

FACT SHEET

Fire Suppressant Recycling Under the HFC Allocation Program: Questions and Answers

Overview of Reporting and Recordkeeping Requirements

The American Innovation and Manufacturing (AIM) Act directs EPA to phase down hydrofluorocarbon (HFC) production and consumption by 85% by 2036. The HFC Allocation Framework Rule (86 FR 55116; October 5, 2021) established an HFC allowance allocation and trading system to phase down HFCs consistent with the schedule laid out in the AIM Act and established reporting and recordkeeping requirements, including for HFC fire suppressant recyclers. The reporting and recordkeeping requirements include:

- (1) **Quarterly Reporting.** Within 45 days after the end of each quarter, each recycler of an HFC fire suppressant must submit a report on the quantity of each HFC sent to them, including contaminants sent to them for recycling, the total mass of each HFC recycled, and the total mass of waste products. The due date for each quarterly report is provided in the table below.

Reporting Period	Report Covers Activity Occuring During these Dates	Report Due Date
Quarter 1	January 1 – March 31	May 15
Quarter 2	April 1 – June 30	August 14
Quarter 3	July 1 – September 30	November 14
Quarter 4	October 1 – December 31	February 14

- (2) **Annual Reporting.** By February 14th of each year, in the 4th quarter report, each recycler of an HFC used as a fire suppressant must submit a report on the quantity of each HFC held in inventory onsite as of December 31st of the previous year, broken out by whether the HFC is recovered, recycled, or virgin (newly produced).
- (3) **Recordkeeping.** Recyclers must maintain records of the names and addresses of persons sending them material for recycling and the quantity of the material (the combined mass of HFC(s) and contaminants) by HFC sent to them for recycling. Records of each transaction must be maintained for five years.

While the 2021 HFC Allocation Framework rule included quick response (QR) code container tracking and refillable cylinder regulations, the U.S. Appeals Court for the District of Columbia Circuit found that the EPA had not cited adequate authority for the QR code container tracking and refillable cylinder regulations in the 2021 HFC Allocation Framework Rule and thus vacated and remanded certain provisions of the rule to the agency. EPA has since removed those requirements at 40 CFR 84.5(h), 40 CFR 84.23, and related auditing provisions for container tracking in 40 CFR 84.33 from the Code of Federal Regulations.

Determining Whether You Are a Fire Suppressant Recycler

Who qualifies as an HFC fire suppressant recycler?

Generally, an entity that collects used HFC fire suppressants and directly resells those collected and aggregated HFCs—with or without any additional reprocessing—to another entity for reuse as a fire suppressant would qualify as a fire suppressant recycler (also referred to as a “recycler for fire suppression” in 40 CFR part 84, subpart A). An entity that collects and aggregates used HFC fire suppressants for distribution to another entity for reprocessing before being sold for reuse as a fire suppressant would not be a fire suppressant recycler. Similarly, an entity reselling HFC fire suppressants that have already been reprocessed for use as a fire suppressant by another entity would not be a fire suppressant recycler.

Questions and Answers: Determining whether an entity is a fire suppressant recycler

- **Question:** Is an entity a fire suppressant recycler if they collect and aggregate cylinders and send them offsite to a company that will reprocess and/or recycle the HFCs? **Answer:** No.
- **Question:** Is an entity a fire suppressant recycler if they collect and aggregate, and repackage collected and aggregated fire suppressant and/or cylinders of fire suppressant for eventual sale to another entity for use as a fire suppressant? **Answer:** Yes.
- **Question:** Is an entity a fire suppressant recycler if they remove cylinders from an existing fire suppression system, sample the fire suppressant in that cylinder for purity, extract the fire suppressant, and then fill someone else’s cylinder(s) with those recovered HFCs? **Answer:** Yes.
 - **Question:** What if the fire suppressant is being aggregated for sale to another entity that will reprocess and/or recycle the HFCs? **Answer:** No, this entity would not be considered a fire suppressant recycler.
- **Question:** Is an entity a fire suppressant recycler if they collect and aggregate cylinder(s) of fire suppressant collected and aggregated from one entity and then sell the HFCs to a different entity for that entity’s use as a fire suppressant? **Answer:** Yes.
- **Question:** Is an entity a fire suppressant recycler if they manage their own inventory for their own use, for example, collecting and aggregating fire suppressant from one facility and bringing it to another facility owned by the same entity for use? **Answer:** No.
- **Question:** Is an entity a fire suppressant recycler if they recover HFCs from fire extinguishers and resell that fire suppressant to another entity for use as fire suppressant and not reprocessing? **Answer:** Yes.

Should HFC Fire Suppressants Be Reported as Reclamation?

EPA recognizes that fire suppressants are not recycled to the same purity standard as refrigerants that are reclaimed but is requiring similar information. When reporting fire suppressant recycling to EPA:

- If an HFC is recycled or reprocessed to the reclamation specifications in appendix A to 40 CFR part 82, subpart F (based on AHRI Standard 700-2016), it should be reported as reclamation using the **HFC Reclamation Quarterly Report** form.
- If an HFC is used for fire suppression purposes and is recycled or reprocessed, but not to the reclamation specifications in appendix A to 40 CFR part 82, subpart F (based on AHRI Standard 700-2016), it should be reported using the **HFC Fire Suppressant Recycler Quarterly Report** form.

Both forms are available at:

<https://www.epa.gov/climate-hfcs-reduction/reporting-and-recordkeeping-resources#reporting-forms>.