

To: Gunasekara, Mandy[Gunasekara.Mandy@epa.gov]; Greenwalt, Sarah[greenwalt.sarah@epa.gov]; Jackson, Ryan[jackson.ryan@epa.gov]; Baptist, Erik[baptist.erik@epa.gov]
From: Chiang, Amy
Sent: Wed 8/30/2017 7:08:07 PM
Subject: Compilation of SNAP related documents and summary of supporters
[1. CEO ltr to Pruitt.pdf](#)
[2. Sen. Kennedy to Pruitt ltr.pdf](#)
[3. Supplier ltr to Pruitt.pdf](#)

All,

Just wanted to make sure you knew the following associations/companies/groups are supportive of EPA appealing en banc. We know information has come from a number of places, so wanted to send a summarized list. Please let me know if you have any questions.

Associations/groups include:

US Chamber of Commerce

NAM

The Federalist Society

AHRI (they just voted this morning and should be reaching out to you shortly). AHRI consists of many different companies

Other supporters:

Also attached are letters from Honeywell, Chemours, Senator Kennedy, and supplier companies. The supplier company letter consists of both large companies like 3M, as well as small and medium owned businesses who will be negatively impacted if the SNAP rule is vacated.

In addition the following companies have requested a meeting with you all to discuss their shared point of view with Honeywell and Chemours: Ingersoll Rand, Emerson, Hill Phoenix, Danfoss, 3M, Spray Products, Demilec, LaPolla, NCFI Polyurethanes, ESCO and others.

For background AHRI membership has about 300 companies which include:

Carrier Corporation

Daikin Applied Americas Inc

Danfoss

Hill Phoenix

Ingersoll Rand Company

Lennox International Inc.

Nortec

August 10, 2017

The Honorable Scott Pruitt
Administrator
United States Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Re: Meeting request; Mexichem Fluor v. EPA

Dear Administrator Pruitt:

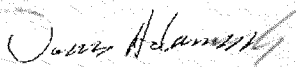
We are writing to request meetings to discuss the implications of the decision reached by the United States Court of Appeals for the District of Columbia Circuit in *Mexichem Fluor Inc. v. Environmental Protection Agency* on August 8. We believe that the Court wrongly vacated EPA's rule establishing restrictions on the use of hydrofluorocarbons (HFCs) through the Significant New Alternatives Program (SNAP), and hope to discuss potential EPA responses to support U.S. industry and innovation and reduce industry uncertainty.

As you know, Honeywell and Chemours intervened in this case because we believe that the argument presented by the petitioners would have a significant negative economic impact on the global hydrofluoro-olefins (HFO) business. U.S. companies have invested well over \$1 billion in the development and manufacture of HFOs to meet U.S. and global demand. However, foreign competitors Mexichem Fluor and Arkema, who have not invested in the R&D to create these alternatives and who do not manufacture these alternatives, used the U.S. courts to hurt American companies. At stake are thousands of U.S.-based jobs supporting local economies, including manufacturing plants in Louisiana and Texas, and R&D sites in New York and Delaware.

The impacted rules are essential to economic growth and job creation in the U.S., and to enable American competitiveness in this industry. The decisions made by the EPA in this area have global implications as other countries will follow the U.S. lead. HFOs and products utilizing them such as air conditioning and refrigeration equipment, foam insulation, aerosols, and solvents are exported from the U.S. to meet country commitments in phasing out less environmentally sustainable chemicals. If this ruling stands, it will likely create a chilling effect on American businesses which won't risk making the necessary investments in both workers and technology. American companies lead the world in innovation and this ruling, instigated by two foreign competitors, undermines that fundamental tenet.

Darius Adamczyk, Honeywell's President and CEO is available to meet at your offices on August 16. Mark Vergnano, Chemours' President and CEO is available August 25 or 28. We appreciate your interest in this issue, and we look forward to working with you.

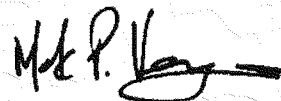
Sincerely,



Darius Adamczyk
President and Chief Executive Officer
Honeywell
115 Tabor Road
Morris Plains, NJ 07950
973-455-5002
Darius.Adamczyk@Honeywell.com

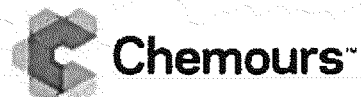
Honeywell
THE POWER OF CONNECTED

Honeywell Restricted



Mark Vergnano
President and Chief Executive Officer
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The Chemours Company
1007 Market Street
Wilmington, DE 19899



United States Senate

August 18, 2017

COMMITTEES
APPROPRIATIONS
BANKING, HOUSING, AND
URBAN AFFAIRS
BUDGET
JUDICIARY
SMALL BUSINESS AND
ENTREPRENEURSHIP

The Honorable E. Scott Pruitt
United States Environmental Protection Agency
Office of the Administrator
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Administrator Pruitt:

As the Trump Administration continues to make progress on its plan to strengthen the United States' position in the global economy, I ask that you consider taking action to address a recent court decision against your agency. The decision threatens American leadership in an industry with increasing global demand, as well as thousands of jobs in my state and around the country.

As you know, the Significant New Alternatives Policy (SNAP) program has led to critical private sector investment and innovation in next-generation technologies that give the U.S. and American workers a competitive advantage. The recent D.C. circuit court ruling, which ruled against the EPA's decision to regulate the usage of hydrofluorocarbons (HFCs), now threatens employment and economic development in Louisiana to the advantage of foreign competitors. French and Mexican companies are trying to use the court system to undermine the EPA's authority, and keep from having to compete with innovating American companies, American manufacturing, and American workers. Without action by the Administration to rectify the court's decision, thousands of jobs and significant investments will be lost to these foreign competitors.

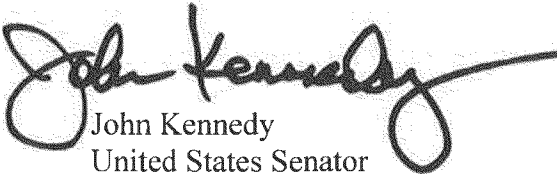
This impact would be certainly be felt in Louisiana, which has become a manufacturing center for hydrofluoro-olefin (HFO) products. These next-generation fluorocarbons and HFC alternatives are now commercially available and sold worldwide. They are used as refrigerants to cool cars, appliances and buildings; foam blowing agents that create cushioning and insulating foam; solvents used in manufacturing to clean and sanitize; and specialty propellants used in products such as aerosols. The EPA-led phasedown of HFCs and the resulting technological innovation has helped create hundreds of long-term, well-paid, sustainable jobs.

For example, Louisiana recently celebrated the grand opening of a new Honeywell manufacturing plant in the town of Geismar. This plant is now the world's leading exporter of HFO solutions to global markets, and will meet the needs of the global automotive industry for decades to come. Because of Honeywell's investment in Geismar and in neighboring Baton Rouge, the state of Louisiana has become a central hub for HFO production. The Geismar plant has increased its workforce by more than 20% with an average salary of

\$83,416 plus benefits, more than twice the local average household income. In addition, the building of the plant supported nearly 1,400 local construction jobs, and over 350 new indirect jobs in the state.

For these reasons, I ask you to appeal en banc to the full Court of Appeals of the D.C. Circuit, in order to support workers both in Louisiana and throughout the United States. Doing so will ensure continued investment in innovative technologies, promote domestic economic growth, and protect American competitiveness on the global markets. Thank you for your consideration of this important matter.

Sincerely,



John Kennedy
United States Senator



August 23, 2017

The Honorable Scott Pruitt
Administrator
United States Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Re: Request for Appeal; Mexichem Fluor v. EPA

Dear Administrator Pruitt:

We request that you appeal en banc the decision reached by the United States Court of Appeals for the District of Columbia Circuit on August 8 in *Mexichem Fluor Inc. v. Environmental Protection Agency*.

We believe that the Court wrongly vacated EPA’s rule establishing restrictions on the use of some hydrofluorocarbons (HFCs) through the Significant New Alternatives Program (SNAP). The 1994 final rule implementing the SNAP program summarized, “In section 612 of the CAA, the Agency is authorized to identify and restrict the use of substitutes for class I and II ozone-depleting substances where the Administrator has determined that other alternatives exist that reduce overall risk to human health and the environment.” This authority has driven industry to innovate, invest and continuously improve the product offerings for markets subject to SNAP regulation, and in the process increasing U.S. competitiveness and creating a significant number of jobs. Our hope is that a successful appeal results in the preservation of this SNAP tenet which leverages the strengths of U.S. industry.

The Court’s decision will have a significant negative economic impact on the global business for ozone-depleting substances (ODS) and hydrofluorocarbon (HFC) substitutes including hydrofluoroolefins (HFO), hydrofluoroethers (HFE), fluoroketones (FK), and the equipment and systems that use them. The companies signing this letter have invested heavily over the past 20 years in developing these unique products and the capacity to manufacture them in the United States, and some companies are currently investing hundreds of millions of dollars to construct and expand manufacturing facilities in support of compliance with this regulation. After years of U.S. policy and regulatory signals that these were sound investments, the Court’s decision creates uncertainty for the future use of these innovative solutions. For example, U.S. companies have invested well over \$1 billion in the development and manufacture of HFOs and products containing HFOs to meet U.S. and global demand while the foreign competitors who brought this lawsuit have not invested in the R&D, process technology or manufacturing capital to commercialize these alternatives. At stake are thousands of U.S.-based jobs supporting local economies, including manufacturing plants throughout the U.S.

The impacted rules are essential to economic growth and job creation in the U.S., and foster American competitiveness in this industry. The decisions made by EPA in this area have global implications as other countries will follow the U.S.’s lead. ODS and HFC substitutes, and products utilizing substitutes such as air conditioning and refrigeration equipment, foam insulation, aerosols, fire

suppression systems, and solvents are exported from the U.S. to enable other countries to meet global commitments in phasing away from ODSs and HFCs.

If this ruling stands, the American companies who innovated new technology will need to reevaluate the investments to date and any future investment plans. American companies lead the world in innovation and this ruling, instigated by two foreign competitors, discourages U.S. industry from making similar future investments.

Sincerely,



Kurt Werner, Environmental Affairs Manager
3M Electronics Materials Solutions Division



Renee Tomlinson
Green Mechanical Council



William Lowery, President
All Weather Insulated Panels



George Koutsafes, Vice President and General
Manager
Honeywell



Eugene Silberstein
AC&R Safety Coalition



Howard S. Weiss, Executive Vice President
HVAC Excellence



Bob Dwyer
Carbon Monoxide Safety Association




Lei Schlitz, Executive Vice President
ITW Food Equipment Group



Raul Kirsch, President - Fluoroproducts
The Chemours Company.



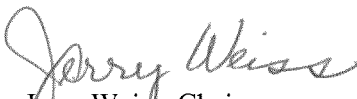
Doug Kramer, President & CEO
La Polla Industries Inc



Paul Valle, President & CEO
Demilec



Chip Holton, President
NCFI Polyurethanes



Jerry Weiss, Chairman
ESCO Institute



G. William Northrup, CEO
North Park Innovations



Bob Guarasci, President
VGI Training