



August 21, 2023

Clerk's Office
California Air Resources Board
1001 I Street
Sacramento, California 95814
<https://ww2.arb.ca.gov/applications/public-comments>

Subject: Comments on smallcontainer2023; Proposed Amendments to the Regulation for Small Containers of Automotive Refrigerant

Dear Board Members,

The National Aerosol Association (NAA) appreciates the opportunity to provide comments to the California Air Resources Board (CARB) on the proposed amendments to the state's Regulation for Small Containers of Automotive Refrigerant. NAA has been and continues to be supportive of CARB's goal of reducing Hydrocarbon (HFC) emissions and is, in general, supportive of this proposal which continues to make progress towards that goal; however, we would like to express a couple of concerns.

NAA is an industry group devoted to serving the public's health, safety and hygiene needs through the aerosol product form. The NAA represents marketers, manufacturers, fillers and suppliers to the aerosol market, which includes small containers of automotive refrigerant.

NAA has been an active stakeholder in the implementation of the American Innovation and Manufacturing (AIM) Act, which federally phases down the production and consumption of HFCs. Currently there are no federal regulations that require the use of reclaimed refrigerant in small containers of automotive refrigerant, however, the AIM Act does incentivize the recovery of HFCs and increasing the supply of reclaimed refrigerant.

NAA is concerned about the amount of reclaimed refrigerant that may be available. Depending on the amount of reclaim available, it will affect the price of product needed for these small containers of refrigerant. The cost of this product may go up putting further burden on disadvantaged communities.

In addition, NAA has concerns about the percentage of certified reclaimed refrigerant required each calendar year starting in 2025 and the quick ramp up to 100% in 2027. NAA is unsure if the supply of reclaimed refrigerant will be able to meet the needs that quickly. NAA recommends a lower starting point in 2025, such as 10%, and a more gradual increase to 100%, such as in 2029. A revised table could look something like the following:



Percentage of Certified Reclaimed Refrigerant Required each Calendar Year	Starting Date
5%	January 1, 2025
10%	January 1, 2026
25%	January 1, 2027
50%	January 1, 2028
75%	January 1, 2029
100%	January 1, 2030

NAA supports CARB’s decision to determine each manufacturer’s percentage requirement of pounds of certified reclaimed refrigerant based on the prior calendar year’s total aggregate amount of pounds of refrigerant in small containers of automotive refrigerant entered into California. From a practical standpoint, this eases the burden on companies as not every manufacturer has the ability to mix refrigerant within their tanks, and it accomplishes the purpose of ensuring compliance.

NAA does support the removal of the container deposit and return program. As CARB staff has shown within their analysis, disadvantaged communities bear a disproportionate burden of the negative impacts resulting from the deposit and return program. While a majority of the small containers of automotive refrigerant have little remaining contents, with the removal of this program, NAA hopes that consumers are more likely to exhaust the entire contents of the container, and then recycle the empty metal container in their local recycling programs.

NAA supports CARB rejecting a ban on the sale of small containers of automotive refrigerant in California. Not only would requiring all MVAC servicing be done by professional technicians increase the burden on disadvantage communities, but the cost of HFCs will continue to increase as a result of the phasedown of HFCs under the AIM Act, and small auto shops that do not use significant amounts of refrigerants in the servicing of vehicles may eventually opt to purchase and use small containers of automotive refrigerants rather than purchase large cylinders so that less of their money is tied up in inventory.

In summary, NAA supports CARB’s proposal to remove the container deposit and respectfully request a longer phase in time for reclaimed refrigerant mainly due to the uncertainty of the availability of the reclaimed refrigerant. NAA is also supportive of the comments given by the Household & Commercial Products Association (HCPA). Thank you for the opportunity to comment and for considering our suggestions. NAA looks forward to working with you. Any questions or comments please contact our consultant Douglas Raymond at 440-339-4539 or at djraymond@me.com.

Sincerely,



On Behalf of the NAA

A handwritten signature in black ink that reads 'Douglas Raymond'. The signature is written in a cursive, flowing style.

Douglas Raymond