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The Maryland House of Delegates
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Delegate Dana Stein Testimony in Support of

HB 1011 - Public Safety – Refrigerants – Limitations on Use

Chairman C.T Wilson and Members of the House Economic Matters Committee,

The purpose of this bill is to alter Maryland’s building codes to permit the use of climate-friendly refrigerant substitutes and aligns us with the latest federal regulatory approvals.

In December 2020, the federal American Innovation and Manufacturing (AIM) Act was enacted (42 U.S. Code section 7675) to direct the EPA to phase down the production and consumption of hydrofluorocarbons (HFCs)—chemicals commonly used in commercial refrigeration, chillers, and stationary air conditioning equipment. While HFCs don’t deplete the stratospheric ozone layer, they are a potent greenhouse gas with global warming potential far greater than carbon dioxide.

The AIM also directs the EPA to facilitate the transition to next-generation, more climate-friendly and efficient alternatives. These alternatives promise to save consumers money while improving the environment, and American companies have already begun developing them.

However, building codes in all 50 states must be updated to allow for the use of these substitute refrigerants in chillers, air conditioning, and commercial refrigeration equipment. Maryland’s building codes set various standards and requirements for what types of refrigerants and equipment can be used in residential and commercial buildings. These standards could restrict the future use of certain HFC substitutes, creating a risk that new refrigeration and air conditioning equipment that contain HFC substitutes could not be sold in the state.

House Bill 1011 simply clarifies, in statute, that Maryland building codes cannot prohibit the use of a refrigerant allowed by the EPA. If this barrier is not removed, it will limit the availability of newer, more climate-friendly refrigeration and air conditioning equipment in Maryland.

MDE has offered an amendment, which I’ve included in the sponsor amendments, saying that “Except for regulations issued by the Department of the Environment, no provision of the State Building Code or other law or regulation may prohibit or otherwise limit . . .”

House Bill 1011 is key to ensuring the phase-down of HFCs in Maryland can happen in an orderly, efficient way. The national transition away from HFCs will reduce U.S. greenhouse gas emissions by the equivalent of 2.4 billion metric tons of carbon dioxide by 2036 since the global warming potential of the new, alternative refrigerants is approximately 75 percent lower than the HFC refrigerants currently being used.

My panelists will speak to other benefits of this bill, and I urge a favorable report.