



November 26, 2008

TO: Josh Forgotson  
ICFI

FR: Peter Grinbergs  
Chairman of the Board

RE: Draft 2 Version 2.1 ENERGY STAR Residential Ventilating Fan Program Specification

Thank you for the opportunity to provide input on the latest version of the ENERGY STAR Residential Ventilating Fan Program Specification which is intended to become effective in just a couple weeks. Overall, we feel that the U.S. EPA is moving in the proper direction with the program and we view the latest draft as an improvement over earlier versions. In particular, we feel the reinstatement of a third-party certification requirement is a positive move. Though we would prefer that the certification requirement be exclusive to HVI, we are willing to support the inclusion of AMCA's certification program so long as the principal differences between our two programs are identified and "bridged" in the ENERGY STAR document, ensuring that access to the ENERGY STAR rating remains equal for all manufacturers.

Despite our overall support of the direction this latest draft is moving, we feel strongly that several critical features of the program are not adequately defined and the ambiguity will likely lead to misunderstanding and/or misuse of the program. It would be in the best interests of the program, its partners, and consumers if these issues are resolved prior to implementation of the new specification rather than rushing forward with an artificially urgent effective date of December 12, 2008.

Here's a summary of our primary concerns:

1. It is imperative that the ENERGY STAR program accept testing results which come from pre-authorized, independent third-party laboratories only. Lab results from manufacturers' internal labs must be disallowed. We are not convinced the current language adequately closes any loopholes which may permit AMCA members to submit lab reports based on testing done at their own internal facilities. [lines 321-334]
2. The Efficacy calculation in the latest proposal requires that CFM be rounded down to the nearest whole CFM. This conflicts with HVI's long-standing practice of rounding CFM down to the nearest 10 CFM. Since 98% of the independently certified ventilating products are following HVI's rounding practices, changing the rounding process would result in inconsistency in product promotion and labeling which will result in confusion in the marketplace. We strongly urge EPA to require that CFM be rounded down to the nearest 10 CFM in keeping with the industry-accepted practice. [line 58; line 355]

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3. There are currently only two laboratories in the world which are authorized to conduct testing for purposes of performance certification of residential ventilating fans. The principal lab does not hold ISO/IEC 17025 accreditation. The proposed language seems to disallow this lab from continuing to test products on behalf of HVI at the moment the new specification is implemented. We must have language inserted in the specification which allows the lab a reasonable period of time to apply for and obtain this accreditation. [lines 325-330]
4. Beyond holding any specified lab accreditation, qualifications for testing laboratories must specifically address low-sone capabilities. HVI analysis indicates clearly that there are noticeable variations in sound testing results conducted at different labs. Labs must be made to demonstrate their capabilities in this area before being authorized to conduct testing on behalf of ENERGY STAR. [lines 325-344; lines 366-368]

Thank you for the effort you have put into improving the Residential Ventilating Fan Program. We realize that it has been an arduous task for you and your colleagues. We are grateful to you for recognizing the importance of this program to HVI which represents the large majority of residential ventilation manufacturers in the United States and Canada.

PG/jg