



May 8, 2020

Ms. Lisa Vest, Hearing Officer
Department of Natural Resources and Environmental Control
89 Kings Highway
Dover, DE, 19901

Re: Proposed Regulation 7 DE Admin. Code 1151 Prohibitions on Use of Certain Hydrofluorocarbons in Specific End-Uses

Dear Department of Natural Resources and Environmental Control:

Thank you for the opportunity to once again provide written comments on the Proposed Regulation 7 DE Admin. Code 1151 Prohibitions on Use of Certain Hydrofluorocarbons in Specific End-Uses. Illinois Tools Works Inc. (ITW) is a U.S. manufacturer of value-added commercial and industrial-use products, components, and systems. ITW is a Fortune 200 company operating a diverse global portfolio of 84 manufacturing divisions, including commercial foodservice refrigeration equipment and emergency roadside tire inflator products, among others.

For the purposes of the proposed regulation, the ITW Food Equipment Group, LLC (ITW FEG) is among the world's largest manufacturers of commercial foodservice refrigeration equipment brands manufactured in the US. ITW FEG has introduced environmentally sustainable marketplace options to promote responsible resource usage, energy savings and overall good stewardship practices, while meeting the needs of the diverse North American commercial kitchen appliance market.

ITW supports the aims of the US Environmental Protection Agency's (EPA) 2015 Significant New Alternatives Policy (SNAP) regulation (Rule 20) that formerly prohibited higher global warming potential substances, such as hydrofluorocarbons (HFCs) from many end-use products, including as refrigerant and foam-blowing agents in commercial foodservice refrigeration equipment. In fact, ITW FEG has re-engineered our impacted products across 500 base models, taking a market leadership position to complete this comprehensive transition ahead of the schedule imposed by Rule 20. Therefore, from our perspective, we support the proposed rule as an effort to continue supporting manufacturers and the marketplace in reducing the use of HFCs, while the proposed rule also seeks to avoid producing unintended consequences for manufacturers.

Section 3.0 - Definitions

Generally, the definitions applicable to ITW's commercial foodservice equipment include "Retail" or "Commercial Refrigeration Equipment," "Remote Condensing Units," and "'Stand-alone' Low- and Medium-temperature" units. These categories and descriptions align with SNAP Rule 20 and are consistent with the end-use settings of our products.

Section 4.0 – Standards Requirements

ITW appreciates Delaware’s desire for consumer transparency and awareness regarding products entering and used in the state. To that end, we support the disclosure requirements for the use of HFCs in refrigerant and foam blown into commercial foodservice equipment.

However, we would suggest that the Department consider amending Section 4.2.1.3 to allow for manufacturers to comply with disclosure through a printed statement in a product’s owner’s manual as well as other provided methods. It is unclear whether the proposed regulation affords that option, but we believe doing so would align not only with the Department’s intent, but with similar language adopted in other states. Doing so will better allow manufacturers’ products made and sold for use in any state to be more freely sold while remaining uniformly compliant with all state disclosure requirements.

Section 6.0 – List of Prohibited Substances

ITW supports the effective dates of January 1, 2021, as outlined for commercial stand-alone and remote condensing unit refrigeration equipment for both refrigerant and foam usage.

In conclusion, we appreciate the Department allowing written comments as you consider the proposed regulation to curb the use of HFCs. Again, as we support the continued deployment of sustainable products to meet consumer needs, we encourage your efforts to continue to engage the broader stakeholder community during the regulatory process. We look forward to continuing to work with you.

Respectfully submitted,



Kevin Washington
Government Affairs