

Furnace Efficiency Standards Timeline

Federal Activity	State Activity
1988- NAECA sets first national gas furnace standard (78% AFUE), which took effect on 1/1/1992.	
2001- DOE publishes Framework Document , in effect beginning the rulemaking process to revise the original standard	
	2005- Massachusetts legislature adopts state level standards for a package of various appliance efficiency standards, including gas furnaces (90% AFUE). In order to implement the gas furnace standard, they will need to submit a petition for a waiver from preemption to the US DOE and have it accepted. Between 2004 and 2006, other states (VT, RI) adopt this same furnace standard (MD and NH adopt for new construction only). National Grid publicly supports package of standards in Massachusetts and Rhode Island that includes the 90% AFUE for gas furnaces.
October 2006- DOE publishes their Notice of Proposed Rulemaking (NOPR) as part of the revision process which began in 2001. The proposal from DOE includes an 80% AFUE proposed standard.	
November 2007- US DOE publishes Final Rule for Residential Furnaces (includes 80% AFUE for gas, 82% for oil)	
2008- Efficiency Advocates (NRDC, MA Union of Public Housing Tenants, TX ROSE) and States (MA, CT, NY, NJ) sue the DOE over the weak final rule.	2008- Because DOE's final rule is so weak and does not meet the levels prescribed in the 2005 standards package, Massachusetts begins the process to develop a Petition for a waiver from preemption in order to implement their 90% AFUE gas furnace standard that they passed in 2005.
April 2009- DOE agrees to remand their final rule and will begin new rulemaking. DOE files a motion with the Second Circuit Court of Appeals for voluntary remand of the final rule on residential furnaces indicating that it will publish a revised final rule no later than May 1, 2011	
October 2009- Efficiency Advocates and the HVAC equipment manufacturer's trade association, AHRI, finalize a Consensus Agreement that proposes efficiency standard updates for residential furnaces, residential central air-conditioners and heat pumps. This agreement was submitted as a joint comment to DOE by the Air-Conditioning, Heating, and Refrigeration Institute, American Council for an Energy-Efficient Economy, Alliance to Save Energy, Appliance Standards Awareness Project, Natural Resources	October 2009- Massachusetts (DOER and AG's office) submits the Petition for a waiver from preemption to US DOE.

<p>Defense Council, and Northeast Energy Efficiency Partnerships. The agreement proposes regionally specific standards, which would represent the first time they are implemented through the federal standards program. The Agreement is sent to the DOE for Direct Rule and to Congress for possible legislative action. Standards can be implemented through each of these channels.</p>	
	<p>January 2010- DOE publishes Massachusetts Petition and solicits public comments (Due in March).</p>
<p>March, 2010- DOE publishes a Rulemaking Analysis Plan (RAP) for Residential Furnaces (first step in reopened furnace docket). In the RAP, DOE specifically requests comments about the recommendations made in the consensus agreement. NEEP, other advocates and AHRI submit comments reaffirming support for consensus agreement. AGA submits comments opposing consensus agreement.</p>	<p>March, 2010- NEEP, NCLC, ENE, DOER, others submit letters of support, AGA and AHRI oppose. AGA argues the state standard would lead to fuel switching, higher costs to consumers and safety concerns. AHRI argues that this standard is better handled through the consensus agreement. MA utilities do not weigh in.</p>
<p>June 2010- Advocates continue work to build support for consensus agreement, particularly from gas utilities. Furnace standards included in the consensus agreement are consistent with the standards supported by National Grid in 2005 (MA standards bill). A handful of MA utilities send supporting letters to DOE, including National Grid, NStar, New England Gas, Unitil, and Berkshire.</p>	<p>June 2010- Massachusetts waiver group submit rebuttals to arguments expressed by opposition groups. While Massachusetts would be more than satisfied if consensus agreement is adopted at the federal level by DOE or included in federal legislation, they see the waiver as an insurance policy if neither of these paths are fruitful. Six largest MA gas companies provided letters of support for the 90% AFUE waiver petition filed by the Commonwealth.</p>
	<p>August, 2010- New England Governors' Conference establish resolution- "BE IT FURTHER RESOLVED that the New England states agree to request federal waivers to establish a nation-leading 90% efficiency standard for natural gas furnaces in the region to be implemented as determined by the individual states; and will also seek to set high efficiency standards for other heating systems, including those using non-regulated fuels, in order to reduce emissions and heating costs."</p>
	<p>October 2010- Massachusetts Petition for a waiver is denied by DOE. In their denial, DOE highlights the ongoing federal rulemaking saying that this standard may be achieved through that process. Involved parties feel confident about federal process and decide not to challenge.</p>
<p>June, 2011- DOE published Direct Final Rule. From the DFR; "The direct final rule is effective on October 25, 2011 unless adverse comment is received by October 17, 2011. If adverse comments are received that DOE determines may provide a reasonable basis for withdrawal of the direct final rule, a timely withdrawal of this rule will be</p>	

<p>published in the Federal Register. If no such adverse comments are received, compliance with the standards in this final rule will be required on May 1, 2013 for non-weatherized gas furnaces, mobile home gas furnaces, and non-weatherized oil furnaces;</p>	
<p>September, 2011- Advocates anticipate renewed effort from AGA to oppose DFR. It has been suggested that they are rallying opposition from their membership.</p>	
<p>October, 2011- DOE upholds Direct Final Rule. DOE cites the public comments of several supporting organizations in their rebuttals to opposition.</p>	