

Fluorinated greenhouse gases

2012/0305(COD) - 12/03/2014 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 644 votes to 19 votes with 16 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council on fluorinated greenhouse gases.

Parliament adopted its position at first reading following the ordinary legislative procedure. The amendments adopted in plenary are the result of an agreement negotiated between the European Parliament and the Council.

Scope: the objective of this regulation is to protect the environment by reducing emissions of fluorinated greenhouse gases. Accordingly, this regulation:

- establishes rules on containment, use, recovery and destruction of fluorinated greenhouse gases;
- 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 (HFCs).

Leak checks: operators of equipment that contains fluorinated greenhouse gases in quantities of 5 tonnes of CO₂ equivalent or more and not contained in foams shall ensure that the equipment is checked for leaks.

Hermetically sealed equipment that contains fluorinated greenhouse gases in quantities of less than 10 tonnes of CO₂ equivalent, shall not be subject to leak checks, provided the equipment is labelled as hermetically sealed.

Leakage detection systems: the text foresees that operators of the equipment containing fluorinated greenhouse gases in quantities of 500 tonnes of CO₂ equivalent or more, shall ensure that the equipment is provided with a leakage detection system which alerts the operator or a service company of any leakage.

Training and certification: Member States shall establish certification programmes, including evaluation processes. Training shall 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 for importers of equipment placing pre-charged equipment on the market where the hydrofluorocarbons contained in the equipment have not been placed on the market prior to the charging of that equipment.

Restrictions on the placing of HFCs on the market: Parliament amended the Commission's proposal to completely eliminate the use of fluorinated gases in several new sectors, for which other safe and effective solutions are possible, in particular:

- Fire protection equipment containing HFC-23: (prohibited from placing on the market from 2016);
- Refrigerators and freezers for commercial use: i) that contain HFCs with GWP of 2500 or more (prohibited from placing on the market from 2020); ii) that contain HFCs with GWP of 150 or more (prohibited from placing on the market from 2022);
- Stationary refrigeration equipment, that contains, or whose functioning relies upon, HFCs with GWP of 2500 or more (prohibited from placing on the market from 2020);
- Multipack centralised refrigeration systems for commercial use with a rated capacity of 40kW or more that contain, or whose functioning relies upon, fluorinated greenhouse gases with GWP of 150 or more (prohibited from placing on the market from 2022);
- Single split air-conditioning systems containing less than 3kg of fluorinated greenhouse gases, that contain, or whose functioning relies upon, fluorinated greenhouse gases with GWP of 750 or more (prohibited from placing on the market from 2025);
- Foams: prohibited from placing on the market from 2020 for extruded polystyrene (and from 2023 for other foams);
- Technical aerosols that contain HFCs with GWP of 150 or more (prohibited from placing on the market from 2018).

Where alternatives are not available or where the use of such alternatives would entail disproportionate costs, it should be possible for the Commission to authorise an exemption to allow the placing on the market of such products and equipment for a period of up to four years.

Producer responsibility schemes: the legislation shall also encourage the development of producer responsibility schemes for the recovery of fluorinated greenhouse gases and their recycling, reclamation or destruction.

Review: Parliament demanded that no later than 31 December 2022, the Commission publish a comprehensive report on the effects of this regulation, including:

- a forecast of the continued demand for hydrofluorocarbons up to and beyond 2030;
- an assessment of the need for further action by the Union and its Member States in light of existing and new international commitments regarding the reduction of fluorinated greenhouse gas emissions;
- a review of the availability of technically feasible and cost-effective alternatives to products and equipment containing fluorinated greenhouse gases for products and equipment, taking into account energy efficiency.