

Review of EU Regulation 842/2006 (the EU F gas Regulation)

Public Consultation

Dear Stakeholder

Further to our letter dated 12 March 2010, we are writing to inform you that on 26 September the European Commission published its draft report on the application, effects and adequacy of EU Regulation 842/2006 on certain fluorinated greenhouse gases (the EU F gas Regulation). This report reviews the existing EU F gas Regulation and therefore complies with the Commissions reporting obligations under Article 10 of the Regulation.

The evaluation in the Commission report draws upon analytical work undertaken for the Commission and the final report from its consultants, Öko-Recherche, which contains a more detailed review of the implementation and effect of the EU F gas Regulation and a wider picture of the global F gas situation and options for further action, was published at the same time.

Given the short period of time in which the EU F gas Regulation has been operational, the Commission report concludes that any present effect of the Regulation's containment and recovery provisions cannot yet be quantified. Nevertheless the report shows that after four years since its entry into application, the use and marketing restrictions in the EU F gas Regulation, together with a parallel Directive addressing the use of F gases in mobile air conditioning, are already contributing to the achievement of EU and Member State emission reduction targets under the Kyoto Protocol for the period 2008 - 2012. The report also shows that, despite the growing use of many of the key applications of F gases, if effectively implemented in all Member States, the EU F gas Regulation, together with the Directive on mobile air conditioning, has the potential to avoid almost half of projected emissions, stabilising emissions at today's levels.

However, the report also states that mere stabilisation at today's levels, as the best case scenario, is not compatible with the EU emissions reductions targets. It further cites emerging opportunities from available and emerging technologies in the relevant sectors that offer significant scope for additional cost-effective reductions of F gas emissions in the EU and at an international level. In light of this, the Commission has presented some potential policy options for consideration including:

- new voluntary agreements;

- bans on new equipment containing F gases;
- extending the scope of existing provisions to other systems/equipment;
- establishing minimum leakage rates for installations;
- developing EU standards and notes describing best available techniques and best environmental practices for preventing and minimising emissions of F gases; and
- the introduction of a scheme for the phasing down of F gases.

The publication of the report was made in conjunction with the commencement of a **public consultation** that will run until 19 December 2011. All stakeholders are invited to contribute their views on the content of the report and the potential policy options it sets out for further action to reduce F gas emissions. On this basis, the Commission will, if appropriate, present a legislative proposal for revising the existing EU F gas Regulation.

The potential policy options that the Commission are currently consulting on are so broad that it is not currently possible to assess any likely policy, legal or financial implications at this stage. If the Commission decide it is appropriate to take further action and present a legislative proposal for revising the EU F gas Regulation then we will need to consider any proposals on their merits, providing that they are evidence-based and technically and economically feasible.

We will keep you informed of any developments and we plan to hold stakeholder events once the Commission publishes any specific proposals following the end of the consultation period. We anticipate this may happen in early 2012.

In the meantime, if you have any specific views, we would invite you to contribute to the consultation. General information, the related documents and a link to the stakeholder questionnaire can be found via the following link: [Consultation on the EU F gas Regulation](#). If you do choose to send a contribution, please also send a copy for information to our email address: fgas@defra.gsi.gov.uk. Position papers can also be sent directly to us at any time.

Kind regards

Defra F gas Team