

# Proposed Regulation of Gas Stoves

February 23, 2023

The U.S. Department of Energy (DOE) regulates energy consumption of conventional cooking products including gas stoves using authority under the Energy Policy and Conservation Act (EPCA; P.L. 94-163), as amended. DOE issued a [proposed rule](#) on February 1, 2023, that, if finalized, would set maximum annual energy consumption standards for electric and gas cooking tops manufactured and sold into commerce. A [CRS report](#) discusses the Appliance and Equipment Standards Program.

The first regulations for gas cooking tops (i.e., gas stoves) were required by the National Appliance Energy Conservation Act of 1987 (NAECA; P.L. 100-12) and took effect in 1990. Those [regulations](#) prohibited gas cooking products with constant-burning pilot lights.

If DOE's February 1 [proposed rule](#) were to be finalized, manufacturers could not sell gas conventional cooking tops that consumed more than 1,204 thousand British thermal units per year (kBtu per year).

## New Regulations for Gas Stoves: Delays and Court Order

### Rulemaking Initiated in 2014

DOE published a [request for information](#) including gas cooking tops in February 2014 to “initiate the mandatory review process” by which it must periodically review its energy conservation standards per EPCA [Section 325\(m\)](#) (42 U.S.C. §6295). DOE can either publish a determination saying no standard is needed or publish a proposed rule. In [June 2015](#), DOE chose to “defer its decision regarding whether to adopt amended energy conservation standards.” DOE later [proposed](#) such standards in September 2016, then in December 2020 [declined to proceed](#), explaining such a standard would not be economically justified and would not result in significant conservation of energy—two components of the [statutory tests](#) at 42 U.S.C. §6295(o)(3) for any such revisions.

### Court Case on Deadlines

In October and November 2020, a group of six nongovernmental organizations and 14 states filed lawsuits asserting DOE was in violation of deadlines in EPCA for the review of 25 of its energy

conservation standards. A September 2022 [consent decree](#) required DOE to issue revised standards for conventional cooking products, or determine none is needed, by January 31, 2024.

## Resumption of Rulemaking in 2023

The February 1, 2023 [proposed rule](#) would require manufacturers to certify their gas cooking tops do not consume greater than 1,204 kBtu per year. The consumption calculation is based on a representative 418 cooking top cycles per year. For comparison, DOE estimates that units with constant-burning pilot lights consume as much as 2,000 kBtu per year from the pilot light alone. The compliance date for newly sold products would be three years after publication of a final rule.

If the rule were to be finalized as proposed, DOE estimates net benefits to consumers of \$650 million to \$1.71 billion (depending on discount rate, 2021 dollars), and that net societal benefits (including pollution reduction and health savings) would be even higher. These figures include costs and benefits for cooking products that use electricity as well.

Regarding costs, DOE estimates that product manufacturers' discounted cash flow would decrease approximately \$150 million (2021 dollars) over a 35-year period, due to market conditions. In addition, DOE estimates that to comply with the [proposed rule](#) product manufacturers would incur product conversion costs involving redesign and similar, as well as capital conversion costs for "new molds for grates and burners" and other items. In assessing the conversion itself, DOE conducted a market survey and sampled 21 units currently on the market, finding 20 would not comply with the proposed standard without conversion of the equipment.

## Inflation Reduction Act and Cooking Products

[P.L. 117-169](#), commonly known as the Inflation Reduction Act of 2022 (IRA), establishes a rebate program for purchase and installation of electric appliances, including up to \$840 for an "electric stove, cooktop, or range." Households with income below 80% of the area median income (AMI) may claim a rebate for the full expense of their upgrades, up to \$840 and up to \$14,000 total across all IRA-eligible projects. Those whose income is 80% or more but generally not greater than 150% of the AMI are eligible for rebates of 50% of their upgrade costs, up to the \$14,000 aggregate limit. Households are generally not eligible for rebates if their income is greater than 150% of the AMI. The Department of Housing and Urban Development provides [estimates](#) for income values at 80% of area median income. There are a number of methods for determining income. DOE's calculation of benefits of the [proposed rule](#) did not account for the IRA's impacts.

## Issues for Congress

Congress has held hearings regarding the pace at which DOE issues statutorily mandated revisions to its regulations (or determines that no change is warranted). In March 2019, the [House Energy and Commerce Committee](#), Subcommittee on Energy, held a [hearing](#) after DOE missed deadlines for completion of multiple periodic reviews of specific standards.

The [Senate Committee on Energy and Natural Resources](#) held a [hearing](#) "To Examine the Department of Energy's Implementation of the Infrastructure Investment and Jobs Act" on February 2, 2023. Senator Manchin, committee chairman, speaking of the DOE proposed rule, said that "the draft rule proposes efficiency levels that DOE says at the highest level, up to 96% of gas stoves don't currently meet." Congress could hold similar hearings to monitor DOE's progress in implementing the programs of the IRA, including the rebate programs for appliances such as electric stoves.

Senator Cruz introduced a [bill](#) that would prohibit the [Consumer Product Safety Commission \(CPSC\)](#) from using federal funds to regulate new gas stoves as a banned or hazardous product; or to “impose or enforce any consumer product safety standard or rule” that would otherwise result in either a “prohibition on the use or sale of gas stoves” or “substantially increase the average price of gas stoves in the United States.” DOE’s programs would not be affected. In January 2023, a CPSC commissioner [raised the possibility](#) of a ban on gas stoves. Later, the [CPSC chair](#) and the [White House](#) both reportedly said they did not support such a ban. Some Members have introduced other bills with similar objectives, such as S. 244, H.R. 263, and H.R. 337.

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