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**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Parts 84, 261, 262, 266, 270 and 271**

**[EPA-HQ-OAR-2022-0606; FRL-10105-02-OAR]**

**RIN 2060-AV84**

**Phasedown of Hydrofluorocarbons: Management of Certain Hydrofluorocarbons and Substitutes under the American Innovation and Manufacturing Act of 2020**

**AGENCY:** Environmental Protection Agency (EPA)

**ACTION:** Final rule (Effective 60 days following publication in the Federal Register)

*[FSSA Note: Below are excerpts from the Rule covering HFCs used in fire suppression systems.]*

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*Summary*

EPA is finalizing a compliance date of January 1, 2026, for the following fire suppression requirements: (1) Minimizing HFC releases during the servicing, repair, disposal, or installation of fire suppression equipment; (2) the servicing and/or repair of fire suppression equipment to be done with recycled HFCs; (3) technician training; (4) recycling of HFCs prior to the disposal of fire suppression equipment containing HFCs; and (5) recordkeeping and reporting. EPA is finalizing a compliance date of January 1, 2030, for the requirement for the initial installation of fire suppression equipment to be done with recycled HFCs. (P. 428)

*Requirements for initial installation of equipment for fire suppression*

EPA is requiring for the fire suppression sector where HFCs are used, that the initial installation of fire suppression equipment, including both total flooding systems and streaming applications, must be with recycled HFCs, starting on **January 1, 2030**. Specifically, for factory-charged equipment that uses HFCs, EPA is requiring that in order to install such equipment, the equipment is required to use recycled HFCs for the initial installation during the manufacture of the equipment. These requirements apply whether the HFCs are used neat or in a blend. (P. 435)

*Requirements for servicing and/or repair of existing equipment for fire suppression*

EPA is requiring the servicing and/or repair of fire suppression equipment to be done with recycled HFCs, including both total flooding systems and streaming applications, starting on **January 1, 2026**. Covered entities are required to evacuate, as applicable, all equipment used to recover, store, and/or transfer HFCs prior to each use to prevent contamination, arrange for destruction of the recovered HFCs as necessary (e.g., recovered HFCs that are too contaminated to be recycled), and collect and dispose of wastes from recycling process. If the recycling of HFCs is not practical, the disposal of HFCs will help to prevent releases of used HFCs into the atmosphere. (P. 462)

#### *Fire suppression technician training*

Starting as of **January 1, 2026**, EPA is requiring that all entities that employ fire suppression technicians who maintain, service, repair, install, or dispose of fire suppression equipment containing HFCs must provide training (as described in this section) and ensure that their fire suppression technicians complete this training. Fire suppression technicians must be trained by June 1, 2026. Fire suppression technicians hired after January 1, 2026, must be similarly trained within 30 days of hiring, or by June 1, 2026, whichever is later. EPA considers this a one-time training requirement. This requirement is intended to control practices, processes, or activities regarding servicing, repair, disposal, or installation of such fire suppression equipment by providing fire suppression technicians with knowledge and skills to minimize releases of HFCs during such practices, processes, or activities, and the requirements involve a regulated substance. (P. 465)

The Agency has provided a list of the primary topics to be included in the training: (1) An explanation of the purpose of the training requirement, including the significance of minimizing releases of HFCs and ensuring fire suppression technician safety; (2) an overview of HFCs and environmental concerns with HFCs; (3) a review of relevant regulations concerning HFCs, including the requirements of the HFC emissions reduction program for fire suppression equipment; and (4) specific technical instruction relevant to avoiding unnecessary HFC emissions during the servicing, repair, disposal, or installation of fire suppression equipment at each individual facility. (P. 467)

#### *Recycling of HFCs prior to disposal of fire suppression equipment containing HFCs*

EPA proposed requirements related to the disposal of fire suppression equipment. The intent of these requirements is to ensure that HFCs have been recovered and recycled from the equipment prior to the final step of the disposal of the equipment so that HFCs are not released during the disposal of the equipment. EPA is requiring owners and operators of fire suppression equipment containing HFCs (including an HFC blend) to dispose of this equipment by recovering the HFCs themselves or by arranging for HFC recovery by a fire suppression equipment manufacturer or distributor, or a fire suppressant recycler. EPA is also requiring that owners and operators dispose of HFCs used as a fire suppression agent by sending them for recycling to a fire suppressant recycler or a reclaimer certified under 40 CFR 82.164 or by arranging for its destruction using one of the controlled processes listed in 40 CFR 84.29. (P. 467-468)

#### *Recordkeeping and reporting*

EPA is finalizing recordkeeping and reporting requirements on the fire suppression provisions under subsection (h) for HFCs used in the installation of new equipment and servicing and/or repair of existing equipment. EPA is finalizing these recordkeeping and reporting requirements mainly as proposed with some modifications to the requested information to clarify the intent of the regulatory text. Relevant reporting entities covered under this requirement include entities that perform first fill of equipment, service (e.g., recharge) equipment and/or recycle regulated substances. Relevant entities include companies, such as equipment manufacturers, distributors, agent suppliers, or installers that recycle regulated substances. Records related to the fire suppression sector must be maintained for three years. Specifically, the covered entities must submit a report to the Agency annually covering the prior year's activity from January 1 through December 31. The first annual report [for 2026] must

be submitted to the Agency on **February 14, 2027**, and subsequent annual reports must be submitted by February 14 of each subsequent year.

Each annual report must contain basic identification information (i.e., owner name, facility name, facility address where equipment is located) and the following information for each regulated substance:

The quantity of material (the combined mass of regulated substance and contaminants) sold for the purpose of installation of new fire suppression equipment and servicing and/or repair of existing fire suppression equipment;

The quantity of material (the combined mass of regulated substance and contaminants) in inventory onsite for the purpose of installation of new fire equipment and servicing and/or repair of existing fire suppression equipment broken out by recovered, recycled, and virgin;

The total sold for the purpose of installation of new fire suppression equipment and servicing and/or repair of existing fire suppression equipment;

The total mass in inventory onsite for the purpose of installation of new fire suppression equipment and servicing and/or repair of existing fire suppression equipment broken out by recovered, recycled, and virgin; and

The total mass of waste products the reporting entity sent for disposal, along with information about the disposal facility if waste is not processed by the reporting entity.

equipment and servicing and/or repair of existing fire suppression equipment broken out by recovered, recycled, and virgin;

The total sold for the purpose of installation of new fire suppression equipment and servicing and/or repair of existing fire suppression equipment;

The total mass in inventory onsite for the purpose of installation of new fire suppression equipment and servicing and/or repair of existing fire suppression equipment broken out by recovered, recycled, and virgin; and

The total mass of waste products the reporting entity sent for disposal, along with information about the disposal facility if waste is not processed by the reporting entity.

Covered entities must maintain an electronic or paper copy of the fire suppression technician training as discussed in section IV.F.2.d, and EPA can request to view a copy of the training on an as needed basis. EPA is also requiring facilities to document that they have provided training to personnel. For example, local personnel records could be annotated, indicating where and when the training occurred. Alternatively, records could be centralized. Where EPA established requirements for recordkeeping, the Agency is requiring that the records be maintained for three years in either electronic or paper format.

As discussed in section IV.F.2.e, EPA is requiring that covered entities maintain records documenting that HFCs are recovered from the fire suppression equipment before the equipment is sent for disposal, either by recovering the HFCs themselves before sending the equipment for disposal or by leaving the HFCs in the equipment and sending it for disposal to a facility (e.g., fire suppression equipment manufacturer, distributor, or a fire suppressant recycler). Such records must