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ICF International

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CC: Andrew Fanara  
EPA ENERGY STAR

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Subject: Proposed Changes to ENERGY STAR Program Requirements for Residential Ventilation Fans - Version 2.1 Draft Revision 2 - 11-06-08

Thank you for the opportunity to comment on the latest draft revision of the ENERGY STAR Program Requirements for Residential Ventilation Fans. Broan-NuTone has been an ENERGY STAR Partner since the implementation of this program and wants the program to continue to grow in the number of participants and ENERGY STAR products listed.

Version 2.1 Draft 2 is a dramatic improvement over Draft 1. The reinstatement of the certification requirements along with the addition of the verification and challenge procedures makes this a very strong program that should be used as a template for all other ENERGY STAR programs. With the recent credibility attack on the ENERGY STAR programs, this program can demonstrate that ENERGY STAR is doing it right.

While I feel the program as a whole is solid, there are some elements that I wish to comment on.

The process ENERGY STAR employed to add an alternative certification association to the program was disappointing. In this and future processes we would ask that it be part of ENERGY STAR's protocol to engage in discussions with key stakeholders (partners) prior to making commitments to external organizations that could have dramatic effects on program functionality. Draft 2 leaves the door open to ENERGY STAR approving additional organizations at will. Broan-NuTone requests that any approval processes for certifying organizations involve soliciting the input of manufacturer stakeholders.

Beyond HVI and AMCA, it is difficult to identify other credible peers in the ventilation industry. Therefore, ENERGY STAR's approval of yet another certifying organization could severely jeopardize the credibility of the ENERGY STAR program.

Requiring third party laboratory testing is critical to the credibility of certification, verification and challenge testing. The program Eligibility Criteria does not adequately address the use of manufacturers' laboratories that could be approved by the certification association and used for certification of ENERGY STAR products. The program must be clear that all testing must be done at the pre-approved third party independent laboratory sites only.

The Laboratory Accreditation requirement appears to be limiting as to the laboratories the certification associations may utilize. To my knowledge there are currently only two independent third party laboratories in North America that have the capability to test sound according to the Version 2.1 Draft 2 requirements. Has ENERGY STAR verified that either or both of these laboratories have the required accreditations? As the certification associations are responsible for their products and product's certification according to ENERGY STAR criteria, I feel that they should be qualified to select a laboratory that meets their criteria.

The Efficacy calculation in Draft 2 requires CFM to be rounded down to the nearest whole CFM. In my estimation, over 98% of the current residential ventilation products sold in North America are rounded to the nearest 10 CFM using the HVI 920 procedure method. The 10 CFM increments were a residential ventilation industry accepted and preferred method to insure consistency and logical step selection methods. I strongly recommend changing the Draft 2 to restore the current market and consumer accepted methodology of 10 CFM rounding.

Further, if ENERGY STAR did force the one CFM rounding, then we as manufacturers may be forced to have two certification numbers on each ENERGY STAR product. One for the association certification and one for the ENERGY STAR certification. This will cause great market confusion, and in my mind, lessen ENERGY STAR's credibility as manufacturers will tell the questioning consumer that the numbers are different because ENERGY STAR calculates it differently. It comes back to credibility of ENERGY STAR.

In the verification procedure requirements an exception is made to allow manufacturers to "randomly select" verification samples from the production lines if products cannot be procured in the marketplace. I strongly disagree as this invites a manufacturer to supply fraudulent verification products that may be engineered specifically to pass the verification test. Procurement in the open marketplace is the only defensible verification methodology.

In summary, my elements of concern are that ENERGY STAR must:

- involve participating partners if additional certification organizations are to be considered
- require that all certified tests be done at independent third party laboratories only
- investigate the status of existing certification laboratories
- restore the current methodology of 10 CFM rounding
- require that verification products be procured in the open market

Broan-NuTone fully supports the Version 2.1 Draft 2 once the noted concerns are corrected. As the ENERGY STAR partner with the largest number of ENERGY STAR listed ventilation products, we feel it imperative that the program remains strong and credible.