

Department of Energy

§ 436.101

§ 436.42 Evaluation of Life-Cycle Cost Effectiveness.

For the purpose of compliance with section 553 of the National Energy Conservation Policy Act:

(a) ENERGY STAR qualified and FEMP designated products may be assumed to be life-cycle cost-effective.

(b) In making a determination that a covered product is not life-cycle cost-effective, an agency should rely on the life-cycle cost analysis method in part 436, subpart A, of title 10 of the Code of Federal Regulations.

§ 436.43 Procurement planning.

(a) Agencies should consider the procurement planning requirements of section 553 of the National Energy Conservation Policy Act as applying to:

(1) Design, design/build, renovation, retrofit and services contracts; facility maintenance and operations contracts;

(2) Energy savings performance contracts and utility energy service contracts;

(3) If applicable, lease agreements for buildings or equipment, including build-to-lease contracts;

(b) Agencies should require the procurement of ENERGY STAR and FEMP designated products in new service contracts and other existing service contracts as they are recompeted and should, to the extent possible, incorporate such requirements and preferences into existing contracts as they are modified or extended through options.

(c) Agencies should include criteria for energy efficiency that are consistent with the criteria used for rating qualified products in the factors for the evaluation of:

(1) Offers received for procurements involving covered products, and

(2) Offers received for construction, renovation, and services contracts that include provisions for covered products.

(d) Agencies should notify their vendors of the Federal requirements for energy efficient purchasing.

Subparts D–E [Reserved]

Subpart F—Guidelines for General Operations Plans

AUTHORITY: Energy Policy and Conservation Act, as amended, 42 U.S.C. 6361; Executive Order 11912, as amended, 42 FR 37523 (July 20, 1977); National Energy Conservation Policy Act, title V, part 3, 42 U.S.C. 8251 *et seq.*; Department of Energy Organization Act, 42 U.S.C. 7254.

SOURCE: 45 FR 44561, July 1, 1980, unless otherwise noted.

§ 436.100 Purpose and scope.

(a) *Purpose.* The purpose of this subpart is to provide guidelines for use by Federal agencies in their development of overall 10-year energy management plans to establish energy conservation goals, to reduce the rate of energy consumption, to promote the efficient use of energy, to promote switching for petroleum-based fuels and natural gas to coal and other energy sources, to provide a methodology for reporting their progress in meeting the goals of those plans, and to promote emergency energy conservation planning to assuage the impact of a sudden disruption in the supply of oil-based fuels, natural gas or electricity. The plan is intended to provide the cornerstone for a program to conserve energy in the general operations of an agency.

(b) *Scope.* This subpart applies to all general operations of Federal agencies and is applicable to management of all energy used by Federal agencies that is excluded from coverage pursuant to section 543(a)(2) of part 3 of title V of the National Energy Conservation Policy Act, as amended (42 U.S.C. 8251–8261).

[45 FR 44561, July 1, 1980, as amended at 55 FR 48223, Nov. 20, 1990]

§ 436.101 Definitions.

As used in this subpart—

Automotive gasoline means all grades of gasoline for use in internal combustion engines except aviation gasoline. Does not include diesel fuel.

Aviation gasoline (AVGAS) means all special grades of gasoline for use in aviation reciprocating engines.

Btu means British thermal unit; the quantity of heat required to raise the temperature of one pound of water one degree Fahrenheit.