



# Title VI of the Clean Air Act

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KW Refrigerant Management Strategy

# Clean Air Act Title VI

- **Federal - not delegated to the states**
- **States can legislate and regulate under their own laws (California - Refrigerant Management Program)**
- **Regulations seem easy**
  - \* Multiple layers
  - \* Amendments
  - \* Legal battles
  - \* Complete confusion within regulated community (if they even know it exists)
- **Multiple industries affected - same regs apply to all, with only slight variances**

# Clean Air Act Title VI

- **Phase out regulations for ozone-depleting refrigerants**
- **Section 608 - National Recycling and Emission Reduction Program**
- **Significant New Alternatives Policy Program (SNAP)**
- **Pre-charged Appliances Rule**

# Industries

- “End Users”
- Sole responsibility / liability is on the end user
- Refrigeration (mobile and stationary)
- Air conditioning (mobile and stationary)
- Adhesives, coatings, inks
- Aerosols
- Cleaning solvents
- Fire suppression, explosion protection
- Foam blowing agents
- Sterilants
- Tobacco expansion

# Refrigeration and Air Conditioning

- Chillers
- Cold storage warehouses
- Commercial ice machines
- Household refrigerators/freezers
- Ice skating rinks
- Industrial process AC
- Motor vehicle AC
- Non-mechanical heat transfer systems
- Residential and light commercial AC and heat pumps
- Residential dehumidifiers
- Refrigerated transport
- Retail food refrigeration
- Vending machines
- Very low temp refrigeration
- Water coolers



**Section 608  
Regulatory  
Requirements**

**Technician  
Certification**

**Refrigerant  
Sales  
Restriction**

**Service  
Practices**

**Recovery &  
Recycling  
Equipment**

**Recordkeeping**

**Repairing  
Refrigerant  
Leaks**

**Appliance  
Disposal**

**Refrigerant  
Reclamation**

# Enforcement

Date	Company	Violation	Fine	Consent Decree	Attorneys' Fees	Manpower Cost
9/2014	Costco	failing to promptly repair R-22 leaks; failure to keep adequate records	\$335,000	\$2,000,000	4 years to negotiate a settlement?	?
9/2013	Safeway	failing to promptly repair R-22 leaks; failure to keep adequate records	\$600,000	\$4,100,000	5 years to negotiate a settlement?	?
6/2016	Trader Joe	failing to promptly repair R-22 leaks; failure to keep adequate records	\$500,000	\$2,000,000	ca. 4-5 years to negotiate a settlement	?

# Getting Help

- Lots of people who specialize in commercial refrigeration energy use or industrial refrigeration, OSHA, etc.
- Refrigerants: some law firms, compliance companies - no direct experience
- Experience beyond being able to read the text of the regs: just me
- US EPA's GreenChill Partnership
- US EPA's Stratospheric Protection Division
- KW Refrigerant Management Strategy
- Who not to get help from: service contractors, equipment manufacturers, chemical manufacturers, anyone trying to sell you something





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