

SENATE BILL REPORT

SB 5032

AS REPORTED BY COMMITTEE ON WAYS & MEANS, FEBRUARY 26, 1991

Brief Description: Restricting the use of chlorofluorocarbons.

SPONSORS: Senator Conner.

SENATE COMMITTEE ON ENVIRONMENT & NATURAL RESOURCES

Majority Report: That Substitute Senate Bill No. 5032 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Metcalf, Chairman; Oke, Vice Chairman; Amondson, Conner, Owen, Patterson, and Sutherland.

Staff: Atsushi Kiuchi (786-7708)

Hearing Dates: January 30, 1991; February 5, 1991

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Second Substitute Senate Bill No. 5032 be substituted therefor, and the second substitute bill do pass.

Signed by Senators McDonald, Chairman; Bailey, Bauer, Bluechel, Cantu, Gaspard, Hayner, L. Kreidler, Metcalf, Murray, Niemi, Owen, Rinehart, L. Smith, Talmadge, and Wojahn.

Staff: Michael Groesch (786-7715)

Hearing Dates: February 25, 1991; February 26, 1991

BACKGROUND:

Chlorofluorocarbons (CFCs) are chemicals used as refrigerants, cleaning solvents, aerosol propellants, and polystyrene blowing agents. CFCs are nontoxic, nonflammable, noncorrosive and stable chemicals in the lower atmosphere and can persist for up to 100 years.

Because of its longevity, CFCs eventually rise into the upper atmosphere. Intensive solar radiation causes the CFCs to break down, resulting in damage to the ozone layer. The result is commonly known as the "Greenhouse Effect."

The ozone layer, approximately 15 miles above the earth's surface, shields the earth and its inhabitants from ultraviolet radiation from the sun. Increased levels of ultraviolet radiation results in increased skin cancer risks and cataracts in human beings. Plants and marine organisms are also harmfully affected.

The reduction in use and production of CFCs is a global concern. Over 30 nations have called for a freeze in CFC production at 1986 levels with a 50 percent decrease in production by 1998.

The federal Clean Air Act limits production and consumption of ozone depleting chemicals.

SUMMARY:

After January 1, 1992, only Underwriters Laboratories certified equipment or an institution able to meet the Society of Automotive Engineers' standards may be used for the extraction and reclamation of refrigerants from motor vehicle air conditioners.

The Department of Ecology (DOE) shall establish a phase-in schedule for acquisition of the certified equipment by motor vehicle repair establishments. The deadline for acquisition is January 1, 1992.

Repair facilities will document the number of vehicles repaired and CFCs purchased.

After October 1, 1991, no person may sell a CFC coolant in a container smaller than 15 pounds without a warning regarding the product's danger to the ozone layer.

After January 1, 1992, no person may sell or offer for sale CFC coolant suitable for motor vehicle air conditioners for nonindustrial and noncommercial ("private") use in containers smaller than 15 pounds.

After the 1997 designated models, no motor vehicle may be registered or sold if it is equipped with an air conditioner using CFCs. This prohibition may be delayed if alternatives are not yet available or additional redesign time is needed by manufacturers.

After January 1, 1992, fire extinguishers containing halons or other ozone depleting substances may not be sold or offered for sale for "private" use, except to fire departments.

After January 1, 1992, no person may sell or offer to sell: CFC cleaning sprays for "private" use in cleaning electronic and photographic equipment; CFC propelled plastic party streamers; and CFC noise horns.

DOE shall adopt rules by March 1, 1992 for portable equipment used for the recovery and recycling of CFC coolant in building air conditioning units and large refrigeration units.

By January 15, 1992, DOE shall report to the Legislature on: use of ozone depleting chemicals; impacts of alternatives; opportunities for recovery and recycling; and equipment use rules.

DOE shall also make recommendations for the retrieval, storage and reuse of CFCs from refrigerators, air conditioners and motor vehicles. The report shall consider regional CFC removal centers, circuit riding CFC removal equipment and other appropriate procedures and equipment.

The Governor is requested to negotiate with other states for a cooperative regional agreement on early elimination of ozone depleting chemicals.

If specific funding is not provided for this act by June 30, 1991, by the Legislature, this act shall be null and void.

EFFECT OF PROPOSED SUBSTITUTE:

After January 1, 1993, only Underwriters Laboratories certified equipment or those meeting the standards of the Society of Automotive Engineers can be used for servicing motor vehicle air conditioners.

The deadline for acquisition by motor vehicle repair facilities of the certified equipment is January 1, 1993.

EFFECT OF PROPOSED SECOND SUBSTITUTE:

Service performed on motor vehicle air conditioners, commercial or industrial air conditioning, heating or refrigeration system, or consumer appliances shall be performed with a refrigerant collection system to capture gases which would otherwise be released into the atmosphere. Such equipment shall be in use by January 1, 1993. By September 1, 1992, the department shall begin to advise small businesses of the location of chlorofluorocarbon reclamation facilities.

Appropriation: none

Revenue: none

Fiscal Note: available

TESTIMONY FOR (Environment & Natural Resources):

The threat of global warming has been of worldwide concern and it is time for the Legislature to address the issue.

TESTIMONY AGAINST (Environment & Natural Resources): None

TESTIFIED (Environment & Natural Resources): Senator Conner (for);
Larry Stevens, Washington Automotive Association

TESTIMONY FOR (Ways & Means):

The threat of global warming has been of worldwide concern and it is time for the Legislature to address the issue.

TESTIMONY AGAINST (Ways & Means):

The bill should be amended to allow small business to use collection bags to recover the gases. The gases could then be shipped to reclamation centers for reuse.

TESTIFIED (Ways & Means): Senator Conner, prime sponsor; Gary Smith, Independent Business Association