

procedure for illuminated exit signs "shall be based," DOE proposed to incorporate by reference, the "ENERGY STAR Program Requirements for Exit Signs," version 3.0, effective August 1, 2004, because: (1) Version 3.0 is the most recent version of the ENERGY STAR test procedure; and (2) DOE believed the test methods in versions 2.0 and 3.0 are the same with regard to energy consumption and would result in the same measure of energy consumption. 71 FR 42186. DOE also proposed to include a requirement in the test procedure that the time duration of the test shall be sufficient to measure power consumption with a tolerance of ± 1 percent in order to provide a basis for comparable measurements and to clarify the test procedure. 71 FR 42185, 42211. These requirements were proposed in section 431.204 of 10 CFR Part 430. *Id.*

NEMA, Acuity Lighting Group (Acuity), and Osram Sylvania commented that the two versions of the ENERGY STAR are not the same. They commented that version 2.0 includes safety requirements such as brightness and visibility for illuminated exit signs that are not included in version 3.0. (NEMA, No. 71 at p. 2; Acuity Lighting Group, No. 5 at p. 1; Osram Sylvania, No. 16 at p. 1) NEMA also stated that the safety requirements included in version 2.0 for brightness and visibility are equally important as the input power demand test for energy consumption. (NEMA, No. 71 at p. 2) Furthermore, ACEEE stated that it worked with NEMA on the development of the EPCA provisions for illuminated exit signs and asserted that Congress made a conscious choice to reference version 2.0 of the ENERGY STAR program requirements for illuminated exit signs, even though version 3.0 was available. (ACEEE, No. 59 at p. 3)

Although inclusion of safety requirements in the "ENERGY STAR Program Requirements for Exit Signs" is laudable, EPCA provides DOE with the authority to set only energy conservation requirements for illuminated exit signs. As to test procedures in particular, DOE's authority under EPCA is limited to adoption of test methods and related provisions that concern energy consumption. (See 42 U.S.C. 6214) Thus, even though, as discussed below, DOE is adopting version 2.0 of the "ENERGY STAR Program Requirements for Exit Signs," as the DOE test procedure for this equipment under EPCA, DOE will require use only of those elements of version 2.0 that concern testing for energy consumption.

While DOE continues to believe that the two versions of the ENERGY STAR

criteria for illuminated exit signs provide the same measure of energy consumption, DOE is adopting the earlier version, the "ENERGY STAR Program Requirements for Exit Signs," version 2.0, since it was explicitly specified in EPACT 2005. DOE recognizes that several states have adopted the safety standards in version 2.0 of the "ENERGY STAR Program Requirements for Exit Signs." DOE believes that the concern for having two different specifications for testing the same product outweigh the consideration for using the most recent version of the specification. In addition, DOE realizes that both version 2.0 and version 3.0 of the "ENERGY STAR Program Requirements for Exit Signs" are equally available from the EPA. DOE is adopting version 2.0, which complies with the requirement in EPCA that the test procedures for such signs "be based on" that version. (42 U.S.C. 6293(b)(9))

In addition, NEMA also commented that the adoption of version 3.0 would allow the introduction of photo luminescent products, and would lessen the value of life safety requirements, which allow dim, photo luminescent signs to meet the requirements. (NEMA, No. 71 at p. 3) EPCA defines an "illuminated exit sign" as a "sign that * * * is designed to be permanently fixed in place to identify an exit; and * * * consists of an electrically powered integral light source * * *." (Section 321(37) of EPCA (42 U.S.C. 6291(37)) Photo luminescent light products do not include "electrically powered integral light sources."

Photo luminescent products are not covered equipment, and DOE test procedures and energy conservation standards do not apply to or affect these products. DOE's adoption of version 3.0 would not have allowed introduction of these products, and adoption of version 2.0 would not preclude their introduction.

NEMA has also stated that a requirement for time duration for the test is unnecessary because wattage is not dependent upon time, measurements change very little over time, and measurement instruments may not be capable of measuring within a ± 1 percent tolerance range. (NEMA, No. 71 at p. 4) Based on these comments, DOE reconsidered its proposed requirement that the time duration of the test be sufficient to measure power consumption with a tolerance of ± 1 percent. DOE agrees wattage is not dependent upon time and that measurements using different durations would not lack comparability because the input power is not a function of time. Therefore, DOE is not

adopting a time duration requirement in today's final rule.

J. Traffic Signal Modules and Pedestrian Modules

Section 135(b)(1) of EPACT 2005 amends section 323(b) of EPCA (42 U.S.C. 6293(b)) to add subsection (11), which states that test procedures for traffic signal modules and pedestrian modules shall be based on the test method used under the ENERGY STAR program for traffic signal modules, as in effect on August 8, 2005. Section 4 of the ENERGY STAR specification in effect at that time, the "ENERGY STAR Program Requirements for Traffic Signals," version 1.1, prescribes use of the test methods from the Institute for Transportation Engineers (ITE), "Vehicle Traffic Control Signal Heads (VTC SH)," Part 2, 1985, section 6.4.2, "Maintained Minimum Luminous Intensity." In addition, pursuant to Section 135(c)(4) of EPACT 2005, new subsection 325(z) of EPCA (42 U.S.C. 6295(z)) requires that traffic signal modules and pedestrian modules manufactured on or after January 1, 2006, meet the performance requirements specified in the ENERGY STAR program requirements for traffic signals, version 1.1, which preclude the maximum wattage and nominal wattage of these modules from exceeding certain specified levels. These requirements were codified in 10 CFR 431.226(a). 70 FR 60417.

1. Definitions of Nominal and Maximum Wattage. In the July 2006 proposed rule, DOE proposed to clarify both the standards and test conditions for these products by adopting the following definitions of nominal wattage and maximum wattage into section 431.222:

- **Nominal wattage** means the power consumed by the module when it is operated within a chamber at a temperature of 25 °C after the signal has been operated for 60 minutes.
 - **Maximum wattage** means the power consumed by the module after being operated for 60 minutes while mounted in a temperature testing chamber so that the lensed portion of the module is outside the chamber, all portions of the module behind the lens are within the chamber at a temperature of 74 °C, and the air temperature in front of the lens is maintained at a minimum of 49 °C. 71 FR 41286, 42212. DOE developed these definitions by drawing on language in the VTC SH test procedure and from consultations with ITE and proposed to place these definitions into § 431.222 of 10 CFR Part 430. *Id.*
- ITE commented that it supported the definitions for "nominal wattage" and

“maximum wattage” of the traffic signal or pedestrian module. (Public Meeting Transcript, No. 18.8 at p. 124) GELcore commented that it fully supports DOE’s desire to add definitions for wattage as set forth in the July 2006 proposed rule to reflect equal test conditions for either 25 °C or 74 °C of green and red signal modules as well as for pedestrian white/Portland orange signal modules.

(GELcore, No. 60 at p. 1) However, GELcore also suggested modifying the proposed definitions under § 431.222 to include a duty cycle, specify a calibrated instrument, and specify “Design Qualification Testing” for the set-up of the testing chamber. (GELcore, No. 60 at p. 2)

DOE has determined that the clarifications suggested by GELcore are not necessary to define a traffic signal module or pedestrian module. The three clarifications suggested by GELcore are specifications for testing and are included in and accounted for in the VTCSH 2005 test procedure, which is being adopted in today’s final rule. VTCSH 2005 specifies the duty cycle, the testing-chamber set-up, the instrumentation to be used for testing, and further test criterion needed to determine the nominal and maximum wattages. Furthermore, DOE did not receive any comments objecting to the proposed definitions and believes all of the clarifications proposed by GELcore are subsumed in the methods of test in VTCSH 2005. DOE is therefore incorporating the definitions as proposed in the July 2006 proposed rule into § 431.222 of 10 CFR Part 431. 71 FR 41286, 42212.

2. ITE VTCSH Test Procedure

Version. In the July 2006 proposed rule, DOE proposed to incorporate by reference the test methods for measuring the maximum and nominal wattages as contained in the test specifications in section 4 of the “ENERGY STAR Program Requirements for Traffic Signals,” version 1.1, and section 6.4.2 of VTCSH Part 2 (1985). However, in the July 2006 proposed rule, DOE pointed out that ITE recently updated the VTCSH to the June 27, 2005, version, referred to as VTCSH 2005. DOE did not propose to adopt the later VTCSH standard (VTCSH 2005) because (1) it would give stakeholders the perception that DOE extended coverage to products not covered by EPACT 2005; (2) it added a number of testing requirements DOE does not find necessary to meet the requirements of EPACT 2005; and (3) it wasn’t clear if the new VTCSH standard would give the same measure of energy consumption as the older version. 71 FR 42186–42187. DOE requested comments

on whether DOE should adopt the later VTCSH standard. *Id.*

DOE received numerous comments concerning the proposed test procedure for traffic signal modules and pedestrian modules in the July 2006 proposed rule. Johnson City, Tennessee (Johnson City) stated that the VTCSH Part 2 (1985) is an outdated specification that has been superseded by VTCSH 2005 and should not be adopted; instead, DOE should adopt the later version of the VTCSH test procedure. Johnson City further stated that State and Federal agencies will move away from using the old specification and will begin using the VTCSH 2005 for traffic signal modules and that adopting the outdated specification would cause confusion and could be less comprehensive. Consequently, Johnson City urged the use of the specifications that are currently active, VTCSH 2005, for traffic signal modules and pedestrian modules available from ITE. (Johnson City, No. 2 at p. 1) DOE received similar comments from over 106 States, cities, municipalities and ITE members echoing ITE’s comments and position for traffic signal modules and pedestrian modules.

ITE urged DOE to adopt the 2005 version of the VTCSH. ITE stated that the older version of the LED specification is no longer available through ITE and it will no longer publish the older version. (Public Meeting Transcript, No. 18.8 at p. 124) In addition, ITE stated that approximately 80 percent of public agencies use the 2005 LED specification to procure signal systems. (ITE, No. 4 and No. 8 at pp. 1–3) In addition, ITE believes that there exist technical difficulties in the design of LED signal modules that inhibit them from meeting two separate ITE specifications, namely, the 2005 version and the older version. (Public Meeting Transcript, No. 18.8 at p. 125) ITE stated that LED traffic signal modules would have to qualify for overall design and manufacturing to the 2005 specification to meet the need of the purchasing agencies and using an older version of the specification for DOE testing could require design and manufacturing changes. ITE urged DOE to use VTCSH 2005 for testing traffic signal modules to eliminate non-trivial cost increases associated with dual testing to two separate specifications and confusion within the industry. (ITE, No. 4 and No. 8 at pp. 1–3)

NEMA commented in support of the ITE position to use the current 2005 version of the LED circular specification (VTCSH 2005) because using an older version could cause confusion in the industry as agencies are beginning to

require compliance with the new ITE specification. NEMA stated that the VTCSH 2005 has different testing requirements than the VTCSH Part 2 (1985) and could conceivably require LED module manufacturers to provide additional testing to meet both the ITE specification (VTCSH 2005) and the ENERGY STAR Version 1.1 requirements (VTCSH 1985). (NEMA, No. 9 at p. 3)

Transportation and Energy Solutions, Inc., commented that the standards are ENERGY STAR specifications for LED traffic signals are obsolete and need to be updated. (Transportation and Energy Solutions, Inc., No. 100 at p. 1) Transportation and Energy Solutions also stated that the VTCSH specifications for traffic signal modules and pedestrian modules, regardless of the version, do not have any specific test methods for measuring wattage.

The Federal Highway Administration (FHWA) commented that test requirements in VTCSH do not have any requirements for measuring wattage. (Public Meeting Transcript, No. 18.8 at pp. 128–129) FHWA commented that the VTCSH test procedure only measures photometric and colorimetric output (*i.e.*, photometric and colorimetric performance) and that these performance requirements differ in the VTCSH 1985, 1998, and 2005 specifications. However, FHWA stated that if a product that is designed to the VTCSH 2005 performance specifications is tested under the 1998 testing requirements then the energy consumption results would be the same for red and green traffic signal modules and pedestrian modules covered by the EPACT 2005 standards. FHWA also stated that DOE would have to specify the watt meter or the type of tests that DOE requires to be conducted. FHWA suggests that DOE simply specify that during the qualification testing, the manufacturers conduct an RMS wattage measurement or do a measurement of the current consumption and voltage simultaneous to the measurement of the luminescence intensity. FHWA expressed the necessity to add the wattage requirements using the most straightforward methodology and concluded that the current and previous VTCSH specifications yield the same energy consumption results. (Public Meeting Transcript, No. 18.8 at p. 132)

In light of the comments received, DOE has reexamined the ENERGY STAR specifications for traffic signals in effect on August 8, 2005, and the VTCSH 2005 testing procedures it references. As DOE stated in the July 2006 proposed rule, DOE did not propose to adopt VTCSH 2005 because

DOE believed the specification extended coverage to products not covered by EPACT 2005, used a format that is not conducive to incorporation in the DOE test procedure, and added a number of testing requirements DOE does not find necessary to meet the requirements of EPACT 2005. 71 FR 42186–42187. While DOE recognizes that the VTCSH 2005 incorporates specifications for amber-colored modules, DOE points out that the energy conservation standards for nominal and maximum wattage specified by EPACT 2005 and codified in the October 2005 final rule are only applicable to red and green traffic signal modules and pedestrian modules, and thus, only the testing method for red and green traffic signal modules and pedestrian modules is applicable.

DOE recognizes the concerns of ITE, FHWA, and the numerous State and local municipalities about using two different specifications for testing the same product, and believes these concerns for using two different specifications for testing the same product outweigh the considerations for the additional tests included in VTCSH 2005. DOE has determined the testing requirements in VTCSH 2005, while more detailed, are a better reflection of current technologies used by traffic signal modules and pedestrian modules. While DOE stated in the July 2006 proposed rule that VTCSH 2005 added a number of testing requirements, DOE has determined that these provisions are mostly applicable to amber traffic signals and pedestrian modules, which are not covered by EPCA. Therefore, DOE has since determined that the testing requirements in the VTCSH 2005 will produce the same results as the VTCSH (1985) specification when testing red and green traffic signal modules or pedestrian modules and DOE is therefore adopting the 2005 version of the VTCSH standard. In addition, DOE is adding a provision, as suggested by FHWA, to specify the use of a wattmeter when testing a product for energy consumption, as follows:

Use a wattmeter having an accuracy of $\pm 1\%$ to measure the nominal wattage and maximum wattage of a red or green traffic signal module or pedestrian module when conducting the photometric and colorimetric tests as specified by the testing procedures in VTCSH 2005.

The addition of the definitions of “maximum wattage” and “nominal wattage,” in conjunction with the adoption of the test conditions in VTCSH 2005, and the test method clarification above that is specified in § 431.224(b) provide a sound basis for measuring the maximum and nominal

wattages for traffic signal and pedestrian modules. DOE’s adoption of these test methods satisfy the requirements of section 323(b)(3) of EPCA (42 U.S.C. 6293(b)(3)). Adoption of these test methods also complies with EPCA’s requirement that the test procedures for traffic signal modules and pedestrian modules be based on the ENERGY STAR specification in effect on August 8, 2005. (42 U.S.C. 6293(b)) For these reasons, DOE is incorporating by reference the test methods for measuring the maximum and nominal wattages as contained in the test specifications in section 4 of the “ENERGY STAR Program Requirements for Traffic Signals,” version 1.1, and VTCSH 2005.

Finally, DOE also received several inquiries at the public meeting about generally referencing the current version of the ITE specifications, which would result in the test procedure being automatically updated when amended versions of the ITE are released. Section 553 of the Administrative Procedure Act (APA) describes the rulemaking process that an agency must follow in order to adopt a rule. (5 U.S.C. 553) If an agency were to adopt a rule that required compliance with the latest version of an industry standard, the agency rule would be amended without the agency having to follow the notice and comment process set forth by the APA. A rule requiring a manufacturer to test in accordance with the “latest version” of an industry test standard would be delegating DOE’s rulemaking authority to that entity, which DOE does not have the authority to do. In addition, all incorporations by reference in rules must be approved by the Office of the Federal Register, and the regulations of that Office limit incorporation to the edition of a document that is approved by the Director of the Federal Register (10 CFR 51.1(f)). DOE, therefore, is adopting a specific version of the industry test standard. Future amendments to the industry test standard would have to be considered by DOE in a separate rulemaking. This is the approach DOE has consistently taken when it has incorporated industry or consensus test procedures by reference into its regulations. See 10 CFR 430.22(a)(1).

3. *Pedestrian Modules.* As detailed by the July 2006 proposed rule, EPCA provides that the test procedures for both traffic signal and pedestrian modules must be based on the ENERGY STAR specification for traffic signal modules, (*i.e.*, 6.4.2 of VTCSH Part 2). 71 FR 42186. DOE stated in the proposed rule that VTCSH Part 2 does not mention or, by its terms, apply to pedestrian modules. However, DOE

determined upon careful consideration and review of VTCSH Part 2 that its test procedures for determining maximum and nominal wattages of traffic signal modules are equally applicable to testing pedestrian modules. DOE sought stakeholder comment on whether there were any technical reasons for developing testing requirements for maximum and nominal wattage for pedestrian modules that differ from the requirements for traffic signal modules. *Id.*

ITE commented at the public meeting that pedestrian modules are fundamentally different than traffic signal modules. ITE also mentioned that it is about to update the specification for pedestrian LED modules and will have specific test criteria in the specification that are pertinent to pedestrian modules. (Public Meeting Transcript, No. 18.8 at pp. 126–127. ITE submitted written comments urging DOE to use the most current ITE specification because manufacturers and public agencies will be confused if DOE prescribes an outdated version of the specification. (ITE, No. 18, p. 3)

DOE has considered all of the comments received and continues to believe that the test procedures in VTCSH 2005 provide a sound means of testing pedestrian modules as described in the July 2006 proposed rule. 71 FR 42186–87. ITE did not provide any additional data that would lead DOE to alter this conclusion. Further, as stated above, EPCA requires DOE to adopt a test procedure for pedestrian modules that is “based on” the ENERGY STAR program’s test method for traffic signal modules.

DOE has not had a chance to review ITE’s new test procedure for pedestrian modules and is unable to determine if this test procedure is “based on” the “ENERGY STAR Program Requirements for Traffic Signals,” Version 1.1. When appropriate, DOE prefers to adopt the most up-to-date industry test procedure that is available, but as previously stated, the updated test procedure referenced by ITE has not been published and DOE would be reluctant to adopt a draft that is still under consideration by industry. Furthermore, DOE is unwilling to delay action on adoption of a test procedure, to await ITE’s adoption of a new test procedure specification for pedestrian modules, because Federal standards for pedestrian modules are already in place under EPCA (42 U.S.C. 6295(z)) and DOE needs to put a test procedure in place so that manufacturers have a uniform means of testing this equipment. For these reasons, DOE is adopting “ENERGY STAR Program

Requirements for Traffic Signals,” version 1.1, and VTCSH 2005, for both traffic signal modules and pedestrian modules.

K. Refrigerated Bottled or Canned Beverage Vending Machines

Section 135(c)(4) of EPACT 2005 amends section 325 of EPCA by adding, in part, new subsection 325(v)(2) (42 U.S.C. 6295(v)(2)), which directs the Secretary to prescribe, by rule, energy conservation standards for refrigerated bottled or canned beverage vending machines. Further, section 135(b)(1) of EPACT 2005 amends section 323(b) of EPCA by adding, in part, new subsection 323(b)(15) (42 U.S.C. 6293(b)(15)), which states that test procedures for this equipment “shall be based on ANSI/ASHRAE Standard 32.1–2004, entitled “Methods of Testing for Rating Vending Machines for Bottled, Canned or Other Sealed Beverages.” Also, pursuant to section 135(b)(2) of EPACT 2005, new subsection 323(f) of EPCA, 42 U.S.C. 6293(f)(1), directs the Secretary to prescribe testing requirements for refrigerated bottled or canned beverage vending machines no later than two years after the enactment of EPACT 2005, that is, August 8, 2007. (42 U.S.C. 6293(f)(1)) This section also directs DOE to base such testing requirements on existing industry test procedures to the maximum extent practicable. (42 U.S.C. 6292(f)(2))

Pursuant to section 325(v)(2) of EPCA (42 U.S.C. 6295(v)(2)), DOE initiated the energy conservation standards rulemaking for refrigerated bottled or canned beverage vending machines on June 28, 2006, by publishing a **Federal Register** notice announcing the availability of the Framework Document, “Energy Conservation Standards for Refrigerated Bottled or Canned Beverage Vending Machines.” 71 FR 36715. The Framework Document describes the procedural and analytical approaches DOE anticipates using, and encourages and facilitates stakeholder input during the rulemaking.

DOE examined ANSI/ASHRAE Standard 32.1–2004 and concluded that it provides sound methods for testing the energy efficiency of a refrigerated bottled or canned beverage vending machine, and that it complies with the requirements of section 323(b)(3) of EPCA. (42 U.S.C. 6293(b)(3)) As further explained in the July 2006 proposed rule, DOE understands that the method has been widely used in the industry, which indicates that it is not unduly burdensome to conduct. 71 FR 42187. Therefore, DOE proposed to incorporate this test procedure by reference into 10 CFR Part 431 for the measurement of

energy consumption and determination of capacity of this equipment. *Id.*

In the July 2006 proposed rule, DOE also proposed that dual-voltage refrigerated bottled or canned beverage vending machines be tested at the lower nameplate voltage, to characterize the energy consumption. 71 FR 42187; 42214. Testing at the lower voltage is consistent with ASHRAE Standard 32.1–2004. DOE’s understanding is that test results for a given piece of dual-voltage equipment would not be affected by the voltage during testing.

1. *ANSI/AHAM HRF–1–2004 Refrigerated Volume Calculation.* ANSI/ASHRAE Standard 32.1–2004 includes a method for determining the capacity of vending machines, referred to in ANSI/ASHRAE Standard 32.1–2004 as “vendible capacity.” Vendible capacity consists essentially of the maximum number of units of product a vending machine can hold for sale. DOE updated the proposed test procedures for refrigerated bottled or canned beverage vending machines on October 3, 2006 by publishing a Supplemental Notice of Proposed Rulemaking (SNOPR), 71 FR 58308, and discussing the proposals at the September 26, 2006 public meeting. (Public Meeting Transcript, No. 18.8 at pp. 175–176) DOE proposed to add to its test procedure an additional, alternative means for measuring the capacity of refrigerated bottled or canned beverage vending machines, namely the method to measure “refrigerated volume” that is set forth in ANSI/AHAM HRF–1–2004, “Energy, Performance and Capacity of Household Refrigerators, Refrigerator-Freezers and Freezers.”

DOE stated that refrigerated volume may be a better alternative to vendible capacity because, among machines that are designed and intended for vending 12-ounce cans, there are a variety of dispensing mechanisms and storage arrangements that lead to potentially different refrigerated volumes for different machines with the same vendible capacity. In addition, EPCA has historically used upper limits on energy consumption as a function of volume for the purposes of establishing energy conservation standards for refrigeration equipment. 71 FR 58310.

Royal Vendors commented that it agrees with DOE’s proposal to use ASHRAE Standard 32.1–2004 as the test procedure for refrigerated bottled or canned beverage vending machines. (Public Meeting Transcript, No. 18.8 at p. 49) Royal Vendors further commented in support of using refrigerated volume for measuring the capacity of refrigerated bottled or canned beverage vending machines. (Public Meeting Transcript, No. 18.8 at

p. 50) There were no negative comments regarding either DOE’s proposal to adopt ASHRAE Standard 32.1–2004 or to add refrigerated volume to its test procedure as an additional metric for measuring capacity.

DOE is adopting the updated test procedure, ANSI/ASHRAE Standard 32.1–2004, for measuring equipment energy consumption and for determining the “vendible capacity” of refrigerated bottled or canned beverage vending machines, as well as the method in ANSI/AHAM HRF–1–2004 for measuring the “refrigerated volume” of such machines. As to the latter, DOE is incorporating by reference in section 431.294 of Subpart Q to 10 CFR Part 431, section 5.2 of ANSI/AHAM HRF–1–2004, excluding subsections 5.2.2.2 through 5.2.2.4, which are not relevant to measuring refrigerated volume for refrigerated bottled or canned beverage vending machines.

In the SNOPR, DOE recognized that sections 4.2 and 5.2 of ANSI/AHAM HRF–1–2004 address the measurement of refrigerated volume in household refrigerators and freezers, respectively, and do not directly address refrigerated bottled or canned beverage vending machines for which no commercial standards exist. Nevertheless, DOE has determined that the methodology described in section 5.2 includes methods for the measurement of refrigerated volumes that are applicable to refrigerated bottled or canned beverage vending machines, namely the gross interior volume contained within the refrigerated space. Although EPCA defines such equipment as a type of commercial refrigerator, the language in section 5.2 for household freezers is more appropriate than the language in section 4.2 for household refrigerators. The methodology in section 5.2 is more relevant to the type of compartment(s) being measured in a refrigerated bottled or canned beverage vending machine. For example, section 5.2 includes the measurement of special features of a freezer such as can or package racks and dividers or dispensers, which are also found in refrigerated bottled or canned beverage vending machines.

2. *Voltage.* No comments were received regarding DOE’s proposal to test dual-voltage equipment at the lower voltage. DOE is adopting ANSI/ASHRAE Standard 32.1–2004 with a modification in Section 6.2, “Voltage and Frequency,” to test equipment with dual nameplate voltages at the lower of the two voltages only, as proposed into § 431.294 of 10 CFR Part 431. 71 FR 42214.