

Testimony

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On Behalf of
The Natural Resources Defense Council

Before the Maine State Legislature
Committee on Environment & Natural Resources

In Support of
LD 226, HP0161
An Act to Limit the Use of Hydrofluorocarbons to Fight Climate Change

March 15, 2021



Chair Brenner, Chairman Tucker, and members of the Committee,

Thank you for the opportunity to submit testimony in support of LD 226. My name is Christina Theodoridi and I am a technical analyst for the Natural Resources Defense Council.

NRDC is a non-profit environmental advocacy organization with a network of 3 million members and online activists. We've been working for several decades on the international, national and state levels to end the use of refrigerants that deplete the ozone layer and cause climate change.

On behalf of NRDC's 18,000 members and online activists in Maine, I would like to express strong support for this bill. Hydrofluorocarbons (HFCs) are powerful climate forcers with a heat-trapping capacity thousands of times larger than that of carbon dioxide. That means that even in small concentrations they significantly harm the climate – and their emissions are growing quickly worldwide.

These rules prohibit the use of HFCs in aerosol products, foam blowing agents, commercial and residential food refrigeration equipment and building chillers.

Since 2018, ten states have adopted almost identical prohibitions either by regulation or legislation: California, Washington, Vermont, New Jersey, Colorado, Massachusetts, New York, Maryland, Delaware and Virginia.

NRDC urges you to consider two amendments that will strengthen the bill and expand the state's authority.

Amendment 1. Each of the other three states ([Washington](#), [Vermont](#), [New Jersey](#)) that enacted HFC legislation included a provision that authorizes the state's environmental department to modify the list of acceptable alternatives based on environmental and health impacts should they decide to do so. The U.S. Environmental Protection Agency (EPA) uses its Significant New Alternatives Policy (SNAP) framework to assess alternatives to HFCs for each of the applications regulated in this bill, based on health & environmental impacts and technological achievability among other criteria. The Department of Environmental Protection should be provided with the authority to complement or modify EPA's assessment where reasonable and appropriate.

We encourage you to add the following language, in alignment with other states:

The department may by rule:

(1) Modify the effective date of a prohibition established in section 2 of this Act if the department determines that the rule reduces the overall risk to human health or the environment and reflects the earliest date that a substitute is currently or potentially available;

(2) Prohibit the use of a substitute if the department determines that the prohibition reduces the overall risk to human health or the environment and that a lower risk substitute is currently or potentially available;

(3) (i) Adopt a list of approved substitutes, use conditions, or use limits, if any; and

(ii) add or remove substitutes, use conditions, or use limits to or from the list of approved substitutes if the department determines that doing so would reduce the overall risk to human health and the environment.

Amendment 2. The bill allows the creation of a waiver process, by which an entity can become exempt from the prohibitions for a period of two years. A waiver is unnecessary and if granted will significantly

undermine both the emissions reduction potential of this act and the transparency of the process. We encourage you to remove that provision from the bill (section 3.C).

Sincerely,

Christina Theodoridi
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Natural Resources Defense Council