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ClimaEast

Support to Climate Change Mitigation and
Adaptation in Russia and ENP East countries

Part II

Approximation of F-gas legislation in Georgia

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Roadmap for the Approximation of Georgian law on F-gases and ODS to the EU law
under the Association Agreement of Georgia – Closure event

Content of presentation

- Requirements of the AA regarding F-gases
- F-gases and F-gas legislation in Georgia
- EU F-gas Regulation 517/2014
- Recommended approximation of EU provisions and the Georgian F-gas Law

... followed by questions and answers



Introductory Remark

A proposal for new F-gas legislation for Georgia has been elaborated, and together with a commenting report has been made available to the beneficiary in Georgia.

The proposal shall provide input for national F-gas legislation for Georgia ensuring the adaption of the EU F-gas legislation from the day of the accession to the European Union.

As EU regulations are directly applicable to Member States and thus do not need transposition, the text is only intended to be applicable from 2020 until Georgia's accession.

Requirements of the AA regarding F-gases

With regard to Regulation (EC) No 842/2006 of the European Parliament and of the Council of 17 May 2006 on certain fluorinated greenhouse gases the AA relates to:

- the adoption of national legislation and designation of competent authority/authorities;
- the establishment/adaptation of national training and certification requirements for relevant personnel and companies (Article 5);
- the establishment of reporting systems for acquiring F-gas consumption data from the relevant sectors (Article 6);
- the establishment of an enforcement system (Article 13).

But: New EU F-gas Regulation 517/2014!!



F-gases and F-gas legislation in Georgia

- F-gases (HFCs, PFCs, SF₆, NF₃) have been used in Georgia at least since 2003/2004, mainly as refrigerants (HFCs) and in electrical switchgear (SF₆).
- No production of ODS and F-gases in Georgia
- F-gas emission reporting under the UNFCCC.
- So far no national legislation on F-gases.
- 2016 Kigali Agreement requires phase-down of HFC consumption



The EU F-gas Regulation 517/2014

On the basis of former F-gas Regulation 842/2006 but also new measures.
Main elements:

- **HFC phase-down:** A new mechanism to reduce the consumption of HFCs in the EU (Article 15). The quantities of HFCs (expressed in CO₂ equivalents) placed on the market will have to decrease by 79% in the period from 2015 to 2030 on the basis of data reported by companies.
- **HFC registry:** The phase down is implemented via a quota system (Article 16) that in turn is implemented via an electronic HFC registry (Article 17).
- **Prohibitions:** A number of new bans addressing mainly refrigeration and air conditioning applications have been added (Article 11 and Annex III).
- **Labelling:** Labelling requirements for many products and types of equipment containing F-gases have been updated.
- **Reporting:** The reporting obligation now covers additional stakeholders including destruction facilities and importers of pre-charged equipment.

Many provisions are detailed in implementing acts (by-laws).



Recommended approximation

- Mirror the structure of current EU legislation in new national legislation

Base act	Law on F-gases based on Reg. 517/2014
Training and Certification	Law on Training and Certification as regards Stationary refrigeration, & air conditioning, heat-pumps and refrigerated trucks & trailers based on Reg. 2015/2067
	Law on Training and Attestation as regards Mobile Air Conditioning based on Reg. 307/2008
	Law on Training and Certification as regards Electrical Switchgears based on Reg. 2015/2066
	Law on Training and Certification as regards gas-based Solvents based on Reg. 306/2008
	Law on Training and Certification as regards Fire Protection Equipment based on Reg. 304/2008
Reporting	Law on the Format of Reporting based on Reg. 1191/2014
Containment	Law on Leak checking of Stationary refrigeration, & air conditioning and heat-pump equipment based on 1516/2007
	Law on Leak checking of Fire Protection Equipment based on Reg. 1497/2007
Labelling	Law on the format of Labelling based on Reg. 2015/2068

- Designate a competent authority:
Ministry of Environment and Natural Resources Protection of Georgia



Articles 1-5: Transposition of EU Reg. 517/2014 in Georgian F-gas Law

To be transposed unchanged/ with minor changes:

Article 1: Subject matter

Article 2: Definitions

Article 3: Prevention of emissions of F-gases

Article 4: Leak checks

Similar requirement as in ODS Regulation

By-laws on leakage checking requirements for the stationary refrigeration, air conditioning and heatpump sector and the fire protection sector

Article 5: Leak detection systems



Articles 6-9: Transposition of EU Reg. 517/2014 in Georgian F-gas Law

Article 6: Record keeping

Article 7: F-gas emission from production

→ to be transposed although no production today

Article 8: Recovery

To be undertaken only by appropriately qualified personnel

Similar requirement as in ODS Regulation

Article 9: Producer responsibility schemes



Article 10 of EU Reg. 517/2014 / Article 5 of EU Reg. 842/2006

Art. 10: Training and certification (→ Art. 5 of Reg. 842/2006)

Equipment operators must ensure that installation, servicing, maintenance, repair or decommissioning of equipment and recovery of F-gases (Art. 8) are performed by appropriately certified persons/companies.

Establishment of training programmes and availability throughout the country

Minimum requirements and the conditions for recognition of certificates issued in other Member States are regulated in separate implementing regulations for each sector.



Article 11 of EU Reg. 517/2014 and transposition in Georgian F-gas Law

Restrictions of placing on the market:

Para 1, 2: Bans on the sale of certain new products and equipment containing F-gases, listed in Annex III

Not required by AA but could be established also in view of future restrictions (Kigali Amendment)

→ Stakeholder consultation recommended

Para 3 not to be transposed

Para 4 to be transposed (certification)



Article 12 of EU Reg. 517/2014 and transposition in Georgian F-gas Law

Labelling requirements for products and equipment with F-gases

- All equipment and products containing F-gases
- reclaimed and recycled F- gases
- F-gases placed on the market for destruction,
- F-gases placed on the market for direct export,
- F-gases placed on the market for military use.

Transposition not required by AA but labelling facilitates the monitoring of the activities involving F-gases (thus both reporting and enforcement, prescribed by AA).

Thus it is recommended to transpose this Article (excluding references to tasks of the Commission and to paragraphs deleted in other Articles).



Article 13 of EU Reg. 517/2014 and transposition in Georgian F-gas Law

Prohibitions of certain uses of certain F-gases:

- use of SF₆ for magnesium die-casting and recycling of magnesium die-casting alloys,
- the use of SF₆ for the filling of vehicle tyres,
- RAC servicing with F-gases that have GWP over 2500.

The application of such provisions generally would approximate Georgia's legislation to the EU legislation, but is not required by the AA.

Stakeholder consultation is recommended.



Articles 14,15-18 of EU Reg. 517/2014

Art. 14: Pre-charged equipment

Art. 15: Reductions of the quantity of HFCs placed on the market

Art. 16: Allocation of quotas for placing HFCs on the market

Art. 17: Registry

Art. 18: Transfer of quotas and authorisations to use quotas

All Articles only relevant once Georgia becomes EU Member

But: Kigali Amendment might require national measures including restrictions for the placing on the market of HFCs.

→ National provisions recommended



Article 19 of EU Reg. 517/2014 / Article 6 of EU Reg. 842/2006

Art. 19: Reporting (→ Art. 6 of Reg. 842/2006)

Comprehensive reporting on F-gases: Production, import, export of F-gases and F-gases in equipment, feedstock use, destruction of the substances listed in Annexes I and II.

→ Requirements specified in implementing act

The baseline for the EU phase down scheme is calculated on the basis of the reported data of 2009-2012.

Annual quota for HFC quantities are based on reported data by companies.

→ Critical for the set-up of a national scheme in Georgia



Article 20 of EU Reg. 517/2014 / Article 6 of EU Reg. 842/2006

Art. 20: Collection of emissions data (→ Art. 6 of Reg. 842/2006)
acquisition of emissions data to the extent possible

Link to reporting (Art. 19) and to emission reporting under the
UNFCCC

- recommended to develop a standard system for regular national monitoring and reporting activities that can serve at the same time in the context of the UNFCCC and the EU.
- Registration of existing F-gas equipment needed (“bank”)
- Competent authority needs to take the role of the Commission



Articles 21-24, 26 of EU Reg. 517/2014

Art. 21: Review

Art. 22: Exercise of delegation

Art. 23: Consultation Forum

Art. 24: Committee procedure

Art. 26: Repeal of Regulation 842/2006

These Articles do not need to be transposed.



Article 25 of EU Reg. 517/2014 / Article 13 of EU Reg. 842/2006

Art. 25: Penalties (→ Art. 13 of Reg. 842/2006)

Competent authority to establish rules for penalties and to implement them



Article 27 of EU Reg. 517/2014

Art. 27: Entry into force and date of application

Should be transposed with modifications specific to Georgia.



Annexes of EU Reg. 517/2014

List of annexes:

Annex I	F-gases referred to in Point 1 of Art. 2 (Definitions/F gases): Substance and GWP
Annex II	Other fluorinated GHGs subject to reporting in accordance with Art.19 (production, import, export, feedstock use and destruction)
Annex III	Placing on the market prohibitions referred to in Art. 11(1)
Annex IV	Method of calculating the total GWP of a mixture
Annex V	Calculation of the maximum quantity, reference values and quotas for placing HFCs on the market
Annex VI	Allocation mechanism referred to in Art.16 (HFC quotas)
Annex VII	Data to be reported pursuant to Art.19 (production, import, export, feedstock use and destruction)
Annex VIII	Correlation Table (between old Reg. 842/2006 and new Reg. 517/2014)

Annexes NOT to be transposed:

Annexes V, VI: only relevant for the EU phase down and quota allocation

Annex VIII: irrelevant for Georgia





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