



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

September 12, 2023

Via E-Mail

Tanja Crk
Product Manager
ENERGY STAR
U.S. Environmental Protection Agency

appliances@energystar.gov

Re: ENERGY STAR Version 1.0 Residential Electric Cooking Products Final Draft

Dear Ms. Crk:

On behalf of the Association of Home Appliance Manufacturers (AHAM), I am writing to provide our comments on the Environmental Protection Agency's (EPA) Version 1.0 Residential Electric Cooking Products Final Draft specification, released on August 29, 2023.

AHAM supports EPA and the Department of Energy (DOE) in their efforts to provide incentives to manufacturers, retailers, and consumers for energy efficiency improvement, as long as product performance can be maintained for the consumer. The eligibility criteria in the final draft specification are at least partially based on efficiency levels that DOE *is considering* in its ongoing rulemaking for a new energy conservation standard for residential electric cooking products. AHAM remains deeply concerned with this approach which prejudices DOE's final decision, as we have commented previously.

AHAM appreciates EPA's adjustments to the specification to expand the selection of residential electric cooking products eligible for certification to include radiant technologies, which will provide more affordable options to American families.

We do, however, remain concerned about EPA's proposed reporting requirement related to t90. Not only is that time not consumer relevant, but it will also result in significantly more test burden to achieve ENERGY STAR qualification if DOE adopts AHAM's proposed alternative calculation which reduces the burden related to the simmer portion of the test by 81%. This again highlights the flaw in EPA moving forward with an ENERGY STAR specification before DOE's standards rulemaking process is complete and before DOE decides AHAM's test procedure petition. EPA need not rush forward with a specification and should allow for full stakeholder engagement on DOE's underlying proposal and should therefore pause development of this specification until DOE's rule is final.

I. EPA Should Wait To Finalize Its Specification Until DOE Issues A Final Rule.

DOE issued a pre-publication Supplemental Notice of Proposed Rulemaking (SNOPR) to amend energy conservation standards for residential cooking products on December 23, 2022 and published it in the Federal Register on February 1, 2023.¹ EPA published Draft 1 of its ENERGY STAR specification on December 16, 2022 along with Draft 2 on May 31, 2023, and this Final Draft on August 29, 2023. EPA based its draft specification in large part on the analysis that DOE conducted in support of the SNOPR. AHAM submitted voluminous comments to DOE's SNOPR on April 17, 2023.

In response to AHAM's comments on the Draft 2 specification, EPA noted that the DOE test procedure has been publicly available since August 22, 2022, enabling labs to prepare for testing and that EPA will align with the latest version of the test method.² Even if EPA is committed to aligning with the latest version of the DOE test procedure, finalizing a draft specification before DOE finalizes its standards rule—which is expected to be finalized by the end of this year--on the same product creates inefficiencies and redundancies for stakeholders and EPA itself.

Secondly, as AHAM stated in previous comments, EPA's efficiency requirements in the final draft specification are at least partially based on the data, analysis, and standard levels that DOE proposed in its SNOPR. But commenters provided DOE with comments that may change DOE's analysis and proposed standards and EPA is getting ahead of DOE by finalizing this specification ahead of DOE's final rule. As such, AHAM continues to object to EPA's issuance of a proposed specification prior to DOE's finalization of cooktops standards.

Furthermore, EPA repeatedly indicated through public facing documents and statements that the agency is acting expeditiously on this electric cooktop specification as part of the Biden administration's effort to implement the IRA. **AHAM is supportive of and seeks to be a partner in efforts to ensure all consumers have access to efficient home appliances.** It is important, however, to ensure that the ENERGY STAR specification is accurate and reasonable and based on DOE's foundation. Otherwise, it is possible that the specification may not accomplish the administration's goals as we discuss below.

We reiterate that the funds for home electrification rebates are distributed through state energy offices. These programs will not go into effect until 2024, so while we understand that time is of the essence, we also believe that there is time for EPA to develop a technically sound ENERGY STAR specification for electric cooktops. Furthermore, IRA funds are directed at ENERGY STAR products only where a final specification exists. Otherwise, the funds can be used on any electric cooktop. Thus, while we are not suggesting a delay that would impede the reliance on an ENERGY STAR specification, we note that EPA and DOE can still make significant progress toward their electrification goals without a final ENERGY STAR specification for cooktops.

¹ Department of Energy, Energy Conservation Program: Energy Conservation Standards for Consumer Conventional Cooking Products, Supplemental Notice of Proposed Rulemaking and Announcement of Public Meeting, Docket No. EERE-2014-BT-STD-0005, RIN 1904-AD15 (Feb. 1, 2023).

² [*ENERGY STAR Residential Electric Cooking Products V1.0 Draft 2 Specification Comment Matrix](#)

It is more important that EPA get the specification right and that it be based on the foundational energy conservation standards. EPA should not rush hastily into a specification, especially one that will be used to distribute potentially significant Federal funds, without knowing how DOE will respond to comments received on its SNOPR.

We also echo previous comments that EPA has not considered the impact on products sold in both the United States and Canada. As EPA acknowledges in its Draft 2 comment response, Canada has an existing test procedure that differs from the one DOE recently finalized.³ Despite Natural Resources Canada (NRCan)'s intent to align with the DOE regulations once NRCan undergoes its own regulatory process, the fact remains that manufacturers have no understanding regarding how to handle exports sold in Canada which—for the foreseeable future—will need to be dual-tested and dual-rated based on different test procedures. This will result not only in consumer confusion but will also significantly increase the burden on manufacturers and could be a disincentive to qualifying products. EPA needs to take this into account when publishing the ENERGY STAR specification for cooking products.

II. EPA's Proposal Is Not Cost Effective.

Under ENERGY STAR's Guiding Principles, EPA is supposed to evaluate the cost-effectiveness of a specification for ENERGY STAR qualified products.⁴ EPA conducted this evaluation in this draft specification. In the Final Draft Data Package, Table 5 shows that consumers will experience an average payback within 2.5 years of purchasing a cooktop certified to this proposed specification. EPA generally seeks a payback period between two and five years, so on its face this piece of information shows the specification to be cost effective.

However, Table 3 and its accompanying notes of the revised data package indicate that EPA assumes a unit lifetime of 16.8 years with a lifetime savings of \$103. This translates to an annual savings of only \$6.10, as stated in Table 2. ***This amounts to a monthly savings of just 51 cents.*** Such a meager savings has little to no impact on the monthly balance sheet of consumers.

EPA must take into account the interests of consumers across the income scale, and a specification is not justified based on such miniscule savings. Any savings analysis that does not pass the laugh test should not be considered cost effective. Proceeding with a specification under these circumstances violates ENERGY STAR's Guiding Principles and undermines the program's credibility.

III. The Standby Requirement For Ovens Is Unnecessary And Will Cause Confusion.

The final draft specification's Energy Use Requirements for Combined Electric Cooking Products sets proposed efficiency limits for residential ranges. These limits are a 195 kWh/yr Integrated Annual Energy Consumption (IAEC) for the cooktop portion of the range, which is a

³ [*ENERGY STAR Residential Electric Cooking Products V1.0 Draft 2 Specification Comment Matrix](#)

⁴ See Guiding Principle #3 at

https://www.energystar.gov/sites/default/files/asset/document/ENERGY_STAR_Strategic_Vision_and_Guiding_Principles.pdf (viewed on June 23, 2023).

revision to the proposed limits in Draft 2 of the specification, and a standby limit ($E_{TLP,O}$) of 7 kWh/yr for the oven portion. In past public meetings, EPA showed data indicating that all products that meet the IAEC criteria meet the $E_{TLP,O}$ criteria. Data presented in the Version 1.0 Final Draft data package confirms this. However, EPA notes in the Draft 2 comment response matrix that “while all of the test models that meet the IAEC criteria also meet the oven low-power energy consumption criteria, it does not mean this is true for all models.”⁵ If EPA’s test sample is considered adequate evidence for other aspects of this specification, then the same logic should be applied in this case. Moreover, the margin here indicates that it is likely that all models would meet this criterion and AHAM members have indicated that this criterion is unnecessary burden given that likelihood.

EPA continues, stating “Thus, EPA is maintaining the oven low-power mode energy consumption criteria to ensure ENERGY STAR products are efficient in their low-power mode.”

AHAM still questions how the standby limit serves as a backstop if all the products in EPA’s presumably representative sample meet the requirement by such a wide margin as to suggest that most, if not all models will likely meet it. It seems as though EPA has a solution in search of a problem. It seeks to establish an ENERGY STAR requirement on ranges and is using this as a justification. If DOE has not found it necessary to establish such a “backstop” and given that DOE’s standard is likely to address standby of ovens, this criterion is meaningless and will serve only to impose reporting burden on manufacturers without delivering savings to consumers. The standby requirement will only cause confusion in the market because the $E_{TLP,O}$ metric does not adequately differentiate among products. For these reasons, in the final version of this specification, EPA should eliminate the standby requirement for ovens in combined electric cooking products.

IV. Despite Revisions, Technical Concerns With The Final Draft Specification And Underlying Analysis Remain.

In previous comments, AHAM urged EPA to consider several technical issues, some of which remain. These technical issues are addressed below.

A. DOE And EPA Are Decoupling Product Efficiency And Product Safety.

AHAM continues to raise concerns that in their drive for higher efficiency, DOE and EPA are discounting features that enhance product safety. With respect to DOE and its SNOPR on cooking products, it is possible that there was insufficient testing of coil cooktops with coil ignition prevention. In its Draft 2 comment response, EPA acknowledged the limited number of coil cooktops in its dataset but cited at least one coil cooktop with oil ignition prevention features that met the specified level.⁶ Additionally, EPA referenced a variety of both smooth and coil cooktops on the market with efficiencies at and above the proposed levels, thus arguing that these levels can be met without compromising health and safety features. Despite a cursory

⁵ [ENERGY STAR Program Requirements Product Specification for Residential Electric Cooking Products Eligibility Criteria Final Draft Version 1.0](#)

⁶ [*ENERGY STAR Residential Electric Cooking Products V1.0 Draft 2 Specification Comment Matrix](#)

review of the market, EPA should wait for that additional data before moving forward with its specification and ensure that its specification does not conflict with efforts to address IAQ at the Consumer Product Safety Commission or at other branches within EPA itself.

B. Despite Revisions To The Final Draft, AHAM Remains Concerned That Reporting the t90 Metric Adds Too Much Burden.

AHAM continues to caution against requiring t90 in light of an open test procedure petition for a simmer calculation. Part of EPA’s rationale for requiring t90 is that “Time t90 is the only applicable metric measured in the DOE test procedure.”⁷ If EPA requires the simmer test t90 to be reported, this would add significant burden for manufacturers who choose a simmer calculation option if DOE provides one in the test procedure. These manufacturers would have to conduct the simmer calculation and the simmer test to get the prescribed t90. The average active hours for testing a 4-zone electric cooking top are 37.4 hours based on AHAM data and the average active hours. AHAM member testing estimates a total test time of 49.9 hours for a 4-zone electric cooktop. Third party testing per single cooktop is 2.6 times more than DOE’s estimate (approximately \$7,900 to \$10,800). AHAM’s proposed calculation for the simmer portion of the test significantly reduces test burden while retaining accuracy. If DOE adopts AHAM’s proposed simmer calculation, the total number of test parts would be reduced by 81 percent. Were EPA to nevertheless require reporting of tested t90, this burden reduction would be for nought and could disincentivize ENERGY STAR certification.

Secondly, this DOE test procedure to reach a temperature of 90°C differs from the normal consumer behavior of turning the control all the way up until water boils. Details of the difference are laid out in AHAM’s Draft 1 comments⁸ and referenced again in AHAM’s Draft 2 comments⁹. The metric is not consumer relevant and requiring t90 reporting will be misleading and confusing to consumers. Ultimately, because this is a new test procedure and there is an open petition for DOE to consider an alternative, EPA should not hastily adopt reporting requirements that will have little, if any value to consumers. **We strongly urge EPA to eliminate this reporting criterion in the final specification.**

C. AHAM Appreciates EPA’s Adjustment To Allow Radiant Technologies. Coil Technologies Should Also Be Able To Comply With EPA’s Criteria.

As stated above, AHAM supports EPA’s adjustments to the specification to expand the selection of residential electric cooking products eligible for certification to include radiant technologies. There is significant consumer utility to these products and they are offered at a range of price points, some of which would likely be attractive to consumers who stand to benefit from the IRA. Additionally, radiant technologies could help further the administration’s climate goals. For the same reasons, the ENERGY STAR specification should allow for open coil cooktops to

⁷ [ENERGY STAR Program Requirements Product Specification for Residential Electric Cooking Products Eligibility Criteria Final Draft Version 1.0](#)

⁸ [AHAM Comments on ENERGY STAR Version 1.0 Residential Electric Cooking Products Draft 1 Specification](#) (February 10, 2023).

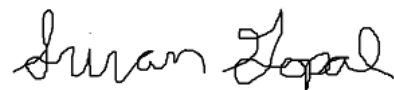
⁹ [AHAM Comments on ENERGY STAR Version 1.0 Residential Electric Cooking Products Draft 2 Specification](#) (June 30, 2023).

qualify in order to ensure that more low-income consumers can afford to take advantage of IRA funds and to further EPA's goals.

There is just one open coil unit which may meet the proposed ENERGY STAR requirements based on a single test¹⁰. Due to high variation in the DOE test procedure, compliance is uncertain. This is troubling especially because open coil products are more affordable. In the Draft 2 comment matrix, EPA acknowledged that more induction cooking products meet the proposed levels and that installations for induction and other electric cooking technologies may require retrofits. The agency anticipates that at least some of the burden will be alleviated through tax credits and state rebates through IRA provisions.¹¹ This fails to adequately address the environmental justice concerns we previously raised. As AHAM outlined in earlier comments, recent consumer research conducted by Bellomy Research, and requested by AHAM, surveyed low-income households in regard to their financial burdens and purchase journey for appliances. The study found that low-income households (under \$25K) are 3.5 times more likely to own a coil cooktop. Furthermore, lower income people are less likely to be able to afford to take advantage of the IRA funds if the only available products are induction or other more expensive element types. And, because the IRA is targeted at lower income populations, this will mean that it is likely that, under EPA's current proposal, more energy savings will be lost by largely excluding open coil products than will be gained by focusing on other technologies.

AHAM appreciates the opportunity to submit these comments on EPA's ENERGY STAR Version 1.0 Residential Electric Cooking Products Final Draft Specification and would be glad to discuss these matters in more detail should you so request.

Best Regards,



Sriram Gopal
Director, Technology & Environmental Policy

About AHAM: AHAM represents more than 150 member companies that manufacture 90% of the major, portable and floor care appliances shipped for sale in the U.S. Home appliances are the heart of the home, and AHAM members provide safe, innovative, sustainable and efficient products that enhance consumers' lives. The home appliance industry is a significant segment of the economy, measured by the contributions of home appliance manufacturers, wholesalers, and retailers to the U.S. economy. In all, the industry drives nearly \$200 billion in economic output throughout the U.S. and manufactures products with a factory shipment value of more than \$50 billion.

¹⁰ Department of Energy, Energy Conservation Program: Energy Conservation Standards for Consumer Conventional Cooking Products, Notification of data availability and request for comment attachment; Docket No. EERE-2014-BT-STD-0005-0483, RIN 1904-AD15 (Feb. 18, 2023); Section 2.

¹¹ [*ENERGY STAR Residential Electric Cooking Products V1.0 Draft 2 Specification Comment Matrix](#)