

January 20, 2023

RE: Building code legislation to support HFC phasedown

Our organizations, representing both industry and environmentalists, would like to express strong support for legislation permitting use of climate-friendlier substitutes for high global warming potential (GWP) hydrofluorocarbons (HFCs) by aligning state building codes with the latest product safety standards and federal regulatory approvals. We urge action that will enable the use of substitute refrigerants approved by the Environmental Protection Agency (EPA), Underwriters Laboratories (UL), and the American Society of Heating, Refrigeration, and Air-Conditioning Engineers (ASHRAE) by ensuring that state building codes do not prohibit next generation, low GWP refrigerants from use in new products and equipment due to their slight flammability rating.

The transition to climate-friendly refrigerants faces a pressing challenge. Building codes in all 50 states must be updated to allow for the use of the substitute refrigerants in chillers, air conditioning, and commercial refrigeration equipment. Twenty-two states have already addressed their building codes either through legislation or by promptly amending their codes. The relevant authorities -- U.S. EPA, UL, and ASHRAE -- have already completed safety standards that provide clear guidance for safe use of substitutes bearing ASHRAE "2L" flammability designation, as the bulk of these substitutes do.

State legislation would simply clarify that state building codes must align with those standards, by requiring that they permit use of substitutes that have been approved by EPA (which also issues approvals based on UL and ASHRAE standards). Such legislation will ensure that the phasedown of HFCs can happen in an orderly, efficient manner and will provide the entire industry with the certainty needed to move forward with the design, testing, certification, production, and installation of new equipment that complies with federal regulations, while achieving major and rapid emissions reductions.

Stakeholders across the environmental advocacy and manufacturing communities have worked for well over a decade to enact and now implement the phasedown of HFCs both nationally and globally. In December 2020, the American Innovation and Manufacturing (AIM) Act was enacted, which directs the EPA to issue rules that will phase down the use of HFCs and authorizes EPA to restrict the use of HFCs in certain applications, such as commercial refrigeration, chillers, and stationary air conditioning. Fortunately, industry is ready to introduce more climate-friendly substitutes in accordance with EPA approval of their use and in line with nationally recognized equipment safety standards.

The national transition away from HFCs will reduce U.S. greenhouse gas emissions by the equivalent of around 2.4 billion metric tons of carbon dioxide cumulatively over the next 15 years. The global warming potential of the new refrigerants is approximately 75 percent lower than the global warming potential of the HFC refrigerants currently being used. The transition is

also projected to create 33,000 new manufacturing jobs nationally and sustain 138,400 existing jobs between now and 2027. The phasedown will also increase direct manufacturing output by \$12.5 billion, and total manufacturing output by \$38.8 billion between now and 2027.

Our organizations agree that passage of state legislation to update building codes for climate friendlier HFC substitutes is essential to keep up with the fast pace of federal regulations requiring use of equipment containing these alternatives. We urge you to urgently consider such legislation in this session to ensure citizens and businesses have access to climate-friendly cooling and heat pump equipment. By enacting such legislation, we will ensure a victory for the environmental community, U.S. manufacturers, and consumers by preparing for an orderly transition to next generation climate-friendly refrigerants.

Sincerely,

Air-Conditioning, Heating, and Refrigeration Institute
Building Decarbonization Coalition
Environmental Investigation Agency U.S.
Institute for Governance & Sustainable Development
Natural Resources Defense Council
Sierra Club