

Department for Environment, Food and Rural Affairs

Guidance for Fluid Supply Companies

Guidance: F Gas and Ozone Regulations

Information Sheet FS 3: Getting Started

April 2012

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Information Sheets FS 1 and FS 2 give compliance details for Fluid Supply Companies in relation to the requirements of the EU F gas and Ozone Regulations. In this Information Sheet we provide advice on the first steps that consideration should be given to for implementation to help ensure your company meets its key obligations and minimises F gas and Ozone-Depleting substances (ODS) emissions.

Step 1 Identify General Scope of Obligations

The first step is to identify those elements of the EU F gas and Ozone Regulations that apply to your company. The key obligations for Fluid Supply companies are summarised in Information Sheet FS 2.

Seven key questions should be addressed:

- 1) **Do you produce, import or export more than 1 tonne of F gas?** If so you must put in place procedures for reporting your activities on an annual basis using the EU form.
- 2) **Do you produce, import or export any of the new ODS substances listed in Annex II of the EC/1005/2009?** If so you must put in place procedures for reporting your activities on an annual basis.
- 3) **Do you use ODS as feedstock or process agents?** If so you must put in place procedures for reporting your activities on an annual basis.
- 4) **Do you supply HCFC refrigerants?** If so, you should have stopped supplying virgin HCFC and only be supplying reclaimed HCFC.
- 5) **Do you supply HFCs, PFCs or SF₆?** If so you must ensure that your record keeping and labelling is adequate to satisfy the regulation.
- 6) **Do you have any non-refillable containers containing F gases that have not yet been placed on the market?** If so these must not be placed on the market unless they were filled before 4 July 2007.
- 7) **Do you recover F gases or ODS?** If so you should ensure that the personnel (both in-house and sub-contractors) recovering F gases are suitably qualified.

Step 2 Consider allocating Director Level and Operational Responsibilities

The next important step is to allocate responsibilities. It is suggested that a Director has overall control, so you can be certain that obligations are being met. It may be necessary to identify operational responsibilities in several parts of the company to ensure full coverage.

Step 3 Prepare for HCFC Phase-Out

If you are still supplying HCFCs, such as R22, it is important that you have communicated to your customers that they need to return supplies of virgin HCFC and be prepared to deal with the phase-out of reclaimed HCFC. Give them a timetable over which you will phase-out supply of reclaimed HCFCs.

Step 4 Ensure That All Your Personnel Are Well Trained

Make sure that all relevant personnel – both in-house staff and the contractors – you employ to deal with F gases and ODS understand the requirements and the purpose of these Regulations. Put procedures in place to ensure that any personnel involved in working on RAC systems containing F gases or ODS have the appropriate qualifications. Use the Defra information, available from the website, or develop your own literature for educating your customers as to the requirements of the regulation.

Step 5 Audit Your Own System

Once you have all your procedures in place, we recommend that you audit your own system to ensure that you are fully complying with all the reporting and other requirements.

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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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