

## CHAPTER 10 - MANAGING OZONE-DEPLETING SUBSTANCES AT USACE PROJECTS AND FACILITIES

10-1. Purpose. This chapter establishes the policy for managing ozone-depleting substances (ODSs) at civil works projects and facilities.

10-2. Applicability. This chapter applies to all USACE commands having responsibility for civil works functions, including floating plant. USACE research and development laboratories and other facilities that are wholly or substantially military funded but not located on military installations will adapt the ozone-depleting substance guidance in AR 200-1, Environmental Protection and Enhancement, in coordination with CECW-OA. USACE facilities located on Army installations will comply with the installation commanders' ozone-depleting substance elimination program requirements.

10-3. Policy.

a. It is the policy of USACE, in conformance to Executive Order (EO) 12843, to:

(1) implement cost-effective programs to minimize the procurement of materials and substances that contribute to the depletion of stratospheric ozone; and

(2) give preference to the procurement of alternative chemicals, products, and manufacturing processes that reduce overall risks to human health and the environment by lessening depletion of ozone in the upper atmosphere.

b. In implementing this policy, procurement practices will conform to the general requirements of Title VI of the Clean Air Act Amendments by:

(1) minimizing, where economically feasible, the procurement of products containing, or manufactured with, Class I substances in accordance with EPA's phaseout schedule and maximizing the use of safe alternatives;

(2) amending existing contracts to the extent permitted by law and, where practical, to be consistent with the phaseout schedules for Class I substances;

(3) being aware of the phaseout schedule for Class II substances (Clean Air Act Amendments, Section 605) in developing procurement policies and in awarding contracts; and

(4) implementing policies and practices that recognize the increasingly limited availability of Class I substances as production levels capped by the Montreal Protocol decline until final phaseout. Such practices will include, but not be limited to:

- reducing emissions and recycling ozone-depleting substances;
- ceasing the purchase of non-essential products containing or manufactured with ozone-depleting substances; and
- requiring that new contracts provide that any acquired products containing, or manufactured with, Class I or Class II substances be labeled in accordance with section 611 of

the Clean Air Act Amendments.

c. USACE projects and facilities will establish, fund and implement management programs to support this policy. MSC commanders, district commanders and commanders/directors of facilities outside the district structure will develop internal procedures to assure compliance with all aspects of this policy. ODS Elimination Plans will be prepared for all projects and facilities where USACE has operations and maintenance responsibilities for facility needs, including government-owned, contractor-operated facilities. Production phase-out milestones are contained in the Clean Air Act Amendments and are listed in the Army Acquisition Pollution Prevention Support Office publication "Strategic Plan for Eliminating Ozone-Depleting Chemicals from U.S. Army Applications."

10-4. Program Requirements.

- a. Identify sources of ODSs and determine type and amount.
- b. Monitor regulated ODSs to comply with standards.
- c. Procure equipment that meets applicable standards.
- d. Cooperate with Federal, state, and local authorities in achieving ODS plan goals.
- e. Assure that all technicians who service appliances, industrial process refrigeration units and motor vehicle air conditioner units that contain ODSs are certified by an EPA approved program in accordance with the 1990 Clean Air Act Amendments, Title VI, Section 602(a).
- f. USACE organizations in General Services Administration (GSA)-leased facilities and USACE users of GSA-leased vehicles will support applicable GSA programs to eliminate ODS use in accordance with lease agreements.

10-5. Reporting and Record Keeping Requirements. Programs certifying technicians must maintain records in accordance with section (g) of appendix D of 40 CFR, Part 82.166, Reporting and Record Keeping Requirements.