2015 Program Compliance CB Webinar

ENERGY STAR® Program Integrity
June 17, 2015
Agenda

• Introduction

• Noncompliant Partner Process

• Reporting Testing Failures

• Disqualification Process

• Product Failure Form

• General Resources on Testing

• Questions
Introduction

• 2014 Verification Testing (VT) Update
• Importance of reporting verification testing failures and noncompliant partners
  – Addresses testing failures fairly and appropriately
  – Ensures parity among brand owner partners
  – Assists CBs in meeting annual testing requirements by facilitating communication between CBs and partners
  – Protects the investment of partners in the ENERGY STAR brand
  – **Ensures that all ENERGY STAR labeled products are delivering the expected performance and energy savings to consumers**
2014 Verification Testing

• 2,070 Products Tested
  – 116 Appliances
  – 422 Lighting and Fans
  – 377 HVAC
  – 510 Consumer Electronics/ Information Technology
  – 138 Commercial Food Service
  – 477 Home Building Supplies
  – 30 Other
2014 Verification Testing

- 58 unique disqualifications and 121 total products disqualified in 2014

<table>
<thead>
<tr>
<th>Product Category</th>
<th>Number of Unique Disqualifications</th>
<th>Total Number of Products Disqualified</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ceiling Fans</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>CFLs</td>
<td>11</td>
<td>33</td>
</tr>
<tr>
<td>Commercial Griddles</td>
<td>1</td>
<td>3</td>
</tr>
<tr>
<td>Commercial Refrigerators and Freezers</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Computers</td>
<td>7</td>
<td>8</td>
</tr>
<tr>
<td>Furnaces</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Geothermal Heat Pumps</td>
<td>1</td>
<td>3</td>
</tr>
<tr>
<td>Integral LED Lamps</td>
<td>3</td>
<td>7</td>
</tr>
<tr>
<td>Luminaires</td>
<td>14</td>
<td>30</td>
</tr>
<tr>
<td>Roof Products</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Televisions</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Ventilating Fans</td>
<td>7</td>
<td>23</td>
</tr>
<tr>
<td>Water Coolers</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Windows, Doors, and Skylights</td>
<td>1</td>
<td>1</td>
</tr>
</tbody>
</table>
Noncompliant Partner Process

• Per Directive 2014-01, CBs are required to report partners that are unresponsive to or uncooperative with verification testing requests to EPA within 5 business days
• EPA will instruct the partner that continued noncompliance to CB requests will affect their ENERGY STAR partnership
• CBs should not withdraw certifications for models selected for VT prior to:
  – notifying EPA that partner is noncompliant and
  – receiving confirmation from EPA to do so,
  – unless the reason for withdrawal is “No Longer Available”
Noncompliant Partner Process

- If a partner remains noncompliant, EPA will confirm with CBs that alternate(s) should be selected.
- Notify EPA if a previously noncompliant partner responds and moves forward with verification testing:
  - EPA will review lifting partnership restrictions for partners when CBs confirm that they are responsive.
  - Direct partner questions on current restrictions to enforcement@energystar.gov.
    - There may be additional reasons for partnership restrictions (e.g., failure to submit USD, noncompliance with another CB’s VT requests, etc.).
Reporting Testing Failures and Certification Errors

• CBs are required to report models that do not meet the requirements of the ENERGY STAR specification to Enforcement@energystar.gov using the Product Failure Form.

• Verification testing failure deadlines:
  – Report failures within 2 business days of determining the failure
  – There should be no more than 5 business days between first verification tests and additional tests if Approach 2 is used
  – Exceptions:
    o Lighting products undergoing verification lifetime testing
    o CAC-ASHP products
Disqualification Process

• After receiving a failure report, EPA reviews the failure and issues a testing failure letter to the partner
• Partners have the opportunity to dispute the disqualification
• Not all failures result in a product disqualification; discussions about these determinations occur between the partner and EPA
• Where a partner has disputed based on claims of testing error, EPA will consult with the CB for an assessment of that
  – In these cases, CBs will be asked to review disputed issues and determine whether the testing was performed correctly
• If a CB identifies a testing error independently, notify EPA
After a Product Disqualification

• CBs should withdraw certification upon notification from EPA that the product was disqualified
  – CBs are also notified if the product remains certified
• Products are added to the public Disqualified Products List and to the Ineligible Products List in MESA
  – CBs must check the Ineligible Products List before certifying products
  – If the previously disqualified model number is recertified, EPA will require that the products be delisted (the partner may continue to use the model number for non-ENERGY STAR products)
When to Submit the Product Failure Form

• Verification Testing Failures
• Certification errors:
  – Report products that were certified in error (occasionally, these errors may be identified during VT)
• Lifetime failures:
  – Report lighting products that were certified using early certification and fail lifetime testing
• Non-performance VT failures (i.e. missing manuals, failure to meet user information or other reporting requirements):
  – CBs are not required to submit Product Failure Form for non-performance failures
  – Please report non-performance failures to Enforcement@energystar.gov
## Product Failure Form – Common Issues

<table>
<thead>
<tr>
<th>Common Issues</th>
<th>Solution</th>
</tr>
</thead>
<tbody>
<tr>
<td>Missing test report</td>
<td>Test report(s) should be submitted with the Product Failure Form to <a href="mailto:Enforcement@energystar.gov">Enforcement@energystar.gov</a>.</td>
</tr>
<tr>
<td>Older version of failure form used</td>
<td>The latest version can be found at <a href="http://www.energystar.gov/CBresources">www.energystar.gov/CBresources</a>.</td>
</tr>
<tr>
<td>Tested model number does not appear to be related to certified model number</td>
<td>If the tested model number is different than the certified model number, the certified model number should be included in the Additional Model Numbers section.</td>
</tr>
<tr>
<td>Affected models section incomplete</td>
<td>ALL affected models should be listed including family model numbers and private label products, even if listed under a different brand name or partner.</td>
</tr>
<tr>
<td>Required cells are empty</td>
<td>Ensure that ALL fields in the form are completed; if fields aren’t relevant, enter “N/A”.</td>
</tr>
<tr>
<td>Delays in reporting failures</td>
<td>Provide explanation if the failure is reported more than 2 business days than when the failure is determined. List the testing completion (<em>not the testing initiation</em>) date.</td>
</tr>
</tbody>
</table>
Walkthrough of Product Failure Form
General Resources

• Certification Body Resources page
  – Product Failure Form
  – Verification Testing Summary Report

• Frequently Asked Questions
  – What if a partner requests to withdraw certification for products nominated for VT?
  – When can CBs notify partners of VT failures?
  – What time restrictions apply to procurement of units for verification testing using the 4-unit multiple-sample approach?
  – Search by keyword

• Directives
  – Listed on the Third Party Certification Directives page
  – Directives related to luminaires and lamps verification testing will be updated prior to 2016

www.energystar.gov/testingandverification
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