

Summary of New York State Recordkeeping and Reporting Requirements for Distributors

[Link to final regulations](#)

Brief Summary:

The New York State Department of Environmental Conservation (DEC) has finalized rules to phase out the use of Hydrofluorocarbon (HFC) refrigerants and move to ultra-low GWP refrigerants in the future. The new regulations under Part 494 will dramatically impact HVACR products sold and installed in New York State. The final regulation impacts five main areas:

- Prohibitions on sales of bulk refrigerants (HFCs, HCFCs, and CFCs)
- Prohibitions on sales and installation of equipment using HFC refrigerants
- Labeling and disclosure requirements
- Recordkeeping and reporting requirements for manufacturers, producers, suppliers/distributors, and users of HFC refrigerants
- Leak repair requirements and an end-user refrigerant management program

Information to note:

- The rule goes into effect on January 9, 2025. The rule is set to go into effect 30 days after the regulation was filed with the New York State Register. The final regulation was filed on December 10, 2024, and published on December 24, 2024.
- Recordkeeping requirements begin on January 9, 2025, however, reporting is based on the entire calendar year.
- Wholesale distributors are classified as suppliers under this regulation.
- Refrigerant suppliers in or into New York State will be required to register with the state and provide annual reports on refrigerants sold and recovered for reclaim in the state.
- Data on refrigerant sold includes refrigerant contained in equipment.
- Manufacturers have separate recordkeeping and reporting requirements.

For additional information, contact Todd Titus (ttitus@hardinet.org) or Alex Ayers (aayers@hardinet.org).

Requirements for Suppliers of Regulated Substances, Suppliers of Regulated Substances

- Registration
 - Any supplier, including wholesale distributors, of refrigerant in bulk or contained in equipment must register by June 1, 2025, or within 30 days of starting business operations in New York.
 - Registration includes the following:
 - Business name, mailing address, including address, city, state, and zip code.
 - Name, title, phone number, and email address of an authorized representative.
 - Name and mailing address for each manufacturing, distribution, wholesale, destruction, or reclaim facility under the operational control of the person or business registered under this subdivision.
- Annual reporting
 - All suppliers must submit annual reports by March 31 of the following year. The first reporting year is 2025, and the first report is due on March 31, 2026.
 - Reporting must [include the following information](#):
 - Total quantity in mass of regulated substances supplied to New York State in the calendar year. For substances contained within pre-charged equipment or products, the quantities shall be estimated pursuant to 40 CFR section 98.433, which is incorporated by reference herein, per section 494-1.11 of this Part, where imported refers to units supplied to New York State. For systems, the quantities reported for each substance shall be based on the refrigerant charge capacity of the system. For reclaimed substances, the information provided should also include the percentage composition of virgin substances. The quantity reported shall include the following information:
 - Total statewide annual aggregated weight in pounds of each type of regulated substance purchased or received for subsequent resale or delivery in New York State for any purpose other than reclamation or destruction.
 - Total statewide annual aggregated weight in pounds of each type of regulated substance sold, supplied, or distributed to a facility in New York State.
 - Total quantity in mass of regulated substances collected in New York State that were reclaimed or destroyed in the calendar year, including the following:
 - Total statewide annual aggregated weight in pounds of each type of regulated substance collected in New York State that was reclaimed or supplied to another person for purposes of reclamation.

- Total statewide annual aggregated weight in pounds of each type of regulated substance collected in New York State that was destroyed or supplied to another person for purposes of destruction in the calendar year.
- Recordkeeping
 - Any suppliers and reclaimers that must register with the state also must maintain for five years and make available within 90 days upon request by the department a copy of the following information, where applicable.
 - Invoices of all regulated substances distributed or received in New York State through sale or transfer, indicating business names, business addresses, the date of sale or transfer, the quantity of each type of regulated substance sold or transferred, and the name and email address of an authorized representative for the supplier and recipient.
 - Records of equipment sales will need to include refrigerant quantities for reporting.
 - A list of all known suppliers, purchasers, or other recipients for the previous five years starting on the effective date, including business names, business addresses, and the name and email address of an authorized representative for each business.
 - These records start on January 9, 2025, no retroactive recordkeeping is required.
 - Facility information, including the mailing address and the name, title, and email address of an authorized representative for each manufacturing, distribution, wholesale, destruction, or reclaim facility under the operational control of the person or business that must register with the state.
 - Any other records used to determine or that can verify the quantities reported under the previous section.