

REF No.	Topic	Comment	EPA Response
1	Definitions	The proposed EPA definition for electromechanical is supported.	EPA has retained this definition in the Final Draft.
2	Energy Efficiency Ratio	The proposed EERs are missing the \geq symbol in all tables. EPA should ensure that the symbols appear in any subsequent drafts and in the final specification, assuming this was a typographical error.	The exclusion of the \geq symbol in Tables 1 through 3 was not a typographical error. Section 3A in the Draft 3 V3.0 specification indicates the EER shall be <i>greater or equal to the minimum EER</i> , calculated using Equation 1. The minimum EER is a function of the base EER (specified in Tables 1-3) and the connected allowance.
3	Energy Saver Mode	<p>There are no objections to the inclusion of energy saver mode and the exception for electromechanical RACs is supported. However, consumer expectations may not be met by a unit that defaults to energy saver mode each time the unit is turned on regardless of whether the consumer overrode the mode the last time he or she turned on the unit. If EPA maintains the default to energy saver mode each time the unit turns on, then a couple of exceptions should be considered.</p> <p>First, in the event of a power failure or other event where the unit performs an auto-recovery, most RACs restart in the same mode the unit was in when the unit turned off, e.g. at the power failure. Most consumers would expect that the mode selected when the unit is turned on will remain selected when the unit restarts in this situation, and so EPA should clarify that the requirement that the unit default to energy saver mode each time it is turned on does not apply to auto-recovery situations. Because events requiring auto-recovery are not frequent, such an exception would not significantly impact energy savings.</p> <p>Second, some units have switches located behind a removable panel that could allow a consumer to more permanently override default settings, such as the energy saver mode. If a consumer is willing to make the effort to remove the panel in order to turn off the energy saver mode for a longer period of time, that consumer should be able to do so. Accordingly, EPA should allow an exception for switches that are concealed by a removable panel or require significant effort for the consumer to engage.</p>	EPA agrees it would make sense for units to default to the last setting used prior to the power failure and has incorporated an exemption for power failure into the Draft Final specification indicating that energy saver mode default settings do not apply to auto-recovery situations. In consideration of the concerns raised by stakeholders about the required application of Energy Saver Mode and Filter Reminders in certain commercial applications such as hospitality, EPA has also incorporated an exception that allows through-the-wall (or "built-in") RACs most common in these applications to have an installer accessible setting that disables the Filter Reminder and Energy Saver Mode functionality.
4	Filter Reminder	EPA's proposal to exempt electromechanical models from needing an air filter reminder is supported. However, as with the energy saver mode, it is expected that some customers may want to permanently override the filter reminder. This is especially true for customers utilizing through the wall units in hotel applications. Accordingly, EPA should allow an exception for switches that are concealed by a removable panel or require significant effort for the customer to engage.	See response #3.
5	Effective Date	Recommends changing the effective date to October 1, 2013. If the current date of January 30, 2013 is retained there will be confusion in the market due to the presence of products that were certified to the old specification and the new specification. This will create confusion for consumers and rebate providers.	EPA has proposed a October 1, 2013 effective date in the Final Draft Version 3.0 specification.
6	Significant Digits and Rounding	The language proposed by EPA is an attempt to harmonize with DOE's regulatory requirements and it is agreed that the requirements should be harmonized. However, harmonization is not enough - EPA's requirements must be identical to DOE's requirements. It is illegal for manufacturers to make energy representations based on anything other than DOE's applicable test procedures and regulations. Accordingly, EPA need only state that qualification for ENERGY STAR must be based on the values reported to DOE in the manufacturer's certification report and appearing on the FTC EnergyGuide label. That approach will not only provide clarity and consistency for regulated parties, but also for consumers who will see the same EER on the EnergyGuide label and ENERGY STAR qualified product list. Stakeholder notes that if EPA believes that clarification on significant digits and rounding are required, it should address that concern with DOE, and DOE should issue guidance if it determines guidance is necessary after consulting with stakeholders. Stakeholder expresses concern with EPA clarifying DOE's regulations through an ENERGY STAR specification, since this may change the meaning of those regulations.	As a general practice, all ENERGY STAR product specifications specify significant digits and rounding requirements. EPA developed the requirements proposed in Draft 3 in coordination with DOE to be consistent with the DOE regulatory requirements.
7	Effective Date	EPA has proposed a specification effective date of January 30, 2013. Stakeholder would like to further discuss that effective date with EPA in light of several complex timing and regulatory factors.	EPA appreciates this comment has followed up with the stakeholder as requested to further discuss this issue; also see response # 5.