



Delaware - SNAP REGULATORY UPDATE –March 2021

In March, Delaware adopted the defunct Federal SNAP regulations as Delaware State law. Effective beginning September 1, 2021, this law changes the status listing of certain refrigerants used in specific applications. Delaware did this as part of the 2019 Governor's Directive on Delaware to Eliminate HFCs to Confront Climate Change and in response to the US DC Circuit Court revoking the Federal EPA SNAP delisting Rules 20 &21 as they pertained to HFCs. The result is that various HFCs and HFC blends that were previously considered Acceptable substitutes for CFCs and HCFCs in Delaware have been changed to Unacceptable in specific end-uses in the refrigeration and air conditioning sectors.

This rule does not prohibit the manufacture of the refrigerants, only certain uses in specific applications. This rule also does not prohibit the continued repair or servicing of equipment using a restricted refrigerant if the equipment was installed and operating with a restricted refrigerant prior to specific effective date.*

Specific end uses in the Refrigeration and Air Conditioning sector impacted are:

RETAIL FOOD REFRIGERATION

(New & Retrofit)

- Supermarket systems
- Remote condensing units
- Stand-alone equipment

COLD STORAGE WHSES

(New Only)

COMFORT COOLING CHILLERS

(New Only)

- Centrifugal
- Positive displacement

Below is a partial list of refrigerants used in **RETAIL FOOD REFRIGERATION** that have been affected by the status changes and the corresponding effective date:

	SUPERMARKET		REMOTE COND. UNIT		STAND -ALONE		
	NEW*	RETROFIT	NEW*	RETROFIT	MT > 32° F NEW*	LT < 32° F NEW*	LT & MT RETROFIT
R-404A & R-507	Prohibited Sept 1, 2021	Prohibited Sept 1, 2021	Prohibited Sept 1, 2021	Prohibited Sept 1, 2021	Prohibited Sept 1, 2021	Prohibited Sept 1, 2021	Prohibited Sept 1, 2021
R-407A/C/F	Okay to use	Okay to use	Okay to use	Okay to use	Prohibited Sept 1, 2021	Prohibited Sept 1, 2021	Okay to use
R-134A	Okay to use	Okay to use	Okay to use	Okay to use	Prohibited Sept 1, 2021	Okay to use	Okay to use



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Below is a chart of refrigerants used in **COLD STORAGE WAREHOUSES** that have been affected by the status changes and the corresponding effective date:

	COLD STORAGE WAREHOUSE	
	NEW*	RETROFIT
R-404A/R-507/R-407A	Prohibited Jan. 1, 2023	No restrictions

Below is a chart of refrigerants used in **COMFORT COOLING CHILLERS** that have been affected by the status changes and the corresponding effective date:

	CENTRIFUGAL & POSITIVE DISPLACEMENT	
	NEW*	RETROFIT
R-134a/R-404a/ R-407C/R-410A/R-507	Prohibited Jan. 1, 2024	No restrictions

***NOTE:** It is important to understand what Delaware considers to be a “New” system because during the normal repair of an existing system, adding or replacing multiple components over a 3-year period may trigger their definition of a “New” system and would consequently be prohibited.

***New:** products or equipment

- (a) That are manufactured after the applicable effective date;
- (b) First installed for an intended purpose with new or used components after the effective date;
- (c) Expanded by the addition of components to increase system capacity after the effective; or
- (d) Replaced or cumulatively replaced components after the applicable effective date such that the cumulative capital cost of replacement exceeds 50 % of the capital cost of replacing the whole system.

Capital cost: an expense incurred in the production of goods or in rendering services, including but not limited to the cost of engineering, purchase, and installation of components or systems, and instrumentation, and contractor and construction fees.

Component: A part of a refrigeration system, including but not limited to condensing units, compressors, condensers, evaporators, and receivers; and all of its connections and subassemblies, without which the refrigeration system will not properly function or will be subject to failures.

Cumulatively replaced: means the addition of or change in multiple components within a 3-year period.

For more information:

<https://regulations.delaware.gov/register/march2021/final/24%20DE%20Reg%20876%2003-01-21.htm>