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# Energy Conservation Standards/Energy Policy and Conservation Act: Natural Resources Defense Council Notice of Intent to Sue U.S. Department of Energy for Alleged Violations

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The Natural Resources Defense Council ("NRDC") and several other consumer and environmental groups sent an August 10th Notice of Intent to Sue ("NOI") to the United States Department of Energy ("DOE") for alleged violations of the Energy Policy and Conservation Act ("EPCA").

The NOI alleges that DOE has failed to comply with its statutory duty to update energy conservation standards under the EPCA.

NRDC states that the EPCA requires DOE to review energy conservation standards for covered products every six years. They are then stated to be required to make a determination that no amendments are needed or else propose amended standards, citing 42 U.S.C. § 6295(m)(1).

The organizations further state that DOE may only refuse to amend standards for a covered product if the amended standards:

- Will not result in significant conservation of energy
- Are not technologically feasible
- Are not cost effective as defined under the EPCA

NRDC argues that the updated standards for products listed in the NOI will provide benefits to the public. It further states that energy efficiency:

... is the most affordable and effective solution to America's energy problems, and DOE's energy conservation standards program has been transformative in making U.S. buildings and products more efficient.

Additional benefits cited include additional reductions in air pollution emissions and other environmental harms caused by energy production.

NRDC states that DOE's alleged failure to perform what it describes as nondiscretionary duties to review, update, and issue standards under the EPCA are subject to suit under 42 U.S.C. § 6305(a).

A copy of the NOI can be downloaded [here](#).