



# U.S. Department of Energy

## Categorical Exclusion Determination Form

Proposed Action Title: Energy Conservation Standards for Single Package Vertical Units (RIN 1904-AE78)

Program or Field Office: Office of Energy Efficiency and Renewable Energy - Building Technologies Office

Location(s) (City/County/State): Nationwide

Proposed Action Description:

In this final rule, DOE has determined that it lacks clear and convincing evidence of economic justification to support adopting more stringent energy conservation standards for Single Package Vertical Units (SPVUs). However, DOE is adopting amended standards for SPVUs based on a new cooling efficiency metric, Integrated Energy Efficiency Ratio, that are of equivalent stringency as the current DOE energy conservation standard levels. The heating efficiency standards for Single Package Vertical Heat Pumps, based on the existing coefficient of performance metric, remain unchanged.

DOE has analyzed this final action in accordance with the National Environmental Policy Act of 1969 (NEPA) and DOE's NEPA implementing regulations (10 CFR part 1021). DOE's regulations include a categorical exclusion for actions which are interpretations or rulings with respect to existing regulations. 10 CFR part 1021, subpart D, appendix A4. DOE has determined that this action qualifies for categorical exclusion A4 because it is an interpretation or ruling in regard to an existing regulation and otherwise meets the requirements for application of a categorical exclusion. See 10 CFR 1021.410.

The new rule does not change or establish energy conservation standards but instead adopts amended standards based on the IEER metric at the same stringency as the current standards.

Categorical Exclusion(s) Applied:

A4 – Interpretations and rulings for existing regulations

For the complete DOE National Environmental Policy Act regulations regarding categorical exclusions, including the full text of each categorical exclusion, see Subpart D of [10 CFR Part 1021](#).

Regulatory Requirements in 10 CFR 1021.410(b): (See full text in regulation)

The proposal fits within a class of actions that is listed in Appendix A or B to 10 CFR Part 1021, Subpart D.

To fit within the classes of actions listed in 10 CFR Part 1021, Subpart D, Appendix B, a proposal must be one that would not: (1) threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety, and health, or similar requirements of DOE or Executive Orders; (2) require siting and construction or major expansion of waste storage, disposal, recovery, or treatment facilities (including incinerators), but the proposal may include categorically excluded waste storage, disposal, recovery, or treatment actions or facilities; (3) disturb hazardous substances, pollutants, contaminants, or CERCLA-excluded petroleum and natural gas products that preexist in the environment such that there would be uncontrolled or unpermitted releases; (4) have the potential to cause significant impacts on environmentally sensitive resources, including, but not limited to, those listed in paragraph B(4) of 10 CFR Part 1021, Subpart D, Appendix B; (5) involve genetically engineered organisms, synthetic biology, governmentally designated noxious weeds, or invasive species, unless the proposed activity would be contained or confined in a manner designed and operated to prevent unauthorized release into the environment and conducted in accordance with applicable requirements, such as those listed in paragraph B(5) of 10 CFR Part 1021, Subpart D, Appendix B.

There are no extraordinary circumstances related to the proposal that may affect the significance of the environmental effects of the proposal.

The proposal has not been segmented to meet the definition of a categorical exclusion. This proposal is not connected to other actions with potentially significant impacts (40 CFR 1508.25(a)(1)), is not related to other actions with individually insignificant but cumulatively significant impacts (40 CFR 1508.27(b)(7)), and is not precluded by 40 CFR 1506.1 or 10 CFR 1021.211 concerning limitations on actions during preparation of an environmental impact statement.

Based on my review of the proposed action, I have determined that the proposed action fits within the specified class(es) of action, the other regulatory requirements set forth above are met, and the proposed action is hereby categorically excluded from further NEPA review.

NEPA Compliance Officer:

Andrew Montano

Digitally signed by Andrew Montano  
Date: 2023.12.20 10:24:23 -0700

Date Determined:

December 20, 2023