Department of Energy
Washington, DC 20585

October 5, 2010

Ms. Katharine Kaplan
ENERGY STAR Product Development
U.S. EPA Headquarters
1200 Pennsylvania Avenue, NW
Room 62023
Washington, DC 20460

Dear Ms. Kaplan

On September 21, 2010, the United States Department of Energy (DOE) notified Equator Appliance that DOE had tested Equator clothes washer model EZ 3720 CEE as part of the ENERGY STAR Verification Testing Pilot Program, and that, according to DOE's testing, this model exceeded allowable ENERGY STAR requirements for water factor by 12.3 percent. DOE gave Equator until October 1, 2010 to request additional testing or to have this matter referred to the United States Environmental Protection Agency (EPA).

Equator has chosen not to request additional testing of this model. Specifically, Equator informed DOE on September 27, 2010 and September 30, 2010 that Equator's combination clothes washer/dryer was tested in Equator's manufacturing facility in China and that the tests conducted did not use the DOE test cloth, but rather a similar cloth. Equator plans to phase-out this model and stated that it has no inventory of model EZ 3720 CEE on hand. Equator did not dispute DOE's ENERGY STAR efficiency test results.

Accordingly, DOE is referring this matter to EPA, the brand manager for ENERGY STAR, for appropriate action. Please feel free to contact Laura Barhydt of my staff at (202) 287-5772 should you require any further information.

Sincerely,

Scott Harris

Scott Blake Harris
General Counsel

cc: Mr. Atul Vir
Equator Appliance
2801 W. Sam Houston Parkway
Houston, TX 77043-1611

Printed with soy ink on recycled paper