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**EPA Delays SNAP Rule Regarding Transition to HFCs**

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The U.S. Environmental Protection Agency (EPA) recently issued [guidance](https://www.epa.gov/sites/production/files/2018-04/documents/snap-guidance-notice_as-signed-4-13-18-with-disclaimer.pdf) stating that it plans to abide by the recent court decision that ruled EPA is not authorized to ban HFC refrigerants under the Clean Air Act. EPA stated the guidance was necessary to “dispel confusion and provide regulatory certainty for stakeholders affected by the Significant New Alternatives Policy (SNAP) program final rule issued on July 20, 2015, which changed the listings for certain HFCs.”

The court vacated the 2015 Rule “to the extent it requires manufacturers to replace HFCs with a substitute substance” and remanded the rule to EPA for further proceedings. This means that in the near-term, EPA will not apply the HFC listings in the 2015 Rule pending a rulemaking process, which will begin with a stakeholder meeting in May.

Celebrating the news was the National Automatic Merchandising Association (NAMA), which had been petitioning for this delay. EPA’s guidance suspends the January 1, 2019 transition date that requires a phaseout of HFCs, which are currently used in nearly all vending machines. NAMA says this is a big win for the entire convenience services industry.

“This week’s action delivers the positive result NAMA was working toward, a result that benefits manufacturers and operators alike -- providing valuable, additional time to work through challenges related to a transition away from HFCs,” said Eric Dell, senior vice president, NAMA. “Moving ahead, the industry will continue to work together with the EPA on this issue and remains committed to a transition away from HFCs. In fact, NAMA is undertaking research to determine optimal next steps and address concerns related to alternative refrigerants.”

The main reason why EPA is delaying the transition away from HFCs is that after the court vacated the 2015 Rule, the organization received a significant number of inquiries from equipment manufacturers, refrigerant producers, and various other users, asking about compliance. According to EPA, “Those entities that have historically been regulated under the SNAP program are uncertain about what the court’s decision means and which actions remain subject to regulation and which do not; the agency cannot remain silent on the implications of the court’s vacatur until such time as the agency can complete a notice-and-comment rulemaking because of the considerable confusion and need for certainty that currently exist.”

EPA said that it plans to work with stakeholders to continue to gather and exchange information that can assist the Agency as it begins to develop a proposed rule to address the court’s remand of the 2015 Rule. EPA’s stakeholder meeting will be held on Friday, May 4, 2018, in Washington, D.C., from 9:30 a.m. to 12:30 p.m. Additional information concerning this stakeholder meeting will be available on the EPA website: www.epa.gov/snap.