

# DOE's Regulations on Gas Stoves

Updated January 29, 2024

A U.S. Department of Energy (DOE) [program](#) 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 [direct final rule](#) (pre-publication version) in January 2024 that sets maximum annual energy consumption standards for electric and gas cooking tops manufactured and sold into commerce. In doing so, DOE is meeting a deadline of January 31, 2024, from a 2022 [consent decree](#) to issue a final rule.

DOE's [direct final rule](#) prohibits manufacturers from selling gas conventional cooking tops that consume more than 1,770 thousand British thermal units (kBtu) per year, an amount roughly 50% higher than in DOE's February 1, 2023, [proposed rule](#).

## Regulations for Gas Stoves: Delays and Court Order

### 2016 Proposed Rule and Court Case on Deadlines

DOE first [proposed](#) an energy performance standard for gas cooking tops in September 2016 as part of its periodic review mandated by EPCA [Section 325\(m\)](#) (42 U.S.C. §6295). In December 2020, DOE [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.

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 periodic 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 were needed, by January 31, 2024.

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## Resumption of Rulemaking in 2023

### 2023 Proposed Rule

In February 1, 2023, DOE issued a [proposed rule](#) that would have required manufacturers to certify their gas cooking tops do not consume greater than 1,204 kBtu per year. The consumption calculation was based on a representative 418 cooking top cycles per year, as it was for the direct final rule.

### January 2024 Direct Final Rule

DOE issued a [direct final rule](#) in January 2024. Direct final rules, under EPCA, follow “receipt of a statement that is submitted jointly by interested persons that are fairly representative of relevant points of view” (42 U.S.C. §6295(p)(4)). A direct final rule is typically negotiated and would take effect 120 days following publication in the *Federal Register* provided no objections were raised to the Energy Secretary. Compliance will be required starting on January 31, 2028.

DOE estimates net benefits to consumers (i.e., savings in energy costs net of any increased operating expenses) of \$9.4 million (3% discount rate) to \$3.2 million (7% discount rate), 2022 dollars, for appliances purchased during the 30-year analysis period, and that net societal benefits (including pollution reduction and health savings) would be higher. These figures include only benefits for the gas cooktops associated with the direct final rule. In the proposed rule, the estimated savings, net of any increased operating expenses, at DOE’s proposed standard level of 1,204 kBtu/year was \$770 million (3% discount rate) to \$270 million (7% discount rate), 2021 dollars, considering only gas cooktops.

Regarding costs, DOE estimates that product manufacturers’ discounted cash flow would decrease approximately \$71 million (2022 dollars) through 2057. In addition, DOE estimates that to comply with the [direct final rule](#), product manufacturers would incur product conversion costs involving redesign and similar actions, as well as capital conversion costs for “new molds for grates and burners” and other items. DOE estimated these to be \$32.9 million (2022 dollars). These figures include only costs for the gas cooktops associated with the direct final rule. When deciding on the quantitative energy conservation standard, DOE conforms to statute and determines if the standard would be economically justified, but, in doing so, DOE does not use a set mathematical formula (42 U.S.C. §6295(o)(3)).

## 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.” At a March 23, 2023, [hearing](#) of the [House Appropriations Subcommittee on Energy and Water Development and Related Agencies](#), Representative Newhouse, again citing the figure that 96% of gas stoves “would be out of compliance,” asked Energy Secretary Granholm what DOE was doing to “understand the impacts that this will have on consumers.” Granholm estimated that half the gas stoves on the market would not be impacted by the standard at the level in the proposed rule.

Senator Cruz introduced S. 240, which 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 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 addressing executive branch action on gas stoves, such as S. 244, H.R. 263, and H.R. 337. H.R. 1615, the Gas Stove Protection and Freedom Act, passed the House on June 13, 2023, and H.R. 1640, the Save Our Gas Stoves Act, passed the House on June 14, 2023.

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