

118TH CONGRESS
1ST SESSION

S. 1043

To amend the Energy Policy and Conservation Act to modify standards for water heaters, furnaces, boilers, and kitchen cooktops, ranges, and ovens, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 29, 2023

Mr. BARRASSO (for himself, Mr. RISCH, Mr. LEE, Mr. CASSIDY, and Mr. HOEVEN) 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 modify standards for water heaters, furnaces, boilers, and kitchen cooktops, ranges, and ovens, 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 “Natural Gas Appli-
5 ances Standards Act of 2023” or the “Natural GAS Act
6 of 2023”.

1 **SEC. 2. RULE REQUIREMENTS FOR WATER HEATERS.**

2 Section 325(e) of the Energy Policy and Conservation
3 Act (42 U.S.C. 6295(e)) is amended by adding at the end
4 the following:

5 “(7) REQUIREMENTS.—

6 “(A) RULEMAKING PROCESS.—For any
7 rule relating to water heaters under this section
8 that is finalized after the date of enactment of
9 this paragraph, the Secretary shall—

10 “(i) require as part of the rulemaking
11 process the performance of a full fuel cycle
12 analysis for energy efficiency standards
13 and a full fuel cycle energy descriptor, as
14 described in a letter report of the National
15 Academies entitled ‘Review of Site (Point-
16 of-Use) and Full-Fuel-Cycle Measurement
17 Approaches to DOE/EERE Building Ap-
18pliance Energy-Efficiency Standards’ and
19 dated 2009; and

20 “(ii) certify that the rule is not likely
21 to result in a significant shift from gas
22 water heaters to electric water heaters with
23 respect to residential construction, com-
24mercial construction, or water heater re-
25placement.

1 “(B) RULES.—Any rule relating to water
2 heaters under this section that is finalized after
3 the date of enactment of this paragraph—

4 “(i) shall not apply to small major
5 household appliance manufacturers (as de-
6 fined in section 121.201 of title 13, Code
7 of Federal Regulations (or successor regu-
8 lations)); and

9 “(ii) shall require the results of the
10 analysis and resulting energy descriptor
11 described in subparagraph (A)(i) to be
12 prominently disclosed on any label that—

13 “(I) is required by the Federal
14 Trade Commission to provide energy
15 efficiency information of the water
16 heater; and

17 “(II) is visible to consumers at
18 the point of sale.”.

19 **SEC. 3. RULE REQUIREMENTS FOR FURNACES AND BOIL-**
20 **ERS.**

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

23 (a) in paragraph (1)(B)—

24 (1) in clause (i), by adding “and” at the end
25 after the semicolon;

1 (2) in clause (ii), by striking “and” at the end
2 and inserting a period; and

3 (3) by striking clause (iii); and

4 (b) by adding at the end the following:

5 “(5) REQUIREMENTS.—

6 “(A) RULEMAKING PROCESS.—For any
7 rule relating to furnaces or boilers under this
8 section that is finalized after the date of enact-
9 ment of this paragraph, the Secretary shall—

10 “(i) require as part of the rulemaking
11 process the performance of a full fuel cycle
12 analysis for energy efficiency standards
13 and a full fuel cycle energy descriptor, as
14 described in a letter report of the National
15 Academies entitled ‘Review of Site (Point-
16 of-Use) and Full-Fuel-Cycle Measurement
17 Approaches to DOE/EERE Building Ap-
18 pliance Energy-Efficiency Standards’ and
19 dated 2009; and

20 “(ii) certify that the rule is not likely
21 to result in a significant shift from gas
22 furnaces or boilers to electric furnaces or
23 boilers with respect to residential construc-
24 tion, commercial construction, or furnace
25 or boiler replacement.

1 “(B) RULES.—Any rule relating to fur-
 2 naces or boilers under this section that is final-
 3 ized after the date of enactment of this para-
 4 graph—

5 “(i) shall not apply to small major
 6 household appliance manufacturers (as de-
 7 fined in section 121.201 of title 13, Code
 8 of Federal Regulations (or successor regu-
 9 lations)); and

10 “(ii) shall require the results of the
 11 analysis and resulting energy descriptor
 12 described in subparagraph (A)(i) to be
 13 prominently disclosed on any label that—

14 “(I) is required by the Federal
 15 Trade Commission to provide energy
 16 efficiency information of the water
 17 heater; and

18 “(II) is visible to consumers at
 19 the point of sale.”.

20 **SEC. 4. RULE REQUIREMENTS FOR COOKTOPS, RANGES,**
 21 **AND OVENS.**

22 Section 325(h) of the Energy Policy and Conserva-
 23 tion Act (42 U.S.C. 6295(h)) is amended by adding at
 24 the end the following:

25 “(3) REQUIREMENTS.—

1 “(A) RULEMAKING PROCESS.—For any
2 rule relating to kitchen cooktops, ranges, and
3 ovens under this section that is finalized after
4 the date of enactment of this paragraph, the
5 Secretary shall—

6 “(i) require as part of the rulemaking
7 process the performance of a full fuel cycle
8 analysis for energy efficiency standards
9 and a full fuel cycle energy descriptor, as
10 described in a letter report of the National
11 Academies entitled ‘Review of Site (Point-
12 of-Use) and Full-Fuel-Cycle Measurement
13 Approaches to DOE/EERE Building Ap-
14pliance Energy-Efficiency Standards’ and
15 dated 2009; and

16 “(ii) certify that the rule is not likely
17 to result in a significant shift from gas
18 kitchen cooktops, ranges, and ovens to
19 electric kitchen cooktops, ranges, and
20 ovens with respect to residential construc-
21tion, commercial construction, or cooktop,
22range, and oven replacement.

23 “(B) RULES.—Any rule relating to kitchen
24 cooktops, ranges, and ovens under this section

1 that is finalized after the date of enactment of
2 this paragraph—

3 “(i) shall not limit the features and
4 functionality available on residential gas
5 kitchen cooktops, ranges, and ovens, in-
6 cluding—

7 “(I) quick-to-boil times;

8 “(II) the number and size of
9 burners, including burners designed
10 for simmering and high input rate
11 burners; and

12 “(III) the design of grates, in-
13 cluding continuous grates;

14 “(ii) shall not apply to small major
15 household appliance manufacturers (as de-
16 fined in section 121.201 of title 13, Code
17 of Federal Regulations (or successor regu-
18 lations)); and

19 “(iii) shall require the results of the
20 analysis and resulting energy descriptor
21 described in subparagraph (A)(i) to be
22 prominently disclosed on any label that—

23 “(I) is required by the Federal
24 Trade Commission to provide energy

1 efficiency information of the kitchen
2 cooktop, range, or oven; and

3 “(II) is visible to consumers at
4 the point of sale.”.

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