

# Public consultation for the evaluation of the Ozone Regulation

Fields marked with \* are mandatory.

## Introduction

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### What is the Regulation about?

The [Regulation](#) implements the Montreal Protocol on Substances that Deplete the Ozone Layer, which is considered as the greatest environmental **success** story in the history of the United Nations. The objective is to **cut down the production and consumption of ozone-depleting substances** in order to reduce their abundance in the atmosphere and thereby **protect the earth's ozone layer**. In addition to the obligations that derive from the Montreal Protocol, the Regulation sets some additional measures.

The Montreal Protocol controls the production of these substances and their trade in bulk, whereas the Regulation is more ambitious and prohibits the *use* of the substances. Certain *uses* of these substances are still allowed (*exempted*) in the EU. Also, the Regulation controls substances not just in bulk, but also contained in products and equipment. It sets licensing requirements for all exports and imports of ozone-depleting substances. It controls and monitors not only ozone-depleting substances covered under the Montreal Protocol (over 90 chemicals), but also some ozone-depleting substances not covered under the Montreal Protocol (five additional chemicals called 'new substances').

### What is the aim of the Regulation?

- *Fulfil the obligations of the Montreal Protocol on substances that deplete the ozone layer to which the EU and its Member States are parties.*
- *Where technically and economically feasible, ensure higher level of ambition in the EU.*

### This questionnaire

It should take you about 20 minutes to complete this questionnaire.

This questionnaire will be open from the 1st of June until the 24th of August 2018.

You may answer the open questions in this questionnaire in any of the 24 official EU-languages.

If you wish to add further information (such as a position paper), you can do so at the end of this questionnaire.

## About you

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\*1 You are replying

- as an individual in your personal capacity
- in your professional capacity or on behalf of an organisation

\*2 First name

\*3 Last name

\*4 Email address

If you do not have an email address, please write "Not available".

\*5 Country of residence

- Austria
- Belgium
- Bulgaria
- Croatia
- Cyprus
- Czech Republic
- Denmark
- Estonia
- Finland
- France
- Germany
- Greece
- Hungary
- Ireland
- Italy
- Latvia
- Lithuania
- Luxembourg
- Malta
- Netherlands
- Poland
- Portugal
- Romania
- Slovakia
- Slovenia
- Spain

- Sweden
- United Kingdom
- Other

\*6 If "other", please specify:

\*7 Your contribution - in line with the Privacy Statement (to be found on the consultation website),

Note that, whatever option chosen, your answers may be subject to a request for public access to documents under [Regulation \(EC\) N° 1049/2001](#)

- can be published with your personal information** (I consent the publication of all information in my contribution in whole or in part including my name or my organisation's name, and I declare that nothing within my response is unlawful or would infringe the rights of any third party in a manner that would prevent publication)
- can be published provided that you remain anonymous** (I consent to the publication of any information in my contribution in whole or in part (which may include quotes or opinions I express) provided that it is done anonymously. I declare that nothing within my response is unlawful or would infringe the rights of any third party in a manner that would prevent the publication.

\*8 Respondent's first name

\*9 Respondent's last name

\*10 Respondent's professional email address

\*11 Name of the organisation

\*12 Postal address of the organisation

\*13 Type of organisation

Please select the answer option that fits best.

- Private enterprise
- Professional consultancy, law firm, self-employed consultant
- Trade, business or professional association

- Non-governmental organisation, platform or network
- Research and academia
- Churches and religious communities
- Regional or local authority (public or mixed)
- International or national public authority
- Other

\* 14 If "other", please specify:

\* 15 How many employees does the company have?

- More than 250 employees (Large enterprise)
- Between 50 and 250 employees (Medium-sized enterprise)
- Between 10 and 49 employees (Small enterprise)
- Less than 10 employees (Micro enterprise)
- Self-employed (Micro enterprise)

\* 16 Please specify the type of organisation.

- Chamber of commerce
- Business organisation
- Trade Union
- Representative of professions or crafts
- Other

\* 17 If "other", please specify:

\* 18 Please specify the type of organisation.

- Think tank
- Research institution
- Academic institution
- Other

\* 19 If "other", please specify:

\* 20 Please specify the type of organisation.

- Regional public authority
- Local public authority
- Public-private sub-national organisation
- Network of public sub-national authorities
- Other

\*21 If "other", please specify:

\*22 Please specify the type of organisation.

- Intergovernmental organisation
- EU institution, body or agency
- National parliament
- National government
- National public authority or agency

\*23 Is your organisation included in the Transparency Register?

If your organisation is not registered, we invite you to register [here](#), although it is not compulsory to be registered to reply to this consultation. [Why a transparency register?](#)

- Yes
- No
- Not applicable

\*24 If so, please indicate your Register ID number.

\*25 Country of organisation's headquarters

- Austria
- Belgium
- Bulgaria
- Croatia
- Cyprus
- Czech Republic
- Denmark
- Estonia
- Finland
- France
- Germany
- Greece
- Hungary
- Ireland
- Italy
- Latvia
- Lithuania
- Luxembourg
- Malta
- Netherlands
- Poland
- Portugal

- Romania
- Slovak Republic
- Slovenia
- Spain
- Sweden
- United Kingdom
- Other

\*26 If "other", please specify:

\*27 Your contribution - in line with the Privacy Statement (to be found on the consultation website),

Note that, whatever option chosen, your answers may be subject to a request for public access to documents under [Regulation \(EC\) N° 1049/2001](#)

- can be published with your organisation's information** (I consent the publication of all information in my contribution in whole or in part including the name of my organisation, and I declare that nothing within my response is unlawful or would infringe the rights of any third party in a manner that would prevent publication)
- can be published provided that your organisation remains anonymous** (I consent to the publication of any information in my contribution in whole or in part (which may include quotes or opinions I express) provided that it is done anonymously. I declare that nothing within my response is unlawful or would infringe the rights of any third party in a manner that would prevent the publication.

28 Would you be willing to provide **additional information** in a follow-up e-mail/telephone call?

- Yes, please feel free to contact me regarding this questionnaire.
- No, I prefer not to be contacted regarding this questionnaire.

## How effective is the Regulation?

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**The following questions relate to the assessment of the extent to which the Regulation has achieved its objectives. The key objectives of the Regulation are to meet the obligations of the Montreal Protocol (i.e. reduce the consumption of ozone-depleting substances) and to ensure higher level of ambition in the EU where feasible.**

29 I am aware of the requirements of the Regulation.

- Strongly agree
- Agree
- Neither agree or disagree
- Disagree
- Strongly disagree
- Do not know

30 To what extent do you agree that the Regulation has contributed to the reduction of the consumption of ozone-depleting substances in the EU?

- Strongly agree
- Agree

- Neither agree or disagree
- Disagree
- Strongly disagree
- Do not know

31 Please explain your answer to the previous question.

32 Do you think that factors other than the Regulation have contributed to reducing the consumption of ozone-depleting substances in the EU?

- Yes
- No
- Do not know

\*33 If "yes", please describe those factors.

34 The Regulation in the EU imposes more requirements than those required by the international agreement (so-called Montreal Protocol). To what extent do you agree that this has led to a more effective reduction in the consumption of ozone-depleting substances?

- Strongly agree
- Agree
- Neither agree or disagree
- Disagree
- Strongly disagree
- Do not know

35 Please explain your answer to the previous question.

36 The Regulation controls and monitors not only ozone-depleting substances covered under the Montreal Protocol (over 90 chemicals), but also some ozone-depleting substances not covered under the Montreal Protocol (five additional chemicals: halon-1202; n-propyl bromide; ethyl bromide; trifluoromethyl iodide and methyl chloride). To what extent do you agree that these new substances should be controlled under the Regulation?

- Strongly agree
- Agree
- Neither agree or disagree
- Disagree
- Strongly disagree
- Do not know

37 Please explain your answer to the previous question.

38 Are you aware of any substances that are not controlled under the Regulation but, in your opinion, should be covered because they harm the ozone layer?

39 Are you aware of any unintended consequences of the Regulation?

40 To what extent do you think that more should be done in the EU on regulating ozone-depleting substances in the EU?

- Strongly agree
- Agree
- Neither agree or disagree
- Disagree
- Strongly disagree
- Do not know

41 Please explain your answer to the previous question.

## Alternatives to ozone-depleting substances

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**The following questions relate to the assessment of whether the Regulation is still relevant to current needs. It focuses on the provisions of the Regulation and in particular on current technological developments and new alternatives to the use of ozone-depleting substances.**

42 To your best knowledge, are there any alternatives available on the market, which are technically and economically feasible?

- Yes
- No
- Do not know

\* 43 If yes, please specify the alternative chemical, the substance it replaced, its use and the respective technology.

44 To your best knowledge, do you know whether there are any alternatives under development?

- Yes
- No



Do not know

\*45 If yes, specify the alternative chemical and add information on the status or possible contacts.

46 To what extent do you agree with the following statement about alternatives for ozone-depleting substances?

|  | Strongly agree<br>(due to Regulation only) | Agree<br>(mainly due to Regulation) | Neither agree or disagree<br>(many factors contributed) | Disagree<br>(mainly other factors contributed) | Strongly disagree<br>(other factors contributed only) | Do not know           |
|--|--|-------------------------------------|---|--|---|-----------------------|
| Alternatives became available <b>because ozone-depleting substances are controlled by the Regulation</b>             | <input type="radio"/>                      | <input type="radio"/>               | <input type="radio"/>                                   | <input type="radio"/>                          | <input type="radio"/>                                 | <input type="radio"/> |
| There is progress in finding alternatives <b>because ozone-depleting substances are controlled by the Regulation</b> | <input type="radio"/>                      | <input type="radio"/>               | <input type="radio"/>                                   | <input type="radio"/>                          | <input type="radio"/>                                 | <input type="radio"/> |

47 Please explain your answer to the previous question.

## Quality of the Regulation

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**The following questions aim to evaluate the coherence of the Regulation with international legislation and with other EU interventions, and the internal coherence of the Regulation in contributing to achieving its objectives. Information on the regulatory burden from the Regulation will be used to assess the efficiency of the Regulation.**

48 The Regulation implements the Montreal Protocol and interacts with other international agreements and standards including legislation concerning climate change, pollution from ships and from aviation. Are you aware of any unnecessary overlaps, gaps and contradictions between the Regulation and related international legal instruments?

|                         | Yes                   | No                    | Do not know           |
|-------------------------|-----------------------|-----------------------|-----------------------|
| Overlaps (duplications) | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Contradictions          | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Gaps                    | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

\* 49 If yes, please explain your answer.

50 The Regulation interacts with other EU legislation and standards concerning waste, industrial emissions, labelling and packaging, and legislation in other areas. Are you aware of any unnecessary overlaps, gaps and contradictions between the Regulation and related EU legal instruments?

|                         | Yes                   | No                    | Do not know           |
|-------------------------|-----------------------|-----------------------|-----------------------|
| Overlaps (duplications) | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Contradictions          | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Gaps                    | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

\* 51 If yes, please explain your answer.

52 Are you aware of any gaps or contradictions in the Regulation itself?

|                | Yes                   | No                    | Do not know           |
|----------------|-----------------------|-----------------------|-----------------------|
| Contradictions | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Gaps           | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

\* 53 If yes, please explain your answer.

54 Are you aware if any of the of the following measures from the Regulation are unnecessarily complicated, burdensome or costly?

|   | Yes                   | No                    | Don't know            |
|---|-----------------------|-----------------------|-----------------------|
| Apply for <b>licences</b> or authorisations   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Apply for <b>quota</b>  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| <b>Register</b> for essential <b>laboratory</b> and analytical uses (labODS)                          | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| <b>Control leakage and emission</b> when using the ozone-depleting substances                         | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Follow technical requirements during <b>reclamation and destruction</b> of ozone-depleting substances | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| <b>Label</b> containers and equipment with ozone-depleting substances                                 | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Undergo <b>national inspections</b>   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| <b>Report</b> annually  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Stop using <b>HCFC</b> for refrigeration etc. ( <b>phase-out</b> )                                    | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Stop using <b>methyl bromide</b> for quarantine and pre-shipment ( <b>phase-out</b> )                 | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Stop using <b>halons</b> in certain firefighting equipment ( <b>phase-out</b> )                       | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Other (please explain below)  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

55 Please explain your answer to the previous question.

## Added value of regulating at EU-level

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The following questions relate to the assessment of the added value resulting from this EU intervention compared to what could reasonably have been expected from Member States acting at national/regional level.

56 Industries across the EU have the same obligations with regard to controlling ozone-depleting substances. To what extent do you agree that this is an advantage compared to a situation where different Member States would have different regulations with regard to ozone-depleting substances?

- Strongly agree
- Agree
- Neither agree or disagree
- Disagree
- Strongly disagree
- Do not know

57 Please explain your answer to the previous question.

58 To what extent do you agree with the following statement: regulating ozone-depleting substances at EU level is more efficient (less costly) than it would be if regulated at national level only.

- Strongly agree
- Agree
- Neither agree or disagree
- Disagree
- Strongly disagree
- Do not know

59 Please explain your answer to the previous question.

60 In your opinion, what would it be like if the EU Regulation was not in place and ozone-depleting substances were regulated at national level? Would this challenge effective functioning of the internal market?

## Document upload and final comments

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61 Please feel free to upload a concise document, such as a position paper. The maximum file size is 1MB.

*Please note that the uploaded document will be published alongside your response to the questionnaire which is the essential input to this public consultation. The document is optional and serves as additional background reading to better understand your position.*

62 If you wish to add further information — within the scope of this questionnaire — please feel free to do so here.

*1000 character(s) maximum*

