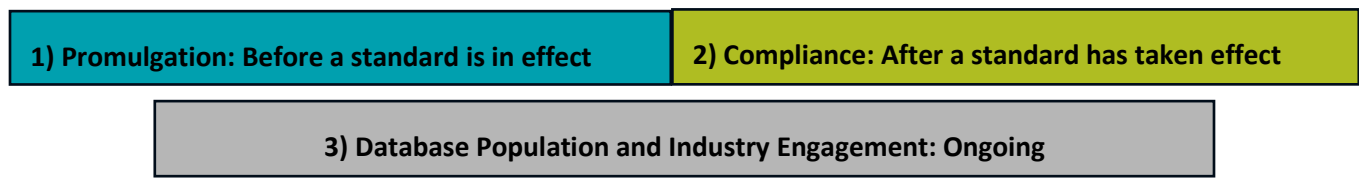




State Appliance Standards Engagement Plan

To assist states in successfully implementing appliance standards, the following plan has been developed to outline key processes for state communication and stakeholder engagement. This plan references several other in-depth resources and fact sheets that were developed as part of a broader toolkit. This document will list important steps for state staff and outline the processes for stakeholder engagement, but this document does not cover every step a specific state may need to take to implement standards. This engagement plan is broken up into three phases:



Effective date

1) Promulgation: Adopting State Standards

Once appliance standard legislation has been passed, many states must take additional actions to promulgate the standards. While the regulatory requirements will vary from state to state, the steps below will help outline consistent processes to help enable successful adoption of standards in all states. As noted, these steps are concurrent to state-specific regulatory obligations.

Step 1: State staff review the standards and internally communicate roles, expectations, and responsibilities.

In this initial step, relevant state staff should host an internal meeting and use the **State Appliance Standards Database (SASD) Roles and Responsibilities** as a reference to clarify expectations for interaction with the SASD, ultimately determining who at the state will play which role. Some states might be administrators of the SASD, but it is recommended that NEEP limit the number of accounts and designated individuals with logins in order to keep responsibilities clear.

Step 2: State staff establish compliance plan and expectations.

This could be accomplished in the same meeting as step 1, where state standards staff have reviewed the **Compliance Best Practices**. The goal of this step is to have internal alignment across the key state staff around compliance and develop a clear action plan to identify the primary method states will use to verify compliance, the responsible people, and any questions.

If needed, the California Energy Commission (CEC) can be a resource to review and discuss compliance options.



Table 1. California Energy Commission Contacts

Topic	Contacts	Email
Enforcement	Maunee Berenstein	Maunee.Berenstein@energy.ca.gov
MAEDbS	Christine Awtrey	Christine.Awtrey@energy.ca.gov
Industry questions & concerns	Carlos Baez	Carloa.Baez@energy.ca.gov

Step 3: State staff establish or confirm the enforcement plan and expectations.

Once a compliance plan has been determined, states should confirm enforcement expectations. There are several potential enforcement options a state can take—including spot checks of online retailer websites, investigating reports of violations, issuing warnings, and issuing fines—but the expectations must be agreed upon internally. Relevant state staff should meet to review the **Enforcement Best Practices** and state statute authority.

There are some very basic enforcement best practices, including establishing an email address for the public to report violations or submit questions. A state may not plan to levy fines when standards first become effective, but if they have the authority to do so, they could decide to exercise that authority (if a violation warranted) down the line. The full scope of intended enforcement activities does not need to be made publicly available as long as it is consistent with statutory authority and agreed upon internally. Enforcement activities should be reviewed at least on an annual basis as the compliance landscape changes.

If needed, states can reach out to the CEC to discuss and/or coordinate enforcement activities.

Step 4: State staff announce the standards publicly.

This could be in the form of a regulatory advisory, sent over email to a relevant parties list, or at a minimum posted on the state website. While the public announcement of the standard may not be a statutory requirement, it is needed to aid compliance with the standard and to help ensure the standards have their intended impact.

The **Standard Declaration Template** provides a basic structure for what to include in this public announcement. The announcement *should not* be the primary way relevant market actors (manufacturers, distributors, retailers, and installers) are expected to learn about the new regulations; industry engagement is discussed further in Section 2: Database Population and Industry Engagement.



Having a “one-stop-shop” state-hosted website is critical to ensure there is a clear, consistent message around the regulated products, their standard levels, and implementation timelines. This step should be parallel to any additional regulatory measures individual states need to take to ensure their standards are effective. In some cases, states may need to conduct a public rulemaking before a standard can go into effect. In other cases, state agencies will need to file regulatory language that may be very similar to the statutory language from the appliance standards bill. While ideally standards declarations would be published six months to a year prior to the effective date(s), the most important consideration is that market actors are notified of the standards in advance of the regulation taking effect and that the details of the standards be published as soon as they are agreed upon.

2) Database Population and Industry Engagement

Concurrent to promulgating standards, states should conduct outreach to market actors to ensure they understand the requirements and the compliance process. Additionally, manufacturers or their representatives may need to certify their products to the SASD. This creates a natural opportunity for industry engagement as well as a landing page for important industry resources.

Step 1: State staff establish communication plan.

State staff working on standards should meet to establish a communication plan, clarifying expectations for how, when, and who will engage with market actors about state standards. This could include outreach to the CEC to align efforts, especially for states with products standards that require certification to the Modernized Appliance Efficiency Database System (MAEDbS) since they might be driving new manufacturers to certify to that database. States should reference the **Industry Communication Best Practices** to ensure communication is clear and effective.

Step 2: State staff identify relevant stakeholders for outreach.

This step could be done in coordination with other states enacting similar standards or could be organized by a non-state entity such as NEEP, ASAP, or the U.S. Climate Alliance. The **Stakeholder Directory** is a helpful starting point to identify relevant manufacturers, distributors, retailers, and industry organizations for outreach.

Step 3: State staff reach out to industry stakeholders and share appropriate resources.

States might find that there are many industry stakeholders that they should contact. Though email blasts can be most efficient, states should take a more tailored approach when contacting industry/trade associations since these groups have the ability to conduct further outreach on the states behalf.



The **Industry Communication Best Practices** outlines how to productively engage with different types of industry stakeholders. When conducting outreach to manufacturers, states should also share the **Manufacturer SASD Fact Sheet** which provides context for standards, explains the importance of certifying products to the SASD, and contains a set of frequently asked questions. When conducting outreach to retailers, installers, and distributors, states should share the **Retailer, Distributor, Installer SASD Fact Sheet** which will help them understand their responsibilities to comply with the standards as well as how to use the SASD to verify compliance.

Step 4: Industry uses the SASD.

Once initial outreach has been conducted and states have shared resources with industry stakeholders, industry can start using the SASD. Manufacturers can reference the **Accessing the SASD: Industry** resource to navigate account set up and SASD population. Retailers, distributors, and installers can start referencing the SASD to verify compliance.

3) Compliance and Enforcement

While promulgating regulations, populating the SASD, and connecting with industry stakeholders are critical, taking additional compliance steps will go a long way to ensure the standards are adhered to and the savings are achieved.

Step 1: Approve manufacturer submitted products to the SASD.

Once the products have been submitted to the SASD, state staff or their proxies will review, confirm, and publish the submitted products onto the SASD. The state staff will need to determine who has responsibility for performing this administrative role and may be well served to work collectively with other states or parties to assign responsibility for keeping the SASD up to date. Since the SASD allows manufacturers to upload products and checks product compliance with standard levels, the approval process, while important, is straightforward and designed to not be overly time consuming.

Reference the **Accessing the SASD: State** resource to understand the steps needed to check and publish new products onto the SASD.

Step 2: Maintain productive relationships with industry

Once the database has been populated, the **Compliance Verification Best Practices** and **Enforcement Best Practices** should be reviewed to confirm plans of action. As industry begins using the SASD, there are likely to be administrative touchpoints with manufacturers, distributors, retailers, and installers that present natural opportunities to maintain productive working relationships.

Step 3: Communicate violations.



Should any compliance violations be identified, states should share the information publicly. Demonstrating that infractions are taken seriously and dealt with swiftly will help give visibility to the state compliance process, and confirms to the rest of the industry that states are paying attention. In addition to sharing this information within a state, it is recommended to share information about infractions with other states to help increase compliance across the board.