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July 7, 2023

Ms. Abigail Daken  
Manager, ENERGY STAR HVAC Program  
United States Environmental Protection Agency  
Washington, DC 20460

**Re: AHRI, HRAI, and CIPH Comments to ENERGY STAR® Boiler Sunset Proposal**

Dear Ms. Daken,

The Air-Conditioning, Heating, and Refrigeration Institute (AHRI), the Heating, Refrigeration and Air Conditioning Institute of Canada (HRAI), and the Canadian Institute of Plumbing and Heating (CIPH) (collectively, the "Joint Commenters") are submitting these comments in response to the United States Environmental Protection Agency (EPA) ENERGY STAR® (ENERGY STAR) proposal to sunset the certification pathway for residential boilers, issued on June 5, 2023.

The Joint Commenters appreciate EPA staff agreeing to extend comments relating to the new specification for air-to-water heat pumps (ATWHP) at the June 21, 2023 webinar for another 30 days. We are continuing to consider questions surrounding ATWHP and will plan to submit comments by August 7, 2023. We also appreciate EPA and U.S. Department of Energy (DOE) acknowledging at the webinar that questions surrounding a new test procedure and specification for ATWHPs are complex and warrant further conversations. AHRI reiterates our recommendation that the industry consensus standard process should be used to develop test procedures and specification for new products. As an accredited Standards Development Organization, AHRI volunteers to convene such a consensus committee to develop test procedures and specification for ATWHPs. AHRI will provide more information regarding this effort.

The Joint Commenters are opposed to EPA's proposal to sunset the ENERGY STAR program for residential boilers; however, we acknowledge that there is value in reviewing the

Eligibility Criteria in Version 3.0 Specification for Boilers. As EPA is aware, Version 3 was finalized in December 2013. New federal minimum efficiencies and design requirements went into force for residential boilers, manufactured on and after January 15, 2021.<sup>1</sup> And on March 13, 2023, the DOE amended its test procedure for consumer boilers. The effective date of this rule was April 12, 2023. The amendments will be mandatory for product testing starting September 11, 2023.

EPA should not be picking market winners and losers on the basis of fuel source. A technology neutral strategy is consistent with promoting the responsible use of all energy sources, while recognizing the importance that energy efficiency and fuel diversity play in meeting future energy demands. Fuel flexibility provides states and localities the opportunity to benefit from a wide range of energy efficient products that lowers energy usage and customers utility bills while ensuring consumers have choices in selecting the product that works best for their space heating needs.

The Joint Commenters have primary concerns with the proposal to sunset the ENERGY STAR program for residential boilers, including:

- The proposed removal of boilers from the ENERGY STAR program is premature as cost-effective energy efficiency improvements may be market ready.
- The removal of products reduces consumer choice and is not technology neutral.
- The removal of ENERGY STAR gas boilers will have deleterious impact on high-efficiency dual-fuel HP adoption, which will be needed in colder climates.

### **Joint Commenters Support EPA Revisiting the Boiler Specification for Cost-efficient, Energy-saving Technologies**

EPA has not provided data to support the proposed sunset of boilers by the proposed effective date of December 30, 2024.<sup>2</sup> EPA's proposal includes no opportunity for stakeholder engagement and no analysis of the market impact. While the Joint Commenters appreciate EPA recognizing the investment ENERGY STAR brand owner and utility partners have made in certifying and promoting products in these categories in the email requesting comments on the proposal, that sentiment would be better expressed by a proposal rooted in data and market analysis.

Rather than sunsetting, the Joint Commenters recommend EPA revisit the Boilers Specification to reference the newly established appendix EE as the test procedure specific to consumer boilers and to evaluate the Eligibility Criteria. ENERGY STAR labeled residential boilers should meet principles outlined in ENERGY STAR's Strategic Vision and Guiding

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<sup>1</sup> 10 CFR 430.32(e)(2)(iii)(A)

<sup>2</sup> This proposal would take effect on December 30, 2024, and no new certifications would be accepted after December 30, 2023.

Principles.<sup>3</sup> The Guiding Principles acknowledge that, “it is typically possible to achieve the necessary balance among principles by selecting efficiency levels reflective of the top 25 percent of models available on the market when the specification goes into effect.” Sunsetting is a drastic step. Revisiting the specification should first be attempted to understand the current state of market-ready, advanced technology options capable of different, and potentially more stringent efficiencies. EPA reviewed Version 3.0 in 2017 and deemed it appropriate to maintain the specification. EPA acknowledged the importance of continuing to monitor the marketplace, expressed interest in control technologies that facilitate condensing boiler operation in condensing mode to the greatest extent possible.<sup>4</sup> Even if EPA’s 2020 investigation has, “estimated 57% of gas boilers and 77% of oil boilers sold in the U.S. were ENERGY STAR certified,” there may be other opportunities for cost-effective energy efficiency improvements.<sup>5</sup> The Joint Commenters encourage EPA to continue exploration, rather than prematurely abandon a product category.

### **EPA Should Support the Continuation of the Boiler Specification to Support the Adoption of High-efficiency Dual-fuel Systems**

Dual-fuel, or hybrid systems, also offer a lower-carbon heating solution that may prove beneficial in hydronic installations. It is possible that based on a home’s hydronic heating design, an air-to-water heat pump cannot be properly installed, and a conventional boiler product is needed. Whether a dual fuel or purely conventional boiler product is used, it is crucial that ENERGY STAR provides guidance on the most efficient products for these consumers, given the program’s Guiding Principles. By sunsetting the Residential Boiler program, it removes opportunities for educating consumers on options for high efficiency conventional boilers as well as dual-fuel systems. The Joint Commenters support retaining EPA’s residential boiler specification to encourage adoption of dual-fuel, or hybrid systems.

### **Conclusion**

The Joint Commenters support ENERGY STAR programs predicated on meeting reasonable performance requirements that consumers can afford. EPA should conduct the necessary analysis to understand the current and estimated market penetration for boilers before proposing such drastic measures. A collaborative and informed stakeholder process is critical to ENERGY STAR’s success.

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<sup>3</sup> ENERGY STAR® Products Program Strategic Vision and Guiding Principles, May 2012, [https://www.energystar.gov/ia/partners/prod\\_development/downloads/ENERGY\\_STAR\\_Strategic\\_Vision\\_and\\_Guiding\\_Principles.pdf?0a0a-3f14](https://www.energystar.gov/ia/partners/prod_development/downloads/ENERGY_STAR_Strategic_Vision_and_Guiding_Principles.pdf?0a0a-3f14)

<sup>4</sup> U.S. Environmental Protection Agency Letter, November 27, 2017. [https://www.energystar.gov/sites/default/files/asset/document/Boilers%20Review%20Memo\\_final\\_171127.pdf](https://www.energystar.gov/sites/default/files/asset/document/Boilers%20Review%20Memo_final_171127.pdf)

<sup>5</sup> AHRI notes that Slide 13 of the June 21 presentation deck incorrectly attributes market penetration to 2017. [EPA’s November 27, 2017 market study](#) found “As of 2016, annual shipments of ENERGY STAR certified boilers have reached approximately 129,000, representing about 42% of U.S. sales.”

We recommend EPA continue a program grounded in the Guiding Principles, and to not sunset the certification pathway for residential boilers.

We appreciate the opportunity to provide these comments. If you have any questions regarding this submission, please do not hesitate to contact Samantha Slater, [sslater@ahrinet.org](mailto:sslater@ahrinet.org).

Sincerely,

Martin Luymes  


**HRAI**  
Vice President, Government  
and Stakeholder Relations

Samantha Slater



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Senior Vice President, Government Affairs

Dave Hughes



**CIPH**  
Technical Advisor, Codes and Standards

cc: Holly Tapani, EPA  
Megan McNelly, ICF