Regulation of Fully Halogenated Chlorofluoroalkanes (CFCs)

Publisher’s Note: In 1978 the U.S. Environmental Protection Agency determined that the use of certain chemical substances as aerosol propellants presents a risk to human health and the environment by causing depletion of the ozone layer. These chemical substances are fully halogenated chlorofluoroalkanes, also known as chlorofluorocarbons, or CFCs. Upon release from an aerosol product or other source, CFCs diffuse slowly to the stratosphere, where they undergo photochemical decomposition and liberate chlorine radicals. The chlorine radicals then enter into a reaction with ozone molecules, and the net result is thought to be a depletion of the ozone layer. The ozone layer helps shield the earth’s surface from ultraviolet (UV) radiation. If the amount of ozone in the upper atmosphere is reduced, more UV radiation will reach the surface of the earth. One potential effect of greater amounts of UV radiation at the earth’s surface is an increase in incidence of skin cancer. In order to guard against such a possibility, and in light of other possible harmful effects, the US EPA in 1978 issued a regulation banning almost all non-export manufacture, distribution, and processing of CFCs for aerosol propellant uses. In a related action at the same time, the U.S. Food and Drug Administration prohibited the use of CFC propellants in most food, drug, and cosmetic products.

Section III Chapter C of your TSCA Compliance Guide And Service formerly described and contained the US EPA’s bans and restrictions on the manufacture, distribution, and processing of CFCs for aerosol propellant uses. Those bans and restrictions were promulgated under TSCA at 43 FR 11318-11325 on March 17, 1978. Since that time those TSCA regulations have become obsolete because of subsequent bans on CFC propellants that have been issued under Section 610 of the Clean Air Act. Accordingly, the US EPA determined that the TSCA regulations addressing CFCs were no longer necessary and removed them from the Code of Federal Regulations. The removal occurred at 60 FR 31922 on June 19, 1995 and was effective on that date. Therefore, the former TSCA requirements that addressed CFCs in the past have been removed from your TSCA Compliance Guide And Service.

3. The US EPA rules pertaining to CFCs were originally codified at 40 CFR §§712 and 762 pursuant to final rules published at 43 FR 11324-25 on March 17, 1978. The two sets of regulations were consolidated into a new revised §762 at 45 FR 43721-23 on June 30, 1980.