Notice to importers in the European Union that propose to import in 2006 controlled substances that deplete the ozone layer under Regulation (EC) No 2037/2000 of the European Parliament and of the Council on 'substances that deplete the ozone layer' [1]

(2005/C 168/07)

I. This Notice is addressed to undertakings that intend to import the following substances into the European Community from sources outside the European Community from 1 January 2006 to 31 December 2006.

Group I: CFC 11, 12, 113, 114 or 115

Group II: other fully halogenated CFCs

Group III: halon 1211, 1301 or 2402

Group IV: carbon tetrachloride

Group V: 1,1,1 trichloroethane

Group VI: methyl bromide

Group VII: hydrobromofluorocarbons

Group VIII: hydrochlorofluorocarbons

Group IX: Bromochloromethane

II. Article 7 of Regulation (EC) No 2037/2000 requires that quantitative limits be determined and quotas allocated to producers and importers for 1 January 2006 to 31 December 2006 in accordance with the procedure referred to in Article 18(2) for the import of the substances listed under Groups I to IX of Annex I to this Notice [2].

Quotas shall be allocated for:

a. **Methyl bromide**, for Quarantine and Pre-Shipment (QPS) uses as defined by the Parties to the Montreal Protocol; and to users for critical uses, in accordance with Decisions IX/6, Ex.I/3, Ex.I/4 and any other relevant criteria agreed by the Parties to the Montreal Protocol and Article 3(2)(ii) of the Regulation; both QPS and critical uses approved by the Commission, pursuant to Article 18 of the Regulation;

b. Hydrochlorofluorocarbons (HCFCs);

c. **Essential uses** in accordance with the criteria set out in Decisions IV/25 of the Parties to the Montreal Protocol and Article 3(1) of the Regulation; and as approved by the Commission, pursuant to Article 18 of the Regulation. A separate notice regarding Essential Uses has been published;

d. **Feedstock uses**, as controlled substances transformed in a process in which it is entirely converted from its original composition;

---

[1] OJ L 244 of 29.9.2000, p. 1, as last amended by Regulation (EC) No 2077/2004, OJ L 359 of 4.12.2004, p. 28.

[2] Controlled substances or mixtures which are imported in a manufactured product (other than a container used for the transport or storage of the substance) are excluded from the scope of this notice.

e. **Process agents**, as controlled substances used as chemical processing agents in existing installations, where emissions are insignificant;

f. **Destruction**, as controlled substances that are to be destroyed by a technology approved by the Parties to the Montreal Protocol which results in the permanent transformation, or decomposition of all or a significant portion of the substance.

The quantitative limit, which producers and importers may place on the market and/or use for their own account within the European Community in 2006, is calculated:

— For methyl bromide for QPS use from 1996-1998 (average) according to Article 4(2)(iii);

— According to Article 4(4), the placing on the market and use of methyl bromide is permitted to meet the licensed requests for critical uses of those users identified as laid down in Article 3(2);

— For HCFCs according to Article 4(3)(i)(e).

III. Undertakings engaged in the importation of HCFCs can be either:

— **Importers** who imported in 1999 and who wish to place HCFCs on the European Community market and who are not engaged in the production of HCFCs,

— European Community **producers** who imported in 1999 on their own account additional HCFCs to place on the European Community market.

IV. The quantities imported from 1 January 2006 to 31 December 2006 are subject to import licences. In accordance with Article 6 of the Regulation, undertakings may import the controlled substances only if they are in possession of an import licence issued by the Commission.

V. Under Article 22 of the Regulation, the importation of new substance listed in Annex II of the Regulation is prohibited, except for feedstock uses.

VI. For the purposes of the Regulation, quantities of substances are measured according to their Ozone Depleting Potential ([1]).

VII. The Commission hereby gives notice to an undertaking that is not in possession of a quota for 2005 and who wishes to apply to the Commission for an import quota from 1 January 2006 to 31 December 2006, to make itself known to the Commission **no later than 2 September 2005**.

Ozone Layer Protection
European Commission
Directorate-General Environment
Unit ENV.C.4 — Industrial Emissions
BU9 6/137
B-1049 Brussels
Fax: (32-2) 299 87 64
Email: env-ods@cec.eu.int

VIII Enterprises with a quota in 2005 should make a declaration by completing and submitting the relevant form(s) on page http://europa.eu.int/comm/environment/ozone/ods.htm of EUROPA internet site. Only applications received by **2 September 2005** will be considered by the Commission.

A copy of the application should also be sent to the competent authority of the Member State (cf. Annex II).

([1]) For mixtures: only the quantity of the controlled substances in the mixture should be included in the ODP quantity. 1,1,1-trichloroethane is always put on the market with stabilisers. Importers should establish from their supplier what is the percentage of stabiliser to be deducted before calculating the ODP-weighted tonnage.

IX. Once the applications have been received, they will be considered by the European Commission and import quotas will be set for each importer and producer in consultation with the Management Committee following the procedures specified under Article 18 of the Regulation. The allocated quota will be available on the ODS-website http://europa.eu.int/comm/environment/ozone/ods.htm and all applicants will have the Decision notified by post.

X. In order to import controlled substances in 2006, undertakings in receipt of a quota must apply to the Commission via the ODS-website for an import licence using the import licence application. Provided the Commission services are satisfied that the request is in accordance with the quota authorised and conforms to the requirements of Regulation (EC) No 2037/2000, an import licence will be issued. The Commission reserves the right to withhold an import licence when the substance to be imported is not as described or may not be used for the purposes authorised or cannot be imported in compliance with Regulation.

XI. Producers who import recovered or reclaimed substances, if any, are required to submit additional information with each licence application regarding the source and destination of the substance, and the processing to be undertaken. A certificate of analysis may also be requested. Importers are obliged to have destruction facilities and therefore the owner of the destruction facility would be expected to apply for the licence to import ODS for destruction.

ANNEX I

Substances covered

Group	Substances		Ozone-depleting Potential (1)
Group I	$CFCl_3$	(CFC 11)	1,0
	CF_2Cl_2	(CFC 12)	1,0
	$C_2F_3Cl_3$	(CFC 113)	0,8
	$C_2F_4Cl_2$	(CFC 114)	1,0
	C_2F_5Cl	(CFC 115)	0,6
Group II	CF_3Cl	(CFC 13)	1,0
	C_2FCl_5	(CFC 111)	1,0
	$C_2F_2Cl_4$	(CFC 112)	1,0
	C_3FCl_7	(CFC 211)	1,0
	$C_3F_2Cl_6$	(CFC 212)	1,0
	$C_3F_3Cl_5$	(CFC 213)	1,0
	$C_3F_4Cl_4$	(CFC 214)	1,0
	$C_3F_5Cl_3$	(CFC 215)	1,0
	$C_3F_6Cl_2$	(CFC 216)	1,0
	C_3F_7Cl	(CFC 217)	1,0
Group III	CF_2BrCl	(halon 1211)	3,0
	CF_3Br	(halon 1301)	10,0
	$C_2F_4Br_2$	(halon 2402)	6,0
Group IV	CCl_4	(carbon tetrachloride)	1,1
Group V	$C_2H_3Cl_3$ (2)	(1,1,1-trichloroethane)	0,1
Group VI	CH_3Br	(methyl bromide)	0,6
Group VII	$CHFBr_2$		1,00
	CHF_2Br		0,74
	CH_2FBr		0,73
	C_2HFBr_4		0,8
	$C_2HF_2Br_3$		1,8
	$C_2HF_3Br_2$		1,6
	C_2HF_4Br		1,2
	$C_2H_2FBr_3$		1,1
	$C_2H_2F_2Br_2$		1,5
	$C_2H_2F_3Br$		1,6
	$C_2H_3FBr_2$		1,7
	$C_2H_3F_2Br$		1,1
	C_2H_4FBr		0,1
	C_3HFBr_6		1,5
	$C_3HF_2Br_5$		1,9
	$C_3HF_3Br_4$		1,8
	$C_3HF_4Br_3$		2,2
	$C_3HF_5Br_2$		2,0
	C_3HF_6Br		3,3
	$C_3H_2FBr_5$		1,9
	$C_3H_2F_2Br_4$		2,1
	$C_3H_2F_3Br_3$		5,6
	$C_3H_2F_4Br_2$		7,5
	$C_3H_2F_5Br$		1,4
	$C_3H_3FBr_4$		1,9
	$C_3H_3F_2Br_3$		3,1
	$C_3H_3F_3Br_2$		2,5
	$C_3H_3F_4Br$		4,4
	$C_3H_4FBr_3$		0,3
	$C_3H_4F_2Br_2$		1,0
	$C_3H_4F_3Br$		0,8
	$C_3H_5FBr_2$		0,4
	$C_3H_5F_2Br$		0,8
	C_3H_6FBr		0,7

Group	Substances		Ozone-depleting Potential (1)
Group VIII	$CHFCl_2$	(HCFC 21) (3)	0,040
	CHF_2Cl	(HCFC 22) (3)	0,055
	CH_2FCl	(HCFC 31)	0,020
	C_2HFCl_4	(HCFC 121)	0,040
	C_2HF2Cl_3	(HCFC 122)	0,080
	C_2HF_3Cl2	(HCFC 123) (3)	0,020
	C_2HF_4Cl	(HCFC 124) (3)	0,022
	$C_2H_2FCl_3$	(HCFC 131)	0,050
	$C_2H_2F_2Cl_2$	(HCFC 132)	0,050
	$C_2H_2F_3Cl$	(HCFC 133)	0,060
	$C_2H_3FCl_2$	(HCFC 141)	0,070
	CH_3CFCl_2	(HCFC 141b) (3)	0,110
	$C_2H_3F_2Cl$	(HCFC 142)	0,070
	CH_3CF_2Cl	(HCFC 142b) (3)	0,065
	C_2H_4FCl	(HCFC 151)	0,005
	C_3HFCl_6	(HCFC 221)	0,070
	C_3HF_2Cl5	(HCFC 222)	0,090
	$C_3HF_3Cl_4$	(HCFC 223)	0,080
	$C_3HF_4Cl_3$	(HCFC 224)	0,090
	$C_3HF_5Cl_2$	(HCFC 225)	0,070
	$CF_3CF_2CHCl_2$	(HCFC 225ca) (3)	0,025
	CF_2ClCF_2CHClF	(HCFC 225cb) (3)	0,033
	C_3HF_6Cl	(HCFC 226)	0,100
	$C_3H_2FCl_5$	(HCFC 231)	0,090
	$C_3H_2F_2Cl_4$	(HCFC 232)	0,100
	$C_3H_2F_3Cl_3$	(HCFC 233)	0,230
	$C_3H_2F_4Cl_2$	(HCFC 234)	0,280
	$C_3H_2F_5Cl$	(HCFC 235)	0,520
	$C_3H_3FCl_4$	(HCFC 241)	0,090
	$C_3H_3F_2Cl_3$	(HCFC 242)	0,130
	$C_3H_3F_3Cl_2$	(HCFC 243)	0,120
	$C_3H_3F_4Cl$	(HCFC 244)	0,140
	$C_3H_4FCl_3$	(HCFC 251)	0,010
	$C_3H_4F_2Cl_2$	(HCFC 252)	0,040
	$C_3H_4F_3Cl$	(HCFC 253)	0,030
	$C_3H_5FCl_2$	(HCFC 261)	0,020
	$C_3H_5F_2Cl$	(HCFC 262)	0,020
	C_3H_6FCl	(HCFC 271)	0,030
Group IX	CH_2BrCl	Halon 1011/bromochloromethane	0,120

(1) These ozone-depleting potentials are estimates based on existing knowledge and will be reviewed and revised periodically in the light of decisions taken by the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer.
(2) This formula does not refer to 1,1,2-trichloroethane.
(3) Identifies the most commercially-viable substance as prescribed in the Protocol.

NEW SUBSTANCES

ANNEX II

BELGIQUE/BELGÏE

Mr Alain Wilmart
Ministère Fédéral des Affaires Sociales de la Santé Publique et de l'Environnement
Place Victor Horta, 40 — Bte 10
B-1060 Bruxelles

ČESKÁ REPUBLIKA

Mr Jakub Achrer
Ministry of the Environment of the Czech Republik
Air Pollution Prevention Department
Vršovická 65
CZ-100 10 Praha 10

DANMARK

Mr Mikkel Aaman Sørensen
Miljøstyrelsen (EPA)
Strandgade 29
DK-1401 København K

DEUTSCHLAND

Mr Rolf Engelhardt
Ministry for Environment
Dept. IG 11 5
P.O. Box 120629
DE-53048 Bonn

EESTI

Ms Valentina Laius
Ministry of the Environment of the Republic of Estonia
Environment Management and Technology Department
Narva mnt 7A
EE-15172 Tallin

ΕΛΛΑΣ

Mrs Elpida Politis
Ministry for the Environment, Physical Planning and Public Works
International Activities and EEC Department
17 Ameliedos Street
EL-115 23 Athens

ESPAÑA

Mr Alberto Moral Gonzalez
Ministerio de Medio Ambiente
Subdirección General de Calidad Ambiental
Pza San Juan de la Cruz s/n
ES-28071 Madrid

FRANCE

Mr Matthieu LASSUS
Ministère de l'Environnement
DRPR/BSPC
20, avenue de Ségur
F-75302 Paris 07 SP

IRELAND

Mr Patrick O'Sullivan
Inspector (Environment)
Dept of Environment Heritage and Local Government
Custom House
Dublin 1
Ireland

ITALIA

Mr Alessandro Giuliano Peru
Dept of Environment and Territory
DG per la ricerca Ambientale e lo Sviluppo
Via Cristoforo Colombo 44
IT-00147 Roma

ΚΥΠΡΟΣ

Dr. Charalambos Hajipakkos
Environment Service
Ministry of Agriculture, Natural Resources and Environment
CY-Nicosia

LATVIJA

Mr Armands Plate
Ministry of Environment
Environmental Protection Department
Peldu lela 25
LV-1494 — Riga

LIETUVA

Ms Marija Teriosina
Ministry of Environment
Chemicals Management Division
Jaksto str. 4/9
LT-2600 Vilnius

LUXEMBOURG

Mr Pierre Dornseiffer
Administration de l'Environnement
Division Air/Brut
16, rue Eugène Ruppert
L-2453 Luxembourg

MAGYARORSZÁG

Mr Robert Toth
PO Box 351
Ministry of Environment and Water
Department for Air Pollution and Noise Control
HU-1394 Budapest

MALTA

Ms Charmaine Vassallo
Malta Environment and Planning Authority
Environment Protection Directorate
Pollution Control, Wastes and Minerals
C/o Quality Control Laboratory
Industrial Estate Kordin
MT-PAOLA

NEDERLAND

Mr M. Hildebrand
Ministry of Environment
Rijnstraat 8
2500 GX Den Haag
Nederland

ÖSTERREICH

Mr Paul Krajnik
Ministry of the Agriculture, Forestry, Environment and Water Management
Chemicals Department
Stubenbastei 5
AT-1010 Wien

POLSKA

Pan Janusz Kozakiewicz
Instytut Chemii Przemysłowej
Biuro Ochrony Warstwy Ozonowej
ul. Rydygiera 8
PL-01-793 Warszawa

PORTUGAL

Dra. Cristina Vaz Nunes
Ministério do Ambiente
Rua da Murgueira 9/9A –Zambujal Ap. 7585
PT-2611-865 Amadora

SLOVENIJA

Ms Irena Malešič
Ministry of the Environment and Spacial Planning
Environmental Agency of the Republic of Slovenia
Vojkova 1b
SL-1000 Ljubljana

SLOVENSKO

Mr Lubomir Ziak
Ministry of the Environment
Air Protection Department
Nam. L. Stura 1
SK-812 35 Bratislava

SUOMI/FINLAND

Mrs Eliisa Irpola
Finnish Environment Institute
Chemicals Division
Mechelininkatu 34a
FIN-00260 Helsinki

SVERIGE

Ms Maria Ujfalusi
Swedish Environmental Protection Agency
Naturvårdsverket
Blekholmsterassen 36
SE-106 48 Stockolm

UNITED KINGDOM

Mr Stephen Reeves
Global Atmosphere Division
UK Dept of Environment, Food and Rural Affairs
3rd floor — zone 3/A3
Ashdown House
123 Victoria Street
London SW1E 6DE
United Kingdom