

F-gases and ODS legislation: Implementation in Lithuania

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WORKSHOP ON ODS AND F GASES**

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Structure of the Ministry of Environment of the Republic of Lithuania – administration units responsible for F-gases and ODS



MoE – forms the countries state policy, is responsible for the organization, coordination and control of policy implementation

MoE Pollution Prevention department:

- Chemical Substances Division – responsible for ODS
- Climate Change Policy Division – responsible for F-gases

Subordinated institutions of MoE:

- Environment Protection Agency (EPA):
 - Data processing
 - Companies certification
- 8 Regional Environment Protection Departments (REPDs) – implement the state control functions

Other institutions involved in the implementation of F-gases and ODS policy



Sate Non Food Products Inspection (SNFPI, under Ministry of Economy):

- inspection of labeling requirements
- control of implementation of placing on the market requirements

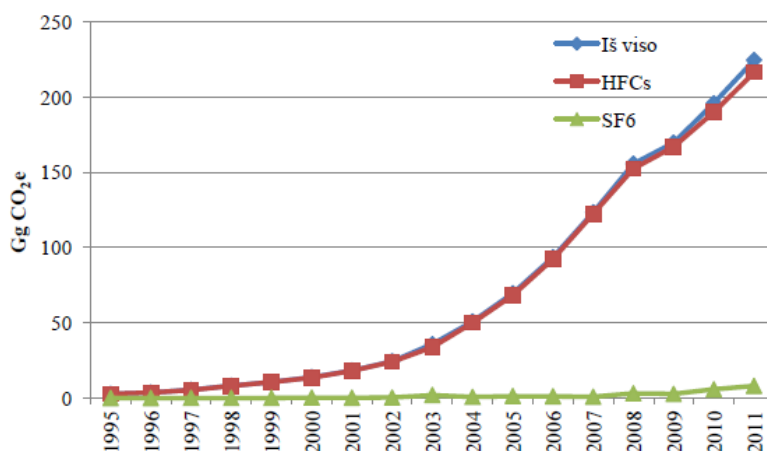
Customs:

- control of import, reporting on import

Ministry of Education and Science:

- approval of the form and requirements for the certificate issued for personnel

Emission trends for F-gases for the period 1995-2011 (Gg CO₂eq) in Lithuania



Lietuvos Respublikos aplinkos ministerija

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Emission trends for F-gases and ODS in Lithuania



- The F-gases contribute 1 % to the total national GHG emissions
- The emissions of F-gases have increased during 1995-2011
- A key driver behind the trend has been the substitution of ozone depleting substances (ODS) by F-gases in many applications.

- The decrease of the ODS used for the servicing of stock equipment compared to the levels in 2008:
 - 2010 – 88 %
 - 2011 – 96 %
 - 2012 – 97 %

Lietuvos Respublikos aplinkos ministerija

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ODS legislation



Order of the Minister of Environment setting the requirements for handling ODS (2003, with latest amendments in 2011):

- Ensures the implementation of the requirements of the ODS Regulation No 1005/2009
- Elaborates the application of the exceptions established by ODS Regulation
- Establishes the requirements for the entities that are allowed to store halons
- Establishes the main qualification requirements for the persons handling ODS
- Establishes the labeling requirements for the controlled substances, equipment and products containing those substances
- Establishes prevention and control measures for the recovery, recirculation, regeneration and release to the environment of controlled substances



First step – Division of the responsibilities between national institutions

First step – Division of the responsibilities between national institutions (I)



Order of the Minister of Environment and of the Minister of Economy ensuring the implementation of the **F-gas Regulation** No 842/2066 (2007):

- Ensuring the implementation of the requirements of the F-gas regulation, the responsibilities are delegated to the national institutions:
 - functions of the competent authority of the EU MS are delegated to:
 - **EPA** - implements the functions of CA related to reporting (Art 6.1 of the F-gas Regulation)
 - **REPD** - implements the functions of CA related to records checking (Art 3.6 of the F-gas Regulation)

First step – Division of the responsibilities between national institutions (II)



The following inspection functions are delegated to national institutions:

- **REPD** – inspection of the companies in the scope of containment, recovery, certification
- **SNFPI** (under MoEcon) – inspection of the companies in the scope of labeling and placing on the market

EPA assigned as an institution responsible for the collection of data

Difficulties:

To convince national subordinated institutions to take on additional functions

Second step – Adoption of the rules on penalties

Second step – Adoption of the rules on penalties

- The amendment of the **Administrative Infringement Code** was adopted (2008) by the Parliament of the Republic of Lithuania establishing the penalties applicable to the infringements of the provisions of the **F-gas Regulation**
- The new article has been introduced into the Administrative Infringement Code, namely:
- Article 84(2). **Breach of the requirements on handling of the products and equipment containing F-gases and their preparations**

The penalties vary starting:

- from 140 euro – breach of the requirements regarding the record keeping
- to 2800 euro including the confiscation of products and equipment - breach of the requirements regarding placing on the market

Third step – Establishment of the training and certification system for the personnel

Third step – Establishment of the training and certification system for the personnel (I)



Order of the Minister of Environment (MoE) and of the Minister of the Social Protection and Labor (MoSPL) regarding **the establishment of the certification system for the personnel** (2009):

- Establishes obligation for personnel involved in the certain activities with the F-gases to obtain the certificates issued in accordance with the requirements of the COM Regulations
- Obliges subordinate institution of the MoSPL to organize the preparation of the training programmes for the personnel in accordance with the minimum qualification requirements as set out in the COM Regulations
- Obliges MoE to report to the COM on the implementation of the training and certification system.

Third step – Establishment of the training and certification system for the personnel (II)



The existing training system for personnel involved in the activities with ODS was updated and complemented

- 6 formal vocational training programmes are available for personnel:
 - for work managers – RAC (ODS, F-gases (I category))
 - for personnel – RAC (ODS, F-gases (I category))
 - for personnel – HVS, FPE, Solvents, MAC (F-gases)
- 2 organizations are licensed to issue certificates for the personnel:
 - National Association of Refrigeration
 - Kaunas Constructors Training Center
- The certificates issued to personnel are recognized by the state

Third step – Establishment of the training and certification system for the personnel (III)



Difficulties:

Although the training programmes and certification system for personnel are established, no training centers in Lithuania have applied to the Ministry of Education and Science of the Republic of Lithuania regarding the issuance of the license to execute the formal vocational training under the HSV and Solvents training programmes

It could be assumed that this problem exists, because these sectors in Lithuania are very small and the demand on qualified personnel is very low

In such cases the personnel is advised to obtain certificates in other Member States.

Fourth step – Establishment of the attestation system for companies

Fourth step – Establishment of the attestation system for companies (I)



- Law on climate change management financial instruments (2009):
 - Establishes the main requirements for the issuance, suspension of validity, cancelation of the suspension of validity and cancelation of the companies F-gas certificates
- **Important!** Companies attestation system has to be aligned with the requirements of the **Service directive**:
 - which sets out conditions for exercising the freedom of establishment, the freedom to provide services and the freedom of economic service activities, while creating preconditions to maintain a high quality of services

Difficulties: defining the sufficient number of personnel in national legislation!

Fourth step – Establishment of the attestation system for companies (II)



Order of the Minister of Environment regarding the establishment of the attestation system for the companies (2009, with the latest amendments in 2013):

- Establishes the more detailed requirements for the issuance, suspension of validity, cancelation of the suspension of validity and cancelation of the companies certificates
- Functions related to the issuance of the certificates are assigned to the **EPA**

Fourth step – Establishment of the attestation system for companies (III)



Procedure of the issuance of the certificates for the companies:

- Company submits to EPA the request to issue a certificate
- Decision regarding the issuance of the certificate is taken by the Attestation Commission, established by EPA

The same attestation requirements are also applied for the persons working on the individual basis

Both – companies and personnel certificates – don't have an expiry date

Fourth step – Establishment of the attestation system for companies (IV)



Procedure of the issuance of the certificates for the companies:

- Company must meet the following main requirements:
 - Has employed the sufficient number of certified personnel:
 - Companies involved in the following activities must have at least two certified persons employed:
 - Installation, technical maintenance and exploitation of equipment that has more than 300 kg of F-gases
 - Installation of equipment which has more than 30 kg of F-gases
 - Has the necessary tools and established procedures for the personnel engaged in the activities for which certification is required

Fifth step: Improvement of the data collection system



Fifth step: Improvement of the data collection system (I)



Order of the Minister of Environment establishing F-gases and ODS data collection and accounting system (2010):

- Following entities are obliged to provide reports to EPA (copy to REPD):
 - Producing, importing and/or exporting 1 t or less of F-gases
 - Transporting to/out of the territory of LT from/to other EU MSs F-gases and ODS
 - Owning equipment containing F-gases or ODS – report on the used quantities

Fifth step: Improvement of the data collection system (II)



- Following entities are obliged to provide reports to EPA (copy to REPD) (continued):
 - Dismantling equipment containing F-gases or ODS
 - Recovering F-gases or ODS from equipment and products
 - Recycling F-gases or ODS during the dismantling or maintenance
 - Reclaiming or destroying F-gases or ODS or equipment and products containing F-gases or ODS

Fifth step: Improvement of the data collection system (II)



- Inventory of equipment:
 - Entities owning or servicing equipment were obliged to report to REPD by 2010 and later to update annually the information about the owned or served equipment:
 - Stationary RAC equipment, heat pumps, fire protection systems containing 3 kg or more F-gases or ODS
 - Fire protection systems, installed in the vehicles, high voltage switch gears, equipment containing solvents containing 3 kg or more F-gases
 - Submitted info is verified by REPDs and forwarded to EPA
 - EPA is responsible for verification and evaluation of provided data and for proceeding and structuring the data
- **Potential difficulties:** shift from tones to CO₂ e !

Thank you!

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Photo: © Rimantas Kisielius,
Dutchman's Cap, 2006 June

Dutchman's Cap is a hill with a 24.4 m high bluff, which is in Lithuania's Seaside Regional Park, near Karklė on the Baltic Sea coast

