



October 13, 2020

The Honorable Daniel R. Simmons  
 Assistant Secretary  
 Office of Energy Efficiency & Renewable Energy  
 U.S. Department of Energy  
 1000 Independence Avenue, S.W.  
 Washington, DC 20585-0121

Appliance and Equipment Standards Program  
 U.S. Department of Energy  
 Building Technologies Office  
 950 L'Enfant Plaza, SW., Suite 600  
 Washington, DC, 20024.

**RE: COMMENTS ON DOCKET ID NO. EERE-2020-BT-STD-0001 ENERGY CONSERVATION STANDARDS FOR CLOTHES WASHERS AND CLOTHES DRYERS**

Dear Assistant Secretary Simmons:

The Alliance for Water Efficiency (AWE) and the undersigned 58 organizations write to express our opposition to the proposed creation of two new product categories for clothes washers with

normal run times of 30 and 45 minutes. We view this proposed rulemaking as both unnecessary and harmful for the reasons outlined below.

1. The proposed rulemaking is not needed. The creation of two new clothes washer categories, simply for the purpose of having shorter normal cycle run times, implies that there is an actual need for market differentiation in the area of run times -- and that the consumer wants a product that isn't already available. But the proposed rulemaking does not present any documentation of this need. Instead, the data presented in EERE-2020-BT-STD-0001 actually show that there already are a number of clothes washers on the market today that meet the normal cycle run time requirements AND that meet current water and energy standards. These products already exist, and if they are in high demand, market forces will develop more machines to meet these normal cycle criteria.
2. The product categories should not be created without accompanying water and energy efficiency standards. The DOE data show that there are clothes washers available today that meet the normal runtime requirements proposed for the new categories; these clothes washers already meet current water and energy standards, standards which have helped Americans save billions of dollars on their water and energy bills over the past 25 years. DOE has not produced any analysis to document the harmful impact on the nation's water and energy resources that these new product categories would have if adopted without accompanying water and energy efficiency standards.
3. The proposed rulemaking will adversely affect water use in particular, and this was not analyzed. 40 of the 50 US states are already confronting serious drinking water shortages, as documented in a US Government Accountability Office Report.<sup>1</sup> A number of southwestern states are also confronting a climate-change induced mega-drought<sup>2</sup> which is further reducing available water supplies. The 2016 Residential End Uses of Water study found that adoption of higher efficiency residential clothes washers was the most in effective indoor water efficiency measure for reducing per capita use over the past 15 years.<sup>3</sup> Losing these critical water savings that have been achieved would negatively impact American water supply providers, and the proposed rulemaking did not contain any analysis of this harmful impact.
4. Without accompanying water and energy efficiency standards, the proposed rulemaking represents illegal backsliding. Introducing new categories of clothes washers without any accompanying energy or water efficiency standards would be an illegal step backward on water and energy efficiency, violating DOE's own anti-backsliding provisions contained in statute.<sup>4</sup> These provisions were put in place to ensure that water and energy efficiency gains

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<sup>1</sup> Freshwater Supply Concerns Continue, and Uncertainties Complicate Planning." US Government Accountability Office Report, May, 2014 - [www.gao.gov/assets/670/663343.pdf](http://www.gao.gov/assets/670/663343.pdf)

<sup>2</sup> [https://weather.com/news/climate/news/2020-04-16-climate-change-stoking-long-term-megadrought-western-us?cm\\_ven=PS\\_GGL\\_DSA\\_09162019\\_1&par=MK\\_GGL&gclid=CjwKCAjw4rf6BRAvEiwAn2Q76jLyNknHWDhkP5XABdHvCMqIVjpJPVlyMfjxSwTQiUOcr2WmyrfRYhoCYPoQAvD\\_BwE](https://weather.com/news/climate/news/2020-04-16-climate-change-stoking-long-term-megadrought-western-us?cm_ven=PS_GGL_DSA_09162019_1&par=MK_GGL&gclid=CjwKCAjw4rf6BRAvEiwAn2Q76jLyNknHWDhkP5XABdHvCMqIVjpJPVlyMfjxSwTQiUOcr2WmyrfRYhoCYPoQAvD_BwE)

<sup>3</sup> DeOreo, W., P.Mayer, et. al. 2016. Residential End Uses of Water, Version 2. Water Research Foundation. Denver, CO.

<sup>4</sup> 42 U.S.C. 6295(o)(1) (commonly referred to as the "anti-backsliding provision") prohibits DOE from prescribing a standard that increases the maximum allowable energy use of a covered product.

remain and are not degraded once adopted. The proposal to create these two new clothes washer categories without any water and energy efficiency standards would clearly represent backsliding in the area of residential clothes washers.

The water and energy efficiency of modern clothes washers has been a tremendous success story. Efficient clothes washers have helped reduce water use by an average of 5.4 gallons per person per day<sup>5</sup>, which across 328 million Americans can total annual savings of more than 640 billion gallons. Clothes washers frequently use hot water as part of the cycle, and reductions in hot water use results in corresponding energy reductions. Water and energy providers are now planning on these reductions into the future to extend supplies and serve new customers. The consequences of illegal backsliding on clothes washer efficiency could negatively impact American utilities and consumers for years.

5. Energy and Water Efficiency Standards Are Essential for All Clothes Washer Categories. All clothes washers today are subject to efficiency standards. Energy and water efficiency standards for appliances have provided tremendous benefits for American consumers, most notably a significant reduction in water and energy use achieved as market transformation to more efficient machines has occurred over the past 25 years.<sup>6</sup> These standards benefit both American consumers and manufacturers by creating a level, well-understood playing field. American companies have invested heavily in creating products that meet today's water and energy efficiency standards. We firmly believe that DOE should not introduce new product categories without the necessary efficiency standards in place.

AWE and the undersigned organizations strongly urge DOE to reject this rulemaking proposal to create new categories of clothes washers without energy or water efficiency standards. This would be an illegal and completely unnecessary step backwards that will have numerous negative consequences for water providers and consumers alike.

Sincerely,

Alliance for Water Efficiency  
Chicago, Illinois

Amy Vickers and Associates  
Amherst, MA

Arizona Municipal Water Users Association  
Phoenix, AZ

Association of California Water Agencies  
Sacramento, CA

Association of Metropolitan Water Agencies  
Washington, DC

Bay Area Water Supply & Conservation Agency  
San Mateo, CA

California Water Efficiency Partnership  
Sacramento, CA

California Water Service Company  
Torrance, CA

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<sup>5</sup> DeOreo, IBID

<sup>6</sup> DeOreo, IBID

Cascade Water Alliance  
Bellevue, WA

Center for Water-Energy  
Efficiency, University of  
California, Davis  
Davis, CA

Citizens Water Advocacy  
Group  
Prescott, AZ

City of Big Bear Lake  
Big Bear Lake, CA

City of Charlottesville  
Charlottesville, VA

City of Durham  
Durham, NC

City of Flagstaff  
Flagstaff, AZ

City of Hays  
Hays, KS

City of Mesa  
Mesa, AZ

City of Round Rock  
Round Rock, TX

City of Sacramento  
Sacramento, CA

City of Santa Barbara  
Santa Barbara, CA

City of Surprise  
Surprise, AZ

City of Westminster  
Westminster, CO

Connecticut Water  
Company  
Clinton, CT

Denver Water  
Denver, CO

East Bay Municipal Utility  
District  
Oakland, CA

Eastern Municipal Water  
District  
Perris, CA

EcoSystems, LLC  
Miami, FL

Electric & Gas Industries  
Association  
Sacramento, CA

Foothill MWD  
La Canada Flintridge, CA

Green Builder Coalition  
Glen Carbon, IL

Jurupa Community  
Services District  
Jurupa Valley, CA

Las Vegas Valley Water  
District  
Las Vegas, NV

Los Angeles Department of  
Water and Power  
Los Angeles, CA

Miami-Dade Water and  
Sewer Department  
Miami, FL

Maureen Erbeznik &  
Associates  
Los Angeles, CA

Medford Water  
Commission  
Medford, OR

Metropolitan North  
Georgia Water Planning  
District  
Atlanta, GA

Metropolitan Water  
District of Southern  
California  
Los Angeles, CA

Monterey Peninsula WMD  
Monterey, CA

Municipal Water District of  
Orange County  
Fountain Valley, CA

National Wildlife  
Federation  
Merrifield, VA

Orange Water and Sewer  
Authority  
Carrboro, NC

Plumbing-Heating-Cooling  
Contractors – National  
Association  
Falls Church, VA

Regional Water Authority  
Sacramento, CA

Sacramento Suburban  
Water District  
Sacramento, CA

San Antonio Water System  
San Antonio, TX

Southern Nevada Water  
Authority  
Las Vegas, NV

Sonoma Water  
Santa Rosa, CA

Texas Water Foundation  
Austin, TX

Tucson Water  
Tucson, AZ

Turfgrass Water  
Conservation Alliance  
Albany, OR

Upper San Gabriel Valley  
MWD  
Monrovia, CA

Valley Water  
San Jose, CA

Walnut Valley Water  
District  
Walnut, CA

Water Demand  
Management  
Boulder, CO

Water Supply Citizens  
Advisory Committee  
Belchertown, MA

Water Use it Wisely  
Phoenix, AZ

WaterNow Alliance  
San Francisco, CA

Whirlpool Corporation  
Benton Harbor, MI