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California Energy Commission (CEC)

Re: March 13, 2012 45-day Language Hearing for Residential Buildings - 2013 Building Energy Efficiency Standards (AHRI Comments on Joint Appendix JA9 and §110.2(f) *Low Leakage Air-Handling Units*; Docket # 12-BSTD-1)

Dear CEC Staff:

The Air-Conditioning, Heating and Refrigeration Institute (AHRI) is the trade association representing manufacturers of heating, cooling, water heating, and commercial refrigeration equipment. Over 300 members strong, AHRI is an internationally recognized advocate for the industry, and develops standards for and certifies the performance of many of the products manufactured by our members. In North America, the annual output of the HVACR industry is worth more than \$20 billion. In the United States alone, our members employ approximately 130,000 people, and support some 800,000 dealers, contractors, and technicians.

We have some concerns on the code language that was proposed at the hearing on March 13, 2012, specifically, the proposed language in Joint Appendix JA9 and §110.2(f) *Low Leakage Air-Handling Units*:

1. We believe that the timing of the proposed changes in §110.2(f) is inappropriate for this rulemaking cycle due to the fact that these changes are recent and were not raised at the last CEC residential staff workshop on October 14, 2011. Additionally, stakeholders were not given sufficient opportunity to comment on the proposed changes during the pre-rulemaking process. The initial statement of reasons does not reference any technical report supporting the air leakage criterion of 1.4% that is specified in the Joint Appendix JA9. Since the proposed changes were made towards the end rulemaking cycle, we feel that CEC should consider our suggested modifications to the proposed language because the language significantly impacts our industry.
2. §110.2(f) should be revised to clarify that manufacturers are required to meet the criteria within this section in order to qualify for the low leakage air-handling unit performance compliance credit. There is no mention of the performance compliance credit in JA9, §110.2(f) and §150.1(b). As currently written, §110.2(f) could be misinterpreted as being a mandatory requirement. Our proposed revision to §110.2(f) is as follows:

(f) Low Leakage Air-Handling Units. To qualify for the low-leakage air-handling unit performance compliance credit and to qualify as a low leakage air-handling unit for use for determining compliance with the performance standards set forth in Section 150.1(b), the manufacturer shall certify to the Energy Commission that the air-handling unit meets the specifications in Reference Joint Appendix JA9.

3. Joint Appendix JA9 specifies a leakage criterion of less than or equal to 1.4%. We believe that this leakage requirement is too stringent. [Version 4.0](#) of the U.S. Environmental Protection Agency's (EPA) ENERGY STAR furnace specification specifies a leakage requirement of less than or equal to 2% for non-weatherized furnaces. About 25% of the product offerings typically qualify for the ENERGY STAR program. The 1.4% requirement is much too stringent compared to the requirement in Version 4.0 and would significantly limit the product options for residential homes in California. We recommend that CEC revise the leakage requirement to 2% for non-weatherized furnaces since this harmonization with the ENERGY STAR leakage requirement will help prevent an unnecessary burden on the industry due to varying leakage requirements. Manufacturers within the ENERGY STAR program will be required to comply with the 2% leakage requirement from February 1, 2013 onwards, which is 11 months prior to the effective date of the *2013 Building Energy Efficiency Standards* (California Code of Regulations, Title 24, Parts 1 and 6); should CEC decide to revise its leakage requirement to 2%, CEC would benefit from the fact that the ENERGY STAR program has an earlier effective date than Title 24 and requires manufacturers to meet and verify the leakage requirement.

We appreciate this opportunity to provide comments on low leakage air-handling units and JA9. If you have any questions or wish to discuss this further, please do not hesitate to call me at (703) 600-0383.

Sincerely,



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