



24.10.2012

NOTICE TO MEMBERS

Subject: Petition 0258/2012 by Walter Fischer (German), on carbon dioxide emissions by incinerators

1. Summary of petition

The petitioner points out that in Germany many asphalt producers are switching from natural gas to lignite. While switching to lignite saves costs, it results in an increase in carbon dioxide emissions. There are stringent standards in Germany with regard to harmful emissions of sulphur and NO_x, for example. Carbon dioxide, however, is not considered a harmful substance. Its emission is regulated only at EU level (Directive 2003/87/EC) and only for installations with a capacity exceeding 20 MW. The petitioner calls for inclusion of installations with a capacity under 20 MW in the European carbon dioxide emission regulation. According to him, rules which allow regression in the field of climate change and environmental protection should be amended immediately.

2. Admissibility

Declared admissible on 26 June 2012. Information requested from Commission under Rule 202(6).

3. Commission reply, received on 24 October 2012

It is correct to say that combustion installations with a total rated thermal input of less than 20 MW are not included by default in the EU ETS. However, if a Member State wishes to do so, it might opt-in such installations.

The EU ETS currently comprises around 12 000 installations. They represent a large range of emitters with annual emissions varying from less than 10 000 tCO₂ (ca. 5 000 installations) to more than 5 000 000 tCO₂ (ca. 900 installations). The contribution of small and large emitters to the overall emissions covered by the EU ETS is very uneven: for instance, the largest 7%

of installations in the EU ETS represent around 82% of total emissions, while the smallest 41% of installations only account for 0.6% (see EEA report "Application of the Emissions Trading Directive by EU Member States - reporting year 2008", available from : http://www.eea.europa.eu/publications/technical_report_2008_13²).

Against this background, the administrative costs for stationary installations with less than 20 000 tonnes CO₂ emissions per year to participate in the ETS (i.e. costs related to monitoring, reporting and verification) appear high and for very small emitters (less than 5 000 t/CO₂ per year) exceed 1 € per tonne CO₂/yr. For this reason, the Council and the European Parliament as European legislators decided during the review of the Emission Trading Directive in 2008 not to lower the threshold of 20 MW rated thermal input capacity and on top allow Member States to opt out small emitters with less than 25 000 tCO₂/yr on condition that equivalent measures ensuring the contribution of the small emitters opted-out from the EU ETS to the overall emission reduction objectives of the EU will be set up by Member States.

It is important to bear in mind that all CO₂ emissions from stationary installations such as those mentioned in the petition will be tackled in order to ensure their contribution to the overall emission reduction objective of the EU. CO₂ emissions which are not covered by the EU ETS will need to be addressed by national measures of Member States to be undertaken in order to meet their commitment under the Effort Sharing Decision, pursuant to which Germany is committed to reduce its greenhouse gas emissions including CO₂ emissions that are not emitted by sources under the EU ETS by 16% compared to 2005 as contribution to the overall EU emission reduction objective of 20%. In view of the costs involved to achieve the emission reduction targets, Member States are, however, free to choose the most cost effective and efficient means.

Conclusion

It is therefore safe to say that from a European point of view, all installations including those mentioned in the petition are contributing to reducing overall EU greenhouse gas emissions in line with the EU reduction targets.

¹ Despite the fact that these figures describe the situation in 2008, there is no reason to assume that these figure have changed significantly since then.

² Despite the fact that these figures describe the situation in 2008, there is no reason to assume that these figure have changed significantly since then.