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July 22, 2011

Via E-Mail

Abigail Daken
U.S. Environmental Protection Agency
ENERGY STAR HVAC Program
dehumidifiers@energystar.gov

Re: ENERGY STAR Program Requirements Product Specification
For Dehumidifiers, Eligibility Criteria, Draft 2, Version 3.0

Dear Ms. Daken:

On behalf of the Association of Home Appliance Manufacturers (AHAM), I would like to provide our comments on the ENERGY STAR Program Requirements Product Specification for Dehumidifiers, Eligibility Criteria, Draft 2, Version 3.0.

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 the Environmental Protection Agency (EPA) and Department of Energy (DOE) in their efforts to provide incentives to manufacturers, retailers, and consumers for continual energy efficiency improvement. We appreciate that in many instances EPA has attempted to harmonize its requirements with DOE's, but there are places where that harmonization is incomplete or missing. Furthermore, ENERGY STAR eligibility criteria should not be written in such a way that could push some smaller capacity, less expensive products from the market.

I. Definitions

AHAM appreciates EPA's attempt to harmonize its definitions with DOE's. But, as we commented in our comments on the first draft of the specification, the harmonization is incomplete. The definition of "dehumidifier," for example, still has a few minor differences. EPA states in its note on the definitional changes made in the second draft that the "existing Dehumidifier definition is *similar* to that provided in the DOE test procedure and hence does not need further revision." (emphasis supplied). AHAM disagrees—similar is not enough—the definition must be identical to DOE's definition. This is the best way to ensure clarity and consistency. Federal agencies should define the same terms in the same way. Accordingly, the definition should read as follows, per 10 C.F.R. 430.2 (redlines show changes to the EPA definition to make it identical to DOE's definition):

Dehumidifier: A self-contained, electrically operated, and mechanically refrigerated encased assembly consisting of: (a) a refrigerated surface (evaporator) that condenses moisture from the atmosphere; (b) a refrigerating system, including an electric motor; (c) an air-circulating fan; and (d) means for collecting ~~and~~/or disposing of the condensate.

Similarly, the definition for basic model is not identical to the DOE definition because of one minor difference (in addition to a typo that leaves off the "l" in model). The definition should read as follows, per 10 C.F.R. 430.2, as revised by the recent DOE certification, compliance, and enforcement rule (redline in red to show changes to the EPA definition to make it identical to DOE's definition):

Basic Model Group: all units of a given type of product (or class thereof) manufactured by one manufacturer, having the same primary energy source, and which have essentially identical electrical, physical, and functional (or hydraulic) characteristics that affect energy consumption, energy efficiency, water consumption, or water efficiency.

AHAM also wishes to reiterate the importance of maintaining harmonization with DOE at all times. In other words, as DOE definitions change, ENERGY STAR definitions must also change to mirror them. It is critical that EPA's requirements are consistent with DOE regulations and test procedures. To achieve consistency, the relevant definitions must be *identical* to each other *at all times*. Without such consistency and uniformity there will be significant confusion for manufacturers and for consumers. EPA must have substantial reasons for varying from DOE regulations, and if EPA varies from any DOE requirement, AHAM requests that it provide its reasons for doing so and give stakeholders the opportunity to comment.

II. Energy Efficiency Requirements

EPA again proposes one level of energy efficiency requirement for dehumidifiers with a capacity of less than 75 pints per day to qualify for ENERGY STAR. Previous ENERGY STAR specifications have recognized several classes of dehumidifiers, each with its own eligibility

level. For example, the current specification has five separate classes for products with a capacity of less than 75 pints per day—the specification lists different qualification levels for products with capacities of ≤ 25 pints per day, > 25 to ≤ 35 pints per day, > 35 to ≤ 45 pints per day, > 45 to ≤ 54 pints per day, and > 54 to < 75 pints per day.

As we commented on the first draft proposal, the proposed lumping together of these five product classes in the revised specification is unfairly biased towards larger capacity units, which will more easily meet the levels than smaller capacity units, especially given the large increase in efficiency from the current level that the new proposed level represents for smaller units. EPA appropriately takes pride in the ENERGY STAR program as a market transformation program, and AHAM members have long brought to market the most energy efficient products. But EPA should not use the ENERGY STAR program to push products out of the market, such as lower capacity dehumidifiers—that may likely be the effect of the current proposal.

EPA's note on the energy efficiency requirements in the second draft proposed specification states that EPA believes “that larger capacity units will meet the needs of smaller spaces while offering consumers more efficient and cost effective solutions. As a result, a single Energy Factor level continues to be proposed for all units rated less than 75 pints/day.” AHAM agrees that larger units may be able to meet the needs of smaller spaces. But EPA has recognized that larger units are more expensive, and is, thus overlooking the fact that consumers may not be able to purchase the larger unit and achieve the energy savings under the current proposal. Instead, many consumers may be forced to make a decision between a cost-effective solution (i.e., a smaller unit) and an ENERGY STAR rated product. This will mean that the energy savings EPA intends to achieve with this specification may be lost. Accordingly, EPA should re-instate at least some of the smaller product classes in order to remove the bias toward larger capacity units in the specification.

III. Test Procedure

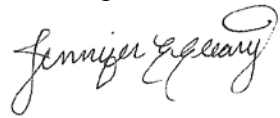
EPA proposes to cite 10 C.F.R. Appendix X to Subpart B of Part 430 as the test procedure for testing dehumidifiers. AHAM supports that proposal. Where a federal test procedure exists, it is only appropriate for all energy claims to be made based on that test procedure. Accordingly, EPA's use of that test procedure provides the necessary consistency and clarity for regulated parties.

IV. Effective Date

EPA proposes to make Version 3.0 effective on October 1, 2012. AHAM supports that effective date and thanks EPA for revising the effective date from the previously proposed June 1, 2012 date. The October effective date more realistically takes into account product planning and production.

AHAM appreciates the opportunity to submit these comments on the ENERGY STAR Program Requirements Product Specification for Dehumidifiers, Eligibility Criteria, Draft 2, Version 3.0, and would be glad to further discuss these matters should you so request.

Best Regards,

A handwritten signature in black ink, reading "Jennifer Cleary". The signature is written in a cursive style with a large, looping initial "J".

Jennifer Cleary
Director, Regulatory Affairs