



Institute for
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NEW YORK UNIVERSITY SCHOOL OF LAW

FOR IMMEDIATE RELEASE – October 25, 2021

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NEW REPORT OFFERS PATH FOR LIMITING POLLUTION FROM APPLIANCES

Regulators can set performance standards for an overlooked emissions source—fossil fuel-powered appliances.

The fossil fuel-powered **appliances ubiquitous in residential and commercial buildings collectively emit almost three times more smog-forming nitrogen oxides than the nation’s gas-fired power plants, and almost as much planet-warming carbon dioxide.** Yet while the U.S. Environmental Protection Agency (EPA) has limited gas power plants’ NO_x emissions since the 1970s and greenhouse gas emissions since 2015, **the agency has never regulated emissions from residential fossil-fuel appliances** and restricts emissions from only a tiny fraction of heating systems in commercial buildings.

[A new report from the Institute for Policy Integrity at NYU School of Law](#) lays out the legal and technological tools that EPA can use to address this overlooked source of damaging pollution. The report finds that **the agency has authority under Section 111(b) of the Clean Air Act to set nationwide performance standards** for new residential and commercial fossil-fuel appliances, because:

1. These appliances qualify as “stationary sources”
2. They “contribute significantly” to harmful air pollution
3. Multiple means of reducing appliance emissions, including electric heat pumps, are “adequately demonstrated” and could inform a “best system of emission reduction”

Finally, the report concludes that EPA’s appliance standards could allow emissions averaging and trading across manufacturers’ appliance fleets.

The full report, ***Regulating New Fossil-Fuel Appliances Under Section 111(b) of the Clean Air Act*** is available at: <https://policyintegrity.org/publications/detail/regulating-new-fossil-fuel-appliances>

The authors are available for interviews on these issues.

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