

 <p>NEW YORK STATE Corrections and Community Supervision</p> <p>DIRECTIVE</p>	TITLE Refrigerants-Compliance with the Clean Air Act		NO. 3056
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SUPERSEDES DIR# 3056 Dtd. 11/07/2012	DISTRIBUTION A	PAGES PAGE 1 OF 4	DATE LAST REVISED
REFERENCES (Include but are not limited to) Clean Air Act, Sections 608 and 609 40 CFR Part 82	APPROVING AUTHORITY 		

- I. **PURPOSE:** This directive sets forth the Department’s plans and procedures for following the applicable provisions of Sections 608 and 609 of the Clean Air Act and the related rules of the Environmental Protection Agency (EPA) published in 40 CFR Part 82 – “Protection of Stratospheric Ozone.” A copy of the EPA document, “Complying with the Section 608 Refrigerant Recycling Rule,” is available from the EPA (www.epa.gov) or the Division of Facilities Planning and Development.
- II. **POLICY:** It is the policy of the Department that each facility shall develop and maintain an accurate and current refrigerant program regardless of who actually performs the service (e.g., in house staff or outside contractor). The program shall, at a minimum, consist of the maintenance of the record keeping items outlined in Section VI of this directive.
- All Department staff who purchase, maintain, service, or dispose of refrigerants or air conditioning and refrigeration equipment shall comply with all applicable Federal Regulations.
- Note: No person installing, maintaining, repairing, or disposing of any appliance may knowingly vent or otherwise release into the environment any class I (CFC) or class II (HCFC) substance used as a refrigerant. Venting is punishable by fine of up to \$25,000.
- III. **CERTIFICATIONS**
- A. Technicians: All mechanics and maintenance personnel who service or repair equipment using refrigerants shall have passed an EPA-approved certification test for the appropriate appliance being maintained. Note: Preventative maintenance, cleaning, oiling, changing belts, or electrical repairs do not require certification.
- B. Equipment: All refrigerant recovery equipment must be certified for the type of appliance being serviced by an EPA-approved third party testing organization. If recovery equipment is altered it must be resubmitted for certification and will be considered uncertified until the new certification has been received. Obtain a copy of and use the “EPA Refrigerant Recovery or Recycling Device Acquisition Certification Form” (OMB No. 2060-0256) for certifying new or refurbished equipment. The form is available from the EPA or the Division of Facilities Planning and Development.

IV. SERVICE PRACTICES

A. Refrigerant Recovery

1. Prior to major repairs on air conditioning or refrigeration equipment, the refrigerant must be evacuated and recovered to the levels specified in EPA regulations. Major repairs include those involving removal of the compressor, condenser, evaporator, or auxiliary heat exchanger coil.
2. Technicians repairing small appliances such as household refrigerators, household freezers, and water coolers are required to recover 80% (if compressor not running) or 90% (if compressor is running) of the refrigerant in the system.

B. Recycling: Recovered refrigerant can be returned to the same system or to other systems owned by the Department.

C. Refrigerant Leaks: All leaks must be repaired according to the applicable Federal Requirements as provided in 40 CFR Part 82.156. Verification testing that the leak has been repaired must be conducted within 30 days of completion of the repair.

V. **DISPOSAL**: Equipment that is typically dismantled on-site before disposal must have its refrigerant removed and recovered to the specifications established for servicing. Other equipment that enters the waste stream intact may have its refrigerant recovered prior to disposal or by the final person in the disposal chain. Because of the increasing scarcity and cost of refrigerants for existing equipment, it shall be Department policy to recover refrigerants, when feasible, even from small and household type appliances. If a Department technician recovers the refrigerant, he or she must provide documentation of removal for the final disposer (see Section VI below).

VI. **RECORD KEEPING**: The records described below are required to be kept by each facility for a minimum of three years. The MP2 system is to be utilized for all records.

A. Service Records: Records of all maintenance, service, repair or disposal of appliances, whether performed by facility staff or outside contractor, shall be maintained by the facility on the MP2 system and shall include the following:

1. Type of equipment serviced;
2. The procedure performed;
3. Date of service;
4. Location of the equipment;
5. Weight of refrigerant removed from the system;
6. Weight of refrigerant charged into the system; and
7. Verification of test results that leaking equipment has been successfully repaired (if applicable).

B. Refrigerant Use: Each facility shall keep a record of the amount of refrigerant purchased and consumed each month. (See [Form #3056A](#), "Monthly Refrigerant Inventory and Usage Form," and [Form #3056B](#), "Monthly Refrigerant Usage Log Worksheet.")

- C. Technician Certification: Each facility shall keep copies of the certification documents for each of its employees who are certified.
- D. Equipment Certification: Each facility shall create and maintain a certification statement for each piece of recovery or recycling equipment it owns. The certification statement shall include:
1. The name and address of the facility;
 2. The location of the equipment;
 3. The manufacturer name and model number;
 4. The date of manufacture and the serial number;
 5. A statement that the equipment will be properly used;
 6. A statement that each individual authorized to perform service is trained and certified; and
 7. A statement that the information is true and correct.
- E. Equipment Inventory: Each facility shall create and maintain an inventory of all equipment which uses refrigerants to include the following items:
1. Type of equipment;
 2. Make, model, and serial number; and
 3. Type and weight of refrigerant used.
- F. Disposer Record: Facilities disposing of small appliances from which refrigerant has been removed must maintain copies of signed statements from the technicians performing the recoveries. The statements should include date of recovery, and the name, address, and signature of the technician. A copy of such statement shall accompany each small appliance from which refrigerant has been removed when it is delivered to a disposer (landfill, recycler, etc.).
- G. Trigger Rates: The leak repair requirements, promulgated under Section 608 of the Clean Air Act, require that when an owner or operator of an appliance that normally contains a refrigerant charge of more than 50 pounds discovers that refrigerant is leaking at a rate that would exceed the applicable trigger rate during a 12 month period, the owner or operator must take corrective action. (See Attachment A)

Stratospheric Ozone Information Hotline

1-800-296-1996

EPA Ozone Depletion Website

<http://www.epa.gov/ozone/strathome.html>

TRIGGER RATES

The leak repair requirements, promulgated under Section 608 of the Clean Air Act, require that when an owner or operator of an appliance that normally contains a refrigerant charge of more than 50 pounds discovers that refrigerant is leaking at a rate that would exceed the applicable trigger rate during a 12-month period, the owner or operator must take corrective action.

Trigger Rates

For all appliances that have a refrigerant charge of more than 50 pounds, the following leak rates for a 12-month period are applicable:

Appliance Type	Trigger Leak Rate
Commercial refrigeration	35%
Industrial process refrigeration	35%
Comfort cooling	15%
All other appliances	15%

In general, owners or operators must either repair leaks within thirty days from the date the leak was discovered, or develop a dated retrofit/retirement plan within thirty days and complete actions under that plan within one year from the plan's date. However, for industrial process refrigeration equipment and some federally-owned chillers, additional time may be available.

Industrial process refrigeration is defined as complex customized appliances used in the chemical, pharmaceutical, petrochemical, and manufacturing industries. These appliances are directly linked to the industrial process. This sector also includes industrial ice machines, appliances used directly in the generation of electricity, and ice rinks. If at least 50 percent of an appliance's capacity is used in an industrial process refrigeration application, the appliance is considered industrial process refrigeration equipment and the trigger rate is 35 percent.

Industrial process refrigeration equipment and federally-owned chillers must conduct initial and follow-up verification tests at the conclusion of any repair efforts. These tests are essential to ensure that the repairs have been successful. In cases where an industrial process shutdown is required, a repair period of 120 days is substituted for the normal 30-day repair period. Any appliance that requires additional time may be subject to recordkeeping/reporting requirements.