

PROTECTION OF THE OZONE LAYER

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INTERNATIONAL BACKGROUND

- **Vienna Convention on the Protection of the Ozone Layer (1985)**
- Montreal Protocol on Substances that Deplete the Ozone Layer (1987)
- Amendments: London 1990
Copenhagen 1992,
Montreal 1997,
Beijing 1999



CFCs reduction and phase out

EU LEGISLATION

- Council Regulation (EC) No 3093/94 on substances that deplete the ozone layer
- Regulation 2037/2000 on substances that deplete the ozone layer
- **Regulation (EC) No 1005/2009 of the European Parliament and of the Council of 16 September 2009 on substances that deplete the ozone layer**

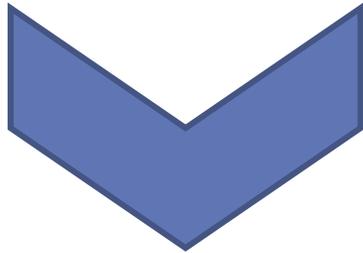
REGULATION 1005/2009

- **Controlled substances** means substances listed in Annex I, including their isomers, whether alone or in a mixture, and whether they are virgin, recovered, recycled or reclaimed;
- **New substances** means substances listed in Annex II, whether alone or in a mixture, and whether they are virgin, recovered, recycled or reclaimed;
 - subject to requirements laid down in Chapter VI of the regulation



REGULATION 1005/2009

Scope of Regulation:



- Controlled substances
- New substances
- Products and equipment containing or relying on controlled substances

REGULATION 1005/2009

Rules on:

- the production,
- import, export,
- placing on the market,
- use,
- recovery, recycling, reclamation and destruction of substances that deplete the ozone layer,
- the reporting of information

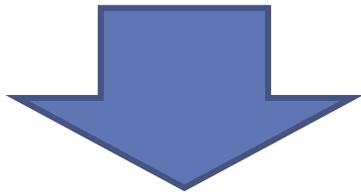


substances and of products and equipment containing or relying on those substances

REGULATION 1005/2009

Ban on:

- Production
- Placing on the market
- Use



- Chlorofluorocarbons (CFCs), halons, carbon tetrachlorides, methylbromide and hydrochlorofluorocarbons (HCFCs)

REGULATION 1005/2009

Phase out by 2004:

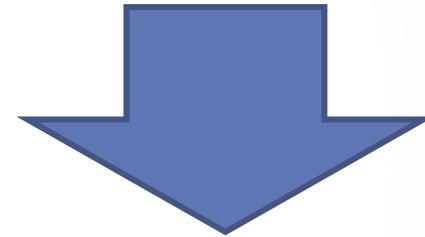
- Production
- Placing on the market
- Use



- Methyl bromides

Progressive stop by 2025:

Production



Hydrofluorocarbons
(HCFCs)

The production, the placing on the market and the use of controlled substances shall be prohibited. (Art.4,5)

- General rule
- exceptions



REGULATION 1005/2009

1. Rules related to the production, the placing on the market and the use of controlled substances and equipment containing or relying on those substances

- Exemptions and exceptions from the ban (Art. 7-13)
- Substances for essential use, laboratory uses etc.
- Quantitative limits and quotas
- License system

- Rules related to maintenance of equipment containing ozone depleting substances
- Recycling of ozone depleting substances
- Monitoring and reporting requirements
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REGULATION 1005/2009

- Export of substances to countries non participating to Montreal Protocol is prohibited
- Export of substances other than HCFCs to all countries is prohibited
- Import of substances from countries which are not party to the Montreal Protocol is forbidden (Art. 8)
- Import and export of substances from third countries based on licences issued by the Commission



REGULATION 1005/2009

Enforcement:

- Effective, proportional and deterrent sanctions
- Illegal production, importation, exportation, placing on the market or use of ozone-depleting substances **is a crime** according to **Directive 2008/99/EC on the protection of the environment through criminal law**