



Scott Stone
Glencoe Strategies LLC
904 Vernon Ave
Glencoe, IL 60022-1243

November 14, 2025

Dear Scott Stone,

The Department of Environmental Conservation (DEC) has reviewed the revised variance application materials that you submitted on October 6, 2025 pursuant to Section 494-1.8(a) of Title 6 of New York Codes, Rules and Regulations. These materials were submitted by you on behalf of the Applicants, Daikin Comfort Technologies North America, Inc., LG Electronics U.S.A., Inc., Mitsubishi Electric U.S., Inc., and Samsung HVAC America, LLC. This was a resubmission of the initial application received on August 18, 2025 and subsequent resubmission on September 24, 2025, to which DEC responded on August 27, 2025 and October 2, 2025, respectively, with a list of items that would be required in a complete application. The application submitted on October 6, 2025 was reviewed and issued for public comment through November 8, 2025. Staff have completed their review of the application and comments, pursuant to Section 494-1.8(d).

DEC finds that this application met the criteria for an Impossibility Variance such that a compliant substance is not currently or potentially available, a variance will not increase the overall risk to human health or the environment, and that the Applicants used best efforts to anticipate and address the impossibility. Specifically, the Applicants outline a Compliance Plan and Mitigation Plan that address each of these criteria.

DEC is issuing the following variance. The prohibition on the installation of VRF systems using R-410A is suspended until January 1, 2027 for the VRF systems included by the Applicants in the application dated October 6, 2025, on the condition that the Compliance Plan and Mitigation Plan are implemented as presented in that application. This variance applies to the Applicant manufacturers and to any designers, owners or operators of the systems that were included in the variance application.

DEC reserves the right to confirm that the Compliance Plan and Mitigation Plan are implemented as required. This includes the right for DEC to request any records needed to confirm that each installation complies with the terms of this variance and for DEC to direct customers to the Applicants to confirm whether their systems are included in this variance. DEC may revoke or modify the variance should these conditions not be met or pursuant to the provisions of Part 494-1.8(e) and (f).

This variance does not cover VRF systems that were not identified in the October 6, 2025 variance application, any VRF system installed after January 1, 2027, or the installation of other types of systems.

If you have any questions, please contact Office of Climate Change at climate.regs@dec.ny.gov.

A handwritten signature in black ink, appearing to read "Suzanne Hagell". The signature is written in a cursive, flowing style.

Suzanne Hagell

Chief, GHG Mitigation Bureau, Office of Climate Change
New York State Department of Environmental Conservation