

# **EPA Responses to Comments on ENERGY STAR Certified Homes Caribbean Program Requirements Version 3**

EPA has posted a compilation on its web site of all comments received during the comment period, which ended August 9, 2019, for its draft ENERGY STAR Certified Homes Caribbean Program Requirements Version 3.

This document contains a summary of these comments, along with EPA's response to each point raised and the resulting policy change, if any.

When similar comments were received from multiple respondents, EPA has consolidated these ideas into a single summary bullet. However, EPA has attempted to retain all unique comments received, including those submitted by a single respondent.

*The Environmental Protection Agency  
is not responsible for any typographical errors or omissions.*

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ID	Comment Summary	EPA's Response	Outcome
<b>Code / Standard References</b>			
1	<ul style="list-style-type: none"> <li>One respondent shared concern over the application and availability of ANSI / RESNET / ICC Standard 301, based on recently settled litigation. The respondent worries that uncertainty around Standard 301 could result in RESNET gaining an unfair advantage over other Verification Oversight Organizations if RESNET attempts to restrict the use of the standard.</li> </ul>	<ul style="list-style-type: none"> <li>EPA acknowledges the concerns raised regarding ANSI / RESNET / ICC Standard 301. The Agency understands that recent legal actions related to the Standard have been resolved. However, we are continuing to work closely with program stakeholders to ensure that there is a viable path forward that will allow access to the ENERGY STAR certification program for homes and apartments, which includes the use of ANSI / RESNET / ICC Standard 301.</li> </ul>	<ul style="list-style-type: none"> <li>No change</li> </ul>
2	<ul style="list-style-type: none"> <li>One respondent noted that documents currently reference older codes (i.e., 2009 IECC and 2009 IRC), and recommended that documents be updated to include the most current codes and standards that apply.</li> </ul>	<ul style="list-style-type: none"> <li>The 2009 IECC and IRC are cited in several locations in order to reference specific definitions and the equation for projection factor contained in these codes. These same definitions are used across the program requirements for ENERGY STAR certified homes, including areas outside of the Caribbean. EPA believes it is important to maintain consistency in intent across the program versions.</li> </ul>	<ul style="list-style-type: none"> <li>No change</li> </ul>
<b>Editorial</b>			
3	<ul style="list-style-type: none"> <li>One respondent recommended defining the areas included in the Pacific (Hawaii, Guam, and Northern Mariana Islands) and the Caribbean (Puerto Rico and US Virgin Islands) at the top of both the Caribbean &amp; Pacific Rater Design Review Checklist and Rater Field Checklist. Specifically they suggest defining these regions at the beginning of the checklists, then simplifying references to these locations in the checklists. For example, the row above Item 4.2a in the Caribbean &amp; Pacific Rater Design Review Checklist could be changed from "For homes in GU, HI, and NMI: Only required for homes in GU, HI, and NMI, otherwise check 'N/A'" to "For homes in the Pacific ONLY. Homes in the Caribbean are exempt – check N/A." The revision will give partners clarification of what items are required by stating the geographic location.</li> </ul>	<ul style="list-style-type: none"> <li>EPA agrees that defining which locations are encompassed by the Caribbean requirements and the Pacific requirements at the beginning of these documents, and then using these shorthand references in the remainder of the document, would clarify the program requirements.</li> </ul>	<ul style="list-style-type: none"> <li>EPA has revised the program documents as described.</li> </ul>
4	<ul style="list-style-type: none"> <li>One respondent noted that there were links in the Partnership and Training Requirements section that did not work,</li> </ul>	<ul style="list-style-type: none"> <li>EPA agrees that the links in the draft program document were not working.</li> </ul>	<ul style="list-style-type: none"> <li>EPA has revised these links so that they direct to the associated webpages.</li> </ul>

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	specifically the links for the ENERGY STAR Partnership Agreement and training.		
5	<ul style="list-style-type: none"> <li>One respondent recommended revising the last sentence of Step 1 of the ENERGY STAR Certification Process for the Caribbean to the following: "The resulting ERI is not required to meet a specific target value for the homes to be certified if the configuring efficiency measures are equal to or better than Exhibit 1." They suggest that this will make it clearer to partners that there is no specific ERI Target.</li> </ul>	<ul style="list-style-type: none"> <li>EPA agrees that modifying this sentence could improve clarity. EPA has partially accepted the proposed edit and has revised the sentence to say, "The resulting ERI is not required to meet a specific target value for the homes to be certified." For further improved clarity, this sentence will be moved to be the third sentence in the paragraph.</li> </ul>	<ul style="list-style-type: none"> <li>EPA has revised program documents as described.</li> </ul>
6	<ul style="list-style-type: none"> <li>One respondent recommended that both Exhibit 1 and Exhibit 2 reference the existing Footnote 6, which provides guidance on what is required when a discrepancy exists between ENERGY STAR requirements and local code.</li> </ul>	<ul style="list-style-type: none"> <li>Footnote 6 is currently referenced in the last sentence of the Eligibility Requirements section, which states "Note that compliance with these requirements is not intended to imply compliance with all local code requirements that may be applicable to the home to be built." EPA believes that the corresponding footnote, which further details how conflicts between ENERGY STAR requirements and code should be resolved, is most appropriately associated with this sentence.</li> </ul>	<ul style="list-style-type: none"> <li>No change</li> </ul>
7	<ul style="list-style-type: none"> <li>One respondent noted that Exhibit 2 references Item "2,4" instead of "2.4" noting that a comma was used instead of a period.</li> </ul>	<ul style="list-style-type: none"> <li>EPA agrees that this should be corrected.</li> </ul>	<ul style="list-style-type: none"> <li>EPA has revised Exhibit 2 accordingly.</li> </ul>
8	<ul style="list-style-type: none"> <li>One respondent noted that there was a typographical error in Footnote 11 of the DRAFT Caribbean &amp; Pacific Rater Design Review Checklist. Specifically, the word "consistent" should be replaced with the word "consist."</li> </ul>	<ul style="list-style-type: none"> <li>EPA agrees that this should be corrected.</li> </ul>	<ul style="list-style-type: none"> <li>EPA has revised Footnote 11 accordingly.</li> </ul>
<b>Effective Date</b>			
9	<ul style="list-style-type: none"> <li>One respondent recommended clarifying in the Effective Date section that homes are permitted to be certified according to the new Caribbean Program Requirements prior to the permit date in Exhibit 3.</li> </ul>	<ul style="list-style-type: none"> <li>EPA acknowledges that this was communicated to stakeholders during a webinar, and agrees that clarifying this in the program documents would be helpful. The following sentence has been added to the Effective Date section to clarify: "Homes permitted prior to January 1, 2020 are permitted to be certified according to either the Tropics Version 3 or Caribbean Version 3 program requirements."</li> </ul>	<ul style="list-style-type: none"> <li>EPA has revised program documents as described.</li> </ul>
<b>Email Responses</b>			
10	<ul style="list-style-type: none"> <li>One respondent asked for clarification and removal of the word "typically" in the fourth paragraph of Step 3 of the ENERGY STAR</li> </ul>	<ul style="list-style-type: none"> <li>EPA acknowledges that removing the word "typically" will set more consistent expectations for partners.</li> </ul>	<ul style="list-style-type: none"> <li>EPA has revised program documents as described.</li> </ul>

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	<p>Certification Procedure for the Caribbean. Specifically, the sentence states: "If the Provider also cannot make this determination, then the Rater or Provider shall report the issue to EPA prior to project completion at: energystarhomes@energystar.gov and will typically receive an initial response within 5 business days." The respondent suggests that by removing the word "typically" partners can set reasonable expectations for their client's by having a defined maximum response time of 5 business days.</p>		
<b>Reference Design</b>			
11	<ul style="list-style-type: none"> <li>One respondent asked for clarification if an energy model with efficiency measures equal to or better than the prescriptive measures in Exhibit 1 would be able to earn the ENERGY STAR.</li> </ul>	<ul style="list-style-type: none"> <li>To be certified using the ENERGY STAR Certified Homes Caribbean Program Requirements, Version 3, a home must include the efficiency features in Exhibit 1, including either Measure A or B, with no tradeoffs allowed. Note that the home must be modeled using an EPA-recognized Verification Oversight Organization (VOO)'s Approved Software Rating Tool, but that the resulting ERI is not required to meet a specific target value for the home to be certified.</li> </ul> <p>In addition, note that Exhibit 2, the Mandatory Requirements for All Certified Homes, contains additional requirements such as prescriptive air sealing requirements and mini-split wiring requirements, which also must be met.</p> <p>Only a home that has met the requirements in both Exhibit 1 and 2, has been third-party verified by a Rater, and has been registered with an EPA-Approved VOO meets the requirements for certification.</p>	<ul style="list-style-type: none"> <li>No change</li> </ul>
12	<ul style="list-style-type: none"> <li>One respondent asked for flexibility in the Cooling Equipment &amp; Water Heating Equipment Section, specifically in the Measure B: Bedroom Mini-Split HVAC option. They noted that requiring mini-splits in each bedroom may be excessive depending on the size of the home, and could significantly increase the cost. As a result the measure could impact the affordability for potential homebuyers. The</li> </ul>	<ul style="list-style-type: none"> <li>EPA has proposed that mini-split AC's or HP's <u>serve</u> all bedrooms, but does not explicitly require a head in each bedroom. An allowance of up to 10 ft of ductwork per head is provided, which can be used to serve one or more bedrooms. For example, a single head may have the capacity to meet the load of multiple small bedrooms, with the capacity distributed using the ductwork. To clarify this intent, EPA will modify Exhibit 1 where mini-split AC's and HP's are mentioned as follows:</li> </ul>	<ul style="list-style-type: none"> <li>EPA has revised program requirements as described.</li> </ul>

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	<p>respondent noted that the desired effect of efficient heating and cooling could still be achieved with the addition of only one or two heads for smaller homes and recommended that EPA offer an alternative or exemptions to achieve the intent for Measure B: Bedroom Mini-Split HVAC.</p>	<ul style="list-style-type: none"> <li>○ “No space cooling is required if Measure A is selected, but if any space cooling is provided, it must be provided using mini-split AC’s or HP’s <math>\geq 15</math> SEER, <del>each with <math>\leq 10</math> ft. of ductwork.</del> <u>A single mini-split head is permitted to serve one or more bedrooms using up to 10 ft. of ductwork per head.</u>”</li> <li>○ “No space cooling is required outside of bedrooms, but if any space cooling is provided outside bedrooms, it must be provided using mini-split AC’s or HP’s <math>\geq 15</math> SEER, <del>each with <math>\leq 10</math> ft. of ductwork.</del> <u>A single mini-split head is permitted to serve one or more bedrooms using up to 10 ft. of ductwork per head.</u>”</li> </ul> <p>In addition, partners who believe that the Bedroom Mini-Split HVAC measure is not cost effective, even with this clarification, are permitted to use Solar Water Heater measure instead.</p>	
<p><b>Terminology</b></p>			
<p>13</p>	<ul style="list-style-type: none"> <li>• One respondent noted that in the DRAFT Caribbean Program Requirements, "Field Inspector" was referenced in the Partnership and Training Requirements section, and "Approved Inspector" was referenced in Footnote 7. They noted that these roles may be the same.</li> </ul>	<ul style="list-style-type: none"> <li>• EPA acknowledges that there is inconsistent use of the terms "field inspector" and "approved inspector." EPA has revised the program documents to use industry standard terms from ANSI / RESNET/ ICC Std. 301. For conciseness, the term "Rater" is used within the body of all documents and the following footnote has been added to define this generic term with industry-standard terms: "The term 'Rater' refers to the person(s) completing the third-party verification required for certification. The person(s) shall: a) be a Certified Rater, Approved Inspector, or an equivalent designation as determined by a VOO such as RESNET; and, b) have attended and successfully completed an EPA-recognized training class. See <a href="http://www.energystar.gov/newhomestraining">www.energystar.gov/newhomestraining</a>."</li> </ul>	<ul style="list-style-type: none"> <li>• EPA has revised program documents as described.</li> </ul>