

Commission Implementing Regulation (EU) 2019/522 of 27 March 2019 amending Implementing Regulation (EU) No 1191/2014 as regards the reporting of data on production and on imports and exports of polyols containing hydrofluorocarbons pursuant to Article 19 of Regulation (EU) No 517/2014

COMMISSION IMPLEMENTING REGULATION (EU) 2019/522

of 27 March 2019

amending Implementing Regulation (EU) No 1191/2014 as regards the reporting of data on production and on imports and exports of polyols containing hydrofluorocarbons pursuant to Article 19 of Regulation (EU) No 517/2014

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 517/2014 of the European Parliament and of the Council of 16 April 2014 on fluorinated greenhouse gases and repealing Regulation (EC) No 842/2006⁽¹⁾, and in particular Article 19(7) thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) No 1191/2014⁽²⁾ specifies the means and format for the report to be submitted pursuant to Article 19 of Regulation (EU) No 517/2014, in relation to the use of certain fluorinated greenhouse gases as feedstock or where products or equipment which contain those gases are placed on the market by producers, importers and exporters of those gases and by undertakings that destroy those gases.
- (2) Decision XXX/10⁽³⁾ of the Parties to the Montreal Protocol on substances that deplete the ozone layer to the Vienna Convention for the Protection of the Ozone Layer⁽⁴⁾ (Montreal Protocol) sets out the revised reporting forms to be used for reporting on controlled substances, including on hydrofluorocarbon-23 (HFC-23) by-production and imports and exports of polyols containing hydrofluorocarbons following the global entry into force of the Kigali Amendment to that Protocol regarding the phase-down of hydrofluorocarbons (HFCs) on 1 January 2019⁽⁵⁾.
- (3) The reporting format set out in the Annex to Implementing Regulation (EU) No 1191/2014 should be amended in order to align it with the reporting format set out in Decision XXX/10 used by the Parties to the Montreal Protocol. This would enable the Union to comply with its reporting obligations under the Montreal Protocol.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 24(1) of Regulation (EU) No 517/2014,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Implementing Regulation (EU) No 1191/2014 is amended in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 27 March 2019.

For the Commission

The President

Jean-Claude JUNCKER

ANNEX

The Annex to Regulation (EU) No 1191/2014 is amended as follows:

(1) In Section 1, the table is replaced by the following:

		INFORMATION TO BE REPORTED		COMMENTS
1A	Total quantity of production from facilities in the Union			
	1Aa	— thereof: Amounts not captured		
		1A_a	— thereof: Amounts destroyed by another undertaking, the latter should be specified	If the in-line destruction is carried out by another undertaking, the latter should be specified. Reports from producers which carry out destruction on the total quantities destroyed shall be made in reporting Section 8
		AUTOMATICALLY CALCULATED QUANTITIES		
	1Ab	— thereof: Total amount generated and captured		1Ab = 1A - 1Aa
		INFORMATION TO BE REPORTED		
		1B	— thereof: Quantity of production from facilities in the Union consisting of recovered by-	Reports from producers which carry out destruction on the total quantities destroyed shall be made in reporting Section 8

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				production or unwanted products where that by-production or those products have been destroyed in the facilities prior to the placing on the market
		1C	—	The undertaking carrying out the destruction shall be identified in the Union consisting of recovered by-production or unwanted products where that by-production or those products have been handed over to other undertakings

				for destruction and had not been placed on the market previously
	1C_a	—	thereof: Amounts of hydrofluorocarbons produced for feedstock uses within the Union	The Member State where feedstock use will take place shall be indicated
		1C_a1	—	thereof: Without prior capture Only to be reported for HFC-23
AUTOMATICALLY CALCULATED QUANTITIES				
		1C_a2	—	thereof: After prior capture $1C_{a2} = 1C_a - 1C_{a1}$; To be calculated only for HFC-23
INFORMATION TO BE REPORTED				
	1C_b	—	thereof: Amount of hydrofluorocarbons produced for uses within the Union exempted under the Montreal Protocol	The type of exempted use shall be specified
AUTOMATICALLY CALCULATED QUANTITIES				
		1D	—	thereof: Total quantity of own production captured and destroyed $1D = 1B + 1C$

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			which has not been placed on the market previously
1E		Production available for sale or feedstock use	$1E = 1A - 1D - 1A_a$

(2) In Section 2, in the table, the following row 2F is added:

	2F	Amount of hydrofluorocarbons contained in pre-blended polyols	
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(3) In Section 3, in the table, the following row 3J is added:

	3J	Amount of hydrofluorocarbons contained in pre-blended polyols	
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- (1) [OJ L 150, 20.5.2014, p. 195.](#)
- (2) Commission Implementing Regulation (EU) No 1191/2014 of 30 October 2014 determining the format and means for submitting the report referred to in Article 19 of Regulation (EU) No 517/2014 of the European Parliament and of the Council on fluorinated greenhouse gases ([OJ L 318, 5.11.2014, p. 5.](#)).
- (3) Decision XXX/10 of the Parties to the Montreal Protocol, adopted 9 November 2018.
- (4) Council Decision 88/540/EEC of 14 October 1988 concerning the conclusion of the Vienna Convention for the protection of the ozone layer and the Montreal Protocol on substances that deplete the ozone layer ([OJ L 297, 31.10.1988, p. 8.](#)).
- (5) Decision XXVIII/1 of the Parties to the Montreal Protocol, adopted 15 October 2016.