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MEMORANDUM

DATE: December 27, 2022

TO: All HVAC Contractors

FROM: David Moore, Acting Director of HVAC

RE: US Department of Energy SEER2 Regulation Update

On January 1, 2023, new regulations from the United States Department of Energy (“DOE”) go into effect regarding minimum efficiency ratings for heating, ventilation, and air conditioning equipment. Equipment manufacturers and supply houses have worked diligently to ensure the equipment being manufactured and distributed to Kentucky is compliant. However, the installing master HVAC contractor is ultimately responsible for ensuring the equipment he or she uses is compliant with all state and federal law. While Kentucky has adopted and currently enforces the 2009 International Energy Conservation Code for HVAC installations subject to the Kentucky Residential Code and the 2012 International Energy Conservation Code for HVAC installations subject to the Kentucky Building Code, where conflicts may occur between the provisions of these codes and DOE regulations, DOE regulations shall apply. Installations that are not compliant with the new DOE requirements may subject the master HVAC contractor who performed the installation to penalties from the DOE. Including, for example, the cost of replacing noncompliant equipment with compliant equipment.

For more information on the requirements, please visit

<https://www.federalregister.gov/documents/2022/03/30/2022-06450/energy-conservation-program-energy-conservation-standards-for-air-cooled-three-phase-small>