AMENDMENTS
277 - 523

Draft opinion
Marijana Petir
(PE604.833v02-00)

Promotion of the use of energy from renewable sources (recast)

Proposal for a directive
(COM(2016)0767 – C8-0500/2016 – 2016/0382(COD))
AM_Com_LegOpinion
Amendment 277  
John Stuart Agnew  
Proposal for a directive  
Article 4 – paragraph 1  

Text proposed by the Commission  

1. Subject to State aid rules, in order to reach the Union target set in Article 3(1), Member States may apply support schemes. Support schemes for electricity from renewable sources shall be designed so as to avoid unnecessary distortions of electricity markets and ensure that producers take into account the supply and demand of electricity as well as possible grid constraints.

Amendment  

1. All forms of support schemes for electricity from renewable and fossil sources distort markets and, therefore, shall be avoided.

Or. en  

Justification  

All forms of subsidy are distorting and, therefore, in the interests of the proper functioning of the internal market in the interests of consumers, should be avoided.

Amendment 278  
Fredrick Federley  
Proposal for a directive  
Article 4 – paragraph 1  

Text proposed by the Commission  

1. Subject to State aid rules, in order to reach the Union target set in Article 3(1), Member States may apply support schemes. Support schemes for electricity from renewable sources shall be designed so as to avoid unnecessary distortions of electricity markets and ensure that producers take into account the supply and demand of electricity as well as possible grid constraints.

Amendment  

1. Subject to State aid rules, in order to reach the targets set in Article 3(1), Member States may apply support schemes. Support schemes for electricity from renewable sources, including the financing of the scheme, shall be competitive and market-based, so as to avoid distortion of electricity markets and ensure that producers take into account the supply and demand of electricity as well as possible grid constraints. Member States may consider specific characteristics of
different renewable energy technologies in the design of support schemes.

Or. en

Amendment 279
Laurențiu Rebega, Philippe Loiseau

Proposal for a directive
Article 4 – paragraph 1

Text proposed by the Commission

(1) Subject to State aid rules, in order to reach the Union target set in Article 3(1), Member States may apply support schemes. Support schemes for electricity from renewable sources shall be designed so as to avoid unnecessary distortions of electricity markets and ensure that producers take into account the supply and demand of electricity as well as possible grid constraints.

Amendment

(1) Subject to State aid rules, in order to reach the Union target set in Article 3(1), Member States may apply support schemes. Support schemes for electricity from renewable sources shall be designed to help renewable self-consumers and renewable energy communities, to address energy poverty among low-income households and to avoid unnecessary distortions of electricity markets and ensure that producers take into account the supply and demand of electricity as well as possible grid constraints.

Or. ro

Justification

Support schemes should be primarily focused on renewable self-consumers, renewable energy communities and low-income households at risk of energy poverty, especially in the light of the positive social and environmental externalities engendered by the decentralised production of energy from renewable sources.

Amendment 280
Viorica Dăncilă

Proposal for a directive
Article 4 – paragraph 1

Text proposed by the Commission

(1) Subject to State aid rules, in order

Amendment

(1) Subject to State aid rules, in order
to reach the Union target set in Article 3(1), Member States may apply support schemes. Support schemes for electricity from renewable sources shall be designed so as to avoid unnecessary distortions of electricity markets and ensure that producers take into account the supply and demand of electricity as well as possible grid constraints.

to reach the Union target set in Article 3(1), Member States may apply support schemes. Support schemes for electricity from renewable sources shall be designed to help renewable self-consumers and renewable energy communities, to address energy poverty among low-income households and to avoid unnecessary distortions of electricity markets and ensure that producers take into account the supply and demand of electricity as well as possible grid constraints.

Or. ro

Amendment 281
Paul Brannen
Proposal for a directive
Article 4 – paragraph 1

Text proposed by the Commission

1. Subject to State aid rules, in order to reach the Union target set in Article 3(1), Member States may apply support schemes. Support schemes for electricity from renewable sources shall be designed so as to avoid unnecessary distortions of electricity markets and ensure that producers take into account the supply and demand of electricity as well as possible grid constraints.

Amendment

1. Subject to State aid rules, in order to reach the Union target set in Article 3(1), Member States may apply support schemes. Support schemes for electricity from renewable sources shall be designed so as to avoid unnecessary distortions of electricity markets and ensure that producers take into account the supply and demand of electricity as well as possible grid constraints. In addition to the condition laid down in the first sub-paragraph, support schemes from biomass sources shall be designed as to avoid unnecessary distortion of material markets. Assessment of the support scheme shall for this purpose include impact on local and regional material producers, in particular producers of sawn wood as a result of competition for feedstock.

Or. en
Amendment 282
John Stuart Agnew

Proposal for a directive
Article 4 – paragraph 2

Text proposed by the Commission

2. Support for electricity from renewable sources shall be designed so as to integrate electricity from renewable sources in the electricity market and ensure that renewable energy producers are responding to market price signals and maximise their market revenues.

Amendment

deleted

Or. en

Justification

All forms of subsidy are distorting and, therefore, in the interests of the proper functioning of the internal market in the interests of consumers, should be avoided.

Amendment 283
Laurenţiu Rebega, Philippe Loiseau

Proposal for a directive
Article 4 – paragraph 2

Text proposed by the Commission

(2) Support for electricity from renewable sources shall be designed so as to integrate electricity from renewable sources in the electricity market and ensure that renewable energy producers are responding to market price signals and maximise their market revenues.

Amendment

(2) Support for electricity from renewable sources should be designed to help renewable self-consumers, renewable energy communities, to address energy poverty among low-income households and to integrate electricity from renewable sources in the electricity market. That approach ensures that renewable energy producers are responding to market price signals and maximises their market revenues.

Or. ro
Amendment 284
Viorica Dăncilă

Proposal for a directive
Article 4 – paragraph 2

Text proposed by the Commission

(2) Support for electricity from renewable sources shall be designed so as to integrate electricity from renewable sources in the electricity market and ensure that renewable energy producers are responding to market price signals and maximise their market revenues.

Amendment

(2) Support for electricity from renewable sources should be designed to help renewable self-consumers and renewable energy communities, to address energy poverty among low-income households and to integrate electricity from renewable sources in the electricity market. That approach ensures that renewable energy producers are responding to market price signals and maximise their market revenues.

Or. ro

Amendment 285
Jean-Paul Denanot, Eric Andrieu, Nicola Caputo, Tibor Szanyi, Christine Revault D’Allonnes Bonnefoy, Marc Tarabella

Proposal for a directive
Article 4 – paragraph 2

Text proposed by the Commission

2. Support for electricity from renewable sources shall be designed so as to integrate electricity from renewable sources in the electricity market and ensure that renewable energy producers are responding to market price signals and maximise their market revenues.

Amendment

2. Support for electricity from renewable sources shall be designed so as to integrate electricity from renewable sources in the electricity market and ensure that renewable energy producers are responding to market price signals and maximise their market revenues. For renewable cogeneration units, support schemes shall also take into account thermal demand.

Or. en
Amendment 286
Massimo Paolucci

Proposal for a directive
Article 4 – paragraph 2 a (new)

Text proposed by the Commission

2a. Support schemes for electricity from biomass sources shall be designed to avoid unnecessary distortions of material markets

Amendment

Or. en

Justification

In view of the EU’s transition towards a circular economy, support schemes for renewables must not distort competition among the various sectors involved in the supply of biomass.

Amendment 287
John Stuart Agnew

Proposal for a directive
Article 4 – paragraph 3

Text proposed by the Commission

3. Member States shall ensure that support for renewable electricity is granted in an open, transparent, competitive, non-discriminatory and cost-effective manner.

Amendment

3. Member States shall ensure that any support for renewable and fossil-derived electricity is granted in an open, transparent, competitive, non-discriminatory, non-distorting and cost-effective manner.

Or. en

Justification

All forms of subsidy are distorting and, therefore, in the interests of the proper functioning of the internal market in the interests of consumers, should be avoided.

Amendment 288
Fredrick Federley

Proposal for a directive
Article 4 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. Member States may have time-limited support schemes constituting an exemption in relation to paragraph 3 for small scale installations and for cases where insufficient competition is documented. Support according to paragraph 2 may be limited to installations above the limits set in Article 11 of the Electricity Market Regulation.

Or. en

Amendment 289
John Stuart Agnew

Proposal for a directive
Article 4 – paragraph 4

Text proposed by the Commission

Amendment

4. Member States shall assess the effectiveness of their support for electricity from renewable sources at least every four years. Decisions on the continuation or prolongation of support and design of new support shall be based on the results of the assessments.

deleted

Or. en

Justification

All forms of subsidy are distorting and, therefore, in the interests of the proper functioning of the internal market in the interests of consumers, should be avoided.

Amendment 290
Fredrick Federley
Proposal for a directive
Article 4 – paragraph 4

Text proposed by the Commission

4. Member States shall assess the effectiveness of their support for electricity from renewable sources at least every four years. Decisions on the continuation or prolongation of support and design of new support shall be based on the results of the assessments.

Amendment

4. Member States shall assess the effectiveness of their support for electricity from renewable sources at least every four years. The assessment shall also take into account the effect on investment and the effect possible changes to the support schemes might have on investments. Long-term planning governing the decisions of the support and design of new support shall be based on the results of the assessments.

Or. en

Amendment 291
Fredrick Federley

Proposal for a directive
Article 4 – paragraph 4 a (new)

Text proposed by the Commission

4a. The Commission shall every three year report to the European Parliament and the Council on the functioning of the rules concerning support schemes with specific emphasis on market access of small actors, the level of incentive for investment and supporting long-term high realisation-rate. The first of these reports shall be submitted 2021 fully reflecting the post-2020 State-aid guidelines.

Amendment

4a. The Commission shall every three year report to the European Parliament and the Council on the functioning of the rules concerning support schemes with specific emphasis on market access of small actors, the level of incentive for investment and supporting long-term high realisation-rate. The first of these reports shall be submitted 2021 fully reflecting the post-2020 State-aid guidelines.

Or. en

Amendment 292
Maria Lidia Senra Rodríguez

Proposal for a directive
Article 5

Text proposed by the Commission

Amendment

Article 5

Opening of support schemes for renewable electricity

1. Member States shall open support for electricity generated from renewable sources to generators located in other Member States under the conditions laid down in this Article.

2. Member States shall ensure that support for at least 10 % of the newly-supported capacity in each year between 2021 and 2025 and at least 15 % of the newly-supported capacity in each year between 2026 and 2030 is open to installations located in other Member States.

3. Support schemes may be opened to cross-border participation through, inter alia, opened tenders, joint tenders, opened certificate schemes or joint support schemes. The allocation of renewable electricity benefiting from support under opened tenders, joint tenders or opened certificate schemes towards Member States respective contributions shall be subject to a cooperation agreement setting out rules for the cross-border disbursement of funding, following the principle that energy should be counted towards the Member State funding the installation.

4. The Commission shall assess by 2025 the benefits on the cost-effective deployment of renewable electricity in the Union of provisions set out in this Article. On the basis of this assessment, the Commission may propose to increase the percentages set out in paragraph 2.

Or. es
Amendment 293
Fredrick Federley

Proposal for a directive
Article 5 – paragraph 1

Text proposed by the Commission

1. Member States shall open support for electricity generated from renewable sources to generators located in other Member States under the conditions laid down in this Article.

Amendment

1. Member States shall, through implementation of article 9-13 pursue regional cooperation, e.g. in the form of opening support for electricity generated from renewable sources to generators located in other Member States under the conditions laid down in this Article. Member States may limit their support to installations in Member States to which there is a direct connection via interconnectors.

Or. en

Amendment 294
Fredrick Federley

Proposal for a directive
Article 6 – paragraph 1

Text proposed by the Commission

Without prejudice to adaptations necessary to comply with State aid rules, Member States shall ensure that the level of, and the conditions attached to, the support granted to renewable energy projects are not revised in a way that negatively impacts the rights conferred thereunder and the economics of supported projects.

Amendment

Member States shall ensure that the level of, and the conditions attached to, the support granted to renewable energy projects are not revised in a way that negatively impacts the rights conferred thereunder and the economics of supported projects. When other regulatory instruments are changed and these changes affect supported renewable energy projects Member States shall ensure that the changes do not negatively impacts the economics of the supported project.

Or. en
Amendment 295
Tibor Szanyi

Proposal for a directive
Article 7 – paragraph 1 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

The contribution of transport fuels from palm oil and its derivatives to the share of renewables in transport should be limited to a maximum of [1] % of the final consumption of energy in transport until global peatland conversion is halted.

Or. en

Amendment 296
Maria Lidia Senra Rodríguez

Proposal for a directive
Article 7 – paragraph 1 – subparagraph 4

Text proposed by the Commission

Amendment

For the calculation of a Member State’s gross final consumption of energy from renewable energy sources, the contribution from biofuels and bioliquids, as well as from biomass fuels consumed in transport, if produced from food or feed crops, shall be no more than 7 % of final consumption of energy in road and rail transport in that Member State. This limit shall be reduced to 3,8 % in 2030 following the trajectory set out in part A of Annex X. Member States may set a lower limit and may distinguish between different types of biofuels, bioliquids and biomass fuels produced from food and feed crops, for instance by setting a lower limit for the contribution from food or feed crop based biofuels produced from oil crops, taking into account indirect
land use change.

Amendment 297
Maria Lidia Senra Rodríguez

Proposal for a directive
Article 7 – paragraph 1 – subparagraph 4

Text proposed by the Commission

For the calculation of a Member State’s gross final consumption of energy from renewable energy sources, the contribution from biofuels and bioliquids, as well as from biomass fuels consumed in transport, if produced from food or feed crops, shall be no more than 7% of final consumption of energy in road and rail transport in that Member State. This limit shall be reduced to 3.8% in 2030 following the trajectory set out in part A of Annex X. Member States may set a lower limit and may distinguish between different types of biofuels, bioliquids and biomass fuels produced from food and feed crops, for instance by setting a lower limit for the contribution from food or feed crop based biofuels produced from oil crops, taking into account indirect land use change.

Biofuels and bioliquids, as well as biomass fuels may not be produced from food, feed or tree-based crops and, therefore, they shall not be included in the calculation of a Member State’s gross final consumption of energy from renewable energy sources.

Or. es

Amendment 298
Jarosław Kalinowski, Czesław Adam Siekierski

Proposal for a directive
Article 7 – paragraph 1 – subparagraph 4

Text proposed by the Commission

For the calculation of a Member State’s gross final consumption of energy from renewable energy sources, the contribution from biofuels and bioliquids, as well as from biomass fuels consumed in transport, if produced from food or feed crops, shall be no more than 7% of final consumption of energy in road and rail transport in that Member State. This limit shall be reduced to 3.8% in 2030 following the trajectory set out in part A of Annex X. Member States may set a lower limit and may distinguish between different types of biofuels, bioliquids and biomass fuels produced from food and feed crops, for instance by setting a lower limit for the contribution from food or feed crop based biofuels produced from oil crops, taking into account indirect land use change.

In order to calculate post-2021 gross final...
gross final consumption of energy from renewable energy sources, the contribution from biofuels and bioliquids, as well as from biomass fuels consumed in transport, if produced from food or feed crops, shall be no more than 7% of final consumption of energy in road and rail transport in that Member State. This limit shall be reduced to 3.8% in 2030 following the trajectory set out in part A of Annex X. Member States may set a lower limit and may distinguish between different types of biofuels, bioliquids and biomass fuels produced from food and feed crops, for instance by setting a lower limit for the contribution from food or feed crop based biofuels produced from oil crops, taking into account indirect land use change.

Justification

Further and non-differentiated limitation of the ceiling, as proposed by the Commission, is not backed by any new scientific evidence and is therefore disproportionate to the desired results of the Directive. On the contrary, the Commission’s 2017 Renewable Energy Progress Report reaffirmed that the EU biofuel policy had no negative environmental or social impact.

Member States requested additional flexibility in the Council conclusions of October 2014. Therefore, such flexibility must be incorporated into the ceiling for crop-based biofuels at EU level.

Amendment 299
Norbert Erdős

Proposal for a directive
Article 7 – paragraph 1 – subparagraph 4

Text proposed by the Commission

For the calculation of a Member State’s gross final consumption of energy from renewable energy sources, the contribution from biofuels and bioliquids, as well as from biomass fuels consumed in transport, if produced from food or feed crops, shall

Amendment

Starting from 2021, for the calculation of the European Union level of gross final consumption of energy from renewable energy sources, the contribution from biofuels and bioliquids, as well as from biomass fuels consumed in transport, if
be no more than 7% of final consumption of energy in road and rail transport in that Member State. This limit shall be reduced to 3.8% in 2030 following the trajectory set out in part A of Annex X. Member States may set a lower limit and may distinguish between different types of biofuels, bioliquids and biomass fuels produced from food and feed crops, for instance by setting a lower limit for the contribution from food or feed crop based biofuels produced from oil crops, taking into account indirect land use change.

Proposed for a directive
Article 7 – paragraph 1 – subparagraph 4

Text proposed by the Commission

For the calculation of a Member State’s gross final consumption of energy from renewable energy sources, the contribution from biofuels and bioliquids, as well as from biomass fuels consumed in transport, if produced from food or feed crops, shall be no more than 7% of final consumption of energy in road and rail transport in that Member State. This limit shall be reduced to 3.8% in 2030 following the trajectory set out in part A of Annex X. Member States may set a lower limit and may

Amendment

For the calculation of a Member State’s gross final consumption of energy from renewable energy sources, the contribution from biofuels and bioliquids, as well as from biomass fuels if produced from food or feed crops, shall be 0% of final consumption of energy in that Member State.

Or. hu

Justification

There is no new scientific evidence to support a further, non-differentiated lowering of the ceiling as set out in the Commission’s proposal. Therefore, this provision is not proportionate to the aims of the Directive. The Commission’s 2017 Renewable Energy Progress Report in fact indicates that the European Union’s biofuel legislation has no negative environmental or social impact.

Amendment 300
Molly Scott Cato
on behalf of the Verts/ALE Group
Maria Lidia Senra Rodríguez, Giulia Moi

Proposal for a directive
Article 7 – paragraph 1 – subparagraph 4

Text proposed by the Commission

For the calculation of a Member State’s gross final consumption of energy from renewable energy sources, the contribution from biofuels and bioliquids, as well as from biomass fuels consumed in transport, if produced from food or feed crops, shall be no more than 7% of final consumption of energy in road and rail transport in that Member State. This limit shall be reduced to 3.8% in 2030 following the trajectory set out in part A of Annex X. Member States may set a lower limit and may
distinguish between different types of biofuels, bioliquids and biomass fuels produced from food and feed crops, for instance by setting a lower limit for the contribution from food or feed crop based biofuels produced from oil crops, taking into account indirect land use change.

Or. en

Justification

Based on estimates for different biofuel feedstocks, greenhouse gas (GHG) emissions linked to indirect land use change are significant, and will negate some or all of the GHG savings of individual biofuels, even when taking into account co-production of feed protein. This is because almost the entire biofuel production in 2020 is expected to come from crops grown on land that could be used to satisfy food and feed markets.

Amendment 301
Elisabeth Köstinger, Albert Deß

Proposal for a directive
Article 7 – paragraph 1 – subparagraph 4

Text proposed by the Commission

For the calculation of a Member State’s gross final consumption of energy from renewable energy sources, the contribution from biofuels and bioliquids, as well as from biomass fuels consumed in transport, if produced from food or feed crops, shall be no more than 7% of final consumption of energy in road and rail transport in that Member State. This limit shall be reduced to 3.8% in 2030 following the trajectory set out in part A of Annex X. Member States may set a lower limit and may distinguish between different types of biofuels, bioliquids and biomass fuels produced from food and feed crops, for instance by setting a lower limit for the contribution from food or feed crop based biofuels produced from oil crops, taking into account indirect land use change.

Amendment

For the calculation of a Member State’s gross final consumption of energy from renewable energy sources, the contribution from biofuels and bioliquids, as well as from biomass fuels consumed in transport, if produced from food or feed crops, shall be no more than 7% of final consumption of energy in transport in that Member State.
Justification

The phasing out of food-based biofuels is contradictory to combating climate change.

Amendment 302
Michel Dantin, Anne Sander

Proposal for a directive
Article 7 – paragraph 1 – subparagraph 4

Text proposed by the Commission

For the calculation of a Member State’s gross final consumption of energy from renewable energy sources, the contribution from biofuels and bioliquids, as well as from biomass fuels consumed in transport, if produced from food or feed crops, shall be no more than 7% of final consumption of energy in road and rail transport in that Member State. This limit shall be reduced to 3.8% in 2030 following the trajectory set out in part A of Annex X. Member States may set a lower limit and may distinguish between different types of biofuels, bioliquids and biomass fuels produced from food and feed crops, for instance by setting a lower limit for the contribution from food or feed crop based biofuels produced from oil crops, taking into account indirect land use change.

Amendment

For the calculation of a Member State’s gross final consumption of energy from renewable energy sources, the contribution from biofuels and bioliquids, as well as from biomass fuels consumed in transport, if produced from food or feed crops, shall be no more than 7% of final consumption of energy in road and rail transport in that Member State.

Justification

To ensure legal stability and reassure investors, the 2015 political agreement on the 7% threshold in the Directive on indirect land-use change (ILUC) should not be called into question.

Amendment 303
Zbigniew Kuźmiuk, Stanislaw Ożóg
Proposal for a directive  
Article 7 – paragraph 1 – subparagraph 4

Text proposed by the Commission

For the calculation of a Member State’s gross final consumption of energy from renewable energy sources, the contribution from biofuels and bioliquids, as well as from biomass fuels consumed in transport, if produced from food or feed crops, shall be no more than 7% of final consumption of energy in road and rail transport in that Member State. This limit shall be reduced to 3.8% in 2030 following the trajectory set out in part A of Annex X. Member States may set a lower limit for the contribution from food or feed crop based biofuels produced from oil crops, taking into account indirect land use change.

Amendment

For the calculation of a Member State’s gross final consumption of energy from renewable energy sources, the contribution from biofuels and bioliquids, as well as from biomass fuels consumed in transport, if produced from food or feed crops, shall be no more than 7% of final consumption of energy in road and rail transport in that Member State.

Amendment 304

Tibor Szanyi

Proposal for a directive  
Article 7 – paragraph 1 – subparagraph 4

Text proposed by the Commission

For the calculation of a Member State’s gross final consumption of energy from renewable energy sources, the contribution from biofuels and bioliquids, as well as from biomass fuels consumed in transport, if produced from food or feed crops, shall be no more than 7% of final consumption of energy in road and rail transport in that Member State. This limit shall be reduced to 3.8% in 2030 following the trajectory set out in part A of Annex X. Member States may set a lower limit for the contribution from biofuels produced from oil crops, taking
States may set a lower limit and may distinguish between different types of biofuels, bioliquids and biomass fuels produced from food and feed crops, for instance by setting a lower limit for the contribution from food or feed crop based biofuels produced from oil crops, taking into account indirect land use change.

Or. en

Amendment 305
Momchil Nekov

Proposal for a directive
Article 7 – paragraph 1 – subparagraph 4

Text proposed by the Commission

For the calculation of a Member State’s gross final consumption of energy from renewable energy sources, the contribution from biofuels and bioliquids, as well as from biomass fuels consumed in transport, if produced from food or feed crops, shall be no more than 7% of final consumption of energy in road and rail transport in that Member State. This limit shall be reduced to 3,8% in 2030 following the trajectory set out in part A of Annex X. Member States may set a lower limit and may distinguish between different types of biofuels, bioliquids and biomass fuels produced from food and feed crops, for instance by setting a lower limit for the contribution from food or feed crop based biofuels produced from oil crops, taking into account indirect land use change.

Amendment

For the calculation of a Member State’s gross final consumption of energy from renewable energy sources, the contribution from biofuels and bioliquids, as well as from biomass fuels consumed in transport, if produced from food or feed crops, shall be no more than 7% of final consumption of energy in road and rail transport in that Member State. Member States may set a lower limit for the contribution from biofuels produced from oil crops, taking into account indirect land use change.

Or. en

Amendment 306
Julie Girling
Proposal for a directive
Article 7 – paragraph 1 – subparagraph 4

Text proposed by the Commission

For the calculation of a Member State’s gross final consumption of energy from renewable energy sources, the contribution from biofuels and bioliquids, as well as from biomass fuels consumed in transport, if produced from food or feed crops, shall be no more than 7% of final consumption of energy in road and rail transport in that Member State. This limit shall be reduced to 3,8% in 2030 following the trajectory set out in part A of Annex X. Member States may set a lower limit and may distinguish between different types of biofuels, bioliquids and biomass fuels produced from food and feed crops, for instance by setting a lower limit for the contribution from food or feed crop based biofuels produced from oil crops, taking into account indirect land use change.

Amendment

For the calculation of a Member State’s gross final consumption of energy from renewable energy sources, the contribution from biofuels and bioliquids, as well as from biomass fuels consumed in transport, if produced from food or feed crops, shall be no more than 7% of final consumption of energy in road and rail transport in that Member State. Member States may set a lower limit for the contribution from food or feed crop based biofuels produced from oil crops, taking into account indirect land use change.

Or. en

Amendment 307
Ulrike Müller

Proposal for a directive
Article 7 – paragraph 1 – subparagraph 4

Text proposed by the Commission

For the calculation of a Member State’s gross final consumption of energy from renewable energy sources, the contribution from biofuels and bioliquids, as well as from biomass fuels consumed in transport, if produced from food or feed crops, shall be no more than 7% of final consumption of energy in road and rail transport in that Member State. This limit shall be reduced to 3,8% in 2030 following the trajectory set out in part A of Annex X. Member States may set a lower limit and may distinguish between different types of biofuels, bioliquids and biomass fuels produced from food and feed crops, for instance by setting a lower limit for the contribution from food or feed crop based biofuels produced from oil crops, taking into account indirect land use change.

Amendment

For the calculation of a Member State’s gross final consumption of energy from renewable energy sources, the contribution from biofuels and bioliquids, as well as from biomass fuels consumed in transport, if produced from food or feed crops, shall be no more than 7% of final consumption of energy in road and rail transport in that Member State. This limit shall not include bio-fuels that either fall under the definition set in Article 2(u) or have GHG...
States may set a lower limit and may distinguish between different types of biofuels, bioliquids and biomass fuels produced from food and feed crops, for instance by setting a lower limit for the contribution from food or feed crop based biofuels produced from oil crops, taking into account indirect land use change.

emissions savings calculated according to Article 28(1) of at least 70% in 2021 or 80% in 2030 and are produced from feedstocks obtained according to Article 93 of Regulation (EU) No 1306/2013.

Amendment 308
Jean-Paul Denanot, Eric Andrieu, Nicola Caputo, Christine Revault D’Allonnes Bonnefoy, Marc Tarabella

Proposal for a directive
Article 7 – paragraph 1 – subparagraph 4

Text proposed by the Commission

For the calculation of a Member State’s gross final consumption of energy from renewable energy sources, the contribution from biofuels and bioliquids, as well as from biomass fuels consumed in transport, if produced from food or feed crops, shall be no more than 7% of final consumption of energy in road and rail transport in that Member State. This limit shall be reduced to 3.8% in 2030 following the trajectory set out in part A of Annex X. Member States may set a lower limit and may distinguish between different types of biofuels, bioliquids and biomass fuels produced from food and feed crops, for instance by setting a lower limit for the contribution from food or feed crop based biofuels produced from oil crops, taking into account indirect land use change.

Amendment

For the calculation of a Member State’s gross final consumption of energy from renewable energy sources, the contribution from biofuels and bioliquids, as well as from biomass fuels consumed in transport, if produced from food or feed crops, shall be no more than 7% of final consumption of energy in road and rail transport in that Member State. This limit shall be reduced to 1% in 2030 following the trajectory set out in part A of Annex X. For ‘highly sustainable crop based biofuels’ as defined in paragraph 2.1(a) this limit shall be reduced to 3.8%. Member States may set a lower limit and may distinguish between different types of biofuels, bioliquids and biomass fuels produced from food and feed crops, for instance by setting a lower limit for the contribution from food or feed crop based biofuels produced from oil crops, taking into account indirect land use change in accordance with annex VIII and directive 2015/1513.
Amendment 309
Molly Scott Cato
on behalf of the Verts/ALE Group
Maria Lidia Senra Rodríguez, Giulia Moi

Proposal for a directive
Article 7 – paragraph 1 – subparagraph 4

Text proposed by the Commission

For the calculation of a Member State’s gross final consumption of energy from renewable energy sources, the contribution from biofuels and bioliquids, as well as from biomass fuels consumed in transport, if produced from food or feed crops, shall be no more than 7% of final consumption of energy in road and rail transport in that Member State. This limit shall be reduced to 3.8% in 2030 following the trajectory set out in part A of Annex X. Member States may set a lower limit and may distinguish between different types of biofuels, bioliquids and biomass fuels produced from food and feed crops, for instance by setting a lower limit for the contribution from food or feed crop based biofuels produced from oil crops, taking into account indirect land use change.

Amendment

For the calculation of a Member State’s gross final consumption of energy from renewable energy sources, the contribution from biofuels and bioliquids, as well as from biomass fuels consumed in transport, if produced from food or feed crops, shall be no more than 7% of final consumption of energy in road and rail transport in that Member State. This limit shall be reduced to 3.8% in 2030 following the trajectory set out in part A of Annex X. The contribution from food and feed crop-based biofuels and bioliquids produced from oil crops shall be reduced to 0% by no later than 2025. Member States may set a lower limit and may distinguish between different types of biofuels, bioliquids and biomass fuels produced from food and feed crops, for instance by setting a lower limit for the contribution from food or feed crop based biofuels produced from oil crops, taking into account indirect land use change.

Justification

The existence of the threshold for biofuels in transport fuel causes displacement effects via direct and indirect land use change and so drives deforestation, land grabbing and hunger, especially in the developing world, and especially as concerns oil crops such as palm oil. Therefore we seek to bring the threshold down to zero more quickly for those particularly damaging crops.
Amendment 310
Esther Herranz García

Proposal for a directive
Article 7 – paragraph 1 – subparagraph 4

Text proposed by the Commission

For the calculation of a Member State’s gross final consumption of energy from renewable energy sources, the contribution from biofuels and bioliquids, as well as from biomass fuels consumed in transport, if produced from food or feed crops, shall be no more than 7% of final consumption of energy in road and rail transport in that Member State. **This limit shall be reduced to 3.8% in 2030 following the trajectory set out in part A of Annex X.** Member States may set a lower limit and may distinguish between different types of biofuels, bioliquids and biomass fuels produced from food and feed crops, for instance by setting a lower limit for the contribution from food or feed crop based biofuels produced from oil crops, taking into account indirect land use change.

Amendment

For the calculation of a Member State’s gross final consumption of energy from renewable energy sources, the contribution from biofuels and bioliquids, as well as from biomass fuels consumed in transport, if produced from food or feed crops, shall be no more than 7% of final consumption of energy in road and rail transport in that Member State. Member States may set a lower limit and may distinguish between different types of biofuels, bioliquids and biomass fuels produced from food and feed crops, for instance by setting a lower limit for the contribution from food or feed crop based biofuels produced from oil crops, taking into account indirect land use change.

Or. en

Amendment 311
Molly Scott Cato
on behalf of the Verts/ALE Group
Maria Lidia Senra Rodríguez, Giulia Moi

Proposal for a directive
Article 7 – paragraph 1 – subparagraph 4

Text proposed by the Commission

For the calculation of a Member State’s gross final consumption of energy from renewable energy sources, the contribution from biofuels and bioliquids, as well as from biomass fuels consumed in transport, if produced from food or feed crops, shall

Amendment

For the calculation of a Member State’s gross final consumption of energy from renewable energy sources, the contribution from biofuels and bioliquids, as well as from biomass fuels consumed in transport, if produced from food or feed crops, shall
be no more than 7% of final consumption of energy in road and rail transport in that Member State. This limit shall be reduced to 3.8% in 2030 following the trajectory set out in part A of Annex X. Member States may set a lower limit and may distinguish between different types of biofuels, bioliquids and biomass fuels produced from food and feed crops, for instance by setting a lower limit for the contribution from food or feed crop based biofuels produced from oil crops, taking into account indirect land use change.

**Justification**

The existence of the threshold for biofuels in transport fuel causes displacement effects via direct and indirect land use change and so drives deforestation, land grabbing and hunger, especially in the developing world. Therefore we seek to bring the threshold down to zero.

**Amendment 312**

Fredrick Federley

**Proposal for a directive**

**Article 7 – paragraph 1 – subparagraph 4**

**Text proposed by the Commission**

For the calculation of a Member State’s gross final consumption of energy from renewable energy sources, the contribution from biofuels and bioliquids, as well as from biomass fuels consumed in transport, if produced from food or feed crops, shall be no more than 7% of final consumption of energy in road and rail transport in that Member State. This limit shall be reduced to 3.8% in 2030 following the trajectory set out in part A of Annex X. Member States may set a lower limit and may distinguish between different types of biofuels, bioliquids and biomass fuels produced from food and feed crops, for instance by setting a lower limit for the contribution

**Amendment**

For the calculation of a Member State’s gross final consumption of energy from renewable energy sources, the contribution from biofuels and bioliquids, as well as from biomass fuels consumed in transport, if produced from food or feed crops, shall be no more than 7% of final consumption of energy in road and rail transport in that Member State. This limit shall be reduced to 3.8% in 2030 following the trajectory set out in part A of Annex X. Member States may set a lower limit and may distinguish between different types of biofuels, bioliquids and biomass fuels produced from food and feed crops, for instance by setting a lower limit for the contribution
from food or feed crop based biofuels produced from oil crops, taking into account indirect land use change. The limits set in this paragraph shall exclude bio-fuels that falls under the definition set in Article 2(u) and has a GHG emissions savings calculated according to Article 28(1) of at least 70% by 2021 and 80% by 2030.

Amendment 313
Angélique Delahaye, Mairead McGuinness, Franc Bogovič

Proposal for a directive
Article 7 – paragraph 1 – subparagraph 4 a (new)

Text proposed by the Commission

Amendment

Both the gradual reduction to 3.8% in 2030 and the possibility for Member States to set lower limits shall not apply to biofuels produced from protein crops as co-products. For the latter, Member States shall be entitled to implement incentive measures to favour their use, for example by setting a specific obligation of incorporation within the limit of 7%, or beyond that limit pending the effective availability of advanced biofuels.

Justification

EU sourced biofuels are by-products of a high quality protein crops’ production which is much needed in the EU, as Europe is still dependent for 70% of soybean meal imports to meet its growing livestock demand. The EU biofuels industry processing rapeseed and cereals now produces 13 million tons annually of high protein meals that otherwise would be imported. This is a concrete case of positive circular economy. Less imports from North and South Americas mean more feed and food availability in these regions, to the benefit of consumers all over the world, thus contributing to increased global food security.
Amendment 314
Franc Bogovič

Proposal for a directive
Article 7 – paragraph 1 – subparagraph 4 a (new)

Text proposed by the Commission

The contribution of transport fuels from palm oil and its derivatives to the share of renewables in transport should be limited to a maximum of [1] % of the final consumption of energy in transport until global peatland conversion is halted. Such limit may be amended on the basis of a report by the European Commission effective policies are put in place to prevent global peatland conversion.

Or. en

Justification

In line with the motion for resolution adopted by the Parliament on 4 April 2017 on Palm oil and deforestation of rainforests, that calls on the Commission to take measures to phase out the use of vegetable oils that drive deforestation, including palm oil, as a component of biofuels, preferably by 2020, the contribution of palm oil and derivatives that drive deforestation should be phased out. As long peatland drainage takes place in certain regions, with detrimental impacts on the environment and the climate, it is justified to include provisions restricting the extent to which palm oil and derivatives can contribute to the share of renewables; such provisions are also compatible with international trade law.

Amendment 315
Julie Girling

Proposal for a directive
Article 7 – paragraph 1 – subparagraph 4 a (new)

Text proposed by the Commission

The limit laid down in paragraph 1 subparagraph 4 shall not apply to highly sustainable crop-based biofuels or the feedstock listed in Annex IX

Or. en
Justification

In keeping with climate commitments, the greenhouse gas emissions performance should be the main factor in regulating which biofuels may be used for the decarbonisation of the transport sector, rather than focusing on feedstock. High performing crop-based biofuels which can achieve at least 70% greenhouse gas emissions savings and produced in accordance with CAP cross compliance criteria should not count towards the cap and should contribute to the low emissions fuels blending obligation.

Amendment 316
Tibor Szanyi

Proposal for a directive
Article 7 – paragraph 1 – subparagraph 4 a (new)

Text proposed by the Commission

Amendment

The limit set out in paragraph 1 subparagraph 4 shall not apply to ‘highly sustainable crop based biofuels’ as well as to feedstock listed in Annex IX.

Or. en

Amendment 317
Momchil Nekov

Proposal for a directive
Article 7 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. The contribution of transport fuels from palm oil and its derivatives to the share of renewables in transport should be phased out preferably by 2020.

Or. en

Amendment 318
Hannu Takkula, Anneli Jääteenmäki, Petri Sarvamaa

Proposal for a directive
Article 7 – paragraph 4 a (new)

Text proposed by the Commission

4a. In order to promote the gross final consumption of energy from renewable sources in transport, Member States may apply national support schemes promoting the use of sustainable biofuels, biomass fuels, renewable liquid and gaseous transport fuels of non-biological origin regardless of whether they are produced from feedstocks listed in Annex IX or from other feedstocks, which are not food or feed crops.

Or. en

Justification

In July 2016, The European Commission proposed binding national greenhouse gas emission reduction targets in the non-ETS sector. Ambitious reduction targets may create for some Member States the need to introduce very high renewable energy obligations or other measures to promote sustainable biofuels in order to reach their non-ETS emissions reduction targets. Biofuels based solely on Annex IX feedstocks cannot cover this demand.

Amendment 319
Jarosław Kalinowski, Czesław Adam Siekierski

Proposal for a directive
Article 7 – paragraph 4 a (new)

Text proposed by the Commission

4a. The limit provided for in paragraph 4 shall not apply to ‘highly sustainable crop-based biofuels’ or to the feedstocks listed in Annex IX, and their minimum share shall not be less than the ceiling reached by the Member State in 2020 by meeting the target for the share of renewable energy in transport.

Or. pl
Justification

The cap on crop-based biofuels should not apply to crop-based biofuels that make it possible to reduce greenhouse gas emissions by at least 60% and that are produced from feedstocks in accordance with the cross-compliance criteria set out in the common agricultural policy and which generate valuable by-products.

In pursuit of the 10% RES-T target for 2020, which was set in Directive 2009/28/EC of 23 April 2009 on the promotion of the use of energy from renewable sources, Member States will endeavour to increase production volume.

Amendment 320
Norbert Erdős

Proposal for a directive
Article 7 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

(4a) The limitation set out in paragraph 4 does not apply to ‘Feed based biofuels with a high sustainability index’, or to the basic materials listed in Annex IX.

Or. hu

Justification

The limitations concerning crop-based biofuels should not apply to those crop-based biofuels whose GHG emissions are at least 60% lower and which meet the cross-compliance criteria set out in the CAP, and whose production results in valuable by-products.

Amendment 321
Maria Lidia Senra Rodríguez

Proposal for a directive
Article 7 – paragraph 5 – subparagraph 2

Text proposed by the Commission

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 32 to amend the list of feedstocks in parts A and B of Annex IX in order to add

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feedstocks, but not to remove them. Each delegated act shall be based on an analysis of the latest scientific and technical progress, taking due account of the principles of the waste hierarchy established in Directive 2008/98/EC, in compliance with the Union sustainability criteria, supporting the conclusion that the feedstock in question does not create an additional demand for land and promoting the use of wastes and residues, while avoiding significant distortive effects on markets for (by-)products, wastes or residues, delivering substantial greenhouse gas emission savings compared to fossil fuels, and not creating risk of negative impacts on the environment and biodiversity.

Amendment 322
Paul Brannen

Proposal for a directive
Article 7 – paragraph 5 – subparagraph 2

Text proposed by the Commission
The Commission is empowered to adopt delegated acts in accordance with Article 32 to amend the list of feedstocks in parts A and B of Annex IX in order to add feedstocks, but not to remove them. Each delegated act shall be based on an analysis of the latest scientific and technical progress, taking due account of the principles of the waste hierarchy established in Directive 2008/98/EC, in compliance with the Union sustainability criteria, supporting the conclusion that the feedstock in question does not create an additional demand for land and promoting the use of wastes and residues, while avoiding significant distortive effects on markets for (by-)products, wastes or residues.

Amendment
The Commission is empowered to adopt delegated acts in accordance with Article 32 to amend the list of feedstocks in parts A and B of Annex IX in order to add or remove feedstocks. Each delegated act shall be based on an analysis of the latest scientific and technical progress, taking due account of the principles of the waste hierarchy established in Directive 2008/98/EC and the principle of cascading use, in compliance with the Union sustainability criteria, supporting or contradicting the conclusion that the feedstock in question does not create an additional demand for land and promoting the use of wastes and residues, while avoiding distortive effects on markets for
residues, delivering substantial greenhouse gas emission savings compared to fossil fuels, and not creating risk of negative impacts on the environment and biodiversity.

(by-)products, wastes or residues, delivering substantial greenhouse gas emission savings compared to fossil fuels based on a life cycle assessment of emissions including emissions from the land sector and possible displacement effects, and not creating risk of negative impacts on the environment and biodiversity.

Or. en

Justification

The Commission should be empowered to remove types of feedstock from Annex IX that no longer advance the objectives of this Directive, following an analysis based on the latest scientific and technical progress that would allow higher added value use for feedstock for which it was not considered before. In such case the energy use should be replaced by material use in order not to jeopardize other ecosystem services and the respective feedstock could be removed from the Annex IX.

Amendment 323
Molly Scott Cato
on behalf of the Verts/ALE Group
Maria Lidia Senra Rodríguez, Giulia Moi

Proposal for a directive
Article 7 – paragraph 5 – subparagraph 2

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 32 to amend the list of feedstocks in parts A and B of Annex IX in order to add feedstocks, but not to remove them. Each delegated act shall be based on an analysis of the latest scientific and technical progress, taking due account of the principles of the waste hierarchy established in Directive 2008/98/EC, in compliance with the Union sustainability criteria, supporting the conclusion that the feedstock in question does not create an additional demand for land and promoting the use of wastes and residues, while

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 32 to amend the list of feedstocks in parts A and B of Annex IX in order to add or remove feedstocks. Each delegated act shall be based on an analysis of the latest scientific and technical progress, taking due account of the principles of the waste hierarchy established in Directive 2008/98/EC, in compliance with the Union sustainability criteria, supporting or contradicting the conclusion that the feedstock in question does not create an additional demand for land and promoting the use of wastes and residues, while
avoiding significant distortive effects on markets for (by-)products, wastes or residues, delivering substantial greenhouse gas emission savings compared to fossil fuels, and not creating risk of negative impacts on the environment and biodiversity.

Avoiding significant distortive effects on markets for (by-)products, wastes or residues, delivering substantial greenhouse gas emission savings compared to fossil fuels, and not creating risk of negative impacts on the environment and biodiversity.

Or. en

**Justification**

*It should be possible for delegated acts to modify the list so that feedstocks found to damaging can also be removed. According to the previous Renewable Energy Directive, the Commission was able to remove feedstocks from the list.*

**Amendment 324**

**Massimo Paolucci**

**Proposal for a directive**

**Article 7 – paragraph 5 – subparagraph 2**

**Text proposed by the Commission**

The Commission is empowered to adopt delegated acts in accordance with Article 32 to amend the list of feedstocks in parts A and B of Annex IX in order to add feedstocks, but not to remove them. Each delegated act shall be based on an analysis of the latest scientific and technical progress, taking due account of the principles of the waste hierarchy established in Directive 2008/98/EC, in compliance with the Union sustainability criteria, supporting the conclusion that the feedstock in question does not create an additional demand for land and promoting the use of wastes and residues, while avoiding significant distortive effects on markets for (by-)products, wastes or residues, delivering substantial greenhouse gas emission savings compared to fossil fuels, and not creating risk of negative impacts on the environment and biodiversity.

**Amendment**

The Commission is empowered to adopt delegated acts in accordance with Article 32 to amend the list of feedstocks in parts A and B of Annex IX. Each delegated act shall be based on an analysis of the latest scientific and technical progress, taking due account of the principles of the waste hierarchy established in Directive 2008/98/EC, in compliance with the Union sustainability criteria, supporting the conclusion that the feedstock in question does not create an additional demand for land and promoting the use of wastes and residues, while avoiding significant distortive effects on markets for (by-)products, wastes or residues, delivering substantial greenhouse gas emission savings compared to fossil fuels, and not creating risk of negative impacts on the environment and biodiversity.
European legislation on renewables should also guarantee compliance with cascading use of resources.

Amendment 325
Luke Ming Flanagan

Proposal for a directive
Article 7 – paragraph 5 – subparagraph 2

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 32 to amend the list of feedstocks in parts A and B of Annex IX in order to add feedstocks, but not to remove them. Each delegated act shall be based on an analysis of the latest scientific and technical progress, taking due account of the principles of the waste hierarchy established in Directive 2008/98/EC, in compliance with the Union sustainability criteria, supporting the conclusion that the feedstock in question does not create an additional demand for land and promoting the use of wastes and residues, while avoiding significant distortive effects on markets for (by-)products, wastes or residues, delivering substantial greenhouse gas emission savings compared to fossil fuels, and not creating risk of negative impacts on the environment and biodiversity.

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 32 to amend the list of feedstocks in parts A and B of Annex IX in order to add feedstocks, but not to remove them. Each delegated act shall be based on an analysis of the latest scientific and technical progress, taking due account of the principles of the waste hierarchy established in Directive 2008/98/EC and the cascading use principle, in compliance with the Union sustainability criteria, supporting the conclusion that the feedstock in question does not create an additional demand for land and promoting the use of wastes and residues, while avoiding significant distortive effects on markets for (by-)products, wastes or residues, delivering substantial greenhouse gas emission savings compared to fossil fuels, based on a life cycle assessment of emissions including emissions from the land sector and possible displacement effects, and not creating risk of negative impacts on the environment and biodiversity.

Or. it

Or. en
Molly Scott Cato  
on behalf of the Verts/ALE Group  
Maria Lidia Senra Rodríguez, Giulia Moi

Proposal for a directive  
Article 7 – paragraph 5 – subparagraph 2

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 32 to amend the list of feedstocks in parts A and B of Annex IX in order to add feedstocks, but not to remove them. Each delegated act shall be based on an analysis of the latest scientific and technical progress, taking due account of the principles of the waste hierarchy established in Directive 2008/98/EC, in compliance with the Union sustainability criteria, supporting the conclusion that the feedstock in question does not create an additional demand for land and promoting the use of wastes and residues, while avoiding significant distortive effects on markets for (by-)products, wastes or residues, delivering substantial greenhouse gas emission savings compared to fossil fuels, and not creating risk of negative impacts on the environment and biodiversity.

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 32 to amend the list of feedstocks in parts A and B of Annex IX in order to add feedstocks, but not to remove them. Each delegated act shall be based on an analysis of the latest scientific and technical progress, taking due account of the principles of the waste hierarchy established in Directive 2008/98/EC, in compliance with the Union sustainability criteria, supporting the conclusion that the feedstock in question does not create an additional demand for land and promoting the use of wastes and residues, while avoiding significant distortive effects on markets for (by-)products, wastes or residues, delivering substantial greenhouse gas emission savings compared to fossil fuels based on a life cycle assessment of emissions including emissions from the land sector and possible displacement effects, and not creating risk of negative impacts on the environment and biodiversity.

Or. en

Justification

It is important that the broadest and most accurate accounting, on a life cycle basis, is used to assess impacts, to avoid that damaging externalities are not considered.

Amendment 327

Molly Scott Cato  
on behalf of the Verts/ALE Group  
Maria Lidia Senra Rodríguez, Giulia Moi
The Commission is empowered to adopt delegated acts in accordance with Article 32 to amend the list of feedstocks in parts A and B of Annex IX in order to add feedstocks, but not to remove them. Each delegated act shall be based on an analysis of the latest scientific and technical progress, taking due account of the principles of the waste hierarchy established in Directive 2008/98/EC, in compliance with the Union sustainability criteria, supporting the conclusion that the feedstock in question does not create an additional demand for land and promoting the use of wastes and residues, while avoiding significant distortive effects on markets for (by-)products, wastes or residues, delivering substantial greenhouse gas emission savings compared to fossil fuels, and not creating risk of negative impacts on the environment and biodiversity.

Amendment

Massimo Paolucci

The Commission is empowered to adopt delegated acts in accordance with Article 32 to amend the list of feedstocks in parts A and B of Annex IX in order to add feedstocks or to remove them. Each delegated act shall be based on an analysis of the latest scientific and technical progress, taking due account of the principles of the waste hierarchy established in Directive 2008/98/EC, and principles of resource efficiency according to the objectives of the Circular Economy; in compliance with the Union sustainability criteria, supporting the conclusion that the feedstock in question does not create an additional demand for land and promoting the use of wastes and residues, while avoiding significant distortive effects on markets for (by-)products, wastes or residues, delivering substantial greenhouse gas emission savings compared to fossil fuels, and not creating risk of negative impacts on the environment and biodiversity.

Or. en
delegated act shall be based on an analysis of the latest scientific and technical progress, taking due account of the principles of the waste hierarchy established in Directive 2008/98/EC, in compliance with the Union sustainability criteria, supporting the conclusion that the feedstock in question does not create an additional demand for land and promoting the use of wastes and residues, while avoiding significant distortive effects on markets for (by-)products, wastes or residues, delivering substantial greenhouse gas emission savings compared to fossil fuels, and not creating risk of negative impacts on the environment and biodiversity.

Or. en

**Justification**

*The Commission should be empowered to add and/or remove feedstocks from Annex IX*

**Amendment 329**

*Massimo Paolucci*

**Proposal for a directive**

**Article 7 – paragraph 5 – subparagraph 3**

*Text proposed by the Commission*

Every 2 years, the Commission shall carry out an evaluation of the list of feedstocks in parts A and B of Annex IX in order to add feedstocks, in line with the principles set out in this paragraph. The first evaluation shall be carried out no later than 6 months after [date of entry into force of this Directive]. If appropriate, the Commission shall adopt delegated acts to amend the list of feedstocks in parts A and B of Annex IX in order to add feedstocks, but not to remove them.

*Amendment*

Every 2 years, the Commission shall carry out an evaluation of the list of feedstocks in parts A and B of Annex IX, in line with the principles set out in this paragraph. The first evaluation shall be carried out no later than 6 months after [date of entry into force of this Directive]. If appropriate, the Commission shall adopt delegated acts to amend the list of feedstocks in parts A and B of Annex IX.

Or. it
**Justification**

*European legislation on renewables should also guarantee compliance with cascading use of resources.*

**Amendment 330**  
Molly Scott Cato  
on behalf of the Verts/ALE Group  
*Maria Lidia Senra Rodríguez, Giulia Moi*

**Proposal for a directive**  
**Article 7 – paragraph 5 – subparagraph 3**

**Text proposed by the Commission**

> Every 2 years, the Commission shall carry out an evaluation of the list of feedstocks in parts A and B of Annex IX in order to add feedstocks, in line with the principles set out in this paragraph. The first evaluation shall be carried out no later than 6 months after [date of entry into force of this Directive]. If appropriate, the Commission shall adopt delegated acts to amend the list of feedstocks in parts A and B of Annex IX in order to add feedstocks, but not to remove them.

**Amendment**

> Every 2 years, the Commission shall carry out an evaluation of the list of feedstocks in parts A and B of Annex IX in order to add or remove feedstocks, in line with the principles set out in this paragraph. The first evaluation shall be carried out no later than 6 months after [date of entry into force of this Directive]. If appropriate, the Commission shall adopt delegated acts to amend the list of feedstocks in parts A and B of Annex IX in order to add or remove feedstocks.

Or. en

**Justification**

*It should be possible for delegated acts to modify the list so that feedstocks found to damaging can also be removed. According to the previous Renewable Energy Directive, the Commission was able to remove feedstocks from the list.*

**Amendment 331**  
Paul Brannen

**Proposal for a directive**  
**Article 7 – paragraph 5 – subparagraph 3**

**Text proposed by the Commission**

> Every 2 years, the Commission shall carry out an evaluation of the list of feedstocks in parts A and B of Annex IX in order to add feedstocks, but not to remove them.

**Amendment**

> Every 2 years, the Commission shall carry out an evaluation of the list of feedstocks in parts A and B of Annex IX in order to add or remove feedstocks.
out an evaluation of the list of feedstocks in parts A and B of Annex IX in order to add or remove feedstocks, in line with the principles set out in this paragraph. The first evaluation shall be carried out no later than 6 months after [date of entry into force of this Directive]. If appropriate, the Commission shall adopt delegated acts to amend the list of feedstocks in parts A and B of Annex IX in order to add or remove feedstocks.

| Amendment 332 |
| Massimo Paolucci |

**Proposal for a directive**

**Article 7 – paragraph 5 – subparagraph 3**

**Text proposed by the Commission**

Every 2 years, the Commission shall carry out an evaluation of the list of feedstocks in parts A and B of Annex IX in order to add feedstocks, in line with the principles set out in this paragraph. The first evaluation shall be carried out no later than 6 months after [date of entry into force of this Directive]. If appropriate, the Commission shall adopt delegated acts to amend the list of feedstocks in parts A and B of Annex IX in order to add feedstocks, but not to remove them.

**Amendment**

Every 2 years, the Commission shall carry out an evaluation of the list of feedstocks in parts A and B of Annex IX in order to add or remove feedstocks, in line with the principles set out in this paragraph. The first evaluation shall be carried out no later than 6 months after [date of entry into force of this Directive]. If appropriate, the Commission shall adopt delegated acts to amend the list of feedstocks in parts A and B of Annex IX in order to add feedstocks, but not to remove them.

**Or. en**

**Justification**

*The Commission should be empowered to add and/or remove feedstocks from Annex IX*

**Amendment 333**

**Ulrike Müller**
Proposal for a directive
Article 7 – paragraph 5 – subparagraph 3 a (new)

**Text proposed by the Commission**

_The contribution of transport fuels from feedstocks that drive unsustainable effects such as deforestation in third countries and their derivatives to the share of renewables in transport should be minimized until correspondent effective prevention policies are put in place. These measures in third countries shall be evaluated on the basis of a report by the European Commission once they are put in place._

**Amendment**

**Amendment 334**
Franc Bogovič

Proposal for a directive
Article 7 – paragraph 5 a (new)

_The limit set out in paragraph 4 shall not apply to ‘highly sustainable crop based biofuels’ as well as to feedstock listed in Annex IX._

**Justification**

_The cap on crop based biofuels should not apply to those crop based biofuels achieving at least 70% GHG emissions and produced from feedstock produced in accordance with the Common agricultural policy cross compliance criteria._

**Amendment 335**
Philippe Loiseau, Edouard Ferrand

Proposal for a directive
Article 12 a (new)
Article 12a
Acceptance or rejection of joint projects
1. Only the Member States should be able to decide whether to enter into, accept or reject bilateral or multilateral projects to be carried out with another Member State or a third country.

2. Any Member State not wishing to participate in a project shall not be compelled to contribute funding.

Or. fr

Amendment 336
Fredrick Federley
Proposal for a directive
Article 15 – paragraph 3

3. Member States shall ensure that investors have sufficient predictability of the planned support for energy from renewable sources. To this aim, Member States shall define and publish a long-term schedule in relation to expected allocation for support, covering at least the following three years and including for each scheme the indicative timing, the capacity, the budget expected to be allocated, as well as a consultation of stakeholders on the design of the support.

Amendment

3. Member States shall ensure that investors have sufficient predictability of the planned support for energy from renewable sources. To this aim, Member States shall define and publish a long-term schedule in relation to expected allocation for support, covering as much detail as possible at least the following four years and including for each scheme the main parameters, as well as a consultation of stakeholders on the design of the support.

Or. en

Amendment 337
Fredrick Federley
Proposal for a directive
Article 15 – paragraph 5 – subparagraph 1

*Text proposed by the Commission*

Member States shall introduce in their building regulations and codes appropriate measures in order to increase the share of all kinds of energy from renewable sources in the building sector.

*Amendment*

Member States shall introduce in their building regulations and codes appropriate measures in order to increase the share of all kinds of energy from renewable sources in the building sector. *For this purpose more specific rules are in place in the Energy Performance of Buildings Directive.*

Amendment 338
Fredrick Federley

Proposal for a directive
Article 15 – paragraph 5 – subparagraph 2

*Text proposed by the Commission*

In establishing such measures or in their support schemes, Member States may take into account national measures relating to substantial increases in energy efficiency and relating to cogeneration and to passive, low or zero-energy buildings.

*Amendment*

deleted

Or. en

Amendment 339
Fredrick Federley

Proposal for a directive
Article 15 – paragraph 5 – subparagraph 3

*Text proposed by the Commission*

Member States shall, in their building regulations and codes or by other means with equivalent effect, require the use of minimum levels of energy from renewable sources in new buildings and in existing

*Amendment*

deleted

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buildings that are subject to major renovation, reflecting the results of the cost-optimal calculation carried out pursuant to Article 5(2) of Directive 2010/31/EU. Member States shall permit those minimum levels to be fulfilled, inter alia, using a significant proportion of renewable energy sources.

Or. en

Amendment 340
Fredrick Federley

Proposal for a directive
Article 15 – paragraph 5 – subparagraph 4

Text proposed by the Commission

The requirements of the first subparagraph shall apply to the armed forces, only to the extent that its application does not cause any conflict with the nature and primary aim of the activities of the armed forces and with the exception of material used exclusively for military purposes.

Or. en

Amendment 341
Fredrick Federley

Proposal for a directive
Article 15 – paragraph 6

Text proposed by the Commission

6. Member States shall ensure that new public buildings, and existing public buildings that are subject to major renovation, at national, regional and local level fulfil an exemplary role in the context of this Directive from 1 January

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2012 onwards. Member States may, inter alia, allow that obligation to be fulfilled by providing that the roofs of public or mixed private-public buildings are used by third parties for installations that produce energy from renewable sources.

Amendment 342
John Stuart Agnew

Proposal for a directive
Article 15 – paragraph 6

Text proposed by the Commission

6. Member States shall ensure that new public buildings, and existing public buildings that are subject to major renovation, at national, regional and local level fulfil an exemplary role in the context of this Directive from 1 January 2012 onwards. Member States may, inter alia, allow that obligation to be fulfilled by providing that the roofs of public or mixed private-public buildings are used by third parties for installations that produce energy from renewable sources.

Amendment

6. Subject to national budgetary constraints and locally determined investment hierarchies, Member States shall ensure that new public buildings, and existing public buildings that are subject to major renovation, at national, regional and local level fulfil an exemplary role in the context of this Directive from 1 January 2012 onwards. Member States may, inter alia, allow that obligation to be fulfilled by providing that the roofs of public or mixed private-public buildings are used by third parties for installations that produce energy from renewable sources.

Justification

EU targets contribute to perverse decisions that may compromise investment in e.g. beneficial health and safety features in building renovation

Amendment 343
Fredrick Federley

Proposal for a directive
Article 15 – paragraph 7
7. With respect to their building regulations and codes, Member States shall promote the use of renewable energy heating and cooling systems and equipment that achieve a significant reduction of energy consumption. Member States shall use energy or eco-labels or other appropriate certificates or standards developed at national or Union level, where these exist, as the basis for encouraging such systems and equipment.

Amendment 344
Julie Girling

Proposal for a directive
Article 15 – paragraph 8

Text proposed by the Commission

8. Member States shall carry out an assessment of their potential of renewable energy sources and of the use of waste heat and cold for heating and cooling. That assessment shall be included in the second comprehensive assessment required pursuant to Article 14(1) of Directive 2012/27/EU for the first time by 31 December 2020 and in the updates of the comprehensive assessments thereafter.

Amendment 345
Fredrick Federley
Proposal for a directive  
Article 15 – paragraph 9

Text proposed by the Commission

9. Member States shall remove administrative barriers to corporate long-term power purchase agreements to finance renewables and facilitate their uptake.

Amendment

9. Member States shall remove administrative barriers to corporate long-term power purchase agreements to finance renewables and facilitate their uptake. The assessment made according to paragraph 8 shall specifically assess needed changes in order to facilitate the usage of corporate long-term purchase agreements. For public buildings Member States shall also promote renewable energy procurement commitments.

Amendment 346  
Fredrick Federley

Proposal for a directive  
Article 16 – paragraph 2

Text proposed by the Commission

2. The single administrative contact point shall guide the applicant through the application process in a transparent manner, provide the applicant with all necessary information, coordinate and involve, where appropriate, other authorities, and deliver a legally binding decision at the end of the process.

Amendment

2. The single administrative contact point shall guide the applicant through the application process in a transparent manner, provide the applicant with all necessary information, coordinate and involve, where appropriate, other authorities, and facilitate the process in order for the applicant to receive a legally binding decision. Applicants should be able to submit all relevant documents in digital form.

Amendment 347  
Fredrick Federley
Proposal for a directive
Article 16 – paragraph 3

Text proposed by the Commission

3. The single administrative contact point, in collaboration with transmission and distribution system operators, shall publish a manual of procedures for renewable project developers, including for small scale projects and renewable self-consumers projects.

Amendment

3. The Member State, in collaboration with the single administrative contact point, transmission and distribution system operators, shall set up a single online information platform with all the relevant information on procedures for renewable project developers, including for small scale projects and renewable self-consumers projects. If the Member State decides to have more than one single administrative contact point the information platform shall guide the applicant to the contact point relevant for the applicants application.

Or. en

Amendment 348
Fredrick Federley

Proposal for a directive
Article 16 – paragraph 4

Text proposed by the Commission

4. The permit granting process referred to in paragraph 1 shall not exceed a period of three years, except for the cases set out in Article 16(5) and Article 17.

Amendment

4. The permit granting process referred to in paragraph 1 shall not exceed a period of three years, except for the cases set out in Article 16(5) and Article 17. Member States shall endeavour to reduce the time for the granting process below the limit set in this paragraph especially for small scale installations.

Or. en

Amendment 349
Maria Lidia Senra Rodríguez
Proposal for a directive
Article 16 – paragraph 5

Text proposed by the Commission

5. Member States shall facilitate the repowering of existing renewable energy plants by, inter alia, ensuring a simplified and swift permit granting process, which shall not exceed one year from the date on which the request for repowering is submitted to the single administrative contact point.

Amendment

deleted

5. Member States shall facilitate the repowering of existing renewable energy plants by, inter alia, ensuring a simplified and swift permit granting process, which shall not exceed one year from the date on which the request for repowering is submitted to the single administrative contact point.

Or. es

Amendment 350
Julie Girling

Proposal for a directive
Article 16 – paragraph 5

Text proposed by the Commission

5. Member States shall facilitate the repowering of existing renewable energy plants by, inter alia, ensuring a simplified and swift permit granting process, which shall not exceed one year from the date on which the request for repowering is submitted to the single administrative contact point.

5. Member States shall facilitate the repowering of existing renewable energy plants by, inter alia, ensuring a simplified and swift permit granting process, which shall not exceed one year from the date on which a legitimate request for repowering is submitted to the single administrative contact point.

Or. en

Justification

The addition of the word ‘legitimate’ would help to ensure that the request for repowering an existing site is in line with planning regulations and the requirements of the EIA and Habitats Directives.

Amendment 351
Maria Lídia Senra Rodríguez

Proposal for a directive
Article 17 – paragraph 2

Text proposed by the Commission

2. Repowering shall be allowed following a notification to the single administrative contact point established in accordance with Article 16, where no significant negative environmental or social impact is expected. The single administrative contact point shall decide within six months of the receipt of the notification if this is sufficient.

Where the single administrative contact point decides that the notification is sufficient, it shall automatically grant the permit.

Where the single administrative contact point decides that the notification is not sufficient, it shall be necessary to apply for a new permit. In this case the time limits referred to in Article 16(5) apply.

Amendment 352
Julie Girling

Proposal for a directive
Article 17 – paragraph 2 – subparagraph 1

Text proposed by the Commission

Repowering shall be allowed following a notification to the single administrative contact point established in accordance with Article 16, where no significant negative environmental or social impact is expected. The single administrative contact point shall decide within six months of the receipt of the notification if this is sufficient.

Amendment

Repowering shall be allowed following a notification to the single administrative contact point established in accordance with Article 16, where compliance with the requirements of Council Directive 85/337/EEC on Environmental Impact Assessment and Council Directive 92/43/EEC has been ensured, and where no significant negative environmental or social impact is expected. The single administrative contact point shall decide within six months of the receipt of the notification if this is sufficient.
notification.

Justification

This would help ensure that repowering at existing renewable generation sites is still in compliance with environmental legislation and subject to scrutiny.

Amendment 353
Fredrick Federley

Proposal for a directive
Article 19 – paragraph 2 – subparagraph 3

Text proposed by the Commission

Member States shall ensure that no guarantees of origin are issued to a producer that receives financial support from a support scheme for the same production of energy from renewable sources. Member States shall issue such guarantees of origin and transfer them to the market by auctioning them. The revenues raised as a result of the auctioning shall be used to offset the costs of renewables support.

Amendment

Member States shall ensure that a producer receiving financial support from a support scheme for the same production of energy from renewable sources, shall have the support adjusted taking in to account the value of the issued guarantees of origin in order to avoid over compensation. Where support is provided through systems which, in virtue of their structure, already take into account the value of the guarantees of origin when establishing the level of support, or where the value of the guarantees of origin is insignificant, issuing guarantees to a producer that receives financial support shall be considered not to be a source of over compensation. Member States may transfer any guarantees of origin not claimed by the producers to the market by auctioning them. The revenues raised as a result of the auctioning shall be used to offset the costs of renewables support.

Amendment 354
Proposal for a directive
Article 19 – paragraph 7 – subparagraph 1 – point f a (new)

Text proposed by the Commission

(fa) GHG emission savings may be specified

Amendment

Justification

Some producers surpass the required GHG emission savings - the quality of the biomethane has to be indicated for consumers

Amendment 355
Jean-Paul Denanot, Eric Andrieu, Nicola Caputo, Tibor Szanyi, Paolo De Castro, Clara Eugenia Aguilera García, Christine Revault D’Allonnes Bonnefoy, Marc Tarabella

Proposal for a directive
Article 20 – paragraph 1

Text proposed by the Commission

1. Where relevant, Member States shall assess the need to extend existing gas network infrastructure to facilitate the integration of gas from renewable energy sources.

Amendment

1. Member States shall assess the need to extend existing gas network infrastructure to facilitate the integration of gas from renewable energy sources.

Or. en

Amendment 356
Jean-Paul Denanot, Eric Andrieu, Nicola Caputo, Tibor Szanyi, Paolo De Castro, Clara Eugenia Aguilera García, Christine Revault D’Allonnes Bonnefoy, Marc Tarabella

Proposal for a directive
Article 20 – paragraph 2

Text proposed by the Commission

2. Where relevant, Member States shall require

Amendment

2. Member States shall require
shall require transmission system operators and distribution system operators in their territory to publish technical rules in line with Article 6 of Directive 2003/55/EC of the European Parliament and of the Council\(^{34}\), in particular regarding network connection rules that include gas quality, gas odoration and gas pressure requirements. Member States shall also require transmission and distribution system operators to publish the connection tariffs to connect renewable gas sources based on transparent and non-discriminatory criteria.


**Justification**

*During periods of low demand, there is a risk that the access of biomethane to the grid may be restricted.*

**Amendment 357**

Fredrick Federley

**Proposal for a directive**

**Article 20 – paragraph 3**

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
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<tbody>
<tr>
<td>3. Subject to their assessment included in the integrated national energy and climate plans in accordance with Annex I of Regulation [Governance], on the necessity to build new infrastructure for district heating and cooling produced from renewable energy sources in order to</td>
<td>3. Subject to their assessment included in the integrated national energy and climate plans in accordance with Annex I of Regulation [Governance], on the necessity to build new infrastructure for district heating and cooling produced from renewable energy sources in order to</td>
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</table>
achieve the Union target referred to in Article 3(1) of this Directive, Member States shall, where relevant, take steps with a view to developing a district heating infrastructure to accommodate the development of heating and cooling production from large biomass, solar and geothermal facilities.

achieve the Union target referred to in Article 3(1) of this Directive, Member States shall, where relevant, take steps with a view to developing a district heating infrastructure to accommodate the development of heating and cooling production from large biomass, solar and geothermal facilities and waste heat and cold.

**Amendment 358**
Jean-Paul Denanot, Eric Andrieu, Nicola Caputo, Tibor Szanyi, Momchil Nekov, Christine Revault D’Allonnes Bonnefoy, Marc Tarabella

**Proposal for a directive**
Article 21 – paragraph 1 – subparagraph 1 – point a

*Text proposed by the Commission*

(a) are entitled to carry out self-consumption and sell, including through power purchase agreements, their excess production of renewable electricity without being subject to disproportionate procedures and charges that are not cost-reflective;

*Amendment*

(a) are entitled to carry out self-consumption and sell, including through power purchase agreements, their excess production of renewable energy without being subject to disproportionate procedures and charges that are not cost-reflective. They should be encouraged to produce and consume their self-generated renewable energy with low taxes.

*Justification*

The definition has to include renewable gas, the wording ‘energy’ is more inclusive. Self consumers should be allowed to consume their renewable electricity without any hindrance.

**Amendment 359**
Laurenţiu Rebega, Philippe Loiseau

**Proposal for a directive**
Article 21 – paragraph 1 – subparagraph 1 – point a
Text proposed by the Commission

(a) are entitled to carry out self-consumption and sell, including through power purchase agreements, their excess production of renewable electricity without being subject to disproportionate procedures and charges that are not cost-reflective;

Amendment

(a) are entitled to carry out self-consumption and sell, including through power purchase agreements, their excess production of renewable electricity without being subject to taxation, to disproportionate administrative procedures and charges that are not cost-reflective;

Justification

Due account should be taken of benefits stemming from decentralised renewable energy production.

Amendment 360
Fredrick Federley

Proposal for a directive
Article 21 – paragraph 1 – subparagraph 1 – point c

Text proposed by the Commission

(c) are not considered as energy suppliers according to Union or national legislation in relation to the renewable electricity they feed into the grid not exceeding 10 MWh for households and 500 MWh for legal persons on an annual basis; and

Amendment

(c) are not considered as energy suppliers according to Union or national legislation in relation to the renewable electricity they feed into the grid not exceeding 10 MWh for households and 500 MWh for legal persons on an annual basis, however the rules on supervision and technical requirements regarding connection to the grid/networks would still apply; and

Or. en

Amendment 361
Fredrick Federley

Proposal for a directive
Article 21 – paragraph 1 – subparagraph 1 – point d
(d) receive a remuneration for the self-generated renewable electricity they feed into the grid which reflects the market value of the electricity fed in.

(d) for the self-generated renewable electricity they feed into the grid, they should be able to sell it to at least market value, this could also be done via power purchase agreements.

Amendment 362
Fredrick Federley

Proposal for a directive
Article 21 – paragraph 1 – subparagraph 2 a (new)

Text proposed by the Commission

Member States may, in a non-discriminatory fashion, promote consumption of self-generated electricity by making this consumption completely or partly not subject to taxes, charges or fees, while ensuring the fair distribution of grid maintenance costs.

Or. en

Amendment 363
Jean-Paul Denanot, Eric Andrieu, Nicola Caputo, Tibor Szanyi, Paolo De Castro, Clara Eugenia Aguilera García, Momchil Nekov, Massimo Paolucci, Christine Revault D’Allonnes Bonnefoy, Marc Tarabella

Proposal for a directive
Article 21 – paragraph 2

2. Member States shall ensure that renewable self-consumers living in the same multi-apartment block, or located in the same commercial, or shared services, site or closed distribution system, are allowed to jointly engage in self-
consumption as if they were an individual renewable self-consumer. In this case, the threshold set out in paragraph 1(c) shall apply to each renewable self-consumer concerned.

*Justification*

*Farmers are important renewable self-consumers*

**Amendment 364**
Fredrick Federley

**Proposal for a directive**
**Article 21 – paragraph 3**

*Text proposed by the Commission*

3. The renewable self-consumer’s installation may be managed by a third party for installation, operation, including metering, and maintenance.

*Amendment*

3. The renewable self-consumer’s installation may be managed by a third party for installation, operation, including metering, and maintenance provided that the economic risk connected to the operation of the installation remains with the renewable self-consumer.

Or. en

**Amendment 365**
Fredrick Federley

**Proposal for a directive**
**Article 22 – paragraph 1 – subparagraph 2 – introductory part**

*Text proposed by the Commission*

For the purposes of this Directive, a renewable energy community shall be *an* SME or a not-for-profit organisation, the shareholders or members of which cooperate in the generation, distribution, storage or supply of energy from renewable sources, fulfilling at least four

*Amendment*

For the purposes of this Directive, a renewable energy community shall be *a locally based* SME or a *locally based* not-for-profit organisation, the shareholders or members of which cooperate in the generation, distribution, storage or supply of energy from renewable sources,
out of the following criteria: representing largely local interests and fulfilling at least four out of the following criteria:

Amendment 366
Laurenţiu Rebega, Angelo Ciocca

Proposal for a directive
Article 23 – paragraph 1

Text proposed by the Commission

(1) In order to facilitate the penetration of renewable energy in the heating and cooling sector, each Member State shall endeavour to increase the share of renewable energy supplied for heating and cooling by at least 1 percentage point (pp) every year, expressed in terms of national share of final energy consumption and calculated according to the methodology set out in Article 7.

Amendment

(1) In order to facilitate the penetration of renewable energy in the heating and cooling sector, each Member State shall endeavour to increase the share of renewable energy supplied for heating and cooling.

Justification

We believe that a compulsory 1% annual increase in the share of renewable energy for heating and cooling would undermine the right of every Member State to choose the best strategy to help achieve the EU common renewable energy objective of 27% of final consumption.

Amendment 367
Fredrick Federley

Proposal for a directive
Article 23 – paragraph 1

Text proposed by the Commission

1. In order to facilitate the penetration of renewable energy in the heating and cooling sector, each Member State shall endeavour to increase the share of

Amendment

1. In order to facilitate the penetration of renewable energy in the heating and cooling sector, each Member State shall endeavour to increase the share of
renewable energy supplied for heating and cooling by at least 1 percentage point (pp) every year, expressed in terms of national share of final energy consumption and calculated according to the methodology set out in Article 7.

renewable energy, including waste heat/cold, supplied for heating and cooling by at least 1 percentage point (pp) every year, until the share of renewable energy including waste heat/cold is 100 percent, expressed in terms of national share of final energy consumption and calculated according to the methodology set out in Article 7.

Or. en

Amendment 368
Paul Brannen

Proposal for a directive
Article 23 – paragraph 1

Text proposed by the Commission

1. In order to facilitate the penetration of renewable energy in the heating and cooling sector, each Member State shall endeavour to increase the share of renewable energy supplied for heating and cooling by at least 1 percentage point (pp) every year, expressed in terms of national share of final energy consumption and calculated according to the methodology set out in Article 7.

Amendment

1. In order to facilitate the penetration of renewable energy in the heating and cooling sector, each Member State shall endeavour to increase the share of renewable energy supplied for heating and cooling, by at least 1 percentage point (pp) every year by supporting innovative technologies such as heat pumps, geothermal and solar thermal technologies, expressed in terms of national share of final energy consumption and calculated according to the methodology set out in Article 7.

Or. en

Justification

The amendment aims to ensure that any increase in percentage points (pp) of renewable energy in heating and cooling comes from innovative technologies. Mandatory increase by 1pp of contribution of renewable energy every year is a good signal only if it does not pose further pressure on the resources and does not create further competition with material uses.

Amendment 369
Hannu Takkula, Gesine Meissner, Ulrike Müller, Petri Sarvamaa

Proposal for a directive
Article 23 – paragraph 1

Text proposed by the Commission

1. In order to facilitate the penetration of renewable energy in the heating and cooling sector, each Member State shall endeavour to increase the share of renewable energy supplied for heating and cooling by at least \textit{1 percentage point (pp) every year}, expressed in terms of national share of final energy consumption and calculated according to the methodology set out in Article 7.

Amendment

1. In order to facilitate the penetration of renewable energy in the heating and cooling sector, each Member State shall endeavour to increase the share of renewable energy supplied for heating and cooling by at least \textit{10 percent by 2030}, expressed in terms of national share of final energy consumption and calculated according to the methodology set out in Article 7.

Or. en

Justification

Increase is not linear.

Amendment 370
Jean-Paul Denanot, Eric Andrieu, Nicola Caputo, Tibor Szanyi, Paolo De Castro, Clara Eugenia Aguilera García, Marc Tarabella

Proposal for a directive
Article 23 – paragraph 1

Text proposed by the Commission

1. In order to facilitate the penetration of renewable energy in the heating and cooling sector, each Member State shall \textit{endeavour to} increase the share of renewable energy supplied for heating and cooling by at least \textit{1 percentage point (pp)} every year, expressed in terms of national share of final energy consumption and calculated according to the methodology set out in Article 7.

Amendment

1. In order to facilitate the penetration of renewable energy in the heating and cooling sector, each Member State shall increase the share of renewable energy supplied for heating and cooling by at least \textit{2 percentage points (pp)} every year, expressed in terms of national share of final energy consumption and calculated according to the methodology set out in Article 7.

Or. en
Justification

The yearly target has to be increased to 2% in order to ensure the EU’s leadership in renewables for heating and cooling.

Amendment 371
Fredrick Federley

Proposal for a directive
Article 23 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. If the share of renewable energy, including waste heat/cold supplied for heating and cooling is below 60 percent the Member State shall annually increase the share by at least 1 percentage point (pp).

Or. en

Amendment 372
Fredrick Federley

Proposal for a directive
Article 24 – paragraph 1

Text proposed by the Commission

Amendment

1. Member States shall ensure that district heating and cooling suppliers provide information to end-consumers on their energy performance and the share of renewable energy in their systems. Such information shall be in accordance with standards used under Directive 2010/31/EU.

1. Member States shall ensure that district heating and cooling suppliers provide information to their end-customers on their energy performance and the share of renewable energy in their systems. Such information shall be in accordance with standards used under Directive 2010/31/EU.

Or. en

Amendment 373
Fredrick Federley
Proposal for a directive
Article 24 – paragraph 4

Text proposed by the Commission

4. Member States shall lay down the necessary measures to ensure non-discriminatory access to district heating or cooling systems for heat or cold produced from renewable energy sources and for waste heat or cold. This non-discriminatory access shall enable direct supply of heating or cooling from such sources to customers connected to the district heating or cooling system by suppliers other than the operator of the district heating or cooling system.

Amendment

4. Member States shall lay down the necessary measures to ensure access to district heating or cooling systems for heat or cold produced from renewable energy sources and for waste heat or cold, based on non-discriminatory criteria set by a competent authority in the Member State. This access, based on non-discriminatory criteria, shall enable direct supply of heating or cooling from such sources to customers connected to the district heating or cooling system by suppliers other than the operator of the district heating or cooling system.

Or. en

Amendment 374
Fredrick Federley

Proposal for a directive
Article 24 – paragraph 5

Text proposed by the Commission

5. An operator of a district heating or cooling system may refuse access to suppliers where the system lacks the necessary capacity due to other supplies of waste heat or cold, of heat or cold from renewable energy sources or of heat or cold produced by high-efficiency cogeneration. Member States shall ensure that where such a refusal takes place the operator of the district heating or cooling system provides relevant information to the competent authority according to paragraph 9 on measures that would be necessary to reinforce the system.

Amendment

5. An operator of a district heating or cooling system may refuse access to suppliers where the system lacks the necessary capacity due to other supplies of waste heat or cold, of heat or cold from renewable energy sources or of heat or cold produced by high-efficiency cogeneration. Member States shall ensure that where such a refusal takes place the operator of the district heating or cooling system provides relevant information to the competent authority according to paragraph 9 on measures that would be necessary to reinforce the system including economic consequences of the measures.
Amendment 375
Fredrick Federley

Proposal for a directive
Article 24 – paragraph 9

Text proposed by the Commission

9. Member States shall designate one or more independent authorities to ensure that the rights of consumers and the rules for operating district heating and cooling systems in accordance with this Article are clearly defined and enforced.

Amendment

9. Member States shall designate one or more independent authorities to ensure that the rights of consumers and the rules for operating district heating and cooling systems in accordance with this Article are clearly defined and enforced. Based on the work done by the designated authorities the Commission shall do a report every four years summarizing the implementation of the provision in this article and specifically the setting of non-discriminatory criteria.

Amendment 376
Ulrike Müller, Hannu Takkula

Proposal for a directive
Article 25 – paragraph -1 (new)

Text proposed by the Commission

-1. Each Member State shall ensure that the share of energy from renewable sources in all forms of transport gradually increases from at least 10 % in 2020 to at least 15 % in 2030, expressed in terms of national share of final energy consumption and calculated according to the methodology set out in Article 7.

Amendment

-1. Each Member State shall ensure that the share of energy from renewable sources in all forms of transport gradually increases from at least 10 % in 2020 to at least 15 % in 2030, expressed in terms of national share of final energy consumption and calculated according to the methodology set out in Article 7.
Amendment 377
Michel Dantin, Angélique Delahaye, Anne Sander

Proposal for a directive
Article 25 – paragraph -1 (new)

Text proposed by the Commission

1. The proportion of renewable energy in the transport sector has increased from 10% in 2020 to 15% in 2030 at Union level. The Member States may set more ambitious national targets.

Or. fr

Amendment

Justification

Transport is responsible for 25% of greenhouse gas emissions and is 94% dependent on fossil fuels. The decarbonisation of the sector is a priority in the Union’s efforts to meet the Paris Agreement targets. Renewables should therefore be incorporated into the transport industry by 2020.

Amendment 378
Norbert Erdős

Proposal for a directive
Article 25 – paragraph 1 – subparagraph 1

Text proposed by the Commission

With effect from 1 January 2021, Member States shall require fuel suppliers to include a minimum share of energy from advanced biofuels and other biofuels and biogas produced from feedstock listed in Annex IX, from renewable liquid and gaseous transport fuels of non-biological origin, from waste-based fossil fuels and from renewable electricity in the total amount of transport fuels they supply for consumption or use on the market in the course of a calendar year.

Amendment

With effect from 1 January 2021, Member States shall require fuel suppliers to gradually increase the proportion of renewable energy in energy consumption for transport purposes to at least 15% by 2030.
For the EU to be able to achieve the 30% decarbonisation goal set in non-ETS sectors and its goal of at least a 27% share of renewable energy consumption by 2030, the Union must not give up on its ambitions set for 2020 in the transport sector, and the obligations related to the mixing ratio should be more ambitious than the 6.8% share proposed by the Commission.

Amendment 379
Jarosław Kalinowski, Czesław Adam Siekierski

Proposal for a directive
Article 25 – paragraph 1 – subparagraph 1

Text proposed by the Commission

With effect from 1 January 2021, Member States shall require fuel suppliers to include a minimum share of energy from advanced biofuels and other biofuels and biogas produced from feedstock listed in Annex IX, from renewable liquid and gaseous transport fuels of non-biological origin, from waste-based fossil fuels and from renewable electricity in the total amount of transport fuels they supply for consumption or use on the market in the course of a calendar year.

Amendment

With effect from 1 January 2021, Member States shall require fuel suppliers to gradually increase the share of renewable energy supplied to the transport sector to at least 15% by 2030.

Justification

If it is to achieve the general, EU-wide decarbonisation objective of 30% in non-ETS sectors, including transport, and the goal of renewable energy making up at least 27% of resources by 2030, the EU cannot give up on the 2020 goals for transport, and the mixing obligation must be set at a level that is more ambitious than the level of 6.8% proposed by the Commission.

Consistent with growth ambitions in other sectors, each Member State should authorise its fuel suppliers to gradually increase its share of renewable energy in transport to a minimum of 15% by 2030.

Amendment 380
Jean-Paul Denanot, Eric Andrieu, Nicola Caputo, Tibor Szanyi, Paolo De Castro, Clara Eugenia Aguilera García, Momchil Nekov, Christine Revault D’Allonnes Bonnefoy, Marc Tarabella
Proposal for a directive
Article 25 – paragraph 1 – subparagraph 1

Text proposed by the Commission

With effect from 1 January 2021, Member States shall require fuel suppliers to include a minimum share of energy from advanced biofuels and other biofuels and biogas produced from feedstock listed in Annex IX, from renewable liquid and gaseous transport fuels of non-biological origin, from waste-based fossil fuels and from renewable electricity in the total amount of transport fuels they supply for consumption or use on the market in the course of a calendar year.

Amendment

In order to achieve the target of at least 12% of the final energy consumption from renewable sources in transport by 2030 as referred to in Article 3, with effect from 1 January 2021, all Member States shall require fuel suppliers to include a minimum share of energy from advanced biofuels and other biofuels and biogas produced from feedstock listed in Annex IX, from ‘highly sustainable crop based biofuels’, from renewable liquid and gaseous transport fuels of non-biological origin, and from renewable electricity in the total amount of transport fuels they supply for consumption or use on the market in the course of a calendar year. Member States shall gradually increase the share of renewable energy, nevertheless they remain free to choose between different energy sources for the implementation of their energy policy.

Or. en

Justification

Member states remain free to decide which renewable energies they want to promote in accordance with the Treaty on the Functioning of the European Union.

Amendment 381
Esther Herranz García

Proposal for a directive
Article 25 – paragraph 1 – subparagraph 1

Text proposed by the Commission

With effect from 1 January 2021, Member States shall require fuel suppliers to include a minimum share of energy from advanced biofuels and other biofuels and biogas produced from feedstock listed in

Amendment

With effect from 1 January 2021, Member States shall require fuel suppliers to include a minimum share of energy from biofuels, from renewable liquid and gaseous transport fuels of non-biological
**Annex IX**, from renewable liquid and gaseous transport fuels of non-biological origin, from waste-based fossil fuels and from renewable electricity in the total amount of transport fuels they supply for consumption or use on the market in the course of a calendar year.

Or. en

**Amendment 382**
Michela Giuffrida

**Proposal for a directive**
**Article 25 – paragraph 1 – subparagraph 1**

**Text proposed by the Commission**

With effect from 1 January 2021, Member States shall require fuel suppliers to include a minimum share of energy from advanced biofuels and other biofuels and biogas produced from feedstock listed in **Annex IX**, from renewable liquid and gaseous transport fuels of non-biological origin, from waste-based fossil fuels and from renewable electricity in the total amount of transport fuels they supply for consumption or use on the market in the course of a calendar year.

**Amendment**

With effect from 1 January 2021, Member States shall require fuel suppliers to include a minimum share of energy from advanced biofuels, from renewable liquid and gaseous transport fuels of non-biological origin, from waste-based fossil fuels and from renewable electricity in the total amount of transport fuels they supply for consumption or use on the market in the course of a calendar year.

Or. en

**Justification**

Adopting such a wide definition would be important to ensure a meaningful contribution of waste and residue feedstock-based biofuels, to promote diversified advanced biofuels technologies and to allow investments into new technologies.

**Amendment 383**
Michel Dantin, Angélique Delahaye, Anne Sander

**Proposal for a directive**
**Article 25 – paragraph 1 – subparagraph 1**
With effect from 1 January 2021, Member States shall require fuel suppliers to include a minimum share of energy from advanced biofuels and other biofuels and biogas produced from feedstock listed in Annex IX, from renewable liquid and gaseous transport fuels of non-biological origin, from waste-based fossil fuels and from renewable electricity in the total amount of transport fuels they supply for consumption or use on the market in the course of a calendar year.

Or. fr

Amendment 384
Zbigniew Kuźmiuk, Stanislaw Ożóg

Proposal for a directive
Article 25 – paragraph 1 – subparagraph 1

With effect from 1 January 2021, Member States shall require fuel suppliers to include a minimum share of energy from crop-based biofuels, advanced biofuels and other biofuels and biogas, from renewable liquid and gaseous transport fuels of non-biological origin, from waste-based fossil fuels and from renewable electricity in the total amount of transport fuels they supply for consumption or use on the market in the course of a calendar year.

Or. en
Justification

Low carbon fuel streams that make low carbon fuels are generated as an unavoidable and not-intentional consequence of the manufacturing and production. Carbon Capture and Reuse (CCU) allows industry to reuse them for fuelling sectors that are not apt to electrification, such as jet fuel and chemicals production. They can play an important role in reducing emissions in addition to indirectly enhancing the share of renewables in the electricity grid by diverting gases from power generation.

Amendment 385
Elisabeth Köstinger, Albert Deß

Proposal for a directive
Article 25 – paragraph 1 – subparagraph 1

Text proposed by the Commission

With effect from 1 January 2021, Member States shall require fuel suppliers to include a minimum share of energy from advanced biofuels and other biofuels and biogas produced from feedstock listed in Annex IX, from renewable liquid and gaseous transport fuels of non-biological origin, from waste-based fossil fuels and from renewable electricity in the total amount of transport fuels they supply for consumption or use on the market in the course of a calendar year.

Amendment

With effect from 1 January 2021, Member States shall require fuel suppliers to include a minimum share of energy from biomass fuels produced from food or feed crops, advanced biofuels and other biofuels and biogas produced from feedstock listed in Annex IX, from renewable liquid and gaseous transport fuels of non-biological origin, from waste-based fossil fuels and from renewable electricity in the total amount of transport fuels they supply for consumption or use on the market in the course of a calendar year.

Or. en

Amendment 386
Tibor Szanyi

Proposal for a directive
Article 25 – paragraph 1 – subparagraph 1

Text proposed by the Commission

With effect from 1 January 2021, Member States shall require fuel suppliers to include a minimum share of energy from advanced biofuels and other biofuels and biogas produced from feedstock listed in Annex IX, from renewable liquid and gaseous transport fuels of non-biological origin, from waste-based fossil fuels and from renewable electricity in the total amount of transport fuels they supply for consumption or use on the market in the course of a calendar year.

Amendment

With effect from 1 January 2021, Member States shall require fuel suppliers to include a minimum share of energy from advanced biofuels and other biofuels and biogas produced from feedstock listed in Annex IX, from renewable liquid and gaseous transport fuels of non-biological origin, from waste-based fossil fuels and from renewable electricity in the total amount of transport fuels they supply for consumption or use on the market in the course of a calendar year.
biogas produced from feedstock listed in Annex IX, from renewable liquid and gaseous transport fuels of non-biological origin, from waste-based fossil fuels and from renewable electricity in the total amount of transport fuels they supply for consumption or use on the market in the course of a calendar year.

Or. en

Amendment 387
Franc Bogovič

Proposal for a directive
Article 25 – paragraph 1 – subparagraph 1

Text proposed by the Commission

With effect from 1 January 2021, Member States shall require fuel suppliers to include a minimum share of energy from advanced biofuels and other biofuels and biogas produced from feedstock listed in Annex IX, from renewable liquid and gaseous transport fuels of non-biological origin, from waste-based fossil fuels and from renewable electricity in the total amount of transport fuels they supply for consumption or use on the market in the course of a calendar year.

Amendment

With effect from 1 January 2021, Member States shall require fuel suppliers to include a minimum share of energy from advanced biofuels and other biofuels and biogas produced from feedstock listed in Annex IX, “highly sustainable crop based biofuels”, from renewable liquid and gaseous transport fuels of non-biological origin and from renewable electricity in the total amount of transport fuels they supply for consumption or use on the market in the course of a calendar year.

Or. en

Justification

Consistent with the minimum 70% GHG savings requirement set for advanced biofuels, those crop based biofuels achieving at least 70% GHG emissions and produced from feedstock produced in accordance with the Common Agricultural Policy cross compliance criteria should be entitled to contribute to the low emissions fuels blending obligation for the purpose of Article 25. It is not appropriate to include any type of fossil fuel produced without using any renewable energy. Fossil fuels are de facto not renewable and have no place in a Directive on the promotion of the use of energy from renewable sources. Their inclusion would run counter to the overarching climate and energy goal of reducing use of fossil energy sources.
Amendment 388
Fredrick Federley

Proposal for a directive
Article 25 – paragraph 1 – subparagraph 1

Text proposed by the Commission

With effect from 1 January 2021, Member States shall require fuel suppliers to include a minimum share of energy from advanced biofuels and other biofuels and biogas produced from feedstock listed in Annex IX, from renewable liquid and gaseous transport fuels of non-biological origin, from waste-based fossil fuels and from renewable electricity in the total amount of transport fuels they supply for consumption or use on the market in the course of a calendar year.

Amendment

With effect from 1 January 2021, Member States shall require fuel suppliers to include a minimum share of energy from advanced biofuels and other biofuels and biogas produced from feedstock listed in Annex IX, from renewable liquid and gaseous transport fuels of non-biological origin and from renewable electricity in the total amount of transport fuels they supply for consumption or use on the market in the course of a calendar year.

Or. en

Amendment 389
Esther Herranz García

Proposal for a directive
Article 25 – paragraph 1 – subparagraph 2

Text proposed by the Commission

The minimum share shall be at least equal to 1.5% in 2021, increasing up to at least 6.8% in 2030, following the trajectory set out in part B of Annex X. Within this total share, the contribution of advanced biofuels and biogas produced from feedstock listed in part A of Annex IX shall be at least 0.5% of the transport fuels supplied for consumption or use on the market as of 1 January 2021, increasing up to at least 3.6% by 2030, following the trajectory set out in part C of Annex X.

Amendment

The minimum share shall be at least equal to 12% in 2030. Within this total share, the contribution of advanced biofuels and biogas, defined as those obtained from biomass excluding food or feed crops, used cooking oil and animal fats classified as categories 1 and 2 in accordance with Regulation (EC) No 1069/2009 of the European Parliament and the Council, that comply with the sustainability criteria set out in articles 26 to 2, shall have an indicative share of 0.5% of the transport fuels supplied for...
consumption or use on the market as of 1 January 2021.

Or. en

Amendment 390
Jean-Paul Denanot, Eric Andrieu, Nicola Caputo, Tibor Szanyi, Paolo De Castro, Clara Eugenia Aguilera García, Christine Revault D’Allonnes Bonnefoy, Marc Tarabella

Proposal for a directive
Article 25 – paragraph 1 – subparagraph 2

Text proposed by the Commission

The minimum share shall be at least equal to 1.5% in 2021, increasing up to at least 6.8% in 2030, following the trajectory set out in part B of Annex X. Within this total share, the contribution of advanced biofuels and biogas produced from feedstock listed in part A of Annex IX shall be at least 0.5% of the transport fuels supplied for consumption or use on the market as of 1 January 2021, increasing up to at least 3.6% by 2030, following the trajectory set out in part C of Annex X.

Amendment

The minimum share shall be at least equal to 1.5% in 2021, increasing up to at least 9% in 2030, following the trajectory set out in part B of Annex X. Within this total share, the contribution of advanced biofuels and biogas produced from feedstock listed in part A of Annex IX shall be at least 1.5% of the transport fuels supplied for consumption or use on the market as of 1 January 2021, increasing up to at least 5.3% by 2030, following the trajectory set out in part C of Annex X.

Or. en

Amendment 391
Molly Scott Cato on behalf of the Verts/ALE Group
Maria Lidia Senra Rodríguez, Giulia Moi

Proposal for a directive
Article 25 – paragraph 1 – subparagraph 2

Text proposed by the Commission

The minimum share shall be at least equal to 1.5% in 2021, increasing up to at least 6.8% in 2030, following the trajectory set out in part B of Annex X. Within this total share, the contribution of advanced

Amendment

The minimum share shall be at least equal to 1.5% in 2021, increasing up to at least 6.8% in 2030, following the trajectory set out in part B of Annex X. Within this total share, the contribution of advanced
biofuels and biogas produced from feedstock listed in part A of Annex IX shall be at least 0.5% of the transport fuels supplied for consumption or use on the market as of 1 January 2021, increasing up to at least 3.6% by 2030, following the trajectory set out in part C of Annex X.

Or. en

**Justification**

2.3% is considered to be a conservative target based on analysis by NGOs and takes into account estimates of development of competing uses for biomass resources. Initial biomass potential is from a peer-reviewed ICCT paper on ligno-cellulosic waste & residue availability. This trajectory is in line with the precautionary principle and the proposal to exclude unsustainable & high carbon feedstocks from Annex IX. As the range of feedstock is narrowed to be more sustainable, the target should also be scaled down.

**Amendment 392**

Angélique Delahaye, Michel Dantin, Franc Bogovič, Mairead McGuinness

**Proposal for a directive**

**Article 25 – paragraph 1 – subparagraph 2 a (new)**

This is without prejudice for the possibility for Member States to apply a 7% share for biofuels produced from protein crops. For the latter, Member States shall be allowed to implement incentive measures to favour their use, for example by setting a specific obligation of incorporation within the limit of 7%, or beyond that limit pending the effective availability of advanced biofuels.

Or. en

**Justification**

EU sourced biofuels are by-products of a high quality protein crops’ production which is much needed in the EU, as Europe is still dependent for 70% of soybean meal imports to meet its growing livestock demand. The EU biofuels industry processing rapeseed and cereals now produces 13 million tons annually of high protein meals that otherwise would be imported.
This is a concrete case of positive circular economy. Less imports from North and South Americas mean more feed and food availability in these regions, to the benefit of consumers all over the world, thus contributing to increased global food security.

**Amendment 393**  
**Esther Herranz García**

Proposal for a directive  
**Article 25 – paragraph 1 – subparagraph 2 a (new)**

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>The contribution from biofuels and bioliquids, as well as form biomass fuels consumed in transport, if produced from food or feed crops, shall be no more than 7% of final consumption of energy in road and rail transport.</td>
<td></td>
</tr>
</tbody>
</table>

Or. en

**Amendment 394**  
**Michel Dantin, Angélique Delahaye**

Proposal for a directive  
**Article 25 – paragraph 1 – subparagraph 3**

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>The greenhouse gas emission savings from the use of advanced biofuels and other biofuels and biogas produced from feedstock listed in Annex IX shall be at least 70% as of 1 January 2021.</td>
<td></td>
</tr>
</tbody>
</table>

The greenhouse gas emission savings from the use of advanced biofuels and other biofuels and biogas produced from feedstock listed in Annex IX shall be at least 60% as of 1 January 2021.

Or. fr

**Amendment 395**  
**Fredrick Federley**

Proposal for a directive  
**Article 25 – paragraph 1 – subparagraph 3**
Text proposed by the Commission

The greenhouse gas emission savings from the use of **advanced biofuels and other biofuels and biogas produced from feedstock listed in Annex IX** shall be at least 70% as of 1 January 2021.

Amendment

The greenhouse gas emission savings from the use of **all fuels in the transport sector** shall be at least 70% as of 1 January 2021.

Or. en

Amendment 396
Jean-Paul Denanot, Eric Andrieu, Nicola Caputo, Tibor Szanyi, Clara Eugenia Aguilera García, Momchil Nekov, Jo Leinen, Maria Noichl, Christine Revault D’Allonnes Bonnefoy, Marc Tarabella

Proposal for a directive
Article 25 – paragraph 1 – subparagraph 3

Text proposed by the Commission

The greenhouse gas emission savings from the use of advanced biofuels and other biofuels and biogas produced from feedstock listed in Annex IX shall be at least 70% as of 1 January 2021.

Taking into account emissions from possible indirect land-use changes (ILUC), the greenhouse gas emission savings from the use of advanced biofuels and other biofuels and biogas produced from feedstock listed in Annex IX shall be at least 70% as of 1 January 2021.

Or. en

Amendment 397
Esther Herranz García

Proposal for a directive
Article 25 – paragraph 1 – subparagraph 4 – point b – paragraph 1

Text proposed by the Commission

for the calculation of the numerator, the energy content of **advanced biofuels and other biofuels and biogas produced from feedstock listed in Annex IX**, renewable liquid and gaseous transport fuels of non-biological origin, waste based fossil fuels

Amendment

for the calculation of the numerator, the energy content of biofuels and other biofuels and biogas, renewable liquid and gaseous transport fuels of non-biological origin, waste based fossil fuels supplied to all transport sectors, and renewable
supplied to all transport sectors, and renewable electricity supplied to road vehicles, shall be taken into account.

electricity supplied to road vehicles and rail transport, shall be taken into account.

Amendment 398
Michela Giuffrida

Proposal for a directive
Article 25 – paragraph 1 – subparagraph 4 – point b – paragraph 1

Text proposed by the Commission

for the calculation of the numerator, the energy content of advanced biofuels and other biofuels and biogas produced from feedstock listed in Annex IX, renewable liquid and gaseous transport fuels of non-biological origin, waste based fossil fuels supplied to all transport sectors, and renewable electricity supplied to road vehicles, shall be taken into account.

Amendment

for the calculation of the numerator, the energy content of advanced biofuels, renewable liquid and gaseous transport fuels of non-biological origin, waste based fossil fuels supplied to all transport sectors, and renewable electricity supplied to road vehicles, shall be taken into account.

Or. en

Justification

Adopting such a wide definition would be important to ensure a meaningful contribution of waste and residue feedstock-based biofuels, to promote diversified advanced biofuels technologies and to allow investments into new technologies.

Amendment 399
Elisabeth Köstinger, Albert Deß

Proposal for a directive
Article 25 – paragraph 1 – subparagraph 4 – point b – paragraph 1

Text proposed by the Commission

for the calculation of the numerator, the energy content of advanced biofuels and other biofuels and biogas produced from feedstock listed in Annex IX, renewable liquid and gaseous transport fuels of non-

Amendment

for the calculation of the numerator, the energy content of biomass fuels produced from food or feed crops, advanced biofuels and other biofuels and biogas produced from feedstock listed in Annex IX,
biological origin, waste based fossil fuels supplied to all transport sectors, and renewable electricity supplied to road vehicles, shall be taken into account. renewable liquid and gaseous transport fuels of non-biological origin, waste based fossil fuels supplied to all transport sectors, and renewable electricity supplied to road vehicles, shall be taken into account.

Amendment 400
Zbigniew Kuźmiuk, Stanisław Ożóg

Proposal for a directive
Article 25 – paragraph 1 – subparagraph 4 – point b – paragraph 1

Text proposed by the Commission

for the calculation of the numerator, the energy content of advanced biofuels and other biofuels and biogas produced from feedstock listed in Annex IX, renewable liquid and gaseous transport fuels of non-biological origin, waste based fossil fuels supplied to all transport sectors, and renewable electricity supplied to road vehicles, shall be taken into account.

Amendment

for the calculation of the numerator, the energy content of advanced biofuels and other biofuels and biogas produced from feedstock listed in Annex IX, renewable liquid and gaseous transport fuels of non-biological origin, from gaseous waste-based fuels, which are generated as an unavoidable and not intentional consequence of the manufacturing or production of products whose intended purpose is commercial use and/or sale, supplied to all transport sectors, and renewable electricity supplied to road vehicles, shall be taken into account.

Justification

Low carbon fuel streams that make low carbon fuels are generated as an unavoidable and not-intentional consequence of the manufacturing and production. Carbon Capture and Reuse (CCU) allows industry to reuse them for fuelling sectors that are not apt to electrification, such as jet fuel and chemicals production. They can play an important role in reducing emissions in addition to indirectly enhancing the share of renewables in the electricity grid by diverting gases from power generation.

Amendment 401
Tibor Szanyi

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Proposal for a directive
Article 25 – paragraph 1 – subparagraph 4 – point a

Text proposed by the Commission

a) for the calculation of the denominator, that is the energy content of road and rail transport fuels supplied for consumption or use on the market, petrol, diesel, natural gas, biofuels, biogas, renewable liquid and gaseous transport fuels of non-biological origin, waste-based fossil fuels and electricity, shall be taken into account;

Amendment

a) for the calculation of the denominator, that is the energy content of road and rail transport fuels supplied for consumption or use on the market, petrol, diesel, natural gas, biofuels, biogas, renewable liquid and gaseous transport fuels of non-biological origin and electricity, shall be taken into account;

Or. en

Amendment 402
Fredrick Federley

Proposal for a directive
Article 25 – paragraph 1 – subparagraph 4 – point a

Text proposed by the Commission

a) for the calculation of the denominator, that is the energy content of road and rail transport fuels supplied for consumption or use on the market, petrol, diesel, natural gas, biofuels, biogas, renewable liquid and gaseous transport fuels of non-biological origin, waste-based fossil fuels and electricity, shall be taken into account;

Amendment

a) for the calculation of the denominator, that is the energy content of road and rail transport fuels supplied for consumption or use on the market, petrol, diesel, natural gas, biofuels, biogas, renewable liquid and gaseous transport fuels of non-biological origin and electricity, shall be taken into account;

Or. en

Amendment 403
Franc Bogovič

Proposal for a directive
Article 25 – paragraph 1 – subparagraph 4 – point a
Text proposed by the Commission

a) for the calculation of the denominator, that is the energy content of road and rail transport fuels supplied for consumption or use on the market, petrol, diesel, natural gas, biofuels, biogas, renewable liquid and gaseous transport fuels of non-biological origin, **waste-based fossil fuels** and electricity, shall be taken into account;

Amendment

a) for the calculation of the denominator, that is the energy content of road and rail transport fuels supplied for consumption or use on the market, petrol, diesel, natural gas, biofuels, biogas, renewable liquid and gaseous transport fuels of non-biological origin and electricity, shall be taken into account;

Or. en

**Justification**

*It is not appropriate to include any type of fossil fuel produced without using any renewable energy. Fossil fuels are de facto not renewable and have no place in a Directive on the promotion of the use of energy from renewable sources. Their inclusion would run counter to the overarching climate and energy goal of reducing use of fossil energy sources.*

Amendment 404
Fredrick Federley

Proposal for a directive
Article 25 – paragraph 1 – subparagraph 4 – point b – paragraph 1

Text proposed by the Commission

for the calculation of the numerator, the energy content of advanced biofuels and other biofuels and biogas produced from feedstock listed in Annex IX, renewable liquid and gaseous transport fuels of non-biological origin, **waste based fossil fuels supplied to all transport sectors**, and renewable electricity supplied to road vehicles, shall be taken into account.

Amendment

for the calculation of the numerator, the energy content of advanced biofuels and other biofuels and biogas produced from feedstock listed in Annex IX, renewable liquid and gaseous transport fuels of non-biological origin and renewable electricity supplied to road vehicles, shall be taken into account.

Or. en

Amendment 405
Jean-Paul Denanot, Eric Andrieu, Nicola Caputo, Tibor Szanyi, Paolo De Castro, Clara Eugenia Aguilera García, Christine Revault D’Allonnes Bonnefoy, Marc Tarabella
Proposal for a directive
Article 25 – paragraph 1 – subparagraph 4 – point b – paragraph 1

Text proposed by the Commission

for the calculation of the numerator, the energy content of advanced biofuels and other biofuels and biogas produced from feedstock listed in Annex IX, renewable liquid and gaseous transport fuels of non-biological origin, waste based fossil fuels supplied to all transport sectors, and renewable electricity supplied to road vehicles, shall be taken into account.

Amendment

for the calculation of the numerator, the energy content of advanced biofuels and other biofuels and biogas produced from feedstock listed in Annex IX, renewable liquid and gaseous transport fuels of non-biological origin, and renewable electricity supplied to road vehicles, shall be taken into account.

Or. en

Amendment 406
Tibor Szanyi

Proposal for a directive
Article 25 – paragraph 1 – subparagraph 4 – point b – paragraph 1

Text proposed by the Commission

for the calculation of the numerator, the energy content of advanced biofuels and other biofuels and biogas produced from feedstock listed in Annex IX, renewable liquid and gaseous transport fuels of non-biological origin, waste based fossil fuels supplied to all transport sectors, and renewable electricity supplied to road vehicles, shall be taken into account.

Amendment

for the calculation of the numerator, the energy content of advanced biofuels and other biofuels and biogas produced from feedstock listed in Annex IX, renewable liquid and gaseous transport fuels of non-biological origin supplied to all transport sectors, and renewable electricity supplied to road vehicles, shall be taken into account.

Or. en

Amendment 407
Franc Bogovič

Proposal for a directive
Article 25 – paragraph 1 – subparagraph 4 – point b – paragraph 1
Text proposed by the Commission

for the calculation of the numerator, the energy content of advanced biofuels and other biofuels and biogas produced from feedstock listed in Annex IX, renewable liquid and gaseous transport fuels of non-biological origin, waste based fossil fuels supplied to all transport sectors, and renewable electricity supplied to road vehicles, shall be taken into account.

Amendment

for the calculation of the numerator, the energy content of advanced biofuels and other biofuels and biogas produced from feedstock listed in Annex IX, renewable liquid and gaseous transport fuels of non-biological origin, waste based fossil fuels supplied to all transport sectors, and renewable electricity supplied to road vehicles, shall be taken into account.

Or. en

Justification

It is not appropriate to include any type of fossil fuel produced without using any renewable energy. Fossil fuels are de facto not renewable and have no place in a Directive on the promotion of the use of energy from renewable sources. Their inclusion would run counter to the overarching climate and energy goal of reducing use of fossil energy sources.

Amendment 408
Esther Herranz García

Proposal for a directive
Article 25 – paragraph 1 – subparagraph 4 – point b – paragraph 2

Text proposed by the Commission

For the calculation of the numerator, the contribution from biofuels and biogas produced from feedstock included in part B of Annex IX shall be limited to 1.7% of the energy content of transport fuels supplied for consumption or use on the market and the contribution of fuels supplied in the aviation and maritime sector shall be considered to be 1.2 times their energy content.

Amendment

For the calculation of the numerator, the contribution of fuels supplied in the aviation and maritime sector shall be considered to be 1.2 times their energy content.

Or. en

Amendment 409
Angélique Delahaye, Michel Dantin

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### Proposal for a directive

#### Article 25 – paragraph 1 – subparagraph 4 – point b – paragraph 2

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>For the calculation of the numerator, the contribution from biofuels and biogas produced from feedstock included in part B of Annex IX shall be limited to 1.7% of the energy content of transport fuels supplied for consumption or use on the market and the contribution of fuels supplied in the aviation and maritime sector shall be considered to be 1.2 times their energy content.</td>
<td>For the calculation of the numerator, the contribution from biofuels and biogas produced from feedstock included in part B of Annex IX shall be limited to 1.7% of the energy content of transport fuels supplied for consumption or use on the market and the contribution of fuels supplied in the aviation and maritime sector shall be considered to be 1.2 times their energy content; <em>the use of feedstock included in part B of Annex IX must comply with the principle of the waste hierarchy and avoid significant distortions in the markets for products, waste or residues.</em></td>
</tr>
</tbody>
</table>

*Or. en*

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**Amendment 410**

Fredrick Federley

#### Proposal for a directive

#### Article 25 – paragraph 2 a (new)

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
</table>

2a. *In setting their national systems, Member States shall take into account the availability of feedstocks, technologies and products reported in their Biannual Progress Reports under the Governance Regulation.*

*Or. en*

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**Amendment 411**

Fredrick Federley

#### Proposal for a directive
Article 25 – paragraph 3 – subparagraph 1

Text proposed by the Commission

To determine the share of renewable electricity for the purposes of paragraph 1 either the average share of electricity from renewable energy sources in the Union or the share of electricity from renewable energy sources in the Member State where the electricity is supplied, as measured two years before the year in question may be used. In both cases, an equivalent amount of guarantees of origin issued in accordance with Article 19 shall be cancelled.

Amendment

To determine the share of renewable electricity for the purposes of paragraph 1 the share of electricity from renewable energy sources in the Member State where the electricity is supplied, as measured two years before the year in question, may be used. Provided that additionality of electricity can be proven, fully renewable electricity can be accounted for as such. The Commission shall provide guidance in order to establish the procedure to prove additionality. In both cases, an equivalent amount of guarantees of origin issued in accordance with Article 19 shall be cancelled.

Or. en

Amendment 412
Fredrick Federley

Proposal for a directive
Article 25 – paragraph 3 – subparagraph 3 – point a – paragraph 1

Text proposed by the Commission

When electricity is used for the production of renewable liquid and gaseous transport fuels of non-biological origin, either directly or for the production of intermediate products, either the average share of electricity from renewable energy sources in the Union or the share of electricity from renewable energy sources in the country of production, as measured two years before the year in question, may be used to determine the share of renewable energy. In both cases, an equivalent amount of guarantees of origin issued in accordance with Article 19 shall be cancelled.

Amendment

When electricity is used for the production of renewable liquid and gaseous transport fuels of non-biological origin directly the average share of electricity from renewable energy sources in the country of production, as measured two years before the year in question, may be used to determine the share of renewable energy. In both cases, an equivalent amount of guarantees of origin issued in accordance with Article 19 shall be cancelled.
Amendment 413
Jean-Paul Denanot, Eric Andrieu, Nicola Caputo, Tibor Szanyi, Paolo De Castro, Clara Eugenia Aguilera García, Massimo Paolucci, Christine Revault D’Allonnes Bonnefoy, Marc Tarabella

Proposal for a directive
Article 25 – paragraph 4 – subparagraph 1

**Text proposed by the Commission**
Member States shall put in place a database enabling tracing of transport fuels that are eligible for counting towards the numerator set out in paragraph 1(b), and require the relevant economic operators to enter information on the transactions made and the sustainability characteristics of the eligible fuels, including their life cycle greenhouse gas emissions, starting from their point of production to the fuel supplier that places the fuel on the market.

**Amendment**
Member States shall put in place a database enabling tracing of transport fuels that are eligible for counting towards the numerator set out in paragraph 1(b), and require the relevant economic operators to enter information on the transactions made and the sustainability characteristics of the eligible fuels, including their life cycle greenhouse gas emissions, starting from their point of production to the fuel supplier that places the fuel on the market. **Member States shall also put in place corrective measures and penalties to be applied in the case of non-compliance by the economic operators.**

**Justification**
National measures are needed in order to guarantee that fuel suppliers will fulfil their obligations in terms of blending and reporting information

Amendment 414
Zbigniew Kuźmiuk, Stanisław Ożóg

Proposal for a directive
Article 25 – paragraph 6

**Text proposed by the Commission**
6. The Commission is empowered to adopt delegated acts in accordance with

**Amendment**
6. The Commission is empowered to adopt delegated acts in accordance with
Article 32 to further specify the methodology referred to in paragraph 3(b) of this Article to determine the share of biofuel resulting from biomass being processed with fossil fuels in a common process, to specify the methodology for assessing greenhouse gas emission savings from renewable liquid and gaseous transport fuels of non-biological origin and waste-based fossil fuels and to determine minimum greenhouse gas emission savings required for these fuels for the purpose of paragraph 1 of this Article.

Article 32 to further specify the methodology referred to in paragraph 3(b) of this Article to determine the share of biofuel resulting from biomass being processed with fossil fuels in a common process, to specify the methodology for assessing greenhouse gas emission savings from renewable liquid and gaseous transport fuels of non-biological origin and low carbon fuels, which are generated from gases effluents produced as an unavoidable and not intentional consequence of the manufacturing or production of products whose intended purpose is commercial use and/or sale, and to determine minimum greenhouse gas emission savings required for these fuels for the purpose of paragraph 1 of this Article.

Or. en

Justification

The Renewable Energy Directive should ensure that the Commission has the necessary powers to promote the use of low carbon fuels, as these play an important role in reducing the amount of extracted fossil carbon in the EU energy mix in addition to indirectly promoting production of renewable electricity.

Amendment 415
Jean-Paul Denanot, Eric Andrieu, Nicola Caputo, Tibor Szanyi, Paolo De Castro, Clara Eugenia Aguilera García, Christine Revault D’Allonnes Bonnefoy, Marc Tarabella

Proposal for a directive
Article 25 – paragraph 6

Text proposed by the Commission

6. The Commission is empowered to adopt delegated acts in accordance with Article 32 to further specify the methodology referred to in paragraph 3(b) of this Article to determine the share of biofuel resulting from biomass being processed with fossil fuels in a common process, to specify the methodology for

Amendment

6. The Commission is empowered to adopt delegated acts in accordance with Article 32 to further specify the methodology referred to in paragraph 3(b) of this Article to determine the share of biofuel resulting from biomass being processed with fossil fuels in a common process, to specify the methodology for
assessing greenhouse gas emission savings from renewable liquid and gaseous transport fuels of non-biological origin and waste-based fossil fuels and to determine minimum greenhouse gas emission savings required for these fuels for the purpose of paragraph 1 of this Article.

Or. en

Amendment 416  
Fredrick Federley

Proposal for a directive  
Article 25 – paragraph 6

Text proposed by the Commission

6. The Commission is empowered to adopt delegated acts in accordance with Article 32 to further specify the methodology referred to in paragraph 3(b) of this Article to determine the share of biofuel resulting from biomass being processed with fossil fuels in a common process, to specify the methodology for assessing greenhouse gas emission savings from renewable liquid and gaseous transport fuels of non-biological origin and waste-based fossil fuels and to determine minimum greenhouse gas emission savings required for these fuels for the purpose of paragraph 1 of this Article.

Amendment

6. The Commission is empowered to adopt delegated acts in accordance with Article 32 to further specify the methodology referred to in paragraph 3(b) of this Article to determine the share of biofuel resulting from biomass being processed with fossil fuels in a common process, to specify the methodology for assessing greenhouse gas emission savings from renewable liquid and gaseous transport fuels of non-biological origin and waste-based fossil fuels and to determine minimum greenhouse gas emission savings required for these fuels for the purpose of paragraph 1 of this Article.

Or. en

Amendment 417  
Fredrick Federley

Proposal for a directive  
Article 25 – paragraph 7

Text proposed by the Commission

Amendment

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7. By 31 December 2025, in the context of the biennial assessment of progress made pursuant to Regulation [Governance], the Commission shall assess whether the obligation laid down in paragraph 1 effectively stimulates innovation and promotes greenhouse gas savings in the transport sector, and whether the applicable greenhouse gas savings requirements for biofuels and biogas are appropriate. The Commission shall, if appropriate, present a proposal to modify the obligation laid down in paragraph 1.

Amendment 418
Paul Brannen

Proposal for a directive
Article 26 – paragraph 1 – subparagraph 1 – point c

Text proposed by the Commission
(c) eligibility for financial support for the consumption of biofuels, bioliquids and biomass fuels.

Amendment
(c) eligibility for financial support, fiscal incentives or other policy measures for the consumption of biofuels, bioliquids and biomass fuels.

Amendment 419
Fredrick Federley

Proposal for a directive
Article 26 – paragraph 1 – subparagraph 2

Text proposed by the Commission
However, biofuels, bioliquids and biomass fuels produced from waste and residues,

Amendment
However, biofuels, bioliquids and biomass fuels produced from forest biomass from

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other than agricultural, aquaculture, fisheries and forestry residues, need only fulfil the greenhouse gas emissions saving criteria set out in paragraph 7 in order to be taken into account for the purposes referred to in points (a), (b) and (c) of this paragraph. This provision shall also apply to waste and residues that are first processed into a product before being further processed into biofuels, bioliquids and biomass fuels.

**thinnings and biodiversity enhancing management activities**, waste and residues, other than agricultural, aquaculture, fisheries and forestry residues, need only fulfil the greenhouse gas emissions saving criteria set out in paragraph 7 in order to be taken into account for the purposes referred to in points (a), (b) and (c) of this paragraph. This provision shall also apply to waste and residues that are first processed into a product before being further processed into biofuels, bioliquids and biomass fuels.

**Amendment 420**

Molly Scott Cato  
on behalf of the Verts/ALE Group  
**Maria Lidia Senra Rodríguez, Giulia Moi**

**Proposal for a directive**  
**Article 26 – paragraph 1 – subparagraph 2 a (new)**

<table>
<thead>
<tr>
<th><strong>Text proposed by the Commission</strong></th>
<th><strong>Amendment</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Biofuels, bioliquids and biomass fuels produced from food and feed crops and other crops grown primarily for energy purposes shall not be eligible for financial support.</strong></td>
<td></td>
</tr>
</tbody>
</table>

**Justification**

*Bioenergy causes displacement effects via direct and indirect land use change and so drive deforestation, land grabbing and hunger, especially in the developing world. Meanwhile the amounts of protein feed co-produced is dramatically overestimated by those with vested self-interests.*

**Amendment 421**

*Elisabeth Köstinger, Albert Deß*
Proposal for a directive
Article 26 – paragraph 1 – subparagraph 3

Text proposed by the Commission

Biomass fuels shall have to fulfil the sustainability and greenhouse gas emissions saving criteria set out in paragraphs 2 to 7 only if used in installations producing electricity, heating and cooling or fuels with a fuel capacity equal to or exceeding 20 MW in case of solid biomass fuels and with an electrical capacity equal to or exceeding 0.5 MW in case of gaseous biomass fuels. Member States may apply the sustainability and greenhouse gas emission saving criteria to installations with lower fuel capacity.

Amendment

Biomass fuels shall have to fulfil the sustainability and greenhouse gas emissions saving criteria set out in paragraphs 2 to 7 only if used in installations producing electricity, heating, cooling or fuels with a fuel capacity equal to or exceeding 50 MW in case of solid biomass fuels and with an electrical capacity equal to or exceeding 1 MW in case of gaseous biomass fuels.

Or. en

Justification

In order to minimize the administrative burden for the operators and the feedstock-producers, the Union sustainability and greenhouse gas saving criteria should apply only to electricity and heating from biomass fuels produced in installations with a fuel capacity equal or above to 50 MW.

Amendment 422
Michel Dantin, Angélique Delahaye, Anne Sander

Proposal for a directive
Article 26 – paragraph 1 – subparagraph 3

Text proposed by the Commission

Biomass fuels shall have to fulfil the sustainability and greenhouse gas emissions saving criteria set out in paragraphs 2 to 7 only if used in installations producing electricity, heating and cooling or fuels with a fuel capacity equal to or exceeding 20 MW in case of solid biomass fuels and with an electrical capacity equal to or exceeding 0.5 MW in case of gaseous biomass fuels. Member States may apply the sustainability and

Amendment

Biomass fuels shall have to fulfil the sustainability and greenhouse gas emissions saving criteria set out in paragraphs 2 to 7 only if used in installations producing electricity, heating and cooling or fuels with a fuel capacity equal to or exceeding 20 MW in case of solid biomass fuels and with a fuel capacity equal to or exceeding 2.5 MW in case of gaseous biomass fuels.

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greenhouse gas emission saving criteria to installations with lower fuel capacity.

Or. fr

Justification

Even with just an individual installation, an agricultural methanisation installation quickly reaches a fuel capacity of 2.5 MW, which gives an electrical power output of 1 MW. Reducing the administrative burden for farmers paves the way for agricultural methanisation, which offers many climate and environmental benefits. In keeping with the circular economy, methanisation stimulates more sustainable management of wastewater and the manufacture of organic fertilisers.

Amendment 423
Massimo Paolucci

Proposal for a directive
Article 26 – paragraph 1 – subparagraph 3

Text proposed by the Commission

Biomass fuels shall have to fulfil the sustainability and greenhouse gas emissions saving criteria set out in paragraphs 2 to 7 only if used in installations producing electricity, heating and cooling or fuels with a fuel capacity equal to or exceeding 20 MW in case of solid biomass fuels and with an electrical capacity equal to or exceeding 0.5 MW in case of gaseous biomass fuels. Member States may apply the sustainability and greenhouse gas emission saving criteria to installations with lower fuel capacity.

Amendment

Biomass fuels shall have to fulfil the sustainability and greenhouse gas emissions saving criteria set out in paragraphs 2 to 7 only if used in installations producing electricity, heating and cooling or fuels with a fuel capacity equal to or exceeding 5 MW in case of solid biomass fuels and with an electrical capacity equal to or exceeding 0.5 MW in case of gaseous biomass fuels. Member States may apply the sustainability and greenhouse gas emission saving criteria to installations with lower fuel capacity.

Or. it

Justification

The text must be aligned with the Directive on medium combustion plants.

Amendment 424
Molly Scott Cato
on behalf of the Verts/ALE Group
Biomass fuels shall have to fulfil the sustainability and greenhouse gas emissions saving criteria set out in paragraphs 2 to 7 only if used in installations producing electricity, heating and cooling or fuels with a fuel capacity equal to or exceeding 20 MW in case of solid biomass fuels and with an electrical capacity equal to or exceeding 0.5 MW in case of gaseous biomass fuels. Member States may apply the sustainability and greenhouse gas emission saving criteria to installations with lower fuel capacity.

Justification

In its report, the Commission recommended that sustainability schemes and MS record keeping apply to energy producers of ≥1MW thermal or electrical capacity, helping to improve statistics on biomass use and to monitor the effects of biomass use on the areas of origin. Also Dir.2015/2193 defines “medium combustion plants” as those with a rated thermal input ≥1MW and less than 50MW. Also, setting the threshold as high as 20MW risks undermining the sustainability criteria and the EU’s climate objectives.
solid biomass fuels and with an electrical capacity equal to or exceeding 0.5 MW in case of gaseous biomass fuels. Member States may apply the sustainability and greenhouse gas emission saving criteria to installations with lower fuel capacity.

Justification

Making an exception for smaller energy plants would run counter to the EU’s ambitious climate goals. Additionally, in its report on sustainability criteria for the use of solid and gaseous biomass in electricity production, heating and cooling, the Commission plans to apply sustainability criteria to larger energy producers with a capacity of at least 1 MW. A similar provision would take sufficient account of the fragmentation of the sector.

Amendment 426
Jean-Paul Denanot, Eric Andrieu, Nicola Caputo, Tibor Szanyi, Paolo De Castro, Marc Tarabella

Proposal for a directive
Article 26 – paragraph 1 – subparagraph 3

Text proposed by the Commission
Biomass fuels shall have to fulfil the sustainability and greenhouse gas emissions saving criteria set out in paragraphs 2 to 7 only if used in installations producing electricity, heating and cooling or fuels with a fuel capacity equal to or exceeding 20 MW in case of solid biomass fuels and with an electrical capacity equal to or exceeding 0.5 MW in case of gaseous biomass fuels. Member States may apply the sustainability and greenhouse gas emission saving criteria to installations with lower fuel capacity.

Amendment
Biomass fuels shall have to fulfil the sustainability and greenhouse gas emissions saving criteria set out in paragraphs 2 to 7 only if used in installations producing electricity, heating and cooling or fuels with a fuel capacity equal to or exceeding 20 MW in case of solid biomass fuels and with an electrical capacity equal to or exceeding 0.5 MW in case of gaseous biomass fuels. Member States may apply the sustainability and greenhouse gas emission saving criteria to installations with lower fuel capacity.

Or. en

Amendment 427
Philippe Loiseau, Edouard Ferrand
Proposal for a directive
Article 26 – paragraph 1 – subparagraph 4

Text proposed by the Commission

The sustainability criteria set out in paragraphs 2 to 6 and the greenhouse gas emissions saving criteria set out in paragraph 7 shall apply irrespectively of the geographical origin of the biomass.

Amendment

The sustainability criteria set out in paragraphs 2 to 6 and the greenhouse gas emissions saving criteria set out in paragraph 7 shall apply irrespectively of the geographical origin of the biomass, whether inside or outside of the Union.

Or. fr

Amendment 428
Fredrick Federley

Proposal for a directive
Article 26 – paragraph 1 – subparagraph 4

Text proposed by the Commission

The sustainability criteria set out in paragraphs 2 to 6 and the greenhouse gas emissions saving criteria set out in paragraph 7 shall apply irrespectively of the geographical origin of the biomass.

Amendment

By way of derogation from the preceding paragraphs, taking account of the special characteristics of these territories as established in Article 349 of the Treaty on the Functioning of the European Union, Article 26 shall not apply to the outermost

Or. en

Amendment 429
Michel Dantin, Angélique Delahaye, Anne Sander, Maurice Ponga

Proposal for a directive
Article 26 – paragraph 1 – subparagraph 4 a (new)
regions. Within six months of the entry into force of this Directive, the Commission shall present to Parliament and the Council a legislative proposal which sets out the greenhouse gas sustainability and reduction criteria applicable to the outermost regions. Those criteria shall take into account specific local characteristics. In particular, these regions should be able to fully exploit their resources, in compliance with the strict sustainability criteria, to increase their generation of renewable energy and to boost their energy independence.

Or. fr

Justification

Supplying the outermost regions with fossil fuels (80% or more in some regions) leads to additional costs which adversely affect the local economy and the purchasing power of the inhabitants. At the same time, these regions have considerable biomass resources which they should be able to use.

Amendment 430
Philippe Loiseau, Edouard Ferrand

Proposal for a directive
Article 26 – paragraph 1 a (new)

Text proposed by the Commission

1a. The Union should take appropriate steps in the context of this Directive, including the promotion of sustainability and greenhouse gas emissions savings criteria for biofuels, and for bioliquids and biomass fuels used for heating or cooling and electricity generation. To this end, and particularly in the case of agricultural biofuels, the Union should logically favour products and co-products which come from European farming.

Or. fr
Amendment 431
Molly Scott Cato
on behalf of the Verts/ALE Group
Maria Lidia Senra Rodríguez, Giulia Moi

Proposal for a directive
Article 26 – paragraph 2 – subparagraph 1 – introductory part

Text proposed by the Commission

Biofuels, bioliquids and biomass fuels produced from agricultural biomass taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 shall not be made from raw material obtained from land with high biodiversity value, namely land that had one of the following statuses in or after January 2008, whether or not the land continues to have that status:

Amendment

Biofuels, bioliquids and biomass fuels produced from agricultural or forest biomass taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 shall not be made from raw material obtained from land with high biodiversity value, namely land that had one of the following statuses in or after January 2008, whether or not the land continues to have that status:

Or. en

Justification

It is important that forests are also protected within and outside of the Union as optimal ecosystem functioning is determined by high biodiversity and species composition, while it also determines Carbon sinking capacity. Over-extraction of forest biomass leads to destruction of biodiversity, can cause encroachment onto protected areas, and damages Carbon sink capacity.

Amendment 432
Massimo Paolucci, Paolo De Castro

Proposal for a directive
Article 26 – paragraph 2 – subparagraph 1 – introductory part

Text proposed by the Commission

Biofuels, bioliquids and biomass fuels produced from agricultural biomass taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 shall not be made from raw material obtained from land with high biodiversity value,

Amendment

Biofuels, bioliquids and biomass fuels produced from agricultural or forest biomass taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 shall not be made from raw material obtained from land with high biodiversity value,
namely land that had one of the following statuses in or after January 2008, whether or not the land continues to have that status:

biodiversity value, namely land that had one of the following statuses in or after January 2008, whether or not the land continues to have that status:

Or. en

**Justification**

*Forest raw material should be explicitly mentioned*

### Amendment 433
**Paul Brannen**

Proposal for a directive
**Article 26 – paragraph 2 – subparagraph 1 – introductory part**

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Biofuels, bioliquids and biomass fuels produced from agricultural biomass taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 shall not be made from raw material obtained from land with high biodiversity value, namely land that had one of the following statuses in or after January 2008, whether or not the land continues to have that status:</td>
<td>Biofuels, bioliquids and biomass fuels produced from agricultural and forest biomass taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 shall not be made from raw material obtained from land with high biodiversity value, namely land that had one of the following statuses in or after January 2008, whether or not the land continues to have that status:</td>
</tr>
</tbody>
</table>

Or. en

### Amendment 434
**Molly Scott Cato**
on behalf of the Verts/ALE Group
**Maria Lidia Senra Rodríguez, Giulia Moi**

Proposal for a directive
**Article 26 – paragraph 2 – subparagraph 1 – point b – paragraph 1 – point ii a (new)**

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>(ii a) as forest or area with high or exceptional conversation value by international and national certification</td>
<td>(ii a) as forest or area with high or exceptional conversation value by international and national certification</td>
</tr>
</tbody>
</table>

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Protection of high biodiversity value land must be extended to include safeguards for forest biomass; forests are finite resources recognised in many international instruments to be of value to all humankind and typically have very high carbon stocks. High conservation value areas demand stricter protection to ensure long-term survival; exceptional conservation value areas are home to critically imperilled species vulnerable to extinction. This designation is used by many certification schemes.

Amendment 435
Paul Brannen

Proposal for a directive
Article 26 – paragraph 2 – subparagraph 1 – point b – paragraph 1 – point ii a (new)

Text proposed by the Commission

(ii a) as area with high or exceptional conservation value by voluntary international and national certification schemes, including sites of outstanding universal value to humanity

Amendment

Or. en

Amendment 436
Maria Lidia Senra Rodríguez

Proposal for a directive
Article 26 – paragraph 2 – subparagraph 1 – point c – introductory part

Text proposed by the Commission

c) highly biodiverse grassland spanning more than one hectare

c) highly biodiverse grassland that is:

Amendment

Or. es
Justification

There might be land that is vital for the biodiversity of an area or a specific species and that spans less than one hectare.

Amendment 437
Paul Brannen

Proposal for a directive
Article 26 – paragraph 2 – subparagraph 1 – point c – introductory part

Text proposed by the Commission

(c) highly biodiverse grassland spanning more than one hectare that is:

Amendment

(c) highly biodiverse grassland, including wooded meadows and pastures, spanning more than one hectare that is:

Or. en

Amendment 438
Maria Lidia Senra Rodríguez

Proposal for a directive
Article 26 – paragraph 2 – subparagraph 1 – point c – point ii

Text proposed by the Commission

ii) non-natural, namely grassland that would cease to be grassland in the absence of human intervention and which is species-rich and not degraded and has been identified as being highly biodiverse by the relevant competent authority, unless evidence is provided that the harvesting of the raw material is necessary to preserve its status as highly biodiverse grassland.

Amendment

ii) non-natural, namely, grassland that would cease to be grassland in the absence of human intervention and which is species-rich and not degraded, unless evidence is provided that the harvesting of the raw material is necessary to preserve its status as highly biodiverse grassland.

Or. es

Justification

Bureaucratic processes do not determine whether land is rich in biodiversity.

Amendment 439
Molly Scott Cato
on behalf of the Verts/ALE Group
Maria Lidia Senra Rodriguez, Giulia Moi

Proposal for a directive
Article 26 – paragraph 2 – subparagraph 1 – point c – point ii

Text proposed by the Commission

(ii) non-natural, namely grassland that would cease to be grassland in the absence of human intervention and which is species-rich and not degraded and has been identified as being highly biodiverse by the relevant competent authority, unless evidence is provided that the harvesting of the raw material is necessary to preserve its status as highly biodiverse grassland.

Amendment

(ii) non-natural, namely grassland that would cease to be grassland in the absence of human intervention and which is species-rich and not degraded or has been identified as being highly biodiverse by the relevant competent authority, unless evidence is provided that the harvesting of the raw material is necessary to preserve its status as highly biodiverse grassland.

Or. en

Amendment 440
Massimo Paolucci

Proposal for a directive
Article 26 – paragraph 2 – subparagraph 1 – point c – point ii

Text proposed by the Commission

(ii) non-natural, namely grassland that would cease to be grassland in the absence of human intervention and which is species-rich and not degraded and has been identified as being highly biodiverse by the relevant competent authority, unless evidence is provided that the harvesting of the raw material is necessary to preserve its status as highly biodiverse grassland.

Amendment

(ii) non-natural, namely grassland that would cease to be grassland in the absence of human intervention and which is species-rich and not degraded or has been identified as being highly biodiverse by the relevant competent authority, unless evidence is provided that the harvesting of the raw material is necessary to preserve its status as highly biodiverse grassland.

Or. en

Justification

Forest raw material should be explicitly mentioned
### Amendment 441
Massimo Paolucci, Paolo De Castro

**Proposal for a directive**  
**Article 26 – paragraph 3 – subparagraph 1 – introductory part**

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Biofuels, bioliquids and biomass fuels produced from agricultural biomass taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 shall not be made from raw material obtained from land with high carbon stock, namely land that had one of the following statuses in January 2008 and no longer has that status:</td>
<td>Biofuels, bioliquids and biomass fuels produced from agricultural or forest biomass taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 shall not be made from raw material obtained from land with high carbon stock, namely land that had one of the following statuses in January 2008 and no longer has that status:</td>
</tr>
</tbody>
</table>

**Justification**

*Forest raw material should be explicitly mentioned*

### Amendment 442
Hannu Takkula, Fredrick Federley, Anneli Jäätteenmäki, Gesine Meissner, Ulrike Müller, Petri Sarvamaa

**Proposal for a directive**  
**Article 26 – paragraph 4**

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>4. Biofuels, bioliquids and biomass fuels produced from agricultural biomass taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 shall not be made from raw material obtained from land that was peatland in January 2008.</td>
<td>4. Biofuels, bioliquids and biomass fuels produced from agricultural biomass taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 shall not be made from raw material obtained from land that was peatland in January 2008 unless evidence is provided that the cultivation and harvesting of that raw material does not involve drainage of previously undrained soil.</td>
</tr>
</tbody>
</table>

**Justification**

*Or. en*
Justification

It is erroneous to assume that the energy use of agricultural biomass grown in peatlands is unsustainable per se. There are current and emerging practices to use peatlands that are already in agricultural use, which yield climate and other environmental benefits e.g. on biodiversity and water protection. The possibility of energy use can promote these practices.

Amendment 443
Molly Scott Cato
on behalf of the Verts/ALE Group
Maria Lidia Senra Rodríguez, Giulia Moi

Proposal for a directive
Article 26 – paragraph 4

Text proposed by the Commission

4. Biofuels, bioliquids and biomass fuels produced from agricultural biomass taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 shall not be made from raw material obtained from land that was peatland in January 2008.

Amendment

4. Biofuels, bioliquids and biomass fuels produced from agricultural biomass taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 shall not be made from raw material obtained from land that was peatland or permanently or intermittently flooded wetland in January 2008.

Or. en

Justification

Given their highly significant ecological value, wetlands should be afforded the same protection against production of agricultural biomass as peatlands. Moreover, this protection should be extended to include extraction of forest biomass, which can be equally or more damaging to their ecology and carbon storage.

Amendment 444
Paul Brannen

Proposal for a directive
Article 26 – paragraph 4

Text proposed by the Commission

4. Biofuels, bioliquids and biomass fuels produced from agricultural biomass

Amendment

4. Biofuels, and bioliquids and biomass fuels produced from agricultural
taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 shall not be made from raw material obtained from land that was peatland in January 2008.

**Amendment 445**
Massimo Paolucci, Paolo De Castro

**Proposal for a directive**
**Article 26 – paragraph 4**

*Text proposed by the Commission*

4. Biofuels, bioliquids and biomass fuels produced from agricultural biomass taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 shall not be made from raw material obtained from land that was peatland in January 2008.

*Amendment*

4. Biofuels, bioliquids and biomass fuels produced from agricultural or forest biomass taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 shall not be made from raw material obtained from land that was wetland, including peatland in January 2008.

*Or. en*

**Justification**

Forest raw material should be explicitly mentioned

**Amendment 446**
John Stuart Agnew

**Proposal for a directive**
**Article 26 – paragraph 5**

*Text proposed by the Commission*

5. Biofuels, bioliquids and biomass fuels produced from forest biomass taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 shall meet the following requirements to minimise the risk of using unsustainable

*Amendment*

5. Biofuels, bioliquids and biomass fuels produced from forest biomass taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 shall meet the following requirements to minimise the risk of using unsustainable

*deleted*
forest biomass production:

(a) the country in which forest biomass was harvested has national and/or sub-national laws applicable in the area of harvest as well as monitoring and enforcement systems in place ensuring that:

i) harvesting is carried out in accordance to the conditions of the harvesting permit within legally gazetted boundaries;

ii) forest regeneration of harvested areas takes place;

iii) areas of high conservation value, including wetlands and peatlands, are protected;

iv) the impacts of forest harvesting on soil quality and biodiversity are minimised;

and

v) harvesting does not exceed the long-term production capacity of the forest;

(b) when evidence referred to in the first subparagraph is not available, the biofuels, bioliquids and biomass fuels produced from forest biomass shall be taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 if management systems are in place at forest holding level to ensure that:

i) the forest biomass has been harvested according to a legal permit;

ii) forest regeneration of harvested areas takes place;

iii) areas of high conservation value, including peatlands and wetlands, are identified and protected;

iv) impacts of forest harvesting on soil quality and biodiversity are minimised;

v) harvesting does not exceed the long-term production capacity of the forest.
Justification

The EU does not have competency over forests, so creating rules on the use of forest products is unacceptable

Amendment 447
Molly Scott Cato
on behalf of the Verts/ALE Group
Maria Lidia Senra Rodríguez, Giulia Moi

Proposal for a directive
Article 26 – paragraph 5 – introductory part

Text proposed by the Commission

5. Biofuels, bioliquids and biomass fuels produced from forest biomass taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 shall meet the following requirements to minimise the risk of using unsustainable forest biomass production:

Amendment

5. Biofuels, bioliquids and biomass fuels produced from forestry biomass taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 shall only be made from the biomass fraction of wastes and residues from forestry and forest-based industries, namely bark, branches, leaves, needles, tree tops, saw dust, cutter shavings, black liquor, brown liquor, fibre sludge and lignin, and shall meet the following requirements to minimise the risk of using unsustainable forest biomass production:

Justification

Only bioenergy arising from waste/residues should receive support, with appropriate safeguards regarding soil quality/nutrients, soil carbon & biodiversity, in order to maintain the carbon sink function of the entire ecosystem. Only waste/residue based forest biomass should be counted towards the renewable energy targets or be eligible for any financial support. Bioenergy produced from roundwood and stumps should not be considered sustainable.

Amendment 448
Elisabeth Köstinger, Albert Deß

Proposal for a directive
Article 26 – paragraph 5 – point a – point i
Text proposed by the Commission

i) harvesting is carried out in accordance to the **conditions of the harvesting permit** within legally gazetted boundaries;

Amendment

i) harvesting is carried out in accordance to the **legal right to harvest based on national rules and national circumstances** within the legally gazetted boundaries;

Or. en

Justification

The legal right to harvest is always based on national rules and national circumstances and on different approaches in each country. Legal requirements related to the harvesting process form a permit procedure, but does not necessarily require a harvesting permit.

Amendment 449
Hannu Takkula, Fredrick Federley, Anneli Jäätteenmäki, Gesine Meissner, Ulrike Müller, Petri Sarvamaa

Proposal for a directive
Article 26 – paragraph 5 – point a – point iii

Text proposed by the Commission

iii) areas of **high conservation value**, including wetlands and peatlands, are protected;

Amendment

iii) areas of **designated by law or by the relevant competent authority for nature conservation purposes**, are identified and protected,

Or. en

Justification

It is authorized to harvest from protected areas, if the protection decision allows it. Protections concerns different forest areas and in all cases a protection decision sets the conditions for harvesting processes. Therefore, peatlands and wetlands do not need to be mentioned separately. The amendment provides clarity for implementation and makes the text consistent with 26.2(b) and recital 76.

Amendment 450
Elisabeth Köstinger, Albert Deß

Proposal for a directive
Article 26 – paragraph 5 – point a – point iii

**Text proposed by the Commission**

iii) areas of high conservation value, including wetlands and peatlands, are protected;

**Amendment**

iii) areas designated to promote the maintenance of biodiversity, including areas designated to promote the maintenance of biodiversity in wetlands and peatlands, are protected;

**Or. en**

**Justification**

It should be clear that the criteria means that certain areas are protected, however it should be noted that it may be possible to harvest in the protecting areas if the protecting decision allows it. Furthermore, the amendment clarifies the requirement and expresses the meaning of recital 76 which states that “...special attention is given to areas explicitly designated for the protection of biodiversity...”.

**Amendment 451**

Daciana Octavia Sârbu

**Proposal for a directive**

**Article 26 – paragraph 5 – point a – point iii**

**Text proposed by the Commission**

iii) areas of high conservation value, including wetlands and peatlands, are protected;

**Amendment**

iii) areas of high conservation value, including virgin forests, wetlands and peatlands, are protected;

**Or. en**

**Justification**

Virgin forest have high biodiversity value and their conservation needs to be guaranteed by the EU.

**Amendment 452**

Elisabeth Köstinger, Albert Deß

**Proposal for a directive**

**Article 26 – paragraph 5 – point a – point iv**
Text proposed by the Commission

iv) the impacts of forest harvesting on soil quality and biodiversity are minimised; and

Amendment

iv) the impacts of forest harvesting on soil quality and biodiversity are minimised; and

Justification

It was concluded in the Commission Impact Assessment that there is no need for EU criteria on soil quality, whereas biodiversity is covered in criterion iii. The criterion is not clear and practically implementable, as national legislation does not necessarily require to “minimize impact” and it is difficult to measure. Furthermore, sustainable forest management (SFM) is national competence and there is no need for EU legislation on detailed SFM requirements.

Amendment 453
Hannu Takkula, Gesine Meissner, Petri Sarvamaa

Proposal for a directive
Article 26 – paragraph 5 – point a – point iv

Text proposed by the Commission

iv) the impacts of forest harvesting on soil quality and biodiversity are minimised; and

Justification

According to European Commission Impact Assessment EU criteria on soil quality is not necessary, as biodiversity is already covered in criterion iii. Sustainable forest management falls under national competence and there is no competence to create EU legislation on detailed sustainable forest management requirements. Minimise is an unclear and immeasurable concept, which is difficult to implement and supervise as there is no clear definition.

Amendment 454
Fredrick Federley

Proposal for a directive
Article 26 – paragraph 5 – point a – point iv
iv) the impacts of forest harvesting on soil quality and biodiversity are minimised; and

iv) harvesting is carried out in a way that takes into account the maintenance of soil quality and biodiversity with the aim of minimizing negative impacts; and

Or. en

Amendment 455
Hannu Takkula, Anneli Jääteenmäki, Petri Sarvamaa

Proposal for a directive
Article 26 – paragraph 5 – point a – point v

Text proposed by the Commission

v) harvesting does not exceed the long-term production capacity of the forest;

Amendment

deleted

Or. en

Justification

With sustainable forest management both productivity and harvesting can increase. Therefore, proposed strict criteria of sustainable forest management is against subsidiarity principle. The competence of forests is on Member States of European Union. This criteria was not included in the Commission Impact Assessment and therefore should not be added to the legislation.

Amendment 456
Elisabeth Köstinger, Albert Deß

Proposal for a directive
Article 26 – paragraph 5 – point a – point v

Text proposed by the Commission

v) harvesting does not exceed the long-term production capacity of the forest;

Amendment

deleted

Or. en
Justification

This option was not a part of the Commission Impact Assessment and unnecessary criteria should not be added to the legislation. Long-term production capacity is not static, and with sustainable forest management both productivity and harvesting can increase. Moreover, strict requirements of sustainable forest management criteria are not consistent with the subsidiarity principle and do not respect the competence of EU Member States on forests.

Amendment 457
Maria Noichl

Proposal for a directive
Article 26 – paragraph 5 – point a – point v a (new)

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>va) Waste generated in the context of the timber harvest and reprocessing shall be kept to a minimum, and damage to other forest resources, such as the removal of nutrients, shall be avoided;</td>
<td></td>
</tr>
</tbody>
</table>

Or. de

Justification

Using forest biomass comes with limitations linked to the workings of forest ecosystems and their material balance. The amendment attempts to take this into account by highlighting the importance of forest biomass for forests themselves and by restricting its use.

Amendment 458
Marijana Petir

Proposal for a directive
Article 26 – paragraph 5 – point b – introductory part

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>(b) when evidence referred to in the first subparagraph is not available, the biofuels, bioliquids and biomass fuels produced from forest biomass shall be taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 if management systems are in place at</td>
<td></td>
</tr>
<tr>
<td>(b) when evidence referred to in the first subparagraph is not available, the biofuels, bioliquids and biomass fuels produced from forest biomass shall be taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 if additional information of legality and</td>
<td></td>
</tr>
</tbody>
</table>
forest holding level to ensure that:

forest management practices are provided at the supply base level to ensure that:

Or. en

Justification

The EU approach should build on best practices. There is no reason to introduce any exemptions, especially not for imports from countries that do not have national and/or sub-national laws applicable in the area of harvest as well as monitoring and enforcement systems in place. Assessments at supply base level allows a proper risk evaluation and taking appropriate measures if a risk is identified. The EU should not lower its sustainability criteria for imported wood.

Amendment 459
Hannu Takkula, Fredrick Federley, Anneli Jääteenmäki, Ulrike Müller, Petri Sarvamaa

Proposal for a directive
Article 26 – paragraph 5 – point b – introductory part

Text proposed by the Commission

(b) when evidence referred to in the first subparagraph is not available, the biofuels, bioliquids and biomass fuels produced from forest biomass shall be taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 if management systems are in place at forest holding level to ensure that:

Amendment

(b) when evidence referred to in the first subparagraph is not available, the biofuels, bioliquids and biomass fuels produced from forest biomass shall be taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 if additional information of legality and forest management practices are provided on the supply base level to ensure that

Or. en

Justification

There are different practices and procedures in different countries which guarantee the legality of harvesting. Harvesting process usually contain different procedures, which form a harvesting permit procedure.

Amendment 460
Elisabeth Köstinger, Albert Deß

Proposal for a directive
Article 26 – paragraph 5 – point b – introductory part

Text proposed by the Commission

(b) when evidence referred to in the first subparagraph is not available, the biofuels, bioliquids and biomass fuels produced from forest biomass shall be taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 if management systems are in place at forest holding level to ensure that:

Amendment

(b) when evidence referred to in the first subparagraph is not available, the biofuels, bioliquids and biomass fuels produced from forest biomass shall be taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 if management systems are in place at the supply base level to ensure that:

Or. en

Amendment 461
Elisabeth Köstinger, Albert Deß

Proposal for a directive
Article 26 – paragraph 5 – point b – point i

Text proposed by the Commission

i) the forest biomass has been harvested according to a legal permit;

Amendment

i) harvesting is carried out according to the conditions of a harvesting permit procedure or equivalent legal right to harvest;

Or. en

Justification

The legal right to harvest may be based on national rules and national circumstances. The criteria should be amended to better reflect the right of a forest owner to harvest on their property.

Amendment 462
Hannu Takkula, Fredrick Federley, Anneli Jäätteenmäki, Gesine Meissner, Ulrike Müller, Petri Sarvamaa

Proposal for a directive
Article 26 – paragraph 5 – point b – point i

Text proposed by the Commission

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i) the forest biomass has been harvested according to a legal permit;
i) the forest biomass has been harvested according to a harvesting permit or equivalent national procedure;

Or. en

Justification

There are different practices and procedures in different countries which guarantee the legality of harvesting. Harvesting process usually contain different procedures, which form a harvesting permit procedure.

Amendment 463
Jean-Paul Denanot, Eric Andrieu, Nicola Caputo, Tibor Szanyi, Paolo De Castro, Clara Eugenia Aguilera García, Momchil Nekov, Christine Revault D’Allonnes Bonnefoy, Marc Tarabella

Proposal for a directive
Article 26 – paragraph 5 – point b – point i

Text proposed by the Commission

i) the forest biomass has been harvested according to a legal permit;

Amendment

i) the forest biomass has been harvested according to a legal permit or a legal authorisation

Or. en

Justification

All EU countries currently do not have a legal permit, this system has to be harmonised

Amendment 464
Elisabeth Köstinger, Albert Deß

Proposal for a directive
Article 26 – paragraph 5 – point b – point iii

Text proposed by the Commission

iii) areas of high conservation value, including peatlands and wetlands, are identified and protected;

Amendment

iii) areas designated to promote the maintenance of biodiversity, including areas designated to promote the maintenance of biodiversity in wetlands and peatlands, are identified and protected;
protected;

Or. en

Justification

It should be clear that the criteria mean that certain areas are protected, however it should be noted that it may be possible to harvest in the protecting areas if the protecting decision allows it. Furthermore, the amendment clarifies the requirement and express the meaning of recital 76 which states that "...special attention is given to areas explicitly designated for the protection of biodiversity...".

Amendment 465
Hannu Takkula, Fredrick Federley, Anneli Jäätteenmäki, Gesine Meissner, Ulrike Müller, Petri Sarvamaa

Proposal for a directive
Article 26 – paragraph 5 – point b – point iii

Text proposed by the Commission

iii) areas of high conservation value, including peatlands and wetlands, are identified and protected;

Amendment

iii) areas designated by law or by the relevant competent authority for nature conservation purposes, are identified and protected;

Or. en

Justification

It is authorized to harvest from protected areas, if the protection decision allows it. Protections concerns different forest areas and in all cases a protection decision sets the conditions for harvesting processes. Therefore, peatlands and wetlands do not need to be mentioned separately. The amendment provides clarity for implementation and makes the text consistent with 26.2(b) and recital 76.

Amendment 466
Jean-Paul Denanot, Eric Andrieu, Nicola Caputo, Tibor Szanyi, Clara Eugenia Aguilera García, Momchil Nekov, Jo Leinen, Maria Noichl, Christine Revault D’Allonnes Bonnefoy, Marc Tarabella

Proposal for a directive
Article 26 – paragraph 5 – point b – point iii
iii) areas of high conservation value, including peatlands and wetlands, are identified and protected;

iii) areas of high conservation value and delivering ecosystem services, including peatlands and wetlands, are identified and protected, including areas designated by international and national law as well as European, national and regional authorities

Or. en

Justification

Ecosystem services have to be better taken into account and valorised. Areas of high conservation value shall not be restricted to those designated by law.

Amendment 467
Hannu Takkula, Petri Sarvamaa

Proposal for a directive
Article 26 – paragraph 5 – point b – point iv

Text proposed by the Commission

iv) impacts of forest harvesting on soil quality and biodiversity are minimised;

Amendment

deleted

According to European Commission Impact Assessment EU criteria on soil quality is not necessary, as biodiversity is already covered in criterion iii. Sustainable forest management falls under national competence and there is no competence to create EU legislation on detailed sustainable forest management requirements. Minimise is an unclear and immeasurable concept, which is difficult to implement and supervise as there is no clear definition.

Amendment 468
Fredrick Federley

Proposal for a directive
Article 26 – paragraph 5 – point b – point iv

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Text proposed by the Commission

iv) impacts of forest harvesting on soil quality and biodiversity are minimised;

Amendment

iv) harvesting is carried out in a way that takes into account the maintenance of soil quality and biodiversity with the aim of minimizing negative impacts;

Or. en

Amendment 469
Hannu Takkula, Anneli Jäätteenmäki, Gesine Meissner, Petri Sarvamaa

Proposal for a directive
Article 26 – paragraph 5 – point b – point v

Text proposed by the Commission

v) harvesting does not exceed the long-term production capacity of the forest.

Amendment

deleted

Or. en

Justification

With sustainable forest management both productivity and harvesting can increase. Therefore, proposed strict criteria of sustainable forest management is against subsidiarity principle. The competence of forests is on Member States of European Union. This criteria was not included in the Commission Impact Assessment and therefore should not be added to the legislation.

Amendment 470
Elisabeth Köstinger, Albert Deß

Proposal for a directive
Article 26 – paragraph 5 – point b – point v

Text proposed by the Commission

v) harvesting does not exceed the long-term production capacity of the forest.

Amendment

deleted

Or. en
Justification

Long-term production capacity is not static, and with sustainable forest management both productivity and harvesting can increase. Moreover, strict requirements of sustainable forest management criteria are not consistent with the subsidiarity principle and do not respect the competence of EU Member States on forests.

Amendment 471
John Stuart Agnew

Proposal for a directive
Article 26 – paragraph 6

Text proposed by the Commission

Amendment

6. Biofuels, bioliquids and biomass fuels produced from forest biomass shall be taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 if the country or regional economic integration organisation of origin of the forest biomass meets the following LULUCF requirements:

(i) is a Party to, and has ratified, the Paris agreement;

(ii) has submitted a Nationally Determined Contribution (NDC) to the United Nations Framework Convention on Climate Change (UNFCCC), covering emissions and removals from agriculture, forestry and land use which ensures that either changes in carbon stock associated with biomass harvest are accounted towards the country’s commitment to reduce or limit greenhouse gas emissions as specified in the NDC, or there are national or sub-national laws in place, in accordance with Article 5 of the Paris Agreement, applicable in the area of harvest, to conserve and enhance carbon stocks and sinks;

(iii) has a national system in place for reporting greenhouse gas emissions and removals from land use including forestry and agriculture, which is in accordance
with the requirements set out in decisions adopted under the UNFCCC and the Paris agreement;

When evidence referred to in the first subparagraph is not available, the biofuels, bioliquids and biomass fuels produced from forest biomass shall be taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 if management systems are in place at forest holding level to ensure that carbon stocks and sinks levels in the forest are maintained.

The Commission may establish the operational evidence for demonstrating compliance with the requirements set out in paragraphs 5 and 6, by means of implementing acts adopted in accordance with the examination procedure referred to in Article 31(2).

By 31 December 2023, the Commission shall assess whether the criteria set out in paragraphs 5 and 6 effectively minimise the risk of using unsustainable forest biomass and address LULUCF requirements, on the basis of available data. The Commission shall, if appropriate, present a proposal to modify the requirements laid down in paragraphs 5 and 6.

Or. en

Justification

The EU does not have competency over forests, so creating rules on the use of forest products is unacceptable

Amendment 472
Hannu Takkula, Anneli Jäätteenmäki, Gesine Meissner, Ulrike Müller, Petri Sarvamaa

Proposal for a directive
Article 26 – paragraph 6 – subparagraph 2
When evidence referred to in the first subparagraph is not available, the biofuels, bioliquids and biomass fuels produced from forest biomass shall be taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 if management systems are in place at forest holding level to ensure that carbon stocks and sinks levels in the forest are maintained.

—or en

*Justification*

*It is necessary to assess and measure carbon stocks at long-term intervals to get reliable data on growth and/or yield. The data should be based on adequate inventories from areas that are large enough to be reliable. This amendment is in line with the logic presented in article 2, replacing ‘forest holding level’ with ‘supply base’.*

**Amendment 473**
**Paul Brannen**

**Proposal for a directive**
**Article 26 – paragraph 6 – subparagraph 2**

*Text proposed by the Commission*

*When* evidence referred to in the first subparagraph *is not available*, the biofuels, bioliquids and biomass fuels produced from forest biomass shall be taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 if management systems are in place at forest holding level to ensure that carbon stocks and sinks levels in the forest are maintained.

*Amendment*

*In addition to* evidence referred to in the first subparagraph, *in order not to compromise the goal to maintain and enhance the sinks in the LULUCF sector*, the biofuels, bioliquids and biomass fuels produced from forest biomass shall be taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 if management systems are in place at forest holding level to ensure carbon stocks and sinks levels in the forest. *Member States shall apply at national and, where appropriate, at regional level, management systems for ensuring carbon stocks in harvested wood products.*
Amendment 474
Fredrick Federley

Proposal for a directive
Article 26 – paragraph 6 – subparagraph 2

Text proposed by the Commission

When evidence referred to in the first subparagraph is not available, the biofuels, bioliquids and biomass fuels produced from forest biomass shall be taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 if management systems are in place at forest holding level to ensure that carbon stocks and sinks levels in the forest are maintained.

Amendment

When evidence referred to in the first subparagraph is not available, the biofuels, bioliquids and biomass fuels produced from forest biomass shall be taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 if management systems are in place at forest holding level to ensure that carbon stocks and sinks levels in the forest are maintained.

Or. en

Amendment 475
Elisabeth Köstinger, Albert Deß

Proposal for a directive
Article 26 – paragraph 6 – subparagraph 2

Text proposed by the Commission

When evidence referred to in the first subparagraph is not available, the biofuels, bioliquids and biomass fuels produced from forest biomass shall be taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 if management systems are in place at forest holding level to ensure that carbon stocks and sinks levels in the forest are maintained.

Amendment

When evidence referred to in the first subparagraph is not available, the biofuels, bioliquids and biomass fuels produced from forest biomass shall be taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 if management systems are in place at supply base level to ensure that long-term carbon stocks and sinks levels in the forest are maintained.

Or. en
Justification

It is unacceptable that assessments of sustainability are made at the forest holding level, i.e. the level of a forest owner, as this would inevitably pose a legal issue and undermine the existing systems already in place and create additional administrative burdens for all actors involved. This level should be replaced by a supply base level, where the operator is responsible for risk-based approach and is able to provide information from the areas of sourcing, which form a supply base, based on the systems it has developed.

Amendment 476
Hannu Takkula, Fredrick Federley, Gesine Meissner, Ulrike Müller, Petri Sarvamaa

Proposal for a directive
Article 26 – paragraph 6 – subparagraph 4

Text proposed by the Commission
By 31 December 2023, the Commission shall assess whether the criteria set out in paragraphs 5 and 6 effectively minimise the risk of using unsustainable forest biomass and address LULUCF requirements, on the basis of available data. The Commission shall, if appropriate, present a proposal to modify the requirements laid down in paragraphs 5 and 6.

Amendment
By 31 December 2026, the Commission shall, in collaboration with the Standing Forestry Committee, assess whether the criteria set out in paragraphs 5 and 6 effectively minimise the risk of using unsustainable forest biomass and address LULUCF requirements, on the basis of available data. The Commission shall, if appropriate, present a proposal for the period after 2030 to modify the requirements laid down in paragraphs 5 and 6.

Justification

The review in 2023 is too early and possible modifications for the 2030 period cause unnecessary uncertainty and administrative burden and costs. It is better to align the review and possible proposal for changes for the post-2030 period with the timetable for the whole directive in collaboration with the Standing Forestry Committee.

Amendment 477
Elisabeth Köstinger, Albert Deß

Proposal for a directive
Article 26 – paragraph 6 – subparagraph 4
By 31 December **2023**, the Commission shall assess whether the criteria set out in paragraphs 5 and 6 effectively minimise the risk of using unsustainable forest biomass and address LULUCF requirements, on the basis of available data. The Commission shall, if appropriate, present a proposal to modify the requirements laid down in paragraphs 5 and 6.

By 31 December **2026**, the Commission shall in close collaboration with the Member States assess whether the criteria set out in paragraphs 5 and 6 effectively minimise the risk of using unsustainable forest biomass and address LULUCF requirements, on the basis of available data. The Commission shall, if appropriate, present a proposal to modify the requirements laid down in paragraphs 5 and 6 for the period post 2030.

**Justification**

The year 2023 is only two years after the new criteria have come into force, and simply too early for operators, which must develop new or modify their existing systems to fulfil new criteria. The proposal for the RED (recast) emphasizes that the 2030 framework is an opportunity for the EU in terms of investments, creation of growth and jobs. In addition, the EU must make sure that long-term secure conditions for investments are in place. Therefore, much more time to apply new criteria must be given to operators. Forest carbon stocks and sinks should be evaluated at the landscape level on a long-term basis to be relevant.

**Amendment 478**

Paul Brannen

Proposal for a directive

Article 26 – paragraph 6 – subparagraph 4 a (new)

**Text proposed by the Commission**

Within the assessment referred to in the previous sub-paragraph, the Commission with Member States experts shall evaluate the contribution of different types of feedstock to climate change mitigation based on e.g. the payback period. Power shall be delegated to the Commission to propose maximum allowable payback period as a sustainability criterion to be consistent with the goals of the Paris Agreement and ensuring the contribution of the LULUCF sector to climate change
Amendment 479
Molly Scott Cato
on behalf of the Verts/ALE Group
Maria Lidia Senra Rodríguez, Giulia Moi

Proposal for a directive
Article 26 – paragraph 6 a (new)

Text proposed by the Commission

6a. Biofuels, bioliquids and biomass fuels produced from agricultural and forest biomass taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 shall meet the following requirements:

(a) raw material is obtained from lands or forests for which third parties’ rights concerning use and tenure of the land or forest are respected by obtaining free, prior and informed consent of these third parties, with the participation by representative institutions and organisations;

(b) human and labour rights of third parties are respected; and

(c) the availability of food and feed for third parties is not at risk.

For purposes of this paragraph, third parties refers to local and indigenous communities or any other persons involved in the production or harvesting of raw materials or affected by the operations to produce or extract raw material.

Amendment

Amendment 480
Molly Scott Cato
on behalf of the Verts/ALE Group
Maria Lidia Senra Rodríguez, Giulia Moi

Proposal for a directive
Article 26 – paragraph 6 b (new)

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
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</thead>
<tbody>
<tr>
<td>6b. Agricultural and forestry raw materials including residues produced in the Union and used for the production of biofuels, bioliquids and biomass fuels taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 shall be collected without impacting soil fertility and long term productivity of the producing ecosystems. Economic operators are required to implement residue management plans to ensure collection rates are sustainable. The provisions of this paragraph shall apply equally to crop and forestry raw materials and residues produced in countries within and outside the Union.</td>
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</tbody>
</table>

Justification

Sustainable removal rates of forest and agriculture residues are crucial if we are to use them for bioenergy. Over-extraction leads to soil depletion and fertility loss, decreased carbon sink function and can encroach on protected or high nature value areas.

Amendment 481
Michel Dantin, Angélique Delahaye, Anne Sander

Proposal for a directive
Article 26 – paragraph 7 – subparagraph 1 – point c

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
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<tbody>
<tr>
<td>c) at least 70 % for biofuels and bioliquids produced in installations starting</td>
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<tr>
<td>c) at least 60 % for electricity, heating and cooling production from biogas produced in installations starting operation</td>
<td></td>
</tr>
</tbody>
</table>

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operation after 1 January 2021; after 1 January 2021 and fed into the gas system;

Or. fr

Justification

Biogas produced from biomass and from the agricultural bioeconomy reduces greenhouse gases by 60%, which helps to achieve the Union’s climate policy and meet the target of incorporating renewable energy into the transport sector. It is also a beneficial diversification outlet and opportunity for farmers. Given the state of play with the current technology, a higher threshold would block the deployment potential of that technology.

Amendment 482
Peter Jahr

Proposal for a directive
Article 26 – paragraph 7 – subparagraph 1 – point c

Text proposed by the Commission
(c) at least 70 % for biofuels and bioliquids produced in installations starting operation after 1 January 2021;

Amendment
(c) at least 60 % for electricity, heating and cooling production from gaseous biomass fuels injected in the gas grid in installations starting operation after 1 January 2021;

Or. en

Justification

It could result in an arbitrary and unjustified increase in the GHG emission reduction thresholds from 2021 for biofuels and bioliquids and from 2026 for solid biomass fuels.

Amendment 483
Peter Jahr

Proposal for a directive
Article 26 – paragraph 7 – subparagraph 1 – point d

Text proposed by the Commission
(d) at least 80 % for electricity, heating and cooling production from biomass fuels used in installations starting operation after

Amendment
(d) at least 80 % for electricity, heating and cooling production from solid biomass fuels used in installations starting operation
1 January 2021 and 85% for installations starting operation after 1 January 2026.

Justification

It could result in an arbitrary and unjustified increase in the GHG emission reduction thresholds from 2021 for biofuels and bioliquids and from 2026 for solid biomass fuels.

Amendment 484
Michel Dantin, Angélique Delahaye, Anne Sander

Proposal for a directive
Article 26 – paragraph 7 – subparagraph 1 – point d

Text proposed by the Commission

d) at least 80 % for electricity, heating and cooling production from biomass fuels used in installations starting operation after 1 January 2021 and 85 % for installations starting operation after 1 January 2026.

Amendment

d) at least 80 % for electricity, heating and cooling production from biomass fuels, other than biogas fed into the gas system, used in installations starting operation after 1 January 2021. The Commission shall assess, in view of the technology progress made, whether a minimum threshold of 85 % for installations starting operation after 1 January 2026 should be established. The Commission shall propose, where appropriate, that this paragraph be revised by means of a delegated act.

Justification

Biogas, such as biomethane produced from methanisation, is of concern in terms of greenhouse gas emissions, but also with regard to the circular economy and sustainable farming. Methanisation makes it possible to make use of manure and to deal more efficiently with wastewater. That process enables effective organic fertilisers to be produced. A threshold that is too high would limit the deployment of that technology, which has numerous economic, environmental and climate benefits.

Amendment 485
Zbigniew Kuźmiuk, Stanislaw Ożóg
Proposal for a directive
Article 26 – paragraph 8 – subparagraph 1

Text proposed by the Commission

Electricity from biomass fuels produced in installations with a fuel capacity equal to or exceeding 20 MW shall be taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 only if it is produced applying high efficient cogeneration technology as defined under Article 2(34) of Directive 2012/27/EU. For the purposes of points (a) and (b) of paragraph 1, this provision shall only apply to installations starting operation after [3 years from date of adoption of this Directive]. For the purposes of point (c) of paragraph 1, this provision is without prejudice to public support provided under schemes approved by [3 years after date of adoption of this Directive].

Or. en

Justification

EC proposal leads de facto to the exclusion of a large share of biomass as the source contributing towards achieving the RES targets in certain Member States. It is difficult to find justification why biomass should be excluded from targets or support, if sustainability criteria are met. Biomass is an important instrument of low emission transformation of the fuel mix creating an opportunity for best possible use of local RES resources for production of electricity.

Amendment 486
Molly Scott Cato
on behalf of the Verts/ALE Group
Maria Lidia Senra Rodríguez, Giulia Moi

Proposal for a directive
Article 26 – paragraph 8 – subparagraph 1

Text proposed by the Commission

Electricity from biomass fuels produced in installations with a fuel capacity equal to or exceeding 20 MW shall be taken into
account for the purposes referred to in points (a), (b) and (c) of paragraph 1 only if it is produced applying high efficient cogeneration technology as defined under Article 2(34) of Directive 2012/27/EU. For the purposes of points (a) and (b) of paragraph 1, this provision shall only apply to installations starting operation after [3 years from date of adoption of this Directive]. For the purposes of point (c) of paragraph 1, this provision is without prejudice to public support provided under schemes approved by [3 years after date of adoption of this Directive].

Or. en

(Directive 2009/28/EC is the existing Renewable Energy Directive (RED))

Justification

Electricity production from biomass should only be supported if there is high efficiency of fuel use, beyond the standard requirements of ‘high efficiency co-generation’. Renewable electricity production from biomass should also not be allowed to cross-subsidise the continued use of coal or other fossil fuels, through the co-firing of fossil fuels mixed with biomass. 85% is in line with existing Dir.2009/28 which already obliges MS to support only biomass conversion of at least 85% efficiency.

Amendment 487
Molly Scott Cato
on behalf of the Verts/ALE Group
Maria Lidia Senra Rodríguez, Giulia Moi

Proposal for a directive
Article 26 – paragraph 8 – subparagraph 1

Text proposed by the Commission

Electricity from biomass fuels produced in installations with a fuel capacity equal to or exceeding 20 MW shall be taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 only if it is produced applying high efficient cogeneration technology as defined under

Amendment

Electricity from biomass fuels produced in installations with a fuel capacity equal to or exceeding 20 MW shall be taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 only if it is produced applying high efficient cogeneration technology as defined under
Article 2(34) of Directive 2012/27/EU. For the purposes of points (a) and (b) of paragraph 1, this provision shall only apply to installations starting operation after [3 years from date of adoption of this Directive]. For the purposes of point (c) of paragraph 1, this provision is without prejudice to public support provided under schemes approved by [3 years after date of adoption of this Directive].

**Justification**

There is no obvious justification for postponing the coming into force of these requirements beyond the entry into force of this Directive.

**Amendment 488**
Elisabeth Köstinger, Albert Deß

**Proposal for a directive**  
**Article 26 – paragraph 8 – subparagraph 1**

**Text proposed by the Commission**

Electricity from biomass fuels produced in installations with a fuel capacity equal to or exceeding 20 MW shall be taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 only if it is produced applying high efficient cogeneration technology as defined under Article 2(34) of Directive 2012/27/EU. For the purposes of points (a) and (b) of paragraph 1, this provision shall only apply to installations starting operation after [3 years from date of adoption of this Directive]. For the purposes of point (c) of paragraph 1, this provision is without prejudice to public support provided under schemes approved by [3 years after date of adoption of this Directive].

**Amendment**

Electricity from biomass fuels produced in installations with a fuel capacity equal to or exceeding 50 MW shall be taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 only if it is produced applying high efficient cogeneration technology as defined under Article 2(34) of Directive 2012/27/EU. For the purposes of points (a) and (b) of paragraph 1, this provision shall only apply to installations starting operation after [3 years from date of adoption of this Directive]. For the purposes of point (c) of paragraph 1, this provision is without prejudice to public support provided under schemes approved by [3 years after date of adoption of this Directive].
Justification

In order to minimize the administrative burden for the operators and the feedstock-producers, the Union sustainability and greenhouse gas saving criteria should apply only to electricity and heating from biomass fuels produced in installations with a fuel capacity equal or above to 50 MW.

Amendment 489
Molly Scott Cato
on behalf of the Verts/ALE Group
Maria Lidia Senra Rodríguez, Giulia Moi

Proposal for a directive
Article 26 – paragraph 8 – subparagraph 1

Text proposed by the Commission

Electricity from biomass fuels produced in installations with a fuel capacity equal to or exceeding 20 MW shall be taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 only if it is produced applying high efficient cogeneration technology as defined under Article 2(34) of Directive 2012/27/EU. For the purposes of points (a) and (b) of paragraph 1, this provision shall only apply to installations starting operation after [3 years from date of adoption of this Directive]. For the purposes of point (c) of paragraph 1, this provision is without prejudice to public support provided under schemes approved by [3 years after date of adoption of this Directive].

Amendment

Electricity from biomass fuels produced in installations with a fuel capacity equal to or exceeding 1 MW shall be taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 only if it is produced applying high efficient cogeneration technology as defined under Article 2(34) of Directive 2012/27/EU. For the purposes of points (a) and (b) of paragraph 1, this provision shall only apply to installations starting operation after [3 years from date of adoption of this Directive]. For the purposes of point (c) of paragraph 1, this provision is without prejudice to public support provided under schemes approved by [3 years after date of adoption of this Directive].

Or. en

(“Report on Sustainability Requirements for the Use of Solid and Gaseous Biomass Sources in Electricity, Heating and Cooling” (2010), European Commission. Also Directive (EU) 2015/2193 on the limitation of emissions of certain pollutants from medium combustion plants)

Justification

In its report, the Commission recommended that sustainability schemes and MS record keeping apply to energy producers of ≥1MW thermal or electrical capacity, helping to improve statistics on biomass use and to monitor the effects of biomass use on the areas of
origin. Also Dir.2015/2193 defines “medium combustion plants” as those with a rated thermal input ≥1MW and less than 50MW. Also, setting the threshold as high as 20MW risks undermining the sustainability criteria and the EU’s climate objectives.

Amendment 490
Massimo Paolucci

Proposal for a directive
Article 26 – paragraph 8 – subparagraph 1

Text proposed by the Commission
Electricity from biomass fuels produced in installations with a fuel capacity equal to or exceeding 20 MW shall be taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 only if it is produced applying high efficient cogeneration technology as defined under Article 2(34) of Directive 2012/27/EU. For the purposes of points (a) and (b) of paragraph 1, this provision shall only apply to installations starting operation after [3 years from date of adoption of this Directive]. For the purposes of point (c) of paragraph 1, this provision is without prejudice to public support provided under schemes approved by [3 years after date of adoption of this Directive].

Amendment
Electricity from biomass fuels produced in installations with a fuel capacity equal to or exceeding 5 MW shall be taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 only if it is produced applying high efficient cogeneration technology as defined under Article 2(34) of Directive 2012/27/EU. For the purposes of points (a) and (b) of paragraph 1, this provision shall only apply to installations starting operation after [3 years from date of adoption of this Directive]. For the purposes of point (c) of paragraph 1, this provision is without prejudice to public support provided under schemes approved by [3 years after date of adoption of this Directive].

Justification

The text must be aligned with the Directive on medium combustion plants.

Amendment 491
Jean-Paul Denanot, Eric Andrieu, Nicola Caputo, Tibor Szanyi, Massimo Paolucci, Christine Revault D’Allonnes Bonnefoy, Marc Tarabella

Proposal for a directive
Article 26 – paragraph 8 – subparagraph 1

Text proposed by the Commission
Electricity from biomass fuels produced in installations with a fuel capacity equal to or

Amendment
Electricity from biomass fuels produced in installations with a fuel capacity equal to or

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exceeding 20 MW shall be taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 only if it is produced applying high efficient cogeneration technology as defined under Article 2(34) of Directive 2012/27/EU. For the purposes of points (a) and (b) of paragraph 1, this provision shall only apply to installations starting operation after [3 years from date of adoption of this Directive]. For the purposes of point (c) of paragraph 1, this provision is without prejudice to public support provided under schemes approved by [3 years after date of adoption of this Directive].

Justification

Renewable electricity production from biomass should also not be allowed to cross-subsidise the continued use of coal or other fossil fuels through the co-firing of fossil fuels mixed with biomass.

Amendment 492
Molly Scott Cato
on behalf of the Verts/ALE Group
Maria Lidia Senra Rodríguez, Giulia Moi

Proposal for a directive
Article 26 – paragraph 8 – subparagraph 2

Text proposed by the Commission

The first sub-paragraph shall not apply to electricity from installations which are the object of a specific notification by a Member State to the Commission based on the duly substantiated existence of risks for the security of supply of electricity. Upon assessment of the notification, the Commission shall adopt a decision taking into account the elements included therein.

Amendment

deleted
We have seen how exemptions and derogations are granted in other policy areas and do not trust this loophole; it risks being exploited to the detriment of the overall aim of the legislation and the Paris climate accords. Instead of taking steps to save energy/avoid waste or convert to high efficiency plants, MS can always claim insecure energy supply.

Amendment 493
Zbigniew Kuźmiuk, Stanislaw Ożóg

Proposal for a directive
Article 26 – paragraph 8 – subparagraph 2

Text proposed by the Commission
The first sub-paragraph shall not apply to electricity from installations which are the object of a specific notification by a Member State to the Commission based on the duly substantiated existence of risks for the security of supply of electricity. Upon assessment of the notification, the Commission shall adopt a decision taking into account the elements included therein.

Amendment
deleted

Or. en

Amendment 494
Esther Herranz García

Proposal for a directive
Article 26 – paragraph 8 – subparagraph 2

Text proposed by the Commission
The first sub-paragraph shall not apply to electricity from installations which are the object of a specific notification by a Member State to the Commission based on the duly substantiated existence of risks for the security of supply of electricity. Upon assessment of the notification, the

Amendment
The first sub-paragraph shall not apply to electricity from installations which are the object of a specific notification by a Member State to the Commission based on the duly substantiated existence of risks for the security of supply of electricity. Upon assessment of the notification, the
Commission shall adopt a decision taking into account the elements included therein, or are not required to apply high efficient cogeneration technology, in accordance with Art. 14 of Directive 2012/27/EU, as long as these installations employ exclusively biomass fuels produced from agricultural, aquaculture, fisheries and forestry residues under normal operating conditions.

Amendment 495
Molly Scott Cato
on behalf of the Verts/ALE Group
Maria Lidia Senra Rodríguez, Giulia Moi

Proposal for a directive
Article 26 – paragraph 9

Text proposed by the Commission

9. For the purposes referred to in points (a), (b) and (c) of paragraph 1, Member States shall not refuse to take into account, on other sustainability grounds, biofuels and bioliquids obtained in compliance with this Article.

Amendment

deleted

Justification

Restricting Member States from refusing biofuels and bioliquids on other sustainability grounds, no matter how well-founded, conflicts with the objectives stated in Article 194(2) of the Treaty on the Functioning of the EU. “...Such measures shall not affect a Member State’s right to determine the conditions for exploiting its energy resources, its choice between different energy sources and the general structure of its energy supply...”

Amendment 496
Fredrick Federley
Proposal for a directive
Article 26 – paragraph 9

Text proposed by the Commission

9. For the purposes referred to in points (a), (b) and (c) of paragraph 1, Member States shall not refuse to take into account, on other sustainability grounds, biofuels and bioliquids obtained in compliance with this Article.

Amendment

9. For the purposes referred to in points (a), (b) and (c) of paragraph 1, Member States shall not refuse to take into account, on other sustainability grounds, biomass fuels, biofuels and bioliquids obtained in compliance with this Article.

Or. en

Justification

In the proposal from the Commission biomass have been specifically highlighted and specific provisions regulating this feedstock has been introduced. In order to have clarity the addition proposed in this amendment is important.

Amendment 497
Hannu Takkula, Anneli Jääteenmäki, Gesine Meissner, Petri Sarvamaa

Proposal for a directive
Article 26 – paragraph 10

Text proposed by the Commission

10. For the purposes referred to in points (a), (b) and (c) of paragraph 1, Member States may place additional sustainability requirements for biomass fuels.

Amendment

deleted

Or. en

Justification

The functioning of the internal markets and state of play requires common rules that can be applied according to the national practises and rules. Internal market should not be fragmented by creating two sets of rules, which in this context would mean an additional criteria. Additional criteria are explicitly prohibited for biofuels and bioliquids (article 26.9) and this rule should also apply to biomass fuels.

Amendment 498
Fredrick Federley

Proposal for a directive
Article 26 – paragraph 10

**Text proposed by the Commission**

10. For the purposes referred to in points (a), (b) and (c) of paragraph 1, Member States may place additional sustainability requirements for biomass fuels.

**Amendment**

10. For the purposes referred to in points (a), (b) and (c) of paragraph 1, Member States may place additional sustainability requirements for biomass fuels. **These additional criteria must be justified taking in to account the functioning of the internal market and be approved by the Commission.**

Or. en

**Amendment 499**
Jean-Paul Denanot, Eric Andrieu, Nicola Caputo, Tibor Szanyi, Momchil Nekov, Massimo Paolucci, Christine Revault D’Allonnes Bonnefoy, Marc Tarabella

Proposal for a directive
Article 26 – paragraph 10

**Text proposed by the Commission**

10. For the purposes referred to in points (a), (b) and (c) of paragraph 1, Member States may place additional sustainability requirements for biomass fuels.

**Amendment**

10. For the purposes referred to in points (a), (b) and (c) of paragraph 1, Member States may place additional sustainability requirements for biomass fuels. **Sustainability and greenhouse gas emissions saving criteria shall apply similarly to biofuels, bioliquids and biomass fuels produced in the EU or imported from third-countries.**

Or. en

**Amendment 500**
Molly Scott Cato
on behalf of the Verts/ALE Group
Maria Lidia Senra Rodríguez, Giulia Moi
Proposal for a directive
Article 26 – paragraph 10

Text proposed by the Commission

10. For the purposes referred to in points (a), (b) and (c) of paragraph 1, Member States may place additional sustainability requirements for biomass fuels.

Amendment

10. For the purposes referred to in points (a), (b) and (c) of paragraph 1, Member States may place additional sustainability requirements for biofuels, bioliquids and biomass fuels.

Or. en

Justification

According to the Treaty provision in Article 194(2) TFEU, Member States should not be restricted from placing additional sustainability requirements, as needed, to reduce or eliminate adverse impacts from promotion of the use of biofuels and bioliquids in addition to biomass fuels.

Amendment 501
Elisabeth Köstinger, Albert Deß

Proposal for a directive
Article 26 – paragraph 10 a (new)

Text proposed by the Commission

10a. The Commission shall adopt delegated acts in accordance with Article 32 to set up production criteria for fossil energies until December 2018;

Amendment

Or. en

Justification

There is a strong need for production criteria to ensure fair competition and full transparency throughout all sectors of energy production.

Amendment 502
Elisabeth Köstinger, Albert Deß

Proposal for a directive
Article 26 – paragraph 10 b (new)
Text proposed by the Commission

Amendment

10b. Energy from fossil fuels and fossil energies shall comply with production criteria set out in Annex V a;

Or. en

Justification

There is a strong need for production criteria to ensure fair competition and full transparency throughout all sectors of energy production.

Amendment 503
Michel Dantin

Proposal for a directive
Article 27 – paragraph 1 – point d

Text proposed by the Commission

Amendment

d) provides for the sum of all consignments withdrawn from the mixture to be described as having the same sustainability characteristics, in the same quantities, as the sum of all consignments added to the mixture and requires that this balance be achieved over an appropriate period of time.

d) provides for the sum of all consignments withdrawn from the mixture to be described as having the same sustainability characteristics, in the same quantities, as the sum of all consignments added to the mixture and requires that this balance be achieved over an appropriate period of time or that the balance continue over time, in which case it should not result in a ‘deficit’, meaning that the withdrawals of sustainable materials should never exceed the additions of those materials.

Or. fr

Justification

In its communication (2010/C 160/01) of 19 June 2010, the Commission provided for two mass balance methods. The two methods should be kept with a view to leaving the Member States free to choose between them, with particular reference to the models adopted in the past.

Amendment 504
Fredrick Federley
Proposal for a directive  
Article 27 – paragraph 3 – subparagraph 1

*Text proposed by the Commission*

Member States shall take measures to ensure that economic operators submit reliable information regarding the compliance with the sustainability and greenhouse gas emissions saving criteria set out in Article 26(2) to (7) and make available to the Member State, on request, the data that were used to develop the information. Member States shall require economic operators to arrange for an adequate standard of independent auditing of the information submitted, and to provide evidence that this has been done. The auditing shall verify that the systems used by economic operators are accurate, reliable and protected against fraud. It shall evaluate the frequency and methodology of sampling and the robustness of the data.

*Amendment*

Member States shall take measures to ensure that economic operators submit reliable information regarding the compliance with the sustainability and greenhouse gas emissions saving criteria set out in Article 26(2) to (7) and make available to the Member State, on request, the data that were used to develop the information. Member States shall require economic operators to arrange for an adequate standard of independent auditing of the information submitted, and to provide evidence that this has been done. *Up to the first gathering point of the biomass, first or second party auditing could be used.* The auditing shall verify that the systems used by economic operators are accurate, reliable and protected against fraud. It shall evaluate the frequency and methodology of sampling and the robustness of the data.

Or. en

**Amendment 505**

John Stuart Agnew

Proposal for a directive  
Article 27 – paragraph 4 – subparagraph 1

*Text proposed by the Commission*

The Commission may decide that voluntary national or international schemes setting standards for the production of biomass products contain accurate data for the purposes of Article 26(7), and/or demonstrate that consignments of biofuels, bioliquids or biomass fuels comply with the sustainability criteria set out in Article

*Amendment*

The Commission may decide that voluntary national or international schemes setting standards for the production of biomass products contain accurate data for the purposes of Article 26(7), and/or demonstrate that consignments of biofuels, bioliquids or biomass fuels comply with the sustainability criteria set out in Article
26(2), (3), (4), (5) and (6), and/or that no materials have been intentionally modified or discarded so that the consignment or part thereof would fall under Annex IX. 

When demonstrating that requirements set out in Article 26(5) and (6) for forest biomass are met, the operators may decide to directly provide the required evidence at the forest holding level. The Commission may also recognise areas for the protection of rare, threatened or endangered ecosystems or species recognised by international agreements or included in lists drawn up by intergovernmental organisations or the International Union for the Conservation of Nature for the purposes of Article 26(2)(b)(ii).

Amendment 506
Elisabeth Köstinger, Albert Deß
Proposal for a directive
Article 27 – paragraph 4 – subparagraph 1

Justification

The EU does not have competency over forests.

Text proposed by the Commission

The Commission may decide that voluntary national or international schemes setting standards for the production of biomass products contain accurate data for the purposes of Article 26(7), and/or demonstrate that consignments of biofuels, bioliquids or biomass fuels comply with the sustainability criteria set out in Article 26(2), (3), (4), (5) and (6), and/or that no materials have been intentionally modified or discarded so that the consignment or part thereof would fall under Annex IX. When demonstrating that requirements set

Amendment

The Commission may decide that voluntary national or international schemes setting standards for the production of biomass products contain accurate data for the purposes of Article 26(7), and/or demonstrate that consignments of biofuels, bioliquids or biomass fuels comply with the sustainability criteria set out in Article 26(2), (3), (4), (5) and (6), and/or that no materials have been intentionally modified or discarded so that the consignment or part thereof would fall under Annex IX. When demonstrating that requirements set
out in Article 26(5) and (6) for forest biomass are met, the operators may decide to directly provide the required evidence at the forest holding level. The Commission may also recognise areas for the protection of rare, threatened or endangered ecosystems or species recognised by international agreements or included in lists drawn up by intergovernmental organisations or the International Union for the Conservation of Nature for the purposes of Article 26(2)(b)(ii).

Or. en

Justification

Assessments of sustainability should not be made at the forest holding level, i.e. the level of a forest owner, as this would inevitably pose a legal issue and undermine the existing systems already in place and create additional administrative burdens for all actors involved. This level should be replaced by a supply base level, where the operator is responsible for risk-based approach and is able to provide information from the areas of sourcing, which form a supply base, based on the systems it has developed. This is to avoid administrative burden, which the Commission has emphasized.

Amendment 507
Fredrick Federley

Proposal for a directive
Article 27 – paragraph 4 – subparagraph 1

Text proposed by the Commission

The Commission may determine that voluntary national or international schemes setting standards for the production of biomass products contain accurate data for the purposes of Article 26(7), and/or demonstrate that consignments of biofuels, bioliquids or biomass fuels comply with the sustainability criteria set out in Article 26(2), (3), (4), (5) and (6), and/or that no materials have been intentionally modified or discarded so that the consignment or part thereof would fall under Annex IX.

When demonstrating that requirements set

Amendment

The Commission may decide that voluntary national or international schemes setting standards for the production of biomass products contain accurate data for the purposes of Article 26(7), and/or demonstrate that consignments of biofuels, bioliquids or biomass fuels comply with the sustainability criteria set out in Article 26(2), (3), (4), (5) and (6), and/or that no materials have been intentionally modified or discarded so that the consignment or part thereof would fall under Annex IX. When demonstrating that requirements set
out in Article 26(5) and (6) for forest biomass are met, the operators may decide to directly provide the required evidence at the forest holding level. The Commission may also recognise areas for the protection of rare, threatened or endangered ecosystems or species recognised by international agreements or included in lists drawn up by intergovernmental organisations or the International Union for the Conservation of Nature for the purposes of Article 26(2)(b)(ii).

set out in Article 26(5) and (6) for forest biomass are met, the operators may decide to directly provide the required evidence at the supply base level. The Commission may also recognise areas for the protection of rare, threatened or endangered ecosystems or species recognised by international agreements or included in lists drawn up by intergovernmental organisations or the International Union for the Conservation of Nature for the purposes of Article 26(2)(b)(ii).

**Amendment 508**

Fredrick Federley

**Proposal for a directive**

**Article 27 – paragraph 5 – subparagraph 3**

*Text proposed by the Commission*

In order to ensure that compliance with the sustainability and greenhouse gas emissions saving criteria is verified in an efficient and harmonised manner and in particular to prevent fraud, the Commission may specify detailed implementing rules, including adequate standards of reliability, transparency and independent auditing and require all voluntary schemes to apply those standards. When specifying these standards, the Commission shall pay special attention to the need to minimize administrative burden. This shall be done by means of implementing acts adopted in accordance with the examination procedure referred to in Article 31 (3). Such acts shall set a time frame by which voluntary schemes need to implement the standards. The Commission may repeal decisions recognising voluntary schemes in the event that those schemes fail to implement such standards in the time frame provided for.

*Amendment*

In order to ensure that compliance with the sustainability and greenhouse gas emissions saving criteria is verified in an efficient and harmonised manner and in particular to prevent fraud, the Commission may specify detailed implementing rules, including adequate standards of reliability, transparency and independent auditing and require all voluntary schemes to apply those standards. When specifying these standards, the Commission shall pay special attention to the need to minimize administrative burden and the possibility to use first or second party auditing up to the first gathering point of the biomass. This shall be done by means of implementing acts adopted in accordance with the examination procedure referred to in Article 31 (3). Such acts shall set a time frame by which voluntary schemes need to implement the standards. The Commission may repeal decisions recognising voluntary
schemes in the event that those schemes fail to implement such standards in the time frame provided for.

Or. en

Amendment 509
Jean-Paul Denanot, Eric Andrieu, Nicola Caputo, Tibor Szanyi, Jo Leinen, Christine Revault D’Allonnes Bonnefoy, Marc Tarabella

Proposal for a directive
Article 28 – paragraph 1 – point a

Text proposed by the Commission
(a) where a default value for greenhouse gas emission saving for the production pathway is laid down in part A or B of Annex V for biofuels and bioliquids and in part A of Annex VI for biomass fuels where the el value for those biofuels or bioliquids calculated in accordance with point 7 of part C of Annex V and for those biomass fuels calculated in accordance with point 7 of part B of Annex VI is equal to or less than zero, by using that default value;

Amendment
(a) where a default value for greenhouse gas emission saving for the production pathway is laid down in part A or B of Annex V for biofuels and bioliquids and in part A of Annex VI for biomass fuels where the el value for those biofuels or bioliquids calculated in accordance with point 7 of part C of Annex V and for those biomass fuels calculated in accordance with point 7 of part B of Annex VI is equal to or less than zero, and where the estimated indirect land-use change emissions are zero in accordance with part B of Annex VIII by using that default value;

Or. en

Amendment 510
Jean-Paul Denanot, Eric Andrieu, Nicola Caputo, Tibor Szanyi, Jo Leinen, Christine Revault D’Allonnes Bonnefoy, Marc Tarabella

Proposal for a directive
Article 28 – paragraph 1 – point b

Text proposed by the Commission
(b) by using an actual value calculated in accordance with the methodology laid

Amendment
(b) by using an actual value calculated in accordance with the methodology laid
down in part C of Annex V for biofuels and bioliquids and in part B of Annex VI for biomass fuels; 
down in part C of Annex V for biofuels and bioliquids and in part B of Annex VI for biomass fuels, adding the estimates for indirect land-use change emissions set out in Annex VIII;

Amendment 511
Jean-Paul Denanot, Eric Andrieu, Nicola Caputo, Tibor Szanyi, Jo Leinen, Christine Revault D’Allonnes Bonnefoy, Marc Tarabella

Proposal for a directive
Article 28 – paragraph 1 – point c

Text proposed by the Commission

(c) by using a value calculated as the sum of the factors of the formulas referred to in point 1 of part C of Annex V, where disaggregated default values in part D or E of Annex V may be used for some factors, and actual values, calculated in accordance with the methodology laid down in part C of Annex V, for all other factors; or

Amendment

(c) by using a value calculated as the sum of the factors of the formulas referred to in point 1 of part C of Annex V, where disaggregated default values in part D or E of Annex V may be used for some factors, and actual values, calculated in accordance with the methodology laid down in part C of Annex V, for all other factors, adding the estimates for indirect land-use change emissions set out in Annex VIII.

Or. en

Justification

In order to achieve the 2030 goals, we need precise information on cultivation emissions in all regions.

Amendment 512
Tibor Szanyi

Proposal for a directive
Article 28 – paragraph new2

Text proposed by the Commission

new2. Member States may submit to the Commission reports including information

Amendment

new2. By 2021, Member States shall submit to the Commission
on the typical greenhouse gas emissions from cultivation of agricultural raw materials of those areas on their territory classified as level 2 in the nomenclature of territorial units for statistics (NUTS) or as a more disaggregated NUTS level in accordance with Regulation (EC) No 1059/2003 of the European Parliament and of the Council\(^3\) The reports shall be accompanied by a description of the method and data sources used to calculate the level of emissions. That method shall take into account soil characteristics, climate and expected raw material yields.


Amendment 513
Jean-Paul Denanot, Eric Andrieu, Nicola Caputo, Tibor Szanyi, Massimo Paolucci, Christine Revault D’Allonnes Bonnefoy, Marc Tarabella

Proposal for a directive
Article 28 – paragraph new2

Text proposed by the Commission

new2. Member States may submit to the Commission reports including information on the typical greenhouse gas emissions from cultivation of agricultural raw materials of those areas on their territory classified as level 2 in the nomenclature of territorial units for statistics (NUTS) or as a more disaggregated NUTS level in accordance with Regulation (EC) No 1059/2003 of the European Parliament and of the Council\(^3\) The reports shall be

Amendment

new2. Member States shall submit to the Commission reports including information on the typical greenhouse gas emissions from cultivation of agricultural raw materials of those areas on their territory classified as level 2 in the nomenclature of territorial units for statistics (NUTS) or as a more disaggregated NUTS level in accordance with Regulation (EC) No 1059/2003 of the European Parliament and of the Council\(^3\) The reports shall be
accompanied by a description of the method and data sources used to calculate the level of emissions. That method shall take into account soil characteristics, climate and expected raw material yields.


Amendment 514
Tibor Szanyi

Proposal for a directive
Article 28 – paragraph 5 – subparagraph 1

Text proposed by the Commission

The Commission shall keep Annex V and Annex VI under review, with a view, where justified, to adding or revising values for biofuel, bioliquid and biomass fuel production pathways. That review shall also consider the modification of the methodology laid down in part C of Annex V and in part B of Annex VI.

Amendment

The Commission shall keep Annex V and Annex VI under review, with a view, where justified, to add values for new biofuel, bioliquid and biomass fuel production pathways. That review shall also consider the modification of the methodology laid down in part C of Annex V and in part B of Annex VI.

Or. en

Amendment 515
Momchil Nekov

Proposal for a directive
Article 28 – paragraph 5 – subparagraph 2

Text proposed by the Commission

In the event that the Commission’s review

Amendment

In the event that the Commission’s review
concludes that changes to Annex V or Annex VI should be made, the Commission is empowered to adopt delegated acts pursuant to Article 32.

concludes that changes to Annex V or Annex VI should be made, the Commission shall submit a legislative proposal to the European Parliament and the Council.

Or. en

Amendment 516
John Stuart Agnew

Proposal for a directive
Article 28 – paragraph 5 – subparagraph 2

Text proposed by the Commission

In the event that the Commission’s review concludes that changes to Annex V or Annex VI should be made, the Commission is empowered to adopt delegated acts pursuant to Article 32.

Amendment

In the event that the Commission’s review concludes that changes to Annex V or Annex VI should be made, after 2030 the Commission is empowered to adopt delegated acts pursuant to Article 32.

Or. en

Justification

Stability is needed to aid investment. Short term review of values is, therefore, unhelpful.

Amendment 517
Tibor Szanyi

Proposal for a directive
Article 28 – paragraph 6

Text proposed by the Commission

6. Where necessary in order to ensure the uniform application of Part C of Annex V and Part B of Annex VI, the Commission may adopt implementing acts setting out detailed technical specifications including definitions, conversion factors, calculation of annual cultivation emissions and/or emission savings caused by changes above and below-ground carbon

Amendment

6. Where necessary in order to ensure the uniform application of point 9 of Part C of Annex V and of point 9 of Part B of Annex VI, the Commission may adopt implementing acts setting out detailed technical specifications including definitions, conversion factors, calculation of annual cultivation emissions and/or emission savings caused by
stocks on already cultivated land, calculation of emission savings from carbon capture, carbon replacement and carbon geological storage. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 31 (2).

changes above and below-ground carbon stocks on already cultivated land, calculation of emission savings from carbon capture, carbon replacement and carbon geological storage. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 31 (2).

Or. en

Amendment 518
Maria Noichl

Proposal for a directive
Article 30 – paragraph 1

Text proposed by the Commission

(1) The Commission shall monitor the origin of biofuels, bioliquids and biomass fuels consumed in the Union and the impact of their production, including impact as a result of displacement, on land use in the Union and the main third countries of supply. Such monitoring shall be based on Member States’ integrated national energy and climate plans and corresponding progress reports required in Articles 3, 15 and 18 of Regulation [Governance], and those of relevant third countries, intergovernmental organisations, scientific studies and any other relevant pieces of information. The Commission shall also monitor the commodity price changes associated with the use of biomass for energy and any associated positive and negative effects on food security.

Amendment

(1) The Commission shall monitor the origin of biofuels, bioliquids and biomass fuels consumed in the Union and the impact of their production, including impact as a result of displacement, on land use in the Union and the main third countries of supply. Such monitoring shall be based on Member States’ integrated national energy and climate plans and corresponding progress reports required in Articles 3, 15 and 18 of Regulation [Governance], and those of relevant third countries, intergovernmental organisations, scientific studies and any other relevant pieces of information. The Commission shall also monitor the commodity price changes associated with the use of biomass for energy, any associated positive and negative effects on food security and the impact on sectors that are dependent on the same materials.

Or. de

Amendment 519
John Stuart Agnew
Proposal for a directive
Article 30 – paragraph 3

Text proposed by the Commission

3. In 2026, the Commission shall present a legislative proposal on the regulatory framework for the promotion of renewable energy for the post-2030 period.

This proposal shall take into account the experience of the implementation of this Directive, including its sustainability and greenhouse gas saving criteria, and technological developments in energy from renewable sources.

Or. en

Justification

Further regulation and target setting in the shared competence field of energy is an unnecessary burden on Member State finances.

Amendment 520
Paul Brannen

Proposal for a directive
Article 32 – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Articles 7(5), 7(6); 19(11), 19(14), 25(6) and 28(5) shall be conferred on the Commission for a period of five years from 1st January 2021.

2. The power to adopt delegated acts referred to in Articles 7(5), 7(6); 19(11), 19(14), 25(6), 26(6) and 28(5) shall be conferred on the Commission for a period of five years from 1st January 2021.

Or. en

Amendment 521
Fredrick Federley

Proposal for a directive
Article 32 – paragraph 2

*Text proposed by the Commission*

2. The power to adopt delegated acts referred to in Articles 7(5), 7(6); 19(11), 19(14), 25(6) and 28(5) shall be conferred on the Commission for a period of five years from 1st January 2021.

*Amendment*

2. The power to adopt delegated acts referred to in Articles 3(2a), 7(5), 7(6); 19(11), 19(14), 25(6) and 28(5) shall be conferred on the Commission for a period of five years from 1st January 2021.

Or. en

Amendment 522
Paul Brannen

Proposal for a directive
Article 32 – paragraph 6

*Text proposed by the Commission*

6. A delegated act adopted pursuant to Articles 7(5), 7(6); 19(11), 19(14), 25(6) and 28(5) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

*Amendment*

6. A delegated act adopted pursuant to Articles 7(5), 7(6); 19(11), 19(14), 25(6), 26(6) and 28(5) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Or. en

Amendment 523
Jean-Paul Denanot, Eric Andrieu, Nicola Caputo, Tibor Szanyi, Clara Eugenia Aguilera García, Massimo Paolucci, Christine Revault D’Allonnes Bonnefoy, Marc Tarabella

Proposal for a directive
Article 33 – paragraph 1 – subparagraph 2
When Member States adopt those measures, they shall contain a reference to this Directive or shall be accompanied by such a reference on the occasion of their official publication. They shall also include a statement that references in existing laws, regulations and administrative provisions to the Directives repealed by this Directive shall be construed as references to this Directive. Member States shall determine how such reference is to be made and how that statement is to be formulated.

Member States shall decide upon a penalty system applicable to non-compliance.