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## Section-by-Section Bill Summary

# GLOBAL CLIMATE AND OZONE LAYER PROTECTION ACT OF 2007

Rep. Henry A. Waxman

Chairman, Committee on Oversight and Government Reform

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On August 3, 2007, Rep. Henry A. Waxman introduced the Global Climate and Ozone Layer Protection Act, which will significantly reduce emissions of substances that deplete the ozone layer and contribute to global warming.

**Section 2:** This section includes findings regarding the global warming potential of ozone depleting chemicals, such as CFCs and HCFCs, the dramatic climate benefits produced to date by the Montreal Protocol's controls on ozone depleting chemicals, and the Montreal Protocol's potential to produce future climate benefits equivalent to many times those of the Kyoto Protocol.

**Section 3:** This section states the sense of Congress that the United States should negotiate with the other parties to the Montreal Protocol to maximize the ability of the Montreal Protocol to mitigate global warming impacts and to accelerate the phase out of HCFCs in developed and developing countries or take steps that result in an equivalent environmental benefit.

**Section 4:** This section closes a legal loophole by banning the importation of any product containing phased-out HCFCs, beginning January 1, 2010. The importation of bulk HCFCs for use in new products is already banned on that date. The section also empowers the EPA Administrator to permit the continued use of HCFCs as fire suppressants where they reduce overall risk to human health and the environment compared to alternatives.

**Section 5:** This section establishes a mechanism for destroying quantities of existing ozone depleting substances before they are released into the atmosphere. Beginning January 1, 2010, any person seeking an exemption to produce or import an amount of a phased-out class I substance must offset this production or importation by destroying or securing the destruction of three times this amount of ozone depleting substances based on an ozone-depletion potential equivalent basis. Beginning January 1, 2012, and until December 31, 2014, any person producing or importing an amount of an HCFC must offset this production or importation by destroying or securing the destruction of 1.2 times this amount of ozone depleting substances based on an ozone-depletion potential equivalent basis. Beginning January 1, 2015, and until December 31, 2029, any person producing or importing an amount of an HCFC must offset this production or importation by destroying or securing the destruction of two times this amount of ozone depleting substances based on an ozone-depletion potential equivalent basis.

**Section 6:** This section requires the EPA Administrator to issue regulations to extend recycling requirements governing CFCs and HCFCs to substitutes for these chemicals. It also extends the requirements governing small containers of CFCs and HCFCs to substitutes for these chemicals.

**Section 7:** This section establishes a nonprofit organization with a board of directors composed of industry, government, and public members. The primary purpose of the organization is to collect a levy on the production and importation of new HCFCs and HFCs in order to fund an incentive for the recycling, reclamation, and destruction of existing CFCs, HCFCs, and HFCs before they are released into the atmosphere.

**Section 8:** This section authorizes EPA to carry out the mission and activities of the SunWise Program to raise awareness of ozone layer depletion and the potential health risks of overexposure to ultraviolet radiation as well as measures that can be taken to avoid such overexposure. The amount of the authorization is \$5 million for FY2009 and \$5 million for each of the next five years.