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May 9, 2015

Ms. Brenda Edwards
U.S. Department of Energy
Building Technologies Office, Mailstop EE-5B
1000 Independence Avenue SW
Washington, D.C. 20585-0121

Re: NOPR for Energy Conservation Standards for Hearth Products
Docket No. EERE-2014-BT-STD-0036
RIN No. 1904-AD35

Dear Ms. Edwards:

Rasmussen Iron Works, Inc., also known as Rasmussen Gas Logs & Grills, is a five generation family business, founded in 1907. Rasmussen has been manufacturing gas log sets for installation into woodburning fireplaces since 1958. We make vented sets ranging from 12” to 96” set sizes, with a variety of burner, log and lighting control styles, as well as custom sets for large and unusual fireplaces. We are one of the oldest manufacturers of vent-free gas log sets, and we distribute a line of radiant patio heaters manufactured by an Australian company. We also manufacture a premium line of gas grills. We have served on numerous ANSI standard technical committees and are members of the Hearth Patio & Barbecue Association (HPBA), National Propane Gas Association (NPGA), Air-Conditioning, Heating & Refrigeration Institute (AHRI), Vent-free Gas Products Alliance (VFGPA), National Chimney Sweep Guild (NCSG) and American Society of Gas Engineers (ASGE).

To date, I have provided my comments, input and opinions on this NOPR in my comment submission on January 30, 2014 to Proposed Determination of Coverage Docket No. EERE-2013-BT-DET-0057 (for which this NOPR asks the same question in Issue 1, a “do-over” of sorts), in my interview with your contractor Navigant on June 26, 2014, and at the Public Meeting in Washington, D.C., on March 23, 2015, in both a prepared statement and input during the meeting. I will summarize my comments on the impact the proposed regulation to prohibit standing pilots (eliminate standby mode fuel consumption) would have on patio heaters and gas logs.

Patio Heaters we distribute do not have standing pilots

All of the gas Patio Heaters that we distribute do not have standing pilots, as are most, if not all, Patio Heaters on the market. They either have an electronic ignition system or they have a flame failure safety system that powers the thermocouple from the main burner flame. Neither type has any standby mode fuel consumption. So while Patio Heaters would not be immediately affected by this NOPR, I fear that the statutory periodic review would result in ridiculous fuel conservation requirements whose compliance would be costly to achieve with no actual fuel savings. To wit, the infrared Patio we distribute are already the most efficient type possible. If Patio Heaters are required

Quality Products Since 1907

to consume less gas, thus producing less heat (less fuel, less heat), then consumers will purchase more heaters to adequately heat their desired space, resulting in a net zero affect on gas consumption, but a lot of compliance expense and hassle for the manufacturers.

Conclusion: Do not include Patio Heaters in any regulation. Doing so would be unnecessary and over-burdensome.

Vent-Free Gas Logs

Because all vent-free (unvented, ventless) gas heaters, including gas logs, must be equipped with an Oxygen Depletion Sensor (ODS) by a CPSC mandate in 1980, match-light is not an option for any vent-free gas log set. Currently, consumers have multiple safety lighting control options: Manual Standing Pilot Safety Control; Remote Control Standing Pilot Safety Control; Millivolt Standing Pilot Safety Control (which can be used with a variety of external switches, like wall switch, wall timer, thermostat, hand-held remote, and home automation systems); and Electronic Ignition Systems. However, under the NOPR, all vent-free sets could only be equipped with Electronic Ignition Systems. This represents a doubling of retail price to the consumer, with no lower cost option. Vent-free sets are often sold to lower income people who are looking for a lower cost option to operating their expensive and underperforming electric heat pumps. Vent-free sets are also an excellent source of emergency heat in the event of electrical power outages, however, if the electronic ignition system used by the gas log manufacturer requires 120-volt house electricity, then the Vent-free gas log set will no longer be the source of comfort in tough times that it could have been, had standing pilots systems, which require no outside electricity, been allowed to continue as an option.

Conclusion: Do not include Vent-free Gas Logs in any regulation. Doing so will skyrocket the price for these products, which will severely negatively impact sales to manufacturers; reduce consumer choice; increase consumer costs for heating their home; and eliminate an emergency source of heat during ice storms and other calamities that cuts off electric service to their homes.

Vented Gas Log Sets:

Woodburning fireplaces come in all sizes and shapes, which is why Rasmussen offers standard Vented Gas Log Sets in 12" to 96" widths, as well as manufacturing customs sets for large and unusual fireplaces. Vented gas log sets are purchased by consumers, hospitality, school and commercial customers as a convenient, clean burning and safe option to burning wood. Larger fireplaces require more gas to provide a flame that approximates that of a wood fire. Conversely, small fireplaces require less gas to create an attractive look.

Currently, consumers have multiple safety lighting control options: Match Lighted (Natural Gas only in limited jurisdictions in the USA); Manual Standing Pilot Safety Control; Remote Control Standing Pilot Safety Control; Millivolt Standing Pilot Safety Control (which can be used with a variety of external switches, like wall switch, wall timer, thermostat, hand-held remote, and home automation systems); and Electronic Ignition Systems. However, under the NOPR, all Vented Gas Log Sets could only be Match Lighted or equipped with Electronic Ignition Systems. This represents over a doubling of retail price to the consumer for those who wish to purchase a factory authorized control system.

However, there are third-party providers of standing pilot safety control systems, not be covered under the NOPR, who sell to dealers and consumers to mate their controls with match-lighted sets produced by Hearth Products manufacturers. Currently, Gas Log Set manufacturers provide factory assembled and authorized safety control systems, the best and safest path for dealers and consumers

to have such systems. However, some dealers and consumers, in an effort to save a few dollars, purchase after-market kits and install them onto Match Lighted sets. Such instances are a work-around the NOPR, which only applies to appliance manufacturers. So, the NOPR will allow for less safe installations of standing pilot systems, and the expected gas savings because of the NOPR will all be theoretical, as standing pilots will still be used by consumers, just not under the control of the manufacturer. This also represents a restraint of trade against the Gas Log Manufacturers by setting up an unlevel playing field.

EIS are the least developed of control systems in the hearth business for Gas Logs. Control systems are not designed specifically for gas logs – we get hand-me-downs from the furnaces and gas fireplaces. Because the largest of the gas fireplaces do not consume more than 65,000 BTU/hour, the EIS systems available limit gas log application to 30” and smaller gas log sets. Per the controls manufacturers, the volume of gas log sets sold does not warrant the costs to develop higher BTU models, which include research and development, testing, listing, tooling and marketing. I have asked many of the manufacturers to just give me a price, whatever it might be, but have been unsuccessful in obtaining this from them for over a dozen years. Consequently, Fireplaces that need either a gas log set larger than 30” will either need to be match lighted (not an option for propane) or have an EIS installed outside but adjacent to the fireplace (because they need 120-volt house electricity), which is not an option except in the case of an extensive remodel or new construction.

Conclusion: Vented Gas Log Set Manufacturers will be disproportionately affected by this NOPR. Electronic Ignition Systems are not available to all gas log sets, as they are for Gas Fireplaces. Sales of large and unusual sets will decrease dramatically, as most installations require a safety control system that can be installed inside of the fireplace, which is unavailable except to those undergoing extensive remodeling or new construction. Consumers who use Propane and those in jurisdictions that do not permit Match Lighting will see an immediate doubling of retail price, unless they purchase their standing pilot systems for unauthorized and unregulated third parties, which will result in zero decrease in gas consumption desired by this NOPR. Also, Vented Gas log Sets are not proper for coverage under any DOE regulation because their efficiency is dependent on the efficiency of the fireplace into which they are installed, a condition out of the control of the gas log manufacturer. Lastly, reductions in the sales of Gas Log Sets will result in an increase of the burning of wood, increasing issues related to degraded air quality both inside and outside of the dwelling.

Negative Impact on Small Businesses:

Except for two manufacturers in North America whose primary business is manufacturing fireplaces, but who also offer gas log sets, all Gas Log Manufacturers in the US are small businesses (under 500 employees). DOE projects in the NOPR on Page 7115, Table V.8 up to a 58% decrease in production workers as a result of this regulation. On Page 7116, DOE states that the Manufacturer Product Costs for gas log sets are likely to see a greater increase than for other products, resulting in declining consumer demand and negative impacts on gas log manufacturer profitability. Additionally, on Page 7125, DOE states that “because the proposed standard could cause competitive concerns for small manufacturers, DOE cannot certify that the proposed standard would not have a significant impact on a substantial number of small businesses.”

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I hope and pray that DOE will immediately withdraw this ill conceived, poorly researched, one-size-fits-all rulemaking before jobs and the economic interests of stakeholders are affected. I fear that the viability of my family's business will be severely threatened by this regulatory over-reach and severe breach of the American sense of fairness and competition.

Sincerely,
RASMUSSEN IRON WORKS, INC.

A handwritten signature in black ink, appearing to read "Rett Rasmussen". The signature is fluid and cursive, with a long horizontal stroke at the end.

Rett Rasmussen
President