

FACT SHEET

Protection of Stratospheric Ozone: Updates Related to the Use of Ozone-Depleting Substances as Process Agents

What Is EPA Proposing in This Action?

This action proposes to establish specific recordkeeping and reporting requirements for uses of ozone-depleting substances (ODS) as process agents and to update related definitions.

Background on EPA's ODS Phaseout

The United States ratified the *Montreal Protocol on Substances that Deplete the Ozone Layer* (Montreal Protocol) on April 21, 1988. This international treaty protects and restores the ozone layer by phasing out the production and consumption of certain substances that deplete the ozone layer. The Clean Air Act Amendments of 1990 (CAA) added Title VI on Stratospheric Ozone Protection. Controls are in place under EPA's regulations at 40 CFR part 82 to implement the phaseout of these substances. Certain ODS used in specific applications are exempt from the phaseout rules and schedules. In line with decisions under the Montreal Protocol that allow for the continued use of ODS as process agents under specified situations, EPA annually requests, collects, and reviews information on these process agent uses, and reports a summary of this information to the Montreal Protocol's Ozone Secretariat on behalf of the United States.

About ODS Process Agents

An ODS process agent is the use of a controlled substance to form the environment for a chemical reaction to inhibit an unintended chemical reaction (e.g., use as a solvent, catalyst, or stabilizer) where the controlled substance is not consumed in the reaction, but is removed or recycled back into the process and where no more than trace quantities remain in the final product. A feedstock, in contrast, is entirely consumed during the reaction.

Who May Be Affected by This Proposed Rule?

This action would apply to companies that use controlled substances (i.e., ODS) as process agents. EPA is aware of six such companies.

What Are the Costs and Benefits of This Proposed Action?

The total estimated costs for all proposed requirements are approximately \$1.8 million in the first year and \$160,000 annually in subsequent years.

Codified recordkeeping and reporting requirements would:

- Provide clear and consistent notice each year of the information that EPA collects, aggregates, and reports on behalf of the United States to the United Nations Environment Programme's Ozone Secretariat;
- Effectively monitor these narrow uses in a more routine and consistent manner under the Clean Air Act; and
- Enhance understanding of emissions of substances harmful to the ozone layer.

What Are Key Provisions of the Proposed Rule?

EPA is proposing to:

- Codify annual reporting and recordkeeping requirements for companies that use ODS process agents, including where they source their ODS process agents; production amounts; and amounts reused, recycled, transformed, and destroyed;
- Establish emission reporting requirements similar to those for greenhouse gases under 40 CFR part 98, subpart L;
- Establish determinations concerning what information that would be reported under this rule would be considered confidential; and
- Codify a definition of “process agent” and revise definitions of “facility” and “plant” to better reflect current CAA Title VI and Montreal Protocol uses.

For more information on the rule, please visit: <https://www.epa.gov/ods-phaseout>.



Additional Resources

Contact EPA:

<https://www.epa.gov/ods-phaseout/forms/contact-us-about-phaseout-ozone-depleting-substances>