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Committee on Industry, Research and Energy

2011/0172(COD)

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AMENDMENTS 1095 - 1279

Draft report

Claude Turmes

(PE472.358v01-00)

on the proposal for a directive of the European Parliament and of the Council
on energy efficiency and repealing Directives 2004/8/EC and 2006/32/EC

Proposal for a directive

(COM(2011)0370 – C7-0168/2011 – 2011/0172(COD))

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United in diversity

EN

Amendment 1095
Gunnar Hökmark

Proposal for a directive
Article 10 – paragraph 3 – subparagraph 1

Text proposed by the Commission

Amendment

Member States shall ensure that all new thermal electricity generation installations with a total thermal input exceeding 20 MW:

deleted

- (a) are provided with equipment allowing for the recovery of waste heat by means of a high-efficiency cogeneration unit; and***
- (b) are sited in a location where waste heat can be used by heat demand points.***

Or. en

Amendment 1096
Herbert Reul

Proposal for a directive
Article 10 – paragraph 3 – subparagraph 1 – introductory part

Text proposed by the Commission

Amendment

Member States shall ensure that ***all*** new thermal electricity generation installations with a total thermal input exceeding 20 MW:

Member States shall ensure that, ***when*** new thermal electricity generation installations with a total thermal input exceeding 20 MW ***are being planned, technical and economic feasibility studies are carried out in order to:***

Or. de

Justification

Member States need more flexibility, in particular at local government level. Automatic procedures, such as those the Commission is proposing, fail to take account of local circumstances. The subsidiarity principle must be observed. In its impact assessment, the Commission has failed prove that its centralised approach will produce 'better' results under real conditions.

Amendment 1097
Eija-Riitta Korhola

Proposal for a directive
Article 10 – paragraph 3 – subparagraph 1 – introductory part

Text proposed by the Commission

Member States shall ensure that **all** new thermal electricity generation **installations** with a total thermal input exceeding 20 MW:

Amendment

Member States shall ensure that **when planning** new thermal electricity generation **installation** with a total thermal input exceeding 20 MW, **studies are made on the technical and economical feasibility to introduce a power plant with equipment allowing for the recovery of waste heat by means of a high-efficiency cogeneration unit.**

Or. en

Justification

Building a new CHP capacity should always be based on economical and technical investment calculation. For example there has to be sufficient demand for heat.

Amendment 1098
Evžen Tošenovský

Proposal for a directive
Article 10 – paragraph 3 – subparagraph 1 – introductory part

Text proposed by the Commission

Member States shall ensure that **all** new thermal electricity generation installations with a total thermal input exceeding 20 MW:

Amendment

Member States shall ensure that, **where it is technically, socio-economically and commercially feasible**, new thermal electricity generation installations with a total thermal input exceeding 20 MW, **are provided with equipment allowing for the recovery of waste heat by means of a high-efficiency cogeneration unit.**

Or. en

Amendment 1099
Giles Chichester

Proposal for a directive
Article 10 – paragraph 3 – subparagraph 1 – introductory part

Text proposed by the Commission

Member States *shall* ensure that all new thermal electricity generation installations with a total thermal input exceeding 20 MW:

Amendment

Member States *may* ensure, *subject to a cost benefit assessment of national economic or climatic or spatial planning conditions*, that all new thermal electricity generation installations with a total thermal input exceeding 20 MW:

Or. en

Amendment 1100
Amalia Sartori, Antonio Cancian

Proposal for a directive
Article 10 – paragraph 3 – subparagraph 1 – introductory part

Text proposed by the Commission

Member States shall ensure that all new thermal electricity generation installations with a total thermal input exceeding 20 MW:

Amendment

Member States shall ensure that *in the promotion areas with cogeneration potential as identified according to paragraph 2*, all new thermal electricity generation installations with a total thermal input exceeding 20 MW:

Or. en

Amendment 1101
Bendt Bendtsen, Krišjānis Kariņš, Ioannis A. Tsoukalas

Proposal for a directive
Article 10 – paragraph 3 – subparagraph 1 – introductory part

Text proposed by the Commission

Member States shall ensure that all new thermal electricity generation installations with a total thermal input exceeding 20 MW:

Amendment

Member States shall ensure that **where technically, economically and commercially feasible** all new thermal electricity generation installations with a total thermal input exceeding 20 MW:

Or. en

Amendment 1102

Lena Kolarska-Bobińska, Bogdan Kazimierz Marcinkiewicz

Proposal for a directive

Article 10 – paragraph 3 – subparagraph 1 – introductory part

Text proposed by the Commission

Member States shall ensure that all new thermal electricity generation installations with a total thermal input exceeding 20 MW:

Amendment

Member States shall ensure, **subject to economic feasibility and technical suitability**, that all new thermal **combustion** electricity generation installations with a total thermal input exceeding 20 MW:

Or. en

Amendment 1103

Markus Pieper, Pilar del Castillo Vera, Paul Rübiger, Gaston Franco, Marian-Jean Marinescu, Bogdan Kazimierz Marcinkiewicz, Werner Langen, Vladimir Urutchev, Jan Březina, Holger Kraemer, Maria Da Graça Carvalho, Romana Jordan Cizelj

Proposal for a directive

Article 10 – paragraph 3 – subparagraph 1 – introductory part

Text proposed by the Commission

Member States shall ensure that all new thermal electricity generation installations with a total thermal input exceeding 20 MW:

Amendment

Member States shall, **where appropriate and cost-effective**, ensure that all new thermal **combustion** electricity generation installations with a total thermal input exceeding 20 MW:

Amendment 1104
Ioan Enciu

Proposal for a directive
Article 10 – paragraph 3 – subparagraph 1 – introductory part

Text proposed by the Commission

Amendment

Member States **shall** ensure that all new thermal electricity generation installations with a total thermal input exceeding 20 MW:

Member States **may** ensure that all new thermal electricity generation installations with a total thermal input exceeding 20 MW, **where network stability is guaranteed**:

Or. ro

Justification

Incorrect Romanian translation, requiring revision.

Amendment 1105
Hannu Takkula, Riikka Manner, Anneli Jäätteenmäki

Proposal for a directive
Article 10 – paragraph 3 – subparagraph 1 – introductory part

Text proposed by the Commission

Amendment

Member States shall ensure that **all** new thermal electricity generation installations with a total thermal input exceeding 20 MW:

Member States shall ensure that **in planning** new thermal electricity generation installations with a total thermal input exceeding 20 MW:

Or. fi

Amendment 1106
Gaston Franco, Françoise Grossetête

Proposal for a directive
Article 10 – paragraph 3 – subparagraph 1 – introductory part

Text proposed by the Commission

Member States shall ensure that **all** new thermal electricity generation installations with a total thermal input exceeding 20 MW:

Amendment

Member States shall ensure that **investors planning to build** new thermal electricity generation installations with a total thermal input exceeding 20 MW **examine whether**:

Or. fr

Justification

It is important to target all investors by insisting that they assess the cost-effectiveness of possible equipment and the location chosen, rather than by imposing a technical solution that must be used systematically.

Amendment 1107

Vicky Ford

Proposal for a directive

Article 10 – paragraph 3 – subparagraph 1 – introductory part

Text proposed by the Commission

Member States shall ensure that all new thermal electricity generation installations with a total thermal input exceeding **20** MW:

Amendment

Member States shall, **where appropriate and cost-effective**, ensure that all new thermal electricity generation installations **using fossil fuels as the material primary feedstock** with a total thermal input exceeding **50** MW:

Or. en

Justification

Targeting installations with a thermal input exceeding 50 MW is in line with the provisions set out in 2008/1/EC (Annex 1).

Amendment 1108

Catherine Trautmann

Proposal for a directive

Article 10 – paragraph 3 – subparagraph 1 – introductory part

Text proposed by the Commission

Amendment

Member States shall ensure that **all** new thermal electricity generation installations with a total thermal input exceeding 20 MW:

Member States shall ensure, **after a cost-benefit analysis**, that new thermal electricity generation installations with a total thermal input exceeding 20 MW:

Or. fr

Amendment 1109
Fiorello Provera

Proposal for a directive
Article 10 – paragraph 3 – subparagraph 1 – introductory part

Text proposed by the Commission

Amendment

Member States shall ensure that all new thermal electricity generation installations with a total thermal input exceeding 20 MW:

Member States shall ensure that **in the promotion areas with cogeneration potential as identified according to paragraph 2**, all new thermal electricity generation installations with a total thermal input exceeding 20 MW:

Or. en

Justification

A “one fits all” approach in promoting CHP is not advisable. Due to the many technical issues in CHP, national circumstances including geographical, economic and social aspects should be taken into account. All these aspects also account for large differences in Member States’ in terms of intensity and duration of the heating and cooling service required. Requirements should be introduced on a case by case basis as part of a cost-benefit analysis carried out at system level according to clearly established criteria and modalities. Such analysis should identify District Heating/Cooling development areas where heat demand is sufficient to justify the development of district heating/cooling networks. An effective promotion of CHP can be pursued by preserving the market operators’ free initiative, providing financial incentives and simplifying administrative procedures. Development costs of district heating/cooling networks should be borne by network users in order to guarantee a balanced distribution of costs and avoid market distortion.

Amendment 1110
Daniel Caspary

Proposal for a directive
Article 10 – paragraph 3 – subparagraph 1 – introductory part

Text proposed by the Commission

Member States shall ensure that **all** new thermal electricity generation installations with a total thermal input exceeding 20 MW:

Amendment

Member States shall ensure that **investors planning to build** new thermal electricity generation installations with a total thermal input exceeding 20 MW **take steps to determine whether**:

Or. de

Amendment 1111
Jan Březina, Miloslav Ransdorf

Proposal for a directive
Article 10 – paragraph 3 – subparagraph 1 – introductory part

Text proposed by the Commission

Member States shall ensure that all new thermal electricity generation installations with a total thermal input exceeding 20 MW:

Amendment

Member States shall ensure that all new thermal electricity generation installations with a total thermal input exceeding 20 MW, **excluding nuclear installations**:

Or. en

Justification

The exemption rules should take into account the specificities of nuclear power plants, which operate with a high load factor. Due to load factor and to limited demand of heat given by demographic profiles, nuclear installations cannot reach proportion of heat to electricity generation necessary for meeting the high-efficiency cogeneration requirements laid down in both paragraphs 3 and 6. This is the major reason why all nuclear installations should be fully excluded from requirements of above mentioned articles as they do not meet high-efficiency cogeneration requirements beforehand.

Amendment 1112
Evžen Tošenovský

Proposal for a directive

Article 10 – paragraph 3 – subparagraph 1 – introductory part

Text proposed by the Commission

Member States shall ensure that all new thermal electricity generation installations with a total thermal input exceeding 20 MW:

Amendment

Member States shall ensure that all new thermal electricity generation installations with a total thermal input exceeding 20 MW, ***excluding nuclear installations:***

Or. en

Amendment 1113

András Gyürk

Proposal for a directive

Article 10 – paragraph 3 – subparagraph 1 – introductory part

Text proposed by the Commission

Member States shall ensure that ***all*** new thermal electricity generation installations with a total thermal input exceeding 20 MW:

Amendment

Member States shall ensure that ***investors planning*** new thermal electricity generation installations with a total thermal input exceeding 20 MW ***examine whether:***

Or. en

Amendment 1114

Gunnar Hökmark

Proposal for a directive

Article 10 – paragraph 3 – subparagraph 1 – point a

Text proposed by the Commission

(a) are provided with equipment allowing for the recovery of waste heat by means of a high-efficiency cogeneration unit; and

Amendment

deleted

Or. en

Amendment 1115
Eija-Riitta Korhola

Proposal for a directive
Article 10 – paragraph 3 – subparagraph 1 – point a

Text proposed by the Commission

Amendment

(a) are provided with equipment allowing for the recovery of waste heat by means of a high-efficiency cogeneration unit; and **deleted**

Or. en

Amendment 1116
Evžen Tošenovský

Proposal for a directive
Article 10 – paragraph 3 – subparagraph 1 – point a

Text proposed by the Commission

Amendment

(a) are provided with equipment allowing for the recovery of waste heat by means of a high-efficiency cogeneration unit; and **deleted**

Or. en

Amendment 1117
Paul Rübzig

Proposal for a directive
Article 10 – paragraph 3 – subparagraph 1 – point a

Text proposed by the Commission

Amendment

(a) are provided with equipment allowing for the recovery of waste heat by means of a **high-efficiency** cogeneration unit; **and**

(a) **studies** are **to be made on technical and economic feasibility of waste heat use. If local waste heat consumption is guaranteed and if it can be provided economically, the plant shall be provided** with equipment allowing for the recovery of waste heat by means of a **high-efficient** cogeneration unit.

Justification

CHP units shall only be installed, where locally an economic demand for waste heat is guaranteed. According to the targets of the EU Buildings Directive 2010/31/ EU (higher renovation-rate of buildings, as well as nearly-zero energy standards for new houses) the demand for space heating will be reduced in the long run. The Commission's proposal, in case of economically feasible installations, would require that new heat-plants can only be installed in densely populated areas (mainly cities). In this case fine dust limits can presumably not be achieved anymore. In addition, environmental and licensing procedures will become more complex and lengthy.

Amendment 1118
Norbert Glante

Proposal for a directive
Article 10 – paragraph 3 – subparagraph 1 – point a

Text proposed by the Commission

Amendment

(a) are provided with equipment allowing for the recovery of waste heat by means of a high-efficiency cogeneration unit; and

(a) are sited in a location where waste heat can be used by heat demand points; and

*Justification**Clarification*

Amendment 1119
András Gyürk

Proposal for a directive
Article 10 – paragraph 3 – subparagraph 1 – point a

Text proposed by the Commission

Amendment

(a) are provided with equipment allowing for the recovery of waste heat by means of a high-efficiency cogeneration unit; and

(a) it is technically and commercially reasonable to install a high-efficiency cogeneration unit; and

Amendment 1120
Daniel Caspary

Proposal for a directive
Article 10 – paragraph 3 – subparagraph 1 – point a

Text proposed by the Commission

(a) **are provided** with equipment allowing for the recovery of waste heat by means of a high-efficiency cogeneration unit; and

Amendment

(a) **it makes technological sense and is economically viable to provide them** with equipment allowing for the recovery of waste heat by means of a high-efficiency cogeneration unit; and

Or. de

Amendment 1121
Gaston Franco, Françoise Grossetête

Proposal for a directive
Article 10 – paragraph 3 – subparagraph 1 – point a

Text proposed by the Commission

(a) **are provided with** equipment allowing for the recovery of waste heat by means of a high-efficiency cogeneration unit; and

Amendment

(a) **it is technically and economically feasible to install** equipment allowing for the recovery of waste heat by means of a high-efficiency cogeneration unit; and

Or. fr

Justification

It is important to target all investors by insisting that they assess the cost-effectiveness of possible equipment and the location chosen, rather than by imposing a technical solution that must be used systematically.

Amendment 1122
Cristina Gutiérrez-Cortines

Proposal for a directive

Article 10 – paragraph 3 – subparagraph 1 – point a

Text proposed by the Commission

(a) are provided with equipment allowing for the recovery of waste heat ***by means of a high-efficiency cogeneration unit***;

Amendment

(a) are provided with equipment allowing for the recovery of waste heat;

Or. es

Amendment 1123

Vicky Ford

Proposal for a directive

Article 10 – paragraph 3 – subparagraph 1 – point a

Text proposed by the Commission

(a) are provided with equipment allowing for the recovery of waste heat ***by means of a high-efficiency cogeneration unit***; and

Amendment

(a) are provided with equipment allowing for the recovery of ***the substantial majority of*** waste heat; and

Or. en

Amendment 1124

Herbert Reul

Proposal for a directive

Article 10 – paragraph 3 – subparagraph 1 – point a

Text proposed by the Commission

(a) ***are*** provided with equipment allowing for the recovery of waste heat by means of a high-efficiency cogeneration unit; and

Amendment

(a) ***build if at all possible an electricity generation installation*** provided with equipment allowing for the recovery of waste heat by means of a high-efficiency cogeneration unit; and

Or. de

Amendment 1125
Ioan Enciu

Proposal for a directive
Article 10 – paragraph 3 – subparagraph 1 – point a

Text proposed by the Commission

(a) are provided with equipment allowing for the recovery of waste heat by means of a high-efficiency cogeneration unit; and

Amendment

(a) are provided with equipment allowing for the recovery of waste heat by means of a high-efficiency cogeneration unit, ***where this is economically feasible***; and

Or. ro

Amendment 1126
Jolanta Emilia Hibner, Andrzej Grzyb, Bogdan Kazimierz Marcinkiewicz

Proposal for a directive
Article 10 – paragraph 3 – subparagraph 1 – point a

Text proposed by the Commission

(a) are provided with equipment allowing for the recovery of waste heat by means of a high-efficiency cogeneration unit; ***and***

Amendment

(a) are provided with equipment allowing for the recovery of waste heat by means of a high-efficiency cogeneration unit; ***or***

Or. pl

Amendment 1127
Hannu Takkula, Riikka Manner, Anneli Jäätteenmäki

Proposal for a directive
Article 10 – paragraph 3 – subparagraph 1 – point a a (new)

Text proposed by the Commission

Amendment

(aa) an analysis is carried out of the cost-effectiveness and technical feasibility of their construction;

Or. fi

Amendment 1128
Gunnar Hökmark

Proposal for a directive
Article 10 – paragraph 3 – subparagraph 1 – point b

Text proposed by the Commission

Amendment

(b) are sited in a location where waste heat can be used by heat demand points. *deleted*

Or. en

Amendment 1129
Eija-Riitta Korhola

Proposal for a directive
Article 10 – paragraph 3 – subparagraph 1 – point b

Text proposed by the Commission

Amendment

(b) are sited in a location where waste heat can be used by heat demand points. *deleted*

Or. en

Amendment 1130
Angelika Niebler

Proposal for a directive
Article 10 – paragraph 3 – subparagraph 1 – point b

Text proposed by the Commission

Amendment

(b) are sited in a location where waste heat can be used by heat demand points. *deleted*

Or. de

Justification

The requirement that thermal electricity generation installations may only be sited in the vicinity of heat demand points should be rejected, since it is at odds with the planning

principle that industrial areas should if at all possible be kept apart from residential and mixed-use areas. Emissions-protection and plant-safety considerations also argue against siting installations of this kind near heat demand points.

Amendment 1131

Paul Rübiger

Proposal for a directive

Article 10 – paragraph 3 – subparagraph 1 – point b

Text proposed by the Commission

Amendment

(b) are sited in a location where waste heat can be used by heat demand points. *deleted*

Or. en

Amendment 1132

Evžen Tošenovský

Proposal for a directive

Article 10 – paragraph 3 – subparagraph 1 – point b

Text proposed by the Commission

Amendment

(b) are sited in a location where waste heat can be used by heat demand points. *deleted*

Or. en

Amendment 1133

Norbert Glante

Proposal for a directive

Article 10 – paragraph 3 – subparagraph 1 – point b

Text proposed by the Commission

Amendment

(b) are sited in a location where waste heat can be used by heat demand points.

(b) are provided with equipment which makes it possible to recover part of the waste heat by means of a high-efficiency cogeneration unit in order to supply heat

to industrial processes, commercial premises or other heat demand points.

Or. de

Justification

Clarification

Amendment 1134

Vicky Ford

Proposal for a directive

Article 10 – paragraph 3 – subparagraph 1 – point b

Text proposed by the Commission

(b) *are sited* in a location where waste heat can be used by heat demand points.

Amendment

(b) *ensure that, as part of the planning approval, consideration is given to options for siting such installations* in a location where waste heat can be used by heat demand points, *and that such locations are prioritised where applicable.*

Or. en

Amendment 1135

Gaston Franco, Françoise Grossetête

Proposal for a directive

Article 10 – paragraph 3 – subparagraph 1 – point b

Text proposed by the Commission

(b) *are sited* in a location where waste heat can be used by heat demand points.

Amendment

(b) *it is technically and economically feasible to site the installation* in a location where waste heat can be used by heat demand points.

Or. fr

Justification

It is important to target all investors by insisting that they assess the cost-effectiveness of possible equipment and the location chosen, rather than by imposing a technical solution that must be used systematically.

Amendment 1136

Ioan Enciu

Proposal for a directive

Article 10 – paragraph 3 – subparagraph 1 – point b

Text proposed by the Commission

(b) are sited in a location where waste heat can be used by heat demand points.

Amendment

(b) are sited, ***where this is economically viable***, in a location where waste heat can be used by heat demand points.

Or. ro

Amendment 1137

Herbert Reul

Proposal for a directive

Article 10 – paragraph 3 – subparagraph 1 – point b

Text proposed by the Commission

(b) ***are sited in*** a location where waste heat can be used by heat demand points.

Amendment

(b) ***to ascertain whether*** a location ***can be found*** where waste heat can be used by heat demand points.

Or. de

Amendment 1138

András Gyürk

Proposal for a directive

Article 10 – paragraph 3 – subparagraph 1 – point b

Text proposed by the Commission

(b) ***are sited in*** a location where waste heat

Amendment

(b) ***it is technically and commercially***

can be used by heat demand points.

reasonable to select a location where waste heat can be used by heat demand points.

Or. en

Amendment 1139

Daniel Caspary

Proposal for a directive

Article 10 – paragraph 3 – subparagraph 1 – point b

Text proposed by the Commission

Amendment

(b) *are sited* in a location where waste heat can be used by heat demand points.

(b) *whether it makes technological sense and is economically viable to site them* in a location where waste heat can be used by heat demand points.

Or. de

Amendment 1140

Hannu Takkula, Riikka Manner, Anneli Jäätteenmäki

Proposal for a directive

Article 10 – paragraph 3 – subparagraph 1 – point b

Text proposed by the Commission

Amendment

(b) are sited in a location where waste heat can be used by heat demand points.

(b) *efforts are made to site them* in a location where waste heat can be used by heat demand points.

Or. fi

Amendment 1141

Marian-Jean Marinescu

Proposal for a directive

Article 10 – paragraph 3 – subparagraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(ba) provided that a cost-benefit analysis shows that the benefits in comparison with the full life-cycle costs including infrastructure investment, of providing the same amount of electricity and heat with separate heating or cooling, outweigh the costs.

Or. en

**Amendment 1142
Gunnar Hökmark**

**Proposal for a directive
Article 10 – paragraph 3 – subparagraph 2**

Text proposed by the Commission

Amendment

Member States shall adopt authorisation criteria as referred to in Article 7 of Directive 2009/72/EC, or equivalent permit criteria, to ensure that the provisions of the first subparagraph are met. They shall in particular ensure that the location of new installations takes into account the availability of suitable heat loads for cogeneration in accordance with Annex VIII.

deleted

Or. en

**Amendment 1143
Eija-Riitta Korhola**

**Proposal for a directive
Article 10 – paragraph 3 – subparagraph 2**

Text proposed by the Commission

Amendment

Member States shall adopt authorisation criteria as referred to in Article 7 of

deleted

Directive 2009/72/EC, or equivalent permit criteria, to ensure that the provisions of the first subparagraph are met. They shall in particular ensure that the location of new installations takes into account the availability of suitable heat loads for cogeneration in accordance with Annex VIII.

Or. en

Justification

With the amendments on earlier subparagraphs, this is no longer needed.

Amendment 1144

Gaston Franco, Françoise Grossetête

Proposal for a directive

Article 10 – paragraph 3 – subparagraph 2

Text proposed by the Commission

Member States shall adopt authorisation criteria as referred to in Article 7 of Directive 2009/72/EC, or equivalent permit criteria, to ensure that the provisions of the first subparagraph are met. ***They shall in particular ensure that the location of new installations takes into account the availability of suitable heat loads for cogeneration in accordance with Annex VIII.***

Amendment

Member States shall adopt authorisation criteria as referred to in Article 7 of Directive 2009/72/EC, or equivalent permit criteria, to ensure that the provisions of the first subparagraph are met. ***Operators shall carry out themselves the technical and economic analysis work referred to in the first two subparagraphs, basing this on the minimum Community requirements established in consultation with all parties concerned.***

Or. fr

Justification

It is important to target all investors by insisting that they assess the cost-effectiveness of possible equipment and the location chosen, rather than by imposing a technical solution that must be used systematically. The reference to Annex VIII should be removed as this annex is too prescriptive.

Amendment 1145
Herbert Reul

Proposal for a directive
Article 10 – paragraph 3 – subparagraph 2

Text proposed by the Commission

Member States shall adopt authorisation criteria as referred to in Article 7 of Directive 2009/72/EC, or equivalent permit criteria, to ensure that the provisions of the first subparagraph are met. ***They shall in particular ensure that the location of new installations takes into account the availability of suitable heat loads for cogeneration in accordance with Annex VIII.***

Amendment

Member States shall adopt authorisation criteria as referred to in Article 7 of Directive 2009/72/EC, or equivalent permit criteria, to ensure that the provisions of the first subparagraph are met.

Or. de

Justification

The approach chosen by the Commission entails too many automatic procedures and offers too little in the way of flexibility. Flexibility is, however, vitally important if the principle of subsidiarity is to be observed, as it should be given the wide disparities in local conditions in the EU.

Amendment 1146
Hannu Takkula, Riikka Manner, Anneli Jäätteenmäki

Proposal for a directive
Article 10 – paragraph 3 – subparagraph 2

Text proposed by the Commission

Member States shall adopt authorisation criteria as referred to in Article 7 of Directive 2009/72/EC, or equivalent permit criteria, to ensure that the provisions of the first subparagraph are met. ***They shall in particular ensure that the location of new installations takes into account the availability of suitable heat loads for cogeneration in accordance with Annex***

Amendment

Member States shall adopt authorisation criteria as referred to in Article 7 of Directive 2009/72/EC, or equivalent permit criteria, to ensure that the provisions of the first subparagraph are met.

Amendment 1147

András Gyürk

Proposal for a directive

Article 10 – paragraph 3 – subparagraph 2

Text proposed by the Commission

Member States shall adopt authorisation criteria as referred to in Article 7 of Directive 2009/72/EC, or equivalent permit criteria, to ensure that the provisions of the first subparagraph are met. ***They shall in particular ensure that the location of new installations takes into account the availability of suitable heat loads for cogeneration in accordance with Annex VIII.***

Amendment

Member States shall adopt authorisation criteria as referred to in Article 7 of Directive 2009/72/EC, or equivalent permit criteria, to ensure that the provisions of the first subparagraph are met.

Amendment 1148

Norbert Glante

Proposal for a directive

Article 10 – paragraph 3 – subparagraph 2

Text proposed by the Commission

Member States shall adopt authorisation criteria as referred to in Article 7 of Directive 2009/72/EC, or equivalent permit criteria, to ensure that the provisions of the first subparagraph are met. They shall in particular ensure that the location of new installations takes into account the availability of suitable heat loads for cogeneration in accordance with Annex VIII.

Amendment

In keeping with national heating and cooling plans, Member States shall ensure that the authorities grant sufficient support for the gradual development of the infrastructure needed to make appropriate use of these installations.

Member States shall adopt authorisation criteria as referred to in Article 7 of Directive 2009/72/EC, or equivalent permit criteria, to ensure that the provisions of the first subparagraph are met. They shall in particular ensure that the location of new installations takes into account the availability of suitable heat loads for cogeneration in accordance with Annex VIII.

Or. de

Justification

Clarification

Amendment 1149
Evžen Tošenovský

Proposal for a directive
Article 10 – paragraph 3 – subparagraph 2

Text proposed by the Commission

Member States shall adopt authorisation criteria as referred to in Article 7 of Directive 2009/72/EC, or equivalent permit criteria, to ensure that the provisions of the first subparagraph are met. They shall in particular ensure that **the location** of new installations **takes** into account the availability of suitable heat loads for cogeneration in accordance with Annex VIII.

Amendment

Member States shall adopt authorisation criteria as referred to in Article 7 of Directive 2009/72/EC, or equivalent permit criteria, to ensure that the provisions of the first subparagraph are met. They shall in particular ensure that **operators** of new **thermal electricity generation** installations **with a total thermal input exceeding 20 MW take** into account, **amongst other criteria**, the availability of suitable heat loads for cogeneration in accordance with Annex VIII **when deciding on the location of thermal electricity generation installations**.

Or. en

Amendment 1150
Vicky Ford

Proposal for a directive
Article 10 – paragraph 3 – subparagraph 2

Text proposed by the Commission

Member States shall adopt authorisation criteria as referred to in Article 7 of Directive 2009/72/EC, or equivalent permit criteria, to ensure that the provisions of the first subparagraph are met. They shall in particular ensure that the location of new installations takes into account the availability of suitable heat loads for cogeneration in accordance with *Annex VIII*.

Amendment

Member States shall adopt authorisation criteria as referred to in Article 7 of Directive 2009/72/EC, or equivalent permit criteria, to ensure that the provisions of the first subparagraph are met. They shall in particular ensure that the location of new installations takes into account the availability of suitable heat loads for cogeneration in accordance with *the assessment and strategies referred to in paragraph 1*.

Or. en

Amendment 1151
Konrad Szymański

Proposal for a directive
Article 10 – paragraph 3 – subparagraph 2

Text proposed by the Commission

Member States shall adopt authorisation criteria as referred to in Article 7 of Directive 2009/72/EC, or equivalent permit criteria, to ensure that the provisions of the first subparagraph are met. They shall in particular ensure that the location of new installations takes into account the availability of suitable heat loads for cogeneration in accordance with *Annex VIII*.

Amendment

Member States shall adopt authorisation criteria as referred to in Article 7 of Directive 2009/72/EC, or equivalent permit criteria, to ensure that the provisions of the first subparagraph are met. They shall in particular ensure that the location of new installations takes into account the availability of suitable *additional* heat loads for cogeneration *not yet covered by heat from high efficient cogeneration* in accordance with *the assessment referred to in paragraph 1*.

Or. en

Amendment 1152
Konrad Szymański

Proposal for a directive
Article 10 – paragraph 3 – subparagraph 2

Text proposed by the Commission

Member States shall adopt authorisation criteria as referred to in Article 7 of Directive 2009/72/EC, or equivalent permit criteria, to ensure that the provisions of the first subparagraph are met. They shall in particular ensure that the location of new installations takes into account the availability of suitable heat loads for cogeneration in accordance with *Annex VIII*.

Amendment

Member States shall adopt authorisation criteria as referred to in Article 7 of Directive 2009/72/EC, or equivalent permit criteria, to ensure that the provisions of the first subparagraph are met. They shall in particular ensure that the location of new installations takes into account the availability of suitable **additional** heat loads for cogeneration **not yet covered by heat from high efficient cogeneration** in accordance with **the assessment referred to in paragraph 1**.

Or. en

Amendment 1153
Lena Kolarska-Bobińska, Bogdan Kazimierz Marcinkiewicz

Proposal for a directive
Article 10 – paragraph 3 – subparagraph 2

Text proposed by the Commission

Member States shall adopt authorisation criteria as referred to in Article 7 of Directive 2009/72/EC, or equivalent permit criteria, to ensure that the provisions of the first subparagraph are met. They shall in particular ensure that the location of new installations takes into account the availability of suitable heat loads for cogeneration in accordance with Annex VIII.

Amendment

Member States shall adopt authorisation criteria as referred to in Article 7 of Directive 2009/72/EC, or equivalent permit criteria, to ensure that the provisions of the first subparagraph are met. They shall in particular ensure that the location of new installations takes into account the availability of suitable **additional** heat loads for cogeneration, **not yet covered by heat from high efficient cogeneration** in accordance with Annex VIII.

Or. en

Amendment 1154

Bogdan Kazimierz Marcinkiewicz, Andrzej Grzyb, Jolanta Emilia Hibner

Proposal for a directive

Article 10 – paragraph 3 – subparagraph 2

Text proposed by the Commission

Member States shall adopt authorisation criteria as referred to in Article 7 of Directive 2009/72/EC, or equivalent permit criteria, to ensure that the provisions of the first subparagraph are met. They shall in particular ensure that the location of new installations takes into account the availability of suitable heat loads for cogeneration in accordance with Annex VIII.

Amendment

Member States shall adopt authorisation criteria as referred to in Article 7 of Directive 2009/72/EC, or equivalent permit criteria, to ensure that the provisions of the first subparagraph are met. They shall in particular ensure that the location of new installations takes into account the availability of suitable heat loads for cogeneration ***not yet covered by heat from high efficient cogeneration*** in accordance with Annex VIII.

Or. en

Amendment 1155

Markus Pieper, Pilar del Castillo Vera, Bogdan Kazimierz Marcinkiewicz, Jan Březina, Werner Langen, Vladimir Urutchev, Holger Kraemer, Maria Da Graça Carvalho, Jolanta Emilia Hibner

Proposal for a directive

Article 10 – paragraph 3 – subparagraph 2

Text proposed by the Commission

Member States shall adopt authorisation criteria as referred to in Article 7 of Directive 2009/72/EC, or equivalent permit criteria, to ensure that the provisions of the first subparagraph are met. They shall in particular ensure that the location of new installations takes into account the availability of suitable heat loads for cogeneration in ***accordance with*** Annex VIII.

Amendment

Member States shall adopt authorisation criteria as referred to in Article 7 of Directive 2009/72/EC, or equivalent permit criteria, to ensure that the provisions of the first subparagraph are met. They shall in particular ensure that the location of new installations takes into account the availability of suitable heat loads for cogeneration ***taking into consideration the guidelines laid down*** in Annex VIII.

Or. en

Amendment 1156
Herbert Reul

Proposal for a directive
Article 10 – paragraph 3 – subparagraph 2 a (new)

Text proposed by the Commission

Amendment

The provisions of the first two subparagraphs shall not apply to incineration plants which are intended to be operated for less than 1500 hours per year (calculated on the basis of a five-year average).

Or. de

Justification

Renewable energies can only be developed further if sufficient reserve capacity is available. The development of this capacity, which can also be used to meet demand at peak times, should not be hampered by excessive red tape.

Amendment 1157
Herbert Reul

Proposal for a directive
Article 10 – paragraph 4 – subparagraph 1

Text proposed by the Commission

Amendment

Member States may lay down conditions for exemption from the provisions of paragraph 3 when: ***deleted***

(a) the threshold conditions related to the availability of heat load set out in point 1 of Annex VIII are not met;

(b) the requirement in point (b) of paragraph 3 related to the location of the installation cannot be met due to the need to locate an installation close to a geological storage site permitted under Directive 2009/31/EC; or

(c) a cost-benefit analysis shows that the

costs outweigh the benefits in comparison with the full life-cycle costs, including infrastructure investment, of providing the same amount of heat with separate heating or cooling.

Or. de

Justification

The amendment of the article does away with the justification for exemptions.

Amendment 1158
Gunnar Hökmark

Proposal for a directive
Article 10 – paragraph 4 – subparagraph 1

Text proposed by the Commission

Amendment

Member States may lay down conditions for exemption from the provisions of paragraph 3 when: **deleted**

(a) the threshold conditions related to the availability of heat load set out in point 1 of Annex VIII are not met;

(b) the requirement in point (b) of paragraph 3 related to the location of the installation cannot be met due to the need to locate an installation close to a geological storage site permitted under Directive 2009/31/EC; or

(c) a cost-benefit analysis shows that the costs outweigh the benefits in comparison with the full life-cycle costs, including infrastructure investment, of providing the same amount of electricity and heat with separate heating or cooling.

Or. en

Amendment 1159

Bogdan Kazimierz Marcinkiewicz, Andrzej Grzyb, Jolanta Emilia Hibner

Proposal for a directive

Article 10 – paragraph 4 – subparagraph 1 – introductory part

Text proposed by the Commission

Member States may **lay down** conditions for **exemption** from the provisions of paragraph 3 when:

Amendment

Member States may **may include in their authorisation criteria or equivalent permit criteria** conditions for **exempting individual installations** from the provisions **in** paragraph 3 when:

Or. en

Amendment 1160

Konrad Szymański

Proposal for a directive

Article 10 – paragraph 4 – subparagraph 1 – introductory part

Text proposed by the Commission

Member States may **lay down** conditions for **exemption** from the provisions of paragraph 3 when:

Amendment

Member States may **include in their authorisation criteria or equivalent permit criteria** conditions for **exempting individual installations** from the provisions **in** paragraph 3 when:

Or. en

Amendment 1161

Evžen Tošenovský

Proposal for a directive

Article 10 – paragraph 4 – subparagraph 1 – introductory part

Text proposed by the Commission

Member States **may** lay down conditions for exemption from the provisions of paragraph 3 when:

Amendment

4. Member States **shall** lay down conditions for exemption from the provisions of paragraph 3 when:

Amendment 1162
Jan Březina, Miloslav Ransdorf

Proposal for a directive
Article 10 – paragraph 4 – subparagraph 1 – introductory part

Text proposed by the Commission

Amendment

Member States *may* lay down conditions for exemption from the provisions of paragraph 3 when:

Member States *shall* lay down conditions for exemption from the provisions of paragraph 3 when:

Justification

This amendment clarifies that it should be obligatory for Member States to lay down common conditions for exemption from the CPH obligation if a, b, c and in this paragraph are not met. It should ensure that projects that are uneconomic or technical unsound are not implemented.

Amendment 1163
Hannu Takkula, Riikka Manner, Anneli Jäätteenmäki

Proposal for a directive
Article 10 – paragraph 4 – subparagraph 1 – point a

Text proposed by the Commission

Amendment

(a) the threshold conditions related to the availability of heat load set out in point 1 of Annex VIII are not met;

deleted

Amendment 1164
Herbert Reul

Proposal for a directive
Article 10 – paragraph 4 – subparagraph 1 – point a

Text proposed by the Commission

Amendment

(a) the threshold conditions related to the availability of heat load set out in point 1 of Annex VIII are not met;

deleted

Or. de

Justification

The amendment of the article does away with the justification for exemptions.

Amendment 1165

Bogdan Kazimierz Marcinkiewicz, Andrzej Grzyb, Jolanta Emilia Hibner

Proposal for a directive

Article 10 – paragraph 4 – subparagraph 1 – point a

Text proposed by the Commission

Amendment

(a) the threshold conditions related to the availability of heat load set out in point 1 of Annex VIII are not met;

(a) a cost-benefit analysis carried out for the individual installation shows that the costs outweigh the benefits in comparison with the full life-cycle costs, including infrastructure investment, of providing the same amount of electricity and heat with separate heating or cooling; or

Or. en

Amendment 1166

Konrad Szymański

Proposal for a directive

Article 10 – paragraph 4 – subparagraph 1 – point a

Text proposed by the Commission

Amendment

(a) the threshold conditions related to the availability of heat load set out in point 1 of Annex VIII are not met;

(a) a cost-benefit analysis carried out for the individual installation shows that the costs outweigh the benefits in comparison with the full life-cycle costs, including infrastructure investment, of providing

the same amount of electricity and heat with separate heating or cooling; or

Or. en

Amendment 1167

Evžen Tošenovský

Proposal for a directive

Article 10 – paragraph 4 – subparagraph 1 – point a

Text proposed by the Commission

Amendment

(a) the *threshold conditions related to the availability* of heat load set out in point 1 of Annex VIII *are not met*;

(a) the *requirement is technically not feasible due to e.g. the non-availability* of heat load set out in point 1 of Annex VIII;

Or. en

Amendment 1168

Hannu Takkula, Riikka Manner, Anneli Jäätteenmäki

Proposal for a directive

Article 10 – paragraph 4 – subparagraph 1 – point b

Text proposed by the Commission

Amendment

(b) *the requirement in point (b) of paragraph 3 related to the location of the installation cannot be met due to the need to locate an installation close to a geological storage site permitted under Directive 2009/31/EC; or*

deleted

Or. fi

Amendment 1169

Herbert Reul

Proposal for a directive

Article 10 – paragraph 4 – subparagraph 1 – point b

Text proposed by the Commission

Amendment

(b) the requirement in point (b) of paragraph 3 related to the location of the installation cannot be met due to the need to locate an installation close to a geological storage site permitted under Directive 2009/31/EC; or

deleted

Or. de

Justification

The amendment of the article does away with the justification for exemptions.

Amendment 1170

Evžen Tošenovský

Proposal for a directive

Article 10 – paragraph 4 – subparagraph 1 – point b

Text proposed by the Commission

Amendment

(b) the requirement in point (b) of paragraph 3 related to the location of the installation cannot be met due to the need to locate an installation close to a geological storage site permitted under Directive 2009/31/EC; or

(b) the installation *is located* close to a geological storage site permitted under Directive 2009/31/EC; or

Or. en

Amendment 1171

Konrad Szymański

Proposal for a directive

Article 10 – paragraph 4 – subparagraph 1 – point b

Text proposed by the Commission

Amendment

(b) the requirement in point (b) of paragraph 3 related to the location of the installation cannot be met due to the need

(b) the requirement in point (b) of *the first subparagraph* related to the location of the installation cannot be met due to the need

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to locate an installation close to a geological storage site permitted under Directive 2009/31/EC; or

to locate an installation close to a geological storage site permitted under Directive 2009/31/EC; or

Or. en

Amendment 1172
Ioan Enciu

Proposal for a directive
Article 10 – paragraph 4 – subparagraph 1 – point b

Text proposed by the Commission

Amendment

(b) the requirement in point (b) of paragraph 3 related to the location of the installation cannot be met due to the need to locate an installation close to a geological storage site permitted under Directive 2009/31/EC; or

Does not affect English version

Or. ro

Justification

Linguistic error in Romanian version - does not affect English version

Amendment 1173
Hannu Takkula, Riikka Manner, Anneli Jäätteenmäki

Proposal for a directive
Article 10 – paragraph 4 – subparagraph 1 – point c

Text proposed by the Commission

Amendment

(c) a cost-benefit analysis shows that the costs outweigh the benefits in comparison with the full life-cycle costs, including infrastructure investment, of providing the same amount of electricity and heat with separate heating or cooling.

deleted

Or. fi

Proposal for a directive

Article 10 – paragraph 4 – subparagraph 1 – point c

Text proposed by the Commission

Amendment

(c) a cost-benefit analysis shows that the costs outweigh the benefits in comparison with the full life-cycle costs, including infrastructure investment, of providing the same amount of electricity and heat with separate heating or cooling.

(c) the threshold conditions related to the availability of additional heat load set out in point 1 of Annex VIII are not met.

Or. en

Amendment 1177

Eija-Riitta Korhola

Proposal for a directive

Article 10 – paragraph 4 – subparagraph 1 – point c

Text proposed by the Commission

Amendment

(c) a cost-benefit analysis shows that the costs outweigh the benefits *in comparison with the full life-cycle costs, including infrastructure investment, of providing the same amount of electricity and heat with separate heating or cooling.*

(c) a cost-benefit analysis shows that the costs outweigh the benefits.

Or. en

Amendment 1178

Britta Thomsen

Proposal for a directive

Article 10 – paragraph 4 – subparagraph 1 – point c

Text proposed by the Commission

Amendment

(c) a cost-benefit analysis shows that the costs outweigh the benefits in comparison with the full life-cycle costs, including infrastructure investment, of providing the same amount of electricity and heat with

(c) a cost-benefit analysis *which takes into account the full external costs and benefit* shows that the costs outweigh the benefits in comparison with the full life-cycle costs, including infrastructure investment, of

separate heating or cooling.

providing the same amount of electricity and heat with separate **production of electricity generation and** heating or cooling.

Or. en

Justification

The proposed changes are made to make sure the forthcoming methodology for Cost-Benefit Analysis does take a rather broad approach (including external costs notably) and to clarify the alternative proposition to high efficient cogeneration and DHC.

Amendment 1179

Norbert Glante

Proposal for a directive

Article 10 – paragraph 4 – subparagraph 1 – point c

Text proposed by the Commission

(c) a cost-benefit analysis shows that the costs outweigh the benefits in comparison with the full life-cycle costs, including infrastructure investment, of providing the same amount of heat with separate heating or cooling.

Amendment

(c) a cost-benefit analysis **encompassing all external costs and benefits** shows that the costs outweigh the benefits in comparison with the full life-cycle costs, including infrastructure investment, of providing the same amount of electricity and heat with separate **electricity generation**, heating or cooling.

Or. de

Justification

The aim of this amendment is to ensure that a broader approach is taken to the process of conducting a cost-benefit analysis, i.e. one which compares the economic costs and benefits with those of alternative methods of electricity generation, heating and cooling.

Amendment 1180

Evžen Tošenovský

Proposal for a directive

Article 10 – paragraph 4 – subparagraph 1 – point c

Text proposed by the Commission

(c) a cost-benefit analysis shows that ***the costs outweigh the benefits in comparison with*** the full life-cycle costs, including infrastructure investment, of providing the same amount of electricity and heat with separate heating or cooling.

Amendment

(c) a cost-benefit analysis shows that the ***project is not cost-effective taking into account*** the full life-cycle costs, including infrastructure investment, of providing the same amount of electricity and heat with separate heating or cooling;

Or. en

Amendment 1181
Fiona Hall

Proposal for a directive
Article 10 – paragraph 4 – subparagraph 1 – point c

Text proposed by the Commission

(c) a cost-benefit analysis shows that the costs outweigh the benefits in comparison with the full life-cycle costs, including infrastructure investment, of providing the same amount of electricity and heat with separate heating or cooling.

Amendment

(c) a cost-benefit analysis shows that the costs outweigh the benefits in comparison with the full life-cycle costs, including infrastructure investment, of providing the same amount of electricity and heat with separate heating or cooling. ***This cost-benefit analysis should be determined by the Member State.***

Or. en

Amendment 1182
Teresa Riera Madurell

Proposal for a directive
Article 10 – paragraph 4 – subparagraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(c a) the installation is likely to operate as back-up of intermittent electricity generation produced with energy from renewable sources;

Amendment 1183
Evžen Tošenovský

Proposal for a directive
Article 10 – paragraph 4 – subparagraph 1 – point c a (new)

Text proposed by the Commission

Amendment

*(c a) the application of CHP does not
have a positive socio-economic outcome;*

Amendment 1184
Vicky Ford

Proposal for a directive
Article 10 – paragraph 4 – subparagraph 2

Text proposed by the Commission

Amendment

*Member States shall notify such
conditions for exemption to the
Commission by 1 January 2014. The
Commission may refuse those conditions
or make suggestions for modifications in
the 6 months following notification. In
such cases, the conditions for exemption
shall not be applied by the Member State
concerned until the Commission expressly
accepts the resubmitted or modified
conditions.*

deleted

Amendment 1185
Konrad Szymański

Proposal for a directive
Article 10 – paragraph 4 – subparagraph 2

Text proposed by the Commission

Amendment

Member States shall notify such conditions for exemption to the Commission by 1 January 2014. The Commission may refuse those conditions or make suggestions for modifications in the 6 months following notification. In such cases, the conditions for exemption shall not be applied by the Member State concerned until the Commission expressly accepts the resubmitted or modified conditions.

deleted

Or. en

**Amendment 1186
András Gyürk**

**Proposal for a directive
Article 10 – paragraph 4 – subparagraph 2**

Text proposed by the Commission

Amendment

Member States shall notify such conditions for exemption to the Commission by 1 January 2014. The Commission may refuse those conditions or make suggestions for modifications in the 6 months following notification. In such cases, the conditions for exemption shall not be applied by the Member State concerned until the Commission expressly accepts the resubmitted or modified conditions.

deleted

Or. en

**Amendment 1187
Gunnar Hökmark**

**Proposal for a directive
Article 10 – paragraph 4 – subparagraph 2**

Text proposed by the Commission

Amendment

Member States shall notify such conditions for exemption to the Commission by 1 January 2014. The Commission may refuse those conditions or make suggestions for modifications in the 6 months following notification. In such cases, the conditions for exemption shall not be applied by the Member State concerned until the Commission expressly accepts the resubmitted or modified conditions.

deleted

Or. en

**Amendment 1188
Herbert Reul**

**Proposal for a directive
Article 10 – paragraph 4 – subparagraph 2**

Text proposed by the Commission

Amendment

Member States shall notify such conditions for exemption to the Commission by 1 January 2014. The Commission may refuse those conditions or make suggestions for modifications in the 6 months following notification. In such cases, the conditions for exemption shall not be applied by the Member State concerned until the Commission expressly accepts the resubmitted or modified conditions.

deleted

Or. de

Justification

The amendment of the article does away with the justification for exemptions. The revised approach chosen would greatly reduce administrative costs and ensure that the proposal is consistent with the subsidiarity principle.

Amendment 1189

Hannu Takkula, Riikka Manner, Anneli Jäätteenmäki

Proposal for a directive

Article 10 – paragraph 4 – subparagraph 2

Text proposed by the Commission

Amendment

Member States shall notify such conditions for exemption to the Commission by 1 January 2014. The Commission may refuse those conditions or make suggestions for modifications in the 6 months following notification. In such cases, the conditions for exemption shall not be applied by the Member State concerned until the Commission expressly accepts the resubmitted or modified conditions.

deleted

Or. fi

Amendment 1190

Ioan Enciu

Proposal for a directive

Article 10 – paragraph 4 – subparagraph 2

Text proposed by the Commission

Amendment

Member States shall notify such conditions for exemption to the Commission by 1 January 2014. The Commission may *refuse those conditions or* make suggestions for modifications in the 6 months following notification. *In such cases, the conditions for exemption shall not be applied by the Member State concerned until the Commission expressly accepts the resubmitted or modified conditions.*

Member States shall notify such conditions for exemption to the Commission by 1 January 2014. The Commission may make suggestions for modifications, *which the Member States must take into consideration,* in the 6 months following notification.

Or. ro

Amendment 1191

Jolanta Emilia Hibner, Andrzej Grzyb, Bogdan Kazimierz Marcinkiewicz

Proposal for a directive

Article 10 – paragraph 4 – subparagraph 2

Text proposed by the Commission

Member States shall notify such conditions for exemption to the Commission by 1 January **2014**. The Commission may **refuse those conditions or** make suggestions for modifications in the 6 months following notification. In such cases, the conditions for exemption shall not be applied by the Member State concerned until the Commission **expressly accepts the resubmitted or** modified conditions.

Amendment

Member States shall notify such conditions for exemption to the Commission by 1 January **2016**. The Commission may make suggestions for modifications in the 6 months following notification. In such cases, the conditions for exemption shall not be applied by the Member State concerned until the Commission **approves** the modified conditions.

Or. pl

Amendment 1192

Herbert Reul

Proposal for a directive

Article 10 – paragraph 4 – subparagraph 2

Text proposed by the Commission

Member States shall notify such conditions for exemption to the Commission **by 1 January 2014**. The Commission may refuse those conditions or make suggestions for modifications in the 6 months following notification. In such cases, the conditions for exemption shall not be applied by the Member State concerned until the Commission expressly accepts the resubmitted or modified conditions.

Amendment

Member States shall notify such conditions for exemption to the Commission. The Commission may refuse those conditions or make suggestions for modifications in the 6 months following notification. In such cases, the conditions for exemption shall not be applied by the Member State concerned until the Commission expressly accepts the resubmitted or modified conditions.

Or. de

Justification

Markets and technologies are developing all the time. For that reason, greater flexibility in granting exemptions is needed.

Amendment 1193

Robert Goebbels

Proposal for a directive

Article 10 – paragraph 4 – subparagraph 2

Text proposed by the Commission

Member States shall notify such conditions for exemption to the Commission by **1 January 2014**. The Commission may refuse those conditions or make suggestions for modifications in the 6 months following notification. In such cases, the conditions for exemption shall not be applied by the Member State concerned until the Commission expressly accepts the resubmitted or modified conditions.

Amendment

Member States shall notify such conditions for exemption to the Commission by **1 January 2015**. The Commission may refuse those conditions or make suggestions for modifications in the 6 months following notification. In such cases, the conditions for exemption shall not be applied by the Member State concerned until the Commission expressly accepts the resubmitted or modified conditions.

Or. de

Justification

A deadline of 1 January 2014 is too short for a directive which will be implemented in all the Member States in 2013 at the earliest, in particular because, under the terms of Article 19(2), 1 January 2014 is also the deadline for the Commission to provide the template for Member States.

Amendment 1194

Silvia-Adriana Țicău

Proposal for a directive

Article 10 – paragraph 4 – subparagraph 2

Text proposed by the Commission

Member States shall notify such conditions for exemption to the Commission by

Amendment

Member States shall notify such conditions for exemption to the Commission by

1 January 2014. The Commission may *refuse those conditions or* make suggestions for modifications in the 6 months following notification. In such cases, the conditions for exemption shall not be applied by the Member State concerned until the Commission expressly accepts the resubmitted or modified conditions.

1 January 2014. The Commission may make suggestions for modifications in the 6 months following notification. In such cases, the conditions for exemption shall not be applied by the Member State concerned until the Commission expressly accepts the resubmitted or modified conditions.

Or. ro

Amendment 1195
Gunnar Hökmark

Proposal for a directive
Article 10 – paragraph 5

Text proposed by the Commission

Amendment

5. Member States shall ensure that national regulations on urban and rural spatial planning are adapted to the authorisation criteria referred to in paragraph 3 and are in line with the national heating and cooling plans referred to in paragraph 1.

deleted

Or. en

Amendment 1196
Konrad Szymański

Proposal for a directive
Article 10 – paragraph 5

Text proposed by the Commission

Amendment

5. Member States shall ensure that national regulations on urban and rural spatial planning are adapted to the authorisation criteria referred to in paragraph 3 and are in line with the national heating and cooling plans

deleted

referred to in paragraph 1.

Or. en

Amendment 1197
Giles Chichester

Proposal for a directive
Article 10 – paragraph 5

Text proposed by the Commission

Amendment

5. Member States shall ensure that national regulations on urban and rural spatial planning are adapted to the authorisation criteria referred to in paragraph 3 and are in line with the national heating and cooling plans referred to in paragraph 1.

deleted

Or. en

Amendment 1198
Vicky Ford

Proposal for a directive
Article 10 – paragraph 5

Text proposed by the Commission

Amendment

5. Member States shall ensure that national regulations on urban and rural spatial planning are adapted to the authorisation criteria referred to in paragraph 3 and are in line with the national heating and cooling plans referred to in paragraph 1.

deleted

Or. en

Justification

In line with paragraph 1a (new), it should be for Member States to determine the best way of

bringing forward authorisation criteria and to take into account locational factors.

Amendment 1199

Hannu Takkula, Riikka Manner, Anneli Jäätteenmäki

Proposal for a directive

Article 10 – paragraph 5

Text proposed by the Commission

5. Member States shall ensure that national regulations on urban and rural spatial planning *are adapted to the authorisation criteria referred to in paragraph 3 and are in line with the national heating and cooling plans referred to in paragraph 1.*

Amendment

5. Member States shall ensure that ***efficient energy production, distribution and use are taken into account in the Member States'*** national regulations on urban and rural spatial planning.

Or. fi

Amendment 1200

Herbert Reul

Proposal for a directive

Article 10 – paragraph 5

Text proposed by the Commission

5. Member States shall ensure that national regulations on urban and rural spatial planning *are adapted to the authorisation criteria referred to in paragraph 3 and are in line with the national heating and cooling plans referred to in paragraph 1.*

Amendment

5. Member States shall ensure that national regulations on urban and rural spatial planning ***take account of the importance of the efficient generation, distribution and use of energy.***

Or. de

Justification

The transition will usher in more flexible arrangements which will make it possible to consider all ways of increasing energy efficiency and/or reducing consumption.

Amendment 1201
Lena Kolarska-Bobińska

Proposal for a directive
Article 10 – paragraph 5

Text proposed by the Commission

5. Member States shall ensure that national regulations on urban and rural spatial planning are adapted to the authorisation criteria referred to in paragraph 3 and are in line with the ***national heating and cooling*** plans referred to in paragraph 1.

Amendment

5. Member States shall ensure that national regulations on urban and rural spatial planning are adapted to the authorisation criteria referred to in paragraph 3 and are in line with the plans referred to in paragraph 1.

Or. en

Amendment 1202
Markus Pieper, Pilar del Castillo Vera, Paul Rübiger, Marian-Jean Marinescu, Lambert van Nistelrooij, Jan Březina, Werner Langen, Vladimir Urutchev, Holger Krahmer, Jolanta Emilia Hibner

Proposal for a directive
Article 10 – paragraph 5

Text proposed by the Commission

5. Member States shall ensure that national regulations on urban and rural spatial planning are adapted to the authorisation criteria referred to in paragraph 3 and ***are in line with*** the national heating and cooling ***plans*** referred to in paragraph 1.

Amendment

5. Member States shall ensure that national regulations on urban and rural spatial planning are adapted to the authorisation criteria referred to in paragraph 3 and ***take into account*** the national heating and cooling ***analyses*** referred to in paragraph 1.

Or. en

Amendment 1203
Ivo Belet

Proposal for a directive
Article 10 – paragraph 5

Text proposed by the Commission

5. Member States shall ensure that national regulations on urban and rural spatial planning are adapted to the authorisation criteria referred to in paragraph 3 and are in line with the national heating and cooling plans referred to in paragraph 1.

Amendment

5. Member States shall ensure that national regulations on urban and rural spatial planning are adapted to the authorisation criteria referred to in paragraph 3 and, **if existing**, are in line with the national heating and cooling plans referred to in paragraph 1.

Or. en

Amendment 1204

Norbert Glante

Proposal for a directive

Article 10 – paragraph 5 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

Member States shall incorporate into their rules governing planning and construction appropriate provisions which make it possible to exploit the potential for efficient district heating and high-efficiency cogeneration and create synergies with Directives 2010/31/EU and 2009/28/EU.

Or. de

Justification

This amendment creates a linkage between the implementation of the proposal for a directive under consideration here and the directives on the overall energy performance of buildings and the promotion of the use of renewable energy, with a view to exploiting to the full the potential for efficient resource use in Europe.

Amendment 1205

András Gyürk

**Proposal for a directive
Article 10 – paragraph 6**

Text proposed by the Commission

Amendment

6. Member States shall ensure that, whenever an existing electricity generation installation with a total rated thermal input exceeding 20 MW is substantially refurbished or when, in accordance with Article 21 of Directive 2010/75/EC, its permit is updated, conversion to allow its operation as a high-efficiency cogeneration installation is set as a condition in the new or updated permit or licence, provided that the installation is sited in a location where the waste heat can be used by heat demand points in accordance with point 1 of Annex VIII.

deleted

The equipment of electricity generation installations with carbon capture or storage facilities shall not be considered as refurbishment for the purpose of these provisions.

Or. en

**Amendment 1206
Herbert Reul**

**Proposal for a directive
Article 10 – paragraph 6 – subparagraph 1**

Text proposed by the Commission

Amendment

Member States shall ensure that, whenever an existing electricity generation installation with a total rated thermal input exceeding 20 MW is substantially refurbished or when, in accordance with Article 21 of Directive 2010/75/EC, its permit is updated, ***conversion to allow its operation as a high-efficiency cogeneration installation is set as a condition in the new or updated permit or***

Member States shall ensure that, whenever an existing electricity generation installation with a total rated thermal input exceeding 20 MW is substantially refurbished or when, in accordance with Article 21 of Directive 2010/75/EC, its permit is updated ***and technological and economic feasibility studies are carried out to determine the scope for fitting the installation with technologies for the***

licence, provided that the installation is sited in a location where the waste heat can be used by heat demand points in accordance with point 1 of Annex VIII.

recovery and use of waste heat by means of high-efficiency cogeneration.

Or. de

Justification

Flexibility is essential in a liberalised electricity market.

Amendment 1207
Eija-Riitta Korhola

Proposal for a directive
Article 10 – paragraph 6 – subparagraph 1

Text proposed by the Commission

Member States shall ensure that, whenever an existing electricity generation installation with a total rated thermal input exceeding 20 MW is substantially refurbished or when, in accordance with Article 21 of Directive 2010/75/EC, its permit is updated, *conversion to allow its operation as a high-efficiency cogeneration installation is set as a condition in the new or updated permit or licence, provided that the installation is sited in a location where the waste heat can be used by heat demand points in accordance with point 1 of Annex VIII.*

Amendment

Member States shall ensure that, whenever an existing electricity generation installation with a total rated thermal input exceeding 20 MW is substantially refurbished or when, in accordance with Article 21 of Directive 2010/75/EC, its permit is updated, *studies are made on the technical and economical feasibility to introduce a power plant with allowing recovery of waste heat by means of a high-efficiency cogeneration unit.*

Or. en

Justification

Refurbishing existing CHP capacity should always be based on economical and technical investment calculation. For example there has to be sufficient demand for heat.

Amendment 1208
Jolanta Emilia Hibner, Andrzej Grzyb, Bogdan Kazimierz Marcinkiewicz

Proposal for a directive
Article 10 – paragraph 6 – subparagraph 1

Text proposed by the Commission

Member States shall ensure that, whenever an existing electricity generation installation with a total rated thermal input exceeding 20 MW is substantially refurbished or when, in accordance with Article 21 of Directive 2010/75/EC, its permit is updated, conversion to allow its operation as a high-efficiency cogeneration installation **is set as a condition** in the new or updated permit or licence, **provided that the installation is sited in a location where the waste heat can be used by heat demand points in accordance with point 1 of Annex VIII.**

Amendment

Member States shall ensure that, whenever an existing electricity generation installation with a total rated thermal input exceeding 20 MW is substantially refurbished or when, in accordance with Article 21 of Directive 2010/75/EC, its permit is updated, conversion to allow its operation as a high-efficiency cogeneration installation **must be taken into consideration, on the basis of an analysis of cost effectiveness and of its use,** in the new or updated permit or licence.

Or. pl

Amendment 1209
Fiorello Provera

Proposal for a directive
Article 10 – paragraph 6 – subparagraph 1

Text proposed by the Commission

Member States shall ensure that, whenever an existing electricity generation installation with a total rated thermal input exceeding 20 MW is substantially refurbished or when, in accordance with Article 21 of Directive 2010/75/EC, its permit is updated, conversion to allow its operation as a high-efficiency cogeneration installation is set as a condition in the new or updated permit or licence, provided that the installation is sited in a location where **the waste heat can be used by heat demand points in accordance with point 1 of Annex VIII.**

Amendment

Member States shall ensure that, **in the promotion areas with cogeneration potential as identified according to paragraph 2,** whenever an existing electricity generation installation with a total rated thermal input exceeding 20 MW is substantially refurbished or when, in accordance with Article 21 of Directive 2010/75/EC, its permit is updated, **the technical and economic feasibility of a** conversion to allow its operation as a high-efficiency cogeneration installation is set as a **preferential** condition in the new or updated permit or licence, provided that the installation is sited in a location where

there is sufficient and long-term stable
heat demand.

Or. en

Justification

A “one fits all” approach in promoting CHP is not advisable. Due to the many technical issues in CHP, national circumstances including geographical, economic and social aspects should be taken into account. All these aspects also account for large differences in Member States’ in terms of intensity and duration of the heating and cooling service required. Requirements should be introduced on a case by case basis as part of a cost-benefit analysis carried out at system level according to clearly established criteria and modalities. Such analysis should identify District Heating/Cooling development areas where heat demand is sufficient to justify the development of district heating/cooling networks. An effective promotion of CHP can be pursued by preserving the market operators’ free initiative, providing financial incentives and simplifying administrative procedures. Development costs of district heating/cooling networks should be borne by network users in order to guarantee a balanced distribution of costs and avoid market distortion.

Amendment 1210

Amalia Sartori, Antonio Cancian

Proposal for a directive

Article 10 – paragraph 6 – subparagraph 1

Text proposed by the Commission

Member States shall ensure that, whenever an existing electricity generation installation with a total rated thermal input exceeding 20 MW is substantially refurbished or when, in accordance with Article 21 of Directive 2010/75/EC, its permit is updated, conversion to allow its operation as a high-efficiency cogeneration installation is set as a condition in the new or updated permit or licence, provided that the installation is sited in a location where ***the waste heat can be used by heat demand points in accordance with point 1 of Annex VIII.***

Amendment

Member States shall ensure that, ***in the promotion areas with cogeneration potential as identified according to paragraph 2,*** whenever an existing electricity generation installation with a total rated thermal input exceeding 20 MW is substantially refurbished or when, in accordance with Article 21 of Directive 2010/75/EC, its permit is updated, ***the technical and economic feasibility of a*** conversion to allow its operation as a high-efficiency cogeneration installation is set as a ***preferential*** condition in the new or updated permit or licence, provided that the installation is sited in a location where ***there is sufficient and long-term stable*** heat demand.

Amendment 1211
Marian-Jean Marinescu

Proposal for a directive
Article 10 – paragraph 6 – subparagraph 1

Text proposed by the Commission

Member States shall ensure that, whenever an existing electricity generation installation with a total rated thermal input exceeding 20 MW is substantially refurbished or when, in accordance with Article 21 of Directive 2010/75/EC, its permit is updated, conversion to allow its operation as a high-efficiency cogeneration installation is set as a condition in the new or updated permit or licence, provided that the installation is sited in a location where the waste heat can be used by heat demand points in accordance with point 1 of Annex VIII.

Amendment

Member States shall ensure that, ***in the promotion areas with cogeneration potential as identified according to paragraph 2***, whenever an existing electricity generation installation with a total rated thermal input exceeding 20 MW is substantially refurbished or when, in accordance with Article 21 of Directive 2010/75/EC, its permit is updated, ***the technical and economic feasibility of a*** conversion to allow its operation as a high-efficiency cogeneration installation is set as a condition in the new or updated permit or licence, provided that the installation is sited in a location where the waste heat can be used by heat demand points in accordance with point 1 of Annex VIII.

Amendment 1212
Evžen Tošenovský

Proposal for a directive
Article 10 – paragraph 6 – subparagraph 1

Text proposed by the Commission

Member States shall ensure that, whenever an existing electricity generation installation with a total rated thermal input exceeding 20 MW is substantially refurbished or when, in accordance with Article 21 of Directive 2010/75/EC, its

Amendment

Member States shall ensure that, whenever an existing electricity generation installation with a total rated thermal input exceeding 20 MW, ***excluding nuclear installation***, is substantially refurbished or when, in accordance with Article 21 of

permit is updated, conversion to allow its operation as a high-efficiency cogeneration installation is set as a condition in the new or updated permit or licence, provided that the installation is sited in a location where the waste heat can be used by heat demand points in accordance with point 1 of Annex VIII.

Directive 2010/75/EC, its permit is updated, conversion to allow its operation as a high-efficiency cogeneration installation is set as a condition in the new or updated permit or licence, provided that the installation is sited in a location where the waste heat can be used by heat demand points in accordance with point 1 of Annex VIII.

Or. en

Amendment 1213

Lena Kolarska-Bobińska, Bogdan Kazimierz Marcinkiewicz

Proposal for a directive

Article 10 – paragraph 6 – subparagraph 1

Text proposed by the Commission

Member States shall ensure that, whenever an existing electricity generation installation with a total rated thermal input exceeding 20 MW is substantially refurbished or when, in accordance with Article 21 of Directive 2010/75/EC, its permit is updated, conversion to allow its operation as a high-efficiency cogeneration installation is set as a condition in the new or updated permit or licence, provided that the installation is sited in a location where the waste heat can be used by heat demand points in accordance with point 1 of Annex VIII.

Amendment

Member States shall ensure that, whenever an existing electricity generation installation with a total rated thermal input exceeding 20 MW is substantially refurbished or when, in accordance with Article 21 of Directive 2010/75/EC, its permit is updated, conversion to allow its operation as a high-efficiency cogeneration installation is set as a condition in the new or updated permit or licence, provided that the installation is sited in a location where the waste heat can be used by ***additional*** heat demand points in accordance with point 1 of Annex VIII ***and where a cost-benefit analysis shows a benefit over the life-cycle of the installation.***

Or. en

Amendment 1214

Hannu Takkula, Riikka Manner, Anneli Jäätteenmäki

Proposal for a directive

Article 10 – paragraph 6 – subparagraph 1

Text proposed by the Commission

Member States shall ensure that, whenever an existing electricity generation installation with a total rated thermal input exceeding 20 MW is substantially refurbished or when, in accordance with Article 21 of Directive 2010/75/EC, its permit is updated, conversion to allow its operation as a high-efficiency cogeneration installation is set as a condition in the new or updated permit or licence, provided that the installation is sited in a location where the waste heat can be used **by heat demand points in accordance with point 1 of Annex VIII**.

Amendment

Member States shall ensure that, whenever an existing electricity generation installation with a total rated thermal input exceeding 20 MW is substantially refurbished or when, in accordance with Article 21 of Directive 2010/75/EC, its permit is updated, conversion to allow its operation as a high-efficiency cogeneration installation **where this can be shown to be cost-effective** is set as a condition in the new or updated permit or licence, provided that the installation is sited in a location where the waste heat can be used.

Or. fi

Amendment 1215
Giles Chichester

Proposal for a directive
Article 10 – paragraph 6 – subparagraph 1

Text proposed by the Commission

Member States **shall** ensure that, whenever an existing electricity generation installation with a total rated thermal input exceeding 20 MW is substantially refurbished or when, in accordance with Article 21 of Directive 2010/75/EC, its permit is updated, conversion to allow its operation as a high-efficiency cogeneration installation is set as a condition in the new or updated permit or licence, provided that the installation is sited in a location where the waste heat can be used by heat demand points in accordance with point 1 of Annex VIII.

Amendment

Member States **may** ensure, **subject to a cost benefit assessment of national economic or climatic or spatial planning conditions**, that, whenever an existing electricity generation installation with a total rated thermal input exceeding 20 MW is substantially refurbished or when, in accordance with Article 21 of Directive 2010/75/EC, its permit is updated, conversion to allow its operation as a high-efficiency cogeneration installation is set as a condition in the new or updated permit or licence, provided that the installation is sited in a location where the waste heat can be used by heat demand points in accordance with point 1 of Annex VIII.

Or. en

Amendment 1216

Ioan Enciu

Proposal for a directive

Article 10 – paragraph 6 – subparagraph 1

Text proposed by the Commission

Member States shall ensure that, whenever an existing electricity generation installation with a total rated thermal input exceeding 20 MW is substantially refurbished or when, in accordance with Article 21 of Directive 2010/75/EC, its permit is updated, conversion to allow its operation as a high-efficiency cogeneration installation is set as a **condition** in the new or updated permit or licence, provided that the installation is sited in a location where the waste heat can be used by heat demand points in accordance with point 1 of Annex VIII.

Amendment

Member States shall ensure that, whenever an existing electricity generation installation with a total rated thermal input exceeding 20 MW is substantially refurbished or when, in accordance with Article 21 of Directive 2010/75/EC, its permit is updated, conversion to allow its operation as a high-efficiency cogeneration installation is set as a **priority** in the new or updated permit or licence, provided that the installation is sited in a location where the waste heat can be used, **in an economically viable manner**, by heat demand points in accordance with point 1 of Annex VIII.

Or. ro

Amendment 1217

Jan Březina, Miloslav Ransdorf

Proposal for a directive

Article 10 – paragraph 6 – subparagraph 1

Text proposed by the Commission

Member States shall ensure that, whenever an existing electricity generation installation with a total rated thermal input exceeding 20 MW is substantially refurbished or when, in accordance with Article 21 of Directive 2010/75/EC, its permit is updated, conversion to allow its operation as a high-efficiency cogeneration installation is set as a condition in the new or updated permit or licence, provided that the installation is sited in a location where

Amendment

Member States shall ensure that, whenever an existing electricity generation installation with a total rated thermal input exceeding 20 MW, **excluding nuclear installations**, is substantially refurbished or when, in accordance with Article 21 of Directive 2010/75/EC, its permit is updated, conversion to allow its operation as a high-efficiency cogeneration installation is set as a condition in the new or updated permit or licence, provided that

the waste heat can be used by heat demand points in accordance with point 1 of Annex VIII.

the installation is sited in a location where the waste heat can be used by heat demand points in accordance with point 1 of Annex VIII.

Or. en

Justification

The exemption rules should take into account the specificities of nuclear power plants, which operate with a high load factor. Due to load factor and to limited demand of heat given by demographic profiles, nuclear installations cannot reach proportion of heat to electricity generation necessary for meeting the high-efficiency cogeneration requirements laid down in both paragraphs 3 and 6. This is the major reason why all nuclear installations should be fully excluded from requirements of above mentioned articles as they do not meet high-efficiency cogeneration requirements beforehand.

Amendment 1218

Evžen Tošenovský

Proposal for a directive

Article 10 – paragraph 6 – subparagraph 1

Text proposed by the Commission

Member States shall ensure that, whenever an existing electricity generation installation with a total rated thermal input exceeding 20 MW is substantially refurbished or when, in accordance with Article 21 of Directive 2010/75/EC, its permit is updated, conversion to allow its operation as a high-efficiency cogeneration installation is set as a condition in the new or updated permit or licence, provided that ***the installation is sited in a location where the waste heat can be used by heat demand points in accordance with point 1 of Annex VIII.***

Amendment

Member States shall ensure that, whenever an existing electricity generation installation with a total rated thermal input exceeding 20 MW, is substantially refurbished or when, in accordance with Article 21 of Directive 2010/75/EC, its permit is updated, conversion to allow its operation as a high-efficiency cogeneration installation is set as a condition in the new or updated permit or licence, provided that ***such a project with high-efficient cogeneration is technically, socio-economically and commercially feasible.***

Or. en

Amendment 1219
Konrad Szymański

Proposal for a directive
Article 10 – paragraph 6 – subparagraph 1

Text proposed by the Commission

Member States shall ensure that, whenever an existing electricity generation installation with a total rated thermal input exceeding 20 MW is substantially refurbished or when, in accordance with Article 21 of Directive 2010/75/EC, its permit is updated, conversion to allow its operation as a high-efficiency cogeneration installation is set as a condition in the new or updated permit or licence, provided that the installation is sited in a location where the waste heat can be used by heat demand points in accordance with point 1 of Annex VIII.

Amendment

Member States shall ensure that, whenever an existing electricity generation installation with a total rated thermal input exceeding 20 MW is substantially refurbished or when, in accordance with Article 21 of Directive 2010/75/EC, its permit is updated, conversion to allow its operation as a high-efficiency cogeneration installation is set as a condition in the new or updated permit or licence, provided that the installation is sited in a location where the waste heat can be used by **additional** heat demand points in accordance with point 1 of Annex VIII.

Or. en

Amendment 1220
Vicky Ford

Proposal for a directive
Article 10 – paragraph 6 – subparagraph 1

Text proposed by the Commission

Member States shall ensure that, whenever an existing electricity generation installation with a total rated thermal input exceeding **20** MW is substantially refurbished or when, in accordance with Article 21 of Directive 2010/75/EC, its permit is updated, conversion to allow its operation as a high-efficiency cogeneration installation is set as a condition in the new or updated permit or licence, provided that the installation is sited in a location where the waste heat can be used by heat demand points in accordance with point 1 of Annex

Amendment

Member States shall ensure that, whenever an existing electricity generation installation with a total rated thermal input exceeding **50** MW is substantially refurbished or when, in accordance with Article 21 of Directive 2010/75/EC, its permit is updated, conversion to allow its operation as a high-efficiency cogeneration installation is set as a condition in the new or updated permit or licence, **where appropriate and cost-effective**, provided that the installation is sited in a location where the waste heat can be used by heat

VIII.

demand points in accordance with point 1 of Annex VIII.

Or. en

Justification

Targeting installations with a thermal input exceeding 50 MW is in line with the provisions set out in 2008/1/EC (Annex I).

Amendment 1221

Markus Pieper, Pilar del Castillo Vera, Paul Rübiger, Marian-Jean Marinescu, Bogdan Kazimierz Marcinkiewicz, Jan Březina, Werner Langen, Vladimir Urutchev, Holger Kraemer, Maria Da Graça Carvalho

Proposal for a directive

Article 10 – paragraph 6 – subparagraph 1

Text proposed by the Commission

Member States shall ensure that, whenever an existing electricity generation installation with a total rated thermal input exceeding 20 MW is substantially refurbished or when, in accordance with Article 21 of Directive 2010/75/EC, its permit is updated, conversion to allow its operation as a high-efficiency cogeneration installation is set as a condition in the new or updated permit or licence, provided that the installation is sited in a location where the waste heat can be used by heat demand points in accordance with point 1 of Annex VIII.

Amendment

Member States shall, ***where appropriate and cost-effective***, ensure that, whenever an existing electricity generation installation with a total rated thermal input exceeding 20 MW is substantially refurbished or when, in accordance with Article 21 of Directive 2010/75/EC, its permit is updated, conversion to allow its operation as a high-efficiency cogeneration installation is set as a condition in the new or updated permit or licence, provided that the installation is sited in a location where the waste heat can be used by heat demand points in accordance with point 1 of Annex VIII.

Or. en

Amendment 1222

Gunnar Hökmark

Proposal for a directive

Article 10 – paragraph 6

Text proposed by the Commission

Amendment

Member States shall ensure that, whenever an existing electricity generation installation with a total rated thermal input exceeding 20 MW is substantially refurbished or when, in accordance with Article 21 of Directive 2010/75/EC, its permit is updated, conversion to allow its operation as a high-efficiency cogeneration installation is set as a condition in the new or updated permit or licence, provided that the installation is sited in a location where the waste heat can be used by heat demand points in accordance with point 1 of Annex VIII.

deleted

The equipment of electricity generation installations with carbon capture or storage facilities shall not be considered as refurbishment for the purpose of these provisions.

Or. en

Amendment 1223

Herbert Reul

Proposal for a directive

Article 10 – paragraph 6 – subparagraph 2 a (new)

Text proposed by the Commission

Amendment

The provisions of the first two subparagraphs shall not apply to incineration plants which are intended to be operated for less than 1500 hours per year (calculated on the basis of a five-year average).

Or. de

Justification

Here again, the building of much needed reserve capacity and capacity to meet peak demand must not be hampered.

Amendment 1224

András Gyürk

Proposal for a directive

Article 10 – paragraph 7

Text proposed by the Commission

Amendment

7. Member States may lay down conditions for exemption from the provisions of paragraph 6 when:

deleted

(a) the threshold conditions related to the availability of heat load set out in point 1 of Annex VIII are not met; or

(b) a cost-benefit analysis shows that the costs outweigh the benefits in comparison with the full life-cycle costs, including infrastructure investment, of providing the same amount of electricity and heat with separate heating or cooling.

Member States shall notify such conditions for exemption to the Commission by 1 January 2014. The Commission may refuse those conditions or make suggestions for modifications in the 6 months following notification. In such cases, the conditions for exemption shall not be applied by the Member State concerned until the Commission expressly accepts the resubmitted or modified conditions.

Or. en

Amendment 1225

Herbert Reul

Proposal for a directive
Article 10 – paragraph 7

Text proposed by the Commission

Amendment

7. Member States may lay down conditions for exemption from the provisions of paragraph 6 when: *deleted*

(a) the threshold conditions related to the availability of heat load set out in point 1 of Annex VIII are not met; or

(b) a cost-benefit analysis shows that the costs outweigh the benefits in comparison with the full life-cycle costs, including infrastructure investment, of providing the same amount of heat with separate heating or cooling.

Member States shall notify such conditions for exemption to the Commission by 1 January 2014. The Commission may refuse those conditions or make suggestions for modifications in the 6 months following notification. In such cases, the conditions for exemption shall not be applied by the Member State concerned until the Commission expressly accepts the resubmitted or modified conditions.

Or. de

Justification

The approach chosen does away with the need for exemptions.

Amendment 1226
Herbert Reul

Proposal for a directive
Article 10 – paragraph 7 – subparagraph 1

Text proposed by the Commission

Amendment

Member States may lay down conditions *deleted*

for exemption from the provisions of paragraph 6 when:

(a) the threshold conditions related to the availability of heat load set out in point 1 of Annex VIII are not met; or

(b) a cost-benefit analysis shows that the costs outweigh the benefits in comparison with the full life-cycle costs, including infrastructure investment, of providing the same amount of heat with separate heating or cooling.

Or. de

Amendment 1227
Gunnar Hökmark

Proposal for a directive
Article 10 – paragraph 7 – subparagraph 1

Text proposed by the Commission

Amendment

Member States may lay down conditions for exemption from the provisions of paragraph 6 when: **deleted**

(a) the threshold conditions related to the availability of heat load set out in point 1 of Annex VIII are not met; or

(b) a cost-benefit analysis shows that the costs outweigh the benefits in comparison with the full life-cycle costs, including infrastructure investment, of providing the same amount of electricity and heat with separate heating or cooling.

Or. en

Amendment 1228
Bogdan Kazimierz Marcinkiewicz, Andrzej Grzyb, Jolanta Emilia Hibner

Proposal for a directive
Article 10 – paragraph 7 – subparagraph 1

Text proposed by the Commission

Member States may **lay down** conditions for **exemption** from the provisions of paragraph 6 when:

(a) the threshold conditions related to the availability of heat load set out in point 1 of Annex VIII are not met; or

(b) a cost-benefit analysis shows that the costs outweigh the benefits in comparison with the full life-cycle costs, including infrastructure investment, of providing the same amount of electricity and heat with separate heating or cooling.

Amendment

Member States may **include in their authorisation criteria or permit criteria** conditions for **exempting individual installations** from the provisions in paragraph 6 when **a cost-benefit analysis shows that the costs outweigh the benefits in comparison with the full life-cycle costs, including infrastructure investment, of providing the same amount of electricity and heat with separate heating or cooling, or when the threshold conditions related to the availability of additional heat load set out in point 1 of Annex VIII are not met.**

Or. en

Amendment 1229
Konrad Szymański

Proposal for a directive
Article 10 – paragraph 7 – subparagraph 1

Text proposed by the Commission

Member States may **lay down** conditions for **exemption** from the provisions of paragraph 6 when:

Amendment

Member States may **include in their authorisation criteria or permit criteria** conditions for **exempting individual installations** from the provisions in paragraph 6 when **a cost-benefit analysis shows that the costs outweigh the benefits in comparison with the full life-cycle costs, including infrastructure investment,**

of providing the same amount of electricity and heat with separate heating or cooling, or when the threshold conditions related to the availability of additional heat load set out in point 1 of Annex VIII are not met.

(a) the threshold conditions related to the availability of heat load set out in point 1 of Annex VIII are not met; or

(b) a cost-benefit analysis shows that the costs outweigh the benefits in comparison with the full life-cycle costs, including infrastructure investment, of providing the same amount of electricity and heat with separate heating or cooling.

Or. en

Amendment 1230

Jan Březina, Miloslav Ransdorf

Proposal for a directive

Article 10 – paragraph 7 – subparagraph 1 – introductory part

Text proposed by the Commission

Amendment

Member States *may* lay down conditions for exemption from the provisions of paragraph 6 when:

Member States *shall* lay down conditions for exemption from the provisions of paragraph 6 when:

Or. en

Justification

In alignment with the amendment to article 10, paragraph 7, this amendment clarifies that it should be obligatory for Member States to lay down common conditions for exemption from the CPH obligation if a and b in this paragraph are not met. It should ensure that projects that are uneconomic or technical unsound are not implemented.

Amendment 1231

Evžen Tošenovský

Proposal for a directive

Article 10 – paragraph 7 – subparagraph 1 – introductory part

Text proposed by the Commission

Amendment

Member States **may** lay down conditions for exemption from the provisions of paragraph 6 when:

Member States **shall** lay down conditions for exemption from the provisions of paragraph 6 when

Or. en

Amendment 1232

Herbert Reul

Proposal for a directive

Article 10 – paragraph 7 – subparagraph 1 – point a

Text proposed by the Commission

Amendment

(a) the threshold conditions related to the availability of heat load set out in point 1 of Annex VIII are not met; or

deleted

Or. de

Amendment 1233

Bogdan Kazimierz Marcinkiewicz, Andrzej Grzyb, Jolanta Emilia Hibner

Proposal for a directive

Article 10 – paragraph 7 – subparagraph 1 – point a

Text proposed by the Commission

Amendment

(a) the threshold conditions related to the availability of heat load set out in point 1 of Annex VIII are not met; or

deleted

Or. en

Amendment 1234

Konrad Szymański

Proposal for a directive
Article 10 – paragraph 7 – subparagraph 1 – point a

Text proposed by the Commission

Amendment

(a) the threshold conditions related to the availability of heat load set out in point 1 of Annex VIII are not met; or *deleted*

Or. en

Amendment 1235
Hannu Takkula, Riikka Manner, Anneli Jäätteenmäki

Proposal for a directive
Article 10 – paragraph 7 – subparagraph 1 – point a

Text proposed by the Commission

Amendment

(a) the threshold conditions related to the availability of heat load set out in point 1 of Annex VIII are not met; or *deleted*

Or. fi

Amendment 1236
Evžen Tošenovský

Proposal for a directive
Article 10 – paragraph 7 – subparagraph 1 – point a

Text proposed by the Commission

Amendment

(a) the *threshold conditions related to the availability* of heat load set out in point 1 of Annex VIII *are not met*; or

(a) the *requirement is technically not feasible due* to *e.g. the non-availability* of heat load set out in point 1 of Annex VIII; or

Or. en

Amendment 1237
Herbert Reul

Proposal for a directive
Article 10 – paragraph 7 – subparagraph 1 – point b

Text proposed by the Commission

Amendment

(b) a cost-benefit analysis shows that the costs outweigh the benefits in comparison with the full life-cycle costs, including infrastructure investment, of providing the same amount of heat with separate heating or cooling. *deleted*

Or. de

Amendment 1238
Bogdan Kazimierz Marcinkiewicz, Andrzej Grzyb, Jolanta Emilia Hibner

Proposal for a directive
Article 10 – paragraph 7 – subparagraph 1 – point b

Text proposed by the Commission

Amendment

(b) a cost-benefit analysis shows that the costs outweigh the benefits in comparison with the full life-cycle costs, including infrastructure investment, of providing the same amount of electricity and heat with separate heating or cooling. *deleted*

Or. en

Amendment 1239
Konrad Szymański

Proposal for a directive
Article 10 – paragraph 7 – subparagraph 1 – point b

Text proposed by the Commission

Amendment

(b) a cost-benefit analysis shows that the costs outweigh the benefits in comparison with the full life-cycle costs, including infrastructure investment, of providing *deleted*

the same amount of electricity and heat with separate heating or cooling.

Or. en

Amendment 1240
Eija-Riitta Korhola

Proposal for a directive
Article 10 – paragraph 7 – subparagraph 1 – point b

Text proposed by the Commission

Amendment

(b) a cost-benefit analysis shows that the costs outweigh the benefits *in comparison with the full life-cycle costs, including infrastructure investment, of providing the same amount of electricity and heat with separate heating or cooling.*

(b) a cost-benefit analysis shows that the costs outweigh the benefits.

Or. en

Amendment 1241
Britta Thomsen

Proposal for a directive
Article 10 – paragraph 7 – subparagraph 1 – point b

Text proposed by the Commission

Amendment

(b) a cost-benefit analysis shows that the costs outweigh the benefits in comparison with the full life-cycle costs, including infrastructure investment, of providing the same amount of electricity and heat with separate heating *or* cooling.

(b) a cost-benefit analysis *which takes into account the full external costs and benefit* shows that the costs outweigh the benefits in comparison with the full life-cycle costs, including infrastructure investment, of providing the same amount of electricity and heat with separate *production of electricity generation and* heating *and/or* cooling.

Or. en

Justification

The proposed changes are made to make sure the forthcoming methodology for Cost-Benefit Analysis does take a rather broad approach (including external costs notably) and to clarify the alternative proposition to high efficient cogeneration and DHC.

Amendment 1242

Norbert Glante

Proposal for a directive

Article 10 – paragraph 7 – subparagraph 1 – point b

Text proposed by the Commission

(b) a cost-benefit analysis shows that the costs outweigh the benefits in comparison with the full life-cycle costs, including infrastructure investment, of providing the same amount of heat with separate heating or cooling.

Amendment

(b) a cost-benefit analysis ***encompassing all external costs and benefits*** shows that the costs outweigh the benefits in comparison with the full life-cycle costs, including infrastructure investment, of providing the same amount of electricity and heat with separate heating or cooling.

Or. de

Justification

See the amendment to Article 10(4)(14)(c).

Amendment 1243

Evžen Tošenovský

Proposal for a directive

Article 10 – paragraph 7 – subparagraph 1 – point b

Text proposed by the Commission

(b) a cost-benefit analysis shows that ***the costs outweigh the benefits in comparison with*** the full life-cycle costs, including infrastructure investment, of providing the same amount of electricity and heat with separate heating or cooling.

Amendment

(b) a cost-benefit analysis shows that the ***project is not cost-effective taking into account*** the full life-cycle costs, including infrastructure investment, of providing the same amount of electricity and heat with separate heating or cooling;

Or. en

Amendment 1244
Teresa Riera Madurell

Proposal for a directive
Article 10 – paragraph 7 – subparagraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(b a) the installation operates as back-up of intermittent electricity generation produced with energy from renewable sources;

Or. en

Amendment 1245
Evžen Tošenovský

Proposal for a directive
Article 10 – paragraph 7 – subparagraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(b a) the application of CHP does not have a positive socio-economic outcome;

Or. en

Amendment 1246
Herbert Reul

Proposal for a directive
Article 10 – paragraph 7 – subparagraph 2

Text proposed by the Commission

Amendment

Member States shall notify such conditions for exemption to the Commission by 1 January 2014. The Commission may refuse those conditions or make suggestions for modifications in the 6 months following notification. In

deleted

such cases, the conditions for exemption shall not be applied by the Member State concerned until the Commission expressly accepts the resubmitted or modified conditions.

Or. de

Amendment 1247
Gunnar Hökmark

Proposal for a directive
Article 10 – paragraph 7 – subparagraph 2

Text proposed by the Commission

Amendment

Member States shall notify such conditions for exemption to the Commission by 1 January 2014. The Commission may refuse those conditions or make suggestions for modifications in the 6 months following notification. In such cases, the conditions for exemption shall not be applied by the Member State concerned until the Commission expressly accepts the resubmitted or modified conditions.

deleted

Or. en

Amendment 1248
Konrad Szymański

Proposal for a directive
Article 10 – paragraph 7 – subparagraph 2

Text proposed by the Commission

Amendment

Member States shall notify such conditions for exemption to the Commission by 1 January 2014. The Commission may refuse those conditions or make suggestions for modifications in the 6 months following notification. In

deleted

such cases, the conditions for exemption shall not be applied by the Member State concerned until the Commission expressly accepts the resubmitted or modified conditions.

Or. en

Amendment 1249

Vicky Ford

Proposal for a directive

Article 10 – paragraph 7 – subparagraph 2

Text proposed by the Commission

Amendment

Member States shall notify such conditions for exemption to the Commission by 1 January 2014. The Commission may refuse those conditions or make suggestions for modifications in the 6 months following notification. In such cases, the conditions for exemption shall not be applied by the Member State concerned until the Commission expressly accepts the resubmitted or modified conditions.

deleted

Or. en

Amendment 1250

Ioan Enciu

Proposal for a directive

Article 10 – paragraph 7 – subparagraph 2

Text proposed by the Commission

Amendment

Member States shall notify such conditions for exemption to the Commission by 1 January 2014. The Commission may *refuse those conditions or* make suggestions for modifications in the 6 months following notification. *In such*

Member States shall notify such conditions for exemption to the Commission by 1 January 2014. The Commission may make suggestions for modifications, *which the Member States must take into consideration,* in the 6 months following

cases, the conditions for exemption shall not be applied by the Member State concerned until the Commission expressly accepts the resubmitted or modified conditions.

notification.

Or. ro

Amendment 1251

Jolanta Emilia Hibner, Andrzej Grzyb, Bogdan Kazimierz Marcinkiewicz

Proposal for a directive

Article 10 – paragraph 7 – subparagraph 2

Text proposed by the Commission

Member States shall notify such conditions for exemption to the Commission by 1 January **2014**. The Commission may refuse those conditions or make suggestions for modifications in the 6 months following notification. In such cases, the conditions for exemption shall not be applied by the Member State concerned until the Commission ***expressly accepts*** the ***resubmitted or*** modified conditions.

Amendment

Member States shall notify such conditions for exemption to the Commission by 1 January **2016**. The Commission may refuse those conditions or make suggestions for modifications in the 6 months following notification. In such cases, the conditions for exemption shall not be applied by the Member State concerned until the Commission ***approves*** the modified conditions.

Or. pl

Amendment 1252

Silvia-Adriana Țicău

Proposal for a directive

Article 10 – paragraph 7 – subparagraph 2

Text proposed by the Commission

Member States shall notify such conditions for exemption to the Commission by 1 January 2014. The Commission may ***refuse those conditions or*** make suggestions for modifications in the 6 months following notification. In such

Amendment

Member States shall notify such conditions for exemption to the Commission by 1 January 2014. The Commission may make suggestions for modifications in the 6 months following notification. In such cases, the conditions for exemption shall

cases, the conditions for exemption shall not be applied by the Member State concerned until the Commission expressly accepts the resubmitted or modified conditions.

not be applied by the Member State concerned until the Commission expressly accepts the resubmitted or modified conditions.

Or. ro

Amendment 1253

Robert Goebbels

Proposal for a directive

Article 10 – paragraph 7 – subparagraph 2

Text proposed by the Commission

Member States shall notify such conditions for exemption to the Commission by **1 January 2014**. The Commission may refuse those conditions or make suggestions for modifications in the 6 months following notification. In such cases, the conditions for exemption shall not be applied by the Member State concerned until the Commission expressly accepts the resubmitted or modified conditions.

Amendment

Member States shall notify such conditions for exemption to the Commission by **1 January 2015**. The Commission may refuse those conditions or make suggestions for modifications in the 6 months following notification. In such cases, the conditions for exemption shall not be applied by the Member State concerned until the Commission expressly accepts the resubmitted or modified conditions.

Or. de

Justification

A deadline of 1 January 2014 is too short for a directive which will be implemented in all the Member States at the earliest in 2013, in particular because, under the terms of Article 19(2), 1 January 2014 is also the deadline for the Commission to provide the template for Member States.

Amendment 1254

András Gyürk

Proposal for a directive

Article 10 – paragraph 8

8. Member States shall adopt authorisation or equivalent permitting criteria to ensure that industrial installations with a total thermal input exceeding 20 MW generating waste heat that are built or substantially refurbished after [the entry into force of this Directive] capture and make use of their waste heat.

deleted

Member States shall establish mechanisms to ensure the connection of these installations to district heating and cooling networks. They may require these installations to bear the connection charges and the cost of developing the district heating and cooling networks necessary to transport their waste heat to consumers.

Member States may lay down conditions for exemption from the provisions in the first sub-paragraph when:

- (a) the threshold conditions related to the availability of heat load set out in point 2 of Annex VIII are not met; or**
- (b) a cost-benefit analysis shows that the costs outweigh the benefits in comparison with the full life-cycle costs, including infrastructure investment, of providing the same amount of heat with separate heating or cooling.**

Member States shall notify such conditions for exemption to the Commission by 1 January 2014. The Commission may refuse those conditions or make suggestions for modifications in the 6 months following notification. In such cases, the conditions for exemption shall not be applied by the Member State concerned until the Commission expressly accepts the resubmitted or modified conditions.

Amendment 1255
Gaston Franco, Françoise Grossetête

Proposal for a directive
Article 10 – paragraph 8 – subparagraph 1

Text proposed by the Commission

Member States shall ***adopt authorisation or equivalent permitting criteria*** to ensure that industrial installations with a total thermal input exceeding 20 MW generating waste heat that are built or substantially refurbished after [the entry into force of this Directive] capture and make use of their waste heat.

Amendment

Member States shall ***require operators to assess whether it is technically and economically possible*** to ensure that industrial installations with a total thermal input exceeding 20 MW generating waste heat that are built or substantially refurbished after [the entry into force of this Directive] capture and make use of their waste heat.

Or. fr

Justification

Operators must establish whether solutions are technically and economically feasible. Furthermore, investments in connections to district heating and cooling networks will benefit very many people in many different fields (public bodies, households, tertiary sector firms, etc.).

Amendment 1256
Herbert Reul

Proposal for a directive
Article 10 – paragraph 8 – subparagraph 1

Text proposed by the Commission

Member States shall adopt authorisation or equivalent permitting criteria to ensure that industrial installations with a total thermal input exceeding 20 MW generating waste heat that are built or substantially refurbished after [the entry into force of this Directive] capture and make use of

Amendment

Member States shall adopt authorisation or equivalent permitting criteria to ensure that industrial installations with a total thermal input exceeding 20 MW generating waste heat that are built or substantially refurbished after [the entry into force of this Directive] capture and make use of

their waste heat.

their waste heat, *provided that studies have first been carried out to show that the process is technologically and economically feasible. The provisions of Article 10(8) shall not apply to industrial installations which use their waste heat in the production process and thus already increase energy efficiency in this way.*

Or. de

Justification

The Commission seems to have overlooked the possibility that installations may already use their own waste heat.

Amendment 1257

Paul Rübige

Proposal for a directive

Article 10 – paragraph 8 – subparagraph 1

Text proposed by the Commission

Member States shall adopt authorisation or equivalent permitting criteria to ensure that industrial installations with a total thermal input exceeding 20 MW generating waste heat that are built or substantially refurbished after [the entry into force of this Directive] capture and make use of their waste heat.

Amendment

Member States shall adopt authorisation or equivalent permitting criteria to ensure that industrial installations with a total thermal input exceeding 20 MW generating waste heat that are built or substantially refurbished after [the entry into force of this Directive] capture and make use of their waste heat, ***when such a project is assessed as economically, commercially and technically feasible.***

Or. en

Justification

This amendment clarifies that it should be obligatory for Member States to lay down common conditions for exemption from the CHP and waste heat capture obligation. It should ensure that projects that are uneconomic or technical unsound must not be implemented. Further it clarifies that cost should be distributed fairly between the concerned actors to secure that benefits for the industry outweighs the costs. Finally this amendment includes the necessity to

secure the long-term ability of companies investing in CHP and waste heat capture to sell their excess heat. Member States must ensure viable, long-term conditions for companies investing in utilisation of excess heat.

Amendment 1258
Vladimir Urutchev

Proposal for a directive
Article 10 – paragraph 8 – subparagraph 1

Text proposed by the Commission

Member States shall adopt authorisation or equivalent permitting criteria to ensure that industrial installations with a total thermal input exceeding 20 MW generating waste heat that are built or substantially refurbished after [the entry into force of this Directive] capture and make use of their waste heat.

Amendment

Member States shall adopt authorisation or equivalent permitting criteria to ensure that industrial installations with a total thermal input exceeding 20 MW generating waste heat that are built or substantially refurbished after [the entry into force of this Directive] capture and make use of their waste heat, ***as far as ecologically, technically and efficiently feasible.*** ***Industrial installations using their waste heat in the production process are excluded from these obligations.***

Or. en

Amendment 1259
Hannes Swoboda

Proposal for a directive
Article 10 – paragraph 8 – subparagraph 1

Text proposed by the Commission

Member States shall adopt authorisation or equivalent permitting criteria to ensure that industrial installations with a total thermal input exceeding 20 MW generating waste heat that are built or substantially refurbished after [the entry into force of this Directive] capture and make use of their waste heat.

Amendment

Member States shall adopt authorisation or equivalent permitting criteria to ensure that industrial installations with a total thermal input exceeding 20 MW generating waste heat that are built or substantially refurbished after [the entry into force of this Directive] capture and make use of their waste heat. ***The provisions of Article 10(8) shall not apply to installations***

which, on energy- efficiency grounds, use their own waste heat in the production process.

Or. de

Amendment 1260
Vicky Ford

Proposal for a directive
Article 10 – paragraph 8 – subparagraph 1

Text proposed by the Commission

Member States shall adopt authorisation or equivalent permitting criteria to ensure that industrial installations with a total thermal input exceeding **20** MW generating waste heat that are built or substantially refurbished after [the entry into force of this Directive] capture and make use of their waste heat.

Amendment

Member States shall adopt authorisation or equivalent permitting criteria to ensure, *where appropriate and cost-effective*, that industrial installations with a total thermal input exceeding **50** MW generating waste heat that are built or substantially refurbished after [the entry into force of this Directive] capture and make use *a substantial proportion* of their waste heat.

Or. en

Justification

Targeting installations with a thermal input exceeding 50 MW is in line with the provisions set out in 2008/1/EC (Annex 1).

Amendment 1261
Markus Pieper, Hermann Winkler

Proposal for a directive
Article 10 – paragraph 8 – subparagraph 1

Text proposed by the Commission

Member States shall adopt authorisation or equivalent permitting criteria to ensure that industrial installations with a total thermal input exceeding 20 MW generating waste

Amendment

Member States shall adopt authorisation or equivalent permitting criteria to ensure that industrial installations with a total thermal input exceeding 20 MW generating waste

heat that are built or substantially refurbished after [the entry into force of this Directive] capture and make use of their waste heat.

heat that are built or substantially refurbished after [the entry into force of this Directive] capture and make use of their waste heat *where this makes technological sense and is economically viable.*

Or. de

Amendment 1262
Angelika Niebler

Proposal for a directive
Article 10 – paragraph 8 – subparagraph 1

Text proposed by the Commission

Member States shall adopt authorisation or equivalent permitting criteria to ensure that industrial installations with a total thermal input exceeding 20 MW generating waste heat that are built or substantially refurbished after [the entry into force of this Directive] capture and make use of their waste heat.

Amendment

Member States shall adopt authorisation or equivalent permitting criteria to ensure that industrial installations with a total thermal input exceeding 20 MW generating waste heat that are built or substantially refurbished after [the entry into force of this Directive] capture and make use of their waste heat *where this is technologically feasible and makes economic sense.*

Or. de

Justification

Industrial waste heat should only be used when this also makes economic sense. Member States should therefore exempt installations from the requirement to use waste heat in cases where the costs outweigh the benefits.

Amendment 1263
Eija-Riitta Korhola

Proposal for a directive
Article 10 – paragraph 8 – subparagraph 1

Text proposed by the Commission

Member States shall adopt authorisation or equivalent permitting criteria to ensure that industrial installations with a total thermal input exceeding 20 MW generating waste heat that are built or substantially refurbished after [the entry into force of this Directive] capture and make use of their waste heat.

Amendment

Member States shall adopt authorisation or equivalent permitting criteria to ensure that industrial installations with a total thermal input exceeding 20 MW generating waste heat that are built or substantially refurbished after [the entry into force of this Directive] capture and make use of their waste heat, ***if it is economically and technically cost-effective and reasonable.***

Or. en

Amendment 1264
Norbert Glante

Proposal for a directive
Article 10 – paragraph 8 – subparagraph 1

Text proposed by the Commission

Member States shall adopt authorisation or equivalent permitting criteria to ensure that industrial installations with a total thermal input exceeding 20 MW generating waste heat that are built or substantially refurbished after [the entry into force of this Directive] ***capture and make use of their waste heat.***

Amendment

Member States shall adopt authorisation or equivalent permitting criteria to ensure that industrial installations with a total thermal input exceeding 20 MW generating waste heat that are built or substantially refurbished after [the entry into force of this Directive]:

(a) are provided with high-efficiency cogeneration units, and

(b) are sited in areas where the waste heat can be used by other heat demand points, as described in Annex VIII.

Or. de

Justification

See justification for the amendment incorporating new points (a) and (b) into Article 10(8)(1).

Amendment 1265

Hannu Takkula, Riikka Manner, Anneli Jäätteenmäki

Proposal for a directive

Article 10 – paragraph 8 – subparagraph 1

Text proposed by the Commission

Member States shall adopt authorisation or equivalent permitting criteria to ensure that industrial installations with a total thermal input exceeding 20 MW generating waste heat that are built or substantially refurbished after [the entry into force of this Directive] capture and make use of their waste heat.

Amendment

Does not affect English text.

Or. fi

Amendment 1266

Ioan Enciu

Proposal for a directive

Article 10 – paragraph 8 – subparagraph 1

Text proposed by the Commission

Member States **shall** adopt authorisation or equivalent permitting criteria to ensure that industrial installations with a total thermal input exceeding 20 MW generating waste heat that are built or substantially refurbished after [the entry into force of this Directive] capture and make use of their waste heat.

Amendment

Member States **may** adopt authorisation or equivalent permitting criteria to ensure that industrial installations with a total thermal input exceeding 20 MW generating waste heat that are built or substantially refurbished after [the entry into force of this Directive] capture and make use of their waste heat.

Or. ro

Amendment 1267

Norbert Glante

Proposal for a directive

Article 10 – paragraph 8 – subparagraph 2

Text proposed by the Commission

Member States shall establish mechanisms to ensure the connection of these installations to district heating and cooling networks. ***They may require these installations to bear the connection charges and the cost of developing the district heating and cooling networks necessary to transport their waste heat to consumers.***

Amendment

In keeping with their national heating and cooling plans, Member States shall establish mechanisms and take appropriate infrastructure development measures to ensure the connection of these installations to district heating and cooling networks. The connection to existing networks must be made contingent on the achievement of a higher degree of resource efficiency and the yielding of benefits in terms of the economic viability of the district heating and cooling systems and for their customers.

Or. de

Justification

In order to guarantee security for investments which have already been made and benefits for the environment and the economy, the use of industrial waste heat should only be expanded if this results in a higher degree of resource efficiency and additional benefits.

Amendment 1268

Gaston Franco, Françoise Grossetête

Proposal for a directive

Article 10 – paragraph 8 – subparagraph 2

Text proposed by the Commission

Member States shall establish mechanisms to ensure the connection of these installations to district heating and cooling networks. ***They may require these installations to bear the connection charges and the cost of developing the district heating and cooling networks necessary to transport their waste heat to consumers.***

Amendment

Member States shall establish mechanisms to ensure the connection of these installations to district heating and cooling networks. The connection charges ***shall be borne by the network users.***

Or. fr

Justification

The industries generating the heat/cold should not be the ones to finance investments in network connections. These costs must be borne by the parties benefiting from the connections.

Amendment 1269
Fiorello Provera

Proposal for a directive
Article 10 – paragraph 8 – subparagraph 2

Text proposed by the Commission

Member States shall establish mechanisms to ensure the connection of these installations to district heating and cooling networks. ***They may require these installations to bear the connection charges and the cost of developing the district heating and cooling networks necessary to transport their waste heat to consumers.***

Amendment

Member States shall establish mechanisms to ensure the connection of these installations to district heating and cooling networks.

Or. en

Justification

A “one fits all” approach in promoting CHP is not advisable. Due to the many technical issues in CHP, national circumstances including geographical, economic and social aspects should be taken into account. All these aspects also account for large differences in Member States’ in terms of intensity and duration of the heating and cooling service required. Requirements should be introduced on a case by case basis as part of a cost-benefit analysis carried out at system level according to clearly established criteria and modalities. Such analysis should identify District Heating/Cooling development areas where heat demand is sufficient to justify the development of district heating/cooling networks. An effective promotion of CHP can be pursued by preserving the market operators’ free initiative, providing financial incentives and simplifying administrative procedures. Development costs of district heating/cooling networks should be borne by network users in order to guarantee a balanced distribution of costs and avoid market distortion.

Amendment 1270
Vladimir Urutchev

Proposal for a directive
Article 10 – paragraph 8 – subparagraph 2

Text proposed by the Commission

Member States shall establish mechanisms to ensure the connection of these installations to district heating and cooling networks. ***They may require these installations to bear the connection charges and the cost of developing the district heating and cooling networks necessary to transport their waste heat to consumers.***

Amendment

Member States shall establish mechanisms to ensure the connection of these installations to district heating and cooling networks.

Or. en

Amendment 1271
Herbert Reul

Proposal for a directive
Article 10 – paragraph 8 – subparagraph 2

Text proposed by the Commission

Member States shall establish mechanisms to ensure the connection of these installations to district heating and cooling networks. ***They may require these installations to bear the connection charges and the cost of developing the district heating and cooling networks necessary to transport their waste heat to consumers.***

Amendment

Member States shall establish mechanisms to ensure the connection of these installations to district heating and cooling networks.

Or. de

Justification

There is no reason to depart from the principle that the customer should pay.

Amendment 1272
Eija-Riitta Korhola

Proposal for a directive
Article 10 – paragraph 8 – subparagraph 2

Text proposed by the Commission

Member States shall establish mechanisms to ensure the connection of these installations to district heating and cooling networks. ***They may require these installations to bear the connection charges and the cost of developing the district heating and cooling networks necessary to transport their waste heat to consumers.***

Amendment

Member States shall establish mechanisms to ensure the connection of these installations to district heating and cooling networks, ***if it is economically and technically cost-effective and reasonable.***

Or. en

Justification

Uneconomical or technical unsound investments shall not be made to capture and make use of the waste heat. District heating systems bring heat to households, therefore one can expect companies with waste heat to link up to existing district heating systems, but not for connecting into individual households.

Amendment 1273
Amalia Sartori, Antonio Cancian

Proposal for a directive
Article 10 – paragraph 8 – subparagraph 2

Text proposed by the Commission

Member States shall establish mechanisms to ensure the connection of these installations to district heating and cooling networks. ***They may require these installations to bear the connection charges and the cost of developing the district heating and cooling networks necessary to transport their waste heat to consumers.***

Amendment

Member States shall establish mechanisms to ensure the connection of these installations to district heating and cooling networks.

Or. en

Justification

Development costs of district heating/cooling networks should be borne by network users in order to guarantee a balanced distribution of costs and avoid market distortion.

Amendment 1274

Paul Rübiger

Proposal for a directive

Article 10 – paragraph 8 – subparagraph 2

Text proposed by the Commission

Member States shall establish mechanisms to ensure the connection of these installations to district heating and cooling networks. They *may require these* installations *to bear* the connection charges and the cost of developing the district heating and cooling networks necessary to transport their waste heat to consumers.

Amendment

Member States shall establish mechanisms to ensure the connection of these installations to district heating and cooling networks. They *shall ensure that the concerned installations and involved actors adequately cover* the connection charges and the cost of developing the district heating and cooling networks necessary to transport their waste heat to consumers.

Or. en

Justification

This amendment clarifies that it should be obligatory for Member States to lay down common conditions for exemption from the CHP and waste heat capture obligation. It should ensure that projects that are uneconomic or technical unsound must not be implemented. Further it clarifies that cost should be distributed fairly between the concerned actors to secure that benefits for the industry outweighs the costs. Finally this amendment includes the necessity to secure the long-term ability of companies investing in CHP and waste heat capture to sell their excess heat. Member States must ensure viable, long-term conditions for companies investing in utilisation of excess heat.

Amendment 1275

Fiorello Provera

Proposal for a directive

Article 10 – paragraph 8 – subparagraph 2

Text proposed by the Commission

Member States shall establish mechanisms to ensure the connection of these installations to district heating and cooling networks. They may require these installations to bear the connection charges and the cost of developing the district heating and cooling networks necessary to transport their waste heat to consumers.

Amendment

Member States shall establish mechanisms to ensure **either** the connection of these installations to district heating and cooling networks **or the use of this waste heat according to established BREF in the relevant sector**. They may require these installations to bear the connection charges and the cost of developing the district heating and cooling networks necessary to transport their waste heat to consumers.

Or. en

Justification

A “one fits all” approach in promoting CHP is not advisable. Due to the many technical issues in CHP, national circumstances including geographical, economic and social aspects should be taken into account. All these aspects also account for large differences in Member States’ in terms of intensity and duration of the heating and cooling service required. Requirements should be introduced on a case by case basis as part of a cost-benefit analysis carried out at system level according to clearly established criteria and modalities. Such analysis should identify District Heating/Cooling development areas where heat demand is sufficient to justify the development of district heating/cooling networks. An effective promotion of CHP can be pursued by preserving the market operators’ free initiative, providing financial incentives and simplifying administrative procedures. Development costs of district heating/cooling networks should be borne by network users in order to guarantee a balanced distribution of costs and avoid market distortion.

Amendment 1276

Ioan Enciu

Proposal for a directive

Article 10 – paragraph 8 – subparagraph 2

Text proposed by the Commission

Member States shall establish mechanisms to **ensure** the connection of these installations to district heating and cooling networks. They may require these installations **to bear** the connection charges and the cost of developing the district

Amendment

Member States shall establish, **where this is cost-effective**, mechanisms to **encourage** the connection of these installations to district heating and cooling networks. They may require **that the investment costs for** these installations **include** the connection

heating and cooling networks necessary to transport their waste heat to consumers.

charges and the cost of developing the district heating and cooling networks necessary to transport their waste heat to consumers.

Or. ro

Amendment 1277
Krišjānis Kariņš

Proposal for a directive
Article 10 – paragraph 8 – subparagraph 2

Text proposed by the Commission

Member States shall establish mechanisms to ensure the connection of these installations to district heating and cooling networks. They *may require* these installations *to bear the connection charges and the cost of* developing the district heating and cooling networks *necessary* to transport their waste heat to consumers.

Amendment

Member States shall establish mechanisms to ensure the connection of these installations to district heating and cooling networks. They *should support* these installations *in* developing the district heating and cooling networks to transport their waste heat to consumers.

Or. en

Amendment 1278
Hannu Takkula, Riikka Manner, Anneli Jäätteenmäki

Proposal for a directive
Article 10 – paragraph 8 – subparagraph 2

Text proposed by the Commission

Member States shall establish mechanisms to ensure the connection of these installations to district heating and cooling networks. They may require these installations to bear the connection charges and the cost of developing the district heating and cooling networks necessary to transport their waste heat to consumers.

Amendment

Member States shall establish mechanisms to ensure the connection of these installations, *where it makes sense in terms of cost-effectiveness*, to district heating and cooling networks. They may require these installations to bear the connection charges and the cost of developing the district heating and cooling networks necessary to transport their waste

heat to consumers.

Or. fi

Amendment 1279

Vicky Ford

Proposal for a directive

Article 10 – paragraph 8 – subparagraph 2

Text proposed by the Commission

Member States shall establish mechanisms to ensure the connection of these installations to district heating and cooling networks. They may require these installations to bear the connection charges and the cost of developing the district heating and cooling networks necessary to transport their waste heat to consumers.

Amendment

Member States shall establish mechanisms to ensure the connection of these installations to district heating and cooling networks *where technically feasible*. They may require these installations to bear the connection charges and the cost of developing the district heating and cooling networks necessary to transport their waste heat to consumers.

Or. en