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**Twenty-Second Meeting of the Parties to the
Montreal Protocol on Substances that
Deplete the Ozone Layer**
Bangkok, 8–12 November 2010

**Issues for discussion by and information for the attention of the
Twenty-Second Meeting of the Parties**

Note by the secretariat

Addendum

Introduction

1. Chapter I of the present addendum summarizes further work related to the forthcoming Twenty-Second Meeting of the Parties completed since the preparation of the note by the Secretariat (UNEP/OzL.Pro.22/2) and before 15 October 2010. Chapter I includes an update on additional work by the Technology and Economic Assessment Panel on parties' essential-use and critical-use nominations.

2. Chapter II includes additional information on matters that the Secretariat would like to bring to the parties' attention, including a review of its activities since the thirtieth meeting of the Open-ended Working Group, a review of the status of the assessment panels' work on their 2010 assessment and an update on the consideration of the use of halons in new airframes by the International Civil Aviation Organization (ICAO).

I. Overview of items on the agenda for the Twenty-Second Meeting of the Parties to the Montreal Protocol

A. Nominations for essential-use exemptions for 2011 (item 10 (c) of the provisional agenda)

3. During the thirtieth meeting of the Open-ended Working Group, the Technology and Economic Assessment Panel met a number of the parties that had submitted nominations for essential-use exemptions, and agreed to take into account any further information provided by those parties in the development of its final recommendations to the Twenty-Second Meeting of the Parties. At that time, Bangladesh requested the Panel and the Medical Technical Options Committee to reassess its nomination. Bangladesh subsequently submitted additional information requested by the Committee, and reduced its nomination from 113.73 tonnes to 85 tonnes. Having carried out a second

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review, the Panel is now recommending 37.0 tonnes of chlorofluorocarbons (CFCs) for metered-dose inhalers for use in Bangladesh only for ciclesonide, fluticasone/salmeterol, ipratropium, ipratropium/salbutamol, salmeterol and tiotropium. The Panel was unable to recommend CFCs for metered-dose inhalers for active ingredients beclomethasone, levosalbutamol and salbutamol.

4. In September 2010, the Islamic Republic of Iran withdrew its essential-use nomination for 2011, having successfully phased out metered-dose inhalers using CFCs.

5. A summary of the Panel's final recommendations on all essential-use nominations can be found in table 1. Table 2 shows in further detail the amounts being recommended for exemption for each party, together with information on the specific ingredients and intended market for those amounts. A more detailed review of the Panel's recommendation on Bangladesh can be found in the addendum to its 2010 progress report, while details of its consideration of the other exemption nominations can be found on chapter 1, pages 9–22 of its report.

Table 1

Final recommendations for essential-use exemptions (in tonnes)

<i>Party</i>	<i>Approved for 2010</i>	<i>Nominated for 2011</i>	<i>Recommendation of or comment by the Technology and Economic Assessment Panel</i>
Parties not operating under paragraph 1 of Article 5			
Russian Federation (metered-dose inhalers)	212	248	Recommended 212, unable to recommend 36 believing the difference can be supplied by CFC-free imports
Russian Federation (aerospace)	120	100	Recommended 100
United States of America (metered-dose inhalers)	92	—	Did not nominate for 2011
Subtotal	424	348	312
Parties operating under paragraph 1 of Article 5			
Argentina (metered-dose inhalers)	178	120.2	Recommended 107.2, unable to recommend 13 for some export requests
Bangladesh (metered-dose inhalers)	156.7	85	Recommended 37.0 for certain active ingredients and unable to recommend 48.0 for some other active ingredients given the availability of alternatives
China (metered-dose inhalers)	972.2	809.91	Recommended 741.15, unable to recommend 68.76 for some export requests
Egypt (metered-dose inhalers)	227.4	—	Did not nominate for 2011
India (metered-dose inhalers)	343.6	192.34	Recommended 48.2, unable to recommend 144.14 for some domestic and export requests
Iran (Islamic Republic of) (metered-dose inhalers)	105	—	Withdrew its nomination
Pakistan (metered-dose inhalers)	34.9	39.6	Recommended 39.6
Syrian Arab Republic (metered-dose inhalers)	44.68	—	Did not nominate for 2011
Subtotal	2 062.48	1 380.78	1 079.8
Total	2 486.48	1 728.78	1 391.8

Table 2

Essential-use nominations submitted in 2010 for 2011 (in tonnes) for metered-dose inhalers and Panel recommendations on exemptions, with ingredients and intended markets

<i>Party</i>	<i>2011</i>	<i>Active ingredients</i>	<i>Intended markets</i>
Argentina	106.7	Beclomethasone, budesonide, fenoterol, fluticasone, ipratropium, salbutamol, salbutamol/beclomethasone, salbutamol/ipratropium, salmeterol, salmeterol/fluticasone	Argentina
	0.5	Salbutamol/ipratropium	Chile, Paraguay, Peru
Bangladesh	37.0	Ciclesonide, fluticasone/salmeterol, ipratropium, ipratropium/salbutamol, salmeterol and tiotropium	Bangladesh
China	741.15	Beclomethasone, beclomethasone/clenbuterol/ipratropium, budesonide, datura metel extract/clenbuterol, dimethicone; ephedra, ginkgo, sophora favescens and radix scutellariae; ipratropium, ipratropium/salbutamol, isoprenaline, isoprenaline/guaifenesin, procaterol, salbutamol, salmeterol, cromoglycate	China
India	19.8	Ipratropium, ipratropium/salbutamol, tiotropium and tiotropium/formoterol	India
	28.4	Ipratropium, ipratropium/salbutamol, tiotropium and tiotropium/formoterol	Bolivarian Republic of Venezuela, Colombia, Jamaica, Panama, Peru, Sri Lanka, Suriname, Uganda, United Arab Emirates
Pakistan	39.6	Beclomethasone, beclomethasone/salbutamol, fluticasone/salmeterol, ipratropium, salbutamol, salmeterol, triamcinolone	Pakistan
Russian Federation	212	Salbutamol	Russian Federation

6. In addition to the nominations for essential-use exemptions received through the normal process, on 7 July 2010 the Secretariat received a request from the Dominican Republic for an emergency essential-use exemption for 0.332 tonnes of CFC-113 for use as a diluter for silicon grease during the manufacture of medical devices. The Panel, in its evaluation, encouraged the party to consider hydrochlorofluorocarbon (HCFC) alternatives, stating that some developed countries used HCFC-225 for similar applications in the medical industry and that HCFC-141b was also known to meet the requirements of the application. The use was however authorized by the Secretariat in consultation with the Panel on an emergency basis. Subsequently, on 10 August 2010, the party, noting an error in its original request, requested an additional 2.78 tonnes of CFC-113 to cover the period 2010–2011. The additional request was evaluated by the Panel and, based on that evaluation, a further but reduced amount of 1.5 tonnes was authorized, bringing the total amount authorized as an emergency-use exemption to 1.832 tonnes. At the same time, the party was urged to make every effort to adopt an alternative during the period of the emergency-use exemption and was requested to submit an accounting framework report as soon as possible after the emergency-use period in accordance with the normal procedure for such exemptions.

B. Nominations for critical-use exemptions for 2011 and 2012 (item 10 (a) of the provisional agenda)

7. During the thirtieth meeting of the Open-ended Working Group, the Methyl Bromide Technical Options Committee presented its initial recommendations on the nominations for critical-use exemptions that it had received in 2010. Following a question-and-answer session, the

Committee met several nominating parties bilaterally to exchange views and further information. Through an iterative process the Committee received further information that informed its second round of evaluations. In a small number of cases, that process led to minor changes in nominations by parties and/or in the Panel's recommendations. The final consolidated recommendations by country are included in table 3. More detailed information on the application-specific nominations and recommendations for soil nominations can be found on pages 12–40 of the Panel's final report on the evaluation of 2010 critical-use nominations for methyl bromide, while more detailed information on the application-specific nominations and recommendations for structure and commodity uses can be found on pages 45–61 of that report.

Table 3
Critical-use-exemption nominations by parties for 2011 and 2012 (in tonnes)

Country	Requests in 2010 for 2011 and 2012 Soils(S)/structures and commodities(SC)				Final recommendation Soils(S)/Structures and commodities (SC)			
	2011		2012		2011		2012	
	S	SC	S	SC	S	SC	S	SC
Australia	5.950		29.790	4.870	5.950		29.760	3.653
Canada		3.529	5.261	11.020		2.084	5.261	11.020
Israel	232.247				224.		-	
Japan			216.120	4.984			216.120	3.489
United States			1 020.478	161.301			941.967	80.859
Total	238.197	3.529	1271.649	182.175	230.447	2.084	1193.108	99.021

8. In accordance with decision XVI/4, the Panel's final report on critical-use nominations includes on pages 63 and 64 the Committee's proposed 2011 workplan and budget. No changes to the Panel's standard presumptions are proposed.

C. Quarantine and pre-shipment exemptions for methyl bromide (item 10 (b) of the provisional agenda)

9. As noted in paragraph 153 of the report of the thirtieth meeting of the Open-ended Working Group (UNEP/OzL.Pro.WG.1/30/7), one party posed several questions regarding the Panel's report on quarantine and pre-shipment applications of methyl bromide, and a request was made that any response prepared by the Panel to the questions should be made available to all parties. Accordingly, the Panel has prepared a supplement to its earlier report that responds to questions received since the meeting. Those questions and answers, which can be found in the addendum on quarantine and pre-shipment use to the 2010 progress report, cover a broad array of issues, including those related to definitions, studies and methodologies used by the Panel, the report's estimates of consumption and emissions, and information gaps.

D. Laboratory and analytical uses of ozone-depleting substances (decision XXI/6) (item 10 (d) of the provisional agenda)

10. As noted in document UNEP/OzL.Pro.22/2, the Open-ended Working Group at its thirtieth meeting discussed the Panel's report, its recommendations regarding deletions from the table of uses approved for laboratory and analytical-use exemptions, and the Panel's intention to consider further the needs and ability of parties operating under paragraph 1 of Article 5 to phase out those uses. The Panel has informed the Secretariat that the assessment related to those parties will not be available until 2011. The parties may wish to take this information into account when considering further action under this item.

E. Issues relating to the uses of ozone-depleting substances as process agents (decision XXI/3)

11. At the thirtieth meeting of the Open-ended Working Group it was noted that some parties were participating in an effort to prepare a draft decision on process agents that would, among other things, update the tables listing approved process agent applications. On 15 October the Secretariat received a formal proposal on process agents from Australia, Canada and the United States. That proposal is being issued as a conference room paper.

II. Matters that the Secretariat would like to bring to the parties' attention

A. Secretariat activities

12. Since the completion of its note, the Secretariat has participated in various meetings, including those of Ozone officers from Latin America and the Caribbean, South and South-East Asia, West Asia, the Pacific island countries and French-speaking and English-speaking Africa. During each meeting representatives of the Secretariat gave presentations and initiated informal consultations related to compliance with the Protocol. The Secretariat also travelled to Uganda and Thailand to facilitate planning for the Twenty-Second Meeting of the Parties and marked Ozone Day celebrations in China and Saudi Arabia.

13. The Executive Secretary attended a meeting of the senior management team of the United Nations Environment Programme (UNEP). The issues discussed related to delegation of authority from the Executive Director to the Ozone Secretariat, and possible ways to enhance the integration of the activities of the multilateral environmental agreement secretariats with the UNEP programme of work and the work of the UNEP regional offices.

B. International Civil Aviation Organization consideration of the use of halons in new airframes

14. In accordance with decisions XV/11 and XXI/7, the Halons Technical Options Committee has worked closely with the ICAO secretariat as that body and related aircraft manufacturers have considered how to deal with the continued use of halons in new aircraft. As reported to the Open-ended Working Group at its thirtieth meeting, the issue of halons was taken up at the thirty-seventh session of the ICAO General Assembly, in October 2010, with the Assembly adopting resolution A37/9, entitled, "Halon Replacement", on the use of halons in new airframes.

15. It should be noted that an ICAO General Assembly resolution is similar to a decision of a meeting of the Parties to the Montreal Protocol. The resolution adopted recognizes the urgent need to continue developing and implementing halon alternatives for civil aviation, in addition to the need to intensify the development of acceptable halon alternatives for fire-extinguishing systems in cargo compartments and engines and auxiliary power units. As regards specific uses, the resolution mandates that halon replacements be used for lavatories in aircraft produced after 2011; for hand-held fire extinguishers in aircraft produced after a specified date in the 2016 time frame; and for engine and auxiliary power unit fire-extinguishing systems in aircraft for which applications for type certification will be submitted after a specified date in the 2014 time frame. In addition, the resolution encourages States to advise users of recycled halon to ensure that the halon in their possession conforms to a recognized international or State quality standard, and invites States to inform ICAO regularly of their halon reserves so that a report may be presented at the next ordinary session of the Assembly, in September 2013. While ICAO documentation is only now being finalized, a copy of the resolution currently numbered A37/9 can be found in document UNEP/OzL.Pro.22/INF/6.

16. While critically important, it should be noted that the General Assembly resolution is not self-implementing. Instead, it serves as a directive to the ICAO Contracting States to amend their underlying minimum standards of performance. To that end, the General Assembly considered and agreed to forward to the Air Navigation Commission, and, through them, to the contracting States, the proposed changes to those standards to implement these new mandates effectively.

17. Although the mandates contained in the resolution do not come into effect as swiftly as may be desirable, the Halons Technical Options Committee welcomes these new standards as they represent a significant step forward in the eventual phase-out of halons. Furthermore, the related time frames give airlines time to select alternatives that will maximize all environmental benefits, rather than only those related to ozone depletion.

C. International Maritime Organization report on ozone-depleting substances

18. At the thirtieth meeting of the Open-ended Working Group, the Secretariat brought to the parties' attention an issue related to the sale of ozone-depleting substances to seagoing vessels in a port of a country or territory other than the flag under which the vessel was registered. In the case at issue, a cruise ship flying a foreign flag had requested to purchase HCFCs to service its equipment while in port. In response, the port official had requested a permit to purchase HCFCs issued by the country under whose flag the cruise ship was operating. The cruise ship officials were unaware that such a permit was required, and, when they consulted the ozone officer from their flag country, the

latter was also unaware that the party was obliged to issue an import permit to enable ships flying its national flag to take on HCFCs in foreign ports.

19. This incident raised the issue of how sales of ozone-depleting substances to vessels operating under a foreign flag should be counted in terms of national exports and imports. In response to a request from the International Maritime Organization (IMO) to understand the parties' thinking on this issue, the Secretariat explained that the parties had provided no guidance at the thirtieth meeting of the Open-ended Working Group.

20. Subsequently, IMO considered this issue at its last meeting, producing a paper on the subject that has been reproduced as document UNEP.OzL.Pro.22/INF/5. The paper provides an overview of the number of ships operating under the flag of the top 10 flagging parties to the Montreal Protocol and draws attention to the existing marine pollution regulations that relate to reporting on ozone-depleting substances.

21. As regards those regulations, known as the International Convention for the Prevention of Marine Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto (MARPOL), the paper notes that ozone-depleting substance emissions from ships fall under regulation 12 of MARPOL Annex VI, where installations, maintenance and record-keeping of equipment using ozone-depleting substances on board ships are specified. Any deliberate emissions of ozone-depleting substances are prohibited, including those occurring in the course of maintaining, servicing, repairing or disposing of equipment that uses ozone-depleting substances. The rules require each ship to maintain a list of equipment containing ozone-depleting substances, including HCFCs, and, for those ships that have rechargeable systems that contain such substances, to maintain a record book. Entries in the record book must be recorded in terms of mass (kg) of substances on each occasion, such as recharge, repair, discharge and supply of ozone-depleting substances. The stated purpose of such data recording in the supplement to the International Air Pollution Prevention Certificate and in the record book is to record the condition and quantities of ozone-depleting substances on board and may be used by flag States as the basis for collecting data.

22. The IMO secretariat has been requested to liaise further with the Ozone Secretariat on this issue. The parties' guidance would be appreciated.

D. Progress in contacts and discussions with standards organizations (decision XXI/6, paragraph 4)

23. On 7 April 2010, the Ozone Secretariat wrote to the International Organization for Standardization (ISO), ASTM International and the European Standards Organization, requesting them to identify contact persons in their organizations with whom the Ozone Secretariat and the Chemicals Technical Options Committee could develop the work under the Montreal Protocol to identify standards that mandate the use of ozone-depleting substances in laboratory and analytical procedures with a view to replacing those standards where alternatives exist. To date, only the correspondence with the European Committee for Standardization (CEN) has borne fruit.

24. The European Committee for Standardization has a strategic advisory body on the environment that meets regularly with the European Commission. At the body's September 2010 meeting, discussion was scheduled to take place on the issues related to decision XXI/6 of the parties to the Montreal Protocol with a view to working on the revision of some standards and obtaining a mandate for that work. The European Committee for Standardization will assist the Ozone Secretariat and the Chemicals Technical Options Committee in contacting ISO and possibly ASTM International.

25. The Chemicals Technical Options Committee will begin working on a list of standard methods that need to be replaced in the light of the availability of alternatives.

26. The Secretariat will circulate further information on the outcome of the meeting of the Strategic Advisory Body on Environment, should it be available by the time of the Twenty-Second Meeting of the Parties.

E. Request by the former Yugoslav Republic of Macedonia regarding the global laboratory-use exemption

27. On 13 July 2010, the Secretariat received a request from the former Yugoslav Republic of Macedonia to confirm its entitlement to import 5 litres of carbon tetrachloride for a use in a genetic laboratory for scientific purposes. While the application requested appeared to fall within the purview of the laboratory and analytical-use exemption granted to the party, the Secretariat sought the Technology and Economic Assessment Panel's confirmation. The Panel consulted national experts to

understand the particular application and therefore be able to verify that it was indeed a laboratory and analytical use that fell within the global exemption.

28. This being the first such request received, the Secretariat would like to inform the parties of the process that it followed to assist the party. Normally, eligible parties themselves apply the terms of the global exemption for laboratory and analytical uses and, in accordance with the conditions applied to the exemption (see para. 4 of annex II to the report of the Sixth Meeting of the Parties (UNEP/OzL.Pro.6/7)), report the use of the exemption to the Secretariat as part of their Article 7 data submission. While only the parties can make a definitive interpretation of the Protocol and the decisions of the parties, the Secretariat, in receiving the request, sought guidance from the Panel to be able to provide accurate information on the particular application of the exemption so that the party could in turn take an informed decision on the matter. The Panel confirmed its understanding that the party's request fell within the laboratory and analytical-use exemption.

29. It has been the parties' practice that, in the absence of a specific decision to exclude a specific use from the exemption, it falls to the party itself (and not the Secretariat or the Panel) to determine whether the use under consideration falls within the exemption.

F. Status of the assessment panels' work on their 2010 assessment

30. Every four years, the Protocol's assessment panels perform a comprehensive assessment for the parties. In accordance with decision XIX/20, on the terms of reference for the assessment panels, the three panels have been working to finalize their 2010 reports by the end of the year. As parties know, the executive summary of the 2010 scientific assessment of ozone depletion was launched on International Ozone Day, and that document can be found as a meeting background document on the Ozone Secretariat's website (http://ozone.unep.org/Assessment_Panels/SAP/ExecutiveSummary_SAP_2010.pdf). The Scientific Assessment Panel's full report is undergoing final editing. The Environmental Effects Assessment Panel's key findings will be presented to the parties and the final full report is expected to be published early in 2011. The Technology and Economic Assessment Panel and its technical options committees are finalizing their assessments and will report to the parties on their progress. The parties will hear a presentation by the panels at the Twenty-Second Meeting of the Parties, and will deliberate on the final reports during the 2011 meetings.
