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Submitted to Federal eRulemaking Portal – www.regulations.gov
DOCKET: EERE-2017-BT-STD-0009

Dr. Stephanie Johnson
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Mr. Michael Kido
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Re: Re: NAFEM Comments – Energy Conservation Program: Energy Conservation Standards for Walk-In Coolers and Freezers; Notification of availability of preliminary technical support document (TSD) and request for comment; Docket No. EERE-2017-BT-STD-0009 (87 Fed. Reg. 39,008; June 30, 2022)

Dear Dr. Johnson and Mr. Kido:

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; Notification of availability of preliminary technical support document (TSD) and request for comment; Docket No. EERE-2017-BT-STD-0009 (87 Fed. Reg. 39,008; June 30, 2022).

NAFEM is a trade association of more than 500 commercial foodservice equipment and supplies 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 members include manufacturers of walk-in coolers and freezers (WICFs) that are the subject of this proposed rule. NAFEM regularly participates with DOE in energy conservation standards rulemakings, including for the WICF product categories.

NAFEM coordinates as much as possible with other trade associations, whose members overlap with NAFEM's and that represent companies that also manufacture products that are

subject to DOE's WICF rulemakings. In this instance, NAFEM worked very closely with the American Heating and Refrigeration Institute (AHRI) on DOE's WICF proposed TSD. NAFEM has reviewed AHRI's comments on the WICF preliminary TSD and, hereby endorses and reiterates the comments submitted by AHRI in this docket.

NAFEM recognizes that DOE has initiated a significant number of energy efficiency rulemakings in a rather compressed schedule; in fact, there are three significant comment deadlines that expire today. Nevertheless, that is not justification for its inability or refusal to provide important information – and adequate time to review that information – that is critical to the Administrative Procedure Act (APA) notice and comment process. In its *Federal Register* notice for the preliminary TSD comment request, DOE attempted to explain why it could be justified in shortening the normal “not less than 75 calendar day” comment period (to a 60-day comment period for this notice and request for comment) based on DOE's prior comment period related to the 2021 RFI. NAFEM hopes that DOE will stick to the time periods set out in the Process Rule and ensure appropriate notice and comment procedures and timelines.

While NAFEM has no further comments at this time, it reserves the right to submit further information in the future and hopes that it can work closely with DOE to ensure that DOE has proper and appropriate analyses within any final TSD.

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,



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