

July 15, 2008

Ms. Susan Lum
Ms. Margaret Jenkins
California Air Resources Board
Research Division, Fifth Floor
1001 I Street, P.O. Box 2815
Sacramento, CA 95814

Subject: 15-day Proposed Regulation on Air Cleaner Ozone Emissions
Subchapter 8.7, Sections 94800-94810

Dear Ms. Lum and Ms. Jenkins:

The Association of Home Appliance Manufacturers (AHAM) represents the manufacturers of major, portable and floor care home appliances, and suppliers to the industry. AHAM's membership includes manufacturers of portable air cleaners sold in California. AHAM also administers a portable air cleaner performance rating certification program which verifies the certified Clean Air Delivery Rate (CADR) of participants through an independent testing laboratory. The program, found at www.cadr.org, is designed to assist consumers in making informed purchasing decisions. AHAM worked closely with Assemblywoman Pavley and the Air Resources Board (ARB) during the legislative process for Assembly Bill (AB) 2276 and appreciates the opportunity to provide comments regarding the development of the regulations to implement the law.

AHAM is pleased to see that many of the comments our organization made to previous draft versions of the regulation were incorporated into the proposed 15-day regulation language. In particular, we appreciate the change made to Section 94802, allowing additional time for manufacturers and others to have their devices tested for certification by ARB audited laboratories. We believe that extending the compliance date from 12 months to 24 months will be essential to our manufacturers having the ability to meet the effective date.

With regard to definition #20, Mechanical Filtration, AHAM mentioned in our January 2007 comments that the discussion of appropriate filter materials should include "including those treated with an electrically charged filter medium." We believe the definition should read,

(20) "Mechanical filtration only" means removal of suspended particles from air only via filtration with physical barrier, non-electronic techniques, i.e. air is forced through a filter medium. Materials used in the construction of the filter media may include substances

such as activated charcoal, paper, foam, synthetics, ceramics, or natural fibers, including those treated with an electrically charged filter medium.

AHAM members appreciate the changes made to the Certification Requirements, Section 94804, and we believe these will assist the ARB in processing the certification of air cleaners. However, we would suggest one change in Section 94804 (c) (D) "Serial number of devices submitted for testing (where applicable)." Many portable appliances such as air cleaners do not have a serial number, but use the manufacturing date code instead.

AHAM members also appreciate the additional 180 days to meet the labeling requirement as provided for in Section 94806 (a). As AHAM members have indicated to the ARB, the manufacturer is not in control of the date of sale. The additional time granted in this proposed regulation will assist the manufacturers in working with retailers to have available compliant product by the effective date and date of labeling. AHAM members remain concerned with the numbers of units that require laboratory examination, the amount of time needed to test and the time needed to move product through the supply chain. As of today there are no laboratories approved by the ARB for testing. Thus, we have very little time to obtain test results and move product through to retailers. We will report to the Air Resources Board next year on our progress.

As we have previously indicated, AHAM will work with the ARB on the development of a notification letter to be used to comply with Section 94807, so that there is uniformity of information received by all retailers and that there is consistency in the timing of its' receipt.

The members of AHAM wish to express our appreciation to the staff and Board of the ARB for their consideration of our comments. Our members look forward to working with the ARB in the implementation of this regulation.

Sincerely,

A handwritten signature in black ink, appearing to read "Wayne E. Morris". The signature is fluid and cursive, with a large initial "W" and "M".

Wayne E. Morris
Vice President, Division Services