



April 1, 2011

Mr. Daniel Cohen  
U.S. Department of Energy  
Assistant General Council for Legislation, Regulation and Energy Efficiency  
Office of the General Counsel  
1000 Independence Avenue, SW  
Washington, DC 20585

**RE: Regulatory Burden RFI**

Dear Mr. Cohen:

Lennox Hearth Products (LHP) is hereby responding to the Department of Energy's (DOE's) request for information – published at 76 Fed. Reg. 6123 (February 3, 2011) – seeking comment and information to assist the DOE in reviewing its existing regulations to determine whether such regulations should be modified or repealed pursuant to Executive Order 13563 ("Improving Regulation and Regulatory Review," issued by President Obama on January 18, 2011).

LHP is a leading manufacturer of indoor and outdoor fireplaces, fireplace inserts, free-standing stoves, gas log sets, accessories and venting products for the specialty retail, residential new construction and industrial markets. LHP, based in Nashville, TN, is a business unit of Lennox International Inc. (NYSE: LII), a global leader in the heating, ventilation, air conditioning and refrigeration markets.

LHP believes that implementation of Executive Order 13563 should include repeal of the energy conservation standards for direct heating equipment as they apply to decorative vented gas fireplaces for the following reasons:

- 1) The regulation effectively eliminates vented decorative gas fireplaces. The market for these products – residential new construction – has been decimated in the current economic environment. As a leading supplier of vented decorative gas fireplaces, the combination of these factors – elimination of a major product category plus a 75% market contraction due to the drop in housing starts – would put at risk LHP's manufacturing operations in Union City, TN, as well as the many sub-contractors who support our plant.
- 2) Regulation of vented decorative gas fireplaces was implemented without notice or opportunity for comment. To that point, as part of the Manufacturer Impact Analysis for rule making for Direct Heating Equipment in May of 2009 LHP was contacted by Navigant Consulting (DOE contractor) for information concerning heater-rated gas fireplaces. *No information was requested by Navigant nor did any discussions with Navigant include anything about decorative fireplaces.*

LHP respectfully requests this ban on vented decorative gas fireplaces be repealed. The rule is ill-conceived, not vetted and economically insensitive.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert J. Dischner", is written over a white background.

Robert J. Dischner  
Director - Marketing