

Key	Topic	Comment	EPA Response
1	Criteria Levels	<p>The energy and water consumption requirement levels previously set for July 2011 should be retained. By delaying the start of a new ENERGY STAR specification by six months, significant energy savings will be lost.</p> <p>EPA's proposal to drop the July 1, 2011 specification and increase the eligibility criteria will make the transition to the 2013 Federal energy efficiency standard much more difficult.</p> <p>In addition, by changing the specification at this late date, ENERGY STAR is risking market disruption and the potential for stranded investments. Manufacturers took the previous Tier 2 proposal seriously and changing things now risks the investments that manufacturers made as well as undermining the rapid progress that Tier 2 standards are designed to foster.</p>	<p>EPA remains concerned that the ENERGY STAR label will not be a meaningful differentiator to consumers if high market share persists and will therefore keep the levels proposed in the Final Draft, Version 5.0.</p> <p>EPA commends manufacturers' investments to increase the energy and water efficiency of their product lines. However, as noted in the Draft 1 and Draft 2 specification, EPA believes that more stringent energy and water requirements are necessary to reduce the market share of qualified dishwashers and maintain the relevance of the ENERGY STAR brand.</p>
2	Criteria Levels	<p>EPA's proposal to have a new level effective January 3, 2012 would not provide enough time for manufacturers to bring new products to market. The number of products currently meeting the proposed level is less than ENERGY STAR's goal of achieving approximately 25% of the market.</p>	<p>EPA analysis indicates that 21 percent of models on the market, from nine different manufacturers, meet the ENERGY STAR criteria proposed in the Final Draft specification. EPA believes that manufacturers will have developed further models that qualify for the new criteria by the time the specification takes effect.</p>
3	Tier 2 Effective Date	<p>It is appreciated that EPA pushed the proposed Version 5.0, Tier 2 effective date back from the originally proposed January 1, 2013. However, a July 1, 2013 effective date will not provide DOE enough time to review a revised AHAM DW-1 and determine the appropriate eligibility criteria and performance levels. If the AHAM DW-1 revisions were to be completed on January 1, 2013, only six months would be left before the Tier 2 criteria level and performance requirement would become effective, which is shorter than the minimum nine month lead time required by law.</p> <p>To better set a pass/fail level of performance, EPA will need to collect data on the results produced by the revised test procedure. Accordingly, EPA is urged to push the effective date for Version 5.0 Tier 2 to account for, at the very least, the nine month lead time, which is required by law. It is also noted that the Tier 2 effective date should not be used as a means to force the completion of AHAM DW-1 revisions. Revisions will be completed in 2013, but a January 1, 2013 completion date cannot be guaranteed.</p>	<p>In the Final Specification, EPA has moved back the Tier 2 effective date to January 1, 2014. EPA anticipates that a criteria change will be warranted at this time, and in providing more time than was proposed in the Final Draft, EPA is seeking to balance what it anticipates will be a fairly quick market response to the 2012 level with the time needed to develop a viable cleaning performance test.</p>
4	Cleaning Performance	<p>Consistent with the April 2011 EPA-DOE Work Plan, DOE is the proper agency to decide whether and how to incorporate performance into the test procedure for residential dishwashers. EPA should rely on DOE's expertise and avoid the redundant development of expertise in the Federal government.</p> <p>EPA, or preferably DOE, should review the revised test procedure upon its completion to determine if it is indeed appropriate for inclusion in the ENERGY STAR specification.</p>	<p>DOE will lead the effort to develop a test procedure for dishwasher cleanliness that will not impact the DOE-measured energy ratings and intends to work with industry, where possible, on the development.</p> <p>EPA intends to use this cleaning test procedure as the basis for the inclusion of a minimum cleaning performance requirement in the next ENERGY STAR residential dishwasher specification.</p>
5	Definitions	<p>EPA is encouraged to verify that the definition for "basic model" as stated in 76 Fed. Reg. 12422, 12429 will actually be included in the regulatory text. It may be best to cite the specific section in the regulatory text and to clarify with DOE whether there are any product specific changes relative to dishwashers.</p>	<p>EPA has harmonized its Basic Model definition with the latest DOE definition of Basic Model. EPA notes that DOE clarified its interpretation of the Basic Model definition with its March 7, 2011 Final Rule. For additional explanation on DOE's Basic Model definition and approach, please refer to the DOE Final Rule: <a href="http://www1.eere.energy.gov/buildings/appliance_standards/pdfs/cce_finalrule_notice.pdf">http://www1.eere.energy.gov/buildings/appliance_standards/pdfs/cce_finalrule_notice.pdf</a></p>
6	Smart Requirements	<p>Smart capabilities can be recognized in ENERGY STAR requirements now. ENERGY STAR is perfectly positioned to jump start the development of the smart grid. EPA has been petitioned on how to incorporate smart benefits into the ENERGY STAR program. If EPA determines that it is not feasible to consider smart appliances in the current specification, it is urged that EPA consider it as soon as possible.</p>	<p>EPA will continue its ongoing work with stakeholders to consider how to best address and encourage smart grid functionality as part of the ENERGY STAR residential dishwasher specification. EPA encourages partners and other interested stakeholders to share information in support of this, including key features and functionality of interest, the consumer benefit that could be associated with such functionality, how savings should be measured and verified, and any price differential for a product with such functionality.</p>