

DRAFT Proposed Regulation Order

REGULATION FOR MANAGEMENT OF HIGH GLOBAL WARMING POTENTIAL
REFRIGERANTS

Major Changes Proposed as Compared to Published Proposed Rule:

§ 9XXX2. Definitions

Deleted:

Approved Recovery Equipment	Certified Recycling Equipment
Approved Recycling Equipment	Commercial Refrigeration Appliance
Best Available Refrigeration Technology	Continuous Monitoring
Carbon Footprint	Industrial Process Refrigeration Appliance
Certified Recovery Equipment	

Added:

Certified Refrigerant Recovery or Recycling Equipment	Refillable Cylinder
Non-refillable Cylinder	Refrigerant Circuit

Revised:

- Refrigerant Distributor and Wholesaler definitions - include any person who imports refrigerant from outside of California.
- Full Charge definition – removed use of actual measurement of the amount of refrigerant evacuated from the RAC system.
- Automatic Leak Detection definition – includes continuous monitoring in definition.

§ 9XXX3. General Requirements for Stationary Refrigeration and Air-Conditioning and Refrigeration System Registration, Leak Repair, and Reporting

- Deleted: Permit to Operate, Change of Ownership, Termination of Operation, and Annual Audit
- Added: Registration to operate based on system size:
 - Equal to or greater than 2000 pounds refrigerant charge: January 2010
 - Equal to or greater than 200 pounds refrigerant charge: January 2012
 - Equal to or greater than 50 pounds refrigerant charge: January 2014
 - New system equal to or greater than 50 pounds refrigerant charge: January 2010
- Automatic Leak Detection required only for systems with full charge equal to or greater than 2000 pounds; annual calibration required.

(b) Leak Detection and Monitoring

Added Phased in Implementation:

- Equal to or greater than 2000 pounds refrigerant charge: Automatic Leak Detection starting January 2010
- Equal to or greater than 200 pounds refrigerant charge: Quarterly starting January 2012
- Equal to or greater than 50 pounds refrigerant charge: Annually starting January 2014

- Equal to or greater than 50 pounds refrigerant charge non-continuous use: Upon operation starting January 2014

Deleted continuous monitoring requirement for system not continuously operated.
 Require a visual inspection or simple refrigerant leak check (bubble test) upon each operation of a refrigeration or air-conditioning systems that is not intended to be operated continuously.

Leak Reporting and Repair

- Deleted leak reporting within 48 hours.
- Require follow-up verification test if refrigerant charge equal to or greater than 2000 pounds (revised from 600); removed requirement of after 24 hours.
- Revise 14-day repair requirement to reflect extension for no available certified technician.
- Set leak reporting threshold at 5 pounds or 1% of full charge.
- Set initial facility annual reporting timeline:
 - Equal to or greater than 2000 pounds refrigerant charge: start with 2010 Report
 - Equal to or greater than 200 pounds refrigerant charge: start with 2012 Report
 - Equal to or greater than 50 pounds refrigerant charge: start with 2014 Report

Retrofit and Retirement Plan

- Added requirement only if refrigerant leak verification test is not successful after three successive attempts, changed from after verification test failure.
- Retrofit or retirement plan is approved if the Executive Officer or APCO does not respond within 30 days after the plan is submitted.
- Added requirement for detailed timetable.

Reporting and Recordkeeping

- Deleted certified technician reporting.
- Added annual refrigerant purchases and shipments for refrigerant reclamation or destruction to facility owner or operator.

§ 9XXX4. General Requirements for Refrigerant Use, Sale, and Disposal

- Deleted reclamation goals.
- Sell of refrigerant in a container greater than 2 pounds only if:
 - The refrigerant is sold in a refillable cylinder, or
 - The refrigerant is sold in a non-refillable cylinder and a deposit of \$35 (cost of processing a 30 or 50 pound recovery cylinder) is collected.

Deleted: § 9XXX5. General Requirements for Stationary Refrigeration and Air-Conditioning Systems. New systems specifications will be coordinated with the California Energy Commission’s anticipated 2011 Update of Building Standards Code (Title 24).

Added: § 9XXX5. Confidentiality

Added: § 9XXX6. Enforcement