

Stakeholder Questions and DOER Answers
from March 2023 Webinars about
Complying with 225 CMR 9.00 - Appliance
Energy and Water Efficiency Standards

Question	Answer
Is there any connection with Massachusetts registration with SASD and registering the same product with California's appliance registration database, MAEDBS? Do products need to be registered with California first?	We are asking sellers and installers to go to a single resource, the SASD, for ease of communication. To do that, we are working on replicating MAEDBS products in the SASD. If your products are not available to certify, email sasd@energy-solution.com . The vendor can help you verify products that are in MAEDBS but not yet in SASD.
Does this apply to HUD code and IRC code manufactured housing?	M.G.L. c. 25B §3 exempts products manufactured in MA for sale outside of MA, manufactured outside of MA sold at wholesale for final retail and installation outside of MA, installed in manufactured housing at the time of construction, and for use in RVs.
Is a vendor responsible for branded products that are not in compliance? Like is Home Depot on the hook for selling a Kohler faucet that is not properly registered?	The law requires manufacturers to certify to DOER and for sellers/installers to only sell/install certified products. As the law requires sellers and installers to check their inventories against the SASD, it is in a seller's interest to ensure that their white-label brand is listed. So, in your example, if the Kohler faucet was properly registered but sold under the Home Depot brand, Home Depot would want to make sure that installers knew their brand was legal to sell so they would want to email SASD@energy-solution.com to get their brand listed. If the Kohler faucet was not properly registered, yes, Home Depot would not be in compliance with the law because they have an obligation to only sell certified products.
Does this have any relationship to the Massachusetts Plumbing Boards List of Approved Vendors (https://licensing.reg.state.ma.us/public/pl_products/pb_pre_form.asp) which already require any manufacturer of equipment that hooks up to gas or water be certified through their platform?	The two databases are independent and products must be submitted to both. DOER does not have the authority to change the Plumbing Board's database and it serves different purposes than the SASD serves. For example, the SASD will allow for certification in other states once they adopt the standards. Please notify the Plumbing Board at Plumbingboard@mass.gov and DOER at DOER.appliancestandards@mass.gov if you notice a discrepancy between the databases for a product COVERED BY THE STANDARD.
Is there a schedule of recertification/reregistration or is once sufficient until a change in Energy Star standards or legislation?	Certifying once as new products are introduced is sufficient. Because the standards are set in statute, re-certifications would only be needed if changes were made to the law.
We deal with Energy Solutions, and they provide us with an excel spreadsheet of all the items that are rebatable due to being Energy Star items, by manufacture and model. Is it safe to say we can continue to use this as our guide for the State of Mass?	Products that may not be sold by law may be a different subset of products than those that qualify for rebates. However, rebate vendor information should not include products that cannot be sold in the state. DOER also hopes to contract with a vendor in the future to help the market with questions like this.
Is there a link for the list of all certified appliances?	https://neep.org/SASD
Will a "Certified" appliance meet the Mass State Building/Energy Code Residential and Base (ICC w/ Mass Amendments) IRC	Appliance standards prohibit sales of products and codes prohibit installation of products. Theoretically, installers should not be able to buy products to install that don't meet the standard. However, there is an obligation on installers to check their products for compliance. As such, if code says you can install something and the standard says you can't, the standard prevails.
Will you provide live links for the compliance for Manufacturers/Sellers/installers?	www.mass.gov/appliancestandards
As a manufacturer of plumbing products (LIXIL), we explicitly tell all our Massachusetts customers (as well as other states) which models of ours they can and cannot sell. We also formally get signed letters if they buy products that are not Mass compliant but bound for sale outside the state. Do we need to do these two things? With so many states coming online it is really burdensome.	The statute and guidelines do not require those actions specifically; it is up to the individual manufacturer to ensure compliance and determine how to best accomplish that.
Sorry if I missed this early in the presentation, what are the various levels of action toward someone that is non-compliant?	It depends on the violation. See Section 6 of the Guidelines for some actions that DOER may take.
Are we able to quote new charging stations products prior to the time we have been able to certify them with the understanding we will not accept the PO until we are certified.	The prohibition is on manufacturers SHIPPING uncertified products to Massachusetts.
Residential ventilation fans are in scope for Mass however don't appear to be in scope for SASD. Can you help clarify?	Manufacturers have been able to certify by submitting their products to the SASD email through March but the listed were pre-populated in the SASD the week of March 20th.
Could you further clarify Guidelines section 4.1 - Covered Products with a standard set to US Code...	The Legislature chose not to repeal older standards that were preempted by federal rules. They do this to ensure that there is still a state standard if the federal rule is rescinded. The language in the Guideline just acknowledges that the federal rule prevails for certain products. See www.mass.gov/appliancestandards for the list of product standards Massachusetts can currently enforce.
Does the federal preemption and exclusion from the SASD registration extend to Energy Star products. Thank you.	Federal preemption only applies to legal minimum standards. Energy Star and Water Sense are voluntary standards on the federal level. Many of our state standards are set to Energy Star and Water Sense standards, making them mandatory here. Please check mass.gov/appliancestandards to verify products subject to state standards.
How do ERV and HRV fresh air appliances qualify under new cfm per watt standard? They are not tested according to HVI 916 publication	The standard defines residential vent fans as those in bathrooms. Heat and energy recovery fans are generally not bathroom vent fans.