



1111 19th Street NW > Suite 402 > Washington, DC 20036
t 202.872.5955 f 202.872.9354 www.aham.org

TESTIMONY

SARAH FAYE PIERCE
DIRECTOR, GOVERNMENT RELATIONS

ON BEHALF OF
THE ASSOCIATION OF HOME APPLIANCE MANUFACTURERS

BEFORE THE STATE OF VERMONT GENERAL ASSEMBLY
SENATE COMMITTEE ON NATURAL RESOURCES & ENERGY

HEARING
HB 410
AN ACT RELATING TO ADDING PRODUCTS TO VERMONT'S ENERGY EFFICIENCY
STANDARDS FOR APPLIANCES AND EQUIPMENT

MARCH 21, 2018

Chairman Bray, Vice Chairman Campion and members of the Committee; the Association of Home Appliance Manufacturers (AHAM) strongly urges the committee to **oppose HB 410**, an act concerning appliance efficiency standards. Although AHAM understands that the intent of the bill is to save energy; HB 410 has a number of problems relating to home appliances, e.g. ventilation fans and portable air conditioners that need to be addressed. Most importantly, there are health related concerns that HB 410 bring to bear for those suffering from chronic conditions like asthma and allergies.

AHAM represents manufacturers of major, portable and floor care home appliances, and suppliers to the industry. This includes manufacturers of cooking ventilation hoods, and portable air conditioners, which are directly affected by HB 410. 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 home appliance products impacted by HB 410 have a direct effect on indoor air quality.** Our concerns with the bill's impact on these products for manufacturers and consumers are outlined below.

Energy Savings

The intent of HB 410 is energy savings for consumers and reduced reliance on natural resources; however, actual measured energy saved by this legislation is highly unlikely to be realized by consumers. While the goal of energy savings is important it should NOT be considered irrespective of other consequences, such as impacts to indoor air quality, product availability, consumer choice, and new product development. This is of particular concern for lower income populations and consumers that experience chronic conditions worsened by poor air quality.

For example, ventilation hoods contribute a negligible amount to the total home's energy use. An average home uses about 10,000 kWh/year; a ventilation hood uses at most 15.6 kWh/year or 0.16% of a home's total energy use – or \$1.90 per year. If it were assumed that this bill would save 10% of this products' energy use in the home; the savings would be 1.56 kWh/year for ventilation hoods or 0.016% of the home's energy usage. The savings can't buy you a cup of coffee at Starbucks.

Cooking Range Ventilation Hood Fans – Negative Impact on Indoor Air Quality

The ENERGY STAR minimum standard the bill would create for ventilating fans used for ventilation hoods for cooktops and ranges in the kitchen should be deleted. This bill would establish the ENERGY STAR levels that were effective in 2012 for voluntary use to recognize the most efficient products as a requirement for all ventilating fan products. The ENERGY STAR

version 3.2 places a cap on the airflow at 500 cubic feet per minute (CFM) and further restricts the air flow for cooking range hoods to 2.8 CFM/Watt.

Air flow is an important factor in improving indoor air quality while ensuring all income levels can afford the best air quality, especially for homes that cook a lot of stir fry, vegetables, and cooktop grilling. The California Air Resources Board (CARB) funded research on Kitchen Ventilation Solutions to Indoor Air Quality Hazards from Cooking (October 2013).¹ The research was sponsored by EPA's Indoor Environment Division, the Department of Energy, and the Department of Housing and Urban Development's Office of Homes and Lead Hazard Control. The findings were straightforward – install and use exhaust ventilation in kitchens that remove smoke, remove odors and moisture, **and are affordable**. Also, CARB states that “[S]tudies have revealed that home air pollutant levels can exceed health-based standards when people are cooking in kitchens with poor ventilation. The best way to ventilate is to use a properly-installed, highly efficient range hood (e.g., **high cubic feet per minute [cfm] rating** and low sones [noise] rating) to remove pollutants produced during cooking activities.”² Note that the CARB study stress high cubic feet per minute. A lower CFM can also have unintended consequences such as needing to run longer to turn-over the needed amount of air. Running a ventilating fan longer conflicts with consumer behavior, which generally turns the fan off after cooking because of the noise and so they will not forget.

The ENERGY STAR label is widely recognized by consumers as a mark showing the more efficient product choices. If every product were required to meet the ENERGY STAR levels, it would render the label and program meaningless. Furthermore, compliance with ENERGY STAR levels require lower airflow values, which causes challenges related to maintaining safe distances between cooking surface and the hood using lower power for ventilation. It also makes it extremely problematic for hoods used with commercial style gas cooktops due to the inherently larger air volumes associated with five or more gas burners.

Another complicating factor is that ventilation systems are very dependent on the installation. Installation is an important factor and is outside the control of appliance manufacturers or the ENERGY STAR levels. Installation of a ventilating duct system that is longer requires increased power to move the air through longer ductwork.

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-publishing it. 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

¹ California Air Resources Board, Cooking and Range Hoods, https://www.arb.ca.gov/research/indoor/cooking/cooking_range_hoods.htm, last visited on February 17, 2018.

² *ibid*

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.” 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 Vermont that is preempted by federal law just creates unnecessary confusion and waste of state resources.

AHAM supports the publication of DOE’s Portable Air Conditioner 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 retooling of products and manufacturing process for this new mandatory limit. HB 410 is not consistent with the DOE rule’s five year lead-in period to allow manufacturers to make the necessary modifications as described above. The 5-yr lead-in is the minimum time needed to comply with new standards. There is also broad support for DOE to publish the rule even before the court ruling and recent agency appeal. This includes support from DOE’s Appliance Standards and Rulemaking Advisory Committee.

Conclusion

Thank you for the opportunity to present testimony to the committee. As you can see, HB 410 raises serious concerns for consumers and manufacturers. AHAM strongly urges you to reconsider this bill for the reasons set forth in this testimony.