

Regulatory Burden RFI – Hussmann Corporation Response January 3, 2012

Below are the list of questions with answers from the December 5 RFI:

(1) How can the Department best promote meaningful periodic reviews of its existing rules and how can it best identify those rules that might be modified, streamlined, expanded, or repealed? **DOE should maintain a list of all manufacturers impacted by legislation/rules and make sure these manufacturers are notified of all rule changes. A full review cycle should be done periodically and provide adequate time for ALL manufacturers to respond.**

(2) What factors should the agency consider in selecting and prioritizing rules and reporting requirements for review? **Cost (initial and maintenance) should be considered as well as return on investment. Also, the higher volume products should have higher priority over specialty custom cases, meaning legislation should focus on these higher volume cases first and not have rules for every specialty case produced.**

(3) Are there regulations that are or have become unnecessary, ineffective, or ill advised and, if so, what are they?

Are there rules that can simply be repealed without impairing the Department’s regulatory programs and, if so, what are they? **Items such as an AEDM (Alt efficiency determination method) for CRM, correct test temperature for various application, address self contained SOC (service over counter) cases are all items that need to be addressed ASAP. The very stringent energy regulation for door cases versus open cases, mainly for the remote cases (impossible to meet in many instances).**

(4) Are there rules or reporting requirements that have become outdated and, if so, how can they be modernized to accomplish their regulatory objectives better? **Manufacturers will have thousands (hundreds of thousands perhaps) of configurations that will be submitted to DOE in 2013 for certification – how will DOE handle this data? Test temperatures were originally established for medium temp cases, frozen food, and ice cream but many applications (floral, wine, produce, etc) have not been addressed – these additional IAT test temperatures need to be addressed otherwise manufacturers may begin redesigning product to meet a temperature that is not true to the application.**

(5) Are there rules that are still necessary, but have not operated as well as expected such that a modified, stronger, or slightly different approach is justified? **See response to #4 reporting requirements for so many configurations.**

(6) Does the Department currently collect information that it does not need or use effectively to achieve regulatory objectives? **DOE has not produced a template for all types of data needed. How is DOE going to certify and review hundreds of thousands of configurations, even if each configuration request a limited amount of data**

(7) Are there regulations, reporting requirements, or regulatory processes that are unnecessarily complicated or could be streamlined to achieve regulatory objectives in more efficient ways? **The reporting process requires that we test two of each case. With our many efficient kit options we cannot test “two of each” case . An AEDM for CRM is necessary to comply with the intent of DOE and energy efficiency.**

(8) Are there rules or reporting requirements that have been overtaken by technological developments? Can new technologies be leveraged to modify, streamline, or do away with existing regulatory or reporting requirements? **None we are aware of at this time.**

(9) How can the Department best obtain and consider accurate, objective information and data about the costs, burdens, and benefits of existing regulations? Are there existing sources of data the Department can use to evaluate the post-promulgation effects of regulations over time? We invite interested parties to provide data that may be in their possession that documents the costs, burdens, and benefits of existing requirements. **Money has already spent for our proposed AEDM and maintenance. Hussmann could collaborate by providing the list of cases that have been obsolete due to DOE regulation and the replacement models (and their energy consumptions and sales volume). Hussmann could also provide a list of cases that have been modified to meet DOE regulations (and their energy consumptions and sales volume).**

(10) Are there regulations that are working well that can be expanded or used as a model to fill gaps in other DOE regulatory programs? **There will need to be an AEDM for WICF (walk in cooler and freezer) to follow up CRM. If approved for CRM the same thought should go for WICF.**