

September 9, 2023

Washington State Department of Ecology
Air Quality Program
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submitted via [aq.ecology.commentinput.com](https://aq.ecology.wa.gov/commentinput)

Subject: WAC 173-443, Hydrofluorocarbons (HFCs) Rulemaking Informal Public Comment

The University of Washington (UW) encompasses three public research university campuses as well as UW Medicine, a healthcare system with a vast network of hospitals, clinics, and healthcare providers, across the state of Washington. We, at UW, wish to make our facilities an example of environmental stewardship while still providing a first class space for academics, research, and medicine. In this vein, we would like to provide the Department of Ecology with comments on the new HFC rulemaking – WAC 173-443.

WAC 173-443-030

1. Please define “facility” within WAC 173-443-030. As mentioned above, UW encompasses three academic campuses as well as multiple healthcare facilities. An unclear definition of facility has ramifications throughout the proposed rule language, including the annual fee structure and assigned facility identification number.
 - a. Dependent on the definition of “facility,” it is unclear whether UW would be responsible for multiple annual fees or just one.
 - b. UW has multiple facilities listed as an “interrelated entity” under Ecology’s NWRO dangerous waste reporting program (WAC 173-303-060). We encourage Ecology to adopt a similar approach for HFC reporting.

WAC 173-443-040

2. Many of the new lower global warming potential refrigerants are mildly flammable (ASHRAE group A2L). However, the 2018 International Fire Code and 2021 International Fire Code do not acknowledge the A2L rating or distinguish “mildly” flammable gases. This could make it impractical to replace refrigeration equipment in an existing mechanical room. We ask Ecology to consider building and fire code implications in the phase down of HFCs.
3. Has the Department of Ecology encouraged the Building Code Council to adopt amendments allowing A2L refrigerants?
4. This new phase down legislation restricts high-GWP refrigerants too fast for facilities to either: (1) transition to new refrigeration equipment that is functional, safe, and effective, or (2)

adopt low-GWP that are safe, practical, and effective for use in existing refrigeration equipment.

5. We strongly encourage Ecology to align its rulemaking with the federal rulemaking timeline to give owners and operators more time to prepare and bolster their refrigerant management plans, facilities, and equipment.

WAC 173-443-115

6. Owners and operators may use automatic leak detection systems in lieu of periodic leak inspections. Is there a similar compliance path for rooftop equipment that is not located within an enclosed space and in which an automatic leak detection system is not practical?

WAC 173-443-125

7. Is 14-day leak repair required only for leaks above the leak reporting threshold?
8. We consider the refrigeration taking place for the hospitals or our campuses as “comfort cooling.” However, we request clarification on the ability to apply longer leak repair allowances as they are specific to industrial refrigeration and to manufacturers.
9. We also suggest more inclusive language for the 45-day and 120-day allowances.
10. The increase in leak inspection frequency will increase the need for more staff to execute and document the work.

WAC 173-443-165

11. We suggest providing a penalty fee schedule.

If you have any questions or require additional information, please contact me at xwallace@uw.edu.

Respectfully,


John Wallace

Enclosure