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**SUBSTITUTE HOUSE BILL 1462**

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**State of Washington**

**69th Legislature**

**2025 Regular Session**

**By** House Environment & Energy (originally sponsored by Representatives Duerr, Berry, Doglio, Fitzgibbon, Reed, Ramel, Parshley, Goodman, Macri, Kloba, and Hunt)

READ FIRST TIME 02/07/25.

1 AN ACT Relating to reducing greenhouse gas emissions associated  
2 with hydrofluorocarbons by transitioning to environmentally and  
3 economically sustainable alternatives and promoting use of reclaimed  
4 hydrofluorocarbons; amending RCW 70A.60.010; reenacting and amending  
5 RCW 39.26.310; adding new sections to chapter 70A.60 RCW; creating a  
6 new section; and prescribing penalties.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

8 NEW SECTION. **Sec. 1.** (1) The legislature finds that:

9 (a) The Kigali amendment to the Montreal protocol and the  
10 American innovation and manufacturing act of 2020 (42 U.S.C. Sec.  
11 7675), establish phased reductions in hydrofluorocarbon production  
12 and consumption but leave gaps in ensuring widespread use of  
13 reclaimed refrigerants and managing refrigerants at the end of their  
14 life cycle; and

15 (b) State action is urgently needed to complement federal and  
16 international efforts by promoting refrigerant recovery, reclamation,  
17 and the transition to climate-friendly refrigerants with lower or no  
18 global warming potential, through regulations and market-based  
19 incentives.

20 (2) It is the intent of the legislature to:

1 (a) Lead by example in promoting reclaimed refrigerants by  
2 requiring their use in servicing and repairing state-owned equipment;

3 (b) Study feasible pathways to an expeditious transition of new  
4 equipment by 2035 to low global warming potential refrigerants of  
5 less than 150 carbon dioxide equivalents and ultra-low global warming  
6 potential refrigerants of less than 10 carbon dioxide equivalents;

7 (c) Support the development of robust refrigerant recovery  
8 infrastructure and foster public-private partnerships to promote the  
9 reclamation and reuse of refrigerants;

10 (d) Establish a clear regulatory framework for reducing emissions  
11 from refrigerants through phased limitations on high global warming  
12 potential substances and increasing recovery and use of reclaimed  
13 refrigerants; and

14 (e) Enhance industry compliance and stakeholder collaboration  
15 through education, training, and financial incentives, ensuring  
16 alignment with national and international climate objectives.

17 NEW SECTION. **Sec. 2.** A new section is added to chapter 70A.60  
18 RCW to read as follows:

19 (1) It is prohibited to sell, distribute, or otherwise enter into  
20 commerce in the state virgin bulk hydrofluorocarbons or virgin bulk  
21 hydrofluorocarbon blends that:

22 (a) Have a global warming potential that exceeds 1,500, beginning  
23 January 1, 2030; and

24 (b) Have a global warming potential that exceeds 750, beginning  
25 January 1, 2033.

26 (2)(a) The department shall adopt rules to implement the  
27 requirements of this section.

28 (b) The department may adopt by rule lower global warming  
29 potential limits than are specified in subsection (1) of this  
30 section, or earlier dates for global warming potential limits than  
31 are specified in subsection (1) of this section, provided the  
32 department finds that an adequate supply of reclaimed refrigerant  
33 would be available in the state to accommodate any such change to the  
34 requirements of subsection (1) of this section.

35 (c) When adopting rules to conform to this section, the  
36 department may update the definitions of terms used in this section,  
37 including the definitions of "bulk" and "reclaim" in RCW 70A.60.010,  
38 in order to maintain consistency with federal regulations or to

1 harmonize the department's rules with similar requirements adopted by  
2 other jurisdictions.

3 (d) In adopting rules to implement the provisions of this  
4 section, the department must consider and may incorporate factors  
5 that minimize or potentially eliminate disincentives and maximize or  
6 potentially incentivize the recovery of refrigerant and its  
7 reclamation or destruction.

8 (3)(a) The prohibitions established under this section do not  
9 apply to:

10 (i) Hydrofluorocarbons that are reclaimed;

11 (ii) An application receiving application-specific allowances  
12 under subsection (e)(B) of the American innovation and manufacturing  
13 act of 2020 (42 U.S.C. Sec. 7675);

14 (iii) Hydrofluorocarbons and hydrofluorocarbon blends regulated  
15 for use in aircraft maintenance or on board aircraft by the federal  
16 aviation administration, department of defense, or other equivalent  
17 authorities; or

18 (iv) Transshipments of bulk virgin hydrofluorocarbons and  
19 hydrofluorocarbon blends.

20 (b) For virgin bulk hydrofluorocarbon blends, the global warming  
21 potential limits of this section apply to the global warming  
22 potential of the blend and not to any individual component of such a  
23 blend.

24 (4)(a) The department may provide for a temporary exemption for a  
25 virgin hydrofluorocarbon or a virgin hydrofluorocarbon blend where  
26 the department determines complying with a requirement of this  
27 section is technically or economically infeasible.

28 (b) An exemption granted by the department under this subsection  
29 may not exceed three years and must be conditional upon the exemption  
30 recipient carrying out a plan, on an enforceable timeline, to meet  
31 the requirements of this section. Each exemption granted by the  
32 department shall end after three years unless, at least six months  
33 prior to the expiration of the exemption, the exemption recipient  
34 submits a request for extension with justification. The department  
35 may determine whether to renew or modify the exemption based on its  
36 review of the request for an extension.

37 (5) A violation of the requirements of this section are subject  
38 to penalties as provided in chapter 70A.15 RCW.

1        NEW SECTION.    **Sec. 3.**    A new section is added to chapter 70A.60  
2    RCW to read as follows:

3        (1) The department must establish a refrigerant transition task  
4    force to study opportunities and barriers to transitioning to  
5    climate-friendly refrigerants and enhancing refrigerant recovery and  
6    reclamation.

7        (a) By July 1, 2026, the department must appoint members of the  
8    task force.

9        (b) Starting no later than June 1, 2027, for a period extending  
10   at least 60 days, the department must make available a draft of the  
11   task force report required in subsection (4) of this section for  
12   public input and comment.

13       (c) The department must submit the task force report required in  
14   subsection (4) of this section to the appropriate committees of the  
15   legislature no later than December 1, 2027.

16       (2) The task force must be chaired by a representative of the  
17   department and must consist of the following members appointed by the  
18   department:

19       (a) One representative from the private sector or a private  
20   sector trade association with expertise in installing, servicing,  
21   repairing, and decommissioning refrigeration and air conditioning  
22   equipment;

23       (b) One representative from the private sector or a private  
24   sector trade association with expertise in refrigerant recovery and  
25   reclamation;

26       (c) One representative from the private sector or a private  
27   sector trade association with expertise in manufacturing  
28   refrigeration and air conditioning equipment and the distribution and  
29   sale thereof;

30       (d) One Washington state representative from the private sector  
31   or a private sector trade association that installs and services  
32   either air conditioning or refrigeration equipment, or both;

33       (e) Three representatives from environmental nonprofit  
34   organizations with familiarity with the climate risks of  
35   hydrofluorocarbons;

36       (f) One representative of Washington businesses that own or  
37   operate either air conditioning or refrigeration equipment using  
38   hydrofluorocarbons;

39       (g) One representative from an environmental justice organization  
40   in Washington;

1 (h) One academic or research expert specializing in climate  
2 policy, emissions reduction, or refrigerant technology;

3 (i) One member representing tribal or indigenous organizations  
4 guiding sustainability decisions for purchase and operation of  
5 equipment using hydrofluorocarbons; and

6 (j) One representative of a Washington grocery store with  
7 experience installing and operating at least five refrigeration  
8 systems using ultra-low global warming potential refrigerants.

9 (3) The department may invite the input of others with relevant  
10 expertise to work with the task force for one or more task force  
11 discussions including, but not limited to:

12 (a) A representative with knowledge of agricultural refrigeration  
13 in Washington state;

14 (b) A representative of Washington organized labor with  
15 experience in installing and servicing heating, ventilation, and air  
16 conditioning or refrigeration equipment;

17 (c) A representative for Washington small or rural grocers; and

18 (d) Others valuable for informing one or more task force  
19 discussions.

20 (4) (a) The task force must draft and submit to the department a  
21 report assessing the opportunities, barriers, and recommendations for  
22 transitioning to refrigerants with low global warming potential and  
23 ultra-low global warming potential by 2035, accounting for  
24 distinctions among different types of equipment and appliances for  
25 hydrofluorocarbon-using sectors and subsectors and the timelines  
26 needed for each sector or subsector to complete such a transition.

27 (b) In drafting the report required in this section, each member  
28 of the task force must make a good faith effort to reach consensus on  
29 each point and provision in the report.

30 (c) Where one or more members of the task force object to a point  
31 or provision in the report, that member or members may provide a  
32 description of such an objection, with all such descriptions listed  
33 in an annex to the report.

34 (5) (a) The department shall provide administrative and operating  
35 support, including arrangements for virtual meetings, to the task  
36 force and may contract with a third-party facilitator or other  
37 consultants to assist in carrying out the activities of the task  
38 force.

39 (b) A majority of the task force constitutes a quorum. Action by  
40 the task force, including the inclusion of a point or provision in

1 the report, requires a quorum and a majority of those present and  
2 voting.

3 (6) The department may disband the task force created in this  
4 section upon the submission of the report under subsection (1)(c) of  
5 this section.

6 NEW SECTION. **Sec. 4.** A new section is added to chapter 70A.60  
7 RCW to read as follows:

8 (1) To achieve the transition to refrigerants with low global  
9 warming potential and ultra-low global warming potential by 2035,  
10 accounting for distinctions among different types of equipment and  
11 appliances for hydrofluorocarbon-using sectors and subsectors and the  
12 timelines needed for each sector or subsector to complete such a  
13 transition, the department shall adopt rules, informed by the work  
14 and the report of the task force, to require low global warming  
15 potential or ultra-low global warming potential alternatives to  
16 hydrofluorocarbons in a sector unless it is not practicable for  
17 entities in the sector to comply with the requirement.

18 (2) The department may not commence the rule making referred to  
19 in subsection (1) of this section until January 1, 2028.

20 (3) The department may combine rule making under this section  
21 with rule making authorized under section 2 of this act for purposes  
22 of efficiency.

23 **Sec. 5.** RCW 70A.60.010 and 2021 c 315 s 2 are each amended to  
24 read as follows:

25 The definitions in this section apply throughout this chapter  
26 unless the context clearly requires otherwise.

27 (1)(a) "Air conditioning" means the process of treating air to  
28 meet the requirements of a conditioned space by controlling its  
29 temperature, humidity, cleanliness, or distribution.

30 (b)(i) "Air conditioning" includes chillers(~~(, except for~~  
31 ~~purposes of RCW 70A.60.020)).~~

32 (ii) "Air conditioning" includes heat pumps.

33 (c) "Air conditioning" applies to stationary air conditioning  
34 equipment and does not apply to mobile air conditioning, including  
35 those used in motor vehicles, rail and trains, aircraft, watercraft,  
36 recreational vehicles, recreational trailers, and campers.

37 (2) "Class I substance" and "class II substance" means those  
38 substances listed in 42 U.S.C. Sec. 7671a, as of November 15, 1990,

1 or those substances listed in Appendix A or B of Subpart A of 40  
2 C.F.R. Part 82, as of January 3, 2017.

3 (3) "Department" means the department of ecology.

4 (4) "Hydrofluorocarbons" means a class of greenhouse gases that  
5 are saturated organic compounds containing hydrogen, fluorine, and  
6 carbon.

7 (5) "Ice rink" means a frozen body of water, hardened chemicals,  
8 or both, including, but not limited to, professional ice skating  
9 rinks and those used by the general public for recreational purposes.

10 (6) "Manufacturer" includes any person, firm, association,  
11 partnership, corporation, governmental entity, organization, or joint  
12 venture that produces any product that contains or uses  
13 hydrofluorocarbons or is an importer or domestic distributor of such  
14 a product.

15 (7) "Person" means an individual, partnership, franchise holder,  
16 association, corporation, a state, a city, a county, or any  
17 subdivision or instrumentality of the state.

18 (8) "Refrigeration equipment" or "refrigeration system" means any  
19 stationary device that is designed to contain and use refrigerant.  
20 "Refrigeration equipment" includes refrigeration equipment used in  
21 retail food, cold storage, industrial process refrigeration and  
22 cooling that does not use a chiller, ice rinks, and other  
23 refrigeration applications.

24 (9) "Regulated refrigerant" means a class I or class II substance  
25 as listed in Title VI of section 602 of the federal clean air act  
26 amendments of November 15, 1990.

27 (10) "Residential consumer refrigeration products" has the same  
28 meaning as defined in section 430.2 of Subpart A of 10 C.F.R. Part  
29 430 (2017).

30 (11) "Retrofit" has the same meaning as defined in section 152 of  
31 Subpart F of 40 C.F.R. Part 82, as that section existed as of January  
32 3, 2017.

33 (12) "Substitute" means a chemical, product, or alternative  
34 manufacturing process, whether existing or new, that is used to  
35 perform a function previously performed by a class I substance or  
36 class II substance and any chemical, product, or alternative  
37 manufacturing process subsequently developed, adapted, or adopted to  
38 perform that function including, but not limited to,  
39 hydrofluorocarbons. "Substitute" does not include 2-BTP or any

1 compound as applied to its use in aerospace fire extinguishing  
2 systems.

3 (13) "Bulk" means:

4 (a) The same as defined in 40 C.F.R. Sec. 84.3, as it existed on  
5 the effective date of this section; or

6 (b) An updated definition adopted by rule by the department under  
7 section 2(2)(c) of this act.

8 (14) "Low global warming potential" means a global warming  
9 potential of less than 150 carbon dioxide equivalents.

10 (15) "Reclaim" means:

11 (a) The reprocessing of regulated substances to all of the  
12 specifications in appendix A to 40 C.F.R. Part 82, Subpart F (based  
13 on air-conditioning, heating, and refrigeration institute standard  
14 700-2016), as it existed on the effective date of this section, that  
15 are applicable to that regulated substance and to verify that the  
16 regulated substance meets these specifications using the analytical  
17 methodology prescribed in section 5 of appendix A to 40 C.F.R. Part  
18 82, Subpart F, as those regulations existed on the effective date of  
19 this section, and do not contain more than 15 percent virgin material  
20 by weight, pursuant to federal regulations at 40 C.F.R. Part 84,  
21 Subpart C, as it existed on the effective date of this section; or

22 (b) An updated definition adopted by rule by the department under  
23 section 2(2)(c) of this act.

24 (16) "Transshipment" means the shipment of a regulated substance  
25 through the state of Washington from one point outside the state of  
26 Washington to another point outside the state of Washington, as long  
27 as the shipment does not enter commerce in Washington.

28 (17) "Ultra-low global warming potential" means a global warming  
29 potential of less than 10 carbon dioxide equivalents.

30 (18) "Virgin refrigerant" means a refrigerant that has not been  
31 previously used, recovered, or reclaimed.

32 **Sec. 6.** RCW 39.26.310 and 2021 c 315 s 19 and 2021 c 65 s 28 are  
33 each reenacted and amended to read as follows:

34 (1) The department shall establish purchasing and procurement  
35 policies that provide a preference for products that:

36 (a) Are not restricted under RCW 70A.60.060;

37 (b) Do not contain hydrofluorocarbons or contain  
38 hydrofluorocarbons with a comparatively low global warming potential;



1 (c) Are not designed to function only in conjunction with  
2 hydrofluorocarbons characterized by a comparatively high global  
3 warming potential; and

4 (d) Were not manufactured using hydrofluorocarbons or were  
5 manufactured using hydrofluorocarbons with a low global warming  
6 potential.

7 (2)(a) The department shall establish purchasing and procurement  
8 policies, effective July 1, 2026, that require state agencies, in  
9 purchasing goods or services, or both, to replenish any leaks or  
10 otherwise service stationary equipment owned or operated by the  
11 state, to purchase products that, if containing hydrofluorocarbons,  
12 do not contain hydrofluorocarbons with a global warming potential  
13 greater than 750 that are not reclaimed.

14 (b) The department must consult with the department of ecology  
15 for technical assistance in establishing purchasing and procurement  
16 policies to implement this subsection (2).

17 (c) The definitions in this subsection (2)(c) apply throughout  
18 this subsection unless the context clearly requires otherwise.

19 (i) "Hydrofluorocarbons" has the same meaning as defined in RCW  
20 70A.60.010.

21 (ii) "Reclaimed" has the same meaning as "reclaim" as defined in  
22 RCW 70A.60.010.

23 (3)(a) No agency may knowingly purchase products that are not  
24 accorded a preference in the purchasing and procurement policies  
25 established by the department pursuant to subsection (1) of this  
26 section, unless there is no cost-effective and technologically  
27 feasible option that is accorded a preference.

28 ~~((+3))~~ (b) No agency may knowingly purchase products that are  
29 not accorded a preference in the purchasing and procurement policies  
30 established by the department pursuant to subsection (2) of this  
31 section, unless the agency has received a temporary exemption from  
32 the department based on a determination by the department that  
33 complying with subsection (2) of this section would be technically or  
34 economically infeasible. Any exemption granted by the department  
35 under this subsection may not exceed three years and must be  
36 conditional upon the exemption recipient carrying out a plan, on an  
37 enforceable timeline, to meet the requirements of this section. Each  
38 exemption granted by the department shall end after three years  
39 unless, six months prior to the expiration of the exemption, the  
40 exemption recipient requests an extension with sufficient

1 justification to determine that complying with subsection (2) of this  
2 section continues to be technically or economically infeasible. In  
3 such event, the department may renew or modify the exemption based on  
4 its feasibility determination.

5 (4) The department shall establish a purchasing and procurement  
6 policy that provides a preference, in (~~servicing~~) servicing existing  
7 equipment, for a reclaimed refrigerant that meets the minimum quality  
8 requirement established in federal regulations adopted under 42  
9 U.S.C. Sec. 7671(g).

10 (~~(4)~~) (5)(a) Nothing in subsection (1) of this section requires  
11 the department or any other state agency to breach an existing  
12 contract or dispose of stock that has been ordered or is in the  
13 possession of the department or other state agency as of July 28,  
14 2019.

15 (b) Nothing in subsection (~~(3)~~) (4) of this section requires  
16 the department or any other state agency to breach an existing  
17 contract or dispose of stock that has been ordered or is in the  
18 possession of the department or other state agency as of July 28,  
19 2021.

20 (~~(5)~~) (6) By December 1, 2020, and each December 1st of even-  
21 numbered years thereafter, the department must submit a status report  
22 to the appropriate committees of the house of representatives and  
23 senate regarding the implementation and compliance of the department  
24 and state agencies with this section.

25 NEW SECTION. **Sec. 7.** If any provision of this act or its  
26 application to any person or circumstance is held invalid, the  
27 remainder of the act or the application of the provision to other  
28 persons or circumstances is not affected.

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