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AHAM Comments Regarding Amendments to Title 20 Appliance Efficiency Regulations Rulemaking

Additional submitted attachment is included below.



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Via E-mail

Commissioner Andrew McAllister
California Energy Commission
Docket No. 18-AAER-10
Docket Unit
1516 Ninth Street, Mail Station 4
Sacramento, CA 95814-5504

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Re: Docket No. 18-AAER-10 – *Proposed Regulatory Language (Express Terms – 45 Day Language)*

Dear Commissioner McAllister:

The Association of Home Appliance Manufacturers (AHAM) would like to comment on the *Proposed Regulatory Language for the Amendments to Title 20 Appliance Efficiency Regulations* (Docket 18-AAER-10). AHAM represents manufacturers of major, portable, and floor care home appliances, and suppliers to the industry. AHAM's membership includes over 150 companies throughout the world. In the U.S., AHAM members employ tens of thousands of people and produce more than 95% of the household appliances shipped for sale. The factory shipment value of these products is more than \$30 billion annually. The home appliance industry, through its products and innovation, is essential to U.S. consumer lifestyle, health, safety and convenience. Through its technology, employees and productivity, the industry contributes significantly to U.S. jobs and economic security. Home appliances also are a success story in terms of energy efficiency and environmental protection. New appliances often represent the most effective choice a consumer can make to reduce home energy use and costs.

AHAM commends the CEC for making the effort to harmonize energy efficiency standards with the Department of Energy (DOE) to the greatest extent possible. As an overarching recommendation, AHAM continues to urge the CEC to extend its references of the federal regulations to definitions in Section 1601 to ensure continuity and clarity. AHAM appreciates and agrees with CEC's updated testing methods for home appliances citing federal regulations, i.e., Appendices to 10 C.F.R. subpart B of part 430. Each of these appendices also include definitions applicable to the tested product and are the exact same definitions. Instead of updating definitions one by one under Section 1601, referencing federal regulations would automatically update them when the DOE changes definitions.

Below are AHAM recommendations and specific comments to sections of the proposed language:

- A. Section 1602. Definitions; (b) Refrigerators, Refrigerator-Freezers, and Freezers; Definitions of separate auxiliary compartment is missing for both Refrigerators and Freezers
The definition for separate auxiliary compartment is missing in CEC definitions section from both Appendix A and B of the DOE test procedures. AHAM recommends adding these definitions:

For refrigerators: “Separate auxiliary compartment means a separate freezer, fresh food, or cooler compartment that is not the primary freezer, primary fresh food, or primary cooler compartment. Separate auxiliary compartments may also be convertible (e.g., from fresh food to freezer). Separate auxiliary compartments may not be larger than the primary compartment of their type, but such size restrictions do not apply to separate auxiliary convertible compartments.”

For freezers: “Separate auxiliary compartment means a freezer compartment other than the primary freezer compartment of a freezer having more than one compartment. Access to a separate auxiliary compartment is through a separate exterior door or doors rather than through the door or doors of another compartment. Separate auxiliary freezer compartments may not be larger than the primary freezer compartment.”

B. Section 1603. Testing: All Appliances; (b) Approved Industry Certification Programs

AHAM supports the inclusion of Appliance Manufacturer Trade Associations or other entities that meet the criteria (listed in the section) as certified bodies for testing. This provides manufacturers the flexibility to test and certify products on a larger scale instead of specifically for the state of California. This contributes to higher efficiency and lower costs for manufacturers, which can translate to lower costs to consumers.

C. Section 1604. Test Methods for Specific Appliances; (d) Portable Air Conditioners, Evaporative Coolers, Ceiling Fans, Ceiling Fan Light Kits, Whole House Fans, Residential Exhaust Fans, Dehumidifiers, and Residential Furnace Fans

AHAM appreciates CEC’s effort to differentiate between Spot Air Conditioners and Portable Air Conditioners (PAC). However, the proposed changes to the title of this section (Section 1604(d)) and the accompanying table (Table d-3) only replace “spot” with “portable” while leaving Spot Air Conditioners in the table with a distinct test procedure. We recommend two changes to this test procedure section. First, “Spot” should remain in the titles of the sections and related table. Second, although we appreciate CEC acknowledging the DOE test procedure for PACs, inclusion of this federal test procedure in the regulations is premature, and only creates confusion for manufacturers and retailers. Currently, there is no compliance date set for the federal PAC energy efficiency standard and there are no reporting requirements to CEC so listing an unnecessary test procedure will cause confusion over whether something is required for this product.

D. Section 1606. Filing by Manufacturers; Listing of Appliances in MAEDbS; R – Consumer Product Cooking Products

There appears to be a discrepancy for consumer product cooking products regarding the test methods and reporting requirements. Under Section 1604 (r), the testing method for cooking products that are consumer products cites the current DOE test procedure, Appendix I. This test procedure does not measure energy consumption for conventional ovens. However, Section 1606 (R) requires manufacturers to report (1) annual self-cleaning consumption (for conventional ovens) and (2) total annual energy consumption (for conventional ovens only). Manufacturers do not test for this variable via Appendix I nor is it readily available. Manufacturers will have to go beyond the scope of requirement to obtain this information.

As such, AHAM requests the removal of requirements of (1) annual self-cleaning consumption (for conventional ovens) and (2) total annual energy consumption (for conventional ovens only) from Section 1606 (R).

- E. Section 1606. Filing by Manufacturers; Listing Appliances in MAEDbS (c) Modernized Appliance Efficiency Database of Appliance Models, (e) Modified and Discontinued Appliances
AHAM acknowledges the CEC's process for maintaining MAEDbS and product compliance as new efficiency standards transition as per subsection (c)(3)(A). (pg. 289-290). AHAM supports the inclusion of clause (1)(A) under subsection (e) which states "If no data currently certified for a specific appliance has changed, no notification of modification is necessary, nor will it be accepted by MAEDbS." Reporting the same product model multiple times annually despite absolutely no changes is burdensome and can generate significant costs.
- F. Section 1607. Marking of Appliances (10) Battery Charger Systems (pg. 301)
Federal regulations for battery charger systems come into force on June 13, 2018, which will not require a special certification mark as California state regulations did. Furthermore, on April 12, 2018 at the monthly business meeting, CEC Commissioners unanimously agreed to remove the requirement in the wake of the federal regulations taking effect. The Commissioners also indicated the change (in regulations) should take effect earlier than the typical one year from adoption. In agreement with CEC Commissioners, AHAM supports the removal of the "BC" mark requirement. As such, AHAM recommends the removal of the language under Section 1607, subsection (10) for battery chargers accordingly, and that the product be listed under Section 1607(d) with the other federally regulated consumer products.
- G. Section 1605.3 State Standards for Non-Federally-Regulated Appliances
The current standards for lamps need an exclusion for high temperature applications. LEDs are very sensitive to heat and do not function well in temperatures above ambient temperatures. LED operating temperatures are provided by the manufacturers of the lamps. For example, one manufacturer states that each 20°C increase in temperature will typically drop the life span by 10,000 hours. Also, the AC to DC driver for the LED is heat sensitive and each 10°C increase in temperature will typically reduce the lifetime of the driver in half. Regarding products that operate in high temperature environments, like range hoods, the UL 507 standard used to evaluate hoods allows a maximum temperature of 85°C in the lab test, which is well above ambient. Further, LEDs may not function well in vent hoods when the light is adjusted to its lowest setting.

Lamps in some appliances can reach temperatures that make it cost effectively impractical to use typical LED lamps. Even if there are specialty LED lamps that are part of an appliance at time of sale, these would likely not be widely available in retail for customers who need to replace a light bulb. Also, in a range hood the LED may be enclosed retaining heat and further accentuating the problems with heat. A more general exclusion for high temperature application is needed for the General Services Lamps standard, the Small Diameter Directional Lamps standard, and the LED Lamps standard.

AHAM appreciates the opportunity to comment on the proposed language amendments to the Appliance Efficiency regulations and is glad to discuss these matters further with the Commission.

Sincerely,



Kevin Messner
Senior Vice President, Policy & Government Relations