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InterMetro Industries appreciates the opportunity to comment on the EPA's Final Draft of "Conditions and Criteria for Recognition of Certification Bodies (CBs)." As InterMetro has stated before, the new Energy Star proposals effectively eliminate the use of in-house test labs from being able to test, certify and submit qualifying products for listing on the Energy Star website. The required use of Certification Bodies (CBs) and/or SMTL or WTML programs will cost commercial food service equipment manufacturers 10's or 100's of thousand of dollars for qualifying and verifying their products as well as lengthen test lead-times. We believe many small to medium size manufacturers will drop out of the Energy Star program, as they will not be able to justify the ROI for the new test requirements. This is because of a few isolated cases where manufacturers may have falsely qualified products. InterMetro Industries has previously stated there are more cost effective ways to insure proper qualification of products.

In addition to the above comments, we have two areas of concern with the final draft:

1. Verification testing: if a unit is not available from the open market or a warehouse, the unit is to be obtained "off-the-line." Many large commercial food service equipment products are made to order and need to be shipped as soon as they are manufactured to meet installation deadlines. There may not be sufficient time to schedule a third party witness test.
2. Challenge testing: While InterMetro Industries agrees with most of the procedure, we have to object to the requirement that the challenger conveys details of the challenge to the challenged before a challenge may be initiated. We prefer the challenger to be anonymous to the challenged. If that is not possible, we do not feel it is up to a manufacturer to notify their competitor that they are being challenged and why.

Sincerely,

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