SPF Santé Publique - FOD Volksgezondheid)

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Sent: mardi, 12 septembre 2023 14:44
To:
Subject: Notes WPE 12 Sept

230912.WPE.FGRR

mardi, 12 septembre 2023
10:06

Background : last Trilogue in July, general agreement ion political issues, but EP asks for more flexibility, specifically on total ban on F-Gas, for SG and total ban for HPAC under 12 kW (16-18 of Ann IV). There was a Coreper afteward.
ESP is willing to unblock and find a conclusion to the discussion
ESP suggests to describe the preliminary agreement already reached that will not be reopened. Then looking for flexibilities on what remains (4 packages)
Preliminary packages
On HFC p-d schedule : ESP suggest to keep the calendat agreed on Production, maitain the position on quota reserve (with exemption for semi-dconductors with review clause) and cancellation of remaining. Could accept quotas to 0 in 2050.
On service bans : could accept the SG, Stationary refrigeration and HP from the EP. Maintenance is allowed.
On Sanctions, the text is maintained
Quota price is 3€ adjustable and maitaint earmarking
SG cascading prohibtions (and derogations) + not applying for euipment ordered before EIF. EP could accept. Leak checks is also ak. Obligation to inform CION is any derogation is used.
Extended producer responsibility : limited to WEEE
POM bans : full bans on F-gas for domestic ref, aerosoles, foams and XXX as the date were agreed. Also on big chillest on 750 GWP and stationary refrig above 150 GWP. EP agreed looked possible ban on mobile refrigeration. Safety derogation for all new bans. ON Cat 17 (HP) monoblocks under 12kW.
ESP suggests to look at this and suggest not to reopen what has been agreed.
Elements outstanding : EP came with other demands. Full ban for 18, split HP and AC, 17 could be a cascade approach with GWP150 then full ban. The other is full prohibition for medium voltage SG (without GWP limit. Then strengthening for large chillers. ESP suggest cascade ban for this an d full ban in the longer term.
Full ban for 11 (commercial refrig) except for medical uses. This is also a cascade ban and more severe ban after the revision.
EP also tabled the discussion on dates to move it closer.
TOP priority is SG and Chillers under 12kW.
ESP comes up with four packages for which they asks us our views in order to conclude the discussions.
Option A : is the quickest, granting additional flexibility
Option B : full ban on SG and cat11 (cascade refrig) and flex on starting dates of bans
Option C : ban on SG and more flex on starting dates
Option D :
All thses will come with a safety clause

CION : no agreement implied several dates have to be posponed to 2025. their worst concern is on the implementation and the fihgt against fake companies to missuse the quota system. Currently there is a implementing act prohibiting companies with the same beneficiary to be granted quotas. But the EU Court prohibits using it anymore so that we may face a big problem in the coming years. We need an agreement before early October to allow a full enforcement.
µThere is few to be bridged to reach the Council mandate. Fgas free solutions seems important for the EP. The EP gave also the mobile sector (which is huge) as well as the safety exemption. Thay also accepted the cascade for SG many other.
The demands remaining are not new demands and are reachable. CION insist to be ready to agree on a package, and not on sigle points. Option A is the prefered of the EP. But we need to also prepare other options. CION recalls

the technical notes analyzing the packages that contain cascade prinicple allowing a lot of flexibility, as well as the safety clause. Cost increase would be limited. CION also recommends to keep the result of today confidential.

SWE support ESP and CION. Want a deal and is positive to the approach. Flexible among all categories. Keep ambition and stay realistic. Not reopen agreed points.
IRL supports ESP in any way but Option A is ok. Full support.
LUX also agree to finalize and option A is OK
POR Option A is the best. But they are flexible. Experts asks for demonstration of SG and give time to industry to adapt, safety rules need to be respected.
AUT want a deal, could accept any way that would allow it . Option A is ok, and they are flexible for the other as long as they allow an agreement.
DNK wants an agreement soon. Supports option A and other if needed. Industry will have time to adapt. Full SG includes an exemption (early bid) and derogation are possible.
CZE generally support reaching a swift deal and regrets that EP was blocking the process. Hopes that EP will show also flexibility. Preliminary agreement was not fully backed by the WPE and should be rediscussed if needed. CZE will not be flexible and do not support any options proposed as they are crossing some of their red lines. Asks about the service bans of existing HP, SG in line 477 in the 4 column(anti-monopoly clause) is it kept, as well a producer responsibility, is it extended anymore and what does it mean. Redlines are that OPTIONs A and C are the more problematic than B and D. No flex on GWP thresholds and SG (fear from sectors in small markets). POM bans are concerning in the full bans, also the service bans of existing equipment. Domestic ref is OK, Chillers under 12kW are ok and they can be flex on bigger one. PFAS should not be included in the debate. So they cannot support any options and EP needs to take a step back.
-> that the service ban only apply to HGWP HP (2500) and there is a derogation possible. SG remain with all the derogations
NLD recalls that it is vital to reach agreement very soon. All packages acceptable, A prefered. What is on the table is balanced and feasible.
FIN conclude quickly. Do not reopen preliminary agreement. Compromise can be found. Prefer Option A but open to any other.
LAT do not support A or B. Need more info on SG. Bans should not uundermine Energy efforts. Could support Option D but if ban dates are adequate.
SLO option B
GRE is flexible on all options but prefer A
GER want an agreement with a pragmatic solution. Prefers Option A but stressing that we show flexibility for other as well. Not reopen issues with common understanding. Option B could be a solution for a compromise (prefer A). Recalls that the market of SG will not be much affected as it is currently moving now. On splits (18) will be look at later even if already in place. There are many safeguard clause. Flex on staring dates only if necessary to reach an agreement.
POL recalls the mention of their problem with the 2050 phase-out. The document only contains their redlines. So difficult situation. Any option is easily acceptable. On mSG they fear monopoly on those markets, and they ask to ensure that the two bidders concept also ensures that there are at least two manufacturer. On the Full ban with cascade for split. No flexibility and 2035 at least. On 11 and 15 should be also 2030. Want to close the deal but not at any price.
EST difficult as the agreement already is reaching their redlines. On 15 may limit screw compressors, 20 has no viable alternatives and 21 (foams) need 152a for cold weathers. Question on 18 deadline. Want to have it the later possible.
HUN like POL, CZE and other they are skeptical on the process and have few flexibility. They have the feeling they have reach their limit. Do not support any options and A is particularly problematic. Support finalization of the nego but not at all costs. On HP split should be at 6kW. Risk of disadvantage on INT'l markets. On SG they have concerns.
MLT echo concerns on the process as CZE mentioned. They are flex on quota price (no increase). Supports also concerns of others. They remain flexible.
FRA wants an agreement soon. No reopening, focus on the minimum to reach an agreement. Flexibility on all options; A is the best. Cautious on 18 to keep derogations after revision, keep derogation for safety. SG they could be flexible but not going beyond.
ROM cannot support any options as such but open to consider full ban in 2050. Also have concerns on the process.
BUL Options A is ok if earlier deadlines for splits (150) should remain as in April. No earlier dates for mSG. Cascade is ok. Other options are not OK.

SLO
LIT exhausted their flexibility and do not follow the options.
CHY flexible on all options
CRO redlines were already crossed, ask for a clear text. No flexibility left.
ITA supports the CION proposal. Still open but EP was not willing to conclude. Still have a problem as many sectors are included. The compromise is not reasonable for all sectors. Problem with the approach. If EP knows what package we have….
BEL full support on all options, Need to conclude quickly and send a clear message to the industry.

CION : they are aware of the fear about the need to get the HP quickly on the market. And there is no risk in any options to jeopardize that transition in Energy.

PRES ESP : Process : the 4 column did not change, they only made a steering note update. There is no partial agreement, but more a commun understanding.
There is no qualified majority but a general validation of the Option A. They also recognize some difficulties for som eother, mainly on mSG and the derogation for the number of bids that should not be for the same equipment. General concern about the total ban in splits to be as far as possible in the future. No flex for the dates of ban in SG.

Next steps : discussion on technicalities and close as much as possible before COREPER and TRILOGUE. No dates yet

ITA What will be asked in return of using Option A. And in 17 will it be left as is or bargained ? What will happen after the technical discussion as regard documents.
NLD reminds that CION insisted to have an agreement for the endo of September. -> Technical meeting may occur this week then they depend on the EP.

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