



Mr. Sam Rashkin,  
U.S. Environmental Protection Agency  
1310 L Street NW, 9<sup>th</sup> Floor  
Washington, D. C. 2005-4113

August 16, 2005

Re: Proposed changes to Energy Star for Homes Program

Dear Sam:

I want to begin by thanking EPA for allowing the industry to provide feedback on the proposed changes for the Energy Star 2006 program. There has been a great deal of dialog and compromises made to ensure the success of the program.

First I would like to comment on letter sent by Mr. Saunders and Mr. Ellison. They did an eloquent job laying out concerns that speak for many of us here in the Texas market. I agree with their concerns and respectfully direct your attention to their requests, specifically on the delay of implementation date to January 1, 2007. While they have done a great job in laying out an appeal, I would like to add a few points concerning timing and lack of available software, along with a few smaller issues. Before doing so, I also want to commend Daran Wastchak for doing a great job laying out the challenges of the proposed thermal bypass checklist.

First, concerning the timing of the release of the initial proposed draft for changes for 2006 presented in January at RESNET. While already stated by others, we are still waiting on the software to be released. This software will allow builders who participate on the performance path the information they need to make their decision. For the Texas market, that would include a majority of participants. Respectfully, without that missing piece, how much time have you really given the builders? Builders are being challenged with purchasing decisions **today** for 2006. We have no way to offer consultation to them without this software. Furthermore, we are "promised" delivery of the software to be distributed mid-September. I am particularly concerned as a RESNET Board member who sees even more changes being proposed. These new items will still need a minimum of 6 weeks before they could be formally adopted. Will the software producers have the time they need to get out an accurate, operating piece of software by the proposed delivery date? This puts us late into fourth quarter before builders have had a fair chance at running **their analysis**.



Finally, I wanted to ask for your attention on three specific items which include 1.) EF ratings for short water heaters not manufactured per your minimum requirements, 2.) according to the attached letter from a fireplace manufacturer "sealing a fireplace between the outer section of the flue pipe and fire stop is not recommended," and 3) concerning the thermal bypass checklist - attic hatch/drop down stairs, builders have been told by manufactures that they will deny warranty if insulation is installed underneath the staircase and are turned down by municipality inspectors. Therefore, we recommend this requirement be eliminated or changed to address these points. 4.) We support Texas Hero's recommendation on minimum requirement for duct leakage at 9 cfm to the outdoor/100 square feet of conditioned area.

I appreciate the hard work EPA has put into revising the program by bringing in building science issues to an already great program. Our consumers, builders and the environment will all benefit from these changes.

With your assistance we can minimize market share loss and employment layoff, and instead look to get past this transition on to the next tier of EPA programs including advanced lighting and IAQ.

Kathy Howard  
Division Manager  
Energy Sense