ASSOCIATION OF HOME APPLIANCE MANUFACTURERS

1111 19th Street NW ➢ Suite 402 ➢ Washington, DC 20036
t 202.872.5955 f 202.872.9354 www.aham.org

April 6, 2011

Via E-Mail

Ann Bailey
Director, ENERGY STAR Product Labeling
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N. W.
Washington, DC 20460

mostefficient@energystar.gov

Re: AHAM Comments on Proposed ENERGY STAR Most Efficient Eligibility Recognition Criteria

Dear Ms. Bailey:

On behalf of the Association of Home Appliance Manufacturers (AHAM), I would like to provide our comments on the proposed ENERGY STAR Most Efficient Eligibility Recognition Criteria.

The Association of Home Appliance Manufacturers (AHAM) represents manufacturers of major, portable and floor care home appliances, and suppliers to the industry. AHAM's membership includes over 150 companies throughout the world. In the U.S., AHAM members employ tens of thousands of people and produce more than 95% of the household appliances shipped for sale. The factory shipment value of these products is more than $30 billion annually. The home appliance industry, through its products and innovation, is essential to U.S. consumer lifestyle, health, safety and convenience. Through its technology, employees and productivity, the industry contributes significantly to U.S. jobs and economic security. Home appliances also are a success story in terms of energy efficiency and environmental protection. New appliances often represent the most effective choice a consumer can make to reduce home energy use and costs.

AHAM supports EPA and the Department of Energy (DOE) in their efforts to provide incentives to manufacturers, retailers, and consumers for continual energy efficiency improvement. AHAM's members have demonstrated their continuous commitment to bringing the most efficient products possible to market. We continue to believe, however, that the impact of the "Most Efficient" program within the ENERGY STAR program must be carefully considered.

For this proposal to successfully move forward in a meaningful way, there are a number of issues, detailed below, that require further consideration and resolution. Furthermore, the Most Efficient program will be built on the foundation of the ENERGY STAR program, which, at the current time, has several issues and challenges to resolve, including specification revisions and verification details. Those issues must be successfully dealt with for there to be a strong enough foundation in order for this new layer to the ENERGY STAR program to succeed.

First, AHAM strongly supports EPA's decision to allow the 2011 Most Efficient designation to be used in association with models recognized between the start of the program and December 2011. As we stated in our previous comments on the top tier concept, it is critical for home appliances to have the stability of an annual qualification timeline and to be able to maintain the designation on point of sale materials, including the product labeling itself, due to the large amount of planning, manpower, and investment required to change the top tier designation in marketing materials and on showroom floors. This proposal allows for that, and if EPA moves forward with the program, it should retain the proposed recognition period both for the 2011 pilot and throughout the program.

AHAM also urges EPA to consider how exactly performance metrics will be incorporated into the Most Efficient program. The cover letter accompanying the Most Efficient product eligibility recognition criteria states as a common recognition principal "[n]o compromise in performance. Consistent with EPA's guiding principles for ENERGY STAR, recognition criteria must reflect products that perform as well or better than standard products in the market." It is unclear to AHAM whether that statement is intended to cover product performance generally or energy/water efficiency performance. But, if it is intended to cover product performance, it is not enough to have this vague criterion in a cover letter. How will performance be measured? Will minimum performance criteria be set? Will products need to have performance testing performed by certification bodies and verified as part of the enhanced testing program? All of these questions must be answered with certainty and clarity in order for performance to be a meaningful and workable criterion.

As we stated in our previous comments, at this time, performance is not a part of the ENERGY STAR specifications, and so evaluating it may not possible or necessary. But, as performance metrics are being proposed for some products (e.g., dishwashers), we believe it is important that, if performance metrics are adopted, those also be considered in the Most Efficient determination. A product should not be recognized as Most Efficient if it is a super efficient product, but does not deliver the performance a consumer expects.

AHAM further believes that there is an unintended consequence as a result of the criteria proposed for refrigerator-freezers. EPA's proposed recognition criteria for refrigerator-freezers will make it impossible for products with through-the-door ice to obtain the Most Efficient designation. Refrigerator-freezers with through-the-door ice have a higher measured energy under the DOE test procedure than products without that feature because, due to their design, they have a higher heat leak. And the impact of that heat leak on measured energy is greater under the test conditions than it is in the field due to differences in ambient temperature (90 degrees Fahrenheit under the test procedure as compared to an estimated average of about 70 to 75 degrees Fahrenheit in a consumer's home). Furthermore, it has long been industry's position

that in practice, refrigerator-freezers with through-the-door ice (and water) make it so that consumers open the refrigerator or freezer door less frequently. This difference between products with and without through-the-door ice is not accounted for in the refrigerator/freezer test procedure, which is a closed door test, meaning that it does not incorporate door openings. Door openings contribute significantly to energy use in the home. DOE's energy efficiency standards for refrigerator-freezers recognize these design differences and test procedure limitations through less stringent standards for products with through-the-door ice than for products without that feature. EPA should encourage consumers to open and close the refrigerator or freezer door less frequently because that behavior ultimately uses less energy. Accordingly, EPA should set eligibility recognition levels for refrigerator-freezers with through-the-door ice that are achievable so that those products may be designated as Most Efficient.

Finally, if EPA moves forward with the Most Efficient program, we ask it to more clearly and transparently identify the criteria that it will consider in recognizing products. From the current proposal, it is unclear how EPA selected which products to include in the program. And, as discussed above, the performance criteria are vague and undefined. Furthermore, it is unclear exactly how a product will be determined to be eligible for Most Efficient recognition and what process manufacturers will need to undertake to qualify products in the program—it seems that certification bodies will certify eligibility and submit products to EPA just as in the ENERGY STAR program, but it would be helpful to have more information.

AHAM appreciates the opportunity to submit these comments on the proposed ENERGY STAR Most Efficient Eligibility Recognition Criteria. We would be glad to discuss this matter further should you request.

Best Regards,

Jennifer Cleary
Director, Regulatory Affairs