# CARB ENFORCEMENT NOTICE

## Federal AIM Act Application-Specific HFC Allowances

## October 13, 2026

The purpose of this notice is to inform the public on the process by which the California Air Resources Board (CARB) conducts enforcement with regards to Health & Safety Code section 39735 as applied to mandatory allocation applications under the American Innovation and Manufacturing (AIM) Act.[1]

Through this notice, CARB informs regulated entities that CARB will not enforce the prohibitions of Health and Safety Code section 39735 against the management or use of hydrofluorocarbons (HFCs) within the exclusive use of the five AIM Act mandatory, application-specific allowances through the end of 2030 and any further extension granted by U.S. EPA:

1) Propellants in metered-dose inhalers;
2) Etching of semiconductor material or wafers and the cleaning of chemical vapor deposition (CVD) chambers within the semiconductor manufacturing sector;
3) Structural composite preformed polyurethane foam for marine and trailer use;
4) Mission-critical military end uses; and
5) Onboard aerospace fire suppression.

*Background*

In 2020, Congress passed the AIM Act, authorizing the U.S. Environmental Protection Agency (U.S. EPA) to adopt regulations to phase down the production and consumption of regulated substances, including HFCs. U.S. EPA is implementing the national HFC phasedown through their HFC Allowance Allocation and Reporting rules.[2]

California adopted Health and Safety Code section 39735 in 2022, which prohibits the sale of bulk HFCs with a global warming potential (GWP) greater than 2,200, 1,500, and 750 starting in 2025, 2030, and 2033, respectively. However, Health and Safety Code section 39735 exempts (1) certified reclaimed refrigerants, (2) HFCs used in metered dose inhalers approved by the U.S. Food and Drug Administration for medical purposes through December 27, 2030, and (3) HFCs exclusively used in very low temperature refrigeration or cooling designed to maintain temperatures below -58 degrees Fahrenheit (-50 degrees Celsius) through January 1, 2028.

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[1] 42 U.S.C. § 7675.

[2] U.S. EPA, HFC Allowance Allocation and Reporting: *https://www.epa.gov/hfcs/hfc-allowance-allocation-and-reporting*.

Under the AIM Act, an "allowance" is a limited authorization for the production or consumption of a regulated substance, including HFCs.[3] The AIM Act listed six applications for which U.S. EPA must make mandatory allocations of the full quantity of allowances necessary for the production or consumption of a regulated substance through 2025.[4] To carry out this statutory direction, U.S. EPA created a category of allowances called "application-specific allowances."[5] In 2025, U.S. EPA renewed five of the original six application-specific allowances for the period from January 1, 2026, through the end of 2030, which are identified above.[6]

Under the AIM Act, no State or political subdivision of a State may enforce a statute or administrative action restricting the management or use of a regulated substance within the exclusive use for which the above mandatory allocations have been provided. *See* 42 U.S.C. § 7675, subd. (k)(2).

**This notice does not alter, amend, or modify the laws in any way. It does not provide any options for alternative relief or safe harbor from potential violations. In the event of any conflicting interpretation, the statutes and regulations control. This notice does not impose any additional requirements, is not a regulation, and does not constitute legal advice.**

[3] 42 U.S.C. § 7675, subd. (b)(2).
[4] 42 U.S.C. § 7675, subd. (e)(4)(B)(iv).
[5] 86 Fed. Reg. 55,116, 55,148-49 (October 5, 2021) adopting 40 C.F.R. §§ 84.13, 84.15.
[6] 90 Fed. Reg. 41,676, 41,678 (August 26, 2025) amending 40 C.F.R. Part 84.