Re.: how to ensure spare part availability in the Ecodesign Regulation on circulators

Dear Ms Maya-Drysdale,

We write to you in relation to the review study of the Ecodesign Regulation (EU) 641/2009 on circulators, specifically to the issue of spare part availability for heaters that were not originally designed with a highly efficient circulator.

We believe that the availability of circulators supplied as spare parts deserves a specific chapter within this review study. Setting ecodesign requirements on components integrated in products, which are already covered by ecodesign measures, may hamper reparability and shorten the life cycle of the final product.

For the Ecodesign regulation on circulators, several legal uncertainties on the availability of spare parts need to be clarified, once circulators integrated in products after 1 August 2015 are no longer exempt from the ecodesign energy efficiency limits (i.e. as of 1 January 2020).

This is crucial for heating products (boilers, heat pumps, micro CHP or solar thermal) because consumers expect that their heater can be repaired over its life cycle, thus that spare parts are available on the market for at least 15 years. National legislation requires the reparability of heating appliances for as long as 15 years, in some cases. For example, German customary jurisprudence calls for guaranteeing the availability of spare parts for heaters during at least ten years; in France, manufacturers should inform and declare the availability period for heater spare parts (e.g. 15 years); in Belgium, heater manufacturers committed to provide spare parts for at least 10 years when they provided a gas appliance with the label HR+ or HR Top.

In addition, the end of the exemption for circulators integrated in products entails several legal issues (please see the Annex below for further details):

- How to ensure that the installed heater still complies with European legislation if its integrated circulator is replaced?
- How to ensure that the heater already placed on the market can be repaired during its average life cycle, if an integrated circulator is not available on the market as a spare part anymore?

Further legal clarification is therefore needed to guarantee the availability of original spare parts and ensure heater reparability without altering the conformity of the entire product, from a technical, as well as safety point of view. This would be in line with the European Circular Economy Strategy that aims to encourage the reparability and durability of products.

For all these reasons, we invite you to analyse all legal consequences, such as those mentioned above, regarding the exemption from the ecodesign energy efficiency limits for circulators integrated in products.

As a possible solution, we suggest evaluating the possibility of spare parts to be exempt from Ecodesign by taking into consideration the average life-cycle of products.

We thank you for your attention and are available for a meeting to present to you our views.

Please do not hesitate to contact us for any further details.

Best regards,

Jonathan Graham, Federica Sabbati, Thomas Nowak, Andrea Voigt, Tristan Suffys
Energy Policy Secretary General Secretary General Secretary General Secretary General
WG Chairman EHI EHPA EPEE Eurofuel
COGEN Europe

CC: Robert Nuij, Head of Sector, European Commission, DG ENER, Energy Efficiency Unit C3
Annex: two cases where further legal clarification is needed to ensure spare part availability

1) If the pump manufacturer replaces the old integrated circulator with a highly efficient circulator that is perfectly interchangeable, how to ensure that the heater already placed on the market still fulfils the Gas Appliance Directive (‘GAD’ 90/396/EEC), the Electromagnetic Compatibility Directive (‘EMC’ 2004/108/EC), and the Low Voltage Directive (‘LVD’ 73/23/EEC)?

Already installed heaters, in fact, could no longer be available for tests with the new circulators, or could be not meeting the security requirements from the Gas Appliances Regulation (‘GAR’ 2016/426).

In addition, replacing the old circulator by a highly efficient circulator during the heater’s life cycle means retesting other parts of the heating appliance. For example, the electronic detecting system should be checked to confirm it is properly detecting temperature differences with the new circulator, and to confirm the heater can still comply with the EMC Directive. This can be critical both for the reliability and the efficiency of the heater.

➢ Are additional tests of the installed heater equipped with a highly efficient circulator required according to the most recent EU rules and standards?
➢ And if so, how to test the installed heater according to the lab testing conditions?
➢ How is the Declaration of Conformity of the installed heater impacted?

2) If the pump manufacturer cannot replace the old integrated circulator with a highly efficient circulator, how to ensure that the heater already placed on the market can be repaired during its average life cycle, if an integrated circulator is not available on the market as a spare part anymore?

Moreover, for technical reasons, spare parts (old integrated circulators) cannot be stored for more than about three years to ensure full functionality. For example, capacitors and electronic boards need to be connected to the power supply to be operational.

➢ How to ensure that the pump manufacturer can provide the old integrated circulator for replacement during a reasonable period of time given the low volume of spare parts at stake?
About COGEN Europe:
COGEN Europe is the European association for the promotion of cogeneration. Its principal goal is to work towards the wider use of cogeneration in Europe for a sustainable energy future. Cogeneration or Combined Heat and Power (CHP) is the most efficient way to deliver heating, cooling and electricity. COGEN Europe promotes the widespread development of cogeneration in Europe and worldwide. To achieve this goal, COGEN Europe works at the EU level and with member states to develop sustainable energy policies and remove unnecessary barriers to implementation. For more information, please visit: www.cogeneurope.eu.

About EHI:
EHI, the Association of the European Heating Industry, represents 90% of the European market for heat and hot water generation, heating controls and heat emitters, 80% of biomass central heating, as well as more than 70% of the hydronic heat pump and solar thermal markets. Our Members are the market leaders in the production of energy efficient and renewable energy technologies to affordably heat buildings. In doing so, they employ directly more than 120.000 people in Europe and invest more than seven hundred million euros a year in research and innovation. For more information, please visit: www.ehi.eu.

About EHPA:
EHPA, the European Heat Pump Association, promotes awareness and deployment of heat pump technology in Europe. All activities aim at creating a market environment that facilitates a faster deployment of heat pump technology to unleash its benefits on a European level: efficient heating and cooling using renewable energy. EHPA also coordinates the Heat Pump Keymark – a European certification scheme for all heat pumps, combination heat pumps and hot water heater. For more information, please visit: www.ehpa.org.

About EPEE:
The European Partnership for Energy and the Environment (EPEE) represents the refrigeration, air-conditioning and heat pump industry in Europe. Founded in the year 2000, EPEE’s membership is composed of 40 member companies, national and international associations.
EPEE member companies realise a turnover of over 30 billion Euros, employ more than 200,000 people in Europe and also create indirect employment through a vast network of small and medium-sized enterprises such as contractors who install, service and maintain equipment.
EPEE member companies have manufacturing sites and research and development facilities across the EU, which innovate for the global market.
As an expert association, EPEE is supporting safe, environmentally and economically viable technologies with the objective of promoting a better understanding of the sector in the EU and contributing to the development of effective European policies. Please see our website (www.epeeglobal.org) for further information.

About Eurofuel:
Eurofuel is the European Heating Oil Association, which represents the national organisations that promote the use of liquid fuels for domestic heating in 10 European countries, including over 10,000 companies. Heating oil is nowadays an important and very efficient source of energy to provide comfortable temperatures in homes of millions of Europeans. It is a perfect back-up to accompany the deployment of renewable energy sources. Increasingly, multi-energy hybrid heating systems are being developed. Thanks to unique storage capacities, heating oil ensures a constant and reliable energy supply whenever the combined renewable systems cannot deliver. In difficult economic times, highly efficient modern oil heating systems combined with renewable systems represent a cost-effective and realistic option for households to reduce their energy consumption at a lower cost and contribute to save our environment. Find out more at www.eurofuel.eu.