



July 28, 2020

Ms. Linda Kildahl
Washington Department of Ecology Air Quality Program
300 Desmond Dr. SE
Lacey, WA 98503

Re: Proposed Regulation Chapter 173-443 WAC Prohibitions on Use of Certain Hydrofluorocarbons in Specific End-Uses

Dear Department of Ecology:

Thank you for the opportunity to submit written comments on the Proposed Regulation Chapter 173-443 WAC Prohibitions on Use of Certain Hydrofluorocarbons in Specific End-Uses. Illinois Tools Works Inc. (ITW) is a U.S. manufacturer of value-added commercial and industrial-use products, components, and systems. ITW is a Fortune 200 company operating a diverse global portfolio of 84 manufacturing divisions, including commercial foodservice refrigeration equipment and emergency roadside tire inflator products, among other products.

For the purposes of the proposed regulation, the ITW Food Equipment Group, LLC (ITW FEG) is among the world's largest manufacturers of commercial foodservice refrigeration equipment brands manufactured in the US. ITW FEG has introduced environmentally sustainable marketplace options to promote responsible resource usage, energy savings and overall good stewardship practices, while meeting the needs of the diverse North American commercial kitchen appliance market.

ITW supports the aims of the US Environmental Protection Agency's (EPA) 2015 Significant New Alternatives Policy (SNAP) regulation (Rule 20) that formerly prohibited higher global warming potential substances, such as hydrofluorocarbons (HFCs) from many end-use products, including as refrigerant and foam-blowing agents in commercial foodservice refrigeration equipment. In fact, ITW FEG has re-engineered our impacted products across 500 base models, taking a market leadership position to complete this comprehensive transition ahead of the schedule imposed by Rule 20. Therefore, from our perspective, we support the Department of Ecology proposed rule as an effort to continue supporting manufacturers and the marketplace in reducing the use of HFCs, while the proposed rule also seeks to avoid producing unintended consequences for manufacturers. We offer the following comments for your review.

Section WAC 173-443-030 Definitions and acronyms

Generally, the definitions applicable to ITW's commercial foodservice equipment include "Retail" or "Commercial Refrigeration Equipment," "Remote Condensing Units," and "'Stand-alone' Low- and Medium-temperature" units. These categories and descriptions align with SNAP Rule 20 and are consistent with the end-use settings of our products.

Section WAC 173-443-040 List of prohibited substitutes and Section WAC 173-443-060 Prohibitions

ITW supports the effective dates of January 1, 2020, as outlined for commercial stand-alone and remote condensing unit refrigeration equipment both for refrigerant and two-component high pressure spray foam usage, and January 1, 2021 for two-component low pressure spray foam usage. As we have said previously, we believe that these dates align with the vast majority of the commercial foodservice refrigeration industry's transition efforts already well underway, including those that ITW FEG initiated shortly after the EPA's SNAP Rule 20 was finalized in 2015.

We further support the Department's labeling requirements for commercial foodservice refrigeration equipment. As outlined in Section WAC 173-443-060 2(b), allowing our third-party provided equipment certification label, which includes a unit's manufacturing date, to satisfy compliance with the proposed regulation is a prime example of current industry practice that will result in a reduced burden on manufacturers' duty to meet state requirements.

Section WAC 173-443-070 Product labeling and disclosure requirements

ITW appreciates the Department's desire for consumer transparency and awareness regarding products entering and used in the state. To that end, we support the disclosure requirements for the use of HFCs in refrigerant and foam blown into commercial foodservice equipment. Again, the proposed rule would allow for refrigerant labeling to be satisfied using an approved, third-party label (or data plate), and also provide less burdensome foam labeling options because the third-party label (data plate) does not provide, nor can it be amended to indicate, which foam blowing agent was used for the product's insulation.

In conclusion, we appreciate the Department allowing written comments as you consider the proposed regulation to curb the presence of HFCs in the state of Washington. Again, as we support the continued deployment of sustainable products to meet consumer needs, we thank you for your continued engagement of the broader stakeholder community. Please continue to let us know how we may support your efforts.

Respectfully submitted,

/s/

Kevin Washington
Government Affairs