where the table’s values are not applicable.

(8) High light output double-ended quartz halogen lamps: Beginning on the effective date shown in OAR 330-092-0015(8), high light output double-ended quartz halogen lamps must meet the energy efficiency standards in ORS 469.233(8), as measured in accordance with the IESNA LM-45: Approved Method for Electrical and Photometric Measurements of General Service Incandescent Filament Lamps published by the Illuminating Engineering Society of North America.

(9) High CRI fluorescent lamps: Beginning on the effective date shown in OAR 330-092-0015(9), high CRI fluorescent lamps shall meet the minimum efficacy requirements contained in Section 430.32(n)(4) of Title 10 of the Code of Federal Regulations as in effect on January 1, 2020, as measured in accordance with Appendix R to Subpart B of Part 430 of Title 10 of the Code of Federal Regulations—“Uniform Test Method for Measuring Average Lamp Efficacy (LE), Color Rendering Index (CRI), and Correlated Color Temperature (CCT) of Electric Lamps”—as in effect on January 1, 2020.

(10) Computers and computer monitors: Beginning on the effective date shown in OAR 330-092-0015(10), computers and computer monitors must meet the requirements in the California Code of Regulations, Title 20, section 1605.3(v) in effect as of December 9, 2021, as measured in accordance with test methods prescribed in section 1604(v) of those regulations.

(11) Plumbing Fittings: Beginning on the effective date shown in OAR 330-092-0015(11), the following plumbing fittings must meet the requirements in the California Code of Regulations, Title 20, section

1605.3 as in effect on January 1, 2020, as measured in accordance with the test methods prescribed in the California Code of Regulations, Title 20, section 1604 as in effect on January 1, 2020.

- (a) Lavatory faucets and lavatory replacement aerators
- (b) Kitchen faucets and kitchen replacement aerators
- (c) Public lavatory faucets
- (d) Showerheads.

(12) Commercial fryers: Beginning on the effective date shown in OAR 330-092-0015(12), commercial fryers that are included in the scope of the Environmental Protection Agency “ENERGY STAR® ~~p~~Program ~~p~~Product ~~s~~Specification for ~~e~~Commercial ~~f~~Fryers, ~~v~~Version 2.0,” must meet the qualification criteria, requirements, and testing requirements for that specification.

(13) Commercial dishwashers: Beginning on the effective date shown in OAR 330-092-0015(13), commercial dishwashers that are included in the scope of the Environmental Protection Agency “ENERGY STAR® ~~p~~Program ~~p~~Product ~~s~~Specification for ~~e~~Commercial ~~d~~Dishwashers, ~~v~~Version 2.0,” must meet the qualification criteria, requirements, and testing requirements of that specification.

(14) Commercial steam cookers: Beginning on the effective date shown in OAR 330-092-0015(14), commercial steam cookers that are included in the scope of the Environmental Protection Agency “ENERGY STAR® ~~p~~Program ~~p~~Product ~~s~~Specification for ~~e~~Commercial ~~s~~Steam ~~e~~Cookers” must meet the qualification criteria, requirements, and testing requirements of the ENERGY STAR® “Program Product Specification for Commercial Steam Cookers, version 1.2.”

(15) Residential ventilating fans: Beginning on the effective date shown in OAR 330-092-0015(15), residential ventilating fans that are included in the scope of the Environmental Protection Agency “ENERGY STAR® ~~p~~Program ~~p~~Product ~~s~~Specification for ~~r~~Residential ~~v~~Ventilating ~~f~~Fans” shall meet the qualification criteria of the “ENERGY STAR® Program Requirements Product Specification for Residential Ventilating Fans, version 3.2.”

(16) Electric storage water heaters:

(a) Beginning on the effective date shown in OAR 330-092-0015(16), 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.

(b) Upon written request and submittal of information by a manufacturer, the department will determine whether an alternative communications port and communication interface standard are equivalent for the purposes of subsection (a) of this section. The department encourages manufacturers to also make such a request to other states that have a similar standard. The department may coordinate review of the submittal with other states, and when making its determination may consider

if similar requests have been made to other states and any responses from those states in order to encourage consistency between Oregon standards and standards in other states.

(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 (a) 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.

(17) Spray Sprinkler Bodies: Beginning on the effective date shown in OAR 330-092-0015(17), spray sprinkler bodies that are included in the scope of the United States Environmental Protection Agency's "WaterSense Specification for Spray Sprinkler Bodies, Version 1.0," must include an integral pressure regulator and meet the water efficiency and performance criteria and other requirements of that specification.

Commented [A8]: Adds WaterSense standard to match the standard added to statute by HB 4057

330-092-0025

Reporting Product Compliance Through the Multi-State Compliance System Product Listing

The following listing requirements shall apply to products as long as that listing is available for the specific standard and product:

- (1) Bottle-type water dispensers: each manufacturer must cause to be listed each bottle-type water dispenser, by model number, in the ENERGY STAR® product database.
- (2) Commercial hot food holding cabinets: each manufacturer must cause to be listed each commercial hot food holding cabinet, by model number, in MAEDbS.
- (3) Compact audio products: each manufacturer must cause to be listed each compact audio product, by model number, in MAEDbS.
- (4) Digital versatile disc players and digital versatile disc recorders: each manufacturer must cause to be listed each digital versatile disc players and digital versatile disc recorder, by model number, in MAEDbS.
- (5) Portable electric spas: each manufacturer must cause to be listed each portable electric spa, by model number, in MAEDbS.
- (6) Televisions: each manufacturer must cause to be listed each television, by model number, in MAEDbS.
- (7) Battery charging systems: each manufacturer must cause to be listed each battery charging system, by model number, in MAEDbS.

Commented [A9]: Changes to -0025: Re-titles rule; reference to "multi-state compliance system" is obsolete; this change was inadvertently omitted during 2020 rulemaking

Adds product listing requirement for spray sprinkler bodies; renumbering due to insertion of new provision

(8) High light output double-ended quartz halogen lamps: high light output double-ended quartz halogen lamps have no product listing requirement.

(9) High CRI fluorescent lamps: high CRI fluorescent lamps have no product listing requirement.

(10) Computers and computer monitors: each manufacturer must cause to be listed each computer and computer monitor, by model number, in MAEDbS.

(11) Plumbing Fittings:

(a) Lavatory faucets and lavatory replacement aerators: each manufacturer must cause to be listed each lavatory faucet and lavatory replacement aerator, by model number, in MAEDbS.

(b) Kitchen faucets and kitchen replacement aerators; each manufacturer must cause to be listed each kitchen faucet and kitchen replacement aerator, by model number, in MAEDbS

(c) Public lavatory faucets: each manufacturer must cause to be listed each faucet, by model number, in MAEDbS

(d) Showerheads: each manufacturer must cause to be listed each showerhead, by model number, in MAEDbS.

(12) Commercial fryers: each manufacturer must cause to be listed each commercial fryer, by model number, in the ENERGY STAR® product database.

(13) Commercial dishwashers: Each manufacturer must cause to be listed each commercial dishwasher, by model number, in the ENERGY STAR® product database.

(14) Commercial steam cookers: each manufacturer must cause to be listed each commercial steam cooker, by model number, in the ENERGY STAR® product database.

(15) Residential ventilating fans: residential ventilating fans have no product listing requirement.

(16) Electric storage water heaters: electric storage water heaters have no product listing requirement.

(17) [Spray sprinkler bodies: Each manufacturer must cause to be listed each spray sprinkler body, by model number, in the WaterSense product database.](#)

~~(1718)~~ Questions concerning product listing should be directed to the Oregon Department of Energy's Appliance Efficiency Standards Program Manager, askenergy@oregon.gov, 503-378-4040, 550 Capitol Street N.E., Salem, OR 97301.

330-092-0030
Effect of Listing

To be sold, offered for sale, or installed in Oregon on or after the effective dates described in OAR 330-092-0015, Oregon-regulated products must be listed per the requirements of OAR 330-092-0025.

Commented [A10]: Adds listing requirement. ODOE has authority to establish certification listing requirements under ORS 469.255(3)

Commented [A11]: No changes to -0030

Products that are not listed according to these rules may not be sold, offered for sale, or installed in Oregon on or after the applicable effective date.

330-092-0040

Determination of Compliance

The Department may require the manufacturer to provide test results or other documentation verifying that a product meets Oregon's minimum energy efficiency standards for that category of equipment.

Commented [A12]: No changes to -0040

330-092-0045

Labeling

The following labeling requirements shall apply to products as long as that label is available for the specific standard and product:

Commented [A13]: Changes to -0045: Adds labeling requirement for spray sprinkler bodies; renumbering due to insertion of new provision

- (1) Bottle-type water dispensers: Every unit of every bottle-type water dispenser, or water cooler, must have an ENERGY STAR® label.
- (2) Commercial hot food holding cabinets: Every unit of every commercial hot food holding cabinet must comply with the requirements of section 1607 of the California Rule.
- (3) Compact audio products: Every unit of every compact audio product must comply with the requirements of section 1607 of the California Rule.
- (4) Digital versatile disc players and digital versatile disc recorders: Every unit of every digital versatile disc player or digital versatile disc recorder must comply with the requirements of section 1607 of the California Rule.
- (5) Portable electric spas: every unit of every portable electric spa must comply with the labeling requirements of the American National Standard for portable electric spa energy efficiency (ANSI/APSP/ICC-14 2019).
- (6) Televisions: Every unit of every television must comply with the requirements of section 1607 of the California Rule.
- (7) Battery charging systems: Every unit of every battery charger system must comply with the requirements of section 1607 of the California Rule.
- (8) High light output double-ended quartz halogen lamps: There is no labeling requirement.
- (9) High CRI fluorescent lamps: Every unit of every high CRI fluorescent lamp must comply with the requirements of section 1607(b)-(c) of the California Rule.
- (10) Computers and computer monitors: Every unit of every computer and computer monitor must comply with the requirements of section 1607 of the California Rule.

(11) Plumbing fittings

(a) Lavatory faucets and lavatory replacement aerators: Every unit of every lavatory faucet and lavatory replacement aerator must comply with the requirements of section 1607 of the California Rule.

(b) Kitchen faucets and kitchen replacement aerators: Every unit of every kitchen faucet and kitchen replacement aerator must comply with the requirements of section 1607 of the California Rule.

(c) Public lavatory faucets: Every unit of every public lavatory faucet must comply with the requirements of section 1607 of the California Rule.

(d) Showerheads: Every unit of every showerhead must comply with the requirements of section 1607 of the California Rule.

(12) Commercial fryers: Every unit of every commercial fryer must have an ENERGY STAR® label.

(13) Commercial dishwashers: Every unit of every commercial dishwasher must have an ENERGY STAR® label.

(14) Commercial steam cookers: Every unit of every commercial steam cooker must have an ENERGY STAR® label.

(15) Residential ventilating fans: There is no labeling requirement.

(16) Electric storage water heaters: Every unit of every electric storage water heater must have a label or marking indicating compliance with the standard in this section. Each electric storage water heater subject to these rules must have the following label or marking on the product: "DR-ready: CTA-2045-A." If the product complies with an additional communication interface standard, the label or marking may include the additional standard ("DR-ready: CTA-2045-A and [equivalent DR system protocol]"). The label or marking must be legible and located so as to be readily apparent after a typical installation.

[\(17\) Spray sprinkler bodies: Every unit of every spray sprinkler body product package must have a WaterSense label.](#)

Commented [A14]: Adds labeling requirement. ODOE has authority to establish product labeling requirements under ORS 469.255(4)

~~(1718)~~ The Department may waive marking, labeling or tagging requirements for products marked, labeled or tagged in compliance with federal requirements.

~~(1819)~~ No waiver will be made for an individual manufacturer or individual product. However, the Department may grant a waiver from these labeling requirements on a case-by-case basis for a category of equipment if it determines the following.:

(a) Oregon's labeling requirements would be different and more burdensome than requirements in other states with similar standards;

(b) Current labeling materially complies with the intent of Oregon's labeling requirements; or

(c) Labeling is unnecessary.

330-092-0050

Determination of Non-Compliance

- (1) The Department may review any product if it has cause to believe the product may not comply with Oregon's appliance efficiency standards.
- (2) Upon completing its review, the Department will notify a manufacturer in writing of its determination whether the product is in compliance with the appropriate appliance energy efficiency standard. The notification will include:
 - (a) Identification of the product.
 - (b) An explanation of any deficiencies in compliance with the applicable standards, testing requirements, or labeling requirements.
 - (c) The action the Department proposes to take if it determines the product is non-compliant or the information supplied to the Department is in error.
- (3) The manufacturer must respond to the notice of deficiency within thirty days of mailing.
- (4) The Department will make its final determination within fifteen days of receiving the manufacturer's response.

Commented [A15]: No changes to -0050

330-092-0055

Appeals

- (1) A manufacturer may request reconsideration of the Department's order in writing. The Department will respond within fifteen days of receipt of a request for reconsideration.
- (2) A manufacturer may appeal an action taken by Department staff to the Director. An appeal shall state as clearly as possible the original request, the action taken by staff, and any relevant information demonstrating why the manufacturer believes the Department action is in error.
- (3) The Director will respond to an appeal within fifteen days.

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330-092-0070

Mailing List

Pursuant to ORS 183.355(8), the Department will establish a mailing list of manufacturers for each category of regulated equipment and other interested parties to give notice of program information including proposed rulemaking.

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