



Federal Halocarbon Regulations, 2022 (FHR 2022):

Owner, responsible person and certified person

The *Federal Halocarbon Regulations, 2022 (FHR 2022)*, establish requirements for refrigeration, air-conditioning, fire-extinguishing, and solvent systems and containers under federal jurisdiction.

The FRH 2022 prescribe various reporting, servicing and record-keeping requirements that are the responsibility of the owner of the system, the responsible person for the system or a certified person, depending on the requirement.

Owner

This term is not defined in the FHR 2022. Generally, it means a person that has the legal or rightful title to a system or a container. An owner under the FHR is responsible for making decisions concerning the procurement of the systems or containers, the permit applications under the regulations as necessary, record-keeping, reporting releases and ensuring environmentally sound disposal of systems or containers at the end of their useful life.

Responsible person

In respect of an air-conditioning system or refrigeration system, solvent system, fire-extinguishing system or container, means the person responsible for its service and operation.

Service is defined under the regulations as any work that is carried out on an air-conditioning system or refrigeration system, solvent system, fire-extinguishing system or container and that involves the components that contain or are designed to contain a halocarbon, such as the charging of a system or container with a halocarbon, the removal or reassembly of one or more components of the circuit containing a halocarbon or the detection and repair of leaks.

The responsible person may be a contractor hired by the owner.

The responsible person for the installation, service or recovery of halocarbons from an **air-conditioning or refrigerant system** must be a certified person.

Certified person

A certified person means a person who:

- a. holds a valid certificate recognized by at least one province indicating completion of an environmental awareness course in recycling, recovery and handling procedures in respect of halocarbon refrigerants; and
- b. is recognized by the Canadian Forces or under the laws of Canada or a province (or territory) as qualified to work on air-conditioning systems or refrigeration systems.

The certificate is not the same as a trade certification/qualification, nor is it intended to imply any trade qualification.



Air-Conditioning and Refrigeration Systems

The FHR 2022 stipulates that only a certified person may install or service an air-conditioning system or refrigeration system, or recover the halocarbon they contain.

Certification can be obtained via various organizations including:

- › [Heating, Refrigeration and Air-Conditioning Institute of Canada \(HRAI\)](#)
- › HRAI [delivery partners](#)
- › [Manitoba Ozone Protection Industry Association \(MOPIA\)](#)
- › [Commission de la construction du Québec](#)

Case examples of activities and responsibilities under the FHR 2022:

Example 1

A federal department has the legal right and title to a building and all associated systems (air-conditioning, refrigeration, fire-extinguishing and solvent systems), thus those systems are regulated under the FHR 2022. This federal department is therefore the “owner” of the systems. This federal department may sign a contract with a facility management company to operate and service the regulated systems under the FHR 2022. The person mandated by the facility management company to operate or service the systems is the “responsible person” for those systems pursuant to the FHR 2022. The service of the air-conditioning and refrigeration systems must be performed by a “certified person”. The certified person could be the same as the “responsible person” if that responsible person holds a valid certificate.

Example 2

A federal department leases office space in a building that includes air-conditioning, refrigeration, fire-extinguishing and solvent systems and containers. The building is not owned by the federal government or a federal work or undertaking, nor is it located on aboriginal land or federal land. These systems would not be regulated under the FHR 2022, but would be subject to applicable provincial or territorial regulations.

Example 3

A company owns a building and all its associated systems (air-conditioning, refrigeration, fire-extinguishing, solvent systems) and containers. The building is located on federal land. The systems are therefore regulated under the FHR 2022. This company is the “owner” of the systems. An employee of this company may be the “responsible person” to operate all the systems and possibly service them if he or she has the proper expertise and qualifications including a valid certificate as required by the FHR 2022 and thus, in that case, that employee would also be “certified person” as defined in the FHR 2022.

Good to know – other useful information

- › Overview of the *Federal Halocarbon Regulations 2022*
- › Inventory of large systems or large containers
- › Size-dependent obligations for systems or containers
- › Leaks and leak tests
- › Maintenance of systems and containers
- › Reporting a release of a halocarbon
- › Prohibitions and permits

For more information, visit our website www.canada.ca/federal-halocarbon-regulations.

If the information you need is not available on our website, contact your regional office or the Halocarbon Program:

Pacific & Yukon: rfhpromcon-py-fhrcompro@ec.gc.ca

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Ontario: promcon-on-compro@ec.gc.ca

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Disclaimer: This material has been prepared for convenience of reference and accessibility and does not have an official character. It is of a general nature only. For all purposes of interpreting and applying the Regulations, users must consult the official version of the *Federal Halocarbon Regulations, 2022* and seek their own legal advice as appropriate.

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