

## US EPA's Proposed Regulations: Emissions Reduction and Reclamation Rule 11/03/23 Fact Sheet for Supermarket End-Users (Commercial HVACR)

This fact sheet is a summary of very complex and lengthy proposed regulations. It focuses on refrigeration, air conditioning, and heat pump (RACHP) equipment most commonly found in supermarkets. This fact sheet is provided to help supermarket end-users prepare for and participate in the public comment period and is not meant to be a substitute for reading the regulatory text.

### Submitting Written Comments

- 60-day comment period ends December 18, 2023.
- Written comments can be submitted at <https://www.regulations.gov/docket/EPA-HQ-OAR-2022-0606>.

### Proposed Leak Repair Provisions

**The below leak repair, recordkeeping, and reporting requirements apply to appliances with a full charge of 15+ lbs. of a HFC refrigerant or a substitute with a GWP > 53. These requirements do not apply to appliances used in the residential and light commercial air conditioning and heat pumps sector. Proposed provisions are consistent with current requirements under Section 608 of the Clean Air Act.**

#### **Leak Repair**

- Leaks must be repaired within 30 days of when refrigerant is added to an appliance exceeding the applicable leak rate, including all verification tests. If leak still can't be repaired, or appliance continues to leak above the applicable leak rate, appliance must be retrofitted or retired. Retrofit or retirement plan must be completed within 12 months.
- Leak inspections required on appliances that have exceeded the applicable leak rate. Commercial refrigeration with a full charge of 500+ lbs. required once every 3 months; all other appliances required yearly.
- Leak rate calculation methods: Annualizing Method or Rolling Average Method.
- Leak rate thresholds: 20% commercial refrigeration, 10% comfort cooling.

#### **Recordkeeping**

- Required recordkeeping for facilities with at least one regulated appliance. Must keep records for 3 years.

#### **Reporting**

- Chronically Leaking Appliances – appliances that leak 125% or more of their full charge in a calendar year must be reported to the EPA by March 1st of the subsequent year. Reporting requirements include basic identification information, appliance type, refrigerant type, full charge size, annual percent refrigerant loss, dates of refrigerant additions, amounts of refrigerant added, date of last successful follow-up verification test, explanation of cause of refrigerant losses, description of repair actions taken, and whether a retrofit or retirement plan has been developed and anticipated date of retrofit or retirement.
- Must submit documentation to the EPA within required timeframes when seeking an extension of time to complete repairs, relief from obligation to retrofit or retire an appliance, and/or an extension of time to complete the retrofit or retirement plan.

### Proposed Mandatory Automatic Leak Detection Systems (ALDS)

- ALDS required for new and existing commercial refrigeration systems with a full charge of 1500+ lbs. of a HFC refrigerant or a substitute with a GWP > 53. Must maintain records for 3 years including installation, annual audit/calibration, date of ALDS alert, and location of leak.

### Proposed Mandatory Use of Reclaimed Refrigerant for HFC Systems

- Starting 01/01/28, requires use of reclaimed HFCs for initial charge of appliances in light commercial AC and heat pumps, cold storage warehouses, stand-alone retail food refrigeration, supermarket systems, refrigerated transport, and automatic commercial ice makers.
- Starting 01/01/28, requires use of reclaimed HFCs for service/repair of stand-alone retail food refrigeration, supermarket systems, refrigerated transport, and automatic commercial ice makers.

### Proposed Requirements for Disposable Cylinders

- Starting 01/01/25, requires disposable cylinders to be sent to a certified reclaimer for removal of remaining refrigerant.

### For More Information

- Link to EPA's website: <https://www.epa.gov/climate-hfcs-reduction/management-certain-hydrofluorocarbons-and-substitutes-under-subsection-h>