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**HOUSE BILL 1462**

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**State of Washington**

**69th Legislature**

**2025 Regular Session**

**By** Representatives Duerr, Berry, Doglio, Fitzgibbon, Reed, Ramel, Parshley, Goodman, Macri, Kloba, and Hunt

Read first time 01/21/25. Referred to Committee on Environment & Energy.

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) Hydrofluorocarbons are potent greenhouse gases with global  
10 warming potentials that are hundreds to thousands of times greater  
11 than carbon dioxide. The widespread use of hydrofluorocarbon in  
12 refrigeration, air conditioning, and heat pumps, among other  
13 applications, makes them significant contributors to climate change;

14 (b) Short-lived climate pollutants, such as hydrofluorocarbons,  
15 create an acute warming influence despite their shorter atmospheric  
16 lifespan. Reducing short-lived climate pollutant emissions is  
17 essential for mitigating near-term climate risks and preventing  
18 irreversible climate tipping points, such as polar ice sheet collapse  
19 and permafrost thaw;

20 (c) Life-cycle refrigerant management, which encompasses leak  
21 prevention, recovery, reclamation, and safe disposal of refrigerants,

1 is a critical strategy for reducing emissions across the entire life  
2 cycle of refrigerant use. Effective life-cycle refrigerant management  
3 is necessary to meet state, federal, and international climate goals;

4 (d) The Kigali amendment to the Montreal protocol and the  
5 American innovation and manufacturing act of 2020 (42 U.S.C. Sec.  
6 7675), establish phased reductions in hydrofluorocarbon production  
7 and consumption but leave gaps in ensuring widespread use of  
8 reclaimed refrigerants and managing refrigerants at the end of their  
9 life cycle; and

10 (e) State action is urgently needed to complement federal and  
11 international efforts by promoting the transition to climate-friendly  
12 refrigerants with lower or no global warming potential, enhancing  
13 refrigerant recovery systems, and preventing emissions through  
14 stronger regulations and market-based incentives.

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

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

18 (b) Study feasible pathways to an expeditious transition of new  
19 equipment by 2035 to low global warming potential refrigerants of  
20 less than 150 carbon dioxide equivalents and ultra-low global warming  
21 potential refrigerants of less than 10 carbon dioxide equivalents;

22 (c) Support the development of robust refrigerant recovery  
23 infrastructure and foster public-private partnerships to promote the  
24 reclamation and reuse of refrigerants;

25 (d) Establish a clear regulatory framework for reducing emissions  
26 from refrigerants through phased limitations on high global warming  
27 potential substances and increasing recovery and use of reclaimed  
28 refrigerants; and

29 (e) Enhance industry compliance and stakeholder collaboration  
30 through education, training, and financial incentives, ensuring  
31 alignment with national and international climate objectives.

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

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

37 (a) Have a global warming potential that exceeds 2,200, beginning  
38 January 1, 2027;

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

3 (c) Have a global warming potential that exceeds 750, beginning  
4 January 1, 2033.

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

7 (b) The department may adopt by rule lower global warming  
8 potential limits than are specified in subsection (1) of this  
9 section, or earlier dates for global warming potential limits than  
10 are specified in subsection (1) of this section, provided the  
11 department finds that an adequate supply of reclaimed refrigerant  
12 would be available in the state to accommodate any such change to the  
13 requirements of subsection (1) of this section.

14 (c) When adopting rules to conform to this section, the  
15 department may update the definitions of terms used in this section,  
16 including the definitions of "bulk" and "reclaim" in RCW 70A.60.010,  
17 in order to maintain consistency with federal regulations or to  
18 harmonize the department's rules with similar requirements adopted by  
19 other jurisdictions.

20 (d) The department may by rule specify that "enter into commerce"  
21 includes the use of stockpiled refrigerants to replenish any leaks or  
22 otherwise service stationary equipment.

23 (3)(a) The prohibitions established under this section do not  
24 apply to:

25 (i) Hydrofluorocarbons that are reclaimed;

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

29 (iii) Transshipments of bulk virgin hydrofluorocarbons and  
30 hydrofluorocarbon blends.

31 (b) For virgin bulk hydrofluorocarbon blends, the global warming  
32 potential limits of this section apply to the global warming  
33 potential of the blend and not to any individual component of such a  
34 blend.

35 (4)(a) The department may provide for a temporary exemption for a  
36 virgin hydrofluorocarbon or a virgin hydrofluorocarbon blend where  
37 the department determines complying with a requirement of this  
38 section is technically or economically infeasible.

39 (b) An exemption granted by the department under this subsection  
40 may not exceed three years and must be conditional upon the exemption

1 recipient carrying out a plan, on an enforceable timeline, to meet  
2 the requirements of this section. Each exemption granted by the  
3 department shall end after three years unless, at least six months  
4 prior to the expiration of the exemption, the exemption recipient  
5 submits a request for extension with justification. The department  
6 may determine whether to renew or modify the exemption based on its  
7 review of the request for an extension.

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

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

12 (1) The department must establish a refrigerant transition task  
13 force to study opportunities and barriers to transitioning to  
14 climate-friendly refrigerants and enhancing refrigerant recovery and  
15 reclamation.

16 (a) By February 1, 2026, the department must appoint members of  
17 the task force.

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

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

25 (2) The task force must be chaired by a representative of the  
26 department and must consist of the following members appointed by the  
27 department:

28 (a) One representative from the private sector or a private  
29 sector trade association with expertise in installing, servicing,  
30 repairing, and decommissioning refrigeration and air conditioning  
31 equipment;

32 (b) One representative from the private sector or a private  
33 sector trade association with expertise in refrigerant recovery and  
34 reclamation;

35 (c) One representative from the private sector or a private  
36 sector trade association with expertise in manufacturing  
37 refrigeration and air conditioning equipment and the distribution and  
38 sale thereof;

1 (d) One representative from the private sector or a private  
2 sector trade association that owns, operates, or owns and operates  
3 either air conditioning or refrigeration equipment, or both, in the  
4 state;

5 (e) Three representatives from environmental nonprofit  
6 organizations with familiarity with the climate risks of  
7 hydrofluorocarbons;

8 (f) One representative of Washington businesses that use  
9 hydrofluorocarbons;

10 (g) One representative from an environmental justice organization  
11 in Washington; and

12 (h) One academic or research expert specializing in climate  
13 policy, emissions reduction, or refrigerant technology.

14 (3) The department may invite the participation, as nonvoting  
15 members, of others with relevant expertise to work with the task  
16 force.

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, accounting for distinctions among  
21 different types of equipment and appliances for hydrofluorocarbon-  
22 using sectors and subsectors and the timelines needed for each sector  
23 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 (7)(a) To achieve the transition described in this section, the  
5 department shall adopt rules, informed by the work and the report of  
6 the task force, to require low global warming potential or ultra-low  
7 global warming potential alternatives to hydrofluorocarbons in a  
8 sector unless it is not practicable for entities in the sector to  
9 comply with the requirement.

10 (b) The department may not commence the rule making referred to  
11 in (a) of this subsection until the task force has finalized its  
12 report.

13 **Sec. 4.** RCW 70A.60.010 and 2021 c 315 s 2 are each amended to  
14 read as follows:

15 The definitions in this section apply throughout this chapter  
16 unless the context clearly requires otherwise.

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

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

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

23 (c) "Air conditioning" applies to stationary air conditioning  
24 equipment and does not apply to mobile air conditioning, including  
25 those used in motor vehicles, rail and trains, aircraft, watercraft,  
26 recreational vehicles, recreational trailers, and campers.

27 (2) "Class I substance" and "class II substance" means those  
28 substances listed in 42 U.S.C. Sec. 7671a, as of November 15, 1990,  
29 or those substances listed in Appendix A or B of Subpart A of 40  
30 C.F.R. Part 82, as of January 3, 2017.

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

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

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

38 (6) "Manufacturer" includes any person, firm, association,  
39 partnership, corporation, governmental entity, organization, or joint

1 venture that produces any product that contains or uses  
2 hydrofluorocarbons or is an importer or domestic distributor of such  
3 a product.

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

7 (8) "Refrigeration equipment" or "refrigeration system" means any  
8 stationary device that is designed to contain and use refrigerant.  
9 "Refrigeration equipment" includes refrigeration equipment used in  
10 retail food, cold storage, industrial process refrigeration and  
11 cooling that does not use a chiller, ice rinks, and other  
12 refrigeration applications.

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

16 (10) "Residential consumer refrigeration products" has the same  
17 meaning as defined in section 430.2 of Subpart A of 10 C.F.R. Part  
18 430 (2017).

19 (11) "Retrofit" has the same meaning as defined in section 152 of  
20 Subpart F of 40 C.F.R. Part 82, as that section existed as of January  
21 3, 2017.

22 (12) "Substitute" means a chemical, product, or alternative  
23 manufacturing process, whether existing or new, that is used to  
24 perform a function previously performed by a class I substance or  
25 class II substance and any chemical, product, or alternative  
26 manufacturing process subsequently developed, adapted, or adopted to  
27 perform that function including, but not limited to,  
28 hydrofluorocarbons. "Substitute" does not include 2-BTP or any  
29 compound as applied to its use in aerospace fire extinguishing  
30 systems.

31 (13) "Bulk" means:

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

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

36 (14) "Carbon dioxide equivalents" has the same meaning as defined  
37 in RCW 70.45.010.

38 (15) "Low global warming potential" means a global warming  
39 potential of less than 150 carbon dioxide equivalents.

40 (16) "Reclaim" means:

1 (a) The reprocessing of regulated substances to all of the  
2 specifications in appendix A to 40 C.F.R. Part 82, Subpart F (based  
3 on air-conditioning, heating, and refrigeration institute standard  
4 700-2016), as it existed on the effective date of this section, that  
5 are applicable to that regulated substance and to verify that the  
6 regulated substance meets these specifications using the analytical  
7 methodology prescribed in section 5 of appendix A to 40 C.F.R. Part  
8 82, Subpart F, as those regulations existed on the effective date of  
9 this section, and do not contain more than 15 percent virgin material  
10 by weight, pursuant to federal regulations at 40 C.F.R. Part 84,  
11 Subpart C, as it existed on the effective date of this section; or

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

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

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

20 (19) "Virgin refrigerant" means a refrigerant that has not been  
21 previously used, recovered, or reclaimed.

22 **Sec. 5.** RCW 39.26.310 and 2021 c 315 s 19 and 2021 c 65 s 28 are  
23 each reenacted and amended to read as follows:

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

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

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

29 (c) Are not designed to function only in conjunction with  
30 hydrofluorocarbons characterized by a comparatively high global  
31 warming potential; and

32 (d) Were not manufactured using hydrofluorocarbons or were  
33 manufactured using hydrofluorocarbons with a low global warming  
34 potential.

35 (2) No agency may knowingly purchase products that are not  
36 accorded a preference in the purchasing and procurement policies  
37 established by the department pursuant to subsection (1) of this  
38 section, unless there is no cost-effective and technologically  
39 feasible option that is accorded a preference.

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

6 (4)(a) Nothing in subsection (1) of this section requires the  
7 department or any other state agency to breach an existing contract  
8 or dispose of stock that has been ordered or is in the possession of  
9 the department or other state agency as of July 28, 2019.

10 (b) Nothing in subsection (3) of this section requires the  
11 department or any other state agency to breach an existing contract  
12 or dispose of stock that has been ordered or is in the possession of  
13 the department or other state agency as of July 28, 2021.

14 (5)(a) Beginning July 1, 2026, hydrofluorocarbons with a global  
15 warming potential greater than 750 that are not reclaimed may not be  
16 used to replenish any leaks or otherwise service stationary equipment  
17 owned or operated by the state. The department must consult with the  
18 department of ecology for technical assistance in adopting rules to  
19 implement this subsection.

20 (b) The department may provide for a temporary exemption for  
21 equipment where the department determines that complying with the  
22 requirement in (a) of this subsection will be technically or  
23 economically infeasible. An exemption granted by the department under  
24 this subsection may not exceed three years and must be conditional  
25 upon the exemption recipient carrying out a plan, on an enforceable  
26 timeline, to meet the requirements of this section. Each exemption  
27 granted by the department shall end after three years unless, six  
28 months prior to the expiration of the exemption, the exemption  
29 recipient submits a request for extension with justification. The  
30 department may, after consultation with the department of ecology,  
31 determine whether to renew or modify the exemption based on its  
32 review of the request for extension.

33 (c) The definitions in this subsection (5)(c) apply throughout  
34 this subsection unless the context clearly requires otherwise.

35 (i) "Hydrofluorocarbons" has the same meaning as defined in RCW  
36 70A.60.010.

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

39 (6) By December 1, 2020, and each December 1st of even-numbered  
40 years thereafter, the department must submit a status report to the

1 appropriate committees of the house of representatives and senate  
2 regarding the implementation and compliance of the department and  
3 state agencies with this section.

4 NEW SECTION. **Sec. 6.** If any provision of this act or its  
5 application to any person or circumstance is held invalid, the  
6 remainder of the act or the application of the provision to other  
7 persons or circumstances is not affected.

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