Following are the terms of the ENERGY STAR Partnership Agreement as it pertains to the manufacture and labeling of ENERGY STAR qualified products. The ENERGY STAR Partner must adhere to the following partner commitments:

**Qualifying Products**

1. Comply with current ENERGY STAR Eligibility Criteria, which define performance requirements and test procedures for commercial water heaters. A list of eligible products and their corresponding Eligibility Criteria can be found at [www.energystar.gov/specifications](http://www.energystar.gov/specifications).

2. **Prior to associating the ENERGY STAR name or mark with any product**, obtain written certification of ENERGY STAR qualification from a Certification Body recognized by EPA for commercial water heaters. As part of this certification process, products must be tested in a laboratory recognized by EPA to perform commercial water heater testing. A list of EPA-recognized laboratories and Certification Bodies can be found at [www.energystar.gov/testingandverification](http://www.energystar.gov/testingandverification).

**Using the ENERGY STAR Name and Marks**

3. Comply with current ENERGY STAR Identity Guidelines, which define how the ENERGY STAR name and marks may be used. Partner is responsible for adhering to these guidelines and ensuring that its authorized representatives, such as advertising agencies, dealers, and distributors, are also in compliance. The ENERGY STAR Identity Guidelines are available at [www.energystar.gov/logouse](http://www.energystar.gov/logouse).

4. Use the ENERGY STAR name and marks only in association with qualified products. Partner may not refer to itself as an ENERGY STAR Partner unless at least one product is qualified and offered for sale in the U.S. and/or ENERGY STAR partner countries.

5. Provide clear and consistent labeling of ENERGY STAR qualified commercial water heaters.

   5.1. The ENERGY STAR mark must be clearly displayed on the top/front of the product (on product labels and/or as a permanent mark), in product literature (i.e., user manuals, spec sheets, etc.), and on the manufacturer’s Internet site where information about ENERGY STAR qualified models is displayed.

   5.2. It is also recommended that the mark appear on the product packaging.

**Verifying Ongoing Product Qualification**

6. Participate in third-party verification testing through a Certification Body recognized by EPA for commercial water heaters, providing full cooperation and timely responses. EPA/DOE may also, at its discretion, conduct tests on products that are referred to as ENERGY STAR qualified. These products may be obtained on the open market, or voluntarily supplied by Partner at the government’s request.

**Providing Information to EPA**

7. Provide unit shipment data or other market indicators to EPA annually to assist with creation of ENERGY STAR market penetration estimates, as follows:

7.1. Partner must submit the total number of ENERGY STAR qualified commercial water heaters shipped in the calendar year or an equivalent measurement as agreed to in advance by EPA and Partner. Partner shall exclude shipments to organizations that rebrand and resell the shipments (unaffiliated private labelers).

7.2. Partner must provide unit shipment data segmented by meaningful product characteristics (e.g., type, capacity, presence of additional functions) as prescribed by EPA.

7.3. Partner must submit unit shipment data for each calendar year to EPA or an EPA-authorized third party, preferably in electronic format, no later than March 1 of the following year.

Submitted unit shipment data will be used by EPA only for program evaluation purposes and will be closely controlled. If requested under the Freedom of Information Act (FOIA), EPA will argue that the data is exempt. Any information used will be masked by EPA so as to protect the confidentiality of the Partner.

8. Report to EPA any attempts by recognized laboratories or Certification Bodies (CBs) to influence testing or certification results or to engage in discriminatory practices.

9. Notify EPA of a change in the designated responsible party or contacts within 30 days using the My ENERGY STAR Account tool (MESA) available at www.energystar.gov/mesa.

Performance for Special Distinction

In order to receive additional recognition and/or support from EPA for its efforts within the Partnership, the ENERGY STAR Partner may consider the following voluntary measures, and should keep EPA informed on the progress of these efforts:

- Provide quarterly, written updates to EPA as to the efforts undertaken by Partner to increase availability of ENERGY STAR qualified products, and to promote awareness of ENERGY STAR and its message.
- Consider energy efficiency improvements in company facilities and pursue benchmarking buildings through the ENERGY STAR Buildings program.
- Purchase ENERGY STAR qualified products. Revise the company purchasing or procurement specifications to include ENERGY STAR. Provide procurement officials’ contact information to EPA for periodic updates and coordination. Circulate general ENERGY STAR qualified product information to employees for use when purchasing products for their homes.
- Feature the ENERGY STAR mark(s) on Partner website and other promotional materials. If information concerning ENERGY STAR is provided on the Partner website as specified by the ENERGY STAR Web Linking Policy (available in the Partner Resources section of the ENERGY STAR website), EPA may provide links where appropriate to the Partner website.
- Ensure the power management feature is enabled on all ENERGY STAR qualified displays and computers in use in company facilities, particularly upon installation and after service is performed.
- Provide general information about the ENERGY STAR program to employees whose jobs are relevant to the development, marketing, sales, and service of current ENERGY STAR qualified products.
- Provide a simple plan to EPA outlining specific measures Partner plans to undertake beyond the program requirements listed above. By doing so, EPA may be able to coordinate, and communicate Partner’s activities, provide an EPA representative, or include news about the event in the ENERGY
STAR newsletter, on the ENERGY STAR website, etc. The plan may be as simple as providing a list of planned activities or milestones of which Partner would like EPA to be aware. For example, activities may include: (1) increasing the availability of ENERGY STAR qualified products by converting the entire product line within two years to meet ENERGY STAR guidelines; (2) demonstrating the economic and environmental benefits of energy efficiency through special in-store displays twice a year; (3) providing information to users (via the website and user’s manual) about energy-saving features and operating characteristics of ENERGY STAR qualified products; and (4) building awareness of the ENERGY STAR Partnership and brand identity by collaborating with EPA on one print advertorial and one live press event.

- Join EPA's SmartWay Transport Partnership to improve the environmental performance of the company's shipping operations. The SmartWay Transport Partnership works with freight carriers, shippers, and other stakeholders in the goods movement industry to reduce fuel consumption, greenhouse gases, and air pollution. For more information on SmartWay, visit [www.epa.gov/smartway](http://www.epa.gov/smartway).

- Join EPA's Green Power Partnership. EPA's Green Power Partnership encourages organizations to buy green power as a way to reduce the environmental impacts associated with traditional fossil fuel-based electricity use. The partnership includes a diverse set of organizations including Fortune 500 companies, small and medium businesses, government institutions as well as a growing number of colleges and universities. For more information on Green Power, visit [www.epa.gov/greenpower](http://www.epa.gov/greenpower).
Following is the Version 1.0 product specification for ENERGY STAR qualified commercial water heaters. A product shall meet all of the identified criteria if it is to earn the ENERGY STAR.

1) **Definitions**: Below are the definitions of the relevant terms in this document.

   A. **Commercial Water Heater**: A product that utilizes gas or electricity to heat potable water for use outside the heater upon demand, at a thermostatically controlled temperature, including:

      a. A storage type unit\(^1\) which heats and stores water within the appliance at a thermostatically controlled temperature for delivery on demand and that is industrial equipment, including:

         i. Gas storage water heaters with an input rate greater than 75,000 British thermal units (Btu) per hour, and

         ii. Electric heat pump water heaters designed to transfer thermal energy from one temperature level to a higher temperature level for the purpose of heating water, including both air-source and water-source units, with an input rate greater than or equal to 1.6 kW.

      b. A gas instantaneous type unit\(^1\), with an input rating not less than 4,000 Btu/hr per gallon of stored water, and that is industrial equipment, including products meeting this description that are designed to heat water to temperatures of 180 °F or higher.

   B. **Energy Factor (EF)**\(^2\): The ratio of useful energy output from the water heater to the total amount of energy delivered to the water heater.

   C. **Thermal Efficiency (TE)**\(^1\): The ratio of the heat energy (Btu/hr) transferred to the water flowing through the water heater to the amount of energy (Btu/hr) consumed by the water heater.

   D. **Standby Loss (SL)**\(^1\): The average hourly energy, expressed in Btu per hour, required to maintain the stored water temperature.

   E. **Manufacturer Limited Warranty**: An assurance by the manufacturer to the consumer that the water heater, including purchased system equipment and components, is guaranteed to work for a defined period of time.

   F. **Basic Model**\(^1\): All units of a given type of covered product (or class thereof) manufactured by one manufacturer, having the same primary energy source, and which have essentially identical electrical, physical, and functional (or hydraulic) characteristics that affect energy consumption, energy efficiency, water consumption, or water efficiency.

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\(^1\) 10 CFR Part 431 Subpart G

\(^2\) Based on definition in 10 CFR 430, Subpart B, Appendix E
2) **Scope:**

A. **Included Products**: Only products that meet the definition of a commercial water heater, as specified herein, which are marketed for sale in the commercial market are eligible for ENERGY STAR qualification.

B. **Excluded Products**: The following products are not eligible for qualification under this specification:
   
   a. Products that are covered under other ENERGY STAR product specifications. The list of specifications currently in effect can be found at [www.energystar.gov/specifications](http://www.energystar.gov/specifications).
   
   b. Oil fired water heaters.
   
   c. Combined heating, cooling and hot water systems.
   
   d. Storage water heaters with greater than 140 gallons of capacity.

3) **Qualification Criteria:**

A. **Product Performance Requirements for Gas Water Heaters**:

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Type</th>
<th>ENERGY STAR Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Thermal Efficiency or Energy Factor</td>
<td>Storage; Instantaneous</td>
<td>TE ≥ 0.94 or EF ≥ 0.93</td>
</tr>
<tr>
<td>Maximum Standby Loss(^3)</td>
<td>Storage</td>
<td>≤ 0.84 * [(Input Rate / 800) +110(Volume)(^{1/2})] (Btu/hr)</td>
</tr>
<tr>
<td></td>
<td>Instantaneous</td>
<td>N/A</td>
</tr>
<tr>
<td>Minimum Manufacturer Limited Warranty</td>
<td>Storage; Instantaneous</td>
<td>3 years on tank and/or heat exchanger and 1 year on parts</td>
</tr>
</tbody>
</table>

B. **Product Performance Requirements for Electric Heat Pump Water Heaters**:

<table>
<thead>
<tr>
<th>Criteria</th>
<th>ENERGY STAR Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Efficiency Metric TBD</td>
<td>TBD</td>
</tr>
<tr>
<td>Minimum Manufacturer Limited Warranty</td>
<td>TBD</td>
</tr>
</tbody>
</table>

\(^3\) Volume is the rated volume in gallons. Input Rate is the nameplate input rate in Btu/hr.
C. **Product Safety Requirements:**

**Table 3: Safety Requirements for Qualified Water Heaters**

<table>
<thead>
<tr>
<th>Product</th>
<th>ENERGY STAR Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gas Water Heaters</td>
<td>ANSI Z21.10.3/CSA 4.3</td>
</tr>
<tr>
<td>Electric Heat Pump Water Heaters</td>
<td>TBD</td>
</tr>
</tbody>
</table>

D. **Significant Digits and Rounding:**

a. All calculations shall be carried out with directly measured (unrounded) values.

b. Unless otherwise specified below, compliance with specification limits shall be evaluated using directly measured or calculated values without any benefit from rounding.

c. Directly measured or calculated values that are submitted for reporting on the ENERGY STAR website shall be rounded to the nearest significant digit as expressed in the corresponding specification limit. SL shall be rounded to the nearest whole number.

4) **Test Requirements:**

A. One of the following sampling plans shall be used for purposes of testing for ENERGY STAR qualification:

a. A single unit is selected, obtained, and tested. The measured performance of this unit and of each subsequent unit manufactured must be equal to or better than the ENERGY STAR specification requirements. Results of the tested unit may be used to qualify additional individual model variations within a basic model as long as the definition for basic model provided in Section 1, above, is met; or

b. Units are selected for testing and results calculated according to the sampling requirements defined in 10 CFR Part 429, Subpart B § 429.44. The certified rating must be equal to or better than the ENERGY STAR specification requirements. Results of the tested unit may be used to qualify additional model variations within a basic model as long as the definition for basic model provided in Section 1, above, is met. Further, all individual models within a basic model must have the same certified rating based on the applicable sampling criteria per DOE’s regulations in Part 429 and this rating must be used for all manufacturer literature, the qualified product list, and certification of compliance to DOE standards.
B. When testing commercial water heaters, the following test methods shall be used to determine ENERGY STAR qualification:

Table 4: Test Methods for ENERGY STAR Qualification

<table>
<thead>
<tr>
<th>ENERGY STAR Requirement</th>
<th>Test Method Reference</th>
<th>Applicable Products</th>
</tr>
</thead>
<tbody>
<tr>
<td>Thermal Energy</td>
<td>10 CFR Part 431.106</td>
<td>Gas Storage and Instantaneous Water Heaters ≥ 200,000 Btu/hr; and some Gas Instantaneous &lt; 200,000 Btu/hr input rate</td>
</tr>
<tr>
<td>Standby Loss</td>
<td>10 CFR Part 430, subpart B, Appendix E</td>
<td>Some Gas Instantaneous &lt; 200,000 Btu/hr input rate</td>
</tr>
<tr>
<td>Energy Factor</td>
<td>TBD</td>
<td>Heat Pump Water Heaters</td>
</tr>
</tbody>
</table>

5) Effective Date:

The ENERGY STAR Commercial Water Heater specification shall take effect on March 20, 2013. To qualify for ENERGY STAR, a product model shall meet the ENERGY STAR specification in effect on the model’s date of manufacture. The date of manufacture is specific to each unit and is the date on which a unit is considered to be completely assembled.

6) Future Criteria Revisions:

EPA reserves the right to change the specification should technological and/or market changes affect its usefulness to consumers, industry, or the environment. In keeping with current policy, revisions to the specification are arrived at through stakeholder discussions. In the event of a specification revision, please note that the ENERGY STAR qualification is not automatically granted for the life of a product model.