High Ambient Temperature

1. A new exemption shall be available to Parties with high ambient temperature conditions where suitable alternatives do not exist for the specific sub-sector of use.
2. The exemption shall be distinguished and separate from the essential use and the critical use exemptions under the Montreal Protocol.
3. The exemption shall take effect and be available at the commencement of any HFC freeze or other initial control obligation and shall have an initial duration of 5 years.
4. The Technology and Economic Assessment Panel (TEAP) and a TEAP subsidiary body that includes outside expertise on high ambient temperatures shall assess the suitability of HFC alternatives for use in where suitable alternatives do not exist based on criteria agreed by the Parties that shall include, but not be limited to, the criteria listed in paragraph 1(a) of Decision XXVI/9,[[1]](#footnote-2) and shall report this information to the Meeting of the Parties.
5. The assessment shall take place periodically starting 5 years from the date of the commencement of any HFC freeze or other initial control obligation and every 5 years thereafter.
6. The Parties shall review, no later than the year following receipt of the TEAP report on suitability of alternatives, the need for an extension of this exemption for specific sub-sectors for a further period(s) of up to 5 years, and periodically thereafter. Notwithstanding the above, the exemption shall automatically be renewed for sectors and sub-sectors where feasible alternatives do not exist.
7. Parties shall agree on the criteria for high ambient temperature conditions and formally request this exemption by notifying the Secretariat.
8. Parties with high ambient temperature conditions will also be eligible during the exemption period(s) to a deferral in consideration by the implementation of any noncompliance in the production and consumption of HCFCs.

1. [insert criteria from XXVI/9 para (1)(a)] [↑](#footnote-ref-2)