

Swimming pool & spa energy efficiency regulations -- be prepared for 2011

by Jennifer Hatfield

In 2008 the Florida Legislature passed HB 7135, a comprehensive energy bill that included new requirements for swimming pools and spas. These requirements, slated to take effect July 1, 2011, were similar to the energy efficiency requirements passed in California under Title 20 and 24 of the California Energy Code. Since the passage of HB 7135, slight changes were made to Title 20 and 24, and the Association of Pool & Spa Professionals began developing standards to help ensure that all states adopt the same energy efficiency guidelines rather than the industry ending up with 50 states adopting 50 different standards.

The Florida Swimming Pool Association recognized in 2009 that some of the language in the original HB 7135 was either inconsistent with developing national standards or was not entirely clear. Clarification language was put forth to be amended onto 2010 legislation. This language:

- Clarifies that the July 1, 2011 effective date for all the pool/spa energy efficiency requirements **applies to the manufacturing date** of any products listed. This means the pool heating, pool pumps, pump motor, and portable spa requirements in the original legislation will apply to products manufactured after July 1, 2011. Products manufactured before the July 1, 2011 date can still be sold; however, per the 2010 proposals to the 2010 Florida Building Code, selling and installing the older, less-efficient products will most likely not be allowed beginning December 31, 2011.
 - *Note that the pool heating requirements within the original legislation already are required per either the Florida Building Code or federal Department of Energy regulation.*
- Clarifies that the new pump and pump motor requirements were **only for residential filtration pumps and pump motors**. Commercial pool pumps and motors do not fall under these new requirements, neither do residential pumps and pump motors that are not used for filtration purposes, i.e. special water feature pumps.
- Amends the temporary period that a pool pump motor's default circulation speed is allowed to be on high speed override from the current 120 minutes to **24 hours** – this change was made to be consistent with California regulations and the proposed APSP energy standard.

This language was successfully amended onto HB 663 by Rep. Aubuchon and SB 648 by Sen. Bennett; the 2010 session's all encompassing building code legislation. HB 663 passed the House on a 111-3 vote and on the last day of the 2010 legislative session, it passed the Senate unanimously. The bill is on its way to the Governor for his signature. The Governor can veto HB 663, but at this time there is no inclination he will do so, this

piece of legislation has many pieces vital to the construction industry (for details regarding other provisions of the bill see the Session Recap report).

It is also critical to understand that this legislation is only part of the impending new energy requirements. The Florida Building Commission put together a Pool Energy Workgroup that concluded additional code regulations needed to be developed in order to implement the legislative requirements. FSPA submitted the workgroup's recommendations, along with additional FSPA recommended changes, as 2010 code changes. The submitted code changes:

- Revise the 2009 International Energy & Conservation Code language to include the Florida legislative pool/spa requirements.
- Insert the draft APSP-15 Standard for Energy Efficiency for Residential Inground Swimming Pools and Spas as an appendix document that provides additional details on complying with the energy efficient requirements.
- Insert the draft APSP-14 Portable Spa Energy Efficiency Standard as an appendix document that provides additional details on complying with the spa test formula found in the legislation.
- Remove the current pool cover requirement except for portable spas; they must still have a cover with an insulation value of R-12.

These code changes will be vetted at the August FBC meeting in front of the Energy TAC. These code submittals do not change any of the legislative requirements; they serve to provide contractors with additional guidance. **Most important to recognize is that any pool and spa energy code changes adopted into the 2010 Florida Building Code will go into effect December 31, 2011.** Therefore, if HB 663 is signed into law and the Florida Building Commission adopts the submitted code changes, the following are important dates to remember:

- July 1, 2011: Manufacturers sending products into Florida must comply with the new legislative regulations.
- December 31, 2011: Contractors can only install products that comply with the new regulations.

FSPA recognizes that various questions still exist in anticipation of these changes. At the upcoming June Board meeting the FSPA Energy Committee will have an open discussion to address these questions and work to provide guidance to all segments of the industry. Within the next year updates will continue to be provided to alert the industry and consumers of new developments regarding the pending changes, answers to questions posed will also be compiled and distributed. Additionally, development of CE courses on this subject matter has already begun. For questions please contact:

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