

ONE HUNDRED FIFTEENTH CONGRESS  
**Congress of the United States**  
**House of Representatives**  
COMMITTEE ON ENERGY AND COMMERCE  
2125 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-6115  
Majority (202) 225-2927  
Minority (202) 225-3641

February 8, 2018

The Honorable Mark Menezes  
Under Secretary  
U.S. Department of Energy  
1000 Independence Avenue, S.W.  
Washington, DC 20585

Dear Mr. Menezes:

Thank you for appearing before the Subcommittee on Energy on January 9, 2018, to testify at the hearing entitled "DOE Modernization: Advancing DOE's Mission for National, Economic, and Energy Security of the United States."

Pursuant to the Rules of the Committee on Energy and Commerce, the hearing record remains open for ten business days to permit Members to submit additional questions for the record, which are attached. The format of your responses to these questions should be as follows: (1) the name of the Member whose question you are addressing, (2) the complete text of the question you are addressing in bold, and (3) your answer to that question in plain text.

To facilitate the printing of the hearing record, please respond to these questions with a transmittal letter by the close of business on Friday, February 23, 2018. Your responses should be mailed to Kelly Collins, Legislative Clerk, Committee on Energy and Commerce, 2125 Rayburn House Office Building, Washington, DC 20515 and e-mailed in Word format to [kelly.collins@mail.house.gov](mailto:kelly.collins@mail.house.gov).

Thank you again for your time and effort preparing and delivering testimony before the Subcommittee.

Sincerely,



Fred Upton  
Chairman  
Subcommittee on Energy

cc: The Honorable Bobby L. Rush, Ranking Member, Subcommittee on Energy

Attachment

**Attachment—Additional Questions for the Record**

**The Honorable Richard Hudson**

1. As you may know, I have worked in a bipartisan matter with my good friend Mr. Rush on legislation to promote a 21st century energy and manufacturing workforce. In that legislation we establish a clearinghouse for information and guidance on job training and other workforce development programs for energy and manufacturing jobs.
  - a. Are there current programs within the Department of Energy that we can point our constituents to who are looking for jobs, internships, fellowships and the like?
  - b. Can you tell us about programs within the labs complex that work with universities or community colleges to help with this endeavor?

**The Honorable Peter Welch**

Thank you for your participation and insight as part of our committee's recent DOE Modernization hearing. I was very glad to hear that the Department is committed to meeting statutory deadlines in the appliance and equipment standards program. However, I am concerned that this support is not reflected in the Fall 2017 Unified Agenda of Regulatory and Deregulatory Actions, which moved 20 standards and 17 test procedures to "Long-Term Actions," for which the Department expects no regulatory action over the next twelve months.

As of this month, the Department has missed statutory or court deadlines for nine products, including six that the agency has now moved to the "Long-Term Action" category. The regulatory agenda appears to put the agency on track to miss even more legal deadlines in 2018. Some later deadlines would also seem impossible to meet unless work is started now.

I would like to request more details on how the Department plans to meet these statutory deadlines.

1. What action is the Department taking on, and when do you expect to complete each stage for, each of the standards that is already overdue:
  - a. Small electric motors NOPR (due March 2016)
  - b. Furnaces final rule (court settlement target of April 2016)
  - c. Pool heaters NOPR (April 2016)

- d. Water heaters NOPR (April 2016)
  - e. Clothes dryers NOPR (April 2017)
  - f. Room air conditioners NOPR (April 2017)
  - g. Cooking products final rule (June 2017)
  - h. Refrigerators and freezers NOPR (September 2017)
  - i. Fluorescent lamp ballasts NOPR (November 2017)
2. What action is the Department taking on, and when do you expect to complete each stage for, each of the standards due in 2018:
- a. Commercial packaged boilers final rule (due March 2018)
  - b. Clothes washers NOPR (May 2018)
  - c. Commercial water heaters final rule (May 2018)
  - d. Specialized classes of commercial air conditioners (including computer room, water-cooled, evaporatively-cooled, and variable refrigerant flow air conditioners) (April-May 2018)
3. What action is the Department taking on, and when do you expect to complete each stage for, each of the other standards with statutory deadlines in the coming years:
- a. Metal halide lamp fixtures final rule (due January 2019)
  - b. Distribution transformers NOPR (April 2019)
  - c. Microwave ovens NOPR (June 2019)
  - d. Walk-in coolers and freezers final rule (January 2020)
  - e. External power supplies NOPR (February 2020)

- f. Commercial refrigeration equipment final rule (March 2020)
4. The Department is also behind on test procedures. What action is the Department taking on, and when do you expect to complete each stage for, each of the test procedures with statutory deadlines:
- a. Water source heat pump test procedure (due December 2014)
  - b. Room air conditioners test procedure (January 2018)
  - c. Fluorescent lamp ballasts test procedure (May 2018)
  - d. Automatic commercial ice makers test procedure (January 2019)
  - e. General service fluorescent lamps, general service incandescent lamps, and incandescent reflector lamps test procedure (January 2019)
  - f. Clothes washers test procedure (March 2019)
  - g. Commercial air conditioning and heating equipment test procedure (May 2019)
  - h. Single-package vertical air conditioners and heat pumps test procedure (May 2019)
  - i. Three-phase commercial air conditioners and heat pumps test procedure (May 2019)
  - j. Dishwashers test procedure (October 2019)
  - k. Microwave ovens test procedure (January 2020)
  - l. Clothes dryers test procedure (August 2020)
  - m. Plumbing products test procedure (October 2020)
  - n. Televisions test procedure (October 2020)
5. Some manufacturers have told this committee that it is important to complete test procedures before rulemakings on standards to enable more informed consideration of proposed standards. Will the delays in any of the test procedure rulemakings listed above delay setting standards for those products?

6. The Department has not completed a report to Congress on appliance energy efficiency rulemakings since the 20<sup>th</sup> report in August 2016, although one is required every six months. When will the Department submit the next report?
  
7. Another five standards were finalized in December 2016 but were subject to an error correction process. According to the Department's procedures (10 CFR 430 and 431), these should have been published in the Federal Register after a 45-day review period, but four of them still have not been published. When will the Department publish the final rules for portable air conditioners, air compressors, uninterruptable power supplies, and commercial packaged boilers, and what has delayed the final publication?