



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
AIR AND RADIATION

November 20, 2017

Dear ENERGY STAR Products Stakeholders,

As part of an ongoing commitment to continuous improvement, the Environmental Protection Agency (EPA) is re-examining ENERGY STAR guidelines and procedures in the interest of fostering greater transparency and involvement by stakeholders. The Agency currently maintains ENERGY STAR specifications for more than 75 product categories. In any given year, as many as a third of these products' specifications will be under revision. Stakeholder participation is crucial to the successful outcome of these efforts, and EPA follows a systematic specification setting process designed to facilitate information exchange. In re-examining this process, we identified a number of potential improvements. EPA invites stakeholders to provide insights on these or other areas where program refinement would be beneficial.

Standard Operating Procedure

In response to outstanding questions about the mechanisms by which EPA provides notice and comment to stakeholders regarding changes to the ENERGY STAR program, the Agency has drafted a standard operating procedure (SOP) for the ENERGY STAR specification setting process, as outlined below. This document is intended to provide greater transparency around the steps EPA routinely takes to develop draft proposals, facilitate public comment on draft proposals and to respond to stakeholder comments. EPA seeks feedback on the new standard operating procedure.

Comment Periods

In order to consistently allow adequate time for comment submittal, EPA is committing to the following minimum comment periods, as documented in the SOP, and seeks stakeholder feedback: Comment periods for framework documents and draft proposals will be at least 4 weeks. For interim decision memos and for final draft specifications, the comment periods will be at least 2 weeks.

Data Transparency

EPA recognizes stakeholder interest in transparency regarding datasets used to inform the ENERGY STAR specification setting process. In developing proposed performance levels, the program typically makes broad use of publicly available datasets such as the ENERGY STAR database of existing certified models and datasets developed by the U.S. Department of Energy (DOE) or other research or regulatory bodies. To the extent the process leverages additional, new data offered by manufacturer partners and other stakeholders, these data are often shared but in a masked form to honor manufacturer requests. One suggestion for improvement we seek feedback on is to share this data more consistently across all product categories. EPA seeks comments on additional ways in which the Agency might increase data transparency.

Product sizes and capacities

The ENERGY STAR Program is generally inclusive of all product sizes and capacities unless constrained by practical considerations such as the lack of a relevant test procedure, insufficient available performance data, or associated performance trade-offs. EPA invites stakeholders to provide insights on additional resources that can help address potential practical considerations.

Opportunity for Appeal

Throughout an ENERGY STAR specification process, the Agency provides stakeholders, individually or in a group, the opportunity to meet with and share comments, concerns and data with ENERGY STAR program staff. EPA management makes themselves available at the request of stakeholders wishing to elevate their interests. Prior to taking final action, the Agency publishes a final draft specification explicitly designed to provide stakeholders a preview of the final decision. This final draft offers an additional opportunity to raise concerns. After the specification is issued, EPA has the ability to re-open it and make changes, also with stakeholder stake holder input (for example, revising from a V1.0 to V1.1 specification).

Use of Industry Standards

For numerous years, stakeholders have expressed a desire for the ENERGY STAR program to foster harmonization of test protocols. A companion request is for the Agency to incorporate industry test methods into its specifications. For many of our product categories, the ENERGY STAR program has benefitted tremendously from leveraging industry methods, and the program commits to prioritizing the use of such tests and seeks comments on additional ways the program can foster harmonization.

As stated previously, EPA invites stakeholders to provide insights on these or other additional areas where program refinement would be beneficial and EPA can improve transparency. Please share any feedback with us at EnergyStarProducts@energystar.gov by December 21, 2017.

Sincerely,



Ann Bailey
Branch Chief
ENERGY STAR Products

Standard Operating Procedure Revising or Establishing an ENERGY STAR Product Specification

Purpose

The purpose of this SOP is to lay out the systematic process by which the Environmental Protection Agency (EPA) develops ENERGY STAR product specifications in a manner that prioritizes transparency, inclusiveness, and consistency. The process is intended to facilitate stakeholder input into EPA decisions regarding ENERGY STAR specifications consistent with the ENERGY STAR Strategic Vision and Guiding Principles, http://www.energystar.gov/ia/partners/prod_development/downloads/guiding_principles_2012.pdf, such that the ENERGY STAR label identifies products that meet the highest energy conservation standards.

Scope

The ENERGY STAR product specifications process, reflected in the below visual, relies on rigorous market, engineering and pollution savings analysis, and involvement from a range of stakeholders. Stakeholders include manufacturers, utilities, the efficiency community, international governmental partners, and more. The process applies to the establishment of ENERGY STAR requirements, consistent with program principles, such that products that meet them reduce greenhouse gas emissions and save consumers money without a sacrifice in performance. These specifications are the heart of the ENERGY STAR program's work to direct consumers to more efficient products in partnership with manufacturers, retailers and utility efficiency program managers.

1. Specification Framework

For new product categories or significant changes in approach to existing product specifications, EPA sometimes begins with a framework document. This document allows the Agency to get early stakeholder input prior to formulating a formal proposal. The framework presents the EPA's preliminary thoughts about approach, scope, and definitions and typically seeks stakeholder feedback on specific questions associated with each of these topics and others key to the development of an effective specification.

2. Test Procedure Development or Validation

Core to each ENERGY STAR specification is a test method that allows for fair, repeatable testing of products seeking ENERGY STAR certification. In the case of products that are subject to federal minimum efficiency standards, EPA references the Federal test method. For products not subject to federal minimum efficiency standards, the U.S. Department of Energy (DOE) validates industry consensus based standards or drafts a new product-specific test procedure, in each scenario working through the ENERGY STAR stakeholder process to do so. The ENERGY STAR Program is generally inclusive of all product sizes and capacities unless constrained by practical considerations such as the lack of a relevant test procedure, insufficient available performance data, or associated performance trade-offs.

3. Analysis of Performance Data

EPA's ENERGY STAR specification process is data driven. Proposed levels tend to be based on data associated with existing certified models, as well as new data offered by manufacturer partners and other stakeholders during the specification development process. EPA also considers other data sources when evaluating potential ENERGY STAR requirements. These datasets include those developed by the DOE and other research and regulatory bodies. EPA shares the data on which the Agency relies, though

often in masked form to honor manufacturer requests, with all stakeholders. Establishing requirements that reflect the performance of the highest efficiency models available sometimes requires the Agency to go beyond the data at hand and anticipate the market. To this end, EPA relies on insights, shared by stakeholders and partners, that help the Agency anticipate important trends in the market and establish ENERGY STAR requirements that will effectively differentiate the more efficient models for purchasers when the specification takes effect.

4. Specification Drafts

The number of drafts required is determined by the complexity of the specification and the level of change being proposed, in the case of revisions. An EPA specification development process ranges from a single draft plus final draft to, in some instances, four drafts plus a final draft. The driver for these drafts is ensuring the specification is sound and stakeholders have had ample opportunity to engage with EPA prior to the Agency making a final decision on the requirements.

5. Interim Decision Proposals

EPA sometimes finds it helpful to seek formal input on a specific topic or limited set of topics between draft proposals. This is accomplished through broad distribution of a stakeholder letter for comment and, if needed, a stakeholder meeting.

6. Final Drafts

Before finalizing a new specification or specification revision, EPA issues a final draft. The purpose of the final draft is to provide transparency into the decisions the Agency has made before they are finalized.

7. Interim Changes to Specifications

Between major revisions, less significant changes to a specification may be warranted, that would not affect already certified products. In these situations, EPA may propose changes in a .1 revision (i.e., Version 4.0 → 4.1). The Agency takes this approach, for example, when eligible product scope is expanded or amendments clarifying testing requirements are made.

8. Public Comment

ENERGY STAR specification frameworks, drafts, limited-topic proposals and interim changes are made available to the public for comment. Documents are posted on the ENERGY STAR website and notice is provided via an email distribution list open to interested partners, stakeholders and the general public. Comment periods for all draft proposals are at least 4 weeks. Comment periods for interim decision memos and for final draft specifications are at least 2 weeks. EPA responds to comments in note boxes in the subsequent draft as well as in a companion comment response matrix and posts the original comments along with the Agency's responses on the ENERGY STAR website.

In order to facilitate public comment, EPA hosts stakeholder meetings or conference calls/webinars for further discussion of drafts throughout the process. Agency plans for revising or establishing ENERGY STAR product specifications are shared on the ENERGY STAR website on an annual basis and updated quarterly. Specification development schedules are shared as part of the public comment process as well as through presentations at various trade associations and energy efficiency group meetings.

9. Alignment with Department of Energy Standards

EPA's ENERGY STAR specification process aligns with the DOE standards process to the greatest extent

possible. For products that are subject to federal minimum efficiency standards, EPA references the Federal test method. For those products, DOE definitions take precedent for ENERGY STAR purposes. With respect to performance data, EPA leverages the data submitted to DOE for purposes of demonstrating compliance with minimum efficiency standards rather than requesting the same data from manufacturers during the development of ENERGY STAR specifications.

10. Record Keeping

Records associated with the ENERGY STAR specification setting process are maintained consistent with Environmental Protection Agency records management policies and procedures. Archives of all public-facing documents are maintained at www.energystar.gov/productdevelopment.

11. The Specification Revision Cycle

Once a specification is final, manufacturers may begin certifying products to the requirements through EPA-recognized certification bodies. EPA tracks the market reaction to the new requirements through the collection of ENERGY STAR shipment data such that the Agency is poised to begin a revision process when the desired market advances have occurred or other factors, such as a change in minimum efficiency standards, prompt a reconsideration.

