

(3) Petitions to delete a substitute from the acceptable list and add it to the unacceptable list or to delete a substitute from the unacceptable and add it to the acceptable list;

(4) Petitions to add or delete use restrictions on an acceptability listing.

(5) Petitions to grandfather use of a substitute listed as unacceptable or acceptable subject to use restrictions.

(c) *Content of the petition.* The Agency requires that the petitioner submit information on the type of action requested and the rationale for the petition. Petitions in paragraphs (b)(1) and (2) of this section must contain the information described in §82.178, which lists the items to be submitted in a 90-day notification. For petitions that request the re-examination of a substitute previously reviewed under the SNAP program, the submitter must also reference the prior submittal or existing listing. Petitions to grandfather use of an unacceptable substitute must describe the applicability of the test to judge the appropriateness of Agency grandfathering as established by the United States District Court for the District of Columbia Circuit (see *Sierra Club v. EPA*, 719 F.2d 436 (D.C. Cir. 1983)). This test includes whether the new rule represents an abrupt departure from previously established practice, the extent to which a party relied on the previous rule, the degree of burden which application of the new rule would impose on the party, and the statutory interest in applying the new rule immediately.

(d) *Petition process.* (1) Notification of affected companies. If the petition concerns a substitute previously either approved or restricted under the SNAP program, the Agency will contact the original submitter of that substitute.

(2) *Review for data adequacy.* The Agency will review the petition for

adequacy of data. As with a 90-day notice, the Agency may suspend review until the petitioner submits the information necessary to evaluate the petition. To reach a timely decision on substitutes, EPA may use collection authorities such as those contained in section 114 of the Clean Air Act as amended, as well as information collection provisions of other environmental statutes.

(3) *Review procedures.* To evaluate the petition, the Agency may submit the petition for review to appropriate experts inside and outside the Agency.

(4) *Timing of determinations.* If data are adequate, as described in §82.180, the Agency will respond to the petition within 90 days of receiving a complete petition. If the petition is inadequately supported, the Agency will query the petitioner to fill any data gaps before the 90-day review period begins, or may deny the petition because data are inadequate.

(5) *Rulemaking procedures.* EPA will initiate rulemaking whenever EPA grants a petition to add a substance to the list of unacceptable substitutes, remove a substance from any list, or change or create an acceptable listing by imposing or deleting use conditions or use limits.

(6) *Communication of decision.* The Agency will inform petitioners within 90 days of receiving a complete petition whether their request has been granted or denied. If a petition is denied, the Agency will publish in the FEDERAL REGISTER an explanation of the determination. If a petition is granted, the Agency will publish the revised SNAP list incorporating the final petition decision within 6 months of reaching a determination or in the next scheduled update, if sooner, provided any required rulemaking has been completed within the shorter period.

APPENDIX A TO SUBPART G OF PART 82—SUBSTITUTES SUBJECT TO USE RESTRICTIONS AND UNACCEPTABLE SUBSTITUTES

REFRIGERANTS
Unacceptable Substitutes

End-use	Substitute	Decision	Comments
CFC-11 centrifugal chillers (retrofit).	HCFC-141b	Unacceptable	Has a high ODP relative to other alternatives.

REFRIGERANTS—Continued
Unacceptable Substitutes

End-use	Substitute	Decision	Comments
CFC-12 centrifugal chillers (retrofit).	HCFC-22/HFC-142b/CFC-12.	Unacceptable	As a blend of both Class I and Class II substances, it has a higher ODP than use of Class II substances.
	Hydrocarbon blend A	Unacceptable	Flammability is a serious concern. Data have not been submitted to demonstrate it can be used safely in this end-use.
CFC-11, CFC-12, CFC-113, CFC-114, R-500 centrifugal chillers (new equipment/NIKs).	HCFC-22/HFC-142b/CFC-12.	Unacceptable	As a blend of both Class I and Class II substances, it has a higher ODP than use of Class II substances.
	Hydrocarbon blend A	Unacceptable	Flammability is a serious concern. Data have not been submitted to demonstrate it can be used safely in this end-use.
CFC-12 reciprocating chillers (retrofit).	HCFC-141b	Unacceptable	Has a high ODP relative to other alternatives.
	HCFC-22/HFC-142b/CFC-12.	Unacceptable	As a blend of both Class I and Class II substances, it has a higher ODP than use of Class II substances.
	Hydrocarbon blend A	Unacceptable	Flammability is a serious concern. Data have not been submitted to demonstrate it can be used safely in this end-use.
CFC-12 reciprocating chillers (new equipment/NIKs).	HCFC-22/HFC-142b/CFC-12.	Unacceptable	As a blend of both Class I and Class II substances, it has a higher ODP than use of Class II substances.
	Hydrocarbon blend A	Unacceptable	Flammability is a serious concern. Data have not been submitted to demonstrate it can be used safely in this end-use.
CFC-11, CFC-12, R-502 industrial process refrigeration (retrofit).	HCFC-22/HFC-142b/CFC-12.	Unacceptable	As a blend of both Class I and Class II substances, it has a higher ODP than use of Class II substances.
CFC-11, CFC-12, R-502 industrial process refrigeration (new equipment/NIKs).	HCFC-22/HFC-142b/CFC-12.	Unacceptable	As a blend of both Class I and Class II substances, it has a higher ODP than use of Class II substances.
CFC-12, R-502 ice skating rinks (retrofit).	HCFC-22/HFC-142b/CFC-12.	Unacceptable	As a blend of both Class I and Class II substances, it has a higher ODP than use of Class II substances.
	Hydrocarbon blend A	Unacceptable	Flammability is a serious concern. Data have not been submitted to demonstrate it can be used safely in this end-use.
CFC-12, R-502 ice skating rinks (new equipment/NIKs).	HCFC-22/HFC-142b/CFC-12.	Unacceptable	As a blend of both Class I and Class II substances, it has a higher ODP than use of Class II substances.
	Hydrocarbon blend A	Unacceptable	Flammability is a serious concern. Data have not been submitted to demonstrate it can be used safely in this end-use.
CFC-12, R-502 cold storage warehouses (retrofit).	HCFC-22/HFC-142b/CFC-12.	Unacceptable	As a blend of both Class I and Class II substances, it has a higher ODP than use of Class II substances.
	Hydrocarbon blend A	Unacceptable	Flammability is a serious concern. Data have not been submitted to demonstrate it can be used safely in this end-use.
CFC-12, R-502 cold storage warehouses (new equipment/NIKs).	HCFC-22/HFC-142b/CFC-12.	Unacceptable	As a blend of both Class I and Class II substances, it has a higher ODP than use of Class II substances.
	Hydrocarbon blend A	Unacceptable	Flammability is a serious concern. Data have not been submitted to demonstrate it can be used safely in this end-use.
CFC-12, R-500, R-502 refrigerated transport (retrofit).	HCFC-22/HFC-142b/CFC-12.	Unacceptable	As a blend of both Class I and Class II substances, it has a higher ODP than use of Class II substances.
	Hydrocarbon blend A	Unacceptable	Flammability is a serious concern. Data have not been submitted to demonstrate it can be used safely in this end-use.
CFC-12, R-500, R-502 refrigerated transport (new equipment/NIKs).	HCFC-22/HFC-142b/CFC-12.	Unacceptable	As a blend of both Class I and Class II substances, it has a higher ODP than use of Class II substances.
	Hydrocarbon blend A	Unacceptable	Flammability is a serious concern. Data have not been submitted to demonstrate it can be used safely in this end-use.

REFRIGERANTS—Continued
Unacceptable Substitutes

End-use	Substitute	Decision	Comments
CFC-12, R-502 retail food refrigeration (retrofit).	HCFC-22/HFC-142b/ CFC-12.	Unacceptable	As a blend of both Class I and Class II substances, it has a higher ODP than use of Class II substances.
	Hydrocarbon blend A	Unacceptable	Flammability is a serious concern. Data have not been submitted to demonstrate it can be used safely in this end-use.
CFC-12, R-502 retail food refrigeration (new equipment/NIKs).	HCFC-22/HFC-142b/ CFC-12.	Unacceptable	As a blend of both Class I and Class II substances, it has a higher ODP than use of Class II substances.
	Hydrocarbon blend A	Unacceptable	Flammability is a serious concern. Data have not been submitted to demonstrate it can be used safely in this end-use.
CFC-12, R-502 commercial ice machines (retrofit).	HCFC-22/HFC-142b/ CFC-12.	Unacceptable	As a blend of both Class I and Class II substances, it has a higher ODP than use of Class II substances.
	Hydrocarbon blend A	Unacceptable	Flammability is a serious concern. Data have not been submitted to demonstrate it can be used safely in this end-use.
CFC-12, R-502 commercial ice machines (new equipment/NIKs).	HCFC-22/HFC-142b/ CFC-12.	Unacceptable	As a blend of both Class I and Class II substances, it has a higher ODP than use of Class II substances.
	Hydrocarbon blend A	Unacceptable	Flammability is a serious concern. Data have not been submitted to demonstrate it can be used safely in this end-use.
CFC-12 vending machines (retrofit).	HCFC-22/HFC-142b/ CFC-12.	Unacceptable	As a blend of both Class I and Class II substances, it has a higher ODP than use of Class II substances.
	Hydrocarbon blend A	Unacceptable	Flammability is a serious concern. Data have not been submitted to demonstrate it can be used safely in this end-use.
CFC-12 vending machines (new equipment/NIKs).	HCFC-22/HFC-142b/ CFC-12.	Unacceptable	As a blend of both Class I and Class II substances, it has a higher ODP than use of Class II substances.
	Hydrocarbon blend A	Unacceptable	Flammability is a serious concern. Data have not been submitted to demonstrate it can be used safely in this end-use.
CFC-12, water coolers (retrofit).	HCFC-22/HFC-142b/ CFC-12.	Unacceptable	As a blend of both Class I and Class II substances, it has a higher ODP than use of Class II substances.
	Hydrocarbon blend A	Unacceptable	Flammability is a serious concern. Data have not been submitted to demonstrate it can be used safely in this end-use.
CFC-12, water coolers (New equipment/NIKs).	HCFC-22/HFC-142b/ CFC-12.	Unacceptable	As a blend of both Class I and Class II substances, it has a higher ODP than use of Class II substances.
	Hydrocarbon blend A	Unacceptable	Flammability is a serious concern. Data have not been submitted to demonstrate it can be used safely in this end-use.
CFC-12, household refrigerators (retrofit).	HCFC-22/HFC-142b/ CFC-12.	Unacceptable	As a blend of both Class I and Class II substances, it has a higher ODP than use of Class II substances.
	Hydrocarbon blend A	Unacceptable	Flammability is a serious concern. Data have not been submitted to demonstrate it can be used safely in this end-use.
CFC-12, household refrigerators (new equipment/NIKs).	HCFC-22/HFC-142b/ CFC-12.	Unacceptable	As a blend of both Class I and Class II substances, it has a higher ODP than use of Class II substances.
	Hydrocarbon blend A	Unacceptable	Flammability is a serious concern. Data have not been submitted to demonstrate it can be used safely in this end-use.
CFC-12, R-502 household freezers (retrofit).	HCFC-22/HFC-142b/ CFC-12.	Unacceptable	As a blend of both Class I and Class II substances, it has a higher ODP than use of Class II substances.
	Hydrocarbon blend A	Unacceptable	Flammability is a serious concern. Data have not been submitted to demonstrate it can be used safely in this end-use.
CFC-12, 502 household freezers (new equipment/NIKs).	HCFC-22/HFC-142b/ CFC-12.	Unacceptable	As a blend of both Class I and Class II substances, it has a higher ODP than use of Class II substances.

REFRIGERANTS—Continued
Unacceptable Substitutes

End-use	Substitute	Decision	Comments
CFC-12, R-500 residential dehumidifiers (retrofit).	Hydrocarbon blend A	Unacceptable	Flammability is a serious concern. Data have not been submitted to demonstrate it can be used safely in this end-use.
	HCFC-22/HFC-142b/CFC-12.	Unacceptable	As a blend of both Class I and Class II substances, it has a higher ODP than use of Class II substances.
CFC-12, R-500 residential dehumidifiers (new equipment/NIKs).	Hydrocarbon blend A	Unacceptable	Flammability is a serious concern. Data have not been submitted to demonstrate it can be used safely in this end-use.
	HCFC-22/HFC-142b/CFC-12.	Unacceptable	As a blend of both Class I and Class II substances, it has a higher ODP than use of Class II substances.
CFC-12, motor vehicle air conditioners (retrofit).	Hydrocarbon blend A	Unacceptable	Flammability is a serious concern. Data have not been submitted to demonstrate it can be used safely in this end-use.
	HCFC-22/HFC-142b/CFC-12.	Unacceptable	As a blend of both Class I and Class II substances, it has a higher ODP than use of Class II substances.
CFC-12, motor vehicle air conditioners (new equipment/NIKs).	Hydrocarbon blend A	Unacceptable	Flammability is a serious concern. Data have not been submitted to demonstrate it can be used safely in this end-use.
	HCFC-22/HFC-142b/CFC-12.	Unacceptable	As a blend of both Class I and Class II substances, it has a higher ODP than use of Class II substances.
	Hydrocarbon blend A	Unacceptable	Flammability is a serious concern. Data have not been submitted to demonstrate it can be used safely in this end-use.

FOAMS
Unacceptable Substitutes

End-use	Substitute	Decision	Comments
CFC-11 Polyolefin	HCFC-141b (or blends thereof).	Unacceptable	HCFC-141b has an ODP of 0.11, almost equivalent to that of methyl chloroform, a Class I substance. The Agency believes that non-ODP alternatives are sufficiently available to render the use of HCFC-141b unnecessary in polyolefin foams.

SUBSTITUTES ACCEPTABLE SUBJECT TO NARROWED USE LIMITS

End-use	Substitute	Decision	Comments
Electronics cleaning w/ CFC-113, MCF.	Perfluoro-carbons (C5F12, C6F12, C6F14, C7F16, C8F18, C5F11NO, C6F13NO, C7F15NO, and C8F16).	Acceptable for high-performance, precision-engineered applications only where reasonable efforts have been made to ascertain that other alternatives are not technically feasible due to performance or safety requirements.	The principal environmental characteristic of concern for PFCs is that they have long atmospheric lifetimes and high global warming potentials. Although actual contributions to global warming depend upon the quantities of PFCs emitted, the effects are for practical purposes irreversible. Users must observe this limitation on PFC acceptability by conducting a reasonable evaluation of other substitutes to determine that PFC use is necessary to meet performance or safety requirements. Documentation of this evaluation must be kept on file. For additional guidance regarding applications in which PFCs may be appropriate, users should consult the Preamble for this rule-making.

SUBSTITUTES ACCEPTABLE SUBJECT TO NARROWED USE LIMITS—Continued

End-use	Substitute	Decision	Comments
Precision cleaning w/ CFC-113, MCF.	Perfluoro-carbons (C5F12, C6F12, C6F14, C7F16, C8F18, C5F11NO, C6F13NO, C7F15NO, and C8F16).	Acceptable for high-performance, precision-engineered applications only where reasonable efforts have been made to ascertain that other alternatives are not technically feasible due to performance or safety requirements.	The principal environmental characteristic of concern for PFCs is that they have long atmospheric lifetimes and high global warming potentials. Although actual contributions to global warming depend upon the quantities of PFCs emitted, the effects are for practical purposes irreversible. Users must observe this limitation on PFC acceptability by conducting a reasonable evaluation of other substitutes to determine that PFC use is necessary to meet performance or safety requirements. Documentation of this evaluation must be kept on file. For additional guidance regarding applications in which PFCs may be appropriate, users should consult the Preamble for this rule-making.

UNACCEPTABLE SUBSTITUTES

End-use	Substitute	Decision	Comments
Metals cleaning w/CFC-113.	HCFC 141b and its blends.	Unacceptable	High ODP; other alternatives exist. Effective date: As of 30 days after final rule for uses in new equipment (including retrofits made after the effective date); as of January 1, 1996, for uses in existing equipment. EPA will grant, if necessary, narrowed use acceptability listings for CFC-113 past the effective date of the prohibition.
Metals cleaning w/MCF ..	HCFC 141b and its blends.	Unacceptable	High ODP; other alternatives exist. Effective date: As of 30 days after final rule for uses in new equipment (including retrofits made after the effective date); as of January 1, 1996, for uses in existing equipment.
Electronics cleaning w/ CFC-113.	HCFC 141b and its blends.	Unacceptable	High ODP; other alternatives exist. Effective date: As of 30 days after final rule for uses in new equipment (including retrofits made after the effective date); as of January 1, 1996, for uses in existing equipment. EPA will grant, if necessary, narrowed use acceptability listings for CFC-113 past the effective date of the prohibition.
Electronics cleaning w/ MCF.	HCFC 141b and its blends.	Unacceptable	High ODP; other alternatives exist. Effective date: As of 30 days after final rule for uses in new equipment (including retrofits made after the effective date); as of January 1, 1996, for uses in existing equipment.
Precision cleaning w/ CFC-113.	HCFC 141b and its blends.	Unacceptable	High ODP; other alternatives exist. Effective date: As of 30 days after final rule for uses in new equipment (including retrofits made after the effective date); as of January 1, 1996, for uses in existing equipment. EPA will grant, if necessary, narrowed use acceptability listings for CFC-113 past the effective date of the prohibition.
Precision cleaning w/ MCF.	HCFC 141b and its blends.	Unacceptable	High ODP; other alternatives exist. Effective date: As of 30 days after final rule for uses in new equipment (including retrofits made after the effective date); as of January 1, 1996, for uses in existing equipment.

FIRE SUPPRESSION AND EXPLOSION PROTECTION STREAMING AGENTS
 Substitutes Acceptable Subject to Narrowed Use Limits

End-use	Substitute	Decision	Conditions	Comments
Halon 1211 Streaming Agents.	[CFC Blend]	Acceptable in non-residential uses only.	Use of CFCs are controlled under CAA section 610 which bans use of CFCs in pressurized dispensers, and therefore are not permitted for use in portable fire extinguishers. EPA will list this agent as proposed unacceptable in the next SNAP proposed rule-making. Because CFCs are a Class I substance, production will be phased out by January 1, 1996. See additional comments 1, 2.
	HBFC-22B1	Acceptable in nonresidential uses only.	Proper procedures regarding the operation of the extinguisher and ventilation following dispensing the extinguishant is recommended. Worker exposure may be a concern in small office areas. HBFC-22B1 is considered an interim substitute for Halon 1211. Because the HBFC-22B1 has an ODP of .74, production will be phased out (except for essential uses) on January 1, 1996. This agent was submitted to the Agency as a Premanufacture Notice (PMN) and is presently subject to requirements contained in a Toxic Substance Control Act (TSCA) Consent Order. See additional comments 1, 2.
	C ₆ F ₁₄	Acceptable for non-residential uses where other alternatives are not technically feasible due to performance or safety requirements: a. due to the physical or chemical properties of the agent, or b. where human exposure to the extinguishing agent may approach cardiosensitization levels or result in other unacceptable health effects under normal operating conditions.	Users must observe the limitations on PFC acceptability by making reasonable effort to undertake the following measures: (i) conduct an evaluation of foreseeable conditions of end use; (ii) determine that the physical or chemical properties or other technical constraints of the other available agents preclude their use; and (iii) determine that human exposure to the other alternative extinguishing agents may approach or result in cardiosensitization or other unacceptable toxicity effects under normal operating conditions; Documentation of such measures must be available for review upon request. The principal environmental characteristic of concern for PFCs is that they have high GWPs and long atmospheric lifetimes. Actual contributions to global warming depend upon the quantities of PFCs emitted. For additional guidance regarding applications in which PFCs may be appropriate, users should consult the description of potential uses which is included in the preamble to this rule-making. See additional comments 1, 2.

Additional Comments:
 1—Discharge testing and training should be strictly limited only to that which is essential to meet safety or performance requirements.
 2—The agent should be recovered from the fire protection system in conjunction with testing or servicing, and recycled for later use or destroyed.

FIRE SUPPRESSION AND EXPLOSION PROTECTION STREAMING AGENTS
Unacceptable Substitutes

End-use	Substitute	Decision	Comments
Halon 1211 Streaming Agents.	[CFC-11]	Unacceptable	This agent has been suggested for use on large outdoor fires for which non-ozone depleting alternatives are currently used.

[59 FR 13147, Mar. 18, 1994, as amended at 67 FR 4200, Jan. 29, 2002]

APPENDIX B TO SUBPART G OF PART 82—SUBSTITUTES SUBJECT TO USE RESTRICTIONS AND UNACCEPTABLE SUBSTITUTES

REFRIGERANTS—ACCEPTABLE SUBJECT TO USE CONDITIONS

Application	Substitute	Decision	Conditions	Comments
CFC-12 Automobile Motor Vehicle Air Conditioning (Retrofit and New Equipment/NIKS).	HFC-134a, R-401C, HCFC Blend Beta.	Acceptable	—must be used with unique fittings. —must be used with detailed labels. —all CFC-12 must be removed from the system prior to retrofitting. Refer to the text for a full description.	EPA is concerned that the existence of several substitutes in this end-use may increase the likelihood of significant refrigerant cross-contamination and potential failure of both air conditioning systems and recovery/recycling equipment. For the purposes of this rule, no distinction is made between “retrofit” and “drop-in” refrigerants; retrofitting a car to use a new refrigerant includes all procedures that result in the air conditioning system using a new refrigerant.
CFC-12 Automobile Motor Vehicle Air Conditioning (New equipment only).	R-152a as a substitute for CFC-12.	Acceptable subject to use conditions.	Engineering strategies and/or devices shall be incorporated into the system such that foreseeable leaks into the passenger compartment do not result in R-152a concentrations of 3.7% v/v or above in any part of the free space ¹ inside the passenger compartment for more than 15 seconds when the car ignition is on. Manufacturers must adhere to all the safety requirements listed in the Society of Automotive Engineers (SAE) Standard J639, including unique fittings and a flammable refrigerant warning label as well as SAE Standard J2773.	Additional training for service technicians recommended. Manufacturers should conduct and keep on file failure mode and Effect Analysis (FMEA) on the MVAC as stated in SAE J1739.
CFC-12 Automobile Motor Vehicle Air Conditioning (New equipment in passenger cars and light-duty trucks only).	HFO-1234yf as a substitute for CFC-12.	Acceptable subject to use conditions.	Manufacturers must adhere to all of the safety requirements listed in the Society of Automotive Engineers (SAE) Standard J639 (adopted 2011), including requirements for: unique fittings, flammable refrigerant warning label, high-pressure compressor cut-off switch and pressure relief devices. For connections with refrigerant containers of 20 lbs or greater, use fittings consistent with SAE J2844.	Additional training for service technicians recommended. Observe requirements of Significant New Use Rule at 40 CFR 721.10182. HFO-1234yf is also known as 2,3,3,3-tetrafluoro-prop-1-ene (CAS No 754-12-1).