ASHRAE Shaping Tomorrow's Global Built Environment Today

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August 21, 2026

The Honorable Audrey Roberston
Assistant Secretary, Office of Critical Minerals and Energy Innovation
U.S. Department of Energy
1000 Independence Avenue SW
Washington, DC 20585

Re: **Response to NOPR on Energy Conservation Program: Procedures, Interpretations, and Policies for Consideration of New or Revised Energy Conservation Standards and Test Procedures for Consumer Products and Certain Commercial/Industrial Equipment (July 7, 2026) - EERE-2025-BT-STD-0001**

Submitted electronically through the Federal eRulemaking Portal at http://www.regulations.gov

Dear Assistant Secretary Roberston:

Thank you for the opportunity to provide input on the July 7, 2026, proposed rule issued by the U.S. Department of Energy's (DOE's) Office of Critical Minerals and Energy Innovation entitled, *"Energy Conservation Program: Procedures, Interpretations, and Policies for Consideration of New or Revised Energy Conservation Standards and Test Procedures for Consumer Products and Certain Commercial/Industrial Equipment."* ASHRAE is providing comments focused on the Energy Policy and Conservation Act (EPCA) process for ASHRAE equipment.

ASHRAE, founded in 1894, is a professional and technical society of more than 55,000 members who focus on building systems, energy efficiency, indoor air quality, refrigeration, and resilience across the built environment. Through research, standards writing, publishing, certification, and continuing education, ASHRAE shapes tomorrow's global built environment today. ASHRAE is actively engaged in the development of robust, voluntary, consensus-based standards and is one of only seven standards-developing organizations in the United States that can self-certify that its standards have followed procedures established by the American National Standards Institute (ANSI). ASHRAE has been at the forefront of developing technical resources and consensus-based energy standards for equipment and residential and commercial buildings for more than 50 years.

ASHRAE previously submitted comments to DOE's Request for Information (RFI) on the Process Rule in May 2025, urging DOE to return to the 2020 Process Rule as it relates to ASHRAE equipment by maintaining deference to ANSI/ASHRAE/IES Standard 90.1, *Energy*

Standard for Buildings Except Low-Rise Residential Buildings (ASHRAE Standard 90.1), when promulgating energy efficiency standards and test procedures. Accordingly, ASHRAE supports

DOE's proposal to reinstate the 2020 Process Rule language for ASHRAE equipment. Our comments below are limited to DOE's proposed changes related to ASHRAE equipment. We do not comment on other proposed changes to the process rule addressed in the NOPR.

Clear and Convincing Evidence

DOE proposes to reinstate the 2020 Process Rule language clarifying that it will adopt the revised standard levels or the industry test procedure contained or referenced in the latest version of ASHRAE Standard 90.1, as contemplated by EPCA, except in very limited circumstances. Additionally, DOE proposes to define "clear and convincing evidence" when considering standards more stringent than the ASHRAE Standard 90.1 levels or changes to the industry test procedure. Specifically, DOE proposes that "clear and convincing evidence" would exist only where the specific facts and data available to DOE regarding a particular ASHRAE amendment demonstrate that there is no substantial doubt that a more stringent standard is permitted because it would result in a significant additional amount of energy savings and is technologically feasible and economically justified or, in the case of test procedures, that the industry test procedure does not satisfy EPCA's statutory requirements.

ASHRAE supports these clarifications because they maintain appropriate deference to the ASHRAE consensus-based standards development process while providing certainty to the public, industry, and other stakeholders and preventing unnecessary market and consumer confusion.

Limited Review for ASHRAE Equipment

DOE proposes to reinstate language from the 2020 process rule that clarifies DOE's review in adopting amendments based on an action by ASHRAE to amend Standard 90.1 such that it is strictly limited to the specific standards or test procedure amendment for the specific equipment for which ASHRAE has made a change. ASHRAE supports this clarification because it appropriately limits DOE's review to the scope intended by EPCA and provides greater regulatory certainty.

ASHRAE Trigger

We appreciate DOE made clear the triggering event (ASHRAE Trigger) for covered equipment is ASHRAE's publication of an updated version of ASHRAE Standard 90.1, not when an addendum to ASHRAE Standard 90.1 is released or approved. This provides for a regular three-year cadence of reviews and clarity, rather than a nearly continuous process of standards rulemakings

Binding Nature of Process Rule

ASHRAE supports DOE's proposal to make the Process Rule binding. Making the Process Rule binding will provide additional clarity and certainty for stakeholders during future rulemakings and promote a more predictable and transparent regulatory process.

Significant Energy Savings

DOE also proposes to reinstate the significant energy savings provisions from the 2020 Process Rule, and apply this framework to ASHRAE equipment when evaluating whether a more stringent standard would achieve "significant additional conservation of energy" under EPCA. ASHRAE encourages DOE to ensure that the proposed “significant energy savings” thresholds do not inadvertently limit opportunities for efficiency improvements by focusing solely on individual products or equipment with the largest energy savings. While evaluating energy savings on an overall basis is appropriate, applying the thresholds on a product by product basis could exclude lower volume products that nonetheless present meaningful opportunities for energy efficiency improvements. Moreover, as many individual products and components approach their maximum technologically feasible efficiency at the component level, ASHRAE Standard 90.1 has increasingly considered efficiency at the system level and on an annualized basis. DOE should therefore ensure that its process appropriately accounts for system-level interactions and annual energy performance when determining whether efficiency improvements achieve “significant additional conservation of energy” under EPCA. For that reason, it is important for DOE and ASHRAE to continue their collaborative approach. Setting performance requirements for ASHRAE equipment requires a level of deliberation and stakeholder engagement that happens through the ASHRAE Standard 90.1 consensus-based process and cannot be substituted with a single metric.

ASHRAE Equipment Governance

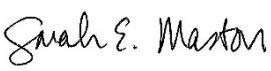
DOE is also requesting information and comments on possible improvements or considerations for ASHRAE equipment. ASHRAE encourages DOE to consider several improvements to its process for evaluating ASHRAE equipment. The evaluation should not be limited to component level efficiency, but should consider the performance of the overall system, where significant future energy savings opportunities may exist. Energy savings should be evaluated on an annualized basis using energy modeling and should account for source energy, rather than site energy alone, to more accurately reflect overall energy consumption and impacts. Any proposed efficiency improvements should also be supported by a rigorous cost-effectiveness analysis and a technical support document that clearly explains the underlying assumptions, methodology, and results. ASHRAE Standard 90.1 already has established procedures for evaluating efficiency improvements through its documented standards development and work plan processes, which DOE should consider when developing its approach. DOE could further support this effort by providing improved building performance models and modeling tools that enable more accurate evaluation of system-level and annualized energy savings.

In closing, as DOE considers stakeholder comments on this proposed rule, ASHRAE urges DOE to maintain deference to the efficiency standards contained in ASHRAE Standard 90.1 for ASHRAE equipment and systems. Doing so will help ensure that decisions are informed by broad stakeholder consensus, reduce regulatory burdens for the government, stakeholders and consumers/users, save taxpayer dollars, increase transparency, and promote consistency and simplicity throughout the EPCA rulemaking process. Additionally, DOE should strictly adhere to

EPCA’s anti-backsliding provision, which prohibits the weakening of existing energy efficiency standards. Any modification of this provision would create regulatory uncertainty and could increase costs for manufacturers and consumers. More importantly, timely adoption by DOE of amended equipment efficiency standards contained in ASHRAE Standard 90.1 will help realize the full energy conservation benefits of the standard by lowering energy costs for consumers and businesses while reducing demand on the electric grid. This also allows manufacturers sufficient time to plan for updated requirements and ensures that federal efficiency standards keep pace with improvements developed through ASHRAE’s consensus-based standards process.

We appreciate DOE's consideration of ASHRAE's comments and its incorporation of several recommendations we submitted in response to the May 2025 RFI. We look forward to DOE's continued engagement with stakeholders as it finalizes this rule and advances implementation of ASHRAE Standard 90.1. We welcome any follow-up questions regarding ASHRAE's standards development process, ASHRAE Standard 90.1, or other technical matters. If you would like clarification on these comments or additional information, please do not hesitate to contact me or have your staff contact GovAffairs@ashrae.org.

Sincerely,



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