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TESTIMONY

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ON BEHALF OF
THE ASSOCIATION OF HOME APPLIANCE MANUFACTURERS

BEFORE THE CONNECTICUT GENERAL ASSEMBLY
JOINT COMMITTEE ON ENERGY AND TECHNOLOGY

HEARING
HB 7151
CONCERNING APPLIANCE EFFICIENCY STANDARDS

MARCH 5, 2019

Chairmen Needleman and Arconti, Ranking Members Formica and Ferraro and members of the Committee, the Association of Home Appliance Manufacturers (AHAM) strongly urges the committee to **oppose HB 7151**, an act concerning appliance efficiency standards. Although AHAM understands the bill's intent to save energy, HB 7151 **has a number of problems relating to home appliances that need to be addressed, not the least of which are health concerns for those with asthma or allergies.**

AHAM represents manufacturers of major, portable and floor care home appliances, and suppliers to the industry. This includes manufacturers of air purifiers/cleaners, cooking ventilation hoods, portable air conditioners, and commercial clothes washers, which are directly affected by HB 7151. AHAM's membership includes over 150 companies that employ tens of thousands of people and produce more than 95% of the household appliances that are shipped for sale within the United States. The factory shipment value of these products is more than \$38 billion annually. The home appliance industry, through its products and innovation, is essential to consumer lifestyle, health, safety and convenience. Through its technology, employees and productivity, the industry contributes significantly to the U.S. job market and the nation's economic security. Home appliances also are a success story in terms of energy efficiency and environmental protection. The purchase of new appliances often represents the most effective choice a consumer can make to reduce home energy use and costs. **Some of the appliances impacted by HB 7151 have a direct effect on indoor air quality affecting a significant population with health issues, such as asthma, allergies, and chronic breathing problems.** Our concerns with the bill's impacts on these products for manufacturers and consumers are outlined below.

Expanded Authority on Energy Efficiency Standards

We appreciate that Connecticut is striving to improve energy efficiency. As leaders in energy efficiency and active participants in efficiency matters before the U.S. Department of Energy, AHAM has a particular interest in H.B. 7151. We oppose the bill's continuance and expansion of DEEP's authority to establish new standards for any new product. H.B. 7151 continues the unrealistic minimum one-year minimum time period to redesign a product. Also, there should be additional limits to this authority, such as requiring a certain threshold of energy savings and impacts on manufacturers. Under federal law, manufacturers have three years to comply with the regulations, which allows for redesign, retooling of factories, pilot product testing, safety testing, and many other requirements to ensure the product is ready for the market.

Energy Savings

The goal of saving energy is important but should not be considered irrespective of other consequences, such as impacts to healthy indoor air quality and the products' availability to lower income and disadvantaged populations.

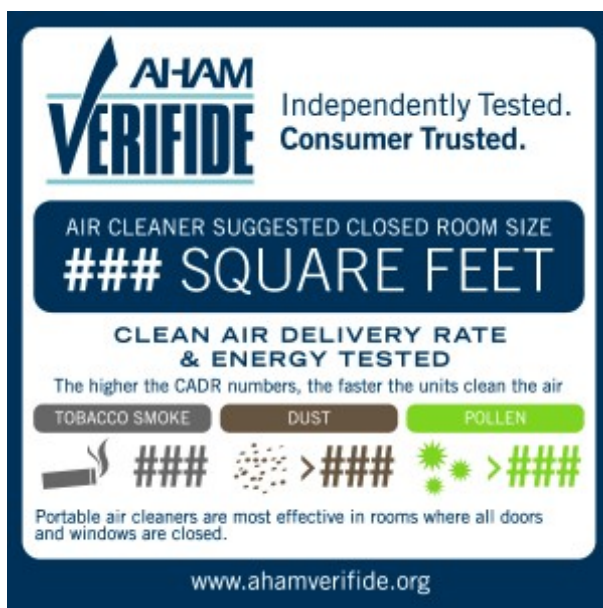
Air Purifiers/Cleaners – Negative Impact on Air Filtration

The ENERGY STAR minimum standard the bill would establish for air cleaners should be deleted. No other state has established this type of standard for air cleaners, and for very good reason. In 2004, California was considering energy standards for air cleaners and determined that it would

not move forward. Please find attached a report by AHAM on this issue, which outlines the reasons why energy standards for air cleaners are not appropriate.

For many people, including most importantly the low income segment, air cleaners are purchased for health reasons and as the included report shows, the standards that HB 7151 proposes could “destroy the retail price points for units at <\$50 and at \$50-100. This is likely to have a profound effect on consumers who depend on the availability of smaller air cleaners, with lower Clean Air Delivery Rate (CADR) values, for smaller rooms. This may be especially true for those consumers who are at fixed incomes or who are economically disadvantaged.”

This bill would prohibit any air cleaner to be sold in the state of Connecticut with less than 2 CADR per watt for dust, and it is important to note that EPA is actively considering changing the ENERGY STAR specification to smoke CADR because smoke is a smaller particulate. CADR is the Clean Air Delivery Rate and indicates the volume of filtered air delivered by an air cleaner. The higher the tobacco smoke, pollen and dust numbers, the faster the unit cleans the air in the room. The AHAM label (below) is found on the packaging of more than 15 million air cleaners shipped per year and lists the three CADR particulate reduction numbers – one for tobacco smoke, one for pollen and one for dust. But even more importantly, this label indicates the suggested room size, as tested, that is appropriate for the consumer, avoiding the tendency to just buy bigger and bigger units. This rating system, which indicates performance at the most efficient room size, greatly advantages the people with limited financial resources.



AHAM’s Verifide program provides a uniform and practical verification of energy, volume and certain performance criteria for each product, with an independent laboratory performing the verification testing. AHAM is recognized by the EPA as a Certification Body and is approved to administer verification testing for purposes of the ENERGY STAR program. Manufacturers that

participate in the programs are identified by the AHAM Verifide Mark (see below) that appears on the product packaging or rating label.



For purchasing the right air cleaner, a person can easily find the AHAM suggested room size noted prominently on the label. This suggested sizing should match the size of the room the consumer is trying to clean. Air cleaners today exist across the full range of CADR. If the CADR rating, which is directly linked to performance and room size, is limited based on wattage as a result of this bill, it will likely cause customers to buy multiple or bigger air cleaners to obtain the performance they were trying to achieve. The reason for this is because any air cleaner first and foremost has to move air across a filter to clean it. The denser the filters, the more watts are needed to move the air through the filtration system. In order to reduce the wattage of the fan/motor system, the filters could be made either less dense or move less air. For example, an optimal air cleaner for a small bedroom for a child that is 10 x 10 feet, or 100 square feet; is a unit with a smoke CADR of 65. In order to be ENERGY STAR in that small size, the product's wattage would be limited to half the dust CADR. If the dust CADR were 65 then the product would be limited to 32 watts. On 120 volts power, that means it would have to operate at less than 1/4 of an amp. That is not many amps to move air through a filter.

The electricity cost for the needed wattage is very low for the important health benefits. For example, if one unit used 100 watts and another used 40 watts, and even assuming it runs 12 hours a day, 365 days a year, the energy difference is only 263 kWh/year or \$2.77/month (assuming the average January 2019 rate of 12.67 cents per kWh in Hartford).

Further, establishing an ENERGY STAR level as a mandatory minimum completely and utterly undermines the ENERGY STAR program. ENERGY STAR was created to acknowledge and highlight the top 25-30% most efficient products in the market place. Only 33% of air cleaners are ENERGY STAR, so it would eliminate 66% of the air cleaner products from the Connecticut market unless they are purchased through the Internet, thereby negatively impacting brick and mortar retailers and their employees in the state.¹ The ENERGY STAR program has been very successful because it allows consumers to voluntarily choose units that are ENERGY STAR rated and may cost more. Using it so all products are ENERGY STAR renders the ENERGY STAR logo meaningless and would require all consumers to buy more expensive units that may, in many cases, save little energy that would never be recouped from utility bills over the course of the lifetime of the product.

¹ EPA ENERGY STAR Unit Shipment and Market Penetration Report Calendar Year 2016, https://www.energystar.gov/ia/partners/downloads/unit_shipment_data/2016_USD_Summary_Report.pdf?7166-cd80, last visited in February 17, 2018.

Portable Air Conditioners

On June 1, 2016, DOE published a final rule (a correction was issued on October 14, 2016) to establish test procedures for portable air conditioners. The final rule changes were mandatory for representations of energy use or efficiency on or after November 28, 2016. On December 28, 2016, DOE issued the final rule for establishing minimum energy standards by pre-publication. This pre-publication was for the identification of any error corrections that may be needed. Although DOE has issued this final rule, the agency has not yet formally published it in the Federal Register. On February 15, 2018, a U.S. District Court Judge ordered DOE “to publish the standards within 28 days of this ruling,” But this is under appeal. Under federal law (42USC6295), federal energy conservation standards preempt state standards on the date the final rule is issued by DOE. Creating a law in Connecticut that is preempted by federal law creates unnecessary confusion and waste of state resources.

AHAM supports the publication of DOE’s Portable AC final rule to ensure national energy savings and a national marketplace. Because this is the first time DOE is setting an energy conservation standard for portable air conditioners, manufacturers have been planning for the five year timeframe that allows for re-design and re-tooling for this new mandatory limit. HB 7151 is not consistent with the DOE rule’s five year lead-in period to allow manufacturers to cost effectively re-tool and re-design the full breadth of products. That is the minimum time needed to comply with new standards. There also is broad support for DOE to publish the rule even before the court ruling, including recent support at a DOE’s Appliance Standards and Rulemaking Advisory Committee meeting. We appreciate, that the bill at least matches the effective date of February 1, 2022 that is the law in Vermont. We oppose a patchwork of differing state standards and effective dates.

Commercial Clothes Washers

On December 15, 2014, the U.S. Department of Energy (DOE) prescribed energy conservation standards for commercial clothes washers. Compliance with the amended standards established for commercial clothes washers was required on January 1, 2018. Of critical importance is that the federal standards preempts any minimum energy standards in Connecticut regardless of the state law in this area. HB 7151 continues to cite California’s standard and test procedures for commercial clothes washers, which are also preempted by federal law, and has required the California Energy Commission to make some adjustments to their regulations for this product and its certification. HB 7151 maintains current state law requiring commercial clothes washers to be tested under the now invalid California regulations and cites an outdated part of the CEC regulations. Therefore, to avoid confusion over a law that is not enforceable, this bill should remove commercial clothes washers from Connecticut law.

Conclusion

Thank you for the opportunity to present testimony to the committee. As you can see, HB 7151 raises serious concerns for consumers and manufacturers. AHAM strongly urges you to reconsider this bill for the reasons set forth in this testimony.

APPENDIX