



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

October 13, 2015

Via E-Mail

Ann Bailey, Director
ENERGY STAR Product Labeling
U.S. Environmental Protection Agency
ENERGY STAR Appliance Program
Most Efficient@energystar.gov

Re: ENERGY STAR Proposed Recognition Criteria
for Most Efficient 2016 Refrigerator-Freezers

Dear Ms. Bailey:

On behalf of the Association of Home Appliance Manufacturers (AHAM), I would like to provide our comments on the Environmental Protection Agency's (EPA) proposed recognition criteria for ENERGY STAR Most Efficient 2016 refrigerator-freezers.

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 DOE in their efforts to provide incentives to manufacturers, retailers, and consumers for continual energy efficiency improvement, as long as product performance can be maintained for the consumer. But AHAM is still concerned that EPA continues to establish Most Efficient criteria in a way that is not consistent with EPA's Guiding Principles for the ENERGY STAR program or consistent with actions it has taken with regard to its baseline specifications, thus resulting in actions that could be deemed arbitrary and capricious.

Upon finalizing the Most Efficient 2016 criteria for other products, EPA late-introduced a new approach for the refrigerator-freezer Most Efficient 2016 criteria. Specifically, EPA proposed to

include all top-mount ENERGY STAR qualified models because on “average, an ENERGY STAR top freezer model consumes about 375 kWh/year, while standard models of other configurations consume about 700 kWh/year—a notable difference in energy use. At the same time, there is little differentiation among ENERGY STAR top freezers (i.e., all perform very close to the required 10% above minimum efficiency standards.)” This proposal is inconsistent with EPA’s approach in the underlying specification and with the Department of Energy’s (DOE) regulations which are the foundation of the ENERGY STAR program for appliances. EPA should not re-litigate an issue DOE has already decided (and with which EPA has agreed in its specification). It seems particularly odd and unnecessary for EPA to do so when DOE is its partner in administering the ENERGY STAR program.

As we have commented numerous times, DOE, through its lengthy, thorough, and long-existing rulemaking process for appliance efficiency standards, has established separate product classes and standards for good reasons. And DOE’s regulations implement Congressional intent. DOE’s standards are, and should be, the foundation for the ENERGY STAR program. EPA cannot use an approach that would vary from the approach DOE takes to regulating covered products. To do so ignores the extensive analysis DOE has done to formulate standards for those products which includes a careful balancing of energy savings, consumer choice, product functionality, and manufacturer burden per the National Appliance Energy Conservation Act of 1987 (NAECA).

Nowhere did Congress recognize EPA’s authority to set qualification levels, including “Most Efficient” levels, that ignore or undermine DOE’s determination as to product classes that provide consumer utility. The ENERGY STAR program should remain squarely focused on encouraging private-sector innovation for energy efficiency—in fact, that is the express goal of the Most Efficient portion of the program. As we have previously commented on a number of occasions, including in our comments vigorously opposing a similar approach EPA proposed for the refrigerator/freezer ENERGY STAR specification, AHAM opposes treating larger models differently than other products. And EPA’s Most Efficient 2016 proposal does just that. It will do nothing to “enhance public awareness of the Energy Star label . . . [or] preserve the integrity of the Energy Star label” because, different than other Most Efficient criteria which attempt to differentiate similar products that are the most efficient in their class, it will label an entire class of products as the Most Efficient. It is not EPA’s role, even in a “voluntary” program, to prescribe preferred sizes for products.

AHAM appreciates the opportunity to submit comments on EPA’s proposed recognition criteria for ENERGY STAR Most Efficient 2016 refrigerator-freezers and would be glad to further discuss these matters should you so request.

Best Regards,

A handwritten signature in cursive script, reading "Jennifer Cleary".

Jennifer Cleary
Director, Regulatory Affairs