

Department for Environment, Food and Rural Affairs

# Guidance for Insulation Foam Producers and Users

## Guidance: F Gas and Ozone Regulations

### Information Sheet FM 1: Overview

April 2012

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This Information Sheet relates to the production of foam containing F gases and Ozone-Depleting Substances (ODS). Certain obligations apply to the production and supply of products containing F gases and ODS and these obligations vary depending on the nature of the use of the product.

Please note, this Information Sheet only refers to F gas foam, if you have any refrigeration, air-conditioning or fire fighting equipment on your sites which contain F gases you will also have further obligations for this equipment. Refer to Information Sheet GEN 3 to check whether you have any other uses of F gases.

## Which Regulations are covered by this Information Sheet?

The two EU Regulations discussed in this Information Sheet are:

**The F Gas Regulation<sup>1</sup>**. This is EU Regulation 842/2006 on certain fluorinated greenhouse gases. This Regulation aims to reduce emissions of HFCs, PFCs and SF6. The key obligations in this Regulation applied from July 2007.

In Great Britain the Fluorinated Greenhouse Gases Regulations 2009 (Statutory Instrument No 261) applied from 9th March 2009. This Statutory Instrument prescribes offences and penalties applicable to infringements of the EU F gas Regulation and lays out the current qualifications and certification requirements.

**The Ozone Regulation<sup>1</sup>**. This is EU Regulation 1005/2009 on substances that deplete the ozone layer. This Regulation is aimed at phasing out the use of ozone depleting chemicals.

In Great Britain there are two Statutory Instruments that prescribe offences and penalties applicable to infringements of the EU Ozone Regulation and define the qualifications requirements, these are: Statutory Instruments 2011 No.1543 and 2009 No. 216 respectively.

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<sup>1</sup> The full text of the Regulation can be found on a link in Information Sheet GEN 4.

# Summary of Key Obligations under the EU F Gas Regulation

The production and use of foam containing F gases is affected in a number of ways by the requirements of EU Regulation 842/2006 and Statutory Instrument 2009 No 261. The obligations are as follows:

<b>Reporting</b>	Producers must <b>report</b> to the Commission and the Member State if they are directly importing more than 1 tonne per annum of F gas for use in foam production from outside the EU either on its own or in pre-blended systems <sup>2</sup> .
<b>Recovery from F gas containers</b>	Blowing agent <b>recovery</b> must take place at end of life of containers used for supply of F gases.
<b>Recovery from waste foam</b>	At end-of-life F gas must be <b>recovered</b> from foam, 'to the extent that it is technically achievable and does not entail disproportionate cost'. The applicability of this requirement depends on the cost effectiveness of F gas recovery. For example, waste foam from a foam factory (e.g. off cuts) could be collected and processed to recover the blowing agent. Foam in domestic refrigerators can be reprocessed at special treatment facilities. However, HFCs from foam in general demolition waste is less likely to be recoverable in a cost effective way.
<b>Ban</b>	The <b>placing on the market</b> of one component foams (OCFs) <sup>3</sup> formulated with F gases from 4 <sup>th</sup> July 2008 is banned, except where they have been manufactured prior to that date.
<b>Labelling</b>	Certain products must be marked with a specific type of <b>label</b> that shows that the foam contains a high Global Warming Potential F gas. The text shall read 'foam blown with fluorinated greenhouse gases'. In GB, this requirement will only apply to: "refrigeration and air conditioning products and equipment as well as heat pumps, which are insulated with foam blown with fluorinated greenhouse gases".
<b>Training</b>	Where any <b>recovery</b> activities are performed, personnel must be appropriately <b>qualified</b> .
<b>Taking delivery</b>	Companies taking delivery of containers of F gas need to employ personnel with appropriate qualifications if undertaking F gas recovery.

<sup>2</sup> A pre-blended system is defined under the legislation as a 'preparation'. A preparation will be eligible for reporting if its GWP is  $\geq$  to 150.

<sup>3</sup> One Component Foams are defined as self-expanding, self-adhesive foams, moisture curing foams, primarily used as gap fillers supplied in pressurised cans fitted with dispensing nozzles. On dispensing, the mixture contained in the can expands to form a sticky froth that reacts with the atmospheric moisture to form cured polyurethane foam.

# Summary of Key Obligations under the EU Ozone Regulation

The production and use of foam containing ODS is affected by the requirements of EU Regulation 1005/2009. The obligations are as follows:

<b>Ban</b>	The use of CFC or HCFC blowing agents for the production of foam is completely <b>banned</b> .
<b>Recovery from waste foam</b>	Any ODS in foams used in domestic refrigerators and freezers that have reached the end of life must be <b>recovered</b> . At end-of-life ODS in other types of foam must be <b>recovered</b> , 'if practicable'.

## Who is responsible for meeting these obligations?

With the exception of recovery from end of life foam, the obligations listed above are the responsibility of the producer. Importers and distributors must ensure that labelling requirements are correctly followed. All end users will need to monitor the current requirements for recovery on disposal.

## Some Critical Dates

<b>Since 2007 and earlier</b>	<b>Ban</b> on CFCs and HCFCs F gas <b>recovery</b> from end of life containers, Use of appropriately <b>qualified</b> personnel for <b>recovery</b> activities.
<b>1<sup>st</sup> April 2008</b>	<b>Labelling</b> of new refrigeration and air-conditioning equipment insulated with HFC blown foam, <b>Reporting</b> of F gas import/export activity.
<b>4<sup>th</sup> July 2008</b>	<b>Ban</b> on F gas use for One-Component Foam.

## Further Action

The emissions of HFCs from foams are influenced by the production process and the design of the product, both in terms of minimising blowing loss during the use-phase and ensuring ease of separation at the point of decommissioning. The Company therefore has five opportunities to further influence a reduction in emissions, these are to:

- To ensure that production and, where appropriate, on-site application processes minimise emissions of HFCs.

- To adopt product designs (e.g. facing materials) that minimise the loss of blowing agent during the use phase of the product.
- To label products to allow easy identification of foams blown with HFCs no matter what their application.
- To influence the design of elements in which foams are incorporated to encourage ease of segregation on decommissioning.
- To promote the uptake of end-of-life recovery measures through demonstration projects and other facilitation measures.

## Relevant Information for Foam Producers and Users

Defra has a series of Information Sheets that are intended to help producers understand their obligations under the F gas and Ozone Regulations.

The following Information Sheets should be of particular relevance:

Number	Content of Information Sheet
<i>Information Sheets Addressing Foam Issues</i>	
FM 1	Short overview of the obligations for foam producers and users
<i>Information Sheets Addressing Refrigeration and Air-conditioning Issues</i>	
RAC 1	Short overview of issues for Users of RAC Systems.
RAC 2	Background to F gas and ODS use in RAC Systems. Sources of emissions. Emission reduction opportunities. Alternative refrigerants.
RAC 3	Detailed description of key obligations for companies.
RAC 4	Getting Started – advice on the steps to take to achieve compliance.
RAC 5	Qualifications & Certification – details about the training and certification requirements for RAC personnel and contracting companies.
RAC 6	Practical Guidance – dealing with numerous detailed RAC topics including: leak testing, record keeping, refrigerant recovery, labelling of equipment.
RAC 7	Alternative Refrigerants – minimising emissions and options for refrigerant selection.
RAC 8	HCFC Phase-out.
<i>General F Gas and ODS Information Sheets</i>	
GEN 1	Glossary of Terms related to F gas and ODS Regulations.
GEN 2	Background to F gas and ODS fluids.

GEN 3	Overview of markets and equipment affected by the F gas and ODS Regulations.
GEN 4	Links to full copies of all relevant Regulations and legislation.
GEN 5	Guidance on estimating refrigerant charge.

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The information in this document is intended as guidance and must not be taken as formal legal advice or as a definitive statement of the law. Ultimately only the courts can decide on legal questions and matters of legal interpretation. If you have continuing concerns you should seek legal advice from your own lawyers.

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