



GOVERNOR'S OFFICE OF ENERGY

MINUTES
of the adoption hearing of the
GOVERNOR'S OFFICE OF ENERGY
on Proposed Regulation in NAC 701 for
General Service Lamps

LCB file number R100-19

August 24, 2020

The Governor's Office of Energy held a public hearing on August 24, 2020, beginning at 2:00 PM. The hearing was conducted via an online platform because of restrictions on in person meetings due to COVID.

1. Call to order:

The hearing was called to order at 2:03 PM by Director David Bobzien. Director Bobzien stated that this hearing is being conducted pursuant to NRS 701.260 subsection (2) & (3) to afford all interested parties a reasonable opportunity to comment upon proposed regulation R100-19.

2. Public comments and discussion:

Director Bobzien asked for public comment. There were no public comments submitted under this item.

Director Bobzien closed Agenda Item No. 2

3. Brief Review of proposed regulation:

Director Bobzien began by stating that this hearing is held to propose the adoption of regulations pertaining to Chapter 701 of the Nevada Administrative Code (NAC) establishing 45 lumens per watt as the minimum standard of efficiency for general service lamps sold in this state. The regulation also provides a definition for general service lamps as well as lamps that are exempt from the minimum standard.

Director Bobzien identified that the proposed regulation has been amended since the workshop to incorporate suggestions submitted jointly by the Nevada Resort Association (NRA), Natural Resources Defense Council (NRDC) and the Nevada Conservation League (NCL). These modifications can be found on GOE's website under the meeting material section identified as Suggested updates submitted by NRA, NRDC, NCL. All modifications suggested were accepted and the regulation has been updated to reflect these changes.

Director Bobzien asked if there was any discussion on this item.

Madeline Bugel representing the National Electrical Manufacturers Association (NEMA) provided comments opposing the regulation citing federal preemption rules stating that Nevada has specifically been banned from adopting minimum standards for general service lamps. Ms. Bugel also referenced the original comments submitted during the workshop. Ms. Bugel recommended that if the regulation does get adopted, NEMA will be looking for guidance on how to inform manufacturers and the general public in order to comply with the date of January 1, 2020.

Noah Horowitz, representing NRDC expressed strong support of the regulation and disagrees strongly with the comments provided by NEMA. Mr. Horowitz also pointed out that California adopted similar standards as Nevada and California have the authority to adopt these standards and are not under the federal preemption rules. Mr. Horowitz went into the changes that had been submitted jointly by NRA, NRDC, NRL and requested that an additional change to update the date on the regulation to January 1, 2021.

Kyle Davis, representing NCL echoed the comments of Mr. Horowitz and stated that NCL strongly supports the regulation as amended and the adoption of the updated date.

Marianne DiMascio, ASAP provided comments in strong support of the regulation. Ms. DiMascio also spoke about the federal standards that were to go into effect nationally on January 1, 2020 but did not due to the administration rollback of that standard. Ms. DiMascio referenced a study that ASAP did regarding the savings of this minimum standard for homeowners which show that adoption of these standards will save the homeowner \$70 annually.

Director Bobzien acknowledged the effective date comments before moving onto the next agenda item.

Director Bobzien closed Agenda Item No. 3

4. Adoption of the Proposed Regulation:

Director Bobzien, adopted the amended changes to LCB File No R100-19, with the additional update to change the effective date from January 1, 2020 to January 1, 2021.

Director Bobzien closed Agenda Item No. 4

5. Public comments and discussion:

Director Bobzien asked for public comment under this agenda item.

Jennifer Dolan with LEDVance, a lighting manufacturer in Massachusetts recommended that a discussion group be formed to discuss the effective date of January 1, 2021 as she believes that four months is not enough time for the manufacturers to get through their existing stock and begin complying with these standards.

Director Bobzien acknowledged her comments and stated that they would have been more appropriate under Item No. 3 before the adoption of the regulation under Item No. 4.

Noah Horowitz with NRDC stated that California adopted these standards with two months until the effective date and had no issues with compliance or manufacturers. Mr. Horowitz also pointed out that these standards have been on the books since January 1, 2020.

Director Bobzien closed Agenda Item No. 5.

6. Adjournment: Director Bobzien adjourned the meeting at 2:23 PM.