



# EXPEDITED RULE MAKING

## CR-105 (December 2017) (Implements RCW 34.05.353)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

DATE: November 17, 2020  
TIME: 3:15 PM

WSR 20-23-094

**Agency:** Washington State Building Code Council

**Title of rule and other identifying information:** (describe subject) WAC 51-11C, 2018 Washington State Energy Code, Commercial

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** This filing corrects errors in the minimum efficiency tables.

**Reasons supporting proposal:** It was brought to our attention that Table C403.3.2(3), filed with the adoption of the 2018 Energy Code under WSR 19-24-040, contains some errors where the efficiency does not match that in ASHRAE 90.1 as was intended.

**Statutory authority for adoption:** RCW 19.27A.025, 19.27A.045

**Statute being implemented:** 19.27A

**Is rule necessary because of a:**

- |                         |   |  |
|-------------------------|---|--|
| Federal Law?            | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            |
| Federal Court Decision? | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| State Court Decision?   | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |

If yes, CITATION:

**Name of proponent:** (person or organization)

- Private  
 Public  
 Governmental

**Name of agency personnel responsible for:**

	Name	Office Location	Phone
Drafting:	Krista Braaksma	1500 Jefferson St SE, Olympia	360-407-9278
Implementation:	Krista Braaksma	1500 Jefferson St SE, Olympia	360-407-9278
Enforcement:	Local Jurisdictions		

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:** None

**Expedited Adoption - Which of the following criteria was used by the agency to file this notice:**

- Relates only to internal governmental operations that are not subject to violation by a person;
- Adopts or incorporates by reference without material change federal statutes or regulations, Washington state statutes, rules of other Washington state agencies, shoreline master programs other than those programs governing shorelines of statewide significance, or, as referenced by Washington state law, national consensus codes that generally establish industry standards, if the material adopted or incorporated regulates the same subject matter and conduct as the adopting or incorporating rule;
- Corrects typographical errors, make address or name changes, or clarify language of a rule without changing its effect;
- Content is explicitly and specifically dictated by statute;
- Have been the subject of negotiated rule making, pilot rule making, or some other process that involved substantial participation by interested parties before the development of the proposed rule; or
- Is being amended after a review under RCW 34.05.328.

**Expedited Repeal - Which of the following criteria was used by the agency to file notice:**

- The statute on which the rule is based has been repealed and has not been replaced by another statute providing statutory authority for the rule;
- The statute on which the rule is based has been declared unconstitutional by a court with jurisdiction, there is a final judgment, and no statute has been enacted to replace the unconstitutional statute;
- The rule is no longer necessary because of changed circumstances; or
- Other rules of the agency or of another agency govern the same activity as the rule, making the rule redundant.

**Explanation of the reason the agency believes the expedited rule-making process is appropriate pursuant to RCW 34.05.353(4):**

**NOTICE**

**THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO**

Name: Diane Glenn, Chair

Agency: Washington State Building Code Council

Address: PO Box 41449, Olympia WA 98504-1449

Phone: 360-407-9255

Fax:

Email: sbcc@des.wa.gov

Other:

**AND RECEIVED BY** (date) January 19, 2021

**Date:** November 16, 2020

**Name:** Diane Glenn

**Title:** Council Chair

**Signature:**



**WAC 51-11C-403233 Table C403.3.2(3)—Minimum efficiency requirements—Electrically operated PTAC, PTHP, SPVAC, SPVHP, room air conditioners.**

**Table C403.3.2(3)**

**Minimum Efficiency Requirements—Electrically Operated Packaged Terminal Air Conditioners, Packaged Terminal Heat Pumps, Single-Package Vertical Air Conditioners, Single-Package Vertical Heat Pumps, Room Air Conditioners and Room Air-Conditioner Heat Pumps**

Equipment Type	Size Category (Input)	Subcategory or Rating Condition	Minimum Efficiency		Test Procedure <sup>a</sup>
PTAC (cooling mode) new construction	All Capacities	95°F db outdoor air		14.0 - (0.300 × Cap/1000) EER	AHRI 310/380
PTAC (cooling mode) replacements <sup>b</sup>	All Capacities	95°F db outdoor air		10.9 - (0.213 × Cap/1000) EER	
PTHP (cooling mode) new construction	All Capacities	95°F db outdoor air		14.0 - (0.300 × Cap/1000) EER	
PTHP (cooling mode) replacements <sup>b</sup>	All Capacities	95°F db outdoor air		10.8 - (0.213 × Cap/1000) EER	
PTHP (heating mode) new construction	All Capacities	—		3.7 - (0.052 × Cap/1000) COP	
PTHP (heating mode) replacements <sup>b</sup>	All Capacities	—		2.9 - (0.026 × Cap/1000) COP	
SPVAC (cooling mode)	< 65,000 Btu/h	95°F db/75°F wb outdoor air		11.0 EER	AHRI 390
	≥ 65,000 Btu/h and < 135,000 Btu/h	95°F db/75°F wb outdoor air		<del>(11.0)</del> 10.0 EER	
	≥ 135,000 Btu/h and < 240,000 Btu/h	95°F db/75°F wb outdoor air		<del>(11.0)</del> 10.0 EER	
SPVHP (cooling mode)	< 65,000 Btu/h	95°F db/75°F wb outdoor air		11.0 EER	AHRI 390
	≥ 65,000 Btu/h and < 135,000 Btu/h	95°F db/75°F wb outdoor air		<del>(11.0)</del> 10.0 EER	
	≥ 135,000 Btu/h and < 240,000 Btu/h	95°F db/75°F wb outdoor air		<del>(11.0)</del> 10.0 EER	
SPVHP (heating mode)	<65,000 Btu/h	47°F db/43°F wb outdoor air		3.3 COP	AHRI 390
	≥ 65,000 Btu/h and < 135,000 Btu/h	47°F db/43°F wb outdoor air		<del>(3.3)</del> 3.0 COP	
	≥ 135,000 Btu/h and < 240,000 Btu/h	47°F db/43°F wb outdoor air		<del>(3.3)</del> 3.0 COP	
Room air conditioners, with louvered sides	< 6,000 Btu/h	—		11.0 CEER	ANSI/AHA-MRAC-1
	≥ 6,000 Btu/h and < 8,000 Btu/h	—		11.0 CEER	
	≥ 8,000 Btu/h and < 14,000 Btu/h	—		10.9 CEER	
	≥ 14,000 Btu/h and < 20,000 Btu/h	—		10.7 CEER	
	≥ 20,000 Btu/h and < 25,000 Btu/h	—		9.4 CEER	
	≥ 25,000 Btu/h	—		9.0 CEER	
Room air conditioners, without louvered sides	< 6,000 Btu/h	—		10.0 CEER	
	≥ 6,000 Btu/h and < 8,000 Btu/h	—		10.0 CEER	
	≥ 8,000 Btu/h and < 11,000 Btu/h	—		9.6 CEER	

Equipment Type	Size Category (Input)	Subcategory or Rating Condition	Minimum Efficiency		Test Procedure <sup>a</sup>
	≥ 11,000 Btu/h and < 14,000 Btu/h	—		9.5 CEER	
	≥ 14,000 Btu/h and < 20,000 Btu/h	—		9.3 CEER	
	≥ 20,000 Btu/h	—		9.4 CEER	
Room air-conditioner heat pumps with louvered sides	< 20,000 Btu/h	—		9.8 CEER	
	≥ 20,000 Btu/h	—		9.3 CEER	
Room air-conditioner heat pumps without louvered sides	< 14,000 Btu/h	—		9.3 CEER	
	≥ 14,000 Btu/h	—		8.7 CEER	
Room air conditioner casement only	All capacities	—		9.5 CEER	
Room air conditioner casement-slider	All capacities	—		10.4 CEER	

For SI: 1 British thermal unit per hour = 0.2931 W, °C = [(°F) - 32]/1.8.

"Cap" = The rated cooling capacity of the product in Btu/h. If the unit's capacity is less than 7000 Btu/h, use 7000 Btu/h in the calculation. If the unit's capacity is greater than 15,000 Btu/h, use 15,000 Btu/h in the calculations.

- a Chapter 12 of the referenced standard contains a complete specification of the referenced test procedure, including the referenced year version of the test procedure.
- b Replacement unit shall be factory labeled as follows: "MANUFACTURED FOR NONSTANDARD SIZE APPLICATIONS ONLY; NOT TO BE INSTALLED IN NEW STANDARD PROJECTS" or "MANUFACTURED FOR REPLACEMENT APPLICATIONS ONLY; NOT TO BE INSTALLED IN NEW CONSTRUCTION PROJECTS." Replacement efficiencies apply only to units with existing sleeves less than 16 inches (406 mm) in height and less than 42 inches (1067 mm) in width.