



WRITTEN
TESTIMONY ONLY

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**Testimony in SUPPORT of HB2654 HD1
RELATING TO BUILDING CODES**

SENATOR ANGUS L.K. MCKELVEY, CHAIR
SENATE COMMITTEE ON GOVERNMENT OPERATIONS

SENATOR MIKE GABBARD, CHAIR
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

Hearing Date: 3/14/2024

Room Number: 225

1 **Fiscal Implications:** None

2 **Department Testimony:** The Department of Health supports the measure to facilitate the
3 transition from hydrofluorocarbon (HFC) refrigerants with high-global warming potentials
4 (GWPs) to the use of low-GWP alternatives, which would reduce the refrigerants' impact on
5 climate change. HFCs are powerful greenhouse gases and EPA has approved the use of lower
6 GWP alternatives. The proposed new section in Hawaii Revised Statutes (HRS) Chapter 107
7 would prevent the state and county building codes from prohibiting or limiting the use of these
8 low-GWP refrigerant alternatives. In updating HRS Chapter 107, Hawaii would join over a
9 dozen states, including Washington, Oregon, California, and Arizona, who have adopted or are
10 proposing to adopt similar language to that proposed in this bill in their building code or building
11 construction/planning regulations. Failure to update HRS Chapter 107 could inhibit Hawaii's
12 ability to reduce refrigerant greenhouse gas (GHG) emissions and hamper progress toward
13 Hawaii's GHG reduction goals.

14 **Offered Amendments:** None

15 Thank you for the opportunity to testify.

**Building Decarbonization Task Force
Hawai'i Environmental Change Agents**

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March 12, 2024

SUPPORT FOR HB2654 HD1 – State Building Codes

Aloha Chairs McKelvey and Gabbard and Committee Members,

The Building Decarbonization Task Force of the Hawai'i Environmental Change Agents supports HB2654 HD1, which “Clarifies that no state or county building code shall prohibit the use of a substitute refrigerant allowed by the Environmental Protection Agency if the applicable equipment is listed and installed in compliance with the latest safety standards.”

Hawai'i Environmental Change Agents (HECA) consists of ten task forces; one of which is the Building Decarbonization Task Force. This task force supports **HB2654 HD1** because it helps address high global warming gases, such as HFCs. These gases are a significant cause (estimated to be 10% and growing) of the climate crisis. We must take whatever steps we can to reduce the use of these gases in refrigeration and air conditioning. As the EPA begins to approve safe substitutes for existing HFCs, these replacements should be allowed throughout the country. This bill would clarify that no State or county building code would prohibit the use of a substitute refrigerant allowed by the EPA.

Thank you for this opportunity to testify.

Please support HB2654 HD1.

Respectfully,
Building Decarbonization Task Force of HECA



TESTIMONY OF CHRISTOPHER BRESEE
MANAGER OF GOVERNMENT AFFAIRS

ON BEHALF OF
THE AIR-CONDITIONING, HEATING, AND REFRIGERATION INSTITUTE

BEFORE THE HAWAII SENATE
COMMITTEE ON AGRICULTURE AND ENVIRONMENT
COMMITTEE ON GOVERNMENT OPERATIONS

HEARING ON HOUSE BILL 2654

MARCH 14, 2024

Hello, Chair Gabbard, Chair McKelvey, and members of the Committee. My name is Chris Bresee, and I am the Manager of Government Affairs for the Air-Conditioning, Heating, and Refrigeration Institute (AHRI). Thank you for allowing me the opportunity to discuss AHRI's strong support for House Bill 2654, sponsored by Speaker of the House Saiki, which will provide the HVACR industry with the certainty needed to comply with forthcoming federal regulations, phasing down the use of hydrofluorocarbons (HFCs) in refrigerants.

AHRI represents more than 330 manufacturers of air-conditioning, heating, and commercial refrigeration equipment. It is an internationally recognized advocate for the HVACR industry and certifies the performance of many of the products manufactured by its members. In North America, the annual economic activity resulting from the HVACR industry is more than \$211 billion. In the United States alone, AHRI member companies, along with distributors, contractors, and technicians employ more than 704,000 people. We are also pleased to share with you that the HVACR industry supports more than 900 jobs in Hawaii.

As members of the Committee may be aware, the federal American Innovation and Manufacturing Act (AIM Act) is phasing down the production and import of a class of chemicals known as hydrofluorocarbons (HFCs). HFCs are primarily used as refrigerants in air conditioners and refrigerators, along with other applications, such as foams, solvents, and fire suppressants.

The U.S. Environmental Protection Agency (EPA) is in the process of implementing the AIM Act in a way that will guide an orderly and environmentally friendly transition to a range of new substitute refrigerants. Hundreds of substitutes exist and are commercially available for all major uses of HFCs. U.S. manufacturers already are planning the transition to these new refrigerants, which are creating jobs, stimulating new investment, and positioning the U.S. to sustain its technological leadership in the HVACR industry across the world.

The climate benefits of the AIM Act implementation are considerable. Because many HFCs are thousands of times more powerful than carbon dioxide at warming the planet, the transition from HFCs will reduce U.S. greenhouse gas (GHG) emissions by approximately 2.4 billion tons of carbon dioxide-equivalent by year 2036. Globally, the federal AIM Act assures U.S. compliance with the Kigali Amendment to the Montreal Protocol, which phases down HFCs worldwide and avoids up to a half degree Celsius of projected warming by the year 2100.

AHRI and its member companies have been working diligently over the last several years to amend state building codes to allow use of these substitute refrigerants and avoid any marketplace disruptions as the EPA transition begins. To date, 43 states have updated their state building codes to include necessary changes, with California, Oregon, and Washington among them, many implementing legislation like HB 2654. The few remaining states are in the process of doing so either through legislation or regulatory action.

The most important issue right now is time. New regulations finalized by EPA will significantly restrict the upstream supply of HFCs beginning this year and, separately, prohibit the use of certain HFCs in most new air conditioning and refrigeration product categories in 2025.

As manufacturers start to transition product lines to HFC substitutes, they need to be confident that they can sell products with these HFC substitutes in U.S. markets, including Hawaii. The most significant barrier manufacturers face is the state's building code.

HB 2654 amends Hawaii's building code to allow any HFC substitute that has already been approved by EPA to be used in air conditioning and refrigeration equipment. If this change is not made quickly, manufacturers will face significant risk of being unable to sell new air conditioning and refrigeration equipment into the state as the new EPA regulations take effect. HB 2654 does not make any other change to state law; it simply removes a barrier to ensure Hawaii consumers and businesses enjoy uninterrupted access to new HVACR equipment with the latest, most advanced, and most climate-friendly technologies available.

Thank you again for the opportunity to present testimony today. AHRI looks forward to continuing to work with the Hawaii legislature to achieve both the economic and environmental benefits of the phase down of HFCs.

To: The Honorable Chairs Mike Gabbard and Angus McKelvey, the Honorable Vice Chairs Tim Richards, III, and Mike Gabbard and Members of the Agriculture and Environment and Government Operations Committees.

From: Climate Protectors Hawai'i (by Ted Bohlen)

Re: Hearing HB2654 HD1 RELATING TO BUILDING CODES

Hearing: Thursday, March 14, 2024, 3:30 p.m., room 225

Aloha Chairs Gabbard and McKelvey, Vice Chairs Richards and Gabbard and Members of the Agriculture and Environment and Government Operations Committees.

The Climate Protectors Hawai'i seeks to educate and engage the local community in climate change action, to help Hawai'i show the world the way back to a safe and stable climate. The Climate Protectors Hawai'i supports amending building codes to facilitate the phase-out of potent greenhouse gas emitting hydrofluorocarbon refrigerants.

The Climate Protectors Hawai'i STRONGLY SUPPORTS HB2654 HD1!

Hydrofluorocarbons (HFCs) are chemicals commonly used in air conditioning, refrigeration, and insulating foam and as propellants. HFCs were designed to replace ozone depleting substances that were harming the planet's protective ozone layer. However, HFCs are now acting as greenhouse gases that can have very high global warming potentials that are **thousands of times more potent than carbon dioxide in contributing to climate change**. If HFCs continue to be used, it is estimated that they could account **for up to twenty per cent of global greenhouse gas emissions by 2050!** In the battle against climate warming, **it is**

essential that we replace HFCs with refrigerants that don't have high global warming potentials as soon as possible!

Building codes need to be updated to avoid delaying the transition to hydrofluorocarbon refrigerant alternatives and comply with the American Innovation and Manufacturing Act and EPA rules in order to give manufacturers certainty to make the needed transition.

This bill would clarify that no State or county building code would prohibit the use of a substitute refrigerant allowed by the EPA.

This will help reduce greenhouse gas emissions.

Please pass this bill!

Mahalo for providing the opportunity to testify!

Climate Protectors Hawai'i (by Ted Bohlen)