

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 82**

[FRL-7529-4]

RIN 2060-AJ27

Protection of Stratospheric Ozone: Phaseout of Chlorobromomethane Production and Consumption**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Final rule.

SUMMARY: In accordance with the *Montreal Protocol on Substances that Deplete the Ozone Layer* (Protocol), EPA is adding chlorobromomethane (CBM) to the list of substances subject to production and consumption controls under the Clean Air Act (CAA) and EPA's implementing regulations. Today's action creates a new Group (Group VIII) of class I substances for CBM, and designates the value of CBM's "ozone depleting potential" (ODP) as 0.12. In accordance with the Protocol,

today's action will phase out CBM production and consumption upon publication of this rule with permitted exemptions. Today's action also restricts trade in CBM with countries who are not Parties to the Beijing Amendments to the Protocol. EPA received no comments on the Notice of Proposed Rulemaking (NPRM) during the comment period between October 29, 2002 and November 29, 2002.

DATES: This rule is effective on August 18, 2003.

ADDRESSES: Materials relevant to this rulemaking are contained in Public Docket No. A-92-13, Section XII. The docket is located at U.S. Environmental Protection Agency, EPA West (Air Docket), 1301 Constitution Avenue, NW., Room: B108, Mail Code 6102T, Washington, DC 20004. The materials may be inspected from 8 am until 5:30 pm, Monday through Friday. The telephone number is (202) 566-1742. The fax number is (202) 566-1741. The docket may charge a reasonable fee for copying docket materials.

FOR FURTHER INFORMATION CONTACT: The Stratospheric Ozone Information Hotline at 1-800-296-1996, or Jabeen Akhtar, U.S. Environmental Protection Agency, Global Programs Division (6205J), 1200 Pennsylvania Avenue, NW., Washington, DC, 20460, (202) 564-3514; akhtar.jabeen@epa.gov. You may also visit the Ozone Depletion Web site of EPA's Global Programs Division at <http://www.epa.gov/ozone/index.html> for further information about EPA's Ozone Protection regulations, the science of ozone depletion, and other topics.

SUPPLEMENTARY INFORMATION: This document concerns amendments to the production and import controls for ozone-depleting substances (ODS). The amendment concerns the addition of a new controlled substance, chlorobromomethane (CBM), to the list of substances already subject to controls related to production, import, export, destruction, transshipment, essential uses, and feedstock uses.

The regulated categories that may be affected by this action include:

Category	SIC	NAICS	Examples of potentially regulated entities
1. Industrial organic chemicals, NEC	2869	325199	Producers, importers, or exporters of CBM.
2. Pharmaceutical preparations	2834	325412	Transformers of CBM.
3. Pesticides and agricultural chemicals, NEC	2879	32532	Transformers of CBM.
4. Chemicals and allied products, NEC	5169	42269	Lab suppliers of CBM.
5. Testing laboratories, except veterinary testing labs	8734	54138	Lab users of CBM.
6. Medical and diagnostic laboratories	8071	6215	Lab users of CBM.
7. Research and development in the physical, engineering and life sciences	8731	54171	Lab users of CBM.
	and 8733		

This table is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be regulated by this action. This table lists the types of entities that EPA is now aware could potentially be regulated by this action. Other types of entities not listed in this table could also be affected. To determine whether your facility, company, business organization, etc., could be regulated by this action, you should carefully examine the applicability criteria in § 82.1(b) of Title 40 of the Code of Federal Regulations (CFR). If you have any questions regarding the applicability of this action to a particular entity, consult the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

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I. What Is the Scientific and Legal Background for Regulations To Phase Out Ozone-Depleting Substances?

In response to the body of evidence linking chlorofluorocarbons (CFCs) and other chlorinated and brominated compounds to ozone depletion, the international community reached agreement in 1987 on a landmark treaty. This treaty, the Montreal Protocol on Substances that Deplete the Ozone