



IN THE CONGRESS OF THE UNITED STATES

March 2, 2021

Mr. SOLOMON(for himself, Mr. ILTUTMISH, Mr. TOBY, Ms. BROADMAN, Mr. FRANCIS, Mr. MARK, Ms. DUNBAR) introduced the following bill;

A BILL

To require the Administrator of the Environmental Protection Agency to regulate and designate tetrafluoromethane and hexafluoroethane as hazardous air substances under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980

Be it enacted by the House of Representatives of the United States of America in Congress Assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Tetrafluoromethane & Hexafluoroethane Regulation & Designation Act”

SEC. 2. FINDINGS.

Congress finds that—

- (a) Tetrafluoromethane and Hexafluoroethane are both major contributors to the greenhouse effect and are potent greenhouse gases.
- (b) Tetrafluoromethane has an atmospheric lifetime of 50,000 years and a greenhouse warming potential of 6,500.
 - (i) For reference, Carbon dioxide has a greenhouse warming potential of 1.
- (c) Hexafluoroethane has an atmospheric lifetime of 10,000 years and a global warming potential of 9,200.

SEC. 3. DEFINITIONS.

In this Act—

- (a) **TETRAFLUOROMETHANE.**— Also known as Carbon Tetrafluoride, is the simplest perfluorocarbon and a perfluorinated counterpart to methane. It has a chemical formula of CF_4 and is a bond of one carbon and four fluorine atoms.
- (b) **HEXAFLUOROETHANE.**— A perfluorocarbon counterpart to the hydrocarbon ethane. It has a chemical formula of C_2F_6 and contains two carbon and six fluorine atoms.
- (c) **ADMINISTRATOR.**— The term “Administrator” means the Administrator of the Environmental Protection Agency
- (d) **PHASE DOWN.**— A slowing down of a process through phases.
- (e) **REGULATED SUBSTANCE.**— The term regulated substances refers to the the [Consolidated List of Chemical](#)

SEC. 4. DESIGNATION OF TETRAFLUOROMETHANE AND HEXAFLUOROETHANE AS HAZARDOUS AIR POLLUTANTS.

- (a) **DESIGNATION.**— No later than 100 days after the date of enactment of this Act, the Administrator shall issue a final rule adding, as a class, Tetrafluoromethane and Hexafluoroethane to the list of hazardous air pollutants under section 112(b) of the Clean Air Act ([42 U.S.C. 7412\(b\)](#)).
- (b) **SOURCES CATEGORIES.**— No later than 6 months after the final rule is issued under subsection (a), the Administration shall revise the list under Section 112(c)(1) of the Clean Air Act ([\(42 U.S.C. 7412\(c\)\(1\)\)](#)) to include categories and subcategories of major sources and area sources of Tetrafluoromethane and Hexafluoroethane listed pursuant to the final rule.

SEC. 5. PHASE-DOWN OF PRODUCTION AND CONSUMPTION OF TETRAFLUOROMETHANE & HEXAFLUOROETHANE.

- (a) **IN GENERAL.**— During the period beginning on January 1 of each year listed in the table contained in subsection (c) and ending on December 31 of the year before the next year listed on that table, except as otherwise permitted under this Act, no person shall—
 - (i) Produce a quantity of regulated substances without a corresponding quantity of production allowances.
 - (ii) Consume a quantity of regulated substances without a corresponding quantity of consumption allowances.

- (b) COMPLIANCE.—For each year listed on the table contained in subsection (c), the Administrator shall ensure that the annual quantity of all regulated substances produced or consumed in the United States does not exceed the product obtained by multiplying the applicable percentage listed on the table contained in subsection (c).
- (c) RELATION TO BASELINE.—On January 1 of each year listed in the following table, the Administrator shall apply the applicable percentage, as described in subsection (a):

Date	Percentage of Production Baseline	Percentage of Consumption Baseline
2021-2024.....	90 percent	90 percent
2025-2029.....	60 percent	60 percent
2030-2034.....	30 percent	30 percent
2035-2037.....	20 percent	20 percent
2038 and thereafter.....	15 percent	15 percent

- (d) REGULATION REGARDING PRODUCTION AND CONSUMPTION OF TETRAFLUOROMETHANE & HEXAFLUOROETHANE.— No later than 270 days after the date of enactment of this Act, the Administrator shall issue a final rule of the following—
- (i) Phasing down the production of Tetrafluoromethane and Hexafluoroethane in the United States through an allowance allocation and trading program in accordance with this act.
 - (ii) Phasing down the consumption of Tetrafluoromethane and Hexafluoroethane in the United States through an allowance allocation and trading program in accordance with the schedule under subsection (c).

SEC. 6. ENACTMENT.

EFFECTIVE DATE.— The provisions of this Act shall come into force immediately upon passage.