



April 30, 2003

Andrew Fanara
Energy Star Product Development
U.S. EPA
1200 Pennsylvania Ave., NW
MC 6202J
Washington, DC 20460

**Re: ENERGY STAR™ Program Requirements for Exit Signs,
Draft 2 – Eligibility Criteria –Version 3.0**

Dear Mr. Fanara,

Thank you for the opportunity to address statements sent by Mr. Manny Muniz to Darcy Hoffmeyer on April 7, 2003 referencing specific portions of the NEMA Emergency Lighting Section's February 14, 2003 comments on the second draft of the product specification for ENERGY STAR qualified exit signs (Version 3.0). The comments below shed more light on Mr. Muniz's specific statements.

- The NEMA Emergency Lighting Section is well aware of the nature of the model building codes and it goes without saying that our members are aware that the primary purpose of a UL standard is to set a minimum level of safety for the products in question. It is our members contention, however, that competing technologies intended for the same purpose should be required to meet the same minimum level of safety.
- Mr. Muniz cites Section 40.1.3 of UL Standard 924, 8th edition, which, in his words, "requires that exit signs be tested either by an observation visibility test or an analytical test." However, Mr. Muniz fails to note the exceptions made for photoluminescent signs in UL 924 (see Clause 40.1.5, *Exception Nos. 2 and 4*).
- In addition to energy efficiency, we are concerned about ensuring the visibility of exit signs in real-life conditions of smoke and darkness, not just in reaction to the recent nightclub fire tragedy in Rhode Island. In accordance with our concern, we have raised questions in our previous comments regarding the implications of statements made by Mr. Muniz such as "photoluminescent signs are designed to be used with ambient light." (See Mr. Muniz's earlier comments at http://www.energystar.gov/ia/partners/gen_res/prod_development/revisions/downloads/exit_signs/Manny_Muniz2.pdf)

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- Regarding the OSHA determination that NFPA 101 provides comparable safety to the OSHA Exit Routes standard and its decision to allow employers to comply with NFPA 101 in lieu of the Exit Routes Standard, we are not convinced that OSHA was aware that by making this decision, it would allow employers to provide less visible exit signs.

It is beyond dispute that governments, private organizations and private individuals involved in promoting and ensuring public and consumer safety generally seek to raise minimum safety standards where feasible, justified and as technological advances permit. In this context, it is very troubling if the minimum visibility required of an exit sign – for which visibility is a core purpose – would be as little as 1/1000th of what energy efficient technologies can achieve today.

Thank you for your consideration of these comments. We look forward to working with you further to improve Version 3.0.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Updyke', with a long horizontal flourish extending to the right.

Craig Updyke
Government Affairs Representative

cc: Darcy Hoffmeyer, ICF Consulting (consultant to ENERGY STAR)