

ACRIB DRAFT RESPONSE TO COMMISSION F GAS REVIEW
FOR PUBLIC COMMENT

Please respond to acrib@acrib.org.uk by 1st December 2011

Question and detailed response

B Questions on choice of policy action

B.1 The European Commission is looking to set out a plan to reduce EU emissions by 80-95% by 2050. In this context, how do you judge current EU policies on greenhouse gas emissions from F-gases (e.g. the F-Gas Regulation on certain F-gases and the Directive on mobile air-conditioning)? (optional)
(at most 1 answer)

- properly implemented and fully sufficient
- fully sufficient if properly implemented
- insufficient, even if properly implemented
- no opinion

ACRIB Response: "Fully sufficient if properly enforced"

B.2 What are the main obstacles to switching to alternative technologies with lower impact on the climate (i.e. fluids with low global warming potentials or other non-in-kind technologies) in the applications currently relying upon F-gases? (max 3 choices) (optional)
(at most 3 answers)

- there are no real obstacles
- alternative technologies will not be available in specific applications
- alternative technologies will require higher initial investments
- alternative technologies will be more costly to operate
- alternative technologies will not meet the same performance standards (e.g. reliability, energy efficiency, insulation properties etc)
- alternative technologies will require greater effort to meet the same safety standards
- other

ACRIB Responses

1. Alternative tech will not be available in specific applications.
2. Alternative technologies will not meet performance standards
3. Alternative technologies will require greater effort to meet the same safety standards

B.3 Please specify (optional)

(maximum 1000 characters)

Obstacles to switching to an alternative technology need to be considered on a case by case or system by system basis, by competent technical persons not by overriding legislative requirements which could have a detrimental effect on:

- Energy use and indirect emissions (for example alternatives may have higher total environmental impact)
- Safety of technical personnel and the general public
- Affordability both in terms of initial investment, operating costs and recovery and, re-use and destruction at end-of-life
- Ability of alternative technologies to meet all other environmental requirements such as ability and infrastructure for recycling.

B.4 In the absence of global action to phase-down HFCs, which options would you consider the most appropriate, at EU level, to contribute to the established targets for reducing greenhouse gas emissions? (max. 3 choices) (optional)
(at most 3 answers)

- establishing maximum, gradually declining limits to the quantity of HFCs placed on the EU market (phase down) expressed in terms of CO2 equivalent
- encouraging voluntary agreements for specific sectors where replacement is technically feasible and cost-effective
- introducing additional prohibitions on use and marketing for certain equipment and products, where cost-effective alternatives exist (e.g. a ban on application X containing hydrofluorocarbons as of date Y)
- strengthening, where possible, measures aiming at containment and proper recovery of F-gases (e.g. through stricter and/or broader application of existing measures in the F-gas Regulation)
- including emissions related to production and consumption of F-gases under the EU ETS

- establishing EU harmonised taxes on sales of F-gases
- setting up deposit and refund schemes for products involving F-gases

- no further action
- other policy options at EU level

ACRIB Responses

1. strengthening where possible measures aiming at containment and proper recovery of F-gases
2. setting up deposit and refund schemes for products involving f-gases
3. other policy options at eu level

B.5 Please specify (optional)

(maximum 1000 characters)

- Policies should be Incentive and enforcement rather than taxation or phase down based, and reflect that stationary RACHP only represents 2% of emissions, and this number is decreasing.
- Sectors where potential for reduction of emissions is greater should be addressed
- Policies should target:
 - Transport sector
 - Suppliers of F gas and equipment to supply only to certified companies and maintain records.
 - Small Systems with the definition changed from 3kg (6kg hermetic) to "equipment used in a domestic setting" so scope is restricted to domestic white goods. Currently, an increasing number of smaller systems used in commercial applications are out of scope of more stringent requirements.
 - Harmonisation with EN378 and EN 16084 & improved leak tightness of associated components
 - Ensuring compliance by Equipment Operators and Employers
 - Establishing publicly accessible single databases of registered companies/personnel in each member state and more stringent auditing of registrations.
- Existing Waste regulations to be reviewed to ensure that these act as an incentive to recycling and auditing of waste movement.

B.6 If a global agreement to phase-down HFCs is eventually concluded, which policy options (if any) would be the most appropriate to complement, at EU level, the establishment of maximum, gradually declining, limits for the quantity of HFCs placed on the EU market expressed in terms of CO2 equivalent. (max 3 choices) (optional)
(at most 3 answers)

- encouraging voluntary agreements for specific sectors where replacement is technically feasible and cost-effective
- introducing additional prohibitions on use and marketing of certain equipment and products where cost-effective alternatives exist (e.g. a ban on application X containing hydrofluorocarbons as of date Y)
- strengthening, where possible, measures aiming at containment and proper recovery of F-gases (e.g. through stricter and/or broader application of existing rules in the F-gas Regulation)
- including emissions related to production and consumption of F- gases under the EU ETS
- establishing EU harmonised taxes on sales of F-gases
- setting up deposit and refund schemes for products involving F-gases
- no further action
- other policy options at EU level

ACRIB Responses

1-strengthening where possible measures aiming at containment and proper recovery of F-gases

2-setting up deposit and refund schemes for products involving f-gases

3-other policy options at eu level

B.7 Please specify (optional)
(maximum 1000 characters)

ACRIB proposed responses:

No policies to be put in place which exceed those in global agreements so as not to disadvantage EU industry.

For specific proposals for policy options see answer to B5 above

B.8 If you have a specific suggestion on how to reduce leaks and improve recovery of F-gases from products through stricter and/or broader application of the type of measures already present in the F-gas Regulation, please briefly specify below: (optional)
(maximum 1000 characters)

1. Establish publicly accessible national databases of all certified individuals, companies, reclaimers and reporting bodies. Establish compliance inspections and regular reporting by states.
2. Awareness campaigns for operators and encourage initiatives such as STEK, Refcom Elite and the Leonardo REAL Skills Europe e-learning sharing knowledge across member states.
3. Legal responsibility for suppliers to sell F gas only to certified companies.
4. Change definition of small systems as those containing less than 3kg (6kg hermetic) to "used in a domestic setting" .
5. Incentives for recovery - deposit schemes, harmonisation with Waste, WEEE Regs and CEN standards
6. Definition of containers harmonised with ADR Regs and restriction of supply of containers
7. Include transport refrigeration
8. Leakage rate targets are not acceptable - aim towards zero leakage.
9. Reporting on compliance levels against numbers of companies, individuals and systems in each member state.
10. Improved technical specifications relating to leak tightness of associated components and joints

B.9 If you have any specific suggestions of technical adjustments to the current F-gas Regulation, e.g. to clarify its provisions, please briefly specify below: (optional)
(maximum 1000 characters)

1. Of key importance is that fact that Certification requirements for personnel and companies need improved levels of compliance with all current F Gas requirements. All member states should be required to establish national registers of certified personnel and single register for companies. In the UK for example there is no way for system operators to verify validity of individual personnel

- certificates.
2. Member states to be required to report on results of enforcement activity and compliance levels.
 3. Supply of refrigerant and equipment designed to contain refrigerant should be restricted to certified companies only as a new legal responsibility on the supply chain including retail sales to the public. Also require reporting by and auditing of suppliers records to ensure this new requirement is complied with.
 4. Publicly accessible single databases of certified individuals, companies, reporting bodies and qualifications at national and EU wide level to enforce compliance and mutual recognition.

C Questions on potential impacts

C.1 Who do you think will be most exposed to any negative impacts of a strengthened approach to F-gas emissions? (max 2 choices) (optional)
(at most 2 answers)

- Producers of F-gases
- Producers of products or equipment normally relying upon F-gases
- Commercial or industrial users of relevant products or equipment
- Individuals using relevant products or equipment
- Companies servicing relevant products or equipment
- Others

ACRIB proposed response:

Others

C.2 Please specify (optional) (maximum 1000 characters)

It is not possible to evaluate negative impacts without clarification of what strengthened approaches are being considered here. If it is proposed that the Commission will strengthen the existing regulations then no sectors should experience negative impacts.

C.3 Who do you think will benefit most from a strengthened approach to F-gas emissions? (max 2 choices) (optional)
(at most 2 answers)

- Producers of F-gases
- Producers of products or equipment normally relying upon F-gases
- Producers of products or equipment employing alternative technologies
- Commercial or industrial users of relevant products or equipment
- Individuals using relevant products or equipment normally
- Companies servicing relevant products or equipment
- Others

ACRIB proposed response:

Others

C.4 Please specify (optional) (maximum 1000 characters)

ACRIB proposed response:
It is not possible to evaluate negative impacts without clarification of what strengthened approaches are being considered here. If it is proposed that the Commission will strengthen the

existing regulations then all those sectors could benefit from improved containment.

C.5 What type of application (if any) do you think will be most positively affected by a phase-down of HFCs? (max 3 choices) (optional)
(at most 3 answers)

- domestic refrigeration and freezers
- commercial refrigeration and freezing equipment
- industrial refrigeration and freezing equipment
- transport refrigeration
- room air conditioning (factory-sealed movable and single-split systems)
- air-conditioning in motor vehicles
- air-conditioning in other modes of transport
- air-conditioning excluding room a/c, and a/c in modes of transport
- heat pumps
- medical aerosols
- aerosols (other than medical)
- fire protection

- foams
- solvents
- others or no specific use category
- no positive impact

ACRIB proposed response:

Others

C.6 What type of application (if any) do you think will be most negatively affected by a phase-down of HFCs? (max 3 choices) (optional)
(at most 3 answers)

- domestic refrigeration and freezers
- commercial refrigeration and freezing equipment
- industrial refrigeration and freezing equipment
- transport refrigeration
- room air conditioning (factory-sealed movable and single-split systems)
- air-conditioning in motor vehicles
- air-conditioning in other modes of transport
- air-conditioning excluding room a/c, and a/c in modes of transport
- heat pumps
- medical aerosols
- aerosols (other than medical)
- fire protection
- foams
- solvents
- others or no specific use category

ACRIB proposed response:

Others or no specific use category

C.7 Which policy option do you expect to impose the greatest administrative burden? (optional)
(at most 1 answer)

- establishing maximum, gradually declining limits to the quantity of HFCs placed on the EU market (phase-down) expressed in terms of CO2 equivalent introducing additional prohibitions on use and marketing of certain equipment and products where cost-effective alternatives exist (e.g. a ban on application X containing hydrofluorocarbons as of date Y)
- cost-effective alternatives exist (e.g. a ban on application X containing hydrofluorocarbons as of date Y)
- strengthening, where possible, measures aiming at containment and proper recovery of F-gases (e.g. through stricter and/or broader application of existing rules in the F-gas Regulation)
- other

ACRIB proposed response:

Establishing maximum, gradually declining.... (Phase down).

C.8 Please specify (optional)

(maximum 1000 characters)

None of these questions in Section C are sufficiently detailed for ACRIB to comment on impact or burden. Different policy options if adopted would be considered to have a different impact on each target group.

The wide spectrum of industry represented by ACRIB would support a strengthened approach to the implementation and enforcement of current regulatory requirements with the minor additional requirements added to the existing legislation as the most cost effective measure in terms of benefit to reduced emissions and least negative impact on business or administration costs.

C.9 How do you think a shift towards alternatives having a lower or no global warming potential will affect the competitiveness and market shares of European businesses (or the business you represent)? (optional)
(at most 1 answer)

- No opinion
- Significantly beneficial for competitiveness
- Beneficial for competitiveness
- No significant change
- Harmful for competitiveness (specify below)
- Significantly harmful for competitiveness (specify below)

ACRIB proposed response:

Harmful or significantly harmful

C.10 Please, specify your expectations regarding the order of magnitude, e.g. expected percentage increase in costs (optional)
(maximum 1000 characters)

ACRIB proposed response:

Any policy measures taken at an EU level must be considered within the context of global policy. If European businesses are isolated in the ability to use certain F gases markets will become limited and dependent on specialist high cost providers whilst others outside Europe benefit from existing technology both in terms of costs and energy efficiency improvements possible.

It is only if a coordinated global policy is implemented that competitiveness could be enhanced through improved innovation and economic development of the European Region as a whole.

D Additional comments

Please include any additional comments you might have.

D.1 Please include any additional comments you might have (max. 5000 characters) or upload a document (max 1 document, if possible in MS Word, pdf or rich text format). In exceptional cases and only if you experience problems with this questionnaire, you can also send us documents by email

ACRIB encourages the Commission to focus future much needed policy measures on those which support the progress already achieved by industry in reducing emissions ie:

- Improve legislation, compliance and enforcement in all member states
- Acknowledge the evidence that demonstrates containment is working, and that regulations need only technical adjustment and inclusion of certain additional requirements to make further savings.
- Reassure businesses that they should continue to invest in compliance and containment. This consultation is sending out a message that an F Gas phase down is imminent and is therefore undermining actions taken to maximise compliance with f gas and achieve emissions reductions.

The key policy options necessary to achieve this are:

1. The introduction of single national mandatory individual registration and company certification scheme members
2. That refrigerant suppliers be responsible for ensuring that only appropriately certified individuals can be supplied with F Gas refrigerants.
3. An awareness campaign aimed at equipment operators covering enforcement in combination with a 'non-compliant' operator reporting service.
4. Member states to report to the Commission on compliance levels and to ensure more robust auditing of all company and individual certification authorities.
5. More active enforcement and increased policing of operators' legal obligations under the Regulation to take place.

UK industry is concerned that in many member states a failure to introduce national legislation within the require timescales and low levels of enforcement where national regulations exist have undermined the potential of these Regulations to achieve greater reductions in emissions and is an affront to environmental responsible companies and individuals that have invested in compliance.

The Commission needs to be more vigilant in ensuring full compliance by all member states. In addition, minor adjustments at national level on enforcement mechanisms would have a major impact on effectiveness ie restrictions on sale of F gas refrigerant or equipment designed to contain F gases and improved technical specifications to prevent leakage from new equipment and associated components.

Finally in order not to compromise indirect emissions (which make up the vast majority of this sectors contribution to global warming), industry experts should be able to select the widest possible choice of refrigerants taking into account efficiency, safety, technical feasibility and containment issues. Legislation which forces the use of certain, as yet unproven, refrigerant options could compromise any of these criteria with serious consequences.

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