

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:

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



Lab sends test information to EPA

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



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



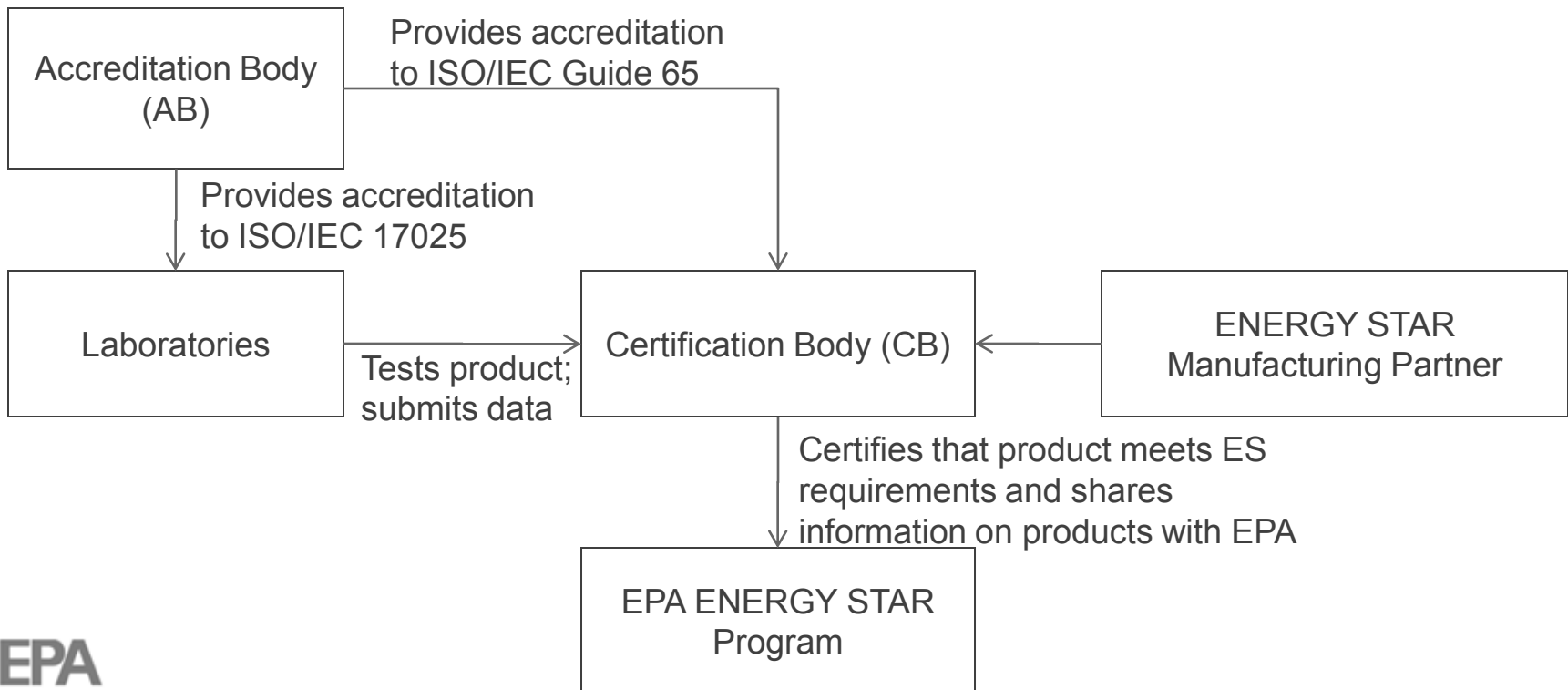
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ENERGY STAR Enhanced Testing and Verification Overview



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

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



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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