



July 10, 2023

US Environmental Protection Agency  
EPA Docket Center, Atmospheric Programs Docket MailCode: 6205T  
Attn Docket ID No: EPA-HQ-OAR-2023-0043  
1200 Pennsylvania Ave., NW Washington, DC 20460

**Re: Alliance for Responsible Atmospheric Policy Comments on Protection of Stratospheric Ozone: Listing of Substitutes under the Significant New Alternatives Policy Program in Commercial and Industrial Refrigeration**

Dear Sir or Madam:

The Alliance for Responsible Atmospheric Policy (“Alliance”) is an industry coalition of fluorocarbon producer, user entities and trade associations of companies that rely on these compounds. The Alliance was organized in 1980 and has been a leading voice in the development and implementation of ozone protection policy at the global level and domestic implementation under Title VI of the Clean Air Act, as well as the American Innovation and Manufacturing Act of 2020. Today, the Alliance coordinates industry participation in the development of economically and environmentally beneficial international and domestic policies at the nexus of ozone protection and climate change. A list of members is attached.

The Alliance is pleased to provide these comments in response to EPA’s Proposed Rule 26 for the Significant New Alternatives Policy (SNAP) program. The SNAP program has played an important role over the last three decades in identifying new alternatives to replace ozone depleting substances with compounds and technologies that provide continued technology performance and that are deemed to offer benefits for improving human health and the environment. Choice of alternatives has also been an important factor with regard to assuring economic success of the ozone protection program. Therefore, the Alliance is generally supportive of proposed decisions that offer flexibility of choice and improve overall environmental performance. We encourage the completion of this regulatory decision-making process in an expeditious and timely manner.

**Proposed New Alternatives for the Commercial and Industrial Refrigeration and Revised Use Conditions for R-290**

The Alliance does not typically offer comments on the specific alternative proposals. We encourage the member companies and associations to provide comments as they relate to the specific alternatives proposed, and the appropriateness of the proposed use conditions.

**Codes and Standards Integration with the Transition Schedules for New Technologies**

The Alliance recognizes the important role played by building codes and safety standards in the transition to some of the new alternatives, particularly as it relates to the use of flammable or mildly flammable alternatives. We would like to reiterate our support for dealing with the codes and standards issue in a manner that ensures and facilitates the smooth transition to the substitute compounds and provides flexibility where necessary to complete this transition.

With regard to references to the UL 60335-2-89 and ASHRAE 15-2022, we have the following specific comments:

#### Markings

- CANENA WG16 has been working on harmonizing many requirements in UL 60335-2-89 with those included in UL 60335-2-40, to provide greater consistency within the industry. This includes markings. UL 60335-2-40 does not require red markings for systems with A2Ls. It does require them for systems using A2s and A3s.

#### Applicability of Standards

- UL 60335-2-89 will not cover, or be applicable to, all of the end-uses listed under the proposed SNAP 26 rule, such as –
  - o System located in industrial occupancies
    - ASHRAE 15-2022 specifically states systems in these locations do not have to be listed to UL 60335-2-89 and charge limits don't apply.
  - o Some IPR, cold storage, and ice rink applications
    - As many industrial process and cold storage systems are located in industrial occupancies, they would fall outside the scope of UL 60335-2-89.
  - o Some food processing / dispensing systems
    - E.g., Professional ice cream appliances specifically out of scope of UL 60335-2-89.
- ASHRAE 15-2022 is applicable to all of the end-uses
- Requiring compliance with UL 60335-2-89 for all of these end-uses will create conflict within the industry.
  - o Requiring compliance for all end-uses with ASHRAE 15-2022, and where applicable with UL 60335-2-89, would be more appropriate.
- The statement on systems with over 260\*LFL being outside the scope of UL 60335-2-89 is incorrect. Releasable charge, the equipment type, and the system location must be considered. Some systems with over 260\*LFL will be in scope. Others will not.

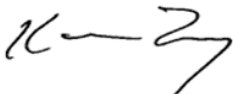
#### **Exemption of R-290 from Clean Air Act section 608 Prohibition on Releases of Refrigerant**

The Alliance does not support the exemption of R-290 from the Clean Air Act section 608 prohibition on releases of refrigerant, as allowing the venting of one specific flammable refrigerant may cause industry-wide confusion as the use of low-GWP refrigerants becomes prevalent. The industry must continue to maintain consistent and safe handling, maintenance, and disposal procedures throughout this transition.

#### **Conclusion**

We look forward to working with you in this SNAP Rulemaking process.

Sincerely,



Kevin Fay



**The Alliance**  
*for Responsible Atmospheric Policy*

**Alliance 2023 Member Roster:**

A-Gas

AGC Chemicals Americas Inc.

Air-Conditioning, Heating, and  
Refrigeration Institute (AHRI)

American Pacific

Arkema

Atomic Capital

Carrier

Center for the Polyurethanes Industry,  
ACC

Chemours

Copeland

Daikin Americas

Daikin Applied

Danfoss

Dynatemp Int.

Energizer Holdings

Falcon Safety Products

Golden Refrigerant

Heating Air-conditioning &  
Refrigeration Distributors  
International (HARDI)

Honeywell

Hudson Technologies

Hussmann

International Pharmaceutical Aerosol  
Consortium (IPAC)

Johnson Controls Inc.

Koura Global

Lennox Int.

Midwest Refrigerants

Mitsubishi Electric

National Refrigerants

Nortek

Olin BC

Rheem Manufacturing Co.

Trane Technologies