

# MAINE STATE LEGISLATURE

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# 129th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2020

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Legislative Document

No. 2112

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H.P. 1505

House of Representatives, February 20, 2020

### **An Act To Limit the Use of Hydrofluorocarbons To Fight Climate Change**

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Reference to the Committee on Environment and Natural Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative TUCKER of Brunswick. (GOVERNOR'S BILL)  
Cosponsored by Senator FOLEY of York and  
Representatives: BLUME of York, CAMPBELL of Orrington, Speaker GIDEON of Freeport,  
HUBBELL of Bar Harbor, KESCHL of Belgrade, MARTIN of Eagle Lake, MOONEN of  
Portland, Senator: VITELLI of Sagadahoc.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 38 MRSA §1612** is enacted to read:

3 **§1612. Hydrofluorocarbon use restrictions**

4 **1. Definitions.** As used in this section, unless the context otherwise indicates, the  
5 following terms have the following meanings.

6 A. "Substance" means any chemical or blend intended for an end use.

7 **2. Prohibition.** In order to reduce greenhouse gas emissions by substituting or  
8 reducing the use of the hydrofluorocarbons with the highest global warming potential, a  
9 person may not sell, lease, rent, install, use or enter into commerce in the State any  
10 product or equipment that uses or will use a substance that is a hydrofluorocarbon with  
11 high global warming potential intended for any air conditioning, refrigeration, foam or  
12 aerosol propellant end use as determined by the department in rules.

13 **3. Rulemaking.** The department shall adopt rules to implement this section. Rules  
14 adopted pursuant to this subsection are routine technical rules as defined in Title 5,  
15 chapter 375, subchapter 2-A.

16 **Sec. 2. Rulemaking.** The Department of Environmental Protection shall adopt  
17 rules to implement the Maine Revised Statutes, Title 38, section 1612 in accordance with  
18 this section. In adopting the initial rules pursuant to Title 38, section 1612, the  
19 department shall regulate each substance and end use as provided for in this section and  
20 may not regulate any substance or end use not addressed in this section. In the future, the  
21 department may adopt rules adding or removing substances from the list of prohibited  
22 substances or adding or removing end uses.

23 **1. Definitions.** As used in this section, unless the context otherwise indicates, the  
24 following terms have the following meanings.

25 A. "Aerosol propellant" means a compressed gas or vapor in a container that, upon  
26 release of pressure and expansion through a valve, carries another substance from the  
27 container as a mist or spray.

28 B. "Air conditioning equipment" means chillers intended for comfort cooling of  
29 occupied spaces.

30 C. "Built-in household refrigerators and freezers" means any refrigerator,  
31 refrigerator-freezer or freezer intended for residential use that has 7.75 cubic feet or  
32 greater total volume and 24 inches or less depth not including doors, handles and  
33 custom front panels; that has sides that are not finished and not designed to be visible  
34 after installation; that is designed, intended and marketed exclusively to be installed  
35 totally encased by cabinetry or panels that are attached during installation and  
36 securely fastened to adjacent cabinetry, walls or floor; and that is equipped with an  
37 integral factory-finished face or that accepts a custom front panel.

38 D. "Capital cost" means an expense incurred in the production of goods or in  
39 rendering services, including, but not limited to, the cost of engineering; the cost of

- 1 the purchase and installation of components or systems and instrumentation; and  
2 contractor and construction fees.
- 3 E. "Centrifugal chiller" means air conditioning equipment that uses a centrifugal  
4 compressor in a vapor-compression refrigeration cycle. A centrifugal chiller is a  
5 chiller intended for comfort cooling and does not include chillers used for industrial  
6 process cooling and refrigeration.
- 7 F. "Cold storage warehouse" means a cooled facility designed to store meat, produce,  
8 dairy products and other products prior to their delivery to other locations for sale to  
9 the ultimate consumer.
- 10 G. "Compact household refrigerators and freezers" means any refrigerator,  
11 refrigerator-freezer or freezer intended for residential use that has a total refrigerated  
12 volume of less than 7.75 cubic feet.
- 13 H. "Component" means a part of a refrigeration system, including, but not limited to,  
14 a condensing unit, compressor, condenser, evaporator and receiver, and all of the  
15 system's connections and subassemblies without which the refrigeration system  
16 would not properly function or would be subject to failure.
- 17 I. "Department" means the Department of Environmental Protection.
- 18 J. "End use" means processes or classes of specific applications within industry  
19 sectors, including, but not limited to, those listed in subsection 2.
- 20 K. "Flexible polyurethane" means a nonrigid synthetic foam containing polymers of  
21 urethane radicals, including, but not limited to, foam used in furniture, bedding, chair  
22 cushions and shoe soles.
- 23 L. "Foam-blowing agent" or "foam" means a product or substance used to produce a  
24 product with a cellular structure formed via a foaming process, including materials  
25 that undergo hardening or phase transition, such as polymers and plastics.
- 26 M. "Heat pump" means a device used for comfort heating or cooling of residential  
27 and commercial spaces, including, but not limited to, a mini-split heat pump. Heat  
28 pumps may be air sourced, water sourced or ground sourced.
- 29 N. "Household refrigerators and freezers" means any refrigerator, refrigerator-  
30 freezer, freezer or miscellaneous household refrigeration appliance intended for  
31 residential use. "Household refrigerators and freezers" does not include compact  
32 household refrigerators and freezers or built-in household refrigerators and freezers.
- 33 O. "Integral skin polyurethane" means a synthetic self-skinning foam containing  
34 polymers of urethane radicals, including, but not limited to, foam used in shoe soles  
35 and automobile steering wheels and dashboards.
- 36 P. "Light duty vehicle" means a car or light duty truck as defined in the Maine  
37 Revised Statutes, Title 5, section 1812-E.
- 38 Q. "Metered dose inhaler" means a device that delivers a measured amount of  
39 medication as a mist that a patient can inhale, typically used for bronchodilation to  
40 treat symptoms of asthma, chronic obstructive pulmonary disease, chronic bronchitis,

- 1 emphysema and other respiratory illnesses, and consists of a pressurized canister of  
2 medication in a case with a mouthpiece.
- 3 R. "Miscellaneous residential refrigeration appliance" means a residential  
4 refrigeration appliance smaller than a refrigerator, refrigerator-freezer or freezer for  
5 use in a household and includes coolers, cooler compartments and combination  
6 cooler-refrigeration or cooler-freezer products.
- 7 S. "New" means, with regard to a product or equipment, a product or equipment that  
8 is manufactured after the effective date of this section or equipment substantially  
9 modified after the effective date of this section such that the capital cost of the  
10 modification exceeds 50% of the cost of replacing the whole system.
- 11 T. "Person" means an individual, firm, association, organization, manufacturer,  
12 distributor, partnership, business trust, corporation, limited liability company,  
13 company, state or local governmental agency or public district.
- 14 U. "Phenolic insulation board" means phenolic insulation, including, but not limited  
15 to, insulation used for roofing and walls.
- 16 V. "Phenolic insulation bunstock" means phenolic insulation that is a large solid box-  
17 like structure formed during the production of polystyrene insulation and that can be  
18 cut into specific custom lengths and shapes.
- 19 W. "Polyolefin" means foam sheets and tubes made of polyolefin.
- 20 X. "Polystyrene extruded boardstock and billet" means a foam formed from  
21 polymers of styrene and produced on extruding machines in the form of continuous  
22 foam slabs that can be cut and shaped into panels used for insulation of roofing,  
23 walls, flooring and pipes.
- 24 Y. "Polystyrene extruded sheet" means polystyrene foam including foam used for  
25 packaging and buoyancy or flotation. "Polystyrene extruded sheet" includes foam  
26 made into food-service items, including hinged polystyrene containers, food trays,  
27 plates, bowls and retail egg containers.
- 28 Z. "Positive displacement chiller" means a vapor compression cycle chiller that uses  
29 a positive displacement compressor, typically used for commercial comfort air  
30 conditioning. "Positive displacement chiller" does not include a chiller used for  
31 industrial process cooling and refrigeration.
- 32 AA. "Refrigerant gas" or "refrigerant" means any substance, including blends and  
33 mixtures, that is used for heat transfer purposes.
- 34 BB. "Refrigerated food processing and dispensing equipment" means retail food  
35 refrigeration equipment that is designed to process and dispense food and beverages  
36 that are intended for immediate or near-immediate consumption, including, but not  
37 limited to, chilled and frozen beverages, ice cream and whipped cream. "Refrigerated  
38 food processing and dispensing equipment" excludes water coolers and units  
39 designed solely to cool and dispense water.
- 40 CC. "Refrigeration equipment" means any stationary device that is designed to  
41 contain and use refrigerant gas to establish or maintain colder than ambient  
42 temperatures in a confined space, including, but not limited to, retail food

1 refrigeration equipment, household refrigerators and freezers and cold storage  
2 warehouses.

3 DD. "Remote condensing unit" means retail food refrigeration equipment that has a  
4 central condensing portion and may consist of one or more compressors, condensers  
5 and receivers assembled into a single unit, which may be located outside the sales  
6 area. "Remote condensing unit" includes units that are commonly installed in  
7 convenience stores, specialty shops such as bakeries or butcher shops, supermarkets,  
8 restaurants and other locations where food is stored, served or sold.

9 EE. "Residential use" means use by an individual of a substance, or a product  
10 containing the substance, in or around a permanent or temporary household, during  
11 recreation or for any personal use or enjoyment. "Residential use" does not include  
12 use within a household for commercial or medical applications or use in automobiles,  
13 watercraft or aircraft.

14 FF. "Retail food refrigeration equipment" means equipment designed to store and  
15 display chilled or frozen goods for commercial sale, including, but not limited to,  
16 stand-alone units, refrigerated food processing and dispensing equipment, remote  
17 condensing units, supermarket systems and vending machines.

18 GG. "Retrofit" means to replace the refrigerant used in refrigeration equipment with  
19 a different refrigerant and includes related changes to the refrigeration equipment  
20 required to maintain its operation and reliability following refrigerant replacement.

21 HH. "Rigid polyurethane and polyisocyanurate laminated boardstock" means  
22 laminated board insulation made with polyurethane or polyisocyanurate foam,  
23 including insulation for roofing and walls.

24 II. "Rigid polyurethane appliance foam" means polyurethane insulation foam used in  
25 domestic appliances.

26 JJ. "Rigid polyurethane high-pressure 2-component spray foam" means a foam  
27 product that is pressurized to 800 to 1,600 pounds per square inch during  
28 manufacture; is sold in pressurized containers as 2 parts; and is blown and applied in  
29 situ using high-pressure pumps to propel the foam, and may use liquid blowing  
30 agents without an additional propellant.

31 KK. "Rigid polyurethane in commercial refrigeration" means polyurethane insulation  
32 for pipes, walls and metal doors in retail food refrigeration equipment.

33 LL. "Rigid polyurethane low-pressure 2-component spray foam" means a foam  
34 product that is pressurized to less than 250 pounds per square inch during  
35 manufacture, sold in pressurized containers as 2 parts and typically applied in situ  
36 using a gaseous foam-blowing agent that also serves as a propellant so pumps  
37 typically are not needed.

38 MM. "Rigid polyurethane marine flotation foam" means buoyancy or flotation foam  
39 used in boat and ship manufacturing for both structural and flotation purposes.

40 NN. "Rigid polyurethane one-component foam sealant" means a foam packaged in  
41 aerosol cans that is applied in situ using a gaseous foam-blowing agent that is also the  
42 propellant.

1 OO. "Rigid polyurethane sandwich panels" means polyurethane insulation  
2 sandwiched between outer structural layers and used as insulation for walls and metal  
3 doors, including garage doors.

4 PP. "Rigid polyurethane slabstock" means a rigid closed-cell foam containing  
5 polymers of urethane radicals formed into slabstock insulation for panels and pipes.

6 QQ. "Stand-alone low-temperature unit" means a stand-alone unit that maintains  
7 food or beverages at temperatures at or below 32 degrees Fahrenheit.

8 RR. "Stand-alone medium-temperature unit" means a stand-alone unit that maintains  
9 food or beverages at temperatures above 32 degrees Fahrenheit.

10 SS. "Stand-alone unit" means a retail refrigerator, freezer and reach-in cooler, either  
11 open or with doors, for which all refrigeration components are integrated and the  
12 refrigeration circuit may be entirely brazed or welded. Stand-alone units are fully  
13 charged with refrigerant at the factory and typically require only an electricity supply  
14 to begin operation.

15 TT. "Substance" means any chemical or blend intended for an end use listed in  
16 subsection 2.

17 UU. "Supermarket systems" means multiplex or centralized retail food refrigeration  
18 equipment systems designed to cool or refrigerate that operate with racks of  
19 compressors installed in a machinery room. "Supermarket systems" includes both  
20 direct and indirect systems.

21 VV. "Use" with regard to any use of a compound or any substance, includes, but is  
22 not limited to, use in a manufacturing process or product in the State, consumption  
23 for an end use in the State and use in intermediate applications in the State, such as  
24 formulation or packaging for other subsequent applications, and excludes residential  
25 use, but does not exclude manufacturing for the purpose of residential use.

26 WW. "Vending machine" means self-contained retail food refrigeration equipment  
27 that dispenses goods that must be kept cold or frozen.

28 **2. End use prohibitions.** The rules must provide that a person may not sell, lease,  
29 rent, install, use or enter into commerce in the State any product or equipment that uses or  
30 will use a listed substance intended for any air conditioning, refrigeration, foam or  
31 aerosol propellant end use listed as prohibited in this subsection, unless an exemption is  
32 provided for that end use in subsection 3.

33 For the following end uses, the listed hydrofluorocarbon substances are prohibited as of  
34 the date indicated for each end use.

35 A. For aerosol propellants in new products, HFC-125, HFC-134a, HFC-227ea and  
36 blends of HFC-227ea and HFC-134a are prohibited as of January 1, 2021.

37 B. For new centrifugal chillers, FOR12A, FOR12B, HFC-134a, HFC-227ea, HFC-  
38 236fa, HFC-245fa, R-125/134a/600a (28.1/70/1.9), R-125/290/134a/600a  
39 (55.0/1.0/42.5/1.5), R-404A, R-407C, R-410A, R-410B, R-417A, R-421A, R-422B,  
40 R-422C, R-422D, R-423A, R-424A, R-434A, R-438A, R-507A, RS-44 (2003  
41 composition) and THR-03 are prohibited as of January 1, 2024.

- 1 C. For new positive displacement chillers, FOR12A, FOR12B, HFC-134a, HFC-  
2 227ea, KDD6, R-125/134a/600a (28.1/70/1.9), R-125/290/134a/600a  
3 (55.0/1.0/42.5/1.5), R-404A, R-407C, R-410A, R-410B, R-417A, R-421A, R-422B,  
4 R-422C, R-422D, R-424A, R-434A, R-437A, R-438A, R-507A, RS-44 (2003  
5 composition), SP34E and THR-03 are prohibited as of January 1, 2024.
- 6 D. For light duty vehicles, HFC-134a, SP34E, R-426A and RS-24 (new formulation)  
7 are prohibited for all newly manufactured vehicles as of model year 2021.
- 8 E. For new cold storage warehouses, HFC-227ea, R-125/290/134a/600a  
9 (55.0/1.0/42.5/1.5), R-404A, R-407A, R-407B, R-410A, R-410B, R-417A, R-421A,  
10 R-421B, R-422A, R-422B, R-422C, R-422D, R-423A, R-424A, R-428A, R-434A, R-  
11 438A, R-507A and RS-44 (2003 composition) are prohibited as of January 1, 2023.
- 12 F. For new household refrigerators and freezers, FOR12A, FOR12B, HFC-134a,  
13 KDD6, R-125/290/134a/600a (55.0/1.0/42.5/1.5), R-404A, R-407C, R-407F, R-  
14 410A, R-410B, R-417A, R-421A, R-421B, R-422A, R-422B, R-422C, R-422D, R-  
15 424A, R-426A, R-428A, R-434A, R-437A, R-438A, R-507A, RS-24 (2002  
16 formulation), RS-44 (2003 formulation), SP34E and THR-03 are prohibited as of  
17 January 1, 2022.
- 18 G. For new compact household refrigerators and freezers, FOR12A, FOR12B, HFC-  
19 134a, KDD6, R-125/290/134a/600a (55.0/1.0/42.5/1.5), R-404A, R-407C, R-407F,  
20 R-410A, R-410B, R-417A, R-421A, R-421B, R-422A, R-422B, R-422C, R-422D, R-  
21 424A, R-426A, R-428A, R-434A, R-437A, R-438A, R-507A, RS-24 (2002  
22 formulation), RS-44 (2003 formulation), SP34E and THR-03 are prohibited as of  
23 January 1, 2021.
- 24 H. For new built-in household refrigerators and freezers, FOR12A, FOR12B, HFC-  
25 134a, KDD6, R-125/290/134a/600a (55.0/1.0/42.5/1.5), R-404A, R-407C, R-407F,  
26 R-410A, R-410B, R-417A, R-421A, R-421B, R-422A, R-422B, R-422C, R-422D, R-  
27 424A, R-426A, R-428A, R-434A, R-437A, R-438A, R-507A, RS-24 (2002  
28 formulation), RS-44 (2003 formulation), SP34E and THR-03 are prohibited as of  
29 January 1, 2023.
- 30 I. For retrofitted supermarket systems, R-404A, R-407B, R-421B, R-422A, R-422C,  
31 R-422D, R-428A, R-434A and R-507A are prohibited as of January 1, 2021.
- 32 J. For new supermarket systems, HFC-227ea, R-404A, R-407B, R-421B, R-422A,  
33 R-422C, R-422D, R-428A, R-434A and R-507A are prohibited as of January 1, 2021.
- 34 K. For retrofitted remote condensing units, R-404A, R-407B, R-421B, R-422A, R-  
35 422C, R-422D, R-428A, R-434A and R-507A are prohibited as of January 1, 2021.
- 36 L. For new remote condensing units, HFC-227ea, R-404A, R-407B, R-421B, R-  
37 422A, R-422C, R-422D, R-428A, R-434A and R-507A are prohibited as of January  
38 1, 2021.
- 39 M. For retrofitted stand-alone units, R-404A and R-507A are prohibited as of  
40 January 1, 2021.
- 41 N. For new stand-alone medium-temperature units, FOR12A, FOR12B, HFC-134a,  
42 HFC-227ea, KDD6, R-125/290/134a/600a (55.0/1.0/42.5/1.5), R-404A, R-407A, R-



1 407B, R-407C, R-407F, R-410A, R-410B, R-417A, R-421A, R-421B, R-422A, R-  
2 422B, R-422C, R-422D, R-424A, R-426A, R-428A, R-434A, R-437A, R-438A, R-  
3 507A, RS-24 (2002 formulation), RS-44 (2003 formulation), SP34E and THR-03 are  
4 prohibited as of January 1, 2021.

5 O. For new stand-alone low-temperature units, HFC-227ea, KDD6, R-  
6 125/290/134a/600a (55.0/1.0/42.5/1.5), R-404A, R-407A, R-407B, R-407C, R-407F,  
7 R-410A, R-410B, R-417A, R-421A, R-421B, R-422A, R-422B, R-422C, R-422D, R-  
8 424A, R-428A, R-434A, R-437A, R-438A, R-507A and RS-44 (2003 formulation)  
9 are prohibited as of January 1, 2021.

10 P. For new refrigerated food processing and dispensing equipment, HFC-227ea,  
11 KDD6, R-125/290/134a/600a (55.0/1.0/42.5/1.5), R-404A, R-407A, R-407B, R-  
12 407C, R-407F, R-410A, R-410B, R-417A, R-421A, R-421B, R-422A, R-422B, R-  
13 422C, R-422D, R-424A, R-428A, R-434A, R-437A, R-438A, R-507A and RS-44  
14 (2003 formulation) are prohibited as of January 1, 2021.

15 Q. For retrofitted vending machines, R-404A and R-507A are prohibited as of  
16 January 1, 2021.

17 R. For new vending machines, FOR12A, FOR12B, HFC-134a, KDD6, R-  
18 125/290/134a/600a (55.0/1.0/42.5/1.5), R-404A, R-407C, R-410A, R-410B, R-417A,  
19 R-421A, R-422B, R-422C, R-422D, R-426A, R-437A, R-438A, R-507A, RS-24  
20 (2002 formulation) and SP34E are prohibited as of January 1, 2022.

21 S. For new rigid polyurethane and polyisocyanurate laminated boardstock, HFC-  
22 134a, HFC-245fa, HFC-365mfc and any blends thereof are prohibited as of January  
23 1, 2021.

24 T. For new flexible polyurethane, HFC-134a, HFC-245fa, HFC-365mfc and any  
25 blends thereof are prohibited as of January 1, 2021.

26 U. For new integral skin polyurethane, HFC-134a, HFC-245fa, HFC-365mfc and  
27 any blends thereof; Formacel TI; and Formacel Z-6 are prohibited as of January 1,  
28 2021.

29 V. For new polystyrene extruded sheet, HFC-134a, HFC-245fa, HFC-365mfc and  
30 any blends thereof; Formacel TI; and Formacel Z-6 are prohibited as of January 1,  
31 2021.

32 W. For new phenolic insulation board and new phenolic insulation bunstock, HFC-  
33 143a, HFC-134a, HFC-245fa, HFC-365mfc and any blends thereof are prohibited as  
34 of January 1, 2021.

35 X. For new rigid polyurethane slabstock and other new rigid polyurethane, HFC-  
36 134a, HFC-245fa, HFC-365mfc and any blends thereof; Formacel TI; and Formacel  
37 Z-6 are prohibited as of January 1, 2021.

38 Y. For new rigid polyurethane appliance foam, HFC-134a, HFC-245fa, HFC-365mfc  
39 and any blends thereof; Formacel TI; and Formacel Z-6 are prohibited as of January  
40 1, 2021.

1 Z. For new rigid polyurethane in commercial refrigeration and new rigid  
2 polyurethane sandwich panels, HFC-134a, HFC-245fa, HFC-365mfc and any blends  
3 thereof; Formacel TI; and Formacel Z-6 are prohibited as of January 1, 2021.

4 AA. For new polyolefin, HFC-134a, HFC-245fa, HFC-365mfc and any blends  
5 thereof; Formacel TI; and Formacel Z-6 are prohibited as of January 1, 2021.

6 BB. For new rigid polyurethane marine flotation foam, HFC-134a, HFC-245fa,  
7 HFC-365mfc and any blends thereof; Formacel TI; and Formacel Z-6 are prohibited  
8 as of January 1, 2021.

9 CC. For new polystyrene extruded boardstock and billet, HFC-134a, HFC-245fa,  
10 HFC-365mfc and any blends thereof; Formacel TI; Formacel B; and Formacel Z-6  
11 are prohibited as of January 1, 2021.

12 DD. For new rigid polyurethane high-pressure 2-component spray foam, HFC-134a,  
13 HFC-245fa and any blends thereof; blends of HFC-365mfc with at least 4% HFC-  
14 245fa; commercial blends of HFC-365mfc with 7% to 13% HFC-227ea and the  
15 remainder HFC-365mfc; and Formacel TI are prohibited as of January 1, 2021.

16 EE. For new rigid polyurethane low-pressure 2-component spray foam, HFC-134a,  
17 HFC-245fa and any blends thereof; blends of HFC-365mfc with at least 4% HFC-  
18 245fa; commercial blends of HFC-365mfc with 7% to 13% HFC-227ea and the  
19 remainder HFC-365mfc; and Formacel TI are prohibited as of January 1, 2021.

20 FF. For new rigid polyurethane one-component foam sealants, HFC-134a, HFC-  
21 245fa and any blends thereof; blends of HFC-365mfc with at least 4% HFC-245fa;  
22 commercial blends of HFC-365mfc with 7% to 13% HFC-227ea and the remainder  
23 HFC-365mfc; and Formacel TI are prohibited as of January 1, 2021.

24 **3. Exemptions.** The rules must include the following exemption provisions:

25 A. Heat pumps are exempt from end use prohibitions under this section; and

26 B. The following exemptions to the prohibitions in subsection 2 apply in the end use  
27 categories indicated.

- 28 (1) HFC-134a is allowed as an aerosol propellant in new cleaning products for  
29 removal of grease, flux and other soils from electrical equipment; new refrigerant  
30 flushes; new products for sensitivity testing of smoke detectors; new lubricants  
31 and freeze sprays for electrical equipment or electronics; new sprays for aircraft  
32 maintenance; new sprays containing corrosion preventive compounds used in the  
33 maintenance of aircraft, electrical equipment, electronics or military equipment;  
34 new pesticides for use near electrical wires, in aircraft, in total release insecticide  
35 foggers or in certified organic use pesticides for which the federal Environmental  
36 Protection Agency has specifically disallowed all other lower global warming  
37 potential propellants; new mold release agents and mold cleaners; new lubricants  
38 and cleaners for spinnerets for synthetic fabrics; new duster sprays specifically  
39 for removal of dust from photographic negatives, semiconductor chips,  
40 specimens under electron microscopes and energized electrical equipment; new  
41 adhesives and sealants in canisters for commercial use; new document  
42 preservation sprays; new wound care sprays; new topical cooling sprays for pain

1 relief; and new products for removing bandage adhesives from skin. HFC-134a,  
2 HFC-227ea and blends of HFC-227ea and HFC-134a are allowed as aerosol  
3 propellants for new metered dose inhalers approved by the United States  
4 Department of Health and Human Services, Food and Drug Administration for  
5 medical purposes.

6 (2) HFC-134a is allowed as a new air conditioning refrigerant for military  
7 marine vessels when the department has determined that reasonable efforts have  
8 been made to ascertain that other alternatives are not technically feasible due to  
9 performance or safety requirements. HFC-134a and R-404A are allowed as new  
10 air conditioning refrigerants in spacecraft intended for human occupancy and  
11 related support equipment when the department has determined that reasonable  
12 efforts have been made to ascertain that other alternatives are not technically  
13 feasible due to performance or safety requirements.

14 (3) For all new foams other than rigid polyurethane one-component foam  
15 sealants, all substances listed in subsection 2 are allowed, until January 1, 2022,  
16 in military applications when the department has determined that reasonable  
17 efforts have been made to ascertain that other alternatives are not technically  
18 feasible due to performance or safety requirements; and, until January 1, 2025, in  
19 space-related and aeronautics-related applications when the department has  
20 determined that reasonable efforts have been made to ascertain that other  
21 alternatives are not technically feasible due to performance or safety  
22 requirements.

23 (4) For new rigid polyurethane 2-component spray foams, all substances listed in  
24 subsection 2 are allowed, until January 1, 2025, in military or space-related and  
25 aeronautics-related applications when the department has determined that  
26 reasonable efforts have been made to ascertain that other alternatives are not  
27 technically feasible due to performance or safety requirements.

28 **4. Disclosure statements.** The rules must require any person who manufactures,  
29 sells, leases, rents or enters into commerce in the State a product or equipment intended  
30 for air conditioning, refrigeration, foam or aerosol propellant end use, if the product or  
31 equipment uses or is intended to use any substance listed as prohibited for that end use in  
32 subsection 2, to provide a written disclosure to the buyer as part of the sales transaction  
33 and invoice.

34 A. The required written disclosure must state:

35 (1) For refrigeration equipment and air conditioning equipment: "This equipment  
36 is prohibited from use in Maine with any refrigerant on the list in Maine  
37 Department of Environmental Protection rules of prohibited substances for that  
38 specific end use. This disclosure statement has been reviewed and approved by  
39 [THE ENTITY], and [THE ENTITY] attests, under penalty of perjury, that these  
40 statements are true and accurate.";

41 (2) For foam: "This foam system is prohibited from use in Maine with any foam-  
42 blowing agent on the list in Maine Department of Environmental Protection rules  
43 of prohibited substances for that specific end use. This disclosure statement has

