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Series/Staff Member: Kathleen (Katie) McGinty
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OA/ID Number: 2613
FolderID:

Folder Title:
Nightline/CFC [Chlorofluorocarbon] Background

Stack:	Row:	Section:	Shelf:	Position:
S	61	5	6	2

M E M O R A N D U M

DATE: March 7, 1989

TO: Al

FROM: Rick

SUBJECT: What Nightline will discuss concerning the new legislation

I've offered the following explanation on legislation to nightline:

The Montreal Protocol, the calls from the EC and the U.S. last week, and the legislation that you introduced in S.201, deal with production phaseouts -- though not on the same timetable (see memo that I handed to you tonight for the timetables). The phaseout is an important step.

But there are additional measures that we can take in the near term, to reduce CFC emissions immediately. You intend to introduce in a week or so additional legislation dealing with some of these additional measures, including

(1) a ban on over-the-counter sales of freon (which is a trade name for CFCs),

[The explanation for (1) is that, with the ban, freon could only be sold in bulk, thus only those who buy in bulk -- the servicers -- would purchase it. Then, if, say, your auto air conditioner was leaking, you'd have to go to the service station to get the leak fixed -- we could require the station to fix the leak before refilling the air conditioner. Otherwise, with the "small," 14-ounce cans available, consumers typically just purchase them and use them to recharge their air conditioners until they finally get around to eventually fixing the leak. Pouring the stuff into a leaky air conditioner is just like pouring the stuff into the atmosphere.]

(2) a ban on halon-using fire extinguishers for consumer applications, and

(3) a ban on products that can be referred to as nonessential CFC applications. These include party streamers (like Silly String, but don't use the name on TV), horns, and the stuff used in the consumer photographic equipment cleaning.

To the best of my knowledge, no Senator has called for these measures in particular.

FYI -- I didn't tell Nightline about the Baucus or Chafee bills, but here's what they contain:

Chafee's bill:

- prohibits, as of Jan.1, 1993, the venting and release of these chemicals into the environment; recapture, recycle, and safe disposal are required. By 1994, he wants CFCs to be removed from equipment (like refrigerators) before disposal, new equipment to have a servicing aperture for CFC recovery, and foams blown with CFCs to be disposed of so as to avoid CFC release.

- freezes production at 1986 levels as of July 1, 1989

- follows with a three-step phaseout, to 80% in 1992, 50% in 1995, and to 5% in 1997 (relative to 1986 levels).

Baucus' bill:

- essentially calls for a surcharge to be added to CFCs, to make the alternatives competitive economically.

- the surcharge is to be collected by the Treasury, and a portion (up to \$100 million) is to go to funding R&D into alternatives.

I've asked Nightline to deemphasize this "new legislation," saying that the more important issue here is your trip to London. What I've given you above -- except for the stuff on the Chafee and Baucus bills -- is simply going into a briefing memo for Koppel.

Also, remember that the U.S. call for a phaseout is tied to the availability of "new, safe alternatives." In other words, they've given themselves an "out." And, are we going to just wait for the current CFC producers to find alternatives for their products, or are we going to broaden the horizon and look for alternative technologies that don't rely on CFCs at all, like helium-based refrigeration?

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SUBJECT: Spin if the CFC Deposit Idea comes up

The CFC Deposit idea was mentioned, among other things, in the press release last week concerning your reaction to the new EC Phaseout announcement. Just in case Nightline got hold of it, and just in case they bring it up, and just in case you want to be nice to the Senators on the Environment Committee, here's a spin:

"I understand that, while I was away (this isn't entirely true), Sen. Baucus introduced legislation that calls for a type of surcharge on CFCs. I'd like to look at that legislation -- it sounds like it is on a similar track that a deposit would be on."