



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

MAY 22 2015

OFFICE OF
AIR AND RADIATION

The Honorable Ed Whitfield
Chairman
Subcommittee on Energy and Power
Committee on Energy and Commerce
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

Thank you for your letter of April 1, 2015, to U.S. Environmental Protection Agency Administrator Gina McCarthy regarding your concerns with the EPA's Notice of Proposed Rulemaking (NPRM), "Protection of Stratospheric Ozone: Change of Listing Status for Certain Substitutes under the Significant New Alternatives Policy Program" (SNAP program), published in the Federal Register on August 6, 2014. The Administrator asked that I respond on her behalf.

Under section 612 of the Clean Air Act, the EPA proposed to change the listing status of certain high global warming potential chemicals that were previously listed as acceptable, based on information showing that other substitutes are currently or potentially available for the same uses that pose lower overall risks to human health and the environment. Specifically, the EPA proposed to modify the listings for certain hydrofluorocarbons (HFCs) from acceptable to unacceptable in various end-uses in the aerosols, refrigeration and air conditioning, and foam blowing sectors. The EPA also proposed to list as unacceptable certain hydrochlorofluorocarbons (HCFCs) being phased out of production under the Montreal Protocol to align the listings of these substances with other restrictions under the stratospheric protection program.

Throughout the development of this rulemaking, the EPA engaged extensively with stakeholders, including manufacturers in the building/construction, foam blowing, and retail and household refrigeration industries, as well as with other federal agencies, including the Department of Energy, the United States Coast Guard, and the Food and Drug Administration. During the comment period on the proposed rule, we heard from stakeholders on a range of topics, including technical challenges associated with meeting some of the proposed transition dates. In total, we received more than 7,000 comments during the comment period, which closed on October 20, 2014. We are considering all comments carefully as we work to complete the final rule, which is currently under review at the Office of Management and Budget, where it will undergo a formal interagency review process. We placed your letter in the docket, and appreciate and welcome your views on the proposed regulations. To review the public docket and comments on this proposed rule, visit www.regulations.gov and search for docket number EPA-HQ-OAR-2014-0198.

While we are in the process of preparing the final rule, it is useful to consider that an important characteristic of the SNAP program is to offer a menu of acceptable alternatives, rather than pointing users with often very diverse technical requirements toward only one option. In this way, manufacturers can select options best suited to their own situation.

For more than 20 years, the EPA has worked closely with industry and other federal agencies to list available and potentially available alternatives for all SNAP sectors and end-uses, and this rulemaking continues to build on this successful program. Our decisions within the SNAP program are informed by the most current understanding of environmental and human health impacts associated with these alternatives. With an expanding menu of substitutes and an improved understanding of global environmental issues, the SNAP program benefits both the environment and American business.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Josh Lewis in the EPA's Office of Congressional and Intergovernmental Relations at lewis.josh@epa.gov or 202-564-2095.

Sincerely,

A handwritten signature in black ink, appearing to read "Janet G. McCabe".

Janet G. McCabe
Acting Assistant Administrator