

Resolution No. 21

Date: September 25, 2010

City: New York, NY

NAHB Resolution

Title: Support of Decorative Gas Appliances
Sponsor: Energy Subcommittee of the Construction, Codes & Standards
Committee
Submitted by: Chip Dence

WHEREAS, home builders strive to provide their customers with safe, reliable and affordable decorative gas hearth appliances and products with many options in materials and styles to address the many varieties of consumer preferences;

WHEREAS, Decorative gas hearth appliances and gas log sets are certified, manufactured, and tested to scientifically-based industry consensus standards through accredited certification organizations such as CSA;

WHEREAS, the Department of Energy (DOE) has, in its April 16, 2010 Final Rule (75 Fed. Reg. 20112), expanded its mandate of regulating heater-rated gas fireplaces to include decorative gas hearth appliances and gas log sets, both which have never been considered heating or heater-rated products;

WHEREAS, the DOE Final Rule is not objective or scientifically based, and is based on non-consensus information that erroneously applies Btu limits to define decorative gas hearth appliances;

WHEREAS, the DOE Final Rule will have the effect of eliminating decorative gas hearth appliances and gas log set products from the new home market;

NOW, THEREFORE, BE IT RESOLVED that the National Association of Home Builders urge the Department of Energy (DOE) to not impose proscriptive content standards for decorative gas hearth appliance products that could have unknown consequences on the safety and reliability, and would limit consumer choices and reduce the availability of gas hearth appliances;

BE IT FURTHER RESOLVED that NAHB urge DOE to incorporate the CSA definitions Z21.50 and Z21.88 into its Final Rule at 10 CFR Part 430, and to remove decorative gas hearth appliances and gas log set products from any regulation in the Final Rule;

BE IT FURTHER RESOLVED that NAHB supports and encourages objective and scientifically tested performance-based standards for the manufacture of decorative gas hearth appliance products.

BE IT FURTHER RESOLVED that NAHB supports and encourages the efforts of industry in its opposition to the DOE Final Rule that classifies decorative gas hearth products and gas log sets as direct heating equipment and subjects them to unattainable thresholds, and which will effectively prohibit the manufacture, sale and use of decorative gas hearth appliances and gas log set products in homes.

Board of Directors Action:	Approved
Executive Board Action:	Recommends Approval
Resolutions Committee Action:	Recommends Approval
National Council of the Housing Industry Membership Action:	Recommends Approval
Construction, Codes & Standards Committee Action:	Recommends Approval
Building Codes & Standards Subcommittee of the Construction Codes & Standards Committee Action:	Recommends Approval
Energy Subcommittee of the Construction Codes & Standards Committee Action:	Recommends Approval