Refrigerant Regulations/Air Enforcement: U.S. Environmental Protection Agency and East Brunswick, New Jersey HVAC Company Enter into Consent Agreement

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The United States Environmental Protection Agency ("EPA") and Gold Medal Service ("GMS") entered into an April 7th Consent Agreement and Final Order ("CAFO") addressing an alleged violation of the Clean Air Act regulations 40 C.F.R. Part 82, Subpart F (applicable to recycling and emissions reductions of ozone depleting substances). See Docket No. CAA-05-2025-0006.

The CAFO provides that GMS owns and operate a heating, air-conditioning, electrical, and plumbing service business in East Brunswick, New Jersey.

GMS is stated to be subject to requirements at 40 C.F.R. Part 82, Subpart F because its technicians perform maintenance, service, repair, or disposal of refrigerant-containing appliances.

EPA issued to GMS on April 10, 2023, a request for information under Section 114 of the Clean Air Act. GMS responded to EPA's information request on July 28, 2023.

The CAFO states that GMS failed to retain records of the company name, location of the appliance, date of recovery, and type of refrigerant recovered for each appliance. Therefore, the CAFO provides that failing to retain the referenced records constitutes a violation of the regulations for the Protection of Stratospheric Ozone, Recycling and Emissions Reduction, at 40 C.F.R. § 82.156(a)(3)(i).

In addition, it is alleged that GMS failed to retain records of the total quantity of refrigerant, by type, recovered from all disposed appliances in each calendar month.

GMS is stated to neither admit nor deny the allegations stated in Section E of the CAFO.

A civil penalty of $101,295.00 is assessed.

A copy of the CAFO can be downloaded here.