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**SUBSTITUTE SENATE BILL 5032**

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**State of Washington                      52nd Legislature                      1991 Regular Session**

**By** Senate Committee on Environment & Natural Resources (originally sponsored by Senator Conner).

Read first time February 7, 1991. Referred to Committee on Environment & Natural Resources.

1            AN ACT Relating to protecting the stratospheric ozone layer by  
2 eliminating unnecessary emissions of ozone-depleting chemicals; adding  
3 new sections to chapter 70.94 RCW; and creating new sections.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5            NEW SECTION.    **Sec. 1.**            The legislature finds that it is the  
6 policy of the state to reduce or eliminate as quickly as possible the  
7 release of chlorofluorocarbons and other ozone-depleting chemicals  
8 contributing to the destruction of stratospheric ozone.

9            NEW SECTION.    **Sec. 2.**    A new section is added to chapter 70.94 RCW  
10 to read as follows:

11            (1) After January 1, 1993, no person may perform service on motor  
12 vehicle air conditioners unless that person uses equipment that is  
13 certified by the Underwriters Laboratories, Inc., or an institution  
14 determined by the department to be comparable in meeting the Society of

1 Automotive Engineers' standards, for the extraction and reclamation of  
2 refrigerant from motor vehicle air conditioners.

3 (2) The department shall establish a phased schedule for the  
4 acquisition of certified equipment by motor vehicle repair facilities  
5 with early acquisition by high volume establishments and later  
6 acquisition by lower volume establishments. Equipment shall be  
7 acquired and in use by January 1, 1993. Repair facilities shall  
8 document the number of motor vehicles repaired and chlorofluorocarbons  
9 purchased.

10 (3) After October 1, 1991, no person may sell any  
11 chlorofluorocarbon coolant in containers smaller than fifteen pounds  
12 unless the container bears a warning label indicating the product's  
13 danger to ozone in the stratosphere.

14 (4) After January 1, 1992, no person may sell or offer for sale:

15 (a) Chlorofluorocarbon coolant, suitable for use in motor vehicle  
16 air conditioners, for noncommercial or nonindustrial use; or

17 (b) Chlorofluorocarbon coolant, suitable for use in motor vehicle  
18 air conditioners, in containers smaller than fifteen pounds.

19 (5) No motor vehicle with a model year designation of 1997 or  
20 thereafter may be registered in the state or sold to a consumer or  
21 dealer in the state if the vehicle is equipped with an air conditioning  
22 unit using chlorofluorocarbons. This prohibition may be delayed by not  
23 more than one model year upon a determination by the department of  
24 ecology that chemical or technological alternatives to  
25 chlorofluorocarbon-based products are not yet available, or that  
26 manufacturers of new motor vehicles require additional time to redesign  
27 air conditioning units.

28 (6) After January 1, 1992, no person may sell or offer to sell fire  
29 extinguishers containing halons or other ozone-depleting substances for

1 noncommercial or nonindustrial use. Sales to fire departments, for  
2 their own use, is not prohibited.

3 (7) After January 1, 1992, no person may sell or offer to sell:

4 (a) Chlorofluorocarbon cleaning sprays for noncommercial or  
5 nonindustrial usage in cleaning electronic and photographic equipment;

6 (b) Chlorofluorocarbon-propelled plastic party streamers; or

7 (c) Chlorofluorocarbon noise horns.

8 (8) The department shall adopt rules by March 1, 1992, to require  
9 the use of equipment that meets standards established by the  
10 Underwriters Laboratory, Inc., or a comparable institution, for  
11 recovery and recycling of chlorofluorocarbon coolant during the  
12 servicing of building air conditioning or large refrigeration units, if  
13 that equipment is portable and suitable for those purposes.

14 NEW SECTION. **Sec. 3.** By January 15, 1992, the department  
15 shall report to the appropriate legislative committees on:

16 (1) An analysis of the uses within the state of ozone-depleting  
17 chemicals;

18 (2) The advantages and disadvantages of alternatives to those  
19 chemicals, both in terms of impacts on the ozone and in terms of other  
20 health and environmental impacts;

21 (3) Opportunities for recovery and recycling of these chemicals;

22 (4) Any rules proposed under section 2(8) of this act; and

23 (5) Any appropriate recommendations for action by the state.

24 NEW SECTION. **Sec. 4.** The department, by January 15, 1992,  
25 shall report to the appropriate legislative committees with  
26 recommendations for the systematic retrieval, storage, and appropriate  
27 reuse of chlorofluorocarbons that face immediate disposal from  
28 refrigerators, air conditioners, and motor vehicles. This report shall

1 consider, but shall not be limited to considering, regional  
2 chlorofluorocarbon removal centers, circuit riding chlorofluorocarbon  
3 removal equipment, or other appropriate procedures or equipment.

4 NEW SECTION. **Sec. 5.** The governor is requested to negotiate  
5 with other interested states to attempt to develop cooperative regional  
6 agreements to work toward the early elimination of ozone-depleting  
7 chemicals.

8 NEW SECTION. **Sec. 6.** A new section is added to chapter 70.94 RCW  
9 to read as follows:

10 The department shall work with retailers, automotive business  
11 groups, and other pertinent groups to publicize the provisions in  
12 section 2 of this act.

13 NEW SECTION. **Sec. 7.** If specific funding for the purposes of  
14 this act, referencing this act by bill number, is not provided by June  
15 30, 1991, in the omnibus appropriations act, this act shall be null and  
16 void.