

**DRAFT**  
**REGULATION FOR MANAGEMENT OF HIGH GLOBAL WARMING**  
**POTENTIAL REFRIGERANTS**  
**SUMMARY OF CHANGES**

The items listed below include major changes in the draft rule that have been proposed since the last version of the draft rule was published in January, 2009. All proposed changes listed are included in the draft rule published in August, 2009. The list below includes only major changes; changes that are considered minor clarifications or grammatical edits are not listed.

**§ 95382. Definitions**

Deleted:

Comfort Cooling

Air-conditioning System

Added:

Air-Conditioning

Industrial Process Refrigeration

Commercial Refrigeration

Industrial Process Shutdown

Computer-room Air Conditioner

Other Refrigeration

Detected Refrigerant Leak

Stationary

Indirect Emissions

Revised:

Refrigerant Circuit

Direct Emissions

Refrigeration System

**§ 95383. General Requirements for Stationary Refrigeration and Air-Conditioning System Registration and Leak Repair**

**(a) Registration for Operation**

- Revised title to General Requirements for Stationary Refrigeration Facility Registration and Leak Repair
- Revised registration for operation due dates to:
  - March 1, 2012, for a Facility with a Refrigeration System using 2,000 pounds or greater of a High-GWP Refrigerant.
  - March 1, 2014, for a Facility with a Refrigeration System using 200 pounds or greater, and less than 2,000 pounds, of a High-GWP Refrigerant.
  - March 1, 2016, for a Facility with a Refrigeration System using 50 pounds or greater, and less than 200 pounds, of a High-GWP Refrigerant.
  - March 1 of the calendar year after operation of a Refrigeration System begins for any Refrigeration System beginning operation after January 1<sup>st</sup> of year of initial registration for operation due date.

- Added requirements specific to the sale or transfer of a Refrigeration System including:
  - A change of ownership notification to ARB
  - A test to prove a Refrigeration System is leak free prior to change of ownership
  - A requirement to inform a Refrigeration System buyer of the registration for operation requirements
- Added option for ARB Executive Director to extend registration for operation renewals for facilities with a Refrigeration System using 50 pounds or greater, but less than 200 pounds, of a High-GWP Refrigerant.
- Removed proposed one-time fee for a Facility with a Refrigeration System using 50 pounds or greater, but less than 200 pounds, of a High-GWP Refrigerant.
- Added fee exemption for facilities meeting conditions related to use of best management practices.

**(b) Leak Detection and Monitoring**

- Revised requirement effective date to January 1, 2011.

**(c) Leak Repair**

- Revised Refrigerant Leak repair requirement to specify 14-day requirement is specific to a Detected Refrigerant Leak.
- Revised contractors license requirement to include:
  - A licensed contractor must be licensed in licensing classification C38 – Refrigeration Contractor; C20 - Warm-Air Heating, Ventilating and Air-Conditioning Contractor licensing classification is acceptable if servicing appliance additionally used for air-conditioning applications
  - a licensed contractor is not required if:
    - Total repair costs are less than \$500
    - Refrigeration System service is conducted through a contract with a government agency entered into prior to January 1, 2011.
- Revised requirements specific to an unsuccessful Refrigerant Leak repair as follows:
  - If there is failure to conduct a successful Follow-up Verification Test within 45 days
    - Component replacement is required within 60 days of initial leak detection, or
    - A retrofit and retirement plan is required within 60 days of initial leak detection
- Revised conditions allowing a Refrigeration System owner or operator to have up to 60 days to repair a Refrigerant Leak as follows:
  - A conditional exemption request has been submitted, but a final determination is pending

- An Industrial Process Shutdown is required to conduct the Refrigerant Leak repair

**(d) Retrofit and Retirement Plan**

- Revised requirements on when a retrofit and retirement plan is required as follows:
  - A retrofit and retirement plan is required upon the failure to conduct a successful Follow-up Verification Test within 45 days

**(e) Required Service Practices**

- Clarified that required service practices are applicable to any person installing, maintaining, or servicing any appliance that could reasonably be expected to release a high-GWP refrigerant into the atmosphere.
- Revised requirements specific to SNAP approved refrigerants to clarify that a refrigerant used must be an ozone depleting substance refrigerant or a SNAP approved refrigerant.
- Revised requirements to specify refrigerant cylinder evacuation to a vacuum of 15 inches of mercury, relative to standard atmospheric pressure of 29.9 inches of mercury, prior to recycling or disposal.

**(f) Reporting and Recordkeeping**

- Revised to specify that required annual reports are due on March 1<sup>st</sup>, and that they include data for the prior calendar year.
- Revised to separate Recordkeeping into separate subsection (d)

**§ 95384. General Requirements for Refrigerant Use, Sale, and Disposal**

**(a) Prohibitions**

- Revised requirements specific to sale or distribution of refrigerants to clarify sale or distribution is restricted to ozone depleting substance refrigerants and SNAP approved refrigerants.
- Revised requirements to prohibit refrigerant cylinder recycling or disposal prior to evacuation to a vacuum of 15 inches of mercury, relative to standard atmospheric pressure of 29.9 inches of mercury.

**(c) Reporting and Recordkeeping**

- Revised Refrigerant Distributor or Wholesaler and Certified Reclaimer reporting requirements to clarify reporting of annual aggregate data based on categories of buyers outlined in the Code of Federal Regulations specific to prohibitions of the sale and distribution of Class I and Class II substances used as refrigerants.
- Revised to separate Recordkeeping into separate subsection (g)
- Deleted Distributor or Wholesaler and Certified Reclaimer recordkeeping requirement to maintain documentation of all shipments of refrigerants, including a transportation bill-of-lading or other transportation documents.

**§ 95385. Confidentiality**

- Revised to reflect that all reports and information specific to the Facility Refrigerant Purchase and Use report is public information and other reporting may be designated as confidential to be managed in accordance with regulatory procedures specific to public disclosure of information.

**§ 95386. Enforcement**

- Revised to clarify that enforcement activities may be conducted by ARB or Air District representatives.
- Added recordkeeping requirements including that records be kept on-site and be accessible to an ARB or Air District agent or employee upon request.

**§ 95387 Sunset Provision**

- Revised title to Equivalent Local Rules

**§ 95388. Conditional Exemptions**

- Added language to include conditional exemptions based on failure to comply due to natural disasters.