



June 1, 2010

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

RE: Draft Laboratory Requirements for Energy Star

Dear Ms. Vokes,

I am writing on behalf of the Air Conditioning, Heating and Refrigeration Institute (AHRI) to address the proposed laboratory requirements for Energy Star. 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. 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.

On April 30, 2010, AHRI submitted comments on EPA's proposed enhanced testing and verification program. In these comments, we recommended that EPA exempt manufacturers who participate in our certification programs from the proposed mandatory qualification testing. We continue to believe that EPA should distinguish between products that are certified by proven third-party certification bodies like AHRI and those that are not. We feel that the qualification testing as proposed by EPA is unnecessary and, for products currently certified under our programs, will provide no added benefits to consumers or to the credibility of the Energy Star program.

AHRI would like to offer an alternative approach to the qualification process proposed by EPA. For products that are certified by AHRI, we propose to review and provide all necessary test reports to EPA. These test reports would either be generated from the testing that AHRI conducts as part of its certification requirements, or from the manufacturer's own laboratory testing whether the manufacturer's laboratory is accredited to ISO 17025 or not. For laboratories that are not ISO 1705 accredited, we request that EPA accepts current AHRI

practices and allow AHRI to audit the manufacturer's laboratory every two years to verify that appropriate methods and procedures are in place. This audit will ensure that the manufacturer has the competence to conduct tests and that the laboratory has the equipment necessary to achieve the testing accuracy required by the appropriate test procedures. This approach would allow small manufacturers to avoid expensive auditing costs and continue their participation in the EPA program. Furthermore, we are concerned that the limited number of accrediting bodies and the lack of qualified auditing experts for our industry would create unnecessary complications that would adversely affect the number of manufacturers and products entering the Energy Star program defeating in fact the very purpose EPA established this program in the first place. We believe that allowing AHRI to determine manufacturer capability to conduct testing is a good compromise and should provide EPA with the level of comfort it needs to ensure that the credibility of the Energy Star program is maintained.

We appreciate EPA's intention to accept test reports from manufacturers' laboratories. However, the draft document proposes additional requirements that will automatically disqualify manufacturers. For example, how can a laboratory employee's compensation not be tied to the performance of the company when the laboratory belongs to the manufacturer and the laboratory employee works for the manufacturer? Similarly, how can the laboratory personnel not look to the manufacturer for career advancement when the personnel is employed by the manufacturer? We believe that the proposed additional requirements will be impossible to implement by the vast majority of manufacturers. As such, we urge EPA to abandon the idea. The accreditation to ISO 17025 is more than enough to achieve the level of testing confidence that EPA is looking for. Consequently, EPA should not require more than the accreditation to ISO 17025.

We appreciate the opportunity to provide these comments. Please do not hesitate to contact me if you have questions about this submission.

Sincerely,



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