

United States Department of Energy
OMB Control Number 1910-1400
**“Certification Reports, Compliance Statements, Application for a Test Procedure Waiver,
and Recordkeeping for Consumer Products and Commercial/Industrial Equipment subject
to Energy or Water Conservation Standards”**
Comment Summary and Responses

September 26, 2023, DOE published a 60-day notice in the *Federal Register* soliciting comment on the information collection request for which it is now seeking OMB approval. See 88 FR 65994. The notice can be found [here](#). DOE received two, identical comments from the Association of Home Appliance Manufacturers (AHAM). The comments are summarized in this word document.

Comment received necessity of proposed information collection: AHAM generally supported DOE’s proposed extension for three years with the Office of Management and Budget (OMB), under OMB No. 1910-1400. AHAM stated that DOE should ensure that its information collections are restricted to data necessary to demonstrating compliance with standards. If DOE wishes to collect data for future energy conservation standards rulemaking efforts or for its own information, DOE should collect that data through its energy conservation standard rulemaking process and not through the certification, compliance, and enforcement process. AHAM also suggested that DOE can always seek such data from manufacturers under its authority to request records. (AHAM, No. 9 at pp. 1-2, AHAM, No. 19 at pp. 1-2)

DOE response: Section 326(d) of EPCA states that the Secretary may require manufacturers to submit information or reports to Secretary with respect to energy efficiency or energy use as the Secretary determines may be necessary to establish and revise test procedures, labeling rules, and energy conservation standards for such products and to ensure compliance with requirements of this part. (42 U.S.C. 6296(d)(1)) This language provides DOE with the authority to require manufacturers to submit information pertaining to the energy efficiency or energy use where it is necessary when establishing or revising its standards or test procedures as well as to ensure compliance. As such, DOE disagrees with AHAM’s assessment that DOE must limit its collection requirements to information needed to determine compliance.

Comment received necessity of proposed information collection: On September 29, 2023, DOE published a notice of proposed rulemaking (“Certification NOPR”) to amend the certification, reporting, and labeling requirements for the products and equipment that are the subjects of this information collection request. 88 FR 67458 AHAM opposed specific proposals in the September 2023 NOPR related to dishwashers, battery chargers, and room air cleaners. (AHAM, No. 9 at p. 2, AHAM, No. 19 at p. 2)

DOE response: DOE appreciates AHAM’s feedback. DOE considered these comments as part of its separate rulemaking on certification, reporting, and labeling requirements.

Comments on quality, utility, and clarity of the information being collected: AHAM commented that consistent, clear, transparent certification criteria are a critical part of the program. AHAM appreciates DOE’s proposals that are aimed at ensuring consistency between

testing to support certification and testing DOE does to support its enforcement efforts. AHAM also supported DOE's proposals to ensure consistency in reported data between similar products. (AHAM, No. 9 at p. 1, AHAM, No. 19 at p. 1)

DOE response: DOE appreciates AHAM's feedback and considered AHAM's comments as part of its separate rulemaking on certification, reporting, and labeling requirements.