



July 29, 2020

Linda Kildahl
Air Quality Planner
Department of Ecology, Air Quality Program
PO Box 47600
Olympia WA 98504-7600
Via electronic transmission

Subject: NAA Comments on New Proposed Rule, Chapter 173-443 WAC-
Hydrofluorocarbons (HFCs)

Dear Ms. Kildahl,

The National Aerosol Association (NAA) appreciates the opportunity to comment on Washington Department of Ecology (Ecology) proposed new permanent rule Chapter 173-443 WAC- Hydrofluorocarbons (HFCs). NAA has the following comments on the proposed rules.

The National Aerosol Association (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.

NAA seeks clarity on the applicability of the labeling requirements as there is confusion between how section WAC 173-443-020 is written compared to WAC 173-443-070 for aerosol products. The applicability section states the following:

The labeling requirements in WAC 173-443-070 apply to manufacturers of products or equipment that contains, uses, or will use HFCs as of July 28, 2019, or to manufacturers that introduce such products or equipment into Washington commerce after that date.

NAA interprets this with respect to aerosol products to mean that aerosol products which previously contained HFCs, but have since been reformulated to utilize other

propellants, before July 28, 2019 or aerosol products that never used HFCs are not subject to the requirements within WAC 173-443-070. NAA requests clarity on this section because of the use of the term “substitute” in section WAC 173-443-070 because that would apply to any aerosol propellant used in aerosol products as all propellants are substitutes for class I or class II substrates.

NAA supports the restrictions of High Global Warming Potential HFC if consistent with other state activities. This proposed rule appears consistent with other states and NAA can support Washington State rules.

Thus, in conclusion NAA seeks clarification on the Applicability section and can support this rule. Thank you for your willingness to work with us during the rulemaking process. Any questions or comments please contact our consultant Doug Raymond at 440-339-4539 or at djraymond@me.com.

Sincerely,

A handwritten signature in black ink that reads "Douglas Raymond". The signature is written in a cursive style with a large, prominent 'D' and 'R'.

Douglas Raymond
Consultant NAA