

Appliance Standards Awareness Project
American Council for an Energy-Efficient Economy
National Consumer Law Center, on behalf of its low-income clients

March 13, 2025

Ms. Julia Hegarty
U.S. Department of Energy
Office of Energy Efficiency and Renewable Energy
Building Technologies Office, EE-5B
1000 Independence Avenue SW
Washington, DC 20585

RE: Docket Number EERE–2017–BT–STD–0019/RIN 1904–AF65: Energy Conservation Standards for Consumer Gas-Fired Instantaneous Water Heaters

Dear Ms. Hegarty:

This letter constitutes the comments of the Appliance Standards Awareness Project (ASAP), American Council for an Energy-Efficient Economy (ACEEE), and National Consumer Law Center, on behalf of its low-income clients (NCLC) on the delay of effective date for the final rule for energy conservation standards for consumer gas-fired instantaneous water heaters. 90 Fed. Reg. 9951 (February 20, 2025). We appreciate the opportunity to provide input to the Department.

The new standards for gas-fired instantaneous water heaters will provide large cost savings for consumers. DOE estimates that the recently finalized standards for gas instantaneous water heaters, which were based on a Joint Stakeholder recommendation,¹ will reduce total costs by an average of \$112 over the life of a water heater.² Cumulatively, the standards will save consumers up to \$3.1 billion over 30 years of product sales.³ About 60% of gas instantaneous water heaters sold today already meet the new standards,⁴ and manufacturers have until late 2029 to update any less efficient models.⁵

DOE cannot further delay the effective date of the final rule. As outlined in the comments from Earthjustice, delaying the effective date violates the anti-backsliding provision. In addition, as DOE notes in the delay of effective date publication, delaying the effective date of the final rule (i.e., when the rule goes into the Code of Federal Regulations) to March 21, 2025 does not affect the compliance date of the finalized standards. In other words, manufacturers will still need to comply with the amended standards in late 2029. Further delays of the effective date would create uncertainty for manufacturers.

Thank you for considering these comments.

¹ In October 2022, a group of joint stakeholders including water heater manufacturers, energy efficiency organizations, environmental groups, and consumer organizations submitted a set of recommendations on amended energy conservation standards for consumer water heaters:

<https://www.regulations.gov/comment/EERE-2017-BT-STD-0019-0049>.

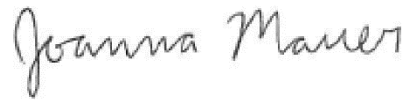
² 89 Fed. Reg. 105190 (December 26, 2024).

³ Ibid.

⁴ 89 Fed. Reg. 105201.

⁵ The compliance date of the new standards is December 26, 2029.

Sincerely,



Joanna Mauer
Deputy Director
Appliance Standards Awareness Project



Matt Malinowski
Director, Buildings Program
American Council for an Energy-Efficient
Economy



Berneta Haynes
National Consumer Law Center
(On behalf of its low-income clients)