

MR. AUDUN HEGGELUND
NORWEGIAN ENVIRONMENT AGENCY (NEA)
P.O. Box 5672 Torgarden, N-7485 Trondheim, Norway.
Telephone: +47 73 58 05 00
[REDACTED]@miljodir.no

Mr. Martijn Beekman – Netherlands
[REDACTED]@rivm.nl
Dr. Mandy Lokaj - Germany
[REDACTED]@baua.bund.de
Ms. Jenny Ivarsson – Sweden
[REDACTED]@kemi.se
Mr. Toke Winther - Denmark
[REDACTED]@mst.dk

Brussels, 13 August 2021

RE: A possible PFAS REACH Restriction for F-Gas uses in the heating, ventilation, air conditioning and refrigeration (HVACR) sector – 2nd Stakeholder Consultation.

Dear Mr. Heggelund,

The co-signatories of this letter have noted with interest the publication of the Registry of Intention (**RoI**) on 15 July 2021 and the following new Call for Evidence (**CfE**) process as launched on 19 July 2021 by Norway and the other 4 Dossier Submitters of the joint initiative on the PFAS REACH restriction.

From the [Summary Report](#) published by the 5 Member States (**MSs**), we understand that the assessment held in the context of F-Gases include a list of applications using hydrofluorocarbons (**HFCs**), perfluorocarbons (**PFCs**), hydrochlorofluorocarbons (**HCFCs**), unsaturated hydro(chloro)fluorocarbons (**HFOs** and **HCFOs**), hydrofluoroethers (**HFEs**), fluoroketones (**FKs**) and other fluorinated compounds, either alone or in blend forms.

We also understand that a more specific list of the F-Gas substances examined by Norway, identified as being of “commercial use”, are indicated in Appendix I (*page 15 and 16 of the Summary Report*). Appendix I shows 10 different HFCs currently being used, 11 HFOs (several of which are isomers), 2 FKs, 4 HFEs, 13 HFC & HFC/non-F-gas blends, and 9 HFC/HFO blends.

However, the [Report](#) that Exponent International Ltd. published on 14 July 2021 on the Norwegian Environment Agency (NEA) website, concerning the application of F-Gases in the European Economic Area, proposes a partially different list of PFASs. We would also like to highlight that the abovementioned Summary Report accompanying the CfE is based on a PFAS definition of 2020, consequently creating confusion and misalignment between the RoI and the new CfE scope. Such misalignments can be identified throughout the new CfE process, specifically when discussing about tonnages and expected trends, emissions, and on non-PFAS alternatives, for instance.

Therefore, we would like to kindly ask for a clarification in this respect. In particular, we would seek such clarification within the context of the new CfE, which is open until 19 September 2021.

Despite the fact that the substances indicated in the summary background reports may represent a non-exhaustive list of the most frequently used substance groups, we would appreciate a clarification on the scope of the PFASs being considered along this new CfE process, within the context of the F-Gases policy area. In other words, which F-Gases would need to be considered as part of the published RoI scope, kindly keeping in mind that this piece of information is absolutely necessary to allow stakeholders to be fully aware of the scope of the new CfE exercise, with a view of adequately contributing to it.

Moreover, concerning PFAS definitions, we also observe some points of convergence between the published RoI and the definitions provided by both the [OECD](#) and the [Environmental Protection Agency \(EPA\)](#) of the United States. Within this context, we acknowledge that the interpretation is based on a (structural) chemical formula that would lead to certain substances (such as R-32 and R22) being outside the scope of the RoI. We would appreciate your clarification also in this respect.

In addition, taking into account the very tight deadline of the CfE process, and the upcoming work of the NEA for the preparation of the Annex XV REACH dossier proposal, it would be highly appreciated to receive this clarification as soon as possible.

Lastly, we would be grateful if an extension of the deadline for the contribution of Stakeholders to the CfE established by 19 September 2021 is allowed, by providing a new deadline set **therefore by 19 November 2021**. This would enable Stakeholders to respond by providing meaningful input to this data-collection exercise.

We thank you in advance for your prompt reply on this delicate matter.

Best regards,

Mr. Laurent Guégan, President of ADC3R

Mr. Paolo Falcioni, Director General of APPLiA

Mr. Olivier Janin, Secretary General of AREA

Dr. Nick Campbell, Chairman of EFCTC

Ms. Federica Sabbati, Secretary General of EHI

Mr. Thomas Nowak, Secretary General of EHPA

Mr. Folker Franz, Director General of EPEE

Ms. Sarah Rogers, Chair of EPFA

ADC3R: ADC3R has fully supported F-Gas Regulation and the European Green Deal and has continuously worked to ensure its success. ADC3R is the the Association of companies Distributing, Filling (ADC) Recovering and Reclaiming Refrigerants (3R). Our association promotes the interests of the companies which cumulatively carry out the activities of distribution, filling, recovery and reclaiming of refrigerant in France, major actors in the refrigeration and air conditioning sector. Our members are also key actors in Europe representing more than 400 supply points and 90% of the natural and synthetic refrigerants in distribution in France. Through our industrial network, we also guarantee the collecting and treatment of all fluorinated refrigerants and are therefore an essential part of the environmental policy for refrigerants. <https://adc3r.com/>

APPLiA: Home Appliance Europe represents home appliance manufacturers from across Europe. By promoting innovative, sustainable policies and solutions for EU homes, APPLiA has helped build the sector into an economic powerhouse, with an annual turnover of EUR 53 billion, investing over EUR 1.6 billion in R&D activities and creating nearly 1 million jobs. www.applia-europe.eu

AREA: AREA is the European association of refrigeration, air conditioning and heat pump contractors. Established in 1989, AREA voices the interests of 24 national associations from 21 countries representing 13,000 companies employing 110,000 people and with an annual turnover approaching € 23 billion. <http://area-eur.be/>

EFCTC: The European FluoroCarbons Technical Committee is a Cefic Sector Group that monitors legislation related to HFCs (hydrofluorocarbons), and HFOs (hydrofluoro-olefins) in the EU and at global level. Fluorocarbons are used as feedstock, as refrigerants, as solvents and as blowing agents for insulation plastic foams. Contact: EFCTC Chairman: Dr. Nick Campbell, [REDACTED]@arkema.com
EFCTC Secretariat: Angelica Candido, [REDACTED]@cefic.be

EHI: EHI represents 90% of the European market for heat and hot water generation, heating controls and heat emitters, 75% of the hydronic heat pump market, 80% of the biomass central heating market (pellets, wood) and 70% of the solar thermal market. EHI Members produce advanced technologies for heating in buildings, including: heating systems, burners, boilers, heat pumps, components and system integrators, radiators, surface heating & cooling and renewable energy systems. In doing so, they employ about 120,000 people in Europe and invest over a billion Euros per year in energy efficiency. www.ehi.eu

EHPA: EHPA promotes awareness and deployment of heat pump technology in Europe. All activities aim at creating a market environment that facilitates a faster deployment of heat pump technology to unleash its benefits on a European level: efficient heating and cooling using renewable energy. EHPA also coordinates the Heat Pump Keymark – a European certification scheme for all heat pumps, combination heat pumps and hot water heater. For more information, please visit: www.ehpa.org

EPEE: EPEE represents the refrigeration, air conditioning and heat pump industry in Europe. Founded in the year 2000, EPEE's membership is composed of over 50 member companies as well as national and international associations from three continents (Europe, North America, Asia). With manufacturing sites and research and development facilities across the EU, which innovate for the global market, EPEE member companies realise a turnover of over 30 billion Euros, employ more than 200,000 people in Europe and also create indirect employment through a vast network of small and medium-sized enterprises such as contractors who install, service and maintain equipment. Please visit our website

www.epeeglobal.org and www.countoncooling.eu for information about our sustainable cooling campaign.

EPFA: The European Phenolic Foam Association (EPFA) includes companies that share an interest in the manufacture and use of phenolic foam products within the insulation industry. The members are either producers of phenolic foam insulation, resin suppliers or are companies closely linked with the industry through the provision of other raw materials. <https://epfa.org.uk/>
