

California Requirements for the Sale of Small Cans of R-134a

As of January 1, 2011, California law, requires only certified CA SKU's to be sold in the state. Guidelines for manufacturers or marketer of "small containers" of refrigerant must be certified by CARB in order to sell product in the State of California. Automotive refrigerant in a Small Container means R-134a automotive refrigerant packaged in a container holding more than 2 ounces and less than 2 pounds. This certification requires containers with self-sealing valves, consumer usage instructions and a can deposit & recycling program.

Subject to this regulation no person shall dispose of or destroy any small container of R-134a automotive refrigerant unless the disposal is performed in accordance with these regulation.

All used small containers of R-134a automotive refrigerant that contain any quantity of refrigerant must be returned to the retailer, wholesaler or the manufacturer.

1. Retailer Requirements

- A. Retailers must collect a \$10 deposit per can at the time of sale.
- B. The deposit must be refunded when the consumer:
 - a. Returns the used can where it was purchased within 90 days of purchase.
 - b. Submit proof of purchase
 - c. The can must not have been breached. (Breached Container means any small container that has been structurally compromised so that the container's contents have been released to the environment through an opening other than the self-sealing valve. C. Retailers may return the deposit at their discretion if:
 - a. The consumer returns the can to a location other than the place of purchase.
 - b. It has been more than 90 days.
 - c. Then consumer does not have their receipt.
 - d. If the container has been breached.
- D. CARB requires that any unclaimed deposit funds be spent on education materials to inform consumers of proper A/C recharging techniques and measures to reduce greenhouse gas emissions associated with DIY recharging.
- E. Any retailer that sells small containers of R-134a must collect deposits and refund them to the customer.
- F. Returned deposit cans are sorted separately from "defectives" then returned to the DC. The DE will return to the manufacture for recycling. They must be returned using DOT's "ORM-D" standards.
- G. Any retailer who sells small containers of automotive refrigerant must display and make available the DIY educational brochures to the consumer. They must also display a placard next to the display of small containers of automotive refrigerant. This placard must be 8 ½" by 11" and

describe environmental hazards associated with the release of HFC-134a, references for proper recharge techniques, and a description of the deposit and recycle program. This placard must be in both English and Spanish and must be approved by CARB.

- H. Retailers shall store returned containers in collection bins, totes or boxes identified or provided by the manufacturer of the “small can” product.

2. Reporting Requirements for Retailers.

- A. Reports to the Executive Officer are due March 1, of every year. Each annual report documents monthly data for small containers of automotive refrigerant sold and returned during the prior calendar year. This will be done by the manufactures.
- B. Upon request form CARB, each retailer must report sales data of the number of small containers of automotive refrigerant sold and the number of used containers returned by consumers. The sales data and returned can data must be reported for each SKU, for each manufacturer, distributor, for each month and as totals for each reporting period. The data must be reported separately for the following categories: returned unused, returned for recycle and returned breached.

3. Enforcement

- A. If any retailers or wholesale distributors are in violation of these regulations, CARB may prevent further sales or advertising of these products and may access a fine.