

Enforcement Regulation of the Act on Rational Use and Proper Management of Fluorocarbons

(Order of the Ministry of Economy, Trade and Industry and of the Ministry of the Environment No. 7 of December 10, 2014)

(Terms and Types)

- Article 1 (1) The terms used in this Ministerial Order have the same meaning as those used in the Act on Rational Use and Proper Management of Fluorocarbons (hereinafter referred to as the "Act").
- (2) The types of class I specified products are as follows:
- (i) air conditioners; and
 - (ii) refrigeration equipment and freezing equipment.
- (3) The types of fluorocarbons are the types specified by the Minister of the Environment and the Minister of Economy, Trade and Industry pursuant to Standard 817 of the International Organization for Standardization. However, they are chlorofluorocarbons, hydrochlorofluorocarbons and hydrofluorocarbons in the following paragraph, Article 8, Article 9, Article 41 (including as applied mutatis mutandis pursuant to Article 44), Article 49, Article 51, Article 52, Article 72, Article 75, Form 1, Form 3, Form 4 and Form 8.
- (4) The types of facilities to be used to recover fluorocarbons with which specified products are filled as a refrigerant (hereinafter referred to as "fluorocarbon recovery facilities") are to be determined by the fluorocarbons that are able to be recovered by the facilities or the combination thereof.

(Requirements Pertaining to Recommendations for Managers of Class I Specified Products)

- Article 2 The requirement specified by order of the competent ministry referred to in Article 18, paragraph (1) of the Act is that the manager makes the use, etc. of one or more class I specified products to be managed falling under either of the following items.
- (i) the rated output of the electric motor driving the compressor is 7.5 kilowatts or more (in the case a class I specified products in which the compressor is driven by, the sum of the rated output of the electric motors is 7.5 kilowatts or more).
 - (ii) the rated output of the internal-combustion engines driving the compressor is 7.5 kilowatts or more (in the case of class I specified products in which the compressor is driven by two or more internal combustion engines, the sum of the rated output of the of the internal-combustion engines is 7.5 kilowatts or more; in the case of using the internal-combustion engine driving a motor

vehicle or other form of transportation to drive the compressor of the transportation freezing or refrigeration unit, the portion of the rated output of the internal-combustion engine used to drive the compressor is 7.5 kilowatts or more).

(Method of Recording of Matters Reported to File)

Article 3 The recording to file under the provisions of Article 20, paragraph (1) of the Act is made by operating a computer and the method of conversion of text into code and other methods of recording to file are specified by the Minister of the Environment or the Minister of Economy, Trade and Industry.

(Method of Notice of Matters Reported)

Article 4 Notice under the provisions of Article 20, paragraph (2) of the Act is to be made for matters recorded to file in that fiscal year pursuant to the provisions of paragraph (1) of the same Article (fiscal year means from April 1 until March 31 of the following year; the same applies hereinafter) to the competent ministers for the business pertaining to a specified leaker (meaning a specified leaker prescribed in Article 3 of the Order on Reporting, etc. of the Calculated Amount of Leaked Fluorocarbons (Ministerial Order No. 2 of the Cabinet Office, Ministry of Internal Affairs and Communications, Ministry of Justice, Ministry of Foreign Affairs, Ministry of Finance, Ministry of Education, Culture, Sports, Science and Technology, Ministry of Health, Labour and Welfare, Ministry of Agriculture, Forestry and Fisheries, Ministry of Economy, Trade and Industry, Ministry of Land, Infrastructure, Transport and Tourism, Ministry of the Environment, and Ministry of Defense; referred to as "Reporting Order" in the following Article); hereinafter the same applies from the following Article to Article 7) engaged in business under the jurisdiction of the competent ministers for the business, and to the prefectural governor pertaining to the places of business located in the prefectural areas under the jurisdiction of the prefectural governor, respectively by delivering the matters copied on an magnetic disk

(Method of Aggregation of the Calculated Amount of Leaked Fluorocarbons)

Article 5 Aggregation of the calculated amount of leaked fluorocarbons pertaining to specified leakers under the provisions of Article 20, paragraph (3) of the Act is to be performed by aggregating by item set forth in the following items respectively for the calculated amount of leaked fluorocarbons notified pursuant to the provisions of Article 19, paragraph (3) of the Act and the calculated amount of leaked fluorocarbon relating to the specified place of business set forth in Article 4, paragraph (2), item (vi) of the Reporting Order, and also by aggregating the relevant items classified by the type of

fluorocarbon.

- (i) enterprises and other business operators (including the national government and local governments)
- (ii) business type
- (iii) prefecture

(Method of Recording Information on the State of Increase or Decrease in the Calculated Amount of Leaked Fluorocarbons and Other Information to File)

Article 6 (1) Recording to file under the provisions of Article 23, paragraph (3) of the Act is to be integrally performed with recording to file under the provisions of Article 20, paragraph (1) of the Act with consent concerning the recording to file from the leaker who provided information pursuant to the provisions of Article 23, paragraph (1) of the same Act.

(2) Recording to file under the provisions of Article 23, paragraph (3) of the Act is made by operating a computer and the method of conversion of text into code and other methods of recording to file are specified by the Minister of the Environment or the Minister of Economy, Trade and Industry.

(Method of Notice and Publication of Information on the State of Increase or Decrease in the Calculated Amount of Leaked Fluorocarbons and Other Information)

Article 7 (1) Notice under the provisions of Article 23, paragraph (4) of the Act is to be made for matters recorded to file in that fiscal year pursuant to the provisions of Article 23, paragraph (3) of the Act to the competent ministers for the business pertaining to a specified leaker engaged in business under the jurisdiction of the competent ministers for the business, and to the prefectural governor pertaining to the places of business located in the prefectural areas under the jurisdiction of the prefectural governor, respectively by delivering the matters copied on a magnetic disk, integrally with the notice under the provisions of Article 20, paragraph (2) of the Act.

(2) Publication under the provisions of Article 23, paragraph (4) of the Act is to be made integrally with the publication under the provisions of Article 20, paragraph (4) of the Act with the consent concerning the publication from the specified leaker who provided the information pursuant to the provisions of Article 23, paragraph (1) of the Act.

(Application for Registration of Class I Fluorocarbon Filling and Recovery Operators)

Article 8 (1) A person seeking to apply for a registration as a class I fluorocarbon filling and recovery operator pursuant to the provisions of Article 27, paragraph (2) of the Act (including as applied mutatis mutandis pursuant to

Article 30, paragraph (2) of the Act) must submit an application form using Form 1 accompanied by the following documents to the prefectural governor with jurisdiction over the areas where the operations are to be conducted:

- (i) a certificate of registered information if the applicant is a corporation;
 - (ii) documents proving the applicant has ownership of the fluorocarbon recovery facility (or the authority to use the facility if the applicant does not have ownership);
 - (iii) documents explaining the type of the fluorocarbon recovery facility and the capacity of the facilities; and
 - (iv) documents explaining that the applicant (or the corporation and officers of the corporation if the applicant is a corporation) does not fall under any of the items of Article 29, paragraph (1) of the Act.
- (2) The matters specified by order of the competent ministry referred to in Article 27, paragraph (2), item (v) of the Act are as follows:
- (i) number of fluorocarbon recovery facilities for each place of business; and
 - (ii) if recovery is performed from class I specified products filled with 50 kilograms or more of fluorocarbons by the type of fluorocarbon being recovered, that fact.
- (3) If a prefectural governor is unable to use the information for identification confirmation as prescribed in Article 30-6, paragraph (1) of Act for Basic Registration of Residents (Act No. 81 of 1967) pertaining to a person seeking to file an application referred to in paragraph (1) or unable to receive provision of the information for identification confirmation pursuant to the provisions of Article 30-11 and Article 30-15, paragraph (1) of the same Act, the prefectural governor may require submission of a copy of the resident record if the person seeking to file an application referred to in paragraph (1) is an individual.

(Standards for Registration of Class I Fluorocarbon Filling and Recovery Operators)

Article 9 The standards specified by the order of the competent ministry referred to in Article 29, paragraph (1) of the Act are as follows:

- (i) in collecting fluorocarbons, the fluorocarbon recovery facilities stated on the application form are able to be used for each place of business pertaining to the application;
- (ii) the type of fluorocarbon recovery facilities stated on the application form corresponds with the type of fluorocarbon being recovered; and
- (iii) if the class I specified products pertaining the application filled with fluorocarbons whose amount is 50 kilograms or more, the fluorocarbon recovery facilities corresponding to the type of fluorocarbons pertaining to those class I specified products are able to recover 200 grams or more of fluorocarbons per minute.

(Persons Specified by Order of the Competent Ministry Referred to in Article 29, Paragraph (1), Item (1) of the Act)

Article 9-2 The persons specified by order of the competent ministry referred to in Article 29, paragraph (1), item (i) of the Act are persons who are unable to appropriately carry out recognition, decision making and communication necessary for properly performing the operations of a class I fluorocarbon filling and recovery operator due to mental impairment.

(Minor Changes to the Registered Information of Class I Fluorocarbon Filling and Recovery Operators)

Article 10 Minor changes specified by order of the competent ministry referred to in Article 31, paragraph (1) of the Act are changes to the capacity of the fluorocarbon recovery facilities prescribed in Article 27, paragraph (2), item (iv) of the Act or matters set forth in Article 8, paragraph (2), item (i), that do not involve changes to the matters set forth in Article 27, paragraph (2), item (iii) of the Act and Article 8, paragraph (2), item (ii).

(Notification of Changes to Registered Information of Class I Fluorocarbon Filling and Recovery Operators)

Article 11 (1) A person who intends to make a notification of changes pursuant to the provisions of Article 31, paragraph (1) of the Act must notify the prefectural governor accompanied by the following documents (meaning documents after the change to which the notification pertains) to the written notification using Form 2.

(i) if the class I fluorocarbon filling and recovery operator is a corporation and a change is made to the matters set forth in Article 27, paragraph (2), item (i) of the Act: certificate of registered information

(ii) if a change is made to the matters set forth in Article 27, paragraph 2, item (iii) through item (v) of the Act (excluding the minor changes specified in the preceding Article): documents set forth in Article 8, paragraph (1), items (ii) and (iii)

(2) If a prefectural governor is unable to use the information for identification confirmation as prescribed in Article 30-6, paragraph (1) of the Act for Basic Registration of Residents pertaining to a person seeking to file an application referred to in the preceding paragraph or unable to receive provision of the information for identification confirmation pursuant to the provisions of Article 30-11 and Article 30-15, paragraph (1) of the Act, the prefectural governor may require submission of a copy of the resident record if the person seeking to file an application referred to in the preceding paragraph is an individual.

(Reports of the Amount Recovered Upon Making a Notification of Discontinuation of Business)

Article 12 (1) A person who makes a notification of discontinuation of business, etc. of a class I fluorocarbon filling and recovery operator pursuant to the provisions of Article 33, paragraph (1) of the Act is to report to the prefectural governor on the status of implementation of operations in the fiscal year including the day on which the grounds set forth in the items of Article 33, paragraph (1) of the Act arose, in accordance with the provisions of Article 47, paragraph (3) of the Act, together with the notification.

(2) If a registration is revoked for a class I fluorocarbon filling and recovery operator pursuant to the provisions of Article 35, paragraph (1) of the Act, the person who was a class I fluorocarbon filling and recovery operator is to report to the prefectural governor on the status of implementation of operations in the fiscal year including the day on which the registration was revoked, in accordance with the provisions of Article 47, paragraph (3) of the Act.

(Matters Concerning Notice of Information Pertaining to Managers of Class I Specified Products upon Entrusting Filling by a Class I Specified Products Maintenance Operator)

Article 13 Notice under the provisions of Article 37, paragraph (2) of the Act is to be made as follows:

- (i) notice is to be made after confirming that the name and address of the manager of class I specified products who ordered the maintenance of the class I specified products, whether the manager of class I specified products uses an input-output device which connects to a computer used by an information processing center through an electronic telecommunication line, and if an input-output device is used, the name of the information processing center do not conflict with the matters being notified.
- (ii) notice is to be made when applying to a class I fluorocarbon filling and recovery operator for entrustment of filling of fluorocarbons.

(Standards for Filling Fluorocarbons)

Article 14 The standards specified by order of the competent ministry referred to in Article 37, paragraph (3) of the Act are as follows:

- (i) before filling class I specified products with fluorocarbons as refrigerant, the record book pertaining to inspection and maintenance retained by the manager of class I specified products are to be checked and the following matters are to be checked (referred to as "checks prior to filling" in the following item and item (iii)) for the class I fluorocarbon specified products by visual inspection of appearance or other simple methods:
 - (a) in the case of checking whether there are any leaks of fluorocarbons with

which class I specified products are filled as refrigerant (hereinafter simply referred to as "leaks" in this Article) and confirming the existence of leaks, whether the inspection of the leaks and the necessary steps to prevent the leaks (hereinafter referred to as "repairs" in this Article) have been implemented; and

- (b) whether there are any malfunctions that have a high probability of actually causing leaks or signs thereof (hereinafter referred to as "malfunctions, etc." in this Article) and when malfunctions, etc. are confirmed, whether inspections and repairs of the malfunctions, etc. have been implemented.
- (ii) if performing the checks prior to filling referred to in the preceding item, the class I specified products maintenance operator and the manager of class I specified products are to be notified of the method of performing checks prior to the filling, the results thereof and the following matters:
 - (a) when leaks are confirmed and implementation of the inspections of the leaks cannot be confirmed, the necessity to implement inspections and repairs for identifying the location of the leaks;
 - (b) when leaks are confirmed and identification of the location of leaks by inspections of the leaks and implementation of repairs cannot be confirmed, the necessity to implement repairs; and
 - (c) when malfunctions, etc. are confirmed and implementation of inspections of the malfunctions, etc. cannot be confirmed, the inspections for identifying the cause of the malfunctions, etc. and the necessity to implement repairs when it is confirmed that leaks are actually occurring due to the malfunctions, etc. as a result of the inspection.
- (iii) if the checks prior to filling referred to in item (i) have been performed and leaks or malfunctions, etc. are confirmed, the class I specified products must not be filled with fluorocarbons as refrigerant until the following matters have been confirmed; provided, however, that this does not apply if identification of the location of the leaks or the leaks occur in locations where implementation of repairs is extremely difficult:
 - (a) when leaks are confirmed, that the locations of the leaks have been identified, and the leaks do not currently occur due to the implementation of repairs; and
 - (b) when malfunctions, etc. are confirmed, that inspections of the malfunctions have been performed and either of the following matters:
 1. there are currently no leaks due to the malfunctions, etc.; or
 2. when leaks due to the malfunctions are confirmed, that the locations of the leaks have been identified, and the leaks do not currently occur due to the implementation of repairs.
- (iv) if it is necessary to fill fluorocarbons as emergency measures without any

repairs in order to adjust air environment required for environmental health, manage sanitation of refrigerated goods to ensure a situation harming human health or serious damage to business does not occur, or continue business, and if it is certain that the location of the leaks will be repaired within 60 days from the date on which the leaks were confirmed, notwithstanding the provisions of the preceding item, the filling of fluorocarbons may be performed only once before confirming the matters prescribed in subitems (a) and (b) of the same item.

- (v) it is to be confirmed that the type of fluorocarbon intended to be filled conforms to the type of fluorocarbon indicated on the class I specified products pursuant to Article 87, item (iii) of the Act, and it is to be confirmed with the manufacturer, etc. of the class I specified products that the global warming potential (meaning a coefficient for each type of fluorocarbons which indicate that substance's effect on global warming as a ratio to that of carbon dioxide, specified by the Minister of the Environment and the Minister of Economy, Trade and Industry on the basis of internationally recognized knowledge; the same applies hereinafter in this item and Article 94) of the fluorocarbon intended to be filled is less than the global warming potential of the fluorocarbons indicated on the class I specified products, and that there are no safety problems when using it in the class I specified products.
- (vi) approval of the manager of class I specified products is to be obtained in advance when intending to fill a class I specified products with an item different from the refrigerant currently filled as their refrigerant, .
- (vii) when filling fluorocarbons, the necessary steps are to be taken to ensure the fluorocarbons are not released into the atmosphere.
- (viii) the necessary steps are to be taken to ensure the fluorocarbons are not released into the atmosphere when using class I specified products by filling more fluorocarbons than necessary or otherwise filling improperly.
- (ix) a person with sufficient knowledge of the properties of fluorocarbons and the methods of filling fluorocarbons is to conduct the filling of fluorocarbons themselves or attend the filling of fluorocarbons.

(Matters to Be Stated on Filling Certificate)

Article 15 The matters specified by order of the competent ministry referred to in Article 37, paragraph (4) of the Act are as follows:

- (i) the name and address of the manager of class I specified products (including cases where the manager is a class I fluorocarbon filling and recovery operator and the manager filled the fluorocarbons themselves; the same applies hereinafter) who ordered the maintenance;
- (ii) the location of the class I specified products filled with fluorocarbons;

- (iii) information for identifying the class I specified products filled with fluorocarbons;
- (iv) the name, address and registration number of the class I fluorocarbon filling and recovery operator who filled the fluorocarbons;
- (v) the date of delivery of the filling certificate;
- (vi) the date fluorocarbons were filled;
- (vii) the amount of fluorocarbons filled by the type; and
- (viii) whether the filling was conducted when the class I specified products were in place, or otherwise when maintenance was performed.

(Delivery of Filling Certificate)

Article 16 Delivery of the filling certificate under the provisions of Article 37, paragraph (4) of the Act is to be performed as follows.

- (i) the filling certificate are to be delivered after confirming that the name and address of the manager of class I specified products who ordered the maintenance, and the amounts of fluorocarbons filled by the type do not conflict with the matters shown on the filling certificate.
- (ii) the filling certificate is to be delivered within 30 days from the date on which the filling of fluorocarbons was conducted.

(Procedures for Registration with the Information Processing Center for Filling Fluorocarbons)

Article 17 Registration with the information processing center under the provisions of Article 38, paragraph (1) of the Act is to be performed as follows.

- (i) registration is to be made after confirming the name and address of the manager of class I specified products who ordered the maintenance and that the amounts of fluorocarbons filled by the type do not conflict with the matters intended to be registered.
- (ii) registration is to be made after obtaining approval from the manager of class I specified products who ordered the maintenance.

(Deadline for Registration with the Information Processing Center for Filling Fluorocarbons)

Article 18 The period specified by order of the competent ministry referred to in Article 38, paragraph (1) of the Act is 20 days.

(Matters Registered with the Information Processing Center for Filling Fluorocarbons)

Article 19 The matters specified by order of the competent ministry referred to in Article 38, paragraph (1) of the Act are as follows:

- (i) the name and address of the manager of class I specified products who

- ordered the maintenance;
- (ii) the location of the class I specified products filled with fluorocarbons;
- (iii) information for identifying the class I specified products filled with fluorocarbons;
- (iv) the name, address and registration number of the class I fluorocarbon filling and recovery operator who filled the fluorocarbons;
- (v) the date of registration with the information processing center;
- (vi) the date fluorocarbons were filled;
- (vii) the amount of fluorocarbon filled by the type; and
- (viii) whether the filling was conducted when the class I specified products were in place, or otherwise when maintenance was performed.

(Retention Period for Information by the Information Processing Center for Filling Fluorocarbons)

Article 20 The period specified by order of the competent ministry referred to in Article 38, paragraph (3) of the Act is five years.

(Matters Concerning Notice of Information Pertaining to Managers of Class I Specified Products When Entrusting Recovery by a Class I Specified Products Maintenance Operator)

Article 21 The provisions of Article 13 apply mutatis mutandis to notice under the provisions of Article 39, paragraph (2) of the Act. In this case, the term "entrustment of filling of fluorocarbons" in Article 13, item (ii) is deemed to be replaced with "entrustment of recovery of fluorocarbons".

(Matters to Be Stated on Recovery Certificate)

Article 22 The provisions of Article 15, items (i) through (vii) apply mutatis mutandis to the matters specified by order of the competent ministry referred to in Article 39, paragraph (6) of the Act. In this case the term "filled" is deemed to be replaced with "recovered" in Article 15, items (i) through (iv), item (vi) and item (vii), and the term "filling certificate" is deemed to be replaced with "recovery certificate" in item (v) of the same Article.

(Delivery of Recovery Certificate)

Article 23 The provisions of Article 16 apply mutatis mutandis to delivery of the recovery certificate under the provisions of Article 39, paragraph (6) of the Act. In this case the term "filling certificate" is deemed to be replaced with "recovery certificate" in Article 16, item (i), and the term "filled" is deemed to be replaced by "recovered" in item (ii) of the same Article.

(Procedures for Registration with the Information Processing Center for

(Recovering Fluorocarbons)

Article 24 The provisions of Article 17 apply mutatis mutandis to registration with the information processing center under the provisions of Article 40, paragraph (1) of the Act. In this case the term "filled" is deemed to be replaced with "recovered" in Article 17, item (i).

(Deadline for Registration with the Information Processing Center for Recovering Fluorocarbons)

Article 25 The provisions of Article 18 apply mutatis mutandis to the period specified by order of the competent ministry referred to in Article 40, paragraph (1) of the Act.

(Matters Registered with the Information Processing Center for Recovering Fluorocarbons)

Article 26 The provisions of Article 19, items (i) through (vii) apply mutatis mutandis to the matters specified by order of the competent ministry referred to in Article 40, paragraph (1) of the Act. In this case the term "filled" is deemed to be replaced with "recovered" in Article 19, items (ii) through (iv) and items (vi) and (vii).

(Retention Period for Information by the Information Processing Center for Recovering Fluorocarbons)

Article 27 The provisions of Article 20 apply mutatis mutandis to the period specified by order of the competent ministry referred to in Article 38, paragraph (3) of the Act as applied pursuant to Article 40, paragraph (2) of the Act.

(Confirmation by a Class I Fluorocarbon Filling and Recovery Operator that Class I Specified Products Are Not Filled with Fluorocarbons)

Article 27-2 (1) Confirmation under the provisions of Article 41 of the Act is to be performed as follows:

- (i) fluorocarbons are not recovered even by suction performed by a class I fluorocarbon filling and recovery operator in accordance with the standard referred to in Article 40.
- (ii) the class I fluorocarbon filling and recovery operator delivers the document stating the matters set forth in the following items (hereinafter referred to as "confirmation certificate") to the person undertaking the disposal, etc.:
 - (a) the name and address of the person undertaking the disposal, etc. of class I specified products;
 - (b) the type and quantity of the class I specified products confirmed as not being filled with the fluorocarbons;

- (c) the location of the class I specified products before confirmed as not being filled with fluorocarbons;
 - (d) the name, address and registration number of the class I fluorocarbon filling and recovery operator who confirmed as not being filled with fluorocarbons
 - (e) the date of delivery of the confirmation certificate and
 - (f) the date of confirmation of not being filled with the fluorocarbons.
- (2) A class I fluorocarbon filling and recovery operator must retain a copy of the confirmation certificate delivered pursuant to the provisions of item (ii) of the preceding paragraph for three years from the date of delivery thereof.
- (3) When a person undertaking the disposal, etc. of class I specified products is delivered the confirmation certificate under the provisions of paragraph (1), item (ii), the person must retain the confirmation certificate for three years from the date of delivery thereof.

(Delivery of a Recovery Request to Class I Fluorocarbon Filling and Recovery Operator by a Person Undertaking the Disposal of Class I Specified Products)

Article 28 Delivery of recovery requests under the provisions of Article 43, paragraph (1) of the Act is to be performed as follows:

- (i) if there are two or more class I fluorocarbon filling and recovery operators to which the delivery will be made, the request is to be delivered for each class I fluorocarbon filling and recovery operator.
- (ii) the request is to be delivered after confirming that the type and quantity of class I specified products filled with fluorocarbons to be delivered, and the name and address of the class I fluorocarbon filling and recovery operator do not conflict with the matters shown on the recovery request.
- (iii) the request is to be delivered when delivering the fluorocarbons to the class I fluorocarbon filling and recovery operator.

(Matters to Be Stated on Recovery Request of a Person Undertaking the Disposal of Class I Specified Products)

Article 29 The matters specified by order of the competent ministry referred to in Article 43, paragraph (1), item (iv) of the Act are as follows:

- (i) the date of delivery of the recovery request;
- (ii) the location of the class I specified products filled with the fluorocarbons to be delivered; and
- (iii) the registration number of the class I fluorocarbon filling and recovery operator to which the delivery will be made.

(Delivery of a Written Confirmation of Entrustment to a Person Entrusted with the Delivery of Class I Fluorocarbons by a Person Undertaking the Disposal

of Class I Specified Products)

Article 30 Delivery of a written confirmation of entrustment under the provisions of Article 43, paragraph (2) of the Act is to be performed as follows:

- (i) if there are two or more persons entrusted with delivery, the written confirmation of entrustment is to be delivered for each person entrusted with delivery.
- (ii) the written confirmation of entrustment is to be delivered after confirming that the type and quantity of class I specified products filled with fluorocarbons to be delivered, and the name and address of the person entrusted with the delivery do not conflict with the matters shown on the written confirmation of entrustment.

(Matters to Be Stated on Written Confirmation of Entrustment of a Person Undertaking the Disposal of Class I Specified Products)

Article 31 The matters specified by order of the competent ministry referred to in Article 43, paragraph (2), item (iv) of the Act are as follows:

- (i) the date of delivery of the written confirmation of entrustment; and
- (ii) the location of the class I specified products filled with the fluorocarbons to be delivered; and

(Retention Period of Copy of the Recovery Request by a Person Undertaking the Disposal of Class I Specified Products)

Article 32 The period specified by order of the competent ministry referred to in Article 43, paragraph (3) of the Act is three years.

(Matters to Be Stated in the Document Stating Approval of Further Entrustment)

Article 33 The matters specified by order of the competent ministry referred to in Article 43, paragraph (4) of the Act are as follows:

- (i) the name and address of the person undertaking the disposal, etc. of class I specified products;
- (ii) the type and quantity of the class I specified products filled with the fluorocarbons entrusted to be delivered;
- (iii) the location of the class I specified products filled with the fluorocarbons entrusted to be delivered;
- (iv) the name and address of the person entrusted with the delivery of class I fluorocarbons intending to further entrust the delivery of fluorocarbons to another person;
- (v) the date of approval; and
- (vi) the name and address of the person who was further entrusted with the delivery of fluorocarbons by the person entrusted with the delivery of class I

fluorocarbons (referred to as a "person further entrusted with the delivery of class I fluorocarbons" in Article 35, item (i) and Article 36, item (i)).

(Retention Period of the Document Stating Approval of Further Entrustment)

Article 34 The period specified by order of the competent ministry referred to in Article 43, paragraph (4) of the Act is three years.

(Circulation of Written Confirmation of Entrustment to a Person Further Entrusted with the Delivery of Class I Fluorocarbons by a Person Entrusted with the Delivery of Class I Fluorocarbons)

Article 35 Circulation of a written confirmation of entrustment under the provisions of Article 43, paragraph (5) of the Act is to be performed as follows.

- (i) the written confirmation of entrustment is to be circulated after confirming the type and quantity of class I specified products filled with fluorocarbons to be delivered, and that the name and address of the person further entrusted with the delivery of class I fluorocarbons do not conflict with the matters shown on the written confirmation of entrustment.
- (ii) a copy of the document stating approval of further entrustment delivered pursuant to the provisions of Article 43, paragraph (4) of the Act is to be attached and circulated.

(Matters to Be Stated in the Written Confirmation of Entrustment When a Person Entrusted with the Delivery of Class I Fluorocarbons Further Entrusts Delivery of Fluorocarbons)

Article 36 The matters specified by order of the competent ministry referred to in Article 43, paragraph (5) of the Act are as follows:

- (i) the name and address of the person further entrusted with the delivery of class I fluorocarbons; and
- (ii) the date of circulation of written confirmation of entrustment,

(Circulation of Written Confirmation of Entrustment to Class I fluorocarbon Filling and Recovery Operator by a Person Entrusted with the Delivery of Class I Fluorocarbons)

Article 37 Circulation of a written confirmation of entrustment under the provisions of Article 43, paragraph (6) of the Act is to be performed as follows.

- (i) the written confirmation of entrustment is to be circulated after confirming the type and quantity of class I specified products filled with fluorocarbons to be delivered, and that the name and address of the class I fluorocarbon filling and recovery operator do not conflict with the matters shown on the written confirmation of entrustment.
- (ii) if delivery of fluorocarbons is further entrusted pursuant to the provisions

of Article 43, paragraph (4) of the Act, a copy of the document stating approval of further entrustment delivered pursuant to the provisions of the same paragraph is to be attached and circulated.

(Matters to Be Stated in the Written Confirmation of Entrustment When a Person Entrusted with the Delivery of Class I Fluorocarbons Delivers Fluorocarbons)

Article 38 The matters specified by order of the competent ministry referred to in Article 43, paragraph (6) of the Act are as follows:

- (i) the date of circulation of written confirmation of entrustment; and
- (ii) the name, address and registration number of the class I fluorocarbon filling and recovery operator to which the delivery will be made.

(Retention Period of Copy of Written Confirmation of Entrustment by a Person Entrusted with the Delivery of Class I Fluorocarbons)

Article 39 The period specified by order of the competent ministry referred to in Article 43, paragraph (7) of the Act is three years.

(Standards for Recovery of Fluorocarbons by Class I Fluorocarbon Filling and Recovery Operators)

Article 40 The standards specified by order of the competent ministry referred to in Article 44, paragraph (2) of the Act are as follows.

- (i) suction is to be performed so that the value of pressure (meaning absolute pressure; hereinafter the same applies in this item) at the refrigerant recovery outlet on class I specified products is equal to or less than the pressure set forth in the right hand column of Appended Table 1 according to the pressure category of the fluorocarbon set forth in the left hand column of the same table, after an elapse of a certain time. However, this does not apply in cases where recovering fluorocarbons with which a class I specified products as refrigerant in maintaining the class I specified products prescribed in Article 39, paragraph (1) if there is no risk that the fluorocarbons remaining in the refrigeration cycle (meaning the closed system within class I specified products filled with fluorocarbons as refrigerant) being released into the atmosphere.
- (ii) a person with sufficient knowledge of the properties of fluorocarbons and the methods of recovering fluorocarbons is to perform the recovery of fluorocarbons themselves or attend the recovery of fluorocarbons.

(Matters to Be Stated on Collection Certificate Delivered to a Person Undertaking the Disposal of Class I Specified Products)

Article 41 The matters specified by order of the competent ministry referred to

in Article 45, paragraph (1) of the Act are as follows:

- (i) the name and address of the person undertaking the disposal, etc. of class I specified products;
- (ii) the type and quantity of the class I specified products filled with the fluorocarbons collected;
- (iii) the location of the class I specified products before collection of fluorocarbons;
- (iv) the name, address and registration number of the class I fluorocarbon filling and recovery operator who collected the fluorocarbons;
- (v) the date of delivery of the collection certificate;
- (vi) the date collection of fluorocarbons was completed; and
- (vii) the amount of fluorocarbons collected by the type.

(Delivery of Collection Certificate to a Person Undertaking the Disposal of Class I Specified Products)

Article 42 Delivery of the collection certificate under the provisions of Article 45, paragraph (1) of the Act is to be performed as follows.

- (i) the collection certificate is to be promptly delivered after collection of fluorocarbons.
- (ii) the collection certificate is to be delivered after confirming that the type and quantity of class I specified products filled with fluorocarbons collected, and the name and address of the person undertaking the disposal, etc. of the class I specified products do not conflict with the matters shown on the collection certificate.

(Retention Period of Copy of Collection Certificate by a Class I Fluorocarbon Filling and Recovery Operator)

Article 43 The period specified by order of the competent ministry referred to in Article 45, paragraph (1) of the Act is three years.

(Matters to Be Stated on Collection Certificate Delivered to a Person Entrusted with the Delivery of Class I Fluorocarbons)

Article 44 The provisions of Article 41 apply mutatis mutandis to the matters specified by order of the competent ministry referred to in Article 45, paragraph (2) of the Act. In this case, the term "person undertaking the disposal, etc. of class I specified products" is deemed to be replaced with "person undertaking the disposal, etc. of class I specified products and person entrusted with the delivery of class I fluorocarbons" in Article 41, item (i).

(Delivery of Collection Certificate to a Person Undertaking the Disposal of Class I Specified Products)

Article 45 The provisions of Article 42 apply mutatis mutandis to sending of the collection certificate under the provisions of Article 45, paragraph (2) of the Act. In this case, the term "person undertaking the disposal, etc. of class I specified products" is deemed to be replaced with "person undertaking the disposal, etc. of class I specified products and person entrusted with the delivery of class I fluorocarbons" in Article 42, item (ii).

(Period until Receiving Delivery of Collection Certificate)

Article 46 The period specified by order of the competent ministry referred to in Article 45, paragraph (4) of the Act is 30 days from the date of delivery of the recovery request or written confirmation of entrustment. However, it is 90 days from the date of delivery of the written confirmation of entrustment if a written confirmation of entrustment is delivered in association with an agreement for demolition work.

(Reporting by a Person Undertaking the Disposal of Class I Specified Products)

Article 47 The report under the provisions of Article 45, paragraph (4) of the Act is to be made by promptly submitting a copy of the recovery request delivered pursuant to the provisions of Article 43, paragraph (1) of the Act or a copy of the written confirmation of entrustment delivered pursuant to the provisions of paragraph (2) of the same Article.

(Retention Period of the Collection Certificate by a Class I Fluorocarbon Filling and Recovery Operator)

Article 48 The provisions of Article 43 apply mutatis mutandis to the period specified by order of the competent ministry referred to in Article 45, paragraphs (2), (3) and (5) of the Act.

(Delivery of Copy of Collection Certificate to a Person Undertaking the Collection of Class I Specified Products by a Person Undertaking the Disposal of Class I Specified Products)

Article 48-2 Delivery of the collection certificate under the provisions of Article 45-2, paragraph (1) of the Act is to be performed as follows.

- (i) when there are two or more persons undertaking the collection of class I specified products performing collection, etc., a collection certificate is to be delivered for each person undertaking the collection of class I specified products.
- (ii) the collection certificate is to be delivered when delivering the class I specified products to the person undertaking the collection, etc. of class I specified products.
- (iii) when transportation of class I specified products, demolition work of

buildings or other structures where class I specified products are in place, or other delivery of class I specified products to a person undertaking the collection, etc. of class I specified products is entrusted to another person, the collection certificate may be delivered to the person undertaking the collection, etc. of class I specified products through the person entrusted with the delivery.

(Cases Not Requiring Delivery of Copy of Collection Certificate to a Person Undertaking the Collection of Class I Specified Products)

Article 48-3 (1) Cases in which delivery of a copy of the collection certificate is not required pursuant to the provisions the proviso of Article 45-2, paragraph (1) are cases that fall under any of the following items:

- (i) when delivery of fluorocarbons filled in class I specified products being collected to the class I fluorocarbon filling and recovery operator is entrusted to a person undertaking the collection, etc. of class I specified products;
- (ii) when delivery of a copy of the collection certificate for class I specified products is delivered when delivering class I specified products to the person undertaking the collection, etc. of the class I specified products; or
- (iii) when processing class I specified products discharged as disaster waste due to an extraordinary disaster or a case otherwise found by the prefectural governor to be unavoidable, and delivering class I specified products to a person recognized by the prefectural governor with the permission of the prefectural governor.

(2) In the case referred to in item (ii) of the preceding paragraph, the handling of the copy of the confirmation certificate by the person undertaking the collection, etc. of class I specified products is as prescribed in the following items.

- (i) the retention period of the delivered confirmation certificate is to be the shorter of three years or until the circulation of the copy of the confirmation certificate pursuant to the provisions of the following item.
- (ii) when further entrusting or assigning disposal of class I specified products collected, the confirmation certificate is to be circulated to the person who was further entrusted or assigned with the disposal of the class I specified products.

(Circulation of Copy of Collection Certificate to a Person Undertaking the Collection of Class I Specified Products)

Article 48-4 The provisions of Article 48-2 apply mutatis mutandis to circulation of a copy of the collection certificate under the provisions of Article 45-2, paragraph (2) of the Act. In this case, the term "person undertaking the collection, etc. of class I specified products" is deemed to be replaced with

"person further entrusted or assigned with the disposal of the class I specified products" in Article 48-2.

(Retention Period of Copy of Collection Certificate to a Person Undertaking the Collection of Class I Specified Products)

Article 48-5 The period specified by order of the competent ministry referred to in Article 45-2, paragraph (3) is the shorter of three years or until the circulation of the copy of the confirmation certificate under the provisions of Article 45-2, paragraph (2).

(Cases in Which There is No Risk of Fluorocarbons Being Released into the Atmosphere upon Collection)

Article 48-6 Cases specified by order of the competent ministry referred to in Article 45-2, paragraph (4) are cases that fall under any of the following items:

- (i) when a person collecting fluorocarbons filled in class I specified products (limited to persons that are class I fluorocarbon filling and recovery operators) performs the collection of the class I specified products;
- (ii) when a person entrusted with the delivery of fluorocarbons filled in class I specified products to a class I fluorocarbon filling and recovery operator performs the collection of the class I specified products; or
- (iii) when processing class I specified products discharged as disaster waste due to an extraordinary disaster or a case otherwise found by the prefectural governor to be unavoidable, and collecting class I specified products from a person recognized by the prefectural governor with the permission of the prefectural governor.

(Exceptions to Delivery Obligations of Class I Fluorocarbon Filling and Recovery Operators)

Article 49 Cases specified by order of the competent ministry referred to in Article 46, paragraph (1) are cases that fall under any of the following items:

- (i) when a class I fluorocarbon filling and recovery operator delivers the delivered fluorocarbons to a person who is certain to deliver them to a class I fluorocarbon recycling operator or a fluorocarbon destruction operator and is found by the prefectural governor as a person falling under all of the following requirements:
 - (a) it is certain that fluorocarbons will be transported in accordance with the standards referred to in Article 50 when delivering fluorocarbons to the class I fluorocarbon recycling operator or fluorocarbon destruction operator;
 - (b) it is certain that records of the following matters will be prepared without delay for each collection or delivery of fluorocarbons and the records will be

retained for five years from the date of preparation of the records:

1. the date of collection of fluorocarbons and the amount of fluorocarbons collected by the type;
 2. the name, address and registration number of the class I fluorocarbon filling and recovery operator who requested collection of the fluorocarbons;
 3. the date of delivery of the fluorocarbons to the class I fluorocarbon recycling operator, the name of the party to whom the fluorocarbons were delivered and the amounts of fluorocarbons delivered by the type; and
 4. the date of delivery of fluorocarbons to the fluorocarbon destruction operator, the name of the party to whom the fluorocarbons were delivered and the amounts of fluorocarbons delivered by the type;
- (c) if a manager of class I specified products who ordered the maintenance of class I specified products, a class I specified products maintenance operator, a person undertaking the disposal, etc. of class I specified products, a person entrusted with the delivery of class I fluorocarbons, or a class I fluorocarbon filling and recovery operator requests to inspect the records of these persons under the provisions of subitem (b), it is certain that the request will be accepted without reasonable grounds; and
- (d) it is certain that a report of the following matters will be made to the prefectural governor within 45 days after the end of each fiscal year:
1. the amounts of fluorocarbons collected during the previous fiscal year by the type;
 2. the amounts of fluorocarbons stored at the beginning of the previous fiscal year by the type;
 3. the amounts of fluorocarbons delivered to class I fluorocarbon recycling operators during the previous fiscal year by the type;
 4. the amounts of fluorocarbons delivered to fluorocarbon destruction operators during the previous fiscal year by the type; and
 5. the amounts of fluorocarbons stored at the end of the previous fiscal year by the type; or
- (ii) when class I fluorocarbon filling and recovery operator delivers fluorocarbons to a person intending to apply for a license for class I fluorocarbon recycling operation pursuant to the provisions of Article 50, paragraph (1) of the Act (hereinafter referred to as an "applicant" in this item, Article 51, paragraph 1, item (vii) and Article 52, paragraph (1), item (ix)) for testing recycling, and the fluorocarbons are returned by the applicant to the class I fluorocarbon filling and recovery operator.

(Standards for Transport of Fluorocarbons by a Class I Fluorocarbon Filling

and Recovery Operator)

Article 50 The standards specified by order of the competent ministry referred to in Article 46, paragraph (2) of the Act are as follows:

- (i) collected fluorocarbons are not relocated without good reason (meaning refilling collected fluorocarbons from the container they fill (hereinafter referred to as "fluorocarbon collection container" in this item and the following item) to another fluorocarbon collection container).
- (ii) steps are taken on fluorocarbon collection containers to prevent leaks due to impact from falling or tipping or damage to valves, and they are not handled roughly.

(Record of Amount Filled and Amount Collected by Class I Fluorocarbon Filling and Recovery Operators)

Article 51 (1) The matters specified by order of the competent ministry referred to in Article 47, paragraph (1) of the Act are as follows:

- (i) if maintenance is performed on class I specified products, the date when class I specified products are filled with fluorocarbons as refrigerant, the name and address of the manager of class I specified products who ordered the maintenance relating to the filling and the class I specified products maintenance operator, type and number of class I specified products filled and amounts of fluorocarbons by the type as classified by whether the filling was conducted when the class I specified products were in place, or otherwise when maintenance was performed (excluding the amount refilled as refrigerant in the class I specified products after recovery);
- (ii) if maintenance is performed on class I specified products or disposal, etc. of class I specified products is performed, whether maintenance is performed on class I specified products or disposal, etc. of class I specified products is performed, the date fluorocarbons were recovered, the name and address of the manager of class I specified products who ordered the maintenance relating to the filling and the class I specified products maintenance operator or the person undertaking the disposal, etc. of class I specified products and the person entrusted with the delivery of class I fluorocarbons, the type and quantity of class I specified products collected and amounts of fluorocarbons collected by the type (excluding the amount refilled as refrigerant in the class I specified products after recovery in cases where maintenance is performed on class I specified products);
- (iii) if it is confirmed that class I specified products are not filled with fluorocarbons pursuant to the provisions of Article 41 of the Act, the date of confirmation, the name and address of the person undertaking the disposal, etc. of class I specified products who entrusted the confirmation, and the type and number of class I specified products relating to the confirmation;

- (iv) if class I fluorocarbon recycling operations are performed pursuant to the provisions of the proviso of Article 50, paragraph (1) of the Act, the date fluorocarbons were recycled, the amounts of fluorocarbons by the type, the date when fluorocarbons were filled as refrigerant, the name and address of the manager of class I specified products who ordered the maintenance relating to the filling, and the amounts of the recycled fluorocarbons that were refilled;
 - (v) the date of delivery of the fluorocarbons to the class I fluorocarbon recycling operator, the name of the party to whom the fluorocarbons were delivered and the amounts of fluorocarbons delivered by the type;
 - (vi) the date of delivery of fluorocarbons to the fluorocarbon destruction operator, the name of the party to whom the fluorocarbons were delivered and the amounts of fluorocarbons delivered by the type;
 - (vii) the date of delivery of fluorocarbons in the case prescribed in Article 49, item (i), the name of the to whom the fluorocarbons were delivered and the amounts of fluorocarbons delivered by the type; and
 - (viii) in the case prescribed in Article 49, item (ii), the dates of delivery and return, the name and address of the applicant, and the amounts of fluorocarbons delivered by the type.
- (2) A class I fluorocarbon filling and recovery operator must prepare records of the matters set forth in the items of the preceding paragraph without delay each time they perform filling or recovery of fluorocarbons, confirmation when confirming that fluorocarbons are not filled pursuant to the provisions of Article 41 of the Act, and recycling or delivery when performing class I fluorocarbon recycling operation pursuant to the provisions of the proviso of Article 50, paragraph (1) of the Act, and retain the records for five years from the date of preparation thereof.

(Reporting of Filled Amount and Collected Amount to the Prefectural Governor by a Class I Fluorocarbon Filling and Recovery Operators)

Article 52 (1) The matters specified by order of the competent ministry referred to in Article 47, paragraph (3) of the Act are as follows:

- (i) the type and number of class I specified products filled and amount of fluorocarbons filled by the type during the previous fiscal year as classified by prefecture with jurisdiction over the area in which operations were performed and by whether the filling was conducted when the class I specified products were in place, or otherwise when maintenance was performed (excluding the amount refilled as refrigerant in the class I specified products after recovery);
- (ii) the type and number of class I specified products recovered and amount of fluorocarbons recovered by the type during the previous fiscal year as

- classified by prefecture with jurisdiction over the area in which operations were performed and by whether maintenance was performed on class I specified products or disposal, etc. of class I specified products was performed (excluding the amount refilled as refrigerant in the class I specified products after recovery in cases where maintenance is performed on class I specified products);
- (iii) The number of class I specified products by the type that are confirmed as not being filled with fluorocarbons in the case prescribed in Article 41 of the Act during the previous fiscal year as classified by prefecture with jurisdiction over the area in which operations are performed;
 - (iv) the amounts of fluorocarbons by the type that were stored at the beginning of the previous fiscal year as classified by prefecture with jurisdiction over the area in which operations were performed and by whether maintenance was performed on class I specified products or disposal, etc. of class I specified products was performed;
 - (v) the amounts of fluorocarbons by the type that were delivered to a class I fluorocarbon recycling operator during the previous fiscal year as classified by prefecture with jurisdiction over the area in which operations were performed and by whether maintenance was performed on class I specified products or disposal, etc. of class I specified products was performed;
 - (vi) the amounts of fluorocarbons by the type that were delivered to a fluorocarbon destruction operator during the previous fiscal year as classified by prefecture with jurisdiction over the area in which operations were performed and by whether maintenance was performed on class I specified products or disposal, etc. of class I specified products was performed;
 - (vii) the amounts of fluorocarbons recovered by the type and the amount of recycled fluorocarbons that were filled during the previous fiscal year if performing class I fluorocarbon recycling operations pursuant to the proviso of Article 50, paragraph (1) of the Act as classified by prefecture with jurisdiction over the area in which operations were performed and by whether maintenance was performed on class I specified products or disposal, etc. of class I specified products was performed;
 - (viii) the amounts of fluorocarbons by the type that were delivered in the case prescribed in Article 49, item (i) of the Act during the previous fiscal year as classified by prefecture with jurisdiction over the area in which operations were performed and by whether maintenance was performed on class I specified products or disposal, etc. of class I specified products was performed;
 - (ix) the amounts of fluorocarbons by the type that were stored at the end of the previous fiscal year as classified by prefecture with jurisdiction over the area in which operations were performed and by whether maintenance was

- performed on class I specified products or disposal, etc. of class I specified products was performed; and
- (x) in the case prescribed in Article 49, item (ii), the dates of delivery and return, the name and address of the applicant, and the amounts of fluorocarbons by the type for each prefecture where the class I fluorocarbon filling and recovery operator that committed the act is registered.
- (2) A class I fluorocarbon filling and recovery operator must submit a report using Form 3 to the prefectural governor with jurisdiction over the areas where operations were performed within 45 days after the end of the fiscal year.

(Notice of the of Filled Amount and Collected Amount by the Prefectural Governor to the Competent Minister)

Article 53 Pursuant to the provisions of Article 47, paragraph (4) of the Act, when a prefectural governor receives a report under the provisions of paragraph (2) of the preceding Article, the prefectural governor must submit two written notices using Form 4 to the Minister of the Environment or the Minister of Economy Trade and Industry within four months after the end of fiscal year.

(Cases Not Requiring a License Granted to Class I Fluorocarbon Recycling Operators)

Article 54 (1) Class I fluorocarbon recycling operations under the provisions of the proviso of Article 50, paragraph (1) of the Act are to be performed as follows.

- (i) performing recycling of fluorocarbons which the class I fluorocarbon recycling operator recovers themselves from class I specified products which they understand fluorocarbon filling records and other conditions of use and management, and fluorocarbons they recover themselves from class I specified products whose properties have been properly confirmed by using analysis equipment they own or entrusting analysis to a person with adequate experience and technical capability (excluding cases in which recycling of fluorocarbons is performed incidental to recovery of fluorocarbons, which are cases specified by order of the competent ministry referred to in Article 46, paragraph (1) of the Act or cases where recycled fluorocarbons are recovered for the purpose of delivering them to a class I fluorocarbon recycling operator or fluorocarbon destruction operator; the same applies in the following item).
- (ii) performing recycling of fluorocarbons for the purpose of using recycled fluorocarbons for being filled as refrigerant themselves.
- (iii) performing proper recycling of fluorocarbons without releasing them into the atmosphere in accordance with the proper method of use of equipment

(limited to those prescribed in the following paragraph) used for recycling of fluorocarbons.

- (2) Those specified by order of the competent ministry as prescribed in the proviso of Article 50, paragraph (1) of the Act are the equipment used for recycling of fluorocarbons that meet the following requirements.
- (i) among the devices composing the equipment used for recycling of fluorocarbons, those used for recycling of fluorocarbons are contained in a single chassis.
 - (ii) the equipment is transportable.
 - (iii) the equipment may be sealed except the intake port and exhaust port (meaning the opening installed to emit exhaust gas from the equipment into the atmosphere) and has a structure that does not discharge fluorocarbons into the atmosphere (including those with functions for discharging fluorocarbons in unavoidable cases for ensuring safety).
 - (iv) the equipment may perform proper recycling according to the type of fluorocarbon intended to be recycled.

(Application for License Granted to Class I Fluorocarbon Recycling Operators)

Article 55 (1) A person intending to apply for a license granted to class I fluorocarbon recycling operators pursuant to the provisions of Article 50, paragraph (2) of the Act (including as applied *mutatis mutandis* pursuant to Article 52, paragraph (2) of the Act) must submit two application forms using Form 5 accompanied by the following documents to the Minister of the Environment or the Minister of Economy, Trade and Industry:

- (i) a certificate of registered information if the applicant is a corporation;
 - (ii) drawings indicating the structure of the class I fluorocarbon recycling facilities, etc.;
 - (iii) documents explaining that the proper recycling can be performed according to the intended purpose of fluorocarbon being recycled;
 - (iv) documents explaining the recycling capacity of the class I fluorocarbon recycling facilities, etc.;
 - (v) plans for collection of the fluorocarbons intended to be recycled;
 - (vi) documents providing supplementary information on the method of use and management of the class I fluorocarbon recycling facilities, etc. shown on the application form; and
 - (vii) documents explaining that the applicant (or the corporation and officers of the corporation if the applicant is a corporation) does not fall under any of the items of Article 51, item (ii) (a) through (f) of the Act.
- (2) If the information for identification confirmation as prescribed in Article 30-6, paragraph (1) of the Act for Basic Registration of Residents pertaining to a person seeking to file an application referred to in the preceding paragraph

cannot be provided pursuant to the provisions of Article 30-9 of that Act, the Minister of the Environment or the Minister of Economy, Trade and Industry may have the person submit a copy of the resident record if the person seeking to file an application referred to in the preceding paragraph is an individual.

(Standards for the Structure of Class I Fluorocarbon Recycling Facilities)

Article 56 The standards for the structure of class I fluorocarbon recycling facilities, etc. specified by order of the competent ministry referred to in Article 51, item (i) of the Act are as follows.

- (i) the facilities, etc. are able to perform properly recycling according to the intended purpose of fluorocarbon being recycled and be able to satisfy the standard concerning recycling capacity.
- (ii) the facilities, etc. have the structure required for properly trapping fluorocarbons recovered without discharging them into the atmosphere.
- (iii) when delivering unrecycled fluorocarbons (including fluorocarbons contained in exhaust gas generated and other substances produced as a result of recycling; the same applies hereinafter) to a fluorocarbon destruction operator pursuant to the provisions of Article 58, paragraph (2) of the Act (including cases where a class I fluorocarbon recycling operator is a fluorocarbon destruction operator and the class I fluorocarbon recycling operator destroys unrecycled fluorocarbons themselves; the same applies in Article 58, item (i) (d)), the facilities, etc. have the structure required for properly trapping these without discharging them into the atmosphere and other structures required for properly delivering them without discharging them into the atmosphere.
- (iv) the facilities, etc. have filtration equipment, distillation equipment or another device for removing impurities mixed with fluorocarbons, or a device for adjusting the quality of fluorocarbons by mixing them with other fluorocarbons.
- (v) class I fluorocarbon recycling facilities have measurement device required for executing the method of use and management.
- (vi) the facilities, etc. have analysis equipment required for confirming the purity of the fluorocarbons recycled and the concentration of impurities (meaning non-condensing gas, residue on evaporation, oxygen and moisture; the same applies in Article 58, items (iii) and (v)) mixed with the recycled fluorocarbons. However, this does not apply when entrusting analysis to a person with adequate experience and technical capability.
- (vii) the facilities, etc. may execute the method of use and management of the class I fluorocarbon recycling facilities, etc. shown on the application form.

(Standards for the Recycling Capacity of Class I Fluorocarbon Recycling

Facilities)

Article 57 The standards for the recycling capacity of class I fluorocarbon recycling facilities, etc. specified by order of the competent ministry referred to in Article 51, item (i) of the Act are that the amount of fluorocarbons that can be recycled in the class I fluorocarbon recycling facilities, etc. is appropriate in light of the plan pertaining to the collection of the fluorocarbons intended to be recycled.

(Standards for the Use and Management of Class I Fluorocarbon Recycling Facilities)

Article 58 The standards for the use and management of class I fluorocarbon recycling facilities, etc. specified by order of the competent ministry referred to in Article 51, item (i) of the Act are as follows.

- (i) the following matters are appropriately specified according to the type of class I fluorocarbon recycling facilities, etc. so that proper recycling according to the intended purpose of the recycled fluorocarbon can be performed without discharging fluorocarbons into the atmosphere and the standards concerning recycling capacity can be satisfied:
 - (a) the operation method;
 - (b) the method of supplying fluorocarbons;
 - (c) the method of trapping recycled fluorocarbons;
 - (d) the method of processing unrecycled fluorocarbons (meaning the method of trapping and other methods of delivering unrecycled fluorocarbons when the unrecycled fluorocarbons are delivered to a fluorocarbon destruction operator pursuant to the provisions of Article 58, paragraph (2) of the Act; the same applies in the following item);
 - (e) the method of storage of fluorocarbons intended to be recycled, recycled fluorocarbons and unrecycled fluorocarbons; and
 - (f) the method of maintenance and inspection.
- (ii) the condition of the class I fluorocarbon recycling facilities, etc. is regularly checked using measurement devices, etc., to ensure compliance with the operation method, the method of supplying fluorocarbons, the method of trapping recycled fluorocarbons, the method of processing unrecycled fluorocarbons and the method of maintenance and inspection referred to in the preceding item.
- (iii) the purity of recycled fluorocarbons and the concentration of impurities mixed with the recycled fluorocarbons are properly checked by using analysis equipment owned by themselves or by entrusting analysis to a person with adequate experience and technical capability.
- (iv) if any anomaly is found in the class I fluorocarbon recycling facilities, etc., by the checks referred to in the preceding two items, steps are promptly

taken to address it.

- (v) when assigning recycled fluorocarbons to a person using them for refrigerant or raw materials for other products, the party to whom the fluorocarbons were assigned is to be notified in advance of the method of checking the purity of recycled fluorocarbons relating to the assignment and the concentration of impurities mixed with the recycled fluorocarbons and results thereof.
- (vi) a person responsible for the use and management of the class I fluorocarbon recycling facilities, etc. is to be appointed.

(Persons Specified by Order of the Competent Ministry referred to in Article 51, Item (ii) (a) of the Act)

Article 58-2 The persons specified by order of the competent ministry referred to in Article 51, item (ii)(a) of the Act are persons who are unable to appropriately carry out the recognition, decision making and communication necessary for properly performing the operations of a class I fluorocarbon recycling operator due to mental impairment.

(Permission for Changes)

Article 59 A person intending to obtain a permission for changes pursuant to the provisions of Article 53, paragraph (1) of the Act must submit two application forms using Form 5 accompanied by the documents set forth in Article 55, paragraph (1), item (ii) through (vi) (meaning the documents after the change for which permission is being sought) to the Minister of the Environment or the Minister of Economy, Trade and Industry.

(Minor Changes)

Article 60 Minor changes specified by order of the competent ministry referred to in the proviso of Article 53, paragraph (1) are cases that fall under any of the following items:

- (i) changes to reduce the type of fluorocarbons intended to be recycled;
- (ii) changes to plans for collection of the fluorocarbons intended to be recycled that reduces the amount to be collected; or
- (iii) changes to reduce the number of class I fluorocarbon recycling facilities, etc. that do not involve the installation of new facilities, etc.

(Notification of Changes)

Article 61 (1) A person who intend to file a notification pursuant to the provisions of Article 53, paragraph (3) of the Act must submit two application forms using Form 6 to the Minister of the Environment or the Minister of Economy, Trade and Industry. In this case, if the class I fluorocarbon recycling

operator is a corporation and there is a change in the matters set forth in Article 50, paragraph (2), item (i) of the Act, the certificate of registered information is to be attached.

- (2) If the information for identification confirmation as prescribed in Article 30-6, paragraph (1) of the Act for Basic Registration of Residents pertaining to a person seeking to make a notification referred to in the preceding paragraph cannot be provided pursuant to the provisions of Article 30-9 of the same Act, the Minister of the Environment or the Minister of Economy, Trade and Industry may have the person submit a copy of the resident record if the person seeking to make a notification referred to in the preceding paragraph is an individual.

(Reports on the Amount Recycled When Making a Notification of Discontinuation of Business)

Article 62 (1) A person who makes a notification of discontinuation of business, etc. of a class I fluorocarbon recycling operator pursuant to the provisions of Article 54, paragraph (1) of the Act is to report to the prefectural governor on the status of implementation of operations in the fiscal year including the day on which the grounds set forth in the items of Article 54, paragraph (1) of the Act arose, in accordance with the provisions of Article 60, paragraph (3) of the Act, together with the notification.

- (2) If the license of a class I fluorocarbon recycling operator is revoked pursuant to the provisions of Article 55 of the Act, the person who was a class I fluorocarbon recycling operator is to report to the competent minister on the status of implementation of operations in the fiscal year including the day on which the license was revoked in accordance with the provisions of Article 60, paragraph (3) of the Act.

(Standards for Recycling Fluorocarbons)

Article 63 The standards specified in Article 58, paragraph (1) of the Act is that fluorocarbons are to be recycled in compliance with the method set forth in Article 50, paragraph (2), item (v) of the Act within the application form submitted pursuant to the same paragraph.

(Matters to Be Stated on Recycling Certificate)

Article 64 The matters specified by order of the competent ministry referred to in Article 59, paragraph (1) of the Act are as follows:

- (i) the name, address and registration number of the class I fluorocarbon filling and recovery operator who requested collection;
- (ii) the date collection of fluorocarbons was completed;
- (iii) the amounts of fluorocarbons collected by the type and the identification

- numbers of the containers filled with fluorocarbons upon collection;
- (iv) the name, address and license number of the class I fluorocarbon recycling operator who performed recycling;
 - (v) the date on which the recycling certificate was sent;
 - (vi) the date on which fluorocarbons were recycled; and
 - (vii) the amounts of fluorocarbons recycled by the type, and if fluorocarbons were recycled, the amounts of fluorocarbons by the type that were delivered to the fluorocarbon destruction operator as unrecycled fluorocarbons (if they destroyed fluorocarbons by themselves as a fluorocarbon destruction operator, including that effect, the date they were destroyed and the amounts of fluorocarbons destroyed by the type).

(Sending of Recycling Certificate)

Article 65 Sending of the recycling certificate under the provisions of Article 59, paragraph (1) of the Act is to be performed as follows.

- (i) the recycling certificate is sent after confirming that the name, address and registration number of the class I fluorocarbon filling and recovery operator who requested collection, the amounts of fluorocarbons collected by the type, the amounts of fluorocarbons recycled by the type and the amounts of fluorocarbons by the type that were delivered to the fluorocarbon destruction operator as unrecycled fluorocarbons do not conflict with the matters shown on the recycling certificate.
- (ii) the recycling certificate is to be sent within 30 days from the date on which the fluorocarbons were recycled.

(Retention Period of Copy of Recycling Certificate by a Class I Fluorocarbon Recycling Operator)

Article 66 The period specified by order of the competent ministry referred to in Article 59, paragraph (1) of the Act is three years.

(Retention Period of Copy of Recycling Certificate by a Class I Fluorocarbon Filling and Recovery Operator)

Article 67 The provisions of the preceding Article apply mutatis mutandis to the period specified by order of the competent ministry referred to in Article 59, paragraphs (2) and (3) of the Act.

(Record of Amount Recycled)

Article 68 (1) The matters specified by order of the competent ministry referred to in Article 60, paragraph (1) of the Act are as follows:

- (i) the date of collection of or entrustment of recycling of fluorocarbons and the amount of the fluorocarbons by the type;

- (ii) the name of the class I fluorocarbon filling and recovery operator who requested collection of fluorocarbons or the person recognized by the prefectural governor pursuant to the provisions of Article 49, item (i);
 - (iii) the date on which fluorocarbons were recycled and the amounts of the fluorocarbons by the type; and
 - (iv) if fluorocarbons were recycled, the date when unrecycled fluorocarbons were delivered to a fluorocarbon destruction operator, the name of the fluorocarbon destruction operator to whom they were delivered and the amounts of fluorocarbons by the type.
- (2) A class I fluorocarbon recycling operator must prepare records of the matters set forth in the items of the preceding paragraph without delay each time they perform collection, recycling or delivery of fluorocarbons, and retain the records for five years from the date of preparation thereof.

(Reporting to Competent Ministers)

Article 69 (1) The matters specified by order of the competent ministry referred to in Article 60, paragraph (3) of the Act are as follows:

- (i) the amounts of fluorocarbons collected or entrusted to be recycled during the previous fiscal year by the type;
 - (ii) the amounts of fluorocarbons stored at the beginning of the previous fiscal year by the type;
 - (iii) the amounts of fluorocarbons recycled during the previous fiscal year by the type;
 - (iv) if fluorocarbons were recycled during the previous fiscal year, the amounts of unrecycled fluorocarbons when they were delivered to a fluorocarbon destruction operator by the type of the fluorocarbons; and
 - (v) the amounts of fluorocarbons stored at the end of the previous fiscal year by the type.
- (2) A class I fluorocarbon recycling operator must submit two reports using Form 7 to the Minister of the Environment or the Minister of Economy, Trade and Industry within 45 days after the end of the fiscal year.

(Application for License Granted to Fluorocarbon Destruction Operators)

Article 70 (1) A person who intends to apply for a license granted to fluorocarbon destruction operators pursuant to the provisions of Article 63, paragraph (2) of the Act (including as applied mutatis mutandis pursuant to Article 65, paragraph (2) of the Act) must submit two application forms using Form 8 accompanied by the following documents to the Minister of the Environment or the Minister of Economy, Trade and Industry:

- (i) a certificate of registered information if the applicant is a corporation;
- (ii) drawings indicating the structure of the fluorocarbon destruction facilities;

- (iii) documents explaining the destruction capacity of the class I fluorocarbon destruction facilities;
 - (iv) documents providing supplementary information on the method of use and management of the fluorocarbon destruction facilities shown on the application form; and
 - (v) documents explaining that the applicant (or the corporation and officers of the corporation if the applicant is a corporation) does not fall under any of the items of Article 64, item (ii) (a) through (f) of the Act.
- (2) If the information for identification confirmation as prescribed in Article 30-6, paragraph (1) of the Act for Basic Registration of Residents pertaining to a person seeking to file an application referred to in the preceding paragraph cannot be provided pursuant to the provisions of Article 30-9 of the same Act, the Minister of the Environment or the Minister of Economy, Trade and Industry may have the person submit a copy of the resident record if the person seeking to file an application referred to in the preceding paragraph is an individual.

(Standards for the Structure of Fluorocarbon Destruction Facilities)

Article 71 The standards for the structure of fluorocarbon destruction facilities specified by order of the competent ministry referred to in Article 64, item (i) of the Act are that they have the devices set forth in the right hand column of Appended Table 2 according to the type of fluorocarbon destruction facilities set forth in the left hand column of the same table, and that the devices set forth in the right hand column of the same table are able to execute the method of use and management of the fluorocarbon destruction facilities shown on the application form.

(Standards for the Production Capacity of Fluorocarbon Destruction Facilities)

Article 72 The standard for the destruction capacity of the fluorocarbon destruction facilities specified by order of the competent ministry referred to in Article 64, item (i) of the Act is that any of the following items can be satisfied when fluorocarbons are destroyed according to the type of fluorocarbons:

- (a) The degradation efficiency of fluorocarbons (meaning that calculated using the following equation; hereinafter the same applies in this Article and item (iii) of the following Article) is 99 or higher, and the content of fluorocarbons in the gas discharged from the exhaust port (meaning the chimney or other opening in the facilities installed to discharge exhaust gas from the facilities into the atmosphere; the same applies in (b)) is one (1) part per million or less.

$$\text{Degradation efficiency of fluorocarbons} = \left[1 - \left(\frac{\text{Amount of fluorocarbons discharged}}{\text{Amount of input of fluorocarbons}} \right) \right] \times 100$$

- (b) The degradation efficiency of fluorocarbons is 99.9 or higher, and the content of fluorocarbons in the gas discharged from the exhaust port is 15 parts per million or less.

(Standards for the Use and Management of Fluorocarbon Destruction Facilities)

Article 73 The standards for the use and management of fluorocarbon destruction facilities specified by order of the competent ministry referred to in Article 64, item (i) of the Act are as follows.

- (i) the operation method, the method of supplying fluorocarbons and the method of maintenance and inspection are appropriately specified according to the type of fluorocarbon destruction facilities so that the standards concerning destruction capacity can be satisfied.
- (ii) the condition of the fluorocarbon destruction facilities is to be regularly checked using measurement devices, etc., to ensure compliance with the operation method, the method of supplying fluorocarbons and the method of maintenance and inspection referred to in the preceding item.
- (iii) the concentration and degradation efficiency of fluorocarbons in exhaust gas are to be measured once or more per year.
- (iv) if any anomaly is found in the fluorocarbon destruction facilities by the checks referred to in item (ii) and the measurement referred to in the preceding item, steps are to be promptly taken to address it.
- (v) a person responsible for the use and management of the fluorocarbon destruction facilities is to be appointed.

(Persons Specified by Order of the Competent Ministry Referred to in Article 64, Item (ii) (a) of the Act)

Article 73-2 The provisions of Article 58-2 apply mutatis mutandis to the person specified by order of the competent ministry referred to in Article 64, item (ii) (a) of the Act. In this case, the term "class I fluorocarbon recycling operator" in Article 58-2 is deemed to be replaced with "fluorocarbon destruction operator".

(Permission for Changes)

Article 74 A person seeking to obtain a permission for changes pursuant to the provisions of Article 66, paragraph (1) of the Act must submit two application

forms using Form 8 accompanied by the documents set forth in Article 70, paragraph (1), item (ii) through (iv) (meaning the documents after the change for which permission is being sought) to the Minister of the Environment or the Minister of Economy, Trade and Industry.

(Minor Changes)

Article 75 Minor changes specified by order of the competent ministry referred to in the proviso of Article 66, paragraph (1) are cases that fall under any of the following items:

- (i) changes to reduce the type of fluorocarbons intended to be destroyed; or
- (ii) changes to reduce the number of fluorocarbon destruction facilities that do not involve the installation of new facilities.

(Notification of Changes)

Article 76 (1) A person seeking to make a notification pursuant to the provisions of Article 66, paragraph (3) of the Act must submit two application forms using Form 9 to the Minister of the Environment or the Minister of Economy, Trade and Industry. In this case, when the fluorocarbon destruction operator is a corporation and there is a change in the matters set forth in Article 63, paragraph (2), item (i) of the Act, the certificate of registered information is to be attached.

(2) If the information for identification confirmation as prescribed in Article 30-6, paragraph (1) of the Act for Basic Registration of Residents pertaining to a person seeking to make a notification referred to in the preceding paragraph cannot be provided pursuant to the provisions of Article 30-9 of the same Act, the Minister of the Environment or the Minister of Economy, Trade and Industry may have the person submit a copy of the resident record if the person seeking to make a notification referred to in the preceding paragraph is an individual.

(Reports on the Amount Destroyed When Providing Notification of Discontinuation of Business)

Article 77 (1) If the license of a fluorocarbon destruction operator is revoked pursuant to the provisions of Article 67 of the Act, the person who was the fluorocarbon destruction operator is to report to the competent minister on the status of implementation of operations in the fiscal year including the day on which the license was revoked in accordance with the provisions of Article 71, paragraph (3) of the Act.

(2) A person who makes a notification of discontinuation of business, etc. of a fluorocarbon destruction operator pursuant to the provisions of Article 54, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 68 of

the Act is to report to the competent minister on the status of implementation of operations in the fiscal year including the day on which the grounds set forth in the items of Article 54, paragraph (1) of the Act as applied by replacing the terms pursuant to the provisions of Article 68 arose in accordance with the provisions of Article 71, paragraph (3) of the Act.

(Standards for Destruction of Fluorocarbons)

Article 78 The standard specified by order of the competent minister referred to in Article 69, paragraph (4) of the Act is that fluorocarbons are destroyed in compliance with the method set forth in Article 63, paragraph (2), item (v) of the Act within the application form submitted pursuant to the same paragraph.

(Matters to Be Stated on Destruction Certificate)

Article 79 The matters specified by order of the competent ministry referred to in Article 70, paragraph (1) of the Act are as follows:

- (i) the name, address and registration number of the class I fluorocarbon filling and recovery operator who requested collection;
- (ii) the date collection of fluorocarbons was completed;
- (iii) the amount of fluorocarbons collected by the type and the identification numbers of the containers filled with fluorocarbons upon collection;
- (iv) the name, address and license number of the fluorocarbon destruction operator who performed destruction;
- (v) the date on which the destruction certificate was sent;
- (vi) the date on which fluorocarbons were destroyed; and
- (vii) the amount of fluorocarbons destroyed by the type.

(Sending of Destruction Certificate)

Article 80 Sending of the destruction certificate under the provisions of Article 70, paragraph (1) of the Act is to be performed as follows.

- (i) the destruction certificate is to be sent after confirming that the name, address and registration number of the class I fluorocarbon filling and recovery operator who requested collection, the amounts of fluorocarbons collected by the type, the amounts of fluorocarbons destroyed by the type do not conflict with the matters shown on the destruction certificate.
- (ii) the destruction certificate is to be sent within 30 days from the date on which the fluorocarbons were destroyed.

(Retention Period of Copy of Destruction Certificate by a Fluorocarbon Destruction Operator)

Article 81 The provisions of Article 66 apply mutatis mutandis to the period specified by order of the competent ministry referred to in Article 70,

paragraph (1) of the Act.

(Retention Period of Copy of Destruction Certificate by a Class I Fluorocarbon Filling and Recovery Operator)

Article 82 The provisions of Article 67 apply *mutatis mutandis* to the period specified by order of the competent ministry referred to in Article 59, paragraphs (2) and (3) of the Act as applied *mutatis mutandis* pursuant to Article 70, paragraph (2) of the Act.

(Record of Amount Destroyed)

Article 83 (1) The matters specified by order of the competent ministry referred to in Article 71, paragraph (1) of the Act are as follows:

- (i) the date of collection of or entrustment of destruction of fluorocarbons and the amount of the fluorocarbons by the type;
- (ii) the name of the class I fluorocarbon filling and recovery operator who requested collection of fluorocarbons, the class I fluorocarbon recycling operator or the person recognized by the prefectural governor pursuant to the provisions of Article 49, item (i), or the vehicle manufacturer, etc. or designated recycling organization who was entrusted to destroy the fluorocarbons; and
- (iii) the date on which fluorocarbons were destroyed and the amount of the fluorocarbons by the type.

(2) A fluorocarbon destruction operator must prepare records of the matters set forth in the items of the preceding paragraph without delay each time they are entrusted to collect or destroy, or destroys fluorocarbons, and retain the records for five years from the date of preparation thereof.

(Reporting to Competent Ministers)

Article 84 (1) The matters specified by order of the competent ministry referred to in Article 71, paragraph (3) of the Act are as follows:

- (i) the amount of fluorocarbons collected or entrusted to be destroyed during the previous fiscal year by the type;
- (ii) the amounts of fluorocarbons stored at the beginning of the previous fiscal year by the type;
- (iii) the amount of fluorocarbons destroyed during the previous fiscal year by the type; and
- (iv) the amount of fluorocarbons stored at the end of the previous fiscal year by the type.

(2) A fluorocarbon destruction operator must submit two reports using Form 10 to the Minister of the Environment or the Minister of Economy, Trade and Industry within 45 days after the end of the fiscal year.

(Matters Pertaining to Explanation of Fees Concerning Expenses for the Collection of Fluorocarbons)

Article 85 The matters specified by order of the competent ministry referred to in Article 74, paragraph (2) of the Act are statements of expenses required for performing recovery of fluorocarbons, transport for delivery of fluorocarbons to a fluorocarbon destruction operator or a class I fluorocarbon recycling operator and destruction or recycling of fluorocarbons.

(Matters to be Stated in Rules of Operations)

Article 86 The matters specified by order of the competent ministry referred to in Article 78, paragraph (1) of the Act are as follows:

- (i) matters concerning the time for performing information processing operations;
- (ii) the location of the office where information processing operations are performed;
- (iii) matters concerning the organization, operation and other systems pertaining to implementation of information processing operations;
- (iv) matters concerning the equipment used for information processing operations;
- (v) matters concerning the terms of use and procedures of the electronic data processing system;
- (vi) matters concerning the provision of information to users of the electronic data processing system;
- (vii) matters concerning the usage fees of the electronic data processing system and the method of receipt thereof;
- (viii) the method of separate accounting and other matters concerning accounting;
- (ix) matters concerning management of information learned in relation to information processing operations (including steps required for ensuring security of information) and confidentiality;
- (x) matters pertaining to steps taken in the event of a leak of information learned in relation to the information processing operations;
- (xi) matters concerning processing of complaints and disputes related to information processing operations;
- (xii) handover of information processing operations and other necessary matters if operations are suspended or abolished pursuant to the provisions of Article 80 of the Act or if designation is revoked pursuant to the provisions of Article 85, paragraph (1) of the Act; and
- (xiii) other necessary matters related to the implementation of information processing operations.

(Application for Approval of Business Plan Document)

Article 87 (1) If an information processing center seeks approval pursuant to the first sentence of Article 79, paragraph (1) of the Act, they must submit an application form stating that effect accompanied by the following documents to the Minister of the Environment and the Minister of Economy, Trade and Industry before the commencement of each business year (in the case of the business year including the day on which designation was received pursuant to the provisions of Article 76, paragraph (1) of the Act, without delay after receiving the designation):

- (i) a business plan document;
- (ii) an income and expenditure budget;
- (iii) the projected balance sheet for the previous business year;
- (iv) the projected balance sheet for the business year; and
- (v) beyond what is set forth in the preceding two items, documents that serve as a reference for the income and expenditure budget.

(2) The plans for implementing the operations set forth in the items of Article 77 of the Act, the outlook for maintenance and renewal of equipment used for information processing operations and other necessary matters must be stated in the business plan document referred to in item (i) of the preceding paragraph.

(Application for Approval of Changes to Business Plan Document)

Article 88 If an information processing center seeks approval pursuant to the provisions of the second sentence of Article 79, paragraph (1) of the Act, they must submit an application form stating the following matters to the Minister of the Environment and the Minister of Economy, Trade and Industry. In this case, if involving a change to the documents set forth in paragraph (1), items (iv) and (v) of the preceding Article, the documents after the change must be attached.

- (i) matters intended to be changed
- (ii) date intended to be changed
- (iii) reason for the change

(Submission of Business Reports)

Article 89 An information processing center must submit the business report and the income and expenditure statement referred to in Article 79, paragraph (2) accompanied by a balance sheet to the Minister of the Environment and the Minister of Economy, Trade and Industry within three months after the end of each business year.

(Retention of Books of Information Processing Center)

Article 90 The books referred to in Article 82 of the Act must be kept until the last day of the following month for matters specified in the items of the following Article for each month, and retained until the date ten years have elapsed since the day they began to be kept.

(Matters to Be Stated in Books of Information Processing Center)

Article 91 The matters specified by order of the competent ministry pursuant to the provisions of Article 82 of the Act are as follows:

- (i) the status of the number of the class I fluorocarbon filling and recovery operators and the managers of class I specified products (limited to persons using an input-output device which is connected with a computer used by the information processing center through an electronic telecommunication line);
- (ii) the status of registration under the provisions of Article 38, paragraph (1) of the Act and Article 40, paragraph (1) of the Act;
- (iii) the status of notice under the provisions of Article 38, paragraph (2) of the Act and Article 40, paragraph (2) of the Act; and
- (iv) the status of receipt of usage fees.

(Identification Card for On-Site Inspections)

Article 92 (1) The format of the identification card referred to in Article 83, paragraph (2) of the Act is as shown in Form 11.

(2) The format of the identification card referred to in Article 92, paragraph (2) of the Act is as shown in Form 12.

(Exclusions from Application Pertaining to Prefectural Ordinances)

Article 93 The provisions of the preceding Article (limited to the portion pertaining to administration of the prefectural governor) do not apply only to the extent of any prefectural ordinance, regulation or other separately provided provisions.

(Indication of Fluorocarbons Filled in Class I Specified Products)

Article 94 The matters specified by order of the competent ministry referred to in Article 87, item (iv) of the Act are as follows for class I specified products:

- (i) that the collection, etc. of the class I specified products for which fluorocarbons filled as refrigerant have not been recovered is prohibited; and
- (ii) the global warming potential of the fluorocarbons used to fill the class I specified products as refrigerant.

Supplementary Provisions

(Effective Date)

Article 1 This Ministerial Order comes into effect as of the date on which the Act Partially Amending the Act on Securing the Recovery and Destruction of Fluorocarbons Contained in Specified Products comes into effect (referred to as the "effective date" in Article 4 of the Supplementary Provisions).

(Abolition of the Ministerial Order Partially Amending the Enforcement Regulation of the Act on Securing the Recovery and Destruction of Fluorocarbons Contained in Specified Products)

Article 2 The Ministerial Order Partially Amending the Enforcement Regulation of the Act on Securing the Recovery and Destruction of Fluorocarbons Contained in Specified Products (Ministry of Economy, Trade and Industry and Ministry of the Environment Order No. 7 of 2013) is abolished.

(Transitional Measures)

Article 3 The provisions of Articles 52, 53 and 84 apply to reports prescribed in the relevant Article made from fiscal year 2016, and the provisions previously in force remain applicable to reports made in fiscal year 2015.

Article 4 The provisions previously in force remain applicable to the indication to be made pursuant to the provisions of Article 94 until six months have elapsed since the effective date.

Supplementary Provisions [Ministry of Economy, Trade and Industry and Ministry of the Environment Order No. 7 of 2015]

This Ministerial Order comes into effect as of the effective date (October 5, 2015) of Act on the Use of Numbers to Identify a Specific Individual in Administrative Procedures (Act No. 27 of 2013).

Supplementary Provisions [Ministry of Economy, Trade and Industry and Ministry of the Environment Order No. 2 of 2016]

This Ministerial Order comes into effect as of April 1, 2016.

Supplementary Provisions [Ministry of Economy, Trade and Industry and Ministry of the Environment Order No. 4 of 2019]

This Ministerial Order comes into effect as of the date of promulgation.

Supplementary Provisions [Ministry of Economy, Trade and Industry and

Ministry of the Environment Order No. 5 of 2019]

(Effective Date)

Article 1 This Ministerial Order comes into effect as of the date on which the Act Partially Amending the Act on Rational Use and Proper Management of Fluorocarbons (Act No. 25 of 2019) comes into effect (referred to as the "effective date" in Article 3 of the Supplementary Provisions). However, the amended provisions of Article 2 come into effect as of December 14, 2019.

(Transitional Measures)

Article 2 The provisions of Articles 52 and 53 of the Enforcement Regulation of the Act on Rational Use and Proper Management of Fluorocarbons amended by this Ministerial Order (referred to as "New Regulation" in the following Article) apply to reports prescribed in each Article made from fiscal year 2021, and the provisions previously in force remain applicable to reports made in fiscal year 2020.

Article 3 The provisions previously in force remain applicable to the indication to be made pursuant to the provisions of Article 94 the New Regulation until six months have elapsed since the effective date.