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**Bradford White Corporation Comments - Pre-Rulemaking Express
Terms for 2022 Update to Energy Code**

Additional submitted attachment is included below.



March 9, 2021

Payam Bozorgchami
California Energy Commission
1516 9th Street
Sacramento, CA 95814

RE: Docket No. 19-BSTD-03, Pre-Rulemaking Express Terms for 2022 Update to Energy Code

Dear Mr. Bozorgchami:

On behalf of Bradford White Corporation (BWC), thank you for providing an opportunity to comment on docket 19-BSTD-03, Pre-Rulemaking Express Terms for 2022 Update to Energy Code.

BWC is an American-owned, full-line manufacturer of residential, commercial, and industrial products for water heating, space heating, combination heating, and water storage. In California, a significant number of individuals, families, and job providers rely on our products for their hot water and space heating needs.

We applaud the California Energy Commission's (CEC) efforts regarding energy efficiency and Greenhouse gas (GHG) emission reductions, while at the same time preserving options for mixed-fuel solutions for the 2022 code cycle. We recognize California's goals, and as a manufacturer have made substantial investments in products that provide significant energy and environmental benefits. For example, we've invested in heat pump water heater (HPWH) technology and Ultra Low NOx gas water heaters. BWC appreciates California's intent to implement a shift towards a HPWH baseline, while at the same time CEC acknowledges manufacturers' challenges regarding commercialization and market adoption of HPWHs.

BWC thanks the CEC for their diligence in pre-rulemaking workshops and the 2022 Energy Code Express Terms. To continue progress, BWC makes the following recommendations and comments:

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Subchapter 11 Multifamily Buildings – Performance and Prescriptive Compliance Approaches

Section 170.2(d) Water Heating Systems

- 170.2 d(2) be updated to reflect the water heating system be installed according to the manufacturer design and installation guidelines, removing points A-G, which are restrictive and limit improvements in known and unknown technologies.
- Create new Reference Appendix RAX.X.X with points A-G.
- Add definitions of *single-pass primary heat pump water heaters* and *multi-pass primary water heaters*.
- Change references of *storage tank* to *thermal storage*, as to not exclude technologies.
- Striking the primary storage tank temperature setpoint, as this requirement may conflict with the water temperatures required by local plumbing codes.

Section 150.0(j)1 and 160.4(f) Insulation for Piping and Tanks

The Energy Policy and Conservation Act (EPCA) amended Public Law 94-163 (42 U.S.C. 6291-6317, as codified), among other things, authorizes the Department of Energy (DOE) to regulate the energy efficiency of a number of consumer products, commercial, and industrial equipment. Federal energy efficiency requirements for covered products listed under EPCA are subject to the energy efficiency standards established by EPCA.

BWC alerts the CEC to the aforementioned energy efficiency requirements established under EPCA, as the Express Terms for 2022 Update to Energy Code references a regulation to impose an energy efficiency minimum for unfired hot water storage tanks (UFHWST) that exceeds the energy efficiency standards established by EPCA. We recommend the CEC update both Section 150.0(j)1 and Section 160.4(f) to reflect UFHWST shall be insulated to R-12.5 or to simply reference DOE regulations.

Appendix JA14 – Qualification Requirements for Central Heat pump Water Heater Systems

BWC thanks CEC for removing both the minimum inlet ambient air temperature shall be equal to or lower than 40°F and the maximum outlet water temperature shall be equal to or greater than 140°F from JA14.3.3 Test Condition. We alert CEC that manufacturers of federally regulated products, including HPWHs, are prohibited from providing or publishing test results to other test points other than those established by DOE. We request removal of JA14.3.3; CEC should defer to the federal metrics and test procedures, including the prescribed test points.

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BWC recommends striking the requirement of documentation of the algorithm for defrosting from JA14.3.2 Performance Data Reporting, as the algorithm may be proprietary, and could lead to misappropriation of trade knowledge. BWC believes a description of the defrost strategy including method, cycle length, and process can provide CEC with the necessary performance data reporting.

Given these concerns, BWC recommends the CEC to revise Sections 150.0(j), 160.4(j), 170.2 and JA14 prior to adoption of the 2022 California Energy Code. We recognize California's efforts to increase building energy efficiency and the state's Greenhouse Gas reduction goals, but we respectfully request that improvements in energy efficiency are done without conflicting with the requirements currently in place by the Department of Energy, including the prescribed test methods required and energy efficiency minimums.

Thank you for continuing to include BWC and other stakeholders in the 2022 California Energy Code discussions. Bradford White Corporation thanks you for the opportunity to comment on Docket 19-BSTD-03. Please let me know if you have any questions.

Respectfully Submitted,

Bradford White Corporation

Eric Truskoski
Senior Director of Government and Regulatory Affairs

Cc: B.Wolfer; B. Ahee; M. Corbett; T. Gervais

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