

Frequently Asked Questions

Final Rule to Establish a New Product Class for Residential Dishwashers

1. Why is DOE issuing this Final Rule?

On April 25, 2018, DOE [published](#) in the Federal Register a petition from the Competitive Enterprise Institute requesting the creation of a new product class for residential dishwashers with a normal cycle of 60 minutes or fewer. Upon consideration of that petition, and the public comments that DOE received, DOE proposed to grant the request for a new product class. Based on public comment received on DOE's proposal and testing that DOE conducted, DOE is establishing a new product class to meet consumer desire for quick cycle dishwashers.

2. What change to dishwasher product classes is DOE making?

Currently, DOE divides covered residential dishwashers into two product classes: 1) standard dishwashers and 2) compact dishwashers. This final rule would create a third product class of standard dishwashers with a cycle time of sixty (60) minutes or less from washing through drying.

3. Why is DOE establishing a new product class of dishwashers?

Dishwashers with a "normal" cycle time of 60 minutes or fewer are not currently available for sale in the U.S. Many dishwashers come with an optional "short" cycle; however, manufacturers recommend "short" cycles for lightly soiled dishes rather than for normal loads. Creation of a new product class could enable manufacturers to develop new products that meet consumer demands for short dishwasher cycle times.

4. What is DOE's statutory authority for this action?

42 U.S.C. 6295(q) provides DOE with authority to create separate product classes based on product utility, and DOE has used this authority in the past to create separate classes for products with features such as an oven door, the ability to self-clean, product size, and configuration.

Consistent with the statutory authority in 42 U.S.C. 6295(q), and the utility that could be provided to consumers from a shorter dishwasher cycle, DOE establishes a new product class for dishwashers with a "normal" cycle of 60 minutes or fewer.

5. What happens after a new product class is defined?

DOE intends to follow this rulemaking with a separate rulemaking to consider the appropriate energy and water conservation standards for short cycle dishwashers.

6. Does this final rule make any changes to the standards for covered dishwashers?

No. This final rule only creates a new product class and does not amend any existing standard. DOE intends to consider appropriate energy and water use limits for the new product class in a separate rulemaking.

7. Does establishment of a short cycle product class for standard dishwashers constitute backsliding?

No. DOE has statutory authority, which it has used on several occasions, to create new product classes such that consumers can benefit from additional product utility. For example, in 2011,

DOE created separate product classes for ventless clothes dryers to enable consumers who live in apartment buildings to enjoy the utility of having an in-unit clothes dryer. In this case, as for ventless dryers, creating a new product class provides consumers with important product features. The proposed and final rules discuss additional instances where DOE has used its authority, described in the following paragraph, to establish separate product classes based on utility.

42 U.S.C. 6295(q) authorizes DOE to specify “*a level of energy use or efficiency higher or lower than that which applies (or would apply) for such type or class...*” if the Secretary determines that covered products within such group consume a different type of energy or have a capacity or other performance-related feature that justifies “*a higher or lower standard from that which applies (or will apply) to other products within such type (or class).*” EPCA explicitly acknowledges, therefore, that product features may arise that require designation of a product class with a different standard than that applicable to other product classes for that covered product.

8. I have questions about this rule. Whom should I contact?

For further information, contact Bryan Berringer (Bryan.Berringer@ee.doe.gov) and Elizabeth Kohl (Elizabeth.Kohl@hq.doe.gov).