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May 9, 2011

Ashley Armstrong
US Department of Energy

Reference: DOE Verification Testing in Support of ENERGY STAR

Subject: Comments from Hobart, Div. ITW Food Equipment Group

Dear Ms. Armstrong,

Hobart/ITW Food Equipment Group has been working diligently with the US EPA through NAFEM to ensure that the ENERGY STAR enhancements are fair to Food Service Equipment manufacturers. One of the mainstays has always been that Commercial Food Service equipment should not be required to be verification tested by a third party laboratory. We firmly believe that the proven method of periodic inspections by third-party certification bodies is more than adequate for verifying compliance with energy consumption standards. To that end, we encourage the DOE to henceforth schedule joint, open meetings with EPA to resolve any and all inconsistencies in the verification process.

The following are comments on the April 22, 2011 document “DOE Verification Testing in Support of ENERGY STAR”.

1) Section 2 – Products Eligible for ENERGY STAR Verification Testing

The statement that the DOE will target certain products that are also covered by DOE’s regulatory program, such as, “but not limited to:...” seems to imply that *any* model on the ENERGY STAR web site can be selected for verification testing. This could lead to duplication of efforts and excessive costs. The web page announcing this document states, “DOE and EPA are working collaboratively to minimize duplicate testing except where useful to inform the effectiveness of the programs.” However, the announcement itself is not clear on what steps are being taken to ensure duplicate testing is minimized.

2) Section 3.1 – DOE Roles and Responsibilities

The results of the pilot verification test program from DOE are not published here. This information could provide valuable insight into the progress of the program moving forward. Although the web page states that both programs (ENERGY STAR and DOE) are sensitive to the testing burden associated with verification testing and have developed testing policies accordingly, the announcement does not seem to provide enough details to ensure that objective is met.

3) Section 3.1 – DOE Selection of Third-Party Laboratories

There are three factors that could contribute to a false failure indication when performing DOE verification testing; A) using third-party laboratories that may or may not be familiar with a manufacturer's product, B) zero tolerance on the test results for single sample size, and C) prohibiting manufacturers from assisting in the set-up, performance and review of test results. These myopic policies portray mistrust and lack of collaboration.

4) Section 5.1 – Basic Model Identification

The method for determining a basic model could create confusion and more testing than preferred by manufacturers. It is imperative that clear guidelines be established for delineation between water consumption and energy consumption. Also, some manufacturers have expressed a desire to reduce the number of base models by voluntarily grouping models that have lower energy consumption values with models that are slightly higher. If manufacturers are not allowed that option, the testing data set will be much larger than desired.

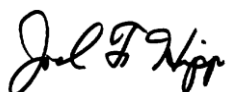
5) Section 6.3 – Manufacturer Notification

It is not clear to this writer why the DOE has an innate distrust of manufacturers. Preventing manufacturers from being present during product set-up and verification testing can only lead to delays and extra work in many situations, especially with commercial food service equipment. Preventing manufacturers from examining the units during the investigation eliminates a potential problem solving method that could save many hours of re-testing. Typical ISO 9000 audit programs are based on partnerships and communication.

6) Section 7.2 – Referrals to FTC

The document states that the “DOE will notify the Federal Trade Commission (FTC) if unlabeled units are found in retail.” There are some commercial products with the same model number but with or without an ENERGY STAR label due to various options. For example, electrically heated commercial dishwashers are eligible, but steam or gas heat is not. We do create new model numbers for ENERGY STAR criteria. Third party safety and sanitation programs allow us to delineate certified models by the respective certification mark on the product. We feel this is acceptable for energy consumption as well.

We fully support, and intend to participate in, the NAFEM proposed meeting with DOE, EPA and industry stakeholders to develop verification program policies that are credible and practical for all. Please feel free to contact me if you have any questions.



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