

Brussels, November 17th 2010

POSITION PAPER

on the review of the Regulation (EC) no. 842/2006 on certain fluorinated greenhouse gases (F-Gases)

The key element of the European strategy to reduce greenhouse gases is the implementation of the F-Gas Regulation No 842/2006. This Regulation in combination with the MAC Directive is good for a reduction of around 23 million tonnes of CO₂ eq. by 2010 compared to Business-As-Usual. A reason the more to make the 842/2006 a success.

Eurovent noticed that by far the largest application of HFC-based refrigerants is in the refrigeration and mobile and stationary air conditioning sector, accounting for more than three-quarters of worldwide sales. This means that the sector must do its utmost to reduce emissions further down and contractors too, as they are playing an important role by installing and assembling our products.

Eurovent noticed with great pleasure that the consequence of the Regulation measures shows a decrease in F-Gas sales by 10% in 2009 which is not a result of the economic situation only.

The reduction is a result of:

- effectiveness of containment measures and refrigerant administration;
- higher awareness of contractors and operators about the environmental impact of handling HFC-based refrigerants;
- improved leakage rate of installations as a result of professional assembly, after sales service and maintenance;
- lower refrigerant charges;
- recovery at the end live;
- and lower operation cost due to periodical installation inspections by certified personnel resulting in higher reliability and energy efficient installations.

Based on the findings of the consultant Eurovent observes the following proposed steps:

1. To ensure compatibility with potential international commitments for HFC's, in particular the Montreal Protocol.
2. To upgrade existing legislation through clarification and enhancement of the effectiveness and efficiency.

Ad 1)

The Montreal Protocol has established a cost-effective approach by setting caps for consumption of ODS-refrigerants, which are gradually reduced and finally lead to a total phase out of CFC- and HCFC-based refrigerants. But at the same time the Montreal Protocol prohibited the use of high efficient refrigerants like R22 replaced now by less efficient HFC-based refrigerants.

Eurovent recommends to keep HFC-based refrigerants in the Kyoto protocol as the RAC distribution column: manufacturers, contractors and end-users showed their responsibility succeeding in the reduction of HFC-emissions. Bringing HFC's in the Montreal Protocol, being a ban protocol although as a phase-down paragraph; will lead to uncertainty, less efficient products and installations. In addition to this, HFC-based refrigerants are playing a vital role in food safety, security and quality.

Ad 2)

Effectiveness of the Regulation asks for an active market surveillance and control by Member States, this should get the highest priority. Even today some Member States are far behind with implementing the Regulation which creates unfair competition. A level playing field is crucial for the RAC-Industry and the uniformity and solidarity of the European internal market.

Eurovent recommends to give this the highest priority including proposals for penalties in case of non-compliance as this is the most cost-effective approach. The end-user is legally responsible and he needs to be, more than in the past aware of his environmental responsibility. An awareness campaign aimed at the end-user and the equipment operator is a must.

Eurovent recommends to enlarge the legal responsibility as on end-user level only it gives not sufficient guarantee and more difficult to control by authorities. Therefore an additional legal responsibility at contractor's level, as is the case in The Netherlands would facilitate enforcement of the regulation much stronger. Contractors who are carrying out activities, braking in the refrigeration circuit without having a certificate should also be penalized for such actions. This will help to avoid activities of non certified persons and companies.

Eurovent noticed that in Europe differed certification schemes: personnel and company exist. This lack of uniformity between Member States makes it complicated to operate across borders for personnel and companies. During the preparatory steps of this Regulation we discussed the harmonized standard CEN-EN 13313: Refrigerating systems and heat pumps - Competence of personnel which is now available.

Eurovent recommends the use of this standard in order to harmonize the certification requirements for personnel and companies.

Eurovent recommends a mandatory registration in a public EU-wide database of company certifications in order to make it visible for investor's, end-users and authorities who is or who is not certified. This makes it possible for the end-user to verify his own compliance with the Regulation and the compliance of companies and personnel they employ.

Conclusion

1. Eurovent underlines the need to review the Regulation to get learning points for the future.
2. Recognition must also be given to the industry who actively conducts contractor trainings to support awareness and expertise.
3. Active market surveillance and enforcement are for Eurovent of major relevance to the effectiveness of the Regulation both, in terms of its environmental objectives but equally in terms of legal certainty and cost effectiveness for EU manufacturers.
4. Eurovent can't stress enough that HFC-based refrigerants are playing an important role in refrigeration, air-conditioning and heat pumps equipment and they are well imbedded in our sector with a place for natural refrigerants as well.
5. Eurovent will continue in a constructive manner to make its contribution in the next review steps; the economic, social and environmental impact study of all options for comprehensive recommendations needed for the further of the F-gas Regulation 842/2006.

Who is Eurovent?

Eurovent, the European Committee of Air Handling and Refrigeration is the representative of the European refrigeration, air conditioning, air handling, heating and ventilation industry and represents trade associations from European and non-European countries.

Eurovent represents over 1,000 companies in 14 European countries, employing 150,000 employees who jointly generate more than € 25 billion of annual output. Eurovent was initially founded in 1958 and has been functioning under its current name since 1964.

Eurovent has become over the years a well-known and respected stakeholder in all industry related matters and, in particular, in climate change and energy efficiency.