European Commission
1049 Brussels
Belgium

EPA Network secretariat
Kongens Nytorv 6
DK-1050
Copenhagen

15 May 2012

Dear Commissioner Potočnik,

As members of the European Network of Heads of Environment Protection Agencies (EPA Network)[1] we write to you regarding the revision of *Regulation (EC) No. 842/2006 on certain fluorinated greenhouse gases* announced by Commissioner Hedegaard in a European Commission's press release IP/11/1078 in September 2011.

With great interest we read the European Commission's report[2] on fluorinated greenhouse gases published in September 2011. We are strongly concerned about the finding that a mere stabilization of emissions of fluorinated greenhouse gases (F-gases) will not be sufficient to meet the European Commission's target of an 80 - 95 % reduction in EU greenhouse gas emissions by 2050. At the same time we see that the underlying study[3] gives reliable advice on how to reduce the emissions of F-gases. Considering both, the necessity to reduce F-gas emissions as well as the possibility to do so in a cost-effective and environmentally sound way, the EPA Network supports the European Commission's opinion that further measures are necessary. We consider a mixture of measures best to meet the emission reduction targets in a cost-effective way.

In the context of the *Montreal Protocol on Substances that Deplete the Ozone Layer* as well as the UN Framework Convention on Climate Change and its *Kyoto Protocol* the Member States of the European Union have already supported an internationally binding agreement on a phase-down of hydrofluorocarbons (HFCs) under the *Montreal Protocol*[4]. However, as of today we cannot assume a positive outcome of the international

[1] This letter was supported by the following members of the EPA Network: Umweltbundesamt (German Federal Environment Agency), Finnish Environment Institute, Umweltbundesamt (Austrian Environment Agency), Danish Environmental Protection Agency, Flemish Environment Agency, Scottish Environment Protection Agency, Chief Inspectorate of Environmental Protection, Poland, Environmental Protection Agency, Ireland and the Executive Environment Agency of Bulgaria.
[2] Report from the Commission "On the application, effects and adequacy of the Regulation on certain fluorinated greenhouse gases (Regulation (EC) No 842/2006)", COM(2011) 581 final
[3] Preparatory study for a review of Regulation (EC) No 842/2006 on certain fluorinated greenhouse gases - final report, 2011
[4] Submission by Hungary and the European Commission on behalf of the European Union and its Member States, February 15, 2011: http://unfccc.int/documentation/documents/advanced_search/items/3594.php?rec=j&priref=600006367#beg

negotiations on this issue. We therefore appreciate the European Commission's approach towards “limits for the placing of the market of HFCs in EU”. According to the recent study[2] on F-gases this option has the highest emission reduction potential of all options assessed. The second highest potential was identified for the measure “ban the placing on the market of certain closed applications containing F-gases”. Based on these results as well as the conclusion that “the analysis shows that already available or emerging low-GWP technologies are technically feasible and can be cost-effective in many application areas” we propose to combine these two options. In doing so, the limits for the placing on the market of HFCs should be gradual, following an exact timeframe. A similar approach was chosen in case of ozone depleting substances and has proved to be very successful.

In some cases the use of F-gases or alternatives influence the energy efficiency of equipment. In order to avoid undesirable negative impacts on energy consumption this should always included in the impact assessment for individual measures. This also refers to economic impacts which should be assessed accurately. Since it takes energy efficiency and economic aspects into account we believe the “preparatory study for a review of Regulation (EC) No. 842/2006” to be an appropriate basis for the decision on application areas to be included in any placing on the market bans and/or use bans. One option we consider worth assessing is to focus on high GWP gases first in some fields of applications, e.g. fire protection or commercial refrigeration.

Although banning the use and/or placing on the market of open F-gas applications did show an emission reduction potential of less than 6 million tonnes of CO_2 eq. we strongly recommend that certain open applications such as foams, open cooling applications, and non-medical aerosols are covered as well.

We would be available to further discuss our recommendations with your staff and look forward to hearing your response to this letter

Yours sincerely,

On behalf of the EPA Network

Michel Schilling
Deputy Director
Danish Environmental Protection Agency

Jochen Flasbarth
President
German Federal Environment Agency

cc: Commissioner Climate Action, Connie Hedegaard; Commissioner Enterprise and Industry, Antonio Tajani; Commissioner Energy, Günther Oettinger