



April 30, 2010

Ms. Kathleen Vokes
US Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20460

RE: Energy Star Products Enhanced Testing and Verification Program

Dear Ms. Vokes,

I am writing on behalf of the Air Conditioning, Heating and Refrigeration Institute (AHRI) to address the proposed Energy Star Products Enhanced Testing and Verification Program. AHRI is the trade association representing manufacturers of heating, cooling, and commercial refrigeration equipment. More than 300 members strong, AHRI is an internationally recognized advocate for the industry, and develops standards for and certifies the performance of many of the products manufactured by our members, including air-to-air energy recovery ventilation equipment (AAERVE). In North America, the HVACR industry produces more than \$20 billion worth of product, and in the United States alone, our members employ approximately 130,000 people, and support some 800,000 dealers and contractors. These workers account for over 90% of the space heating, cooling, water heating and commercial refrigeration products sold in the country.

The Energy Star program has provided significant energy savings through its partnership with manufacturers who have made great strides in making more energy efficient products. The partnership between the Environmental Protection Agency (EPA) and HVACR manufacturers has worked well, and we look forward to continue this partnership to strengthen the integrity of the Energy Star program and provide further energy savings.

AHRI is in general supportive of an Energy Star products enhanced testing and verification program. However, we believe that such ambitious program should be correctly formulated. To that end, we would like to bring to your attention certain key areas where the proposed enhancement program impacts the AHRI members in the hopes that the views of the HVACR industry are considered by the EPA.

Testing and Reporting Prior to Qualification

AHRI believes that product qualification is critical in ensuring the integrity of the Energy Star program. However, the "one size fits all" approach proposed by EPA that would

require all models to be tested in a third-party accredited laboratory is not appropriate and not necessary for products certified by AHRI.

AHRI has been certifying products for over fifty years. Our certification programs have wide acceptance in the HVAC industry and are recognized by regulatory agencies such as the Department of Energy, the Federal Trade Commission, the California Energy Commission, Natural resources in Canada and the Standards Council of Canada (SCC). We believe that the proposed qualification process will provide no added benefit to consumers for products currently certified under the AHRI programs. We have designed our certification programs to ensure that products listed in our certified directories meet the ratings (e.g.; energy efficiency, heating and cooling capacities etc.) claimed by manufacturers. Provisions (such as monetary penalties and challenge testing) are in place in these programs to discourage inflated ratings. From the moment a manufacturer lists a product in one of our certified directories, the product is subject to testing and all the associated penalties that one would incur in the event of a test failure, therefore providing strong incentives to accurately rate products.

In addition, the “one size fits all” approach that EPA is proposing is neither practical nor feasible for certain products. For example, requiring a qualification test on all combinations of residential split air conditioners and heat pumps will be overly burdensome given that thousands of indoor and outdoor combinations exist. EPA should in this case allow qualifications based on an alternative rating method (ARM) approved by the Department of Energy (DOE)¹. Similarly, the proposed qualification requirements cannot be equally applied to television sets that are manufactured by the millions for example and light commercial HVAC products that are manufactured in very small quantities. The cost of testing alone varies significantly from product to product and should be taken into consideration in developing the final requirements.

AHRI believes that EPA should distinguish between products certified under third-party certification programs and products that are not. We feel that the qualification process should be waived for all products certified by AHRI and listed in the AHRI directory of certified products. However, at a minimum EPA should accept a manufacturer's test report if the manufacturer's laboratory is accredited to ISO 17025.

Verification Testing

AHRI and its members strongly support third-party verification of product performance. As such we support EPA's proposed verification testing program. However, we caution EPA not to establish requirements beyond those that are currently in place in the AHRI programs. Doing so will be overly burdensome to manufacturers. At the same time, it is very important that any third-party certification entity approved by EPA meet certain qualifications. These qualifications should include at a minimum:

- Experience in administering third-party certification programs,
- Proficiency in measurement testing,
- Accreditation to ISO/IEC Guide 65,

¹ 10 CFR Part 430.24

- Adequate resources to manage the third-party certification program, and
- Demonstrated familiarity with the products being certified.

We feel that EPA should not “reinvent the wheel” and should rely on existing programs with a long history of success, such as those administered by AHRI. As such, we don't believe that EPA or DOE should interfere with the day-to-day activity of the certification program and should not be involved in product selection or product testing for example. In addition, while we understand the need for the third-party certification body to report test failures and summary of results to EPA on a regular basis, we urge the Agency not to make the reporting requirements too onerous.

Summary

AHRI has been administering voluntary certification programs for residential and commercial cooling, heating and refrigeration products for over 50 years. Our certification programs are known all over the world. We are accredited to ISO Guide 65 and by the Standards Council of Canada (SCC) as a certification organization capable of performing energy efficiency performance verification. We believe that our programs have provided many benefits to consumers. We urge EPA to adopt a policy that allows any products listed in the AHRI directory of certified products, and that meet the appropriate Energy Star energy efficiency requirements to automatically qualify for participation in the Energy Star program. We also strongly recommend that EPA rely on well established and successful third-party certification programs for its testing and verification program.

We hope that these comments can constructively contribute to the ongoing efforts by the EPA to further enhance the Energy Star program and brand. The HVACR industry looks forward to continue its collaboration with the EPA as this process moves forward. Please do not hesitate to contact me if you have questions about this submission.

Sincerely,



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