

7 September 2023

**TO: Permanent Representatives****SUBJECT: F-gas Regulation Revision**

Dear Representative,

All the member companies and associations of the European Partnership for Energy and the Environment (EPEE) are fully committed to EU carbon neutrality by 2050 and represent the industries that will deliver on decarbonising buildings and cold chains through innovative heating, cooling, and refrigeration solutions.

Our members employ more than 200,000 people in 22 European countries across more than 100 factories and R&D centres (see map), representing substantial investments in the European industrial fabric. EPEE members manufacture products that use both fluorinated and non-fluorinated (so-called “natural”) refrigerants, and we have consistently provided feedback and guidance on the current revision of the F-gas Regulation to support the EU’s sustainability goals and ensure that workable and pragmatic legislation is adopted.

However, this goal is now in jeopardy, as negotiations in the final round of the trilogues revolve around the incorrect assumption that F-gas refrigerants are simple to replace. A full F-gas ban (HFCs and ultra-low GWP HFOs) as proposed by the European Parliament is totally contradictory to the Commission’s original proposal.

A full F-gas ban will result in an ineffective policy – essentially shooting ourselves in the foot as we strive for lower emissions and energy independence. We must embrace an energy efficiency and safety-first principle, increasing Ecodesign requirements to support EU and global efficiency goals, while sustaining the Green Deal and Net Zero Industrial Act.

We would also like to highlight that concerns about PFAS contained in some F-gas refrigerants are not appropriate to this revision. Recent findings from the [UNEP 2022 Assessment Report of the Environmental Effects Assessment Panel \(EEAP\) to the Montreal Protocol](#) concluded that no harm is anticipated even when assessing the growing use as replacement of ozone depleting substances.<sup>1</sup>

---

<sup>1</sup> [2022 Assessment Report of the Environmental Effects Assessment Panel Report](#): “the accumulated amount of TFA is expected to increase because of the planned replacement of ozone depleting substances with short-lived fluorinated chemicals. However, based on projected future use of these precursors of TFA, no harm is anticipated.” Page 25.

Some believe that all F-gases can simply be replaced with so-called “natural” refrigerants. While non-fluorinated refrigerants are part of the solution to an HFC phase down and are already being used by our members, they also come with caveats on safety and affordability, meaning they cannot fulfil all market needs of member states. They also demand more consideration with regards to space. Taking the example of residential heat pumps, mainly detached homes with gardens will be able to ‘easily’ use non-F-gas refrigerants.

There is a particular concern in the air conditioner, heat pump, rooftop and chiller markets, where a restriction to “natural refrigerants” only would result in less widespread decarbonization of heating in homes and commercial and industrial spaces. Indeed we risk creating a predicament in which many may be forced to keep or install an inefficient fossil fuel appliance rather than an efficient and climate-friendly system.

Our industry is committed to rolling out the millions of heat pumps required to achieve our efficiency goals, with and without F-gases. Weeks remain to create a clear, balanced, and workable F-gas revision. Now is the time to be realistic: We caution that the revision must not restrict innovation in such a manner that future alternatives would not be allowed simply because they contain fluorine.

We urge you not to ban all F-gases under Annex IV and to maintain appropriate GWP limits as a solution for the RACHP sector in the future. In attachment you can find the ambitious and feasible joint industry alliance proposal.

On behalf of EPEE, I thank you for your attention and consideration. Should you require further information please do not hesitate to contact me at [REDACTED]@epeeglobal.org, Tel: [+32 496 86 61 87](tel:+32496866187).

Sincerely,

[REDACTED] Director General

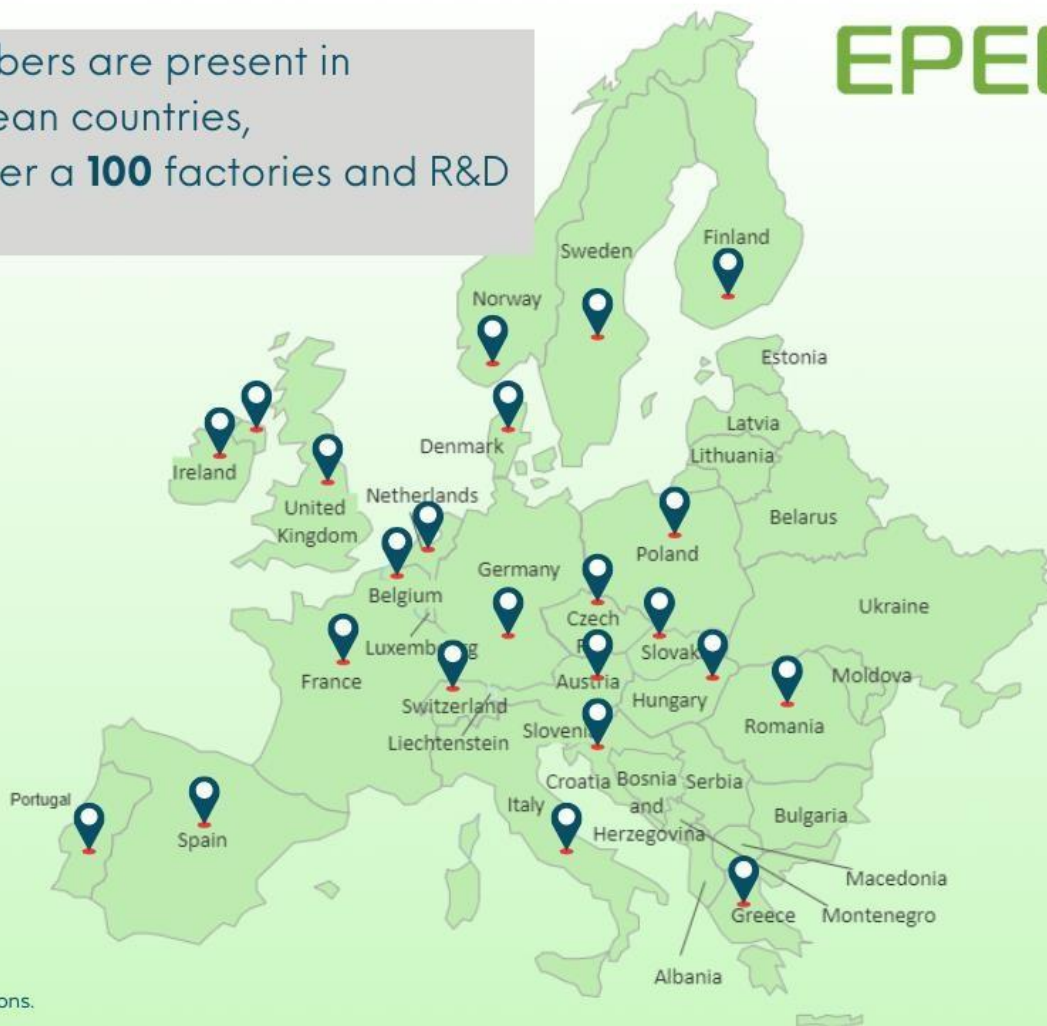
European Partnership for Energy and the Environment

--

Attachments:

- EPEE member factory map

Our members are present in **22** European countries, across over a **100** factories and R&D centres.\*



\*Several countries are home to more than one factory and/or R&D center.

- Joint industry alliance proposal

## Product bans for stationary applications:

The joint industry association alliance made concrete proposals for product bans, focusing on "clarity of definitions, safety, energy efficiency, affordability and timing".

| Stationary applications                                      | Council mandate under Swedish presidency                                                                  | Parliament's proposal                                                                                            | Industry Alliance's recommendations                                                                                                                                                                             |
|--------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Ban 10:</b> Domestic refrigerators and freezers           | No additional ban                                                                                         | Full F-gas ban by 2024                                                                                           | Not in our scope - Neutral                                                                                                                                                                                      |
| <b>Ban 11:</b> Refrigerators and freezers for commercial use | GWP 150 by 2024                                                                                           | Full F-gas ban by 2024                                                                                           | Parliament's proposal not acceptable<br>Council's proposal acceptable                                                                                                                                           |
| <b>Ban 12:</b> self-contained refrigeration                  | GWP 150 for stationary applications by 2025                                                               | Full F-gas ban for stationary applications by 2025                                                               | Not acceptable, replace by<br>- <6kW: GWP 150 by 2025<br>- and for the other, except process chillers: GWP 150 by 2028                                                                                          |
| <b>Ban 13:</b> Stationary refrigeration                      | GWP 2500 from 2024                                                                                        | A) Full F-gas ban by 2025 except for below -50°C applications<br>B) Full F-gas ban by 2027 (without exemption)   | Parliament's proposal not acceptable<br>GWP 150 except for provisions 12 and 15 and except process chillers by 2028                                                                                             |
| <b>Ban 23b:</b> Chillers                                     |                                                                                                           | Full F-gas ban on mini, displacement and centrifugal chillers by 2027                                            | Parliament's proposal not acceptable<br><12 kW GWP 150 ok by 2028<br>>12 kW: GWP 150 ok by 2030<br>(For cooling only/refrigeration chillers. The heating only & reversible chillers we consider part of ban 17) |
| <b>Ban 17:</b> Self-contained HP                             | <50k: GWP 150 from 2027<br>>50kW: GWP 150 from 2030                                                       | Full F-gas ban by 2026                                                                                           | Parliament's proposal not acceptable/to be removed<br><12 kW GWP 150 ok by 2028<br>>12kW : should be GWP 750 by 2028                                                                                            |
| <b>Ban 18:</b> Split AC & HP                                 | <12kW: GWP 150 from 2027 for A/W and 2029 for A/A<br>>12kW: GWP 750 from 2029<br>>12kW: GWP 150 from 2033 | B) <12kW: full F-gas ban by 2028<br>C) 12kW<Capacity<200kW: GWP 750 by 2028<br>D) >200kW: full F-gas ban by 2028 | B) Not acceptable/to be removed<br>C) Ok<br>D) Not acceptable/to be removed<br>Industry's proposal:<br>Single split A/A < 6kW: GWP 150 by 2028<br>Other split: GWP 750 by 2028                                  |

NB: All new product bans shall have the derogation clause related to safety requirements.

**ABOUT EPEE:** The European Partnership for Energy and the Environment (EPEE) represents the refrigeration, air-conditioning and heat pump industry in Europe. Founded in the year 2000, EPEE supports safe, environmentally, and economically viable technologies with the objective of promoting a better understanding of the sector in the EU and contributing to the development of effective European policies. Please see our website ([www.epeeglobal.org](http://www.epeeglobal.org)) for further Information.

