



Regulatory Advisory

May 2012



Regulation Concerning Automotive Refrigerant Products Sold in California

Attention: Retailers

The purpose of this advisory is to notify retailers that some retail employees may be incorrectly instructing customers to empty automotive refrigerant containers of all refrigerant prior to returning them for the refundable deposit.

Background

The ARB adopted this regulation to reduce refrigerant emissions from the Do-It-Yourself re-charging of motor vehicle air conditioners (MVAC) installed in light-duty vehicles such as cars and pickup trucks. The refrigerant, R-134a, used in MVACs is a highly potent greenhouse gas. This regulation became law in California in 2009 and went into effect on January 1, 2010. Although manufacturers bear the majority of the responsibility for meeting the regulatory requirements, retailers must also perform certain duties.

What is the issue regarding the return of the used containers?

Recently, it has come to our attention that employees at some retailers may be telling consumers to completely empty the refrigerant from used containers of automotive refrigerant products being returned for the refundable deposit paid at purchase. This instruction may cause consumers to intentionally vent the remaining contents of the used container directly to the atmosphere in order to collect the deposit. This practice defeats the purpose of the regulation which requires the recovery of the remaining refrigerant for recycling. In addition, it is illegal to vent any refrigerant into the atmosphere.

Please direct retail employees to accept returned containers with residual refrigerant. It is illegal to release refrigerant into the atmosphere.

Penalties for Violations

Penalties may be assessed for any violation of this regulation pursuant to Health and Safety Code section 38580. Each day during any portion of which a violation occurs is a separate offense.

For more information

The regulation, fact sheets, executive orders for the certified products, report forms, and other information are available at:

www.arb.ca.gov/cc/hfc-mac/hfcdiy/hfcdiy.htm

For any further information, contact Mr. Winston Potts, ARB Research Division, at:

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To obtain this document in an alternative format or language, please contact the ARB's Helpline at (800) 242-4450 or at helpline@arb.ca.gov. TTY/TDD/ Speech to Speech users may dial 711 for the California Relay Service.