

Enforcement of ODS & F-gas Regulations in Ireland



Celine Horner
ODS & F-gas Team

Overview

- ODS & F-gas - What they are and why they are controlled
- Effects of the Regulations
- EPA Statutory Activities
- Requirements of the Regulations
- EPA Enforcement Strategy and Outcomes

What are ODS And F-gases used



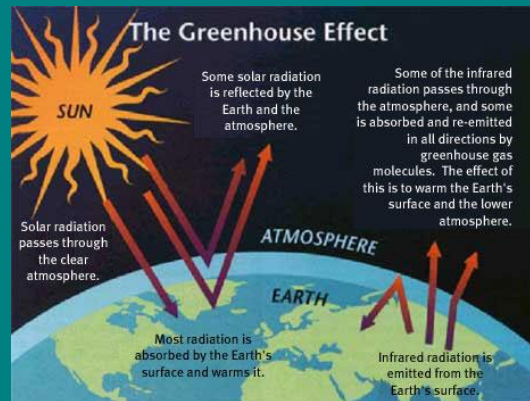
Ozone Depleting Substances

(CFC, Halon, HCFC, Methyl bromide)



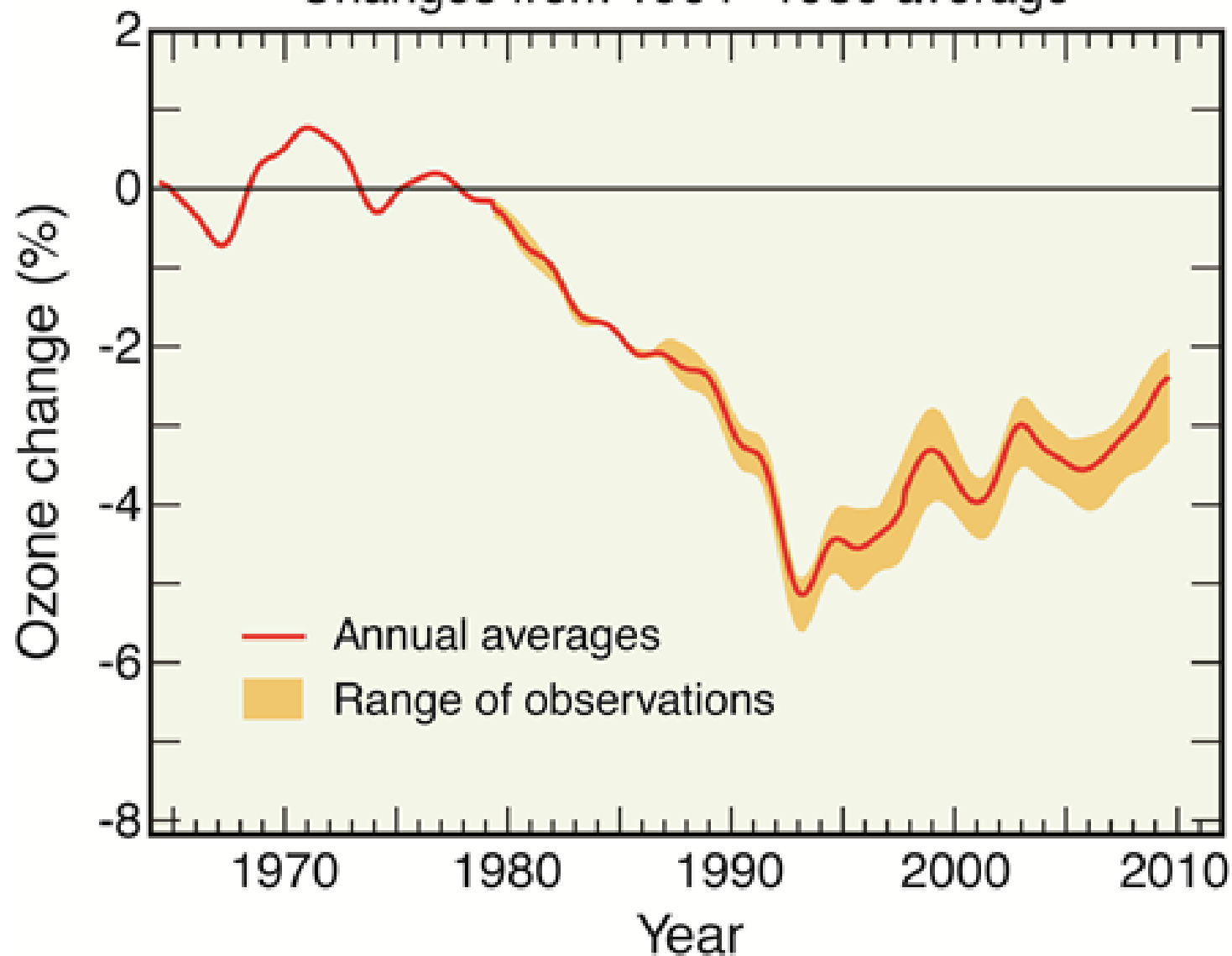
Fluorinated Greenhouse Gases

(HFC, SF6, PFC)

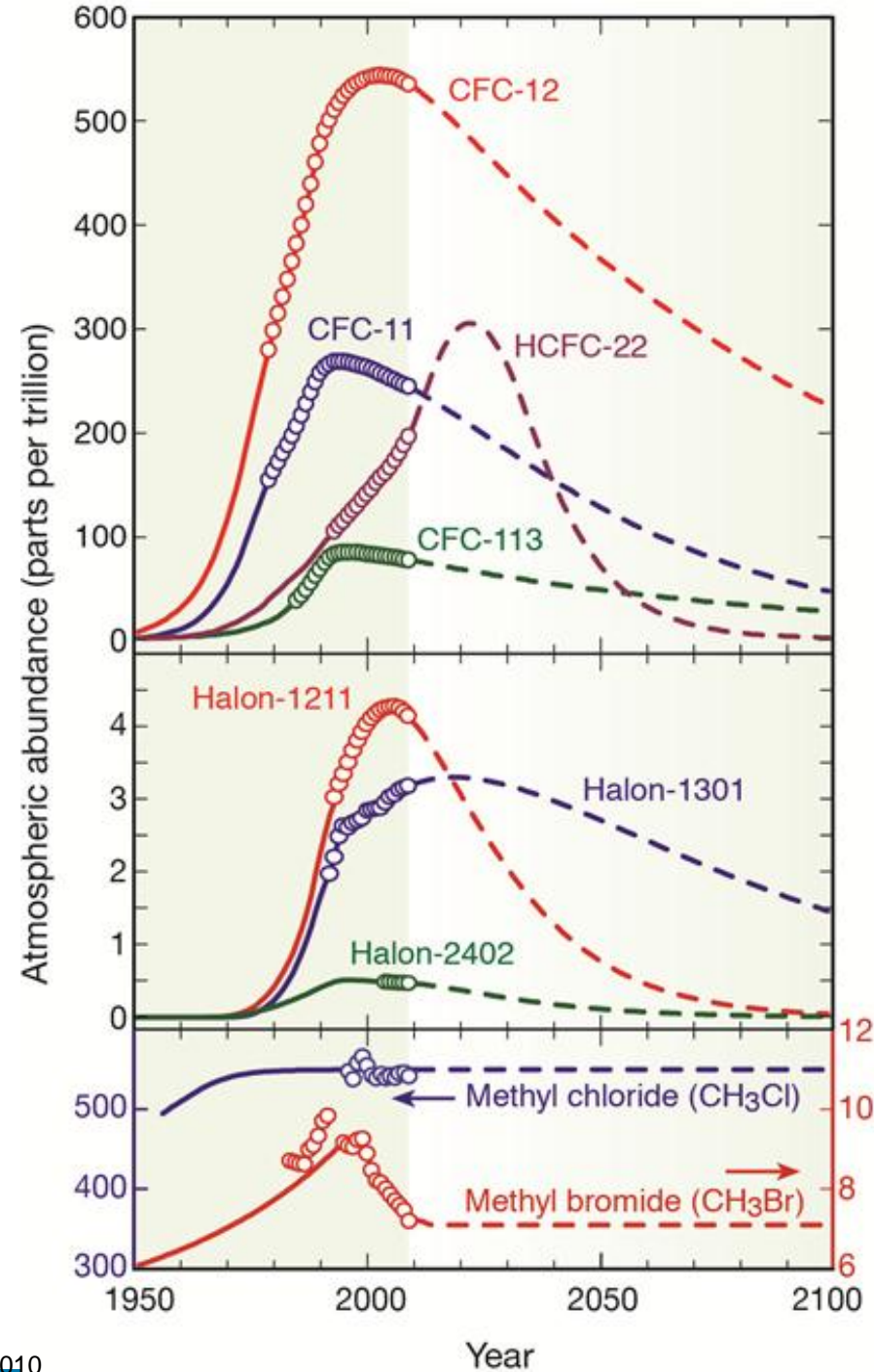


Global Total Ozone Changes

Changes from 1964–1980 average



Past and Projected ODS



Controlling ODS and F-gases



United Nations

- Montreal Protocol 1987
- Kyoto Protocol 1997



European Commission

- ODS Regulation No1005/2009
- F-gas Regulation No 842/2006

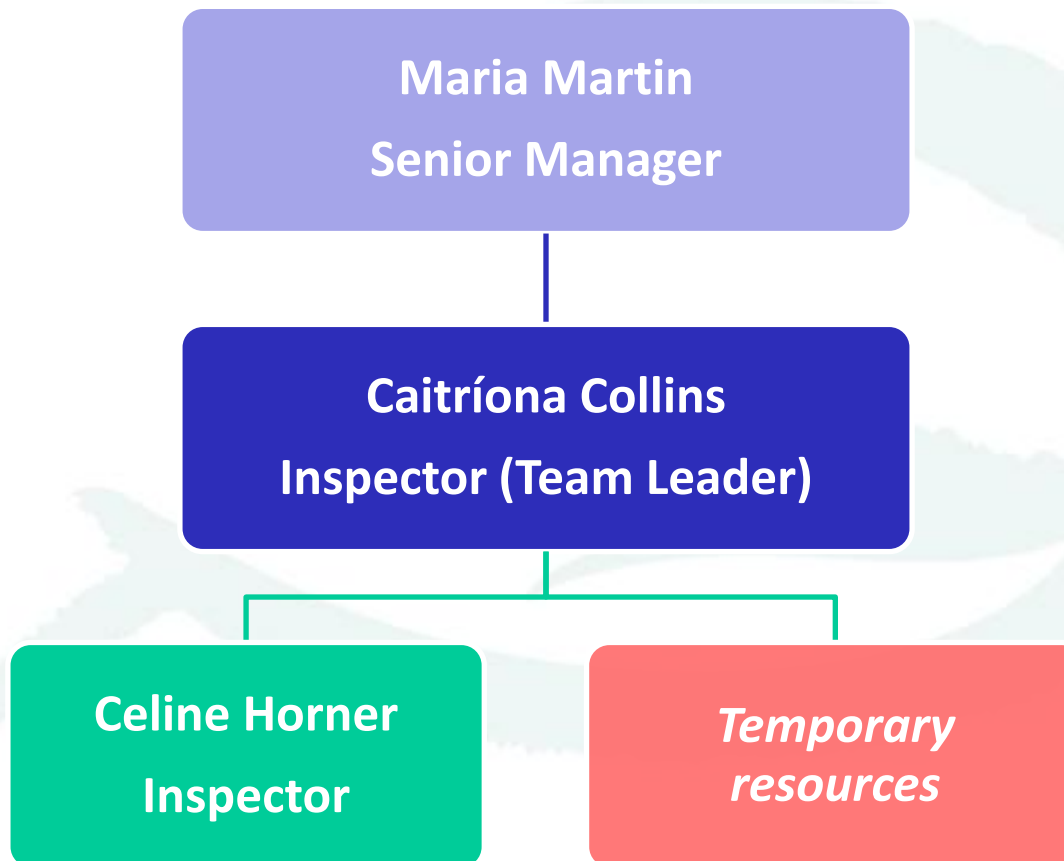


Comhshaoil, Oidhreacht agus Rialtas Áitiúil
Environment, Heritage and Local Government

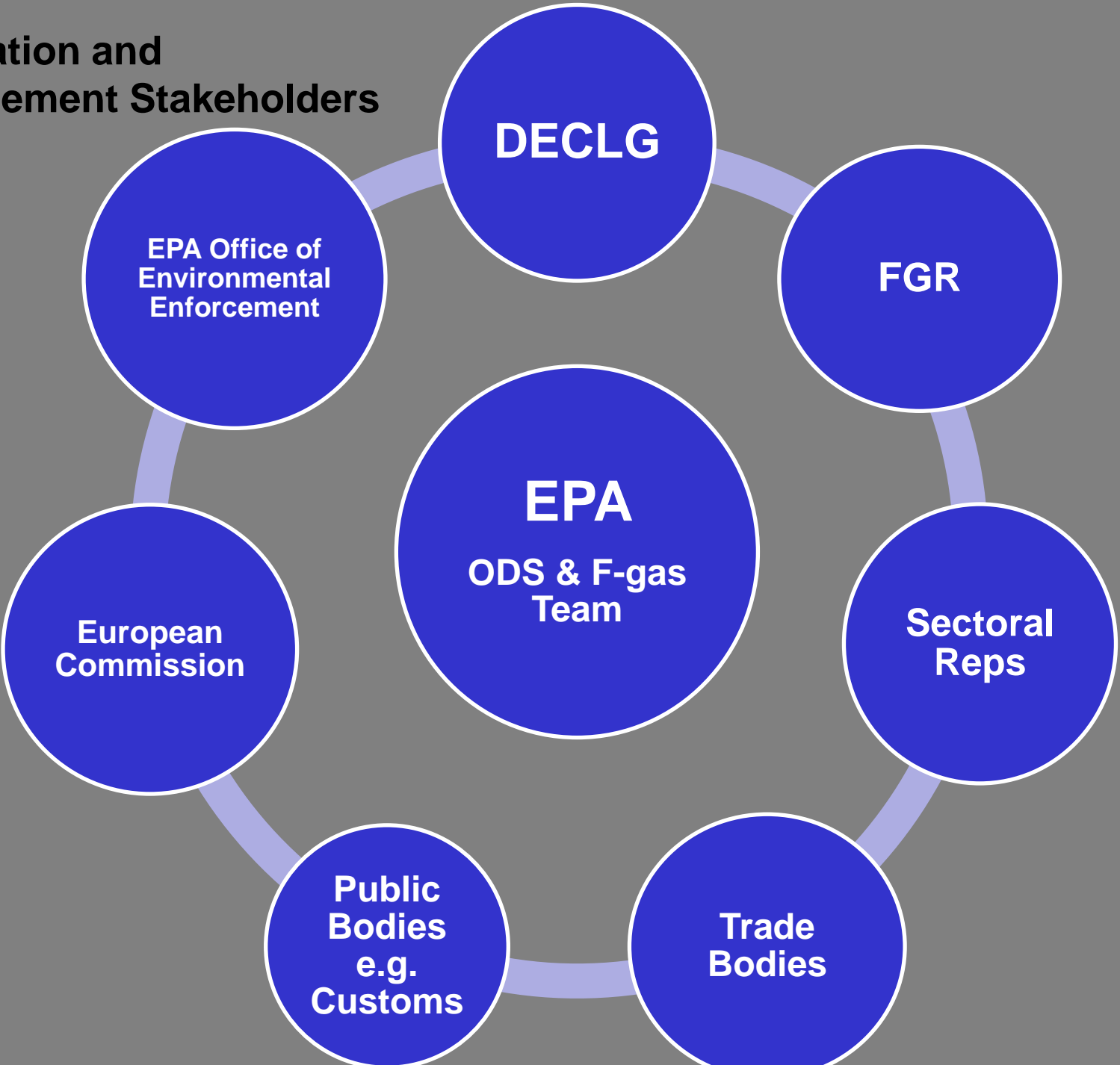
DECLG

- Irish Implementing Regulations
- EPA as Competent Authority
- Certification
- Penalties

EPA ODS & F-gas Team



**Regulation and
Enforcement Stakeholders**



ODS & F-gas TeamActivities

- Statutory reports to Europe incl. Halon Critical-Use Survey
- Enforce import/export license requirement for Critical users of halon
- Enforce ODS Phase out
 - Halon 2003
 - HCFC (R22) 2015
- ODS and F-gas End-user Inspections
- ODS and F-gas Contractors Inspections
- Prior Annual Notifications
- Guidance

Keys Requirements of the ODS Regulations

- Containment
- Recovery
- Training Certification
- Production Phase Outs
- Consumption Phase Out
- ...Alternatives (F-gases)

Key Requirements of the F-gas Regulations

- Onus on Operators of F-gas systems
- Containment (leak checking)
- Training Certification
- Company Certification
- Recovery
- Phase downs introduced in new F-gas Reg
- Alternatives

Enforcement

Inputs

Budget,
Staff,
Equipment,
etc.



Strategic Plan
2013 - 2015

Working with others for
a Better Environment

Outcomes

Reduction in
GHGs and F-gas
emissions

epa

Environmental Protection Agency
An Ghníomhaireacht um Daoimh na Comhshuiteil

Enforcement Plan

- Review current situation
- Determine resources available
- Determine priorities for year ahead



Copyright © Ron Leishman • <http://ToonsClips.com/11848>

End-user Inspections

■ Target biggest F-gas Sectors

- Industrial
- Hospitality & Leisure
- Retail
- Offices & Public Buildings

■ Compliance with the Regulations

- Records and documentation
- Qualification and Certificates
- Maintenance /Leak Checking
- Labelling

What to expect from an EPA inspection –

A guide for end users (operators) of equipment containing controlled gases



This short guide provides a brief summary of what to expect if your business/premises is selected for an inspection by the Environmental Protection Agency (EPA) under the Ozone Depleting Substances (ODS) and Fluorinated Greenhouse Gas (F-gas) Regulations. It will inform you of:

- What is being inspected
- What the EPA will look at during the inspection.
- Why you are being inspected
- How to prepare for an inspection

What are the EPA inspecting?

- F-gases and ODS gases are widely used in equipment and systems which are common in many premises/businesses. These include refrigeration, air conditioning equipment and fire suppression systems.
- The aim of the inspection is to determine whether your company is compliant with the laws controlling such refrigerant gases and fire suppression agents. These laws¹ come from Europe and control the gases because they have a negative effect on the environment if they are emitted. These European laws apply directly in Ireland and the EPA is responsible for enforcing them, under specific Irish law. The laws place restrictions on controls and obligations on how these gases are used and may apply to your premises/business.

Why are the EPA carrying out the inspection?

- The EPA is responsible for enforcing the laws controlling these gases. One of the enforcement powers designated to the EPA under the Irish Legislation is the power to inspect premises/businesses which use ODS/F-gases. These inspections can be carried out without prior notice under EPA's powers. However, in many cases, inspections will be pre-notified by the EPA.
- The EPA also has the power to take prosecutions where it sees fit.

Why is my business/premises being inspected?

Your business/premises may be selected for one or more of the following reasons:

1. Your business/premises is likely to have equipment or systems which contain F-gases or ODS;
2. Previous correspondence between the EPA and you indicates that your business/premises has equipment or systems in place which use F-gases or ODS gases;
3. Your business/premises was previously inspected and non-compliances were not corrected;
4. A complaint has been received about potential non-compliance at your business/premises;
5. Your business/premises has been randomly selected.

My contractor looks after all the equipment/systems on-site – does this make me compliant?

The legal obligation to comply with the F-gas and ODS Regulations rests with you, the "operator" of the equipment/systems/equipment. In the majority of cases, the operator is the owner or the ultimate end user of the equipment. Even if the operator employs a contractor to service and maintain the equipment/systems on their behalf, the legal obligations still falls upon you, the operator, unless a contract has been set up between you and your contractor to legally reassign all responsibility. Therefore it is important that you are fully aware of your legal obligations and you should engage with your contractor so that they can help you to comply.

What happens during an inspection?

An inspection normally consists of three parts: an opening meeting; a site tour; and, a closing meeting. Each of these is described in a little more detail below.

1. **Opening meeting:** This part of the inspection will take approximately 15-20 minutes. The EPA will ask you

Contractors Inspections

■ Target all F-gas Contractors

- Refrigeration & Air Conditioning
- Fire Protection
- Heat Pump
- Mobile Air Conditioning

■ Compliance with the Regulations

- Training Certs
- Company Certs
- ODS Phase out
- Waste gas (PAN online system)

This short guide provides a brief summary of what to expect if your business/premises is selected for an inspection by the Environmental Protection Agency (EPA) under the Ozone Depleting Substances (ODS) and Fluorinated Greenhouse Gas (F-gas) Regulations. It will inform you of:

- What is being inspected
- Why you are being inspected
- What the EPA will look at during the inspection.
- How to prepare for an inspection

What are the EPA inspecting?

- F-gases and ODS gases are widely used in equipment and systems which are common in most premises/businesses. These include refrigeration, air conditioning equipment and fire suppression systems.
- The aim of the inspection is to determine whether your company is compliant with the laws controlling some refrigerant gases and fire suppression agents. These laws¹ come from Europe and control the gases because they have a negative effect on the environment if they are emitted. These European laws apply directly in Ireland and the EPA is responsible for enforcing them, under specific Irish law. The laws place restrictions, controls and obligations on holders of such equipment.

Why are the EPA carrying out inspections?

- The EPA is responsible for enforcing the laws designated to the EPA under the ODS/F-gases. These inspections are carried out in many cases, inspections will be carried out if:
- The EPA also has the power to enforce the laws.

Why is my business/premises being inspected?

- Your business/premises may be inspected if:
1. Your business/premises is likely to use F-gases.
 2. Previous correspondence has been received from the EPA regarding systems in place which use F-gases.
 3. Your business/premises was selected for inspection.
 4. A complaint has been received from a member of the public.
 5. Your business/premises has been selected for inspection.

My contractor looks after the equipment, is this make me compliant?

The legal obligation to comply with the regulations falls on the "operator" of the systems/equipment. In the majority of cases, the operator is the business owner. Even if the operator employs a contractor, the legal obligations still falls upon you, the business owner. You should legally reassign all responsibilities to your contractor so that they can help you to comply.

Year	Contractor
2008	13
2009	0
2010	35
2011	31
2012	30
Total	109

What happens during an inspection?

An inspection normally consists of three parts: an opening meeting; a site tour; and, a closing meeting. Each of these is described in a little more detail below.

¹ Opening meeting: This part of the inspection will take approximately 15-20 minutes. The EPA will ask general questions about your business and the equipment you use.

Enforcement Outcomes

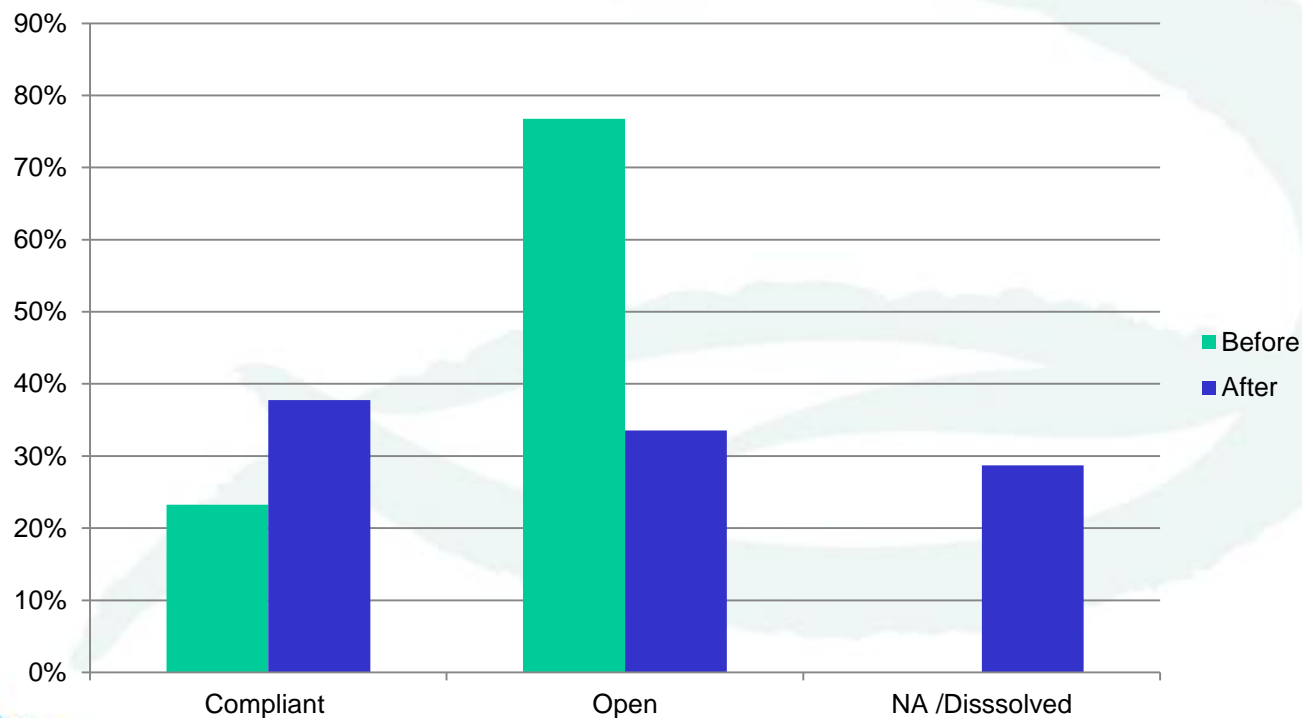
- Corrective Actions
- Close out Deadline
- Outcomes positive

...but

- Labour Intensive

Desktop inspections – a new approach

■ 2013 – 2014 Focus on Contractors



Guidance/ compliance promotion /website/ mobile website

The Environmental Protection Agency
COMPLYING WITH REGULATIONS CONTROLLING FLUORINATED
GREENHOUSE GASES AND OZONE DEPLETING SUBSTANCES

A GUIDANCE NOTE FOR CONTRACTORS IN THE
Refrigeration, Air-conditioning
and Heat Pump Sector

Ozone Depleting Substances :: Enviro...

Home News & events Videos EPA maps FAQ Site map Contact us

SHARE [Facebook] [Twitter] [Email]

Search

Environmental Protection Agency

Ireland's Environment Licensing and Permitting Enforcement Monitoring and Assessment Research and Education Publications and Downloads

You are here: Home > Air > Air Enforcement > Ozone Depleting Substances

Air Quality
▼ Air Enforcement
Guidance in Relation to Quality of Air Emissions Data
Monitoring
Solvents

The Ozone Layer

The ozone layer is the Earth's natural sunscreen, filtering out harmful ultraviolet (UV) rays from the sun. UV rays can cause damage to humans and other forms of life.

Although the ozone layer is high up in the atmosphere, chemical substances used at the surface of the planet can damage it. If the ozone layer is damaged, UV rays can get through and cause damage to humans and other forms of life.

File Edit View Favorites Tools Help

Page Safety Tools

alder
Application for Licensing Data & Environmental Reporting

Home

You are here: Home

Welcome to the Application for Licensing Data & Environmental Reporting (ALDER)

ALDER provides a common gateway to applications for Private Authorities to communicate with the EPA.
ALDER is based on single sign-on technology to allow users to login to multiple applications using a single username / password combination.

A Private Authority or EPA Licensee can register a new company or business and request access to a number of environmental applications. Registration of a new company is approved by EPA administrators. The registrant will have the role of approving access for subsequent user requests for access to 1). the company and 2). applications approved for use by the company.

Following approval, users can log on ALDER and launch applications without having to re-enter a username and password.

Please email alder@epa.ie for all technical issues and queries regarding the ALDER system.

Home
Login
Register
Help

Environmental Protection Agency

- Do you have
Refrigeration, Air-Conditioning,
Heat Pump or Fire Suppression Systems
in your premises?
- If so, you have legal responsibilities:
1. Make a list of your systems and label them
 2. Have your systems checked for leaks and get them repaired
 3. Only qualified technicians from certified companies can do this work, check online at www.fgasregistration.ie
 4. Check that your system is not running on a banned gas e.g. R22. From the end of 2014, R22 systems cannot be serviced
 5. All waste gas must be treated as hazardous waste
 6. Keep records to prove your compliance

Contact details
PO Box 3009, Johnstown Castle Estate,
Co. Wexford, Ireland
Lo Call 1850 335599

www.epa.ie

www.fgas.ie

Plans for future

- Continue desktop approach to increase compliance
 - Contractors
 - Endusers
- Follow up with targeted site inspections
- Step up awareness of R22 phase out
- Continue engagement with stakeholders
- Plan implementation of the new F-gas Regulation
- Guidance development

THANK YOU

Celine Horner

c.horner@epa.ie

www.epa.ie

www.ozone.ie