

HVAC DOE Enforcement FAQ's

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2015 Regional Efficiency Transition FAQ

What “Region” am I in?

- The term “Region” is not used in the actual law; it has developed through common usage. The Code of Federal Regulations specifies what minimum efficiencies apply to each state, as shown below, with the commonly used Region label (North, South, and Southwest).

From 10 CFR 430.32 (3) through (5):

- “South Region”: Alabama, Arkansas, Delaware, Florida, Georgia, Hawaii, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and the District of Columbia.
- “Southwest Region”: Arizona, California, Nevada, and New Mexico.
- “North Region”: all remaining states not specifically listed above.

Can a 13 SEER Split AC be shipped to the South and Southwest Regions?

- Yes. Installation is the defining act with respect to minimum efficiencies. New production 13 SEER units may be shipped to the South and Southwest Regions, and also may be sold in the South and Southwest Regions, as long as they are not installed there.

If the Enforcement does not go into effect until late in 2015, can I continue to install newly built 13 SEER AC split systems in the South or Southwest Region?

- The Regional Minimum Efficiencies will be effective 1/1/15, regardless of the implementation date of the Enforcement policy. We expect the regulators to aggressively pursue opportunities to make examples of violators, including retroactive enforcement of the law to 1/1/15.

Can 13 SEER units be shipped to US Territories?

- Yes. The Regional Efficiencies only apply to US States and the District of Columbia.

How can I tell if a unit is pre-build or new production?

- The carton labels for units built 12/31/14 and before have a white background, and units built 1/1/15 and later have a light green colored background.

What is the time limit for installing pre-built units?

- Pre-built 13 SEER Split AC and Packaged AC units installed in the South and Southwest Regions must be installed before June 30, 2016. This is true for R-410A and Dry Ship R-22 pre-built condensers.
- 13 SEER Split AC units may continue to be installed in the North Region, whether they are pre-built or not.
- There is no time limit for installing pre-built 13 SEER Split HP or Packaged HP in any Region.

Can Dry Charge 13 SEER units continue to be installed as replacement components?

- Even though Dry Ship AC & HP outdoor units are considered replacement components, the DOE has stated that the same efficiency requirements apply to these units as for R-410A units. So, the Dry Ship outdoor unit must have a hang tag rating that meets the Regional Minimum Efficiencies for the installed location. 13 SEER Dry Ship AC will continue to be produced for the US North Region and for Canada. 13 SEER Dry Ship HP will not be produced after 12/31/14 for installation in the US.

Will the Furnace minimum efficiencies be changing?

- The increase in furnace minimum efficiencies that were part of the 2015 Regional Efficiency Standards were vacated due to the APGA lawsuit and will not go into effect. This would have made the minimum AFUE 80% in the South and Southwest Regions and 90% in the North Region, but because of the lawsuit the minimum will remain at the current 78% AFUE.
- Because the Regional Efficiencies were vacated by the lawsuit, the previous rulemaking from November, 2007 goes back into effect, which increases the furnace minimum efficiency for all regions to 80% AFUE for non-weatherized gas furnaces and for manufactured housing gas furnaces on November 19, 2015. This rulemaking also changed the minimum energy efficiencies for weatherized gas furnaces (residential package units) from 78% to 81% AFUE, effective January 1, 2015.