



EIA Comments on CARB Proposal to Amend Regulation for Small Cans of Automotive Refrigerant

August 18th, 2023

The Environmental Investigation Agency (EIA) appreciates this opportunity to comment on the California Air Resources Board (CARB) Proposed Amendments to the Regulation for Small Containers of Automotive Refrigerant. EIA is an independent campaigning organization based in Washington D.C., working worldwide to protect the global climate, forests and threatened species with intelligence, for the benefit of people and wildlife. We have undertaken groundbreaking investigations into the illegal trade in ozone depleting substances (“ODS”) and other fluorinated substances such as hydrofluorocarbons (“HFCs”) since the mid-1990s and have been closely involved in international ozone and climate negotiations and domestic policy regarding these substances for several decades.

Policy measures designed to prevent refrigerant leaks and increase recovery and reclamation can significantly reduce emissions and support an accelerated phase-down of HFCs by offsetting demand for newly produced virgin refrigerants. As per a [report](#) published by EIA with the Natural Resources Defense Council (NRDC) and Institute for Sustainable Governance and Development (IGSD), **improving lifecycle management of refrigerants presents an opportunity to prevent emissions of up to 90 billion carbon dioxide equivalent tonnes globally by the end of this century.**

This proposal supports meeting California’s emission reduction goals for HFCs under SB1383 and the state’s broader climate goals under AB1279 to reach net zero emissions no later than 2045. The state of California is also directed by [SB1206](#) to transition the state’s economy to “reclaimed refrigerants and alternatives to HFCs that have no or very low global warming impact as soon as possible”. EIA applauds California for setting these legislative and policy goals toward eliminating HFC emissions in line with net zero climate goals. We submit these comments in support of this proposal, especially emphasizing aspects related to strengthening associated reporting and verification requirements.

Reclaimed Refrigerant Requirement for New Small Containers

EIA supports CARB's proposal to introduce a requirement for manufacturers of small cans of automotive refrigerants to use 25% reclaimed refrigerant beginning Jan 1 2025, 50% in 2026, and 100% in 2027. However, EIA recommends the proposed annual reporting and verification requirements to validate the use of reclaimed refrigerant should be strengthened. Such reporting should require audited financial records or third party verification of purchase of the reported quantity of reclaimed refrigerants from a certified reclaimer and/or a statement or attestation by a reclaimer verifying the sale of the reported quantity of reclaimed refrigerants.

Procedures and Parameters for Spending Unclaimed Deposits

EIA supports the proposal to use unclaimed deposits from the program to reduce refrigerant emissions by repairing leaks in motor vehicle air conditioning (MVAC) systems and encouraging recovery and reclamation of refrigerants and foams. However, it is important for CARB to note that funds used for repairing leaks in MVAC systems should not be used for the purchase of replacement refrigerant costs, but for the cost of the system repair, thereby incentivizing the proper repair of systems rather than "gas and go" practices. Such programs should also be targeted towards Disadvantaged Communities, where 40% of small container sales occur as per CARB's Initial Statement of Reasons for this proposal.

Thank you for considering these comments and for advancing innovative approaches to implement measures to reduce emissions of HFCs under this proposal.

Sincerely,



Christina Starr
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