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## **DuPont Information Sheet/Question and Answer**

### **EPA Proposed Regulations under Significant New Alternatives Policy (SNAP)**

#### **What:**

On Wednesday, July 9, 2014, EPA released proposed regulation under the Significant New Alternatives Policy (SNAP) to change the SNAP status of a variety of high global warming potential (GWP) hydrofluorocarbons (HFCs) in mobile, stationary, foam and aerosol applications. The change in SNAP status would make it no longer allowable to use the particular HFCs in specific applications after that change in status date – in essence a ban on further use of those HFCs in those applications. In **all cases** the change of status makes the HFCs in question unacceptable to use for a) new equipment and b) retrofit applications (using the HFC as a retrofit for a different refrigerant in existing equipment, e.g. use of R-134a in a vehicle designed for HFO-1234yf).

The proposed rule does not affect service use of any HFC. The rule proposes no SNAP status change for any fire extinguishant applications.

#### **When:**

While there is no hard deadline to finalize the regulation, DuPont expects the proposed regulation will become a final regulation by early 2015, with SNAP change of status dates that begin as early as 1/1/16 for some applications.

#### **Process:**

Once the proposed regulation is published in the Federal Register, which is expected to occur within the next 1-2 weeks, it will begin the formal process. Thirty days after publication in the Federal Register, the EPA will hold a public hearing to take comments on the proposal, and a formal written comment period will begin on date of publication and continue for 60 days. When the comment period comes to an end, EPA will evaluate all of the comments, and finalize the regulation taking account of the comments they receive as they deem appropriate. It is anticipated that a wide variety of stakeholders will comment. In comments, EPA is seeking input on all aspects of the proposal, including the appropriate change of status timing for applications like MAC and foam.

## Key Elements of the Proposal

In **ALL CASES** below, the change of status makes the HFCs in question unacceptable to use for a) new equipment and b) retrofit applications (using the HFC as a retrofit for a different refrigerant in existing equipment, e.g. use of R-134a in a vehicle designed for HFO-1234yf). The proposed rule does NOT affect service use of any HFC.

### Mobile A/C

- Would make use of R-134a in new light duty motor vehicles no longer acceptable as of model year 2021, which is calendar year 2020 as a practical matter.
- Specifically requests comments on whether EPA should make model year 2017 or 2019 as the date on which R-134 may no longer be used in new vehicles.
- Would apply to all US produced vehicles, including those intended for export.
- Would not apply to any service use of R-134a for motor vehicles originally filled with R-134a.
- Would not apply to medium or heavy duty motor vehicles.
- The proposal would also make a variety of currently SNAP approved products that are not in actual use no longer acceptable for new or retrofit applications as of model year 2017\*.

### Stationary Applications

- Would make R-404A and R-507A no longer acceptable for retail food refrigeration (including stand-alone equipment, condensing units, direct supermarket systems, and indirect supermarket systems) and vending machines, as of January 1, 2016.
- Would make HFC-227ea, R-407B, R-421B, R-422A, R-422C, R-422D, R-428A, and R-434A unacceptable for retail food refrigeration (including direct and indirect supermarket systems), as of January 1, 2016.
- Would make HFC-134a and a variety of other high GWP HFC refrigerant blends\*\* unacceptable as of January 1, 2016.

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\*Those products are: The refrigerant blends SP34E, R-426A (also known as RS-24), R-416A (also known as HCFC Blend Beta or FRIGC FR12), R-406A, R-414A (also known as HCFC Blend Xi or GHG-X4), R-414B (also known as HCFC Blend Omicron), HCFC Blend Delta (also known as Free Zone), Freeze 12, GHG-X5, and HCFC Blend Lambda (also known as GHG-HP) as unacceptable starting with MY 2017.

\*\* FOR12A, FOR12B, HFC-227ea, IKON B, KDD6, R-125/290/134a/600a (55.0/1.0/42.5/1.5), R-407A, R-407B, R-407C, R-407F, R-410A, R-410B, R-417A, R-421A, R-421B, R-422A, R-422B, R-422C, R-422D, R-424A, R-426A, R-428A, R-434A, R-437A, R-438A, RS-24 (2002 formulation), RS-44 (2003 formulation), SP34E, THR-03.

## Foam

- Would make HFC-134a and blends thereof, HFC-143a, HFC-245fa and HFC-365mfc and blends thereof, the HFC blends Formacel B, Formacel Z-6 and Formacel TI as unacceptable in all foam blowing end-uses where they are currently listed as acceptable.
- Would make HFC-134a, HFC-245fa, HFC-365mfc and blends thereof; Formacel TI, and Formacel Z-6 no longer acceptable in the various polyurethane foam applications, as of 1/1/2017.
- Would make HFC-134a, HFC-245fa, HFC-365mfc, and blends thereof, Formacel B, Formacel TI and Formacel Z-6 no longer acceptable in the various polystyrene foam applications as of 1/1/2017.
- Would make HFC-134a, HFC-245fa, HFC-365mfc, and blends thereof; Formacel TI, and Formacel Z-6 in polyolefin foams.
- Would make HFC-143a, HFC-134a, HFC-245fa, HFC-365mfc, and blends thereof no longer acceptable in phenolic insulation foams as of 1/1/2017.
- Would not limit HFC-245fa or HFC-365mfc blended with HFC-227 in polyurethane spray foams.
- Would provide an exemption for some military applications until 2022.
- Imports of products containing foam expansion agents deemed unacceptable by EPA would no longer be allowed to be imported into US in closed cell foams; EPA requesting recommendations on open cell foams.

## Aerosol

- Would make HFC-125, HFC-227 and HFC-134a unacceptable (except in specific types of technical and medical aerosols such as metered dose inhalers) as of 1/1/2016.
- Would not affect the use of R-152a in aerosols.

## Pharmaceuticals (HFCs used in metered dose inhalers)

- HFC-227 and HFC-134a ARE acceptable for use in medical aerosols such as metered dose inhalers) as of 1/1/2016.

## Fire Extinguishants

- Would make no changes to HFCs used in FE applications.

## HCFCs

- Would make HCFC-141b, HCFC-142b, and HCFC-22, as well as blends that contain these substances, unacceptable in all sectors except refrigeration and air conditioning.
- This change is intended to align SNAP with other Clean Air Act requirements for these products.

## **Question and Answer:**

**Q: When does this new regulation become final?**

A: DuPont anticipates it would be final in early 2015.

**Q: How does the stakeholder input process work?**

A: EPA will publish the proposal in the Federal Register in the near future. Thirty days after the proposal is published, the EPA will hold a public hearing to take comments. EPA will also accept written comments for 60 days after it is published. They will review and consider all comments and then finalize the rule. It is expected that DuPont will make comments as applicable that is specific to each segment.

**Q: Can the proposed regulation change prior to be finalized?**

A: It is DuPont's opinion that it may change in some details, such as start dates, but is not likely to change significantly.

**Q: Does the proposed rule affect service use of HFCs?**

A: No, it does not affect service use of HFCs.

**Q: How did EPA evaluate HFCs under SNAP?**

A: EPA compares the relative risks of alternatives. The risk factors that are considered include ozone depletion potential as well as flammability, toxicity, occupational health and safety, and contributions to climate change and other environmental factors. Alternatives that are classified with a significantly higher risk than other available or reasonably foreseeable alternatives are deemed unacceptable.

**Q: Why is EPA proposing to cover imports and exports as well?**

A: EPA interprets SNAP to apply to any product "placed on the market" in the US, including when the HFC is incorporated into a product. As an example, for mobile air conditioning, they interpret a new car leaving an assembly plant as "placement on the market", even if a car is intended for export. Similarly for closed cell foam that is produced outside the US, it is considered "placed on the market" in the US when the foam is imported such as in an appliance. Thus an HFC deemed as unacceptable could not be "placed on the market" in the manners described above.

**Q: For mobile air conditioning, does the proposal apply to all motor vehicles?**

A: No, the proposal applies just to light duty motor vehicles.