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BSH HOME APPLIANCES CORPORATION

June 16, 2010

U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460

**Re: BSH Home Appliances Comments on “Draft Certification and Verification Requirements” due by June 25<sup>th</sup>, 2010.**

General Comments:

BSH Home Appliances is committed to producing top performing products with best in class energy performance. Over years of refinement with many continual steps, we have reduced both water and energy consumption, while maintaining a performance that exceeds customer expectations. We will continue to be dedicated Green Partners, and we applaud the impact that the Energy Star program provides for our environment and consumers.

In reference to the plans of EPA and DOE to enhance the testing and verification, we certainly support any changes necessary to protect the Energy Star name, and the reputations of the Manufacturer's. But we caution that some of the proposals would be costly if not properly implemented and may not achieve the desired goals.

In lieu of Third Party Laboratory Verification, BSH urges the use of internal labs and implementation of proper Lab auditing procedures, including correlation testing to verify the effectiveness of lab procedures and accuracy of the data.

BSH urges the consolidation of testing, listing and verification requirements of Energy Star, DOE and FTC to avoid redundancy and provide efficiencies for both manufacturers and Regulatory Agencies.

In summary, BSH feels that the goals of EPA, DOE and Energy Star can be accomplished using internal labs that are audited correctly. Dedicated internal labs have people that conduct the same energy testing almost everyday, while external labs test many different products using various procedures. With good audit procedures Internal Labs are allowed to conduct safety testing under the supervision of UL, CSA, ETL, etc, and we feel this method can serve equally as well with energy testing.

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Comments specific to June 4<sup>th</sup> EPA notification:

- Energy Star Qualification - Under the proposal, the CB would be required to review data and then list the models with EPA
  - This could be a critical timing issue for Manufacturers. The length of time that a CB may take to submit data could delay production and the introduction of reduced energy consuming products.
    - Alternate suggestion: The Manufacturers submits the qualifying list to both CB and EPA. The CB would then have one week to review data and alert EPA (and Manufacturer) of any issues.
      - Efforts need to be made to keep the amount of time to review data and list qualified product to one week or less.
- Verification Testing on 10% of Basic models per year
  - 10% selection of base models per year for verification seems reasonable.
  - In-house EPA certified labs should be able to conduct any required Verification testing. With some complex test procedures with many variables (dishwashers) you need to test 6 units in order to have confidence that the results are repeatable. Testing 6 units at an external lab on each required Verification test will add significant cost.
  - Selection of the units for Verification testing should be left up to the auditor's opinion. Differing processes from facility to facility will require different selection methods.
  - In a well run Energy program, internal or voluntary verification testing is performed as Engineering Changes are introduced. Consideration should be given to allow the use of this test data for submission to EPA in lieu of additional verification testing activities.
- Procurement of units for verification testing
  - Testing units off the shelf (open Market):
    - With some complex test procedures with many variables (dishwashers) you need to test 6 units in order to have confidence that the results are repeatable. Buying these products on the open market will add significant cost. Transportation cost will also need consideration.
    - Testing of units obtained from the open Market may not provide current production test results. In many cases we have seen units on the open market for up to 5 years before purchase by the consumer.
  - Testing units from the Warehouse
    - Many warehouses are not at the same location as the Manufacturing location. Making it difficult for the Auditor to visit and select units.
  - Testing of units Off the Line
    - Since the Auditor will require a list of components that impact energy consumption, tracking any changes to confirm that energy testing was conducted when energy impacting components were changed, why not allow unit selection directly from the assembly line? Methods should be in

place to make sure that the product selected for testing, matches the list documenting the components that impact energy consumption. A newly produced unit matching submitted documentation would be the most representative of current products on the market and therefore the best choice for test.

- Normally there are many units of the same model number running down an assembly line; it should be acceptable for the auditor to randomly select units from the line.
- Selection of the units for testing should be totally left up to the auditor based on the conditions and the experience of the auditor.

Note: BSH strongly urges that the auditors to be able to select product directly from the Assembly line to obtain the latest production sample, compare it to the list of components that impact energy consumption, and during the audit process witness test the latest version of production. It could be required that lab audits and the selection of Verification test units, occur randomly and unscheduled to eliminate any concerns.

o Location of Verification Testing

- If no Internal EPA approved lab is involved: Units should be tested at an EPA approved third party lab.
- If an EPA approved Internal Lab is used for Certification, the same lab should be allowed to conduct the verification testing. Once each year a unit that was Verification tested at the EPA approved internal lab, should be sent to an EPA approved third party lab for correlation testing.

Note: For complex test procedures with many variables, it may be necessary to test multiple units to assure confidence in results. On some product types there can be variations in the test results due to inherent repeatability/reproducibility of the proscribed test methods. Consideration must be given to these points with any verification requirements and appropriate tolerances established to prevent issues.

o Product Specification Audit

- If an Engineering change results in an improvement to the energy performance of a product and the listed energy number will go unchanged, retesting should not be required.
- A List of parts that impact energy (Critical products feature list) should be updated when any change is implemented impacting the list. The updated list should include an explanation of why testing was or was not necessary.
- Notification to the EPA should only be necessary when an Engineering change results in increased energy consumption.

o Challenge Testing

- BSH questions the extent that "Marketing Literature" should play in a Challenge test.

- A challenger deposit payment should not be refunded, regardless of challenge validity, until root cause is understood and any discrepancies resolved.

Additional Comments:

Product literature that includes the Energy Star logo must be printed before we introduce to Market. In our market segment Energy Star qualification is a requirement to succeed. It takes approximately 8 weeks to get literature printed, bagged and in house. Timing of literature is critical to many aspects of the process. Consideration should be given to the amount of time required to get literature printed; as well as use-up of any old literature. It would be counterproductive for EPA to implement requirements that would create unnecessary scrap literature resulting in a waste of our natural resources.

Please contact us if we can offer information or help in any way. We are more than happy to accommodate any requests and offer facility tours to display our equipment, testing and internal processes.

Thank you for the opportunity to share our opinion.

Sincerely,



Mike Edwards  
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