

117TH CONGRESS
2D SESSION

S. 5258

To amend the Energy Policy and Conservation Act to provide that consumer room air cleaners are covered products to which certain energy conservation standards apply, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 14, 2022

Mrs. SHAHEEN introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To amend the Energy Policy and Conservation Act to provide that consumer room air cleaners are covered products to which certain energy conservation standards apply, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. DEFINITIONS.**

4 Section 321 of the Energy Policy and Conservation
5 Act (42 U.S.C. 6291) is amended by adding at the end
6 the following:

7 “(67) CONSUMER ROOM AIR CLEANER.—

1 “(A) IN GENERAL.—The term ‘consumer
2 room air cleaner’ means a consumer product for
3 improving air quality that—

4 “(i) is an electrically powered, self-
5 contained, mechanically encased assembly;
6 and

7 “(ii) contains means to remove, de-
8 stroy, or deactivate particulates, volatile
9 organic compounds, or microorganisms
10 from the air.

11 “(B) INCLUSIONS.—The term ‘consumer
12 room air cleaner’ includes—

13 “(i) conventional room air cleaners;
14 and

15 “(ii) miscellaneous room air cleaners.

16 “(C) EXCLUSIONS.—The term ‘consumer
17 room air cleaner’ does not include—

18 “(i) a central air conditioner, room air
19 conditioner, portable air conditioner, dehu-
20 midifier, or furnace (as those terms are de-
21 fined in section 430.2 of title 10, Code of
22 Federal Regulations (as in effect on the
23 date of enactment of this paragraph)); or

24 “(ii) a duct type device.

1 “(68) CONVENTIONAL ROOM AIR CLEANER.—

2 The term ‘conventional room air cleaner’ means a
3 consumer room air cleaner that—

4 “(A) is a portable or wall-mounted (fixed)
5 unit;

6 “(B) plugs into an electrical outlet;

7 “(C) operates with a fan for air circula-
8 tion; and

9 “(D) contains a means to remove, destroy,
10 or deactivate particulates.

11 “(69) DUCT TYPE DEVICE.—The term ‘duct
12 type device’ means an air cleaner that—

13 “(A) is designed and marketed exclusively
14 for use in and at adjoining ducts, including the
15 plenum, of heating, air conditioning, and ven-
16 tilating systems; and

17 “(B) is either cord-and-plug connected or
18 permanently connected to the electrical supply
19 source.

20 “(70) MISCELLANEOUS ROOM AIR CLEANER.—

21 The term ‘miscellaneous room air cleaner’ means
22 any consumer room air cleaner that is not a conven-
23 tional room air cleaner.”.

1 **SEC. 2. COVERAGE OF CONSUMER ROOM AIR CLEANERS.**

2 Section 322(a) of the Energy Policy and Conserva-
3 tion Act (42 U.S.C. 6292(a)) is amended—

4 (1) by redesignating paragraph (20) as para-
5 graph (21); and

6 (2) by inserting after paragraph (19) the fol-
7 lowing:

8 “(20) Consumer room air cleaners.”.

9 **SEC. 3. TEST PROCEDURES.**

10 Section 323(b) of the Energy Policy and Conserva-
11 tion Act (42 U.S.C. 6293(b)) is amended by adding at
12 the end the following:

13 “(19) CONVENTIONAL ROOM AIR CLEANERS.—

14 “(A) For compliance with the standards
15 under section 325(ii)(1), the test procedure
16 shall be AHAM AC–7–2022, and section 6.2 of
17 ANSI/AHAM AC–1–2020 for Dust CADR and
18 section 5.2 of ANSI/AHAM AC–1–2020 for
19 Smoke CADR may be applied for the calcula-
20 tion of PM_{2.5}.

21 “(B) For compliance with the standards
22 under section 325(ii)(2), the test procedure
23 shall be AHAM AC–7–2022.

24 “(C) When considering amended standards
25 for conventional room air cleaners that replace
26 the standards under section 325(ii)(2), the Sec-

1 retary shall consider amending the test proce-
2 dure to include measurement of automatic
3 mode, if such an inclusion would improve the
4 accuracy of energy use measurements.”.

5 **SEC. 4. LABELING.**

6 Section 324(a) of the Energy Policy and Conserva-
7 tion Act (42 U.S.C. 6294(a)) is amended—

8 (1) in paragraph (1), by striking “and (8)
9 through (12)” and inserting “(8) through (12), and
10 (20)”;

11 (2) in paragraph (5), by adding at the end the
12 following:

13 “(D) The Commission shall not require
14 compliance with labeling requirements under
15 this section for conventional room air cleaners
16 before December 31, 2025.”.

17 **SEC. 5. ENERGY CONSERVATION STANDARDS.**

18 Section 325 of the Energy Policy and Conservation
19 Act (42 U.S.C. 6295) is amended—

20 (1) in subsection (m)(4)(A)(i), by inserting
21 “consumer room air cleaners,” after “with respect
22 to”;

23 (2) by redesignating subsection (ii) as sub-
24 section (jj); and

1 (3) by inserting after subsection (hh) the fol-
2 lowing:

3 “(ii) CONVENTIONAL ROOM AIR CLEANERS.—

4 “(1) IN GENERAL.—The following standards
5 shall apply to conventional room air cleaners manu-
6 factured during the period beginning on December
7 31, 2023 and ending on December 30, 2025:

8 “(A) A conventional room air cleaner with
9 a measured $\text{PM}_{2.5}$ CADR of greater than 9 and
10 less than 100 shall meet or exceed an IEF of
11 1.69 $\text{PM}_{2.5}$ CADR/Watt.

12 “(B) A conventional room air cleaner with
13 a measured $\text{PM}_{2.5}$ CADR of greater than 99
14 and less than 150 shall meet or exceed an IEF
15 of 1.90 $\text{PM}_{2.5}$ CADR/Watt.

16 “(C) A conventional room air cleaner with
17 a measured $\text{PM}_{2.5}$ CADR of 150 or greater
18 shall meet or exceed an IEF of 2.01 $\text{PM}_{2.5}$
19 CADR/Watt.

20 “(2) SUBSEQUENT STANDARDS.—The following
21 standards shall apply to conventional room air clean-
22 ers manufactured on or after December 31, 2025:

23 “(A) A conventional room air cleaner with
24 a measured $\text{PM}_{2.5}$ CADR of greater than 9 and

1 less than 100 shall meet or exceed an IEF of
 2 1.89 PM_{2.5} CADR/Watt.

3 “(B) A conventional room air cleaner with
 4 a measured PM_{2.5} CADR of greater than 99
 5 and less than 150 shall meet or exceed an IEF
 6 of 2.39 PM_{2.5} CADR/Watt.

7 “(C) A conventional room air cleaner with
 8 a measured PM_{2.5} CADR of 150 or greater
 9 shall meet or exceed an IEF of 2.91 PM_{2.5}
 10 CADR/Watt.”.

11 **SEC. 6. PREEMPTION.**

12 Subsection (jj) of section 325 of the Energy Policy
 13 and Conservation Act (42 U.S.C. 6295) (as redesignated
 14 by section 5(2)) is amended—

15 (1) in paragraph (1), by striking “; and” at the
 16 end and inserting a semicolon;

17 (2) in paragraph (2), by striking the period at
 18 the end and inserting “; and”; and

19 (3) by adding at the end the following:

20 “(3) beginning on December 31, 2023, to con-
 21 sumer room air cleaners, except that section
 22 327(a)(1)(B) shall apply to consumer room air
 23 cleaners beginning on the date of enactment of this
 24 paragraph.”.

1 **SEC. 7. CONFORMING AMENDMENTS.**

2 (a) Section 321(6)(B) of the Energy Policy and Con-
 3 servation Act (42 U.S.C. 6291(6)(B)) is amended by strik-
 4 ing “(20)” and inserting “(21)”.

5 (b) Section 324 of the Energy Policy and Conserva-
 6 tion Act (42 U.S.C. 6294) is amended by striking “(20)”
 7 each place it appears (other than in subsection (a)(1) (as
 8 amended by section 4(1))) and inserting “(21)”.

9 (c) Section 325 of the Energy Policy and Conserva-
 10 tion Act (42 U.S.C. 6295) is amended by striking “(20)”
 11 each place it appears and inserting “(21)”.

12 **SEC. 8. OTHER AIR CLEANERS.**

13 Nothing in this Act affects the authority of the Sec-
 14 retary of Energy to regulate air cleaners (as defined in
 15 section 430.2 of title 10 of the Code of Federal Regula-
 16 tions (as in effect on the date of enactment of this Act)),
 17 other than consumer room air cleaners (as defined in sec-
 18 tion 321 of the Energy Policy and Conservation Act (42
 19 U.S.C. 6291)).

○