

**§ 431.241**

	Maximum wattage (at 74 °C)	Nominal wattage (at 25 °C)
12" Green Ball .....	15	15
8" Green Ball .....	12	12
12" Green Arrow .....	11	11
Pedestrian Module Type:		
Combination Walking		
Man/Hand .....	16	13
Walking Man .....	12	9
Orange Hand .....	16	13

(b) Be installed with compatible, electrically connected signal control interface devices and conflict monitoring systems.

**Subpart N—Unit Heaters**

SOURCE: 70 FR 60418, Oct. 18, 2005, unless otherwise noted.

**§ 431.241 Purpose and scope.**

This subpart contains energy conservation requirements for unit heaters, pursuant to Part B of Title III of the Energy Policy and Conservation Act, as amended, 42 U.S.C. 6291–6309.

**§ 431.242 Definitions concerning unit heaters.**

*Unit heater* means a self-contained fan-type heater designed to be installed within the heated space; however, the term does not include a warm air furnace.

TEST PROCEDURES [RESERVED]

ENERGY CONSERVATION STANDARDS

**§ 431.246 Energy conservation standards and their effective dates.**

A unit heater manufactured on or after August 8, 2008, shall:

- (a) Be equipped with an intermittent ignition device; and
- (b) Have power venting or an automatic flue damper.

**Subpart O—Commercial Prerinse Spray Valves**

SOURCE: 70 FR 60418, Oct. 18, 2005, unless otherwise noted.

**§ 431.261 Purpose and scope.**

This subpart contains energy conservation requirements for commercial prerinse spray valves, pursuant to sec-

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tion 135 of the Energy Policy Act of 2005, Pub. L. 109–58.

**§ 431.262 Definitions concerning commercial prerinse spray valves.**

*Commercial prerinse spray valve* means a handheld device designed and marketed for use with commercial dishwashing and ware washing equipment that sprays water on dishes, flatware, and other food service items for the purpose of removing food residue before cleaning the items.

TEST PROCEDURES [RESERVED]

ENERGY CONSERVATION STANDARDS

**§ 431.266 Energy conservation standards and their effective dates.**

Commercial prerinse spray valves manufactured on or after January 1, 2006, shall have a flow rate of not more than 1.6 gallons per minute.

**Subpart P—Mercury Vapor Lamp Ballasts**

SOURCE: 70 FR 60418, Oct. 18, 2005, unless otherwise noted.

**§ 431.281 Purpose and scope.**

This subpart contains energy conservation requirements for mercury vapor lamp ballasts, pursuant to section 135 of the Energy Policy Act of 2005, Pub. L. 109–58.

**§ 431.282 Definitions concerning mercury vapor lamp ballasts.**

*High intensity discharge lamp* means an electric-discharge lamp in which—

- (1) The light-producing arc is stabilized by bulb wall temperature; and
- (2) The arc tube has a bulb wall loading in excess of 3 Watts/cm<sup>2</sup>, including such lamps that are mercury vapor, metal halide, and high-pressure sodium lamps.

*Mercury vapor lamp* means a high intensity discharge lamp in which the major portion of the light is produced by radiation from mercury operating at a partial pressure in excess of 100,000 PA (approximately 1 atm), including such lamps that are clear, phosphor-coated, and self-ballasted.

*Mercury vapor lamp ballast* means a device that is designed and marketed

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to start and operate mercury vapor lamps by providing the necessary voltage and current.

### TEST PROCEDURES [RESERVED]

### ENERGY CONSERVATION STANDARDS

#### § 431.286 Energy conservation standards and their effective dates.

Mercury vapor lamp ballasts shall not be manufactured or imported after January 1, 2008.

### Subparts Q–T [Reserved]

### Subpart U—Enforcement

SOURCE: 69 FR 61941, Oct. 21, 2004, unless otherwise noted. Redesignated at 70 FR 60416, Oct. 18, 2005.

#### § 431.381 Purpose and scope.

This subpart describes violations of EPCA's energy conservation requirements, specific procedures we will follow in pursuing alleged non-compliance of an electric motor with an applicable energy conservation standard or labeling requirement, and general procedures for enforcement action, largely drawn directly from EPCA, that apply to both electric motors and commercial HVAC & WH products.

#### § 431.382 Prohibited acts.

(a) Each of the following is a prohibited act under sections 332 and 345 of the Act:

(1) Distribution in commerce by a manufacturer or private labeler of any "new covered equipment" which is not labeled in accordance with an applicable labeling rule prescribed in accordance with Section 344 of the Act, and in this part;

(2) Removal from any "new covered equipment" or rendering illegible, by a manufacturer, distributor, retailer, or private labeler, of any label required under this Part to be provided with such covered equipment;

(3) Failure to permit access to, or copying of records required to be supplied under the Act and this part, or failure to make reports or provide other information required to be supplied under the Act and this part;

(4) Advertisement of an electric motor or motors, by a manufacturer, distributor, retailer, or private labeler, in a catalog from which the equipment may be purchased, without including in the catalog all information as required by § 431.31(b)(1), provided, however, that this shall not apply to an advertisement of an electric motor in a catalog if distribution of the catalog began before the effective date of the labeling rule applicable to that motor;

(5) Failure of a manufacturer to supply at his expense a reasonable number of units of covered equipment to a test laboratory designated by the Secretary;

(6) Failure of a manufacturer to permit a representative designated by the Secretary to observe any testing required by the Act and this part, and to inspect the results of such testing; and

(7) Distribution in commerce by a manufacturer or private labeler of any new covered equipment which is not in compliance with an applicable energy efficiency standard prescribed under the Act and this part.

(b) In accordance with sections 333 and 345 of the Act, any person who knowingly violates any provision of paragraph (a) of this section may be subject to assessment of a civil penalty of no more than \$110 for each violation. Each violation of paragraphs (a)(1), (2), and (7) of this section shall constitute a separate violation with respect to each unit of any covered equipment, and each day of noncompliance with paragraphs (a)(3) through (6) of this section shall constitute a separate violation.

(c) For purposes of this section:

(1) The term "new covered equipment" means covered equipment the title of which has not passed to a purchaser who buys such product for purposes other than:

(i) Reselling it; or

(ii) Leasing it for a period in excess of one year; and

(2) The term "knowingly" means:

(i) Having actual knowledge; or

(ii) Presumed to have knowledge deemed to be possessed by a reasonable person who acts in the circumstances, including knowledge obtainable upon the exercise of due care.