Overview of Regulation (EC) No 2037/2000

Brussels, 3 April 2006
Screening: Chapter 27 Environment – Ozone Layer Protection

Peter Horrocks DG Environment
Regulation (EC) No 2037/2000

- Replaces Reg. (EC) No 3093/94
- Directly applicable in all Member States
- Applied from 1 October 2000
- Amending regulations:
  - Exports of MDIs and medical drug pumps
  - 1999 reference year for HCFCs
  - Halons – controls on exports and products
  - BCM – placed in body of regulation
  - Annex VI (processing agent)
  - Annex VII (halon 2402 in new MS), and Annex IV (customs codes)
- Accession Treaty for 10 MS acceding on 1 May 2004 – amendment to Annex III

European Commission: DG Environment Directorate
Main Elements

- Controlled substances
- Phase out schedules
- Control of Use and Placing on the market
- Trade controls
- Emission control: recovery and leakages
- Reporting requirements
Key Substances in Regulation (EC) No 2037/2000
Controlled Substances

- CFCs, Carbon Tetrachloride
- Methyl chloroform
- Halons, HBFCs
- HCFCs
- Methyl bromide
- Bromochloromethane (BCM)
Phase Out in Regulation (EC) No 2037/2000
Main Controls

- Banned use and placing on the market of CFCs + new recovery and destruction requirements
- Use for feedstock and certain processing agents still allowed
- Banned refilling of refrigeration with CFCs in 2001
- Limits on the use of halon for fire fighting on land, air and sea applications
- More ambitious phase out of methyl bromide than Montreal Protocol; and capped amount used for QPS
Main Controls (cont).

- Freeze on HCFC production – staged reduction after 2008 and phase out in 2025
- Progressive use-ban for HCFCs on most applications
- Limited quantity of HCFCs that can be placed each year on the EC market
- Ban on exports of HCFCs to a developed Non-Party that has not signed Beijing by Nov 2005
- New reporting requirements on exports
- New substances listed
Halons

- Banned filling of non-critical halon fire fighting equipment from 1 Jan 2003
- Mandatory decommissioning of non-critical halon systems by 31 Dec 2003
- Government-designated halon banks
- Restrictions on exports – only for critical uses, and only from official halon banks
- Reporting requirements for halon for critical uses
- Reporting requirements for export of halon products
Methyl Bromide

- Quarantine and pre-shipment (QPS) uses cannot exceed ’96–’98 average consumption
- Limit of 607 ODP tonnes for QPS
- Annual reports to Commission from MS on MB used for QPS, and efforts to find alternatives
- Non-QPS banned from 1 January 2005 except for critical uses
- Critical uses strictly limited for those uses where alternatives have yet to be developed
HCFCs

- HCFCs have been useful substitutes for CFCs, in some cases
- HCFCs are transitional substances
European Commission: DG Environment Directorate

HCFC Production Controls

- **2000 to 2007:** Production equal or less than 1997 production in the EC
- **2008 to 2014:** ... 35% of 1997 production
- **2015 to 2020:** ... 20% of 1997 production
- **2016 to 2025:** ... 15% of 1997 production
- **No HCFC production after end 2025**
HCFC production controls

![Graph showing HCFC production controls from 2000 to 2040. The graph indicates the maximum forecast HCFC demand outside the EC, the amount needed to supply all of the EU market, and the proposed production controls.]

European Commission: DG Environment Directorate
HCFC Consumption Controls

- 2001 Cap at 2% of CFCs placed on market in 1989 + 1989 placing on the market of HCFCs (6678 ODP-tonnes)
- 2002 85% of 2000 level (5676 ODP-tonnes)
- 2003 45% of 2000 level (3005 ODP-tonnes)
- 2004 to 2007 30% of 2000 level (2003 ODP-tonnes)
- 2008 to 2009 25% of 2000 level (1669 ODP-tonnes)
- 2010 – No placing on the market
Regulation (EC) No 2037/2000

- Import, export and production permitted
  … by exemption only!

- Reduction and phase out of ALL ozone
  depleting substances!
Use Bans in Regulation (EC) No 2037/2000
ODS
Use Exemptions

• Production banned except for essential uses (Lab + MDI) and basic domestic needs

• ODS use banned unless for:
  - Feedstock and process agent use
  - Essential use (lab, MDI)
  - For critical uses of halon listed in Annex VII

• CFC exemptions possible for military until end 2008 and medical drug pumps to end 2004
HCFC use ban dates
Refrigeration/AC/Heat Pumps

- Refrigeration, AC and Heat pumps in general - HCFCs could have been used until 1 Jan 2001 if equipment produced after 1 Dec 2000
- Fixed AC < 100kW .... 1 July 2002
- Reversible AC/Heat Pumps .... 1 Jan 2004
- Existing systems- virgin HCFCs .... 1 Jan 2010
- Existing systems .... all HCFCs 1 Jan 2015
- Review of HCFCs in refrigeration - before end 2008
Use ban dates for HCFCs
Foams

- 1 Oct 2000 – banned HCFCs for integral skin foams for use in safety applications and rigid insulation
- 1 Jan 2003 – banned HCFCs for polyurethane in appliances and polyurethane laminates and panels, except for transport
- 1 Jan 2004 – banned HCFCs for all foams, including polyurethane spray and block foams
Trade Controls in Regulation (EC) No 2037/2000
Trade Controls

- Exports of CFCs and products containing CFCs prohibited
- Export authorisation necessary for export of controlled substances
- Exports of CFCs allowed for BDN, critical and essential use of Parties;
- Feedstock, and halons for critical uses listed in Annex VII
- HCFC use ban applies to imports of products and equipment containing HCFCs for uses that are already banned in the EU
Emission Controls in Regulation (EC) No 2037/2000
Emission Control

- Importance of recovery of ODS
- Training of personnel in each MS
- Establishment of best practices
- Ban on disposable containers
- Minimise leakage required from MS
- Promotion of standards for leakage control
- Annual inspection for installations with refrigerant charge $>3$kg
Reporting Requirements in Regulation (EC) No 2037/2000
Reporting Requirements

Producers:

- Amount produced by application, including exempted uses (Lab, MDI, BDN)
- Industrial rationalisation volumes
- Recycled, reclaimed and destroyed ODS
- Stocks
Reporting Requirements

Importers and exporters:

- Total amounts imported/exported (purpose, source, destination)
- Amounts imported/exported of recycled/reclaimed substances
- Stocks
Reporting Requirements

Member States:

- Annual reporting on methyl bromide QPS
- Annual reporting on halons for critical uses
- Report on minimum qualifications of personnel for recovery and leakage control
- Annual report on systems established for recovery