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REPORT

on the proposal for a directive of the European Parliament and of the Council amending Directive 98/70/EC as regards the specification of petrol, diesel and gas-oil and introducing a mechanism to monitor and the introduction of a mechanism to monitor and reduce greenhouse gas emissions from the use of road transport fuels and amending Council Directive 1999/32/EC, as regards the specification of fuel used by inland waterway vessels and repealing Directive 93/12/EEC
(COM(2007)0018 – C6-0061/2007 – 2007/0019(COD))

Committee on the Environment, Public Health and Food Safety

Rapporteur: Dorette Corbey

Symbols for procedures

- * Consultation procedure
majority of the votes cast
- **I Cooperation procedure (first reading)
majority of the votes cast
- **II Cooperation procedure (second reading)
majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position
- *** Assent procedure
majority of Parliament's component Members except in cases
covered by Articles 105, 107, 161 and 300 of the EC Treaty and
Article 7 of the EU Treaty
- ***I Codecision procedure (first reading)
majority of the votes cast
- ***II Codecision procedure (second reading)
majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position
- ***III Codecision procedure (third reading)
majority of the votes cast, to approve the joint text

(The type of procedure depends on the legal basis proposed by the Commission.)

Amendments to a legislative text

In amendments by Parliament, amended text is highlighted in ***bold italics***. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the legislative text for which a correction is proposed, to assist preparation of the final text (for instance, obvious errors or omissions in a given language version). These suggested corrections are subject to the agreement of the departments concerned.

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

**on the proposal for a directive of the European Parliament and of the Council amending Directive 98/70/EC as regards the specification of petrol, diesel and gas-oil and introducing a mechanism to monitor and the introduction of a mechanism to monitor and reduce greenhouse gas emissions from the use of road transport fuels and amending Council Directive 1999/32/EC, as regards the specification of fuel used by inland waterway vessels and repealing Directive 93/12/EEC
(COM(2007)0018 – C6-0061/2007 – 2007/0019(COD))**

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2007)0018)¹,
 - having regard to Article 251(2) and Articles 95 and 175(1) of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C6-0061/2007),
 - having regard to Rule 51 of its Rules of Procedure,
 - having regard to the report of the Committee on the Environment, Public Health and Food Safety and the opinions of the Committee on Industry, Research and Energy and the Committee on Agriculture and Rural Development (A6-0496/2007),
1. Approves the Commission proposal as amended;
 2. Calls on the Commission to refer the matter to Parliament again if it intends to amend the proposal substantially or replace it with another text;
 3. Instructs its President to forward its position to the Council and Commission.

Text proposed by the Commission

Amendments by Parliament

Amendment 1 RECITAL 2

(2) The Communication from the Commission to the Council and the European Parliament – Thematic Strategy on Air Pollution established goals to reduce emissions of pollutant emissions

(2) The Communication from the Commission to the Council and the European Parliament – Thematic Strategy on Air Pollution established goals to reduce emissions of pollutant emissions until

¹ Not yet published in OJ

until 2020. These goals flowed from an extensive analysis of costs and benefits. In particular goals are set to reduce SO₂ emissions by 82%, NO_x emissions by 60%, volatile organic compounds (VOCs) by 51% and primary PM_{2.5} by 59% relative to emissions in 2000. The consequences of the amendments of Directive 98/70/EC on VOC emissions from petrol stations should be addressed in future legislation.

2020. These goals flowed from an extensive analysis of costs and benefits. In particular goals are set to reduce SO₂ emissions by 82%, NO_x emissions by 60%, volatile organic compounds (VOCs) by 51% and primary PM_{2.5} by 59% relative to emissions in 2000. ***However, in its resolution of 26 September 2006 on the thematic strategy on air pollution¹, the European Parliament called for more ambitious reduction targets, namely 65% for NO_x emissions, 55% for VOC emissions and 61% for primary PM_{2.5}. This ambition should be reflected in this Directive.*** The consequences of the amendments of Directive 98/70/EC on VOC emissions from petrol stations should ***also*** be addressed in future legislation. ***The Commission should present a progress report prior to presenting a proposal for such future legislation.***

¹ OJ C 306 E, 15.12.2006, p. 176.

Justification

The European Parliament has called for a more ambitious policy to combat air pollution. All legislation on air pollution must accord with this ambition.

Considering the importance of reducing greenhouse gas emissions, as well as the implications for fuel producers and carmakers, any change in the legislation should be based on a progress report that sets out the economic, environmental and social impact of each proposal.

Amendment 2 RECITAL 3

(3) The Community has committed itself under the Kyoto protocol to *Greenhouse Gas* emission targets for the period 2008-12. Inland transport currently accounts for almost 20% of these emissions. The Community ***is considering what level of Greenhouse Gas savings should be sought beyond the Kyoto commitment.*** All sectors will need to contribute to ***the future*** goals.

(3) The Community has committed itself under the Kyoto protocol to *greenhouse gas* emission targets for the period 2008-12. Inland transport currently accounts for almost 20% of these emissions. The Community ***has also committed itself to a 30% reduction in greenhouse gas emissions by 2020 in the context of a global agreement and a 20% reduction***

unilaterally. All sectors will need to contribute to *these* goals.

Justification

The post-2012 objective of 30% or 20% proposed by the Commission is supported by both the Council and Parliament. All legislation on reducing greenhouse gases must accord with this ambition.

Amendment 3 RECITAL 6

(6) Directive 2003/30/EC of 8 May 2003 of the European Parliament and of the Council on the promotion of the use of biofuels or other renewable fuels for transport aims at promoting the use of **biofuels** within the Community. The Community Strategy on Biofuels has been further elaborated in the Communication from the Commission of 2006 - An EU Strategy for Biofuels. While indicating the willingness to further develop **biofuels and biofuel** technology, the Communication makes clear that the growth of **biofuels** should not lead to an increase in environmental damage and emphasised the need for improving the greenhouse gas saving. The Communication also recognises the need to encourage further development of biofuel technology.

(6) Directive 2003/30/EC of 8 May 2003 of the European Parliament and of the Council on the promotion of the use of biofuels or other renewable fuels for transport aims at promoting the use of **renewable fuels** within the Community. The Community Strategy on Biofuels has been further elaborated in the Communication from the Commission of 2006 - An EU Strategy for Biofuels. While indicating the willingness to further develop **non-fossil fuel** technology, the Communication makes clear that the growth of **biomass use for fuels** should not lead to an increase in environmental damage and emphasised the need for improving the greenhouse gas saving. ***In order to guarantee that the further encouragement to the development of non-fossil fuels contained in this Directive does not lead to negative environmental impacts, a minimum framework for biodiversity and social sustainability criteria is established in this Directive. The detailed criteria will be adopted under the regulatory procedure with scrutiny provided for in this Directive and based on environmental prerogatives.*** The Communication also recognises the need to encourage further development of biofuel technology. ***The sustainability criteria introduced in this Directive consist of a minimum set that can be further***

expanded in the context of the revision of Directive 2003/30/EC.

Amendment 4
RECITAL 6 A (new)

(6a). Biofuels, which represent one means of achieving the targets laid down by the European Union for the reduction of greenhouse gas emissions, more specifically in the transport sector, should show a greenhouse gas reduction of at least 50% compared to fossil fuels in order to offset the negative effects of growing fuel crops, such as negative environmental effects (use of fertilisers, pesticides), increased competition for land, water and food, and increased pressure on natural forests and local communities. It would be appropriate to invest in research activities relating to second generation biofuels, since competition over the use of land for food crops on the one hand, and for biofuel crops on the other, should be avoided.

Justification

In order to produce biomass, biofuels need inputs like fertile land, water and fertilizer as well as pesticides to combat diseases and processing the harvested crops. Research shows that several biofuels like ethanol from corn or biodiesel from soybeans have an even worse environmental performance than fossil fuels. Biofuels in some cases create social stress as big companies move in and occupy land where people used to live for centuries. Intensive crop growing for commodities used as a source for biofuels are a threat to natural (rain)forests. Therefore, biofuels with a low greenhouse gas reduction do not balance sufficiently the many potential negative effects of fuel crop growing.

Biofuels are important for restricting climate change, but biofuel crops should not replace food crops or result in an excessive rise in the price of agri-food products.

Amendment 5
RECITAL 6 B (new)

(6b) The Commission should ensure that public subsidies to non-fossil fuels are restricted to such fuels as fulfil the

sustainability criteria set out in Annex VIb to Directive 98/70/EC and have a greenhouse gas saving performance which is 20% better than the baseline criteria. By 2015 any non-fossil fuels receiving public subsidies should show a greenhouse gas saving performance 80% better than the baseline criteria in force.

Justification

Public subsidies (if any should be allowed) should be limited to best performers.

Amendment 6
RECITAL 7

<i>(7) Directive 98/70/EC links a derogation for the maximum summer petrol vapour pressure to the existence of arctic or severe weather conditions. As the application of this has given rise to legal uncertainty, the conditions governing use of that derogation need to be clarified.</i>	<i>deleted</i>
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Justification

The European Commission proposed clarification would relax the present application of this derogation, with the consequent risk of increased air pollution and reduced air quality. The proposed clarification of the Commission offers no justification for this relaxation in the application of the derogation.

Amendment 7
RECITAL 9

(9) The combustion of road transport fuel is responsible for around 20% of Community Greenhouse Gas emissions. One approach to reducing these emissions is through reducing the life-cycle greenhouse gas emissions of these fuels. This can be done in a number of ways. In view of the Community's ambition to further reduce greenhouse gas emissions and the important role that road transport emissions play, it is appropriate to work on a mechanism requiring fuel suppliers to report the life-cycle greenhouse gas emissions of

(9) The combustion of road transport fuel is responsible for around 20% of Community Greenhouse Gas emissions. One approach to reducing these emissions is through reducing the life-cycle greenhouse gas emissions of these fuels. This can be done in a number of ways. In view of the Community's ambition to further reduce greenhouse gas emissions and the important role that road transport emissions play, it is appropriate to work on a mechanism requiring fuel suppliers to report the life-cycle greenhouse gas emissions of

the fuel that they supply and to reduce those emissions by a fixed amount per year from **2010** onwards. As one of the consequences of this directive will be an increased possibility to use biofuels the greenhouse gas reporting and reduction mechanism will be developed in co-ordination with the provisions of Directive 2003/30/EC.

the fuel that they supply and to reduce those emissions by a fixed amount per year from **2011** onwards. As one of the consequences of this directive will be an increased possibility to use biofuels the greenhouse gas reporting and reduction mechanism will be developed in co-ordination with the provisions of Directive 2003/30/EC.

Justification

It is first necessary to develop a harmonised and concrete methodology for effectively calculating these emissions. Fixing a 10% greenhouse gas emissions target at this stage is premature because this has direct implications on the volume and sustainability of biofuels that will be available and promoted in the EU – issues yet to be resolved in upcoming legislation.

Amendment 8 RECITAL 11

(11) The Commission has set a goal of achieving a minimum 10% biofuel share in transport fuels by 2020. Continuing technical progress in the fields of automotive and fuel technology coupled with the continuing desire to ensure that the level of environmental and health protection is optimised necessitate periodic review of the fuel specifications based upon further studies and analyses of the impact of additives and biofuels component on pollutant emissions. Therefore, the possibility of facilitating the decarbonisation of transport fuels should be regularly reported upon.

(11) The Commission has set a goal of achieving a minimum 10% biofuel share in transport fuels by 2020. ***However, since a 10% greenhouse gas reduction in 2020 for car fuels will be incorporated in Directive 98/70/EC, the target of achieving a minimum biofuel share of 10% in 2020 should be removed.*** Continuing technical progress in the fields of automotive and fuel technology coupled with the continuing desire to ensure that the level of environmental and health protection is optimised necessitate periodic review of the fuel specifications based upon further studies and analyses of the impact of additives and ***sustainable*** biofuels component on pollutant emissions. Therefore, the possibility of facilitating the decarbonisation of transport fuels should be regularly reported upon.

Justification

The Commission proposed a 10% greenhouse gas reduction target for fuels in 2020. Adding a 10% biofuel target in 2020 doesn't have any added value then. The 10% greenhouse gas only

guarantees greenhouse gas reduction and using biofuels, whether for 5%, 10%, 15%, or no biofuels at all, doesn't make any difference. The 10% biofuel target doesn't help combating climate change and could, in case of bad production conditions (deforestation, using peat soils, using excessive water), even harm society.

Amendment 9
RECITAL 11 a (new)

(11a) The Commission should draw up a proposal for legislation designed to ensure that the manufacture of fuels from vegetable raw materials does not endanger food security.

Justification

The primary goal of the common agricultural policy is food security. The raw materials for plant-based fuels are grown on the same land as foodstuffs. For that reason, legislation is needed to ensure that the use of plant-based fuels does not endanger food security, also in developing countries.

Amendment 10
RECITAL 15

(15) Blending ethanol in petrol results in a non-linear change of the vapour pressure of the resulting fuel mixture. To ensure that the vapour pressure of the petrol resulting from blending any two legal petrol-ethanol blends remains within the legal vapour pressure limit, it is necessary to define the permitted vapour pressure waiver for such mixtures so that it corresponds to the actual increase in vapour pressure that results from adding a given percentage of ethanol to petrol. ***deleted***

Justification

In its resolution on the Thematic Strategy on air pollution of 26 September 2006 the European Parliament called upon the Commission to reduce the ozone-forming volatile organic compounds (VOC) with 55% between 2010 and 2020. An increase of VOC emissions, which would be the result if an ethanol waiver is applied, is neither in line with the position of the European Parliament nor justified. There are other ways of blending biofuels with conventional fuels that don't lead to increased vapour pressure. An exemption for ethanol is therefore

unjustified and should be deleted.

Amendment 11
RECITAL 16

(16) In order to encourage the use of low-carbon fuels while respecting air pollution targets, petrol refiners should ideally make available low vapour pressure petrol in the volumes required. As this is not for the moment the case, the vapour pressure limit for ethanol blends is increased in order to allow the biofuels market to develop. *deleted*

Justification

Increasing the maximum vapour pressure as proposed by the European Commission cannot be justified on environmental and health-related ground.

Amendment 12
RECITAL 16 A (new)

(16a) The specifications for petrol, diesel and gas-oil were to be revised before 31 December 2005. The delay has set back to the same degree the efforts to achieve the European Union's political objectives concerning the reduction of greenhouse gas emissions in the transport sector.

Justification

Directive 2003/30 provided for the specifications for petrol, diesel and gas-oil to be revised before 31 December 2005.

Amendment 13
RECITAL 16 B (new)

(16b) In order not to add to the delay in achieving the objectives for the reduction of greenhouse gas emissions in the transport sector, the Commission should take steps to enable Member States to authorise without delay the direct incorporation of ethanol

into petrol.

Justification

It would be inconceivable to add further to the delay which has built up since December 2005. With a view to reducing the impact of the delay, a derogation should be granted to those Member States which, in keeping with the European Union's objectives concerning reductions in greenhouse gas emissions, implement or wish to implement the measures set out in the directive by encouraging the direct incorporation of ethanol into petrol.

Amendment 14
RECITAL 16 C (new)

(16c) Since the new fuels might pose risks to some older engines, it is essential that accurate information should be made available to consumers by means of appropriate labelling of fuels which contain higher levels of biofuels than those currently marketed.

Justification

The provisions of the proposal for a directive should closely reflect the concerns of consumers, without whom the European Union's objectives concerning reductions in greenhouse gas emissions cannot be met. This is particularly true of consumers who are owners of older vehicles not designed to run on new fuels.

Amendment 15
RECITAL 19

(19) In the framework of setting a new mechanism for monitoring greenhouse gas emissions, power should be conferred on the Commission to establish the methodology to be used in reporting on the lifecycle greenhouse gas emissions from road transport fuel and fuel used for non-road mobile machinery. Since those measures as those for the adaptation of the permitted analytical methods provided for in Article 10 of Directive 98/70/EC, are of general scope and are designed to supplement this Directive by the addition

(19) In the framework of setting a new mechanism for monitoring greenhouse gas emissions, power should be conferred on the Commission to establish ***on the basis of the guidelines defined by the European Parliament and the Council*** the methodology to be used in reporting on the lifecycle greenhouse gas emissions from road transport fuel and fuel used for non-road mobile machinery. ***The Commission should regularly report to the European Parliament on the problems encountered, in particular in the event of delays in***

of new non-essential elements, they *should* be adopted in accordance with the regulatory procedure with scrutiny provided for in Article 5a of Decision 1999/468/EC.

implementing those measures. Since those measures, as those for the adaptation of the permitted analytical methods provided for in Article 10 of Directive 98/70/EC, are of general scope and are designed to supplement this Directive by the addition of new non-essential elements, they *must* be adopted in accordance with the regulatory procedure with scrutiny provided for in Article 5a of Decision 1999/468/EC.

Justification

The Commission proposes monitoring greenhouse gas emissions throughout the life cycle of fuels and then reducing them. From a democratic point of view, it is important that the European Parliament and the Council should determine the direction to be taken by the methodology used for monitoring rather than leaving this entirely to committee.

Reducing greenhouse gas emissions, in particular in the transport sector, is one of the main objectives set by Parliament, which acts as the mouthpiece for the concerns expressed by all European citizens in this area. This is why it is asking to be involved at all stages of the preparation of the measures concerning greenhouse gas emissions and, at the very least, to be informed of any delay in the preparation and implementation of those measures.

Amendment 16 RECITAL 21

(21) Biofuel technologies are evolving. Further research is needed into all possible approaches to convert biomass into transport fuel. It is therefore appropriate that a balanced approach should be taken to the limits set in the Directive with a view to *increase*, if appropriate, the use of different biofuels. These include: methanol, ethanol, higher order alcohols, ethers and other oxygenates.

(21) ***Sustainable*** biofuel technologies are evolving. Further research is needed into all possible approaches to convert biomass into transport fuel. It is therefore appropriate that a balanced ***and technology-neutral*** approach should be taken to the limits set in the Directive with a view to *increasing*, if appropriate, the use of different ***sustainable*** biofuels. These include: methanol, ethanol, higher order alcohols, ethers and other oxygenates. ***Given the substantial controversy among experts in the scientific world and society in general concerning the greenhouse gas reduction performance and negative side-effects of the production of first generation biofuels (ethanol/diesel from food crops), at least 50% of the biofuels qualifying for the greenhouse gas***

target in this Directive and for any financial or other stimulants should be second generation biofuels (fuel from lignocellulosic materials) with a view to phasing out first generation biofuels by 2020.

Justification

A lot of first generation biofuels have a poor greenhouse gas reduction effect compared to fossil fuels. Furthermore there are negative environmental and social side-effects. Second generation biofuels promise a better performance given their higher yield, being perennial crops and no-tillage growing methods, and have lower demand for agricultural inputs. For a sustainable future of biofuels only second generation should be stimulated in the EU.

Amendment 17
RECITAL 22 A (new)

(22a) New, cleaner engine technologies have been developed for inland waterway vessels. These engines can only be fuelled with very low-sulphur fuel. The sulphur content of inland waterway vessel fuels will be reduced as soon as possible in a single step.

Justification

Modern, clean ships' engines with advanced filtering techniques to combat air pollution are only compatible with fuels with a very low sulphur content. The Commission proposes reducing the sulphur content of fuels used in inland shipping in two stages. However, it would be better to accelerate the introduction of low-sulphur fuel and combine the two stages.

Amendment 18
ARTICLE 1, POINT -1 (new)
Article 1 (Directive 98/70/EC)

-1. Article 1 is replaced by the following:

"Article 1

Scope

This Directive sets technical specifications on health and environmental grounds for fuels to be used for vehicles equipped with

positive-ignition and compression-ignition engines and other vehicle engine technologies."

Justification

So far, the fuel quality directive has only regulated the quality of fuels; under the proposed amendment, a greenhouse gas emission reduction requirement would in addition be introduced for fuels. Fuel suppliers should be able to comply with this requirement, inter alia, by producing different fuels, such as hydrogen, with a good greenhouse gas balance. To make this option possible, it is necessary to extend the scope of the directive.

Amendment 19

ARTICLE 1, POINT 1

Article 2, paragraph 1, point 5 (Directive 98/70/EC)

5. ***Arctic or severe winter*** conditions means average ***winter*** temperatures during the period from ***October*** to ***April*** in the region or Member State concerned which are below the average for the Community.

5. ***'Low ambient summer temperature*** conditions' means average ***summer*** temperatures during the period from ***May*** to ***September*** in the region or Member State concerned which are below the average for the Community.

Justification

The Fuels Quality Directive 98/70/EC (modified by 2003/17/EC) accepted the need for a higher vapour pressure (70kPa) and a shorter summer period in Northern Europe to ensure vehicle operability (cold-start) and to minimise the possibility of static ignition causing fires during vehicle refuelling at the start and end of the summer period in colder countries such as Scandinavia and the parts of the UK. The higher summer vapour pressure limit (70 kPa) also recognised that evaporative VOC emissions in Northern Europe would be reduced by the lower ambient summer temperatures so that environmental performance would be in line with the rest of Europe.

Amendment 20

ARTICLE 1, POINT 1 A (new)

Article 2, paragraph 1, point 5 a (new) (Directive 98/70/EC)

1a. In the first paragraph of Article 2, the following point 5a is added:

"5a. 'Greenhouse gas performance' means the amount of greenhouse gases in the fuel, measured in CO₂ equivalents, plus the amount of CO₂ equivalents emitted due to the extraction and production process, transport, distribution

and changes of land use, minus emission savings of CO₂ equivalents due to capture and storage or sinks related to the production of fuels."

Justification

Fuel suppliers must improve the greenhouse gas performance of fuels by 10% by 2020. It is necessary to define exactly what this concept means.

Amendment 21

ARTICLE 1, POINT 2 (B A) (new)

Article 3, paragraph 2, point (c a) (new) (Directive 98/70/EC)

(ba) In paragraph 2, the following point (ca) is added:

"(ca) Member States shall also ensure that by 1 January 2012 at the latest unleaded petrol with a bioethanol content of at least 70% by volume complies with the environmental specifications laid down in Annex VIa."

Justification

It is essential that detailed environmental specifications should be introduced for the new petrol E 85, given its high bioethanol content of at least 70% by volume.

Amendment 22

ARTICLE 1, POINT 2 (C)

Article 3, paragraph 3, subparagraph 1 (Directive 98/70/EC)

3. Fuel meeting the specification set out in Annex III shall ***be marked in the national language or languages "Low biofuel petrol"***.

3. Fuel meeting the specification set out in Annex III shall ***not require specific labelling in respect of the level of ethanol or ethyl tert-butyl ether (ETBE) it contains.***

Justification

The European Union's current vehicle fleet can use fuels incorporating up to 5% ethanol or 15% ETBE. The use of petrols containing less than 5% ethanol or less than 15% ETBE is now common practice in the EU Member States. The reference to low ethanol or ETBE content is thus no longer fundamental to accurate consumer information.

Amendment 23
ARTICLE 1, POINT 2 (C)
Article 3, paragraph 3, subparagraph 2 (Directive 98/70/EC)

Fuel meeting the specification set out in Annex V shall be marked in the national language or languages "**High** biofuel petrol".

Fuel meeting the specification set out in Annex V shall be marked in the national language or languages "Biofuel petrol".

Justification

In order to make things clear to the consumer, the term 'high biofuel petrol' should be reserved for petrol which genuinely contains a high percentage of biofuels. Petrol containing 0vol% to 5vol% biofuels should therefore be called 'low biofuel petrol' and petrol containing more than 5vol% bio fuels should be called 'biofuel petrol'.

Amendment 24
ARTICLE 1, POINT 3 (C)
Article 4, paragraph 5 (Directive 98/70/EC)

5. Member States shall ensure, that gas oils intended for use by non-road mobile machinery and agricultural and forestry tractors marketed within their territory after 1 January 2008 contain less than 1000mg/kg of sulphur. By 31 December 2009 at the latest, the maximum permissible sulphur content of gas oils intended for use by non-road mobile machinery and agricultural and forestry tractors, **excluding** inland waterway vessels, shall be 10 mg/kg.

5. Member States shall ensure that gas oils intended for use by non-road mobile machinery and agricultural and forestry tractors marketed within their territory after 1 January 2008 contain less than 1000mg/kg of sulphur. By 31 December 2009 at the latest, the maximum permissible sulphur content of gas oils intended for use by non-road mobile machinery and agricultural and forestry tractors, **including** inland waterway vessels, shall be 10 mg/kg.

This does not preclude further requirements for reductions of vessel engine emissions.

Member States shall also ensure that, by 31 December 2009 at the latest, gas oils intended for use by non-road mobile machinery and inland waterway vessels are aligned with on-road diesel fuel quality as specified under Annex IV.

Justification

The Commission proposes that the sulphur content of fuel for non-road mobile machinery and agricultural tractors and forestry machinery should be reduced. These fuels should meet all the specifications which apply to road vehicles, as laid down in Annex IV. The fuels intended for use by inland waterway vessels should be equally aligned, without precluding further reduction

efforts as regards vessel engine technology.

Amendment 25
ARTICLE 1, POINT 3 (D)
Article 4, paragraph 6 (Directive 98/70/EC)

(d) The following paragraph 6 is added: ***deleted***

"6. Member States shall ensure that, by 31 December 2009 at the latest, the maximum permissible sulphur content of gas oils intended for use by inland waterway vessels is 300 mg/kg. Member States shall ensure that this is reduced to 10mg/kg by 31 December 2011 at the latest."

Justification

Consistent with amendment by same authors to previous paragraph aligning fuels intended for inland waterway vessels to the specifications for fuels for non-road machinery and road vehicles, therefore introducing the 10 mg/kg requirement earlier.

It is premature and unjustified to lower sulphur content of fuels used by inland waterway vessels. To fully benefit, it is necessary to have vessels equipped with Exhaust Gas Treatment (EGT) technologies. In the absence of such a requirement, a lowering of sulphur content will lead to a net increase of CO₂ emissions at refinery level in comparison to the relative insignificant contribution of SO₂ emissions from inland shipping.

Amendment 26
ARTICLE 1, POINT 4 (B)
Article 6, paragraph 1 a (Directive 98/70/EC)

1a. By way of derogation from Annex III, a Member State may take measures to ensure that in the whole of its territory or in specific areas, where these are subject to ***extremely cold average winter*** temperatures, a higher vapour pressure *be* permitted than that specified as the maximum for the summer period as set out in footnote 5 of Annex III and footnote 4 of Annex V.

1a. By way of derogation from Annex III, a Member State may take measures to ensure that in the whole of its territory or in specific areas, where these are subject to ***low ambient summer*** temperatures, a higher vapour pressure *is* permitted than that specified as the maximum for the summer period as set out in footnote 5 of Annex III and footnote 4 of Annex V.

Justification

The Fuels Quality Directive 98/70/EC (modified by 2003/17/EC) accepted the need for a higher

vapour pressure (70kPa) and a shorter summer period in Northern Europe to ensure vehicle operability (cold-start) and to minimise the possibility of static ignition causing fires during vehicle refuelling at the start and end of the summer period in colder countries such as Scandinavia and the parts of the UK. The higher summer vapour pressure limit (70 kPa) also recognised that evaporative VOC emissions in Northern Europe would be reduced by the lower ambient summer temperatures so that environmental performance would be in line with the rest of Europe.

Amendment 27
ARTICLE 1, POINT 5
Article 7 a (Directive 98/70/EC)

1. From 1 January **2009**, Member States shall require suppliers of fuels for road transport and non-road mobile machinery that are placed on the market, to monitor and report the life-cycle greenhouse gas emissions from those fuels.

2. From 1 January **2011**, Member States shall require suppliers of fuels for road transport and non-road mobile machinery that are placed on the market, to reduce the emissions of greenhouse gas emissions from those fuels. The reduction shall equal an additional **1%** of the emissions in 2010 per **year** for **each** calendar **year** up to and including 2020. The level of life-cycle greenhouse gas emissions per unit of energy reported in 2020 shall be no greater than 90% of the level reported in 2010.

3. The measures necessary for the implementation of the monitoring, reporting and verifying of the lifecycle greenhouse gas emissions based on a precise definition of the elements to take into account for the calculation of these emissions to meet the obligations in paragraphs 1 and 2 of this Article, designed to amend non-essential elements of this Directive by supplementing it, shall be adopted in accordance with the

1. From 1 January **2010**, Member States shall require suppliers of fuels for road transport and non-road mobile machinery that are placed on the market, to monitor and report the life-cycle greenhouse gas emissions from those fuels.

2. From 1 January **2012**, Member States shall require suppliers of fuels for road transport and non-road mobile machinery that are placed on the market, to reduce the emissions of greenhouse gas emissions from those fuels **per unit of energy**. The **emission** reduction **compared to the base year** shall equal **at least** an additional **2%** of the emissions in 2010 per **two years** for **every two** calendar **years** up to and including 2020. The level of life-cycle greenhouse gas emissions per unit of energy reported in 2020 shall be no greater than 90% of the level reported in 2010.

3. The measures necessary for the implementation of the monitoring, reporting and verifying of the lifecycle greenhouse gas emissions **per unit of energy** based on a precise definition of the elements to take into account for the calculation of these emissions to meet the obligations in paragraphs 1 and 2 of this Article, designed to amend non-essential elements of this Directive by supplementing it, shall be

procedure referred to in Article 11(2).

adopted in accordance with the *regulatory procedure with scrutiny* referred to in Article 11(2) ***on the basis of the guidelines as outlined in Annex VIa and the report mentioned in Article 9a.***

Amendment 28
ARTICLE 1, POINT 5
Article 7 b (Directive 98/70/EC)

Article 7b

deleted

Ethanol blended into petrol

The measures relating to the details concerning the blending of ethanol into petrol and, in particular, the vapour pressure as set out in Annex VI and possible alternatives, and designed to amend non-essential elements of this Directive, inter alia by supplementing it, shall be adopted in accordance with the procedure referred to in Article 11(2).

Justification

Follows amendments on recital 15 and 16 by the same author.

In its resolution on the Thematic Strategy on air pollution of 26 September 2006 the European Parliament called upon the Commission to reduce the ozone-forming volatile organic compounds (VOC) with 55% between 2010 and 2020. An increase of VOC emissions, which would be the result if an ethanol waiver is applied, is neither in line with the position of the European Parliament nor justified. There are other ways of blending biofuels with conventional fuels that don't lead to increased vapour pressure. An exemption for ethanol is therefore unjustified and should be deleted.

Amendment 29
ARTICLE 1, POINT 5
Article 7 ba (new) (Directive 98/70/EC)

Article 7ba

Sustainability criteria for biofuels and biomass

1. Only those biofuels and non-fossil feedstocks that meet the criteria for

sustainability of production and can prove greenhouse gas performance on a life-cycle basis as set out in Annex VIb shall be counted as contributing to the objective of Article 7a.

2. Member States may accept bilateral and multilateral agreements, subject to third party auditing and verification, between the Community and third countries as proof that conditions specified in Annex VIb have been met.

3. Member States may accept evidence of compliance with voluntary international schemes setting standards for the sustainable production of agricultural or forest products as proof that relevant conditions specified in Annex VIb have been met, provided that these schemes have been accredited as meeting adequate standards of reliability, transparency and independent third party auditing. A list of schemes that fulfil these criteria will be published and periodically updated.

The sustainability criteria as outlined in Annex VIb shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 11(2). These criteria constitute a minimum set of criteria that can be further developed in the context of the revision of Directive 2003/30/EC.

Amendment 30
ARTICLE 1, POINT 6
Article 8 a (Directive 98/70/EC)

The Commission shall *continue to* develop a suitable test methodology concerning the use of metallic additives in fuel.

Use of the metallic additive MMT in fuel shall be prohibited from 1 January 2010 onwards. The Commission shall develop a suitable test methodology concerning the use of metallic additives in fuel *other than MMT*.

Justification

In some Member States, MMT is added to petrol in order to improve the poor quality of petrol imported from Russia. The use of this and other metallic additives is very damaging to the environment. MMT can easily be replaced with less damaging substances, and the use of this additive should therefore be banned from 2010. As regards other metallic additives, the Commission will devise a suitable test methodology.

Amendment 31

ARTICLE 1, POINT 7

Article 9, paragraph 2, point (a) (Directive 98/70/EC)

(a) the use of biofuels ***in the framework of this Directive and the use and evolution of automotive technology, having regard to the goal to achieve a minimum of 10% biofuel use in transport fuel by 2020, set out in the Commission's Strategic Energy Review*, and the goal of decarbonising transport fuel;***

(a) ***the goal of decarbonising transport fuel and the use of biofuels in achieving this goal, negative effects of the production of biofuel on the environment, on conservation areas, either directly or indirectly, and on social conditions and food prices in all production countries;***

Justification

Monitoring progress of decarbonising transport fuel is important to be able to interfere if necessary. For biofuels a 'Health Check' is necessary given the many uncertainties around this product. Given the many potential negative effects the outcome of the Health Check should be used to revise the policy of biofuels fully if necessary. The recent OECD-report also raises serious questions on the policy of stimulating biofuels.

One of the most important check points is to assess if purchasing power of fuel buyers will push food buyers from the market in developing countries, and to assess if deforestation due to biofuels, whether directly or indirectly, has come to a halt after this Directive came into force. This assessment should be done in cooperation with FAO/UNEP.

Amendment 32

ARTICLE 1, POINT 7

Article 9, paragraph 2, point (c) (Directive 98/70/EC)

(c) ***limits of vapour pressure for ethanol blended into petrol;***

deleted

Justification

The Commission proposal is unbalanced since it promotes just one source of biofuel component (ethanol) to the detriment of others. A greater use of ethanol is incompatible with many existing vehicle fuel systems and will result in an increase in emissions of polluting vapours, that contribute to the formation of ground-level ozone pollution, and can cause premature death in

people with breathing difficulties or heart problems. It is important to allow greater flexibility to use also other bio components (such as bio-ETBE, bio-TAEE, renewable biomethane, natural gas or hydrogen).

Amendment 33

ARTICLE 1, POINT 7

Article 9, paragraph 2, point (f) (Directive 98/70/EC)

(f) the use of metallic additives in fuels.

(f) the use of metallic additives in fuels
except MMT.

Justification

See explanatory statement for Amendment 34.

Amendment 34

ARTICLE 1, POINT 7

Article 9, paragraph 2, point (f a) (new) (Directive 98/70/EC)

(fa) the total volume of components used in petrol and diesel having regard to EU environmental legislation including the objectives of Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy¹ and its daughter directives.

¹ ***OJ L 327, 22.12.2000, p. 1. Directive as amended by Decision No 2455/2001/EC (OJ L 331, 15.12.2001, p. 1).***

Justification

There is evidence that bodies of water are sometimes polluted with components used in diesel or petrol, such as MTBE or ETBE, or other components such as benzene. This should be investigated in the light of the Water Framework Directive and other EU environmental legislation.

Amendment 35

ARTICLE 1, POINT 7 A (new)

Article 9 a (new) (Directive 98/70/EC)

7a. The following Article 9a is inserted:

"Article 9a

Report

1. The Commission shall submit by 31 June 2008 a report to the European Parliament and the Council on the basis of the guidelines as outlined in Annex VIa in which it clarifies:

(a) the methodology for monitoring and reporting life-cycle greenhouse gas emissions from road fuels;

(b) the relationship of any reduction mechanism with the EU Emissions Trading Scheme and Member States' commitments under the Kyoto Protocol;

(c) the definition of the base year."

Amendment 36

ARTICLE 1, POINT 12, PARAGRAPH - 1 (new)

Annex III, table (Directive 98/70/EC)

In the row for "Vapour pressure, summer period", the entry in the column "Maximum" is replaced by "56,0 (°)".

Justification

Annex III applies to petrol with an admixture of biofuels of between 0% and 5%. As petrol containing between 5% and 10% biofuels is called 'low biofuel petrol', it is appropriate to continue to refer to the 0% to 5% category simply as 'petrol', as is the case in the current unamended Directive 98/70/EC.

Amendment 37

ARTICLE 1, POINT 12, POINT - 1 A (new)

Annex III, footnote 4 (Directive 98/70/EC)

Footnote 4 is modified by replacing the words "arctic or severe winter" with "low ambient summer temperature"

Justification

The Fuels Quality Directive 98/70/EC (modified by 2003/17/EC) accepted the need for a higher vapour pressure (70kPa) and a shorter summer period in Northern Europe to ensure vehicle operability (cold-start) and to minimise the possibility of static ignition causing fires during vehicle refuelling at the start and end of the summer period in colder countries such as Scandinavia and the parts of the UK. The higher summer vapour pressure limit (70 kPa) also recognised that evaporative VOC emissions in Northern Europe would be reduced by the lower ambient summer temperatures so that environmental performance would be in line with the rest of Europe.

Amendment 38
ARTICLE 1, POINT 12
Annex III, footnote 5(Directive 98/70/EC)

Footnote 5 is **modified** by **adding** the following text: ***"Where fuel contains ethanol, the maximum summer vapour pressure may exceed 60kPa by the amount shown in the table in Annex VI."***

Footnote 5 is **replaced** by the following text: ***"For Member States with "low ambient summer temperature" the maximum vapour pressure shall not exceed 66,0 kPa."***

Justification

In its resolution on the Thematic Strategy on air pollution of 26 September 2006 the European Parliament called upon the Commission to reduce the ozone-forming volatile organic compounds (VOC) with 55% between 2010 and 2020. An increase of VOC emissions, which would be the result if an ethanol waiver is applied, is neither in line with the position of the European Parliament nor justified. There are other ways of blending biofuels with conventional fuels that don't lead to increased vapour pressure. An exemption for ethanol is therefore unjustified and should be deleted.

Blending ethanol can result in increased vapour pressure. It is important to ensure that this legislation does not result in an increase in the maximum permitted vapour pressure.

The waiver as proposed would lead to an increase of the vapour pressure up to 68kPa, which would deteriorate air quality. Therefore, the overall maximum vapour pressure has to be lowered. With this approach, even with the waiver the maximum vapour pressure will not exceed the 60kPa and air pollution will not increase.

The Fuels Quality Directive 98/70/EC (modified by 2003/17/EC) accepted the need for a higher vapour pressure (70kPa) and a shorter summer period in Northern Europe to ensure vehicle operability (cold-start) and to minimise the possibility of static ignition causing fires during vehicle refuelling at the start and end of the summer period in colder countries such as Scandinavia and the parts of the UK. The higher summer vapour pressure limit (70 kPa) also recognised that evaporative VOC emissions in Northern Europe would be reduced by the lower ambient summer temperatures so that environmental performance would be in line with the rest of Europe.

Amendment 39
ARTICLE 1, POINT 13 (A)
Annex IV, table (Directive 98/70/EC)

(a) in the row for "Polycyclic Aromatic Hydrocarbons", the entry in the column "Maximum" is replaced by "8".

(a) in the row for "Polycyclic Aromatic Hydrocarbons", the entry in the column "Maximum" is replaced by "6".

Justification

It is desirable to reduce emissions of damaging Polycyclic Aromatic Hydrocarbons (PACs) to the absolute minimum. The Commission wishes to reduce the maximum permitted PAC content from 11% to 8%. On average, however, fuel in the EU contains approximately 3% PACs, and only in a few exceptional cases does it contain more than 6%. The maximum percentage laid down can therefore be further reduced to 6%.

Amendment 40
ARTICLE 1, POINT 15 A (new)
Annexes VI a and VI b (new) (Directive 98/70/EC)

15a. Annexes VIa and VIb as set out in the Annex to this Directive are added.

Justification

It is necessary to define more clearly the exact way in which the greenhouse gas performances of fuels are to be monitored and reduced. Two new annexes are inserted for this purpose.

Amendment 41
ANNEX
Annex V, subtitle (Directive 98/70/EC)

Type: **High** biofuel Petrol

Type: Biofuel Petrol

Justification

Annex V contains provisions applicable to petrol containing a minimum of 5vol% biofuels. It is misleading to refer to petrol which contains such a proportion of biofuels as 'high biofuel petrol'. This term should be reserved for petrol containing substantially more biofuels; the term 'Biofuel Petrol' is more appropriate.

Amendment 42

ANNEX

Annex V, table, row 3, column 4 (Directive 98/70/EC)

Vapour pressure, summer period

60,0 ⁽⁴⁾

Vapour pressure, summer period

56,0 ⁽⁴⁾

Justification

See justification of Amendment .

Amendment 43

ANNEX

Annex V, table, row 7, indent 2, column 4 (Directive 98/70/EC)

- Ethanol (stabilising agents may be necessary) %v/v **10**

- Ethanol (stabilising agents may be necessary) %v/v **5-10**

Justification

It is better to have one category of petrol comprising 0-5vol% ethanol and the second category of petrol comprising 5-10 vol% ethanol.

Amendment 44

ANNEX

Annex V, footnote 3 (Directive 98/70/EC)

(3) The summer period shall begin no later than 1 May and shall not end before 30 September. For Member States with **arctic or severe winter** conditions, the summer period shall begin no later than 1 June and shall not end before 31 August.

(3) The summer period shall begin no later than 1 May and shall not end before 30 September. For Member States with **low summer temperature** conditions, the summer period shall begin no later than 1 June and shall not end before 31 August.

Justification

The Fuels Quality Directive 98/70/EC (modified by 2003/17/EC) accepted the need for a higher vapour pressure (70kPa) and a shorter summer period in Northern Europe to ensure vehicle operability (cold-start) and to minimise the possibility of static ignition causing fires during vehicle refuelling at the start and end of the summer period in colder countries such as Scandinavia and the parts of the UK. The higher summer vapour pressure limit (70 kPa) also recognised that evaporative VOC emissions in Northern Europe would be reduced by the lower ambient summer temperatures so that environmental performance would be in line with the rest of Europe.

Amendment 45
ANNEX
Annex V, footnote 4 (Directive 98/70/EC)

(4) For Member States with *arctic or severe winter* conditions the maximum vapour pressure shall not exceed **70.0 kPa**. Where fuel contains ethanol, the maximum permitted summer vapour pressure may exceed **60kPa** by the amount shown in the table in *annex VI*

(4) For Member States with *low summer temperature* conditions the maximum vapour pressure shall not exceed **66.0 kPa**. Where fuel contains ethanol, the maximum permitted summer vapour pressure may exceed *the appropriate summer vapour pressure limit 56 kPa or 66 kPa* by the amount shown in the table in *Annex VI*

Justification

Blending ethanol can result in increased vapour pressure. It is important to ensure that this legislation does not result in an increase in the maximum permitted vapour pressure. Therefore and in line the maximum summer vapour pressure, the maximum vapour pressure under arctic or severe winter conditions should be lowered from 70kPa to 66kPa.

The Fuels Quality Directive 98/70/EC (modified by 2003/17/EC) accepted the need for a higher vapour pressure and a shorter summer period in Northern Europe to ensure vehicle operability (cold-start) and to minimise the possibility of static ignition causing fires during vehicle refuelling at the start and end of the summer period in colder countries such as Scandinavia and the parts of the UK. The higher summer vapour pressure limit) also recognised that evaporative VOC emissions in Northern Europe would be reduced by the lower ambient summer temperatures so that environmental performance would be in line with the rest of Europe.

Amendment 46
ANNEX
Annex VI (Directive 98/70/EC)

ANNEX VI
VAPOUR PRESSURE WAIVER
PERMITTED FOR PETROL
CONTAINING ETHANOL

deleted

<i>Ethanol content</i> <i>(%v/v)</i>	<i>Vapour pressure</i> <i>waiver permitted</i> <i>(kPa)</i>
0	0
1	3.65
2	5.95
3	7.20
4	7.80
5	8.0
6	8.0
7	7.94

8	7.88
9	7.82
10	7.76

The permitted vapour pressure waiver for intermediate ethanol content between the values listed, shall be determined by a straight line extrapolation between the ethanol content immediately above and that immediately below the intermediate value.

Justification

Follows amendments on recital 15 and 16 and articles 1 point 5 (Article 7 b (Directive 98/70/EC) and 1 point 8 (Article 11 (Directive 98/70/EC) by the same author.

In its resolution on the Thematic Strategy on air pollution of 26 September 2006 the European Parliament called upon the Commission to reduce the ozone-forming volatile organic compounds (VOC) with 55% between 2010 and 2020. An increase of VOC emissions, which would be the result if an ethanol waiver is applied, is neither in line with the position of the European Parliament nor justified. There are other ways of blending biofuels with conventional fuels that don't lead to increased vapour pressure. An exemption for ethanol is therefore unjustified and should be deleted.

Amendment 47

ANNEX

Annex VI a (new) (Directive 98/70/EC)

ANNEX VIA

METHOD FOR MEASURING LIFE-CYCLE GREENHOUSE GAS EMISSIONS FROM ALL FUELS

1. In the reporting on the life-cycle greenhouse gas emissions from all fuels, the following elements will be taken into account:

(a) Extraction/production of raw materials, including:

- the way in which the extraction took place, measured or estimated per extraction site;

- an estimate of the amount of energy used during extraction including flaring, leakages and other forms of process-related energy-use;

- the impact of land-use changes including displacements of agricultural activity;

- the amount of energy used by the production and application of agrochemical substances per unit of energy;

- the impact of by-products;

- use of production machinery fuel per unit;

(b) Transport and distribution, including:

- transport from well to first refining/transfer location on the basis of average CO₂ equivalents per unit of energy;

- the number of transportation kilometres from well to refining/transfer location;

- the number of transportation kilometres from refining/transfer location to selling point on the basis of average CO₂ equivalents per unit of energy;

(c) Conversion/refining, including:

- the amount of energy used in the conversion/refining process per unit of energy;

- the amount of CO₂ equivalents emitted per unit of energy;

(d) Final product:

- the carbon content per unit of energy.

2. Before 1 January 2011, fuel baseline standards will be formulated for fuels based on the life-cycle greenhouse gas emissions as measured pursuant to paragraph 1 of this Annex. The standards will consist of the measuring results of the fuel supplier with the best overall performance or the average of the best

three suppliers. If appropriate a distinction between light and heavy conventional crude may be made.

3. From 1 January 2012 onwards, the CO₂ equivalents reduction as outlined in Article 7a(2) could be based on default values per extraction site, or a fixed content of CO₂ equivalents on a well-to-wheel basis. Such default values shall be conservative in assessing the greenhouse gas emission savings. Fuel suppliers may deviate from this value in a positive way if they can prove that their product has a lower greenhouse gas performance when compared to the default value.

Justification

This Annex gives methodology guidelines for measuring CO₂ from all fuels (incl. fossil fuels, biofuels, hydrogen). If suppliers can reach their carbon reduction target set in art. 7a by using new fuels such as hydrogen, this would lead to a great increase of investment in new vehicle technologies.

The methodology is divided into 3 parts: the first one describes the monitoring process of GHG emissions in the whole chain. The second one sets the baseline standards for GHG emissions reduction. The last one describes the reduction phase and introduces the possibility of using default values.

Amendment 48

ANNEX

Annex VI b (new) (Directive 98/70/EC)

ANNEX VI B

SUSTAINABILITY CRITERIA FOR BIOFUELS AND BIOMASS

Biodiversity and social sustainability criteria will be based on a system in which fuel feedstock is traceable to its source, and all companies in the sustainable biomass production chain are certified.

1. The biodiversity and environmental criteria shall ensure, inter alia, that:

- no significant negative impact on biodiversity occurs, and in particular that no feedstock production or extraction takes

place in proximity to valuable nature or government protected areas, unless consisting of waste streams or wood rests;

- no deforestation or net loss of other carbon stocks (such as wetlands and permanent grasslands) above or below ground occurs due to fuel feedstock production;

- international conventions and regulations are complied with, in particular relevant ILO standards and UN conventions for the protection of indigenous peoples;

- no significant negative effect (inter alia water shortages) on water resources occur due to biofuels production ;

- air, water and soil quality is not adversely affected by extraction or fuel feedstock production;

- mandatory regular reporting takes place to ascertain that no significant negative indirect land-use change impacts or displacement of agricultural activities occur;

- at least 50% direct greenhouse gas emissions savings of non-fossil fuels derived from biomass are achieved in comparison with fossil fuel;

2. The social criteria shall ensure, inter alia, that:

- mandatory regular reporting takes place about the social consequences of bio feedstock production, notably on food prices to demonstrate absence of negative effects, inter alia on food security;

- a declaration of consent by a representation of local communities/population is secured;

- the public has access to information and participation.

EXPLANATORY STATEMENT

The revision of the Fuel Quality Directive has two purposes. Firstly, to improve air quality by reducing emissions, inter alia, of sulphur and PACs. A second aim is to help combat climate change by reducing greenhouse gases from transport fuels. This second aim represents a remarkable political decision. Emissions of greenhouse gases must first be measured throughout the life cycle: the extraction and production phase, transport and distribution and ultimate use. The next step is to reduce emissions. This is the first time that a specific product (fuel) has been set a reduction target on the basis of a life cycle analysis. It is interesting to note that in the USA the State of California has more or less simultaneously announced a similar initiative, as a result of which the prospect of productive cooperation with the USA has arisen. In order to prepare for the political debate, the coordinators in the European Parliament's Environment Committee have requested a study. This study, *Inclusion of sustainability criteria in the Fuel Quality Directive*, was published at the beginning of July. On 5 July, the ENVI Committee and the policy department organised a workshop at which experts stated their opinions, while interested parties were invited to attend. Some 50 people took part in the discussion, including representatives of the Commission, the ESC, Member States, the Council Presidency, the oil industry, the environmental movement and biofuel producers. In recent months, your rapporteur has held many talks, both with interested parties and with experts. In May she attended a symposium in California on this subject. Certain decisions on the choice of options, regarding both air quality and the climate change objective, require elucidation.

1. Air quality

The Fuel Quality Directive lays down new standards for sulphur dioxide and polycyclic aromatic hydrocarbons. As regards the sulphur content of fuel for inland shipping, the Commission proposes a reduction to be implemented in two stages: on 31 December 2009 to 300 mg/kg and on 31 December 2011 to 10 mg/kg. The Commission justifies this two-stage approach by reference to the extra energy consumption required in order to reduce the sulphur content of fuels. However, it may be objected to this that low-sulphur fuel makes more efficient ships' engines possible. The extra energy consumption at the refinery is amply compensated by reduced fuel consumption by ships. The more efficient ships' engines are already available.

The Commission proposes that the maximum permitted polycyclic aromatic hydrocarbon content of fuels should be reduced from 11% to 8%. However, the mean level in the EU is between 3% and 4%, while 6% is exceeded in only a few exceptional cases. A further reduction of the ceiling from 8% to 6% could therefore be achieved without much extra cost.

Vapour pressure and ethanol

Another point is vapour pressure. The higher the vapour pressure, the greater the emissions of Volatile Organic Compounds (VOCs). VOCs play an important part in the formation of ozone. Particularly in warm conditions, ozone formation can be a serious health problem. In its resolution on the thematic strategy for air quality, Parliament called for a more ambitious approach, precisely on account of the damage caused to health by VOC emissions. The Commission does not propose any further reduction and wishes to retain a figure of 60kPa for

the maximum permitted vapour pressure, with the possibility of increasing it to 70kPa in Arctic conditions, so that cars can also be started in Arctic regions. In addition, the Commission actually proposes an increase where ethanol is blended with fuel. Where ethanol is blended with fuel, one side-effect is to increase the vapour pressure, which results in more VOCs being emitted into the atmosphere. The increase in the vapour pressure is not directly proportional to the quantity of ethanol used for blending. It reaches a maximum with a 5% blend, beyond which figure it gradually declines again.

In order to make a balanced proposal, your rapporteur has studied the situation in the USA. In most states in the USA, the maximum permitted vapour pressure is considerably lower, namely 48 kPa. No increase is provided for in the event of blending with ethanol, although states where the air quality permits it do take advantage of this option. There are no technical obstacles to likewise imposing a lower vapour pressure in the EU. A vapour pressure of 56 kPa is possible. In addition, it is open to question to what extent an exception for ethanol is necessary. In view of the rapid increase in vapour pressure when a small proportion of ethanol is blended, to allow an increase in vapour pressure where only a small percentage is blended would provide the wrong incentive. In that case, a small contribution to reducing greenhouse gas emissions would result in a disproportionate deterioration of air quality. Your rapporteur therefore proposes a limited waiver of 4kPa if at least 3 per cent biofuels are blended with fuel.

Proposals

To sum up, your rapporteur proposes:

- accelerating the reduction of sulphur in fuels for inland shipping
- reducing the maximum permitted quantity of PACs
- prohibiting the damaging additive MMT
- reducing the vapour pressure and only permitting an exception if between 3% and 10% biofuels are blended.

2. Greenhouse gases

Road transport causes approximately 20% of greenhouse gas emissions in the EU. In order to achieve a CO₂ reduction of 30% by 2020, cars must become considerably more efficient, but CO₂ emissions caused by fuels must also be reduced. The Commission proposes first measuring emissions of greenhouse gases and then between 2011 and 2020 reducing them by 1% per annum. Around 85% of greenhouse gas emissions from fuel occur upon combustion in the car and 15% in the overall production and refining process, including fuel transport and distribution. The Commission's proposal to reduce emissions deserves every support. In order to achieve the reduction, fuel suppliers may opt to render the extraction and refining processes more efficient so that less energy is used to obtain oil and turn it into petrol or diesel. Comparative research, for example by Kristina Holmgren of *IVL Swedish Environmental Research Institute*, indicates that refineries within the EU differ – and that many opportunities to save energy are not yet being exploited. Another option is the production and marketing of alternative fuels, such as natural gas, hydrogen or LPG. Naturally, the production these alternative fuels must be subjected to the same *Well to Wheel* analysis. A third possibility is blending with biofuels. Here too, the *Well to Wheel* approach must be applied, which will lead to a preference for biofuels which have a better greenhouse gas balance than fossil fuels. This proposal gives fuel suppliers enough options to make choices in the light of their own judgment and supply those fuels which have a better

carbon balance. The proposal deserves our full support. However, there are a few remarks which should be made about the Commission proposal:

1. Determination of the method

The Commission proposes determining the *Well to Wheel* approach by means of commitology. As a number of important political choices have to be made in this context, Parliament must have a say in deciding a number of guidelines. This can be ensured by formulating guidelines in a new annex, which can be fleshed out later by means of the commitology procedure. These guidelines can, inter alia, include decisions about the base year and the standard.

2. The base year and the standard

Oil companies have invested to differing extents in improved efficiency. Under the Commission proposal, every supplier must supply data on greenhouse gas emissions, which will then become the standard. This would mean that a different standard applied to each company, which is contrary to the logic of the internal market. It is also contrary to the sense of justice, because companies which have invested in improvements would suffer by having to comply with stricter standards than their competitors who had invested less in efficiency. In order to guarantee a level playing field, a common standard is needed. Ideally, the base year should lie in the past in order to ensure that behaviour is not influenced by strategic motives. In that case, use must be made of existing studies. Because many data are lacking, and because not every fuel supplier and biofuel producer clearly endorses the results, it would be better for the base year to lie in the future, namely as soon as possible after the adoption of this directive. In that way, every supplier can supply data and will have to do so.

3. The target

The proposed target is 1% per annum. In order to achieve this level of ambition, experts say that a considerable effort is necessary, but this of course depends very much on the starting point or the basic standard. The question is, naturally, how the standard is to be chosen from the data supplied by fuel producers. It would be advisable, certainly, not to take the lowest standard, and not the average either. In order to ensure an adequate level of ambition, a top-runner approach is the obvious choice: in that case, the best company (or, for example, the average of the top three companies) would set the standard for the rest. But there is one qualification to be made here. It is likely that the best company will be operating with light oil, as that requires less processing and refining. If the best company sets the standard, this will give all European fuel suppliers a strong incentive, or even compel them, likewise to use as much light oil as possible. This will mean a price rise for light oil and will result in heavy oil going to such countries as China and India. That would not necessarily be better for worldwide emissions of greenhouse gases: it would merely relocate emissions from European companies to other companies. In order to ensure that a genuine reduction is achieved, it may be necessary to introduce two standards: one for heavy oil and one for light oil. However, the need for this can only be ascertained on the basis of data on actual emissions by fuel producers. In addition, the proposed reduction of 1% per annum will be difficult to enforce. A reduction of 2% per two years is easier and will bring about the same emission reduction by 2020.

4. The whole chain

The Commission proposal specifically mentions a *Well to Wheel* approach. This means that emissions throughout the chain are taken into account. For fossil fuels, the chain comprises oil

extraction, flaring, initial processing, transport, refining, distribution and emission upon combustion in the engine. For biofuels, the same applies, but there the emphasis is more likely to be on the use of production inputs (such as artificial fertiliser) and changes in land use.

The annex lists these criteria in such a way as to render them applicable to oil, gas, hydrogen and biofuels. An alternative would be to describe a different method for each biofuel, but this approach guarantees that the method is technology-neutral and that there is no concealed stimulus for one of the fuels. The fuel supplier can himself decide on the option which is optimal for him.

5. Scope

The Commission proposal does not refer to hydrogen. However, it is important to give fuel suppliers optimal choices and not exclusively back the use of biofuels. It is therefore necessary to amend Article 2 defining the scope.

One difficult point is electricity. Of course it would be good if cars operated on sustainably produced electricity. Some car manufacturers foresee the rise of plug-in cars whose batteries will be recharged at home. In many cases, the present fuel suppliers are not involved in this. Including electricity in the scope would in principle be desirable, but fuel suppliers do not generally supply electricity. A trade system would overcome this problem, but that would make the directive complex again.

6. Sustainability criteria

Even if fuel suppliers have various ways of complying with reduction obligations, it is undeniable that this objective creates a strong incentive to use biofuels. It goes without saying, in this connection, that blending fuels with biofuels which, on the basis of a well-to-wheel analysis, emit even more greenhouse gases or very little less will achieve little. Inclusion of a criterion which explicitly lays down a minimum requirement regarding greenhouse gas performance is therefore not necessary: fuel suppliers have no reason to use biofuels for blending whose carbon dioxide efficiency is poor.

It is a different matter when it comes to sustainability criteria. There is justified concern about the impact of a large-scale use of biofuels on biodiversity, the environment and social relations. It is not easy to formulate criteria which accord with the rules of the World Trade Organisation. Some European countries have already made a first move. On the basis of the positions of the UK, Germany and the Netherlands, or at least their provisional positions, Annex [VIb] lists a number of criteria dealing with the concerns about biofuels. In the case of the social criteria, the response primarily lies in an obligation to monitor social impact and to obtain the consent of the local population. In the case of biodiversity, concerns include water use and the proximity of areas of natural interest.

7. Compatibility with other legislation: ETS and biofuel objective

There is much debate about compatibility with other legislation and initiatives. The European Council has agreed to a binding objective of 10% admixture of biofuels on two conditions. The biofuels must be sustainable, and 2nd generation technology must be sufficiently developed. It goes without saying that the sustainability objectives in the annex to this directive must not be incompatible with the general condition for sustainability formulated by the Council. The

Commission is currently drawing up criteria. At a later stage, it may be possible in Annex VIb to make do with a reference to an established list of criteria.

There is a second compatibility aspect, namely that relating to emissions trading. Refineries fall under the ETS system and must report their emissions and purchase additional rights if they emit more than they already have the right to. According to some commentators, this provides a sufficient guarantee that refineries will act responsibly in their carbon dioxide emissions, which means that refineries do not need to submit compulsory reports. On the other hand, there is a view that the ETS only provides an incentive to reduce carbon dioxide and does not impose any absolute obligation. Oil companies can, after all, decide to purchase emission rights on the commercial market. Both the ETS and the directive now under consideration provide incentives: neither of them actually imposes a requirement to improve efficiency at refineries. In other words, they reinforce each other and at least do not conflict.

8. Conclusion

Your rapporteur's amendments are designed to ensure maximum flexibility, a level playing field and ambitious but responsible objectives. In addition, it is important that the directive should be technology-neutral in the sense that it should not provide extra incentives for a particular fuel or technology. In sum, this involves the following proposed amendments:

- Annex VIa: guidelines for measuring methods, including the possibility of using standard values (default values), a top-runner approach and, if necessary, different standards for light and heavy oil
- Annex VIb: sustainability criteria: biodiversity and social obligations
- extending the scope of the directive: the use of hydrogen to reduce CO₂ is made possible
- greater flexibility: emission reduction of 2% per 2 years up to and including 2020 rather than 1% per annum
- guarantees of sustainability in a new Article 7c.

13.11.2007

OPINION OF THE COMMITTEE ON INDUSTRY, RESEARCH AND ENERGY

for the Committee on the Environment, Public Health and Food Safety

on the proposal for a directive of the European Parliament and of the Council amending Directive 98/70/EC as regards the specification of petrol, diesel and gas-oil and introducing a mechanism to monitor and reduce greenhouse gas emissions from the use of road transport fuels and amending Council Directive 1999/32/EC, as regards the specification of fuel used by inland waterway vessels and repealing Directive 93/12/EEC (COM(2007)0018 – C6-0061/2007 – 2007/0019(COD))

Draftsman: Miloslav Ransdorf

SHORT JUSTIFICATION

The Fuel Quality Directive, dating from 1998, sets common EU specifications for petrol, diesel and gasoil used in road vehicles, inland waterway barges and non-road mobile machinery such as locomotives, earth moving machinery and tractors.

This proposal is a revision of the Fuel Quality Directive, aiming at setting new standards for transport fuels to further reduce air pollution, such as sulphur, particels and polyaromatic hydrocarbons. Furthermore, the new standards will introduce an obligation to reduce the contribution of road fuels to climate change. And finally, this revision could be seen as instrumental in achieving the EU-target of a 10% share of biofuels in overall EU transport gasoline and diesel consumption by 2020.

A key measure of the proposal is that, in order to encourage the development of lower-carbon fuels and biofuels, fuel suppliers will be obliged to reduce the greenhouse gas emissions that their fuels cause over their life-cycle (i.e. when they are refined, transported and used) by 1% per year from 2011. This will result in a 10% cut of greenhouse gas emissions by 2020, equalling 500 million tonnes of CO₂.

Secondly, to enable a higher volume of biofuels to be used in gasoline, a new gasoline blend will be established, with higher permitted content of oxygen-containing additives (so-called oxygenates), including up to 10% ethanol. The different gasoline blends will be clearly marked to avoid possible risks of damage to existing vehicles, since ethanol is incompatible with some vehicle fuel systems.

Your draftsman welcomes this proposal. Promoting the further development of low-carbon fuels and other measures to reduce emissions from the fuel production chain is vital in order to ensure that the fuel sector will also contribute to achieving the EU's greenhouse gas reduction goals. Your draftsman strongly supports the concept of reducing the so-called "well-to-wheel" greenhouse gas emissions of fuels, which also takes into account the emissions due to the production of the fuel itself. This is the best way to steer the fuel industry in an overall sustainable direction, while allowing for the necessary flexibility. Your draftsman equally applauds the proposed maximum sulphur content standards for diesel, which will enable fuel for higher vehicle efficiency, reduce particulate matter emissions and make the introduction of after-treatment systems possible in the future.

Your draftsman believes that lower emissions could only be achieved through a more coordinated and integrated approach, which requires not only the introduction of new products and technologies by the fuel and automotive industries and their suppliers, but also a firm commitment from policy makers, infrastructure providers and drivers (by inter alia the introduction of CO₂-based taxation, improved driver skills and behaviour, and safer infrastructure).

Your draftsman would like to stress that a delicate balance needs to be found between promoting the development of the biofuel market and avoiding possible risks of damage to existing vehicles and the environment. In the view of your draftsman the Commission proposal is in this respect unbalanced since it promotes just one source of biofuel component to the detriment of others that could have less risk of non-compatibility with existing vehicles and the environment.

A greater use of ethanol, namely, is not only incompatible with many existing vehicle fuel systems, but it will also result in an increase in emissions of polluting vapours. In the Commission proposal a specific vapour pressure waiver is introduced for petrol containing ethanol. These vapours however, also known as volatile organic compounds, contribute to the formation of ground-level ozone pollution, and can cause premature death in people with breathing difficulties or heart problems.

Your draftsman believes that the proposal could be strengthened by allowing also other alternatives (such as bio-ETBE, bio-TAEE, renewable biomethane, natural gas or hydrogen) to contribute to the development of low-carbon fuels and the reduction of greenhouse gas emissions from the fuel production chain. By allowing greater flexibility to use all bio components, Europe could benefit from their potential contribution to meeting the new EU targets on biofuels.

Your draftsman would further like to point out to the irreplaceable role of technical innovations in reducing greenhouse gases. For example, a patent invented in the Czech Republic could reduce greenhouse gas emissions by up to 70% if put into practice. The separate waste can serve as secondary raw material.

Finally, your draftsman wishes to underline the need to rationalize the entire transport system in the EU. The present rate of road transport is too high and that of railway transport is too low. It is necessary to prepare, present and discuss a comprehensive approach with regard to the integrated transport system for the whole EU and to include all appropriate kinds of transport.

AMENDMENTS

The Committee on Industry, Research and Energy calls on the Committee on the Environment, Public Health and Food Safety, as the committee responsible, to incorporate the following amendments in its report:

Text proposed by the Commission ¹	Amendments by Parliament
Amendment 1 RECITAL 2	
(2) The Communication from the Commission to the Council and the European Parliament – Thematic Strategy on Air Pollution established goals to reduce emissions of pollutant emissions until 2020. These goals flowed from an extensive analysis of costs and benefits. In particular goals are set to reduce SO ₂ emissions by 82%, NO _x emissions by 60%, volatile organic compounds (VOCs) by 51% and primary PM _{2.5} by 59% relative to emissions in 2000. The consequences of the amendments of Directive 98/70/EC on VOC emissions from petrol stations should be addressed in future legislation.	(2) The Communication from the Commission to the Council and the European Parliament – Thematic Strategy on Air Pollution established goals to reduce emissions of pollutant emissions until 2020. These goals flowed from an extensive analysis of costs and benefits. In particular goals are set to reduce SO ₂ emissions by 82%, NO _x emissions by 60%, volatile organic compounds (VOCs) by 51% and primary PM _{2.5} by 59% relative to emissions in 2000. The consequences of the amendments of Directive 98/70/EC on VOC emissions from petrol stations should be addressed in future legislation. <i>The Commission should present a progress report prior to presenting a proposal for such future legislation.</i>
<i>Justification</i>	
<i>Considering the importance of reducing greenhouse gas emissions, as well as the implications for fuel producers and carmakers, any change in the legislation should be based on a progress report that sets out the economic, environmental and social impact of each proposal.</i>	
Amendment 2 RECITAL 5	
(5) The Community has adopted regulations limiting pollutant emissions from Light and	(5) The Community has adopted regulations

¹ Not yet published in OJ.

Heavy duty Road Vehicles. The fuel specification is one of the factors that influences the ease with which such emission limits can be met.

limiting pollutant emissions from Light and Heavy duty Road Vehicles. The fuel specification is one of the factors that influences the ease with which such emission limits can be met. ***Pollutant emissions can also be reduced through increased energy efficiency and the development of energy-efficient urban public transport.***

Justification

Climate change can also be combated through greater energy efficiency and through more energy-efficient public transport in urban areas. 80% of the population live in urban areas, and urban transport is responsible for 40% of all CO₂ emissions.

Amendment 3 RECITAL 6

(6) Directive 2003/30/EC of 8 May 2003 of the European Parliament and of the Council on the promotion of the use of biofuels or other renewable fuels for transport aims at promoting the use of biofuels within the Community. The Community Strategy on Biofuels has been further elaborated in the Communication from the Commission of 2006 - An EU Strategy for Biofuels. While indicating the willingness to further develop biofuels and biofuel technology, the Communication makes clear that the growth of biofuels should not lead to an increase in environmental damage and emphasised the need for improving the greenhouse gas saving. The Communication also recognises the need to encourage further development of biofuel technology.

(6) Directive 2003/30/EC of 8 May 2003 of the European Parliament and of the Council on the promotion of the use of biofuels or other renewable fuels for transport aims at promoting the use of biofuels within the Community. The Community Strategy on Biofuels has been further elaborated in the Communication from the Commission of 2006 - An EU Strategy for Biofuels. While indicating the willingness to further develop biofuels and biofuel technology, the Communication makes clear that the growth of biofuels should not lead to an increase in environmental damage and emphasised the need for improving the greenhouse gas saving. The Communication also recognises the need to encourage further development of biofuel technology. ***It would be appropriate to invest in research activities relating to second generation biofuels, since competition over the use of land for food crops on the one hand, and for biofuel crops on the other, should be avoided.***

Justification

Biofuels are important for restricting climate change, but biofuel crops should not replace food

crops or result in an excessive rise in the price of agri-food products.

Amendment 4
RECITAL 13

(13) The details concerning the blending of ethanol into petrol, in particular the limits on vapour pressure and possible alternatives for ensuring that ethanol blends do not exceed acceptable vapour pressure limits, should be reviewed on the basis of experience on the application of Directive 98/70/EC. ***deleted***

Justification

The Commission proposal is unbalanced since it promotes just one source of biofuel component (ethanol) to the detriment of others. A greater use of ethanol is incompatible with many existing vehicle fuel systems and will result in an increase in emissions of polluting vapours, that contribute to the formation of ground-level ozone pollution, and can cause premature death in people with breathing difficulties or heart problems. It is important to allow greater flexibility to use also other bio components (such as bio-ETBE, bio-TAEE, renewable biomethane, natural gas or hydrogen).

Amendment 5
RECITAL 15

(15) Blending ethanol in petrol results in a non-linear change of the vapour pressure of the resulting fuel mixture. To ensure that the vapour pressure of the petrol resulting from blending any two legal petrol-ethanol blends remains within the legal vapour pressure limit, it is necessary to define the permitted vapour pressure waiver for such mixtures so that it corresponds to the actual increase in vapour pressure that results from adding a given percentage of ethanol to petrol. ***deleted***

Justification

The Commission proposal is unbalanced since it promotes just one source of biofuel component (ethanol) to the detriment of others. A greater use of ethanol is incompatible with many existing

vehicle fuel systems and will result in an increase in emissions of polluting vapours, that contribute to the formation of ground-level ozone pollution, and can cause premature death in people with breathing difficulties or heart problems. It is important to allow greater flexibility to use also other bio components (such as bio-ETBE, bio-TAEE, renewable biomethane, natural gas or hydrogen).

Amendment 6
RECITAL 16

<i>(16) In order to encourage the use of low-carbon fuels while respecting air pollution targets, petrol refiners should ideally make available low vapour pressure petrol in the volumes required. As this is not for the moment the case, the vapour pressure limit for ethanol blends is increased in order to allow the biofuels market to develop.</i>	<i>deleted</i>
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Justification

Increasing the maximum vapour pressure as proposed by the European Commission cannot be justified on environmental and health-related ground.

Amendment 7
RECITAL 21

(21) Biofuel technologies are evolving. Further research is needed into all possible approaches to convert biomass into transport fuel. It is therefore appropriate that a balanced approach should be taken to the limits set in the Directive with a view to increase, if appropriate, the use of different biofuels. These include: methanol, ethanol, higher order alcohols, ethers and other oxygenates.	(21) Biofuel technologies are evolving. Further research is needed into all possible approaches to convert biomass into transport fuel. It is therefore appropriate that a balanced <i>and technology-neutral</i> approach should be taken to the limits set in the Directive with a view to increase, if appropriate, the use of different biofuels. These include: methanol, ethanol, higher order alcohols, ethers and other oxygenates.
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Justification

In view of the continual evolution in biofuel technology as well as the importance of biofuels in reducing greenhouse gas emissions, the principle of technology neutrality is vital in order to ensure freedom of competition.

Amendment 8
ARTICLE 1, POINT 2, POINT (C)
Article 3, paragraph 3 (Directive 98/70/EC)

3. Fuel meeting the specification set out in Annex III shall be marked in the national language or languages "**Low biofuel petrol**".

Fuel meeting the specification set out in Annex V shall be marked in the national language or languages "**High biofuel petrol**".

3. Fuel meeting the specification set out in Annex III shall be marked in the national language or languages "**Petrol**".

Fuel meeting the specification set out in Annex V shall be marked in the national language or languages "**Low non-fossil blend petrol**".

Justification

The name biofuel is misleading to consumers. In any case a nomination of "High biofuel petrol" should be reserved for petrol which genuinely contains a high percentage of biocomponents. Petrol containing 0% to 5% non-fossil components should therefore be called 'petrol' and petrol containing between 5% and 10% non-fossil components should be called "low non-fossil blend petrol".

Amendment 9
ARTICLE 1, POINT 5
Article 7b (Directive 98/70/EC)

Article 7b

deleted

Ethanol blended into petrol

The measures relating to the details concerning the blending of ethanol into petrol and, in particular, the vapour pressure as set out in Annex VI and possible alternatives, and designed to amend non-essential elements of this Directive, inter alia by supplementing it, shall be adopted in accordance with the procedure referred to in Article 11(2)."

Justification

The Commission proposal is unbalanced since it promotes just one source of biofuel component (ethanol) to the detriment of others. A greater use of ethanol is incompatible with many existing vehicle fuel systems and will result in an increase in emissions of polluting vapours, that contribute to the formation of ground-level ozone pollution, and can cause premature death in people with breathing difficulties or heart problems. It is important to allow greater flexibility to use also other bio components (such as bio-ETBE, bio-TAEE, renewable biomethane, natural gas or hydrogen).

Amendment 10
ARTICLE 1, POINT 5
Article 7b a (new) (Directive 98/70/EC)

Article 7ba

Sustainability criteria for biocomponents in fuels

- 1. Only those biocomponents that meet sustainability criteria and are proven to reduce greenhouse gas emission on a life-cycle basis shall be counted as contributing toward the objective referred to in Article 7a.***
- 2. The sustainability criteria shall be adopted in accordance with the procedure referred to in Article 11(2).***

Justification

The Environment Directorate of the Commission must be mandated to make a proposal on mandatory sustainability criteria for biocomponents in fuels which should be adopted under regulatory procedure with scrutiny. The EP main committee report should suggest more detailed criteria to be set already in the Directive.

Amendment 11
ARTICLE 1, POINT 6
Article 8 a (Directive 98/70/EC)

Article 8a

Metallic additives

The Commission shall continue to develop a suitable test methodology concerning the use of metallic additives in fuel.

Article 8a

Metallic additives

Following the existing work by the Joint Research Centre and using existing data, the Commission shall continue to develop a suitable test methodology concerning the use of metallic additives in fuel, and, using such methodology, evaluate whether to propose restrictions for those deemed to impair the effective functioning of pollution abatement technologies.

Amendment 12
ARTICLE 1, POINT 7
Article 9, point (c) (Directive 98/70/EC)

***(c) limits of vapour pressure for ethanol
blended into petrol;*** ***deleted***

Justification

The Commission proposal is unbalanced since it promotes just one source of biofuel component (ethanol) to the detriment of others. A greater use of ethanol is incompatible with many existing vehicle fuel systems and will result in an increase in emissions of polluting vapours, that contribute to the formation of ground-level ozone pollution, and can cause premature death in people with breathing difficulties or heart problems. It is important to allow greater flexibility to use also other bio components (such as bio-ETBE, bio-TAEE, renewable biomethane, natural gas or hydrogen).

Amendment 13
ARTICLE 1, POINT 7 A (new)
Article 9 a (new)(Directive 98/70/EC)

(7a) The following Article 9a is inserted:

"Article 9a

To contribute to the European Union's objectives on reducing greenhouse gas emissions and to the establishment of a reporting and monitoring mechanism of life-cycle greenhouse gas emissions from road transport fuels the Commission shall, by no later than 31 December 2010:

1. Draw up a report for the Parliament and the Council on possible reduction mechanisms. In particular, the Commission shall consider:

(a) developing an appropriate methodology for estimating life-cycle greenhouse gas emissions from road transport fuels;

(b) clarifying the relationship of any reduction mechanism with the EU Emissions Trading Scheme and Member State commitments under the Kyoto Protocol;

(c) reviewing the feasibility of and timetable for achieving progressive specific greenhouse gas emission reduction targets;

(d) assessing the business, economic and social impact of those targets.

2. On the basis of this report, the Commission may submit proposals to the Parliament and the Council for the amendment of this directive, in accordance with the provisions of Directive 2003/30/EC and subsequent relevant legislation."

Justification

Although it is desirable to establish a reporting and monitoring mechanism of life-cycle greenhouse gas emissions from road fuels, it is first necessary to develop a harmonised and concrete methodology for effectively calculating these emissions. Fixing a 10% greenhouse gas emissions target at this stage is premature because this has direct implications on the volume and sustainability of biofuels that will be available and promoted in the EU. The Commission should only propose to review the Directive once it has conducted all the necessary pre-conditions listed above.

Amendment 14
ARTICLE 1, POINT 12
Annex III, footnote 5 (Directive 98/70/EC)

Annex III is amended as follows: ***deleted***

Footnote 5 is modified by adding the following text: "Where fuel contains ethanol, the maximum summer vapour pressure may exceed 60kPa by the amount shown in the table in Annex VI."

Justification

The Commission proposal is unbalanced since it promotes just one source of biofuel component (ethanol) to the detriment of others. A greater use of ethanol is incompatible with many existing vehicle fuel systems and will result in an increase in emissions of polluting vapours, that contribute to the formation of ground-level ozone pollution, and can cause premature death in people with breathing difficulties or heart problems. It is important to allow greater flexibility to use also other bio components (such as bio-ETBE, bio-TAEE, renewable biomethane, natural gas or hydrogen).

Amendment 15
ARTICLE 1, POINT 13, POINT (A)
Annex IV (Directive 98/70/EC)

(a) in the row for "Polycyclic Aromatic Hydrocarbons", the entry in the column "Maximum" is replaced by "8".

(a) in the row for "polycyclic Aromatic Hydrocarbons", the entry in the column "Maximum" is replaced by "6".

Justification

Lowering the maximum limit aligns it with the present market reality. Almost all European market fuels have already a PAH content in the range 1% to 6%.

Amendment 16
ANNEX
Annex V, title (Directive 98/70/EC)

ENVIRONMENTAL SPECIFICATIONS
FOR MARKET FUELS TO BE USED FOR
VEHICLES EQUIPPED WITH POSITIVE-
IGNITION ENGINES

ENVIRONMENTAL SPECIFICATIONS
FOR MARKET FUELS **CONTAINING A
MINIMUM OF 5% v/v
BIOCOMPONENTS** TO BE USED FOR
VEHICLES EQUIPPED WITH POSITIVE-
IGNITION ENGINES

Justification

The proposed changes require Low Biofuel Petrol to contain a minimum of 5% v/v biocomponents while allowing the distributor to choose the components. The maximal values of the individual biocomponents are already contained in the table. Minimal individual values are not required as the minimal total is specified at 5%.

Amendment 17
ANNEX
Annex V, rows 19 a to 19 e (new) (Directive 98/70/EC)

AMENDMENTS BY PARLIAMENT

<i>Biocomponents</i>	<i>% v/v</i>	<i>5</i>	
<i>---Bio-ethanol (stabilising agents may be necessary)</i>	<i>% v/v</i>		<i>10</i>
<i>---Bio-alcohols containing 3 carbon atoms per molecule</i>	<i>% v/v</i>		<i>7</i>
<i>---Bio-alcohols containing 4 or more carbon atoms per molecule</i>	<i>% v/v</i>		<i>10</i>

---Bio-ethers containing 5 or more carbon atoms per molecule	% v/v		22
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Justification

The proposed changes require Low Biofuel Petrol to contain a minimum of 5% v/v biocomponents while allowing the distributor to choose the components. The maximal values of the individual biocomponents are already contained in the table. Minimal individual values are not required as the minimal total is specified at 5%. Within the proposed boundaries it is possible to achieve an equivalent of 10% biofuel (ethanol) content.

Amendment 18

ANNEX

Annex V, footnote 4 (Directive 98/70/EC)

(4) For Member States with arctic or severe winter conditions the maximum vapour pressure shall not exceed 70.0 kPa. ***Where fuel contains ethanol, the maximum permitted summer vapour pressure may exceed 60kPa by the amount shown in the table in annex VI***

(4) For Member States with arctic or severe winter conditions the maximum vapour pressure shall not exceed 70.0 kPa.

Justification

The Commission proposal is unbalanced since it promotes just one source of biofuel component (ethanol) to the detriment of others. A greater use of ethanol is incompatible with many existing vehicle fuel systems and will result in an increase in emissions of polluting vapours, that contribute to the formation of ground-level ozone pollution, and can cause premature death in people with breathing difficulties or heart problems. It is important to allow greater flexibility to use also other bio components (such as bio-ETBE, bio-TAEE, renewable biomethane, natural gas or hydrogen).

Amendment 19

ANNEX

Annex VI (Directive 98/70/EC)

This annex is deleted

Justification

The Commission proposal is unbalanced since it promotes just one source of biofuel component (ethanol) to the detriment of others. A greater use of ethanol is incompatible with many existing vehicle fuel systems and will result in an increase in emissions of polluting vapours, that

contribute to the formation of ground-level ozone pollution, and can cause premature death in people with breathing difficulties or heart problems. It is important to allow greater flexibility to use also other bio components (such as bio-ETBE, bio-TAEE, renewable biomethane, natural gas or hydrogen).

PROCEDURE

Title	Monitoring and reduction of greenhouse gas emissions from fuels (raod transport and inland waterway vessels)	
References	COM(2007)0018 - C6-0061/2007 - 2007/0019(COD)	
Committee responsible	ENVI	
Opinion by Date announced in plenary	ITRE 13.3.2007	
Drafts(wo)man Date appointed	Miloslav Ransdorf 12.4.2007	
Discussed in committee	26.6.2007	12.9.2007
Date adopted	12.11.2007	
Result of final vote	+: 34 -: 0 0: 3	
Members present for the final vote	Jan Březina, Renato Brunetta, Jerzy Buzek, Giles Chichester, Gianni De Michelis, Den Dover, Adam Gierek, Norbert Glante, András Gyürk, Fiona Hall, David Hammerstein, Ján Hudacký, Romana Jordan Cizelj, Werner Langen, Angelika Niebler, Reino Paasilinna, Atanas Paparizov, Miloslav Ransdorf, Herbert Reul, Teresa Riera Madurell, Andres Tarand, Britta Thomsen, Patrizia Toia, Nikolaos Vakalis, Dominique Vlasto	
Substitute(s) present for the final vote	Pilar Ayuso, Ivo Belet, Danutė Budreikaitė, Avril Doyle, Robert Goebbels, Satu Hassi, Edit Herczog, Vittorio Prodi, Esko Seppänen, Hannes Swoboda, Lambert van Nistelrooij	
Substitute(s) under Rule 178(2) present for the final vote	Eva Lichtenberger	

13.9.2007

OPINION OF THE COMMITTEE ON AGRICULTURE AND RURAL DEVELOPMENT

for the Committee on the Environment, Public Health and Food Safety

on the proposal for a directive of the European Parliament and of the Council amending Directive 98/70/EC as regards the specification of petrol, diesel and gas-oil and introducing a mechanism to monitor and reduce greenhouse gas emissions from the use of road transport fuels and amending Council Directive 1999/32/EC as regards the specification of fuel used by inland waterway vessels and repealing Directive 93/12/EEC
(COM(2007)0018 – C6-0061/2007 – 2007/0019(COD))

Draftsman: Joseph Daul

SHORT JUSTIFICATION

The proposal for a directive presented by the European Commission concerning the specification of petrol, diesel and gas-oil and amending Directive 98/70/EC of 13 October 1998 represents an important stage in the process of promoting and developing biofuels in the European Union.

Through many resolutions and reports Parliament has consistently supported all European Union initiatives to reduce greenhouse gas emissions. At the European Council meeting held on 8 and 9 March 2007 it was decided that renewable energy sources should account for 20% of the energy consumed in the European Union by 2020 and that biofuels should make up 10% of the fuels consumed.

Moreover, the current reforms of the market organisations for plant crops are reducing the range of potential outlets for the products concerned. Biofuels offer farmers alternative marketing opportunities, thereby consolidating European regional development policy and safeguarding jobs in rural areas. In addition, areas of land currently covered by the set-aside scheme constitute a reserve which could be exploited in order to meet this new demand.

Against this background, the proposal for a directive presented by the European Commission with a view to correcting the specifications for types of petrol incorporating biofuels is a key component of European policy to facilitate biofuel use.

There is an urgent need to bring the technical specifications set out in Directive 98/70/EC into line with the European Union's political objectives.

First of all, European objectives for the use of biofuels can be met only if manufacturers and distributors incorporate ethanol directly into petrol. One solution would be for oil companies to make available to manufacturers or distributors of biofuels sufficient quantities of low-volatility petrol, something which at present, they do not do. With a view to overcoming this obstacle, therefore, the European Commission is proposing changes to the current specifications for types of petrol.

In addition, Member States wishing to introduce immediately provisions concerning the direct incorporation of ethanol into petrol, in keeping with the wishes of ordinary Europeans, should be able to do so. This approach is all the more justified because the revision of the directive should have been carried out in late 2005, but has been delayed for almost two years.

Finally, the technological development of engines and biofuels for use in the future suggests that future blends will contain more than the current maximum level of ethanol (5%). Although such an objective is a highly desirable one, given that it is entirely consistent with the policy of reducing greenhouse gas emissions, care should be taken to ensure that the information provided to consumers is as comprehensive as possible, with a view to avoiding problems resulting from the use of biofuels in older, unsuitable engines.

In accordance with Directive 85/536/EEC, the European vehicle fleet must now be able to use fuels containing up to 5% bioethanol or 15% ETBE. Accordingly, simplified labelling is being proposed, restricted to types of petrol incorporating more than 5% ethanol or 15% ETBE.

The development of biofuels is only one aspect of European policy on the reduction of greenhouse gas emissions in the transport sector. If the European Union wishes to honour its international undertakings with regard to environmental protection, there is an urgent need, therefore, to define as quickly as possible new requirements applicable to that sector.

The European Commission is proposing the incorporation in the directive of a procedure to determine the measures required to comply with the principle of a reduction in CO₂ emissions in the transport sector over the period from 1 January 2011 to 2020.

The target of a reduction of 10%, per unit of energy and over 10 years, in greenhouse gas emissions produced over the whole life cycle of fuels is consistent with the policy supported by all Europeans. The importance of that objective is such that the measures required should have been the subject of specific discussion in the European institutions.

Given the urgent nature of the situation, the Committee on Agriculture endorses the principle of incorporating these provisions into the directive, even though its primary objective is that of modifying the quality of motor fuels.

Nevertheless, the Committee on Agriculture will be particularly watchful when the measures to be adopted at European level and implemented by the Member States as from 1 January 2009 are drawn up. In that connection, it calls on the Commission to keep Parliament informed about the

progress of the discussions and, in particular, about the reasons for any delay in implementing the measures in question.

AMENDMENTS

The Committee on Agriculture and Rural Development calls on the Committee on the Environment, Public Health and Food Safety, as the committee responsible, to incorporate the following amendments into its report:

Text proposed by the Commission¹

Amendments by Parliament

Amendment 1 RECITAL 6

(6) Directive 2003/30/EC of 8 May 2003 of the European Parliament and of the Council on the promotion of the use of biofuels or other renewable fuels for transport aims at promoting the use of biofuels within the Community. The Community Strategy on Biofuels has been further elaborated in the Communication from the Commission of 2006 - An EU Strategy for Biofuels. While indicating the willingness to further develop biofuels and biofuel technology, the Communication makes clear that the growth of biofuels should not lead to an increase in environmental damage and emphasised the need for improving the greenhouse gas saving. The Communication also recognises the need to encourage further development of biofuel technology.

(6) Directive 2003/30/EC of 8 May 2003 of the European Parliament and of the Council on the promotion of the use of biofuels or other renewable fuels for transport aims at promoting the use of biofuels within the Community. ***Biofuels represent one means of achieving the targets laid down by the European Union for the reduction of greenhouse gas emissions, more specifically in the transport sector.*** The Community Strategy on Biofuels has been further elaborated in the Communication from the Commission of 2006 - An EU Strategy for Biofuels. While indicating the willingness to further develop biofuels and biofuel technology, the Communication makes clear that the growth of biofuels should not lead to an increase in environmental damage and emphasised the need for improving the greenhouse gas saving. The Communication also recognises the need to encourage further development of biofuel technology.

Amendment 2 RECITAL 9

¹ Not yet published in Official Journal.

(9) The combustion of road transport fuel is responsible for around 20% of Community Greenhouse Gas emissions. **One approach to reducing these emissions is through reducing** the life-cycle greenhouse gas emissions of these fuels. This can be done in a number of ways. In view of the Community's ambition to further reduce greenhouse gas emissions and the important role that road transport emissions play, it is appropriate to work on a mechanism requiring fuel suppliers to report the life-cycle greenhouse gas emissions of the fuel that they supply and to reduce those emissions by a fixed amount per year from 2010 onwards. As one of the **consequences** of this directive **will be an increased** possibility to use biofuels the greenhouse gas reporting and reduction mechanism will be developed in co-ordination with the provisions of Directive 2003/30/EC.

(9) The combustion of road transport fuel is responsible for around 20% of Community Greenhouse Gas emissions. To **reduce** these emissions **it would be essential to reduce** the life-cycle greenhouse gas emissions of these fuels. This can be done in a number of ways. In view of the Community's ambition to further reduce greenhouse gas emissions and the important role that road transport emissions play, it is appropriate to work on a mechanism requiring fuel suppliers to report the life-cycle greenhouse gas emissions of the fuel that they supply and to reduce those emissions by a fixed amount per year from 2010 onwards. As one of the **objectives** of this directive **is to increase the** possibility to use biofuels the greenhouse gas reporting and reduction mechanism will be developed in co-ordination with the provisions of Directive 2003/30/EC **and should be introduced by 31 December 2008 at the latest.**

Justification

Il est indispensable d'instaurer une politique volontariste de réduction des émissions de gaz à effet de serre, sous peine de voir l'Union européenne ne pas respecter ses engagements internationaux en la matière.

D'autre part, la proposition de la Commission de directive relative à la spécification des essences aurait dû être prise pour le 31 décembre 2005. Les retards pris conduisent à différer sans cesse une politique européenne de réduction des gaz à effet de serre. C'est la raison pour laquelle il est donc plus qu'urgent que l'Union européenne prenne toutes les dispositions nécessaires pour mettre en place, dans les délais les plus brefs, tous les éléments indispensables à une politique dynamique de réduction des gaz à effet de serre. Dans ce cadre, la fixation d'une date limite impérative pour la mise en place d'un mécanisme de déclaration et de réduction des émissions de gaz à effet de serre s'impose.

Amendment 3 RECITAL 9 A (new)

(9a) Reducing greenhouse gas emissions is an imperative for everyone. Through the objectives laid down, the European Union should demonstrate the scope for implementing policies which make

reductions in greenhouse gas emissions compulsory. Moreover, given the environmental issues at stake, it is essential that a mechanism for declaring and reducing greenhouse gas emissions should be introduced before 1 January 2009. If that target date is not met, the Commission should submit a report to the European Parliament giving the reasons for the delay.

Justification

Reducing greenhouse gas emissions is an imperative for all countries. Through the objectives laid down, the European Union must demonstrate the scope for implementing policies which make reductions in greenhouse gas emissions compulsory.

Amendment 4

RECITAL 11

(11) The **Commission** has set a goal of achieving a minimum 10% biofuel share in transport fuels by 2020. Continuing technical progress in the fields of automotive and fuel technology coupled with the continuing desire to ensure that the level of environmental and health protection is optimised necessitate periodic review of the fuel specifications based upon further studies and analyses of the impact of additives and biofuels component on pollutant emissions. Therefore, the possibility of facilitating the decarbonisation of transport fuels should be regularly reported upon.

(11) The **European Union** has set a goal of achieving a minimum 10% biofuel share in transport fuels by 2020. Continuing technical progress in the fields of automotive and fuel technology coupled with the continuing desire to ensure that the level of environmental and health protection is optimised necessitate periodic review of the fuel specifications based upon further studies and analyses of the impact of additives and biofuels component on pollutant emissions. Therefore, the possibility of facilitating the decarbonisation of transport fuels should be regularly reported upon.

Justification

Parliament has always advocated ambitious targets for the use of biofuels. For its part, in its communication of 8 and 9 March 2007 the European Council drew attention to the binding target of at least 10% for biofuel use in the transport sector.

Amendment 5

RECITAL 11 a (new)

(11a) The Commission should draw up a proposal for legislation designed to ensure that the manufacture of fuels from vegetable raw materials does not endanger food security.

Justification

The primary goal of the common agricultural policy is food security. The raw materials for plant-based fuels are grown on the same land as foodstuffs. For that reason, legislation is needed to ensure that the use of plant-based fuels does not endanger food security, also in developing countries.

Amendment 6
RECITAL 12 A (new)

(12a) Blending ethanol in petrol results in a non-linear change of the vapour pressure of the resulting fuel mixture.

Justification

A proper understanding of the problems involved makes changes to the structure of the recitals essential.

Amendment 7
RECITAL 13

(13) The details concerning the blending of ethanol into petrol, in particular the limits on vapour pressure and possible alternatives for ensuring that ethanol blends do not exceed acceptable vapour pressure limits, should be reviewed on the basis of experience on the application of Directive 98/70/EC.

(13) Given that the vapour pressure of blends is also linked to the original composition of the petrols used, the details concerning the blending of ethanol into petrol, in particular the limits on vapour pressure and possible alternatives for ensuring that ethanol blends do not exceed acceptable vapour pressure limits, should be reviewed on the basis of experience on the application of Directive 98/70/EC.

Justification

Since the volatility of ethanol is stable for a given level of ethanol, the composition of the petrols making up the blend is the factor determining the volatility of the final product.

Amendment 8
RECITAL 14

(14) **Blending ethanol into petrol increases the vapour pressure of the resulting fuel while** the vapour pressure for petrol blends has to be controlled to limit air pollutant emissions.

(14) **Given that the increase in the vapour pressure of the petrol-ethanol blend reaches its maximum when 5% ethanol by volume has been incorporated, and then decreases for blends with higher ethanol levels,** the vapour pressure for petrol blends has to be controlled to limit air pollutant emissions.

Justification

The increase in the vapour pressure of the blend reaches its maximum when 5% of ethanol by volume has been incorporated, then decreases for blends with higher ethanol levels.

Amendment 9
RECITAL 15

(15) **Blending ethanol in petrol results in a non-linear change of the vapour pressure of the resulting fuel mixture.** To ensure that the vapour pressure of the petrol resulting from blending any two legal petrol-ethanol blends remains within the legal vapour pressure limit, it is necessary to define the permitted vapour pressure waiver for such mixtures so that it corresponds to the actual increase in vapour pressure that results from adding a given percentage of ethanol to petrol.

(15) To ensure that the vapour pressure of the petrol resulting from blending any two legal petrol-ethanol blends remains within the legal vapour pressure limit, it is necessary to define the permitted vapour pressure waiver for such mixtures so that it **takes account of the intrinsic quality of the petrols used and thus** corresponds to the actual increase in vapour pressure that results from adding a given percentage of ethanol to petrol.

Justification

Since the volatility of ethanol is stable for a given level of ethanol, the composition of the petrols making up the blend is the factor determining the volatility of the final product.

Amendment 10
RECITAL 16

(16) In order to encourage the use of low-carbon fuels while respecting air pollution targets, petrol refiners should ideally make available low vapour pressure petrol in the

(16) In order to encourage the use of low-carbon fuels while respecting air pollution targets, petrol refiners should ideally make available low vapour pressure petrol in the

volumes required. *As this is not for the moment the case, the vapour pressure limit for ethanol blends is increased in order to allow the biofuels market to develop.*

volumes required. *Unfortunately, this is not at present the case, since the availability of low vapour-pressure petrols is still very poor.*

Justification

The failure on the part of European refiners to make available to biofuel producers who carry out blending of petrol and ethanol the quantities of low vapour-pressure petrols they require is a daily problem. This situation is deeply regrettable, because it is hampering the development of biofuels and jeopardising the achievement of the political objectives set by the European Union.

Amendment 11 RECITAL 16 A (new)

(16a) In the light of this availability problem, the maximum vapour pressure authorised for blends containing ethanol should be increased so that the vitally needed development of the biofuels market can take place.

Justification

In an effort to respond to the concerns expressed by biofuel producers regarding inadequate supplies of low vapour-pressure petrols, and so overcome the obstructive attitude of the refiners, an increase in the maximum vapour pressure authorised for blends containing ethanol is being proposed.

Amendment 12 RECITAL 16 B (new)

(16b) The specifications for petrol, diesel and gas-oil were to be revised before 31 December 2005. The delay has set back to an equivalent degree the efforts to achieve the European Union's political objectives concerning the reduction of greenhouse gas emissions in the transport sector.

Justification

Directive 2003/30 provided for the specifications for petrol, diesel and gas-oil to be revised

before 31 December 2005.

Amendment 13
RECITAL 16 C (new)

(16c) In order not to add to the delay in achieving the objectives for the reduction of greenhouse gas emissions in the transport sector, the Commission should take steps to enable Member States to authorise without delay the direct incorporation of ethanol into petrols.

Justification

It would be inconceivable to add further to the delay which has built up since December 2005. With a view to reducing the impact of the delay, a derogation should be granted to those Member States which, in keeping with the European Union's objectives concerning reductions in greenhouse gas emissions, implement or wish to implement the measures set out in the directive by encouraging the direct incorporation of ethanol into petrol.

Amendment 14
RECITAL 16 D (new)

(16d) Since the new fuels might pose risks to some older engines, it is essential that accurate information should be made available to consumers by means of appropriate labelling of fuels which contain higher levels of biofuels than those currently marketed.

Justification

The provisions of the proposal for a directive should closely reflect the concerns of consumers, without whom the European Union's objectives concerning reductions in greenhouse gas emissions cannot be met. This is particularly true of consumers who are owners of older vehicles not designed to run on new fuels.

Amendment 15
RECITAL 19

(19) In the framework of setting a new

(19) In the framework of setting a new

mechanism for monitoring greenhouse gas emissions, power should be conferred on the Commission to establish the methodology to be used in reporting on the lifecycle greenhouse gas emissions from road transport fuel and fuel used for non-road mobile machinery. Since those measures as those for the adaptation of the permitted analytical methods provided for in Article 10 of Directive 98/70/EC, are of general scope and are designed to supplement this Directive by the addition of new non-essential elements, they should be adopted in accordance with the regulatory procedure with scrutiny provided for in Article 5a of Decision 1999/468/EC.

mechanism for monitoring greenhouse gas emissions, power should be conferred on the Commission to establish the methodology to be used in reporting on the lifecycle greenhouse gas emissions from road transport fuel and fuel used for non-road mobile machinery. ***The Commission should regularly report to the European Parliament on the problems encountered, in particular in the event of delays in implementing these measures.*** Since those measures as those for the adaptation of the permitted analytical methods provided for in Article 10 of Directive 98/70/EC, are of general scope and are designed to supplement this Directive by the addition of new non-essential elements, they should be adopted in accordance with the regulatory procedure with scrutiny provided for in Article 5a of Decision 1999/468/EC.

Justification

Reducing greenhouse gas emissions, in particular in the transport sector, is one of the main objectives set by Parliament, which acts as the mouthpiece for the concerns expressed by all European citizens in this area. This is why it is asking to be involved at all stages of the preparation of the measures concerning greenhouse gas emissions and, at the very least, to be informed of any delay in the preparation and implementation of those measures.

Amendment 16 RECITAL 21 A (new)

(21a) Research into new engines emitting lower volumes of greenhouse gases should be promoted at Community level. That research should also anticipate the development of the fuels which will become available over the next 20 years.

Justification

Engine technology is also evolving. Research into new engines emitting lower volumes of greenhouse gases must be promoted at Community level. In addition, that research must also anticipate the development of the fuels which will become available over the next 20 years containing higher levels of biofuels, in particular petrols containing between 20 and 30%

ethanol, fuels on which engine designers are already working.

Amendment 17

ARTICLE 1, POINT 2 (C)

Article 3, paragraph 3, subparagraph 1 (Directive 98/70/EC)

'3. Fuel meeting the specification set out in Annex III shall ***be marked in the national language or languages "Low biofuel petrol"***.

'3. Fuel meeting the specification set out in Annex III shall ***not require specific labelling in respect of the level of ethanol or ETBE it contains.***

Justification

The European Union's current vehicle fleet can use fuels incorporating up to 5% ethanol or 15% ETBE. The use of petrols containing less than 5% ethanol or less than 15% ETBE is now common practice in the EU Member States. The reference to low ethanol or ETBE content is thus no longer fundamental to accurate consumer information.

Amendment 18

ARTICLE 1, POINT 2 (C)

Article 3, paragraph 3, subparagraph 2 (Directive 98/70/EC)

Fuel meeting the specification set out in Annex V shall be marked in the national language or languages "***High*** biofuel petrol."

Fuel meeting the specification set out in Annex V shall be marked in the national language or languages "***Higher*** biofuel petrol."

Justification

Only the most recent models in the vehicle fleet can run on blends containing more than 5% ethanol or more than 15% ETBE. That is why consumer information should focus on identifying such blends, with a view to avoiding vehicle incompatibility problems and guiding consumers towards the most appropriate fuels in the light of the objectives of this directive.

Amendment 19

ARTICLE 1, POINT 2 (B A) (new)

Article 3, paragraph 2, point (c a) (new) (Directive 98/70/EC)

(ba) In paragraph 2, the following point (ca) is added:

'(ca) Member States shall also ensure that by 1 January 2012 at the latest unleaded petrol with a bioethanol content of at least 70% by volume complies with the

environmental specifications laid down in Annex VIa'.

Justification

It is essential that detailed environmental specifications should be introduced for the new petrol E 85, given its high bioethanol content of at least 70% by volume.

Amendment 20

ARTICLE 1, POINT 5

Article 7a, paragraph 3 a (new) (Directive 98/70/EC)

3a. The Commission shall submit a report to the European Parliament on the methodology employed concerning the information referred to in paragraphs 1 and 2 of this article and on the requisite measures taken pursuant to paragraph 3 of this article.

The Commission shall inform the European Parliament of any delay in achieving the objectives of this directive as regards reductions in greenhouse gas emissions.

Justification

Reducing greenhouse gas emissions is an imperative for all countries. Through the objectives laid down, the European Union should demonstrate the scope for implementing policies which make reductions in greenhouse gas emissions compulsory. Moreover, given the environmental issues at stake, it is essential that a mechanism for declaring and reducing greenhouse gas emissions should be introduced before 1 January 2009. If that target date is not met, the Commission should submit a report to Parliament giving the reasons for the delay.

Amendment 21

ARTICLE 1, POINT 12

Annex III (Directive 98/70/EC)

Footnote 5 is modified by adding the following text: 'Where the fuel contains ethanol, the maximum ***summer*** vapour pressure may exceed ***60kPa by the amount***

Footnote 5 is modified by adding the following text: 'Where the fuel contains ethanol, the maximum vapour pressure may exceed ***the authorised limit for the current***

shown in the table in Annex VI.'

season, as indicated in Annex VI.'

Justification

The direct incorporation of bioethanol in fuels should be facilitated throughout the year.

Amendment 22

ANNEX

Annex V, Line 11 (Oxygen content), column 4 (Directive 98/70/EC)

3,7

4,0

Justification

The European reference standard for unleaded petrols - standard EN 228 - stipulates that the density of such petrols must be between 720 and 775 kg/m³ at 15°C. If 10% by volume of ethanol were to be incorporated into petrol with a density at the bottom end of the scale - 720 kg/m³ - the oxygen content of that petrol would exceed 3.7% m/m and it would no longer comply with the standard. Fixing the maximum oxygen content at 4% m/m would make it possible to incorporate 10% by volume of ethanol into any unleaded petrol which complies with the standard, with no risk that the petrol in question would then cease to comply following the addition of ethanol.

Amendment 23

ANNEX

Annex V, footnote on page 4 (Directive 98/70/EC)

(4) For Member States with arctic or severe winter conditions the maximum vapour pressure shall not exceed 70.0 kPa. Where fuel contains ethanol, the maximum permitted **summer** vapour pressure may exceed **60 kPa by the amount shown** in the table in Annex VI.

(4) For Member States with arctic or severe winter conditions the maximum vapour pressure shall not exceed 70.0 kPa. Where fuel contains ethanol, the maximum permitted vapour pressure may exceed **the limit authorised for the current season, as indicated** in the table in Annex VI.

Justification

The direct incorporation of bioethanol in fuels should be facilitated throughout the year.

Amendment 24

ARTICLE 1, POINT 15 A (new)

Annex VI a (new) (Directive 98/70/EC)

15a. The Annex VIa contained in the annex to this Directive is added:

'ANNEX VIA

ENVIRONMENTAL SPECIFICATIONS FOR MARKET FUELS

TO BE USED FOR VEHICLES EQUIPPED WITH POSITIVE IGNITION ENGINES

Type Petrol E 85

Requirements and analytical methods					
Parameter ⁽¹⁾	Unit	Limits ⁽²⁾			
		Minimum		Maximum	
Research octane number		95		-	
Motor octane number		85		-	
- Higher alcohols (C3-C8)	% v/v	-		2,0	
- Methanol	% v/v	-		1,0	
- Ethers containing 5 or more carbon atoms per molecule	% v/v	-		5,2	
Sulphur content	mg/lg	-		1	
Climate-related requirements and analytical methods					
Parameter ⁽¹⁾	Unit	Limits ⁽²⁾			
		Class A (summer)		Class B (winter)	
		Minimum	Maximum	Minimum	Maximum
- Ethanol and higher alcohols	% v/v	75 ³	86	70 ³	80
- Super 95 in accordance with standard EN 228	% v/v	-	25	-	30
- Vapour pressure	kPa	35	60	50	90

⁽¹⁾ Test methods shall be those specified in EN 228:1999. Member States may adopt the analytical method specified in replacement EN 228:1999 standard if it can be shown to give at least the same accuracy and at least the same level of precision as the analytical method it replaces.

⁽²⁾ The values quoted in the specification are 'true values'. In the establishment of their limit values, the terms of ISO 4259 'Petroleum products - Determination and application of precision data in relation to methods of test' have been applied and in fixing a minimum value, a minimum difference of 2 R above 0 has been taken into account (R = reproducibility). The results of individual measurements shall be interpreted on the basis of the criteria described in ISO 4259 (published in 1995).

⁽³⁾ Member States may decide to market petrol E 85 with minimum levels of 65% by volume in accordance with national standards adopted on the basis of European standard CWA 15293:2005.'

Justification

It is essential that detailed environmental specifications should be introduced for the new petrol

E 85, given its high bioethanol content of at least 70% by volume.

PROCEDURE

Title	Monitoring and reduction of greenhouse gas emissions from fuels (road transport and inland waterway vessels)
References	COM(2007)0018 - C6-0061/2007 - 2007/0019(COD)
Committee responsible	ENVI
Opinion by Date announced in plenary	AGRI 13.3.2007
Drafts(wo)man Date appointed	Joseph Daul 8.5.2007
Discussed in committee	4.6.2007 16.7.2007 12.9.2007
Date adopted	12.9.2007
Result of final vote	+ : 29 - : 0 0 : 0
Members present for the final vote	Vincenzo Aita, Luis Manuel Capoulas Santos, Giuseppe Castiglione, Joseph Daul, Albert Deß, Michl Ebner, Duarte Freitas, Lutz Goepel, Bogdan Golik, Friedrich-Wilhelm Graefe zu Baringdorf, Lily Jacobs, Elisabeth Jeggle, Stéphane Le Foll, Véronique Mathieu, Rosa Miguélez Ramos, Neil Parish, Radu Podgorean, María Isabel Salinas García, Agnes Schierhuber, Willem Schuth, Czesław Adam Siekierski, Petya Stavreva, Donato Tommaso Veraldi
Substitute(s) present for the final vote	Esther De Lange, Ilda Figueiredo, Roselyne Lefrançois, Astrid Lulling, Hans-Peter Mayer
Substitute(s) under Rule 178(2) present for the final vote	Manolis Mavrommatis

PROCEDURE

Title	Monitoring and reduction of greenhouse gas emissions from fuels (road transport and inland waterway vessels)			
References	COM(2007)0018 - C6-0061/2007 - 2007/0019(COD)			
Date submitted to Parliament	31.1.2007			
Committee responsible Date announced in plenary	ENVI 13.3.2007			
Committee(s) asked for opinion(s) Date announced in plenary	ECON 13.3.2007	ITRE 13.3.2007	IMCO 13.3.2007	TRAN 13.3.2007
	AGRI 13.3.2007			
Not delivering opinions Date of decision	ECON 13.3.2007	IMCO 1.3.2007	TRAN 28.2.2007	
Rapporteur(s) Date appointed	Dorette Corbey 8.3.2007			
Discussed in committee	4.6.2007	13.9.2007		
Date adopted	27.11.2007			
Result of final vote	+: -: 0:	42 7 0		
Members present for the final vote	Adamos Adamou, Georgs Andrejevs, Pilar Ayuso, Johannes Blokland, John Bowis, Dorette Corbey, Chris Davies, Avril Doyle, Edite Estrela, Anne Ferreira, Karl-Heinz Florenz, Matthias Groote, Cristina Gutiérrez-Cortines, Satu Hassi, Gyula Hegyi, Jens Holm, Caroline Jackson, Christa Klab, Eija-Riitta Korhola, Aldis Kušķis, Linda McAvan, Alexandru-Ioan Morțun, Riitta Myller, Miroslav Ouzký, Daciana Octavia Sârbu, Karin Scheele, Carl Schlyter, Richard Seeber, Kathy Sinnott, Bogusław Sonik, María Sornosa Martínez, Evangelia Tzampazi, Thomas Ulmer, Anja Weisgerber, Glenis Willmott			
Substitute(s) present for the final vote	Alfonso Andria, Iles Braghetto, Kathalijne Maria Buitenweg, Christofer Fjellner, Umberto Guidoni, Erna Hennicot-Schoepges, Anne Laperrouze, David Martin, Miroslav Mikolášik, Andres Tarand, Lambert van Nistelrooij			
Substitute(s) under Rule 178(2) present for the final vote	Jean-Pierre Audy, Agustín Díaz de Mera García Consuegra, Willi Piecyk			