MONTREAL PROTOCOL ON SUBSTANCES THAT DEPLETE THE OZONE LAYER



UNEP

Handbook on Essential Use Nominations

Prepared by the Technology and Economic Assessment Panel

July 1994

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ACKNOWLEDGEMENTS

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Chapter 1

Introduction

1.1 Genesis and purpose of Handbook

The adjustments adopted by the Fourth Meeting of the Parties to the Montreal Protocol (Copenhagen, 23-25 November 1992) mandated a phase-out of production and consumption of CFCs, carbon tetrachloride, 1,1,1-trichloroethane and other fully halogenated controlled substances by 1 January 1996, while allowing Parties to authorize production for uses decided to be essential. Decision IV/25 of the Fourth Meeting set the criteria and the procedure for assessing an essential use nomination and requested each Party to nominate uses to the Secretariat at least nine months prior to the Sixth Meeting of the Parties to the Protocol to be held in 1994. This decision also requested the Technical Options Committees (TOCs) to consider and make recommendations on the nominations.

Decision V/18 of the Parties to the Montreal Protocol calls upon the Technology and Economic Assessment Panel (TEAP) to

"assemble and distribute a handbook on essential uses nominations including copies of relevant decisions, nomination instructions, summaries of past recommendations, and copies of nominations to illustrate possible formats and levels of technical detail."

The present Handbook on Essential Use Nominations is the TEAP's response to that request and is intended to assist Parties in the preparation of essential use nominations. The Handbook augments and updates Appendix 2 of the UNEP 1994 Report of the Technology and Economic Assessment Panel.

1.2 Content and structure

The Handbook describes the nomination process for essential use exemptions as it has evolved through Articles of the Protocol and decisions of the Parties; the procedures followed under the Protocol; and the experience of the Panel and its Technical Options Committees in managing the process to date.

The Handbook contains three sections: a review of the essential use process; instructions for the completion of essential use nominations; and appendices. The appendices contain provisions of the Montreal Protocol, decisions of the Parties to the Protocol and excerpts from reports of the Technology and Economic Assessment Panel which are relevant to the essential use process. An essential use nomination form is also included.

1.3 Potential for updates

The Panel may revise and update the Handbook as circumstances require. Please consult the Ozone Secretariat to ensure that you have the latest version of the handbook.

Chapter 2

Essential Use Process

2.1 Summary

After production phase-out, Parties may nominate uses for exemption. Parties have nominated essential halon uses for 1994 and 1995 (1 January 1994 phaseout) and CFCs, 1,1,1-trichloroethane and CTC exemptions for after their 1 January 1996 phase-out. Parties operating under paragraph 1 of Article 5 do not need to nominate for years prior to their production phase-outs (currently scheduled 10 years later than dates for developed country Parties).

The phase-out of production does not control the use of substances manufactured prior to the phase-out (stockpiled or recycled). Thus, Parties do not need to submit nominations to allow the continuing use of such substances.

Only Parties to the Protocol can submit nominations. Companies and other organizations must first secure approval and endorsement of their national Governments.

Parties may submit nominations for any future year and nominations may be for more than one year.

Nominations received by January 1 will be decided by the Parties in the third and fourth quarter of that year. Nominations after the deadline will be decided the next year.

2.2 Framework

The nomination and review process for essential use exemptions has evolved through Articles of the Protocol, decisions of the Parties, and recommendations of the Technology and Economic Assessment Panel and its Technical Options Committees. The steps in that process are summarized below.

Article 2 of the Montreal Protocol mandates the phase-out of production and "consumption" of substances that deplete the ozone layer. "Consumption" is defined as production plus imports minus exports. Please note that the Parties are allowed to use stockpiled or recycled substances for as long as they are available after the production phase-out. Article 2 also authorizes the Parties by decision to permit such production and "consumption" as may be necessary for those uses decided by the Parties to satisfy the essential use criteria.

Article 6 of the Montreal Protocol mandates the creation of expert panels to assist the Parties in assessing the control measures provided for in Article 2, including essential use exemptions. This provision led to the formation of the Technology and Economic Assessment Panel (TEAP) and its Technical Options Committees (TOCs).

There are three Assessment Panels: Science; Environmental Effects; and Technology and Economics. The TEAP has seven Technical Options Committees. The TEAP is chaired by Dr. Stephen O. Andersen (United States of America), Dr. Suely Carvalho (Brazil) and Dr. Lambert Kuijpers (Netherlands). The seven TOCs: Aerosol Products, Sterilants, Miscellaneous Uses and Carbon

Tetrachloride (chaired by Ms. Andrea Hinwood, Australia and Mr. Jose Pons, Venezuela); Economic Options (chaired by Dr. Robert Van Slooten, United Kingdom); Flexible and Rigid Foams (chaired by Ms. Jean Lupinacci, USA); Halons (chaired by Mr. Gary Taylor, Canada and Major Thomas Morehouse, USA); Methyl Bromide (chaired by Dr. Jonathan Banks, Australia and Dr. Rodrigo Rodriguez-Kabana, USA); Refrigeration, Air Conditioning and Heat Pumps (chaired by Dr. Lambert Kuijpers, Netherlands); and Solvents, Coatings and Adhesives (chaired by Dr. Stephen O. Andersen, USA and Mr. Jorge Corona, Mexico).

Members of the Committees are from Argentina, Australia, Austria, Bahamas, Belgium, Brazil, Canada, Chile, China, Denmark, Egypt, France, Germany, India, Israel, Italy, Japan, Jordan, Kenya, Malaysia, Mexico, Netherlands, New Zealand, Norway, Poland, Saudi Arabia, Russian Federation, Singapore, South Africa, Spain, Sweden, Switzerland, Thailand, Turkey, United Kingdom, United States, Venezuela, and Zimbabwe.

Excerpts from Articles 2 and 6 of the Montreal Protocol are attached as Appendix A.

At their fourth meeting, the Parties established by decision IV/25 a procedure to review requests for exemptions from consumption/production phase-outs to meet the needs of essential uses of halons, CFCs, CTC, 1,1,1-trichloroethane and other fully halogenated substances. Those exemptions are nominated for calendar years after scheduled production is phased out.

The substantive criteria for essential use exemptions are detailed in decision IV/25 of the Parties. Decision IV/25 states that:

"a use of a controlled substance should qualify 'essential' only if:

- (i) It is necessary for the health, safety or is critical for the functioning of society (encompassing cultural and intellectual aspects); and
- (ii) There are no available technically and economically feasible alternatives or substitutes that are acceptable from the standpoint of environment and health."

Decision IV/25 also states that:

"production and consumption, if any, of a controlled substance for essential uses should be permitted only if:

- (i) All economically feasible steps have been taken to minimize the essential use and any associated emission of the controlled substance; and
- (ii) The controlled substance is not available in sufficient quantity and quality from existing stocks of banked or recycled controlled substances, also bearing in mind the developing countries' need for controlled substances."

Decision IV/25 calls on each Party to nominate uses to the Parties at least nine months prior to the meeting of the Parties that is to decide on the exemption.

2.3 Decision IV/25

Essential use nominations are considered for exemptions on an annual basis. Exemptions granted for more than one year (if any) are subject to the review provisions described in paragraph 5 of decision IV/25. Therefore, Parties which are given multiple year exemptions should update their nomination annually to facilitate that review.

Decision IV/25 also tasked the TEAP and its TOCs with the review of nominations for essential use exemptions submitted by the Parties.

The TEAP and its TOCs develop recommendations on the nominations and submit a report through the Secretariat by 31 March of that year, which is at least three months prior to the meting of the Open-ended Working Group (OEWG). The OEWG may also choose to comment on the nominations. The Parties take decisions at their annual meeting.

An essential use exemption is granted to the nominating Party for a specific quantity of a specified ozone-depleting substances (ODS) for a specific time period. A Party granted an essential use exemption may produce or import the specified ODS. Any ODS production and "consumption" to meet the authorized essential uses must be identified in the annual data reporting to the Ozone Secretariat by the Parties involved.

The TEAP and its Halons Technical Options Committee completed an assessment of essential use nominations for halons in 1993, according to the timeframes established by decision IV/25. The Parties agreed, in decision V/14, that no level of production or consumption is necessary to satisfy essential uses of halons in 1994. The TEAP and its TOCs completed the 1994 assessment of nominations for halons, CFCs, 1,1,1-trichloroethane and carbon tetrachloride in 1994, according to the standardized timeframes established by decision V/18 (see section 3.2).

The TEAP issued "Instructions for Nominations for Essential Use Consumption/Production Exemptions of Controlled Substances" in July 1993. The nomination forms contained in the present Handbook are a further elaboration of those instructions.

Decisions IV/25, V/14 and V/18 are attached as Appendix B.

2.4 Steps leading to an essential use exemption

The essential use process consists of the following eight steps:

- 1. Application: An organization in a developed country that is a Party to the Protocol makes an application for an essential use exemption to the relevant authorities in its Government. The Government reviews the application and decides whether it should be nominated. Please note that it is not necessary for Parties operating under Article 5 to submit nominations for years prior to the date of their production phase-out.
- Nomination: The Party submits its essential use nomination use to the Ozone Secretariat by 1 January of the year of decision; earlier submissions are encouraged.

- 3. **Assignment:** The Ozone Secretariat forwards the nomination to the TEAP which in turn assigns the nomination to the appropriate Technical Options Committee. In some circumstances, two or more TOCs may jointly consider the nomination.
- 4. **Review:** The TOC reviews the nomination to determine if it meets the criteria for an essential use established by decision IV/25. The Panel then reviews the report of the TOC and either recommends the nomination to the OEWG or reports that it is unable to recommend the nomination. The TEAP report to the OEWG is due by 31 March of the year of decision.
- 5. **Evaluation**: The OEWG reviews the TEAP report and recommends a decision for consideration by the Parties.
- 6. **Decision**: The Meeting of the Parties decides whether to allow production for essential use in accordance with the Montreal Protocol and the Parties may attach conditions to their approval.
- 7. National authorization: The Party in possession of an essential use exemption authorizes the applicant to acquire the controlled substance according to the terms of the decision.
- 8. Execution of authorization: The applicant exercises its authorization to use the controlled substance. Please note that the Protocol authorizes but does not mandate production; each applicant must locate a willing supplier and negotiate supply.

2.5 Experience to date

In 1993, nominations were received for halon essential use production/consumption exemptions for 1994. The TEAP unanimously endorsed the recommendation by the Halon TOC that there was no justification for granting exemptions for 1994. This recommendation was endorsed by the Open-Ended Working Group of the Parties to the Protocol and by the Parties at their fifth meeting (Bangkok, 17-19 November 1993).

In 1994, only one nomination for halon essential use exemption was submitted to the Ozone Secretariat. It was not recommended by the TEAP and its Halon TOC and was subsequently withdrawn by the nominating Party at the July 1994 meeting of the OEWG.

Nominations were received by 1 January 1994 for a variety of uses including metered dose inhalers, certain other aerosol products, solvents and adhesives, refrigeration, and laboratory and analytical uses.

The following information was requested for each nomination.

- (i) Provide details of the type, quantity and quality of the controlled substances that are requested to satisfy the use that is the subject of the nomination. Indicate the period of time and the annual quantities of the controlled substance that are requested;
- (ii) Provide a detailed description of the use;
- (iii) Explain why this use is necessary for health and/or safety, or why it is critical for the functioning of society;

- = = = = =

- (iv) Explain what other alternatives and substitutes have been employed to reduce the dependency on the controlled substance for this application;
 - (v) Explain what alternatives were investigated and why they were not considered adequate;
- (vi) Describe the measures that are proposed to eliminate all unnecessary emissions. At a minimum, this explanation should include design considerations and maintenance procedures;
- (vii) Explain what efforts are being undertaken to employ other measures for this application in the future;
- (viii) Explain whether the nomination is being made because national or international regulations require use of the controlled substance to achieve compliance. Provide full documentation, including the name, address, phone and fax number of the regulatory authority requiring use of the controlled substance and provide a full copy or summary of the regulation. Explain what efforts are being made to change such regulations or to achieve acceptance on the basis of alternative measures that would satisfy the intent of the requirement;
 - (ix) Describe the efforts that have been made to acquire stockpiled or recycled controlled substance for this application, both from within your nation and internationally. Explain what efforts have been made to establish banks for the controlled substance;
 - (x) Briefly state any other barriers encountered in attempts to eliminate the use of the controlled substance for this application.

2.6 The 1993/1994 Review

The review by the TEAP and its TOC for 1996 and beyond was conducted as follows:

To ensure full consideration, the Panel asked the Parties to address fully the requirements of decision ${\rm IV}/25$ by providing the information requested.

Members of the relevant TOC evaluated each nomination and reported their review to the Chair. The results of these reviews were discussed at full meetings the Committees and, in some cases, at meetings of the Committees which not all members could attend. In some cases, members of the TOC travelled to manufacturing sites to evaluate the nomination or held seminars and discussions with the applicants. The draft text was discussed in meetings and by phone and circulated by fax and mail for consideration by the full Committee in preparing a recommendation.

Concurrent with the evaluation being undertaken by the TOC, a copy of each nomination was provided to each member of the TEAP. Panel members sometimes consulted with other appropriate, individuals or organizations in order to assist in the evaluation and to prepare the Panels recommendations to the Parties.

The Report of the TEAP, released in March 1994, recommended that the Parties authorize production and consumption of controlled substances for a very limited number of uses:

- (i) Aerosol metered dose inhalers (MDIs) (all nominations recommended for 1996);
- (ii) Specific cleaning, bonding and surface activation applications in rocket motor manufacturing for the Space Shuttle; and
- (iii) Global laboratory/analytical uses.

The Panel recommended, for uses other than laboratory and analytical uses, that the exemptions be subject to:

- (i) An annual review of the quantity of controlled substance authorized; and
- (ii) Every two years, a review of essentiality, including whether alternatives and substitutes have become technically and economically feasible.

The Panel has recommended a "global exemption" for laboratory and analytical uses in 1996, 1997 and 1998. If the Parties affirm this recommendation at their sixth meeting, no further essential use nominations will be required for laboratory and analytical uses for the years 1996, 1997 and 1998.

Excerpts from the Report concerning the Panel's essential use recommendations are attached as Appendix C.

The 1994 report of the TEAP contains a more thorough description of the essential use process. It is available upon request from the Ozone Secretariat.

Chapter 3

Instructions

Only nominations requesting specific consumption/production exemptions can be evaluated by the TEAP. Nominations that identify a perceived essential use, but that do not request a specific quantity of controlled substance for a specific consumption/production exemption, are not evaluated by the Panel. The nominations are expected to satisfy fully the criteria set in decision IV/25, paragraph 1.

All countries need to be reminded of the definition of essentiality and the way in which they should respond on this issue. The criteria established under decision IV/25 should be reviewed carefully.

Submission to UNEP must be by 1 January at the latest for consideration by the Parties in that year, i.e. submissions for 1997 must be received by 1 January 1996. Earlier submissions are encouraged.

3.1 Essential use nomination

The forms recommended for nomination are attached as Appendix D. A customized form has been developed for MDIs which are recommended in the 1994 review by the TEAP and the OEWG. A general form is provided for all other nominations not previously reviewed and recommended. They call for information in the following areas:

- role of use in society;
- alternatives to use:
- steps to minimize use:
- steps to minimize emissions;
- recycling and stockpiling; and
- quantity of controlled substances requested.

Answers to the questions posed in the nomination form should be brief but informative. In completing the nomination, Parties may refer to the prior nominations and reports of the TEAP and its relevant TOC, as appropriate.

3.2 Schedule for submissions

The schedule for essential use submissions is as follows:

September - October¹ Applicant organizations prepare and submit essential use applications to national Governments.

These deadlines are set by national Governments.

November - December² Governments review applications and prepare

essential use nominations, following guidance contained in the "Handbook on Essential Use

Nominations".

January 12 Deadline for essential use nominations to the

Ozone Secretariat.

March 313 TEAP and its TOCs publish their evaluation of

nominations, which is mailed to Parties.

June - July The OEWG to the Parties to the Protocol meets and

recommends whether the nominations should be

approved.

October - November Parties to the Protocol meet and decide whether to

allow production for nominated uses and may specify

conditions of the exemption.

These dates are deadlines established by the Parties.

APPENDIX A

EXCERPTS FROM PROTOCOL PROVISIONS3

ARTICLE 2: CONTROL MEASURES

ARTICLE 2A: CFCs

Each Party shall ensure that for the twelve-month period commencing on 1 January 1996, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group I of Annex A does not exceed zero. Each Party producing one or more of these substances shall, for the same periods, ensure that its calculated level of production of the substances does not exceed zero... This paragraph will apply save to the extent that the Parties decide to permit the level of production or consumption that is necessary to satisfy uses agreed by them to be essential.

ARTICLE 2B: HALONS

Each Party shall ensure that for the twelve-month period commencing on 1 January 1994, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group II of Annex A does not exceed zero. Each party producing one or more of these substances shall, for the same periods, ensure that its calculated level of production of the substances does not exceed zero.... This paragraph will apply save to the extent that the Parties decide to permit the level of production or consumption that is necessary to satisfy uses agreed by them to be essential.

ARTICLE 2C: OTHER FULLY HALOGENATED CFCs

Each Party shall ensure that for the twelve-month period commencing on 1 January 1996, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group I of Annex B does not exceed zero. Each Party producing one or more of these substances shall, for the same periods, ensure that its calculated level of production of the substances does not exceed zero.... This paragraph will apply save to the extent that the Parties decide to permit the level of production or consumption that is necessary to satisfy uses agreed by them to be essential.

ARTICLE 2D: CARBON TETRACHLORIDE

Each Party shall ensure that for the twelve-month period commencing on 1 January 1996, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substance in Group II of Annex B does not exceed zero. Each Party producing the substance shall, for the same periods, ensure that its calculated level of production of the substance does not exceed zero.... This paragraph will apply save to the extent that the Parties decide to permit the level of production or consumption that is necessary to satisfy uses agreed by them to be essential.

³ For a consolidated description of Protocol provisions see "Handbook for the Montreal Protocol on the Substances that Deplete the Ozone Layer", Third Edition, Ozone Secretariat, August 1993; note that the Handbook does not reflect changes since August 1993.

ARTICLE 2E: 1,1,1 - TRICHLOROETHANE (METHYL CHLOROFORM)

Each Party shall ensure that for the twelve-month period commencing on 1 January 1996, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substance in Group III of Annex B does not exceed zero. Each Party producing the substance shall, for the same periods, ensure that its calculated level of production of the substance does not exceed zero...This paragraph will apply save to the extent that the Parties decide to permit the level of production or consumption that is necessary to satisfy uses agreed by them to be essential.

ARTICLE 2G: HYDROBROMOFLUOROCARBONS

Each Party shall ensure that for the twelve-month period commencing on 1 January 1996, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group II of Annex C does not exceed zero. Each Party producing the substances shall, for the same periods, ensure that its calculated level of production of the substances does not exceed zero. This paragraph will apply save to the extent that the Parties decide to permit the level of production or consumption that is necessary to satisfy uses agreed by them to be essential.

ARTICLE 6: ASSESSMENT AND REVIEW OF CONTROL MEASURES

Beginning in 1990, and at least every four years thereafter, the Parties shall assess the control measures provided for in Article 2 and Articles 2A to 2E, and the situation regarding production, imports and exports of the transitional substances in Group I of Annex C {Articles 2A to 2H} on the basis of available scientific, environmental, technical and economic information. At least one year before each assessment, the Parties shall convene appropriate panels of experts qualified in the fields mentioned and determine the composition and terms of reference of any such panels. Within one year of being convened, the panels will report their conclusions, through the Secretariat, to the Parties.

APPENDIX B

DECISIONS OF THE PARTIES TO THE MONTREAL PROTOCOL⁴

Decision IV/25: Essential uses

- 1. To apply the following criteria and procedure in assessing an essential use for the purposes of control measures in Article 2 of the Protocol:
- (a) That a use of a controlled substance should qualify as "essential" only if:
 - (i) It is necessary for the health, safety or is critical for the functioning of society (encompassing cultural and intellectual aspects); and
 - (ii) There are no available technically and economically feasible alternatives or substitutes that are acceptable from the standpoint of environment and health;
- (b) That production and consumption, if any, of a controlled substance for essential uses should be permitted only if:
 - (i) All economically feasible steps have been taken to minimize the essential use and any associated emission of the controlled substance; and
 - (ii) The controlled substance is not available in sufficient quantity and quality from existing stocks of banked or recycled controlled substances, also bearing in mind the developing countries' need for controlled substances;
- (c) That production, if any, for essential use, will be in addition to production to supply the basic domestic needs of the Parties operating under paragraph 1 of Article 5 of the Protocol prior to the phase-out of the controlled substances in those countries;
- 2. To request each of the Parties to nominate, in accordance with the criteria approved in paragraph 1 (a) of the present decision, any use it considers "essential", to the Secretariat at least six months for halons and nine months for other substances prior to each Meeting of the Parties that is to decide on this issue;
- 3. To request the Technology and Economic Assessment Panel and its Technical and Economic Options Committee to develop, in accordance with the criteria in paragraphs 1 (a) and 1 (b) of the present decision, recommendations on the nominations, after consultations with experts as necessary, regarding:

For a consolidated description of Protocol provisions see "Handbook for the Montreal Protocol on the Substances that Deplete the Ozone Layer", Third Edition, Ozone Secretariat, August 1993: Note that the Handbook does not reflect changes since August 1993.

- (a) The essential use (substance, quantity, quality, expected duration of essential use, duration of production or import necessary to meet such essential use);
- (b) Economically feasible use and emission controls for the proposed essential use;
- (c) Sources of already produced controlled substances for the proposed essential use (quantity, quality, timing); and
- (d) Steps necessary to ensure that alternatives and substitutes are available as soon as possible for the proposed essential use.
- 4. To request the Technology and Economic Assessment Panel, while making its recommendations to take into account the environmental acceptability, health effects, economic feasibility, availability, and regulatory status of alternatives and substitutes;
- 5. To request the Technology and Economic Assessment Panel to submit its report, through the Secretariat, at least three months before the Meeting of the Parties in which a decision is to be taken. The subsequent reports will also consider which previously qualified essential uses should no longer qualify as essential;
- 6. To request the Open-ended Working Group of the Parties to consider the report of the Technology and Economic Assessment Panel and make its recommendations to the Fifth Meeting of the Parties for halons and at the Sixth Meeting for all other substances for which an essential use is proposed;
- 7. That essential use controls will not be applicable to Parties operating under paragraph 1 of Article 5 of the Protocol until the phase-out dates applicable to those Parties.

Decision V/14. Essential uses of halons

- 1. To note with appreciation the work done by the Technology and Economic Assessment Panel and its Halons Technical Options Committee pursuant to decision IV/25 of the Fourth Meeting of the Parties;
- 2. That no level of production or consumption is necessary to satisfy essential uses of halon in Parties not operating under paragraph 1 of Article 5 of the Protocol, for the year 1994 since there are technically and economically feasible alternatives and substitutes for most applications, and since halon is available in sufficient quantity and quality from existing stocks of banked and recycled halon.

$Decision\ V/18.$ Timetable for the submission and consideration of essential use nominations

- 1. To request the Parties to submit their nominations for each production and consumption exemption for substances other than halon for 1996 in accordance with decision IV/25, with the presumption that the Meeting of the Parties will be held on 1 September;
- 2. To modify the timetables in decision IV/25 for nominations for halon production and consumption exemptions for 1995 and subsequent years, and for nominations for production and consumption exemptions for substances other

than halon for 1997 and subsequent years as follows: to set 1 January of each year as the last date for nominations for decisions taken in that year for any subsequent year;

- 3. To request the Technology and Economic Assessment Panel and its relevant Technical Options Committees to develop recommendations on the nominations and submit their report through the Secretariat by 31 March of that year;
- 4. To request the Open-ended Working Group of the Parties to consider the report of the Technology and Economic Assessment Panel and make its recommendations to the subsequent meeting of the Parties;
- 5. To request the Technology and Economic Assessment Panel to assemble and distribute a handbook on essential uses nominations including copies of relevant decisions, nomination instructions, summaries of past recommendations, and copies of nominations to illustrate possible formats and levels of technical detail.

APPENDIX C

EXCERPTS FROM THE RECOMMENDATIONS IN THE "1994 REPORT OF THE TECHNOLOGY AND ECONOMIC ASSESSMENT PANEL"

"... the Technology and Economic Assessment Panel unanimously endorses the recommendations of its Technical Options Committees and recommends that the Parties authorize production and consumption of controlled substances after 1 January 1996 for:

- 1) Aerosol Metered Dose Inhalers (MDIs),
- 2) Specific cleaning, bonding and surface activation applications in rocket motor manufacturing for the Space Shuttle, and
- 3) Global laboratory/analytical uses."

(Executive Summary, Page 1)

* * * *

"The Technology and Economic Assessment Panel and its Technical Options Committees are unable to recommend that the following 1994 Nominations satisfy the Essential Use Criteria:

aircraft maintenance
various fire fighting applications
cleaning of live electric equipment
fingerprinting
foam standard-of-reference
furniture adhesives
hornet & wasp pesticides
membrane manufacturing
navigational and guidance devices
refrigeration and air conditioning servicing
silicone coating of medical devices
skin refrigerants, vapo-coolants, and topical anesthetics
uranium enrichment; among others."

(Executive Summary, Page 3)

APPENDIX D

RECOMMENDED FORM FOR NOMINATION FOR ESSENTIAL USE (OTHER THAN METERED DOSE INHALERS)

INSTRUCTIONS:	 Please submit in English. A separate nomination must be submitted for each proposed essential use. Use photocopies of this application form. Attach supplemental sheets as necessary.
	4. You may refer to information from the prior nominations and TEAP/TOC reports, as appropriate.
All nominations s	hould be forwarded to:
Ozone Secretar United Nations Gigiri P.O. Box 30552 Nairobi Kenya	Environment Programme
Telephone +25	4 2 621234 4 2 521930
Fax +25	4 2 226886 4 2 226890
Please provide th	e following Nominating Party information:*
Party/Country	
_	
Contact Person:	
Nominating person	ŧ
Title: _	
* Article of their phase-ou	e 5(1) Parties need apply for exemption until after the dates t .
Address: (include city/ code numbers)	·

Telephone:			. <u> </u>	
Fax:			<u></u> .	
E-Mail:				<u></u>
Applicant Organi	zation (User)			
Contact Person:			<u> </u>	
Address:			· · · · · · · · · · · · · · · · · · ·	
		···	<u> </u>	
Telephone:				
Fax:				

Nominations must be received no later than 1 January of the year prior to the first year for which an exemption is requested. (1994 Form)

I. Summary of Nomination

- A. Please identify and describe in detail the proposed use.
- B. Quantities of Controlled Substances Requested
 Please indicate below each substance required
 the proposed use and the quantities requested
 for of each substance in each year being nominated.

Nominated Quantities (metric tons)

Ozone Depleting Substa nce**	1996	1997	1998	1999	2000	2001	2002
CFC-11							
CFC-12							
CFC-113							
CFC-114						-	
CFC-115							
1,1,1-TCA		1					
СТС]				
Halon 1211						-	
Halon 1301							
Halon 2402		. i					
Other							<u> </u>
Total							

^{**} Complete this table only for nominated controlled substances.

Please note that the TEAP recommended to the Parties that nominations granted multi-year exemptions be reviewed biennially for essentiality and annually for quantity required.

II. Substantiation of Nomination

A. Role in Society

 Why is this use necessary for health and/or safety or critical for the functioning of society?

B. Alternatives/Substitutes

- Explain what substitutes and alternatives to the proposed use are currently available.
- Explain what steps are being taken to implement these substitutes and alternatives.
- Explain why alternatives and substitutes are not sufficient or appropriate to eliminate the proposed use.

C. Steps to Minimize Use

- 1. Describe all steps that are being taken, including the development of CFC-free replacement products, to minimize the proposed uses.
- Describe factors that affect the timetable for the introduction of alternatives and substitutes (including regulatory requirements).

D. Steps to Minimize Emissions

- 1. What steps are being taken to minimize the emissions associated with the proposed uses?
- Please estimate the ultimate portion of each nominated Ozone Depleting Substance emitted in manufacture or use, or destroyed or recycled.

Breakdown

Ozone Depleting Substance	% Contained in Finished Product	% Released in Manufacture or Use	% Destroyed or Recycled	Total
CFC-11				100 %
CFC-12				100 %
CFC-113				100 %
CFC-114				100 %
CFC-115				100%
1,1,1-TCA				100 %
CTC				100 %
Halon 1211				100 %
Halon 1301				100 %
Halon 2402				100 %
Other				100 %

E. Recycling and Stockpiling

 Explain why recycled and stockpiled substances are not available in adequate quantity and quality for the proposed uses. Give a detailed technical and chemical explanation including descriptions of the appropriate standards of purity for such use.

III. Substantiation of Volumes

1. Please indicate below the actual or estimated quantities of controlled substances used in years prior to the first year for which an exemption is requested.

Years Prior to Nomination (metric tons)

Ozone Depleting Substance	1993	1994	1995	1996	1997	1998	1999
CFC-11							
CFC-12							
CFC-113							· · · · · · · · · · · · · · · · · · ·
CFC-114	-						
CFC-115							
1,1,1-TCA						-	
CTC			:				
Halon 1211							
Halon 1301	-						
Halon 2402		<u> </u>					<u> </u>
Other							
Total							•

Explain the trends in quantities used in years prior to the nominated year(s).

APPENDIX E

RECOMMENDED FORM FOR NOMINATION OF THE AEROSOL METERED DOSE INHALER (MDI) AS AN ESSENTIAL USE

INSTRUCTIONS:

- 1. Please submit in English.
- 2. A separate nomination must be submitted for each proposed essential use.
- 3. Use photocopies of this application form. Attach supplemental sheets as necessary.
- 4. You may incorporate by reference, information from the prior nominations, as appropriate.

The term "metered dose inhaler" refers to aerosol products for the delivery of medicines directly to the lungs. Nominations for any other medical aerosol (e.g., nasal inhalers) should be submitted separately.

All nominations should be forwarded to:

Ozone Secretariat United Nations Environment Programme Gigiri P.O. Box 30552 Nairobi Kenya

Telephone +254 2 621234 Fax +254 2 521930 Fax +254 2 226886 Fax +254 2 226890

Please provide the following Nominating Party information:*

Party/Country
Contact Person:
* Article 5(1) Parties need not apply for exemptions until after dates of their phase-out.
Nominating person:
Title:
Address: (include city/ code numbers)
Telephone:
Fax:
E-Mail:

the

Applicant Organization (User)							
Contact Person:	_						
Address:	•						
	_						
Telephone:	-						
Fax:	-						
Nominations must be received no later than January 1 of the year prior the first year for which an exemption is requested. (1994 Form)	to						

I. Summary of Nomination

- A. Please identify and describe in detail the proposed uses. Please indicate for what disease or treatment the proposed use is intended [(i) pulmonary, e.g. asthma, or (ii) non-pulmonary conditions, e.g. cancer].
- B. Quantities of Controlled Substances Requested Please indicate below each substance required for the proposed use and the quantities requested of each substance in each year being nominated.

Nominated Quantities (metric tons)

Ozone Depleting Substa nce**	1996	1997	1998	1999	2000	2001	2002
CFC-11							
CFC-12						· · · · · · · · · · · · · · · · · · ·	
CFC-113							
CFC-114							
CFC-115	NA	NA	NA	NA	NA.	NA	NA
1,1,1-TCA	NA	NA	NA	NA	NA NA	NA	NA
CTC	NA	NA	NA	NA	NA NA	NA	NA.
Halon 1211	N.A	NA	NA	NA	NA.	NA	NA
Halon 1301	NA	NA	NA.	NA	NA NA	NA	NA
Halon 2402	NA	NA	NA	NA	NA NA	NA.	NA.
Other							
Total							<u> </u>

** Complete this table only for nominated controlled substances.

Please note that the TEAP recommended to the Parties that nominations granted multi-year exemptions be reviewed biennially for essentiality and annually for quantity required.

II. Substantiation of Nomination

A. Role in Society

1. Why is this use necessary for health and/or safety or critical for the functioning of society?

Describe the nature of the disease(s) which the proposed use is intended to treat, e.g., the nature and prevalence of the disease and the role of MDIs (versus other forms of therapy) in treating the disease(s).

B. Alternatives/Substitutes

1. Explain what substitutes and alternatives to the proposed use are currently available.

Describe any new or existing forms of treatment available if not previously submitted during essential use assessment.

2. Explain what steps are being taken to implement these substitutes and alternatives.

Explain the education programs that advise users of substitutes and alternatives.

3. Explain why alternatives and substitutes are not sufficient or appropriate to eliminate the proposed use.

C. Steps to Minimize Use

 Describe all steps being taken, including the development of CFCfree replacement products, to minimize the proposed use including the development or conversion to alternatives.

Please describe the progress to develop and/or introduce alternatives to CFC-driven MDIs.

2. Describe factors that affect the timetable for the introduction of alternatives and substitutes (including regulatory requirements).

Please describe the anticipated timescales for efficacy and safety testing and regulatory approval of alternatives to CFC-driven MDIs.

D. Steps to Minimize Emissions

1. What steps are being taken to minimize the emissions associated with the proposed use?

Please describe waste minimization strategies for CFCs implemented during manufacture, including recovery and recycling programs.

 Please estimate the ultimate portion of each nominated Ozone Depleting Substance emitted in manufacture or use or destroyed.

Breakdown

Ozone Depleting Substance	% Contained in Finished Product	% Released in Manufacture	% Destroyed	Total
CFC-11				100 %
CFC-12				100 %
CFC-113				100 %
CFC-114				100 %
CFC-115	NA	NA	NA	100 %
1,1,1-TCA	NA	NA	NA	100 ዩ
CTC	NA	NA	NA	100 %
Halon 1211	NA	NA	NA	100 %
Halon 1301	NA	NA	NA	100 %
Halon 2402	NA	NA	NA	100 %
Other				100 %

E. Recycling and Stockpiling

 Explain why recycled and stockpiled substances are not available in adequate quantity and quality for the proposed use. Give a detailed technical and chemical explanation including descriptions of the appropriate standards of purity for such use.

III. Substantiation of Volumes

 Please indicate below the actual or estimated quantities of controlled substances used in years prior to the first year for which an exemption is requested.

Years Prior to Momination (metric tons)

	(mo c						
Ozone Depleting Substance	1993	1994	1995	1996	1997	1998	1999
CFC-11							
CFC-12							
CFC-113							
CFC-114							
CFC-115	NA	NA	NA	NA	NA	NA	NA
1,1,1-TCA	NA	NA	NA	NA	NA	NA	NA
CTC	NA	NA	NA	NA	NA	NA	NA
Halon 1211	NA	NA	NA	NA	NA	NA	NA
Halon 1301	NA	NA	NA.	NA	<i>N</i> A	NA	NA
Halon 2402	NA	NA	NA	NA	NA	NA	NA
Other							
Total							

Explain the trends in quantities used in years prior to the nominated year(s).

2. What factors (e.g. incidence of disease, treatment guidelines) affect the need for the proposed use?

APPENDIX F

NAMES OF MEMBERS OF TECHNICAL OPTIONS COMMITTEES

Aerosols, Sterilants, Miscellaneous Uses and Carbon Tetrachloride Technical Options Committee

Chairs	Affiliation	Country
Andrea Hinwood	Environment Protection Authority, Victoria	Australia
Jose Pons Helen Tope (alternate to A. Hinwood)	Spray Quimica C.A. Environment Protection Authority, Victoria	Venezuela Australia
Committee Members	<u>Affiliation</u>	Country
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Robert F. Morrissey* Geno Nardini Dick Nusbaum Martyn Partridge Abe Rubinfeld Birgitta Schmekel Albert L. Sheffer Greg Simpson Ian Smith Robert Suber Ian P. Tansey Adam Wanner Ashley Woodcock Hua Zhangxi	Johnson & Johnson Inst. Internacional del Aerosol Pennsylvania Engineering Co. Whipps Cross Hospital Royal Melbourne Hospital University Hospital Brigham & Women's Hospital CSIRO Glaxo Group R&D Ltd. RJR-Nabisco 3M Health Care Ltd. University of Miami Wythenshawe Hospital Ministry of Light Industry	USA Mexico USA UK Australia Sweden USA Australia UK USA UK USA UK USA UK USA UK USA UK China
Chair	Affiliation	Country
Robert Van Slooten	Department of Trade & Industry	UK

Committee Members	<u>Affiliation</u>	Country
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Ulku As	Ministry of Agriculture	Turkey
Penelope Canan	University of Denver	USA
Suely Carvalho	Universidade de Sao Paulo	Brazil
Stephen DeCanio	University of California	USA
Mavis Holmes-Hanek	Ministry of Health & Environment	Bahamas
Ahmed Amin Ibrahim	Academy of Science Research	Egypt
Allied Amili Ibrailm	& Technology	511
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Anil Markandya	Harvard Institute for International Development	USA
Tetsuo Nishide	MITI	Japan
David O'Connor	OECD Development Centre	France
Sergio Oxman	The World Bank	USA
Bai Xianhong	China International Science Centre	China
Bai Alamong		
Flexible and Rigid Foams Technical Options Committee		
<u>Chair</u>	Affiliation	Country
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Jean Lupinacci Sally Rand (alternate)	U.S. EPA U.S. EPA	USA USA
Committee Members	<u>Affiliation</u>	Country
Godfrey Abbott	Dow Europe/Exiba	Switzerl Japan

land Japan UK Akihiro Aoyama Polyurethane Chemical Co. Paul Ashford BP Chemicals Ltd/EPFA Curon Canada/CFFMA Canada Craig Barkhouse Mobay Corporation USA Gert Baumann USA BASF Ted Biermann ICI - Polyurethanes USA Michael J. Cartmell USA NRG Barriers John Clinton Belgium Recticel/Europur Hubert Creyf Qindao Haier Group Co. China Shi Jia Fan USA U.S. EPA Alan Fine Japan Hitachi Limited Ryoichi Fujimoto Society of the Plastics Ind. USA Susan Herrenbruck Urethane Foam Industrial Assn. Japan Katsuo Honma British Rubber Manufacturers Assn. UK Req Hurd Belgium Mike Jeffs ICI Polyurethanes USA Whirlpool Robert Johnson Mitsubishi Electric Japan Akihide Katata Society of the Plastics Ind. USA Fran Lichtenberg Technocom Egypt Yehia Lotfi USA 3M ICPD Richard Minday USA Dow Chemical John Minsker Polyurethane Council of India India M. Sarangapani Brastemp S.A. Brazil Sodario Souto USA Bert Veenendaal RAPPA, Inc. Germany Bosch-Siemens Hausgeraete Udo Wenning

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Gary Taylor	Taylor/Wagner Inc.	Canada

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Methyl Bromide Technical Options Committee

Kidde Fire Protection

Loss Prevention Council

Wormald Fire Systems

Brian Ward

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Jennifer Curtis	Natural Resources Defense Council	USĀ
Tom Duafala	TriCal	USA
Patrick Ducom	Ministere de l'Agriculture	France
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Joe Eger	Dow Elanco	USA
Michael Graber	Ministry of the Environment	Israel
Avi Grinstein	Laboratory for Pesticide	Israel
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Joop van Haasteren	Ministry of Housing, Physical	Netherlands
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Toshihiro Kajiwara	Japan Plant Protection Assoc.	Japan
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Richard Kramer	National Pest Control Assoc.	USA
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Melanie Miller	S.A.F.E. Alliance	UK
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Henk Nuyten	Experimental Garden Breda	Netherlands
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-	Marketing Boards	
Mary O'Brien	University of Montana	USA
David Okioga	Kenya Agricultural Research	Kenya
J	Institute	•
William Olkowski	Bio-Integral Resource Center	USA
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A. Nathan Reed	Stemlit Growers Inc.	USA
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Don Smith	Industrial Research Ltd.	New Zealand
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Robert Suber	RJR Nabisco	USA
Akio Tateya	Ministry of Agriculture, Forestry	Japan
	and Fisheries	T 772
Robert Taylor	Natural Resources Institute	UK
Bill Thomas	U.S. EPA	USA
Gary Thompson	Quaker Oats	USA
Jorn Tidow	BASF	Germany USA
Patrick Vail	USDA-ARS	
Etienne van Wambeke	Katholieke Universiteit Leuven	Belgium
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Robert Webb	Driscoll Strawberry Associates Inc.	USA
Rene Weber	Great Lakes Chemical Co.	
James Wells	Department of Pesticide Regulation	USA
Wang Wenliang	Zhejiang Chemical Industry	China
n	Research Institute	USA
Frank V. Westerlund	Calif. Strawberry Advisory Board	UJA

Refrigeration, Air Conditioning and Heat Pumps Technical Options Committee

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Boeing

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National Semiconductor

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Asahi Glass

Darrel Staley

John Stemniski

John Wilkinson

Masaaki Yamabe X`Avier HK Yoong USA

USA

USA

Japan

Malaysia

Destruction Technology Sub-Committee of the TEAP

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Sub-Committee Members	<u>Affiliation</u>	Country
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Kevin Fay	Alliance for Responsible Atmospheric Policy	USA
Jean Lamont	Department of Trade and Industry	UK
Paul Horwitz	U.S. EPA	USA
Hiroshi Kurita	Japanese Association for the Hygiene of Chlorinated Solvents	Japan
Vivian McIntire	Eastman Chemical Company	USA
John Reed	Environment Canada	Canada
Wolfgang Scholten	Hoechst AG	Germany
Y Umeki	Matsui-DuPont	Japan
John Wilkinson	Vulcan Chemicals	USĀ
Xiao Xu Pei	Shanghai Inst of Organo Fluorine Mats	China

APPENDIX G

NAMES OF TECHNOLOGY AND ECONOMIC ASSESSMENT PANEL MEMBERS

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Senior Advisors

Yuichi Fujimoto

Carmelina Lombardi John Reed K.M. Sarma

Panel Members

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Robert Van Slooten

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Tom Morehouse
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(alternate to J. Lupinacci)
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(alternate to A. Hinwood)

Affiliation

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<u>Affiliation</u>

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Manufacturers' Assn.
Environment Ministry
Environment Canada
UNEP

Affiliation

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Environment Protection Authority
Tech. University Eindhoven
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U.S. Department of Defense (retd)
Spray Quimica C.A.
U.S. EPA

Taylor/Wagner Inc. Environment Protection Authority

Department of Trade & Industry

Country

USA Brazil Netherlands

Country

Japan

Venezuela Canada Kenya

Country

USA Australia

Australia Netherlands

USA USA

Venezuela

USA

Canada Australia

UK

APPENDIX H

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APPENDIX I

ACRONYMS

CFC - Chloroflourocarbon

CTC - Carbon Tetrachloride

EAP - Effects Assessment Panel

MDI - Metered-Dose Inhaler

ODS - Ozone-Depleting Substance

OEWG - Open-Ended Working Group of the Parties to the Montreal Protocol

SAP - Science Assessment Panel

TCA - Trichloroethane

TEAP - Technology and Economic Assessment Panel

TOC - Technical Options Committee

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