

# Allen (MSA Safety Worldwide) Wicher

MSA Worldwide, LLC.

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Re: Rulemaking- Chapter 173-443 WAC, Hydrofluorocarbons (HFC): Draft Rule Language Feedback

Attention: Department of Ecology (DoC); State of Washington

As sustainability, energy efficiency, and environmental impact take center stage, staying ahead of regulatory and policy changes is more important than ever. At MSA The Safety Company, along with our family of brands Bacharach and Parasense, we understand the critical role that regulations play in keeping our industry safe and sustainable. The global HFC phasedown is driving many refrigeration equipment owners to evaluate alternative or natural refrigerants. Our long-time market proven solutions and subject matter expertise can help economically manage this transition, reduce carbon footprint, and maintain safety code while quickly detecting low-level refrigerant leaks down to 1PPM of over 60 different gases. We achieve this through the combination of our remote, cloud connected, enterprise software platform, multi-zone gas monitor and professional services to help reduce refrigerant emissions and refrigerant costs and provide refrigerant tracking & compliance.

With the understanding that the Washington State Department of Ecology largely referenced the California Air Resources Board's Refrigerant Management Program (CARB RMP) to inform and develop a statewide RMP for Washington, the language that has been adopted from the CARB RMP for automatic leak detection (ALD) requirements. The DoC indicated ALD technologies have evolved and current regulations may have become outdated.

- MSA Bacharach Comment: The following considerations and concerns highlight the need to update regulatory requirements for ALD systems, collect technical information, provide further guidance to owner/operators, and clarify terminology and standards:

- o Can the DoC state what specific technologies have advanced and what specific regulations need amendment accordingly?

- o A lack of definitional clarity for specific terminology such as "full system" and "continuous monitoring" has resulted in confusion and compliance concerns among owner/operators.

Specifically, notwithstanding EPA's commentary approving the use of Direct ALD systems (including aspirated detection systems and zonal cycling) and CARB's longstanding acceptance of these technologies, potential misinformation is being communicated to owner/operators suggesting that Direct ALD cannot satisfy Washington's requirements for ALD and offset the requirement for manual leak inspections. It is suggested that the regulations be amended to clarify that direct ALD systems are sufficient for these purposes.

- o A lack of technical information and validation studies for indirect ALD systems which are more nascent technologies has raised concerns from ALD manufacturers and owner/operators alike. In particular, there is insufficient clarity on how many data points such systems would need to achieve coverage of a "full system," and whether indirect systems can be reliably "audited and calibrated" to detect leaks and alarm at the required levels.

- o DoC providing additional guidance on the differences between OSHA and RMP requirements for ALD systems would benefit owner/operators, in particular a clarification of the leak detection thresholds for each use case.

- o To help and resolve the updating of regulatory requirements for ALD systems, collect technical

information, provide further guidance to owner/operators, and clarify terminology and standards, MSA Bacharach suggests the establishment of a TAG (Technical Advisory Group) by DoC. MSA Bacharach would welcome the opportunity to participate in such a group.

As a long-time subject matter expert, industry steward and global leader in gas detection technologies and systems, we hope you receive our commentary in the spirit that it is meant in helping advance global HFC phasedown goals. MSA is available to support the Washington State DoC and will continue to provide additional support as regulations evolve.

Kind Regards,

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