

Enforcement Policy Statement General Service Lamps for Airport Runways

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In an exercise of its enforcement discretion, the U.S. Department of Energy (DOE) announces a delayed enforcement model for certain incandescent/halogen directional (PAR38) lamps that do not meet the new general service lamp (GSL) standard.

Background:

DOE recently published two new final rules related to general service lamps. One expands the definition of GSL and general service incandescent lamp (GSIL) (“the definitions rule”). Another imposes a sales prohibition of 45 lumens/watt on all GSLs (“the backstop rule”), including those lamps newly considered a GSL, which includes GSILs. The definitions rule goes into effect 60 days after publication. The backstop rule goes into effect 75 days after publication.

DOE developed this enforcement policy to prevent disruption to airport runway operations. These specialty lamps support airport safety by helping pilots align the aircraft with the centerline of the runway during approach on an instrument landing. The specialty lamps for this unique runway application require orders to specification. Although these lamps are currently transitioning to LED equivalents, it may take longer than 75 days for those replacements to reach small airports serving local areas.

Generally, the Department seeks the maximum civil penalty against manufacturers and private labelers that knowingly distribute in commerce products or equipment that violate the federal energy or water conservation standards. DOE believes the maximum penalty is both appropriate and necessary, as such violations directly undermine the Energy Policy and Conservation Act (EPCA) regulatory regime and prevent consumers from achieving the energy and cost savings intended by the energy conservation standards program. During this period of enforcement flexibilities, however, DOE plans to exercise its enforcement discretion to offer limited leniency in light of airport operational challenges explained above. That said, DOE may exercise its discretion to enforce to the fullest extent of the law, as circumstances dictate.

Scope:

This policy applies to compliance requirements only for PAR shape lamps that

- 1) have a first number symbol equal to 38 (diameter equal to 4.75 inches);
- 2) have an E26 base;
- 3) have a power factor equal to or greater than 0.9;
- 4) have a beam pattern that is circular in shape (outer bounds of the main-beam pattern of ± 8 degrees); and
- 5) are labeled for use in Medium Intensity Approach Lighting System with Runway Alignment Indicator Lights (MALSR).

For lamps that do not comply with conservation standards in effect before the backstop rule or certification requirements in effect before the definitions rule, DOE may exercise its discretion to take enforcement action without considering the enforcement flexibilities below.

Application:

Although DOE reserves its discretion to consider new facts in individualized circumstances, in general, DOE intends to exercise its enforcement discretion for lamps within the scope above until further notice. Following the effective date of the backstop rule, DOE will be able to offer leniency up to, and including, limited delayed enforcement for these lamp types. DOE reserves its discretion, however, to take enforcement action for egregious situations or as circumstances dictate.

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