

MEMORANDUM

RE: Ex Parte Communications in Connection with
Docket No's EERE-2010-BT-TP-0044 and EERE-2010-BT-STD-0043
Energy Conservation Program: Energy Conservation Standards and Test Procedures for
HID Lamps

To: expartecommunications@hq.doe.gov

From: Alex Boesenberg, Manager of Regulatory Affairs
National Electrical Manufacturers Association

Date: August 30, 2013

This memorandum memorializes a communication involving NEMA Lamp Section members and DOE staff in connection with this proceeding. The National Electrical Manufacturers Association (NEMA) appreciates the opportunity to meet with the Department of Energy's staff regarding industry concerns for the HID Lamps Rulemakings on August 28, 2013.

Attendees of the meeting were as follows: John Cymbalsky (DOE), Lucy deButts (DOE), Susan Callahan (OSRAM Sylvania), Tom Harding (Venture Lighting), Mark Duffy (GE), Keith Cook (Philips), Michael Litvinovich (ULT) and Alex Boesenberg (NEMA).

The principal purpose of the meeting was to discuss the timing of the Test Procedures Rulemaking and the Energy Conservation Standard Rulemaking, which are being run in parallel, and some substantive issues related HID testing. Historically, a test procedures rulemaking precedes the energy conservation standard rulemaking, if not completely, then substantially. NEMA noted that this is also happening in the ongoing Electric Motors Rulemaking, and the motor industry is also facing similar challenges in commenting on one milestone document and then another, without knowing how the first is being adjusted following public comments. The consequence is that NEMA's comments to DOE are conditional (*i.e.*, subject to caveats). NEMA members were uneasy with this process, and felt the rulemaking record would benefit if the test procedure was complete or substantially complete before the energy conservation standard was developed. NEMA members commented on their concerns surrounding this as well. DOE noted an intention to move the HID Lamps Test Procedure out ahead, and that a revised NOPR is expected to be the next HID milestone released in the coming weeks/months.

The fact that the Metal Halide Lamps Fixtures Rulemaking is also in progress, at the NOPR stage, was also discussed briefly because these fixtures used a variety of HID lamps, and concerns over changes to the Fixtures Rule (as affecting HID ballasts) could generate significant mismatch between the types of ballasts found to be favored by that regulation and the types of lamps favored by the HID regulations. Careful coordination among rulemakings was important, so that industry does not end up with ballasts and fixtures for which no lamps exist, and vice versa. DOE indicated that they were conducting coordination, but NEMA members noted their impressions, developed during manufacturer interviews for these rulemakings, that coordination was not apparent in the questions posed during the interviews. DOE indicated they would investigate this.

NEMA members noted that, while IES test standards for HID lamps do exist, the NVLAP/NIST program has never actually accredited anyone to test HID lamps with those standards since there has been no need to date. It was recommended that DOE consider the approximately 6 month timeline for accreditation, as well as the fact that all test labs (approximately 10 U.S.

manufacturer and 3rd party) will all be applying at once. Lab accreditation is also of concern when it comes to testing lamps for reporting to DOE, in terms of rating performance parameters and such. The significance of this point is that industry has approximately 20-30 years of test data for some products, but this data was gathered in non-accredited labs (since none have yet been accredited for HID testing) and so consideration for how to treat pre-Final rule data needs to be carefully addressed.

NEMA members also raised concerns related to terminology, for example, “rated,” “declared,” “average,” “mean” and other administrative and statistical terms, each of which carries different meaning and is measured and reported differently in some cases. Certain references, the aforementioned IES test standards, use these terms quite specifically and it is critical to compliance that there be consistency in terminology between regulations and the referenced standards. Without that consistency the test standards could be applied in a manner in which they were intended when developed, changing the benchmark while in motion, as it were.

NEMA members expressed concerns over statistical variation and tolerances, and again recommended the DOE use the content in NEMA white paper LSD-63 as guidance on how to analyze and treat data and performance measures. As an example, while an HID lamp sample size equation is not given in LSD-63’s written examples it can be calculated by using the guidance given in tables 6-1 and 6-2 and Section 7 of the document. The DOE was encouraged to have their analysts use this approach when determining sample size and to increase internal familiarity and use of the principles of LSD-63 in general.

NEMA members noted that the existing draft definition of Basic Model casts a very wide net, as HID lamps are not arranged in families like other products. This opens the possibility that every HID lamp, since every one is slightly different, could be considered a Basic Model, which would exponentially increase testing and certification costs. The DOE countered that the converse might also be true, and that industry could define a very small number of basic models, even just one, bearing in mind that a verification test failure in such an arrangement would fail the basic model’s siblings. The DOE seemed open to suggestions from manufacturers, which can be further pursued in the upcoming HID Rulemaking milestones and the CCE rulemaking.

NEMA members expressed concern over the amount of product testing for a previously unregulated product line; the cost of the test rigs, accreditation, staffing, and electricity usage to life test multi-thousand watt lamps. It was noted that perhaps AEDMs can mitigate this, and the DOE was open to further suggestions during the rulemaking process.

NEMA and its members again thank the U.S. Department of Energy for hosting the meeting and for considering the points made therein. We look forward to working with the DOE further on this important project. If you have any questions on these comments, please contact me at 703-841-3268 or alex.boesenberg@nema.org.

Sincerely,



Alex Boesenberg
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National Electrical Manufacturers Association