

## NEW YORK STATE REGULATIONS PROPOSED HFC REGULATIONS FROM NY DEC

In December 2023, New York State's Department of Environmental Conservation (DEC) proposed new regulations necessary to meet emissions reductions under the state's Climate Act. The new hydrofluorocarbon (HFC) refrigerant regulations would affect both existing and new food retailing stores.



Department of  
Environmental  
Conservation

### OVERVIEW OF NY DEC PROPOSAL

#### GWP<sup>†</sup> LIMITS IN EQUIPMENT STARTING JANUARY 1, 2025

- Prohibit any refrigerant with a GWP<sub>20</sub> of more than 580 in equipment with more than 50 lbs. in new facilities.
- Prohibit any refrigerant with a GWP<sub>20</sub> of more than 943 in equipment with less than 50 lbs. in new facilities.
- These limits align with EPA's AIM Act prohibitions starting in 2026 & 2027.

#### REFRIGERANT SALES PROHIBITIONS

- Virgin HFC refrigerant sales will be banned in 2025, 2030, 2033, and 2040, depending on GWP.

#### EXISTING FACILITIES GWP LIMITS FOR LARGE RETAIL CHAINS

- Retail Food Chains\* must have all refrigeration equipment with > 200 lbs. using a refrigerant with a GWP<sub>20</sub> of less than 10 by January 2035.

#### REFRIGERANT MANAGEMENT

- Mandatory leak detection, registration, reporting
- Starts in 2025 for systems with more than 1,500 lb. of refrigerant

<sup>†</sup>See table on next page for GWP values on commonly used and new refrigerants

\*Retail Food Chain - A business entity owning or operating 20 or more retail food facilities in New York or that operates more than 100 retail food facilities in the United States, including in New York. Retail food facilities sell food and food products intended for off-premises consumption and use at least one piece of refrigeration equipment. Retail food facilities include supermarkets, grocery stores, and all other food merchandising stores.

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### EXISTING FACILITIES - REFRIGERANT MANAGEMENT PROGRAM

DEC has also proposed creating a refrigerant management program like those in California and Washington State. This includes the following parts:

- Registration and labeling
- Leak detection and monitoring
- Leak repair requirements
- Retrofit or replacement plans for leaking equipment
- Annual reporting and recordkeeping requirements

The table below summarizes the registration labeling and leak detection requirements.

Annual reporting requirements begin on March 31, 2026, for regulated equipment with more than 1,500 lb. of refrigerant and on March 31, 2027, for equipment with 200 to 1,499 lbs.

### GWP COMPARISON OF COMMON REFRIGERANTS

Refrigerant	EPA 100-Year GWP (AR4)	NY DEC 20-Year GWP (AR6)	Safety Group
R-507A	3985	7290	A1
R-404A	3922	7208	A1
R-407A	2107	4890	A1
R-410A	2088	4715	A1
R-407F	1825	4485	A1
R-449A	1397	3383	A1
R-448A	1387	3322	A1
R-513A	631	1823	A1
R-454A	239	943	A2L
R-454C	148	580	A2L
R-471A	148	255	A1
R-290	3	< 1	A3
R-1234ze(E)	7	5	A2L
R-1234yf	4	2	A2L
R-744 (CO2)	1	1	A1

### REFRIGERANT SALES PROHIBITIONS

Virgin refrigerant sales bans would go into effect in 2025 for R-404A, R-507A, and R-407A, in 2030 for R-407F, in 2033 for R-448A and R-449A, and in 2040 for R-513A.

This means that equipment using one of the affected refrigerants could only be serviced using reclaimed gas after those dates.

### REFRIGERANT MANAGEMENT PROGRAM DETAILS

System Size (charge)	Leak Inspection Requirement	Start Date for Leak Inspection Requirement	Registration & Labeling Compliance Date
1500+ lbs.	Conduct leak inspection <b>once per month</b> (not required with automatic leak detection system)	Jan. 1, 2025	June 1, 2025, for equipment installed prior to that date; Otherwise, by June 1 of the calendar year after the date that new equipment is installed.
1500+ lbs.	Must install automatic leak detection system by June 1st, 2025	June 1, 2025	
200 - 1499 lbs.	Conduct leak inspection <b>once every three months</b> (not required with automatic leak detection system)	Jan. 1, 2026	June 1, 2026, for equipment installed prior to that date; By June 1 of the calendar year after the date that new equipment is installed.
50 - 199 lbs.	Conduct leak inspection <b>once every year</b> (not required with automatic leak detection system)	Jan. 1, 2028	June 1, 2028, for equipment installed prior to that date; By June 1 of the calendar year after the date that new equipment is installed.
Any size	Conduct system leak inspection each time refrigerant is added in an amount of 5 lbs. or 1% of the full charge, whichever is greater.	Same dates as above	

Comments on the proposed rule may be sent by mail to NYSDEC Office of Climate Change, 625 Broadway, Albany, NY 12233-1030 or emailed to [climate.regs@dec.ny.gov](mailto:climate.regs@dec.ny.gov). Include "Part Number 494" in the subject line of the email.



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