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**DOE Issues New CRE Energy Efficiency Standards**

**One Additional Year for Compliance, But Many Areas Remain Similar to Proposed Rule**

On Dec. 20, 2024, the U.S. Department of Energy (DOE) published a [final rule](https://www.federalregister.gov/documents/2025/01/21/2024-31214/energy-conservation-program-energy-conservation-standards-for-commercial-refrigerators-freezers-and) (PPR) pertaining to energy conservation standards for commercial refrigerators, freezers, and refrigerator-freezers (commercial refrigeration equipment or CRE). Prior to the rule being issued, NAFEM commented on both the [Notice of Proposed Rulemaking](https://www.regulations.gov/comment/EERE-2017-BT-STD-0007-0083) (88 Fed. Reg. 70196; Oct. 10, 2023) and the [Notification of Data Availability](https://www.regulations.gov/comment/EERE-2017-BT-STD-0007-0101) (89 Fed. Reg. 68788; Aug. 28, 2024), as well as the comments of many partner organizations, including Air-Conditioning, Heating, and Refrigeration Institute (AHRI) and the National Automatic Merchandising Association (NAMA). NAFEM, AHRI, and NAMA also conducted outreach to the U.S. Small Business Administration Office of Advocacy, the Office of Information and Regulatory Affairs in the Office of Management and Budget and to Members of Congress representing companies and employees that will be impacted by this rule.

Despite NAFEM’s advocacy and joint request that DOE issue a “no-new-standard,” DOE declined to accept NAFEM’s position and issued new energy-efficiency standards for CRE.

A summary of DOE’s material points is outlined below:

1. **Compliance Period—4 Years (3 Years in Proposed Rule).** “Based on stakeholder comments and DOE’s assessment of the overlapping Federal refrigerant regulations and recent changes to UL safety standards for CRE, DOE is extending the compliance period from the 3-years analyzed in the October 2023 NOPR (modeled as a 2028 compliance year) to 4-years (modeled as a 2029 compliance year) for this final rule.” (PPR at 41.)
2. **Trial Standard Level—3 (5 in Proposed Rule).**
   1. “[C]ompared to the October 2023 NOPR, DOE is adopting generally less stringent efficiency levels (in terms of percent energy use below the analyzed baseline) for 22 out of the 28 directly analyzed equipment classes.” (*Id.* at 45.)
   2. “In the October 2023 NOPR, DOE tentatively determined that TSL 5 represented the maximum improvement in energy efficiency that is technologically feasible and economically justified and to establish new energy conservation standards for covered equipment not yet subject to energy conservation standards. In response to the October 2023 NOPR, DOE received feedback from commenters suggesting changes to the October 2023 NOPR analysis. After consideration of this feedback and a review of new test data, in this final rule, DOE has adjusted certain aspects of the October 2023 NOPR analysis approach. [Now,] DOE is adopting new and amended energy conservation standards (i.e., TSL 3) that DOE has determined represent the maximum improvement in energy efficiency that is technologically feasible and economically justified based on the numerous revisions to inputs and the analysis, resulting in revised analytical outputs since the October 2023 NOPR, discussed throughout section IV of this final rule.” (*Id.* at 60-61.)
3. **Limited Discussion of Food Safety.** “In response to comments about reviewing design options for efficiency but also for the ability to maintain food safe performance, and accounting for food loss and waste, DOE notes that in this final rule, consistent with the August 2024 NODA, DOE screened out evaporator fan controls after review of NSF 7 and other public comments stating that evaporator fan controls could potentially lead to internal case temperatures outside of NSF 7 tolerances, as further discussed in section IV.B.1.f. DOE has reviewed all design options analyzed to improve efficiency in this final rule and has determined, based on data and information available to DOE at the time of this final rule, that all other design options analyzed to improve efficiency would not affect the ability of CRE equipment to maintain food safe temperatures.” (*Id.* at 58.)
4. **No Standards for Certain “Large Capacity CRE.”** DOE established and amended standards in this final rule for all classes of CRE currently subject to energy conservation standards, and DOE is additionally establishing standards for chef bases and griddle stands. (p. 36.) DOE is not amending standards for large-capacity CRE IV. for “the VOP.SC.M, SVO.SC.M, HZO.SC.L, SOC.SC.M, VCT.SC.M, VCT.SC.L, and VCS.SC.L equipment classes.” (p. 36.) Thus, “[l]arge-capacity CRE in these classes would remain subject to the current energy conservation standards applicable to those classes for which compliance was required beginning on March 27, 2017.” (*Id.* at 36.)
5. **No Standards for Buffet or Preparation Tables, or Blast Chillers or Freezers.** “In the October 2023 NOPR, due to a lack of data and information regarding performance and related design options of refrigerated buffet tables and preparation tables and blast chillers and blast freezers, DOE did not conduct an analysis of potential energy conservation standards for these equipment categories.” (*Id.* at 114.) “In this final rule, consistent with the October 2023 NOPR, DOE is not establishing energy conservation standards for buffet tables or preparation tables, blast chillers, or blast freezers.” (*Id.* at 117.) “DOE will continue to evaluate buffet tables or preparation tables, blast chillers, and blast freezers for potential future energy conservation standards rulemakings, and DOE continues to request data and information for this equipment.” (*Id.* at 118.)