

## DOCKETED

<b>Docket Number:</b>	18-AAER-02
<b>Project Title:</b>	Appliance Efficiency Standards Rulemaking for Portable Electric Spas and Battery Charger Systems
<b>TN #:</b>	222818
<b>Document Title:</b>	APSP Comments on Portable Electric Spas
<b>Description:</b>	By the Association of Pool and Spa Professionals (APSP), Comments to be presented at the March 6, 2018 Lead Commissioner Meeting on Appliance Efficiency Regulations for Portable Electric Spas and Battery Charger Systems
<b>Filer:</b>	Jessica Lopez
<b>Organization:</b>	The Association of Pool & Spa Professionals
<b>Submitter Role:</b>	Public
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February 28, 2018

California Energy Commission  
Docket No. 15-AAER-02  
1516 9th Street, MS-4  
Sacramento, CA 95814

**RE: Appliance Efficiency Standards Rulemaking for Portable Electric Spas and Battery Charger Systems**

To Whom It May Concern:

The Association of Pool and Spa Professionals (APSP), the International Hot Tub Association (IHTA) of the APSP, and the APSP/ICC-14 American National Standard for Portable Electric Spa Energy Efficiency Committee would like to thank the California Energy Commission and its staff members for the opportunity to review and comment on the proposed regulatory language for ***Appliance Efficiency Standards Rulemaking for Portable Electric Spas and Battery Charger Systems*** published on January 29, 2018.

**1. ABOUT THE SUBMITTING ORGANIZATION**

The APSP represents 3,085 company members, including 202 member companies in California. APSP is the world's oldest and largest association representing swimming pool, hot tub, and spa manufacturers, distributors, manufacturers' agents, designers, builders, installers, suppliers, retailers, and service professionals. Dedicated to the growth and development of its members' businesses and to promoting the enjoyment and safety of pools and spas, APSP offers a range of services, from professional development to advancing key legislation and regulation at the federal and local levels, to consumer outreach and public safety.

APSP is the only industry organization recognized by the American National Standards Institute (ANSI) to develop and promote national standards for pools, hot tubs, and spas. Since 1983, APSP has been accredited by ANSI as the Standards Development Organization for the nation's pool and spa standards. These national consensus standards establish voluntary minimum guidelines that, when adopted by governments and agencies, have the force of law. These standards are used in the design, operation, and maintenance of swimming pools.

The APSP is also the co-developer, along with the International Code Council (ICC), of the International Swimming Pool and Spa Code (ISPSA) which has been adopted in all or parts of over 20 states, including many local jurisdictions in California. APSP is also represented on and participates in various other standards-making organizations promulgating standards including the ICC, International Association of Plumbing and Mechanical Officials (IAPMO), American Society of Testing and Materials (ASTM1551), and the National Electrical Code®. In addition, the APSP provides educational programs and monitors the accredited continuing education requirements for various licensing programs for aquatics professionals.

## 2. COMMENTS ON PROPOSED LANGUAGE

The ANSI/APSP/ICC-14 Standard for Portable Electric Spa Energy Efficiency is referenced in the ISPSC. States that have either adopted the ISPSC or have legislation requiring compliance with this standard, must meet the efficiency requirements within (the APSP-14 is part of model energy efficiency appliance legislation that is currently being considered in Washington, Rhode Island, Massachusetts and Vermont). We support the inclusion of this standard in the CEC proposed regulation but have concerns with aspects of the current proposal that are not consistent with the APSP-14. We also recognize there are aspects of the proposal that should be included in future revisions to APSP-14. Are specific comments for discussion at the March 6, 2018 workshop are as follows:

### A. Section 1602(g) – Definitions

Comment 1: Definitions inconsistent with APSP-14

*Recommendation:* Because 1602 will be referencing APSP-14 almost as a whole, it is recommended to use the same definitions for spas and exercise spas to minimize confusion.

Comment 2: Combination spa - No formal definition in APSP-14.

*Recommendation:* Create definition in line with APSP-14 language. Add new definition to APSP-14

“Combination Spa: Variant of a spa and swim spa consisting of the combination of two separate basins with independent water temperature controls. One side is dedicated for exercising at a lower water temperature and the other for elevated temperature soaking/hydrotherapy massage.”

Comment 3: Exercise spa – only abbreviated.

*Recommendation:* Should reference formal APSP-14 definition as a whole

exercise spa (Also known as a swim spa): Variant of a *spa* in which the design and construction includes specific features and equipment to produce a water flow intended to allow recreational physical activity including, but not limited to, swimming in place. Exercise spas may include peripheral jetted seats intended for water therapy, heater, circulation and filtration system, or may be a separate distinct portion of a *combination spa/exercise spa* and may have separate controls. These aquatic vessels are of a design and size such that it has an unobstructed volume of water large enough to allow the 99<sup>th</sup> Percentile Man as specified in ANSI/APSP-16 2011 to swim or exercise in place.

Comment 4: “Exercise Spa Portion” not well defined. Definition not needed.

*Recommendation:* Remove “Exercise Spa Portion” because it is a duplication of “exercise spa” and the intent can be better covered in the definition of Combination Spa.

Comment 5: APSP-14 does not have a definition for an Inflatable spa

*Recommendation:* Add Inflatable spa definition to APSP-14

Comment 6: Definition of portable electric spa. Why is “or sold separately for subsequent attachment” added to the definition. This is confusing and suggests that a factory built spa can be sold in interchangeable pieces that can compromise the safety and energy efficiency of the spa. The unit should be sold as a package and tested as a package.

*Recommendation:* Remove “or sold separately for subsequent attachment” from the definition.

Comment 7: Standard spa – Not well defined – and not needed definition.

*Recommendation:* Remove “Standard Spa” definition and reference in Combination spa definition. The definition of “Spa” covers standard spa and the definition of all of the other sub classes of spa eliminate the need to define spa twice. Where Standard Spa is used in the combination spa definition it is understood that it is referring to the hydromassage portion of the spa which can be maintained at 104F. Update the definition to indicate “the second reservoir is a spa for hydromassage”.

Comment 8: Standard spa portion – definition not required.

*Recommendation:* remove the “Standard Spa Portion” definition as it does not need to be defined. Referring to it in the language as “Spa Portion” in reference to the combo spa is clear.

Comment 9: The new language is capping a spa size to 1145 gallons based on the new formula and the energy label design. This is potentially limiting the size of spa that can be sold in California.

Comment 10: Standby mode definition is summarized.

*Recommendation:* Use full definition in APSP-14

## **B. Section 1604 - Test methods**

Comment 11: Section 10 – Question: We understand logging the test spa SN on the test report. But why submit to CEC?

Comment 12: G.2.B – Reference to 8.2 I is incorrect

*Recommendation:* refer to section 6.3.

Comment 13: G.2.b.4 – add to APSP-14 with rewording to ensure proper testing.

## **C. Section 1607(d)(14) - Marking of appliances**

Comment 14: Listing multiple covers and the worst data on the label does not give the customer the information needed to purchase the most energy efficient option.

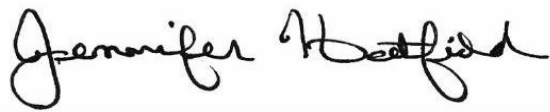
*Recommendation:* Allow the energy label to list all tested covers and energy use for each or allow the manufacturer to use a separate label for each approved cover and test data to prompt the customer to ask for the most efficient option.

Comment 15: Question: When reporting spas, can we report a single spa multiple times with every cover combo? Are we supposed to register every combination on the database?

Comment 16: Label language question: What is the rationale to add user capacity to the label? This is part of the POS literature and a selling feature separately. Number of seats does not impact the efficiency of the spa, but because it would be on the label, would imply to the user that number of seats has some impact on energy. It is not relevant to have consumers trying to compare number of seats to energy use amongst competitors.

On behalf of the California pool, spa and hot tub professionals represented by APSP, as well as our portable spa manufacturers located across North America, we respectfully request that you consider the attached detailed comments, recommendations and questions on the proposed rule. We thank the CEC for its time and consideration and look forward to presenting these comments at the March 6 workshop.

Respectfully submitted,

A handwritten signature in black ink that reads "Jennifer Hatfield". The signature is written in a cursive style with a large initial "J" and a distinct "H".

Jennifer Hatfield  
Director, Government Affairs  
(941) 345-3263  
[jhatfield@apsp.org](mailto:jhatfield@apsp.org)