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March 6, 2020

Washington State Department of Commerce
Ms. Sarah Vorpahl
Senior Energy Policy Specialist
1011 Plum Street SE
P.O. Box 42525
Olympia, WA 98504-2525
(submitted via email to appliances@commerce.wa.gov)

Re: AHRI Comments – Labeling Requirements in WAC 194-24-180 (6)

Dear Ms. Vorpahl,

This letter is submitted to provide a recommended proposal pertaining to the labeling and marking requirements for demand-response water heaters required by regulation (WAC 194-24-180 (6), Labeling) beginning January 1, 2021 for heat pump water heaters and January 1, 2022 for electric storage water heaters. AHRI, on behalf of its members, request the expeditious review and approval of the proposed labeling and marking requirements from the Washington State Department of Commerce in order to provide industry regulatory certainty in complying with the recently adopted regulations.

The Air-Conditioning, Heating and Refrigeration Institute (AHRI) represents over 315 air-conditioning, heating, and refrigeration equipment manufacturers. In North America, the annual output of the HVACR and water heating industry is worth more than \$44 billion. In the United States, the industry supports 1.3 million jobs and \$256 billion in economic activity annually.

AHRI appreciates the opportunity to provide a recommended labeling and marking proposal for consideration and approval by the WA Department of Commerce to demonstrate compliance with WAC 194-24-180 sub-clause (6), "*Marking*". The WA regulations require every unit of every electric storage water heater to have a label or marking indicating compliance with the standard in this section. Since the format and content of the label or marking must be approved in advance by the WA Department of Commerce, AHRI is submitting this proposal for approval. AHRI is respectfully requesting that these label guidelines, once approved, would be acceptable for all AHRI water heater members to use, and they would not have to go through a separate approval process.

AHRI proposes the WA Department of Commerce adopt the following language with regards to the marking and labeling requirements:

Each water heater must have a label or marking on the water heater, which contains one of the following phrases, as applicable:

- a) “DR-ready: CTA 2045-A”; or
- b) “DR-ready: [*equivalent DR system protocol*]”; or
- c) “DR-ready: CTA-2045-A and [*equivalent DR system protocol*]”

Note: The equivalent DR system protocol above refers to the name, standard designation, or other means to properly identify the DR protocol that has been reviewed and approved by the Washington State Department of Commerce as required in WAC 194-24-180 sub-clause (3). Manufacturers may elect to add additional information on the water heater about demand response as long as the above minimum information is provided to comply with the WA requirements. Additionally, manufacturers intend to include demand-response information about the water heater model either in the specification sheet, installation and operating instructions, or other supplemental documentation with the product.

AHRI emphasizes the need for its members and the WA Department of Commerce to agree to a labeling solution to show compliance with the regulations as soon as possible. Manufacturers will need sufficient time to incorporate the final approved labeling solution in its manufacturing processes for heat pump water heaters well before the January 1, 2021 deadline in order to ensure there is not a disruption to the market. In sum, AHRI appreciates the opportunity to provide this proposal; and respectfully requests feedback from the WA Department of Commerce by March 20, 2020. If you would like to discuss the proposal with the members of the AHRI Water Heaters Regulatory and Policy Committee, please let me know, and I would be happy to arrange a meeting.

If you have any questions regarding this submission, please do not hesitate to contact me at (703) 293-4864 or SCorcoran@AHRInet.org.

Sincerely,

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