



May 28, 2013

Ms. Brenda Edwards
U.S. Department of Energy, Buildings Technology Program
Mail Stop EE-2J
1000 Independence Ave. SW
Washington DC 20585-0121

RE: Revisions to Energy Efficiency Enforcement Regulations EERE-2011-BT-TD-0005

Dear Ms. Edwards:

The National Marine Manufacturers Association (NMMA) appreciates the opportunity to respond to the Department of Energy (DOE), Office of Energy Efficiency and Renewable Energy's request for information published in the Federal Register (78 Fed. Reg. 18253) on March 26, 2013 regarding its current rulemaking in which it has proposed to set energy conservation standards for battery chargers and external power supplies.

NMMA is the leading trade association representing the recreational boating industry in North America. NMMA member companies produce more than 80 percent of the boats, engines, trailers, accessories and gear used by boaters and anglers throughout the United States and Canada. Recreational boating has an estimated annual economic impact of \$72 billion. Eighty-three million Americans participated in boating in 2011. Importantly, an estimated 83 percent of boats sold in the U.S. in 2011 were made in the U.S.

The marine manufacturers that would be affected by the national adoption of the California Energy Commission (CEC) Standards would be marine battery charger manufacturers, recreational boat builders and engine manufacturers. The majority of these boat and battery charger manufacturers are small businesses. There are also NMMA member marine inboard engine companies that would be impacted by the CEC standards and they also meet the small business definition.

NMMA cannot support the national adoption of the CEC standards for marine battery chargers. It is just the wrong standard for this type of application.

The CEC standard while it seems very appropriate for the original targeted products including battery powered power tools, personal products such as electric tooth

brushes, cell phones and other personal products, the standard as drafted for battery chargers used in the typical recreational marine and recreational vehicle application is simply not appropriate.

The CEC efficiency tests presume that chargers can enter a shutdown mode wherein almost no energy is consumed. This works well for consumer products where the charger is built for a specific battery or where the battery is not being constantly drained. Marine battery chargers do not fit either criterion.

Chargers sold in the marine and RV markets are electronically controlled, multi-stage chargers. Marine chargers are used with a variety of battery chemistries (AGM, lithium-ion, lead acid, gel) as well as battery sizes, from a single standalone battery to a large battery bank. A charger manufacturer can maximize energy efficiency for selected batteries, but frankly, that simply manipulates the tests and does not represent reality. For marine applications, there are too many combinations of batteries to make a charger for each situation.

More importantly, while a boat is docked, the charger is connected to the battery and through the battery power is supplied to a wide range of critical equipment including bilge water monitors and pumps, smoke detectors, CO detectors, security systems and various alarm circuits. The charger must be able to continually supply power to the battery to supply energy to these critical pieces of equipment. Although the charger is not operating at full power most of time, it will activate a charge after a certain amount of battery drain. Failure to do so could result in rendering critical safety and security systems inoperable creating a situation where there could be a threat to human health and safety. The CEC standards prohibit this critical trickle charge.

The CEC regulations evaluate the power consumption over long periods of time. This is the wrong approach. A better approach for marine chargers is to measure the efficiency of the charger. NMMA members strongly urge DOE staff to work with NMMA on an efficiency standard for marine battery chargers that provide energy savings, while maintaining the safety of the product these chargers are designed to protect.

The following are NMMA's response to the specific questions in the DOE's Federal Register notice.

1. DOE seeks comment on product designs and technologies used by manufacturers to meet the CEC standards, as well as other changes made to the products since DOE's initial NOPR analysis.

NMMA Response: Most battery charger manufacturers do not currently have product to meet the CEC standard and are selling inventory manufactured prior to January 31st into the California market. Some manufacturers are offering a limit product line.

2. DOE seeks comment on product cost incurred by the manufactures to meet the CEC standards, including those related to engineering, design, manufacturing and product labeling.

NMMA Response: Because the marine market is so small, the only way to get a return on the investment will be to significantly increase costs. The investment needed to comply with CEC requirements is cost prohibitive for such a small market. Our goal is to work with DOE to design an energy efficiency standard that makes sense for marine applications and once we have agreement circle back with CEC to harmonize DOE and CEC standards.

3. DOE seeks information on the impact of the CEC standards on the manufacturers supply chain. Specifically DOE seeks information on whether manufacturers will continue to manufacture products that do not meet the CEC standards for sale outside California, while selling a separate product of similar utility and function compliant with CEC standards for sale in California.

NMMA Response: It is still too early to determine what different manufacturers will do. NMMA believes that manufacturers will design some product lines for the California market and some will not. Regardless, NMMA knows that the CEC standard is wrong for this type of charger and we recognize this as an opportunity to develop a harmonized DOE / CEC standard.

4. DOE requests information on whether there are any types of products that have been discontinued from sale in California due to the CEC standards. DOE is specifically interested in whether these discontinued products offer consumer utility not offered by products compliant with the CEC standards.

NMMA Response: Presently our members have not discontinued selling products in California because their products have been manufactured before the compliance date. However, by the end of the year we could start to see certain product lines discontinued in California.

5. Finally DOE seeks information from manufacturers on the potential costs and burdens of complying with battery charger labeling requirements.

NMMA Response: The actual labeling requirements are minimal but the burden is the cost of modifying the art work of the product labels, the operator manuals and the unit packaging or carton. Cost impact is a one-time charge somewhere in the range of \$5,000 per unit type or carton size.

NMMA members are very concerned with any DOE proposal that considers adopting the CEC standards for marine battery chargers. We strongly urge DOE staff to work with our battery charger members on this important issue. If you have any questions, please contact me at 202-737-9757 or jmcknight@nmma.org.

Sincerely,

A handwritten signature in cursive script that reads "John McKnight". The signature is written in black ink and is positioned below the word "Sincerely,".

John McKnight, Vice President
Government Relations