Congress of the United States
Washington, DC 20515

October 5, 2016

Ms. Sarah W. Dunham
Director
Office of Atmospheric Programs
Environmental Protection Agency
William Jefferson Clinton Federal Building
1200 Pennsylvania Avenue NW
Washington, DC 20460

Dear Ms. Dunham:

We are writing to express our concern with the Environmental Protection Agency's recent final ruling that mandates all residential refrigeration manufacturers must convert hydrofluorocarbon (HFC) refrigerants to hydrocarbon (HC) refrigerants by January of 2021. This will have a very damaging impact on small businesses that build customized built-in refrigerators, freezers and built-in refrigeration products, such as wine storage units. Specifically, we are concerned that the deadline will be harmful to Sub-Zero, Inc., which manufactures these products in Wisconsin and Arizona. We request that the Department work with the appliance industry and niche companies such as Sub-Zero to ensure a reasonable transition that takes into account the difficulty of re-engineering products to meet this deadline.

Sub-Zero is family-owned company which over the years has worked hard to successfully develop a niche market for built-in refrigeration units, as well as Wolf high-performance cooking products. It is a small business compared to the major U.S. and international mass market refrigerator manufacturers. Sub-Zero's cost in meeting government requirements for refrigerant substitutions is significantly higher on a per unit basis than the cost of its mass market competitors. Moreover, the engineering and redesign challenges associated with shifting from HFC to HC refrigerants are significantly more burdensome for small, niche market producers of built-in refrigeration units than stand-alone mass market refrigerators and freezers.

Sub-Zero and other U.S. manufacturers distribute and sell products employing HC refrigerant in various markets around the world, including the European Union (EU). The EU currently has a 150g HC limit while the United States currently has a 57g limit. However, all of Sub-Zero's large capacity freezers require over 100g of refrigerant for proper performance. Variants in the regulatory requirements of these two major markets present a costly and time-consuming challenge for small company manufacturers like Sub-Zero.

UL, the global independent safety science company, which is entrusted by regulators to test and certify the safety of electric appliances, is just now going through the process of assessing and determining the refrigerant charge size limit for HC appliances. It is expected that UL will need until 2019 to make a final determination for the safety limit. If UL decides that 57g must continue to be the charge size limit, Sub-Zero and other manufacturers will be required to undertake a major and complicated redesign of the refrigeration system for its large capacity freezers. Because this process for redesigning products – which includes lab testing, certification and field tests for performance and reliability – cannot commence until the UL final

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determination in 2019, market ready redesigns will not be completed until well after EPA's 2021 deadline.

The 2021 implementation deadline will likely prevent Sub-Zero and other manufactures of built-in refrigeration units from selling several product categories in the United States for a significant period of time until they are able to manufacture and market products that comply with the HC requirement. Suspension of sales will result in loss of market share for these niche products and could impact the company's jobs in Arizona and Wisconsin.

Finally, the financial cost of compliance to a small company like Sub-Zero is essentially the same as the cost of compliance for a large, publicly held manufacturer. However, the financial burden on small companies is significantly greater since small companies have less volume to amortize the cost and fewer resources to devote to compliance. Working with manufacturers of larger models that employ higher charged systems for performance, will allow smaller companies like Sub-Zero to spread the cost of compliance over a longer period of time and thereby reduce the fiscal pressure on the companies.

For these reasons, we strongly urge the Agency to work cooperatively with the appliance industry, and smaller manufacturers specifically to ensure that equity is provided throughout the entire residential refrigeration market. We appreciate your thoughtful consideration of this issue. As always, we ask that this matter is handled in strict accordance with all agency rules, regulations, and ethical guidelines. If you have any questions or concerns, please don't hesitate to contact our office.

Sincerely,

Paul A. Gosar, D.D.S
Member of Congress

David Schweikert
Member of Congress

Martha McSally
Member of Congress

Kyrsten Sinema
Member of Congress

Trent Franks
Member of Congress