23.107-4 Products that contain, use, or are manufactured with ozone-depleting substances or products that contain or use high global warming potential hydrofluorocarbons.

(a) *Authorities.*

(1) Title VI of the Clean Air Act (42 U.S.C. 7671, *et seq*.).

(2) Section 706 of Division D, title VII of the Omnibus Appropriations Act, 2009 (Pub. L. 111-8).

(3) EPA regulations, Protection of Stratospheric Ozone (40 CFR part 82).

(b) *Program.* The EPA SNAP Program.

(c) *Agency program* s. Agencies *shall* implement cost-effective programs to minimize the *procurement* of materials and substances that contribute to the depletion of stratospheric ozone and/or result in the use, release, or emission of high global warming potential *hydrofluorocarbons*.

(d) *Procedures.* Agencies *shall*—

(1) Give preference to the *procurement* of acceptable alternative chemicals, *products*, and manufacturing processes that reduce overall risks to human health and the environment by minimizing—

(i) The depletion of ozone in the upper atmosphere; and

(ii) The potential use, release, or emission of high global warming potential *hydrofluorocarbons*; and

(2) In preparing specifications and purchase descriptions and in the *acquisition* of *products* and services—

(i) Comply with the requirements of title VI of the Clean Air Act; section 706 of division D, title VII of Public Law 111-8; and 40 CFR 82.84(a)(2) through(5);

(ii) Substitute acceptable alternatives to *ozone-depleting substances*, as identified under 42 U.S.C. 7671k, to the maximum extent practicable, as provided in 40 CFR 82.84(a)(1), except in the case of Class I substances being used for specified essential uses, as identified under 40 CFR 82.4(n); and

(iii) Unless a particular contract requires otherwise, specify that, when feasible, contractors *shall* use another acceptable alternative in lieu of a high global warming potential hydrofluorocarbon in *products* and services in a particular end use for which EPA's SNAP program has identified other acceptable alternatives that have lower global warming potential.

(e) *Resource.* Refer to EPA's SNAP program website at *https://www.epa.gov/snap* for the list of

alternatives found at 40 CFR part 82, subpart G, as well as supplemental tables of alternatives.

Parent topic: 23.107 Statutory purchasing programs.