

Department of Energy

§ 429.72

method, and any certifications required by that section, on file for review by DOE for two years following the discontinuance of all models or combinations whose ratings were based on the alternative method.

(b) Such records shall be organized and indexed in a fashion that makes them readily accessible for review by DOE upon request.

(c) The records shall be retained by the manufacturer for a period of two years from the date that the manufacturer or third party submitter has notified DOE that the model has been discontinued in commerce.

(d) When considering if a pump is subject to energy conservation standards under part 431 of this chapter, DOE may need to determine if a pump was designed and constructed to the requirements set forth in Military Specifications: MIL-P-17639F, MIL-P-17881D, MIL-P-17840C, MIL-P-18682D, or MIL-P-18472G. In this case, a manufacturer must provide DOE with copies of the original design and test data that were submitted to appropriate design review agencies, as required by MIL-P-17639F, MIL-P-17881D, MIL-P-17840C, MIL-P-18682D, or MIL-P-18472G. Military specifications and standards are available for review at <http://everyspec.com/MIL-SPECS>.

(e) When considering if a compressor is subject to energy conservation standards under part 431, DOE may need to determine if a compressor was designed and tested to the requirements set forth in the American Petroleum Institute standard 619, "Rotary-Type Positive-Displacement Compressors for Petroleum, Petrochemical, and Natural Gas Industries" (API 619). In this case, DOE may request that a manufacturer provide DOE with copies of the original requirements and test data that were submitted to the purchaser of the compressor, in accordance with API 619.

[76 FR 12451, Mar. 7, 2011, as amended at 81 FR 4145, Jan. 25, 2016; 85 FR 1591, Jan. 10, 2020]

§ 429.72 Alternative methods for determining non-energy ratings.

(a) *General.* Where § 429.14 through § 429.562 authorize the use of an alternative method for determining a phys-

ical or operating characteristic other than the energy consumption or efficiency, such characteristics must be determined either by testing in accordance with the applicable test procedure and applying the specified sampling plan provisions established in those sections or as described in the appropriate product-specific paragraph below. In all cases, the computer-aided design (CAD) models, measurements, and calculations used to determine the rating for the physical or operating characteristic shall be retained as part of the test records underlying the certification of the basic model in accordance with § 429.71.

(b) *Testing.* [Reserved]

(c) *Residential refrigerators, refrigerator-freezers, and freezers.* The total refrigerated volume of a basic model of refrigerator, refrigerator-freezer, or freezer may be determined by performing a calculation of the volume based upon computer-aided design (CAD) models of the basic model in lieu of physical measurements of a production unit of the basic model. Any value of total refrigerated volume of a basic model reported to DOE in a certification of compliance in accordance with § 429.14(b)(2) must be calculated using the CAD-derived volume(s) and the applicable provisions in the test procedures in 10 CFR part 430 for measuring volume, and must be within two percent, or 0.5 cubic feet (0.2 cubic feet for compact products), whichever is greater, of the volume of a production unit of the basic model measured in accordance with the applicable test procedure in 10 CFR part 430.

(d) *Miscellaneous refrigeration products.* The total refrigerated volume of a miscellaneous refrigeration product basic model may be determined by performing a calculation of the volume based upon computer-aided design (CAD) models of the basic model in lieu of physical measurements of a production unit of the basic model. Any value of total adjusted volume and value of total refrigerated volume of a basic model reported to DOE in a certification of compliance in accordance with § 429.61(b)(2) must be calculated using the CAD-derived volume(s) and the applicable provisions in the test procedures in part 430 of this chapter

for measuring volume. The calculated value must be within two percent, or 0.5 cubic feet (0.2 cubic feet for products with total refrigerated volume less than 7.75 cubic feet (220 liters)), whichever is greater, of the volume of a production unit of the basic model measured in accordance with the applicable test procedure in part 430 of this chapter.

(e) *Commercial gas-fired and oil-fired instantaneous water heaters and hot water supply boilers.* The storage volume of a commercial gas-fired or oil-fired instantaneous water heater or a commercial gas-fired or oil-fired hot water supply boiler basic model may be determined by performing a calculation of the stored water volume based upon design drawings (including computer-aided design (CAD) models) or physical dimensions of the basic model. Any value of storage volume of a basic model reported to DOE in a certification of compliance in accordance with § 429.44(c)(2)(iv) and (v) must be calculated using the design drawings or physical dimensions, or measured as per the applicable provisions in the test procedures in 10 CFR 431.106. The storage volume determination must include all water contained within the water heater from the inlet connection to the outlet connection(s). The storage volume of water contained in the water heater must then be computed in gallons.

[79 FR 22348, Apr. 21, 2014, as amended at 81 FR 4145, Jan. 25, 2016; 81 FR 46790, July 18, 2016; 81 FR 79320, Nov. 10, 2016]

§ 429.73 Department of Energy recognition of nationally recognized certification programs for electric motors, including dedicated-purpose pool pump motors.

(a) *Petition.* For a certification program to be classified by the Department of Energy as being nationally recognized in the United States for the purposes of §§ 429.64 and 429.65, the organization operating the program must submit a petition to the Department requesting such classification, in accordance with paragraph (c) of this section and § 429.75. The petition must demonstrate that the program meets the criteria in paragraph (b) of this section.

(b) *Evaluation criteria.* For a certification program to be classified by the Department as nationally recognized, it must meet the following criteria:

(1) It must have satisfactory standards and procedures for conducting and administering a certification system, including periodic follow up activities to assure that basic models of electric motors continue to conform to the efficiency levels for which they were certified, and for granting a certificate of conformity;

(2) For certification of electric motors, including dedicated-purpose pool pump motors, it must be independent (as defined at § 429.2) of electric motor (including dedicated-purpose pool pump motor) manufacturers, importers, distributors, private labelers or vendors for which it is providing certification;

(3) It must be qualified to operate a certification system in a highly competent manner; and

(4) In the case of electric motors subject to requirements in subpart B of part 431 of this subchapter, the certification program must have expertise in the content and application of the test procedures at § 431.16 of this subchapter and must apply the provisions at §§ 429.64 and 429.70(j); or

(5) In the case of dedicated-purpose pool pump motors subject to requirements in subpart Z of part 431 of this subchapter, the certification program must have expertise in the content and application of the test procedures at § 431.484 of this subchapter and must apply the provisions at §§ 429.65 and 429.70(k).

(c) *Petition format.* Each petition requesting classification as a nationally recognized certification program must contain a narrative statement as to why the program meets the criteria listed in paragraph (b) of this section, must be signed on behalf of the organization operating the program by an authorized representative, and must be accompanied by documentation that supports the narrative statement. The following provides additional guidance as to the specific criteria:

(1) *Standards and procedures.* A copy of the standards and procedures for operating a certification system and for