

104TH CONGRESS
1ST SESSION

H. R. 2367

To amend the Clean Air Act to further protect and enhance the public interest by ensuring an orderly transition from chlorofluorocarbons (CFCs) and halons to substitute compounds, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 20, 1995

Mr. DOOLITTLE (for himself, Mr. STUMP, Mr. BRYANT of Tennessee, Mr. HAYWORTH, Mr. BOEHNER, Mr. DORNAN, Mr. BARTLETT of Maryland, Mr. SKEEN, Mr. EMERSON, Mr. UNDERWOOD, and Mr. SHADEGG) introduced the following bill; which was referred to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Clean Air Act to further protect and enhance the public interest by ensuring an orderly transition from chlorofluorocarbons (CFCs) and halons to substitute compounds, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. FINDINGS AND PURPOSE.**

4 (a) FINDINGS.—The Congress finds that—

1 (1) the accelerated phaseout of production and
2 consumption of chlorofluorocarbons and halons is
3 not justified by scientific evidence and poses an un-
4 just burden on owners of air-conditioning and refriger-
5 eration equipment; and

6 (2) scientific evidence demonstrates that limited
7 production and consumption of chlorofluorocarbons
8 and halons beyond the current January 1, 1996
9 deadline until January 1, 2000, will not substan-
10 tially affect the environment.

11 (b) PURPOSE.—The purpose of this Act is to provide
12 for the prohibition of chlorofluorocarbon and halon pro-
13 duction and consumption in accordance with the original
14 schedule set forth in the Clean Air Act Amendments of
15 1990.

16 **SEC. 2. AMENDMENT OF CLEAN AIR ACT.**

17 (a) PHASE-OUT SCHEDULE.—Section 604 of the
18 Clean Air Act is amended by adding the following at the
19 end thereof:

20 “(h) PHASE-OUT SCHEDULE.—Notwithstanding sec-
21 tion 606 or any other provision of law, the Administrator
22 shall, within 60 days of enactment of this subsection, pro-
23 mulgate regulations allowing the production of
24 chlorofluorocarbons and halons listed as class I substances
25 to the extent such production does not exceed the limita-

1 tions set forth in subsection (a). Any unused allowances
2 of any producer or consumer shall be equitably redistrib-
3 uted to other producers and consumers. Such new regula-
4 tions shall supersede any previous regulation relating to
5 the phase-out of the production or consumption of
6 chlorofluorocarbons and halons listed as class I sub-
7 stances.”.

8 (b) CONFORMING AMENDMENTS.—

9 (1) NO AUTHORITY TO ACCELERATE SCHED-
10 ULE.—Section 606 of such Act is amended by add-
11 ing the following new subsection at the end thereof:

12 “(c) PHASE-OUT SCHEDULE FOR
13 CHLOROFLUOROCARBONS AND HALONS.—The provisions
14 of this section shall not apply to the chlorofluorocarbons
15 and halons referred to in section 604(h).”.

16 (2) AUTHORITY OF ADMINISTRATOR.—Section
17 615 of such Act is amended by adding the following
18 at the end thereof: “The provisions of this section
19 shall not be construed to authorize the Adminis-
20 trator to accelerate the phase-out schedule for
21 chlorofluorocarbons and halons referred to in section
22 604(h).”.

1 **SEC. 3. RESTORATION OF PRIOR LAW IN DETERMINING**
2 **BASE TAX AMOUNT FOR EXCISE TAX ON**
3 **OZONE-DEPLETING CHEMICALS.**

4 (a) **IN GENERAL.**—Subparagraph (B) of section
5 4681(b)(1) of the Internal Revenue Code of 1986 (relating
6 to amount of tax) is amended to read as follows:

7 “(B) **BASE TAX AMOUNT.**—The base tax
8 amount for purposes of subparagraph (A) with
9 respect to any sale or use during calendar year
10 1996 is \$3.55.”.

11 (b) **CONFORMING AMENDMENT.**—Subparagraph (C)
12 of section 4681(b)(1) of such Code is amended—

13 (1) by striking “the last year specified in the
14 table under subparagraph (B) applicable to such
15 chemical” and inserting “1996”, and

16 (2) by striking “such last year” each place it
17 appears and inserting “1996”.

18 (c) **EFFECTIVE DATE.**—The amendments made by
19 this section shall apply to sales and uses after December
20 31, 1995.

○