

March 6, 2020

State of New Jersey
Department of Environmental Protection
Bureau of Sustainability
Ky Asral, Chief, Bureau of Sustainability

Dear Mr. Asral,

We respectfully submit these comments in regard to EO 100 as it pertains to the monitoring of Hydrofluorocarbon Refrigerants (HFC's). As you know, HFC's are very potent greenhouse gases.

PROJECT DRAWDOWN identified refrigerants as the Number 1 opportunity to reduce global warming. The LEED Rating System, as published by the U.S. Green Building Council, has included refrigerant management for CFC's as a prerequisite and HCFC's and HFC's as a credit for many years. HFC's have a very high Global Warming Potential (GWP), with some common gases having almost 2,000 times the potency of carbon dioxide. They are pervasive in our society, and must be strictly managed to diminish their impact on our climate. The California Air Resources Board Refrigerant Management Program has a extensive list of HFC's and their corresponding GWP values.

The objective must be to reduce to the extent possible the release of GHG's into the atmosphere. They are very often released during maintenance procedures, and at the end of life of refrigeration equipment. These include but are not limited to automobiles, appliances and air conditioning equipment. We submit that although there may be regulations that prohibit discharge to the atmosphere, without rigorous enforcement and penalties, the likelihood of widespread violations is unacceptably high.

The Executive Order requires the DEP to collect information on the sales of HFCs, but the emissions from leakage and repairs will be estimated. We submit that any such estimates could be prone to significant errors, and could grossly under estimate the quantities of gases discharged.

There are existing laws which regulate the release of GHG refrigerants. On the Federal level there is Section 608 of the Clean Air Act. New Jersey has N.J.A.C. 7:26A-1.1 (2017). This contains New Jersey's recycling rules and includes refrigerants.

A recent inquiry to the NJDEP regarding state enforcement of N.J.A.C. 7:26A-1.1 (2017) with regard to refrigerant recycling received the response "We don't do that, it's Federal, call the EPA".

Inquiries into the degree of enforcement on the Federal level indicated that there are very few resources dedicated to enforcement.

The extent to which these laws can be better enforced must be studied further if progress is to be made in reducing the release of these very potent GHGs into the earth's atmosphere.

Respectfully submitted,

Gerard Hazel, BCxP, LEED AP

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