
SECOND SUBSTITUTE HOUSE BILL 1462

State of Washington

69th Legislature

2025 Regular Session

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

READ FIRST TIME 02/28/25.

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; adding new sections to
5 chapter 70A.60 RCW; creating new sections; and prescribing penalties.

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

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

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

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

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

20 (a) Study feasible pathways to an expeditious transition of new
21 equipment by 2035 to low global warming potential refrigerants of

1 less than 150 carbon dioxide equivalents and ultra-low global warming
2 potential refrigerants of less than 10 carbon dioxide equivalents;

3 (b) Support the development of robust refrigerant recovery
4 infrastructure and foster public-private partnerships to promote the
5 reclamation and reuse of refrigerants;

6 (c) Establish a clear regulatory framework for reducing emissions
7 from refrigerants through phased limitations on high global warming
8 potential substances and increasing recovery and use of reclaimed
9 refrigerants; and

10 (d) Enhance industry compliance and stakeholder collaboration
11 through education, training, and financial incentives, ensuring
12 alignment with national and international climate objectives.

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

15 (1) It is prohibited to sell, distribute, or otherwise enter into
16 commerce in the state newly produced bulk hydrofluorocarbons or newly
17 produced bulk hydrofluorocarbon blends that:

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

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

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

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

31 (c) When adopting rules to conform to this section, the
32 department may update the definitions of terms used in this section,
33 including the definitions of "bulk" and "reclaim" in RCW 70A.60.010,
34 in order to maintain consistency with federal regulations or to
35 harmonize the department's rules with similar requirements adopted by
36 other jurisdictions.

37 (d) In adopting rules to implement the provisions of this
38 section, the department must consider and may incorporate factors
39 that minimize or potentially eliminate disincentives and maximize or

1 potentially incentivize the recovery of refrigerant and its
2 reclamation or destruction including, but not limited to, prohibiting
3 fees for destroying recovered refrigerant.

4 (3) (a) The prohibitions established under this section do not
5 apply to:

6 (i) Hydrofluorocarbons that are reclaimed;

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

10 (iii) Hydrofluorocarbons and hydrofluorocarbon blends regulated
11 for use in aircraft maintenance or on board aircraft by the federal
12 aviation administration, department of defense, or other equivalent
13 authorities; or

14 (iv) Transshipments of bulk newly produced hydrofluorocarbons and
15 hydrofluorocarbon blends.

16 (b) For newly produced bulk hydrofluorocarbon blends, the global
17 warming potential limits of this section apply to the global warming
18 potential of the blend and not to any individual component of such a
19 blend.

20 (4) (a) The department may provide for a temporary exemption for a
21 newly produced hydrofluorocarbon or a newly produced
22 hydrofluorocarbon blend where the department determines complying
23 with a requirement of this section is technically or economically
24 infeasible.

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

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

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

38 (1) The department must establish a refrigerant transition task
39 force to study opportunities and barriers to transitioning to

1 climate-friendly refrigerants and enhancing refrigerant recovery,
2 recycling, reclamation, and destruction.

3 (a) By July 1, 2026, the department must appoint members of the
4 task force. All representatives must disclose to the department all
5 material financial interests related to the work of the task force,
6 including funding sources for their work.

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

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

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

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

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

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

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

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

34 (f) One representative of Washington agricultural businesses that
35 own or operate either air conditioning or refrigeration equipment;

36 (g) One representative from a labor union representing workers
37 who install and service refrigeration and heating, ventilation, and
38 air conditioning equipment;

39 (h) One representative of the state building code council with
40 expertise in fire safety;

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

4 (j) One representative of Washington businesses that own or
5 operate refrigeration equipment containing more than 50 pounds of
6 ultra-low global warming potential refrigerants.

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

10 (a) A representative of environmental justice organizations;

11 (b) A representative for Washington independent, small or rural
12 grocers;

13 (c) State agency staff with relevant expertise, potentially
14 including the department of labor and industries and others; and

15 (d) Others valuable for informing one or more task force
16 discussions.

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

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

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

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

36 (b) A majority of the task force constitutes a quorum. Action by
37 the task force, including the inclusion of a point or provision in
38 the report, requires a quorum and a majority of those present and
39 voting.

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

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

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

16 (2) The department may not issue a proposed rule under chapter
17 34.05 RCW related to subsection (1) of this section until January 1,
18 2028.

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

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

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

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

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

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

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

36 (2) "Class I substance" and "class II substance" means those
37 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) "Newly produced refrigerant" means a refrigerant that has
11 not been previously used, recovered, or reclaimed. Newly produced
12 refrigerant is sometimes referred to as "virgin" refrigerant.

13 (16) "Reclaim" means:

14 (a) The reprocessing of regulated substances to all of the
15 specifications in appendix A to 40 C.F.R. Part 82, Subpart F (based
16 on air-conditioning, heating, and refrigeration institute standard
17 700-2016), as it existed on the effective date of this section, that
18 are applicable to that regulated substance and to verify that the
19 regulated substance meets these specifications using the analytical
20 methodology prescribed in section 5 of appendix A to 40 C.F.R. Part
21 82, Subpart F, as those regulations existed on the effective date of
22 this section, and do not contain more than 15 percent newly produced
23 material by weight, pursuant to federal regulations at 40 C.F.R. Part
24 84, Subpart C, as it existed on the effective date of this section;
25 or

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

28 (17) "Transshipment" means the shipment of a regulated substance
29 through the state of Washington from one point outside the state of
30 Washington to another point outside the state of Washington, as long
31 as the shipment does not enter commerce in Washington.

32 (18) "Ultra-low global warming potential" means a global warming
33 potential of less than 10 carbon dioxide equivalents.

34 NEW SECTION. Sec. 6. If specific funding for the purposes of
35 this act, referencing this act by bill or chapter number, is not
36 provided by June 30, 2025, in the omnibus appropriations act, this
37 act is null and void.

1 NEW SECTION. **Sec. 7.** If any provision of this act or its
2 application to any person or circumstance is held invalid, the
3 remainder of the act or the application of the provision to other
4 persons or circumstances is not affected.

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