



March 6, 2020

Honorable Charlie Baker
Governor of Massachusetts
Massachusetts State House, 24 Beacon Street, Room 280
Boston, MA 02133

Dear Governor Baker:

As national and regional associations representing professional heating, ventilation, air conditioning, and refrigeration contractors, the Air Conditioning Contractors of America (ACCA) and the Air Conditioning Association of New England (ACA/NE), are very concerned with states attempting to phasedown or phaseout hydrofluorocarbon (HFC) refrigerants in stationary air conditioning systems beyond chillers, as the transition will include flammable refrigerants. We strongly oppose state-by-state approach to refrigerant phasedown programs because it causes confusion in the marketplace.

ACCA is the national association of HVACR contractors, representing more than 60,000 contracting professionals in every state and ACA/NE represents thousands of professionals throughout the northeast. ACCA is also responsible for creating the nationally-recognized and industry-endorsed standards to ensure heating, air conditioning, ventilation, and refrigeration (HVACR) systems are properly designed, installed, maintained, and serviced. These standards help ensure our workers, our customers, and the environment are protected.

We understand the desire to phasedown the use of HFC refrigerants because of their high global warming potential (GWP). In fact, we support strong and equitable enforcement of federal laws that prohibit the venting of refrigerants and we support the Environmental Protection Agency's (EPA) 608 certification program requiring rigorous testing to purchase and handle refrigerants. ACCA and IHACI members also support quality installation programs, based on ACCA's ANSI-recognized Quality Installation standard, which, if followed, will help reduce opportunities for refrigerant leaks, ensure HVACR systems operate at their optimal efficiency, and provide healthy indoor air.

Although our associations are committed to contractor excellence, quality installation programs, and protecting the environment, too many HVACR installations are still done incorrectly. The EPA estimates that half of all HVACR systems are not installed correctly¹, which causes them to consume up to 40 percent more energy than necessary² and contributes to opportunities for refrigerant leaks.

¹ https://www.energystar.gov/index.cfm?c=hvac_install.hvac_install_index

² <https://www.nist.gov/news-events/news/2014/11/underperforming-energy-efficiency-hvac-equipment-suffers-due-poor>

To immediately reduce opportunities for HFC refrigerants to enter the atmosphere, policy makers should focus on consumer awareness programs, technical training and education, **and enforcing existing laws that prohibit refrigerant venting and unregistered installers**. This will have a lasting impact on our environment and the region's energy consumption and provide consumers with assurances that their HVACR systems are operating as promised on their efficiency labels.

These types of programs could be easily adopted and managed at the state level, and professional contractors would support them. Refrigerant phasedown programs, however, should not be managed at the state or regional level. A national approach is the only responsible way to phasedown HFCs because a state-by-state approach will not guarantee that the industry is prepared to handle the next generation of refrigerants, which will likely include flammable and mildly flammable products.

The introduction of flammable/mildly flammable refrigerants is a significant concern for contractors because there are no training programs in place and the relevant building codes have not been updated. ACCA is working on a flammable refrigerant training program but we estimate that it will take between 3 and 5 years before professional contractors have been fully trained on the handling and use of these products. Industry readiness should be of utmost importance in a state that consistently battles wildfires.

We are not opposed to an HFC phasedown or the introduction of these products, but we do insist that the safety, training, certification protocols, and other issues be addressed. Currently, the relevant ASHRAE and UL Standards are incomplete and have numerous issues that need to be resolved. National model codes must also be updated, but thus far do not allow for the introduction of ASHRAE-designated A2L mildly flammable refrigerants in stationary air conditioning systems beyond chillers. We are actively working in the relevant codes bodies and through ASHRAE on these issues with our industry partners and other stakeholders. At the federal level, the contracting industry, through ACCA, is also supporting the American Innovation and Manufacturing Act, bipartisan legislation that would grant the EPA the authority to set a national phasedown schedule of HFC refrigerants. This legislation also contains strong safety, training, and certification provisions that the contracting industry helped write and strongly supports.

A national approach to the HFC phasedown is the only responsible way to manage these new refrigerants. There are too many unanswered questions about the use of the next generation of refrigerants and a hasty state-by-state approach to phasing out HFC refrigerants is dangerous for contractors, technicians, consumers, and every building that contains an air conditioning system. By giving the EPA the authority to implement the HFC phasedown, we will have certainty that there will be uniformity in the training, transportation issues, the codes process, and the other areas of concern to the HVACR industry.

As a consumer and policy maker, have you considered how to safely introduce these products into your own home, your children's school, and office buildings?

We are certain that you want assurances that the training is available for the people working on these flammable products and that the products are safe. The certainty of this will come from the economies of scale created by a national approach.

Additionally, there are unanswered questions about how these products will be transported. Will contractors and distributors be required to have HAZMAT certifications and to stop at rail crossings? Will these products need to be carried on open-air trucks? And how will you manage these issues for contractors who operate across state lines, a particular concern for contractors in New England who operate in many states.

ACCA and ACA/NE are not opposed to state efforts that would require the commercial and industry HVACR sectors to move ahead with HFC phasedowns. However, we are strongly opposed to requiring the residential market to move unless it is done by Congress and there is a uniform national phasedown. In general, the commercial and industrial markets in our industry are better regulated, but the residential market is ripe with unqualified people who could cause serious damage if they are mishandling refrigerants.

ACCA and ACA/NE are also not opposed to the introduction of A2L refrigerants. Professional contractors will be well trained when ACCA's training is complete, but there will be thousands of unqualified installers still operating in the market. Our fear is that those unqualified installers will mix refrigerants in peoples' homes and cause serious problems for professionals who are called into diagnose problems caused by these individuals. We must do all that we can to ensure bad actors are not able to purchase and handle these products, and our industry is working to give EPA the proper authority to address these very serious issues.

Thank you for your attention to our concerns. We stand ready to work with your staff on efforts that would address installation issues and other opportunities that can reduce refrigerants leaks, refrigerant venting, and efficiency degradations.

Sincerely,



Todd Washam
Vice President
Air Conditioning Contractors of America



Catherine Flaherty
Executive Director
Air Conditioning Association of New
England