



WRITTEN
TESTIMONY ONLY

STATE OF HAWAII
DEPARTMENT OF HEALTH
KA 'OIHANA OLAKINO
P. O. BOX 3378
HONOLULU, HI 96801-3378
doh.testimony@doh.hawaii.gov

**Testimony in SUPPORT of SB2753 HD1
RELATING TO BUILDING CODES**

REPRESENTATIVE MARK NAKASHIMA, CHAIR
HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE

Hearing Date: 3/28/2024

Room Number: 329

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**

HawaiiChangeAgents@gmail.com
hawaiichangeagents.org

March 26, 2024

SUPPORT FOR SB2753 HD1 – State Building Codes

Aloha Chairs Nakashima, Vice Chairs Sayama, and Committee Members:

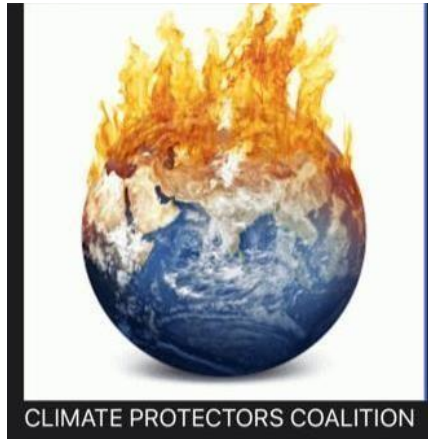
The Building Decarbonization Task Force of the Hawai'i Environmental Change Agents supports SB2753 HD1, which “Clarifies that no state or county building code shall prohibit the use of a substitute refrigerant allowed by the Environmental Protection Agency if the applicable equipment is listed and installed 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 **SB2753 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 SB2753 HD1.

Respectfully,
Building Decarbonization Task Force of HECA (Paul Bernstein)



To: The Honorable Chair Mark Nakashima, the Honorable Vice Chair Jackson Sayama, and Members of the Committee on Consumer Protection and Commerce.

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

Re: **Hearing SB2753 HD1 RELATING TO BUILDING CODES**

Hearing: Thursday March 28, 2024, 2:00 p.m., room 329

Aloha Chair Nakashima, the Honorable Vice Chair Jackson Sayama, and Members of the Committee on Consumer Protection and Commerce!

The Climate Protectors Hawai'i seek 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.

Climate Protectors Hawai'i STRONGLY SUPPORTS SB2753 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 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)



TESTIMONY OF CHRISTOPHER BRESEE
MANAGER OF GOVERNMENT AFFAIRS

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

BEFORE THE HAWAII HOUSE
COMMITTEE ON CONSUMER PROTECTION AND COMMERCE

HEARING ON SENATE BILL 2753

MARCH 28, 2024

Greetings, Chair Nakashima, Vice Chair Sayama, and members of the House Committee on Consumer Protection & Commerce. My name is Chris Bresee, and I am manager of Government Affairs for the Air-Conditioning, Heating, and Refrigeration Institute (AHRI). Thank you for allowing me the opportunity to convey AHRI's strong support for Senate Bill (SB) 2753, sponsored by Senator Inouye. SB 2753 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. 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 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 to new substitute refrigerants will reduce U.S. greenhouse gas (GHG) emissions by approximately 2.4 billion tons of carbon dioxide-equivalent by 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, 45 states have made the necessary changes to their state building codes, including California, Oregon, and Washington, many using legislation like SB 2753. 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.

SB 2753 amends Hawaii's building code to allow any HFC substitute already 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 in the state as the new EPA regulations take effect. SB 2753 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 this testimony. 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.



March 27, 2024

Testimony in support of SB 2753 HD1 relating to building codes, delivered to the House Committee On Consumer Protection & Commerce

The Environmental Investigation Agency (EIA) appreciates this opportunity to comment in support of SB 2753 HD1. EIA is an independent organization that has participated in international and domestic climate policy on fluorinated gases, for more than three decades.

Hydrofluorocarbons (HFCs) are powerful greenhouse gases that accelerate climate change. These gases, commonly used as refrigerants in air conditioning and refrigeration, have global warming potentials up to thousands of times that of the same amount of carbon dioxide. To address these harmful climate impacts, the US Congress passed the American Innovation and Manufacturing Act to phase down the production and use of HFCs by eighty-five percent by 2036. Under federal regulations to meet this target, HFCs currently used as refrigerants in the stationary residential and light commercial air conditioning and heat pumps sectors will be prohibited as of January 1, 2025.

This legislation is pivotal to ensure that more climate-friendly alternatives can be adopted in air conditioning and heat pump equipment being sold in Hawaii by next year when these federal regulations go into effect. It allows refrigerants that are approved under updated national safety standards for equipment and federal EPA regulations to be used in the state. Failing to do so could delay the most climate-friendly and energy efficient cooling and heating equipment from being adopted in the state and unnecessarily hamper the implementation of the HFC phase down nationally. The vast majority of

states, except for five, have updated their codes or adopted legislation to do so, opening the pathway to accelerate the transition away from HFCs.

To ensure the timely availability of air conditioners and heat pumps in Hawaii using federally approved HFC alternatives, it is necessary to allow the use of alternative refrigerants where currently restricted under Hawaii building codes, provided that they have been approved for safe use under EPA regulations and comply with relevant nationally recognized safety standards.

This is why EIA strongly supports the proposed legislation, which will establish that Hawaii state building codes will allow the transition away from HFCs and support meeting consumer demand for air conditioning systems that are consistent with federal regulatory requirements.

Thank you for this opportunity to comment in support of SB 2753 HD1.

Beth Porter, Senior Climate Policy Analyst, EIA

bporter@eia-global.org

LATE *Testimony submitted late may not be considered by the Committee for decision making purposes.



LATE

**Hawaii
Legislative
Council
Members**

Rep. Mark M. Nakashima, Chair
Rep. Jackson D. Sayama, Vice-Chair
Committee on Consumer Protection & Commerce

Wednesday, March 28, 2024
2:00 PM in Room 329

RE: **SB2753 HD1** County Building Codes - **Oppose**

Dear Chair Nakashima, Vice Chair Sayama & Committee Members,

The Chamber of Sustainable Commerce represents over 100 small businesses across the State that strive for a triple bottom line: people, planet and prosperity; we know Hawaii can strengthen its economy without hurting workers, consumers, communities or the environment.

We oppose SB2753 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.

Chlorofluorocarbons (CFCs) were once widely used as refrigerants, propellants in aerosol products, and solvents. They were initially considered safe and effective by the EPA. However, research eventually linked CFCs to the depletion of the ozone layer, leading to the development of the Montreal Protocol in 1987, an international agreement to phase out the production and consumption of ozone-depleting substances, including CFCs.

Another example of a harmful chemical that was approved by the U.S. EPA is DDT (dichlorodiphenyltrichloroethane), which was initially praised for its effectiveness in controlling insect vectors of diseases like malaria. However, it was later discovered to have harmful effects on wildlife and the environment, leading to its ban in the United States.

Because the US EPA is only as protective of human life and the environment as the next president is corruptible to selling out the health of our planet to multi-national chemical corporations. We should put more trust in our local County Councils and Mayors to be more responsive to new scientific data and to protect their families and communities first and foremost.

Counties should be allowed to prohibit substitute refrigerants allowed by the EPA when there is reliable scientific data that demonstrates there are alternative refrigerants that are less harmful to humans and the environment than those allowed by the EPA.

Joell Edwards
Wainiha Country
Market
Hanalei

Russell Ruderman
Island Naturals
Hilo/Kona

Dr. Andrew Johnson
Niko Niko Family
Dentistry
Honolulu

Robert H. Pahia
Hawaii Taro Farm
Wailuku

Maile Meyer
Na Mea Hawaii
Honolulu

Tina Wildberger
Kihei Ice
Kihei

L. Malu Shizue Miki
Abundant Life
Natural Foods
Hilo

Kim Coco Iwamoto
Enlightened Energy
Honolulu

Chamber of
Sustainable
Commerce
P.O. Box 22394
Honolulu, HI
96823