

Appliance Standards Awareness Project  
American Council of an Energy-Efficient Economy  
Consumer Federation of America  
Northwest Energy Efficiency Alliance

May 19, 2025

Dr. Carl Shapiro  
U.S. Department of Energy  
Office of Energy Efficiency and Renewable Energy  
Building Technologies Office, EE-5B  
1000 Independence Avenue SW  
Washington, DC 20585

**RE: Docket Number EERE-2022-BT-DET-0004: Proposed Withdrawal of Determination of Portable Electric Spas as a Covered Consumer Product**

Dear Dr. Shapiro:

This letter constitutes the comments of the Appliance Standards Awareness Project (ASAP), American Council of an Energy-Efficient Economy (ACEEE), Consumer Federation of America (CFA), and the Northwest Energy Efficiency Alliance (NEEA) on the proposed withdrawal of determination of portable electric spas as a covered consumer product. 90 Fed. Reg. 16469 (April 18, 2025). We appreciate the opportunity to provide input to the Department.

**DOE should not withdraw the coverage determination for portable electric spas.** In September 2022, DOE finalized a coverage determination for spas that allows the Department to set the first federal efficiency standards for these products.<sup>1</sup> At the time, DOE determined that coverage of portable electric spas is both necessary and appropriate to carry out the purposes of EPCA, which includes conserving energy supplies through energy conservation programs that improve efficiency for major appliances and other consumer products. Spas represent one of the largest electricity consuming products for the nearly 9 million American households that have them; a typical standard spa consumes between about 1,850 and 3,400 kWh/year,<sup>2</sup> far exceeding the statutory requirements of product energy use in EPCA or in 42 U.S.C. 6295(l).<sup>3</sup> DOE further stated at the time that portable electric spas consume energy generated from limited energy supplies, regulating their energy efficiency would likely help conserve these limited supplies, and that technologies exist on the market today to improve spa efficiency.<sup>4</sup> DOE's recent notice of data availability for spas showed that establishing minimum standards could yield up to about 2.5 quads of cost-effective energy savings,<sup>5</sup> comparable to the recently amended standards for clothes dryers.

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<sup>1</sup>87 Fed. Reg. 54123 (September 2, 2022).

<sup>2</sup>NODA Support Document, p. 7-8. [www.regulations.gov/document/EERE-2022-BT-STD-0025-0016](http://www.regulations.gov/document/EERE-2022-BT-STD-0025-0016)

<sup>3</sup>42 U.S.C. 6292(b)(1) requires that products considered for coverage are likely to exceed 100 kWh. U.S.C. 6295(l) requires the Secretary to determine that the product's average household energy use has exceeded 150 kWh per household over 12-months and the aggregate 12-month energy use of the products has exceeded 4,200 GWh.

<sup>4</sup>87 Fed. Reg. 54123, 54126 (September 2, 2022).

<sup>5</sup>NODA Support Document, p. 10-13. [www.regulations.gov/document/EERE-2022-BT-STD-0025-0016](http://www.regulations.gov/document/EERE-2022-BT-STD-0025-0016)

All stakeholders that submitted comments on the 2022 proposed coverage determination, including the trade association representing spa manufacturers—the Pool and Hot Tub Alliance (PHTA)<sup>6</sup>—supported DOE establishing coverage and setting standards for portable electric spas.

However, DOE is now proposing to withdraw the coverage determination.<sup>7</sup> In the withdrawal notice, DOE states that they have “tentatively determined that it is not necessary or appropriate to classify portable electric spas as a covered product to carry out the purposes of EPCA.” However, the Department provides no reasoning for this change in position. DOE further claims in the withdrawal that they have determined that there are “other avenues to conserve energy supplies,”<sup>8</sup> but the Department provides no support for this claim.

**Standards for portable electric spas would save consumers billions without compromising choice.**

DOE’s recent spas analysis estimates that consumers purchasing baseline standard spas will spend about \$570/year in operating costs. The Department further estimates that minimum efficiency standards would save consumers up to about \$2,900 in electricity over the lifetime of a spa;<sup>9</sup> the estimated simple payback periods are about 2 years. Nationally, DOE estimated that portable electric spa standards could deliver up to about \$11 billion in net present value savings for consumers over 30 years of product sales. These represent meaningful savings for American households.

Additionally, as outlined in our recent comments to DOE,<sup>10</sup> there are more than 2,000 more efficient spas available on the market today that meet the latest industry standard—APSP 14-2019. These widely available, efficient spas include all the product features available to consumers today (massage jets, lights, built-in speakers, etc.). In contrast to more efficient spas, inefficient baseline spas skimp on cabinet and cover insulation, resulting in significant additional heat loss from the spa. In other words, inefficient spas raise electricity bills without providing any added performance or utility.

Taken together, rather than withdraw the coverage determination, DOE should instead move towards finalizing portable electric spa standards that will save Americans billions.

Thank you for considering these comments.

Sincerely,



Jeremy Dunklin, PhD  
Senior Technical Advocacy Associate  
Appliance Standards Awareness Project



Matt Malinowski  
Director, Buildings Program  
American Council for an Energy-Efficient Economy

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<sup>6</sup>[www.regulations.gov/comment/EERE-2022-BT-DET-0006-0003](http://www.regulations.gov/comment/EERE-2022-BT-DET-0006-0003)

<sup>7</sup>90 Fed. Reg. 16469 (April 18, 2025).

<sup>8</sup>90 Fed. Reg. 16469, 16470 (April 18, 2025).

<sup>9</sup>NODA Support Document, p. 8-21. [www.regulations.gov/document/EERE-2022-BT-STD-0025-0016](http://www.regulations.gov/document/EERE-2022-BT-STD-0025-0016)

<sup>10</sup>[www.regulations.gov/comment/EERE-2022-BT-STD-0025-0009](http://www.regulations.gov/comment/EERE-2022-BT-STD-0025-0009)



Courtney Griffin  
Director of Consumer Product Safety  
Consumer Federation of America



Blake Ringeisen  
Sr. Engineer, Codes and Standards  
Northwest Energy Efficiency Alliance