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April 13, 2021

The Honorable Michael S. Regan
Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Re: Petition for Technology Transition under The American Innovation and Manufacturing Act of 2020

Dear Administrator Regan:

The Association of Home Appliance Manufacturers (AHAM) represents manufacturers of major, portable and floor care home appliances, and suppliers to the industry. AHAM’s membership includes over 150 companies throughout the world. The appliance industry directly employs over 377,000 workers in the U.S. and AHAM members produce more than 95% of the household appliances that are shipped for sale domestically. The industry’s total economic impact exceeds \$198 billion. 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 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.

With this petition, pursuant to *The American Innovation in Manufacturing Act of 2020* (AIM Act), AHAM respectfully requests the U.S. Environmental Protection Agency (EPA) to require the use of refrigerants with global warming potentials (GWP) of 750 or less for the products listed in the table below at the dates indicated therein. The dates are based on the date of manufacture.

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| Room air conditioners without electric heat and a capacity of 25,000 Btu/hr or less | January 1, 2023 |
| Room air conditioners with electric heat and a capacity of 25,000 Btus/hr or less | January 1, 2024 |
| Portable air conditioners | January 1, 2023 |
| Dehumidifiers | 2 years after EPA approval of R32 refrigerant for dehumidifiers |

EPA should note that room air conditioners with electric heat comprise only about 4 percent of total room air conditioner shipments, so the additional year to address the safety issues from flammable refrigerants in products using heat will not substantively impact EPA’s GHG emissions analysis. Additionally, safety standards do not allow enough alternative refrigerant for these larger units to transition out of HFC refrigerants. For an A2L like R-32, the upper charge limit would be roughly 916g

based on 3 times the lower flammability limit as per UL 60335-2-40 Ed.3 as well as UL 484 Ed. 9 (which is set to sunset fairly soon). Further, these products with a capacity of over 25,000 Btu/hr are hermetically sealed and comprise less than 2 percent of total shipments, so excluding them will also have minimal GHG emissions impact.

We are urgently seeking promulgation of this regulation to ensure, regulatory sufficient time to prepare for this transition and to comply with the requirements of the AIM Act.

Under paragraph (2) of subsection (i) of the AIM Act, AHAM is required to request as part of this petition that EPA “negotiate with stakeholders in accordance with paragraph (2) (A) ...”.

This statutory requirement notwithstanding, AHAM believes the regulatory standard requested in this petition represents the consensus view of manufacturers that will be subject to compliance obligations if this standard is promulgated, as well as that of other stakeholders. AHAM further believes that traditional rulemaking procedures involving public notice and comment are sufficient in serving the policy objectives underlying the AIM Act, while allowing for transparent and representative regulatory process. In this case, a negotiated rulemaking will unnecessarily consume time and agency resources without providing any material value to the agency, the regulated community, or the public.

The transition dates requested in this petition are reasonable, practical, achievable, and further the AIM Act’s goals. Earlier dates may not be achievable or are unduly burdensome for little environmental gain, and later dates may unnecessarily interfere with AIM Act implementation.

The proposed dates allow sufficient time to avoid burdensome costs on manufacturers and consumers while maintaining the safety and performance of these products. As a general matter, the home appliance industry already is proceeding with the requested transition date as its goal; granting this petition provides order and structure to the market and streamlines industry preparation.

In light of this, the requested transition date is the best possible outcome for all affected stakeholders and should minimize the resources EPA needs to complete the rulemaking.

This matter is a high priority for the home appliance industry. We respectfully request EPA’s prompt action in promulgating the rule proposed by this petition. AHAM is willing to provide additional information that EPA may require in considering this petition and initiating the rulemaking process.

Sincerely,



Kevin Messner
Senior Vice President, Policy & Government Relations

Cc:

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