Schedule A to FAQ

This schedule is provided to explain the requirements of the Fluorinated Greenhouse Gas “F-Gas” Regulation (EU 2024/573) - **Regulation (EU) 2024/573 of the European Parliament and of the Council of 7 February 2024 on fluorinated greenhouse gases, amending Directive (EU) 2019/1937 and repealing Regulation (EU) No 517/2014,** to evidence compliance with the requirements for the “Putting into Operation” of electrical switchgear.

# F-Gas Regulation

On 20th February 2024, updated F-Gas regulation 2024/573 was published in OJEU (Official Journal of the European Union) and came into effect on the 11th March 2024. The regulations introduce new controls on the use of fluorinated gases for various applications and include SF6 which is extensively used in electrical switchgear for applications from MV up to 400 kV.

REGULATION (EU) 2024/573 was published 20th Feb, entering into force 11th March 2024: -

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ%3AL_202400573>

The legislation introduced prohibitions on the use of SF6 in electrical switchgear, linking the prohibitions to the “Putting into Operation” of electrical switchgear. Article 13.9 sets out prohibition dates as below:

|  |  |  |
| --- | --- | --- |
| Voltage Range | Prohibition Date | Switchgear Voltage |
| 0-24 kV | 1st Jan 2026 | 10/20 kV (MV) |
| >24 kV ≤ 52 kV | 1st Jan 2030 | 38 kV |
| >52 kV ≤ 145 kV≤50 kA | 1st Jan 2028 | 110 kV |
| >145 kV >50 kA | 1st Jan 2032 | 220/400 kV |

Table 1: F-Gas Prohibition Dates

The F-Gas regulation 2024/573 prohibition dates shall not apply where evidence verifies that the order for the electrical switchgear has been placed before 11th March 2024.

“Putting into Operation” (the “Term”) is terminology contained in REGULATION (EU) 2024/573, The EU commission has published guidance in the form of FAQ as an interpretation of putting into operation:

***Putting into operation is the moment of handover of the equipment to the operator for use/exploitation, after completion of any necessary tests of functionality, performance or other, and any required inspections. On the other hand, energization or connection to the grid is not a requirement.***

**This is only one interpretation and since it is subject to a final interpretation by the courts of Ireland or the European Court of Justice, then there is no guarantee that this interpretation is correct. Ultimately, it is the legal responsibility of the installer to carry out and complete “Putting into Operation”. The customer/contractor is therefore advised to seek their own independent legal advice on the interpretation of the Term.**

The following templates are for use in each scenario. Navigate and complete the applicable template to your electrical switchgear installation.

* Schedule A part 1 – Applicable to electrical switchgear ordered ON or AFTER 11th March 2024
* Schedule A part 2 – Applicable to electrical switchgear ordered BEFORE 11th March 2024
* Schedule A part 3 – Applicable to Cascade Principle assessment – “Putting into Operation” of electrical switchgear AFTER the respective Prohibition Date
* Schedule A part 4 – Applicable to electrical switchgear “Putting into Operation” after being “Taken Out of Operation” from different location
* Schedule A part 5 – Applicable to extension of existing electrical switchgear containing fluorinated gases

# SCHEDULE A PART 1

# FORM OF DECLARATION in respect of “Putting into Operation” Compliance – Electrical switchgear ordered On or AFTER 11th March 2024

In accordance with EU regulation 2024/573, all entities must confirm switchgear under their control has been compliantly “Put into Operation”.

**DECLARATION OF COMPLIANCE ADDRESSED TO [TO WHOM IT MAY CONCERN – EMPLOYER AND / OR EPA]**

**We [The OEM, Contractor, or competent entity] declare (for electrical switchgear ordered on or after 11th March 2024), that the electrical switchgear using fluorinated gases is in compliance with Article 13.9 - “Putting into Operation”****[[1]](#footnote-2) and all necessary tests and inspections as identified by the OEM have been completed**

**This shall include but not limited to: gas quality and tightness checks where gas filling/assembly is performed, electrical testing where switchgear is assembled, operational testing and visual inspections.**

NAME (BLOCK CAPITAL + Signature): COMPANY:

ROLE (Managing Director or Company Secretary):

FOR AND ON BEHALF OF [Company name]:

Project Name, Location, Substation Name (if applicable):

Details of switchgear (manufacturer, model, serial number):

**Date of “Putting into Operation” (dd/mm/yyyy):**

**\*NOTE:**

The OEM, Contractor, or competent entity completing tests **before the relevant prohibition date** shall use the above template and reproduce on a company letterheaded document and furnish this completed document to the Employer within three weeks of “Putting into Operation”.

This document is required in addition to the regular on-site documentation provided to the Employer upon completion of switchgear testing.

Documentation establishing the evidence shall be kept for at least 5 years and shall be made available upon request.

# SCHEDULE A PART 2

# FORM OF DECLARATION in respect of “Putting into Operation” Compliance – Electrical switchgear ordered BEFORE 11th March 2024

For electrical switchgear using fluorinated gases that an order **has** been placed before 11th March 2024, documented evidence of the order date shall be provided.

**DECLARATION OF COMPLIANCE ADDRESSED TO [TO WHOM IT MAY CONCERN – EMPLOYER AND / OR EPA]**

**We [The OEM, Contractor, or competent entity] declare the electrical switchgear containing fluorinated gases has been ordered before 11th March 2024 in compliance with Article 13.14**

NAME (BLOCK CAPITAL + Signature): COMPANY:

ROLE (Managing Director or Company Secretary):

FOR AND ON BEHALF OF [Company name]:

Project Name, Location, Substation Name (if applicable):

Details of switchgear (manufacturer, model, serial number):

Notification issued to the competent authority (date, reference and copy):

**Date of Order (dd/mm/yyyy):**

**Purchase Order number:**

**Invoice reference number:**

The OEM, Contractor, or competent entity undertaking tests shall use the above template and reproduce on a company letterheaded document and furnish this completed document to the Employer within three weeks of “Putting into Operation”.

This document is required in addition to the regular on-site documentation provided to the Employer upon completion of switchgear testing.

Under the legislation where electrical switchgear is Put into Operation, the Contractor or competent entity shall notify the competent authority.

Documentation establishing the evidence shall be kept for at least 5 years and shall be made available upon request, to the competent authority of the Member State concerned or to the EU Commission.

2 *“Putting into Operation” (the “Term”) is terminology contained in REGULATION (EU) 2024/573, Putting into operation is the moment of handover of the equipment to the operator for use/exploitation, after completion of any necessary tests of functionality, performance or other, and any required inspections. On the other hand, energization or connection to the grid is not a requirement.*

# SCHEDULE A PART 3

# Cascade Principle assessment – “Putting into Operation” of electrical switchgear AFTER the respective Prohibition Date

“Putting into Operation” of electrical switchgear AFTER the respective Prohibition Dates in Article 13, there must be evidence that the Cascade Principle requirements are met (as outlined in Article 13.11 and Article 13.12) before switchgear using higher GWP can be considered during procurement evaluation and subsequently “Put into Operation”.

**Table included below FOR INFORMATION ONLY. Please refer to EU Regulation 2024/573 and seek independent legal advice on interpretation of any legislation.**

 

**Table 1:** **For information only – Graphical representation of EU F-Gas Regulation (2024/573) Article 13.11 and Article 13.12**

**DECLARATION OF COMPLIANCE ADDRESSED TO [TO WHOM IT MAY CONCERN – EMPLOYER AND / OR EPA]**

**We [The OEM, Contractor, or competent entity] declare for electrical switchgear containing fluorinated gases being “Put into Operation” 2 after the prohibition dates that the procurement process in compliance with Article 13.11 and 13.12 (Cascade principle) of F-Gas Regulation 2024/573 has been followed.**

NAME (BLOCK CAPITAL + Signature): COMPANY:

ROLE (Managing Director or Company Secretary):

FOR AND ON BEHALF OF [Company name]:

Project Name, Location, Substation Name (if applicable):

Details of switchgear (manufacturer, model, serial number, GWP):

Notification issued to the competent authority (date, reference and copy):

**Date of “Putting into Operation” (dd/mm/yyyy):**

The OEM, Contractor, or competent entity shall use the above template and reproduce on a company letterheaded document and furnish this completed document to the Employer prior to Tender award.

This document is required in addition to the regular on-site documentation provided to the Employer upon completion of switchgear testing.

Under the legislation where electrical switchgear is Put into Operation, the Contractor or competent entity shall notify the competent authority.

Documentation establishing the evidence shall be kept for at least 5 years and shall be made available upon request, to the competent authority of the Member State concerned or to the EU Commission.

2 *“Putting into Operation” (the “Term”) is terminology contained in REGULATION (EU) 2024/573, Putting into operation is the moment of handover of the equipment to the operator for use/exploitation, after completion of any necessary tests of functionality, performance or other, and any required inspections. On the other hand, energization or connection to the grid is not a requirement.*

# SCHEDULE A PART 4

# Compliance for electrical switchgear – “Putting into Operation” after being “Taken Out of Operation” from different location

Switchgear which was “Operating” in the EU is permitted to be “taken out of operation” and redeployed in the EU under F-Gas regulation 2024/573, Article 13.10.

**DECLARATION OF COMPLIANCE ADDRESSED TO [TO WHOM IT MAY CONCERN – EMPLOYER AND / OR EPA]**

**We [The OEM, Contractor, or competent entity] declare “operating” location information for electrical switchgear containing fluorinated gases which has been “taken out of operation” and intended to be redeployed after the prohibition dates in compliance with Article 13.10 of F-Gas Regulation 2024/573.**

**By signing below, you are confirming switchgear has previously been “operating” in the EU.**

NAME (BLOCK CAPITAL + Signature): COMPANY:

ROLE (Managing Director or Company Secretary):

FOR AND ON BEHALF OF [Company name]:

Project Name:

“Putting into Operation” Original Location and Substation Name (if applicable):

Details of switchgear (manufacturer, model, serial number, GWP):

**Original Date of “Putting into Operation”2 (dd/mm/yyyy)\*:**

\*NOTE: Switchgear installed prior to 11th March 2024 (EU Reg 2024/573 effective date) may only have installation or nameplate date of manufacture as reference date for “Putting into Operation”.

“Putting into Operation” New Location and Substation Name (if applicable):

This document is required in addition to the regular on-site documentation provided to the Employer upon completion of switchgear testing.

For ESB owned assets, SAP and GAR (General Asset Registry) records demonstrate previous “operating” location.

Documentation establishing the evidence shall be kept for at least 5 years and shall be made available upon request, to the competent authority of the Member State concerned or to the EU Commission.

2 *“Putting into Operation” (the “Term”) is terminology contained in REGULATION (EU) 2024/573, Putting into operation is the moment of handover of the equipment to the operator for use/exploitation, after completion of any necessary tests of functionality, performance or other, and any required inspections. On the other hand, energization or connection to the grid is not a requirement.*

# SCHEDULE A PART 5

# Compliance for switchgear – Extension of existing electrical switchgear containing fluorinated gases

“Putting into Operation” **2** prohibition dates in Article 13.9 do not apply for electrical switchgear extension provided the criteria under Article 13.15 are met as follows:

1. Devices to extend existing electrical switchgear that use fluorinated greenhouse gases with a lower global warming potential than the fluorinated greenhouse gases used in the existing electrical switchgear are not compatible with the existing electrical switchgear,
2. And the use of those devices would require the replacement of the existing entire electrical switchgear.

**DECLARATION OF COMPLIANCE ADDRESSED TO [TO WHOM IT MAY CONCERN – EMPLOYER AND / OR EPA]**

**We [The OEM, Contractor, or competent entity] declare extension of existing electrical switchgear is permitted in compliance with Article 13.15 of F-Gas Regulation 2024/573 considering the above compatibility and existing replacement constraints.**

**By signing below, you are confirming criteria outlined in Art.13.15 has been met and therefore it is permitted to extend existing switchgear with the same technology.**

NAME (BLOCK CAPITAL + Signature): COMPANY:

ROLE (Managing Director or Company Secretary):

FOR AND ON BEHALF OF [Company name]:

Project Name:

Location and Substation Name (if applicable):

Notification issued to the competent authority (date, reference and copy):

Details of switchgear (manufacturer, model, serial number, GWP):

* Existing switchgear:
* Extension switchgear option:

The OEM, Contractor, or competent entity shall furnish all details of electrical switchgear and extension options to the Employer prior to Tender award. Details of the criteria and assessment for extension of existing electrical switchgear containing fluorinated gases shall be recorded.

Under the legislation where electrical switchgear is Put into Operation, the Contractor or competent entity shall notify the competent authority.

Documentation establishing the evidence shall be kept for at least 5 years and shall be made available upon request, to the competent authority of the Member State concerned or to the EU Commission.

2 *“Putting into Operation” (the “Term”) is terminology contained in REGULATION (EU) 2024/573, Putting into operation is the moment of handover of the equipment to the operator for use/exploitation, after completion of any necessary tests of functionality, performance or other, and any required inspections. On the other hand, energization or connection to the grid is not a requirement.*

1. *“Putting into Operation” (the “Term”) is terminology contained in REGULATION (EU) 2024/573, Putting into operation is the moment of handover of the equipment to the operator for use/exploitation, after completion of any necessary tests of functionality, performance or other, and any required inspections. On the other hand, energization or connection to the grid is not a requirement.* [↑](#footnote-ref-2)