



Department of Energy

Washington, DC 20585

March 16, 2011

Ms. Leslie Jones
ENERGY STAR Program
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Room 62023
Washington, DC 20460

Dear Ms. Jones:

On September 20, 2010, the United States Department of Energy (DOE) notified Whirlpool Corporation (Whirlpool) that DOE testing of one unit of Maytag clothes washer model MVWC6ESWW1 as part of the ENERGY STAR Testing Pilot Program indicated that this model exceeded allowable ENERGY STAR energy-efficiency requirements. After consulting with Whirlpool, DOE proceeded with testing of additional units.

Stage II testing also indicated that model MVWC6ESWW1 does not meet the ENERGY STAR requirements. The Department notified Whirlpool of these results on January 19, 2011. In response, Whirlpool explained that the discrepancy between DOE's test results and Whirlpool's own testing stemmed from the measurement of the clothes container capacity. Whirlpool further explained that it measured capacity for this model based on its interpretation of the DOE test procedure. In July 2010, the Department issued guidance clarifying how to measure capacity in a way that differed from Whirlpool's interpretation.¹ Whirlpool also notified DOE that it discontinued production of this model in December 2010 and that Whirlpool no longer has any units of this model in inventory.

Accordingly, DOE is referring this matter to EPA, the brand manager for ENERGY STAR, for appropriate action. Please feel free to contact Laura Barhydt of my staff at 202-287-5772 should you require any further information.

Sincerely,

Timothy G. Lynch
Deputy General Counsel
for Litigation and Enforcement

cc: Mr. Joel Van Winkle
Joel.Van.Winkle@whirlpool.com

¹ See http://www1.eere.energy.gov/buildings/appliance_standards/residential/pdfs/cw_guidance_faq.pdf.

