

Section by Section Summary of the  
National Energy Efficiency Enhancement Act of 2010

Sec. 1. Short Title.

Sec. 2. Energy Conservation Standards.

- (a) Amends section 321 of EPCA for the definition of “energy efficiency standard” to allow DOE to establish more than one performance standard, and adds definitions for “EER” and “HSPF”.
- (b) Amends section 323(b) to establish test procedures for EER and HSPF.
- (c) Amends section 325(d) to establish regional and increased energy efficiency standards for central air conditioners and heat pumps, and related equipment, to be effective on or after Jan 1, 2015, and sets forth dates for the consideration of future standards.
- (d) Amends section 325(d) to establish definitions for Through-the-Wall air conditioning and heat pump systems, and small-duct, high velocity systems, and directs DOE to set standards for these products to be effective on or after June 30, 2016.
- (e) Amends section 325(f) to establish definitions and regional standards for non-weatherized gas and oil furnaces to be effective on or after May, 2013; and for weatherized gas furnaces, to be effective on or after January 1, 2015.
- (f) Amends section 327(f) to provide that State building codes may provide for products that have efficiencies that exceed applicable Federal standards, within certain limits and if such State code provides for combinations of energy items to meet the code objectives that includes at least one combination that does not exceed Federal products standards.

Sec. 3. Energy Conservation Standards for Heat Pump Pool Heaters.

Amends sections 321 and 325 to provide definitions and establish efficiency standards for heat pump pool heaters.

Sec. 4. Efficiency Standards for Class A external Power Supplies.

Amends section 325(u) to provide a definition for “security or life safety alarm or surveillance system” and provides an exemption for certain such products from the “no load” portion of the Federal efficiency standards until July 1, 2017.

Sec. 5. Prohibited Acts.

Amends section 332 to clarify that representatives of manufacturers, distributors, and retailers, just as manufacturers and private labelers currently, are prohibited from the sale and distribution of products that do not meet the Federal minimum efficiency standards.

Sec 6. Outdoor Lighting.

Amends sections 340, 342, 343, 344, and 345 to provide definitions, efficiency standards, rulemaking deadlines and effective dates, test methods, labeling and preemption treatment for pole-mounted outdoor lighting products (e.g. street and parking lot light fixtures, bulbs and controls). Also sets standards for double-ended halogen lamps (high wattage incandescent lamps generally used outdoors) and ends the production of standard

mercury vapor lamps, effective 2016, completing the transition to higher efficiency lighting sources begun when inefficient mercury vapor fixtures and ballasts were phased out in EPCAct 2005.

Sec. 7. Energy Efficiency Provisions.

- (a) Direct Final Rule. Amends section 323 to permit DOE to accelerate the prescription of consensus test procedures and to direct the National Bureau of Standards to assist in developing or amending test procedures.
- (b) Criteria for Prescribing New or Amended Standards. Amends section 325(o) to: (A) add “impact on average energy prices” and “impacts due to smart grid” as new criteria for setting efficiency standards, (B) establishes a rebuttable presumption for what DOE determines to be a minimum “technically feasible and economically justified” efficiency standard, and (C) authorizes DOE to include smart grid technologies into product standards, listing credits and other options for including these technologies.
- (c) Obtainment of Appliance Information from Manufacturers. Amends section 326 to direct DOE to require manufacturers to submit specific product information to DOE such as compliance, annual shipments, and energy use and efficiency, and to coordinate information gathering activities with State agencies.
- (d) Waiver of Federal Preemption. Amends section 327(d) to clarify that DOE may not reject a State waiver petition for failure of the State to produce information that is confidentially maintained by any manufacturer or others and from whom the State has requested, but not received, the information.
- (e) Permitting States to Seek Injunctive Enforcement. Amends section 334 to authorize and prescribe the procedures by which a State may seek an injunction to restrain certain violations of the DOE efficiency program.