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To Members of the Interested Public

Subject: Implementation actions of the Maryland Energy Efficiency Standards Act in response to the enactment of the Federal Energy Policy Act of 2005.

The purpose of this message is to summarize the effects of the recently passed Federal Energy Policy Act of 2005 on Maryland's Energy Efficiency Standards Act (EESA).

While five of the nine appliances covered by the law are preempted by Federal law immediately or by the end of the year, EESA remains in effect for significant periods of time for the following products sold or installed in the state: unit heaters, low-voltage dry-type distribution transformers, commercial refrigerator/freezers, and large packaged air-conditioning equipment.

Persons currently selling or installing these products in Maryland must continue to comply with the requirements of the Energy Efficiency Standards Act. Persons who fail to comply with the requirements of this law are subject to the penalties provided in the EESA.

In 2004 the Energy Efficiency Standards Act (EESA) became law in the State of Maryland. The General Assembly passed the EESA to establish minimum energy efficiency standards on nine separate products that consumed energy being sold or offered for sale in the State. Related to this general purpose were provisions that require manufacturers to identify products that meet the Maryland standards, provide for testing, labeling and also enforcement of the law. The products covered by the law included:

- (1) Torchiere lighting fixtures;
- (2) Unit heaters;
- (3) Low-voltage dry-type distribution transformers;
- (4) Ceiling fans and ceiling fan light kits;
- (5) Red and green traffic signal modules;
- (6) Illuminated exit signs;
- (7) Commercial refrigeration cabinets;
- (8) Large packaged air-conditioning equipment; and
- (9) Commercial clothes washers.

Subsequently, in 2005, the law was amended by the General Assembly. The Maryland Energy Administration (MEA) had drafted proposed and final regulations in 2004 and, in July 2005, had made available draft proposed regulations to address the 2005 amendments.

On August 8, 2005, President Bush signed into law the Energy Policy Act of 2005 (EPCA). The law includes provisions for Federal energy efficiency standards. Our review of this new law reflects that Maryland's implementation of the EESA shall be affected

and much of the Maryland law will be immediately or eventually preempted by the Federal statute.

MEA's initial review of the Federal statute reflects the following:

Product	EESA Effective Date	EPCA Effective Date	Status
Illuminated exit signs	3/05	1/06	Preempted in 4 months
Low voltage dry transformers	3/05	1/07	Preempted in 16 months
Torchiere Lights	3/05	1/06	Preempted in 4 months
Traffic signal modules	3/05	1/06	Preempted in 4 months
Unit Heaters	9/05	8/08	Preempted in 23 months
Ceiling fans	-----	-----	Removed by 2005 legislation
Ceiling fan Light Kits	3/07	1/07	Preempted now
Packaged AC (20-80 tons)	8/05	1/10	Preempted in 52 months
Commercial Refrigerators and Freezers	9/05	1/10	Preempted in 52 months
Commercial Clothes Washer	3/07	1/07	Preempted now

Additionally, the labeling and testing components of the EESA will need to be made consistent with the Federal equivalents contained in the Energy Policy Act of 2005.

Maryland Energy Administration is currently working to redraft EESA regulations so that they will be consistent with the new Federal law. We intend to make these draft regulations available to the public for informal review and comment by October 7th.

IMPORTANT REMINDER: Persons selling or installing unit heaters, low-voltage dry-type distribution transformers, commercial refrigeration cabinets and large packaged air-conditioning equipment in the State of Maryland are reminded that the law remains in affect for these products; MEA must receive certification from manufacturers for EESA

covered products that their products meet the respective Maryland standard before these products can be legally sold in the State.

If you have any questions or comments about this matter please contact David Cronin by telephone at (410) 260-7655 or by email at dcronin@energy.state.md.us.

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