

## FACT SHEET

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

### What Is EPA Finalizing in This Action?

This action establishes specific recordkeeping and reporting requirements for uses of ozone-depleting substances (ODS) as process agents and 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 stratospheric 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. There are limited exceptions from the general requirements to phase out production and consumption of controlled ODS. 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.

### Who May Be Affected by This Final Rule?

This action applies 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 Final Action?

The total estimated costs for all requirements are approximately \$1.8 million in the first year and \$210,000 annually in subsequent years.

These codified recordkeeping and reporting requirements will:

#### About ODS Process Agents

An ODS process agent is a controlled substance used to form the environment for a chemical reaction or 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.

- Provide clear notice of the process agent information that EPA collects, aggregates, and reports each year on behalf of the United States as a party to the Montreal Protocol;
- 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 stratospheric ozone layer.

### What Are Key Provisions of the Final Rule?

In this final rule, EPA is:

- Codifying reporting and recordkeeping requirements for ODS process agents;
- Establishing a methodology to calculate emissions;
- Establishing determinations concerning the confidentiality status of reported information; and
- Defining “process agent,” revising definitions of “facility” and “plant” to better reflect current practice, and establishing definitions associated with the emission reporting requirements.

For more information on the rule, please visit: <https://www.epa.gov/ods-phaseout/use-ozone-depleting-substances-process-agents>.



### Additional Resources

Contact EPA:

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