

FREQUENTLY ASKED QUESTIONS

New Regulation for Small Containers of Automotive Refrigerant - Use and Sale

Reducing climate change emissions from do-it-yourself automobile A/C re-charging

The California Air Resources Board (ARB) has adopted a regulation to reduce refrigerant emissions from the do-it-yourself servicing of motor vehicle air conditioners (MVAC) such as those in cars and pickup trucks. This regulation became law in the state of California on October 1, 2009.

What is the purpose of this regulation?

The purpose of the regulation is to reduce emissions of greenhouse gases (GHG). The current automotive refrigerant (R-134a) is a highly potent GHG. The global warming potential (GWP) of the refrigerant in a single 12-ounce container is equivalent to the carbon dioxide (CO₂) emissions from a typical California automobile driven over 1,000 miles. The regulation helps prevent unnecessary releases of the refrigerant to the atmosphere and applies to automotive refrigerants with a GWP value greater than 150. It applies to containers holding more than two ounces and less than two pounds of refrigerant by weight.

Who must comply with the regulation?

This regulation affects retailers who sell the product, and companies that package, distribute, or market the small cans of refrigerant, and the consumers who recharge MVAC systems using this product.

What does the regulation require?

The regulation has four requirements:

- Use of a self-sealing valve on all containers,
- Improved labeling instructions,
- A recycling program for used containers, and
- An education program that emphasizes best practices for vehicle recharging.

In order to certify products for sale in California, manufacturers will submit an application to ARB including information that shows their products meet these requirements.

Self-sealing Valve and Improved Labeling

Manufacturers and packagers must install a self-sealing valve on all small containers subject to this regulation to prevent refrigerant from venting to the atmosphere. They must also use improved labeling on small containers, including improved instructions for use, and a statement that it is illegal to destroy or discard the container or its contents.

Recycling Program

The recycling program involves consumers, retailers, and manufacturers. A \$10 deposit will be required for each container of automotive refrigerant at the time of purchase. Containers are required to be returned within 90 days with a valid, retailer's proof of purchase for refund of the deposit. Retailers collect all used small containers from consumers and return them to the original manufacturer for recycling. Manufacturers then recover any refrigerant remaining in the container and recycle the can. Manufacturers, distributors, retailers (upon ARB request), and recyclers must report to ARB sales data, the number of returned containers, and the amount of refrigerant recycled annually. The consumer deposit is adjustable and can be raised or lowered depending on whether the container recycling rates fails to meet or exceeds certain targets respectively.

Education Program

The education program is administered by manufacturers and producers. It is their responsibility

to develop educational brochures for distribution to consumers (through retailers) and maintain an informative website. The brochures and website must include instructions to identify and repair system leaks, best practice techniques for recharging an MVAC system, environmental hazards associated with the refrigerant, risks of overcharging or undercharging the MVAC, and a description of the recycling program.

When does the regulation take effect?

The regulation took effect January 1, 2010.

What are the consequences of not complying?

Penalties may be assessed for any violation of this regulation pursuant to Health and Safety Code section 38580. Each day during any portion of which a violation occurs is a separate offense.

Where can I find more information about the regulation?

The regulation, fact sheets, executive orders for the certified products, and report forms are available at www.arb.ca.gov/cc/hfc-mac/hfcdiy/hfcdiy.htm. For further information, contact Mr. Winston Potts, P.E., Research Division, ARB at wpotts@arb.ca.gov or phone (916) 323-2537.

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