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Nick Gillespie
Government Relations

November 10, 2010

Via E-Mail

Amanda Stevens
U.S. Environmental Protection Agency
ENERGY STAR Appliance Program
appliances@energystar.gov

Re: Draft 1-Version 5.0 ENERGY STAR® Product Specifications for Residential Dishwashers

Dear Ms. Stevens,

We appreciate the opportunity, through the collaborative effort that has been shared between the EPA and stakeholders, to comment on the draft specification that was put forth by the EPA on October 4, 2010.

As a very active member of the Association of Home Appliance Manufacturers (AHAM), we have worked closely with them in the development of the comments they have submitted (under separate cover) regarding this matter. **Please be advised that we support and echo the positions taken by AHAM.**

Additionally, we would like to emphasize the following points on the EPA's proposal:

Significant Digits and Rounding

By definition, rounding a numerical value means replacing it by another value that is approximately equal but has a shorter, simpler, or more explicit representation. To that end, we agree that all calculations should be performed with actual measured or observed values and only the final result shall be rounded. This same reasoning should also be applied for use in determining compliance of specification limits. That is, materially there is no difference between an actual test value of 4.03 gallons and a reported (rounded) value of 4.0 gallons. Failure to allow use of the rounded value will only lead to confusion, complications and increased opportunity for error. Rounded values should be used for qualification.

Model Numbers

We agree that model numbers used for ENERGY STAR qualified products shall follow Federal Trade Commission (FTC) and DOE guidelines. Without a change in model numbers when energy efficiency changes, a consumer could elect to purchase a model on a showroom of a retailer,

but have no reasonable way of knowing if the model they received from that retailer's inventory matches the energy efficiency of the floor model they selected. While manufacturers do incur a cost to transition display models on retailers' floors, we believe this is a necessary step to assume consumers are treated fairly and manufacturers do not game the system.

Energy, Water and Cleaning Requirements

Whirlpool Corporation has recently completed a significant investment of more than 14 million dollars in the dishwasher category, which included a good faith effort so that select models in our key brands deliver consumers the benefits associated with the anticipated ENERGY STAR dishwasher specification that was expected to be effective July 1, 2011 (V4.0). Given this substantial investment, at least 24 months are needed to recoup our investment and make subsequent investments to develop the technology needed to allow for products to meet significantly greater ENERGY STAR criteria like the one the EPA has put forth.

Moreover, in order to preserve the ENERGY STAR Guiding Principle of "product performance being maintained or enhanced with increased efficiency", a performance testing requirement must coincide with any new energy and water levels that exceed those set forth in V4.0. Having unprecedented energy and water ENERGY STAR levels without a cleaning score will negate any net efficiency and monetary benefits the consumer was expecting. If a model uses extremely low levels of water and energy, but does not clean dishes to a consumer's satisfaction, they will respond by pre-rinsing dishes and running more water and energy intensive cycles. In turn, ENERGY STAR will fail to get their targeted environmental benefits. According to the ENERGY STAR website (https://www.energystar.gov/index.cfm?c=dishwash.pr_best_practices), pre-rinsing dishes alone can use up to 20 gallons of water before the dishes are even loaded into the dishwasher. At 215 cycles a year, that is an additional 4,000 gallons of water per household annually that is at risk. Also, without a performance test, some manufacturers will accelerate this consumer behavior by gaming and proliferating dishwashers that do not clean dishes in the name of meeting the new levels. That will trigger another review of the specification within months of Version 5.0's introduction.

Therefore, we are proposing that the V4.0 ENERGY STAR dishwasher specification be executed as planned and revisited in 2013 when the new minimum energy and water efficiency standards become effective. This will allow ample time for manufacturers to recoup the investments they made in anticipation of the V4.0 specification and for further development of a cleaning score component. As of today, Whirlpool feels that the AHAM DW-1 test is by far the most representative of American consumer behaviors in terms of relevant food soil types, soil amounts and cleaning practices. However, additional study and full-scale round robin test testing is required to validate repeatability and reproducibility along with determining an acceptable test score threshold. We commit to work with AHAM to accelerate this work so that it will be ready for a possible 2013 revision to the ENERGY STAR level.

Note Section

We respectfully disagree with 2 key parts of the analysis used by the EPA to arrive at the proposed energy and water efficiency levels for standard dishwashers. The first is on slide 40 of the EPA's presentation at the stakeholder meeting that took place on Tuesday, October 26, 2010. ENERGY STAR shows the cost change from V4.0 to V5.0 as $62. The savings increase for consumers noted by ENERGY STAR from V4.0 to V5.0 is $44.96 (i.e. $120.41-$75.45). With the incremental cost

being greater than the incremental lifetime savings, the consumer can never receive a payback from their investment in a V5.0 dishwasher.

Secondly, on page 3 of the V5.0 draft, EPA states that "from the lab reports, EPA has learned that the tested kWh/year and gallons/cycle values may be lower than the listed values". In order to maximize compliance, conservative certifications (i.e. rating a product less efficient than the test results) are a function of manufacturer's discretion. A manufacturer may chose to do so in order to allow for natural fluctuation in component tolerances and similar unit-to-unit variances. If there is a subsequent design change(s) that causes an increase in energy efficiency, or there is a decrease in the reported energy consumption value of a given model which causes the manufacturer to reflect that in the rating, then a new basic model number must be required to go along with newly reported efficiency. For example, if dishwasher model XYZ, which originally tested at 300 kWh and reported at 310 kWh, undergoes a design change that improved energy efficiency from 300kWh to 285 kWh, and the manufacturer chose to report this favorable efficiency revision, a new basic model number would be required to reflect the change. On the other hand, if that same model had a design change that increases the energy to 320 kWh, the basic model number XYZ would be required to change in order for it to coincide with a reported value of 320 kWh or greater. If a design change took it from 300 to 305 kWh, the manufacturer has the discretion to change the model number to demonstrate the change or keep the existing reported value of 310 kWh.

We appreciate your time and look forward to continued collaboration with the EPA going forward. Our ongoing commitment to the growth, success and integrity of the ENERGY STAR promise is a strong source of pride for Whirlpool Corporation as a leader in designing, producing and marketing ENERGY STAR qualified appliances.

Sincerely,

Nick Gillespie
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