
No.

In the U.S. Court of Appeals for the District of Columbia Circuit

IN RE PETER WILLIAMS,
Petitioner,

**ADDENDUM TO
PETITION FOR A WRIT OF MANDAMUS**

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Corporate Disclosure Statement

Pursuant to FED. R. APP. P. 26.1 and Circuit Rules 21(d) and 26.1, petitioner Peter Williams is a natural person, for whom no disclosure is required.

Dated: September 20, 2023

Respectfully submitted,

/s/ Lawrence J. Joseph

Lawrence J. Joseph, D.C. Bar #464777

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Counsel for Petitioner Peter Williams

Certificate as to Parties, Rulings, and Related Cases

Pursuant to Circuit Rules 21(d) and 28(a)(1), counsel for petitioner Peter Williams presents the following certificate as to parties and *amici curiae*, rulings, and related cases.

A. Parties and *Amici*

The parties and *amici curiae* are as follows:

1. Petitioner is Peter Williams, an applicant for hydrofluorocarbon allowances as a new market entrant under 40 C.F.R. § 84.15; he administratively petitioned respondent Environmental Protection Agency (“EPA”) to reconsider the denial of his application.
2. Respondents are EPA and its Administrator.
3. No person or entity has appeared as an *amicus curiae*.

B. Rulings under Review

This petition for a writ of mandamus seeks to compel action on Williams’ administrative petition for reconsideration dated April 20, 2022 (letter of J. Gordon Arbuckle), as supplemented on December 12, 2022 (letter of Lawrence J. Joseph), and the letter of RMS of Georgia dated December 29, 2022 (letter of Kenneth Ponder), with respect to EPA’s denial dated March 31, 2022, of Williams application as a new-market entrant under 40 C.F.R. § 84.15.

C. Related Cases

This action relates to *Williams v. Environmental Protection Agency*, No. 22-1314 (D.C. Cir.). There are no other related cases within the meaning of this Court's Local Rule 28(a)(1)(C).

Dated: September 20, 2023

Respectfully submitted,

/s/ Lawrence J. Joseph

Lawrence J. Joseph, D.C. Bar #464777

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Counsel for Appellants

5 U.S.C. § 555(b)

A person compelled to appear in person before an agency or representative thereof is entitled to be accompanied, represented, and advised by counsel or, if permitted by the agency, by other qualified representative. A party is entitled to appear in person or by or with counsel or other duly qualified representative in an agency proceeding. So far as the orderly conduct of public business permits, an interested person may appear before an agency or its responsible employees for the presentation, adjustment, or determination of an issue, request, or controversy in a proceeding, whether interlocutory, summary, or otherwise, or in connection with an agency function. With due regard for the convenience and necessity of the parties or their representatives and within a reasonable time, each agency shall proceed to conclude a matter presented to it. This subsection does not grant or deny a person who is not a lawyer the right to appear for or represent others before an agency or in an agency proceeding.

5 U.S.C. § 559

This subchapter, chapter 7, and sections 1305, 3105, 3344, 4301(2)(E), 5372, and 7521 of this title, and the provisions of section 5335(a)(B) of this title that relate to administrative law judges, do not limit or repeal additional requirements imposed by statute or otherwise recognized by law. Except as otherwise required by law, requirements or privileges relating to evidence or procedure apply equally to agencies and persons. Each agency is granted the authority necessary to comply with the requirements of this subchapter through the issuance of rules or otherwise. Subsequent statute may not be held to supersede or modify this subchapter, chapter 7, sections 1305, 3105, 3344, 4301(2)(E), 5372, or 7521 of this title, or the provisions of section 5335(a)(B) of this title that relate to administrative law judges, except to the extent that it does so expressly.

5 U.S.C. § 705

When an agency finds that justice so requires, it may postpone the effective date of action taken by it, pending judicial review. On such conditions as may be required and to the extent necessary to prevent irreparable injury, the reviewing court, including the court to which a case may be taken on appeal from or on application for certiorari or

other writ to a reviewing court, may issue all necessary and appropriate process to postpone the effective date of an agency action or to preserve status or rights pending conclusion of the review proceedings.

5 U.S.C. § 706

To the extent necessary to decision and when presented, the reviewing court shall decide all relevant questions of law, interpret constitutional and statutory provisions, and determine the meaning or applicability of the terms of an agency action. The reviewing court shall—

(1)compel agency action unlawfully withheld or unreasonably delayed;
and

(2)hold unlawful and set aside agency action, findings, and conclusions found to be—

(A)arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law;

(B)contrary to constitutional right, power, privilege, or immunity;

(C)in excess of statutory jurisdiction, authority, or limitations, or short of statutory right;

(D)without observance of procedure required by law;

(E)unsupported by substantial evidence in a case subject to sections 556 and 557 of this title or otherwise reviewed on the record of an agency hearing provided by statute; or

(F)unwarranted by the facts to the extent that the facts are subject to trial de novo by the reviewing court.

In making the foregoing determinations, the court shall review the whole record or those parts of it cited by a party, and due account shall be taken of the rule of prejudicial error.

28 U.S.C. § 1651(a)

28 U.S.C. § 2201(a)

In a case of actual controversy within its jurisdiction, except with respect to Federal taxes other than actions brought under section 7428 of the Internal Revenue Code of 1986, a proceeding under section 505 or 1146 of title 11, or in any civil action involving an antidumping or countervailing duty proceeding regarding a class or kind of merchandise of a free trade area country (as defined in section 516A(f)(9) of the Tariff Act of 1930), as determined by the administering authority, any court of the United States, upon the filing of an appropriate pleading, may declare the rights and other legal relations of any interested party seeking such declaration, whether or not further relief is or could be sought. Any such declaration shall have the force and effect of a final judgment or decree and shall be reviewable as such.

28 U.S.C. § 2202

Further necessary or proper relief based on a declaratory judgment or decree may be granted, after reasonable notice and hearing, against any adverse party whose rights have been determined by such judgment.

42 U.S.C. § 7675(k)(1)(C)

Sections 113, 114, 304, and 307 of the Clean Air Act (42 U.S.C. 7413, 7414, 7604, 7607) shall apply to this section and any rule, rulemaking, or regulation promulgated by the Administrator pursuant to this section as though this section were expressly included in title VI of that Act (42 U.S.C. 7671 et seq.).

42 U.S.C. § 7607(b)

(b)Judicial review

(1)A petition for review of action of the Administrator in promulgating any national primary or secondary ambient air quality standard, any emission standard or requirement under section 7412 of this title, any standard of performance or requirement under section 7411 of this title,,³ any standard under section 7521 of this title (other than a standard required to be prescribed under section 7521(b)(1) of this title), any determination under section 7521(b)(5) 1 of this title, any control or prohibition under section 7545 of this title, any standard under section 7571 of this title, any rule issued under section 7413, 7419, or under section 7420 of this title, or any other nationally

applicable regulations promulgated, or final action taken, by the Administrator under this chapter may be filed only in the United States Court of Appeals for the District of Columbia. A petition for review of the Administrator's action in approving or promulgating any implementation plan under section 7410 of this title or section 7411(d) of this title, any order under section 7411(j) of this title, under section 7412 of this title, under section 7419 of this title, or under section 7420 of this title, or his action under section 1857c-10(c)(2)(A), (B), or (C) of this title (as in effect before August 7, 1977) or under regulations thereunder, or revising regulations for enhanced monitoring and compliance certification programs under section 7414(a)(3) of this title, or any other final action of the Administrator under this chapter (including any denial or disapproval by the Administrator under subchapter I) which is locally or regionally applicable may be filed only in the United States Court of Appeals for the appropriate circuit. Notwithstanding the preceding sentence a petition for review of any action referred to in such sentence may be filed only in the United States Court of Appeals for the District of Columbia if such action is based on a determination of nationwide scope or effect and if in taking such action the Administrator finds and publishes that such action is based on such a determination. Any petition for review under this subsection shall be filed within sixty days from the date notice of such promulgation, approval, or action appears in the Federal Register, except that if such petition is based solely on grounds arising after such sixtieth day, then any petition for review under this subsection shall be filed within sixty days after such grounds arise. The filing of a petition for reconsideration by the Administrator of any otherwise final rule or action shall not affect the finality of such rule or action for purposes of judicial review nor extend the time within which a petition for judicial review of such rule or action under this section may be filed, and shall not postpone the effectiveness of such rule or action.

(2) Action of the Administrator with respect to which review could have been obtained under paragraph (1) shall not be subject to judicial review in civil or criminal proceedings for enforcement. Where a final decision by the Administrator defers performance of any nondiscretionary statutory action to a later time, any person may challenge the deferral pursuant to paragraph (1).

42 U.S.C. § 7607(d)(1)

(d)Rulemaking

(1)This subsection applies to—

(A)the promulgation or revision of any national ambient air quality standard under section 7409 of this title,

(B)the promulgation or revision of an implementation plan by the Administrator under section 7410(c) of this title,

(C)the promulgation or revision of any standard of performance under section 7411 of this title, or emission standard or limitation under section 7412(d) of this title, any standard under section 7412(f) of this title, or any regulation under section 7412(g)(1)(D) and (F) [6] of this title, or any regulation under section 7412(m) or (n) of this title,

(D)the promulgation of any requirement for solid waste combustion under section 7429 of this title,

(E)the promulgation or revision of any regulation pertaining to any fuel or fuel additive under section 7545 of this title,

(F)the promulgation or revision of any aircraft emission standard under section 7571 of this title,

(G)the promulgation or revision of any regulation under subchapter IV–A (relating to control of acid deposition),

(H)promulgation or revision of regulations pertaining to primary nonferrous smelter orders under section 7419 of this title (but not including the granting or denying of any such order),

(I)promulgation or revision of regulations under subchapter VI (relating to stratosphere and ozone protection),

(J)promulgation or revision of regulations under part C of subchapter I (relating to prevention of significant deterioration of air quality and protection of visibility),

(K)promulgation or revision of regulations under section 7521 of this title and test procedures for new motor vehicles or engines under section 7525 of this title, and the revision of a standard under section 7521(a)(3) of this title,

(L) promulgation or revision of regulations for noncompliance penalties under section 7420 of this title,

(M) promulgation or revision of any regulations promulgated under section 7541 of this title (relating to warranties and compliance by vehicles in actual use),

(N) action of the Administrator under section 7426 of this title (relating to interstate pollution abatement),

(O) the promulgation or revision of any regulation pertaining to consumer and commercial products under section 7511b(e) of this title,

(P) the promulgation or revision of any regulation pertaining to field citations under section 7413(d)(3) of this title,

(Q) the promulgation or revision of any regulation pertaining to urban buses or the clean-fuel vehicle, clean-fuel fleet, and clean fuel programs under part C of subchapter II,

(R) the promulgation or revision of any regulation pertaining to nonroad engines or nonroad vehicles under section 7547 of this title,

(S) the promulgation or revision of any regulation relating to motor vehicle compliance program fees under section 7552 of this title,

(T) the promulgation or revision of any regulation under subchapter IV–A (relating to acid deposition),

(U) the promulgation or revision of any regulation under section 7511b(f) of this title pertaining to marine vessels, and

(V) such other actions as the Administrator may determine.

The provisions of section 553 through 557 and section 706 of title 5 shall not, except as expressly provided in this subsection, apply to actions to which this subsection applies. This subsection shall not apply in the case of any rule or circumstance referred to in subparagraphs (A) or (B) of subsection 553(b) of title 5.

42 U.S.C. § 7607(d)(5)

In promulgating a rule to which this subsection applies (i) the Administrator shall allow any person to submit written comments, data,

or documentary information; (ii) the Administrator shall give interested persons an opportunity for the oral presentation of data, views, or arguments, in addition to an opportunity to make written submissions; (iii) a transcript shall be kept of any oral presentation; and (iv) the Administrator shall keep the record of such proceeding open for thirty days after completion of the proceeding to provide an opportunity for submission of rebuttal and supplementary information.

42 U.S.C. § 7607(d)(7)(B)

Only an objection to a rule or procedure which was raised with reasonable specificity during the period for public comment (including any public hearing) may be raised during judicial review. If the person raising an objection can demonstrate to the Administrator that it was impracticable to raise such objection within such time or if the grounds for such objection arose after the period for public comment (but within the time specified for judicial review) and if such objection is of central relevance to the outcome of the rule, the Administrator shall convene a proceeding for reconsideration of the rule and provide the same procedural rights as would have been afforded had the information been available at the time the rule was proposed. If the Administrator refuses to convene such a proceeding, such person may seek review of such refusal in the United States court of appeals for the appropriate circuit (as provided in subsection (b)). Such reconsideration shall not postpone the effectiveness of the rule. The effectiveness of the rule may be stayed during such reconsideration, however, by the Administrator or the court for a period not to exceed three months.

40 C.F.R. § 84.15(c)

Consumption allowances in paragraph (a) of this section are available to either:

- (1) Persons who imported regulated substances in 2020 that were not required to report under 40 CFR part 98 and were not issued allowances as of October 1, 2021; or
- (2) Persons who are newly importing regulated substances, do not share corporate or common ownership, corporate affiliation in the past five years, or familial relations with entities receiving allowances through this rule.



December 2, 2021

To Whom It May Concern,

Peter Williams/dba The New Era Group intends to import HFC refrigerants in calendar years 2022 and 2023. **The New Era Group**, nor myself share any corporate or common ownership, corporate affiliation within the last five years, or familial relations with entities receiving allowances through the rule entitles, "Phasedown of Hydrofluorocarbons; Establishing the Allowance Allocation and Trading Program under the American Innovation and Manufacturing Act". I have read the HFC Allocation Final Rule, and understand the sections as noted in this application for allocations as follows:

- 40 CFR 84.5 Prohibitions relating to regulated substances
- 40 CFR 84.15 Set-aside of application-specific allowances, production allowances, and consumption allowances
- 40 CFR 84.19 Transfers of allowances
- 40 CFR 84.23 Certification identification generation and tracking
- 40 CFR 84.31(a), (c), (h), and (k) Recordkeeping and reporting
- 40 CFR 84.33 Auditing of recordkeeping and reporting
- 40 CFR 84.35 Administrative consequences.

Peter Williams/dba The New Era Group agrees and certifies the following:

1. will follow all applicable DOT standards, and all cylinders and containers used by
2. will be compliant with the DOT standards found at CFR Title 49 part §178.
3. will pay any duties consistent with US Customs and Boarder Protection requirements per Title 19.
4. will comply with all EPA requirements, including those established under the AIM Act and annual Greenhouse Gas reporting requirements §84.15(d)(2)(viii).

The information submitted in this letter and the application form is complete, accurate, and truthful. §84.15(d)(2)(ix)

Thank you,

Peter Williams

American Innovation and Manufacturing Act - Application for Set-aside of HFC Allowances

Version:	
1.0	
Updated:	
10/29/2021	
External Link:	
Final Rule - Phase-down of Hydrofluorocarbons: Establishing the Allowance Allocation and Trading Program Under the American Innovation and Manufacturing Act	
<https://www.federalregister.gov/documents/2021/10/05/2021-21000/phase-down-of-hydrofluorocarbons-establishing-the-allowance-allocation-and-trading-program-under-the>	
Section 1 - Company Identification	
Section 2a - Application-Specific Use Information	
Section 2b - Application-Specific Use Protections	
Section 2c - Contracting Information	
Section 3a - New Market Entrant Information	
Section 3b - Plan for Importing HFCs	
Section 3c - Certifications	

Section 3a - New Market Entrant Information

Instructions: Persons who are seeking to become a new market entrant (i.e., new importer) do not share corporate or common ownership, corporate affiliation in the past five years, or familial relations with entities receiving allowances, and were not eligible for allowances as of October 1, 2021, must provide the information requested below. Companies must demonstrate an ability to make use of allowances. Further, companies without a detailed import plan and a prospective foreign exporter will not be eligible to receive allowances from the set-aside pool.

Contact Name	Owner of the Company §84.15(d)(2)(iii)	Contact Email	Contact Phone
Peter Williams	Peter@neweragroupinc.com	2025280038	
Is the company a woman or minority owned business, §84.15(d)(2)(i)	Date of Incorporation §84.15(d)(2)(iv)	State in which Company is Incorporated §84.15(d)(2)(v)	State License Identifier §84.15(d)(2)(v)
Minority-owned business	Un-incorporated	South Carolina	Non

How many allowances is your company requesting (in metric tons of exchange value equivalent (MTEVE))? 200000.00
 For a calculator to convert kilograms of HFCs to MTEVE, please visit: <https://www.epa.gov/climate-hits-reduction/phase-down-hydrofluorocarbons-hfcs-issuing-allowance-allocations>

Section 3b - Plan for Importing HFCs

Instructions: Provide the following information detailing the company's plan for importing HFCs. §84.15(d)(2)(v)

Instructions: Describe what equipment and facilities the company has or needs to acquire to manage compressed gases
 There is sufficient capacity in the US to utilize existing equipment and capital of other small business concerns. Do to the structure of the "set-aside" program and many business uncertainties associated with HFC utilization of other small disadvantaged businesses is the wisest way to engage in this space
 There has always been a barrier to capital with respect to refrigerant reclaim and packaging.

Does the company currently sell HFCs or other industrial gases?	Yes
Does the company have any past experience importing HFCs?	Yes
If yes, has the company reported prior imports to the Greenhouse Gas Reporting Program?	No

If you responded yes to either question above, describe your experience.
 Peter Williams and New Era has facilitated and coordinated imports of significant quantities and assisted small importers to achieve imports through monitoring and guiding them on EPA Regulations as well as CBP have not been the importer of record. Strong relationship with Customs Broker.

Will the company be working with a customs broker?	Yes
If yes, which brokerage firm?	DJ Powers
Provide contact information for the brokerage firm.	(404) 761 5974

Instructions: Indicate the month(s) in which the company intends to import HFCs.

Month	Intend to Import HFCs
January	Yes
February	Unsure
March	Unsure
April	No
May	No

June	No
July	No
August	No
September	Unsure
October	Unsure
November	No
December	No

Instructions: Identify the single component HFC(s) the company intends to import and the CAS number for each.

HFC	CAS Number
HFC-32	75-10-5
HFC-125	354-33-6
HFC-134a	811-97-2
HFC-143a	420-46-2

Instructions: Identify the HFC blends the company intends to import and the ASHRAE numerical designation of the refrigerant or the percentage of the mixture containing each regulated substance and the CAS numbers for each neat HFC.

HFC Blend	HFC Component (1)			HFC Component (2)			HFC Component (3)	
	HFC	HFC Composition of Blend (%)	CAS Number	HFC	HFC Composition of Blend (%)	CAS Number	HFC	HFC Composition of Blend (%)
R-404A	HFC-125	44%	354-33-6	HFC-143a	52%	420-46-2	HFC-134a	4%
R-407C	HFC-32	20%	75-10-5	HFC-125	40%	354-33-6	HFC-134a	40%
R-410A	HFC-125	50%	354-33-6	HFC-32	50%	75-10-5		

Instructions: Identify the HTS codes for the HFCs and HFC blends the company intends to import.

HTS Codes
2903.39.2020
2903.39.2005
2903.39.2030
2903.39.2035
2903.39.2045
2903.39.2050
3824.78.0000
3824.78.0050

Instructions: Identify the prospective foreign exporter that the applicant anticipates working with and provide confirmation from the foreign exporter that the timeline for imports is accurate and achievable, §84.15(d)(2)(vii)

Relationship with Zhejiang Yonghe Refrigerant Co since 2017 see attached

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Does your submission include supporting documentation from the foreign exporter confirming that the timeline for imports is accurate and achievable?

Yes

Section 3c - Certifications

Instructions: Provide a letter from a responsible official, defined as an individual designated by the company with the authority and responsibility to act on behalf of the company, certifying the following:

Documentation Provided?

The company intends to import HFCs in calendar years 2022 and 2023.

Yes

Certification that I (and/or my company) do not share corporate or common ownership, corporate affiliation in the past five years, or family relations with entities receiving allowances through the rule entitled, "Phase-down of Hydrofluorocarbons: Establishing the Allowance Allocation and Trading Program under the American Innovation and Manufacturing Act"

Yes

The company has read the HFC Allocation final rule, available by visiting <<https://www.federalregister.gov/documents/2021/06/05/2021-21090/phase-down-of-hydrofluorocarbons-establishing-the-allowance-allocation-and-trading-program-under-the->> and understands the following sections of the new HFC Allocation regulation:

Yes

- 40 CFR 84.5 Prohibitions relating to regulated substances.
- 40 CFR 84.15 Set-aside of application-specific allowances, production allowances, and consumption allowances.
- 40 CFR 84.19 Transfers of allowances.
- 40 CFR 84.23 Certification identification generation and tracking.
- 40 CFR 84.31 (a), (c), (h), and (k) Recordkeeping and reporting.
- 40 CFR 84.33 Auditing of recordkeeping and reporting.
- 40 CFR 84.35 Administrative consequences.

Yes

The company will meet all applicable U.S. Department of Transportation (DOT) standards and all cylinders and containers used by the company will be compliant with the DOT standards found at CFR Title 49 part §179.	Yes
The company will pay any duties consistent with U.S. Customs and Border Protection (CBP) requirements per Title 19.	Yes
The company will comply with all EPA requirements, including those established under the AIM Act and annual Greenhouse Gas reporting requirements, §84.15(d)(2)(viii).	Yes
The information submitted in this form is complete, accurate, and truthful, §84.15(d)(2)(ix).	Yes

Addendum

When the Environmental Protection Agency promulgated the Chlorofluorocarbon (CFC) phase out, I owned and operated New Era Environmental. New Era Environmental even today is the only EPA and AHRI minority reclaim facility in the United States. Located in Sterling Virginia the company had to overcome the high operational cost in the Washington Metropolitan Area. There was a great demand for the services that New Era provided. I am proud of the work that I was able to undertake.

Most notable Jobs:

AT&T Bell Labs Murray Hill New Jersey
US Customs and Boarder Control Patrol Seizure San Padro California (Smuggled CFCs)
DOJ Mission Critical Bank, contract awards in both new and reclaim of refrigerants.
DuPont Deep Water New Jersey
Allied Signal/Honeywell recovered CFC-12 in refinery Moab, Utah
Carrier Corporation Herndon Virginia
National Institutes of Health, Bethesda Maryland
Trane Company Boland Services Rockville, Maryland
Dulles Airport Chilled Water replacement
World Financial Center (250 Vesey Street New York before after and during 911)
The United States Department of Defense, Pentagon Power Plant Project
Inter State Commerce Commission now EPA remodeling
Recover of refrigerants from the White House to the Capital not one EPA violation or sanction

These credentials must be considered as to the knowledge and ability to import, transfer and blend HFCs.

 **浙江永和制冷股份有限公司**
Zhejiang Yonghe Refrigerant Co., Ltd.
ADD: No. E-025, Dong Gang Industrial District, Quzhou, Zhejiang, China 衢州东港工业园区 E-025 号
TEL: 0086-0570-8886807, 3832776 (770) (780) FAX: 0086-0570-3832767 Email: zjychem@yahoo.com

To Who Maybe Concern

Ref. Peter Williams

As we previously supply you in the past with gases we write this letter is to confirm the intention to continue supply our customer with HFC's gases in the year 2022 and following.

Zhejiang Yonghe Refrigerant Co., Ltd.

21th. Nov. 2021



Memorandum of Minority Self Certifying

To: HFC Allocation
From: Peter Williams
Subject: The file of HFC Set-aside allowance
Date: February 18, 2022

Please accept this communication as an inclusion to my application for HFC set aside allowances in the amount of 200,000 MTEVe. The process that is outlined in 40 CFR Chapter 1 Subchapter C part 84 Subpart A § 84.15 refers to a "Person/Persons".

My application for the aforementioned set-aside allowance was filed as an individual. Therefore, based on the clear use of the word person or person, I meet the qualification set-forth in the CFR.

This correspondence is offered to satisfy the application requirement for proof of corporate structure, of which there is none for myself as an individual.

With Best Regards



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

March 31, 2022

OFFICE OF
AIR AND RADIATION

Mr. Peter Williams
New Era Group
709 Pickering Drive Unit B
Murrells Inlet, South Carolina 29567

Dear Mr. Peter Williams,

This letter communicates EPA's decision regarding Peter Williams DBA New Era Group (New Era Group)'s application for set-aside allowances under 40 CFR § 84.15(c). In accordance with the methodology finalized in the final Hydrofluorocarbon (HFC) Allowance Allocation and Trading Framework Rule (HFC Allocation Framework Rule), EPA issued allowances on October 1, 2021, to companies that had provided data on their historic import and production of HFCs, as well as entities that use HFCs in six applications specified by Congress. EPA also established the set-aside pool of allowances for a limited set of end users and importers (*see* 86 FR 55116). The set-aside pool of allowances was established for three groups: end users that qualify for application-specific allowances; existing importers that were not required to report under 40 CFR part 98 (i.e., the Greenhouse Gas Reporting Program); and new market entrants. New Era Group submitted an application for set-aside allowances as a new market entrant. The regulatory language specifies that set-aside allowances are available for entities "who are newly importing regulated substances, do not share corporate or common ownership, corporate affiliation in the past five years, or familial relations with entities receiving allowances through this rule." 40 CFR § 84.15(c)(2). EPA also explained in the final rule that new market entrants may include companies that had previously imported HFCs in any prior year but exited the business by 2020 and who did not otherwise qualify to receive general pool allowances (*see* 86 FR 55157).

After reviewing New Era Group's set-aside application and supporting information available to the Agency, EPA has determined that New Era Group is not eligible for allowances under the set-aside pool as a new market entrant and is therefore denying New Era Group's application. Based on the information before the Agency, EPA has determined that New Era Group does "share corporate or common ownership, corporate affiliation in the past five years, or familial relations" with an entity receiving allowances through this rule, specifically RMS of Georgia. Public data available to the Agency from the State of Georgia Secretary of State confirms that you and the owner of a company who received allowances under the final HFC Allocation Framework Rule are both listed as officers for "New Era Group Inc" as recently as 2019. This equates to corporate affiliation in the past five years with an entity receiving allowances through this rule, and therefore disqualifies New Era Group's application in accordance with EPA's regulations.

Further, the application submitted for new market entrant set-aside allowances was incomplete. EPA regulations at 40 CFR § 84.15(d)(2) require applicants “to be eligible for consideration” to provide “the complete ownership of the company (with percentages of ownership)” 40 CFR § 84.15(d)(2)(i). After Agency outreach explaining the relevant requirements, information submitted by the applicant failed to show the complete ownership of the company (with percentages of ownership). New Era Group also failed to provide as part of its application, “The date of incorporation and State in which the company is incorporated” 40 CFR § 84.15(d)(2)(iv), and the “State license identifier” 40 CFR § 84.15(d)(2)(v). For these reasons, EPA is denying New Era Group’s application.

As of January 1, 2022, if New Era Group chooses to import any of the HFCs listed at 40 CFR Part 84 Appendix A, or blends containing any of those HFCs, the company will need to acquire allowances from another allowance holder by the time of import.

If you have questions about the content of this letter, please contact us at HFCAllocation@epa.gov. More information about the regulatory requirements, including fact sheets, frequently asked questions, and a list of existing allowance holders is available at <https://www.epa.gov/climate-hfcs-reduction>.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Newberg', with a stylized flourish at the end.

Cynthia A. Newberg
Director, Stratospheric Protection Division

you mail to EPA, mark the outside of the disk or CD-ROM as CBI and then identify electronically within the disk or CD-ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. *Tips for preparing your comments.* When preparing and submitting your comments, see the commenting tips at <https://www.epa.gov/dockets/comments.html>.

3. *Environmental justice.* EPA seeks to achieve environmental justice, the fair treatment and meaningful involvement of any group, including minority and/or low-income populations, in the development, implementation, and enforcement of environmental laws, regulations, and policies. To help address potential environmental justice issues, the Agency seeks information on any groups or segments of the

population who, as a result of their location, cultural practices, or other factors, may have atypical or disproportionately high and adverse human health impacts or environmental effects from exposure to the pesticides discussed in this document, compared to the general population.

II. Background

Registration review is EPA’s periodic review of pesticide registrations to ensure that each pesticide continues to satisfy the statutory standard for registration, that is, the pesticide can perform its intended function without unreasonable adverse effects on human health or the environment. As part of the registration review process, the Agency has completed proposed interim decisions for spirodiclofen. Through this program, EPA is ensuring that each pesticide’s registration is based on current scientific and other knowledge, including its effects on human health and the environment.

III. Authority

EPA is conducting its registration review of spirodiclofen pursuant to section 3(g) of the Federal Insecticide,

Fungicide, and Rodenticide Act (FIFRA) and the Procedural Regulations for Registration Review at 40 CFR part 155, subpart C. Section 3(g) of FIFRA provides, among other things, that the registrations of pesticides are to be reviewed every 15 years. Under FIFRA, a pesticide product may be registered or remain registered only if it meets the statutory standard for registration given in FIFRA section 3(c)(5) (7 U.S.C. 136a(c)(5)). When used in accordance with widespread and commonly recognized practice, the pesticide product must perform its intended function without unreasonable adverse effects on the environment; that is, without any unreasonable risk to man or the environment, or a human dietary risk from residues that result from the use of a pesticide in or on food.

IV. What action is the Agency taking?

Pursuant to 40 CFR 155.58, this notice announces the availability of EPA’s proposed interim decision for spirodiclofen as shown in the following table and opens a 60-day public comment period on the proposed interim registration review decision.

TABLE—PROPOSED INTERIM DECISION BEING MADE AVAILABLE FOR PUBLIC COMMENT

Registration review case name and number	Docket ID No.	Chemical review manager and contact information
Spirodiclofen (Case 7443)	EPA-HQ-OPP-2014-0262	Veronica Dutch, dutch.veronica@epa.gov , (202) 566-2352.

The registration review docket for a pesticide includes earlier documents related to the registration review case. For example, the review opened with a Preliminary Work Plan, for public comment. A Final Work Plan was placed in the docket following public comment on the Preliminary Work Plan.

The documents in the docket describe EPA’s rationales for conducting additional risk assessments for the registration review of spirodiclofen, as well as the Agency’s subsequent risk findings and consideration of possible risk mitigation measures. This proposed interim registration review decision is supported by the rationale included in those documents. Following public comment, the Agency will issue an interim or final registration review decision for spirodiclofen.

The registration review final rule at 40 CFR 155.58(a) provides for a minimum 60-day public comment period on all proposed interim registration review decisions. This comment period is intended to provide an opportunity for public input and a mechanism for initiating any necessary amendments to

the proposed interim decision. All comments should be submitted using the methods in **ADDRESSES** and must be received by EPA on or before the closing date. These comments will become part of the docket for spirodiclofen. Comments received after the close of the comment period will be marked “late.” EPA is not required to consider these late comments.

The Agency will carefully consider all comments received by the closing date and may provide a “Response to Comments Memorandum” in the docket. The interim registration review decision will explain the effect that any comments had on the interim decision and provide the Agency’s response to significant comments.

Background on the registration review program is provided at: <https://www.epa.gov/pesticide-reevaluation>. (Authority: 7 U.S.C. 136 *et seq.*)

Dated: March 30, 2022.

Mary Elissa Reaves,
Director, Pesticide Re-Evaluation Division,
Office of Pesticide Programs.

[FR Doc. 2022-07076 Filed 4-4-22; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OAR-2021-0669; FRL-9116-02-OAR]

Phasedown of Hydrofluorocarbons: Notice of 2022 Set-Aside Pool Allowance Allocations for Production and Consumption of Regulated Substances Under the American Innovation and Manufacturing Act of 2020

AGENCY: Environmental Protection Agency (EPA).
ACTION: Notice.

SUMMARY: The Environmental Protection Agency (EPA) is providing notice that on March 31, 2022, the Agency issued hydrofluorocarbon allowances to applicants that met the applicable

criteria from the set-aside pool established in EPA’s 2021 final rule titled *Phasedown of Hydrofluorocarbons: Establishing the Allowance Allocation and Trading Program under the American Innovation and Manufacturing Act*. In accordance with this final rule, the Agency redistributed allowances remaining in the set-aside pool to entities that received general pool production and consumption allowances on October 1, 2021. Both the set-aside allocation and the general pool reallocation were announced on the Agency’s website on March 31, 2022, and entities were notified either by letter or electronic mail of the allocation decisions. The Agency also provided notice to certain companies on March 31, 2022, that the Agency intends to retire an identified set of those companies’ allowances in accordance with the administrative consequences provisions established in the final rule.

FOR FURTHER INFORMATION CONTACT: Andy Chang, U.S. Environmental Protection Agency, Stratospheric Protection Division, telephone number: 202–564–6658; email address: chang.andy@epa.gov. You may also visit

EPA’s website at <https://www.epa.gov/climate-hfcs-reduction> for further information.

SUPPLEMENTARY INFORMATION: In EPA’s rulemaking titled *Phasedown of Hydrofluorocarbons: Establishing the Allowance Allocation and Trading Program under the American Innovation and Manufacturing Act* (86 FR 55116, Oct. 5, 2021), EPA established a set-aside pool of allowances and codified at 40 CFR 84.15 criteria related to eligibility for the set-aside pool allowances, and how EPA would determine the level of allowances to allocate to each eligible entity. On March 31, 2022, EPA issued allowance allocations consistent with this section and posted the updated list of allowance holders on its website at <https://www.epa.gov/climate-hfcs-reduction>. The set-aside pool was established for three general categories of applicants: Application-specific end users (40 CFR 84.15(b)(1)), entities that imported regulated substances¹ in 2020 that were not required to report under 40 CFR part 98 (*i.e.*, the Greenhouse Gas Reporting Program (GHGRP)) and were not issued allowances as of October 1, 2021 (40

CFR 84.15(c)(1)), and new market entrants (40 CFR 84.15(c)(2)).

Under 40 CFR 84.15, application-specific allowances from the set-aside pool are subject to the same conditions for such allowances in 40 CFR 84.13. These allowances are drawn from both the production and consumption set-aside allowance pools, and EPA is issuing application-specific allowances from the set-aside pool to applicants that qualify as end users in the applications established by the American Innovation and Manufacturing (AIM) Act. The following applications were eligible for application-specific allowances under the set-aside pool: Propellants in metered dose inhalers (MDI), defense sprays, structural composite preformed polyurethane foam for marine use and trailer use, etching of semiconductor material or wafers and the cleaning of chemical vapor deposition chambers within the semiconductor manufacturing sector, and onboard aerospace fire suppression.

Consistent with the provisions in 40 CFR 84.15, EPA has allocated set-aside pool application-specific allowances to the entities listed in Table 1.

TABLE 1—SET-ASIDE APPLICATION-SPECIFIC ALLOWANCES FOR CALENDAR YEAR 2022

Applicant	Application	Number of application-specific allowances issued (MTEVe)
Armstrong Pharmaceuticals	Metered Dose Inhalers	111,059.3
AstraZeneca Pharmaceuticals	Metered Dose Inhalers	2,122.7
Aurobindo Pharma USA	Metered Dose Inhalers	71,177.4
Invagen Pharmaceuticals	Metered Dose Inhalers	28,121.3
Odin Pharmaceuticals	Metered Dose Inhalers	9,473.8
Wabash National Corporation	Structural Composite Foam	36,686.6
IBM Corporation	Semiconductors	1,440.0
NXP Semiconductor	Semiconductors	5,040.8
The Research Foundation for The State University of New York OBO SUNY Polytechnic Institute.	Semiconductors	1,245.4
SkyWater Technology	Semiconductors	15,689.3
Skyworks Solutions	Semiconductors	6,978.5
Proteng Distribution	Onboard aerospace fire suppression	12,075.0
Total	301,110.1

EPA received three applications by the deadline of December 6, 2021, for allowances under the second set-aside category. Under the provisions at 40 CFR 84.15(c)(1), in order to be eligible for this category an applicant had to:

- (1) Import regulated substances in 2020;
- (2) not be required to report under 40 CFR part 98 (*i.e.*, the GHGRP); and

¹ *Regulated substance* means a hydrofluorocarbon listed in the table contained in subsection (c)(1) of the AIM Act and a substance included as a

(3) not receive allowances from EPA on October 1, 2021.

All three applicants, MEK Chemical Corporation, Siemens Industry, and Wegochem International, were denied allowances because they are ineligible under 40 CFR 84.15(c)(1). The entities were required to report to the GHGRP under 40 CFR part 98.

Under the third set-aside category, for new market entrants, 45 entities

regulated substance by the Administrator under the authority granted in subsection (c)(3). The list of

submitted applications by the deadline of December 6, 2021. EPA is denying applications from seven entities, CAILLECH LLC, ChemPenn, LLC, ComStar International Inc., ISOSTU LLC, J&J AC Supply Inc, Kim Stilwell, and Peter Williams DBA New Era Group, because they are ineligible under 40 CFR 84.15(c)(2). The applicants were ineligible for at least one of the following reasons:

regulated substances is available at Appendix A to 40 CFR part 84.

(1) Did not submit complete applications,
 (2) were not newly importing regulated substances, or

(3) shared corporate or common ownership, corporate affiliation in the past five years, or familial relations with entities receiving allowances on October 1, 2021.

Consistent with the provisions in 40 CFR 84.15, EPA has allocated allowances for new market entrants to the entities listed in Table 2.

TABLE 2—SET-ASIDE NEW MARKET ENTRANT ALLOWANCES FOR CALENDAR YEAR 2022

Applicant name	Number of consumption allowances issued (MTEVe)
Ability Refrigerants	200,000.0
A.C.S. Reclamation & Recovery (Absolute Chiller Services)	200,000.0
ACT Commodities	77.8
Advance Auto Parts	190,699.1
AFK & Co	193,335.9
AFS Cooling	200,000.0
AllCool Refrigerant Reclaim	200,000.0
American Air Components	200,000.0
Automart Distributors DBA Refrigerant Plus	200,000.0
CC Packaging	194,000.0
Certified Refrigerant Services	200,000.0
Chemp Technology	200,000.0
Creative Solution	200,000.0
Cross World Group	200,000.0
EDX Industry	200,000.0
Fireside Holdings DBA American Refrigerants	199,978.5
Freskoa USA	200,000.0
Golden Refrigerant	200,000.0
Hungry Bear	200,000.0
Kidde-Fenwal	200,000.0
Lina Trade	200,000.0
Meraki Group	200,000.0
Metalcraft	161,000.0
North American Refrigerants	200,000.0
O23 Energy Plus	200,000.0
Perfect Score Too DBA Perfect Cycle	37,876.0
Reclamation Technologies	200,000.0
RTR Suppliers	198,000.0
Saalok	200,000.0
Sciarra Laboratories	8,700.0
SDS Refrigerant Services	200,000.0
Summit Refrigerants	200,000.0
SynAgile Corporation	1,125.1
TradeQuim	200,000.0
Tyco Fire Products	200,000.0
USA United Suppliers of America DBA USA Refrigerants	200,000.0
USSC Acquisition Corp	131,451.0
Wesco HMB	200,000.0
Total	6,716,243.4

EPA notes the restrictions in 40 CFR 84.15(e)(3) that new market entrants are allocated up to 0.2 MMTEVe (200,000 MTEVe) for calendar year 2022.

Accordingly, entities that requested more than 200,000 MTEVe as a new market were allocated the regulatory

maximum of 200,000 MTEVe. And, in accordance with 40 CFR 84.15(f)(1) set-aside allowances allocated to new market entrants cannot be transferred.

After making the allocations noted in Tables 1 and 2, there were 2,198,889.9 production allowances and 482,646.5 consumption allowances remaining in

the set-aside pool. In accordance with 40 CFR 84.15(e)(4), those allowances have been distributed to the October 1, 2021, general pool allowance holders on a pro rata basis. EPA has made this pro rata distribution as shown in Tables 3 and 4.

TABLE 3—SET-ASIDE PRODUCTION ALLOWANCES DISTRIBUTED PURSUANT TO 40 CFR 84.15(e)(4)

Entity	Number of production allowances issued (MTEVe)
Arkema	265,221.2
Chemours	491,227.0
Honeywell International	1,114,441.9

TABLE 3—SET-ASIDE PRODUCTION ALLOWANCES DISTRIBUTED PURSUANT TO 40 CFR 84.15(e)(4)—Continued

Entity	Number of production allowances issued (MTEVe)
Iofina Chemical	11.4
Mexichem Fluor DBA Koura	327,988.4

TABLE 4—SET-ASIDE CONSUMPTION ALLOWANCES DISTRIBUTED PURSUANT TO 40 CFR 84.15(e)(4)

Entity	Number of consumption allowances issued (MTEVe) ¹
A-Gas	5,926.5
Advanced Specialty Gases	526.9
Air Liquide USA	920.6
Altair Partners	5,390.0
Arkema	57,387.2
Artsen	1,897.6
AutoZone Parts	4,592.1
AW Product Sales & Marketing	359.2
Bluon	61.8
Chemours	61,647.9
Combs Gas	2,378.4
ComStar International	690.8
Daikin America	5,763.4
Electronic Fluorocarbons	192.6
First Continental International	1,421.7
FluoroFusion Specialty Chemicals	4,713.8
GlaxoSmithKline	990.5
Harp USA	1,413.8
Honeywell International	152,348.3
Hudson Technologies	5,518.1
ICool USA	6,291.7
IGas Holdings	47,912.0
Iofina Chemical	2.3
Lenz Sales & Distribution	2,050.4
Linde	983.4
Mexichem Fluor DBA Koura	47,053.8
Mondy Global	588.6
National Refrigerants	36,577.3
Nature Gas Import and Export	1,513.6
Refrigerants, Inc	49.0
RMS of Georgia	2,994.0
Showa Chemicals of America	135.7
Solvay Fluorides	2,035.9
Technical Chemical	1,798.9
Transocean Offshore Deepwater Drilling	0.0
Tulstar Products	1,355.7
Walmart	4,211.6
Waysmos USA	1,171.7
Weitron	11,705.0
Wilhelmsen Ships Service	74.6

¹ Numbers may not sum due to rounding.

This allocation of set-aside allowances should not be construed to limit the ability of EPA to apply administrative consequences under 40 CFR 84.35, or to limit the ability of the United States to exercise any authority to pursue enforcement action under the AIM Act and 40 CFR part 84, or under other federal laws or regulations.

For example, if future information reveals an entity provided false, inaccurate, or misleading information or did not disclose financial or familial

relationships between a new entrant and another allowance holder, EPA may pursue administrative consequences and refer the entity for any and all appropriate enforcement actions.

On March 31, 2022, EPA also provided notice to three entities of the Agency’s intent to take administrative consequences in accordance with 40 CFR 84.35 and retire an identified set of those companies’ allowances. Using this authority, EPA can retire, revoke, or withhold the allocation of allowances,

or ban a company from receiving, transferring, or conferring allowances.

Judicial Review

The AIM Act provides that certain sections of the Clean Air Act (CAA) “shall apply to” the AIM Act and “any rule, rulemaking, or regulation promulgated by the Administrator of [EPA] pursuant to [the AIM Act] as though [the AIM Act] were expressly included in title VI of [the CAA].” Id. § 7675(k)(1)(C). Among the applicable

sections of the CAA is section 307, id. § 7607, which includes provisions on judicial review. Section 307(b)(1) provides, in part, that petitions for review must be filed in the United States Court of Appeals for the District of Columbia Circuit: (i) When the agency action consists of “nationally applicable regulations promulgated, or final actions taken, by the Administrator,” or (ii) when such action is locally or regionally applicable, but “such action is based on a determination of nationwide scope or effect and if in taking such action the Administrator finds and publishes that such action is based on such a determination.” For locally or regionally applicable final actions, the CAA reserves to the EPA complete discretion whether to invoke the exception in (ii).

This final action is “nationally applicable” within the meaning of CAA section 307(b)(1). In the alternative, to the extent a court finds this final action to be locally or regionally applicable, the Administrator is exercising the complete discretion afforded to him under the CAA to make and publish a finding that this action is based on a determination of “nationwide scope or effect” within the meaning of CAA section 307(b)(1).² This final action consisted of the Agency issuing hydrofluorocarbon allowances to applicants that met the applicable criteria from the set-aside pool and redistributing allowances remaining in the set-aside pool to entities that received general pool production and consumption allowances on October 1, 2021. The applicants and entities are located throughout the country in varying judicial circuits.³ This final action is based on a common core of factual findings concerning the eligibility of applicants to the set-aside pool. For these reasons, this final action is nationally applicable or, alternatively, the Administrator is exercising the complete discretion afforded to him by the CAA and hereby finds that this final action is based on a determination of nationwide scope or effect for purposes

² In deciding whether to invoke the exception by making and publishing a finding that this final action is based on a determination of nationwide scope or effect, the Administrator has also taken into account a number of policy considerations, including his judgment balancing the benefit of obtaining the D.C. Circuit’s authoritative centralized review versus allowing development of the issue in other contexts and the best use of Agency resources.

³ In the report on the 1977 Amendments that revised section 307(b)(1) of the CAA, Congress noted that the Administrator’s determination that the “nationwide scope or effect” exception applies would be appropriate for any action that has a scope or effect beyond a single judicial circuit. See H.R. Rep. No. 95–294 at 323, 324, reprinted in 1977 U.S.C.A.N. 1402–03.

of CAA section 307(b)(1) and is hereby publishing that finding in the **Federal Register**.

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the District of Columbia Circuit within 60 days from the date this final action is published in the **Federal Register**. Filing a petition for reconsideration by the Administrator of this final action does not affect the finality of the action for the purposes of judicial review, nor does it extend the time within which a petition for judicial review must be filed and shall not postpone the effectiveness of such rule or action.

Hans Christopher Grundler,

Director, Office of Atmospheric Programs.

[FR Doc. 2022–07152 Filed 4–4–22; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The public portions of the applications listed below, as well as other related filings required by the Board, if any, are available for immediate inspection at the Federal Reserve Bank(s) indicated below and at the offices of the Board of Governors. This information may also be obtained on an expedited basis, upon request, by contacting the appropriate Federal Reserve Bank and from the Board’s Freedom of Information Office at <https://www.federalreserve.gov/foia/request.htm>. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)).

Comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors, Ann E. Misback, Secretary of the Board, 20th Street and Constitution Avenue NW, Washington DC 20551–0001, not later than May 5, 2022.

A. Federal Reserve Bank of Chicago (Colette A. Fried, Assistant Vice President) 230 South LaSalle Street, Chicago, Illinois 60690–1414:

1. *Bank First Corporation, Manitowoc, Wisconsin*; to acquire Denmark Bancshares, Inc., and thereby indirectly acquire Denmark State Bank, both of Denmark, Wisconsin.

A. Federal Reserve Bank of St. Louis (Holly A. Rieser, Manager) P.O. Box 442, St. Louis, Missouri 63166–2034.

Comments can also be sent electronically to

Comments.applications@stls.frb.org:

1. *Omni Bank Group, Inc., Little Rock, Arkansas*; to become a bank holding company by acquiring Community State Bank, Bradley, Arkansas.

Board of Governors of the Federal Reserve System, March 31, 2022.

Michele Taylor Fennell,

Deputy Associate Secretary of the Board.

[FR Doc. 2022–07164 Filed 4–4–22; 8:45 am]

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FEDERAL RESERVE SYSTEM

Agency Information Collection Activities: Announcement of Board Approval Under Delegated Authority and Submission to OMB

AGENCY: Board of Governors of the Federal Reserve System.

SUMMARY: The Board of Governors of the Federal Reserve System (Board) is adopting a proposal to extend for three years, without revision, the Procurement Solicitation Package (FR 1400; OMB No. 7100–0180).

FOR FURTHER INFORMATION CONTACT:

Federal Reserve Board Clearance Officer—Nuha Elmagrabi—Office of the Chief Data Officer, Board of Governors of the Federal Reserve System, Washington, DC 20551, (202) 452–3829.

Office of Management and Budget (OMB) Desk Officer for the Federal Reserve Board, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 10235, 725 17th Street NW, Washington, DC 20503, or by fax to (202) 395–6974.

SUPPLEMENTARY INFORMATION: On June 15, 1984, OMB delegated to the Board authority under the Paperwork Reduction Act (PRA) to approve and assign OMB control numbers to collections of information conducted or sponsored by the Board. Board-approved collections of information are incorporated into the official OMB inventory of currently approved collections of information. The OMB

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gordona123@earthlink.net

April 20, 2022

Cynthia A. Newburg
Director, Stratospheric Protection Division
United States Environmental Protection Agency
Office of Air and Radiation
Washington, DC 20460

Via Email: HFCAllocation@EPA.gov

Dear Ms. Newberg:

I am writing on behalf of Peter Williams (dba The New Era Group) in response to your letter dated March 31, 2022. The representation is being provided without fee because I believe a substantial injustice has occurred due to the Agency's failure to give Mr. Williams proper notice of the purported basis for its eligibility determination and a resultant major misunderstanding by the agency of the relevant facts of this matter. Let me begin by requesting from you a complete copy of the administrative record on this matter, including a copy of the "information before the Agency" which was relied upon in reaching the conclusion that this applicant does (or did) "share corporate or common ownership, corporate affiliation in the past five years or familial relations" with RMS of Georgia – a company receiving allowances under the rule as well as any legal opinion supporting the legal conclusion that an individual is a "company" which must state its ownership in the required application.

FACTS

Peter Williams, as an individual, commenced business as "The New ERA Group" sometime in 2008. He has continued to do business in that capacity up to the present date.¹ Sometime in 2014, Mr. Williams participated in the formation of an informal membership organization operating under the style "New Era Group" which was formed for the purpose of prosecuting a judicial appeal of an EPA ruling which the group believed to be erroneous. The group operated by consensus and was not controlled by any member or member company. Mr. Williams and his employees acted as coordinator and assisted in administration of the organization.

In May of 2014, *New Era Group Inc* was established for the purpose of providing a corporate identity for the *New Era Group* membership organization and establishing its nonprofit status.² Mr. Ken Ponder and

¹ Some of the confusion in this matter may stem from the fact that at the time Mr. Williams commenced business in 2008, he intended to establish and operate as a corporation. Accordingly, he had cards and letterhead printed and established an e-mail address including "inc" as part of the address. Unfortunately, Mr. Williams has never had sufficient resources to fund his corporate intentions or establish any other form of business entity. Accordingly, he has operated in fact as an individual—a fact clearly disclosed in his application. I have advised Mr. Williams to remove the word "inc" from all such papers and communications and he is doing so.

² The Articles provide that "The purpose of NEW ERA GROUP INC is to assist with the education and environmental defense of any harmful and/or negative environmental impacts. These educational and defense efforts include, but are not limited to exposing governmental agencies, public service companies and chemical producing businesses that may have products, by-products or policies that may negatively impact our quality of life."

his family were the sole shareholders and sole officers with control or managerial authority. Mr. Williams was designated as “Fundraising Chair” to authorize him to continue his administrative support functions for the ongoing litigation. Those services ended sometime in early 2015. “Fundraising Chair” is not a legally defined corporate office and nothing in the Articles or Bylaws grants to Mr. Williams any power or managerial authority. Mr. Williams administrative functions were completed in early 2015, with conclusion of the litigation and a decision not to appeal.

Since that time, Mr. Williams has had no official function with *New Era Group, Inc.* He has exercised no control or management authority and he received no notice of nor access to any of that corporation’s official filings, records or business dealings. He received no notice of, nor has he participated in, any corporate meetings.

In March of 2016, Mr. Williams, having heard nothing from *New Era Group Inc.* for nearly two years, submitted to the owners and their accountant repeated demands for the company’s corporate records. On receipt of some of those records, he concluded that, without his knowledge, the company was apparently being operated as a for profit entity and that, without his consent, he had been designated CEO of the Company. He immediately gave notice to both the owners and the Internal Revenue Service of his denial of involvement with either the *New Era Group Inc.* or its owners after May of 2014 and has had no dealings with *New Era Group Inc.*, other than the referenced notice, since that time.³

ANALYSIS AND CONCLUSIONS

Based on the facts set out above, which are supported by the attached sworn affidavit and supporting materials, though due to limited resources and failure to fully appreciate the details of certain legal obligations, Mr. Williams has not always precisely understood his legal status, has allowed himself to be exploited by others and has allowed EPA to misconstrue his legal status, ***it is clear that:***

1. Peter Williams (dba The New Era Group) and *The New Era Group, Inc.*, are separate persons as defined in the Section 84.3 – “*any individual or legal entity including an individual, corporation....*”

2. Peter Williams does not “*share corporate or common ownership*” in *New Era Group, Inc.*, any owner of that company, any company affiliated with that company, any member of the Ponder family, any company owned in whole or in part by any member of the Ponder family, *RMS of Georgia* or any entity affiliated with that company.

3. Peter Williams has never “shared corporate affiliation” with *RMS of Georgia*. First, as the above cited definition makes clear, an individual is not a corporation and thus any affiliation an individual may have, cannot be corporate.⁴ Second, although part 84 does not define “affiliate”, the term in governmental contexts clearly means “controlling, controlled by or under common control with”. Peter Williams has never exerted any degree of control over *New Era Group Inc.*, *RMS of Georgia* or any of the persons or entities itemized in Conclusion 2 above.

4. Neither the *New Era Group Inc.*,⁵ nor any person nor entity with which Peter Williams has been affiliated in the last five years, or most probably ever, has, to Mr. Williams’ knowledge or within Mr. Williams’ knowledge and control or during the time when Mr. Williams held a non-managerial title, received allowances under the final HFC allocation rule. Any such allocations which may have been received were illegally granted and illegally received.

³ Mr. Williams, as an individual, did do some independent consulting work for certain of the RMS group of companies but never held an equity interest of exerted any control over any of them.

⁴ The language appears to refer to interlocking or affiliated corporations. Otherwise it would simply refer to “affiliation”.

⁵ As noted above, *New Era Group, Inc.* was never legally authorized to receive or sell allowances.

5. As the “person” definition makes clear, an individual is not an entity, a corporation or a company. The parts of section 84.15 referenced in your letter are simply inapplicable to individuals and the conclusion based on those sections is in error.

6. Peter Williams has been denied administrative due process in this matter in that the decision was based on evidence outside the record which was not disclosed to Applicant. Nor was Applicant given an opportunity to respond to or rebut this evidence or the erroneous conclusions based thereon.

REQUEST FOR RELIEF

While I am aware that Peter Williams has been a vocal critic of certain agency actions and is perhaps not the most popular person within the Agency, and that the application he submitted may not be the most artful the Agency has seen. I am also aware that HFC Allocations are jealously guarded, and that past HFC recipients do not favor new applicants. Finally, I am painfully aware that a person of color has never received an HFC allocation, that this person of color has been taken advantage of by a member of the HFC community and that that factor has substantially affected your decision in this matter.

I ask that you review your decision and revise it consistent with the facts stated herein.

Please advise me of Mr. Williams’ Rights of Appeal in the event an appeal is necessary.

Thank you for your attention,

A handwritten signature in black ink, appearing to read 'JGA', with a long horizontal flourish extending to the right.

J Gordon Arbuckle, Esq.

AFFIDAVIT OF PETER WILLIAMS

I am Peter Williams. I reside at 709 Pickering Drive, Unit B, Murrells Inlet, South Carolina, 29567.

The following statements are true to the best of my knowledge and belief:

1. I have been engaged in business and advisory services related to the production and sale of chlorinated CFCs, HCFCs and HFCs since 1993.
2. I then commenced business as "the New Era Group" sometime in 2008.
3. At the time I commenced operating as *the New Era Group*, I intended to establish a corporation and operate through that Corporation. Accordingly, I established an email address and had cards and letterhead printed including the abbreviation "inc". Unfortunately, I have never had available funds to establish a corporation but have erroneously continued to use that email address and those materials.
4. I have operated as "*Peter Williams (d/b/a The New Era Group)*".
5. Sometime in 2014, I participated with a number of other companies in the industry in the formation of an informal membership organization operating under the style "New Era Group" for the purpose of prosecuting a judicial appeal of an EPA Ruling which we believe to be erroneous.
6. The group operated by consensus and was not controlled by any member or member company. I am an employee acted as coordinators and assisted in administration.
7. In May of 2014, Mr. Ken Ponder established the *New Era Group, Inc.* for the purpose of providing a corporate identity for the *New Era Group, Inc.* membership organization and establishing its non-profit status.
8. Mr. Ken Ponder and his families were the sole shareholders and offices with control for managerial authority. I was designated as "fund raising chair" in order that I might continue to perform administrative support functions for the ongoing litigation.
9. My litigation support services ended sometime in early 2015. Since that time, I have performed no official functions or services for the *New Era Group, Inc.* I have never exercised any control or management authority in that Company and since May of 2014 have received no notice of nor access to the Corporation's official filings, records or business dealings. I have never received notice of any meeting other than the May organization meeting have never participated in any other Corporate meetings.
10. In March of 2016, having heard nothing from *New Era Group, Inc.* for nearly two (2) years, I repeated demanded from their owners and their accountants, copies of relevant corporate records. Based on the records I did receive, pursuant to those demands, I

concluded that without my knowledge the Company was apparently being operated as a "for profit" entity, without my knowledge and consent, I have been designed in Corporate filings as "CEO" of the Company.


11. I immediately gave notice to both the owners and the Internal Revenue Service that I denied involvement with the *New Era Group, Inc.* or matters within its scope of authority after May of 2014.
12. I have had no dealings with the *New Era Group, Inc.* other than the above referenced demands and notice since that time.
13. I acknowledge that I did do some independent consulting work for certain of the RMS group of companies but never held an equity interest of exerted any control over any of them.
14. I have attached to this Affidavit copies of selected documents that support the statements made herein.

I, Peter Williams, affirm the above statements are true to the best of my knowledge.

Subscribed and sworn before me this 20th day of April, 2022.

STATE OF South Carolina
COUNTY OF Horry) ss.

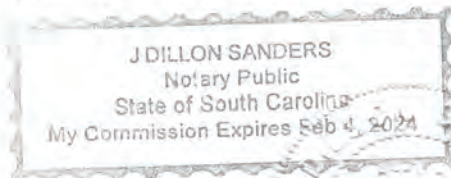
Subscribed, sworn to and acknowledged before me by

 , the agent, on April 20, 2022

Witness my hand and official seal.

My commission expires Exp. 02-04-2024

[SEAL]




Notary Public
4/20/2022



will not be included in the public docket and should not be submitted through www.regulations.gov or email. For additional information about the EPA's public docket visit the EPA Docket Center homepage at <http://www.epa.gov/dockets/>.

Public Docket: Publicly available docket materials may be accessed Online at www.regulations.gov.

FOR FURTHER INFORMATION CONTACT: The Designated Federal Officer (DFO), Tom Tracy, via phone/voicemail at: 919–541–4334; or via email at: tracy.tom@epa.gov.

Any member of the public interested in receiving a draft agenda, attending the meeting, or making a presentation at the meeting should contact Tom Tracy no later than October 23, 2022.

SUPPLEMENTARY INFORMATION: The Board of Scientific Counselors (BOSC) is a federal advisory committee that provides advice and recommendations to EPA's Office of Research and Development on technical and management issues of its research programs. The meeting agenda and materials will be posted to <https://www.epa.gov/bosc>.

Proposed agenda items for the meeting include, but are not limited to, the following: review of the New Chemicals Collaborative Research Program.

Information on Services Available: For information on translation services, access, or services for individuals with disabilities, please contact Tom Tracy at 919–541–4334 or tracy.tom@epa.gov. To request accommodation of a disability, please contact Tom Tracy at least ten days prior to the meeting to give the EPA adequate time to process your request.

Authority: Pub. L. 92–463, 1, Oct. 6, 1972, 86 Stat. 770.

Mary Ross,

Director, Office of Science Advisor, Policy and Engagement.

[FR Doc. 2022–22046 Filed 10–7–22; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OAR–2021–0669; FRL–9116–03–OAR]

Phasedown of Hydrofluorocarbons: Notice of 2023 Allowance Allocations for Production and Consumption of Regulated Substances Under the American Innovation and Manufacturing Act of 2020

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Environmental Protection Agency (EPA) has issued calendar year 2023 allowances for the production and consumption of hydrofluorocarbons in accordance with the Agency's regulations as established in the 2021 final rule titled *Phasedown of Hydrofluorocarbons: Establishing the Allowance Allocation and Trading Program under the American Innovation and Manufacturing Act*. The American Innovation and Manufacturing Act directs the Environmental Protection Agency by October 1 of each calendar year to determine the quantity of production and consumption allowances for the following calendar year. The Agency also provided notice to certain companies on September 30, 2022, that the Agency intends to retire an identified set of those companies' allowances in accordance with the administrative consequences provisions established in the final rule.

FOR FURTHER INFORMATION CONTACT: Andy Chang, U.S. Environmental Protection Agency, Stratospheric Protection Division, telephone number: 202–564–6658; email address: chang.andy@epa.gov. You may also visit EPA's website at <https://www.epa.gov/climate-hfcs-reduction> for further information.

SUPPLEMENTARY INFORMATION: Subsection (e)(2)(D)(i) of the American Innovation and Manufacturing Act of 2020 (AIM Act) directs the Environmental Protection Agency (EPA) to determine, by October 1 of each calendar year, the quantity of allowances for the production and consumption of regulated substances that may be used for the following calendar year. EPA has codified the production and consumption baselines and phasedown schedules for regulated substances in 40 CFR 84.7. Under the

phasedown schedule, for 2023, total production allowances may not exceed 344,299,157 metric tons of exchange value equivalent (MTEVe) and total consumption allowances may not exceed 273,498,315 MTEVe.

EPA regulations at 40 CFR part 84, subpart A, outline the process by which the Agency determines the number of allowances each entity is allocated. EPA allocated allowances consistent with this process for calendar year 2023, and has posted entity-specific allowance allocations on its website at <https://www.epa.gov/climate-hfcs-reduction>. An allowance allocated under the AIM Act does not constitute a property right and is a limited authorization for the production or consumption of a regulated substance.

EPA has codified the procedure for calculating application-specific allowance allocations in 40 CFR 84.13. These allowances are drawn from both the production and consumption allowance pools. EPA is issuing "application-specific allowances" to end users in five applications established by the AIM Act: propellants in metered dose inhalers, defense sprays, structural composite preformed polyurethane foam for marine use and trailer use, etching of semiconductor material or wafers and the cleaning of chemical vapor deposition chambers within the semiconductor manufacturing sector, and onboard aerospace fire suppression. Additionally, EPA is issuing "application-specific allowances" to the U.S. Department of Defense for mission-critical military end uses.

EPA has denied requests for application-specific allowances from Applied Materials, Inc; Benuvia Manufacturing; General Electric Global Research Center; Gilero LLC; Guardian Protective Devices, Inc.; nHalience LLC; and Shamrock Filling LLC because they are ineligible under 40 CFR 84.13. The requests were ineligible for at least one of the following reasons:

- (1) Did not meet the criteria for HFC use in a covered application;
- (2) Did not submit by the deadline;
- (3) Did not provide proper supporting documentation or justification for their requests; or
- (4) Did not report purchases of regulated substances in the past three years.

EPA has allocated 2023 application-specific allowances as shown in Table 1.

TABLE 1—APPLICATION-SPECIFIC ALLOWANCES FOR CALENDAR YEAR 2023

Entity	Application	Number of application-specific allowances issued (MTEVe) ¹
Analog Devices	Semiconductors	28,852.2
Apple	Semiconductors	1,033.8
Armstrong Pharmaceuticals	Metered Dose Inhalers	157,231.4
ASML US	Semiconductors	1,237.2
AstraZeneca Pharmaceuticals	Metered Dose Inhalers	4,652.7
Aurobindo Pharma USA	Metered Dose Inhalers	65,427.9
Broadcom	Semiconductors	834.7
Compsys	Structural Composite Foam	14,152.8
Defense Technology	Defense Sprays	9,366.7
Diodes Incorporated	Semiconductors	3,667.1
GlobalFoundries	Semiconductors	177,721.8
Hitachi High-Tech America	Semiconductors	1,064.4
IBM Corporation	Semiconductors	533.5
Intel Corporation	Semiconductors	746,212.5
InvaGen Pharmaceuticals	Metered Dose Inhalers	74,380.1
Jireh Semiconductor	Semiconductors	5,787.8
Keysight Technologies	Semiconductors	538.8
Kindeva Drug Delivery	Metered Dose Inhalers	408,952.0
Lupin	Metered Dose Inhalers	24,098.0
Medtronic	Semiconductors	637.6
Microchip Technology	Semiconductors	31,266.7
Micron Technology	Semiconductors	42,600.7
Newport Fab DBA TowerJazz	Semiconductors	8,042.3
NXP Semiconductors	Semiconductors	86,878.8
Odin Pharmaceuticals	Metered Dose Inhalers	1,708.5
Polar Semiconductor	Semiconductors	13,446.4
Proteng Distribution	Onboard Aerospace Fire Suppression	4,060.4
Qorvo Texas	Semiconductors	1,237.2
Raytheon Technologies	Onboard Aerospace Fire Suppression	952.6
Renesas Electronics America	Semiconductors	4,445.5
Samsung Austin Semiconductor	Semiconductors	384,969.7
Security Equipment Corporation	Defense Sprays	63,889.9
Semiconductor Components Industries DBA ON Semiconductor.	Semiconductors	38,821.5
SkyWater Technology	Semiconductors	17,549.8
Skyworks Solutions	Semiconductors	4,652.3
Texas Instruments	Semiconductors	194,744.9
The Research Foundation for The State University of New York.	Semiconductors	159.9
Tokyo Electron America	Semiconductors	558.8
Tower Semiconductor San Antonio	Semiconductors	4,948.7
TSMC Arizona Corporation	Semiconductors	32,632.0
UDAP Industries	Defense Sprays	110,727.8
Wabash National Corporation	Structural Composite Foam	73,543.0
WaferTech	Semiconductors	22,355.4
Wolfspeed	Semiconductors	36,114.7
X-FAB Texas	Semiconductors	5,076.0
Zarc International	Defense Sprays	1,384.1
Department of Defense	Mission-critical Military End Uses	2,513,169.3
Total	All	5,426,319.9

¹ Numbers may not sum due to rounding.

EPA has codified the procedure for calculating the production allowance

allocation in 40 CFR 84.9. EPA has

allocated calendar year 2023 production allowances as shown in Table 2.

TABLE 2—PRODUCTION ALLOWANCES FOR CALENDAR YEAR 2023

Entity	Number of production allowances issued (MTEVe) ¹
Application-specific allowances ²	5,426,319.9
Arkema	40,873,469.3
Chemour	75,703,417.3
Honeywell International	171,747,616.1
Iofina Chemical	1,758.6
Mexichem Fluor DBA Koura	50,546,575.8
Total	344,299,157.0

¹ Numbers may not sum due to rounding.
² See Table 1.

EPA has codified the procedure for calculating the consumption allowance allocation in 40 CFR 84.11. Calendar year 2023 consumption allowances have also been allocated to new market entrants consistent with 40 CFR 84.15.¹ EPA has allocated calendar year 2023 consumption allowances as shown in Table 3.

TABLE 3—CONSUMPTION ALLOWANCES FOR CALENDAR YEAR 2023

Entity	Number of consumption allowances issued (MTEVe) ¹
Application-specific allowances ²	5,426,319.9
A.C.S. Reclamation & Recovery (Absolute Chiller Services)*	200,000.0
Ability Refrigerants*	200,000.0
ACT Commodities*	77.8
Advance Auto Parts*	190,699.1
Advanced Specialty Gases	285,314.5
AFK & Co.*	193,335.9
AFS Cooling*	200,000.0
A-Gas	3,209,232.5
Air Liquide USA	498,530.3
AllCool Refrigerant Reclaim*	200,000.0
Altair Partners	2,918,730.4
American Air Components*	200,000.0
Arkema	31,075,488.7
Artsen	1,027,571.2
Automart Distributors DBA Refrigerant Plus*	200,000.0
AutoZone Parts	2,486,664.3
AW Product Sales & Marketing	194,505.7
Bluon	33,459.8
CC Packaging*	194,000.0
Certified Refrigerant Services*	200,000.0
Chemours	33,382,686.1
Chemp Technology*	200,000.0
Combs Gas	1,287,918.3
ComStar International	374,063.9
Creative Solution*	200,000.0
Cross World Group*	200,000.0
Daikin America	3,120,932.2
EDX Industry*	200,000.0
Electronic Fluorocarbons	104,289.0
Fireside Holdings DBA American Refrigerants*	199,978.5
First Continental International	769,838.0
FluoroFusion Specialty Chemicals	2,552,532.6
Freskoa USA*	200,000.0
GlaxoSmithKline	536,367.9
Golden Refrigerant*	200,000.0
Harp USA	765,574.0
Honeywell International	82,497,424.7
Hudson Technologies	2,988,057.5
Hungry Bear*	200,000.0
ICool USA	3,406,995.9
IGas Holdings	25,944,614.3
Iofina Chemical	1,264.9
Kidde-Fenwal*	200,000.0
Lenz Sales & Distribution	1,110,319.3
Lina Trade*	200,000.0
Linde	532,503.3
Meraki Group*	200,000.0
Metalcraft*	161,000.0
Mexichem Fluor DBA Koura	25,479,884.3

¹ A comprehensive overview and discussion of allocation decisions to new market entrants can be found in the Agency's April 5, 2022, notice

Phasedown of Hydrofluorocarbons: Notice of 2022 Set-Aside Pool Allowance Allocations for Production and Consumption of Regulated

Substances Under the American Innovation and Manufacturing Act of 2020 [87 FR 19683].

TABLE 3—CONSUMPTION ALLOWANCES FOR CALENDAR YEAR 2023—Continued

Entity	Number of consumption allowances issued (MTEVe) ¹
Mondy Global	318,706.9
National Refrigerants	19,806,810.9
Nature Gas Import and Export	819,624.4
North American Refrigerants*	200,000.0
O23 Energy Plus*	200,000.0
Perfect Score Too DBA Perfect Cycle*	37,876.0
Reclamation Technologies*	200,000.0
Refrigerants, Inc.	26,550.9
RMS of Georgia	1,621,276.8
RTR Suppliers*	198,000.0
Saalok*	200,000.0
Sciarra Laboratories*	8,700.0
SDS Refrigerant Services*	200,000.0
Showa Chemicals of America	73,466.6
Solvay Fluorides	1,102,459.2
Summit Refrigerants*	200,000.0
SynAgile Corporation*	1,125.1
Technical Chemical	974,140.0
TradeQuim*	200,000.0
Transocean Offshore Deepwater Drilling	16.8
Tulstar Products	734,110.9
Tyco Fire Products*	200,000.0
USA United Suppliers of America DBA USA Refrigerants*	200,000.0
USSC Acquisition Corp*	131,451.0
Walmart	2,280,583.0
Waysmos USA	634,504.6
Weitron	6,338,344.6
Wesco HMB*	200,000.0
Wilhelmsen Ships Service	40,392.5
Total	273,498,315.0

¹ Numbers may not sum due to rounding.

² See Table 1.

* These entities were issued consumption allowances consistent with the provisions in 40 CFR 84.15(e)(3). Consistent with 40 CFR 84.15(e)(3) and as clarified in the Agency's 2021 final rule, these entities were issued the same number of allowances for 2023 as they were in 2022. In accordance with 40 CFR 84.15(f)(1), allowances allocated to these entities may not be transferred.

On September 30, 2022, EPA also provided notice to four entities of the Agency's intent to take administrative consequences in accordance with 40 CFR 84.35. Using this authority, EPA can retire, revoke, or withhold the allocation of allowances, or ban a company from receiving, transferring, or conferring allowances.² EPA provided notice of its intent to retire an identified set of each of the four companies' allowances, affecting both calendar year 2022 and calendar year 2023 allowances.

Judicial Review

The AIM Act provides that certain sections of the Clean Air Act (CAA) "shall apply to" the AIM Act and actions "promulgated by the Administrator of [EPA] pursuant to [the AIM Act] as though [the AIM Act] were

² Administrative consequences that the Agency has finalized can be found here: <https://www.epa.gov/climate-hfcs-reduction/administrative-consequences-under-hfc-allocation-rule>.

expressly included in title VI of [the CAA]." 42 U.S.C. 7675(k)(1)(C). Among the applicable sections of the CAA is section 307, which includes provisions on judicial review. Section 307(b)(1) provides, in part, that petitions for review must only be filed in the United States Court of Appeals for the District of Columbia Circuit: (i) when the agency action consists of "nationally applicable regulations promulgated, or final actions taken, by the Administrator," or (ii) when such action is locally or regionally applicable, but "such action is based on a determination of nationwide scope or effect and if in taking such action the Administrator finds and publishes that such action is based on such a determination." For locally or regionally applicable final actions, the CAA reserves to the EPA complete discretion whether to invoke the exception in (ii).

The final action herein noticed is "nationally applicable" within the meaning of CAA section 307(b)(1). The AIM Act imposes a national cap on the total number of allowances available for

each year for all entities nationwide. 42 U.S.C. 7675(e)(2)(B)–(D). For 2023, there was a national pool of 344,299,157 production allowances and 273,498,315 consumption allowances available to distribute. The action noticed herein distributed that finite set of allowances consistent with the methodology EPA established in the nationally applicable framework rule. As such, the allowance allocation is the division and assignment of a single, nationwide pool of HFC allowances to entities across the country according to the uniform, national methodology established in EPA's regulations. Each entity's allowance allocation is a relative share of that pool; thus, any additional allowances awarded to one entity directly affects the allocations to others.

In the alternative, to the extent a court finds the final action to be locally or regionally applicable, the Administrator is exercising the complete discretion afforded to him under the CAA to make and publish a finding that the action is based on a determination of

“nationwide scope or effect” within the meaning of CAA section 307(b)(1).³ In deciding to invoke this exception, the Administrator has taken into account a number of policy considerations, including his judgment regarding the benefit of obtaining the D.C. Circuit’s authoritative centralized review, rather than allowing development of the issue in other contexts, in order to ensure consistency in the Agency’s approach to allocation of allowances in accordance with EPA’s national regulations in 40 CFR part 84. The final action treats all affected entities consistently in how the Part 84 regulations are applied. The allowance allocation is the division and assignment of a single, nationwide pool of HFC allowances to entities across the country according to the uniform, national methodology established in EPA’s regulations, and each entity’s allowance allocation is a relative share of that pool; thus, any additional allowances awarded to one entity directly affect the allocations to others. The Administrator finds that this is a matter on which national uniformity is desirable to take advantage of the D.C. Circuit’s administrative law expertise and facilitate the orderly development of the basic law under the AIM Act and EPA’s implementing regulations. The Administrator also finds that consolidated review of the action in the D.C. Circuit will avoid piecemeal litigation in the regional circuits, further judicial economy, and eliminate the risk of inconsistent results for different regulated entities. The Administrator also finds that a nationally consistent approach to the allocation of allowances constitutes the best use of agency resources. The Administrator is publishing his finding that the action is based on a determination of nationwide scope or effect in the **Federal Register** as part of this notice in addition to inclusion on the website announcing allocations.

For these reasons, the final action of the Agency allocating hydrofluorocarbon allowances to entities located throughout the country is nationally applicable or, alternatively, the Administrator is exercising the complete discretion afforded to him by the CAA and finds that the final action is based on a determination of nationwide scope or effect for purposes of CAA section 307(b)(1) and is hereby

³In the report on the 1977 Amendments that revised section 307(b)(1) of the CAA, Congress noted that the Administrator’s determination that the “nationwide scope or effect” exception applies would be appropriate for any action that has a scope or effect beyond a single judicial circuit. See H.R. Rep. No. 95–294 at 323, 324, reprinted in 1977 U.S.C.C.A.N. 1402–03.

publishing that finding in the **Federal Register**.

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the District of Columbia Circuit by December 12, 2022.

Hans Christopher Grundler,

Director, Office of Atmospheric Programs.

[FR Doc. 2022–22059 Filed 10–7–22; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–0863; FR ID 108097]

Information Collection Being Reviewed by the Federal Communications Commission

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act of 1995 (PRA), the Federal Communications Commission (FCC or Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collection. Comments are requested concerning: whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission’s burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees. The FCC may not conduct or sponsor a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

DATES: Written PRA comments should be submitted on or before December 12, 2022. If you anticipate that you will be submitting comments but find it difficult to do so within the period of time allowed by this notice, you should

advise the contact listed below as soon as possible.

ADDRESSES: Direct all PRA comments to Cathy Williams, FCC, via email to PRA@fcc.gov and to Cathy.Williams@fcc.gov.

FOR FURTHER INFORMATION CONTACT: For additional information about the information collection, contact Cathy Williams at (202) 418–2918.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 3060–0863.

Title: Satellite Delivery of Network Signals to Unserved Households for Purposes of the Satellite Home Viewer Act.

Form Number: Not applicable.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit entities.

Number of Respondents and Responses: 848 respondents; 250,000 responses.

Estimated Time per Response: 0.50 hours.

Frequency of Response:

Recordkeeping requirement, On occasion reporting requirement.

Obligation to Respond: Required to obtain or retain benefits. Statutory authority for this information collection action is contained in 47 U.S.C. 339.

Total Annual Burden to Respondents: 125,000 hours.

Total Annual Cost: No cost.

Needs and Uses: The information collection requirements contained in 47 CFR 73.686 describes a method for measuring signal strength at a household so that the satellite and broadcast industries would have a uniform method for making an actual determination of the signal strength that a household received. The information gathered as part of the noise-limited service contour signal strength tests will be used to indicate whether a household is “unserved” by over-the-air network signals.

Satellite and broadcast industries making field strength measurements for formal submission to the Commission in rulemaking proceedings, or making such measurements upon the request of the Commission, shall follow the procedure for making and reporting such measurements which shall be included in a report to the Commission and submitted in affidavit form, in triplicate. The report shall contain the following information:

(a) Tables of field strength measurements, which for each measuring location; (b) U.S. Geological Survey topographic maps; (c) All information necessary to determine the pertinent characteristics of the transmitting installation; (d) A list of

LAWRENCE J. JOSEPH, ESQ.

1250 Connecticut, NW, Suite 700-1A – Washington, DC 20036

Tel: 202-355-9452 – Fax: 202-318-2254

www.larryjoseph.com

December 12, 2022

VIA EMAIL AND PRIORITY MAIL

Cynthia Newberg, Director
Stratospheric Protection Division
Office of Air & Radiation
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460
Email: Newberg.Cindy@epa.gov

Hans Christopher Grundler
Director, Office of Atmospheric Programs
Office of Air & Radiation
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460
Email: Grundler.Christopher@epa.gov

Re: HFC Allocations for Peter Williams

Dear Ms. Newberg and Mr. Grundler:

On behalf of Peter Williams, this letter follows on J. Gordon Arbuckle’s letter to Ms. Newberg dated April 20, 2022, and Luke Hall-Jordan’s email to Mr. Williams on April 26, 2022. Mr. Arbuckle’s letter asked Ms. Newberg to reconsider the denial dated March 31, 2022 (“EPA Denial”), of Mr. Williams’ application for hydrofluorocarbons (“HFC”) allocations as a new entrant under 40 C.F.R. § 84.15(c)(2). Mr. Grundler signed the Federal Register notices for the 2022 new-entrant allocation, 87 Fed. Reg. 19,683 (Apr. 5, 2022), and for the 2023 and subsequent allocations, 87 Fed. Reg. 61,314 (Oct. 11, 2022). This letter advises you of Mr. Williams’ understanding of the issues presented here and how EPA can and should resolve them.

FACTUAL BACKGROUND

Under EPA’s program for HFC phasedown, Mr. Williams timely applied for a new entrant allocation of 200,000 metric tons of exchange value equivalent (“MTEVe”) as “Peter Williams/dba The New Era Group.” His application materials clearly describe the applicant as unincorporated in South Carolina.

Based on Georgia corporate information about “New Era Group, Inc.” outside of Mr. Williams’ application, EPA found the applicant to “share corporate or common ownership, corporate affiliation in the past five years, or familial relations’ with an entity receiving allowances through this rule, specifically RMS of Georgia.” EPA Denial, at 1. In addition, based on EPA’s erroneous understanding that the applicant was “New Era Group, Inc.” of Georgia,

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EPA also found the application incomplete for omitting certain corporate information about New Era Group, Inc. “For these reasons, EPA is denying New Era Group’s application.” *Id.* at 2.

Mr. Arbuckle’s letter explained that Mr. Williams was an individual operating under the “dba” New Era Group, not the Georgia corporation with a similar name. The letter included an affidavit from Mr. Williams, which explained his operation as “*Peter Williams (d/b/a The New Era Group)*” since 2008, as well as his involvement with and dissociation from New Era Group, Inc. of Georgia.¹ Mr. Williams participated in New Era Group, Inc. of Georgia with other industry stakeholders for purposes of filing comments with EPA and litigation. The corporation was “a nonprofit organization that represents the interests of hydrochlorofluorocarbon-22 reclaimers and producers of alternative refrigerants.” New Era Group, Inc.’s Certificate of Parties, Rulings Under Review, and Related Cases Pursuant to Circuit Rule 28(a)(1), at 1, *New Era Grp., Inc. v. EPA*, 2014 U.S. App. LEXIS 19027 (D.C. Cir. Oct. 3, 2014) (No. 14-1054).

The “Who Is” search for neweragroupinc.com shows that the domain was first registered in 2009.² According to the Georgia Secretary of State’s website,³ the Georgia corporation “New Era Group, Inc.” was incorporated on May 16, 2014, and administratively dissolved on October 22, 2020, after filing its last annual registration in 2019. (EPA located that 2019 registration, which was filed on March 29, 2019.)

In response to Mr. Arbuckle’s letter, EPA staff contacted Mr. Williams to indicate that the 2022 allocation was final and could not be revised:

We’ve had a chance to confer on whether there are additional administrative processes within EPA to reconsider the decision to deny your request for set-aside allowances as a new market entrant. We were not able to identify any process by which you could appeal the decision to the Agency, as the decisions were final agency action and all allowances from the set-aside have been allocated.

¹ Mr. Williams does not waive his arguments about that dissociation, but for the reasons set out in Section I.C, *infra*, EPA can find that Mr. Williams does not share “corporate affiliation” with RMS of Georgia without considering those arguments about dissociation.

² <https://www.godaddy.com/whois> (last visited Dec. 12, 2022).

³ <https://ecorp.sos.ga.gov/BusinessSearch> (last visited Dec. 12, 2022).

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Email from Luke Hall-Jordan, Environmental Protection Agency, to Peter Williams (April 26, 2022).

EPA allocated Altair Partners significant HFC allocations, both for 2022 and for 2023 and subsequent years. *See* 86 Fed. Reg. 55,841, 55,843 (Oct. 7, 2021) (allocating Altair 2,908,497.9 MTEVe for 2022); 87 Fed. Reg. at 19,686 (allocating Altair an additional 5,390.0 MTEVe for 2022); 87 Fed. Reg. at 61,316 (allocating Altair 2,918,730.4 MTEVe for 2023 and subsequent years). For 2022 and 2023, however, EPA retired 2,441,028.6 MTEVe and 2,449,616.4 MTEVe, respectively, as an administrative consequence of Altair’s “[m]isreport[ing] data used for purposes of allocating allowances.”⁴

DISCUSSION

To proceed in this matter, EPA needs to determine whether the Agency erred in denying Mr. Williams’ application and, if so, whether the Agency may correct that error prospectively for the HFC allocations for 2023 and subsequent years and retrospectively for the HFC allocations for 2022. The following two sections address those two questions.

I. EPA’s denial of Mr. Williams’ application was erroneous.

In denying Mr. Williams’ application, EPA apparently noticed that Mr. Williams’ “dba” or trade name—New Era Group—was similar to the name of a Georgia corporation, New Era Group, Inc., with which Mr. Williams had been involved. Based on connections between an existing HFC importer—RMS of Georgia—EPA concluded that “New Era Group” (*i.e.*, Mr. Williams) was ineligible for HFC allocations as a new market entrant. EPA’s conclusion was erroneous on several levels. *First*, the trade name “New Era Group” was not the corporation New Era Group, Inc. of Georgia. *Second*, an individual like Mr. Williams cannot do business as a corporation. *Third*, and in any event, Mr. Williams past involvement with New Era Group, Inc. of Georgia does not tie him to RMS of Georgia under 40 C.F.R. § 84.15(c)(2).

A. EPA erroneously conflated Mr. Williams’ trade name with a separate corporation.

Since 2008, Mr. Williams has done business as “New Era Group” in South Carolina. Notwithstanding the similarity of the two names, Mr. Williams’ application clearly indicates that

⁴ *See* Administrative Consequences Under the HFC Allocation Rule (Dec. 8, 2022), <https://www.epa.gov/climate-hfcs-reduction/administrative-consequences-under-hfc-allocation-rule> (last visited Dec. 12, 2022).

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the applicant is unincorporated. The HFC regulations clearly recognize that individuals are not corporations. 40 C.F.R. § 84.3 (defining “person” to include not only individuals but also corporations). EPA thus erred in assuming that Mr. Williams was applying as New Era Group, Inc. of Georgia.

B. EPA erroneously conflated Mr. Williams with a corporation.

Even without EPA’s mistaken belief that Mr. Williams’ “dba” or trade name referred to the Georgia corporation named “New Era Group, Inc.,” EPA’s conflation of Mr. Williams with a corporation erred on a more basic level. With exceptions not relevant here,⁵ an individual cannot “do business as” a corporation.

Indeed, even if Mr. Williams owned New Era Group, Inc. of Georgia—which he never did—his use of “New Era Group” as a “dba” or trade name would not equate the corporation with the trade name: “An individual doing business under a trade name is clearly a sole proprietor distinct under Georgia law from a corporation in which that individual holds stock.” *Miller v. Harco Nat’l Ins. Co.*, 274 Ga. 387, 390, 552 S.E.2d 848 (2001); *see also BellSouth Corp. v. FCC*, 162 F.3d 678, 684 (D.C. Cir. 1998) (“it is obvious that there are differences between a corporation and an individual under the law”). Moreover, “[c]orporations are creatures of state law,” *Cort v. Ash*, 422 U.S. 66, 84 (1975); *Business Roundtable v. SEC*, 905 F.2d 406, 412 (D.C. Cir. 1990); *Doe v. McMaster*, 355 S.C. 306, 313, 585 S.E.2d 773, 777 (2003); *Tr. Co. of Ga. v. State*, 109 Ga. 736, 755, 35 S.E. 323, 329-30 (1900), and no relevant provision of law equates individuals with corporations.

Both before and after the existence of New Era Group, Inc. of Georgia, Mr. Williams did business under the trade name “New Era Group.” That cannot make Mr. Williams a corporation, and it does not make him “New Era Group, Inc.” of Georgia.

C. EPA erroneously applied § 84.15(c)(2) to Mr. Williams.

In pertinent part, § 84.15(c)(2) limits new-entrant allocations to “[p]ersons who ... do not

⁵ The exception proves the rule. It is possible for an individual to be a corporation *de facto* even if the individual is not a corporation *de jure*, *Tulare Irrigation Dist. v. Shepard*, 185 U.S. 1, 13-14 (1902), but that requires specific findings (*e.g.*, an attempt to incorporate under an applicable state corporation law and actual use of the corporate franchise), *id.*, none of which were met here. All that Mr. Williams did here was use an email address that included “inc” in it, based on his plans to incorporate some day in the future. That does not make Mr. Williams a corporation *de facto*.

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share corporate or common ownership, corporate affiliation in the past five years, or familial relations with entities receiving allowances through this rule.” 40 C.F.R. § 84.15(c)(2). EPA cited this provision to deny Mr. Williams’ application, based on the perceived relationship between New Era Group, Inc. of Georgia and RMS of Georgia. Given EPA’s conflation of Mr. Williams and New Era Group, Inc. of Georgia, EPA also found the application incomplete in that it did not provide certain information related to New Era Group, Inc. of Georgia.

1. Mr. Williams did not share “corporate or common ownership” with RMS of Georgia.

The first potentially pertinent clause of § 84.15(c)(2) withholds new-entrant status for sharing “corporate or common ownership” with an entity already receiving HFC allocations. There is no suggestion in the Georgia corporate materials that EPA located to suggest that either Mr. Williams or his trade name—New Era Group of South Carolina—owns any part either of New Era Group, Inc. of Georgia or of RMS of Georgia.

2. Mr. Williams did not share “corporate affiliation” with RMS of Georgia.

The second potentially pertinent clause of § 84.15(c)(2) withholds new-entrant status for sharing “corporate affiliation” with an entity already receiving HFC allocations. Given the clear inapplicability of the first and third clauses, this presumably is what EPA found to apply.

As Mr. Williams has explained by affidavit, he timely dissociated himself from New Era Group, Inc. of Georgia, but even without that, the second clause would not apply because New Era Group, Inc. of Georgia was not itself an “entit[y] receiving allowances through this rule.” 40 C.F.R. § 84.15(c)(2). Having a consultant like Mr. Williams and principals from industry stakeholders like RMS of Georgia participate in the same nonprofit does not make the consultants or the nonprofit itself an “entit[y] receiving allowances through this rule” for purposes of § 84.15(c)(2). It may well be that the relationship between New Era Group, Inc. of Georgia and RMS of Georgia would preclude New Era Group, Inc. of Georgia from receiving a new-entrant allocation, but that is irrelevant to whether Mr. Williams or his trade name—New Era Group of South Carolina—shared a “corporate affiliation” with RMS of Georgia.

In mathematical terms, § 84.15(c)(2)’s “corporate affiliation” prong is not transitive. The twin facts that (a) Mr. Williams may have had a “corporate affiliation” with New Era Group, Inc., and (b) New Era Group, Inc., may have had a “corporate affiliation” with RMS of Georgia, does not mean that Mr. Williams has a “corporate affiliation” with RMS of Georgia. To the contrary, the “corporate affiliation” must be with the “entit[y] receiving allowances through this rule.” 40 C.F.R. § 84.15(c)(2). New Era Group, Inc. cannot bridge the gap between Mr. Williams

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and RMS of Georgia because New Era Group, Inc. itself is not an “entit[y] receiving allowances through this rule.” 40 C.F.R. § 84.15(c)(2).

3. Mr. Williams did not share “familial relations” with RMS of Georgia.

The third and last potentially pertinent clause of § 84.15(c)(2) withholds new-entrant status for sharing “familial relations” with an entity already receiving HFC allocations. There is no suggestion in the non-record materials that EPA located to suggest a familial relationship with RMS of Georgia.

4. EPA’s incompleteness finding on Mr. Williams’ application was derivative of EPA’s erroneous corporate analysis.

If Mr. Williams’ trade name—New Era Group of South Carolina—is not the same person as New Era Group, Inc. of Georgia, then not including information about relationships between that third-party and RMS of Georgia does not make Mr. Williams’ application incomplete. Quite simply, New Era Group, Inc. of Georgia and RMS of Georgia have nothing to do with Mr. Williams’ application.

II. EPA staff erroneously concluded that nothing can be done.

If EPA erred in conflating (a) Mr. Williams and his trade name with (b) New Era Group, Inc. of Georgia and RMS of Georgia, EPA still could correct its error, both with respect to the initial 2022 allocation and with respect to the more recent allocation for 2023 and subsequent years. This is basic administrative law: “An initial agency interpretation is not instantly carved in stone.” *Chevron, U.S.A., Inc. v. NRDC, Inc.*, 467 U.S. 837, 863-64 (1984). Indeed, if the Clean Air Act did not allow reconsideration, that would raise questions of whether the HFC allocation program is even constitutional.

A. The Clean Air Act, administrative law, and Constitution provide a path to remedy EPA’s errors on Mr. Williams’ application.

Section 307(b)(1) of the Clean Air Act expressly contemplates administrative petitions for reconsideration. *See* 42 U.S.C. § 7607(b)(1).⁶ It is doubtful that the First Amendment would allow a statute that barred the affected public from petitioning an agency to correct an error.

⁶ To be sure, § 307(b)(1) also limits the effect of a petition for reconsideration on actions’ finality for judicial review and on the date when actions take effect. *See id.*

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The Supreme Court recently recognized administrative petitions for reconsideration as the administrative-law norm:

Congress has carried the model of principal officer review into the modern administrative state. As the Government forthrightly acknowledged at oral argument, it certainly is the norm for principal officers to have the capacity to review decisions made by inferior adjudicative officers. The Administrative Procedure Act, from its inception, authorized agency heads to review such decisions. And “higher-level agency reconsideration” by the agency head is the standard way to maintain political accountability and effective oversight for adjudication that takes place outside the confines of §557(b). To take one example recently discussed by this Court in *Free Enterprise Fund*, the Public Company Accounting Oversight Board can issue sanctions in disciplinary proceedings, but such sanctions are reviewable by its superior, the Securities and Exchange Commission.

United States v. Arthrex, Inc., 141 S.Ct. 1970, 1983-84 (2021) (interior quotation marks and citations omitted). In short, whatever the implications for judicial review of EPA’s deciding not to correct its error, the Clean Air Act not only allows Mr. Williams to petition EPA to correct its error, but also allows EPA to grant that petition.

B. EPA’s distribution of 2022 HFC allocations in April of 2022 does not preclude EPA’s remedying its errors on Mr. Williams’ application now.

If EPA acknowledges its mistake in denying Mr. Williams’ application and the existence of an administrative avenue to remedy that mistake, Mr. Hall-Jordan’s remaining concern (*i.e.*, that “all allowances from the set-aside have been allocated”) poses no obstacle now, even if it posed an obstacle on April 26, 2022. The administrative consequences assessed against Altair Partners provide ample allowances for 2022 and 2023 to make Mr. Williams whole.

C. If EPA and its Administrator cannot remedy EPA’s errors on Mr. Williams’ application, the entire HFC program violates the Appointments Clause.

As indicated, § 307(b)(1)’s plain language about reconsideration, the Supreme Court’s recognition of that norm in *Arthrex*, and the First Amendment’s petition clause all support Mr. Williams’ ability to petition EPA for reconsideration of its erroneous denial of his application. If, notwithstanding those sources, your staff are correct that Mr. Williams cannot petition EPA to reconsider the final agency actions of Ms. Newberg’s denying Mr. Williams’ application and Mr.

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Grundler's promulgating the allocation notices, the HFC allocation process would violate the Constitution's Appointments Clause. U.S. CONST. art. II, § 2, cl. 2.

Under that Clause, principal officers must be appointed by the President with the advice and consent of the Senate, while inferior officers may be appointed by the President alone, the head of an executive department, or a court. *Id.* To the extent that you exercise significant governmental authority, *Buckley v. Valeo*, 424 U.S. 1, 126 & n.162 (1976), you qualify as at least inferior officers. *See Edmond v. United States*, 520 U.S. 651, 660-62 (1997). Under *Arthrex*, however, "[o]nly an officer properly appointed to a principal office may issue a final decision binding the Executive Branch" in such proceedings. *Arthrex*, 141 S.Ct. at 1985. The Clause is simply another reason you should accept Mr. Williams' argument in Section II.A, *supra*, that EPA can correct its error here, notwithstanding Mr. Hall-Jordan's analysis.

D. EPA should remedy its HFC actions' disparate race-based impacts.

Finally, as the record reflects and I believe you know, Mr. Williams is a person of color and—on information and belief—the only person of color who applied for HFC allocations. EPA's implementing regulations prohibit disparate impacts based on race. 40 C.F.R. § 7.35(b). While disparate impacts alone may not be actionable, *see, e.g., Alexander v. Sandoval*, 532 U.S. 275, 288-89 (2001), an agency's failure to follow its own regulations is actionable. *United States v. Macdaniel*, 32 U.S. (7 Pet.) 1, 15 (1833); *Morton v. Ruiz*, 415 U.S. 199, 235 (1974). As relevant here, Mr. Williams is also—on information and belief—the only person whose application EPA erroneously denied.

As galling as that is by itself, it is all the worse when EPA's treatment of Altair Partners is factored into the equation:

- Mr. Williams—who did nothing wrong—is punished permanently for EPA's mistake.
- Altair—whose misreporting appears to have garnered an initial 2022 allocation of 2,908,497.9 MTEVe—was docked 83% as an administrative consequence for 2022 and 2023, but otherwise credited thereafter with its inflated allocation. *Compare* 86 Fed. Reg. at 55,843 (2022) *with* 87 Fed. Reg. at 61,316 (2023 and subsequent years).

In other words, the person of color pays for all years for EPA's mistake, while a limited partnership benefits prospectively—after two one-year penalties—for its own misreporting.

In equal-protection contexts, "the appropriate remedy is a mandate of *equal* treatment, [which] can be accomplished by withdrawal of benefits from the favored class as well as by extension of benefits to the excluded class." *Heckler v. Mathews*, 465 U.S. 728, 740 (1984)

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(emphasis in original). Either Mr. Williams should be allowed to cure EPA's mistake—at least prospectively for 2023 and subsequent years—or Altair should not be allowed to avoid its mistake with mere one-year penalties. EPA must either level Mr. Williams up or level Altair down.

REQUESTED RELIEF

Mr. Williams respectfully submits that the Agency has not only the power to correct the injustice done here, but also the obligation to do so. Specifically, EPA should provide Mr. Williams the 2022 allocation that EPA wrongly denied from the materials that EPA reclaimed under administrative consequences and should extend that allocation for 2023 and subsequent years.

Mr. Williams intends to pursue any available legal options if this issue cannot be resolved administratively, including petitioning for review of the HFC allocation for 2023 and subsequent years, 87 Fed. Reg. 61,314 (Oct. 11, 2022). Please include this letter in the administrative record of that action, for which EPA did not seek comment.

CONCLUSION

Please advise me whom among the two of you, your respective staffs, or counsel I should follow up to discuss these issues.

Yours sincerely,

/s/ Lawrence J. Joseph

Lawrence J. Joseph

cc: Jeffrey M. Prieto, Esq. EPA General Counsel (via email, w/Encl.)

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December 29, 2022

BY FEDEX AND ELECTRONIC MAIL

Cynthia A. Newberg, Director
U.S. Environmental Protection Agency
Stratospheric Protection Division
1200 Pennsylvania Avenue, NW
Washington, D.C. 20460
HFCAllocation@epa.gov

Re: EPA March 31, 2022 AIM Act Affiliation Determination Impacting RMS of Georgia

Dear EPA:

RMS of Georgia, LLC d/b/a Choice Refrigerants (“**RMS**”) requests that EPA correct its mistaken regulatory determination, which EPA announced in an unpublished March 31, 2022 letter (Attachment A, hereto), purporting to find that “Peter Williams DBA New Era Group” or his business(es) (referred to herein as “Williams”) are affiliated with RMS for purposes of the AIM Act. We note that EPA made this regulatory determination without ever communicating with or notifying RMS, which raises serious good government and due process concerns. RMS found out about this determination only after seeing a petition filed by Williams in the federal appeals court.

As background, after we learned of EPA’s action, our legal counsel left a voice message with Luke Hall-Jordan on December 14, 2022, detailing our concern that EPA had incorrectly determined that Williams is a corporate affiliate of RMS and asking EPA to correct the determination that Williams was affiliated with RMS. Our legal counsel subsequently emailed EPA on December 16, 2022, requesting a meeting to discuss EPA’s action. Sadly, EPA refused to meet with us or to discuss this situation in good faith. Subsequently, in a December 27, 2022 telephone call with our legal counsel, your lawyer (Sarah Buckley) stated that EPA did not understand from our legal counsel’s voice message and follow-up email that RMS wanted EPA to correct its determination that Williams was affiliated with RMS. We find that explanation implausible given the circumstances. Nonetheless, please consider this letter as RMS’s formal request that EPA rescind and correct the agency’s March 31, 2022 determination to the extent of any finding that Williams and RMS are affiliated.

EPA’s March 31, 2022 determination letter (which, as noted, was never provided to RMS) asserts in relevant part that:

*Public data available to the Agency from the State of Georgia Secretary of State confirms that you [Williams] and the owner of a company who received allowances under the final HFC Allocation Framework Rule [RMS] are both listed as officers for “New Era Group Inc” as recently as 2019. **This equates to corporate affiliation** in the past five years with an entity receiving allowances through this rule, and therefore disqualifies New Era Group’s application in accordance with EPA’s regulations. (Emphasis added.)*

Add. 44a

Based on this passage, we suspect that the agency may be equating “Peter Williams DBA New Era Group”, which the agency mentions in the first sentence of its letter, with New Era Group, Inc., which is a Georgia non-profit corporation separate from any business of Williams. If this is the case, then EPA’s determination is mistaken factually and legally. It is black letter law that an individual natural person doing business under a trade name, such as “Peter Williams DBA New Era Group”, would be categorized as a sole proprietorship, and is not the same legal entity as New Era Group, Inc. In contrast, New Era Group, Inc. is a Georgia nonprofit corporation and under Georgia corporate law is a separate entity formed under the auspices of Georgia’s nonprofit corporation law and recognized by the Georgia Secretary of State as such. Thus, if EPA is failing to make a distinction between (1) Peter Williams DBA New Era Group, on the one hand, and (2) New Era Group, Inc., on the other, then that is sufficient reason for EPA to correct its mistaken determination by rescinding its March 31 letter.

If, however, the agency is correctly considering Williams DBA New Era Group, New Era Group, Inc., and RMS as separate legal entities, but the agency is taking the position (as suggested by the passage from EPA’s March 31 letter quoted above) that separate businesses (*i.e.*, Williams and RMS) can have a “corporate affiliation” based solely on their respective officers serving on the board of directors of a third-party nonprofit corporation trade association (*i.e.*, New Era Group, Inc.), then EPA is mistaken. Businesses do not become affiliated by participating in trade associations, particularly where the trade association is not itself a market participant.

In any regulatory determination, it is incumbent on the agency to articulate the legal basis for its action, yet EPA’s March 31 letter cites no legal authority or precedent under the AIM Act or corporate law principles to support its findings and conclusions with respect to its finding that RMS has a corporate affiliation with either Williams or New Era Group, Inc. To the contrary, EPA’s position is unsupported by applicable law. As noted, Williams is apparently an individual operating as a sole proprietorship, whereas RMS is a Georgia limited liability company owned by Ken Ponder. Williams’ business (whatever it may be) is separate and distinct from RMS – there is no business relationship between Williams and RMS; neither entity has any corporate, ownership, economic or other interest in the other entity, and there is no legal relationship between Williams and RMS under Georgia corporate law. Similarly, New Era Group, Inc., is a Georgia domestic nonprofit corporation that has no ownership, business or corporate affiliation with RMS under Georgia law. As is typical for trade associations, New Era Group, Inc.’s members served as directors of the nonprofit entity. In this case, Mr. Williams and executives of RMS served as directors and officers of New Era Group, Inc., until its dissolution; however, at no time did New Era Group, Inc., have any commercial relationship with its members, directors or officers. Nor in fact did New Era Group, Inc., have any import, sales or transactional business in the refrigerant market, and indeed EPA’s letter does not assert that New Era Group, Inc., is a market participant under the AIM Act.¹

Under black-letter corporate law, a business is not affiliated with another business merely because the two businesses are associated with or participate in the same trade association. Nor is a business entity “affiliated” with a trade association by virtue of its executives serving as officers or directors of the trade association. It is also black letter law that nonprofit corporations, such as trade associations, do not have stockholders, owners, or controlling interests, and thus a trade association and its members (or officers) are not grouped as corporate affiliates for tax or liability purposes. Indeed, nonprofit

¹ Although not relevant to the legal analysis, New Era Group, Inc., was formed as a trade association in 2014 and was dissolved in 2020 (Attachment B, hereto). Although New Era Group, Inc., was formed to advocate for refrigerant reclaiming policy, in actuality it did not generate sufficient interest within the reclaim community and was never very active.

corporations are not even considered business entities under Georgia law. *See, e.g.*, Ga. Code § 14-11-101(2) (“Business entity” means “a limited liability company, a foreign limited liability company, a limited partnership, a foreign limited partnership, a general partnership, a corporation, or a foreign corporation.”); Ga. Code § 14-3-140(3) (“Business corporation” means “a corporation for profit, incorporated under the provisions of Chapter 2 of this title.”). Tellingly, EPA’s March 31 letter cites no legal authority to the contrary.

EPA’s AIM Act regulations do not define “corporate affiliation” as that term is used in the set-aside regulations that EPA cites in its March 31 letter, but there is no indication in the AIM Act allowance framework rule that EPA is creating special rules for affiliation that are inconsistent with customary corporate law principles. *See* § 84.15(c)(2) (“Set-aside of application-specific allowances, production allowances, and consumption allowances . . . Consumption allowances in paragraph (a) of this section are available to either: . . . Persons who are newly importing regulated substances, do not share corporate or common ownership, corporate affiliation in the past five years, or familial relations with entities receiving allowances through this rule.”). The ordinary meaning of corporate affiliate is that two business entities are related through ownership and control. *See, e.g.*, Black’s Law Dictionary (6th ed. 1991) (“Affiliate company” means a company “effectively controlled by another company” or “a branch, division or subsidiary”); Investment Company Act, 15 U.S.C. § 80a-2 (affiliate is a company in which there is ownership (direct or indirect) of 5 percent or more of the voting stock). EPA’s March 31 letter does not identify any ownership or control relationship between Williams and RMS, and indeed there is none, that would support finding a corporate affiliate relationship.²

EPA’s misapplication of the law in this situation is akin to saying that two otherwise independent businessmen who are on the same church board of elders are somehow business partners. There is simply no basis in corporate law or the AIM Act for EPA’s unfounded assumption. We have repeatedly asked EPA’s legal counsel to identify the legal basis for EPA’s apparent position, and they have dissembled and failed to articulate any good faith legal basis for such a position. EPA’s inability or refusal to provide a legal justification for its determination is troubling.

Moreover, it does not seem that EPA has applied this same approach uniformly to all nonprofit trade associations in the refrigerant sector, such as the Alliance, HARDI, AHRI, and other large trade associations. Indeed, doing so would upend the established legal regime upon which all of Washington, D.C. trade associations are dependent and would essentially make all market participants corporate affiliates of each other. For example, the Alliance for Responsible Atmospheric Policy Inc., which is a leading trade association in the refrigerant market, is a Virginia nonprofit corporation and has as its members many of the companies receiving AIM Act allowances (including Honeywell and Chemours) and its officers have included personnel from Rheem, Daiken (an allowance holder), Trane, Lennox, and Carrier, among others (Attachment C, hereto). Thus, if EPA were applying its putative approach uniformly, all these entities would be considered affiliated for AIM Act purposes. Although EPA makes corporate affiliate determinations without transparency, we doubt that EPA has applied the same approach for these companies and we doubt whether the agency has undertaken an analysis of whether other market participants would be “affiliated” under EPA’s questionable interpretation.

² If EPA is adopting a definition of corporate affiliation that is more expansive than its ordinary meaning and usage, then EPA has in effect illegally adopted a new substantive rule without notice-and-comment rulemaking under the AIM Act (and Clean Air Act provisions incorporated by reference).

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In sum, EPA's determination that Williams and RMS are corporate affiliates is without factual or legal basis. We therefore request that EPA issue a clarification in writing revoking that aspect of its March 31, 2022 letter within 10 days of receiving this request.

Sincerely,

A handwritten signature in blue ink that reads "Kenneth Ponder". The signature is written in a cursive style with a large, sweeping "K" and "P".

Kenneth Ponder
President

Attachments

ATTACHMENT A



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

March 31, 2022

OFFICE OF
AIR AND RADIATION

Mr. Peter Williams
New Era Group
709 Pickering Drive Unit B
Murrells Inlet, South Carolina 29567

Dear Mr. Peter Williams,

This letter communicates EPA's decision regarding Peter Williams DBA New Era Group (New Era Group)'s application for set-aside allowances under 40 CFR § 84.15(c). In accordance with the methodology finalized in the final Hydrofluorocarbon (HFC) Allowance Allocation and Trading Framework Rule (HFC Allocation Framework Rule), EPA issued allowances on October 1, 2021, to companies that had provided data on their historic import and production of HFCs, as well as entities that use HFCs in six applications specified by Congress. EPA also established the set-aside pool of allowances for a limited set of end users and importers (*see* 86 FR 55116). The set-aside pool of allowances was established for three groups: end users that qualify for application-specific allowances; existing importers that were not required to report under 40 CFR part 98 (i.e., the Greenhouse Gas Reporting Program); and new market entrants. New Era Group submitted an application for set-aside allowances as a new market entrant. The regulatory language specifies that set-aside allowances are available for entities "who are newly importing regulated substances, do not share corporate or common ownership, corporate affiliation in the past five years, or familial relations with entities receiving allowances through this rule." 40 CFR § 84.15(c)(2). EPA also explained in the final rule that new market entrants may include companies that had previously imported HFCs in any prior year but exited the business by 2020 and who did not otherwise qualify to receive general pool allowances (*see* 86 FR 55157).

After reviewing New Era Group's set-aside application and supporting information available to the Agency, EPA has determined that New Era Group is not eligible for allowances under the set-aside pool as a new market entrant and is therefore denying New Era Group's application. Based on the information before the Agency, EPA has determined that New Era Group does "share corporate or common ownership, corporate affiliation in the past five years, or familial relations" with an entity receiving allowances through this rule, specifically RMS of Georgia. Public data available to the Agency from the State of Georgia Secretary of State confirms that you and the owner of a company who received allowances under the final HFC Allocation Framework Rule are both listed as officers for "New Era Group Inc" as recently as 2019. This equates to corporate affiliation in the past five years with an entity receiving allowances through this rule, and therefore disqualifies New Era Group's application in accordance with EPA's regulations.

Further, the application submitted for new market entrant set-aside allowances was incomplete. EPA regulations at 40 CFR § 84.15(d)(2) require applicants “to be eligible for consideration” to provide “the complete ownership of the company (with percentages of ownership)” 40 CFR § 84.15(d)(2)(i). After Agency outreach explaining the relevant requirements, information submitted by the applicant failed to show the complete ownership of the company (with percentages of ownership). New Era Group also failed to provide as part of its application, “The date of incorporation and State in which the company is incorporated” 40 CFR § 84.15(d)(2)(iv), and the “State license identifier” 40 CFR § 84.15(d)(2)(v). For these reasons, EPA is denying New Era Group’s application.

As of January 1, 2022, if New Era Group chooses to import any of the HFCs listed at 40 CFR Part 84 Appendix A, or blends containing any of those HFCs, the company will need to acquire allowances from another allowance holder by the time of import.

If you have questions about the content of this letter, please contact us at HFCAllocation@epa.gov. More information about the regulatory requirements, including fact sheets, frequently asked questions, and a list of existing allowance holders is available at <https://www.epa.gov/climate-hfcs-reduction>.

Sincerely,



Cynthia A. Newberg
Director, Stratospheric Protection Division

ATTACHMENT B



GEORGIA
CORPORATIONS
DIVISION

GEORGIA SECRETARY OF STATE
BRAD
RAFFENSPERGER

[HOME \(/\)](#)

BUSINESS SEARCH

BUSINESS INFORMATION

Business Name: **New ERA Group Inc** Control Number: **14048832**
 Business Type: **Domestic Nonprofit Corporation** Business Status: **Admin. Dissolved**
 Business Purpose: **NONE**
 Principal Office Address: **610 McFarland 400 Drive, Alpharetta, GA, 30004, USA** Date of Formation / Registration Date: **5/16/2014**
 State of Formation: **Georgia** Last Annual Registration Year: **2019**
 Dissolved Date: **10/22/2020**

REGISTERED AGENT INFORMATION

Registered Agent Name: **Robert Slaughter**
 Physical Address: **5975-C Parkway North Blvd, Cumming, GA, 30040, USA**
 County: **Forsyth**

OFFICER INFORMATION

Name	Title	Business Address
Peter Vincent Williams	CEO	17 Grey Moss Road, Murrells Inlet, SC, 29576, USA
Lee Ponder	Secretary	610 McFarland 400 Drive, Alpharetta, GA, 30004, USA
Kenneth M Ponder	CFO	105 Laurel Lane, Cumming, GA, 30040, USA

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Office of the Georgia Secretary of State Attn: 2 MLK, Jr. Dr. Suite 313, Floyd West Tower Atlanta, GA 30334-1530,
 Phone: (404) 656-2817 Toll-free: (844) 753-7825, WEBSITE: <https://sos.ga.gov/>

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GEORGIA
CORPORATIONS
DIVISION

GEORGIA SECRETARY OF STATE
BRAD
RAFFENSPERGER

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BUSINESS SEARCH

BUSINESS INFORMATION

Business Name: **New ERA Group Inc**

Control Number: **14048832**

FILING HISTORY

Filing Number	Filing Date Time	Effective Date	Filing Type
01849168	5/19/2014 9:30:47 AM		Business Formation (/businesssearch/DownloadFile?filingNo=1849168)
10661746	9/22/2014 4:32:55 PM		Annual Registration (2014) (/businesssearch/DownloadFile?filingNo=10661746)
11037520	3/26/2015 3:34:48 PM		Annual Registration (2015) (/businesssearch/DownloadFile?filingNo=11037520)
12845600	2/29/2016 3:31:40 PM	2/29/2016	Annual Registration (2016) (/businesssearch/DownloadFile?filingNo=12845600)
14609448	6/15/2017 12:00:00 AM	6/15/2017	Notice of Admin. Dissolution/Revocation (/businesssearch/DownloadFile?filingNo=14609448)
14790898	8/7/2017 2:43:00 PM	8/7/2017	Annual Registration (2017) (/businesssearch/DownloadFile?filingNo=14790898)
15320362	2/13/2018 11:28:31 AM	2/13/2018	Annual Registration (2018) (/businesssearch/DownloadFile?filingNo=15320362)
17052913	3/29/2019 4:39:05 PM	3/29/2019	Annual Registration (2019) (/businesssearch/DownloadFile?filingNo=17052913)
19396207	8/7/2020 12:00:00 AM	8/7/2020	Notice of Admin. Dissolution/Revocation (/businesssearch/DownloadFile?filingNo=19396207)
19703471	10/22/2020 12:00:00 AM	10/22/2020	Administrative Dissolution (/businesssearch/DownloadFile?filingNo=19703471)

Page 1 of 1, records 1 to 10 of 10

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Office of the Georgia Secretary of State Attn: 2 MLK, Jr. Dr. Suite 313, Floyd West Tower Atlanta, GA 30334-1530,
Phone: (404) 656-2817 Toll-free: (844) 753-7825, WEBSITE: <https://sos.ga.gov/>

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STATE OF GEORGIA

Secretary of State
Corporations Division
313 West Tower
#2 Martin Luther King, Jr. Dr.
Atlanta, Georgia 30334-1530

CERTIFICATE OF INCORPORATION

I, **Brian P. Kemp**, The Secretary of State and the Corporation Commissioner of the State of Georgia, hereby certify under the seal of my office that

New ERA Group Inc
a Domestic Non-Profit Corporation

is hereby issued a CERTIFICATE OF INCORPORATION under the laws of the State of Georgia on **May 16, 2014** by the filing of all documents in the Office of the Secretary of State and by the paying of all fees as provided by Title 14 of the Official Code of Georgia Annotated.

WITNESS my hand and official seal in the City of Atlanta and the State of Georgia on May 19, 2014



A handwritten signature in black ink, appearing to read "B: P. Kemp".

Brian P. Kemp
Secretary of State

Tracking #: 53Xrvjmm

Articles of Incorporation

The Name of the Corporation:

New ERA Group Inc

The corporation is organized pursuant to the Georgia Nonprofit Corporation Code.

The Principal Place of Business:

610 McFarland 400 Drive
Alpharetta, Georgia 30004

Registered Agent's Name and Address:

Lynn G Morgan CPA
5975-C Parkway North Blvd
Cumming, Georgia 30040, Forsyth County

Effective Date: May 16, 2014

Optional Provisions:

Incorporator(s):

Peter Vincent Williams
17 Grey Moss Road
Murrells Inlet, South Carolina 29576
Kenneth M Ponder
105 Laurel Lane
Cumming, Georgia 30040

The Corporation will not have members.

A person who signs a document submits an electronic filing he or she knows is false in any material respect with the intent that the document be delivered to the Secretary of State for filing shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished to the highest degree permissible by law. [O.C.G.A. § 14-2-129.]

IN WITNESS WHEREOF, the undersigned has executed these Articles of Incorporation on the date set forth below:

Signed by: Peter Vincent Williams Attorney-in-Fact

Date: May 19, 2014



Brian P. Kemp
Secretary of State

STATE OF GEORGIA
2014 Corporation Annual Registration

OFFICE OF THE SECRETARY OF STATE
Annual Registration Filing
P.O. Box 23038
Columbus, Georgia 31902-3038

Secretary of State
Control No.: 14048832
Date Filed: 9/22/2014 4:32:55 PM

Information on record as of: 4:32:56 PM

Entity Control No. 16888405

Amount Due: \$30.00

Amount Due AFTER June 1, 2014: \$30.00

New ERA Group Inc
610 McFarland 400 Drive
Alpharetta, Georgia 30004

Each business entity registered or filed with the Office of Secretary of State is required to file an annual registration. Amount due for this entity is indicated above and below on the remittance form. Annual fee is \$30. If amount is more than \$30, the total reflects amount(s) due from previous year(s) and any applicable late fee(s). **Renew by April 1, 2013** Your Annual Registration must be postmarked by June 1, 2014. If your registration and payment are not postmarked by June 1, 2014, you will be assessed a \$25.00 late filing penalty fee.

For faster processing, we invite you to file your Annual Registration online with a credit card at <http://www.sos.ga.gov/corporations/>. The Corporations Division accepts Visa, MC, Discover, American Express and ATM/Debit Cards with the Visa or MC logo for online filings only. Annual Registrations not processed online require payment with a check, certified bank check or money order. **We cannot accept cash for payment.**

You may mail your registration in by submitting the bottom portion of this remittance with a check or money order payable to "Secretary of State". **All checks must be pre-printed with a complete address in order to be accepted by our offices for your filing. Absolutely, no counter or starter checks will be accepted. Failure to adhere to these guidelines will delay or possibly reject your filing.** Checks that are dishonored by your bank are subject to a \$30.00 NSF charge. Failure to honor your payment could result in a civil suit filed against you and/or your entity may be Administratively Dissolved by the Secretary of State. [See O.C.G.A. § 13-6-15 and Title 14, respectively.]

Officer, address and Agent information currently of record is listed below. Please verify "county of registered office." If correct and complete, detach bottom portion, sign, and return with payment. Or, enter changes as needed and submit. Complete each line, even if the same individual serves as Chief Executive Officer, Chief Financial Officer, and Secretary of the corporation.

Note: Registered Agent address must be a street address in Georgia where the agent may be served personally. A mail drop or P.O. Box does not comply with Georgia law for registered office. P.O. Boxes may be used for principal office and officers' addresses.

Any person authorized by the entity to do so may sign and file registration (including online filing). Additionally, a person who signs a document submits an electronic filing he or she knows is false in any material respect with the intent that the document be delivered to the Secretary of State for filing shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished to the highest degree permissible by law. [O.C.G.A. § 14-2-129.]

Please return **ONLY** the original form below and applicable fee(s). For more information on Annual Registrations or to file online, visit <http://www.sos.ga.gov/corporations/>. Or, call 404-656-2817.

CORPORATION NAME	ADDRESS	CITY	STATE	ZIP
THE ABOVE INFORMATION HAS BEEN UPDATED TO:				
CORPORATION NAME	ADDRESS	CITY	STATE	ZIP
New ERA Group Inc	610 McFarland 400 Drive	Alpharetta	Georgia	30004
CEO: Peter Vincent Williams	17 Grey Moss Road	Murrells Inlet	South Carolina	29576
CFO: Kenneth M Ponder	105 Laurel Lane	Cumming	Georgia	30040
SEC: Lee Ponder	610 McFarland 400 Drive	Alpharetta	Georgia	30004
AGT: Lynn G Morgan CPA	5975-C Parkway North Blvd	Cumming	Georgia	30040
I CERTIFY THAT I AM AUTHORIZED TO SIGN THIS FORM AND THAT THE INFORMATION IS TRUE AND CORRECT.	P.O. BOX NOT ACCEPTABLE FOR REGISTERED AGENT'S ADDRESS	COUNTY OF REGISTERED OFFICE:	Forsyth County	
AUTHORIZED SIGNATURE: Kenneth M Ponder		Date: 9/22/2014 4:32:55 PM	Total Due:	
Title: Director	Email: Lynn@Lmorgancpa.com			\$30.00

BR201 2013 Corporation Annual Registration

144 168884051 0030004 NEWERAGROUPINC0000003 201406013 0055004

STATE OF GEORGIA

Secretary of State
Corporations Division
313 West Tower
2 Martin Luther King, Jr. Dr.
Atlanta, Georgia 30334-1530

ANNUAL REGISTRATION

Electronically Filed
Secretary of State
Filing Date: 3/29/2019 4:39:05 PM

BUSINESS INFORMATION

CONTROL NUMBER 14048832
BUSINESS NAME New ERA Group Inc
BUSINESS TYPE Domestic Nonprofit Corporation
EFFECTIVE DATE 03/29/2019

PRINCIPAL OFFICE ADDRESS

ADDRESS 610 McFarland 400 Drive, Alpharetta, GA, 30004, USA

REGISTERED AGENT

NAME	ADDRESS	COUNTY
Robert Slaughter	5975-C Parkway North Blvd, Cumming, GA, 30040, USA	Forsyth

OFFICERS INFORMATION

NAME	TITLE	ADDRESS
Peter Vincent Williams	CEO	17 Grey Moss Road, Murrells Inlet, USA
Lee Ponder	SECRETARY	610 McFarland 400 Drive, Alpharetta, USA
Kenneth M Ponder	CFO	105 Laurel Lane, Cumming, USA

AUTHORIZER INFORMATION

AUTHORIZER SIGNATURE Kenneth Ponder
AUTHORIZER TITLE Registered Agent

ATTACHMENT C

Entity Information

Entity Information

Entity Name: ALLIANCE FOR RESPONSIBLE ATMOSPHERIC
POLICY, INC.

Entity ID: F0389264

Entity Type: Nonstock Corporation

Entity Status: **Active**

Series LLC: N/A

Reason for Status: Active and In Good Standing

Formation Date: 10/07/1994

Status Date: 11/08/2022

VA Qualification Date: 10/07/1994

Period of Duration: Perpetual

Industry Code: 0 - General

Annual Report Due Date: N/A

Jurisdiction: TX

Charter Fee: \$100.00

Registration Fee Due Date: Not Required

Registered Agent Information

RA Type: Individual

Locality: ARLINGTON COUNTY

RA Qualification: Officer of the Corporation

Name: KEVIN J. FAY

Registered Office Address: 2111 WILSON BLVD., STE. 850, ARLINGTON, VA,
22201 - 0000, USA

Principal Office Address

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https://www.scc.virginia.gov/clk/clk_contact.aspx

(https://www.scc.virginia.gov/civ/civ_contact.aspx)
 Address: 2111 Wilson Blvd Fl 8, Arlington, VA, 22201 - 3043,
 (<https://www.facebook.com/VirginiaStateCorporationCommission>)
 (<https://twitter.com/VASateCorpComm>)

Principal Information

Title	Director	Name	Address	Last Updated
Treasurer	Yes	David Calabrese	601 13TH STREET NW STE 2005, WASHINGTON, DC, 20005 - 0000, USA	11/01/2021
Vice Chair	Yes	Nanette Lockwood	31161 Black Eagle Drive, Apt. 202, Evergreen, CO, 80439 - 0000, USA	11/01/2021
Executive Director	Yes	Kevin Fay	2111 Wilson Boulevard, 8th Floor, Arlington, VA, 22201, USA	11/01/2021
Chair	Yes	Karen Meyers	5600 Old Greenwood Road, P.O. Box 17010, Fort Smith, AR, 72917, USA	11/01/2021
Secretary	Yes	Kyle Gilley	223 Sunset Road, West Palm Beach, FL, 33401, USA	11/01/2021

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(1)

ABOUT US

CALENDAR & EVENTS

NEWS

RESOURCES

LEGISLATIVE PRIORITIES

REFRIGERANT IMPORTS COMMITTEE

About us

ALLIANCE MEMBERSHIP LIST

The Alliance is committed to supporting policies and take actions in order to reduce HFC emissions 80% by 2050. Our members are investing in the development of next generation low global warming potential (GWP) alternative refrigerants and foam blowing agents, and of the equipment that utilizes these products.

A-Gas Americas



AGC Chemicals Americas



Air-Conditioning, Heating & Refrigeration Institute

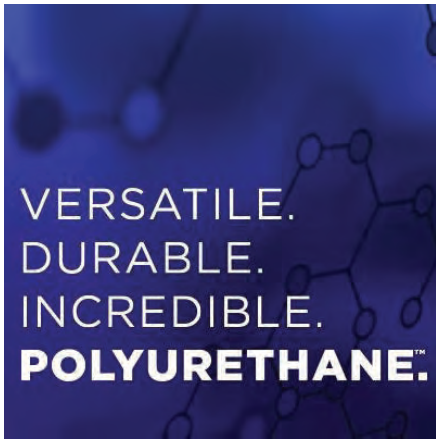


Alliance for Polyurethanes
Additive Industry

American Pacific Corp.

Arkema





Auto Care Association



Brooks Automation, Inc.



Cap & Seal LLP



Carrier Corporation



Chemours



Consolidated Refrigerant Solutions



Coombs Gas



Daikin America



Daikin Applied



Danfoss



Drinker, Biddle Wreath



Dynatemp International



E.V. Dunbar Co.



Emerson Climate Technologies



Falcon Safety Products



Halon Alternatives Research Corporation



HARDI



Honeywell



Hudson Technologies



Hussman



ICOR International



Ingersoll-Rand



International Pharmaceutical
Aerosol Consortium



Johnson Controls



Lennox International



Metl-Span



Mexichem



MicroCare
Add. 65a

Midwest Refrigerants

Mitsubishi Electric
^I



National Refrigerants



Nortek



Olin



Rheem Manufacturing
Company



Ritchie Engineering



Spectrum Brands



AN INDUSTRY COALITION AND LEADING VOICE FOR VIABLE ENVIRONMENTAL POLICIES

Add. 66a

2111 Wilson Blvd.,
8th Floor Arlington, VA
22201

+1 (703) 243-0344
(tel:17032430344).
info@alliancepolicy.org

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Form 990

Return of Organization Exempt From Income Tax

2015

Open to Public Inspection

Department of the Treasury Internal Revenue Service

Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except private foundations)

Do not enter social security numbers on this form as it may be made public Information about Form 990 and its instructions is at www.irs.gov/form990

A For the 2015 calendar year, or tax year beginning 01-01-2015, and ending 12-31-2015

Check if applicable: Address change, Name change, Initial return, Final return/terminated, Amended return, Application pending. C Name of organization: ALLIANCE FOR RESPONSIBLE ATMOSPHERIC POLICY INC. D Employer identification number: 52-1207922. E Telephone number: (703) 243-0344. F Name and address of principal officer: Kevin Fay. H(a) Is this a group return for subordinates? H(b) Are all subordinates included? H(c) Group exemption number. I Tax-exempt status: 501(c)(3), 501(c)(6), 4947(a)(1), 527. J Website: www.arap.org. K Form of organization: Corporation. L Year of formation: 1994. M State of legal domicile: VA.

Part I Summary

Table with 3 columns: Description, Prior Year, Current Year. Rows include: 1 Briefly describe the organization's mission... 2 Check this box if the organization discontinued its operations... 3-6 Governing body statistics. 7a-7b Revenue and taxable income. 8-12 Revenue breakdown. 13-19 Expenses breakdown. 20-22 Net assets or fund balances.

Part II Signature Block

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge.

Sign Here: Signature of officer: Kevin Fay, Executive Director. Date: 2016-08-02.

Paid Preparer Use Only: Preparer's name: Douglas J Alcorn CPA. Date: [blank]. Check if self-employed: [blank]. PTIN: P00000476. Firm's name: ALCORN & CURETON Ltd CPAs. Firm's EIN: [blank]. Firm's address: 4604 B Pinecrest Office Pk Dr, Alexandria, VA 22312. Phone no: (703) 354-7750.

May the IRS discuss this return with the preparer shown above? (see instructions) [] Yes [] No

Part III Statement of Program Service Accomplishments

Check if Schedule O contains a response or note to any line in this Part III

1 Briefly describe the organization's mission

THE ALLIANCE'S PURPOSES OF ORGANIZATION ARE TO ENSURE THAT GOVERNMENT DIRECTIVES AND POLICIES FOR FLOUROCARBONS ARE REASONABLY SOUND AND ECONOMICALLY AND TECHNICALLY EFFECTIVE, TO COOPERATE WITH AND ASSIST GOVERNMENTAL BODIES WITH RESPECT TO SUCH DIRECTIVES AND POLICIES AND TO MAINTAIN AN AWARENESS AMONG MEMBERS OF LEGISLATIVE, REGULATORY, SCIENTIFIC AND OTHER AREAS RELEVANT TO REGULATION OF FLOUROCARBONS THE ABOVE EXEMPT FUNCTION INCOME MEETS THESE PURPOSES

2 Did the organization undertake any significant program services during the year which were not listed on the prior Form 990 or 990-EZ? Yes No

If "Yes," describe these new services on Schedule O Yes No

3 Did the organization cease conducting, or make significant changes in how it conducts, any program services? Yes No

If "Yes," describe these changes on Schedule O Yes No

4 Describe the organization's program service accomplishments for each of its three largest program services, as measured by expenses Section 501(c)(3) and 501(c)(4) organizations are required to report the amount of grants and allocations to others, the total expenses, and revenue, if any, for each program service reported

4a (Code) (Expenses \$ 559,684 including grants of \$) (Revenue \$ 648,612)
CONFERENCES AND MEETINGS - COMMUNICATION TO MEMBERS, PUBLIC AND MEDIA ON ISSUES RELATED TO FLOUROCARBONS




4b (Code) (Expenses \$) (Revenue \$)
REGULATORY ACTION PROGRAM--PREPARATION OF COMMENTS IN ORDER TO EDUCATE AND KEEP REGULATORY OFFICIALS AND BODIES INFORMED ABOUT FLOUROCARBON ISSUES AT STATE/LOCAL LEVELS

4c (Code) (Expenses \$) (Revenue \$)
including grants of \$

4d Other program services (Describe in Schedule O)
(Expenses \$) (Revenue \$)
including grants of \$

4e Total program service expenses **▶** 559,684

Part IV Checklist of Required Schedules

	Yes	No
1 Is the organization described in section 501(c)(3) or 4947(a)(1) (other than a private foundation)? If "Yes," complete Schedule A		No
2 Is the organization required to complete Schedule B, Schedule of Contributors (see instructions)?		No
3 Did the organization engage in direct or indirect political campaign activities on behalf of or in opposition to candidates for public office? If "Yes," complete Schedule C, Part I 		No
4 Section 501(c)(3) organizations. Did the organization engage in lobbying activities, or have a section 501(h) election in effect during the tax year? If "Yes," complete Schedule C, Part II 		No
5 Is the organization a section 501(c)(4), 501(c)(5), or 501(c)(6) organization that receives membership dues, assessments, or similar amounts as defined in Revenue Procedure 98-19? If "Yes," complete Schedule C, Part III 	Yes	
6 Did the organization maintain any donor advised funds or any similar funds or accounts for which donors have the right to provide advice on the distribution or investment of amounts in such funds or accounts? If "Yes," complete Schedule D, Part I 		No
7 Did the organization receive or hold a conservation easement, including easements to preserve open space, the environment, historic land areas, or historic structures? If "Yes," complete Schedule D, Part II 		No
8 Did the organization maintain collections of works of art, historical treasures, or other similar assets? If "Yes," complete Schedule D, Part III 		No
9 Did the organization report an amount in Part X, line 21 for escrow or custodial account liability, serve as a custodian for amounts not listed in Part X, or provide credit counseling, debt management, credit repair, or debt negotiation services? If "Yes," complete Schedule D, Part IV 		No
10 Did the organization, directly or through a related organization, hold assets in temporarily restricted endowments, permanent endowments, or quasi-endowments? If "Yes," complete Schedule D, Part V 		No
11 If the organization's answer to any of the following questions is "Yes," then complete Schedule D, Parts VI, VII, VIII, IX, or X as applicable		
a Did the organization report an amount for land, buildings, and equipment in Part X, line 10? If "Yes," complete Schedule D, Part VI. 		No
b Did the organization report an amount for investments—other securities in Part X, line 12 that is 5% or more of its total assets reported in Part X, line 16? If "Yes," complete Schedule D, Part VII 		No
c Did the organization report an amount for investments—program related in Part X, line 13 that is 5% or more of its total assets reported in Part X, line 16? If "Yes," complete Schedule D, Part VIII 		No
d Did the organization report an amount for other assets in Part X, line 15 that is 5% or more of its total assets reported in Part X, line 16? If "Yes," complete Schedule D, Part IX 		No
e Did the organization report an amount for other liabilities in Part X, line 25? If "Yes," complete Schedule D, Part X 	Yes	
f Did the organization's separate or consolidated financial statements for the tax year include a footnote that addresses the organization's liability for uncertain tax positions under FIN 48 (ASC 740)? If "Yes," complete Schedule D, Part X 		No
12a Did the organization obtain separate, independent audited financial statements for the tax year? If "Yes," complete Schedule D, Parts XI and XII 		No
b Was the organization included in consolidated, independent audited financial statements for the tax year? If "Yes," and if the organization answered "No" to line 12a, then completing Schedule D, Parts XI and XII is optional 		No
13 Is the organization a school described in section 170(b)(1)(A)(ii)? If "Yes," complete Schedule E		No
14a Did the organization maintain an office, employees, or agents outside of the United States?		No
b Did the organization have aggregate revenues or expenses of more than \$10,000 from grantmaking, fundraising, business, investment, and program service activities outside the United States, or aggregate foreign investments valued at \$100,000 or more? If "Yes," complete Schedule F, Parts I and IV		No
15 Did the organization report on Part IX, column (A), line 3, more than \$5,000 of grants or other assistance to or for any foreign organization? If "Yes," complete Schedule F, Parts II and IV		No
16 Did the organization report on Part IX, column (A), line 3, more than \$5,000 of aggregate grants or other assistance to or for foreign individuals? If "Yes," complete Schedule F, Parts III and IV		No
17 Did the organization report a total of more than \$15,000 of expenses for professional fundraising services on Part IX, column (A), lines 6 and 11e? If "Yes," complete Schedule G, Part I (see instructions)		No
18 Did the organization report more than \$15,000 total of fundraising event gross income and contributions on Part VIII, lines 1c and 8a? If "Yes," complete Schedule G, Part II		No
19 Did the organization report more than \$15,000 of gross income from gaming activities on Part VIII, line 9a? If "Yes," complete Schedule G, Part III		No
20a Did the organization operate one or more hospital facilities? If "Yes," complete Schedule H		No
b If "Yes" to line 20a, did the organization attach a copy of its audited financial statements to this return?		

Part IV Checklist of Required Schedules (continued)

21	Did the organization report more than \$5,000 of grants or other assistance to any domestic organization or domestic government on Part IX, column (A), line 1? <i>If "Yes," complete Schedule I, Parts I and II</i>	21		No
22	Did the organization report more than \$5,000 of grants or other assistance to or for domestic individuals on Part IX, column (A), line 2? <i>If "Yes," complete Schedule I, Parts I and III</i>	22		No
23	Did the organization answer "Yes" to Part VII, Section A, line 3, 4, or 5 about compensation of the organization's current and former officers, directors, trustees, key employees, and highest compensated employees? <i>If "Yes," complete Schedule J</i>	23		No
24a	Did the organization have a tax-exempt bond issue with an outstanding principal amount of more than \$100,000 as of the last day of the year, that was issued after December 31, 2002? <i>If "Yes," answer lines 24b through 24d and complete Schedule K. If "No," go to line 25a</i>	24a		No
b	Did the organization invest any proceeds of tax-exempt bonds beyond a temporary period exception?	24b		No
c	Did the organization maintain an escrow account other than a refunding escrow at any time during the year to defease any tax-exempt bonds?	24c		No
d	Did the organization act as an "on behalf of" issuer for bonds outstanding at any time during the year?	24d		No
25a	Section 501(c)(3), 501(c)(4), and 501(c)(29) organizations. Did the organization engage in an excess benefit transaction with a disqualified person during the year? <i>If "Yes," complete Schedule L, Part I</i>	25a		No
b	Is the organization aware that it engaged in an excess benefit transaction with a disqualified person in a prior year, and that the transaction has not been reported on any of the organization's prior Forms 990 or 990-EZ? <i>If "Yes," complete Schedule L, Part I</i>	25b		No
26	Did the organization report any amount on Part X, line 5, 6, or 22 for receivables from or payables to any current or former officers, directors, trustees, key employees, highest compensated employees, or disqualified persons? <i>If "Yes," complete Schedule L, Part II</i>	26		No
27	Did the organization provide a grant or other assistance to an officer, director, trustee, key employee, substantial contributor or employee thereof, a grant selection committee member, or to a 35% controlled entity or family member of any of these persons? <i>If "Yes," complete Schedule L, Part III</i>	27		No
28	Was the organization a party to a business transaction with one of the following parties (see Schedule L, Part IV instructions for applicable filing thresholds, conditions, and exceptions)			
a	A current or former officer, director, trustee, or key employee? <i>If "Yes," complete Schedule L, Part IV</i>	28a		No
b	A family member of a current or former officer, director, trustee, or key employee? <i>If "Yes," complete Schedule L, Part IV</i>	28b		No
c	An entity of which a current or former officer, director, trustee, or key employee (or a family member thereof) was an officer, director, trustee, or direct or indirect owner? <i>If "Yes," complete Schedule L, Part IV</i>	28c	Yes	
29	Did the organization receive more than \$25,000 in non-cash contributions? <i>If "Yes," complete Schedule M</i>	29		No
30	Did the organization receive contributions of art, historical treasures, or other similar assets, or qualified conservation contributions? <i>If "Yes," complete Schedule M</i>	30		No
31	Did the organization liquidate, terminate, or dissolve and cease operations? <i>If "Yes," complete Schedule N, Part I</i>	31		No
32	Did the organization sell, exchange, dispose of, or transfer more than 25% of its net assets? <i>If "Yes," complete Schedule N, Part II</i>	32		No
33	Did the organization own 100% of an entity disregarded as separate from the organization under Regulations sections 301.7701-2 and 301.7701-3? <i>If "Yes," complete Schedule R, Part I</i>	33		No
34	Was the organization related to any tax-exempt or taxable entity? <i>If "Yes," complete Schedule R, Part II, III, or IV, and Part V, line 1</i>	34		No
35a	Did the organization have a controlled entity within the meaning of section 512(b)(13)?	35a		No
b	If "Yes" to line 35a, did the organization receive any payment from or engage in any transaction with a controlled entity within the meaning of section 512(b)(13)? <i>If "Yes," complete Schedule R, Part V, line 2</i>	35b		No
36	Section 501(c)(3) organizations. Did the organization make any transfers to an exempt non-charitable related organization? <i>If "Yes," complete Schedule R, Part V, line 2</i>	36		No
37	Did the organization conduct more than 5% of its activities through an entity that is not a related organization and that is treated as a partnership for federal income tax purposes? <i>If "Yes," complete Schedule R, Part VI</i>	37		No
38	Did the organization complete Schedule O and provide explanations in Schedule O for Part VI, lines 11b and 19? Note. All Form 990 filers are required to complete Schedule O	38		No

Part V Statements Regarding Other IRS Filings and Tax Compliance

Check if Schedule O contains a response or note to any line in this Part V

		Yes	No
1a	Enter the number reported in Box 3 of Form 1096. Enter -0- if not applicable.		
1b	Enter the number of Forms W-2G included in line 1a. Enter -0- if not applicable.		
c	Did the organization comply with backup withholding rules for reportable payments to vendors and reportable gaming (gambling) winnings to prize winners?	Yes	
2a	Enter the number of employees reported on Form W-3, Transmittal of Wage and Tax Statements, filed for the calendar year ending with or within the year covered by this return.		
b	If at least one is reported on line 2a, did the organization file all required federal employment tax returns? Note. If the sum of lines 1a and 2a is greater than 250, you may be required to e-file (see instructions).		No
3a	Did the organization have unrelated business gross income of \$1,000 or more during the year?	Yes	
b	If "Yes," has it filed a Form 990-T for this year? If "No" to line 3b, provide an explanation in Schedule O.		No
4a	At any time during the calendar year, did the organization have an interest in, or a signature or other authority over, a financial account in a foreign country (such as a bank account, securities account, or other financial account)?		No
b	If "Yes," enter the name of the foreign country: _____ See instructions for filing requirements for FinCEN Form 114, Report of Foreign Bank and Financial Accounts (FBAR).		
5a	Was the organization a party to a prohibited tax shelter transaction at any time during the tax year?		No
b	Did any taxable party notify the organization that it was or is a party to a prohibited tax shelter transaction?		No
c	If "Yes," to line 5a or 5b, did the organization file Form 8886-T?		
6a	Does the organization have annual gross receipts that are normally greater than \$100,000, and did the organization solicit any contributions that were not tax deductible as charitable contributions?	Yes	
b	If "Yes," did the organization include with every solicitation an express statement that such contributions or gifts were not tax deductible?	Yes	
7	Organizations that may receive deductible contributions under section 170(c).		
a	Did the organization receive a payment in excess of \$75 made partly as a contribution and partly for goods and services provided to the payor?		
b	If "Yes," did the organization notify the donor of the value of the goods or services provided?		
c	Did the organization sell, exchange, or otherwise dispose of tangible personal property for which it was required to file Form 8282?		
d	If "Yes," indicate the number of Forms 8282 filed during the year.		
e	Did the organization receive any funds, directly or indirectly, to pay premiums on a personal benefit contract?		
f	Did the organization, during the year, pay premiums, directly or indirectly, on a personal benefit contract?		
g	If the organization received a contribution of qualified intellectual property, did the organization file Form 8899 as required?		
h	If the organization received a contribution of cars, boats, airplanes, or other vehicles, did the organization file a Form 1098-C?		
8	Sponsoring organizations maintaining donor advised funds. Did a donor advised fund maintained by the sponsoring organization have excess business holdings at any time during the year?		No
9a	Did the sponsoring organization make any taxable distributions under section 4966?		No
b	Did the sponsoring organization make a distribution to a donor, donor advisor, or related person?		No
10	Section 501(c)(7) organizations. Enter		
a	Initiation fees and capital contributions included on Part VIII, line 12.		
b	Gross receipts, included on Form 990, Part VIII, line 12, for public use of club facilities.		
11	Section 501(c)(12) organizations. Enter		
a	Gross income from members or shareholders.		
b	Gross income from other sources (Do not net amounts due or paid to other sources against amounts due or received from them).		
12a	Section 4947(a)(1) non-exempt charitable trusts. Is the organization filing Form 990 in lieu of Form 1041?		No
b	If "Yes," enter the amount of tax-exempt interest received or accrued during the year.		
13	Section 501(c)(29) qualified nonprofit health insurance issuers.		
a	Is the organization licensed to issue qualified health plans in more than one state? Note. See the instructions for additional information the organization must report on Schedule O.		No
b	Enter the amount of reserves the organization is required to maintain by the states in which the organization is licensed to issue qualified health plans.		
c	Enter the amount of reserves on hand.		
14a	Did the organization receive any payments for indoor tanning services during the tax year?		No
b	If "Yes," has it filed a Form 720 to report these payments? If "No," provide an explanation in Schedule O.		

Add: 72a

Part VI Governance, Management, and Disclosure

For each "Yes" response to lines 2 through 7b below, and for a "No" response to lines 8a, 8b, or 10b below, describe the circumstances, processes, or changes in Schedule O. See instructions.

Check if Schedule O contains a response or note to any line in this Part VI

Section A. Governing Body and Management

		Yes	No
1a	Enter the number of voting members of the governing body at the end of the tax year If there are material differences in voting rights among members of the governing body, or if the governing body delegated broad authority to an executive committee or similar committee, explain in Schedule O		
1b	Enter the number of voting members included in line 1a, above, who are independent		
2	Did any officer, director, trustee, or key employee have a family relationship or a business relationship with any other officer, director, trustee, or key employee?		No
3	Did the organization delegate control over management duties customarily performed by or under the direct supervision of officers, directors or trustees, or key employees to a management company or other person?	Yes	
4	Did the organization make any significant changes to its governing documents since the prior Form 990 was filed?		No
5	Did the organization become aware during the year of a significant diversion of the organization's assets?		No
6	Did the organization have members or stockholders?		No
7a	Did the organization have members, stockholders, or other persons who had the power to elect or appoint one or more members of the governing body?		No
7b	Are any governance decisions of the organization reserved to (or subject to approval by) members, stockholders, or persons other than the governing body?		No
8	Did the organization contemporaneously document the meetings held or written actions undertaken during the year by the following		
8a	a The governing body?	Yes	
8b	b Each committee with authority to act on behalf of the governing body?		No
9	Is there any officer, director, trustee, or key employee listed in Part VII, Section A, who cannot be reached at the organization's mailing address? If "Yes," provide the names and addresses in Schedule O	Yes	

Section B. Policies (This Section B requests information about policies not required by the Internal Revenue Code.)

		Yes	No
10a	Did the organization have local chapters, branches, or affiliates?		No
10b	If "Yes," did the organization have written policies and procedures governing the activities of such chapters, affiliates, and branches to ensure their operations are consistent with the organization's exempt purposes?		
11a	Has the organization provided a complete copy of this Form 990 to all members of its governing body before filing the form?	Yes	
11b	Describe in Schedule O the process, if any, used by the organization to review this Form 990		
12a	Did the organization have a written conflict of interest policy? If "No," go to line 13	Yes	
12b	Were officers, directors, or trustees, and key employees required to disclose annually interests that could give rise to conflicts?	Yes	
12c	Did the organization regularly and consistently monitor and enforce compliance with the policy? If "Yes," describe in Schedule O how this was done	Yes	
13	Did the organization have a written whistleblower policy?	Yes	
14	Did the organization have a written document retention and destruction policy?	Yes	
15	Did the process for determining compensation of the following persons include a review and approval by independent persons, comparability data, and contemporaneous substantiation of the deliberation and decision?		
15a	a The organization's CEO, Executive Director, or top management official		No
15b	b Other officers or key employees of the organization		No
	If "Yes" to line 15a or 15b, describe the process in Schedule O (see instructions)		
16a	Did the organization invest in, contribute assets to, or participate in a joint venture or similar arrangement with a taxable entity during the year?		No
16b	If "Yes," did the organization follow a written policy or procedure requiring the organization to evaluate its participation in joint venture arrangements under applicable federal tax law, and take steps to safeguard the organization's exempt status with respect to such arrangements?		

Section C. Disclosure

- 17** List the States with which a copy of this Form 990 is required to be filed ▶
-
- 18** Section 6104 requires an organization to make its Form 1023 (or 1024 if applicable), 990, and 990-T (501(c)(3)s only) available for public inspection. Indicate how you made these available. Check all that apply.
 Own website Another's website Upon request Other (explain in Schedule O)
- 19** Describe in Schedule O whether (and if so, how) the organization made its governing documents, conflict of interest policy, and financial statements available to the public during the tax year
- 20** State the name, address, and telephone number of the person who possesses the organization's books and records
 ▶ Kevin Fay 2211 73a SON BOULEVARD Arlington, VA 22201 (703) 243-0344

Part VIII Statement of Revenue

Check if Schedule O contains a response or note to any line in this Part VIII

			(A) Total revenue	(B) Related or exempt function revenue	(C) Unrelated business revenue	(D) Revenue excluded from tax under sections 512-514	
Contributions, Gifts, Grants and Other Similar Amounts	1a Federated campaigns	1a					
	b Membership dues	1b					
	c Fundraising events	1c					
	d Related organizations	1d					
	e Government grants (contributions)	1e					
	f All other contributions, gifts, grants, and similar amounts not included above	1f					
	g Noncash contributions included in lines 1a-1f \$						
	h Total. Add lines 1a-1f			0			
Program Service Revenue	2a Membership Dues & Assessments:	Business Code	648,612	648,612			
	b _____						
	c _____						
	d _____						
	e _____						
	f All other program service revenue						
	g Total. Add lines 2a-2f			648,612			
Other Revenue	3 Investment income (including dividends, interest, and other similar amounts)		177	177			
	4 Income from investment of tax-exempt bond proceeds		0				
	5 Royalties		0				
	6a Gross rents	(i) Real	(ii) Personal				
		b Less rental expenses					
		c Rental income or (loss)					
		d Net rental income or (loss)		0			
	7a Gross amount from sales of assets other than inventory	(i) Securities	(ii) Other				
		b Less cost or other basis and sales expenses					
		c Gain or (loss)					
		d Net gain or (loss)		0			
	8a Gross income from fundraising events (not including \$ _____ of contributions reported on line 1c) See Part IV, line 18	a					
		b Less direct expenses	b				
		c Net income or (loss) from fundraising events		0			
	9a Gross income from gaming activities See Part IV, line 19	a					
		b Less direct expenses	b				
		c Net income or (loss) from gaming activities		0			
10a Gross sales of inventory, less returns and allowances	a						
	b Less cost of goods sold	b					
	c Net income or (loss) from sales of inventory		0				
Miscellaneous Revenue	Business Code						
11a _____							
b _____							
c _____							
d All other revenue							
e Total. Add lines 11a-11d			159,701				
12 Total revenue. See Instructions			808,490	648,789	159,701		

Add. 76a

Part IX Statement of Functional Expenses

Section 501(c)(3) and 501(c)(4) organizations must complete all columns. All other organizations must complete column (A)

Check if Schedule O contains a response or note to any line in this Part IX

Do not include amounts reported on lines 6b, 7b, 8b, 9b, and 10b of Part VIII.		(A) Total expenses	(B) Program service expenses	(C) Management and general expenses	(D) Fundraising expenses
1	Grants and other assistance to domestic organizations and domestic governments. See Part IV, line 21	0			
2	Grants and other assistance to domestic individuals. See Part IV, line 22	0			
3	Grants and other assistance to foreign organizations, foreign governments, and foreign individuals. See Part IV, lines 15 and 16	0			
4	Benefits paid to or for members	0			
5	Compensation of current officers, directors, trustees, and key employees	0			
6	Compensation not included above, to disqualified persons (as defined under section 4958(f)(1)) and persons described in section 4958(c)(3)(B)	0			
7	Other salaries and wages	0			
8	Pension plan accruals and contributions (include section 401(k) and 403(b) employer contributions)	0			
9	Other employee benefits	0			
10	Payroll taxes	0			
11	Fees for services (non-employees)				
a	Management	557,201	445,761	111,440	
b	Legal	35,490	28,392	7,098	
c	Accounting	0			
d	Lobbying	0			
e	Professional fundraising services. See Part IV, line 17	0			
f	Investment management fees	0			
g	Other (If line 11g amount exceeds 10% of line 25, column (A) amount, list line 11g expenses on Schedule O)	0			
12	Advertising and promotion	0			
13	Office expenses	14,160	11,328	2,832	
14	Information technology	0			
15	Royalties	0			
16	Occupancy	0			
17	Travel	56,549	32,749	23,800	
18	Payments of travel or entertainment expenses for any federal, state, or local public officials	0			
19	Conferences, conventions, and meetings	35,010	35,010		
20	Interest	0			
21	Payments to affiliates	0			
22	Depreciation, depletion, and amortization	0			
23	Insurance	0			
24	Other expenses. Itemize expenses not covered above (List miscellaneous expenses in line 24e. If line 24e amount exceeds 10% of line 25, column (A) amount, list line 24e expenses on Schedule O.)				
a	Finance & Management	5,018	4,014	1,004	
b	Communications	2,563	2,050	513	
c	Meeting	344	275	69	
d	Bank Fees	131	105	26	
e	All other expenses	0			
25	Total functional expenses. Add lines 1 through 24e	706,466	559,684	146,782	0
26	Joint costs. Complete this line only if the organization reported in column (B) joint costs from a combined educational campaign and fundraising solicitation. Check here <input type="checkbox"/> if following SOP 98-2 (ASC 958-720)				

Part X Balance Sheet

Check if Schedule O contains a response or note to any line in this Part X

		(A)		(B)
		Beginning of year		End of year
Assets	1 Cash—non-interest-bearing	46,498	1	0
	2 Savings and temporary cash investments	268,168	2	436,620
	3 Pledges and grants receivable, net		3	0
	4 Accounts receivable, net	3,750	4	0
	5 Loans and other receivables from current and former officers, directors, trustees, key employees, and highest compensated employees. Complete Part II of Schedule L		5	0
	6 Loans and other receivables from other disqualified persons (as defined under section 4958(f)(1)), persons described in section 4958(c)(3)(B), and contributing employers and sponsoring organizations of section 501(c)(9) voluntary employees' beneficiary organizations (see instructions) Complete Part II of Schedule L		6	0
	7 Notes and loans receivable, net		7	0
	8 Inventories for sale or use		8	0
	9 Prepaid expenses and deferred charges		9	0
	10a Land, buildings, and equipment (cost or other basis). Complete Part VI of Schedule D	10a		
	b Less accumulated depreciation	10b		10c 0
	11 Investments—publicly traded securities		11	0
	12 Investments—other securities. See Part IV, line 11		12	0
	13 Investments—program-related. See Part IV, line 11		13	0
	14 Intangible assets		14	0
	15 Other assets. See Part IV, line 11		15	1
16 Total assets. Add lines 1 through 15 (must equal line 34)	318,416	16	436,621	
Liabilities	17 Accounts payable and accrued expenses	6,915	17	6,915
	18 Grants payable		18	
	19 Deferred revenue	3,250	19	
	20 Tax-exempt bond liabilities		20	
	21 Escrow or custodial account liability. Complete Part IV of Schedule D		21	
	22 Loans and other payables to current and former officers, directors, trustees, key employees, highest compensated employees, and disqualified persons. Complete Part II of Schedule L		22	
	23 Secured mortgages and notes payable to unrelated third parties		23	
	24 Unsecured notes and loans payable to unrelated third parties		24	
	25 Other liabilities (including federal income tax, payables to related third parties, and other liabilities not included on lines 17-24). Complete Part X of Schedule D		25	12,500
	26 Total liabilities. Add lines 17 through 25	3,234	26	19,415
Net Assets or Fund Balances	Organizations that follow SFAS 117 (ASC 958), check here <input checked="" type="checkbox"/> and complete lines 27 through 29, and lines 33 and 34.			
	27 Unrestricted net assets	315,182	27	417,206
	28 Temporarily restricted net assets		28	
	29 Permanently restricted net assets		29	
	Organizations that do not follow SFAS 117 (ASC 958), check here <input type="checkbox"/> and complete lines 30 through 34.			
	30 Capital stock or trust principal, or current funds		30	
	31 Paid-in or capital surplus, or land, building or equipment fund		31	
	32 Retained earnings, endowment, accumulated income, or other funds		32	
33 Total net assets or fund balances	315,182	33	417,206	
34 Total liabilities and net assets/fund balances	318,416	34	436,621	

Part XI Reconciliation of Net Assets

Check if Schedule O contains a response or note to any line in this Part XI

Table with 10 rows and 3 columns: Description, Amount, and Yes/No. Rows include Total revenue, Total expenses, Revenue less expenses, Net assets at beginning of year, Net unrealized gains, Donated services, Investment expenses, Prior period adjustments, Other changes in net assets, and Net assets at end of year.

Part XII Financial Statements and Reporting

Check if Schedule O contains a response or note to any line in this Part XII

Table with 10 rows and 3 columns: Description, Amount, and Yes/No. Rows include Accounting method, Financial statements compiled or reviewed, Financial statements audited, and Federal award/audit information.

SCHEDULE C
Political Campaign and Lobbying Activities
2015
Open to Public Inspection

For Organizations Exempt From Income Tax Under section 501(c) and section 527
 ▶ Complete if the organization is described below. ▶ Attach to Form 990 or Form 990-EZ.
 ▶ Information about Schedule C (Form 990 or 990-EZ) and its instructions is at www.irs.gov/form990.

If the organization answered "Yes" on Form 990, Part IV, Line 3, or Form 990-EZ, Part V, line 46 (Political Campaign Activities), then:
 • Section 501(c)(3) organizations: Complete Parts I-A and B. Do not complete Part I-C.
 • Section 501(c) (other than section 501(c)(3)) organizations: Complete Parts I-A and C below. Do not complete Part I-B.
 • Section 527 organizations: Complete Part I-A only.
 If the organization answered "Yes" on Form 990, Part IV, Line 4, or Form 990-EZ, Part V, line 47 (Lobbying Activities), then:
 • Section 501(c)(3) organizations that have filed Form 5768 (election under section 501(h)): Complete Part I-A. Do not complete Part I-B.
 • Section 501(c)(3) organizations that have NOT filed Form 5768 (election under section 501(h)): Complete Part I-B. Do not complete Part I-A.
 If the organization answered "Yes" on Form 990, Part IV, Line 5 (Proxy Tax) (see separate instructions) or Form 990-EZ, Part V, line 35c (Proxy Tax) (see separate instructions), then:
 • Section 501(c)(4), (5), or (6) organizations: Complete Part II.

Name of the organization: **ADVANCE FOR RESPONSIBLE ATMOSPHERIC POLICY INC.**
 Employer identification number: **52-1207922**

Part I-A Complete if the organization is exempt under section 501(c) or is a section 527 organization.

1. Provide a description of the organization's direct and indirect political campaign activities in Part IV.
2. Political expenditures: \$ _____

3. Volunteer hours: _____

4a. Was a correction made? Yes No

Part I-B Complete if the organization is exempt under section 501(c)(3).

1. Enter the amount of any excise tax incurred by the organization under section 4955: \$ _____
2. Enter the amount of any excise tax incurred by organization managers under section 4955: \$ _____

3. If the organization incurred a section 4955 tax, did it file Form 4720 for this year? Yes No

4b. If "Yes," describe in Part IV.

Part I-C Complete if the organization is exempt under section 501(c), except section 501(c)(3).

1. Enter the amount directly expended by the filing organization for section 527 exempt function activities: \$ _____
2. Enter the amount of the filing organization's funds contributed to other organizations for section 527 exempt function activities: \$ _____
3. Total exempt function expenditures. Add lines 1 and 2. Enter here and on Form 1120-POL, line 17b: \$ _____

4. Did the filing organization file Form 1120-POL for this year? Yes No

5. Enter the names, addresses and employer identification number (EIN) of all section 527 political organizations to which the filing organization made payments. For each organization listed, enter the amount paid from the filing organization's funds. Also enter the amount of political contributions received that were promptly and directly delivered to a separate political organization, such as a separate segregated fund or a political action committee (PAC). If additional space is needed, provide information in Part IV.

(a) Name	(b) Address	(c) EIN	(d) Amount paid from filing organization's funds. If none, enter -0-	(e) Amount of political contributions received and promptly and directly delivered to a separate political organization. If none, enter -0-

Part I-A Complete if the organization is exempt under section 501(c)(3) and filed Form 5768 (election under section 501(h)).

A Check if the filing organization belongs to an affiliated group (and list in Part IV each affiliated group member's name, address, EIN, expenses, and share of excess lobbying expenditures)

B Check if the filing organization checked box A and "limited control" provisions apply

Limits on Lobbying Expenditures (The term "expenditures" means amounts paid or incurred.)	
(a) Filing organization's totals	(b) Affiliated group totals

Total lobbying expenditures to influence public opinion (grass roots lobbying) **1a**

Total lobbying expenditures to influence a legislative body (direct lobbying) **b**

Total lobbying expenditures (add lines 1a and 1b) **c**

Other exempt purpose expenditures **d**

Total exempt purpose expenditures (add lines 1c and 1d) **e**

f Lobbying nontaxable amount. Enter the amount from the following table in both columns if the amount on line 1e, column (a) or (b) is:

The lobbying nontaxable amount is:	20% of the amount on line 1e
Not over \$500,000	\$100,000 plus 15% of the excess over \$500,000
Over \$500,000 but not over \$1,000,000	\$175,000 plus 10% of the excess over \$1,000,000
Over \$1,000,000 but not over \$1,500,000	\$225,000 plus 5% of the excess over \$1,500,000
Over \$1,500,000 but not over \$17,000,000	\$1,000,000

g Grassroots nontaxable amount (enter 2.5% of line 1f)

h Subtract line 1g from line 1a. If zero or less, enter -0-

i Subtract line 1f from line 1c. If zero or less, enter -0-

If there is an amount other than zero on either line 1h or line 1i, did the organization file Form 4720 reporting section 4911 tax for this year?

Yes No

4-Year Averaging Period Under section 501(h)
(Some organizations that made a section 501(h) election do not have to complete all of the five columns below. See the separate instructions for lines 2a through 2f.)

Lobbying Expenditures During 4-Year Averaging Period					
Calendar year (or fiscal year beginning in)	(a) 2012	(b) 2013	(c) 2014	(d) 2015	(e) Total
2a Lobbying nontaxable amount					
b Lobbying ceiling amount (150% of line 2a, column (e))					
c Total lobbying expenditures					
d Grassroots nontaxable amount					
e Grassroots ceiling amount (150% of line 2d, column (e))					
f Grassroots lobbying expenditures					

Part II-B Complete if the organization is exempt under section 501(c)(3) and has NOT filed Form 5768 (election under section 501(b)).

	(a)		(b)	
	Yes	No	Yes	Amount
1. During the year, did the filing organization attempt to influence foreign, national, state or local legislation, including any attempt to influence public opinion on a legislative matter or referendum, through the use of:				
a Volunteers?				
b Paid staff or management (include compensation in expenses reported on lines 1c through 1j)?				
c Media advertisements?				
d Mailings to members, legislators, or the public?				
e Publications, or published or broadcast statements?				
f Grants to other organizations for lobbying purposes?				
g Direct contact with legislators, their staffs, government officials, or a legislative body?				
h Rallies, demonstrations, seminars, conventions, speeches, lectures, or any similar means?				
i Other activities?				
j Total. Add lines 1c through 1j.				

- 2a. Did the activities in line 1 cause the organization to be not described in section 501(c)(3)?
- b. If "yes," enter the amount of any tax incurred under section 4912.
- c. If "yes," enter the amount of any tax incurred by organization managers under section 4912.
- d. If the filing organization incurred a section 4912 tax, did it file Form 4720 for this year?

Part III-A Complete if the organization is exempt under section 501(c)(4), section 501(c)(5), or section 501(c)(6).

	Yes		No	
	1	No	2	No
1. Were substantially all (90% or more) dues received nondeductible by members?				
2. Did the organization make only in-house lobbying expenditures of \$2,000 or less?				
3. Did the organization agree to carry over lobbying and political expenditures from the prior year?				

Part III-B Complete if the organization is exempt under section 501(c)(4), section 501(c)(5), or section 501(c)(6) and if either (a) BOTH Part III-A, lines 1 and 2, are answered "No" OR (b) Part III-A, line 3, is answered "Yes."

	Yes	No
1. Dues, assessments and similar amounts from members		
a Current Year	648,612	
b Carryover from last year	200,000	
c Total	848,612	
2. Section 162(e) nondeductible lobbying and political expenditures (do not include amounts of political expenses for which the section 527(f) tax was paid).		
a Current Year		
b Carryover from last year		
c Total		
3. Aggregate amount reported in section 6033(c)(1)(A) (notices of nondeductible section 162(e) dues		124,306
4. If notices were sent and the amount on line 2c exceeds the amount on line 3, what portion of the excess does the organization agree to carryover to the reasonable estimate of nondeductible lobbying and political expenditure next year?		

Part IV Supplemental Information

4	5
Taxable amount of lobbying and political expenditures (see instructions)	3

Return Reference	Explanation
Part I-A, Line 1 - Direct and Indirect Political Campaign Activities	Influencing government policies affecting Chlorofluorocarbons

Add. 82a

SCHEDULE D
(Form 990)

Supplemental Financial Statements

OMB No 1545-0047

2015

Open to Public Inspection

▶ Complete if the organization answered "Yes," on Form 990, Part IV, line 6, 7, 8, 9, 10, 11a, 11b, 11c, 11d, 11e, 11f, 12a, or 12b.
▶ Attach to Form 990.

Information about Schedule D (Form 990) and its instructions is at www.irs.gov/form990.

Department of the Treasury
Internal Revenue Service

Name of the organization
ALLIANCE FOR RESPONSIBLE ATMOSPHERIC
POLICY INC

Employer identification number
52-1207922

Part I Organizations Maintaining Donor Advised Funds or Other Similar Funds or Accounts.
Complete if the organization answered "Yes" on Form 990, Part IV, line 6.

	(a) Donor advised funds	(b) Funds and other accounts
1 Total number at end of year		
2 Aggregate value of contributions to (during year)		
3 Aggregate value of grants from (during year)		
4 Aggregate value at end of year		

5 Did the organization inform all donors and donor advisors in writing that the assets held in donor advised funds are the organization's property, subject to the organization's exclusive legal control? Yes No

6 Did the organization inform all grantees, donors, and donor advisors in writing that grant funds can be used only for charitable purposes and not for the benefit of the donor or donor advisor, or for any other purpose conferring impermissible private benefit? Yes No

Part II Conservation Easements. Complete if the organization answered "Yes" on Form 990, Part IV, line 7.

1 Purpose(s) of conservation easements held by the organization (check all that apply)

Preservation of land for public use (e.g., recreation or education) Preservation of an historically important land area

Protection of natural habitat Preservation of a certified historic structure

Preservation of open space

2 Complete lines 2a through 2d if the organization held a qualified conservation contribution in the form of a conservation easement on the last day of the tax year

	Held at the End of the Year
a Total number of conservation easements	2a
b Total acreage restricted by conservation easements	2b
c Number of conservation easements on a certified historic structure included in (a)	2c
d Number of conservation easements included in (c) acquired after 8/17/06, and not on a historic structure listed in the National Register	2d

3 Number of conservation easements modified, transferred, released, extinguished, or terminated by the organization during the tax year ▶ _____

4 Number of states where property subject to conservation easement is located ▶ _____

5 Does the organization have a written policy regarding the periodic monitoring, inspection, handling of violations, and enforcement of the conservation easements it holds? Yes No

6 Staff and volunteer hours devoted to monitoring, inspecting, handling of violations, and enforcing conservation easements during the year
▶ _____

7 Amount of expenses incurred in monitoring, inspecting, handling of violations, and enforcing conservation easements during the year
▶ \$ _____

8 Does each conservation easement reported on line 2(d) above satisfy the requirements of section 170(h)(4)(B)(i) and section 170(h)(4)(B)(ii)? Yes No

9 In Part XIII, describe how the organization reports conservation easements in its revenue and expense statement, and balance sheet, and include, if applicable, the text of the footnote to the organization's financial statements that describes the organization's accounting for conservation easements

Part III Organizations Maintaining Collections of Art, Historical Treasures, or Other Similar Assets.
Complete if the organization answered "Yes" on Form 990, Part IV, line 8.

1a If the organization elected, as permitted under SFAS 116 (ASC 958), not to report in its revenue statement and balance sheet works of art, historical treasures, or other similar assets held for public exhibition, education, or research in furtherance of public service, provide, in Part XIII, the text of the footnote to its financial statements that describes these items

b If the organization elected, as permitted under SFAS 116 (ASC 958), to report in its revenue statement and balance sheet works of art, historical treasures, or other similar assets held for public exhibition, education, or research in furtherance of public service, provide the following amounts relating to these items

(i) Revenue included on Form 990, Part VIII, line 1 ▶ \$ _____

(ii) Assets included in Form 990, Part X ▶ \$ _____

2 If the organization received or held works of art, historical treasures, or other similar assets for financial gain, provide the following amounts required to be reported under SFAS 116 (ASC 958) relating to these items

a Revenue included on Form 990, Part VIII, line 1 ▶ \$ _____

b Assets included in Form 990, Part X ▶ \$ _____

Add. 83a

Part III Organizations Maintaining Collections of Art, Historical Treasures, or Other Similar Assets
(continued)

- 3** Using the organization's acquisition, accession, and other records, check any of the following that are a significant use of its collection items (check all that apply)
- a** Public exhibition
 - b** Scholarly research
 - c** Preservation for future generations
 - d** Loan or exchange programs
 - e** Other
- 4** Provide a description of the organization's collections and explain how they further the organization's exempt purpose in Part XIII
- 5** During the year, did the organization solicit or receive donations of art, historical treasures or other similar assets to be sold to raise funds rather than to be maintained as part of the organization's collection? Yes No

Part IV Escrow and Custodial Arrangements.
Complete if the organization answered "Yes" on Form 990, Part IV, line 9, or reported an amount on Form 990, Part X, line 21.

- 1a** Is the organization an agent, trustee, custodian or other intermediary for contributions or other assets not included on Form 990, Part X? Yes No
- b** If "Yes," explain the arrangement in Part XIII and complete the following table
- | | Amount |
|---|--------|
| 1c Beginning balance | |
| 1d Additions during the year | |
| 1e Distributions during the year | |
| 1f Ending balance | |
- 2a** Did the organization include an amount on Form 990, Part X, line 21, for escrow or custodial account liability? Yes No
- b** If "Yes," explain the arrangement in Part XIII. Check here if the explanation has been provided in Part XIII

Part V Endowment Funds. Complete if the organization answered "Yes" to Form 990, Part IV, line 10.

	(a) Current year	(b) Prior year	(c) Two years back	(d) Three years back	(e) Four years back
1a Beginning of year balance					
b Contributions					
c Net investment earnings, gains, and losses					
d Grants or scholarships					
e Other expenditures for facilities and programs					
f Administrative expenses					
g End of year balance					

- 2** Provide the estimated percentage of the current year end balance (line 1g, column (a)) held as
- a** Board designated or quasi-endowment ▶
 - b** Permanent endowment ▶
 - c** Temporarily restricted endowment ▶
The percentages on lines 2a, 2b, and 2c should equal 100%
- 3a** Are there endowment funds not in the possession of the organization that are held and administered for the organization by
- | | Yes | No |
|--|---------------|----|
| (i) unrelated organizations | 3a(i) | |
| (ii) related organizations | 3a(ii) | |
| b If "Yes" on 3a(ii), are the related organizations listed as required on Schedule R? | 3b | |
- 4** Describe in Part XIII the intended uses of the organization's endowment funds

Part VI Land, Buildings, and Equipment.
Complete if the organization answered "Yes" to Form 990, Part IV, line 11a. See Form 990, Part X, line 10.

Description of property	(a) Cost or other basis (investment)	(b) Cost or other basis (other)	(c) Accumulated depreciation	(d) Book value
1a Land				
b Buildings				
c Leasehold improvements				
d Equipment				
e Other				
Total. Add lines 1a through 1e (Column (d) must equal Form 990, Part X, column (B), line 10(c).)				

Part XI Reconciliation of Revenue per Audited Financial Statements With Revenue per Return

Complete if the organization answered 'Yes' on Form 990, Part IV, line 12a.

1	Total revenue, gains, and other support per audited financial statements		1
2	Amounts included on line 1 but not on Form 990, Part VIII, line 12		
a	Net unrealized gains (losses) on investments	2a	
b	Donated services and use of facilities	2b	
c	Recoveries of prior year grants	2c	
d	Other (Describe in Part XIII)	2d	
e	Add lines 2a through 2d	2e	
3	Subtract line 2e from line 1	3	
4	Amounts included on Form 990, Part VIII, line 12, but not on line 1		
a	Investment expenses not included on Form 990, Part VIII, line 7b	4a	
b	Other (Describe in Part XIII)	4b	
c	Add lines 4a and 4b	4c	
5	Total revenue Add lines 3 and 4c . (This must equal Form 990, Part I, line 12.)	5	

Part XII Reconciliation of Expenses per Audited Financial Statements With Expenses per Return.

Complete if the organization answered 'Yes' on Form 990, Part IV, line 12a.

1	Total expenses and losses per audited financial statements		1
2	Amounts included on line 1 but not on Form 990, Part IX, line 25		
a	Donated services and use of facilities	2a	
b	Prior year adjustments	2b	
c	Other losses	2c	
d	Other (Describe in Part XIII)	2d	
e	Add lines 2a through 2d	2e	
3	Subtract line 2e from line 1	3	
4	Amounts included on Form 990, Part IX, line 25, but not on line 1 :		
a	Investment expenses not included on Form 990, Part VIII, line 7b	4a	
b	Other (Describe in Part XIII)	4b	
c	Add lines 4a and 4b	4c	
5	Total expenses Add lines 3 and 4c . (This must equal Form 990, Part I, line 18.)	5	

Part XIII Supplemental Information

Provide the descriptions required for Part II, lines 3, 5, and 9, Part III, lines 1a and 4, Part IV, lines 1b and 2b, Part V, line 4, Part X, line 2, Part XI, lines 2d and 4b, and Part XII, lines 2d and 4b. Also complete this part to provide any additional information.

Return Reference	Explanation

Part IV Business Transactions Involving Interested Persons.

Complete if the organization answered "Yes" on Form 990, Part IV, line 28a, 28b, or 28c.

(a) Name of interested person	(b) Relationship between interested person and the organization	(c) Amount of transaction	(d) Description of transaction	(e) Sharing of organization's revenues?	
				Yes	No
(1) Alcalde & Fay	Director	557,201	Lobbying & Mgt		No

Part V Supplemental Information

Provide additional information for responses to questions on Schedule L (see instructions)

Return Reference	Explanation

**SCHEDULE O
(Form 990 or 990-EZ)**

Department of the Treasury
Internal Revenue Service

Supplemental Information to Form 990 or 990-EZ

Complete to provide information for responses to specific questions on Form 990 or 990-EZ or to provide any additional information.
 Attach to Form 990 or 990-EZ.
 Information about Schedule O (Form 990 or 990-EZ) and its instructions is at www.irs.gov/form990.

2015

Open to Public Inspection

Name of the organization ALLIANCE FOR RESPONSIBLE ATMOSPHERIC POLICY INC	Employer identification number 52-1207922
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990 Schedule O, Supplemental Information

Return Reference	Explanation
Form 990, Part V, Line 3b Reason For Not Filing Form 990-T	The \$159,701 of Other Income is an insurance reimbursement for an embezzlement claim
Form 990, Part VI, Line 3 Description of Delegated Duties to Management Company	Day-to-Day Operations directed by management company
Form 990, Part VI, Line 11b Form 990 Review Process	No review was or will be conducted
Form 990, Part VI, Line 19 Other Organization Documents Publicly Available	No documents available to the public

Form **990**
Department of the Treasury
Internal Revenue Service

Return of Organization Exempt From Income Tax

OMB No 1545-0047

Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except private foundations)

Do not enter social security numbers on this form as it may be made public
Information about Form 990 and its instructions is at www.irs.gov/form990

2016

Open to Public Inspection

A For the 2016 calendar year, or tax year beginning 01-01-2016, and ending 12-31-2016

B Check if applicable:
 Address change
 Name change
 Initial return
 Final return/terminated
 Amended return
 Application pending

C Name of organization: ALLIANCE FOR RESPONSIBLE ATMOSPHERIC POLICY INC
 Doing business as:
 Number and street (or P.O. box if mail is not delivered to street address): 2111 WILSON BOULEVARD Room/suite:
 City or town, state or province, country, and ZIP or foreign postal code: ARLINGTON, VA 22201

D Employer identification number: 52-1207922

E Telephone number: (703) 243-0344

F Name and address of principal officer: Kevin Fay, 2111 Wilson Blvd, Arlington, VA 22201

G Gross receipts \$ 666,349

H(a) Is this a group return for subordinates? Yes No
H(b) Are all subordinates included? Yes No
 If "No," attach a list (see instructions)
H(c) Group exemption number ▶

I Tax-exempt status: 501(c)(3) 501(c)(6) (insert no) 4947(a)(1) or 527

J Website: ▶ www.arap.org

K Form of organization: Corporation Trust Association Other ▶

L Year of formation: 1994 **M** State of legal domicile: VA

Part I Summary

Activities & Governance	1 Briefly describe the organization's mission or most significant activities: See Part III, Line 1			
	2 Check this box <input type="checkbox"/> if the organization discontinued its operations or disposed of more than 25% of its net assets			
	3 Number of voting members of the governing body (Part VI, line 1a)		3	28
	4 Number of independent voting members of the governing body (Part VI, line 1b)		4	28
	5 Total number of individuals employed in calendar year 2016 (Part V, line 2a)		5	0
	6 Total number of volunteers (estimate if necessary)		6	
	7a Total unrelated business revenue from Part VIII, column (C), line 12		7a	0
7b Net unrelated business taxable income from Form 990-T, line 34		7b		
Revenue	8 Contributions and grants (Part VIII, line 1h)			0
	9 Program service revenue (Part VIII, line 2g)	648,612		666,190
	10 Investment income (Part VIII, column (A), lines 3, 4, and 7d)	177		159
	11 Other revenue (Part VIII, column (A), lines 5, 6d, 8c, 9c, 10c, and 11e)	159,701		0
	12 Total revenue—add lines 8 through 11 (must equal Part VIII, column (A), line 12)	808,490		666,349
	Expenses	13 Grants and similar amounts paid (Part IX, column (A), lines 1-3)		
14 Benefits paid to or for members (Part IX, column (A), line 4)				0
15 Salaries, other compensation, employee benefits (Part IX, column (A), lines 5-10)				0
16a Professional fundraising fees (Part IX, column (A), line 11e)				0
b Total fundraising expenses (Part IX, column (D), line 25) ▶ 0				
17 Other expenses (Part IX, column (A), lines 11a-11d, 11f-24e)		706,466		698,143
18 Total expenses—Add lines 13-17 (must equal Part IX, column (A), line 25)	706,466		698,143	
19 Revenue less expenses—Subtract line 18 from line 12	102,024		-31,794	
Net Assets or Fund Balances			Beginning of Current Year	End of Year
	20 Total assets (Part X, line 16)	479,872		587,583
	21 Total liabilities (Part X, line 26)	52,155		191,660
22 Net assets or fund balances—Subtract line 21 from line 20	427,717		395,923	

Part II Signature Block

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge.

Sign Here Signature of officer: _____ Date: 2017-08-21
 Kevin Fay, Executive Director
 Type or print name and title

Print/Type preparer's name: Douglas J Alcorn CPA
Preparer's signature: Douglas J Alcorn CPA
Date: _____
 Check if self-employed PTIN: P00000476
Firm's name: ▶ ALCORN & CURETON Ltd CPAs
Firm's EIN: ▶
Firm's address: ▶ 4604 B Pinecrest Office Plk Dr
 Alexandria, VA 22312
Phone no: (703) 354-7750

Part III Statement of Program Service Accomplishments

Check if Schedule O contains a response or note to any line in this Part III

1 Briefly describe the organization's mission

THE ALLIANCE'S PURPOSES OF ORGANIZATION ARE TO ENSURE THAT GOVERNMENT DIRECTIVES AND POLICIES FOR FLOURCARBONS ARE REASONABLY SOUND AND ECONOMICALLY AND TECHNICALLY EFFECTIVE, TO COOPERATE WITH AND ASSIST GOVERNMENTAL BODIES WITH RESPECT TO SUCH DIRECTIVES AND POLICIES AND TO MAINTAIN AN AWARENESS AMONG MEMBERS OF LEGISLATIVE, REGULATORY, SCIENTIFIC AND OTHER AREAS RELEVANT TO REGULATION OF FLOURCARBONS THE ABOVE EXEMPT FUNCTION INCOME MEETS THESE PURPOSES

2 Did the organization undertake any significant program services during the year which were not listed on the prior Form 990 or 990-EZ? Yes No

If "Yes," describe these new services on Schedule O

3 Did the organization cease conducting, or make significant changes in how it conducts, any program services? Yes No

If "Yes," describe these changes on Schedule O

4 Describe the organization's program service accomplishments for each of its three largest program services, as measured by expenses Section 501(c)(3) and 501(c)(4) organizations are required to report the amount of grants and allocations to others, the total expenses, and revenue, if any, for each program service reported

4a (Code) (Expenses \$ 577,075 including grants of \$) (Revenue \$ 666,190)

See Additional Data

4b (Code) (Expenses \$) including grants of \$) (Revenue \$)

See Additional Data

4c (Code) (Expenses \$) including grants of \$) (Revenue \$)

4d Other program services (Describe in Schedule O) (Expenses \$) including grants of \$) (Revenue \$)

4e Total program service expenses **▶** 577,075

Part IV Checklist of Required Schedules

	Yes	No
1 Is the organization described in section 501(c)(3) or 4947(a)(1) (other than a private foundation)? <i>If "Yes," complete Schedule A</i>		No
2 Is the organization required to complete <i>Schedule B, Schedule of Contributors</i> (see instructions)?		No
3 Did the organization engage in direct or indirect political campaign activities on behalf of or in opposition to candidates for public office? <i>If "Yes," complete Schedule C, Part I</i>		No
4 Section 501(c)(3) organizations. Did the organization engage in lobbying activities, or have a section 501(h) election in effect during the tax year? <i>If "Yes," complete Schedule C, Part II</i>		No
5 Is the organization a section 501(c)(4), 501(c)(5), or 501(c)(6) organization that receives membership dues, assessments, or similar amounts as defined in Revenue Procedure 98-19? <i>If "Yes," complete Schedule C, Part III</i>	Yes	
6 Did the organization maintain any donor advised funds or any similar funds or accounts for which donors have the right to provide advice on the distribution or investment of amounts in such funds or accounts? <i>If "Yes," complete Schedule D, Part I</i>		No
7 Did the organization receive or hold a conservation easement, including easements to preserve open space, the environment, historic land areas, or historic structures? <i>If "Yes," complete Schedule D, Part II</i>		No
8 Did the organization maintain collections of works of art, historical treasures, or other similar assets? <i>If "Yes," complete Schedule D, Part III</i>		No
9 Did the organization report an amount in Part X, line 21 for escrow or custodial account liability, serve as a custodian for amounts not listed in Part X, or provide credit counseling, debt management, credit repair, or debt negotiation services? <i>If "Yes," complete Schedule D, Part IV</i>		No
10 Did the organization, directly or through a related organization, hold assets in temporarily restricted endowments, permanent endowments, or quasi-endowments? <i>If "Yes," complete Schedule D, Part V</i>		No
11 If the organization's answer to any of the following questions is "Yes," then complete Schedule D, Parts VI, VII, VIII, IX, or X as applicable		
a Did the organization report an amount for land, buildings, and equipment in Part X, line 10? <i>If "Yes," complete Schedule D, Part VI</i>		No
b Did the organization report an amount for investments—other securities in Part X, line 12 that is 5% or more of its total assets reported in Part X, line 16? <i>If "Yes," complete Schedule D, Part VII</i>		No
c Did the organization report an amount for investments—program related in Part X, line 13 that is 5% or more of its total assets reported in Part X, line 16? <i>If "Yes," complete Schedule D, Part VIII</i>		No
d Did the organization report an amount for other assets in Part X, line 15 that is 5% or more of its total assets reported in Part X, line 16? <i>If "Yes," complete Schedule D, Part IX</i>		No
e Did the organization report an amount for other liabilities in Part X, line 25? <i>If "Yes," complete Schedule D, Part X</i>	Yes	
f Did the organization's separate or consolidated financial statements for the tax year include a footnote that addresses the organization's liability for uncertain tax positions under FIN 48 (ASC 740)? <i>If "Yes," complete Schedule D, Part X</i>		No
12a Did the organization obtain separate, independent audited financial statements for the tax year? <i>If "Yes," complete Schedule D, Parts XI and XII</i>		No
b Was the organization included in consolidated, independent audited financial statements for the tax year? <i>If "Yes," and if the organization answered "No" to line 12a, then completing Schedule D, Parts XI and XII is optional</i>		No
13 Is the organization a school described in section 170(b)(1)(A)(ii)? <i>If "Yes," complete Schedule E</i>		No
14a Did the organization maintain an office, employees, or agents outside of the United States?		No
b Did the organization have aggregate revenues or expenses of more than \$10,000 from grantmaking, fundraising, business, investment, and program service activities outside the United States, or aggregate foreign investments valued at \$100,000 or more? <i>If "Yes," complete Schedule F, Parts I and IV</i>		No
15 Did the organization report on Part IX, column (A), line 3, more than \$5,000 of grants or other assistance to or for any foreign organization? <i>If "Yes," complete Schedule F, Parts II and IV</i>		No
16 Did the organization report on Part IX, column (A), line 3, more than \$5,000 of aggregate grants or other assistance to or for foreign individuals? <i>If "Yes," complete Schedule F, Parts III and IV</i>		No
17 Did the organization report a total of more than \$15,000 of expenses for professional fundraising services on Part IX, column (A), lines 6 and 11e? <i>If "Yes," complete Schedule G, Part I</i> (see instructions)		No
18 Did the organization report more than \$15,000 total of fundraising event gross income and contributions on Part VIII, lines 1c and 8a? <i>If "Yes," complete Schedule G, Part II</i>		No
19 Did the organization report more than \$15,000 of gross income from gaming activities on Part VIII, line 9a? <i>If "Yes," complete Schedule G, Part III</i>		No

Part IV Checklist of Required Schedules (continued)

	Yes	No
20a Did the organization operate one or more hospital facilities? <i>If "Yes," complete Schedule H</i>		No
b If "Yes" to line 20a, did the organization attach a copy of its audited financial statements to this return?		
21 Did the organization report more than \$5,000 of grants or other assistance to any domestic organization or domestic government on Part IX, column (A), line 1? <i>If "Yes," complete Schedule I, Parts I and II</i>		No
22 Did the organization report more than \$5,000 of grants or other assistance to or for domestic individuals on Part IX, column (A), line 2? <i>If "Yes," complete Schedule I, Parts I and III</i>		No
23 Did the organization answer "Yes" to Part VII, Section A, line 3, 4, or 5 about compensation of the organization's current and former officers, directors, trustees, key employees, and highest compensated employees? <i>If "Yes," complete Schedule J</i>		No
24a Did the organization have a tax-exempt bond issue with an outstanding principal amount of more than \$100,000 as of the last day of the year, that was issued after December 31, 2002? <i>If "Yes," answer lines 24b through 24d and complete Schedule K. If "No," go to line 25a</i>		No
b Did the organization invest any proceeds of tax-exempt bonds beyond a temporary period exception?		No
c Did the organization maintain an escrow account other than a refunding escrow at any time during the year to defease any tax-exempt bonds?		No
d Did the organization act as an "on behalf of" issuer for bonds outstanding at any time during the year?		No
25a Section 501(c)(3), 501(c)(4), and 501(c)(29) organizations. Did the organization engage in an excess benefit transaction with a disqualified person during the year? <i>If "Yes," complete Schedule L, Part I</i>		No
b Is the organization aware that it engaged in an excess benefit transaction with a disqualified person in a prior year, and that the transaction has not been reported on any of the organization's prior Forms 990 or 990-EZ? <i>If "Yes," complete Schedule L, Part I</i>		No
26 Did the organization report any amount on Part X, line 5, 6, or 22 for receivables from or payables to any current or former officers, directors, trustees, key employees, highest compensated employees, or disqualified persons? <i>If "Yes," complete Schedule L, Part II</i>		No
27 Did the organization provide a grant or other assistance to an officer, director, trustee, key employee, substantial contributor or employee thereof, a grant selection committee member, or to a 35% controlled entity or family member of any of these persons? <i>If "Yes," complete Schedule L, Part III</i>		No
28 Was the organization a party to a business transaction with one of the following parties (see Schedule L, Part IV instructions for applicable filing thresholds, conditions, and exceptions)		
a A current or former officer, director, trustee, or key employee? <i>If "Yes," complete Schedule L, Part IV</i>		No
b A family member of a current or former officer, director, trustee, or key employee? <i>If "Yes," complete Schedule L, Part IV</i>		No
c An entity of which a current or former officer, director, trustee, or key employee (or a family member thereof) was an officer, director, trustee, or direct or indirect owner? <i>If "Yes," complete Schedule L, Part IV</i>	Yes	
29 Did the organization receive more than \$25,000 in non-cash contributions? <i>If "Yes," complete Schedule M</i>		No
30 Did the organization receive contributions of art, historical treasures, or other similar assets, or qualified conservation contributions? <i>If "Yes," complete Schedule M</i>		No
31 Did the organization liquidate, terminate, or dissolve and cease operations? <i>If "Yes," complete Schedule N, Part I</i>		No
32 Did the organization sell, exchange, dispose of, or transfer more than 25% of its net assets? <i>If "Yes," complete Schedule N, Part II</i>		No
33 Did the organization own 100% of an entity disregarded as separate from the organization under Regulations sections 301.7701-2 and 301.7701-3? <i>If "Yes," complete Schedule R, Part I</i>		No
34 Was the organization related to any tax-exempt or taxable entity? <i>If "Yes," complete Schedule R, Part II, III, or IV, and Part V, line 1</i>		No
35a Did the organization have a controlled entity within the meaning of section 512(b)(13)?		No
b If "Yes" to line 35a, did the organization receive any payment from or engage in any transaction with a controlled entity within the meaning of section 512(b)(13)? <i>If "Yes," complete Schedule R, Part V, line 2</i>		No
36 Section 501(c)(3) organizations. Did the organization make any transfers to an exempt non-charitable related organization? <i>If "Yes," complete Schedule R, Part V, line 2</i>		No
37 Did the organization conduct more than 5% of its activities through an entity that is not a related organization and that is treated as a partnership for federal income tax purposes? <i>If "Yes," complete Schedule R, Part VI</i>		No
38 Did the organization complete Schedule O and provide explanations in Schedule O for Part VI, lines 11b and 19? Note. All Form 990 filers are required to complete Schedule O		No

Part V Statements Regarding Other IRS Filings and Tax Compliance

Check if Schedule O contains a response or note to any line in this Part V

Main form table with columns for question numbers (1a-14b), descriptions, and Yes/No response boxes.

Add 95a

Part VI Governance, Management, and Disclosure For each "Yes" response to lines 2 through 7b below, and for a "No" response to lines 8a, 8b, or 10b below, describe the circumstances, processes, or changes in Schedule O. See instructions.

Check if Schedule O contains a response or note to any line in this Part VI

Section A. Governing Body and Management

		Yes	No
1a	Enter the number of voting members of the governing body at the end of the tax year		
	If there are material differences in voting rights among members of the governing body, or if the governing body delegated broad authority to an executive committee or similar committee, explain in Schedule O		
1b	Enter the number of voting members included in line 1a, above, who are independent		
2	Did any officer, director, trustee, or key employee have a family relationship or a business relationship with any other officer, director, trustee, or key employee?		No
3	Did the organization delegate control over management duties customarily performed by or under the direct supervision of officers, directors or trustees, or key employees to a management company or other person?	Yes	
4	Did the organization make any significant changes to its governing documents since the prior Form 990 was filed?		No
5	Did the organization become aware during the year of a significant diversion of the organization's assets?		No
6	Did the organization have members or stockholders?		No
7a	Did the organization have members, stockholders, or other persons who had the power to elect or appoint one or more members of the governing body?		No
7b	Are any governance decisions of the organization reserved to (or subject to approval by) members, stockholders, or persons other than the governing body?		No
8	Did the organization contemporaneously document the meetings held or written actions undertaken during the year by the following:		
8a	a The governing body?	Yes	
8b	b Each committee with authority to act on behalf of the governing body?		No
9	Is there any officer, director, trustee, or key employee listed in Part VII, Section A, who cannot be reached at the organization's mailing address? If "Yes," provide the names and addresses in Schedule O.	Yes	

Section B. Policies (This Section B requests information about policies not required by the Internal Revenue Code.)

		Yes	No
10a	Did the organization have local chapters, branches, or affiliates?		No
10b	If "Yes," did the organization have written policies and procedures governing the activities of such chapters, affiliates, and branches to ensure their operations are consistent with the organization's exempt purposes?		
11a	Has the organization provided a complete copy of this Form 990 to all members of its governing body before filing the form?	Yes	
12a	Did the organization have a written conflict of interest policy? If "No," go to line 13.	Yes	
12b	Were officers, directors, or trustees, and key employees required to disclose annually interests that could give rise to conflicts?	Yes	
12c	Did the organization regularly and consistently monitor and enforce compliance with the policy? If "Yes," describe in Schedule O how this was done.	Yes	
13	Did the organization have a written whistleblower policy?	Yes	
14	Did the organization have a written document retention and destruction policy?	Yes	
15	Did the process for determining compensation of the following persons include a review and approval by independent persons, comparability data, and contemporaneous substantiation of the deliberation and decision?		
15a	a The organization's CEO, Executive Director, or top management official		No
15b	b Other officers or key employees of the organization		No
	If "Yes" to line 15a or 15b, describe the process in Schedule O (see instructions)		
16a	Did the organization invest in, contribute assets to, or participate in a joint venture or similar arrangement with a taxable entity during the year?		No
16b	If "Yes," did the organization follow a written policy or procedure requiring the organization to evaluate its participation in joint venture arrangements under applicable federal tax law, and take steps to safeguard the organization's exempt status with respect to such arrangements?		

Section C. Disclosure

- 17** List the States with which a copy of this Form 990 is required to be filed: _____
- 18** Section 6104 requires an organization to make its Form 1023 (or 1024 if applicable), 990, and 990-T (501(c)(3)s only) available for public inspection. Indicate how you made these available. Check all that apply.
 Own website Another's website Upon request Other (explain in Schedule O)
- 19** Describe in Schedule O whether (and if so, how) the organization made its governing documents, conflict of interest policy, and financial statements available to the public during the tax year.
- 20** State the name, address, and telephone number of the person who possesses the organization's books and records.
 ▶ Kevin Fay 2111 WILSON BOULEVARD Arlington, VA 22201 (703) 243-0344

Part VIII Statement of Revenue

Check if Schedule O contains a response or note to any line in this Part VIII

		(A) Total revenue	(B) Related or exempt function revenue	(C) Unrelated business revenue	(D) Revenue excluded from tax under sections 512-514	
Contributions, Gifts, Grants and Other Similar Amounts	1a Federated campaigns	1a				
	b Membership dues	1b				
	c Fundraising events	1c				
	d Related organizations	1d				
	e Government grants (contributions)	1e				
	f All other contributions, gifts, grants, and similar amounts not included above	1f				
	g Noncash contributions included in lines 1a-1f \$					
	h Total. Add lines 1a-1f		0			
Program Service Revenue	2a Membership Dues & Assessments	Business Code	666,190	666,190		
	b					
	c					
	d					
	e					
	f All other program service revenue					
	g Total. Add lines 2a-2f		666,190			
Other Revenue	3 Investment income (including dividends, interest, and other similar amounts)		159	159		
	4 Income from investment of tax-exempt bond proceeds		0			
	5 Royalties		0			
	6a Gross rents	(i) Real				
		(ii) Personal				
		b Less rental expenses				
		c Rental income or (loss)				
	d Net rental income or (loss)		0			
	7a Gross amount from sales of assets other than inventory	(i) Securities				
		(ii) Other				
		b Less cost or other basis and sales expenses				
		c Gain or (loss)				
	d Net gain or (loss)		0			
	8a Gross income from fundraising events (not including \$ _____ of contributions reported on line 1c) See Part IV, line 18	a				
		b Less direct expenses	b			
c Net income or (loss) from fundraising events			0			
9a Gross income from gaming activities See Part IV, line 19	a					
	b Less direct expenses	b				
	c Net income or (loss) from gaming activities		0			
10a Gross sales of inventory, less returns and allowances	a					
	b Less cost of goods sold	b				
	c Net income or (loss) from sales of inventory		0			
11a Miscellaneous Revenue	Business Code					
	b					
	c					
	d All other revenue					
	Total. Add lines 11a-11d		0			
12 Total revenue. See Instructions		666,349	666,349			

Add. 99a

Part IX Statement of Functional Expenses

Section 501(c)(3) and 501(c)(4) organizations must complete all columns. All other organizations must complete column (A)

Check if Schedule O contains a response or note to any line in this Part IX

Do not include amounts reported on lines 6b, 7b, 8b, 9b, and 10b of Part VIII.	(A) Total expenses	(B) Program service expenses	(C) Management and general expenses	(D) Fundraising expenses
1 Grants and other assistance to domestic organizations and domestic governments See Part IV, line 21	0			
2 Grants and other assistance to domestic individuals See Part IV, line 22	0			
3 Grants and other assistance to foreign organizations, foreign governments, and foreign individuals See Part IV, line 15 and 16	0			
4 Benefits paid to or for members	0			
5 Compensation of current officers, directors, trustees, and key employees	0			
6 Compensation not included above, to disqualified persons (as defined under section 4958(f)(1)) and persons described in section 4958(c)(3)(B)	0			
7 Other salaries and wages	0			
8 Pension plan accruals and contributions (include section 401 (k) and 403(b) employer contributions)	0			
9 Other employee benefits	0			
10 Payroll taxes	0			
11 Fees for services (non-employees)				
a Management	550,564	440,451	110,113	
b Legal	27,481	21,985	5,496	
c Accounting	4,341	3,473	868	
d Lobbying	0			
e Professional fundraising services See Part IV, line 17	0			
f Investment management fees	0			
g Other (If line 11g amount exceeds 10% of line 25, column (A) amount, list line 11g expenses on Schedule O)	0			
12 Advertising and promotion	0			
13 Office expenses	12,037	9,630	2,407	
14 Information technology	0			
15 Royalties	0			
16 Occupancy	0			
17 Travel	0			
18 Payments of travel or entertainment expenses for any federal, state, or local public officials	0			
19 Conferences, conventions, and meetings	67,800	67,800		
20 Interest	0			
21 Payments to affiliates	0			
22 Depreciation, depletion, and amortization	0			
23 Insurance	0			
24 Other expenses Itemize expenses not covered above (List miscellaneous expenses in line 24e. If line 24e amount exceeds 10% of line 25, column (A) amount, list line 24e expenses on Schedule O.)				
a EPA assessment	25,000	25,000		
b Communications	10,920	8,736	2,184	
c				
d				
e All other expenses	0			
25 Total functional expenses. Add lines 1 through 24e	698,143	577,075	121,068	0
26 Joint costs. Complete this line only if the organization reported in column (B) joint costs from a combined educational campaign and fundraising solicitation. Check here <input type="checkbox"/> if following SOP 98-2 (ASC 958-720)				

Part X Balance Sheet

Check if Schedule O contains a response or note to any line in this Part IX

		(A) Beginning of year		(B) End of year
Assets	1 Cash—non-interest-bearing	1	1	48,959
	2 Savings and temporary cash investments	436,620	2	487,329
	3 Pledges and grants receivable, net		3	0
	4 Accounts receivable, net		4	0
	5 Loans and other receivables from current and former officers, directors, trustees, key employees, and highest compensated employees Complete Part II of Schedule L		5	8,094
	6 Loans and other receivables from other disqualified persons (as defined under section 4958(f)(1)), persons described in section 4958(c)(3)(B), and contributing employers and sponsoring organizations of section 501(c)(9) voluntary employees' beneficiary organizations (see instructions) Complete Part II of Schedule L		6	0
	7 Notes and loans receivable, net		7	0
	8 Inventories for sale or use		8	0
	9 Prepaid expenses and deferred charges	43,250	9	43,201
	10a Land, buildings, and equipment cost or other basis Complete Part VI of Schedule D	10a		
	b Less accumulated depreciation	10b	10c	0
	11 Investments—publicly traded securities		11	0
	12 Investments—other securities See Part IV, line 11		12	0
	13 Investments—program-related See Part IV, line 11		13	0
	14 Intangible assets		14	0
	15 Other assets See Part IV, line 11	1	15	0
16 Total assets. Add lines 1 through 15 (must equal line 34)	479,872	16	587,583	
Liabilities	17 Accounts payable and accrued expenses	7,675	17	48,070
	18 Grants payable		18	
	19 Deferred revenue	31,980	19	131,090
	20 Tax-exempt bond liabilities		20	
	21 Escrow or custodial account liability Complete Part IV of Schedule D		21	
	22 Loans and other payables to current and former officers, directors, trustees, key employees, highest compensated employees, and disqualified persons Complete Part II of Schedule L		22	
	23 Secured mortgages and notes payable to unrelated third parties		23	
	24 Unsecured notes and loans payable to unrelated third parties		24	
	25 Other liabilities (including federal income tax, payables to related third parties, and other liabilities not included on lines 17-24) Complete Part X of Schedule D	12,500	25	12,500
	26 Total liabilities. Add lines 17 through 25	52,155	26	191,660
Net Assets or Fund Balances	27 Organizations that follow SFAS 117 (ASC 958), check here <input checked="" type="checkbox"/> and complete lines 27 through 29, and lines 33 and 34. Unrestricted net assets	427,717	27	395,923
	28 Temporarily restricted net assets		28	
	29 Permanently restricted net assets		29	
	30 Organizations that do not follow SFAS 117 (ASC 958), check here <input type="checkbox"/> and complete lines 30 through 34. Capital stock or trust principal, or current funds		30	
	31 Paid-in or capital surplus, or land, building or equipment fund		31	
	32 Retained earnings, endowment, accumulated income, or other funds		32	
	33 Total net assets or fund balances	427,717	33	395,923
	34 Total liabilities and net assets/fund balances	479,872	34	587,583

Part XI Reconciliation of Net Assets

Check if Schedule O contains a response or note to any line in this Part XI

1	Total revenue (must equal Part VIII, column (A), line 12)	666,349
2	Total expenses (must equal Part IX, column (A), line 25)	698,143
3	Revenue less expenses Subtract line 2 from line 1	-31,794
4	Net assets or fund balances at beginning of year (must equal Part X, line 33, column (A))	427,717
5	Net unrealized gains (losses) on investments	
6	Donated services and use of facilities	
7	Investment expenses	
8	Prior period adjustments	
9	Other changes in net assets or fund balances (explain in Schedule O)	
10	Net assets or fund balances at end of year Combine lines 3 through 9 (must equal Part X, line 33, column (B))	395,923

Part XII Financial Statements and Reporting

Check if Schedule O contains a response or note to any line in this Part XII

1 Accounting method used to prepare the Form 990 Cash Accrual Other
 If the organization changed its method of accounting from a prior year or checked "Other," explain in Schedule O _____

2a Were the organization's financial statements compiled or reviewed by an independent accountant?
 If "Yes," check a box below to indicate whether the financial statements for the year were compiled or reviewed on a separate basis, consolidated basis, or both

<input type="checkbox"/> Separate basis	<input type="checkbox"/> Consolidated basis	<input type="checkbox"/> Both consolidated and separate basis	2a	No
---	---	---	-----------	----

b Were the organization's financial statements audited by an independent accountant?
 If "Yes," check a box below to indicate whether the financial statements for the year were audited on a separate basis, consolidated basis, or both

<input checked="" type="checkbox"/> Separate basis	<input type="checkbox"/> Consolidated basis	<input type="checkbox"/> Both consolidated and separate basis	2b	Yes
--	---	---	-----------	-----

c If "Yes," to line 2a or 2b, does the organization have a committee that assumes responsibility for oversight of the audit, review, or compilation of its financial statements and selection of an independent accountant?
 If the organization changed either its oversight process or selection process during the tax year, explain in Schedule O _____

<input type="checkbox"/> Separate basis	<input type="checkbox"/> Consolidated basis	<input type="checkbox"/> Both consolidated and separate basis	2c	Yes
---	---	---	-----------	-----

3a As a result of a federal award, was the organization required to undergo an audit or audits as set forth in the Single Audit Act and OMB Circular A-133?
 If "Yes," did the organization undergo the required audit or audits? If the organization did not undergo the required audit or audits, explain why in Schedule O and describe any steps taken to undergo such audits

<input type="checkbox"/> Separate basis	<input type="checkbox"/> Consolidated basis	<input type="checkbox"/> Both consolidated and separate basis	3a	No
			3b	

Additional Data

Software ID: 16000303

Software Version: 2016v3.0

EIN: 52-1207922

Name: ALLIANCE FOR RESPONSIBLE ATMOSPHERIC
POLICY INC

Form 990 (2016)

Form 990, Part III, Line 4a:

CONFERENCES AND MEETINGS - COMMUNICATION TO MEMBERS, PUBLIC AND MEDIA ON ISSUES RELATED TO FLOURCARBONS

Form 990, Part III, Line 4b:

REGULATORY ACTION PROGRAM--PREPARATION OF COMMENTS IN ORDER TO EDUCATE AND KEEP REGULATORY OFFICIALS AND BODIES INFORMED ABOUT FLOUROCARBON ISSUES AT STATE/LOCAL LEVELS

SCHEDULE C
(Form 990 or 990-EZ)

Political Campaign and Lobbying Activities

OMB No 1545-0047

2016

Open to Public Inspection

Department of the Treasury
Internal Revenue Service

For Organizations Exempt From Income Tax Under section 501(c) and section 527
 ▶ Complete if the organization is described below. ▶ Attach to Form 990 or Form 990-EZ.
 ▶ Information about Schedule C (Form 990 or 990-EZ) and its instructions is at www.irs.gov/form990.

- If the organization answered "Yes" on Form 990, Part IV, Line 3, or Form 990-EZ, Part V, line 46 (Political Campaign Activities), then
- Section 501(c)(3) organizations Complete Parts I-A and B Do not complete Part I-C
 - Section 501(c) (other than section 501(c)(3)) organizations Complete Parts I-A and C below Do not complete Part I-B
 - Section 527 organizations Complete Part I-A only
- If the organization answered "Yes" on Form 990, Part IV, Line 4, or Form 990-EZ, Part VI, line 47 (Lobbying Activities), then
- Section 501(c)(3) organizations that have filed Form 5768 (election under section 501(h)) Complete Part II-A Do not complete Part II-B
 - Section 501(c)(3) organizations that have NOT filed Form 5768 (election under section 501(h)) Complete Part II-B Do not complete Part II-A
- If the organization answered "Yes" on Form 990, Part IV, Line 5 (Proxy Tax) (see separate instructions) or Form 990-EZ, Part V, line 35c (Proxy Tax) (see separate instructions), then
- Section 501(c)(4), (5), or (6) organizations Complete Part III

Name of the organization ALLIANCE FOR RESPONSIBLE ATMOSPHERIC POLICY INC	Employer identification number 52-1207922
--	--

Part I-A Complete if the organization is exempt under section 501(c) or is a section 527 organization.

- 1 Provide a description of the organization's direct and indirect political campaign activities in Part IV
- 2 Political expenditures ▶ \$ _____
- 3 Volunteer hours _____

Part I-B Complete if the organization is exempt under section 501(c)(3).

- 1 Enter the amount of any excise tax incurred by the organization under section 4955 ▶ \$ _____
- 2 Enter the amount of any excise tax incurred by organization managers under section 4955 ▶ \$ _____
- 3 If the organization incurred a section 4955 tax, did it file Form 4720 for this year? Yes No
- 4a Was a correction made? Yes No
- b If "Yes," describe in Part IV

Part I-C Complete if the organization is exempt under section 501(c), except section 501(c)(3).

- 1 Enter the amount directly expended by the filing organization for section 527 exempt function activities ▶ \$ _____
- 2 Enter the amount of the filing organization's funds contributed to other organizations for section 527 exempt function activities ▶ \$ _____
- 3 Total exempt function expenditures Add lines 1 and 2 Enter here and on Form 1120-POL, line 17b ▶ \$ _____
- 4 Did the filing organization file Form 1120-POL for this year? Yes No
- 5 Enter the names, addresses and employer identification number (EIN) of all section 527 political organizations to which the filing organization made payments For each organization listed, enter the amount paid from the filing organization's funds Also enter the amount of political contributions received that were promptly and directly delivered to a separate political organization, such as a separate segregated fund or a political action committee (PAC) If additional space is needed, provide information in Part IV

(a) Name	(b) Address	(c) EIN	(d) Amount paid from filing organization's funds If none, enter -0-	(e) Amount of political contributions received and promptly and directly delivered to a separate political organization If none, enter -0-

Part II-A Complete if the organization is exempt under section 501(c)(3) and filed Form 5768 (election under section 501(h)).

- A** Check if the filing organization belongs to an affiliated group (and list in Part IV each affiliated group member's name, address, EIN, expenses, and share of excess lobbying expenditures)
- B** Check if the filing organization checked box A and "limited control" provisions apply

Limits on Lobbying Expenditures (The term "expenditures" means amounts paid or incurred.)	(a) Filing organization's totals	(b) Affiliated group totals												
1a Total lobbying expenditures to influence public opinion (grass roots lobbying)														
b Total lobbying expenditures to influence a legislative body (direct lobbying)														
c Total lobbying expenditures (add lines 1a and 1b)														
d Other exempt purpose expenditures														
e Total exempt purpose expenditures (add lines 1c and 1d)														
f Lobbying nontaxable amount. Enter the amount from the following table in both columns														
<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">If the amount on line 1e, column (a) or (b) is:</th> <th style="text-align: left;">The lobbying nontaxable amount is:</th> </tr> </thead> <tbody> <tr> <td>Not over \$500,000</td> <td>20% of the amount on line 1e</td> </tr> <tr> <td>Over \$500,000 but not over \$1,000,000</td> <td>\$100,000 plus 15% of the excess over \$500,000</td> </tr> <tr> <td>Over \$1,000,000 but not over \$1,500,000</td> <td>\$175,000 plus 10% of the excess over \$1,000,000</td> </tr> <tr> <td>Over \$1,500,000 but not over \$17,000,000</td> <td>\$225,000 plus 5% of the excess over \$1,500,000</td> </tr> <tr> <td>Over \$17,000,000</td> <td>\$1,000,000</td> </tr> </tbody> </table>	If the amount on line 1e, column (a) or (b) is:	The lobbying nontaxable amount is:	Not over \$500,000	20% of the amount on line 1e	Over \$500,000 but not over \$1,000,000	\$100,000 plus 15% of the excess over \$500,000	Over \$1,000,000 but not over \$1,500,000	\$175,000 plus 10% of the excess over \$1,000,000	Over \$1,500,000 but not over \$17,000,000	\$225,000 plus 5% of the excess over \$1,500,000	Over \$17,000,000	\$1,000,000		
If the amount on line 1e, column (a) or (b) is:	The lobbying nontaxable amount is:													
Not over \$500,000	20% of the amount on line 1e													
Over \$500,000 but not over \$1,000,000	\$100,000 plus 15% of the excess over \$500,000													
Over \$1,000,000 but not over \$1,500,000	\$175,000 plus 10% of the excess over \$1,000,000													
Over \$1,500,000 but not over \$17,000,000	\$225,000 plus 5% of the excess over \$1,500,000													
Over \$17,000,000	\$1,000,000													
g Grassroots nontaxable amount (enter 25% of line 1f)														
h Subtract line 1g from line 1a. If zero or less, enter -0-														
i Subtract line 1f from line 1c. If zero or less, enter -0-														
j If there is an amount other than zero on either line 1h or line 1i, did the organization file Form 4720 reporting section 4911 tax for this year?		<input type="checkbox"/> Yes <input type="checkbox"/> No												

4-Year Averaging Period Under section 501(h)
(Some organizations that made a section 501(h) election do not have to complete all of the five columns below. See the separate instructions for lines 2a through 2f.)

Lobbying Expenditures During 4-Year Averaging Period					
Calendar year (or fiscal year beginning in)	(a) 2013	(b) 2014	(c) 2015	(d) 2016	(e) Total
2a Lobbying nontaxable amount					
b Lobbying ceiling amount (150% of line 2a, column (e))					
c Total lobbying expenditures					
d Grassroots nontaxable amount					
e Grassroots ceiling amount (150% of line 2d, column (e))					
f Grassroots lobbying expenditures					

Part II-B Complete if the organization is exempt under section 501(c)(3) and has NOT filed Form 5768 (election under section 501(h)).

For each "Yes" response on lines 1a through 1i below, provide in Part IV a detailed description of the lobbying activity

	(a)		(b)
	Yes	No	Amount
1 During the year, did the filing organization attempt to influence foreign, national, state or local legislation, including any attempt to influence public opinion on a legislative matter or referendum, through the use of:			
a Volunteers?			
b Paid staff or management (include compensation in expenses reported on lines 1c through 1i)?			
c Media advertisements?			
d Mailings to members, legislators, or the public?			
e Publications, or published or broadcast statements?			
f Grants to other organizations for lobbying purposes?			
g Direct contact with legislators, their staffs, government officials, or a legislative body?			
h Rallies, demonstrations, seminars, conventions, speeches, lectures, or any similar means?			
i Other activities?			
j Total. Add lines 1c through 1i.			
2a Did the activities in line 1 cause the organization to be not described in section 501(c)(3)?			
b If "Yes," enter the amount of any tax incurred under section 4912.			
c If "Yes," enter the amount of any tax incurred by organization managers under section 4912.			
d If the filing organization incurred a section 4912 tax, did it file Form 4720 for this year?			

Part III-A Complete if the organization is exempt under section 501(c)(4), section 501(c)(5), or section 501(c)(6).

	Yes	No
1 Were substantially all (90% or more) dues received nondeductible by members?	1	No
2 Did the organization make only in-house lobbying expenditures of \$2,000 or less?	2	No
3 Did the organization agree to carry over lobbying and political expenditures from the prior year?	3	No

Part III-B Complete if the organization is exempt under section 501(c)(4), section 501(c)(5), or section 501(c)(6) and if either (a) BOTH Part III-A, lines 1 and 2, are answered "No" OR (b) Part III-A, line 3, is answered "Yes."

1 Dues, assessments and similar amounts from members	1	666,190
2 Section 162(e) nondeductible lobbying and political expenditures (do not include amounts of political expenses for which the section 527(f) tax was paid):		
a Current year	2a	200,000
b Carryover from last year	2b	
c Total	2c	200,000
3 Aggregate amount reported in section 6033(e)(1)(A) notices of nondeductible section 162(e) dues	3	333,095
4 If notices were sent and the amount on line 2c exceeds the amount on line 3, what portion of the excess does the organization agree to carryover to the reasonable estimate of nondeductible lobbying and political expenditure next year?	4	
5 Taxable amount of lobbying and political expenditures (see instructions)	5	

Part IV Supplemental Information

Provide the descriptions required for Part I-A, line 1, Part I-B, line 4, Part I-C, line 5, Part II-A (affiliated group list), Part II-A, lines 1 and 2 (see instructions), and Part II-B, line 1. Also, complete this part for any additional information.

Return Reference	Explanation
Part I-A, Line 1 - Direct and Indirect Political Campaign Activities	Influencing government policies affecting Chlorofluorocarbons.

SCHEDULE D
(Form 990)

Supplemental Financial Statements

OMB No 1545-0047

2016

Open to Public Inspection

▶ Complete if the organization answered "Yes," on Form 990, Part IV, line 6, 7, 8, 9, 10, 11a, 11b, 11c, 11d, 11e, 11f, 12a, or 12b.
▶ Attach to Form 990.

Information about Schedule D (Form 990) and its instructions is at www.irs.gov/form990.

Department of the Treasury
Internal Revenue Service

Name of the organization
ALLIANCE FOR RESPONSIBLE ATMOSPHERIC
POLICY INC

Employer identification number
52-1207922

Part I Organizations Maintaining Donor Advised Funds or Other Similar Funds or Accounts.

Complete if the organization answered "Yes" on Form 990, Part IV, line 6.

	(a) Donor advised funds	(b) Funds and other accounts
1 Total number at end of year		
2 Aggregate value of contributions to (during year)		
3 Aggregate value of grants from (during year)		
4 Aggregate value at end of year		
5 Did the organization inform all donors and donor advisors in writing that the assets held in donor advised funds are the organization's property, subject to the organization's exclusive legal control?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
6 Did the organization inform all grantees, donors, and donor advisors in writing that grant funds can be used only for charitable purposes and not for the benefit of the donor or donor advisor, or for any other purpose conferring impermissible private benefit?	<input type="checkbox"/> Yes <input type="checkbox"/> No	

Part II Conservation Easements. Complete if the organization answered "Yes" on Form 990, Part IV, line 7.

1 Purpose(s) of conservation easements held by the organization (check all that apply)											
<input type="checkbox"/> Preservation of land for public use (e.g., recreation or education)	<input type="checkbox"/> Preservation of an historically important land area										
<input type="checkbox"/> Protection of natural habitat	<input type="checkbox"/> Preservation of a certified historic structure										
<input type="checkbox"/> Preservation of open space											
2 Complete lines 2a through 2d if the organization held a qualified conservation contribution in the form of a conservation easement on the last day of the tax year											
a Total number of conservation easements	<table border="1"> <thead> <tr> <th colspan="2">Held at the End of the Year</th> </tr> </thead> <tbody> <tr> <td>2a</td> <td></td> </tr> <tr> <td>2b</td> <td></td> </tr> <tr> <td>2c</td> <td></td> </tr> <tr> <td>2d</td> <td></td> </tr> </tbody> </table>	Held at the End of the Year		2a		2b		2c		2d	
Held at the End of the Year											
2a											
2b											
2c											
2d											
b Total acreage restricted by conservation easements											
c Number of conservation easements on a certified historic structure included in (a)											
d Number of conservation easements included in (c) acquired after 8/17/06, and not on a historic structure listed in the National Register											
3 Number of conservation easements modified, transferred, released, extinguished, or terminated by the organization during the tax year ▶ _____											
4 Number of states where property subject to conservation easement is located ▶ _____											
5 Does the organization have a written policy regarding the periodic monitoring, inspection, handling of violations, and enforcement of the conservation easements it holds?	<input type="checkbox"/> Yes <input type="checkbox"/> No										
6 Staff and volunteer hours devoted to monitoring, inspecting, handling of violations, and enforcing conservation easements during the year ▶ _____											
7 Amount of expenses incurred in monitoring, inspecting, handling of violations, and enforcing conservation easements during the year ▶ \$ _____											
8 Does each conservation easement reported on line 2(d) above satisfy the requirements of section 170(h)(4)(B)(i) and section 170(h)(4)(B)(ii)?	<input type="checkbox"/> Yes <input type="checkbox"/> No										
9 In Part XIII, describe how the organization reports conservation easements in its revenue and expense statement, and balance sheet, and include, if applicable, the text of the footnote to the organization's financial statements that describes the organization's accounting for conservation easements											

Part III Organizations Maintaining Collections of Art, Historical Treasures, or Other Similar Assets.

Complete if the organization answered "Yes" on Form 990, Part IV, line 8.

1a If the organization elected, as permitted under SFAS 116 (ASC 958), not to report in its revenue statement and balance sheet works of art, historical treasures, or other similar assets held for public exhibition, education, or research in furtherance of public service, provide, in Part XIII, the text of the footnote to its financial statements that describes these items	
b If the organization elected, as permitted under SFAS 116 (ASC 958), to report in its revenue statement and balance sheet works of art, historical treasures, or other similar assets held for public exhibition, education, or research in furtherance of public service, provide the following amounts relating to these items	
(i) Revenue included on Form 990, Part VIII, line 1	▶ \$ _____
(ii) Assets included in Form 990, Part X	▶ \$ _____
2 If the organization received or held works of art, historical treasures, or other similar assets for financial gain, provide the following amounts required to be reported under SFAS 116 (ASC 958) relating to these items	
a Revenue included on Form 990, Part VIII, line 1	▶ \$ _____
b Assets included in Form 990, Part X	▶ \$ _____

Part III Organizations Maintaining Collections of Art, Historical Treasures, or Other Similar Assets *(continued)*

3 Using the organization's acquisition, accession, and other records, check any of the following that are a significant use of its collection items (check all that apply)

- a Public exhibition
- b Scholarly research
- c Preservation for future generations
- d Loan or exchange programs
- e Other

4 Provide a description of the organization's collections and explain how they further the organization's exempt purpose in Part XIII

5 During the year, did the organization solicit or receive donations of art, historical treasures or other similar assets to be sold to raise funds rather than to be maintained as part of the organization's collection? Yes No

Part IV Escrow and Custodial Arrangements.

Complete if the organization answered "Yes" on Form 990, Part IV, line 9, or reported an amount on Form 990, Part X, line 21.

1a Is the organization an agent, trustee, custodian or other intermediary for contributions or other assets not included on Form 990, Part X? Yes No

b If "Yes," explain the arrangement in Part XIII and complete the following table

- c Beginning balance
- d Additions during the year
- e Distributions during the year
- f Ending balance

	Amount
1c	
1d	
1e	
1f	

2a Did the organization include an amount on Form 990, Part X, line 21, for escrow or custodial account liability? Yes No

b If "Yes," explain the arrangement in Part XIII. Check here if the explanation has been provided in Part XIII

Part V Endowment Funds. Complete if the organization answered "Yes" on Form 990, Part IV, line 10.

	(a) Current year	(b) Prior year	(c) Two years back	(d) Three years back	(e) Four years back
1a Beginning of year balance					
b Contributions					
c Net investment earnings, gains, and losses					
d Grants or scholarships					
e Other expenditures for facilities and programs					
f Administrative expenses					
g End of year balance					

2 Provide the estimated percentage of the current year end balance (line 1g, column (a)) held as

- a Board designated or quasi-endowment ▶
- b Permanent endowment ▶
- c Temporarily restricted endowment ▶

The percentages on lines 2a, 2b, and 2c should equal 100%

3a Are there endowment funds not in the possession of the organization that are held and administered for the organization by

- (i) unrelated organizations
- (ii) related organizations

	Yes	No
3a(i)		
3a(ii)		
3b		

b If "Yes" on 3a(ii), are the related organizations listed as required on Schedule R?

4 Describe in Part XIII the intended uses of the organization's endowment funds

Part VI Land, Buildings, and Equipment.

Complete if the organization answered "Yes" on Form 990, Part IV, line 11a. See Form 990, Part X, line 10.

Description of property	(a) Cost or other basis (investment)	(b) Cost or other basis (other)	(c) Accumulated depreciation	(d) Book value
1a Land				
b Buildings				
c Leasehold improvements				
d Equipment				
e Other				

Total. Add lines 1a through 1e (Column (d) must equal Form 990, Part X, column (B), line 10(c)) ▶

Part VII Investments—Other Securities. Complete if the organization answered 'Yes' on Form 990, Part IV, line 11b. See Form 990, Part X, line 12.

(a) Description of security or category (including name of security)	(b) Book value	(c) Method of valuation Cost or end-of-year market value
(1) Financial derivatives		
(2) Closely-held equity interests		
(3) Other		
(A)		
(B)		
(C)		
(D)		
(E)		
(F)		
(G)		
(H)		
Total. (Column (b) must equal Form 990, Part X, col. (B) line 12.)		

Part VIII Investments—Program Related. Complete if the organization answered 'Yes' on Form 990, Part IV, line 11c. See Form 990, Part X, line 13.

(a) Description of investment	(b) Book value	(c) Method of valuation Cost or end-of-year market value
(1)		
(2)		
(3)		
(4)		
(5)		
(6)		
(7)		
(8)		
(9)		
Total. (Column (b) must equal Form 990, Part X, col. (B) line 13.)		

Part IX Other Assets. Complete if the organization answered 'Yes' on Form 990, Part IV, line 11d. See Form 990, Part X, line 15.

(a) Description	(b) Book value
(1)	
(2)	
(3)	
(4)	
(5)	
(6)	
(7)	
(8)	
(9)	
Total. (Column (b) must equal Form 990, Part X, col. (B) line 15.)	

Part X Other Liabilities. Complete if the organization answered 'Yes' on Form 990, Part IV, line 11e or 11f. See Form 990, Part X, line 25.

(a) Description of liability	(b) Book value
(1) Federal income taxes	
Due to ICCP	12,500
(2)	
(3)	
(4)	
(5)	
(6)	
(7)	
(8)	
(9)	
Total. (Column (b) must equal Form 990, Part X, col. (B) line 25.)	

2: Liability for uncertain tax positions. In Part XIII, provide the text of the footnote to the organization's financial statements that reports the organization's liability for uncertain tax positions under FIN 48 (ASC 740). Check here if the text of the footnote has been provided in Part XIII

Add: 110a

Part XI Reconciliation of Revenue per Audited Financial Statements With Revenue per Return

Complete if the organization answered 'Yes' on Form 990, Part IV, line 12a.

1	Total revenue, gains, and other support per audited financial statements		1
2	Amounts included on line 1 but not on Form 990, Part VIII, line 12		
a	Net unrealized gains (losses) on investments	2a	
b	Donated services and use of facilities	2b	
c	Recoveries of prior year grants	2c	
d	Other (Describe in Part XIII)	2d	
e	Add lines 2a through 2d		2e
3	Subtract line 2e from line 1		3
4	Amounts included on Form 990, Part VIII, line 12, but not on line 1		
a	Investment expenses not included on Form 990, Part VIII, line 7b	4a	
b	Other (Describe in Part XIII)	4b	
c	Add lines 4a and 4b		4c
5	Total revenue. Add lines 3 and 4c . (This must equal Form 990, Part I, line 12.)		5

Part XII Reconciliation of Expenses per Audited Financial Statements With Expenses per Return.

Complete if the organization answered 'Yes' on Form 990, Part IV, line 12a.

1	Total expenses and losses per audited financial statements		1
2	Amounts included on line 1 but not on Form 990, Part IX, line 25		
a	Donated services and use of facilities	2a	
b	Prior year adjustments	2b	
c	Other losses	2c	
d	Other (Describe in Part XIII)	2d	
e	Add lines 2a through 2d		2e
3	Subtract line 2e from line 1		3
4	Amounts included on Form 990, Part IX, line 25, but not on line 1 :		
a	Investment expenses not included on Form 990, Part VIII, line 7b	4a	
b	Other (Describe in Part XIII)	4b	
c	Add lines 4a and 4b		4c
5	Total expenses. Add lines 3 and 4c . (This must equal Form 990, Part I, line 18.)		5

Part XIII Supplemental Information

Provide the descriptions required for Part II, lines 3, 5, and 9; Part III, lines 1a and 4; Part IV, lines 1b and 2b; Part V, line 4; Part X, line 2; Part XI, lines 2d and 4b; and Part XII, lines 2d and 4b. Also complete this part to provide any additional information.

Return Reference	Explanation
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Part XIII Supplemental Information (continued)

Return Reference	Explanation
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Part IV Business Transactions Involving Interested Persons.

Complete if the organization answered "Yes" on Form 990, Part IV, line 28a, 28b, or 28c.

(a) Name of interested person	(b) Relationship between interested person and the organization	(c) Amount of transaction	(d) Description of transaction	(e) Sharing of organization's revenues?	
				Yes	No
(1) Alcalde & Fay	Director	515,345	Lobbying & Mgt		No

Part V Supplemental Information

Provide additional information for responses to questions on Schedule L (see instructions)

Return Reference	Explanation

efile GRAPHIC print - DO NOT PROCESS As Filed Data - DLN: 93493233009127

OMB No. 1545-0047

Supplemental Information to Form 990 or 990-EZ

Complete to provide information for responses to specific questions on Form 990 or 990-EZ or to provide any additional information.

- ▶ Attach to Form 990 or 990-EZ.
- ▶ Information about Schedule O (Form 990 or 990-EZ) and its instructions is at www.irs.gov/form990.

SCHEDULE O (Form 990 or 990-EZ)

Department of the Treasury

Internal Revenue Service

Name of the organization
ALLIANCE FOR RESPONSIBLE ATMOSPHERIC
POLICY INC

2016

Open to Public
Inspection

Employer identification number

52-1207922

990 Schedule O, Supplemental Information

Return Reference	Explanation
Form 990, Part VI, Line 3 Description of Delegated Duties to Management Company	Day-to-Day Operations directed by management company

990 Schedule O, Supplemental Information

Return Reference	Explanation
Form 990, Part VI, Line 11b Form 990 Review Process	No review was or will be conducted

990 Schedule O, Supplemental Information

Return Reference	Explanation
Form 990, Part VI, Line 19 Other Organization Documents Publicly Available	No documents available to the public

Form **990**
Department of the Treasury
Internal Revenue Service

Return of Organization Exempt From Income Tax

OMB No 1545-0047

2018

Open to Public Inspection

Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except private foundations)

- Do not enter social security numbers on this form as it may be made public.
- Go to www.irs.gov/Form990 for instructions and the latest information.

A For the 2019 calendar year, or tax year beginning 01-01-2018, and ending 12-31-2018

- B** Check if applicable:
- Address change
 - Name change
 - Initial return
 - Final return/terminated
 - Amended return
 - Application pending

C Name of organization
ALLIANCE FOR RESPONSIBLE ATMOSPHERIC POLICY INC

Doing business as:

Number and street (or P O box if mail is not delivered to street address) Room/suite
2111 WILSON BOULEVARD

City or town, state or province, country, and ZIP or foreign postal code
ARLINGTON, VA 22201

D Employer identification number
52-1207922

E Telephone number
(703) 243-0344

G Gross receipts \$ 803,336

F Name and address of principal officer
Kevin Fay
2111 WILSON BOULEVARD 850
ARLINGTON, VA 222013051

H(a) Is this a group return for subordinates? Yes No

H(b) Are all subordinates included? Yes No

If "No," attach a list (see instructions)

I Tax-exempt status: 501(c)(3) 501(c)(6) (insert no) 4947(a)(1) or 527

J Website: www.arap.org

H(c) Group exemption number ▶

K Form of organization: Corporation Trust Association Other ▶

L Year of formation 1994

M State of legal domicile VA

Part I Summary

Activities & Governance	1 Briefly describe the organization's mission or most significant activities See Part III, Line 1		
	2 Check this box <input type="checkbox"/> if the organization discontinued its operations or disposed of more than 25% of its net assets		
	3	Number of voting members of the governing body (Part VI, line 1a)	28
	4	Number of independent voting members of the governing body (Part VI, line 1b)	28
	5	Total number of individuals employed in calendar year 2018 (Part V, line 2a)	0
	6	Total number of volunteers (estimate if necessary)	0
	7a	Total unrelated business revenue from Part VIII, column (C), line 12	0
	7b	Net unrelated business taxable income from Form 990-T, line 34	0
Revenue	8	Contributions and grants (Part VIII, line 1h)	0
	9	Program service revenue (Part VIII, line 2g)	646,652
	10	Investment income (Part VIII, column (A), lines 3, 4, and 7d)	560
	11	Other revenue (Part VIII, column (A), lines 5, 6d, 8c, 9c, 10c, and 11e)	3,329
	12	Total revenue—add lines 8 through 11 (must equal Part VIII, column (A), line 12)	650,541
Expenses	13	Grants and similar amounts paid (Part IX, column (A), lines 1-3)	0
	14	Benefits paid to or for members (Part IX, column (A), line 4)	0
	15	Salaries, other compensation, employee benefits (Part IX, column (A), lines 5-10)	0
	16a	Professional fundraising fees (Part IX, column (A), line 11e)	0
	b	Total fundraising expenses (Part IX, column (D), line 25) ▶ 0	0
	17	Other expenses (Part IX, column (A), lines 11a-11d, 11f-24e)	720,889
18	Total expenses Add lines 13-17 (must equal Part IX, column (A), line 25)	720,889	
19	Revenue less expenses Subtract line 18 from line 12	-70,348	
Net Assets or Fund Balances	20	Total assets (Part X, line 16)	338,162
	21	Total liabilities (Part X, line 26)	107
	22	Net assets or fund balances Subtract line 21 from line 20	338,075

Part II Signature Block

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge.

Sign Here

Signature of officer: _____ Date: 2019-09-30

Kevin Fay Executive Director
Type or print name and title

Paid Preparer Use Only

Print/Type preparer's name: _____ Preparer's signature: _____ Date: _____

Check if self-employed PTIN: P00000476

Firm's name: ALCORN & CURETON Ltd CPAs Firm's EIN: 54-1207380

Firm's address: 4604 B Pinecrest Office Pk Dr Alexandria, VA 22312 Phone no: (703) 354-7750

Add. 118a

Part III Statement of Program Service Accomplishments

Check if Schedule O contains a response or note to any line in this Part III

1 Briefly describe the organization's mission

THE ALLIANCE'S PURPOSES OF ORGANIZATION ARE TO ENSURE THAT GOVERNMENT DIRECTIVES AND POLICIES FOR FLOURCARBONS ARE REASONABLY SOUND AND ECONOMICALLY AND TECHNICALLY EFFECTIVE, TO COOPERATE WITH AND ASSIST GOVERNMENTAL BODIES WITH RESPECT TO SUCH DIRECTIVES AND POLICIES AND TO MAINTAIN AN AWARENESS AMONG MEMBERS OF LEGISLATIVE, REGULATORY, SCIENTIFIC AND OTHER AREAS RELEVANT TO REGULATION OF FLOURCARBONS. THE ABOVE EXEMPT FUNCTION INCOME MEETS THESE PURPOSES

2 Did the organization undertake any significant program services during the year which were not listed on the prior Form 990 or 990-EZ? Yes No

If "Yes," describe these new services on Schedule O

3 Did the organization cease conducting, or make significant changes in how it conducts, any program services? Yes No

If "Yes," describe these changes on Schedule O

4 Describe the organization's program service accomplishments for each of its three largest program services, as measured by expenses Section 501(c)(3) and 501(c)(4) organizations are required to report the amount of grants and allocations to others, the total expenses, and revenue, if any, for each program service reported

4a	(Code See Additional Data)	(Expenses \$ 337,457 including grants of \$)	(Revenue \$)
4b	(Code See Additional Data)	(Expenses \$ 261,843 including grants of \$)	(Revenue \$ 401,612)
4c	(Code See Additional Data)	(Expenses \$ 261,842 including grants of \$)	(Revenue \$ 401,613)
4d	Other program services (Describe in Schedule O)		
	(Expenses \$)	including grants of \$)	(Revenue \$)
4e	Total program service expenses		861,142

Part IV Checklist of Required Schedules

Table with 3 columns: Question number, Question text, Yes, No. Rows include questions 1 through 22 regarding organizational requirements and reporting.

Part IV Checklist of Required Schedules (continued)

		Yes	No
23	Did the organization answer "Yes" to Part VII, Section A, line 3, 4, or 5 about compensation of the organization's current and former officers, directors, trustees, key employees, and highest compensated employees? <i>If "Yes," complete Schedule J</i>		No
24a	Did the organization have a tax-exempt bond issue with an outstanding principal amount of more than \$100,000 as of the last day of the year, that was issued after December 31, 2002? <i>If "Yes," answer lines 24b through 24d and complete Schedule K. If "No," go to line 25a</i>		No
b	Did the organization invest any proceeds of tax-exempt bonds beyond a temporary period exception?		No
c	Did the organization maintain an escrow account other than a refunding escrow at any time during the year to defease any tax-exempt bonds?		No
d	Did the organization act as an "on behalf of" issuer for bonds outstanding at any time during the year?		No
25a	Section 501(c)(3), 501(c)(4), and 501(c)(29) organizations. Did the organization engage in an excess benefit transaction with a disqualified person during the year? <i>If "Yes," complete Schedule L, Part I</i>		
b	Is the organization aware that it engaged in an excess benefit transaction with a disqualified person in a prior year, and that the transaction has not been reported on any of the organization's prior Forms 990 or 990-EZ? <i>If "Yes," complete Schedule L, Part I</i>		
26	Did the organization report any amount on Part X, line 5, 6, or 22 for receivables from or payables to any current or former officers, directors, trustees, key employees, highest compensated employees, or disqualified persons? <i>If "Yes," complete Schedule L, Part II</i>		No
27	Did the organization provide a grant or other assistance to an officer, director, trustee, key employee, substantial contributor or employee thereof, a grant selection committee member, or to a 35% controlled entity or family member of any of these persons? <i>If "Yes," complete Schedule L, Part III</i>		No
28	Was the organization a party to a business transaction with one of the following parties (see Schedule L, Part IV instructions for applicable filing thresholds, conditions, and exceptions)		
a	A current or former officer, director, trustee, or key employee? <i>If "Yes," complete Schedule L, Part IV</i>		No
b	A family member of a current or former officer, director, trustee, or key employee? <i>If "Yes," complete Schedule L, Part IV</i>		No
c	An entity of which a current or former officer, director, trustee, or key employee (or a family member thereof) was an officer, director, trustee, or direct or indirect owner? <i>If "Yes," complete Schedule L, Part IV</i>	Yes	
29	Did the organization receive more than \$25,000 in non-cash contributions? <i>If "Yes," complete Schedule M</i>		No
30	Did the organization receive contributions of art, historical treasures, or other similar assets, or qualified conservation contributions? <i>If "Yes," complete Schedule M</i>		No
31	Did the organization liquidate, terminate, or dissolve and cease operations? <i>If "Yes," complete Schedule N, Part I</i>		No
32	Did the organization sell, exchange, dispose of, or transfer more than 25% of its net assets? <i>If "Yes," complete Schedule N, Part II</i>		No
33	Did the organization own 100% of an entity disregarded as separate from the organization under Regulations sections 301.7701-2 and 301.7701-3? <i>If "Yes," complete Schedule R, Part I</i>		No
34	Was the organization related to any tax-exempt or taxable entity? <i>If "Yes," complete Schedule R, Part II, III, or IV, and Part V, line 1</i>		No
35a	Did the organization have a controlled entity within the meaning of section 512(b)(13)?		No
b	If "Yes" to line 35a, did the organization receive any payment from or engage in any transaction with a controlled entity within the meaning of section 512(b)(13)? <i>If "Yes," complete Schedule R, Part V, line 2</i>		
36	Section 501(c)(3) organizations. Did the organization make any transfers to an exempt non-charitable related organization? <i>If "Yes," complete Schedule R, Part V, line 2</i>		
37	Did the organization conduct more than 5% of its activities through an entity that is not a related organization and that is treated as a partnership for federal income tax purposes? <i>If "Yes," complete Schedule R, Part VI</i>		No
38	Did the organization complete Schedule O and provide explanations in Schedule O for Part VI, lines 11b and 19? Note. All Form 990 filers are required to complete Schedule O		No

Part V Statements Regarding Other IRS Filings and Tax Compliance

Check if Schedule O contains a response or note to any line in this Part V

		Yes	No
1a	Enter the number reported in Box 3 of Form 1096. Enter -0- if not applicable		3
b	Enter the number of Forms W-2G included in line 1a. Enter -0- if not applicable		0
c	Did the organization comply with backup withholding rules for reportable payments to vendors and reportable gaming (gambling) winnings to prize winners?	Yes	

2a Enter the number of employees reported on Form W-3, Transmittal of Wage and Tax Statements, filed for the calendar year ending with or within the year covered by this return	2a <input type="text" value="0"/>		
b If at least one is reported on line 2a, did the organization file all required federal employment tax returns? Note. If the sum of lines 1a and 2a is greater than 250, you may be required to e-file (see instructions)		2b	No
3a Did the organization have unrelated business gross income of \$1,000 or more during the year?		3a	No
b If "Yes," has it filed a Form 990-T for this year? If "No" to line 3b, provide an explanation in Schedule O		3b	No
4a At any time during the calendar year, did the organization have an interest in, or a signature or other authority over, a financial account in a foreign country (such as a bank account, securities account, or other financial account)?		4a	No
b If "Yes," enter the name of the foreign country <input type="text"/> See instructions for filing requirements for FinCEN Form 114, Report of Foreign Bank and Financial Accounts (FBAR)			
5a Was the organization a party to a prohibited tax shelter transaction at any time during the tax year?		5a	No
b Did any taxable party notify the organization that it was or is a party to a prohibited tax shelter transaction?		5b	No
c If "Yes," to line 5a or 5b, did the organization file Form 8886-T?		5c	
6a Does the organization have annual gross receipts that are normally greater than \$100,000, and did the organization solicit any contributions that were not tax deductible as charitable contributions?		6a	Yes
b If "Yes," did the organization include with every solicitation an express statement that such contributions or gifts were not tax deductible?		6b	Yes
7 Organizations that may receive deductible contributions under section 170(c).			
a Did the organization receive a payment in excess of \$75 made partly as a contribution and partly for goods and services provided to the payor?		7a	
b If "Yes," did the organization notify the donor of the value of the goods or services provided?		7b	
c Did the organization sell, exchange, or otherwise dispose of tangible personal property for which it was required to file Form 8282?		7c	
d If "Yes," indicate the number of Forms 8282 filed during the year	7d <input type="text"/>		
e Did the organization receive any funds, directly or indirectly, to pay premiums on a personal benefit contract?		7e	
f Did the organization, during the year, pay premiums, directly or indirectly, on a personal benefit contract?		7f	
g If the organization received a contribution of qualified intellectual property, did the organization file Form 8899 as required?		7g	
h If the organization received a contribution of cars, boats, airplanes, or other vehicles, did the organization file a Form 1098-C?		7h	
8 Sponsoring organizations maintaining donor advised funds. Did a donor advised fund maintained by the sponsoring organization have excess business holdings at any time during the year?			
9a Did the sponsoring organization make any taxable distributions under section 4966?		9a	No
b Did the sponsoring organization make a distribution to a donor, donor advisor, or related person?		9b	No
10 Section 501(c)(7) organizations. Enter			
a Initiation fees and capital contributions included on Part VIII, line 12	10a <input type="text"/>		
b Gross receipts, included on Form 990, Part VIII, line 12, for public use of club facilities	10b <input type="text"/>		
11 Section 501(c)(12) organizations. Enter			
a Gross income from members or shareholders	11a <input type="text"/>		
b Gross income from other sources (Do not net amounts due or paid to other sources against amounts due or received from them)	11b <input type="text"/>		
12a Section 4947(a)(1) non-exempt charitable trusts. Is the organization filing Form 990 in lieu of Form 1041?			
b If "Yes," enter the amount of tax-exempt interest received or accrued during the year	12b <input type="text"/>	12a	No
13 Section 501(c)(29) qualified nonprofit health insurance issuers.			
a Is the organization licensed to issue qualified health plans in more than one state? Note. See the instructions for additional information the organization must report on Schedule O		13a	No
b Enter the amount of reserves the organization is required to maintain by the states in which the organization is licensed to issue qualified health plans	13b <input type="text"/>		
c Enter the amount of reserves on hand	13c <input type="text"/>		
14a Did the organization receive any payments for indoor tanning services during the tax year?			
b If "Yes," has it filed a Form 720 to report these payments? If "No," provide an explanation in Schedule O		14a	No
15 Is the organization subject to the section 4960 tax on payment(s) of more than \$1,000,000 in remuneration or excess parachute payment(s) during the year? If "Yes," see instructions and file Form 4720, Schedule N		15	No
16 Is the organization an educational institution subject to the section 4968 excise tax on net investment income? If "Yes," complete Form 4720, Schedule O			
16		16	No

Add. 122a

Part VI Governance, Management, and Disclosure For each "Yes" response to lines 2 through 7b below, and for a "No" response to lines 8a, 8b, or 10b below, describe the circumstances, processes, or changes in Schedule O. See instructions.
 Check if Schedule O contains a response or note to any line in this Part VI

Section A. Governing Body and Management

		Yes	No
1a	Enter the number of voting members of the governing body at the end of the tax year		
	If there are material differences in voting rights among members of the governing body, or if the governing body delegated broad authority to an executive committee or similar committee, explain in Schedule O		
1b	Enter the number of voting members included in line 1a, above, who are independent		
2	Did any officer, director, trustee, or key employee have a family relationship or a business relationship with any other officer, director, trustee, or key employee?		No
3	Did the organization delegate control over management duties customarily performed by or under the direct supervision of officers, directors or trustees, or key employees to a management company or other person?	Yes	
4	Did the organization make any significant changes to its governing documents since the prior Form 990 was filed?		No
5	Did the organization become aware during the year of a significant diversion of the organization's assets?		No
6	Did the organization have members or stockholders?		No
7a	Did the organization have members, stockholders, or other persons who had the power to elect or appoint one or more members of the governing body?		No
7b	Are any governance decisions of the organization reserved to (or subject to approval by) members, stockholders, or persons other than the governing body?		No
8	Did the organization contemporaneously document the meetings held or written actions undertaken during the year by the following:		
8a	The governing body?	Yes	
8b	Each committee with authority to act on behalf of the governing body?		No
9	Is there any officer, director, trustee, or key employee listed in Part VII, Section A, who cannot be reached at the organization's mailing address? If "Yes," provide the names and addresses in Schedule O.		No

Section B. Policies (This Section B requests information about policies not required by the Internal Revenue Code.)

		Yes	No
10a	Did the organization have local chapters, branches, or affiliates?		No
10b	If "Yes," did the organization have written policies and procedures governing the activities of such chapters, affiliates, and branches to ensure their operations are consistent with the organization's exempt purposes?		
11a	Has the organization provided a complete copy of this Form 990 to all members of its governing body before filing the form?	Yes	
11b	Describe in Schedule O the process, if any, used by the organization to review this Form 990.		
12a	Did the organization have a written conflict of interest policy? If "No," go to line 13.	Yes	
12b	Were officers, directors, or trustees, and key employees required to disclose annually interests that could give rise to conflicts?	Yes	
12c	Did the organization regularly and consistently monitor and enforce compliance with the policy? If "Yes," describe in Schedule O how this was done.	Yes	
13	Did the organization have a written whistleblower policy?	Yes	
14	Did the organization have a written document retention and destruction policy?	Yes	
15	Did the process for determining compensation of the following persons include a review and approval by independent persons, comparability data, and contemporaneous substantiation of the deliberation and decision?		
15a	The organization's CEO, Executive Director, or top management official		No
15b	Other officers or key employees of the organization		No
	If "Yes" to line 15a or 15b, describe the process in Schedule O (see instructions)		
16a	Did the organization invest in, contribute assets to, or participate in a joint venture or similar arrangement with a taxable entity during the year?		No
16b	If "Yes," did the organization follow a written policy or procedure requiring the organization to evaluate its participation in joint venture arrangements under applicable federal tax law, and take steps to safeguard the organization's exempt status with respect to such arrangements?		

Section C. Disclosure

- 17** List the States with which a copy of this Form 990 is required to be filed: _____
- 18** Section 6104 requires an organization to make its Form 1023 (or 1024-A if applicable), 990, and 990-T (501(c)(3)s only) available for public inspection. Indicate how you made these available. Check all that apply.
 Own website Another's website Upon request Other (explain in Schedule O)
- 19** Describe in Schedule O whether (and if so, how) the organization made its governing documents, conflict of interest policy, and financial statements available to the public during the tax year.
- 20** State the name, address, and telephone number of the person who possesses the organization's books and records.
 Kevin Fay 2111 WILSON BOULEVARD Arlington, VA 22201 (703) 243-0344

Part VIII Statement of Revenue

Check if Schedule O contains a response or note to any line in this Part VIII

		(A) Total revenue	(B) Related or exempt function revenue	(C) Unrelated business revenue	(D) Revenue excluded from tax under sections 512 - 514
Contributions, Gifts, Grants and Other Similar Amounts	1a Federated campaigns	1a			
	b Membership dues	1b			
	c Fundraising events	1c			
	d Related organizations	1d			
	e Government grants (contributions)	1e			
	f All other contributions, gifts, grants, and similar amounts not included above	1f			
	g Noncash contributions included in lines 1a - 1f \$				
	h Total. Add lines 1a-1f		0		
Program Service Revenue	2a Membership Dues & Assessments	Business Code	803,225	803,225	
	b _____				
	c _____				
	d _____				
	e _____				
	f All other program service revenue				
	g Total. Add lines 2a-2f		803,225		
Other Revenue	3 Investment income (including dividends, interest, and other similar amounts)		111	111	
	4 Income from investment of tax-exempt bond proceeds		0		
	5 Royalties		0		
	6a Gross rents	(i) Real (ii) Personal			
	b Less: rental expenses				
	c Rental income or (loss)				
	d Net rental income or (loss)		0		
	7a Gross amount from sales of assets other than inventory	(i) Securities (ii) Other			
	b Less: cost or other basis and sales expenses				
	c Gain or (loss)				
	d Net gain or (loss)		0		
	8a Gross income from fundraising events (not including \$ _____ of contributions reported on line 1c) See Part IV, line 18	a			
	b Less: direct expenses	b			
	c Net income or (loss) from fundraising events		0		
	9a Gross income from gaming activities See Part IV, line 19	a			
b Less: direct expenses	b				
c Net income or (loss) from gaming activities		0			
10a Gross sales of inventory, less returns and allowances	a				
b Less: cost of goods sold	b				
c Net income or (loss) from sales of inventory		0			
11a Miscellaneous Revenue	Business Code				
b _____					
c _____					
d All other revenue					
12a Total. Add lines 11a-11d		0			
12 Total revenue. See Instructions		803,336	803,336		

Add 126a

Part IX Statement of Functional Expenses

Section 501(c)(3) and 501(c)(4) organizations must complete all columns. All other organizations must complete column (A)

Check if Schedule O contains a response or note to any line in this Part IX

Do not include amounts reported on lines 6b, 7b, 8b, 9b, and 10b of Part VIII.	(A) Total expenses	(B) Program service expenses	(C) Management and general expenses	(D) Fundraising expenses
1 Grants and other assistance to domestic organizations and domestic governments See Part IV, line 21	0			
2 Grants and other assistance to domestic individuals See Part IV, line 22	0			
3 Grants and other assistance to foreign organizations, foreign governments, and foreign individuals See Part IV, line 15 and 16	0			
4 Benefits paid to or for members	0			
5 Compensation of current officers, directors, trustees, and key employees	0			
6 Compensation not included above, to disqualified persons (as defined under section 4958(f)(1)) and persons described in section 4958(c)(3)(B)	0			
7 Other salaries and wages	0			
8 Pension plan accruals and contributions (include section 401 (k) and 403(b) employer contributions)	0			
9 Other employee benefits	0			
10 Payroll taxes	0			
11 Fees for services (non-employees)				
a Management	550,333	440,266	110,067	
b Legal	22,273	17,818	4,455	
c Accounting	7,978	6,382	1,596	
d Lobbying	0			
e Professional fundraising services See Part IV, line 17	0			
f Investment management fees	0			
g Other (If line 11g amount exceeds 10% of line 25, column (A) amount, list line 11g expenses on Schedule O)	0			
12 Advertising and promotion	0			
13 Office expenses	0			
14 Information technology	0			
15 Royalties	0			
16 Occupancy	0			
17 Travel	33,433	26,746	6,687	
18 Payments of travel or entertainment expenses for any federal, state, or local public officials	0			
19 Conferences, conventions, and meetings	0			
20 Interest	0			
21 Payments to affiliates	0			
22 Depreciation, depletion, and amortization	0			
23 Insurance	0			
24 Other expenses Itemize expenses not covered above (List miscellaneous expenses in line 24e. If line 24e amount exceeds 10% of line 25, column (A) amount, list line 24e expenses on Schedule O)				
a Capital expenses	337,457	337,457		
b Administrative Expenses	26,316	21,053	5,263	
c Communications	14,147	11,318	2,829	
d Miscellaneous	127	102	25	
e All other expenses	0			
25 Total functional expenses. Add lines 1 through 24e	992,064	861,142	130,922	0
26 Joint costs. Complete this line only if the organization reported in column (B) joint costs from a combined educational campaign and fundraising solicitation. Check here <input type="checkbox"/> if following SOP 98-2 (ASC 958-720)				

Part X Balance Sheet

Check if Schedule O contains a response or note to any line in this Part IX

		(A) Beginning of year		(B) End of year
Assets	1 Cash—non-interest-bearing	362	1	24,369
	2 Savings and temporary cash investments	336,952	2	117,910
	3 Pledges and grants receivable, net		3	0
	4 Accounts receivable, net		4	6,200
	5 Loans and other receivables from current and former officers, directors, trustees, key employees, and highest compensated employees. Complete Part II of Schedule L		5	0
	6 Loans and other receivables from other disqualified persons (as defined under section 4958(f)(1)), persons described in section 4958(c)(3)(B), and contributing employers and sponsoring organizations of section 501(c)(9) voluntary employees' beneficiary organizations (see instructions). Complete Part II of Schedule L		6	0
	7 Notes and loans receivable, net		7	0
	8 Inventories for sale or use		8	0
	9 Prepaid expenses and deferred charges	868	9	868
	10a Land, buildings, and equipment—cost or other basis. Complete Part VI of Schedule D	10a		
	b Less accumulated depreciation	10b		10c 0
	11 Investments—publicly traded securities		11	0
	12 Investments—other securities. See Part IV, line 11		12	0
	13 Investments—program-related. See Part IV, line 11		13	0
	14 Intangible assets		14	0
	15 Other assets. See Part IV, line 11		15	0
16 Total assets. Add lines 1 through 15 (must equal line 34)	338,182	16	149,347	
Liabilities	17 Accounts payable and accrued expenses	107	17	
	18 Grants payable		18	
	19 Deferred revenue		19	
	20 Tax-exempt bond liabilities		20	
	21 Escrow or custodial account liability. Complete Part IV of Schedule D		21	
	22 Loans and other payables to current and former officers, directors, trustees, key employees, highest compensated employees, and disqualified persons. Complete Part II of Schedule L		22	
	23 Secured mortgages and notes payable to unrelated third parties		23	
	24 Unsecured notes and loans payable to unrelated third parties		24	
	25 Other liabilities (including federal income tax, payables to related third parties, and other liabilities not included on lines 17 - 24). Complete Part X of Schedule D		25	
	26 Total liabilities. Add lines 17 through 25	107	26	0
Net Assets or Fund Balances	27 Organizations that follow SFAS 117 (ASC 958), check here <input checked="" type="checkbox"/> and complete lines 27 through 29, and lines 33 and 34. Unrestricted net assets	338,075	27	149,347
	28 Temporarily restricted net assets		28	
	29 Permanently restricted net assets		29	
	30 Organizations that do not follow SFAS 117 (ASC 958), check here <input type="checkbox"/> and complete lines 30 through 34. Capital stock or trust principal, or current funds		30	
	31 Paid-in or capital surplus, or land, building or equipment fund		31	
	32 Retained earnings, endowment, accumulated income, or other funds		32	
	33 Total net assets or fund balances	338,075	33	149,347
	34 Total liabilities and net assets/fund balances	338,182	34	149,347

Part XI Reconciliation of Net Assets

Check if Schedule O contains a response or note to any line in this Part XI

1	Total revenue (must equal Part VIII, column (A), line 12)	803,336
2	Total expenses (must equal Part IX, column (A), line 25)	992,064
3	Revenue less expenses Subtract line 2 from line 1	-188,728
4	Net assets or fund balances at beginning of year (must equal Part X, line 33, column (A))	338,075
5	Net unrealized gains (losses) on investments	
6	Donated services and use of facilities	
7	Investment expenses	
8	Prior period adjustments	
9	Other changes in net assets or fund balances (explain in Schedule O)	
10	Net assets or fund balances at end of year Combine lines 3 through 9 (must equal Part X, line 33, column (B))	149,347

Part XII Financial Statements and Reporting

Check if Schedule O contains a response or note to any line in this Part XII

1 Accounting method used to prepare the Form 990 Cash Accrual Other
 If the organization changed its method of accounting from a prior year or checked "Other," explain in Schedule O _____

2a Were the organization's financial statements compiled or reviewed by an independent accountant?
 If "Yes," check a box below to indicate whether the financial statements for the year were compiled or reviewed on a separate basis, consolidated basis, or both

<input type="checkbox"/> Separate basis	<input type="checkbox"/> Consolidated basis	<input type="checkbox"/> Both consolidated and separate basis	2a	No
---	---	---	-----------	----

b Were the organization's financial statements audited by an independent accountant?
 If "Yes," check a box below to indicate whether the financial statements for the year were audited on a separate basis, consolidated basis, or both

<input type="checkbox"/> Separate basis	<input type="checkbox"/> Consolidated basis	<input type="checkbox"/> Both consolidated and separate basis	2b	No
---	---	---	-----------	----

c If "Yes," to line 2a or 2b, does the organization have a committee that assumes responsibility for oversight of the audit, review, or compilation of its financial statements and selection of an independent accountant?
 If the organization changed either its oversight process or selection process during the tax year, explain in Schedule O _____

2c	
-----------	--

3a As a result of a federal award, was the organization required to undergo an audit or audits as set forth in the Single Audit Act and OMB Circular A-133?
 If "Yes," did the organization undergo the required audit or audits? If the organization did not undergo the required audit or audits, explain why in Schedule O and describe any steps taken to undergo such audits

3a	No
3b	

Additional Data

Software ID: 18007218

Software Version: 2018v3.1

EIN: 52-1207922

Name: ALLIANCE FOR RESPONSIBLE ATMOSPHERIC
POLICY INC

Form 990 (2018)

Form 990, Part III, Line 4a:

Kigali treaty ratification - Includes economic study, outside lobbyist and communications firm

Form 990, Part III, Line 4b:

REGULATORY ACTION PROGRAM--PREPARATION OF COMMENTS IN ORDER TO EDUCATE AND KEEP REGULATORY OFFICIALS AND BODIES INFORMED ABOUT FLOUROCARBON ISSUES AT STATE/LOCAL LEVELS

Form 990, Part III, Line 4c:
CONFERENCES AND MEETINGS - COMMUNICATION TO MEMBERS, PUBLIC AND MEDIA ON ISSUES RELATED TO FLOUROCARBONS

SCHEDULE C
(Form 990 or 990-EZ)

Political Campaign and Lobbying Activities

OMB No 1545-0047

For Organizations Exempt From Income Tax Under section 501(c) and section 527

2018

Department of the Treasury
Internal Revenue Service

▶ **Complete if the organization is described below. ▶ Attach to Form 990 or Form 990-EZ.**
▶ Go to www.irs.gov/Form990 for instructions and the latest information.

Open to Public Inspection

If the organization answered "Yes" on Form 990, Part IV, Line 3, or Form 990-EZ, Part V, line 46 (Political Campaign Activities), then

- Section 501(c)(3) organizations: Complete Parts I-A and B. Do not complete Part I-C.
- Section 501(c) (other than section 501(c)(3)) organizations: Complete Parts I-A and C below. Do not complete Part I-B.
- Section 527 organizations: Complete Part I-A only.

If the organization answered "Yes" on Form 990, Part IV, Line 4, or Form 990-EZ, Part VI, line 47 (Lobbying Activities), then

- Section 501(c)(3) organizations that have filed Form 5768 (election under section 501(h)): Complete Part II-A. Do not complete Part II-B.
- Section 501(c)(3) organizations that have NOT filed Form 5768 (election under section 501(h)): Complete Part II-B. Do not complete Part II-A.

If the organization answered "Yes" on Form 990, Part IV, Line 5 (Proxy Tax) (see separate instructions) or Form 990-EZ, Part V, line 35c (Proxy Tax) (see separate instructions), then

- Section 501(c)(4), (5), or (6) organizations: Complete Part III.

Name of the organization ALLIANCE FOR RESPONSIBLE ATMOSPHERIC POLICY INC	Employer identification number 52-1207922
--	--

Part I-A Complete if the organization is exempt under section 501(c) or is a section 527 organization.

- 1 Provide a description of the organization's direct and indirect political campaign activities in Part IV (see instructions for definition of "political campaign activities")
- 2 Political campaign activity expenditures (see instructions) ▶ \$ _____
- 3 Volunteer hours for political campaign activities (see instructions)

Part I-B Complete if the organization is exempt under section 501(c)(3).

- 1 Enter the amount of any excise tax incurred by the organization under section 4955 ▶ \$ _____
- 2 Enter the amount of any excise tax incurred by organization managers under section 4955 ▶ \$ _____
- 3 If the organization incurred a section 4955 tax, did it file Form 4720 for this year? Yes No
- 4a Was a correction made? Yes No
- b If "Yes," describe in Part IV

Part I-C Complete if the organization is exempt under section 501(c), except section 501(c)(3).

- 1 Enter the amount directly expended by the filing organization for section 527 exempt function activities ▶ \$ _____
- 2 Enter the amount of the filing organization's funds contributed to other organizations for section 527 exempt function activities ▶ \$ _____
- 3 Total exempt function expenditures. Add lines 1 and 2. Enter here and on Form 1120-POL, line 17b ▶ \$ _____
- 4 Did the filing organization file Form 1120-POL for this year? Yes No
- 5 Enter the names, addresses and employer identification number (EIN) of all section 527 political organizations to which the filing organization made payments. For each organization listed, enter the amount paid from the filing organization's funds. Also enter the amount of political contributions received that were promptly and directly delivered to a separate political organization, such as a separate segregated fund or a political action committee (PAC). If additional space is needed, provide information in Part IV.

(a) Name	(b) Address	(c) EIN	(d) Amount paid from filing organization's funds. If none, enter -0-	(e) Amount of political contributions received and promptly and directly delivered to a separate political organization. If none, enter -0-
1				
2				
3				
4				
5				
6				

Part II-A Complete if the organization is exempt under section 501(c)(3) and filed Form 5768 (election under section 501(h)).

- A** Check if the filing organization belongs to an affiliated group (and list in Part IV each affiliated group member's name, address, EIN, expenses, and share of excess lobbying expenditures)
- B** Check if the filing organization checked box A and "limited control" provisions apply

Limits on Lobbying Expenditures
(The term "expenditures" means amounts paid or incurred.)

	(a) Filing organization's totals	(b) Affiliated group totals												
1a Total lobbying expenditures to influence public opinion (grass roots lobbying)														
b Total lobbying expenditures to influence a legislative body (direct lobbying)														
c Total lobbying expenditures (add lines 1a and 1b)														
d Other exempt purpose expenditures														
e Total exempt purpose expenditures (add lines 1c and 1d)														
f Lobbying nontaxable amount. Enter the amount from the following table in both columns														
<table border="1"> <thead> <tr> <th>If the amount on line 1e, column (a) or (b) is:</th> <th>The lobbying nontaxable amount is:</th> </tr> </thead> <tbody> <tr> <td>Not over \$500,000</td> <td>20% of the amount on line 1e</td> </tr> <tr> <td>Over \$500,000 but not over \$1,000,000</td> <td>\$100,000 plus 15% of the excess over \$500,000</td> </tr> <tr> <td>Over \$1,000,000 but not over \$1,500,000</td> <td>\$175,000 plus 10% of the excess over \$1,000,000</td> </tr> <tr> <td>Over \$1,500,000 but not over \$17,000,000</td> <td>\$225,000 plus 5% of the excess over \$1,500,000</td> </tr> <tr> <td>Over \$17,000,000</td> <td>\$1,000,000</td> </tr> </tbody> </table>			If the amount on line 1e, column (a) or (b) is:	The lobbying nontaxable amount is:	Not over \$500,000	20% of the amount on line 1e	Over \$500,000 but not over \$1,000,000	\$100,000 plus 15% of the excess over \$500,000	Over \$1,000,000 but not over \$1,500,000	\$175,000 plus 10% of the excess over \$1,000,000	Over \$1,500,000 but not over \$17,000,000	\$225,000 plus 5% of the excess over \$1,500,000	Over \$17,000,000	\$1,000,000
If the amount on line 1e, column (a) or (b) is:	The lobbying nontaxable amount is:													
Not over \$500,000	20% of the amount on line 1e													
Over \$500,000 but not over \$1,000,000	\$100,000 plus 15% of the excess over \$500,000													
Over \$1,000,000 but not over \$1,500,000	\$175,000 plus 10% of the excess over \$1,000,000													
Over \$1,500,000 but not over \$17,000,000	\$225,000 plus 5% of the excess over \$1,500,000													
Over \$17,000,000	\$1,000,000													
g Grassroots nontaxable amount (enter 25% of line 1f)														
h Subtract line 1g from line 1a. If zero or less, enter -0-														
i Subtract line 1f from line 1c. If zero or less, enter -0-														
j If there is an amount other than zero on either line 1h or line 1i, did the organization file Form 4720 reporting section 4911 tax for this year?	<input type="checkbox"/> Yes <input type="checkbox"/> No													

4-Year Averaging Period Under section 501(h)
(Some organizations that made a section 501(h) election do not have to complete all of the five columns below. See the separate instructions for lines 2a through 2f.)

Lobbying Expenditures During 4-Year Averaging Period

Calendar year (or fiscal year beginning in)	(a) 2015	(b) 2016	(c) 2017	(d) 2018	(e) Total
2a Lobbying nontaxable amount					
b Lobbying ceiling amount (150% of line 2a, column (e))					
c Total lobbying expenditures					
d Grassroots nontaxable amount					
e Grassroots ceiling amount (150% of line 2d, column (e))					
f Grassroots lobbying expenditures					

Part II-B Complete if the organization is exempt under section 501(c)(3) and has NOT filed Form 5768 (election under section 501(h)).

For each "Yes" response on lines 1a through 1i below, provide in Part IV a detailed description of the lobbying activity

	(a)		(b)
	Yes	No	Amount
1 During the year, did the filing organization attempt to influence foreign, national, state or local legislation, including any attempt to influence public opinion on a legislative matter or referendum, through the use of:			
a Volunteers?			
b Paid staff or management (include compensation in expenses reported on lines 1c through 1i)?			
c Media advertisements?			
d Mailings to members, legislators, or the public?			
e Publications, or published or broadcast statements?			
f Grants to other organizations for lobbying purposes?			
g Direct contact with legislators, their staffs, government officials, or a legislative body?			
h Rallies, demonstrations, seminars, conventions, speeches, lectures, or any similar means?			
i Other activities?			
j Total. Add lines 1c through 1i.			
2a Did the activities in line 1 cause the organization to be not described in section 501(c)(3)?			
b If "Yes," enter the amount of any tax incurred under section 4912			
c If "Yes," enter the amount of any tax incurred by organization managers under section 4912			
d If the filing organization incurred a section 4912 tax, did it file Form 4720 for this year?			

Part III-A Complete if the organization is exempt under section 501(c)(4), section 501(c)(5), or section 501(c)(6).

	Yes	No
1 Were substantially all (90% or more) dues received nondeductible by members?		No
2 Did the organization make only in-house lobbying expenditures of \$2,000 or less?		No
3 Did the organization agree to carry over lobbying and political expenditures from the prior year?		No

Part III-B Complete if the organization is exempt under section 501(c)(4), section 501(c)(5), or section 501(c)(6) and if either (a) BOTH Part III-A, lines 1 and 2, are answered "No" OR (b) Part III-A, line 3, is answered "Yes."

1 Dues, assessments and similar amounts from members	1	803,225
2 Section 162(e) nondeductible lobbying and political expenditures (do not include amounts of political expenses for which the section 527(f) tax was paid).		
a Current year	2a	290,000
b Carryover from last year	2b	
c Total	2c	290,000
3 Aggregate amount reported in section 6033(e)(1)(A) notices of nondeductible section 162(e) dues	3	401,612
4 If notices were sent and the amount on line 2c exceeds the amount on line 3, what portion of the excess does the organization agree to carryover to the reasonable estimate of nondeductible lobbying and political expenditure next year?	4	
5 Taxable amount of lobbying and political expenditures (see instructions)	5	

Part IV Supplemental Information

Provide the descriptions required for Part I-A, line 1, Part I-B, line 4, Part I-C, line 5, Part II-A (affiliated group list), Part II-A, lines 1 and 2 (see instructions), and Part II-B, line 1. Also, complete this part for any additional information.

Return Reference	Explanation
Part I-A, Line 1 - Direct and Indirect Political Campaign Activities	Influencing government policies affecting Chlorofluorocarbons.

Schedule L
(Form 990 or 990-EZ)

Transactions with Interested Persons

OMB No 1545-0047

▶ Complete if the organization answered "Yes" on Form 990, Part IV, lines 25a, 25b, 26, 27, 28a, 28b, or 28c, or Form 990-EZ, Part V, line 38a or 40b.
▶ Attach to Form 990 or Form 990-EZ.
▶ Go to www.irs.gov/Form990 for the latest information.

2018

Open to Public Inspection

Department of the Treasury
Internal Revenue Service

Name of the organization ALLIANCE FOR RESPONSIBLE ATMOSPHERIC POLICY INC	Employer identification number 52-1207922
--	--

Part I Excess Benefit Transactions (section 501(c)(3), section 501(c)(4), and 501(c)(29) organizations only)
Complete if the organization answered "Yes" on Form 990, Part IV, line 25a or 25b, or Form 990-EZ, Part V, line 40b

1	(a) Name of disqualified person	(b) Relationship between disqualified person and organization	(c) Description of transaction	(d) Corrected?	
				Yes	No

2 Enter the amount of tax incurred by organization managers or disqualified persons during the year under section 4958 ▶ \$ _____
3 Enter the amount of tax, if any, on line 2, above, reimbursed by the organization ▶ \$ _____

Part II Loans to and/or From Interested Persons.
Complete if the organization answered "Yes" on Form 990-EZ, Part V, line 38a, or Form 990, Part IV, line 26, or if the organization reported an amount on Form 990, Part X, line 5, 6, or 22

(a) Name of interested person	(b) Relationship with organization	(c) Purpose of loan	(d) Loan to or from the organization?		(e) Original principal amount	(f) Balance due	(g) In default?		(h) Approved by board or committee?		(i) Written agreement?	
			To	From			Yes	No	Yes	No	Yes	No
Total						▶ \$						

Part III Grants or Assistance Benefiting Interested Persons.
Complete if the organization answered "Yes" on Form 990, Part IV, line 27.

(a) Name of interested person	(b) Relationship between interested person and the organization	(c) Amount of assistance	(d) Type of assistance	(e) Purpose of assistance

Part IV Business Transactions Involving Interested Persons.

Complete if the organization answered "Yes" on Form 990, Part IV, line 28a, 28b, or 28c.

(a) Name of interested person	(b) Relationship between interested person and the organization	(c) Amount of transaction	(d) Description of transaction	(e) Sharing of organization's revenues?	
				Yes	No
(1) Alcalde & Fay	Director	578,414	Lobbying & Mgt		No

Part V Supplemental Information

Provide additional information for responses to questions on Schedule L (see instructions)

Return Reference	Explanation

efile GRAPHIC print - DO NOT PROCESS As Filed Data -		DLN: 93493273008449
SCHEDULE O (Form 990 or 990-EZ)		OMB No 1545-0047
Supplemental Information to Form 990 or 990-EZ Complete to provide information for responses to specific questions on Form 990 or 990-EZ or to provide any additional information. ▶ Attach to Form 990 or 990-EZ. ▶ Go to www.irs.gov/Form990 for the latest information.		2018 Open to Public Inspection
Department of the Treasury Internal Revenue Service ALLIANCE FOR RESPONSIBLE ATMOSPHERIC POLICY INC	Employer identification number 52-1207922	

990 Schedule O, Supplemental Information

Return Reference	Explanation
Form 990, Part VI, Line 3 Description of Delegated Duties to Management Company	Day-to-Day Operations directed by management company

990 Schedule O, Supplemental Information

Return Reference	Explanation
Form 990, Part VI, Line 11b Form 990 Review Process	No review was or will be conducted

990 Schedule O, Supplemental Information

Return Reference	Explanation
Form 990, Part VI, Line 19 Other Organization Documents Publicly Available	No documents available to the public

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Nonprofit Explorer

Research Tax-Exempt Organizations

ALLIANCE FOR RESPONSIBLE CFC POLICY INC

ARLINGTON, VA 22201-3051 | TAX-EXEMPT SINCE FEB. 1981

Full text of "Full Filing" for fiscal year ending Dec. 2019

Tax returns filed by nonprofit organizations are public records. The Internal Revenue Service releases them in two formats: page images and raw data in XML. The raw data is more useful, especially to researchers, because it can be extracted and analyzed more easily. The pages below are a reconstruction of a tax document using raw data from the IRS.

Source: Data and stylesheets from the Internal Revenue Service. E-file viewer adapted from [IRS e-File Viewer](#) by Ben Getson.

[← Back to main page for ALLIANCE FOR RESPONSIBLE CFC POLICY INC](#)

Jump to Schedule: Form 990

efile Public Visual Render Object Id: 202033219349301328 - Submission: 2020-11-16

Form 990



Department of the Treasury Internal Revenue Service

Return of Organization Exempt From Income Tax

Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except private foundation)

Do not enter social security numbers on this form as it may be made public.

Go to www.irs.gov/Form990 for instructions and the latest information.

A For the 2019 calendar year, or tax year beginning 01-01-2019, and ending 12-31-2019

B Check if applicable:

- Address change
Name change
Initial return
Final return/terminated
Amended return
Application pending

C Name of organization: ALLIANCE FOR RESPONSIBLE ATMOSPHERIC POLICY INC

Doing business as

Number and street (or P.O. box if mail is not delivered to street address) Room/suite: 2111 WILSON BOULEVARD

City or town, state or province, country, and ZIP or foreign postal code: ARLINGTON, VA 22201

F Name and address of principal officer: Kevin Fay, 2111 WILSON BOULEVARD 850, ARLINGTON, VA 222013051

H(a) Is this a group of subordinates?
H(b) Are all subordinates included?
H(c) Group exempt

I Tax-exempt status: 501(c)(3) 501(c)(6) (insert no.) 4947(a)(1) or 527

J Website: www.arap.org

K Form of organization: Corporation Trust Association Other

L Year of formation: 19

Part I Summary

Activities & Governance

1 Briefly describe the organization's mission or most significant activities: See Part III, Line 1.

2 Check this box
3 Number of voting members of the governing body (Part VI, line 1a)
4 Number of independent voting members of the governing body (Part VI, line 1b)
5 Total number of individuals employed in calendar year 2019 (Part V, line 2a)
6 Total number of volunteers (estimate if necessary)
7a Total unrelated business revenue from Part VIII, column (C), line 12
b Net unrelated business taxable income from Form 990-T, line 39

Revenue

8 Contributions and grants (Part VIII, line 1h)
9 Program service revenue (Part VIII, line 2g)
10 Investment income (Part VIII, column (A), lines 3, 4, and 7d)
11 Other revenue (Part VIII, column (A), lines 5, 6d, 8c, 9c, 10c, and 11e)
12 Total revenue—add lines 8 through 11 (must equal Part VIII, column (A), line 12)

13 Grants and similar amounts paid (Part IX, column (A), lines 1-3)
14 Benefits paid to or for members (Part IX, column (A), line 4)

15 Salaries and other compensation, employee benefits (Part IX, column (A), lines 5-10)

Expenses	16a Professional fundraising fees (Part IX, column (A), line 11e)	
	b Total fundraising expenses (Part IX, column (D), line 25) <input type="checkbox"/> 0	
	17 Other expenses (Part IX, column (A), lines 11a–11d, 11f–24e)	9
	18 Total expenses. Add lines 13–17 (must equal Part IX, column (A), line 25)	9
	19 Revenue less expenses. Subtract line 18 from line 12	-1
Beginning of Current Year		
Net Assets or Fund Balances	20 Total assets (Part X, line 16)	1
	21 Total liabilities (Part X, line 26)	
	22 Net assets or fund balances. Subtract line 21 from line 20	1

Signature Block

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information and documents provided to the preparer.

Signature of officer _____ Date 2020-11-16

Kevin Fay Executive Director
Type or print name and title

Print/Type preparer's name	Preparer's signature	Date	Check <input type="checkbox"/> self-employed
Firm's name <input checked="" type="checkbox"/> ALCORN & CURETON Ltd CPAs		Firm's EIN <input checked="" type="checkbox"/>	
Firm's address <input checked="" type="checkbox"/> 4604 B Pinecrest Office Pk Dr Alexandria, VA 22312		Phone no. () _____	

Code of Ethics: May the IRS discuss this return with the preparer shown above? (see instructions)

For Paperwork Reduction Act Notice, see the separate instructions. Cat. No. 11282Y

Subscribe by Email _____ Page 2 _____

Subscribe by RSS _____

Form 990 (2019)

Statement of Program Service Accomplishments

Check if Schedule O contains a response or note to any line in this Part III

1 Briefly describe the organization's mission:
THE ALLIANCE'S PURPOSES OF ORGANIZATION ARE TO ENSURE THAT GOVERNMENT DIRECTIVES AND POLICIES FC REASONABLY SOUND AND ECONOMICALLY AND TECHNICALLY EFFECTIVE; TO COOPERATE WITH AND ASSIST GOVE RESPECT TO SUCH DIRECTIVES AND POLICIES AND TO MAINTAIN AN AWARENESS AMONG MEMBERS OF LEGISLATI AND OTHER AREAS RELEVANT TO REGULATION OF FLOUROCARBONS. THE ABOVE EXEMPT FUNCTION INCOME MEE

2 Did the organization undertake any significant program services during the year which were not listed on the prior Form 990 or 990-EZ?

3 Did the organization cease conducting, or make significant changes in how it conducts, any program services?

4 Describe the organization's program service accomplishments for each of its three largest program services, a Section 501(c)(3) and 501(c)(4) organizations are required to report the amount of grants and allocations to c and revenue, if any, for each program service reported.

Add. 143a

4a (Code:) (Expenses \$ 366,985 including grants of \$) (Revenue \$

REGULATORY ACTION PROGRAM--PREPARATION OF COMMENTS IN ORDER TO EDUCATE AND KEEP REGULATORY OFFICIALS AN FLOUROCARBON ISSUES AT THE INTERNATIONAL, FEDERAL AND STATE/LOCAL LEVELS.



4b (Code:) (Expenses \$ 122,328 including grants of \$) (Revenue \$

CONFERENCES AND MEETINGS - COMMUNICATION TO MEMBERS, PUBLIC AND MEDIA ON ISSUES RELATED TO FLOUROCARBOI

© Copyright 2021 Pro Publica Inc.) (Expenses \$ 102,000 including grants of \$) (Revenue \$

Kigali treaty ratification - Includes economic study, outside lobbyist and communications firm.

4d Other program services (Describe in Schedule O.) (Expenses \$ including grants of \$) (Revenue \$

4e Total program service expenses 591,313

Form 990 (2019)

Part IV Checklist of Required Schedules

- 1 Is the organization described in section 501(c)(3) or 4947(a)(1) (other than a private foundation)? If "Yes," complete Schedule A
2 Is the organization required to complete Schedule B, Schedule of Contributors (see instructions)?
3 Did the organization engage in direct or indirect political campaign activities on behalf of or in opposition to candidates for public office? If "Yes," complete Schedule C, Part I
4 Section 501(c)(3) organizations. Did the organization engage in lobbying activities, or have a section 501(c)(3) election in effect during the tax year? If "Yes," complete Schedule C, Part II
5 Is the organization a section 501(c)(4), 501(c)(5), or 501(c)(6) organization that receives membership dues, assessments, or similar amounts as defined in Revenue Procedure 98-19? If "Yes," complete Schedule C, Part III
6 Did the organization maintain any donor advised funds or any similar funds or accounts for which donors have to provide advice on the distribution or investment of amounts in such funds or accounts? If "Yes," complete Schedule D, Part I
7 Did the organization receive or hold a conservation easement, including easements to preserve open space, the environment, historic land areas, or historic structures? If "Yes," complete Schedule D, Part II
8 Did the organization maintain collections of works of art, historical treasures, or other similar assets? If "Yes," complete Schedule D, Part III
9 Did the organization report an amount in Part X, line 21 for escrow or custodial account liability; serve as a guarantor for amounts not listed in Part X; or provide credit counseling, debt management, credit repair, or debt negotiation services? If "Yes," complete Schedule D, Part IV
10 Did the organization, directly or through a related organization, hold assets in temporarily restricted endowments, permanent endowments, or quasi endowments? If "Yes," complete Schedule D, Part V
11 If the organization's answer to any of the following questions is "Yes," then complete Schedule D, Parts VI, VII or X as applicable.
a Did the organization report an amount for land, buildings, and equipment in Part X, line 10? If "Yes," complete Schedule D, Part VI
b Did the organization report an amount for investments—other securities in Part X, line 12 that is 5% or more of total assets reported in Part X, line 16? If "Yes," complete Schedule D, Part VII
c Did the organization report an amount for investments—program related in Part X, line 13 that is 5% or more of total assets reported in Part X, line 16? If "Yes," complete Schedule D, Part VIII
d Did the organization report an amount for other assets in Part X, line 15 that is 5% or more of its total assets reported in Part X, line 16? If "Yes," complete Schedule D, Part IX

Add: 144a

in Part X, line 16? If "Yes," complete Schedule D, Part IX

- e Did the organization report an amount for other liabilities in Part X, line 25? If "Yes," complete Schedule D, Pa
- f Did the organization's separate or consolidated financial statements for the tax year include a footnote that ac the organization's liability for uncertain tax positions under FIN 48 (ASC 740)? If "Yes," complete Schedule D,
- 12a Did the organization obtain separate, independent audited financial statements for the tax year? If "Yes," com Schedule D, Parts XI and XII
- b Was the organization included in consolidated, independent audited financial statements for the tax year? If "Yes," and if the organization answered "No" to line 12a, then completing Schedule D, Parts XI and XII is of
- 13 Is the organization a school described in section 170(b)(1)(A)(ii)? If "Yes," complete Schedule E
- 14a Did the organization maintain an office, employees, or agents outside of the United States?
- b Did the organization have aggregate revenues or expenses of more than \$10,000 from grantmaking, fundraisi business, investment, and program service activities outside the United States, or aggregate foreign investme at \$100,000 or more? If "Yes," complete Schedule F, Parts I and IV
- 15 Did the organization report on Part IX, column (A), line 3, more than \$5,000 of grants or other assistance to o foreign organization? If "Yes," complete Schedule F, Parts II and IV
- 16 Did the organization report on Part IX, column (A), line 3, more than \$5,000 of aggregate grants or other assi or for foreign individuals? If "Yes," complete Schedule F, Parts III and IV
- 17 Did the organization report a total of more than \$15,000 of expenses for professional fundraising services on I column (A), lines 6 and 11e? If "Yes," complete Schedule G, Part I(see instructions)
- 18 Did the organization report more than \$15,000 total of fundraising event gross income and contributions on P lines 1c and 8a? If "Yes," complete Schedule G, Part II
- 19 Did the organization report more than \$15,000 of gross income from gaming activities on Part VIII, line 9a? If complete Schedule G, Part III
- 20a Did the organization operate one or more hospital facilities? If "Yes," complete Schedule H
- b If "Yes" to line 20a, did the organization attach a copy of its audited financial statements to this return?
- 21 Did the organization report more than \$5,000 of grants or other assistance to any domestic organization or dc government on Part IX, column (A), line 1? If "Yes," complete Schedule I, Parts I and II

Form 990 (2019)

Part IV Checklist of Required Schedules (continued)

- 22 Did the organization report more than \$5,000 of grants or other assistance to or for domestic individuals on P column (A), line 2? If "Yes," complete Schedule I, Parts I and III
- 23 Did the organization answer "Yes" to Part VII, Section A, line 3, 4, or 5 about compensation of the organizati and former officers, directors, trustees, key employees, and highest compensated employees? If "Yes," compl Schedule J
- 24a Did the organization have a tax-exempt bond issue with an outstanding principal amount of more than \$100,C the last day of the year, that was issued after December 31, 2002? If "Yes," answer lines 24b through 24d anc complete Schedule K. If "No," go to line 25a
- b Did the organization invest any proceeds of tax-exempt bonds beyond a temporary period exception?
- c Did the organization maintain an escrow account other than a refunding escrow at any time during the year to defease any tax-exempt bonds?
- d Did the organization act as an "on behalf of" issuer for bonds outstanding at any time during the year?
- 25a Section 501(c)(3), 501(c)(4), and 501(c)(29) organizations. Did the organization engage in an excess transaction with a disqualified person during the year? If "Yes," complete Schedule L, Part I
- b Is the organization aware that it engaged in an excess benefit transaction with a disqualified person in a prior that the transaction has not been reported on any of the organization's prior Forms 990 or 990-EZ? If "Yes," c

Add. 145a

- Schedule L, Part I*
- 26** Did the organization report any amount on Part X, line 5 or 22 for receivables from or payables to any current officer, director, trustee, key employee, creator or founder, substantial contributor, or 35% controlled entity or member of any of these persons? *If "Yes," complete Schedule L, Part II*
- 27** Did the organization provide a grant or other assistance to any current or former officer, director, trustee, key employee, creator or founder, substantial contributor, or employee thereof, a grant selection committee member 35% controlled entity (including an employee thereof) or family member of any of these persons? *If "Yes," complete Schedule L, Part III*
- 28** Was the organization a party to a business transaction with one of the following parties (see Schedule L, Part I instructions for applicable filing thresholds, conditions, and exceptions):
 - a** A current or former officer, director, trustee, key employee, creator or founder, or substantial contributor? *If "Yes," complete Schedule L, Part IV*
 - b** A family member of any individual described in line 28a? *If "Yes," complete Schedule L, Part IV*
 - c** A 35% controlled entity of one or more individuals and/or organizations described in lines 28a or 28b? *If "Yes," complete Schedule L, Part IV*
- 29** Did the organization receive more than \$25,000 in non-cash contributions? *If "Yes," complete Schedule M*
- 30** Did the organization receive contributions of art, historical treasures, or other similar assets, or qualified conservation contributions? *If "Yes," complete Schedule M*
- 31** Did the organization liquidate, terminate, or dissolve and cease operations? *If "Yes," complete Schedule N, Part I*
- 32** Did the organization sell, exchange, dispose of, or transfer more than 25% of its net assets? *If "Yes," complete Schedule N, Part II*
- 33** Did the organization own 100% of an entity disregarded as separate from the organization under Regulations 301.7701-2 and 301.7701-3? *If "Yes," complete Schedule R, Part I*
- 34** Was the organization related to any tax-exempt or taxable entity? *If "Yes," complete Schedule R, Part II, III, or Part V, line 1*
- 35a** Did the organization have a controlled entity within the meaning of section 512(b)(13)?
 - b** If 'Yes' to line 35a, did the organization receive any payment from or engage in any transaction with a controlled entity within the meaning of section 512(b)(13)? *If "Yes," complete Schedule R, Part V, line 2*
- 36 Section 501(c)(3) organizations.** Did the organization make any transfers to an exempt non-charitable related organization? *If "Yes," complete Schedule R, Part V, line 2*
- 37** Did the organization conduct more than 5% of its activities through an entity that is not a related organization and is treated as a partnership for federal income tax purposes? *If "Yes," complete Schedule R, Part VI*
- 38** Did the organization complete Schedule O and provide explanations in Schedule O for Part VI, lines 11b and 11c? *All Form 990 filers are required to complete Schedule O.*

Part V Statements Regarding Other IRS Filings and Tax Compliance

Check if Schedule O contains a response or note to any line in this Part V

1a Enter the number reported in Box 3 of Form 1096. Enter -0- if not applicable	1a	
b Enter the number of Forms W-2G included in line 1a. Enter -0- if not applicable	1b	
c Did the organization comply with backup withholding rules for reportable payments to vendors and reportable (gambling) winnings to prize winners?		

Part V Statements Regarding Other IRS Filings and Tax Compliance (continued)

2a Enter the number of employees reported on Form W-3, Transmittal of Wage and Tax Statements, filed for the calendar year ending with or within the year covered by this return	2a	
---	-----------	--

Add: 146a

- d** Enter the amount of reserves the organization is required to maintain by the states in which the organization is licensed to issue qualified health plans

13b	
13c	
- c** Enter the amount of reserves on hand

13c	
------------	--
- 14a** Did the organization receive any payments for indoor tanning services during the tax year?
- b** If "Yes," has it filed a Form 720 to report these payments? *If "No," provide an explanation in Schedule O*
- 15** Is the organization subject to the section 4960 tax on payment(s) of more than \$1,000,000 in remuneration or parachute payment(s) during the year?
If "Yes," see instructions and file Form 4720, Schedule N.
- 16** Is the organization an educational institution subject to the section 4968 excise tax on net investment income? If "Yes," complete Form 4720, Schedule O.

Form 990 (2019)

Part VI Governance, Management, and Disclosure For each "Yes" response to lines 2 through 7b below, on lines 8a, 8b, or 10b below, describe the circumstances, processes, or changes in Schedule O. See instruction 10. Check if Schedule O contains a response or note to any line in this Part VI

Section A. Governing Body and Management

- 1a** Enter the number of voting members of the governing body at the end of the tax year

1a	
-----------	--

If there are material differences in voting rights among members of the governing body, or if the governing body delegated broad authority to an executive committee or similar committee, explain in Schedule O.
- b** Enter the number of voting members included in line 1a, above, who are independent

1b	
-----------	--
- 2** Did any officer, director, trustee, or key employee have a family relationship or a business relationship with an officer, director, trustee, or key employee?
- 3** Did the organization delegate control over management duties customarily performed by or under the direct supervision of officers, directors or trustees, or key employees to a management company or other person?
- 4** Did the organization make any significant changes to its governing documents since the prior Form 990 was filed?
- 5** Did the organization become aware during the year of a significant diversion of the organization's assets?
- 6** Did the organization have members or stockholders?
- 7a** Did the organization have members, stockholders, or other persons who had the power to elect or appoint one or more members of the governing body?
- b** Are any governance decisions of the organization reserved to (or subject to approval by) members, stockholders, or other persons other than the governing body?
- 8** Did the organization contemporaneously document the meetings held or written actions undertaken during the year?
a The governing body?
b Each committee with authority to act on behalf of the governing body?
- 9** Is there any officer, director, trustee, or key employee listed in Part VII, Section A, who cannot be reached at the organization's mailing address? *If "Yes," provide the names and addresses in Schedule O*

Section B. Policies (This Section B requests information about policies not required by the Internal Revenue Code)

- 10a** Did the organization have local chapters, branches, or affiliates?
- b** If "Yes," did the organization have written policies and procedures governing the activities of such chapters, branches, or affiliates to ensure their operations are consistent with the organization's exempt purposes?
- 11a** Has the organization provided a complete copy of this Form 990 to all members of its governing body before the filing of the form?
- b** Describe in Schedule O the process, if any, used by the organization to review this Form 990.
- 12a** Did the organization have a written conflict of interest policy? *If "No," go to line 13*

Add. 148a

- b Were officers, directors, or trustees, and key employees required to disclose annually interests that could give conflicts?
- c Did the organization regularly and consistently monitor and enforce compliance with the policy? *If "Yes," describe Schedule O how this was done*
- 13 Did the organization have a written whistleblower policy?
- 14 Did the organization have a written document retention and destruction policy?
- 15 Did the process for determining compensation of the following persons include a review and approval by independent persons, comparability data, and contemporaneous substantiation of the deliberation and decision?
 - a The organization's CEO, Executive Director, or top management official
 - b Other officers or key employees of the organization
 If "Yes" to line 15a or 15b, describe the process in Schedule O (see instructions).
- 16a Did the organization invest in, contribute assets to, or participate in a joint venture or similar arrangement with a taxable entity during the year?
- b If "Yes," did the organization follow a written policy or procedure requiring the organization to evaluate its participation in joint venture arrangements under applicable federal tax law, and take steps to safeguard the organization's status with respect to such arrangements?

Section C. Disclosure

- 17 List the states with which a copy of this Form 990 is required to be filed: _____
- 18 Section 6104 requires an organization to make its Form 1023 (or 1024-A if applicable), 990, and 990-T (501(c)(3) only) available for public inspection. Indicate how you made these available. Check all that apply.
 - Own website
 - Another's website
 - Upon request
 - Other (explain in Schedule O)
- 19 Describe in Schedule O whether (and if so, how) the organization made its governing documents, conflict of interest policy, and financial statements available to the public during the tax year.
- 20 State the name, address, and telephone number of the person who possesses the organization's books and records:
 - Kevin Fay 2111 WILSON BOULEVARD Arlington, VA 22201 (703) 243-0344

Form 990 (2019)

Part VII Compensation of Officers, Directors, Trustees, Key Employees, Highest Compensated Employees, and Independent Contractors

Check if Schedule O contains a response or note to any line in this Part VII

Section A. Officers, Directors, Trustees, Key Employees, and Highest Compensated Employees

1a Complete this table for all persons required to be listed. Report compensation for the calendar year ending with this year.

- List all of the organization's **current** officers, directors, trustees (whether individuals or organizations), regardless of compensation. Enter -0- in columns (D), (E), and (F) if no compensation was paid.
- List all of the organization's **current** key employees, if any. See instructions for definition of "key employee."
- List the organization's five **current** highest compensated employees (other than an officer, director, trustee or key employee) who received reportable compensation (Box 5 of Form W-2 and/or Box 7 of Form 1099-MISC) of more than \$100,000 from the organization and any related organizations.
- List all of the organization's **former** officers, key employees, or highest compensated employees who received more than \$10,000 of reportable compensation from the organization and any related organizations.
- List all of the organization's **former directors or trustees** that received, in the capacity as a former director or trustee, more than \$10,000 of reportable compensation from the organization and any related organizations.

See instructions for the order in which to list the persons above.

Check this box if neither the organization nor any related organization compensated any current officer, director, or key employee

(A) Name and title	(B) Average hours per week (list any hours for related organizations)	(C) Position (do not check more than one box, unless person is both an officer and a director/trustee)	(D) Reportable compensation from the organization (W-2/1099-MISC)

Add. 149a

2 Total number of independent contractors (including but not limited to those listed above) who received more than \$5,000 of compensation from the organization **1**

Form 990 (2019)

Part VIII Statement of Revenue

Check if Schedule O contains a response or note to any line in this Part VIII

		(A) Total revenue	(B) Related or exempt function revenue	U b r
Contributions, Gifts, Grants and Other Similar Amounts	erated campaigns	1a		
	embership dues	1b		
	draising events	1c		
	ated organizations	1d		
	ernment grants (contributions)	1e		
	ther contributions, gifts, grants, and similar amounts not included above	1f		
	g Noncash contributions included in lines 1a - 1f: \$	1g		
h Total. Add lines 1a-1f		0		

Program Service Revenue		Business Code		
2a	Membership Dues & Assessments		702,237	702,237
	f All other program service revenue.			
g Total. Add lines 2a-2f.			702,237	
3 Investment income (including dividends, interest, and other similar amounts)			7,364	7,364

Add. 152a

4 Income from investment of tax-exempt bond proceeds				0	
5 Royalties				0	
6a Gross rents		(i) Real	(ii) Personal		
	6a				
	6b				
b Less: rental expenses	6b				
c Rental income or (loss)	6c				
d Net rental income or (loss)				0	
7a Gross amount from sales of assets other than inventory		(i) Securities	(ii) Other		
	7a				
	7b				
b Less: cost or other basis and sales expenses	7b				
c Gain or (loss)	7c				
d Net gain or (loss)				0	
8a Gross income from fundraising events (not including \$ _____ of contributions reported on line 1c). See Part IV, line 18	8a				
	b Less: direct expenses	8b			
c Net income or (loss) from fundraising events				0	
9a Gross income from gaming activities. See Part IV, line 19	9a				
	b Less: direct expenses	9b			
c Net income or (loss) from gaming activities				0	
10a Gross sales of inventory, less returns and allowances	10a				
	b Less: cost of goods sold	10b			
c Net income or (loss) from sales of inventory				0	
11a Miscellaneous Revenue		Business Code			
b					
c					
d All other revenue					
e Total. Add lines 11a–11d				0	
12 Total revenue. See instructions				709,601	709,601

Other Revenue

Add. 153a

Form 990 (2019)

Part IX Statement of Functional Expenses

Section 501(c)(3) and 501(c)(4) organizations must complete all columns. All other organizations must

Check if Schedule O contains a response or note to any line in this Part IX

Do not include amounts reported on lines 6b, 7b, 8b, 9b, and 10b of Part VIII.	(A) Total expenses	(B) Program service expenses	Manag gener.
1 Grants and other assistance to domestic organizations and domestic governments. See Part IV, line 21	0		
2 Grants and other assistance to domestic individuals. See Part IV, line 22	0		
3 Grants and other assistance to foreign organizations, foreign governments, and foreign individuals. See Part IV, lines 15 and 16.	0		
4 Benefits paid to or for members	0		
5 Compensation of current officers, directors, trustees, and key employees	0		
6 Compensation not included above, to disqualified persons (as defined under section 4958(f)(1)) and persons described in section 4958(c)(3)(B)	0		
7 Other salaries and wages	0		
8 Pension plan accruals and contributions (include section 401(k) and 403(b) employer contributions)	0		
9 Other employee benefits	0		
10 Payroll taxes	0		
11 Fees for services (non-employees):			
a Management	508,363	406,690	
b Legal	17,962	14,369	
c Accounting	1,990		
d Lobbying	0		
e Professional fundraising services. See Part IV, line 17	0		
f Investment management fees	0		
g Other (If line 11g amount exceeds 10% of line 25, column (A) amount, list line 11g expenses on Schedule O)	0		
12 Advertising and promotion	0		
13 Office expenses	0		
14 Information technology	0		
15 Royalties	0		
16 Occupancy	0		
17 Travel	45,520	36,416	
18 Payments of travel or entertainment expenses for any federal, state, or local public officials	0		
19 Conferences, conventions, and meetings	994	994	
20 Interest	0		
21 Payments to affiliates	0		
22 Depreciation, depletion, and amortization	0		
23 Insurance	0		

Add. 154a

24 Other expenses. Itemize expenses not covered above (List miscellaneous expenses in line 24e. If line 24e amount exceeds 10% of line 25, column (A) amount, list line 24e expenses on Schedule O.)		
a Kigali expenses	102,000	102,000
b Communications	21,654	17,323
c Administrative Expenses	16,898	13,521
d		
e All other expenses	0	
25 Total functional expenses. Add lines 1 through 24e	715,381	591,313
26 Joint costs. Complete this line only if the organization reported in column (B) joint costs from a combined educational campaign and fundraising solicitation. Check here <input type="checkbox"/> if following SOP 98-2 (ASC 958-720).		

Form 990 (2019)

Part X **Balance Sheet**

Check if Schedule O contains a response or note to any line in this Part IX

		(A) Beginning of year
Assets	1 Cash—non-interest-bearing	24,369
	2 Savings and temporary cash investments	117,910
	3 Pledges and grants receivable, net	
	4 Accounts receivable, net	6,200
	5 Loans and other payables to any current or former officer, director, trustee, key employee, creator or founder, substantial contributor, or 35% controlled entity or family member of any of these persons	
	6 Loans and other receivables from other disqualified persons (as defined under section 4958(f)(1)), and persons described in section 4958(c)(3)(B)	
	7 Notes and loans receivable, net	
	8 Inventories for sale or use	
	9 Prepaid expenses and deferred charges	868
	10a Land, buildings, and equipment: cost or other basis. Complete Part VI of Schedule D	10a
	b Less: accumulated depreciation	10b
	11 Investments—publicly traded securities	
	12 Investments—other securities. See Part IV, line 11	
	13 Investments—program-related. See Part IV, line 11	
	14 Intangible assets	
	15 Other assets. See Part IV, line 11	
16 Total assets. Add lines 1 through 15 (must equal line 33)	149,347	
17 Accounts payable and accrued expenses		
18 Grants payable		
19 Deferred revenue		

Add. 155a

Liabilities	20	Tax-exempt bond liabilities	
	21	Escrow or custodial account liability. Complete Part IV of Schedule D	
	22	Loans and other payables to any current or former officer, director, trustee, key employee, creator or founder, substantial contributor, or 35% controlled entity or family member of any of these persons	
	23	Secured mortgages and notes payable to unrelated third parties	
	24	Unsecured notes and loans payable to unrelated third parties	
	25	Other liabilities (including federal income tax, payables to related third parties, and other liabilities not included on lines 17 - 24). Complete Part X of Schedule D	
	26	Total liabilities. Add lines 17 through 25	0
Net Assets or Fund Balances	Organizations that follow FASB ASC 958, check here <input checked="" type="checkbox"/> and complete lines 27, 28, 32, and 33.		
	27	Net assets without donor restrictions	149,347
	28	Net assets with donor restrictions	
	Organizations that do not follow FASB ASC 958, check here <input type="checkbox"/> and complete lines 29 through 33.		
	29	Capital stock or trust principal, or current funds	
	30	Paid-in or capital surplus, or land, building or equipment fund	
	31	Retained earnings, endowment, accumulated income, or other funds	
	32	Total net assets or fund balances	149,347
33	Total liabilities and net assets/fund balances	149,347	

Form 990 (2019)

Part XI **Reconciliation of Net Assets**

Check if Schedule O contains a response or note to any line in this Part XI

- 1** Total revenue (must equal Part VIII, column (A), line 12)
- 2** Total expenses (must equal Part IX, column (A), line 25)
- 3** Revenue less expenses. Subtract line 2 from line 1
- 4** Net assets or fund balances at beginning of year (must equal Part X, line 32, column (A))
- 5** Net unrealized gains (losses) on investments
- 6** Donated services and use of facilities
- 7** Investment expenses
- 8** Prior period adjustments
- 9** Other changes in net assets or fund balances (explain in Schedule O)
- 10** Net assets or fund balances at end of year. Combine lines 3 through 9 (must equal Part X, line 32, column (B)).

Part XII **Financial Statements and Reporting**

Check if Schedule O contains a response or note to any line in this Part XII

- 1** Accounting method used to prepare the Form 990: Cash Accrual Other _____
If the organization changed its method of accounting from a prior year or checked "Other," explain in Schedule O.
- 2a** Were the organization's financial statements compiled or reviewed by an independent accountant?

Add. 156a

If 'Yes,' check a box below to indicate whether the financial statements for the year were compiled or reviewed separate basis, consolidated basis, or both:

- Separate basis
- Consolidated basis
- Both consolidated and separate basis

b Were the organization's financial statements audited by an independent accountant?

If 'Yes,' check a box below to indicate whether the financial statements for the year were audited on a separate consolidated basis, or both:

- Separate basis
- Consolidated basis
- Both consolidated and separate basis

c If "Yes," to line 2a or 2b, does the organization have a committee that assumes responsibility for oversight of the audit, review, or compilation of its financial statements and selection of an independent accountant?

If the organization changed either its oversight process or selection process during the tax year, explain in Schedule O.

3a As a result of a federal award, was the organization required to undergo an audit or audits as set forth in the Sarbanes-Oxley Act and OMB Circular A-133?

b If "Yes," did the organization undergo the required audit or audits? If the organization did not undergo the required audit or audits, explain why in Schedule O and describe any steps taken to undergo such audits.

Form 990 (2019)

Additional Data

Software ID: 19009920

Software Version: 2019v5.0

Form 990, Special Condition Description:

Special Condition Description

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ObjectID: 202033219349301328 - Submission: 2020-11-16

SCHEDULE C (Form 990 or 990-EZ)

Political Campaign and Lobbying Activities

For Organizations Exempt From Income Tax Under section 501(c) and section 527

Department of the Treasury
Internal Revenue Service

▶ **Complete if the organization is described below.** ▶ **Attach to Form 990 or Form 990-EZ.**
▶ Go to www.irs.gov/Form990 for instructions and the latest information.

If the organization answered "Yes" on Form 990, Part IV, Line 3, or Form 990-EZ, Part V, line 46 (Political Campaign Activities):

- Section 501(c)(3) organizations: Complete Parts I-A and B. Do not complete Part I-C.
- Section 501(c) (other than section 501(c)(3)) organizations: Complete Parts I-A and C below. Do not complete Part I-B.
- Section 527 organizations: Complete Part I-A only.

If the organization answered "Yes" on Form 990, Part IV, Line 4, or Form 990-EZ, Part VI, line 47 (Lobbying Activities):

- Section 501(c)(3) organizations that have filed Form 5768 (election under section 501(h)): Complete Part II-A. Do not complete Part II-B.
- Section 501(c)(3) organizations that have NOT filed Form 5768 (election under section 501(h)): Complete Part II-B.

If the organization answered "Yes" on Form 990, Part IV, Line 5 (Proxy Tax) (see separate instructions) or Form 990-EZ, Part VII, line 5 (Proxy Tax) (see separate instructions), then

- Section 501(c)(4), (5), or (6) organizations: Complete Part III.

Name of the organization ALLIANCE FOR RESPONSIBLE ATMOSPHERIC POLICY INC	Employer identification number (EIN) 52-1207922
--	---

Part III. Complete if the organization is exempt under section 501(c) or is a section 527 organization.

Part I-A Complete if the organization is exempt under section 501(c)(3) or is a section 527 or

- 1 Provide a description of the organization's direct and indirect political campaign activities in Part IV (see instruction "political campaign activities")
- 2 Political campaign activity expenditures (see instructions)
- 3 Volunteer hours for political campaign activities (see instructions)

Part I-B Complete if the organization is exempt under section 501(c)(3).

- 1 Enter the amount of any excise tax incurred by the organization under section 4955
- 2 Enter the amount of any excise tax incurred by organization managers under section 4955
- 3 If the organization incurred a section 4955 tax, did it file Form 4720 for this year?
- 4a Was a correction made?
- b If "Yes," describe in Part IV.

Part I-C Complete if the organization is exempt under section 501(c), except section 501(c)(3).

- 1 Enter the amount directly expended by the filing organization for section 527 exempt function activities
- 2 Enter the amount of the filing organization's funds contributed to other organizations for section 527 exempt function activities
- 3 Total exempt function expenditures. Add lines 1 and 2. Enter here and on Form 1120-POL, line 17b.
- 4 Did the filing organization file Form 1120-POL for this year?
- 5 Enter the names, addresses and employer identification number (EIN) of all section 527 political organizations organization made payments. For each organization listed, enter the amount paid from the filing organization's political contributions received that were promptly and directly delivered to a separate political organization, such as a fund or a political action committee (PAC). If additional space is needed, provide information in Part IV.

(a) Name	(b) Address	(c) EIN	(d) Amount paid by filing organization to political organization. If none, enter -0-
1			
2			
3			
4			
5			
6			

For Paperwork Reduction Act Notice, see the instructions for Form 990 or 990-EZ.

Cat. No. 50084S Schec

Schedule C (Form 990 or 990-EZ) 2019

Part II-A Complete if the organization is exempt under section 501(c)(3) and filed Form section 501(h).

- A Check if the filing organization belongs to an affiliated group (and list in Part IV each affiliated group member's name, address, and share of excess lobbying expenditures).
- B Check if the filing organization checked box A and "limited control" provisions apply.

Limits on Lobbying Expenditures

Add. 158a (The term "expenditures" means amounts paid or incurred.)

(a) orga

- 1a Total lobbying expenditures to influence public opinion (grass roots lobbying)
- 1b Total lobbying expenditures to influence a legislative body (direct lobbying)
- 1c Total lobbying expenditures (add lines 1a and 1b)
- 1d Other exempt purpose expenditures
- 1e Total exempt purpose expenditures (add lines 1c and 1d)
- 1f Lobbying nontaxable amount. Enter the amount from the following table in both columns.

If the amount on line 1e, column (a) or (b) is:	The lobbying nontaxable amount is:
Not over \$500,000	20% of the amount on line 1e.
Over \$500,000 but not over \$1,000,000	\$100,000 plus 15% of the excess over \$500,000.
Over \$1,000,000 but not over \$1,500,000	\$175,000 plus 10% of the excess over \$1,000,000.
Over \$1,500,000 but not over \$17,000,000	\$225,000 plus 5% of the excess over \$1,500,000.
Over \$17,000,000	\$1,000,000.

- 1g Grassroots nontaxable amount (enter 25% of line 1f)
- 1h Subtract line 1g from line 1a. If zero or less, enter -0-
- 1i Subtract line 1f from line 1c. If zero or less, enter -0-
- 1j If there is an amount other than zero on either line 1h or line 1i, did the organization file Form 4720 reporting section 4911 tax for this year?.....

4-Year Averaging Period Under Section 501(h)
(Some organizations that made a section 501(h) election do not have to complete columns below. See the separate instructions for lines 2a through 2f)

Lobbying Expenditures During 4-Year Averaging Period

Calendar year (or fiscal year beginning in)	(a) 2016	(b) 2017	(c) 2018
2a Lobbying nontaxable amount			
b Lobbying ceiling amount (150% of line 2a, column(e))			
c Total lobbying expenditures			
d Grassroots nontaxable amount			
e Grassroots ceiling amount (150% of line 2d, column (e))			
f Grassroots lobbying expenditures			

Schedule

Schedule C (Form 990 or 990-EZ) 2019

Part II-B Complete if the organization is exempt under section 501(c)(3) and has NOT filed Form 5768 (election under section 501(h)).

For each "Yes" response on lines 1a through 1i below, provide in Part IV a detailed description of the lobbying activity.

Add. 159a

- 1** During the year, did the filing organization attempt to influence foreign, national, state or local legislation, including any attempt to influence public opinion on a legislative matter or referendum, through the use of:
 - a** Volunteers?
 - b** Paid staff or management (include compensation in expenses reported on lines 1c through 1i)?
 - c** Media advertisements?
 - d** Mailings to members, legislators, or the public?
 - e** Publications, or published or broadcast statements?
 - f** Grants to other organizations for lobbying purposes?
 - g** Direct contact with legislators, their staffs, government officials, or a legislative body?
 - h** Rallies, demonstrations, seminars, conventions, speeches, lectures, or any similar means?
 - i** Other activities?
 - j** Total. Add lines 1c through 1i
- 2a** Did the activities in line 1 cause the organization to be not described in section 501(c)(3)?
- b** If "Yes," enter the amount of any tax incurred under section 4912
- c** If "Yes," enter the amount of any tax incurred by organization managers under section 4912
- d** If the filing organization incurred a section 4912 tax, did it file Form 4720 for this year?

Part III-A Complete if the organization is exempt under section 501(c)(4), section 501(c) 501(c)(6).

- 1** Were substantially all (90% or more) dues received nondeductible by members?
- 2** Did the organization make only in-house lobbying expenditures of \$2,000 or less?
- 3** Did the organization agree to carry over lobbying and political expenditures from the prior year?

Part III-B Complete if the organization is exempt under section 501(c)(4), section 501(c) (6) and if either (a) BOTH Part III-A, lines 1 and 2, are answered "No" OR (b) F is answered "Yes."

- 1** Dues, assessments and similar amounts from members
- 2** Section 162(e) nondeductible lobbying and political expenditures **(do not include amounts of political expenses for which the section 527(f) tax was paid).**
 - a** Current year
 - b** Carryover from last year
 - c** Total
- 3** Aggregate amount reported in section 6033(e)(1)(A) notices of nondeductible section 162(e) dues .
- 4** If notices were sent and the amount on line 2c exceeds the amount on line 3, what portion of the excess does the organization agree to carryover to the reasonable estimate of nondeductible lobbying and political expenditure next year?
- 5** Taxable amount of lobbying and political expenditures (see instructions)

Part IV Supplemental Information

Provide the descriptions required for Part I-A, line 1; Part I-B, line 4; Part I-C, line 5; Part II-A (affiliated group list); instructions), and Part II-B, line 1. Also, complete this part for any additional information.

Return Reference	Explanation
Part I-A, Line 1 - Direct and Indirect Political Campaign Activities	Influencing government policies affecting Chloroflourocarbons.

Schedule

Additional Data

Software ID: 19009920

Software Version: 2019v5.0

Add. 160a

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SCHEDULE D
(Form 990)

Supplemental Financial Statements

Department of the Treasury
Internal Revenue Service

▶ **Complete if the organization answered "Yes," on Form 990, Part IV, line 6, 7, 8, 9, 10, 11a, 11b, 11c, 11d, 11e, 11f, 12a, or 12b.**
▶ **Attach to Form 990.**

▶ **Go to www.irs.gov/Form990 for instructions and the latest information.**

Name of the organization ALLIANCE FOR RESPONSIBLE ATMOSPHERIC POLICY INC	Employer identification number 52-1207922
---	---

Part I Organizations Maintaining Donor Advised Funds or Other Similar Funds or Accounts.
Complete if the organization answered "Yes" on Form 990, Part IV, line 6.

	(a) Donor advised funds	(b) Full value of assets
1 Total number at end of year		
2 Aggregate value of contributions to (during year)		
3 Aggregate value of grants from (during year)		
4 Aggregate value at end of year		
5 Did the organization inform all donors and donor advisors in writing that the assets held in donor advised funds are the organization's property, subject to the organization's exclusive legal control?		
6 Did the organization inform all grantees, donors, and donor advisors in writing that grant funds can be used only for charitable purposes and not for the benefit of the donor or donor advisor, or for any other purpose conferring impermissible private benefit?		

Part II Conservation Easements.
Complete if the organization answered "Yes" on Form 990, Part IV, line 7.

- Purpose(s) of conservation easements held by the organization (check all that apply).

<input type="checkbox"/> Preservation of land for public use (e.g., recreation or education)	<input type="checkbox"/> Preservation of an historically important structure or site
<input type="checkbox"/> Protection of natural habitat	<input type="checkbox"/> Preservation of a certified historic structure
<input type="checkbox"/> Preservation of open space	
- Complete lines 2a through 2d if the organization held a qualified conservation contribution in the form of a conservation easement on the last day of the tax year.

	Held
a Total number of conservation easements	2a
b Total acreage restricted by conservation easements	2b
c Number of conservation easements on a certified historic structure included in (a)	2c
d Number of conservation easements included in (c) acquired after 7/25/06, and not on a historic structure listed in the National Register	2d
- Number of conservation easements modified, transferred, released, extinguished, or terminated by the organization during the tax year ▶ _____
- Number of states where property subject to conservation easement is located ▶ _____
- Does the organization have a written policy regarding the periodic monitoring, inspection, handling of violations, and enforcement of the conservation easements it holds?
- Staff and volunteer hours devoted to monitoring, inspecting, handling of violations, and enforcing conservation easements during the tax year ▶ _____
- Amount of expenses incurred in monitoring, inspecting, handling of violations, and enforcing conservation easements during the tax year ▶ \$ _____
- Does each conservation easement reported on line 2(d) above satisfy the requirements of section 170(h)(4)(B)(i) and section 170(h)(4)(B)(ii)?

Add: 161a

In Part XIII, describe how the organization reports conservation easements in its revenue and expense statement, balance sheet, and include, if applicable, the text of the footnote to the organization's financial statements that describe the organization's accounting for conservation easements.

Part III Organizations Maintaining Collections of Art, Historical Treasures, or Other Similar Assets
Complete if the organization answered "Yes" on Form 990, Part IV, line 8.

- 1a** If the organization elected, as permitted under FASB ASC 958, not to report in its revenue statement and balance sheet historical treasures, or other similar assets held for public exhibition, education, or research in furtherance of public purpose, the text of the footnote to its financial statements that describes these items.
- b** If the organization elected, as permitted under FASB ASC 958, to report in its revenue statement and balance sheet historical treasures, or other similar assets held for public exhibition, education, or research in furtherance of public purpose, the following amounts relating to these items:
 - (i)** Revenue included on Form 990, Part VIII, line 1 ▶ \$ _
 - (ii)** Assets included in Form 990, Part X ▶ \$ _
- 2** If the organization received or held works of art, historical treasures, or other similar assets for financial gain, provide the following amounts required to be reported under FASB ASC 958 relating to these items:
 - a** Revenue included on Form 990, Part VIII, line 1 ▶ \$ _
 - b** Assets included in Form 990, Part X ▶ \$ _

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Schedule D (Form 990) 2019

Part III Organizations Maintaining Collections of Art, Historical Treasures, or Other Similar Assets

- 3** Using the organization's acquisition, accession, and other records, check any of the following that are a significant items (check all that apply):
 - a** Public exhibition
 - b** Scholarly research
 - c** Preservation for future generations
 - d** Loan or exchange programs
 - e** Other
- 4** Provide a description of the organization's collections and explain how they further the organization's exempt purpose in Part XIII.
- 5** During the year, did the organization solicit or receive donations of art, historical treasures or other similar assets to be sold to raise funds rather than to be maintained as part of the organization's collection? . . .

Part IV Escrow and Custodial Arrangements.

Complete if the organization answered "Yes" on Form 990, Part IV, line 9, or reported an amount on Form 990, Part X, line 21.

- 1a** Is the organization an agent, trustee, custodian or other intermediary for contributions or other assets not included on Form 990, Part X?
 - b** If "Yes," explain the arrangement in Part XIII and complete the following table:
 - c** Beginning balance
 - d** Additions during the year
 - e** Distributions during the year
 - f** Ending balance
- | | |
|-----------|--|
| | |
| 1c | |
| 1d | |
| 1e | |
| 1f | |
- 2a** Did the organization include an amount on Form 990, Part X, line 21, for escrow or custodial account liability? . . .
 - b** If "Yes," explain the arrangement in Part XIII. Check here if the explanation has been provided in Part XIII

Part V Endowment Funds.

Complete if the organization answered "Yes" on Form 990, Part IV, line 10.

	(a) Current year	(b) Prior year	(c) Two years back	(d) Three years back
1a Beginning of year balance				
b Contributions				
c Net investment earnings, gains, and losses				

• Add. 162a

d Grants or scholarships				
e Other expenditures for facilities and programs				
f Administrative expenses				
g End of year balance				

2 Provide the estimated percentage of the current year end balance (line 1g, column (a)) held as:

- a Board designated or quasi-endowment ▶
- b Permanent endowment ▶
- c Term endowment ▶

The percentages on lines 2a, 2b, and 2c should equal 100%.

3a Are there endowment funds not in the possession of the organization that are held and administered for the organization by:

- (i) Unrelated organizations
- (ii) Related organizations

b If "Yes" on 3a(ii), are the related organizations listed as required on Schedule R?

4 Describe in Part XIII the intended uses of the organization's endowment funds.

Part VI Land, Buildings, and Equipment.

Complete if the organization answered "Yes" on Form 990, Part IV, line 11a. See Form 990, Pa

Description of property	(a) Cost or other basis (investment)	(b) Cost or other basis (other)	(c) Accumulated depreciation
1a Land			
b Buildings			
c Leasehold improvements			
d Equipment			
e Other			
Total. Add lines 1a through 1e. (Column (d) must equal Form 990, Part X, column (B), line 10(c).)			

Sc

Schedule D (Form 990) 2019

Part VII Investments Other Securities.

Complete if the organization answered "Yes" on Form 990, Part IV, line 11b. See Form 990, Pa

(a) Description of security or category (including name of security)	(b) Book value	(c) Method Cost or end-of-
(1) Financial derivatives		
(2) Closely-held equity interests		
(3) Other _____		
(B)		
(C)		
(D)		
(E)		
(F)		
(G)		
(H)		
(I)		

Add. 163a

Total. (Column (b) must equal Form 990, Part X, col. (B) line 12.)			
---	--	--	--

Part VIII Investments Program Related.

Complete if the organization answered 'Yes' on Form 990, Part IV, line 11c. See Form 990, Pa

(a) Description of investment	(b) Book value
(2)	
(3)	
(4)	
(5)	
(6)	
(7)	
(8)	
(9)	
(10)	
Total. (Column (b) must equal Form 990, Part X, col.(B) line 13.)	

Part IX Other Assets.

Complete if the organization answered 'Yes' on Form 990, Part IV, line 11d. See Form 990, Part ;

(a) Description
(2)
(3)
(4)
(5)
(6)
(7)
(8)
(9)
(10)
Total. (Column (b) must equal Form 990, Part X, col.(B) line 15.)

Part X Other Liabilities.

Complete if the organization answered 'Yes' on Form 990, Part IV, line 11e or 11f. See Form 990, Part X, line 15.

(a) Description of liability
(1) Federal income taxes
(2)
(3)
(4)
(5)

Add. 164a

(6)

(7)

(8)

(9)

Total. (Column (b) must equal Form 990, Part X, col.(B) line 25.)

2. Liability for uncertain tax positions. In Part XIII, provide the text of the footnote to the organization's financial statement organization's liability for uncertain tax positions under FIN 48 (ASC 740). Check here if the text of the footnote has been

Sc

Schedule D (Form 990) 2019

Part XI Reconciliation of Revenue per Audited Financial Statements With Revenue per Return
Complete if the organization answered 'Yes' on Form 990, Part IV, line 12a.

Table with 5 main rows and sub-rows (a-e) for adjustments. Includes columns for descriptions and numerical values.

Part XII Reconciliation of Expenses per Audited Financial Statements With Expenses per Return
Complete if the organization answered 'Yes' on Form 990, Part IV, line 12a.

Table with 5 main rows and sub-rows (a-e) for adjustments. Includes columns for descriptions and numerical values.

Part XIII Supplemental Information

Provide the descriptions required for Part II, lines 3, 5, and 9; Part III, lines 1a and 4; Part IV, lines 1b and 2b; Part V, lines 2d and 4b; and Part XII, lines 2d and 4b. Also complete this part to provide any additional information.

Table with 2 columns: Return Reference and Explanation.

Add. 165a

Return Reference

Explanation

Additional Data

Software ID: 19009920
Software Version: 2019v5.0

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Schedule L (Form 990 or 990-EZ)

Department of the Treasury
Internal Revenue Service

Transactions with Interested Persons

▶ **Complete if the organization answered "Yes" on Form 990, Part IV, lines 25a, 25b, 27, 28a, 28b, or 28c, or Form 990-EZ, Part V, line 38a or 40b.**

▶ **Attach to Form 990 or Form 990-EZ.**

▶ **Go to www.irs.gov/Form990 for instructions and the latest information.**

Name of the organization ALLIANCE FOR RESPONSIBLE ATMOSPHERIC POLICY INC	Employer identification number (EIN) 52-1207922
--	---

Part I Excess Benefit Transactions (section 501(c)(3), section 501(c)(4), and section 501(c)(29) organizations) Complete if the organization answered "Yes" on Form 990, Part IV, line 25a or 25b, or Form 990-EZ, Part V, line 38a or 40b.

1	(a) Name of disqualified person	(b) Relationship between disqualified person and organization	(c) Director, officer, or key employee of the organization

2 Enter the amount of tax incurred by the organization managers or disqualified persons during the year under section 4958.

3 Enter the amount of tax, if any, on line 2, above, reimbursed by the organization

Part II Loans to and/or From Interested Persons.

Complete if the organization answered "Yes" on Form 990-EZ, Part V, line 38a, or Form 990, Part IV, line 38a, and reported an amount on Form 990, Part X, line 5, 6, or 22

(a) Name of interested person	(b) Relationship with organization	(c) Purpose of loan	(d) Loan to or from the organization?		(e) Original principal amount	(f) Balance due	(g) In default?	
			To	From			Yes	No

Add. 166a

Total ▶ \$

Part III Grants or Assistance Benefiting Interested Persons.

Complete if the organization answered "Yes" on Form 990, Part IV, line 27.

(a) Name of interested person	(b) Relationship between interested person and the organization	(c) Amount of assistance	(d) Type of assistance

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Schedule L (Form 990 or 990-EZ) 2019

Part IV Business Transactions Involving Interested Persons.

Complete if the organization answered "Yes" on Form 990, Part IV, line 28a, 28b, or 28c.

(a) Name of interested person	(b) Relationship between interested person and the organization	(c) Amount of transaction	(d) Description
(1) Alcalde & Fay	Director		Lobbying & Mgt.

Part V Supplemental Information

Provide additional information for responses to questions on Schedule L (see instructions).

Return Reference	Explanation

Sche

Additional Data

Software ID: 19009920

Software Version: 2019v5.0

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SCHEDULE O
(Form 990 or 990-F7)

Supplemental Information to Form 990 or 990-EZ

Complete to provide information for responses to specific questions on

Department of the Treasury
Internal Revenue Service

Complete to provide information for responses to specific questions or Form 990 or 990-EZ or to provide any additional information.

▶ Attach to Form 990 or 990-EZ.

▶ Go to www.irs.gov/Form990 for the latest information.

Name of the organization
ALLIANCE FOR RESPONSIBLE ATMOSPHERIC
POLICY INC

Empl
52-12

Return Reference	Explanation
Form 990, Part VI, Line 3: Description of Delegated Duties to Management Company	Day-to-Day Operations directed by management company.
Form 990, Part VI, Line 11b: Form 990 Review Process	No review was or will be conducted.
Form 990, Part VI, Line 19: Other Organization Documents Publicly Available	No documents available to the public.

For Paperwork Reduction Act Notice, see the Instructions for Form 990 or 990-EZ.

Cat. No. 51056K

Additional Data

Software ID: 19009920

Software Version: 2019v5.0

**IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

RMS OF GEORGIA, LLC, d/b/a CHOICE)	
REFRIGERANTS, <i>et al.</i> ,)	
Petitioners,)	
v.)	No. 22-1313 (consolidated
ENVIRONMENTAL PROTECTION AGENCY, <i>et al.</i> ,)	with No. 22-1314)
Respondents.)	

DECLARATION OF PETER WILLIAM

I, Peter Williams, hereby declare and state as follows:

1. I am over 18 years of age, and I reside in Murrells Inlet, South Carolina.
2. I am the petitioner in No. 22-1314, which challenges the Environmental Protection Agency’s (“EPA’s”) denial of my application for hydrofluorocarbon (“HFC”) allocations as a new market entrant in the cap-and-trade program under the American Innovation and Manufacturing Act.
3. The HFC allocations at issue in this litigation are valuable because HFCs can be acquired from global producers under U.S. market prices.
4. If I prevail in reversing the denial of my new-entrant application, there is enough “fat” in the HFC allocations for EPA to make me whole for past allocations that EPA wrongfully withheld—such as the 2022 allocation—even if the allocation has “expired.” There were enough improper allocations granted in 2022-2023 baseline that could be reallocated to me, including past or future allocations under the administrative-consequence process, without affecting the legitimate allocations

made to other entities for 2022-2023.

5. My connection with the refrigerant-gas industry began as a businessman running a reclamation facility, New Era Environmental, Inc., in Sterling, Virginia, circa 1993-2001. As part of that process, I became familiar with the regulatory and economic issues that affect the industry, including issues under the Montreal Protocol and its successive amendments and agreements.

6. Although I was no longer a direct industry participant—*e.g.*, as a reclaimer, importer, or manufacturer—I continued to work as a consultant for various industry participants on both the business side and the regulatory side.

7. In 2009, I registered the domain “neweragoupinc.com” and had a logo prepared for “The New Era Group, Inc.”

8. I meant to incorporate The New Era Group, Inc. as a consultancy, but I never did so.

9. I nonetheless used an email at neweragoupinc.com and the logo on letterhead, including for comments to EPA rulemakings. A true and correct copy of one of the comments I submitted to EPA is attached hereto as Exhibit 1.

10. EPA contacted me using my New Era Group contact information, including a letter from the then-Administrator, a true and correct copy of which is attached hereto as Exhibit 2.

11. My background and involvement with the industry and with New Era

Group, Inc., of Georgia is further summarized in the affidavit submitted with the letter that attorney J. Gordon Arbuckle sent to EPA on April 20, 2022, to seek reconsideration of the denial of my application, which documents I understand are at pages 12a-16a of the addendum to my motion for summary *vacatur*.

12. While New Era Group, Inc. of Georgia was perhaps intended to draw on the goodwill of my ongoing work with EPA under the “New Era Group” name, the Georgia corporation was separate from the New Era Group consultancy under which I had been operating.

13. While I was active in New Era Group, Inc. of Georgia, it was a nonprofit representing the interests of hydrochlorofluorocarbon-22 reclaimers, importers and producers of alternative refrigerants as a trade association. Although industry members participated in New Era Group, Inc. of Georgia as members for advocacy purposes, the New Era Group, Inc. of Georgia was not itself a direct participant in the economic aspects of the industry (*e.g.*, as a reclaimer, importer, or manufacturer).

14. When EPA requested further documentation regarding corporate status through EPA’s Andy Chang, the way that he conveyed the message in his voicemail implied that applicants needed to be incorporated, not that EPA has conflated me (with my New Era Group dba) as a corporation named New Era Group, Inc. I responded with a certification that I was applying as an individual with the

attachment “StructureMemo.pdf,” which I understand is at page 1a of the addendum to my motion for summary *vacatur*.

15. Mr. Chang replied “10-4. Thanks.” A true and correct copy of his email is attached hereto as Exhibit 3. I also uploaded the “StructureMemo.pdf” to EPA’s application portal.

16. Until I received EPA’s letter dated March 31, 2022, denying my HFC application, I was not aware that EPA staff have equated me with New Era Group, Inc. of Georgia based on a legal analysis of the factors in the new-entrant program.

17. On April 1, 2022, I communicated with EPA’s Luke Hall-Jordan and a colleague of his about the misunderstanding of my relationship with New Era Group, Inc., of Georgia. A true and correct copy of his email is attached hereto as Exhibit 4.

18. In response to the email from Mr. Hall-Jordan on April 26, 2022, I believe that I called him to indicate that he could discuss the HFC issues with my counsel, J. Gordon Arbuckle, who had submitted my letter to Cynthia Newberg dated April 20, 2022, which I understand is (along with my affidavit) at pages 12a-16a of the addendum to my motion for summary *vacatur*.

19. Later that week, on April 29, 2022, I emailed Cindy Bolinger, who is Gordon Arbuckle’s legal assistant, about the process to follow, once EPA responded to the Arbuckle letter.

20. Since the email from Luke Hall-Jordan on April 26, 2022, I have not

received a response to the letter that Mr. Arbuckle sent to EPA's Cynthia Newberg.

21. I have personal knowledge of the foregoing and am competent to testify thereto.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 24th day of April, 2023.

A handwritten signature in black ink, appearing to read 'Peter Williams', written over a horizontal line.

Peter Williams

EXHIBIT 1



April 22, 2014

Air and Radiation Docket and Information Center
Environmental Protection Agency
Mail Code: 6102T
1200 Pennsylvania Avenue NW
Washington, DC 20460

Re: Docket # EPA-HQ-OAR-2013-0263

Dear Sirs:

New Era Group is submitting these comments for the proposed rule entitled Protection of Stratospheric Ozone: Adjustments to the Allowance System for Controlling HCFC Production, Import and Export, 78 Fed. Reg. 78072 (December 23, 2013) (the "Proposed Rule").

Brief History:

The Environmental Protection Agency was passed the baton to phase out Ozone Depleting Chemicals by the Clean Air Act (CAA).

The initial round of these chemicals were the chlorofluorocarbons, CFCs. EPA took a whole class of chemicals that had been the main stay of air-conditioning use for years to the grave in a record fashion.

There was a clear desire for the writers of the CFC phase out rule to establish knowledge of the market through numerous data collection reports in the 1993 rule¹.

Reaching out to industries for information on the quantities along with transparent rule making made the phase out of these chemicals take place well ahead of schedule and gave a frame work for a chemical-by-chemical phase-out worst-first-approach, for HCFCs.

New Era Group, Inc.

Climate Justice

www.neweragroupinc.com

¹Vol. 58 No. 236 Friday, December 10, 1993 p 65018 (Rule)
1/8006
ENVIRONMENTAL PROTECTION AGENCY



Comments Docket # EPA-HQ-OAR-2013-0263

April 22, 2014

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Current Process:

The proposed rule was published in December 2013. Prior to this rule being released meetings were held at the Office of Management and Budget. As others, we attempted to express views, concerns, and facts during the inter-governmental review process.

We hoped that those discussions would help the proposed rule meet the Agency's mandate without doing further irreparable damage to many small businesses that are affected under this action. The debate was centered on "past performance would be the prediction of future results." We simply need to look at the disaster of the April 3, 2013 rule.

We can document more than twenty times when we brought to EPA's attention the urgency of the oversupply issue and the lack of information on the magnitude of the over-supply. Most recently, the issue of oversupply was discussed at the January 23, 2014 public hearing. Prior to that, on November 1, 2013, during a joint meeting of EPA, Office of General Counsel, and Small Business, EPA was presented with and asked about the more than 1.8 billion pounds of R-22 produced or allowed to be produced from 2003 until 2012. (Attached)

After EPA published the proposed rule, we asked for and were informed that there would be a small business roundtable held by the Office of Advocacy of the United States Small Business Administration. On January 10, 2014 the formal notification was emailed advising that this meeting would convene on January 31, 2014.

While timely for the Government, it was not in the best interest of the affected entities because the issues and facts presented in the January 23, 2014 public meeting were not made available until after the Small Business roundtable meeting. Nonetheless, there was a good turn out of small and large companies.

While EPA is not required to document the meeting, the meeting exceeded SBA's allotted time and ran more than an hour. During that meeting EPA explained how they avoided doing a national survey. EPA stated on more than one occasion that its data collection resulted in identifying 80% of the United States market. But EPA has only surveyed nine companies. Nine companies hardly represent 80% of the market. It has been repeatedly stated that the Agency completely ignores the second and third tiers of distribution. The data collection needs to be expanded to wholesale, distributors as well as service companies.



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SBA seemed to feel this was an issue with merit and signaled they would help conduct a wider survey if we would assist by providing information and guidance. EPA seemed to agree. In accordance with that agreement, we provided SBA and EPA with a list of 54 companies. (See list below.) We felt that the 19 companies listed in column one would contribute significantly to our effort to uncover the stockpiled gas in the United States.

Column number two represents the major right holders that have now or can acquire HCFC-22 legally for the control periods of 2014 through 2019. While large companies control the amounts of rights in column two, the majority of this group is small companies as defined by the NAICS Codes.

Column number three represents the reclaim industries' largest contributors to the effort to contain refrigerant gas. Within the questions asked in any section 114 letters, the question of how much gas is sitting on the sidelines needs to be asked. The question of crossed gas must be considered as some companies have large amounts of gas that might not be taken into the national reporting.

What is not included in this list are the large property management companies that control apartment and commercial buildings throughout the United States. These companies also maintain a significant inventory of R-22.

Additionally, in the spirit of cooperation the Department of Defense should be able to submit the total number of pounds not committed to the ODS Reserve of the DOD. Consider that the ODS Reserve that is exempted from this discussion operates under "Memorandum of Understanding" from several agencies to store and maintains inventory of controlled substances for many United States agencies. The General Service Administration has warehouses all around the country.

Also, EPA has a program called GreenChill Partnership. This program does not attempt to identify the amount of HCFC-22 that is stockpiled in the aggregate amount for that industry. It is well within the Agency's authority to obtain the stockpiled information of that group even without a Section 114 letter.

The aggregate inventory from the nine companies that is based on the Agency's own information shows that for the period 2003 through 2011, the estimates EPA has used are wrong. Consider that in 2009 only 48.7% of the rights granted by EPA were used.



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Yet in spite of the data that is reported no adjustment was made to eliminate what must be seen as unwanted rights.

The Agency fails to use and consider its own information and to advance a rule that considers the mandate to protect the environment.²

This proposed rule was published in the Federal Register on December 24, 2013. A public hearing was held at the behest of the all affected parties. The Docket for Public comments was closed on March 10, 2014 for the first time, and will close today for the second time yet relevant data, i.e. the allowance information is not available for public review. The National reclaim information is not available for public review.

EPA asks for comments on this proposed action when the information needed to do so is not available during the comment period.

In recent conversation with Senior Managers of SBA's Office of Advocacy, we challenged EPA's certification of the rule under the Regulatory Flexibility Act. SBA points out that EPA asserts that the proposed rule does not have an adverse affect on a significant member of small business. This statement is directed toward the section of the rule that deals with "right holders." This rule alters or changes other elements of 40 CFR Title VI, Sections 608 and 609. Therefore, the RFA and SBREFA issues have not been met.

"I. Regulated Entities

This rule will affect the following categories."³

This reversal is absent of any public disclosure as to why.

New Era Group, Inc.

Climate Justice

www.neweragroupinc.com

² <http://dataweb.usitc.gov>. International Trade Commission/United States Department of Commerce. <https://www.piers.com/MarketResearch>

³ **66412 Federal Register**/Vol. 74, No. 239/Tuesday, December 15, 2009/Rules and Regulations



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In addition to these facts the EPA completely argues against themselves in the rule of 2009 on this very issue.

The RFA certification in this proposed rule is now more than five years old. EPA needs to simply look at the financial events of the past five years. The United States Tax Payer has been asked to extend trillions of dollars to large banks and other industries to over a recession in the United States.

We ask that EPA stop the process that has been used to create this environmental and industry wide debacle and use information and resources.

It is not too late to take corrective action for the good of the Nation.

Thank you in advance

Peter Williams

Market Research on Tariff 2903 71 0000

Shipper Address	Consignee	Consignee Address 1	Consignee Address 2	Consignee Address 3
ANGSU 215522	ARKEMA INC.	900 FIRST AVENUE BUILDING 10	KING OF PRUSSIA	PENNSYLVANIA 19406
ANGSU, P.R.CHINA	ARKEMA INC.	900 FIRST AVENUE BUILDING 10	KING OF PRUSSIA,PA 19406-1308	CONTACT PERSON: LIND GALLOP

Measure	Measure Unit	Quantity	IMO Number	Country of Origin
1.00	CM	4,900.00	9267649	PEOPLES REP OF CHINA
0.00	CM	1,960.00	9330991	PEOPLES REP OF CHINA
0.00		4,900.00	9143568	PEOPLES REP OF CHINA
1.00	CM	4,900.00	9260419	PEOPLES REP OF CHINA
0.00		4,900.00	9356713	PEOPLES REP OF CHINA
0.00		4,900.00	9193305	PEOPLES REP OF CHINA
0.00		4,900.00	8902565	PEOPLES REP OF CHINA
0.00		3,920.00	9367205	PEOPLES REP OF CHINA

HTS - 2903710000: CHLORODIFLUOROMETHANE (HCFC-22)
Customs Value by Customs Value
for ALL Countries

U.S. Imports for Consumption

Annual Data

Country	2012	2013	Percent Change 2012 - 2013
	<i>In Actual Dollars</i>		
China	27,436,000	29,301,114	6.8%
Mexico	9,927,275	12,309,375	24.0%
Netherlands	0	2,241,631	N/A
India	306,914	371,551	21.1%
Belgium	255,499	273,757	7.1%
United Kingdom	145,170	50,550	-65.2%
Total	38,070,858	44,547,978	17.0%

Sources: Data on this site have been compiled from tariff and trade data from the U.S. Department of Commerce and the U.S. International Trade Commission.

EXHIBIT 2



THE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

MAR 13 2014

Mr. Peter V. Williams
New Era Group
17 Grey Moss Road
Murrells Inlet, South Carolina 29576

Dear Mr. Williams:

The U.S. Environmental Protection Agency has considered the petition you submitted on June 3, 2013, asking the EPA to reconsider the April 3, 2013, final rule titled "Adjustments to the Allowance System for Controlling HCFC Production, Imports, and Exports" (78 Fed. Reg. 20004). The petition states that the "probable consequences" of the final rule are "[l]aunching an [a]dverse [e]nvironmental effect"; "[c]reating an inequitable [c]hemical [i]ndustry [m]arketplace in the U.S."; and providing a specified number of allowances to two foreign-based companies. Because the petition does not state grounds that satisfy the requirements of section 307(d)(7)(B) of the Clean Air Act, the EPA is denying the petition.

I. Background

On April 3, 2013, the EPA published a final rule allocating allowances for the production and consumption of HCFC-22, HCFC-142b and other HCFCs during the 2012, 2013 and 2014 control periods.

On June 3, 2013, you sent the EPA a petition requesting that the agency reconsider the April 3, 2013, rule pursuant to 307(d)(7)(B) of the act. The petition contains a list of nine objections to the final rule. In general, these objections appear to relate to the size of the HCFC-22 allocation and the existence of the HCFC-142b allocation. Some of the objections relate to the amount of allowances allocated to specific companies following the decision by the U.S. Court of Appeals for the District of Columbia, Circuit in *Arkema v. EPA*.

On February 27, 2014, your attorneys sent the EPA a letter that requested a response to the petition. This letter constitutes that response. While we take exception to some of the characterizations in the February 27, 2014, letter, we are not addressing that letter in detail here. We note, however, that the letter incorrectly asserts that during the development of the April 3, 2013, rule, the EPA possessed HCFC-22 inventory data that it "failed to provide [to] the public." The letter appears to be referring to inventory data submitted in response to requests made under section 114 of the Clean Air Act in 2013. However, the EPA did not send out the section 114 requests until August 8, 2013, well after the April 3, 2013, rule was final.

Other portions of the February 27, 2014, letter appear to relate to the December 24, 2013, notice of proposed rulemaking regarding the allocation of HCFC allowances for 2015-2019. We intend to treat

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those portions of the February 27 letter as comments on the December 24, 2013, proposed rule and will add the letter to the docket for that rulemaking.

II. Standard for Reconsideration

Section 307(d)(7)(B) of the Clean Air Act states:

Only an objection to a rule or procedure which was raised with reasonable specificity during the period for public comment (including any public hearing) may be raised during judicial review. If the person raising an objection can demonstrate to the Administrator that it was impracticable to raise such objection within such time or if the grounds for such objection arose after the period for public comment (but within the time specified for judicial review) and if such objection is of central relevance to the outcome of the rule, the Administrator shall convene a proceeding for reconsideration of the rule and provide the same procedural rights as would have been afforded had the information been available at the time the rule was proposed. If the Administrator refuses to convene such a proceeding, such person may seek review of such refusal in the United States court of appeals for the appropriate circuit. Such reconsideration shall not postpone the effectiveness of the rule. The effectiveness of the rule may be stayed pending such reconsideration, however, by the Administrator or the court for a period not to exceed three months.

Thus, for reconsideration to be mandated, a petition for reconsideration must show why the objection or claim could not have been presented during the comment period – either because it was impracticable to raise the objection during that time or because the grounds for raising the objection arose after the period for public comment but within 60 days of publication of the final action, i.e., “the time specified for judicial review.” The petition must also show that the objection is of central relevance to the outcome of the rule. To be of central relevance to the outcome of a rule, an objection must provide substantial support for the argument that the promulgated regulation should be revised. *See* 76 Fed. Reg. 28318 (May 17, 2011) and other actions there cited.

III. Petition for Reconsideration

The petition does not explain why you could not have raised your objections to the HCFC-22 and HCFC-142b allowance allocations during the public-comment period, as section 307(d)(7)(B) requires. The EPA did not receive comments from you on the Notice of Proposed Rulemaking covering 2012-2014 HCFC allowances. The EPA took comment on a range of values for the HCFC-22 allowance allocation, including the value that was ultimately adopted in the final rule. *See* 77 Fed. Reg. at 242-243 and 77 Fed. Reg. at 245-254. The EPA received comments on the size of the HCFC-22 allowance allocation and the effect the timing of the rule could have on the market and responded to them in the final rule. *See* 78 Fed. Reg. at 20008-20020 and the Response to Comments document available at www.regulations.gov/#!documentDetail;D=EPA-HQ-OAR-2011-0354-0168. Similarly, the EPA took comment on the HCFC-142b allowance allocation (*see* 77 Fed. Reg. at 242-243 and 77 Fed. Reg. at 245-254) and received comments on both the specific amount of the allocation and the broader question of whether to allocate allowances for this chemical. *See* the Response to Comments document available at www.regulations.gov/#!documentDetail;D=EPA-HQ-OAR-2011-0354-0168.

The petition maintains that the consequences of the final rule arose after the close of the public-comment period. The petition lists three consequences: “[l]aunching an [a]dverse [e]nvironmental effect”;

“[c]reating an inequitable [c]hemical [i]ndustry [m]arketplace in the U.S.”; and providing a specified number of allowances to two foreign-based companies.

The concern regarding the environmental effect of the rule appears to be related to the allowance allocation and to the effects of that allocation on the reclamation industry. As discussed, the EPA took comment on the proposed allocations of HCFC-22 and HCFC-142b allowances and issued allowances in the final rule that were within the ranges described in the proposal. Any concerns regarding the environmental effects of the proposed allocation levels could have been raised during the public-comment period. In fact, numerous entities did submit comments on the environmental ramifications of the various options proposed, including the level of allowances provided and whether the EPA should provide recoupment allowances from the annual allocation or in addition to the annual allocation. See the Response to Comments document available at www.regulations.gov/#!documentDetail;D=EPA-HQ-OAR-2011-0354-0168.

In addition, the issue of how the allocation might affect the reclamation industry was clearly discussed during the rulemaking. For example, the preamble to the proposed rule stated that “a lower virgin supply will further incentivize recovery and reclamation” (77 Fed. Reg. at 247). Indeed, the EPA stated that it was proposing “to allocate fewer HCFC-22 consumption allowances than contemplated in the 2009 final Rule for 2012-2014 in order to promote recovery and reclamation and encourage transition to non-ODS alternatives.” (77 Fed. Reg. at 244).

While the petition identifies effects on the marketplace as arising after the close of the public-comment period, it nonetheless describes such effects as “foreseeable” and “probable.” It further states that “NEG and other members of the public could have probably predicted how the After-Effect of this Final Rule would turn the Refrigerant-gas Marketplace, upside down.” In fact, the EPA received and responded to at least 40 comments addressing market impacts. One example is a comment from Heating, Air-Conditioning and Refrigeration Distributors International who stated that “there would be significant financial harm and devaluation of inventory for distributors who purchased HCFC-22 during the interim guidance period,” if the EPA set the final allocation higher than at the level permitted by the non-enforcement letter. Several others commented on the effects the price and oversupply of HCFC-22 have on refrigerant sales and reclamation. See the Response to Comments document available at www.regulations.gov/#!documentDetail;D=EPA-HQ-OAR-2011-0354-0168.

Additionally, the petitioner and several companies represented by the petitioner submitted comments on market effects of the August 5, 2011, HCFC allowance-allocation rule (76 Fed. Reg. 47451) (“2011 Interim Final Rule”) and other past HCFC allowance-allocation rules. Comments submitted in response to the 2011 Interim Final Rule were considered and responded to in the development of the April 23, 2013, rule. See the Response to Comments document available at www.regulations.gov/#!documentDetail;D=EPA-HQ-OAR-2011-0354-0168. Comments like these encouraged the EPA to reduce the overall allocation between 2012 and 2014 by almost 30 percent relative to the 2009 final rule, which was partially vacated by the U.S. Court of Appeals for the District of Columbia Circuit in *Arkema v. EPA* (618 F.3d 1, D.C. Cir. 2010). Thus, there has been an ongoing dialogue between stakeholders, including the petitioner, and the EPA regarding the market effects of the HCFC allowance-allocation rules. There is no reason the petitioner could not have submitted comments on such effects during the public-comment period for the April 23, 2013, rule.

The third consequence listed in the petition is that two foreign-based companies received specified numbers of production and consumption allowances as well as recoupment allowances. The EPA

proposed and took comment on both baseline and calendar-year production and consumption allowances. *See* 77 Fed. Reg. at 245. In addition, the EPA proposed and took comment on recoupment allowances. *See* 77 Fed. Reg. at 248. The baseline, calendar-year and recoupment allowances in the final rule are all within the ranges described in the proposal. 77 Fed. Reg. 237. Thus, the allowance allocation to the two foreign-based companies that appears in the final rule did not arise after the close of the public-comment period.

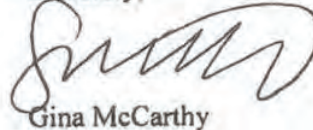
The EPA has determined that all of the objections or claims raised in the petition could have been presented to the EPA during the rulemaking. Most if not all of the topics addressed in the petition were in fact raised by other commenters during the public-comment period.

IV. Conclusion

Because the petition does not state grounds requiring reconsideration under section 307(d)(7)(B), the EPA is denying the petition.

We appreciate your interest in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Gina McCarthy", written in a cursive style.

Gina McCarthy

EXHIBIT 3

RE: Reconsideration of Set-aside determination

Hall-Jordan, Luke <Hall-Jordan.Luke@epa.gov>

Fri 4/1/2022 5:33 PM

To: peter neweragroupinc.com <peter@neweragroupinc.com>

Hi Pete,

As we discussed today, I am not aware of any opportunities to resolve this as the set-aside allowances issued yesterday are a final agency action. However, I committed to regrouping internally to see if there are any options available, and will let you know if we identify anything.

Best,

Luke

From: peter neweragroupinc.com <peter@neweragroupinc.com>

Sent: Friday, April 1, 2022 2:42 PM

To: Hall-Jordan, Luke <Hall-Jordan.Luke@epa.gov>

Subject: Reconsideration of Set-aside determination

Luke,

Thank you and Karen for taking my call today. I look forward to resolving the issue with my application. I will be providing you with information to resolve the question of my relationship with Ken Ponder and RMS. I will send some relevant information to you next week, and look forward to your direction on how to proceed.

Pete Williams
202 528 0038

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EXHIBIT 4

RE: New Era Group: HFC Set-aside application follow-up

Chang, Wei-An (Andy) <Chang.Andy@epa.gov>

Tue 2/22/2022 2:46 PM

To: peter neweragroupinc.com <peter@neweragroupinc.com>

10-4. Thanks.

Andy Chang, M.S. (he/his/him)

U.S. EPA | Office of Atmospheric Programs

Stratospheric Protection Division | Stratospheric Program Implementation Branch

202-564-6658 (direct)

From: peter neweragroupinc.com <peter@neweragroupinc.com>

Sent: Tuesday, February 22, 2022 2:39 PM

To: Chang, Wei-An (Andy) <Chang.Andy@epa.gov>

Subject: Re: New Era Group: HFC Set-aside application follow-up

Andy,

this is what I uploaded today

Pete Williams

202 528 0038

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From: Chang, Wei-An (Andy) <Chang.Andy@epa.gov>

Sent: Tuesday, February 22, 2022 2:31 PM

To: peter neweragroupinc.com <peter@neweragroupinc.com>

Subject: RE: New Era Group: HFC Set-aside application follow-up

Hi Pete,

Just a reminder this is due at some point today via ODSTS (other documents flow). Disregard if you've already submitted, as I can't see everything in the system.

Andy

Andy Chang, M.S. (he/his/him)

U.S. EPA | Office of Atmospheric Programs

Stratospheric Protection Division | Stratospheric Program Implementation Branch

202-564-6658 (direct)

From: Chang, Wei-An (Andy)
Sent: Friday, February 18, 2022 11:58 AM
To: peter neweragroupinc.com <peter@neweragroupinc.com>
Subject: New Era Group: HFC Set-aside application follow-up

Dear Pete

I am writing to follow up on your set-aside application under the HFC Allowance Allocation and Trading Program Rule for calendar years 2022 and 2023. I left a voicemail for you as well on your phone number ending -0038 a few moments ago as well.

Your application was missing certain elements, and the following email was transmitted from HFCAllocation@epa.gov on February 7, 2022.

Dear Stakeholder,

You are receiving this email because you have applied as a new market entrant to the set-aside pool of allowances under EPA's HFC Phasedown Allowance Allocation and Trading Program Rule, as codified in 40 CFR 84.15(c)(2) and described here: <https://www.epa.gov/climate-hfcs-reduction/hfc-allocation-rule-reporting-and-recordkeeping#set-aside>.

After reviewing your application, EPA has determined that your submission is incomplete. Specifically, the application required supporting documentation for three sections: (1) official documentation verifying the corporate structure of your company; (2) confirmation from your prospective exporter that your timeline for imports is accurate and achievable; and (3) a letter from a responsible official at your company certifying certain acknowledgements, provisions, and requirements.

Your application is missing corporate structure documentation. Please consult the instructions in the set-aside application form you submitted for acceptable criteria and required elements. You have 10 calendar days from the receipt of this email to respond via the [Other Documents data flow](#) in CDX with the necessary documents.

Please contact Emily.Adkins@icf.com (EPA Contractor Support) if you have additional questions.

Sincerely,

Emily Golla
HFC Allocation Rule Reporting Contractor Support
Stratospheric Protection Division
U.S. Environmental Protection Agency

The deadline to respond was February 17, 2022, and EPA does not have a record of you submitting the above-referenced materials. If these supporting documents are not provided using the instructions provided above by February 22, 2022, your application will be deemed incomplete and the Agency will deny your application for set-aside allowances. If you have additional questions, please contact Emily.Adkins@icf.com (EPA Contractor Support).

Best.

Andy

Andy Chang, M.S. (he/his/him)
U.S. EPA | Office of Atmospheric Programs
Stratospheric Protection Division | Stratospheric Program Implementation Branch
202-564-6658 (direct)

United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 22-1025

September Term, 2022

EPA-86FR55841

Filed On: July 7, 2023

RMS of Georgia, LLC, d/b/a Choice
Refrigerants,

Petitioner

v.

Environmental Protection Agency and
Michael S. Regan, Administrator, United
States Environmental Protection Agency,

Respondents

Consolidated with 23-1104

No. 22-1313

EPA-87FR19683

EPA-87FR61314

RMS of Georgia, LLC, d/b/a Choice
Refrigerants,

Petitioner

v.

Environmental Protection Agency and
Michael S. Reagan, Administrator, United
States Environmental Protection Agency,

Respondents

Consolidated with 22-1314

Add. 193a

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 22-1025
No. 22-1313

September Term, 2022

BEFORE: Henderson, Walker, and Garcia, Circuit Judges

ORDER

Upon consideration of the motion to dismiss No. 22-1314, the opposition thereto, and the reply; the motion for partial summary vacatur in No. 22-1314, the opposition thereto, and the reply; the motion to sever and hold No. 22-1313 in abeyance, the response in support of the motion, and the opposition to the motion; the motions for leave to intervene filed by FluoroFusion Specialty Chemicals, Inc. (“FluoroFusion”) in No. 22-1025, et al., and No. 22-1313, the oppositions to those motions, and the replies; the unopposed motion for entry of a protective order in No. 22-1313, et al.; and the motions to govern future proceedings in No. 22-1025, et al., each containing a motion to consolidate with No. 22-1313, and the response to petitioner’s motion, it is

ORDERED that the motion to dismiss No. 22-1314 be granted. Petitioner Peter Williams failed to petition for review of the EPA’s denial of his new-market-entrant application and 2022 allocation of set-aside hydrofluorocarbon (“HFC”) allowances within the requisite sixty days of respondents publishing notice of such action in the Federal Register. See 42 U.S.C. §§ 7607(b)(1), 7675(k)(1)(C); Growth Energy v. EPA, 5 F.4th 1, 12–13 (D.C. Cir. 2021) (per curiam). To the extent Williams claims that the EPA has unreasonably delayed in ruling on his reconsideration petition, jurisdiction over that claim lies in the district court. See 42 U.S.C. §§ 7604(a), 7675(k)(1)(C); Mexichem Specialty Resins, Inc. v. EPA, 787 F.3d 544, 553 n.6 (D.C. Cir. 2015). Lastly, Williams lacks standing to challenge the EPA’s 2023 allocation of allowances because he has failed to demonstrate any injury “fairly traceable” to that agency action, as opposed to the EPA’s earlier action finding him ineligible for allowances. Nat’l Ass’n of Home Builders v. U.S. Army Corps of Engineers, 663 F.3d 470, 474 (D.C. Cir. 2011). It is

FURTHER ORDERED that the motion for partial summary vacatur in No. 22-1314 be dismissed as moot. It is

FURTHER ORDERED that the motion to sever and hold No. 22-1313 in abeyance be dismissed as moot. The dismissal of No. 22-1314 moots the request for severance, and the Eleventh Circuit’s earlier decision transferring No. 23-1104 to this court moots the request to hold No. 22-1313 in abeyance pending that decision. It is

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 22-1025
No. 22-1313

September Term, 2022

FURTHER ORDERED that No. 22-1025, et al., be returned to the court's active docket and that the motions to consolidate No. 22-1025, et al., with No. 22-1313 be granted. It is

FURTHER ORDERED that the motions for leave to intervene be granted. It is

FURTHER ORDERED that the motion for entry of a protective order be granted, and the protective order attached hereto be entered. It is

FURTHER ORDERED that the EPA file a certified index to the record in the now-consolidated cases within seven days of the date of this order. The Clerk is directed to enter a briefing schedule.

Pursuant to D.C. Circuit Rule 36, this disposition will not be published. The Clerk is directed to withhold issuance of the mandate in No. 22-1314 until seven days after resolution of any timely petition for rehearing or petition for rehearing en banc. See Fed. R. App. P. 41(b); D.C. Cir. Rule 41.

Per Curiam