

Resolution No. 2

Date: 2/2/2023

City: Las Vegas, NV

NAHB Resolution

Title: A2L Refrigerant Mandate by EPA
Submitted by: Randy Noel

WHEREAS, the U.S. Environmental Protection Agency (EPA) is a federal department of government tasked with protecting the environment;

WHEREAS, Congress passed the bipartisan *American Innovation & Manufacturing (AIM) Act of 2020*, which, among other things, directed the U.S. Environmental Protection Agency (EPA) to issue a rule that mandates an 85-percent economy-wide phasedown in hydrochlorofluorocarbons (HCFCs) refrigerants over the next 15 years due to HCFCs designation as greenhouse gases;

WHEREAS, EPA issued the final phasedown rule in October 2021, and in May 2022, issued a subsequent rule that lists six acceptable refrigerant substitutes, including Opteon™ XL41 (R-454B) Refrigerant;

WHEREAS, Congress was informed that the product was "lightly flammable;"

WHEREAS, a Safety Data Sheet produced by Chemours states the product is highly flammable and explosive as well colorless and light odor;

WHEREAS, A2L gases are heavier than air and will stay close to the ground; and,

WHEREAS, members who install AC, home builders of new homes, remodelers, and code officials may have potential liability if a home is damaged or an occupant is killed due to the dangerous properties of A2L,

NOW, THEREFORE, BE IT RESOLVED that the National Association of Home Builders (NAHB) use its resources, legal, governmental, and public relations, to inform the public of the potential danger of A2L.

BE IT FURTHER RESOLVED that NAHB urge Congress to delay the mandate until which time A2L can be infused with an easily detectable, unique odor to prevent a catastrophe.

BE IT FURTHER RESOLVED that NAHB urge Congress to amend the law mandating its use to hold harmless home builders, remodelers, air conditioning system installers, and code officials for its use and hold the manufacturer totally responsible for any catastrophic event from A2L's use.

Leadership Council Action:	Approved
Resolutions Committee Action:	Recommends Approval
Construction, Codes & Standards Committee Action:	Recommends Approval
Federal Government Affairs Committee Action:	Recommends Approval
Building Codes & Standards Subcommittee of the Construction, Codes & Standards Committee Action:	Recommends Approval