

Department of Energy

Washington, DC 20585

June 20, 2013

VIA EMAIL

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

Dear Ms. Steele:

The U.S. Department of Energy ("DOE") selected a Summit-brand refrigerator-freezer, model F1112BL, manufactured by SANYO E&E (now Panasonic Appliances Refrigeration Systems Corporation of America ("PAPRSA")) and sold by Felix Storch, Inc. ("Storch"), for testing as part of DOE's ENERGY STAR® Verification Testing Program. On March 18, 2013, DOE notified Storch that the model did not meet the ENERGY STAR specification for maximum permitted annual energy use.

PAPRSA replied to DOE on April 1, 2013, making two claims. First, PAPRSA argued that DOE's test laboratory, an Intertek laboratory located in Plano, Texas ("Intertek"), did not test in accordance with the relevant test procedure because Intertek did not leave the required clearance between the tested units and the wall. To support this argument, PAPRSA first noted that the photographs in the test reports do not demonstrate that Intertek provided the required amount of clearance. Second, PAPRSA pointed to its own test results for two pairs of units in the same basic model as model F1112BL. The results show that each pair of units consumed energy at an average rate of 308 kilowatt-hours per year. Third, PAPRSA explained that it recently tested a unit of the relevant basic model, leaving no space between the wall and the unit to attempt to simulate the alleged Intertek error. The energy consumption rate of this unit was very close to the average consumption rate of the four units that Intertek tested.

PAPRSA's first claim is meritless. Section 2.8 of the relevant test procedure (*see* 10 C.F.R. Part 430, Subpart B, Appendix A1) specifies that "[t]he space between the back of the cabinet and a vertical surface (the test room wall or simulated wall) shall be the minimum distance in accordance with the manufacturer's instructions." The manual shipped with the tested units, like the manual that PAPRSA provided with its response to DOE, specifies that there must be four inches of clearance between the back panel of the installed unit and the wall. Accordingly, during testing, Intertek left four inches of clearance between the tested units and the wall.

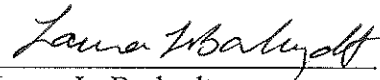


Second, PAPRSA claims that Intertek did not test in accordance with the relevant test procedure because Intertek did not apply section 4.2.1 of Appendix A1. This claim is also meritless. Section 4.2.1 of Appendix A1 allows that, if the model being tested has a long-time automatic defrost system, the test time period may consist of the two parts described in that section. However, to use this two-part test, the model must, in fact, have long-time automatic defrost as defined in Appendix A1, section 1.12, which requires that successive defrost cycles be separated by 14 hours or more of compressor operating time. In its tests, the laboratory observed no more than 10 hours of compressor operating time between defrost cycles, indicating that section 4.2 was the appropriate test method for this model.

Based on DOE's test results, DOE has determined that Summit-brand model F1112BL, manufactured by PAPRSA, does not meet the ENERGY STAR specification. Accordingly, DOE is referring this matter to the U.S. Environmental Protection Agency, the brand manager for ENERGY STAR.

Please feel free to contact me at laura.barhydt@hq.doe.gov should you require any further information.

Sincerely,



Laura L. Barhydt
Assistant General Counsel
for Enforcement

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