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DOCKET: EERE-2017-BT-STD-0009**

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**Re: NAFEM Comments On – Energy Conservation Program: Energy Conservation Standards for Walk-In Coolers and Freezers, Notice of Proposed Rulemaking; Dkt. EERE-2017-BT-STD-0009 (88 Fed. Reg. 60746; Sept. 5, 2023)**

Dear Mr. Watson and Mr. Schneider:

The North American Association of Food Equipment Manufacturers (NAFEM) submits the following comments on the Department of Energy's (DOE) Energy Conservation Program: Energy Conservation Standards for Walk-In Coolers and Freezers, Notice of Proposed Rulemaking, Notice of Proposed Rulemaking; Dkt. EERE-2017-BT-STD-0009 (88 Fed. Reg. 60746; Sept. 5, 2023) (NOPR). The NOPR sets forth DOE's proposal to amend and establish energy conservation standards for various consumer products and certain commercial and industrial equipment, including walk-in coolers and freezers (WICF). Set forth below we outline the interests of NAFEM and then NAFEM's comments specific to the NOPR for DOE's consideration.

## **I. INTERESTS OF NAFEM**

NAFEM is a trade association of more than 500 commercial foodservice equipment and supply manufacturers – a \$14.9 billion industry. These businesses, their employees, and the products they manufacture, support the food away from home market – which includes more than one million locations in the U.S. and countless more around the world. NAFEM supports, and its members actively seek, opportunities to engage with DOE in the regulatory process to assure certainty and clarity to its regulated members that manufacture equipment relied upon by our society to safely provide food away from home.

NAFEM regularly participates with DOE in energy conservation standards rulemakings. NAFEM members include manufacturers of WICF that are the subject of this proposed rule, and NAFEM has a direct interest in this matter. NAFEM previously submitted comments in this docket as to the Preliminary Technical Support Document and Request for Comment for Conservation Standards for Walk-In Coolers and Freezers (87 Fed. Reg. 39008; June 30, 2022) (Preliminary TSD), as well as the Early Assessment Review for Walk-In Coolers and Freezers (86 Fed. Reg. 37687; July 16, 2021).

## **II. NAFEM'S COMMENTS FOR DOE'S CONSIDERATION**

NAFEM provides the following comments and hopes that DOE will entertain ongoing dialogue on these critical WICF issues. NAFEM divides its comments into two categories: (A) NAFEM's general objection to the uniquely compressed timeline of this NOPR; and (B) NAFEM's specific comments on particular technical points in this NOPR.

### **A. NAFEM's General Objection to the Uniquely Compressed Timeline**

DOE previously promulgated standards for WICF in 2014, but six of the classes were later remanded by the Fifth Circuit Court of Appeals back to DOE for further rulemaking—specifically, unit coolers and low temperature dedicated condensing systems. DOE promulgated revised standards for those six classes in 2017. Compliance deadlines for the previously promulgated standards were in 2020. As a result, the latest technologies are being implemented into the latest equipment being designed and produced to meet current standards.

The same classes are now part of the instant NOPR. DOE recognizes this timeline—essentially cutting in half the allotted time for allowing the standards to remain in place—but offers no explanation for continuing to move forward. (See 88 Fed. Reg. 60746, 60755.) There simply has not been sufficient time to develop, test and make available the types of new technologies that would significantly impact the most recent energy efficiency standards and otherwise justify revising those standards in the next several years, at least. **NAFEM requests that DOE find that no new standards are justified at this time and that initiating new WICF energy efficiency standards will be appropriate when new technologies are proven and readily available to the industry.**

**B. NAFEM's Specific Comments on Particular Technical Points**

NAFEM offers the following four specific comments to particular technical points that DOE identified in the NOPR and its associated engineering documentation:

1. **"Screened-In" Design Options.** In the Technical Support Document (TSD) in support of the NOPR, specifically Section 4.4.2, DOE has identified "Refrigeration System Design Options" that were not screened out and thus considered as purported options to increase energy efficiency. However, none of these technologies is "new," and many, if not most of which, were considered in the last WICF rulemaking. Therefore, none of these technologies serves as a truly actionable opportunity for manufacturers to increase energy efficiency.
2. **Unit Coolers.** As identified in Section 5.8 of the TSD, DOE modeled potential opportunity gains for unit coolers by increasing evaporator tube rows. This approach is not a new technology, but rather is an extended application of an existing technology. Such an approach underscores that manufacturers have limited, truly "new" technological options to increase energy efficiency, which is an issue and challenge applicable to all permutations of WICF as a whole.
3. **Lifecycle Timelines.** DOE determined that the equipment lifetime cycle was 20 years for insulated panels and similarly for doors. That is consistent with industry experience. Redesigning products every three or four years is not economically feasible for manufacturers. The manufacturing capabilities to produce foaming equipment and associated fixtures starts in the millions of dollars and increases with foam fixture complexity. Furthermore, by mandating changes to product lines on timelines far shorter than the products' lifetime, there is not enough time for manufacturers to conduct proper quality assurance tests.
4. **Safety Concerns.** In response to the prior WICF rulemaking, reducing the door perimeter heater's wattage has led to instances where passage doors were freezing closed and temporarily trapping workers. Because of this change, WICF manufacturers have reported an increase in consultants requesting corrective action concepts and strategies to allow trapped workers to open frozen doors, using secondary (fail-safe methods) other than the usual emergency release handles or push buttons normally used on every walk-in door.

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NAFEM looks forward to continuing to engage with DOE. Please contact the undersigned if NAFEM can provide any additional insight or assistance regarding the comments of this letter.

Respectfully submitted,

A handwritten signature in black ink that reads "Charlie Souhrada". The signature is written in a cursive, flowing style.

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