ENERGY STAR Perspective on Monitoring, Verification, Enforcement

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Background

- Through over 18 years of shared effort, EPA and partners have built something of real value – the ENERGY STAR brand.

- Maintaining the value of this brand requires ensuring products labeled with the ENERGY STAR deliver on their promise to the consumer.

- Determined it necessary to shift from a self-certification program to an enhanced qualification and verification process with all testing being done by recognized, accredited labs and partners participating in product specific certification programs.
DOE Role with ENERGY STAR

• New MOU redefined working relationships between EPA and DOE
  – support EPA by increasing its efforts in monitoring and verifying test procedure compliance and the development of Federal test procedures and metrics
  – provide technical analysis in support of specification setting
  – Taking the lead on verification testing of products covered by minimum efficiency standards
DOE Verification Testing Program

**Process**

Purpose: Ongoing government testing program to verify energy performance of product in the market against reported energy performance data.

1. DOE selects products for testing
   *DOE selection criteria used to identify specific products; Details on plans not shared publicly to ensure anonymity of testing*

2. DOE obtains products and sends to selected labs

3. Labs provide test results to DOE per testing protocol

4. If models deemed failure based on testing, EPA delists product
   *Requires corrective actions and analyzes root cause to prevent future problems*

**Roles**

**DOE Role**
- Select products
- Select labs
- Obtain products and send to labs
- Work with labs to obtain test results
- Refer test failures to EPA

**EPA Role**
- Take enforcement action where products are deemed failures based on testing
- Work with labs to obtain test results
- Refer test failures to EPA
### ENERGY STAR Enhanced Testing and Verification Overview

#### Testing Enhancement

**Purpose:**

**Key Approaches:**

- Ensure each product meets ENERGY STAR specification prior to being labeled with the ENERGY STAR
- Require test data for each product from approved, accredited lab.
- Data may be provided to EPA through approved third-party certification system

#### Qualification Testing

- Ensure each product meets ENERGY STAR specification prior to being labeled with the ENERGY STAR
- Require test data for each product from approved, accredited lab.
- Data may be provided to EPA through approved third-party certification system

#### Verification Testing

- Ensure that products continue to meet ENERGY STAR requirements
- Require ongoing verification testing as a condition of ENERGY STAR logo use
- Verification testing administered through third-party testing program
- DOE has initiated verification testing through Testing Pilot Program
- DOE to provide ongoing QA for verification testing
Market-Based Testing

Qualification Testing
Purpose: Ensure that testing is conducted as required by ENERGY STAR specification and that lab submits test results to EPA that are representative of products sold to customer.

1. Product tested in approved, accredited lab
2. EPA approves submission and adds product to EPA list of ENERGY STAR qualified products
3. Partner labels product
   Provides new data to EPA if changes to the model result in changes to energy consumption

Lab sends test information to EPA

Verification Testing
Purpose: Ensure that products continue to meet ENERGY STAR requirements.

1. Product selected for testing
   Third-party administrator facilitates product selection once or twice a year based on certified product (if certification program) or ES QP list (if EPA-selected administrator)
2. Manufacturer pays third-party to administer independent, off-the-shelf or off-the-line witnessed testing
3. Third party administrator has products tested as required and shares results with EPA
4. If models deemed failure based on testing, EPA delists product
   Requires corrective actions and analyzes root cause to prevent future problems
ENERGY STAR Enhanced Testing and Verification Overview

New Requirements for all ENERGY STAR Products
Scope: All ENERGY STAR Product Categories

- Third-party certification
- Testing conducted in EPA-recognized labs

Accreditation Body (AB) 
Provides accreditation to ISO/IEC Guide 65

Laboratories 
Provides accreditation to ISO/IEC 17025

Certification Body (CB) 
Tests product; submits data

ENERGY STAR Manufacturing Partner 
Certifies that product meets ES requirements and shares information on products with EPA

EPA ENERGY STAR Program 

Value of Trademark

• Similar to businesses, the Brand of ENERGY STAR is the driving force

• To date, we have not needed the legislative authority to enforce compliance
  – Use our Trademark authority in cases of abuse and infringement

• No regulatory documentation on penalties/fines, all determinations made on a case by case basis by external judicial review
Non compliance factors

- Cooperation – complies with requirements
- Gravity of Environmental Harm
- Economic Benefit – Competitive Disadvantage to Competitors
- Responsiveness to Corrective Action requirements
- Commitment to prevent recurring violations
- Program Consistency
Thank you

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