

113TH CONGRESS
2D SESSION

S. 2791

To amend the Energy Policy and Conservation Act to permit exemptions for external power supplies from certain efficiency standards, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 10, 2014

Mrs. SHAHEEN (for herself and Mr. PORTMAN) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To amend the Energy Policy and Conservation Act to permit exemptions for external power supplies from certain efficiency standards, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “EPS Service Parts
5 Act of 2014”.

6 **SEC. 2. EXEMPT SUPPLIES.**

7 Section 325(u) of the Energy Policy and Conserva-
8 tion Act (42 U.S.C. 6295(u)) is amended by adding at
9 the end the following:

1 “(5) EXEMPT SUPPLIES.—

2 “(A) FEBRUARY 10, 2014, RULE.—

3 “(i) IN GENERAL.—An external power
4 supply shall not be subject to the final rule
5 entitled ‘Energy Conservation Program:
6 Energy Conservation Standards for Exter-
7 nal Power Supplies’, published at 79 Fed.
8 Reg. 7845 (February 10, 2014), if the ex-
9 ternal power supply—

10 “(I) is manufactured during the
11 period beginning on February 10,
12 2016, and ending on February 10,
13 2020;

14 “(II) is marked in accordance
15 with the External Power Supply
16 International Efficiency Marking Pro-
17 tocol, as in effect on February 10,
18 2016;

19 “(III) meets, where applicable,
20 the standards under paragraph
21 (3)(A), and has been certified to the
22 Secretary as meeting International
23 Efficiency Level IV or higher of the
24 External Power Supply International

1 Efficiency Marking Protocol, as in ef-
2 fect on February 10, 2016; and

3 “(IV) is made available by the
4 manufacturer as a service part or a
5 spare part for an end-use product
6 that—

7 “(aa) constitutes the pri-
8 mary load; and

9 “(bb) was manufactured be-
10 fore February 10, 2016.

11 “(ii) REPORTING.—The Secretary
12 may require manufacturers of products ex-
13 empted pursuant to clause (i) to report an-
14 nual total units shipped as service and
15 spare parts that are not International Effi-
16 ciency Level VI or higher.

17 “(iii) LIMITATION OF EXEMPTION.—
18 The Secretary may issue a rule, after pro-
19 viding public notice and opportunity for
20 public comment, to limit the applicability
21 of the exemption established under clause
22 (i) if the Secretary determines that the ex-
23 emption is resulting in a significant reduc-
24 tion of the energy savings that would oth-

erwise result from the final rule described
in such clause.

“(B) AMENDED STANDARDS.—

“(i) IN GENERAL.—The Secretary
may exempt an external power supply from
any amended standard under this sub-
section if the external power supply—

“(I) is manufactured within four
years of the compliance date of the
amended standard;

“(II) complies with applicable
marking requirements adopted by the
Secretary prior to the amendment;

“(III) meets the standards that
were in effect prior to the amendment;
and

“(IV) is made available by the
manufacturer as a service part or a
spare part for an end-use product
that—

“(aa) constitutes the pri-
mary load; and

“(bb) was manufactured be-
fore the compliance date of the
amended standard.

1 “(ii) REPORTING.—The Secretary
2 may require manufacturers of a product
3 exempted pursuant to clause (i) to report
4 annual total units shipped as service and
5 spare parts that do not meet the amended
6 standard.”.

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