

**[DENR ADMINISTRATIVE ORDER NO. 2000-18,
February 23, 2000]**

**CHEMICAL CONTROL ORDER FOR OZONE DEPLETING
SUBSTANCES (ODS)**

Pursuant to the provisions of *Executive Order No. 192*, Series of 1987, Republic Act No. 6969 (Toxic Substances and Hazardous and Nuclear Wastes Control Act of 1990), Section 30 of Republic Act No. 8749 (The Philippine Clean Air Act of 1999) and Resolution No. 25 dated 10 March 1993 of the Senate of the Republic of the Philippines ratifying the *Montreal Protocol on Substances that Deplete the Ozone Layer* as adjusted and amended by the Second Meeting of the Parties in *London, 27-29 June 1990* and further amended by the Third Meeting of the Parties in *Nairobi, 19-21 June 1991*, the Department hereby promulgates the following Chemical Control Order, hereinafter referred to as CCO:

SECTION 1. DECLARATION OF POLICY . — It is the policy of the State to regulate, restrict or prohibit the import, export, use, manufacture, transport, processing, storage, possession or sale of ozone-depleting substances to abate or minimize their risks and hazards to the stratospheric ozone, public health, and the environment.

SECTION 2. COVERAGE . — This CCO covers the ban, limit and/or regulate the use, manufacture, import, export, transport, processing, storage, possession or sale of the following chemical substances to wit:

2.1 Groups I and II of Annex A, and Groups I, II and III of Annex B of the Montreal Protocol. Regardless of source, these substances listed below can be in forms defined under Article I, paragraph 4 of the Montreal Protocol as clarified under Decision I/12A of the First Meeting of the Parties and Decision II/4 of the Second Meeting of the Parties, herein enclosed as Appendix I. (*Text available at ONAR, U.P. Law Center*).

In general, these substances can be existing alone or in mixtures, can be contained in bulk for transport and/or storage, part of a use system or equipment, or used and/or contained in a manufactured product, to wit:

Group	Substance	Ozone-Depleting Potential ^[1]
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ANNEX A: CONTROLLED SUBSTANCES
Group I

CFCI 3	(CFC-11)	1.0
CF 2CI 2	(CFC-12)	1.0
C2F 3CI 3	(CFC-113)	0.8
C 2F 4CI 2	(CFC-114)	1.0

C 2F 5Cl	(CFC-115)	0.6
Group II		
CF 2BrCl	(halon-1211)	3.0
CF 3Br	(halon-1301)	10.0
C 2F 4Br 2	(halon-2404)	6.0

ANNEX B: CONTROLLED SUBSTANCES

Group I

CF 3Cl	(CFC-13)	1.0
C 2FCl 5	(CFC-111)	1.0
C 2F 2Cl 4	(CFC-112)	1.0
C 3FCl 7	(CFC-211)	1.0
C 3F 2Cl 6	(CFC-212)	1.0
C 3F 3Cl 5	(CFC-213)	1.0
C 3F 4Cl 4	(CFC-214)	1.0
C 3F 5Cl 3	(CFC-215)	1.0
C 3F 6Cl 2	(CFC-216)	1.0
C 3F 7Cl	(CFC-217)	1.0

Group II

CCl 4	(carbon tetrachloride)	1.1
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Group III

C2H3Cl3	(1,1,1-trichloroethane/ methyl chloroform)	0.1
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2.2 The substances listed below as Annex C and Annex E are not covered by Section 3 of this CCO until such time that the Senate of the Philippines ratifies the amendments and adjustments to the Montreal Protocol starting on the agreements of the Fourth Meeting of the Parties (Copenhagen, 23-25 November 1992) onwards.

However, any importation of these substances is subject to Pre-Shipment Importation Clearance as required under Section 6 hereof except for Group I of Annex E (methyl bromide) which is being regulated by the Fertilizer and Pesticide Authority of the Department of Agriculture.

Group	Substance	# of Isomers	Ozone-Depleting Potential ^[2]
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ANNEX C

Group I

CHFCI 2	(HCFC-21)	1	0.04
CHF 2CI	(HCFC-22)	1	0.055

CH 2FCI	(HCFC-31)	1	0.02
C 2HFCI 4	(HCFC-121)	2	.01-0.04
C 2HF 2C I3	(HCFC-122)	3	02-0.08
C 2HF 3CI 2	(HCFC-123)	3	.02-0.06
CHCI 2CF 3	(HCFC-123)	-	0.02
C 2HF 4CI	(HCFC-124)	2	.02-0.04
CHFCICF 3	(HCFC-124)	-	0.022
C 2H 2FCI 3	(HCFC-131)	3	.007-0.05
C 2H 2F 2CI 2	(HCFC-132)	4	0.008-0.05
C 2H 2F 3CI	(HCFC-133)	3	.02-0.06
C 2H 3FCI 2	(HCFC-141)	3	.005-0.07
CH 3CFCI 2	(HCFC-141b)	-	0.11
C 2H 3F 2CI	(HCFC-142)	3	.008-0.07
CH 3CF 2CI	(HCFC-142b)	-	0.065
C 2H 4FCI	(HCFC-151)	2	.003-.005
C 3HFCI 6	(HCFC-221)	5	0.015-0.07
C 3HF 2CI 5	(HCFC-222)	9	0.01-0.09
C 3HF 3CI 4	(HCFC-223)	12	0.01-0.08
C 3HF 4CI 3	(HCFC-224)	12	0.01-0.09
C 3HF 5CI 2	(HCFC-225)	9	0.02-0.07
CF 3CF 2CHCI 2	(HCFC-225ca)	-	0.025
CF 2CICF 2CHCIF	(HCFC-225cb)	-	0.033
C 3HF 6CI	(HCFC-226)	5	0.02-0.10
C 3H 2FCI 5	(HCFC-231)	9	0.05-0.09
C 3H 2F 2CI 4	(HCFC-232)	16	008-0.10
C 3H 2F 3CI 3	(HCFC-233)	18	0.007-0.23
C 3H 2F 4CI 2	(HCFC-234)	16	0.01-0.28
C 3H 2F 5CI	(HCFC-235)	9	0.03-0.52
C 3H 3FCI 4	(HCFC-241)	12	0.004-0.09
C 3H 3F 2CI 3	(HCFC-242)	18	0.005-0.13
C 3H 3F 3CI 2	(HCFC-243)	18	0.007-0.12
C 3H 3F 4CI	(HCFC-244)	12	0.009-0.14
C 3H 4FCI 3	(HCFC-251)	12	0.001-0.01
C 3H 4F 2CI 2	(HCFC-252)	16	0.005-0.04
C 3H 4F 3CI	(HCFC-253)	12	0.003-0.03
C 3H 5FCI 2	(HCFC-261)	9	0.002-0.02
C 3H 5F 2CI	(HCFC-262)	9	0.002-0.02
C 3H 6FCI	(HCFC-271)	5	0.001-0.03

Group II

		1	1.00
CHFBr2			
CHF2Br	(HBFC-22B1)	1	0.74
CH2FBr		1	0.73
C2HFBr4		2	0.0-0.8
C2HF2Br3		3	0.5-1.8
C2HF3Br2		3	0.4-1.6
C2HF4Br		2	0.7-1.2
C2H2FBr3		3	0.1-1.1
C2H2F2Br2		4	0.2-1.5
C2H2F3Br		3	0.7-1.6
C2H3FBr2		3	0.1-1.7
C2H3F2Br		3	0.2-1.1

C2H4FBr	2	0.07-0.1
C3HFBr6	5	0.3-1.5
C3HF2Br5	9	0.2-1.9
C3HF3Br4	12	0.3-1.8
C3HF4Br3	12	0.5-2.2
C3HF5Br2	9	0.9-2.0
C3HF6Br	5	0.7-3.3
C3H2FBr5	9	0.1-1.9
C3H2F2Br4	16	0.2-2.1
C3H2F3Br3	18	0.2-5.6
C3H2F4Br2	16	0.3-7.5
C3H2F5Br	8	0.9-1.4
C3H3FBr4	12	0.08-1.9
C3H3F2Br3	18	0.1-3.1
C3H3F3Br2	18	0.1-2.5
C3H3F4Br	12	0.3-4.4
C3H4FBr3	12	0.03-0.3
C3H4F2Br2	16	0.1-1.0
C3H4F3Br	12	0.07-0.8
C3H5FBr2	9	0.04-0.4
C3H5F2Br	9	0.07-0.8
C3H6FBr	5	0.02-0.7

ANNEX E

Group I

CH3Br	methyl bromide	0.6
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SECTION 3. CONTROL MEASURES AND PHASE-OUT SCHEDULES . —

3.1 BAN ON THE MANUFACTURE OF SUBSTANCES LISTED UNDER SECTION 2.1 AND THEIR USE IN THE MANUFACTURE OF PRODUCTS

3.1.1 Starting 01 January 2000, no person, natural or juridical, will be allowed to locally manufacture these substances in whatever quantity, either alone or in mixtures. Further, the use of these substances in the manufacture of products shall also be prohibited unless otherwise duly certified as for essential uses by the DENR-EMB pursuant to Section 3.2.2 hereof.

3.1.2 The use of these substances in the manufacture of products that are certified as for essential uses will be allowed only until 31 December 2010. This deadline may be moved forward by the DENR-EMB, motu proprio, as maybe deemed necessary.

3.2 Prohibitions and Controls of Importation.

3.2.1 This CCO affirms the previous ban on imports in any amount of the following substances whether alone or in mixtures:

(a) *CFC 11 and CFC 12 banned for importation for use on new equipment and/or products starting 01 January 1999. Importation of these substances will only be allowed to service existing products and/or equipment.*

(b) CFC 113 since 01 January 1997 and CFC 114 and CFC 115 since 01 January 1999

(c) Group II Annex A since 01 January 1999

(d) Group I Annex B starting 01 January 2000

(e) Group II Annex B since 01 January 1997

For mixtures or blends containing any of the substances above, the ban will be imposed starting 01 January 2000.

3.2.2 The DENR-EMB will accept importation of these substances solely for essential uses (medical application such as in metered dose inhalers, laboratory and analytical uses, quarantine and pre-shipment) and for the servicing requirements of existing equipment/products.

3.2.3 Consistent with Section 3.2.1(a) hereof, individual annual import quota per substance of Group I of Annex A shall be determined by the DENR-EMB for each registered importer.

3.2.4 In case of mixtures or blends containing any of the substances under Group I of Annex A and/or Group I of Annex B, the calculation of import quota shall be based on the percent content by weight of these substances.

3.2.5 The 1996 estimated consumption (based on the Updated Philippine Country Program) shall be used as baseline level [3]. The annual import quota is *non-cumulative* [4]. The total annual imports shall strictly follow the phase-out schedule below:

(a) At the year ending 31 December 1999, import shall not exceed ninety per cent (90%) of 1996 recorded imports by weight;

(b) At the year ending 31 December 2000, imports shall not exceed eighty per cent (80%) of 1996 recorded imports by weight;

(c) At the year ending 31 December 2001, imports shall not exceed seventy-five per cent (75%) of 1996 recorded imports by weight;

(d) At the year ending 31 December 2002, imports shall not exceed seventy per cent (70%) of 1996 recorded imports by weight;

(e) At the year ending 31 December 2003, imports shall not exceed sixty-five per cent (65%) of 1996 recorded imports by weight;

(f) At the year ending 31 December 2004, imports shall not exceed sixty per cent (60%) of 1996 recorded imports by weight;

(g) At the year ending 31 December 2005, imports shall not exceed fifty per cent (50%) of 1996 recorded imports by weight;

(h) At the year ending 31 December 2006, imports shall not exceed forty-five per cent (45%) of 1996 recorded imports by weight;