# Fluorinated greenhouse gases

2012/0305(COD) - 16/04/2014 - Final act

PURPOSE: to protect the environment by reducing emissions of fluorinated greenhouse gases.

LEGISLATIVE ACT: Regulation (EU) No 517/2014 of the European Parliament and of the Council on fluorinated greenhouse gases and repealing Regulation (EC) No 842/2006.

CONTENT: the objective of this Regulation is to **protect the environment by reducing emissions of fluorinated greenhouse gases**. Accordingly, the Regulation:

- establishes rules on containment, use, recovery and destruction of fluorinated greenhouse gases, and on related ancillary measures;
- imposes conditions on the placing on the market of specific products and equipment that contain, or whose functioning relies upon, fluorinated greenhouse gases;
- imposes conditions on specific uses of fluorinated greenhouse gases; and
- establishes quantitative limits for the placing on the market of hydrofluorocarbons.

The new Regulation should allow the **reduction of emissions of fluorinated greenhouse gases in the Union by two-thirds** (60-61%) compared to their current levels by 2030.

Such a reduction means that emissions would have to be reduced to approximately 35Mt of $CO_2$ equivalent by 2030.

The Resolution of the European Parliament of 14 September 2011 on a comprehensive approach to non-$CO_2$ climate-relevant anthropogenic emissions called for the exploration of ways of exploring an immediate reduction in hydrofluorocarbons under the Montreal Protocol.

The main elements of the Regulation are the following:

**Containment**: according to the Regulation, the **intentional release** of fluorinated greenhouse gases into the atmosphere shall be **prohibited** where the release is not technically necessary for the intended use.

Operators of equipment that contains fluorinated greenhouse gases must:

- take all measures which are technically and economically feasible to **minimise leakage** of fluorinated greenhouse gases;
- ensure that equipment that contains fluorinated greenhouse gases in quantities of 5 tonnes of $CO_2$ equivalent or more and not contained in foams is **checked for leaks**;
- ensure that equipment containing fluorinated greenhouse gases in quantities of 500 tonnes of $CO_2$ equivalent or more, is provided with a **leakage detection system** which alerts the operator or a service company of any leakage.

- establish and maintain, for each piece of equipment subject to leak checks, **registers** in which they must log a certain amount of information.

The legislation also encourages the development of **producer responsibility schemes** for the recovery of fluorinated greenhouse gases and their recycling, reclamation or destruction.

**Training and certification**: Member States shall establish or adapt certification programmes, including evaluation processes. Training should be available for natural persons carrying out installation, servicing, maintenance, repair or decommissioning of the equipment listed in the Regulation.

**Registry**: by 1 January 2015, the Commission shall set up and ensure the operation of **an electronic registry for quotas** for placing hydrofluorocarbons on the market. Registration in the registry shall be compulsory, among others, for producers and importers to which a quota for the placing on the market of hydrofluorocarbons has been allocated in accordance with the Regulation.

**Restrictions on the placing on the market**: the Regulation introduces restrictions on the placing on the market of products with the aim of **completely eliminating** the use of fluorinated gases in some new sectors, for which other safe and effective solutions, from the point of view of energy and the economy, are possible, in particular :

- fire protection equipment containing HFC-23 (market ban from 2016);
- refrigerators and freezers for commercial use: i) containing HFCs with GWP of 2500 or more (from 2020); ii) containing HFCs with GWP of 150 or more (from 2022);
- stationary refrigeration equipment containing HFCs with GWP of 2500 or more (from 2020);
- movable room air-conditioning equipment containing HFCs with GWP of 150 or more (from 2020);
- single split air-conditioning systems containing less than 3kg of fluorinated greenhouse gases containing fluorinated greenhouse gases with GWP of 750 or more (from 2025);
- foams that contain HFCs with GWP of 150 or more, extruded polystyrene (from 1 January 2020) and other foams (from 1 January 2023);
- technical aerosols that contain HFCs with GWP of 150 or more (from 2018).

**Reduction of the quantity of hydrofluorocarbons placed on the market**: the Regulation introduces a mechanism of progressive reduction to apply a ceiling decreasing to the total volume of HFC (in tonnes of $CO_2$ equivalent) placed on the market in the EU, with a freeze in 2015, followed by a first reduction in 2016-2017 (93%) to reach **21% of the volumes sold during the period 2009-2012 by 2030**.

**Reports**: no later than the end of 2020, the Commission should produce a report on the availability of hydrofluorocarbons on the Union market.

No later than 31 December 2022, it shall publish a **comprehensive review on the effects of this Regulation**, including notably: i) a forecast of the continued demand for hydrofluorocarbons up to and beyond 2030; ii) an assessment of the need for further action by the Union; iii) a review of the availability of technically feasible and cost-effective alternatives to products and equipment containing fluorinated greenhouse gases for products and equipment not listed in the Regulation.

ENTRY INTO FORCE: 09.06.2014. The Regulation shall apply from 01.01.2015.

DELEGATED ACTS: the Commission may adopt delegated acts in order to supplement or amend non-essential aspects of the Regulation. The power to adopt such acts shall be conferred on the Commission for a period of **five years from 10 June 2014**. The European Parliament or the Council may object to a

delegated act within a period of two months from the date of notification (this period can be extended for two months). If the European Parliament or the Council make objections, the delegated act will not enter into force.