

Environmental Protection Agency

§ 82.18

§ 82.17 Apportionment of baseline production allowances for class II controlled substances.

Effective January 1, 2003, the following persons are apportioned base-

line production allowances for HCFC-141b, HCFC-22, or HCFC-142b as set forth in the following table:

Person	Controlled substance	Allowances(kg.)
AlliedSignal (Honeywell)	HCFC-22	37,378,252
	HCFC-141b	28,705,200
	HCFC-142b	2,417,534
Ausimont USA	HCFC-142b	6,541,764
	HCFC-22	42,638,049
DuPont Company	HCFC-22	28,219,223
	HCFC-141b	24,647,925
Elf Atochem (ATOFINA)	HCFC-142b	16,131,096
	HCFC-141b	17,756,508
LaRoche Industries	HCFC-141b	17,756,508
MDA Manufacturing	HCFC-22	2,383,835

[68 FR 2848, Jan. 21, 2003]

§ 82.18 Availability of production in addition to baseline production allowances for class II controlled substances.

(a) *Article 5 allowances.* (1) Effective January 1, 2003, a person apportioned baseline production allowances under § 82.17 is also apportioned Article 5 allowances, equal to 15 percent of their baseline production allowances for the specified HCFC for each control period up until December 31, 2014, to be used for the production of the specified HCFC for export only to foreign states listed in Appendix E to this subpart.

(2) Effective January 1, 2015, for all HCFCs, a person apportioned baseline production allowances under § 82.17 is also apportioned Article 5 allowances, equal to 10 percent of their baseline production allowances for the specified HCFC for each control period up until December 31, 2029, to be used for the production of the specified HCFC for export only to foreign states listed in Appendix E to this subpart.

(3) Effective January 1, 2030, for all HCFCs, a person apportioned baseline production allowances under § 82.17 is also apportioned Article 5 allowances, equal to 15 percent of their baseline production allowances for the specified HCFC for each control period up until December 31, 2039, to be used for the production of the specified HCFC for export only to foreign states listed in Appendix E to this subpart.

(b) *Export production allowances.* (1) Effective January 1, 2003, a person ap-

portioned baseline production allowances for HCFC-141b under § 82.17 is also apportioned export production allowances equal to 100 percent of their baseline production allowances for HCFC-141b for each control period up until December 31, 2029, to be used for the production of HCFC-141b for export only, in accordance with this section.

(2) [Reserved]

(c) *International trades of production allowances, export production allowances and Article 5 allowances.* (1) A person may increase or decrease its production allowances, export production allowances, or Article 5 allowances, for a specified control period through trades with another Party to the Protocol as set forth in this paragraph (c). Effective January 1, 2004, a nation listed either: in Appendix L of this subpart that is also listed in Appendix C, Annex 1 of the Protocol as having ratified the Beijing Amendments, or in Appendix C, Annex 1 of the Protocol as having ratified the Copenhagen Amendments but not listed in Appendix L of this subpart, or in Appendix C, Annex 2 of the Protocol, as being a foreign state complying with the Beijing Amendments if the foreign state is listed in Appendix L of this subpart, or as being a foreign state complying with the Copenhagen Amendments if the foreign state is not listed in Appendix L of this subpart must agree either to trade to the person for the current control period some quantity of production that the nation is permitted under the Montreal Protocol or to receive from the person for