

OTHER ACTS

EUROPEAN COMMISSION

Notice to undertakings intending to place hydrofluorocarbons in bulk on the market in the European Union in 2018

(2017/C 16/08)

1. This Notice is addressed to any undertaking wishing to make a declaration to place hydrofluorocarbons in bulk on the market in the Union in 2018, in accordance with Articles 16(2) and 16(4) of Regulation (EU) No 517/2014 of the European Parliament and of the Council on fluorinated greenhouse gases (hereafter 'the Regulation')⁽¹⁾:
 - (a) producers and importers that have lawfully placed on the Union market hydrofluorocarbons in bulk from 1 January 2015 and which have reported under the Regulation to have placed more than 100 tonnes of CO₂ equivalents of hydrofluorocarbons in bulk on the Union market in the years 2015 and/or 2016;
 - (b) all other producers and importers that intend to place at least 100 tonnes of CO₂ equivalent of hydrofluorocarbons in bulk on the Union market in 2018.
2. Hydrofluorocarbons means substances listed in section 1 of Annex I to the Regulation, or mixtures containing any of these substances:

HFC-23, HFC-32, HFC-41, HFC-125, HFC-134, HFC-134a, HFC-143, HFC-143a, HFC-152, HFC-152a, HFC-161, HFC-227ea, HFC-236cb, HFC-236ea, HFC-236fa, HFC-245ca, HFC-245fa, HFC-365mfc, HFC-43-10mee.
3. Any placing on the market of these substances, except for the uses listed in Article 15(2) points (a) to (f) of the Regulation, is subject to quantitative limits under the quota system laid down in Articles 15 and 16 of the Regulation. The Commission allocates quota to the undertakings concerned.
4. All data submitted by companies, quotas and reference values are stored in the electronic HFC Registry set up in accordance with Article 17 of the Regulation, which is accessible online via the F-Gas Portal⁽²⁾. All data in the HFC Registry including quotas, reference values, commercial and personal data will be treated as confidential by the European Commission.

For producers and importers that have reported to have placed hydrofluorocarbons in bulk on the market in the years 2015 and/or 2016, as referred to in point 1 a) of this Notice, only:

5. For any such undertaking a reference value will be calculated by the Commission according to Article 16(3). These reference values will be determined by implementing acts by 31 October 2017.
6. Such undertakings will receive 89 % of 63 % (i.e. 56,07 %) of their reference value, determined according to paragraph 5 above, as quota for 2018, according to Article 16(5) as well as Annexes V and VI to the Regulation.

For all undertakings, as referred to in point 1 a) and b) of this notice:

7. According to Annex VI to the Regulation, the sum of the quotas allocated on the basis of reference values according to paragraph 6 above is subtracted from the maximum quantity available for 2018 to determine the quantity to be allocated from the reserve.
8. Undertakings wishing to obtain quota from this reserve need to follow the procedure described in points 9 to 11 of this Notice.
9. The undertaking needs to be registered as a producer and/or importer of hydrofluorocarbons in the online HFC Registry, accessible via the F-gas Portal⁽²⁾. For companies that are not yet registered, guidance on how to register is available on the DG CLIMA website⁽³⁾.

⁽¹⁾ OJ L 150, 20.5.2014, p. 195.

⁽²⁾ <https://webgate.ec.europa.eu/ods2/resources/domain>

⁽³⁾ http://ec.europa.eu/clima/policies/f-gas/reporting_en

10. The undertaking must make a declaration on (additional) anticipated quantities for 2018 in the electronic HFC Registry accessible online via the F-Gas Portal ⁽¹⁾. **Such declarations will only be possible in the period 1 April to 31 May 2017, 13.00 CET.**
 11. Only duly completed declarations on (additional) anticipated quantities that are free of errors and received before **31 May 2017, 13.00 CET** will be considered as valid by the Commission.
 12. Based on these declarations, the Commission will allocate quota to these undertakings in accordance with Article 16(2), 16(4) and 16(5) as well as Annexes V and VI to the Regulation.
 13. The Commission will inform the undertakings about the total allocated quota for 2018 via the HFC Registry.
 14. The registration in the HFC Registry and/or a declaration on intention to place hydrofluorocarbons on the market in 2018 by itself does not give any right to place hydrofluorocarbons on the market in 2018.
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⁽¹⁾ <https://webgate.ec.europa.eu/ods2/resources/domain>