



Climate change: melting glaciers, diminishing water resources, trapped sunrays increase global warming

FGAS CERTIFICATION IN ITALY: THE CURRENT SITUATION

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After about five years since the official register of the National Registry of Persons and Companies working in the field of EC Regulation 303/2008, and the certification system required by Presidential Law n. 43 of 2012 is fully active, here is the number of persons and enterprises recorded and certified in the National registry on 31st December 2016.

DATA OF PERSONS AND ENTERPRISES IN NATIONAL REGISTRY

On 31st December 2016, these were the data about persons and enterprises recorded and certified:

Persons

	303/2008
Recorded	78.500
Certified	56.500

About 72%

Enterprises

	303/2008
Recorded	50.200
Certified	24.200

About 48%

Considering the Regulation 303/2008, these data means there are about 22.000 people joined, and therefore aware of the obligation of certification. However, these people have not yet obtained the certification, they are operating outside the law. Similarly, there are still about 26,000 companies in the same conditions. Clearly, the data don't consider companies and persons who have not even joined the National Registry.

WHAT ARE THE OBLIGATIONS

Each member state of European Union has in fact interpreted the Regulation (EC) 842/2006 and defined special rules in the system of certification and qualification of interested parties.

In Italy, it has been introduced the Electronic Registry, which is a novelty compared to other European countries. Its primary purpose is the census of all the subjects falling under the new certification requirements.

As established by Italian law, companies operating in the field of refrigeration, air conditioning and heat pumps, as well as people working on the same equipment, are required to sign up in the Registry.

Access to the Register is a necessary condition for the company to be recognized by the competent authorities and by the market as an enterprise officially working in the industry.

In fact, customers can freely search for the company of which they use maintenance and installation services on the National Register and verify that the company has actually fulfilled its legal obligations and possesses all the necessary qualifications to carry out its work with competence and professionalism.

After that, the subject must provide to obtain certification.

How to Obtain the Certification?

Legal obligations of companies and persons are not ended with the registration.

Since the company sign up the Register, before starting with the operations that have to obtain the certificate under Regulation EC 303/2008.

This certificate lasts 5 years for companies and 10 for persons and to achieve it they must consult a Certification Body.

The Certification Body must be accredited by Accredia and approved by the Ministry of Environment.

To make the information accessible to the public and ensure that misunderstandings will not occur, on website www.fgas.it anyone can verify if a Certification Body has all the credentials to be able to provide the service.

Everyone can just go to the "Consultation" section and then select "Search for Section", by selecting the Section "A". Here, under the profile "Certification Body of people and companies", you can enter the name of the Certification Body you are looking for. In addition, verify if it is authorized to issue the certificate, according to European Regulation.

What does the Person have to demonstrate to obtain the Certificate?

The person has to pass an exam theory and practice during which demonstrate all the knowledge and skills described in Regulation 303/2008.

In the nine years following, the person has to maintain of certification, through the submission of documents to the certification body.

What does the Company have to demonstrate to obtain the Certificate?

To obtain the Certificate, the company must undergo a certification audit.

On this occasion, an inspector of the Certification Body goes to the company and verifies that all the requirements are in compliance with what is required by law.

The European Regulation, Presidential Law n. 43 of 2012 and the Technical Regulation Accredia RT29 define the requirements that the company must have in order to successfully pass the certification audit and to obtain the final certificate.

Finally, also the procedures developed by the Certification Body give some indication of the audit requirements.

The prerequisite, without which the company can't obtain the final Certificate, is that it provides evidence of being registered to the correct section of the Register and thus be in possession of the Certificate of Registration to the registry.

The very first requirement to be fulfilled is that the company make use of certified personnel, for the activities falling under certification, in sufficient number to cover the expected volume of activities.

To evaluate the minimum number of people that the company has to certify, it has been setup a grid of correspondence between the turnover resulting from specific activities and corporate employees so, if a company observes a given average turnover for those activities, it must provide a minimum number of certified people, in accordance with the declared turnover.

It is important that this concept is not literally interpreted, as European Regulation and Italian laws clarify that any person handling fluorinated greenhouse gases must be certified before they can carry out their work, due to the high environmental risk of handling this equipment by unqualified or inexperienced personnel.

This means that the grid provides an indicative minimum given, but if the company avail of a number of people higher than those indicated in the grid, they all should be certified (not only the number of people that corresponds to the indications of the grid).

The first aim of the European Regulations is, indeed, to prevent that poorly trained staff handles equipment containing refrigerant gases.

Another requirement is that the company proves to possess and make available to the personnel procedures and equipment needed to carry out its activities.

Companies, that have already implemented a management system or that are already certified to ISO 9001, are probably already close to meet this requirement.

In fact, the company must provide a management system that allows personnel to work "in quality" so to perform the installation, maintenance and repairing activities with a good degree of safety.

Among required procedures, there are, definitely, under control and qualification of staff procedures, under control of equipment procedures and handling complaints and non-compliance procedures.

Of course, every company operating in the sector has also all the necessary equipment to provide its service. The company must demonstrate that such equipment is adequate and available for the work of the staff. An additional requirement, as required by Presidential Decree n. 43 of 2012 is the Quality Plan.

The Quality Plan is a document that describes procedures applicable to service delivery and resources that should be used to accomplish it, tasks and responsibilities, recordings. Therefore, it is a very detailed document, describing by whom and when the activity should be performed and how the company supervises the entire process.

It can be useful and effective to utilize and store the so-called "Reports of Intervention" that companies often use to report, to the engineer who will do the technical work, data in their possession (where the intervention takes place, whether it is a routine maintenance or if the client has detected a malfunction, and so on) and that the technician fills in and returns to the company at the end of the intervention.

Once the company have passed the certification audit, the Certification Body shall issue the five-year certificate and shall report in the registry that the company has obtained the final certificate.

To maintain certification, every 12 months the companies must undergo the maintenance audits. It is then a total of 4-maintenance audits documentary.

During this maintenance, the company submit some documents to the certification body, that do a documentary check, without having to visit the company, saving resources.

During the verification will be required documents to verify continuing compliance with the law, an update of the equipment, an update to the list of certified personnel, the company declaration on the absence of complaints received.

Following each verification, the Certification Body shall confirm in the Register that the company still has a certificate active.

What happens to a Subject that decides not to be certified?

The European Regulation n. 842 of 2006, Article 13 states that every EU member state should establish "effective, proportionate and dissuasive" sanctions for defaulters.

For this reason, Italy has issued Legislative Decree n. 26 of 2013. In it are described penalties incurred by those who don't certify, that don't join the national registry or that are using non-certified staff.

The sanctions have an amount from 10,000 to 100,000 euros.

What is new in the Reg. (EC) 517/2014?

Regulation 517/2014 confirms the interest of the European Community on environmental issues relating to the fluorinated gases.

All new features are in line with the previously Reg. (EC) 842/2006, so that is not denied but its scope is expanded. Many are the points touched in the new regulation.

Regulation 517/2014 deals with the obligation to check the equipment and record keeping related to plants containing fluorinated gases. A theme is also the recovery of gas, very important aspect which is addressed in detail, as well as requirements for the labeling of products containing fluorinated gases. One of the most important is without doubt the regulation and control of production, import and export of fluorinated gases. The new regulation in fact establish a mechanism of emission allowances similar to that still exists concerning the Greenhouse Gases.

Article 10 is devoted to the issues of certification and training.

This article says that member states should ensure the certification of those involved in installation maintenance and repair, loss control and gas recovery on equipment already under obligation.

The requirement for certification is now extended even to those who deal with cold store and refrigerators trailers, switches and Rankine cycles.

For training programs and certification Reg. (EC) 517/2014 refers to specific regulations 303-307 of 2008, we already know.

Article 10 also confirms that all the certificates and the attestation already issued according to Reg. (EC) 842/2006 remain valid.

The member states have to ensure the availability of training for those who want to stay updated on the issues covered by these regulations.

As happened before, it gives Member States the option of defining the practical details to realize the legal compliance.

In these months, the Ministry of Environment is defining a specific law about new requirements, so people and enterprises involved can conform themselves and operate acting in the law. In the same way, the Italian accreditation body Accredia and the italian certification bodies will defining their own actions to help people and enterprises in this new adjustment.