

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



OFFICE OF
AIR AND RADIATION

August 23, 2010

Dear ENERGY STAR[®] Partner or Interested Party:

The U.S. Environmental Protection Agency (EPA) has finalized its Conditions and Criteria for Recognition of Certification Bodies (CBs) for the ENERGY STAR Program (“CB Requirements”). These final requirements are an important step in the enhanced testing and verification effort that EPA intends to have in place for all ENERGY STAR qualified products at the end of the year.

Comments and Responses to Final Draft

EPA published a final draft of these requirements on July 23, and subsequently received and considered input from stakeholders. Stakeholder comments on the final draft will be made available on the ENERGY STAR website at www.energystar.gov/testingandverification.

Several stakeholders commented on the requirement that CBs maintain a substantial North American presence, seeking additional clarification. EPA understands that international accreditation bodies (ABs) and laboratories are an essential part of the testing and verification program it is putting in place, and fully intends to recognize ABs and laboratories from around the world. However, CBs play a different and more comprehensive role in EPA’s scheme. Because CBs will be taking full ownership of qualified product data and will be running verification testing programs, EPA expects to maintain a close working relationship with these organizations. In the interest of clarification, EPA has revised this requirement to make clear that the CB must meet EPA’s expectations as to the availability of personnel and timeliness of responses to requests for information. EPA will make case-by-case determinations on a CB’s ability to meet this requirement as part of the application process.

EPA carefully considered all comments and made the following minor changes in this final version:

- Provided direction that CBs shall have a procedure to verify partner claims as to what constitutes a “family” of models and what may be considered a representative model from that family.
- Clarified that CBs must consider product families when determining the pool of products subject to verification testing. Specific guidance on determination of models subject to verification testing will be given during the CB application process, as this procedure varies by product category. EPA appreciates commenter concerns

regarding the number of products subject to verification testing, and will account for the diversity of products in the ENERGY STAR program when providing guidance to CBs.

Collaboration with Other Programs

With the finalization of the CB requirements, EPA would like to take this opportunity to alert potential CBs to the potential for more broadly supporting the ENERGY STAR program.

In California, manufacturers of certain products are subject to the Appliance Efficiency Regulations in Title 20 of the California Code of Regulations, requiring the submittal of specific product information to the California Energy Commission (CEC). Product models in these categories that are not certified to the CEC, and not listed in the CEC's appliance efficiency database, are not eligible to be sold or offered for sale in California. Accordingly, rebates and other efforts to promote the sale of ENERGY STAR qualified product models in California are potentially undermined if those models are not compliant with Title 20 and not listed in the CEC's appliance database. EPA encourages prospective ENERGY STAR CBs to offer a Title 20 reporting service in conjunction with their ENERGY STAR certification programs to facilitate greater penetration of ENERGY STAR products in the California market, and reduce the reporting burden for ENERGY STAR partners. Links to California's Appliance Efficiency Regulations, and certification information for the CEC's Appliance Efficiency Program can be found at: <http://www.energy.ca.gov/appliances/>.

Globally, EPA has effectively franchised the ENERGY STAR program to a number of other countries and regions, including Canada and the European Union. While these partner countries and regions have the discretion to tailor testing and verification requirements for their markets, EPA anticipates that some, if not all, will choose to leverage certification programs operating in the U.S. EPA expects to work with CBs on a case-by-case basis to address coordination issues as they arise.

CB Application Process and Next Steps

An application for EPA recognition of CBs will be available on the ENERGY STAR website in the coming weeks. The application will ask potential CBs to provide considerable information on their certification programs, including but not limited to their procedures for data review, verification testing, procurement of units for verification testing, challenge testing, and establishing confidence in witnessed or supervised manufacturers' testing laboratories. EPA will carefully review all procedures and documentation and will subsequently schedule conference calls with applicant CBs to discuss product-specific issues and elements of their proposed certification programs. These conversations will be considered part of the application process. EPA encourages interested organizations to submit an application as soon as possible; the Agency recognizes the significance of having a broad range of organizations involved to implement these important improvements to the program. EPA will post the names of all recognized CBs on its website.

Applications for EPA recognition of ABs, and the list of currently recognized ABs, are available on the EPA website at www.energystar.gov/testingandverification. The application for laboratories is also available, and in the coming weeks, the Agency will begin accepting applications from labs that have an appropriate scope of accreditation granted by an EPA-recognized AB.

EPA is currently updating ENERGY STAR partner commitments and eligibility criteria to reflect the new testing and verification requirements, and plans to share drafts of these documents with stakeholders in early September. Proposed edits to the eligibility criteria will be narrow in scope and will not substantively modify the technical requirements for eligibility. EPA intends to finalize these updates in early October.

I encourage you to visit our site to track the Agency's progress in implementing the enhanced testing and verification program. Should you have any questions, please contact Eamon Monahan at monahan.eamon@epa.gov.

Thank you for your continued support of ENERGY STAR.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ann Bailey', is positioned above the typed name.

Ann Bailey, Chief
ENERGY STAR Labeling Branch
U.S. Environmental Protection Agency