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2023-2024 ASHRAE President

October 31, 2023

The Honorable Phil Murphy

Governor of New Jersey

Office of the Governor

The State House  
PO BOX 001  
Trenton, NJ 08625

Letter sent via email to:  
Constituent.relations@nj.gov

Re: NJ A 5165 “Relates to which refrigerants are permissible for use within current State Uniform Construction Code and local codes”

Dear Governor Murphy,

I am writing on behalf of ASHRAE, the American Society of Heating Refrigerating, and Air Conditioning Engineers, to **support New Jersey Assembly Bill 5165**, titled “Relates to which refrigerants are permissible for use within current State Uniform Construction Code and local codes” that has been passed by both the NJ Assembly and Senate and will soon sit on your desk for signature. ASHRAE, founded in 1894, is a global professional society of more than 53,000 members, including 868 in New Jersey, that focuses on building systems, energy efficiency, indoor air quality, refrigeration, and sustainability. Through our research, standards writing, publishing, certification, and continuing education, ASHRAE shapes tomorrow’s built environment today.

Current federal law provides that, to the extent practicable, certain ozone-depleting substances must be replaced by chemicals, product substitutes, or alternative manufacturing processes that reduce risks to human health and the environment. The U.S. Environmental Protection Agency is required to promulgate administrative rules identifying acceptable alternatives to these ozone-depleting substances. A 5165 provides that no state agency and no local governmental unit may prohibit or limit the use of a refrigerant that the EPA has designated as acceptable for use.

This legislation will therefore allow manufacturers to adhere to the most recent editions of ASHRAE standards concerning the classification and safe use of refrigerants in heating, air-conditioning, and refrigeration equipment. ASHRAE Standard 15-2022, *Safety Standard for Refrigeration Systems*, specifies the safe design, construction, installation, and operation of refrigeration systems. It applies to mechanical and absorption refrigeration systems; to modifications including replacement of parts or components; and to substitutions of refrigerant with a different number designation. Standard 15-2022 is used in conjunction with ANSI/ASHRAE Standard 34-2022, *Designation and Safety Classification of Refrigerants*, which specifies refrigerant properties and a refrigerant classification system. It assigns safety classifications and refrigerant concentration limits based on toxicity and flammability data. **In short: this bill will both: ensure that the state code aligns with these widely used safety standards, and also provide a clear regulatory framework for NJ businesses and residents.**

We appreciate your consideration of ASHRAE’s comments regarding NJ A 5165. We strongly believe that this legislation will enable a smooth transition in refrigerant use and create a clear regulatory environment for businesses in New Jersey. If you have any questions or need additional information, please feel free to contact [GovAffairs@ashrae.org](mailto:GovAffairs@ashrae.org). Thank you for your work to improve the built environment and improve the lives of New Jersey’s residents.

Sincerely,

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Ginger Scoggins

ASHRAE President