

118TH CONGRESS
1ST SESSION

S. 235

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

FEBRUARY 2, 2023

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. SHORT TITLE.**

4 This Act may be cited as the “Healthy Indoor Air
5 Act of 2023”.

1 **SEC. 2. DEFINITIONS.**

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

5 “(67) CONSUMER ROOM AIR CLEANER.—

6 “(A) IN GENERAL.—The term ‘consumer
7 room air cleaner’ means a consumer product for
8 improving air quality that—

9 “(i) is an electrically powered, self-
10 contained, mechanically encased assembly;
11 and

12 “(ii) contains means to remove, de-
13 stroy, or deactivate particulates, volatile
14 organic compounds, or microorganisms
15 from the air.

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

18 “(i) conventional room air cleaners;
19 and

20 “(ii) miscellaneous room air cleaners.

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

23 “(i) a central air conditioner, room air
24 conditioner, portable air conditioner, dehu-
25 midifier, or furnace (as those terms are de-
26 fined in section 430.2 of title 10, Code of

1 Federal Regulations (as in effect on the
2 date of enactment of this paragraph)); or

3 “(ii) a duct type device.

4 “(68) CONVENTIONAL ROOM AIR CLEANER.—
5 The term ‘conventional room air cleaner’ means a
6 consumer room air cleaner that—

7 “(A) is a portable or wall-mounted (fixed)
8 unit;

9 “(B) plugs into an electrical outlet;

10 “(C) operates with a fan for air circula-
11 tion; and

12 “(D) contains a means to remove, destroy,
13 or deactivate particulates.

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

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

20 “(B) is either cord-and-plug connected or
21 permanently connected to the electrical supply
22 source.

23 “(70) MISCELLANEOUS ROOM AIR CLEANER.—
24 The term ‘miscellaneous room air cleaner’ means

1 any consumer room air cleaner that is not a conven-
2 tional room air cleaner.”.

3 **SEC. 3. COVERAGE OF CONSUMER ROOM AIR CLEANERS.**

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

6 (1) by redesignating paragraph (20) as para-
7 graph (21); and

8 (2) by inserting after paragraph (19) the fol-
9 lowing:

10 “(20) Consumer room air cleaners.”.

11 **SEC. 4. TEST PROCEDURES.**

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

15 “(19) CONVENTIONAL ROOM AIR CLEANERS.—

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

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

1 “(C) When considering amended standards
2 for conventional room air cleaners that replace
3 the standards under section 325(ii)(2), the Sec-
4 retary shall consider amending the test proce-
5 dure to include measurement of automatic
6 mode, if such an inclusion would improve the
7 accuracy of energy use measurements.”.

8 **SEC. 5. LABELING.**

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

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

14 (2) in paragraph (5), by adding at the end the
15 following:

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

20 **SEC. 6. ENERGY CONSERVATION STANDARDS.**

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

23 (1) in subsection (m)(4)(A)(i), by inserting
24 “consumer room air cleaners,” after “with respect
25 to”;

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

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

5 “(ii) CONVENTIONAL ROOM AIR CLEANERS.—

6 “(1) IN GENERAL.—The following standards
7 shall apply to conventional room air cleaners manu-
8 factured during the period beginning on December
9 31, 2023 and ending on December 30, 2025:

10 “(A) A conventional room air cleaner with
11 a measured $PM_{2.5}$ CADR of greater than 9 and
12 less than 100 shall meet or exceed an IEF of
13 1.69 $PM_{2.5}$ CADR/Watt.

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

18 “(C) A conventional room air cleaner with
19 a measured $PM_{2.5}$ CADR of 150 or greater
20 shall meet or exceed an IEF of 2.01 $PM_{2.5}$
21 CADR/Watt.

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

1 “(A) A conventional room air cleaner with
2 a measured PM_{2.5} CADR of greater than 9 and
3 less than 100 shall meet or exceed an IEF of
4 1.89 PM_{2.5} CADR/Watt.

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

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

13 **SEC. 7. PREEMPTION.**

14 Subsection (jj) of section 325 of the Energy Policy
15 and Conservation Act (42 U.S.C. 6295) (as redesignated
16 by section 6(2)) is amended—

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

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

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

22 “(3) beginning on December 31, 2023, to con-
23 sumer room air cleaners, except that section
24 327(a)(1)(B) shall apply to consumer room air

1 cleaners beginning on the date of enactment of this
2 paragraph.”.

3 **SEC. 8. CONFORMING AMENDMENTS.**

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

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

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

14 **SEC. 9. OTHER AIR CLEANERS.**

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

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