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June 30, 2022

Suzanne Hagel  
NYSDEC Office of Climate Change  
625 Broadway  
Albany, NY 12233-1030

RE: Chemours Comments – New York State Climate Action Council Draft Scoping Pan

Dear Ms. Hagel,

Chemours appreciates the opportunity to provide feedback on the New York State Climate Action Council Draft Scoping Pan

Chemours has been a strong advocate of emissions reduction via the phasedown of hydrofluorocarbons (HFCs). We commend New York State, as well as other states, for adopting SNAP Rules 20 and 21. The measures of these two rules reflect a feasible path toward limiting the use of HFCs in specific end-use sectors, resulting in a meaningful reduction of HFC emissions. These rules represent a workable approach to limiting the use of HFCs in certain end-uses, a reflection of the substantial stakeholder input utilized during development of these rules.

In addition to supporting SNAP Rules 20 and 21, Chemours has been a strong proponent of the American Innovation and Manufacturing (AIM) Act as well as ratification of the Kigali Amendment to the Montreal Protocol by the United States. These actions will further the reduction of HFC emissions via a scheduled phasedown approach that promotes the adoption of lower GWP solutions.

The Technology Transition Provisions of the AIM act provide the US Environmental Protection Agency (EPA) with a mechanism to accelerate transition of specific end-use sectors to a lower GWP solution. EPA must base its decision to grant a petition on the evidence provided by the petitioner, public feedback on the petition, and comments received in response to a proposed rule to grant a petition. This process ensures that all factors are considered when determining if and when a specific sector can accelerate the transition to lower GWP solutions. On October 14, EPA published in the Federal register (86 FR 57141) determinations for several HFC Technology Transitions under AIM and fully granted ten petitions.

Actions in the United States to reduce HFC emissions, at both the State and Federal level, thus far, have been the result of significant stakeholder input and represent solutions that are agnostic towards the technology solutions and strive to minimize disruption in the marketplace.

The Scoping Plan specifically refers to a strategy for transitioning away from hydrofluorocarbons (HFCs). Any strategy pursued by New York should consider that HFCs and HFC-containing blends have been proven in many cases, both through thermodynamic modeling and in practice, to have greater efficiencies than alternative options the state noted in the Scoping Plan. These efficiencies will be critical when accounting for all the changes New York would like to drive over the next several years, including



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electrification of heating and electrification of vehicles. A balanced approach to this strategy should consider not only GWP but the overall system efficiency, including stronger refrigerant management practices which mitigate HFC emissions. The Scoping Plan should provide flexibility and options for NY residents and businesses to service their existing HVACR equipment by allowing both reclaim and virgin HFCs.

In conclusion, we urge the state of New York to take science based and technology neutral actions that can spur and encourage innovation to meet the 2050 climate goals. These actions include adapting to the 100-year GWP values, eliminating the low and ultra-low definitions, and implementing a phasedown instead of a phaseout approach for HFCs. Doing so would harmonize the strategy with other state and federal actions to achieve the overall goals of the Climate Leadership and Community Protection Act (CLCPA).

Sincerely,

Schuyler Pulleyn  
Regulatory Consultant  
The Chemours Company FC, LLC