



May 25, 2021

Administrator Michael S. Regan  
Environmental Protection Agency  
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Washington, District of Columbia 20460  
ATTN: Mail Code 1101A  
[Regan.Michael@epa.gov](mailto:Regan.Michael@epa.gov)

Re: Letter of Support for Petitions to Transition or Prohibit Specific Hydrofluorocarbons as Permitted under the American Innovation and Manufacturing Act

Dear Administrator Regan,

Thank you for your swift action to implement the phase down of hydrofluorocarbons (HFCs) per your May 3, 2021 news release and as permitted by the transformative 2020 American Innovation and Manufacturing Act (the AIM Act). I appreciate your leadership and diligent efforts to address climate change using various U.S. Environmental Protection Agency (EPA) authorities.

Encouraging even greater reductions in HFC use, the New Mexico Environment Department (NMED) respectfully submits this letter in support of recently submitted petitions requesting that the EPA take additional action to transition or prohibit the use of HFCs as statutorily permitted in the AIM Act. The petitions, submitted by the Air Conditioning, Heating and Refrigeration Institute (AHRI), Association of Home Appliance Manufacturers (AHAM), Environmental Investigation Agency (EIA), and Natural Resources Defense Council (NRDC) collectively provide a comprehensive path toward more reductions in the global warming impact of HFCs. Timely federal action to advance these transitions is needed to meet the climate change crisis and the global pact to phase down HFCs as expressed in the Kigali Amendment to the Montreal Protocol.

I respectfully urge the EPA to pursue ambitious, comprehensive, and cost-effective HFC technology transition requirements that are feasible given the advancement in availability and industry acceptance of low global warming potential technology in recent years. New Mexico supports EPA in:

- 1) Adopting uniform national standards rules for technology transition in stationary refrigeration and air conditioning end-uses consistent with the HFC regulation recently approved by the California Air Resources Board;
- 2) Requiring residential and light commercial air conditioners, variable refrigerant flow equipment, and dehumidifiers to use refrigerants with global warming potentials of 750 or less; and
- 3) By January 1, 2023, reinstating the prohibition of specific HFCs whose status was deemed 'unacceptable' under the Significant New Alternatives Policy (SNAP) Program in 2015 and 2016 (SNAP Rules 20 and 21).

As EPA found in 2015 and 2016, HFC substitutes meet the needs of the end-uses without significant economic impact on a substantial number of small commercial entities. Timely action will allow the manufactures to continue their transition to more environmentally responsible requirements without adding burdensome cost to consumers while ensuring that all safety and other associated standards can be met. Reducing the use and the global warming potential of HFCs represents a consensus view among manufactures and advocates, as demonstrated in the petitions submitted by AHRI, AHAM, EIA, and NRDC. EPA's effort will supersede our state's

HFC rulemaking efforts identified in the “2020 New Mexico Climate Change Strategy” report and allow NMED to refocus our climate-change mitigation resources elsewhere.

Thank you for considering the our input on this matter.

Sincerely,

James C. Kenney  
Cabinet Secretary

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