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HVI Comment - Title 20 Air Filter Requirements

Additional submitted attachment is included below.



13 September 2022

California Energy Commission
Docket Unit
Docket No.20-AAER-02
715 P Street, MS-4
Sacramento, CA 95814

Re: Docket No. 20-AAER-02

Dear CEC Staff,

HVI is an ISO 17065 accredited certification body and a trade association representing over 100 manufacturers based in North America, South America, Asia, and Europe. Our manufacturer members provide the residential and light commercial ventilating products that deliver essential indoor air quality to California's homes and businesses. HVI's Certified Product Database (CPD) contains listings for residential unitary¹ supply ventilation systems and heat and energy recovery ventilators (H/ERVs), among other products.

To-date, HVI has not participated in this docket because its scope has not included products certified by HVI. This was evident based on the following definition of air filter, which was included in the "Proposed Regulatory Language" docketed on March 24, 2022:

"Air filter" means an air-cleaning device installed in forced-air heating or cooling equipment and used for removing particulate matter from the air and designed for installation in residential ducted forced-air heating or cooling systems.

However, the latest modification proposed by CEC to the definition of "air filter" (shown below) within the "Express Terms for Air Filter Regulation" docketed on August 29, 2022, could be construed to expand the docket's scope to include air filters that serve residential unitary supply ventilation systems and residential unitary heat and energy recovery ventilators. Such an expansion should not be undertaken without careful consideration for the issues that are unique to these products and without permitting ample time for further dialogue with the industry. Fifteen days is not sufficient for such dialogue to occur.

*"Air filter" means a disposable or reusable air-cleaning device with air filtering media encased in a frame of a nominal depth of no greater than 6.0 inches used for removing particulate matter from the air and designed for installation in residential ducted forced-air **ventilation**, heating or cooling systems.*

¹ Residential unitary supply ventilation systems and residential unitary heat and energy recovery ventilators listed in HVI's CPD are typically installed to serve a single dwelling unit and are sometimes referred to as "unitary" products for this reason.

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(1) Air filter does not include:

- (A) Electronic air cleaners;*
- (B) Filter media sold as rolls, i.e. not encased in a frame;*
- (C) Air filters designed and sold exclusively for installation in products other than residential ducted forced-air systems.*

The "Public Notice 15-day comment period" document docketed on August 20, 2022, cites the following rationale for modifying this definition: "Air filters definition was updated to include suggested language received through public comments to clarify which products fall within the definition, including an enumerated list of products, such as electronic air cleaners, that do not constitute air filters. The changes to the definitions were necessary to add clarity and exclude a specific appliance that may be regulated or is in the process of becoming regulated by the U.S. Department of Energy." This rationale does not mention expanding the scope to add new product classes but instead provides justification for narrowing the scope to exclude certain products. In other words, the rationale suggests that CEC's intention was *not* to expand the scope to include air filters that serve residential unitary supply ventilation systems and residential unitary heat and energy recovery ventilators. Ensuing conversations with CEC staff also helped clarify that the modified definition of air filter is meant to apply to filters used with air handlers in residential ducted forced-air heating or cooling systems, such as ducted heat pumps, air conditioners, and furnaces, and is not intended to apply to filters serving residential unitary supply ventilation systems or residential unitary heat and energy recovery ventilators.

To maintain the docket's intended scope, please further modify the definition of air filter. The following modification is offered for CEC's consideration:

"Air filter" means a disposable or reusable air-cleaning device with air filtering media encased in a frame of a nominal depth of no greater than 6.0 inches used for removing particulate matter from the air and designed for installation in residential ducted forced-air ~~ventilation~~, heating or cooling systems.

(1) Air filter does not include:

- (A) Electronic air cleaners;*
- (B) Filter media sold as rolls, i.e. not encased in a frame;*
- (C) Air filters designed and sold exclusively for installation in products other than residential ducted forced-air heating or cooling systems.*

Thank you for your consideration of this comment.

Kind regards,



Jacki Donner, CEO