

Statutory Notes and Related SubsidiariesDEMONSTRATION PROJECTS FOR ENERGY EFFICIENCY IN
COMMERCIAL BUILDINGS

Pub. L. 99-412, title II, §202, Aug. 28, 1986, 100 Stat. 943, provided that: "The Secretary of Energy shall, using funds appropriated for energy conservation activities of the Department of Energy, carry out demonstration projects by sharing the cost of the construction and development by nongovernmental entities of facilities which demonstrate innovative technologies for utility applications that increase energy efficiency in commercial buildings."

PART B—ENERGY CONSERVATION PLANS

§§ 8282 to 8282b. Repealed. Pub. L. 99-412, title II, § 201(a), Aug. 28, 1986, 100 Stat. 943

Section 8282, Pub. L. 95-619, title VII, §721, as added Pub. L. 96-294, title V, §565, June 30, 1980, 94 Stat. 754, related to procedures for submission and approval of State energy conservation plans for commercial buildings and multifamily dwellings.

Section 8282a, Pub. L. 95-619, title VII, §722, as added Pub. L. 96-294, title V, §565, June 30, 1980, 94 Stat. 755, related to requirements for State plans for regulated utilities.

Section 8282b, Pub. L. 95-619, title VII, §723, as added Pub. L. 96-294, title V, §565, June 30, 1980, 94 Stat. 756, related to plan requirements for nonregulated utilities and building heating suppliers.

Statutory Notes and Related SubsidiariesAUTHORITY TO CONTINUE CERTAIN STATE ENERGY
CONSERVATION PLANS

Pub. L. 99-412, title II, §201(c), Aug. 28, 1986, 100 Stat. 943, provided that: "Notwithstanding subsection (a) [repealing this subchapter], any State energy conservation plan for commercial buildings and multifamily dwellings approved under section 721 of the National Energy Conservation Policy Act [42 U.S.C. 8282] before August 1, 1984, may, with respect to regulated utilities, continue in effect until January 1, 1990."

PART C—UTILITY PROGRAMS

§§ 8283, 8283a. Repealed. Pub. L. 99-412, title II, § 201(a), Aug. 28, 1986, 100 Stat. 943

Section 8283, Pub. L. 95-619, title VII, §731, as added Pub. L. 96-294, title V, §565, June 30, 1980, 94 Stat. 756, related to general requirements for utility programs and requirements concerning accounting and payment of costs.

Section 8283a, Pub. L. 95-619, title VII, §732, as added Pub. L. 96-294, title V, §565, June 30, 1980, 94 Stat. 757, related to requirements for building heating supplier programs and waiver of such requirements.

PART D—FEDERAL IMPLEMENTATION

§ 8284. Repealed. Pub. L. 99-412, title II, § 201(a), Aug. 28, 1986, 100 Stat. 943

Section, Pub. L. 95-619, title VII, §741, as added Pub. L. 96-294, title V, §565, June 30, 1980, 94 Stat. 757, related to Federal standby authority to promulgate plans.

SUBCHAPTER V—ENERGY AUDITOR
TRAINING AND CERTIFICATION**Editorial Notes**

CODIFICATION

This subchapter was enacted as part of the Energy Security Act, and not as part of the National Energy Conservation Policy Act which comprises this chapter.

§ 8285. Purpose

It is the purpose of this subchapter to encourage the training and certification of individuals to conduct energy audits for residential and commercial buildings in order to serve the various private and public needs of the Nation for energy audits.

(Pub. L. 96-294, title V, §581, June 30, 1980, 94 Stat. 760.)

Editorial Notes

CODIFICATION

Section was enacted as part of the Energy Security Act, and not as part of the National Energy Conservation Policy Act which comprises this chapter.

§ 8285a. Definitions

For the purposes of this subchapter—

(1) the term "Governor" means the chief executive officer of each State, including the Mayor of the District of Columbia;

(2) the term "State" means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Northern Mariana Islands;

(3) the term "energy audit" means an inspection as described in section 8216(b)(1)(A)¹ of this title, or an energy audit as defined in section 8281(b)(7)¹ of this title, which in addition may provide information on the utilization of renewable resources and may make energy-related improvements in the building; and

(4) the term "Secretary" means the Secretary of Energy.

(Pub. L. 96-294, title V, §582, June 30, 1980, 94 Stat. 761.)

Editorial Notes

REFERENCES IN TEXT

Section 8216 of this title, referred to in par. (3), was omitted from the Code pursuant to section 8229 of this title, which terminated authority under that section June 30, 1989.

Section 8281 of this title, referred to in par. (3), was repealed by Pub. L. 99-412, title II, §201(a), Aug. 28, 1986, 100 Stat. 943.

CODIFICATION

Section was enacted as part of the Energy Security Act, and not as part of the National Energy Conservation Policy Act which comprises this chapter.

§ 8285b. Grants

(a) The Secretary may make grants to any Governor of a State for the training and certification of individuals to conduct energy audits.

(b) Before making a grant under subsection (a) to a Governor, the Secretary must receive from the Governor an application containing—

(A) any information which the Secretary deems is necessary to carry out this subchapter; and

(B) an assurance that the grant will supplement and not supplant other funds available

¹ See References in Text note below.

for such training and certification and will be used to increase the total amount of funds available for such training and certification.

(c)(1) Before making any grant under subsection (a) the Secretary shall establish minimum standards for the training and certification of individuals to conduct energy audits.

(2) The Secretary shall require each Governor receiving any grant under this subchapter to agree to meet the standards established pursuant to paragraph (1) in any training and certification conducted using funds provided under this subchapter.

(Pub. L. 96-294, title V, §583, June 30, 1980, 94 Stat. 761.)

Editorial Notes

CODIFICATION

Section was enacted as part of the Energy Security Act, and not as part of the National Energy Conservation Policy Act which comprises this chapter.

§ 8285c. Authorization of appropriations

(a) To carry out this subchapter there is authorized to be appropriated the sum of \$10,000,000 for the fiscal year ending on September 30, 1981, and the sum of \$15,000,000 for the fiscal year ending on September 30, 1982.

(b) Any funds appropriated under the authorization contained in this section shall remain available until expended.

(Pub. L. 96-294, title V, §584, June 30, 1980, 94 Stat. 761.)

Editorial Notes

CODIFICATION

Section was enacted as part of the Energy Security Act, and not as part of the National Energy Conservation Policy Act which comprises this chapter.

SUBCHAPTER VI—COORDINATION OF FEDERAL ENERGY CONSERVATION FACTORS AND DATA

Editorial Notes

CODIFICATION

This subchapter was enacted as part of the Energy Security Act, and not as part of the National Energy Conservation Policy Act which comprises this chapter.

§ 8286. Consensus on factors and data for energy conservation standards

The Secretary of Energy shall assure that within 6 months after June 30, 1980, the Secretary of Energy, the Secretary of Housing and Urban Development, the Secretary of Agriculture, the Secretary of Health and Human Services, the Secretary of Defense, the Administrator of the General Services Administration, and the head of any other agency responsible for developing energy conservation standards for new or existing residential, commercial, or agricultural buildings shall reach a consensus regarding factors and data used to develop such standards. This consensus shall apply to, but not be limited to—

- (1) fuel price projections;

- (2) discount rates;

- (3) inflation rates;

- (4) climatic conditions and zones; and

- (5) the cost and energy saving characteristics of construction materials.

(Pub. L. 96-294, title V, §595, June 30, 1980, 94 Stat. 762.)

Editorial Notes

CODIFICATION

Section was enacted as part of the Energy Security Act, and not as part of the National Energy Conservation Policy Act which comprises this chapter.

§ 8286a. Use of factors and data

Factors and data consented to pursuant to section 8286 of this title may be revised and agreed to by a consensus of the heads of the various Federal agencies involved. Such factors and data shall be used by all Federal agencies in establishing and revising various energy conservation standards used by such agencies, except that other factors and data may be used with respect to the standards applicable to any program if—

- (1) the other factors and data are approved by the Secretary of Energy solely on the basis that such other factors and data are critical to meet the unique needs of the program concerned;

- (2) using the consented to factors and data would cause a violation of an express provision of law; or

- (3) statutory requirements or responsibilities require a modification of the consented to factors and data.

(Pub. L. 96-294, title V, §596, June 30, 1980, 94 Stat. 762.)

Editorial Notes

CODIFICATION

Section was enacted as part of the Energy Security Act, and not as part of the National Energy Conservation Policy Act which comprises this chapter.

§ 8286b. Omitted

Editorial Notes

CODIFICATION

Section, Pub. L. 96-294, title V, §597, June 30, 1980, 94 Stat. 762, which required the President (who delegated the duty to the Secretary of Energy by Memorandum of June 23, 1993, 58 F.R. 34519) to report annually to Congress on activities carried out under this subchapter and on other efforts to coordinate Federal energy conservation programs, terminated, effective May 15, 2000, pursuant to section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance. See, also, the 15th item on page 19 of House Document No. 103-7.

SUBCHAPTER VII—ENERGY SAVINGS PERFORMANCE CONTRACTS

§ 8287. Authority to enter into contracts

(a) In general

(1) The head of a Federal agency may enter into contracts under this subchapter solely for the purpose of achieving energy savings and ben-