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InterMetro appreciates the opportunity to comment on the "Draft Conditions and Criteria for Recognition of Laboratories."

There are significant differences between commercial food service (CFS) equipment and consumer products covered under the Energy Star program. We feel the EPA does not fully appreciate the differences. Compared to consumer products, CFS equipment tends to be larger, heavier and more expensive; has significantly lower production volume, and is sometimes made to order or custom made. Shipping CFS equipment around the country to independent test labs is very expensive in both shipping costs and product cost. In addition, many CFS equipment Energy Star tests are more complex than consumer product tests. Unfortunately, we cannot spread these costs over large numbers of production as consumer product manufacturers can.

Unfortunately, if the proposed drafts are implemented, we believe many manufactures will drop out of the Energy Star program and simply list their product's energy consumption numbers and let the consumers make their decisions without the Energy Star label.

Here are our comments on the proposed system and the current system.

What is wrong with the proposals:

1. Requiring commercial food service (CFS) equipment manufacturers to use third party labs or to have an NRTL (Nationally Recognized Test Lab) witness test our Energy Star tests will increase our costs and lead times. We have asked several times if the EPA has any estimates of what this will add to commercial food service manufacturers' costs and no one knows. It could be \$10,000 - \$100,000 per year (depending on how many products are tested, their size, etc.).
2. Verification of all products every three years as proposed is unnecessary for CFS equipment. The designs do not change as frequently as consumer products do. We have had product that lines that were 17 years old without any modifications that affect energy use. Again, this will increase our costs tremendously.
3. Requiring commercial food service equipment manufacturers to use third party labs or to have an NRTL witness test our Energy Star tests will increase our lead times. EPA admits that the NRTLs do not have the current capacity to handle all the additional qualification and verification tests. InterMetro uses four NRTLs for safety testing and they require 3-6 months to get projects through. In-house test labs are available on demand.

Why the current system works and how to make it better:

1. InterMetro's test lab uses calibrated equipment traceable to NIST. All in-house labs need to use calibrated equipment.
2. We conduct Energy Star tests to ASTM F2140-01 (Commercial Hot Food Holding Cabinets). All the commercial food equipment groups should have an applicable ASTM or AHRI test for Energy Star rating. That will be a big step towards standardization.



3. InterMetro Industries is an ISO 9001 registered organization and has two inspections yearly of the entire organization to insure quality and good manufacturing practices throughout the company. InterMetro CFS products are UL Listed, CSA Certified and NSF Listed. UL inspects our facilities four times a year. NSF inspects our facilities annually. Part of the inspection process is to ensure we have not changed processes, and that we build our products to the proper specifications and perform the proper quality, performance and safety tests. All CFS equipment manufacturers are subject to this scrutiny for their listed products.
4. We encourage the development of a fair challenge system. If there is reasonable doubt about published data from a manufacturer, challenges should be conducted by independent, third party facilities with the “loser” of the challenge paying the cost.
5. Spot checks or “off the shelf” testing should be conducted by the EPA/DOE to ensure all manufacturers are properly reporting their product’s Energy Star ratings.
6. Stiff fines should be imposed on manufacturers that falsify test results to get their products listed as Energy Star compliant.

Sincerely,

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