Management Regulations for Hydrochlorofluorocarbons

Original 19 articles promulgated by Environmental Protection Administration Order Huan-Shu-Kong-Tzu No. 0920002517 on January 15, 2003.

Revisions to all 25 articles promulgated by Environmental Protection Administration Order Huan-Shu-Kong-Tzu No. 0960032941 on May 4, 2007.

Revisions to all 26 articles promulgated by Environmental Protection Administration Order Huan-Shu-Kong-Tzu No. 0980067964 on August 5, 2009.

Revisions to Article 6 to 8 and Article 10, Article 11, Article 14, Article 18, Article 24, and deletion of Article 15, Article 19 promulgated by Environmental Protection Administration Order Huan-Shu-Kong-Tzu No. 1030087346 on October 23, 2014.

Revisions to Article 12 and Article 26 promulgated by Environmental Protection Administration Order Huan-Shu-Kong-Tzu No. 1060097220 on December 08, 2017, which shall take effect on January 1, 2018.

Revisions to Article 1 and Article 24 promulgated by Environmental Protection Administration Order Huan-Shu-Kong-Tzu No. 1080010561on February 18, 2019, Pursuant to Executive Yuan Announcement Yuan-Tai-Gui-Tzu No. 1121028221 dated August 18, 2023, the responsibilities originally designated to the "Environmental Protection Administration, Executive Yuan" in Article 2, Paragraph 1 and Subparagraph 7; Article 4, Paragraph 3; Article 5, Paragraph 2; Article 6, Paragraph 2; Article 8, Paragraph 1 (preamble), Subparagraph 4, Paragraphs 2, 3, and 4; Article 9, Paragraph 1; Article 10, Paragraph 1; Article 11, Paragraphs 1 and 3; Articles 12, 13, and 14; Article 16, Paragraphs 1, 2, and 4; Article 17, Paragraph 1; Articles 18, 23, 24, and 25, shall be transferred to the "Ministry of Environment" as of August 22, 2023.

Revisions to all 23 articles promulgated by MOENV Order Huan-Bu-Kong-Tzu No. 1141058679 on October 13, 2025 and shall take effect from the date of promulgation. (Former title: the Management Regulations for Hydrochlorofluorocarbons Consumption; New title: the Management Regulations for Hydrochlorofluorocarbons).

Article 1 These Regulations are established pursuant to Article 31, Paragraph 2 of the Air Pollution Control Act (hereinafter referred to as “the Act”).

Article 2 The terms used in these Regulations are defined as follows:

1. Hydrochlorofluorocarbons (HCFCs) refers to the controlled substances listed in Annex C, Group I of the Montreal Protocol and announced by the central competent authority, including compounds or mixtures in their virgin, recovered, recycled or reclaimed forms.

2. HCFC-containing products or equipment refers to goods, components, and systems containing HCFCs as defined in the preceding subparagraph.

3. Production refers to the net quantity derived from the domestic production quantity of HCFCs, minus the quantities recovered, converted into other chemical substances during the process, and the quantities destroyed by technologies to be approved by the Montreal Protocol. However, quantities recovered and reused are not considered production quantities.

4. Consumption refers to the net quantity derived from the sum of HCFCs production and imports minus exports. This excludes the quantities entirely used as feedstock in the manufacture of other chemicals, recycled or reused, destroyed, or exempted purposes approved under the Montreal Protocol.

5. Ozone Depleting Potential metric tons (hereinafter referred to as ODP metric tons) refers to the calculation of any HCFCs measured in metric tons multiplied by its respective ODP value listed in Group 1 of Annex C to the Montreal Protocol.

6. User refers to entities that use HCFCs in product manufacturing or performing maintenance.

7. Supplier refers to any entity that imports or manufactures HCFCs and supplies them to user enterprises or distributors.

8. Implementation Record refers to the documented data provided by user enterprises on the quantity of use, or by supplier enterprises, on the volume of import clearance, sales, manufacturing performance and inventory. The data shall be substantiated with relevant documentation and subject to verification by the central competent authority.

9. Recovery refers to the activity of collecting and storing HCFCs

from machinery, equipment, or containers.

10. Reuse refers to the activity of using recovered HCFCs after the basic purification processes such as filtering or drying.

Article 3 The national baseline consumption level of HCFCs is set at 638.156 ODP metric tons.

The HCFCs consumption reduction schedule and corresponding annual limits are as follows:

1. From January 1, 2020, the annual consumption shall not exceed 0.5% of the baseline, i.e., 3.191 ODP metric tons, and shall be limited to the purpose of servicing refrigeration or air-conditioning equipment.

2. From January 1, 2030, the HCFC consumption quantity shall be zero.

Article 4 The national baseline production level of HCFCs is set at 638.156 ODP metric tons.

The HCFC production reduction schedule and corresponding annual limits are as follows:

1. From January 1, 2020, the annual production shall not exceed 0.5% of the baseline, i.e., 3.191 ODP tons, and shall be limited to the purpose of servicing refrigeration or air-conditioning equipment.

2. From January 1, 2030, the HCFC production quantity shall be zero.

Supplier enterprises manufacturing HCFCs shall submit their production plans for the first and second halves of the year to the central competent authority by the end of January and July, respectively. The production plan shall include the manufacturing quantity, the quantity supplied for conversion into other chemical substances, and the export quantity.

Article 5 HCFCs shall not be imported without prior approval.
The export and import of HCFCs shall be limited to countries or regions that comply with the provisions of the Montreal Protocol and be announced by the central competent authority.

Article 6 The past timeline for controlled uses and control of HCFCs was as follows:
1. Effective January 1, 2010, the use of HCFCs in aerosol propellants was prohibited.
2. Effective January 1, 2016, the use of HCFCs as foaming agents was prohibited.
3. Effective January 1, 2020, the use of HCFCs as solvents (including in manufacturing processing and cleaning operations) was prohibited.
4. Effective January 1, 2020, the use of HCFCs for refrigerant charging in newly manufactured equipment or newly constructed facilities was prohibited.

The central competent authority ceased issuing allocation quotas to user enterprises for controlled uses starting from the control dates specified in the preceding paragraph.

Article 7 Starting from October 23, 2014, new HCFC user enterprises and supplier enterprises shall submit the following documents to the central competent authority by the end of July each year to apply for allocation eligibility:
1. A photocopy of commercial registration documents; import enterprises shall also provide a photocopy of their import/export qualification documents.
2. Factory registration documents; refrigeration and air conditioning enterprises shall also provide a photocopy of their refrigeration and air conditioning industry registration certificate and a photocopy of their membership certificate from the Refrigeration and Air Conditioning Engineering Industry Association. However, import enterprises are exempt from this requirement.
3. Implementation performance records for January to June of the

current year or other verifiable performance documentation.
4. Other documents as specified by the central competent authority.

If the application documents are incomplete or non-compliant, the enterprise shall make corrections within the deadline specified by the central competent authority. Failure to correct by the deadline shall result in the rejection of the application.

Enterprises that have obtained allocation eligibility and change their company or factory name, address, or responsible person shall submit the amended documents specified in subparagraphs 1 and 2 of the first paragraph to the central competent authority for record-keeping, without needing to reapply for allocation eligibility.

Enterprises with zero implementation performance for two consecutive years shall have their allocation eligibility revoked by the central competent authority. Enterprises whose allocation eligibility has been revoked shall reapply in accordance with the provisions of the first paragraph.

Article 8 The central competent authority may reserve 10% of the annual HCFC consumption upper limit for national infrastructure, defense, military, or emergency response needs.

The annual consumption quantity, after deducting the reserve specified in the preceding paragraph, shall be the total allocation quantity for the year. This shall be allocated first to eligible user enterprises; the remaining quantity shall be allocated to eligible supplier enterprises in proportions based on their performance.

Enterprises newly applying for allocation eligibility shall have their allocation drawn from the balance remaining after the annual national HCFC consumption allocation is conducted.

Article 9 The central competent authority shall approve yearly HCFC allocations for applicant enterprises by the end of October of the preceding year.

The calculation basis for the annual allocation specified in the preceding paragraph is as follows:
1. For enterprises with existing allocation eligibility: The sum of the implementation performance for the second half of the previous year and the first half of the current year, not exceeding the enterprise's allocation quantity for the year 2024.
2. Enterprises newly applying for allocation eligibility: The implementation performance for January to June of the current year, multiplied by two.

The calculation for additional allocation quantities shall be based on the verifiable recovery quantity for the previous year. The central competent authority may allocate proportionally based on the remaining balance after the annual national consumption allocation.

Article 10 In addition to the provisions of the preceding article, for the import of HCFCs for exempted uses approved by resolutions under the Montreal Protocol, supplier enterprises or user enterprises shall, by the end of January and July each year, submit the following information and documents to the central competent authority in their applications for review of exempted use imports:

1. Application form
2. Certificate of establishment approved and registered by the competent government authority
3. Description of the intended use of HCFCs
4. Explanation of the reasons why HCFCs cannot be substituted
5. Statement of the required quantity and supporting documentation
6. Other documents as specified by the central competent authority

The central competent authority shall approve the exempted use

import quantities for applicant enterprises by the end of April and October each year.

Article 11 Enterprises holding allocation quotas or exempted use import approvals, as specified in the preceding article, shall present the HCFC allocation document or exempted use import approval issued by the central competent authority when they apply for an import permit from the central competent authority; this can be done either by the user enterprise themselves or through a delegated import enterprise. The goods shall be imported within the approved period.

Enterprises holding allocation quotas shall present the HCFC allocation document issued by the central competent authority to produce HCFCs, either directly or through a delegated manufacturing enterprise. The goods shall be obtained within the approved period.

For goods referred to in the preceding two paragraphs that are not imported, cleared, or not procured and withdrawn domestically within the current allocation period, and where no application for an extension permit has been submitted to the central competent authority prior to the end of said period, the allocation quota or the approved import quantity for exempted uses for that period shall be revoked by the central competent authority.

Article 12 User enterprises shall not resell or engage in distribution activities using their allocated quantities. Violators shall have their allocation eligibility revoked by the central competent authority.

Supplier enterprises may transfer their allocated quantities to one another with the approval of the central competent authority. Unauthorized transfers shall result in the central competent authority deducting twice the transferred quantity from the enterprise’ s actual annual allocation, or revoking its allocation eligibility.

Article 13 Enterprises holding allocation quantities that experience changes in the name or quantity of their goods shall apply for approval from the central competent authority.

Article 14 User enterprises holding allocation quantities shall, by the end of January, April, July, and October each year, report to the central competent authority the HCFC item names and quantities purchased, usage quantities, usage descriptions, inventory levels, and other data required by the central competent authority for the previous quarter, along with verifiable supporting documentation.

Supplier enterprises holding allocation quantities shall, by the end of January, April, July, and October each year, report to the central competent authority the HCFC item names and quantities imported or manufactured, sales quantities, inventory levels, and other data required by the central competent authority for the previous quarter, along with verifiable supporting documentation.

Failure to report or late reporting shall result in the implementation performance for that quarter being deemed to be zero.

Enterprises that have obtained exempted use import approvals under Article 10 shall, by the end of January and July each year, report to the central competent authority the imported or used HCFC item names, quantities, amounts of HCFCs or HCFC products sold, procurement quantities, inventory levels, leakage amounts, and other data required by the central competent

authority for the previous half-year, along with verifiable supporting documentation.

If the reported documents are incomplete or non-compliant, the enterprise shall make corrections within the deadline specified by the central competent authority. Failure to correct by the deadline shall be deemed as non-reporting.

Article 15 In addition to reporting quarterly HCFC implementation performance as specified in Paragraph 2 of the preceding article, supplier enterprises shall report to the central competent authority the list of their distributors, their basic information, the usage descriptions of the sales targets, and the corresponding sales item names and quantities.

Supplier enterprises and their distributors reported, as specified in the preceding paragraph, are permitted to engage in the sale of HCFCs.

The sales activities specified in the preceding paragraph shall be recorded and retained for five years for reference.

Article 16 The central competent authority shall review the completeness and content of applications for allocation eligibility and implementation performance reports and complete the review within 90 days from the submission deadline.

The central competent authority may invite representatives from relevant government agencies and appoint experts and scholars to assist in the review.

Article 17 The filling, dismantling, or retrofitting of HCFCs used as refrigerants shall employ recovery or reuse equipment. This requirement does not apply if the on-site recovery operation space cannot accommodate recovery equipment.

The recovery and reuse equipment specified in the preceding paragraph shall comply with the following specifications:

1. Recovery equipment shall have the function of reducing the pressure of the equipment or system to below 102 mmHg (millimeters of mercury) after extracting the HCFC refrigerant.
2. Reuse equipment shall also function as recovery equipment and be capable of processing impurities such as moisture, lubricating oils, and air in the HCFC refrigerant to concentrations below 20 ppm (parts per million by weight), 0.01% (by volume), and 1.5% (by volume), respectively.

Article 18 When using recovery or reuse equipment, the following measures shall be taken:
1. Before filling the HCFC refrigerant, a leak inspection of the equipment or system shall be conducted. If any leakage is discovered, it shall be repaired first.
2. Recovery containers shall be labeled with the type of HCFC refrigerant contained.
3. Recovery or reuse equipment shall be regularly maintained and serviced.

The operations specified in the preceding paragraph shall be recorded and retained for five years for reference.

Article 19 HCFC-containing products or equipment shall not be imported without prior approval.

The export and import of HCFC-containing products or equipment shall be limited to countries or regions that comply with the provisions of the Montreal Protocol and that are announced by the central competent authority.

Article 20 For HCFCs or HCFC-containing products or equipment imported without approval under these Regulations, those that have not yet cleared customs shall be returned within the deadline specified in the Customs Act.

The HCFCs or HCFC-containing products or equipment that violate import regulations and are confiscated as specified in the preceding paragraph, shall be handled through recovery, re-

refining, reuse, temporary storage, sale, destruction, or other appropriate methods.

The costs associated with the handling of the goods specified in the preceding paragraph shall be borne by the party responsible for the import violation and paid within the specified period.

Article 21 Violators of Article 6, Paragraph 1 shall be penalized in accordance with Article 68 of the Act, and the central competent authority may deduct their allocation quantity. If necessary, the central competent authority may revoke their allocation eligibility and suspend their application for allocation eligibility for one year.

Article 22 The formats of the relevant documents specified in these Regulations shall be determined by the central competent authority.

Article 23 These Regulations shall take effect on the date of announcement.

Regulations for the Management of Montreal Protocol Controlled Substances

Environmental Protection Administration Order Huan-Shu-Kong-Tzu No. 0960032919 promulgated and established the full text of 24 articles; effective from the date of promulgation on May 4th, 2007

Environmental Protection Administration Order Huan-Shu-Kong-Tzu No. 1050003896 amended and promulgated Articles 2, 5, and 21 on January 30th, 2016

Environmental Protection Administration Order Huan-Shu-Kong-Tzu No. 1080010370 amended and promulgated Articles 1 and 22 on February 15th, 2019.

Executive Yuan Order Tai-Kuei-Tzu No. 1121028221 amended and promulgated the authority responsibilities listed in Article 2 Paragraph 1, Paragraph 2, Article 5 Paragraph 3 introductory clause, Paragraph 5, Article 6 introductory clause, Paragraph 4, Article 7, Article 14, Article 19, Article 20, Article 21 Paragraph 2, and Article 23 previously under the Environment Protection Administration have been transferred to the Ministry of Environment as of August 22, 2023.

Article 1

This regulation is formulated in accordance with Air Pollution Control Act (hereinafter referred to as "the Act") Article 31, Paragraph 2.

Article 2

The definitions of terms used in this regulation are as follows:

1. Controlled substances: refers to ozone-depleting substances listed in the Montreal Protocol (including primary, recycled, reused, and reprocessed

compounds or mixtures with concentration above 0.1%) as announced by the central competent authority. However, Hydrochlorofluorocarbons, HCFCs and Methyl Bromide, CH3Br are excluded.

2. Controlled products: products and equipment containing controlled substances as announced by the central competent authority. This excludes containers for transportation, repackaging, or sales of controlled substances only.
3. Production: the net amount obtained by subtracting recovered or converted quantities into other substances during the manufacturing process and quantities destroyed by Montreal Protocol approved technologies from the manufacture of controlled substances. Recovery, reuse, or reprocessing amounts are not counted as Production.
4. Consumption: net amount obtained by adding imports to Production and subtracting exports; excluding recycled, reused, or reprocessed quantities.
5. Primary: controlled substance not yet used.
6. Recovery: collection and storage of controlled substances from equipment or devices.
7. Reuse: use of recovered controlled substances after basic purification such as filtration and drying.
8. Reprocessing: recovery of controlled substances to usage standards through specific procedures.

Article 3

The scheduled reduction of Consumptions of controlled substances is as follows:

- Consumption of Halons reduced to zero since January 1, 1994.
- Consumption of (CFCs), other fully halogenated CFCs, carbon tetrachloride (CCl4), trichloroethane (C2H3Cl3), and other partially halogenated bromochlorofluorocarbons (HBFCs) reduced to zero since January 1, 1996.
- Consumption of CH2BrCl reduced to zero since January 1, 2002.

Article 4

Manufacture of controlled substances or controlled products is prohibited.

Article 5

Import of controlled substances or controlled products is prohibited except for these uses:

1. Usage of Halon for military or civil aviation fire-extinguishing purposes.
2. Academic research, laboratories, or other permitted uses.
   Applications for military or civil aviation fire-extinguishing imports must obtain permits from relevant authorities.
   Applications for research or permitted uses must submit: application form, proof of registration by government agencies, description of chemical composition and usage, explanation of alternatives unavailable, and other documents designated by the central authority.

Article 6

Export of controlled substances or products requires application to the central competent authority with: application form, proof of registration, import permits from destination countries, and other designated documents.

Article 7

Import and export limited to countries or regions announced and approved by the central competent authority in accordance with the Montreal Protocol.

Article 8

Selling controlled substances or products requires obtaining a sales permit from local authorities.

Two types of sales permits:

- Type 1: selling primary controlled substances.
- Type 2: selling recycled controlled substances.
  Vendors selling both must obtain both permits.

Article 9

Applications for Type 1 sales permit require: application form, proof of registration, proof of source, composition and quantity, and other designated documents.

Applications for Type 2 sales permit require the above plus proof of recovery and reuse equipment compliance per Articles 17 and 18.

Article 10

Maintenance businesses for controlled products do not require sales permits. Filling of controlled substances during maintenance must purchase from permitted vendors.

Article 11

Sales permits shall record: validity period and certificate number; vendor basic information including company name, address, responsible person's name, ID number, and address; permitted products and quantities; and other designated items.

Article 12

Vendors with existing sales permits before this regulation's enactment must reapply if permit details change.

Article 13

Permitted vendors must keep sales records and report semi-annually. Records must be kept for five years.

Article 14

Industrial use of controlled substances is prohibited except where approved.

Article 15

Since January 1, 2010, maintenance of refrigeration, freezing, and air conditioning equipment must use recycled controlled substances.

Article 16

Filling, disassembly, or replacement of refrigerants in controlled substances must use recovery or reuse equipment unless site space is insufficient.

Articles 17 and 18 set technical specifications and operating conditions for recovery and reuse equipment used for refrigeration and fire-extinguishing systems, including leak detection, container labeling, maintenance, recordkeeping, and performance criteria.

Article 19

The central competent authority may assign responsible agencies to conduct recovery, reprocessing, reuse, storage, or destruction of controlled substances or products.

Article 20

The competent authority reviewing import/export/sales permits for controlled substances/products may appoint government representatives and experts for review, completing within 30 days. Documents not meeting requirements must be corrected within a deadline or will be rejected.

Article 21

Unauthorized import of controlled substances/products must be returned by a deadline or may be recovered/destroyed by authorized agencies.

Article 22

Violations of specified articles will be punished according to the Act's relevant provisions.

Article 23

Related document formats are prescribed by the central competent authority.

Article 24

This regulation shall take effect from the date of promulgation.

Methyl Bromide Management Regulations

Environmental Protection Administration Order Huan-Shu-Kong-Tzu No. 0920035627 promulgated and established the full text of 15 articles; effective from the date of promulgation on May 21st, 2003

Environmental Protection Administration Order Huan-Shu-Kong-Tzu No. 1080010560 amended and promulgated: Articles 1, 12 to 14 on August 28th, 2019

Executive Yuan Order Tai-Kuei-Tzu No. 1121028221 promulgated: Articles under the authority of the Environment Protection Administration listed in Article 2 Paragraph 1, Article 3, Article 4, Article 5 Paragraph 1 introductory clause and Paragraph 3, Article 6, Article 7, Article 8, Article 10, Article 11 introductory clause and Paragraph 3, Article 12, and Article 13 shall, starting from August 22nd, 2023, be under the jurisdiction of the Ministry of Environment.

Article 1

This regulation is formulated in accordance with Article 31, Paragraph 2 of the Air Pollution Control Act (hereinafter referred to as "the Act").

Article 2

The special terms used in this regulation are defined as follows:

1. (Methyl Bromide, molecular formula CH3Br): refers to the substances listed in Annex E of the Montreal Protocol controlled substances, as announced by the central competent authority, including pure substances and mixtures.
2. Quarantine: Refers to the control measures taken by government agencies to prevent the introduction, increase, or spread of quarantine pests.
3. Pre-shipment treatment: refers to fumigation or similar treatment

conducted directly within twenty-one days before goods are shipped out to comply with the plant quarantine or sanitary regulations of the importing or exporting country.

4. User: refers to those who use methyl bromide for quarantine, pre-shipment treatment, or academic research.

5. Importer: refers to importers and sellers of methyl bromide.

Article 3

The manufacture of methyl bromide must be authorized by the central competent authority.

Article 4

The import and export of methyl bromide shall be limited to countries or regions announced and approved by the central competent authority in accordance with the Montreal Protocol.

The central competent authority may consult relevant agencies to adjust the list of countries or regions announced in the preceding paragraph.

Article 5

Importers and users shall apply to the central competent authority for import and usage permits before the end of February and August each year, submitting demand forecasts for the second half of the current year and the first half of the following year, along with the following documents:

1. Application form (as per Attachment 1).

2. Proof of registration certificate of import/export business.

3. Proof of registration approved by the competent authority for users. Government agencies are exempted.

4. Documentary proof of the intended use of methyl bromide.
   Documents proving the intended use of methyl bromide include one of the following:
   a. Quarantine regulations and fumigation certificates of the importing country.
   b. Demand document of the importer and fumigation certificates.

c. Certificates issued by animal/plant quarantine or infectious disease control authorities for use in quarantine or pre-shipment treatment.

If the application documents are not in compliance, the central competent authority shall notify the applicant to make corrections within a deadline. Failure to correct within the deadline will result in rejection of the application. Approved applications will be issued import and usage permits.

Article 6

The validity period of the import and usage permit for methyl bromide is six months. Those who wish to continue using it after expiration shall apply for an extension within one month to two months before the expiry, limited to one extension.

Article 7

Importers must obtain an import permit issued by the central competent authority before conducting import activities.

Article 8

The transfer of methyl bromide requires approval from the central competent authority before it can be conducted.

Applicants shall apply for transfer permits using the designated form and content (as per Attachment 2).

If the application documents do not comply, the central competent authority shall notify for correction within the deadline; failure to correct will lead to denial. Approved applications will be issued transfer permits.

Article 9

The use of methyl bromide is limited to quarantine, pre-shipment treatment, or academic research.

Article 10

Importers and users shall declare to the central competent authority by the end of February and August each year, using the designated form and content (as per Attachment 3).

If declaration documents are not in compliance, the authority shall request

correction within a deadline.

Article 11

Applicants with any of the following conditions may apply for import and usage of methyl bromide without complying with Articles 5 and 10:

1. Emergency quarantine pests.
2. Academic research use.
3. Others as recognized by the central competent authority.

Article 12

If false or inaccurate documents are submitted for the methyl bromide permit application, the central competent authority may impose fines pursuant to Article 68 of the Act and revoke the permit.

Article 13

Violations of Article 8, Paragraph 1 or Article 9 may result in fines according to Article 68, and if necessary, revocation of import, usage, or transfer permits.

Article 14

Violations of Article 3 or Article 10, Paragraph 1 shall be handled under Article 68 of the Act.

Violations of Article 4, Paragraph 1 or Article 7 shall be handled under Article 52 of the Act.

Article 15

This regulation shall take effect from the date of promulgation.