

F-GAS

S U P P O R T

Promoting Compliance with F Gas and Ozone Regulations

Guidance for Fire Protection Sectors

This Information Sheet provides information relating to interim and full minimum requirements for qualifications and certification for personnel and companies working on HFC fire protection systems.

A Summary of the F Gas Regulation

For fire protection systems containing HFCs the basis of all personnel and company certification is set out in the EC Regulation on certain fluorinated greenhouse gases (the F gas Regulation, EC/842/2006).

A further Commission Regulation, 304/2008 provides extra details and defines the training and certification requirements for fire protection systems.

The relevant EU Regulations as listed above provide the basis for both interim and full certification requirements.

The GB Fluorinated Greenhouse Gases Regulations 2009 (Statutory Instrument No. 261) lists the minimum required qualifications for those working on fire protection systems.

The above regulations are collectively referred to as “the F gas Regulations”.

Personnel Requirements: fire protection equipment

Personnel carrying out certain operations on fire protection equipment and systems containing F gases must have appropriate qualifications. End user companies (‘operators’) have an obligation to ensure they only use contractors and / or in-house personnel with these qualifications to work on their fire protection systems. Personnel need to hold a valid certificate to prove this.

Note that the requirements do not apply to any manufacturing and repairing activity undertaken at manufacturer’s sites for containers or associated components of stationary fire protection systems containing certain F gases.

Personnel carrying out the following activities in regards to fire protection systems must be certified under the EC F gas Regulation:

- ◆ Leakage checking of applications containing 3 kg or more of F gases;
- ◆ Recovery;
- ◆ Installation;
- ◆ Maintenance or servicing.

The obligations are described in general terms in Article 5 of the EC F gas Regulation are fleshed out further in the supporting Commission Regulation 304/2008.

1. What does certification demonstrate?

The minimum requirements for qualifications for personnel handling F gases in fire protection systems are described in Commission Regulation 304/2008. Certification will show that personnel that hold a fire protection systems qualification that meets the minimum requirements of EC/304/2008 have the appropriate training to handle HFCs and minimise emissions in fire protection systems. It covers:

- ◆ Knowledge of the applicable regulations and standards.
- ◆ Necessary competence in:
 - Understanding the requirements of the regulation,
 - The obligations placed on them and the system operator,
 - Emissions prevention,
 - Leakage checking,
 - Installation,
 - Recovery, in this case the safe removal and transport of the containers back to the filling facility, and
 - Handling safely during maintenance or servicing the specific types and sized equipment.

Note: The qualification requirements apply to all personnel working with F gases be they in-house staff or fire protection system contractors.

2. What qualifications are required for personnel?

Interim Arrangements

When the EC F gas Regulation came into force no existing qualifications in Great Britain met the minimum requirements in EC/304/2008. So a new qualification has been developed and introduced by the Fire Industry Association (FIA),

The EC has allowed an interim period during which existing qualifications can still be used, this runs up until 4th July 2010. During the interim period certification will be based on existing qualification schemes and professional experience. This will enable training and certification of personnel currently active in the areas covered by this Regulation, without interrupting their professional activity and to give the fire protection industry as a whole time to obtain the new qualifications. The existing qualification that is deemed an interim certificate is defined as an “in-house qualification” in the GB Fluorinated Greenhouse Gases Regulations 2009 (Statutory Instrument No. 261).

Full Arrangements

By 4th July 2010 all personnel wishing to work on fire protection systems containing F gases need to hold a full certificate that meets the minimum requirements for certification of personnel handling F gases as set out in Commission Regulation 304/2008.

Personnel wishing to undertake installation, servicing and maintenance on fire protection systems containing 3 kg or more of F gas need to hold either:

- ◆ Fire Industry Association F-Gas Competency Certificate, or
- ◆ European qualification recognised under mutual recognition provisions, see Section 5.3 for more details

Contact Fire Industry Association (FIA) for more details:

- ◆ Telephone: 020 8549 5855, email: info@fia.uk.com; website: www.fia.uk.com

3. Company Certification Requirements under the F Gas Regulations

All companies (including sole traders) undertaking work with fire protection equipment will need to hold Company Certification if they employ personnel to carry out installation, maintenance or servicing on fire protection systems containing F gases.

The timetable specified in the Commission Regulation 304/2008 is as follows:

- ◆ An interim company certificate or full certificate must be held by 4th July 2009.
- ◆ A full company certificate must be held by 4th July 2010.

Defra has named the Fire Industry Association (FIA) as the Company Certification body for the Fire Protection sector. To obtain a Company Certificate companies will need to prove that:

1. They employ appropriately certified personnel in a sufficient number to cover the expected volume and type of activities;
2. To gain a full Company Certificate proof will be needed that the necessary tools and procedures are available to the personnel engaged in activities for which certification is required.

For the purposes of Company Certification each separate legal 'person', including sole traders, needs to hold a Company Certificate.

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The Company Certification requirements provide a means for the operator to verify the scope and certification of the Company and Personnel it employs to install, maintain and service its fire protection systems that contain F gases by inspecting the Company Certificate issued by the FIA or checking the list on the FIA website.

4. Taking Delivery

The taking delivery obligation applies to an organisation taking delivery of F gases to undertake the activities described in Articles 3 and 4 of the EC F gas Regulation, namely leak checking, repair and recovery. Companies involved in carrying out these activities can only take delivery of containers of F gas if it employs relevant personnel that are appropriately qualified and certificated. For many companies working on fire protection equipment this is not relevant as manufacturing sites are exempt from personnel and company certification requirements, as mentioned on page 1.

5. Other Useful Information

This section provides further details of issues related to qualifications and certification of personnel.

5.1. Exemptions from Personnel Qualifications

The following exemption applies to trainees:

- ◆ Trainees are exempt for up to 1 year, but they must work under the supervision of a technician with the requisite qualification and must be enrolled on a relevant training course.

An employer must ensure that the training will enable an employee to carry out relevant work satisfactorily and must retain records for each employee trained (name, training provided, date provided, date of certificate issuance). A trainee may work under the supervision of a person who has obtained the prerequisite qualification and who intends to obtain that qualification.

5.2. What is an in-house qualification?

In-house qualification is defined in national regulations and means a qualification verified by a certificate of competence or other written confirmation issued by an employer to such of its employees who have successfully completed a course of training provided by that employer relating to the work in question.

A **course of training** provided by an employer must enable an employee who has been trained to carry out relevant work satisfactorily. An employer must keep a record of training and must provide a copy to an employee which shows the name of employee trained, course provided, dates provided and date of completion or other confirmation that course was completed.

5.3. What is the status of a non-UK personnel qualification?

The EC F gas Regulation requires that Member States give mutual recognition to certification of suitable qualifications from other EU countries. This will only apply to a “full qualification” that meets the minimum requirements specified in Commission Regulation 304/2008. In some EU countries the existing qualifications already meet or go beyond these minimum requirements. The European Commission will be compiling a list of qualifications that meet the new minimum requirements (not available at the time of writing this document).

Interim personnel certificates issued by other EU Member States will not be valid in the GB and vice versa.

5.4. What is the status of a non-UK company certificate?

As with personnel certificates, a company certificate issued in another EU Member State is valid in the GB.

Interim company certificates from other Member States will not be valid in the GB and vice versa.



How to Contact F-Gas Support:

Telephone Help Line: 0161 874 3663 **Website:** www.defra.gov.uk/fgas

Email: fgas-support@enviros.com **Post:** F-Gas Support, P O Box 481, Salford, M50 3UD

This document has been prepared by F-Gas Support; the information provided is intended as guidance and must not be taken as formal legal advice nor as a definitive statement of the law. Ultimately only the courts can decide on legal questions and matters of legal interpretation. If you have continuing concerns you should seek legal advice from your own lawyers.

F-Gas Support is a Government funded team set up to help organisations understand their obligations under the EU Fluorinated Greenhouse Gases and Ozone Regulations. F-Gas Support is also working with Regulators to promote compliance. It is being run on behalf of Defra and the devolved administrations by the Local Authorities Coordinators of Regulatory Services (LACORS) and Enviros.