

Department for Environment, Food and Rural Affairs

Guidance for Fluid Supply Companies

Guidance: F Gas and Ozone Regulations

Information Sheet FS 1: Overview

April 2012

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This was archived in January 2015
For current guidance search GOV.UK for "F Gas"

This Information Sheet is the first in a series that provides guidance on compliance with the EU F gas and Ozone Regulations in relation to the production, export, import and supply of F gases and Ozone-Depleting Substances (ODS). Certain obligations apply to the production and supply of F gases and ODS and these obligations vary depending on the quantity of fluid and the nature of the organisation supplied.

Please note, this Information Sheet only refers to production and supply of F gases and ODS. If you have any refrigeration, air-conditioning, fire fighting equipment or high voltage switchgear on your sites which contain F gases or ODS you will also have further obligations for this equipment. Refer to Information Sheet GEN 3 to check whether you have any other uses of these gases.

Summary of Key Obligations under the EU F Gas Regulation

Companies that produce, import, export or distribute F gases have obligations under the EU F gas Regulation (EC 842/2006) and the GB Fluorinated Greenhouse Gases Regulations 2009 (Statutory Instrument 2009 No 2610).

The obligations for fluid suppliers are described in detail in Information Sheet FS 2. In summary, the EU F gas Regulation requires:

Reporting	Producers, importers and exporters of more than 1 tonne of F gas fluids must report this activity to the Commission and the Member State.
Recovery	Fluid recovery must take place from containers that have reached the end of their life.
Labelling	Containers must be properly labelled.
Training	Where any recovery activities are performed, these must be carried out by certified personnel.
Taking delivery	Companies taking delivery of F gases must have appropriately qualified personnel.

Summary of Key Obligations under the EU Ozone Regulation

Companies supplying HCFC refrigerants (such as R22) must comply with the requirements in EU Ozone Regulation (EC 1005/2009). In Great Britain there are 2 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. In summary, the EU Ozone Regulation requires:

Phase-Out	Only reclaimed HCFCs can be sold up until 31 st December 2014. Virgin HCFCs must be destroyed.
Recovery	Refrigerant recovery at end of life.
Training	Use of certified personnel.
Labelling	Containers of reclaimed fluid must be properly labelled.
Reporting	Producers, users, importers and exporters of new substances listed in Annex II must report on this activity to the Commission.

Who is responsible for meeting these obligations?

These obligations are the responsibility of producers, importers and exporters of F gases and ODS and those “taking delivery” of F gases. This also includes undertakings using or causing or permitting another person to use reclaimed or recycled HCFCs as refrigerants.

Some Critical Dates

Now	<ul style="list-style-type: none"> • Phase-out of use of virgin HCFC as refrigerant for maintenance/servicing. • Recovery of F gas from end of life containers. • Labelling: <ul style="list-style-type: none"> ○ F gas containers placed on the market (in a standard format) stating amount and type of F gas contained. ○ Reclaimed HCFCs containers placed on the market must state the type of HCFCs, the batch number and name and address of the reclamation facility. • Reporting of: <ul style="list-style-type: none"> ○ F gas production, import and export activity. ○ New ODS substances and ODS used as feedstock. • Companies involved in carrying out leakage checking/repair/recovery are only able to take delivery of F gases if relevant personnel hold the appropriate certificates.
1st Jan 2015	Phase-out of use of recycled & reclaimed HCFC as refrigerant for maintenance/servicing.

Relevant Information for Fluid Suppliers

Defra has produced a set of information sheets that will help fluid suppliers understand their obligations under the EU F gas and Ozone Regulations.

The following information sheets will be of particular relevance but other sector specific information sheets (e.g. related to refrigeration and air-conditioning applications) may be of use to you and your customers and these should also be referred to:

Number	Content of Information Sheet
<i>Information Sheets Addressing Fluid Supply Issues</i>	
FS 1	Short overview of issues for fluid suppliers
FS 2	Detailed description of key obligations for fluid suppliers
FS 3	Getting started – advice on the steps to take to achieve compliance
<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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