

United States Senate  
WASHINGTON, DC 20510

April 23, 2024

The Honorable Michael S. Regan  
Administrator  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue Northwest  
Washington, DC 20460

Dear Administrator Regan,

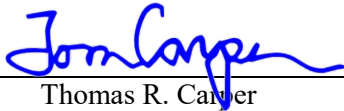
We write to express our strong support for the Environmental Protection Agency's (EPA) efforts to phase down the production and use of Hydrofluorocarbons (HFCs), including the agency's Proposed Rule under Subsection (h) of the American Innovation and Manufacturing (AIM) Act. As original authors of the AIM Act, we are pleased to see that the Proposed Rule significantly increases opportunities for the recovery and reclamation of HFCs - while minimizing their release - enhancing the safety of technicians and consumers, and protecting the planet.

We urge EPA to expeditiously adopt a final rule that underscores the critical role of recovery and reclamation in the phasedown of HFCs. We support the proposed reclamation standard that establishes a limit on the amount of virgin HFC refrigerants that can be included in reclaimed HFC refrigerant. By limiting the amount of virgin HFCs used during reclamation, this threshold sufficiently allows the flexibility necessary for reclaimers to rebalance refrigerants to meet the industry standard for resale while supporting the AIM Act's overarching goal of moving away from virgin HFC use. We also support the proposed provisions that further clarify when refrigerants are considered reclaimed, ensuring consistency for the installation and servicing industry.

We are concerned, however, that an abrupt transition to reclaimed refrigerant usage could potentially disrupt the HFC market or create supply shortages. The proposed rule would require such a transition by January 1, 2028, which may be unreasonable given the challenges in developing sufficient capacity to fully substitute reclaimed HFCs for virgin HFCs in initial charges and in all servicing. Considering whether additional sectors should be included in the requirements for servicing and repair reclamation would help ease this supply constraint. But requiring the exclusive use of reclaimed refrigerant before enough is available on the market may have an unintended consequence of undermining confidence in the reclamation market. We recommend that EPA consider allowing more time for the transition and letting the market effects of the statutory phase-down of HFCs signal to users the need to move away from virgin HFCs.

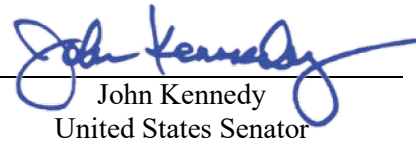
In conclusion, reclamation of HFCs by the servicing sector is crucial to support the goals of the AIM Act, as intended by Congress. Without a healthy reclamation market, which starts with contractors recovering refrigerants rather than venting these gases, American consumers may not be able to use their systems through their full useful life. We recommend that EPA phase in its requirements for the use of reclaimed refrigerants in order to give the market time to respond with an adequate supply. Thank you for carefully considering our views, and we look forward to hearing from you on this important matter.

Sincerely,

A handwritten signature in blue ink that reads "Tom Carper". The signature is fluid and cursive, with the first name "Tom" being more prominent.

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Thomas R. Carper  
Chairman  
Committee on Environment and  
Public Works

A handwritten signature in blue ink that reads "John Kennedy". The signature is fluid and cursive, with the last name "Kennedy" being more prominent.

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John Kennedy  
United States Senator