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Carrier comments to NOPA for Air Filters regulation

Please find Carrier's comments in the attached document. Thank you for the opportunity to provide input.

Additional submitted attachment is included below.



Jason Thomas

Director Regulatory Affairs
HVAC North America
jason.m.thomas@carrier.com

May 9, 2022

Mr. Alex Galdamez
Efficiency Division
California Energy Commission
715 P Street
Sacramento, CA 95814
Submission: *Electronic commenting system*
Docket #: 20-AAER-02

RE: Carrier comments to Notice of Proposed Action (NOPA) for Air Filters regulation

Dear Mr. Galdamez,

Carrier Global Corporation (Carrier) provides fire safety, security, building automation, heating, ventilation, air conditioning, and refrigeration systems and services to promote integrated, high performance buildings that are safer, smarter, and more sustainable. Carrier is the founder of the modern HVAC industry and operates across the globe. Our range of products includes unitary residential and commercial products, including ducted and ductless, transport refrigeration products, chillers, and HVAC building services.

Carrier appreciates actions taken by the California Energy Commission (CEC) in response to feedback provided by manufacturers in 2016 related to concerns about testing, marking, and certification requirements. This NOPA addresses many of the issues raised at that time.

Carrier supports the proposal to modify the existing scope to clarify that only air filters for ducted systems are covered by this regulation. We also support updating the regulation to the most recent editions of industry test procedures. Carrier does not support the marking requirements in this proposal because it could create confusion among consumers, which is not the goal of CEC or Carrier. Finally, Carrier does not support an effective date of December 1, 2022 for this regulation, as

manufacturers will not have adequate time to comply. As a result, Carrier urges CEC to consider an effective date one year after completion of this rule.

Thank you for consideration of these comments. Each position is explained further in the remainder of this submission.

Section 1601. Scope

Carrier supports the clarification that this regulation only applies to air filters in ducted systems. Alignment between Title 24 and Title 20 in the California Code of Regulations is important in reducing confusion and ensuring successful compliance. This change would ensure the two regulations complement one another.

Section 1602. Definitions

Carrier suggests the following minor modification to the definition of “basic model” of an air filter:

“Basic model” of an air filter means all units of a given type of air filter, irrespective of the face area dimensions, that have the same depth and the same construction, including ~~type and~~ grade of air filter media, ~~pleat spacing,~~ pleat height, pleat support, and filter frame pattern.

Requirements that are performance-based, rather than based on the inclusion of specific parts, allow manufacturers flexibility in sourcing components that do not impact filtration efficacy. This flexibility is important for manufacturers to be able to meet market demand.

Section 1604. Test Methods

Carrier strongly supports inclusion of the industry standards specifying how to test the regulated air filters. Industry standards are developed by a wide array of industry stakeholders and experts. This action will also help ensure alignment with requirements in Title 24.

Section 1607. Marking of Appliances

Carrier supports CEC’s goal to provide consumers with a marking that helps them select the correct filter for their system. However, Carrier believes the marking requirements proposed when testing to ANSI/ASHRAE 52.2-2017 could create confusion. Including the MERV rating and the particle size efficiency for each particle size range is more information than necessary and may confuse consumers when comparing filter options. Carrier recommends fully aligning with the marking requirements in Title 24, which requires only the MERV rating and pressure drop.

If CEC should decide to move forward with the marking requirements as proposed, Carrier recommends that an airflow rate of 125% of the test airflow rate should not be included on the label. Because the test airflow rate and maximum allowed airflow rate can be equal, the “airflow rate value 4” on the label could be higher than “airflow rate value 5”, which is the maximum allowed airflow rate. This could lead consumers to believe they can install the filter in a system with an airflow rate higher than recommended by manufacturers.

Additionally, Carrier recommends that filtration devices that include a filter with other filtration technology to clean the air should be exempted from filter labeling requirements. These devices are tested as a system, and the MERV rating of the device is measured as such. For example, some filtration devices include both a filter and electric array to deliver an overall filtration performance that is much higher than the filter would deliver alone. The filter in the device is engineered for use only in the device. Including a marking with only the filter performance would require additional testing for manufacturers and would not accurately convey the actual performance of the full device.

Effective Date

Carrier does not support the proposal that air filters manufactured on or after December 1, 2022, must comply with this regulation. Our understanding is that CEC must follow Public Resources Code section 25402(c)(1)(A) which requires an effective date of “no sooner than one year after the date of adoption or revision”. Therefore, we request CEC set the effective date one year after the final rule is published.

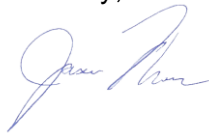
Additionally, Carrier believes requiring compliance by December 1, 2022 would not allow adequate time for manufacturers to prepare for this change. In addition to having only a few months to update the manufacturing processes, the air filter supply chain has experienced significant disruption due shipping, labor, and material issues. Manufacturers are facing unprecedented lead times for components and delivery of finished goods. These realities could create a shortage of air filters in the market, which could harm consumers. This is further reason why Carrier recommends CEC set the effective date no shorter than one year after the final rule is published.

Conclusion

Thank you for consideration of these comments. In summary, Carrier supports clarifying the scope to be for ducted air filters only and for the inclusion of industry standards. Carrier does not support the proposed marking requirements and suggests Title 20 requirements should align with Title 24 requirements. Finally, Carrier requests that the effective date be one year after publication of the final rule.

If you have any questions regarding this submission, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jason Thomas".

Jason Thomas
Director, Regulatory Affairs
Carrier