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SUBMITTED VIA WEBSITE: HTTP://RULES.CITYOFNEWYORK.US

New York Department of Buildings (DOB)/General Counsel's Office
280 Broadway, 7th Floor
New York, New York 10007

Mitsubishi Electric US
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RE: Comments on Proposed Rule – Rules relating to Safety Standards for Refrigeration

Mitsubishi Electric US, a global manufacturer of highest efficiency all-climate heat pumps and VRF systems, appreciates the opportunity to provide comments on the New York City Department of Buildings Notice of Public Hearing and Opportunity to Comment on Proposed Rule regarding refrigeration systems. Please consider our observations and suggestions as New York Department of Buildings and the New York City Fire Department finalize Chapter 7000 rules that ensure the safety of New Yorkers, while avoiding needless confusion and contradiction to recently updated and carefully worded national refrigerant safety standards.

Aligned with AHRI, we *strongly* recommend that DOB adopt the 2024 editions of ASHRAE 15, ASHRAE 15.2, and ASHRAE 34. The 2024 editions of ASHRAE 15 and ASHRAE 15.2 contain important updates that further align with model codes and provide enhanced consistency with ASHRAE 34. Contained within the standards is excruciating nuance of how the language may be interpreted fairly and well for best outcomes.

Specific items of concern:

1. 7015-02 Air circulation definition – Current proposed language infers that air circulation functionality to prevent pockets of high refrigerant concentrations is limited in scope to multiple ducted spaces. Since airflow to a single space is guaranteed to be at or above the air flow rate and velocity that would be achieved in a ducted application, proposed language needs to be modified to clarify that air circulation is an allowable method needed to fully mix the air within space regardless of whether the overall space is singular or connected by ductwork.
2. 7011-01 (c) (3) (i) – Requiring the horsepower of each compressor and the equivalent kilowatts is not a requirement of the safety certification standard UL 60335-1 or UL 60335-2-34 currently. Enforcing this requirement may result in zero compliant installations. It is also unclear how marking the hp or kw provides any level of safety to the building or its occupancies. Please reference UL requirements for nameplates and safety information only.
3. 7011-01 (c) (3) (ii) – Clarify that field marking of the installed charge on the outdoor unit is allowable. As mentioned in public hearing comments, split systems of all sizes typically have refrigerant charge added to accommodate specifics of line set lengths and therefore a total installed charge is unknowable at time of factory manufacture or labeling. As written, the requirement would appear directed at the manufacturer to provide a maximum refrigerant charge based on our allowed installations. This requirement would not align with UL 60335-2-40 which currently requires marking of the installed charge from the factory and space for the installer to mark the total installed charge of the system after installation.

4. 7011-01 (d) (2) – Please clarify language to better align with ASHRAE 15 clause 7.6.2.3. ASHRAE 15 only requires an integral refrigerant detection system when the charge size is above 4 lbs., for ducted systems in clause 7.6.2.3. Second, all systems utilizing 7.6.1.1 (a) (circulation initiated by refrigerant detection) are required to comply with 7.6.2.4 making this a better reference than 7.6.2.3. All systems utilizing circulation airflow initiated by a refrigerant detection system, safety shut-off valves, or ventilation initiated by a refrigerant detection system are required to have an integral refrigerant detection system. This requirement exists in UL 60335-2-40 and includes ducted and non-ducted applications above m1= 6 * LFL which is based on the refrigerant used but is generally understood to be a charge size around 1.7kg or 3.748 lbs.
5. 7011-01 (f) (2) – The proposed language appears to be more stringent for non-ducted systems that are more likely to circulate air better than ducted systems as addressed above in item 1. The current proposed requirement as interpreted is burdensome without added safety benefit since all systems above m1 with circulation activated by a refrigerant detection system are required to have integral sensors. We believe that the proposed rule conveys a misunderstanding of the language used in ASHRAE 15 7.6.2.3 which makes no mention of non-ducted applications as such applications cannot utilize connected spaces via duct work. However, as written in 7.6.1.1 (a) such systems would have integral detection and meet the requirements of 7.6.2.4. Again, we ask for direct adoption and reference to ASHRAE 15 language.
6. 7011-01 (g) (3) (i) (A) – Please consider the fact that such machinery room controls may not be able to be connected to an HVAC system. If not possible, the only way to make a compliant room would be to such off the power to the HVAC system. Doing so may have unintended consequences of the mitigation actions associated with compressor pump down, circulation airflow, and ventilation being disabled. A better approach for your consideration would be to require circulation and ventilation within the machinery room to prevent a flammable cloud from developing. We recommend removing this requirement.
7. 7011-01 (h) (3) – This requirement will severely limit possible installations especially within retrofit applications where the building was not designed to accommodate a gas tight 2-hour fire rated enclosure. It is also not clear what the technical justification is for such a stringent requirement as continuous piping is not a leak source as defined by ASHRAE 15, UL 60335-2-40, and international safety standards.

Thank you to the staff of the DOB and NYCFD for tireless efforts to move code and safety criteria forward as we collectively adopt and adapt to new technologies for the better.

Sincerely,

Dana M Fischer
Sr. Director of Regulatory Strategy
Mitsubishi Electric US