



2021/0218(COD)

14.2.2022

*****I**

DRAFT REPORT

on the proposal for a directive of the European Parliament and of the Council amending Directive (EU) 2018/2001 of the European Parliament and of the Council, Regulation (EU) 2018/1999 of the European Parliament and of the Council and Directive 98/70/EC of the European Parliament and of the Council as regards the promotion of energy from renewable sources, and repealing Council Directive (EU) 2015/652
(COM(2021)0557 – C9-xxxx/2021 – 2021/0218(COD))

Committee on Industry, Research and Energy

Rapporteur: Markus Pieper Rapporteur for the opinion (*):

Nils Torvalds, Committee on the Environment, Public Health and Food Safety

(*) Associated committee – Rule 57 of the Rules of Procedure

Symbols for procedures

- * Consultation procedure
- *** Consent procedure
- ***I Ordinary legislative procedure (first reading)
- ***II Ordinary legislative procedure (second reading)
- ***III Ordinary legislative procedure (third reading)

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

Amendments to a draft act

Amendments by Parliament set out in two columns

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

Amendments by Parliament in the form of a consolidated text

New text is highlighted in ***bold italics***. Deletions are indicated using either the **■** symbol or ~~strikeout~~. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a directive of the European Parliament and of the Council amending Directive (EU) 2018/2001 of the European Parliament and of the Council, Regulation (EU) 2018/1999 of the European Parliament and of the Council and Directive 98/70/EC of the European Parliament and of the Council as regards the promotion of energy from renewable sources, and repealing Council Directive (EU) 2015/652 (COM(2021)0557 – C9-xxxx/2021 – 2021/0218(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2021)0557),
 - having regard to Article 294(2), Article 114 and Article 194(2) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C9-xxxx/2021),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to the opinion of the European Economic and Social Committee of 9 December 2021¹,
 - having regard to the opinion of the Committee of the Regions²,
 - having regard to Rule 59 of its Rules of Procedure,
 - having regard to the opinions of the Committee on Development, Committee on the Environment, Public Health and Food Safety, Committee on Transport and Tourism, Committee on Regional Development, Committee on Agriculture and Rural Development and the Committee on Petitions,
 - having regard to the report of the Committee on Industry, Research and Energy (A9-0000/2022),
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

¹ OJ C..., p. ... (Not yet published in the Official Journal).

² OJ C..., p. ... (Not yet published in the Official Journal).

Amendment 1

Proposal for a directive

Recital 1

Text proposed by the Commission

(1) The European Green Deal⁵ establishes the objective of the Union becoming climate neutral in 2050 in a manner that contributes to the European economy, growth and job creation. That objective, and the objective of **a 55% reduction in** greenhouse gas emissions by 2030 as set out in the 2030 Climate Target Plan⁶ that was endorsed both by the European Parliament⁷ and by the European Council⁸, requires an energy transition and significantly higher shares of renewable energy sources in an integrated energy system.

⁵ Communication from the Commission COM(2019) 640 final of 11.12.2019, The European Green Deal.

⁶ Communication from the Commission COM(2020) 562 final of 17.9.2020, Stepping up Europe's 2030 climate ambition Investing in a climate-neutral future for the benefit of our people

⁷ European Parliament resolution of 15 January 2020 on the European Green Deal (2019/2956(RSP))

⁸ European Council conclusions of 11 December 2020, <https://www.consilium.europa.eu/media/47296/1011-12-20-euco-conclusions-en.pdf>

Amendment

(1) The European Green Deal⁵ establishes the objective of the Union becoming climate neutral in 2050 in a manner that contributes to the European economy, growth and job creation. That objective, and the objective of a reduction **of at least 55%** in greenhouse gas emissions by 2030 as set out in the 2030 Climate Target Plan⁶ that was endorsed both by the European Parliament⁷ and by the European Council⁸, requires an energy transition and significantly higher shares of renewable energy sources in an integrated energy system.

⁵ Communication from the Commission COM(2019) 640 final of 11.12.2019, The European Green Deal.

⁶ Communication from the Commission COM(2020) 562 final of 17.9.2020, Stepping up Europe's 2030 climate ambition Investing in a climate-neutral future for the benefit of our people

⁷ European Parliament resolution of 15 January 2020 on the European Green Deal (2019/2956(RSP))

⁸ European Council conclusions of 11 December 2020, <https://www.consilium.europa.eu/media/47296/1011-12-20-euco-conclusions-en.pdf>

(Directive (EU) 2018/2001)

Or. en

Justification

Correction.

Amendment 2

Proposal for a directive Recital 2

Text proposed by the Commission

(2) Renewable energy plays a fundamental role in delivering the European Green Deal and for achieving climate neutrality by 2050, given that the energy sector contributes over 75% of total greenhouse gas emissions in the Union. By reducing those greenhouse gas emissions, renewable energy also contributes to tackling environmental-related challenges such as biodiversity loss.

Amendment

(2) Renewable energy plays a fundamental role in delivering the European Green Deal and for achieving climate neutrality by 2050, given that the energy sector contributes over 75% of total greenhouse gas emissions in the Union. By reducing those greenhouse gas emissions, renewable energy also contributes to tackling environmental-related challenges such as biodiversity loss, ***provided that the negative ecological and external effects of the expansion of renewable energies do not predominate. Those negative effects should be taken into account in an impact assessments.***

Or. en

Justification

Also negative ecological and external effects of the expansion of renewable energies have to be considered and analysed.

Amendment 3

Proposal for a directive Recital 2 a (new)

Text proposed by the Commission

Amendment

(2a) The transformation of the Union's energy system towards renewable energy is not possible by means of domestic sources alone. A broad-based strategy for the importation of renewable electricity, renewable hydrogen and low-carbon energy from as many naturally suitable regions as possible is necessary, also to reduce fossil dependencies.

Amendment 4

Proposal for a directive

Recital 4

Text proposed by the Commission

(4) There is a growing recognition of the need for alignment of bioenergy policies with the cascading principle of biomass use¹¹, with a view to ensuring fair access to the biomass raw material market for the development of innovative, high value-added bio-based solutions and a sustainable circular bioeconomy. When developing support schemes for bioenergy, Member States should therefore take into consideration the available sustainable supply of biomass for energy and non-energy uses and the maintenance of the national forest carbon sinks and ecosystems as well as the principles of the circular economy and the biomass cascading use, and the waste hierarchy established in Directive 2008/98/EC of the European Parliament and of the Council¹². ***For this, they should grant no support to the production of energy from saw logs, veneer logs, stumps and roots and avoid promoting the use of quality roundwood for energy except in well-defined circumstances. In line with the cascading principle, woody biomass should be used according to its highest economic and environmental added value in the following order of priorities: 1) wood-based products, 2) extending their service life, 3) re-use, 4) recycling, 5) bio-energy and 6) disposal. Where no other use for woody biomass is economically viable or environmentally appropriate, energy recovery helps to reduce energy generation from non-renewable sources. Member States' support schemes for bioenergy should therefore be directed to***

Amendment

(4) There is a growing recognition of the need for alignment of bioenergy policies with the cascading principle of biomass use¹¹, with a view to ensuring fair access to the biomass raw material market for the development of innovative, high value-added bio-based solutions and a sustainable circular bioeconomy. When developing support schemes for bioenergy, Member States should therefore take into consideration the available sustainable supply of biomass for energy and non-energy uses and the maintenance of the national forest carbon sinks and ecosystems as well as the principles of the circular economy and the biomass cascading use, and the waste hierarchy established in Directive 2008/98/EC of the European Parliament and of the Council¹². On the other hand, in defining the further implications of the cascading principle, it is necessary to recognise the national specificities which guide Member States in the design of their support schemes. Waste prevention, reuse and recycling of waste should be the priority option. Member States should avoid creating support schemes which would be counter to targets on treatment of waste and which would lead to the inefficient use of recyclable waste. ***To that end, the Member States should be required to draw up plans for timber and forest management, subject to approval by the Commission.*** Moreover, in order to ensure a more efficient use of bioenergy, from 2026 on Member States should not give support anymore to electricity-only plants, unless the

such feedstocks for which little market competition exists with the material sectors, and whose sourcing is considered positive for both climate and biodiversity, in order to avoid negative incentives for unsustainable bioenergy pathways, as identified in the JRC report ‘The use of woody biomass for energy production in the EU’¹³ . On the other hand, in defining the further implications of the cascading principle, it is necessary to recognise the national specificities which guide Member States in the design of their support schemes. Waste prevention, reuse and recycling of waste should be the priority option. Member States should avoid creating support schemes which would be counter to targets on treatment of waste and which would lead to the inefficient use of recyclable waste. Moreover, in order to ensure a more efficient use of bioenergy, from 2026 on Member States should not give support anymore to electricity-only plants, unless the installations are in regions with a specific use status as regards their transition away from fossil fuels or if the installations use carbon capture and storage.

¹¹ The cascading principle aims to achieve resource efficiency of biomass use through prioritising biomass material use to energy use wherever possible, increasing thus the amount of biomass available within the system. In line with the cascading principle, woody biomass should be used according to its highest economic and environmental added value in the following order of priorities: 1) wood-based products, 2) extending their service life, 3) re-use, 4) recycling, 5) bio-energy and 6) disposal.

¹² Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3).

¹³

installations are in regions with a specific use status as regards their transition away from fossil fuels or if the installations use carbon capture and storage.

¹¹ The cascading principle aims to achieve resource efficiency of biomass use through prioritising biomass material use to energy use wherever possible, increasing thus the amount of biomass available within the system. In line with the cascading principle, woody biomass should be used according to its highest economic and environmental added value in the following order of priorities: 1) wood-based products, 2) extending their service life, 3) re-use, 4) recycling, 5) bio-energy and 6) disposal.

¹² Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3).

Justification

Member States or local/regional authorities should specify sustainable forest management practices. Forest-related requirements should be addressed in appropriate legislation.

Amendment 5

Proposal for a directive

Recital 5

Text proposed by the Commission

(5) The rapid growth and increasing cost-competitiveness of renewable electricity production can be used to satisfy a growing share of energy demand, for instance using heat pumps for space heating or low-temperature industrial processes, electric vehicles for transport, or electric furnaces in certain industries. Renewable electricity can also be used to produce synthetic fuels for consumption in hard-to-decarbonise transport sectors such as aviation and maritime transport. A framework for electrification **needs** to enable robust and efficient coordination and expand market mechanisms to match both supply and demand in space and time, stimulate investments in flexibility, and help integrate large shares of variable renewable generation. Member States should therefore ensure that the deployment of renewable electricity continues to increase at an adequate pace to meet growing demand. For this, Member States should establish a framework that includes market-compatible mechanisms to tackle remaining barriers to have secure and adequate electricity systems fit for a high level of renewable energy, as well as storage facilities, fully integrated into the electricity system. In particular, this

Amendment

(5) The rapid growth and increasing cost-competitiveness of renewable electricity production can be used to satisfy a growing share of energy demand, for instance using heat pumps for space heating or low-temperature industrial processes, electric vehicles for transport, or electric furnaces in certain industries. Renewable electricity can also be used to produce synthetic fuels for consumption in hard-to-decarbonise transport sectors such as aviation and maritime transport **and, as regards biofuels, can also be used for motor vehicles**. A framework for electrification **and supply infrastructures for synthetic and bio-based fuels need** to enable robust and efficient coordination and expand market mechanisms to match both supply and demand in space and time, stimulate investments in flexibility, and help integrate large shares of variable renewable generation. Member States should therefore ensure that the deployment of renewable electricity continues to increase at an adequate pace to meet growing demand, **including by coordinating import strategies at Union level**. For this, Member States should establish a framework that includes market-compatible mechanisms to tackle

framework shall tackle remaining barriers, including non-financial ones such as insufficient digital and human resources of authorities to process a growing number of permitting applications.

remaining barriers to have secure and adequate electricity systems **and infrastructures for ecologically based liquid fuels that are** fit for a high level of renewable energy, as well as storage facilities, fully integrated into the electricity system. In particular, this framework shall tackle remaining barriers, including non-financial ones such as insufficient digital and human resources of authorities to process a growing number of permitting applications.

Or. en

Justification

Adding the role of biofuels and import strategies for decarbonisation needs.

Amendment 6

Proposal for a directive Recital 6 a (new)

Text proposed by the Commission

Amendment

(6a) Since the charging current is sustainable only if it is produced from clean energy, life cycle analyses of electrified heat, transport and industrial products should always take into account the remaining fossil shares of the preceding electricity generation. .

Or. en

Amendment 7

Proposal for a directive Recital 7

Text proposed by the Commission

Amendment

(7) Member States' cooperation to promote renewable energy can take the

(7) Member States' cooperation to promote renewable energy can take the

form of statistical transfers, support schemes or joint projects. It allows for a cost-efficient deployment of renewable energy across Europe and contributes to market integration. Despite its potential, cooperation has been very limited, thus leading to suboptimal results in terms of efficiency in increasing renewable energy. Member States should therefore be obliged to test cooperation through implementing *a* pilot **project**. Projects financed by national contributions under the Union renewable energy financing mechanism established by Commission Implementing Regulation (EU) 2020/1294¹⁴ would meet this obligation for the Member States involved.

¹⁴ Commission Implementing Regulation (EU) 2020/1294 of 15 September 2020 on the Union renewable energy financing mechanism (OJ L 303, 17.9.2020, p. 1).

form of statistical transfers, support schemes or joint projects. It allows for a cost-efficient deployment of renewable energy across Europe and contributes to market integration. Despite its potential, cooperation has been very limited, thus leading to suboptimal results in terms of efficiency in increasing renewable energy. Member States should therefore be obliged to test cooperation through implementing pilot **projects**. Projects financed by national contributions under the Union renewable energy financing mechanism established by Commission Implementing Regulation (EU) 2020/1294¹⁴ would meet this obligation for the Member States involved.

¹⁴ Commission Implementing Regulation (EU) 2020/1294 of 15 September 2020 on the Union renewable energy financing mechanism (OJ L 303, 17.9.2020, p. 1).

Or. en

Justification

Adaptation

Amendment 8

Proposal for a directive Recital 10

Text proposed by the Commission

(10) Overly complex and excessively long administrative procedures constitute a major barrier for the deployment of renewable energy. On the basis of the measures to improve administrative procedures for renewable energy installations that Member States are to report on by 15 March 2023 in their first integrated national energy and climate progress reports pursuant to Regulation (EU) 2018/1999 of the European

Amendment

(10) Overly complex and excessively long administrative procedures constitute a major barrier for the deployment of renewable energy. On the basis of the measures to improve administrative procedures for renewable energy installations that Member States are to report on by 15 March 2023 in their first integrated national energy and climate progress reports pursuant to Regulation (EU) 2018/1999 of the European

Parliament and of the Council¹⁵, the Commission should assess whether the provisions included in this Directive to streamline these procedures have resulted in smooth and proportionate procedures. If that assessment reveals significant scope for improvement, the Commission should take appropriate measures to ensure Member States have streamlined and efficient administrative procedures in place.

Parliament and of the Council¹⁵, the Commission should assess whether the provisions included in this Directive to streamline these procedures have resulted in smooth and proportionate procedures. If that assessment reveals significant scope for improvement, the Commission should take appropriate measures to ensure Member States have streamlined and efficient administrative procedures in place. ***Due to the need to transform the Union's energy systems towards a sustainable, secure and affordable energy supply in the light of the Union's climate neutrality objective, the deployment of energy from renewable sources and the related grid infrastructure, including energy security investments, is in the public interest and serves public safety. In the planning and permit-granting process, in particular in the area of onshore wind generation, Member States should, in accordance with relevant Union law, ensure that the public interest and the benefits for public safety and energy security are considered when balancing legal interests. This is intended to improve the legal certainty of the planning and permit-granting processes, in particular in the case of onshore wind generation, for investments in hydrogen-affine generation that helps secure the transition to a more renewable energy-based system. Competent national authorities should prioritise and apply a simplified permit-granting process with regard to a new category of renewable energy projects labelled 'Fit for 55 projects of special public interest'.***

¹⁵ Regulation (EU) 2018/1999 of the European Parliament and of the Council of 11 December 2018 on the Governance of the Energy Union and Climate Action, amending Regulations (EC) No 663/2009 and (EC) No 715/2009 of the European Parliament and of the Council, Directives 94/22/EC, 98/70/EC, 2009/31/EC,

¹⁵ Regulation (EU) 2018/1999 of the European Parliament and of the Council of 11 December 2018 on the Governance of the Energy Union and Climate Action, amending Regulations (EC) No 663/2009 and (EC) No 715/2009 of the European Parliament and of the Council, Directives 94/22/EC, 98/70/EC, 2009/31/EC,

2009/73/EC, 2010/31/EU, 2012/27/EU and 2013/30/EU of the European Parliament and of the Council, Council Directives 2009/119/EC and (EU) 2015/652 and repealing Regulation (EU) No 525/2013 of the European Parliament and of the Council (OJ L 328, 21.12.2018, p. 1).

2009/73/EC, 2010/31/EU, 2012/27/EU and 2013/30/EU of the European Parliament and of the Council, Council Directives 2009/119/EC and (EU) 2015/652 and repealing Regulation (EU) No 525/2013 of the European Parliament and of the Council (OJ L 328, 21.12.2018, p. 1).

(Directive (EU) 2018/2001)

Or. en

Justification

The deployment of renewable energy and the related grid infrastructure should be considered as being in the public interest and serving public safety. This is intended to improve the legal certainty of planning and permit-granting procedures, in particular in the case of onshore wind power plants, in case of investments in hydrogen-affine power plants that help secure the transition to a more renewable energy-based system.

Amendment 9

Proposal for a directive

Recital 11

Text proposed by the Commission

(11) Buildings have a large untapped potential to contribute effectively to the reduction in greenhouse gas emissions in the Union. The decarbonisation of heating and cooling in this sector through an increased share in production and use of renewable energy will be needed to meet the ambition set in the Climate Target Plan to achieve the Union objective of climate neutrality. However, progress on the use of **renewables** for heating and cooling has been stagnant in the last decade, largely relying on increased use of biomass. Without the establishment of targets to increase the production and use of renewable energy in buildings, there will be no ability to track progress and identify bottlenecks in the uptake of **renewables**. Furthermore, the creation of targets will provide a long-term signal to investors, including for the period immediately after

Amendment

(11) Buildings have a large untapped potential to contribute effectively to the reduction in greenhouse gas emissions in the Union. The decarbonisation of heating and cooling in this sector through an increased share in production and use of renewable energy will be needed to meet the ambition set in the Climate Target Plan to achieve the Union objective of climate neutrality. However, progress on the use of **renewable energy sources** for heating and cooling has been stagnant in the last decade, largely relying on increased use of biomass. Without the establishment of targets to increase the production and use of renewable energy in buildings, there will be no ability to track progress and identify bottlenecks in the uptake of **renewable energy**. Furthermore, the creation of targets will provide a long-term signal to investors, including for the period

2030. This will complement obligations related to energy efficiency and the energy performance of buildings. Therefore, indicative targets for the use of renewable energy in buildings should be set to guide and incentivise Member States' efforts to exploit the potential of using and producing renewable energy in buildings, encourage the development of and integration of technologies which produce renewable energy while providing certainty for investors and local level engagement.

immediately after 2030. This will complement obligations related to energy efficiency and the energy performance of buildings. Therefore, indicative targets for the use of renewable energy in buildings should be set to guide and incentivise Member States' efforts to exploit the potential of using and producing renewable energy in buildings, encourage the development of and integration of technologies which produce renewable energy while providing certainty for investors and local level engagement. ***Any mandatory requirements concerning targets to increase the production and use of renewable energy in buildings should be reviewed, taking into account the fact that emissions trading for buildings already ensures the achievement of savings. Emission trading schemes are designed to increase energy costs and lead to market-driven energy saving investments or switching to renewable energy. Double burdens for consumers through emissions trading schemes and other targets required under Union law should be avoided.***

Or. en

Justification

Self-explanatory

Amendment 10

Proposal for a directive

Recital 13

Text proposed by the Commission

(13) Guarantees of origin are a key tool for consumer information as well as for the further uptake of renewable power purchase agreements. In order to establish a coherent Union base for the use of guarantees of origin and to provide access

Amendment

(13) Guarantees of origin are a key tool for consumer information as well as for the further uptake of renewable power purchase agreements. In order to establish a coherent Union base for the use of guarantees of origin and to provide access

to appropriate supporting evidence for persons concluding renewable power purchase agreements, all renewable energy producers should be able to receive a guarantee of origin without prejudice to Member States' obligation to take into account the market value of the guarantees of origin *if the energy producers receive financial support.*

to appropriate supporting evidence for persons concluding renewable power purchase agreements, all renewable energy producers should be able to receive a guarantee of origin without prejudice to Member States' obligation to take into account the market value of the guarantees of origin. *A more flexible energy system and growing consumer demands call for more innovative, digital, technologically advanced and reliable tool to support and document the increasing production of renewable energy. In particular, innovative technologies can ensure a higher spatial and temporal granularity of guarantees of origin in line with electricity market timeframes and the physical flows within the electricity system. To facilitate digital innovation in this field, Member States should introduce such granularity in their schemes for guarantees of origin. The Commission should be empowered to set out the rules for a common scheme in this regard by means of a delegated act.*

Or. en

Justification

The renewable energy sector should benefit from more advanced digital solutions and innovation.

Amendment 11

Proposal for a directive Recital 19

Text proposed by the Commission

(19) Distributed storage assets, such as *domestic* batteries *and* batteries of electric vehicles have the potential to offer considerable flexibility and balancing services to the grid through aggregation. In order to facilitate the development of such services, the regulatory provisions

Amendment

(19) Distributed storage assets, such as *household and community* batteries, batteries of electric vehicles *and energy conversion assets, such as electrolysers,* have the potential to offer considerable flexibility and balancing services to the grid *either directly or* through aggregation.

concerning connection and operation of the storage assets, such as tariffs, commitment times and connection specifications, should be designed in a way that does not hamper the potential of all storage assets, including small and mobile ones, to offer flexibility and balancing services to the system and to contribute to the further penetration renewable electricity, *in comparison with larger, stationary storage assets*.

In order to facilitate the development of such services, the regulatory provisions concerning connection and operation of the storage assets, such as tariffs, commitment times and connection specifications, should be designed in a way that does not hamper the potential of all storage assets, including small and mobile ones, to offer flexibility and balancing services to the system and to contribute to the further penetration renewable electricity.

Or. en

Justification

Community batteries should be added as they require less investments in comparison with household batteries. Moreover, one large stationary storage option are hydrogen technologies that can be operated under very flexible conditions.

Amendment 12

Proposal for a directive Recital 29

Text proposed by the Commission

(29) The use of renewable fuels and renewable electricity in transport can contribute to the decarbonisation of the Union transport sector in a cost-effective manner, and improve, amongst other, energy diversification in that sector while promoting innovation, growth and jobs in the Union economy and reducing reliance on energy imports. With a view to achieving the increased target for greenhouse gas emission savings defined by the Union, the level of renewable energy supplied to all transport modes in the Union should be increased. Expressing the transport target as a greenhouse gas intensity reduction target would stimulate an increasing use of the most cost-effective and performing fuels, in terms of greenhouse gas savings, in transport. In addition, a greenhouse gas intensity

Amendment

(29) The use of renewable fuels and renewable electricity in transport can contribute to the decarbonisation of the Union transport sector in a cost-effective manner, and improve, amongst other, energy diversification in that sector while promoting innovation, growth and jobs in the Union economy and reducing reliance on energy imports. With a view to achieving the increased target for greenhouse gas emission savings defined by the Union, the level of renewable energy supplied to all transport modes in the Union should be increased. Expressing the transport target as a greenhouse gas intensity reduction target would stimulate an increasing use of the most cost-effective and performing fuels, in terms of greenhouse gas savings, in transport. In addition, a greenhouse gas intensity

reduction target would stimulate innovation and set out a clear benchmark to compare across fuel types and renewable electricity depending on their greenhouse gas intensity. Complementary to this, increasing the level of the energy-based target on advanced biofuels and biogas and introducing a target for renewable fuels of non-biological origin would ensure an increased use of the renewable fuels with smallest environmental impact in transport modes that are difficult to electrify. The achievement of those targets should be ensured by obligations on fuel suppliers as well as by other measures included in [Regulation (EU) 2021/XXX on the use of renewable and low-carbon fuels in maritime transport - FuelEU Maritime and Regulation (EU) 2021/XXX on ensuring a level playing field for sustainable air transport]. ***Dedicated obligations on aviation fuel suppliers should be set only pursuant to [Regulation (EU) 2021/XXX on ensuring a level playing field for sustainable air transport].***

reduction target would stimulate innovation and set out a clear benchmark to compare across fuel types and renewable electricity depending on their greenhouse gas intensity. Complementary to this, increasing the level of the energy-based target on advanced biofuels and biogas and introducing a target for renewable fuels of non-biological origin would ensure an increased use of the renewable fuels with smallest environmental impact in transport modes ***and regions*** that are difficult to electrify. The achievement of those targets should be ensured by obligations on fuel suppliers as well as by other measures included in [Regulation (EU) 2021/XXX on the use of renewable and low-carbon fuels in maritime transport - FuelEU Maritime and Regulation (EU) 2021/XXX on ensuring a level playing field for sustainable air transport]. ***Appropriate refuelling infrastructures for sustainable and low-carbon fuels should be expanded in a non-discriminatory manner. Life-cycle comparisons of vehicles using synthetic fuels, fossil fuels, fuels of biogenic origin or corresponding mixes, or electric cars should always also take into account the fossil part of the charging current.***

Or. en

Justification

The use of new fuels in transport can also play a role in areas that are difficult or impossible to electrify or difficult to access by public transport. Member States that wish to set more ambitious targets for aviation must be allowed to do so on the national level.

Amendment 13

Proposal for a directive Recital 31

Text proposed by the Commission

(31) The Union's renewable energy

Amendment

(31) The Union's renewable energy

policy aims to contribute to achieving the climate change mitigation objectives of the European Union in terms of the reduction of greenhouse gas emissions. In the pursuit of this goal, it is essential to also contribute to wider environmental objectives, and in particular the prevention of biodiversity loss, which is negatively impacted by the indirect land use change associated to the production of certain biofuels, bioliquids and biomass fuels. Contributing to these climate and environmental objectives constitutes a deep and longstanding intergenerational concern for Union citizens and the Union legislator. As a consequence, the changes in the way the transport target is calculated should not affect the limits established on how to account toward ***that target certain fuels produced from food and feed crops on the one hand and high indirect land-use change-risk fuels on the other hand. In addition, in order not to create an incentive to use biofuels and biogas produced from food and feed crops in transport, Member States should continue to be able to choose whether count them or not towards the transport target. If they do not count them, they may reduce the greenhouse gas intensity reduction target accordingly, assuming that food and feed crop-based biofuels save 50% greenhouse gas emissions, which corresponds to the typical values set out in an annex to this Directive for the greenhouse gas emission savings of the most relevant production pathways of food and feed crop-based biofuels as well as the minimum savings threshold applying to most installations producing such biofuels.***

policy aims to contribute to achieving the climate change mitigation objectives of the European Union in terms of the reduction of greenhouse gas emissions. In the pursuit of this goal, it is essential to also contribute to wider environmental objectives, and in particular the prevention of biodiversity loss, which is negatively impacted by the indirect land use change associated to the production of certain biofuels, bioliquids and biomass fuels. ***The indirect effects of deforestation and soil compaction, the effects of wind turbines and the conflicts of land use with regard to solar parks should also be taken into account.*** Contributing to these climate and environmental objectives constitutes a deep and longstanding intergenerational concern for Union citizens and the Union legislator. As a consequence, the changes in the way the transport ***and renewable*** target is calculated should not affect the limits established on how to account toward ***the target's*** high indirect land-use ***change-risks***.

Or. en

Justification

Also, wind turbines und solar parks can have negative impacts on biodiversity, which has to be taken into account. Crop-based biofuels are an rapid and cost-effective tool to reduce emissions of existing and future vehicles. Their use should not be limited to transport modes that cannot be electrified. The 2018 REDII delegated act on high ILUC-risk biofuels

addressed already ILUC concerns. It singled out problematic feedstocks. Only high ILUC-risk biofuels must be progressively phased out.

Amendment 14

Proposal for a directive

Recital 35

Text proposed by the Commission

(35) To ensure higher environmental effectiveness of the Union sustainability and greenhouse emissions saving criteria for solid biomass fuels in installations producing heating, electricity and cooling, the minimum threshold for the applicability of such criteria should be lowered from the current 20 MW to 5 MW.

Amendment

deleted

Or. en

Amendment 15

Proposal for a directive

Recital 36

Text proposed by the Commission

(36) Directive (EU) 2018/2001 strengthened the bioenergy sustainability and greenhouse gas savings framework by setting criteria for all end-use sectors. It set out specific rules for biofuels, bioliquids and biomass fuels produced from forest biomass, requiring the sustainability of harvesting operations and the accounting of land-use change emissions. To achieve an enhanced protection of especially biodiverse and carbon-rich habitats, such as primary forests, **highly biodiverse forests**, grasslands and peat lands, exclusions and limitations to source forest biomass from those areas should be introduced, **in line with the approach for**

Amendment

(36) Directive (EU) 2018/2001 strengthened the bioenergy sustainability and greenhouse gas savings framework by setting criteria for all end-use sectors. It set out specific rules for biofuels, bioliquids and biomass fuels produced from forest biomass, requiring the sustainability of harvesting operations and the accounting of land-use change emissions. To achieve an enhanced protection of especially biodiverse and carbon-rich habitats, such as primary forests, grasslands and peat lands, exclusions and limitations to source forest biomass from those areas should be introduced **when harvesting biomass specifically for energy purposes from**

biofuels, bioliquids and biomass fuels produced from agricultural biomass. In addition, the greenhouse gas emission saving criteria should also apply to existing biomass-based installations to ensure that bioenergy production in all such installations leads to greenhouse gas emission reductions compared to energy produced from fossil fuels.

countries that do not meet their national harvesting criteria.

Or. en

Justification

The term "highly biodiverse forest" is unclear, undefined and should therefore be deleted. It should be clarified that "no-go" areas only apply to biomass specifically harvested for energy purposes and not to residues from harvesting for other purposes.

Amendment 16

Proposal for a directive Recital 38 a (new)

Text proposed by the Commission

Amendment

(38a) Since this Directive will generate additional compliance costs for affected sectors, compensatory measures should prevent the total level of regulatory burden from increasing. The Commission should therefore present, before the entry into force of this amending Directive, legislative proposals offsetting the regulatory burden introduced by this Directive, through the revision or repeal of provisions in other Union legislative acts that generate compliance costs in the affected sectors, where appropriate.

Or. en

Amendment 17

Proposal for a directive Recital 39

Text proposed by the Commission

(39) The Governance Regulation (EU) 2018/1999 makes several references in a number of places to the Union-level binding target of at least 32 % for the share of renewable energy consumed in the Union in 2030. As that target needs to be increased in order to contribute effectively to the ambition to decrease greenhouse gas emissions by 55 % by 2030, those references should be amended. Any additional planning and reporting requirements set will not create a new planning and reporting system, but should be subject to the existing planning and reporting framework under Regulation (EU) 2018/1999.

Amendment

(39) The Governance Regulation (EU) 2018/1999 makes several references in a number of places to the Union-level binding target of at least 32 % for the share of renewable energy consumed in the Union in 2030. As that target needs to be increased in order to contribute effectively to the ambition to decrease greenhouse gas emissions by **at least** 55 % by 2030, those references should be amended. Any additional planning and reporting requirements set will not create a new planning and reporting system, but should be subject to the existing planning and reporting framework under Regulation (EU) 2018/1999.

Or. en

Justification

Correction

Amendment 18

Proposal for a directive

Recital 45

Text proposed by the Commission

(45) As regards bio-based components in diesel fuel, the reference in Directive 98/70/EC to diesel fuel B7, that is diesel fuel containing up to 7 % fatty acid methyl esters (FAME), limits available options to attain higher biofuel incorporation targets as set out in Directive (EU) 2018/2001. That is due to the fact that almost the entire Union supply of diesel fuel is already B7. For that reason the maximum share of bio-based components should **be increased** from 7% to 10%. Sustaining **the** market uptake of **B10, that is diesel fuel containing up to 10 %** fatty acid methyl

Amendment

(45) As regards bio-based components in diesel fuel, the reference in Directive 98/70/EC to diesel fuel B7, that is diesel fuel containing up to 7 % fatty acid methyl esters (FAME), limits available options to attain higher biofuel incorporation targets as set out in Directive (EU) 2018/2001. That is due to the fact that almost the entire Union supply of diesel fuel is already B7. For that reason **Members States should be allowed to raise** the maximum share of bio-based components should from 7% to 10%. Sustaining **a higher** market uptake of **bio-based diesel components that goes**

esters (FAME), requires **a Union-wide B7 protection grade for 7% FAME in diesel fuel due to the sizeable proportion of vehicles not compatible with B10 expected to be present in the fleet by 2030. This should be reflected in Article 4, paragraph 1, second subparagraph of Directive 98/70/EC as amended by this act.**

beyond the currently common share of 7 % fatty acid methyl esters (FAME) requires no new diesel norms, such as B10 or higher. The valid diesel norm EN590 allows blending 26 % of hydro-treated vegetable oils (HVO) into diesel fuel in addition to the current 7 % of FAME. This allows a share of bio-based components of up to 33%. Furthermore, Member States should be encouraged to introduce the fuel norm EN15940 to allow unblended HVO, a diesel fuel that is 100 % bio-based.

Or. en

Justification

In some Member States, diesel vehicles are not approved or certified for B10. In some Member States, there is no obligation to label the manufacturer's approvals for B10 accordingly. Vehicle owners would use the fuel without the manufacturer's approval at their own risk and would be liable for any damage that may occur. The current Fuel Quality Directive already provides that Member States may allow diesel fuel with a FAME content of more than 7% to be placed on the market according to Article 4 (1) (2).

Amendment 19

Proposal for a directive

Article 1 – paragraph 1 – point 1 – point a

Directive (EU) 2018/2001

Article 2 – paragraph 2 – point 36 a (new)

Text proposed by the Commission

Amendment

(36a) ‘low carbon hydrogen’ means hydrogen which energy content is derived from non-renewable sources and which meets a greenhouse gas emission reduction threshold of 70 %;

Or. en

Justification

Low carbon hydrogen is necessary for the ramping-up of a European clean hydrogen market and the competitiveness of the European industry.

Amendment 20

Proposal for a directive

Article 1 – paragraph 1 – point 1 – point c

Directive (EU) 2018/2001

Article 2 – paragraph 2 – point 1a a (new)

Text proposed by the Commission

Amendment

(1aa) ‘innovative renewable energy technology’ means technology that improves in at least one way a comparable state-of-the-art renewable technology, or makes exploitable a largely untapped renewable energy resource and that is generally not able to attract low-cost private finance;

Or. en

Justification

Concept introduced in Article 3, paragraph 1.

Amendment 21

Proposal for a directive

Article 1 – paragraph 1 – point 1 – point c

Directive (EU) 2018/2001

Article 2 – paragraph 2 – point 14l

Text proposed by the Commission

Amendment

(14l) ‘smart charging’ means a recharging operation in which the ***intensity of electricity*** delivered to the battery is adjusted in ***real-time***, based on information received through electronic communication;

(14l) ‘smart charging’ means a recharging operation in which the ***electrical power*** delivered to the battery is adjusted in ***near real-time as defined in Article 2, point (26), Directive (EU) 2019/944***, based on information received through electronic communication;

Or. en

Justification

The "real-time" requirement risks creating data traffic and unnecessary costs for consumers.

"Near real-time" is sufficiently strict.

Amendment 22

Proposal for a directive

Article 1 – paragraph 1 – point 1 – point c

Directive (EU) 2018/2001

Article 2 – paragraph 2 – point 18a

Text proposed by the Commission

(18a) ‘industry’ means companies and products that fall sections B, C, F and J, division (63) of the statistical classification of economic activities (NACE REV.2)²⁴ ;

²⁴ Regulation (EC) No 1893/2006 of the European Parliament and of the Council of 20 December 2006 establishing the statistical classification of economic activities NACE Revision 2 and amending Council Regulation (EEC) No 3037/90 as well as certain EC Regulations on specific statistical domains (OJ L 393, 30.12.2006, p. 1).’;

Amendment

(18a) ‘industry’ means companies and products that fall sections B, C, F and J, division (63) of the statistical classification of economic activities (NACE REV.2)²⁴ ***as well as industrial and chemical parks whose operators deliver energy products to companies that fall in those sections of the statistical classification of economic activities;***

²⁴ Regulation (EC) No 1893/2006 of the European Parliament and of the Council of 20 December 2006 establishing the statistical classification of economic activities NACE Revision 2 and amending Council Regulation (EEC) No 3037/90 as well as certain EC Regulations on specific statistical domains (OJ L 393, 30.12.2006, p. 1).’;

Or. en

Justification

Chemical and industrial parks produce products that are directly feeded into the industrial value chain. As a consequence, these parks should be treated as industrial companies.

Amendment 23

Proposal for a directive

Article 1 – paragraph 1 – point 2 – point a

Directive (EU) 2018/2001

Article 3 – paragraph 1

Text proposed by the Commission

1. Member States shall collectively ensure that the share of energy from renewable sources in the Union's gross final consumption of energy in 2030 is at least 40%.

Amendment

1. Member States shall collectively ensure that the share of energy from renewable sources in the Union's gross final consumption of energy in 2030 is at least 40%. ***In order to safeguard the Union's industrial competitiveness, each Member State shall set an indicative target to ensure that at least 5 % of new installed renewable electricity capacity between 2025 and 2035 is innovative renewable energy technology.***

Or. en

Justification

Europe must remain industrial leader in renewable energy technologies. This provision will provide market-pull measures for innovative renewable technologies.

Amendment 24

Proposal for a directive

Article 1 – paragraph 1 – point 2 – point b

Directive (EU) 2018/2001

Article 3 – paragraph 3 – subparagraph 1

Text proposed by the Commission

Member States shall take measures to ensure that energy from biomass is produced in a way that minimises undue distortive effects on the biomass raw material market and harmful impacts on biodiversity. To that end, they shall take into account the waste hierarchy as set out in Article 4 of Directive 2008/98/EC and the cascading principle referred to in the third subparagraph.

Amendment

Member States shall take measures to ensure that energy from biomass is produced in a way that minimises undue distortive effects on the biomass raw material market and harmful impacts on biodiversity. To that end, they shall take into account the waste hierarchy as set out in Article 4 of Directive 2008/98/EC and the cascading principle referred to in the third subparagraph. ***They shall submit their plans for timber and forest management to the Commission for assessment and validation.***

Or. en

Justification

The national plans for timber and forest management will follow the principle of subsidiarity as well as in respect of the cascading principle.

Amendment 25

Proposal for a directive

Article 1 – paragraph 1 – point 2 – point b

Directive (EU) 2018/2001

Article 3 – paragraph 3 – subparagraph 2 – point a

Text proposed by the Commission

Amendment

(a) Member States shall grant no support for: *deleted*

(i) the use of saw logs, veneer logs, stumps and roots to produce energy.

(ii) the production of renewable energy produced from the incineration of waste if the separate collection obligations laid down in Directive 2008/98/EC have not been complied with.

(iii) practices which are not in line with the delegated act referred to in the third subparagraph.

Or. en

Justification

Member States or local/regional authorities should specify sustainable forest management practices. Forest-related requirements should be addressed in appropriate legislation.

Amendment 26

Proposal for a directive

Article 1 – paragraph 1 – point 2 – point b

Directive (EU) 2018/2001

Article 3 – paragraph 3 – subparagraph 3

Text proposed by the Commission

Amendment

No later than one year after [the entry into force of this amending Directive], the *deleted*

Commission shall adopt a delegated act in accordance with Article 35 on how to apply the cascading principle for biomass, in particular on how to minimise the use of quality roundwood for energy production, with a focus on support schemes and with due regard to national specificities.

Or. en

Justification

In order not to hinder innovations and support the best use of wood, no new legislation shall be introduced on cascading use of wood. It goes well beyond the legal basis of the Renewable Energy Directive and infringes the subsidiarity principle.

Amendment 27

Proposal for a directive

Article 1 – paragraph 1 – point 2 – point c

Directive (EU) 2018/2001

Article 3 – paragraph 4a

Text proposed by the Commission

4a. Member States shall establish a framework, which may include support schemes and facilitating the uptake of renewable **power** purchase agreements, enabling the deployment of renewable **electricity** to a level that is consistent with the Member State's national contribution referred to in paragraph 2 and at a pace that is consistent with the indicative trajectories referred to in Article 4(a)(2) of Regulation (EU) 2018/1999. In particular, that framework shall tackle remaining barriers, including those related to permitting procedures, to a high level of renewable **electricity** supply. When designing that framework, Member States shall take into account the additional renewable **electricity** required to meet demand in the transport, industry, building and heating and cooling sectors and for the production of renewable fuels of non-biological origin.;

Amendment

4a. Member States shall establish a framework, which may include support schemes and facilitating the uptake of renewable **energy** purchase agreements, enabling the deployment of renewable **energy** to a level that is consistent with the Member State's national contribution referred to in paragraph 2 and at a pace that is consistent with the indicative trajectories referred to in Article 4(a)(2) of Regulation (EU) 2018/1999. In particular, that framework shall tackle remaining barriers, including those related to permitting procedures, to a high level of renewable **energy** supply. When designing that framework, Member States shall take into account the additional renewable **energy** required to meet demand in the transport, industry, building and heating and cooling sectors and for the production of renewable fuels of non-biological origin.;

*Justification**Energy vector-neutral formula.***Amendment 28****Proposal for a directive****Article 1 – paragraph 1 – point 2 – point c**

Directive (EU) 2018/2001

Article 3 – paragraph 4 b (new)

*Text proposed by the Commission**Amendment*

4b. Member States shall establish a framework, which may include support schemes and facilitating the uptake of low-carbon hydrogen including through low-carbon hydrogen purchase agreements, for tackling remaining barriers to the deployment of renewable electricity, including those related to permitting procedures.

Or. en

Amendment 29**Proposal for a directive****Article 1 – paragraph 1 – point 4 – point a**

Directive (EU) 2018/2001

Article 9 – paragraph 1a

*Text proposed by the Commission**Amendment*

1a. By 31 December 2025, each Member State shall agree to establish at least **one** joint project with one or more other Member States for the production of renewable energy. The Commission shall be notified of such an agreement, including the date on which the project is expected to become operational. Projects financed by national contributions under the Union renewable energy financing mechanism

1a. By 31 December 2025, each Member State shall agree to establish at least **two joint projects** with one or more other Member States for the production of renewable energy. **Member States with an annual electricity consumption of more than 100 TWh shall enter into cooperation agreements to establish a third joint project with one or more other Member States for the production of**

established by Commission Implementing Regulation (EU) 2020/1294²⁵ shall be deemed to satisfy this obligation for the Member States involved.;

renewable energy. Such joint projects shall be additional to projects planned in the Regulation (EU) .../... of the European Parliament and the Council [on guidelines for trans-European energy infrastructure as proposed by COM(2020)0824]. and may involve local and regional authorities and private operators. The Commission shall be notified of such an agreement, including the date on which the project is expected to become operational. Projects financed by national contributions under the Union renewable energy financing mechanism established by Commission Implementing Regulation (EU) 2020/1294²⁵ shall be deemed to satisfy this obligation for the Member States involved. ***Member States shall work towards a fair distribution of costs and benefits of such joint projects. To that end, all the relevant costs and benefits of the cooperation shall be taken into account in the relevant cooperation agreements.***;

²⁵ Commission Implementing Regulation (EU) 2020/1294 of 15 September 2020 on the Union renewable energy financing mechanism (OJ L 303, 17.9.2020, p. 1).

²⁵ Commission Implementing Regulation (EU) 2020/1294 of 15 September 2020 on the Union renewable energy financing mechanism (OJ L 303, 17.9.2020, p. 1).

Or. en

Justification

Cross-border connections as well as the local and regional levels play an important role in an integrated and decentralised energy system. Therefore, more cross-border projects are needed and in particular Member States with the highest electricity consumption should contribute the most. Moreover, a fair sharing of costs and benefits is essential for the implementation of cooperation projects among Member States.

Amendment 30

Proposal for a directive

Article 1 – paragraph 1 – point 5 – point c

Directive (EU) 2018/2001

Article 15 – paragraph 8 – subparagraph 1

Text proposed by the Commission

Member States shall assess the regulatory and administrative barriers to long-term **renewables power** purchase agreements, and shall remove unjustified barriers to, and promote the uptake of, such agreements, including by exploring how to reduce the financial risks associated with them, in particular by using credit guarantees. Member States shall ensure that those agreements are not subject to disproportionate or discriminatory procedures or charges, and that any associated guarantees of origin can be transferred to the buyer of the renewable energy under **the renewable power** purchase agreement.

Amendment

Member States shall assess the regulatory and administrative barriers to long-term **renewable energy** purchase agreements, and shall remove unjustified barriers to, and promote the uptake of, such agreements, including by exploring how to reduce the financial risks associated with them, in particular by using credit guarantees. Member States shall ensure that those agreements are not subject to **any** disproportionate or discriminatory procedures or **any** charges **or fees**, and that any associated guarantees of origin can be transferred to the buyer of the renewable energy under purchase agreement.

Or. en

Justification

Renewable energy purchase agreements are an essential instrument to achieve a market-driven deployment of renewable energy. A company buying renewable energy through a purchase agreement should not be subject to any charges linked to the financing of the renewable energy deployment, while proportionate network fees might be necessary if the energy is supplied through the public grid.

Amendment 31

Proposal for a directive

Article 1 – paragraph 1 – point 5 – point c

Directive (EU) 2018/2001

Article 15 – paragraph 8 a (new)

Text proposed by the Commission

Amendment

8a. *Member States shall assess the regulatory and administrative barriers to long-term low-carbon hydrogen purchase agreements and shall remove unjustified barriers to, and promote the uptake of, such agreements, including by exploring how to reduce the financial risks associated with them, in particular by*

means of credit guarantees. Member States shall ensure that hydrogen purchase agreements are not subject to any disproportionate or discriminatory procedures or any charges and fees, and that any associated guarantees of origin can be transferred to the buyer of the low-carbon hydrogen under the purchase agreement.

Or. en

Justification

Inline with the new amendment for Article 3 4(b), o facilitate the uptake of low-carbon hydrogen including through purchase agreements. A company buying low-carbon hydrogen through a purchase agreement should not be subject to any charges linked to the financing of the renewable energy deployment, while proportionate network fees might be necessary if the energy is supplied through the public grid.

Amendment 32

Proposal for a directive

Article 1 – paragraph 1 – point 5 – point c

Directive (EU) 2018/2001

Article 15 – paragraph 8 b (new)

Text proposed by the Commission

Amendment

8b. Member States shall ensure that Union environmental law is applied to the deployment of energy from renewable sources and the related grid infrastructure on the basis of the principle that the species protection refers to the entire population and not the individual specimens.

Or. en

Justification

In order to reduce existing barriers for RES deployment in planning and permitting procedures, we suggest to include an interpretation in Article 15 of the RED revision that sets specific conditions under which RES projects and the related grid infrastructure must apply Union environmental law.

Amendment 33

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive (EU) 2018/2001

Article 15a – paragraph 1

Text proposed by the Commission

1. In order to promote the production and use of renewable energy in the building sector, Member States shall set an indicative target for the share of **renewables** in final energy consumption in their buildings sector in 2030 that is consistent with an indicative target of at least a 49 % share of energy from renewable sources in the buildings sector in the Union's final consumption of energy in 2030. The national target shall be expressed in terms of share of national final energy consumption and calculated in accordance with the methodology set out in Article 7. Member States shall include their target in the updated integrated national energy and climate plans submitted pursuant to Article 14 of Regulation (EU) 2018/1999 as well as information on how they plan to achieve it.

Amendment

1. In order to promote the production and use of renewable energy in the building sector, Member States shall set an indicative target for the share of renewable **energy sources** in final energy consumption in their buildings sector in 2030 that is consistent with an indicative target of at least a 49 % share of energy from renewable sources in the buildings sector in the Union's final consumption of energy in 2030. **Member States that do not explicitly price carbon in the building sector through a tax or emissions trading scheme or Member States that temporarily opt out of the new European emissions trading scheme for buildings and transport shall set a higher indicative share of renewable energy sources.** The national target shall be expressed in terms of share of national final energy consumption and calculated in accordance with the methodology set out in Article 7. Member States shall include their target in the updated integrated national energy and climate plans submitted pursuant to Article 14 of Regulation (EU) 2018/1999 as well as information on how they plan to achieve it.

Or. en

Justification

The incentives for decarbonization resulting from the New ETS have an impact on this directive and require less additional regulation.

Amendment 34

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive (EU) 2018/2001

Article 15a – paragraph 2 – subparagraph 2

Text proposed by the Commission

To achieve the indicative share of **renewables** set out in paragraph 1, Member States shall, in their building regulations and codes and, where applicable, in their support schemes or by other means with equivalent effect, require the use of minimum levels of energy from renewable sources in buildings, in line with the provisions of Directive 2010/31/EU. Member States shall allow those minimum levels to be fulfilled, among others, through efficient district heating and cooling.

Amendment

To achieve the indicative share of **renewable energy sources** set out in paragraph 1, Member States shall, in their building regulations and codes and, where applicable, in their support schemes or by other means with equivalent effect, require the use of minimum levels of energy from renewable sources in **new buildings and in existing buildings that are subject to renovation**, in line with the provisions of Directive 2010/31/EU **and where that is economically, technically, and functionally feasible**. Member States shall allow those minimum levels to be fulfilled, among others, through efficient district heating and cooling, **and through the use of guarantees of origin in line with Article 19 of this Directive**.

Or. en

Justification

Technical, functional, and economic feasibility should be required. This allows cost-efficient decisions for renovation strategies in order to help the buildings sector contributing to the new EU climate targets. Guarantees of Origin should be allowed to be used to meet the renewable target in the building sector.

Amendment 35

Proposal for a directive

Article 1 – paragraph 1 – point 6 a (new)

Directive (EU) 2018/2001

Article 16 – paragraph 6

Present text

Amendment

(6a) in Article 16, paragraph 6 is

6. Member States shall facilitate the repowering of existing renewable energy plants by ensuring a simplified and swift permit-granting process. The length of that process shall not exceed one year.

replaced by the following:

6. Member States shall facilitate the repowering of existing renewable energy plants by ensuring a simplified and swift permit-granting process. ***Member States may also exempt specific repowering projects from the obligation to carry out an environmental impact assessment in accordance with Article 2(4) of Directive 2011/92/EU^{1a}, Directive 2009/147/EC^{1b} and Council Directive 92/43/EEC^{1c}.*** The length of that process shall not exceed one year.

^{1a} Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment (OJ L 26, 28.1.2012, p. 1).

^{1b} Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (OJ L 20, 26.1.2010).

^{1c} Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p. 7).

Or. en

Justification

Administrative permit application processes for repowering of existing renewable energy plants are delayed by environmental impact assessments. Repowering projects that do not exceed a certain extent of existing projects have no significant additional effects on the environment. An environmental impact assessment is therefore not needed for repowered renewable energy plants with an environmental impact on the site that has already been evaluated.

Amendment 36

Proposal for a directive

Article 1 – paragraph 1 – point 6 b (new)

Text proposed by the Commission

Amendment

(6b) the following Article is inserted:

“Article 16a

‘Fit for 55 projects of special public interest’ label

1. Member States shall create a new category of projects labelled ‘Fit for 55 projects of special public interest’ for renewable energy projects that are of strategic interest. Competent national authorities shall prioritise and apply a simplified permit-granting process to applications for that label.

2. Competent national authorities shall accede to or refuse an application under paragraph 1 within two years from receipt of the date of the application. Where duly justified on grounds of extraordinary circumstances, that two-year time-limit may be extended by up to one year. In the absence of a decision within the time-limit, the competent authority shall be deemed to have acceded to the application.

Or. en

Justification

The new category would correspond to projects that will significantly contribute to the Green Deal objectives by for instance accelerating the energy transition or including more than one renewable technology.

Amendment 37

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive (EU) 2018/2001

Article 18 – paragraph 3 – subparagraph 1

Text proposed by the Commission

Member States shall ensure that certification schemes are available for installers and designers of all forms of renewable heating and cooling systems in buildings, industry and agriculture, and for installers of solar photovoltaic systems. Those schemes may take into account existing schemes and structures as appropriate, and shall be based on the criteria laid down in Annex IV. Each Member State shall **recognise** the certification awarded by other Member States in accordance with those criteria.

Amendment

Member States shall ensure that certification **schemes or equivalent qualification** schemes are available for installers and designers of all forms of renewable heating and cooling systems in buildings, industry and agriculture, and for installers of solar photovoltaic systems. Those schemes may take into account existing schemes and structures as appropriate **provided that they are compatible with national qualification and certification schemes**, and shall be based on the criteria laid down in Annex IV. Each Member State shall **verify the recognition of** the certification awarded by other Member States in accordance with those criteria.

Or. en

Justification

As regards certification schemes for installers and designers of renewable heating and cooling systems, equivalent qualification schemes by MS should be acknowledged in the provision. An EU-wide definition of certifications would take away the flexibility of the market to react quickly to technological changes, for example. Recognition of certification should not be regulated in this Directive.

Amendment 38

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive (EU) 2018/2001

Article 18 – paragraph 3 – subparagraph 2

Text proposed by the Commission

Member States shall **ensure that** trained and qualified installers of renewable heating and cooling systems **are available** in sufficient numbers for the relevant technologies to service the growth of renewable heating and cooling required to contribute to the annual increase in the

Amendment

Member States shall **provide the conditions for the availability of** trained and qualified installers of renewable heating and cooling systems in sufficient numbers for the relevant technologies to service the growth of renewable heating and cooling required to contribute to the

share of renewable energy in the heating and cooling sector as set out in Article 23.

annual increase in the share of renewable energy in the heating and cooling sector as set out in Article 23.

Or. en

Justification

Since dual systems basically relies on market mechanisms, Member States cannot guarantee or assure a sufficient number of installers. Member States can only create the conditions to for sufficient numbers to be achieved.

Amendment 39

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive (EU) 2018/2001

Article 18 – paragraph 3 – subparagraph 3

Text proposed by the Commission

To achieve such sufficient numbers of installers and designers, Member States shall ensure that sufficient training programmes leading to qualification or certification covering renewable heating and cooling technologies, and their latest innovative solutions, are made available. Member States shall put in place measures to promote participation in such programmes, in particular by small and medium-sized enterprises and the self-employed. Member States may put in place voluntary agreements with the relevant technology providers and vendors to train sufficient numbers of installers, which may be based on estimates of sales, in the latest innovative solutions and technologies available on the market.

Amendment

To achieve such sufficient numbers of installers and designers, Member States shall ensure that, ***provided that they are compatible with national qualification and certification schemes***, sufficient training programmes leading to qualification or certification covering renewable heating and cooling technologies, and their latest innovative solutions, are made available. Member States shall put in place measures to promote participation in such programmes, in particular by small and medium-sized enterprises and the self-employed. Member States may put in place voluntary agreements with the relevant technology providers and vendors to train sufficient numbers of installers, which may be based on estimates of sales, in the latest innovative solutions and technologies available on the market.

Or. en

Justification

The EU has a limited competence in education policy.

Amendment 40

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive (EU) 2018/2001

Article 18 – paragraph 4

Text proposed by the Commission

4. Member States shall make information on the certification schemes referred to in paragraph 3 available to the public. Member States ***shall ensure that the*** list of installers who are qualified or certified in accordance with paragraph 3 ***is regularly updated and made*** available to the public.;

Amendment

4. Member States shall make information on the certification schemes ***or equivalent qualification schemes as*** referred to in paragraph 3 available to the public. Member States ***may also make a regularly updated*** list of installers who are qualified or certified in accordance with paragraph 3 available to the public.;

Or. en

Justification

The EU has a limited competence in education policy.

Amendment 41

Proposal for a directive

Article 1 – paragraph 1 – point 8 – point a – point i

Directive (EU) 2018/2001

Article 19 – paragraph 2 – subparagraph 1

Text proposed by the Commission

To that end, Member States shall ensure that a guarantee of origin is issued in response to a request from a producer of energy from renewable sources. Member States may arrange for guarantees of origin to be issued for energy from non-renewable sources. Issuance of guarantees of origin may be made subject to a minimum capacity limit. A guarantee of

Amendment

To that end, Member States shall ensure that a guarantee of origin is issued in response to a request from a producer of energy from renewable sources ***as well as from a producer of low-carbon hydrogen.*** Member States ***shall provide for guarantees of origin to be issued for low-carbon hydrogen and*** for energy from other non-renewable sources. ***Member***

origin shall be *of the standard size of* 1 MWh. No more than one guarantee of origin shall be issued in respect of each unit of energy produced.;

States shall provide for a uniform system of Union guarantees of origin for all renewable and low-carbon hydrogen. Member States shall introduce supplementary schemes to enable guarantees of origins for renewable electricity that include refined time-granularity and locational matching, while avoiding double counting with the existing guarantee of origin system. The Commission shall adopt delegated acts in accordance with Article 35 to supplement this Directive by introducing a common scheme for guarantees of origin. Issuance of guarantees of origin may be made subject to a minimum capacity limit. A guarantee of origin shall be *no greater than* 1 MWh. No more than one guarantee of origin shall be issued in respect of each unit of energy produced. *By ... [one year after the entry into force of this amending Directive], the Commission shall issue guidance on relevant safeguards for cross-border transfers.*

Or. en

Justification

The renewable energy sector should benefit from more advanced digital solutions and innovation. One uniform European system for guarantees of origin needs to englobe renewable and low-carbon hydrogen. It will avoid unnecessary administrative burden and fees for market participants and will create traceability, trackability, tradability, and transparency. That way, well-informed choices by all participants can be made regarding the origin and source of the purchased energy.

Amendment 42

Proposal for a directive

Article 1 – paragraph 1 – point 10

Directive (EU) 2018/2001

Article 20a – paragraph 2 – subparagraph 2

Text proposed by the Commission

Member States shall ensure that vehicle manufacturers make available, in real-time,

Amendment

Member States shall ensure that vehicle manufacturers make available, in real-time,

in-vehicle data related to the battery state of health, battery state of charge, battery power setpoint, battery capacity, **as well as the location of electric vehicles** to electric vehicle owners and users, as well as to third parties acting on the owners' and users' behalf, such as electricity market participants and electromobility service providers, under non-discriminatory terms and at no cost, in addition to further requirements in the type approval and market surveillance regulation.

in-vehicle data related to the battery state of health, battery state of charge, battery power setpoint, **as well as** battery capacity to electric vehicle owners and users, as well as to third parties acting on the owners' and users' behalf **with explicit consent**, such as electricity market participants and electromobility service providers, under non-discriminatory terms and at no cost, in addition to further requirements in the type approval and market surveillance regulation.

Or. en

Justification

From a data protection point of view, "as well as the location of electric vehicles" should be deleted. Consumer rights should be strengthened by providing explicit consent.

Amendment 43

Proposal for a directive

Article 1 – paragraph 1 – point 11

Directive (EU) 2018/2001

Article 22a – paragraph 1 – subparagraph 1

Text proposed by the Commission

Member States shall endeavour to increase the share of renewable sources in the amount of energy sources used for final energy and non-energy purposes in the industry sector by an indicative average minimum annual increase of 1.1 percentage points by 2030.

Amendment

Member States shall endeavour to increase the share of renewable sources **and low carbon hydrogen** in the amount of energy sources used for final energy and non-energy purposes in the industry sector by an indicative average minimum annual increase of 1.1 percentage points by 2030.

Or. en

Justification

All types of climate-friendly hydrogen will be needed to achieve the EU's ambitious decarbonisation targets cost-effectively.

Amendment 44

Proposal for a directive

Article 1 – paragraph 1 – point 11

Directive (EU) 2018/2001

Article 22a – paragraph 1 – subparagraph 3

Text proposed by the Commission

Member States shall ensure that the contribution of renewable fuels of non-biological origin used for final energy and non-energy purposes **shall be** 50 % of the hydrogen used for final energy and non-energy purposes in industry by 2030. For the calculation of **that percentage**, the following rules shall apply:

Amendment

Member States shall ensure that the contribution of renewable fuels of non-biological origin **and low-carbon hydrogen** used for final energy and non-energy purposes **is** 50 % of the hydrogen used for final energy and non-energy purposes in industry by 2030, **subject to availability, and that the contribution of renewable fuels of non-biological origin used for final energy and non-energy purposes is at least 40 % of the hydrogen used for final energy and non-energy purposes in industry by 2030, subject to their availability. Member States shall ensure that by 2035, the contribution of renewable fuels of non-biological origin used for final energy and non-energy purposes is at least 70 % of the hydrogen used for final energy and non-energy purposes in industry. Member States shall analyse the availability of fuels of non-biological origin and low-carbon hydrogen in 2027 and every year thereafter.** For the calculation of **the percentages**, the following rules shall apply:

Or. en

Justification

A 50% target is very ambitious for Member States with a high hydrogen consumption in the industrial sector. All types of climate-friendly hydrogen will be needed to achieve the EU's ambitious decarbonisation targets cost-effectively.

Amendment 45

Proposal for a directive

Article 1 – paragraph 1 – point 11

Directive (EU) 2018/2001

Article 22a – paragraph 1 – subparagraph 3 – point b

Text proposed by the Commission

(b) For the calculation of the numerator, the energy content of the renewable fuels of non-biological origin consumed in the industry sector for final energy and non-energy purposes shall be taken into account, excluding renewable fuels of non-biological origin used as intermediate products for the production of conventional transport fuels.

Amendment

(b) For the calculation of the numerator, the energy content of the renewable fuels of non-biological origin **and low carbon hydrogen** consumed in the industry sector for final energy and non-energy purposes shall be taken into account, excluding renewable fuels of non-biological origin used as intermediate products for the production of conventional transport fuels.

Or. en

Justification

Adaptation to amendment 34.

Amendment 46

Proposal for a directive

Article 1 – paragraph 1 – point 11

Directive (EU) 2018/2001

Article 22a – paragraph 2

Text proposed by the Commission

2. Member States shall ensure that industrial products that are labelled or claimed to be produced with renewable energy and renewable fuels of non-biological origin shall indicate the percentage of renewable energy used or renewable fuels of non-biological origin used in the raw material acquisition and pre-processing, manufacturing and distribution stage, calculated on the basis of the methodologies laid down in Recommendation 2013/179/EU²⁷ or,

Amendment

deleted

alternatively, ISO 14067:2018.;

²⁷ 2013/179/EU: Commission Recommendation of 9 April 2013 on the use of common methods to measure and communicate the life cycle environmental performance of products and organisations, OJ L 124, 4.5.2013, p. 1–210

Or. en

Justification

Having quotas and labels amounts to double regulation and bureaucracy. Furthermore, such a labelling scheme needs to be properly prepared with a fully-fledged impact assessment. It should be focused industrial products with a significantly improved carbon footprint compared to fossil fuel comparator.

Amendment 47

Proposal for a directive

Article 1 – paragraph 1 – point 11

Directive (EU) 2018/2001

Article 22 a – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. By ... [one year after the entry into force of this amending Directive], the Commission shall develop a global import strategy for renewable fuels of non-biological origin and low carbon hydrogen. That strategy shall include indicative targets and measures for imports of renewable electricity and of renewable fuels of non-biological origin. Member States shall take appropriate measures to implement the strategy in their integrated national energy and climate plans and progress reports submitted pursuant to Articles 3, 14 and 17 of Regulation (EU) 2018/1999.

Or. en

Justification

Imports of renewable and low-carbon hydrogen will be needed to cover the increasing demand for climate-friendly gases.

Amendment 48

Proposal for a directive

Article 1 – paragraph 1 – point 12 – point b

Directive (EU) 2018/2001

Article 23 – paragraph 1a

Text proposed by the Commission

1a. Member States shall carry out an assessment of their potential of energy from renewable sources and of the use of waste heat and cold in the heating and cooling sector including, where appropriate, an analysis of areas suitable for their deployment at low ecological risk and of the potential for small-scale household projects. The assessment shall set out milestones and measures to **in** increase **renewables** in heating and cooling and, where appropriate, the use of waste heat and cold through district heating and cooling with a view of establishing a long-term national strategy to decarbonise heating and cooling. The assessment shall be part of the integrated national energy and climate plans referred to in Articles 3 and 14 of Regulation (EU) 2018/1999, and shall accompany the comprehensive heating and cooling assessment required by Article 14(1) of Directive 2012/27/EU.;

Amendment

1a. Member States shall carry out an assessment of their potential of energy from renewable sources and of the use of waste heat and cold in the heating and cooling sector including, where appropriate, an analysis of areas suitable for their deployment at low ecological risk and of the potential for small-scale household projects. The assessment shall set out milestones and measures to increase **renewable energy** in heating and cooling and, where appropriate, the use of waste heat and cold through district heating and cooling with a view of establishing a long-term national strategy to decarbonise heating and cooling. The assessment shall be part of the integrated national energy and climate plans referred to in Articles 3 and 14 of Regulation (EU) 2018/1999, and shall accompany the comprehensive heating and cooling assessment required by Article 14(1) of Directive 2012/27/EU.;

Or. en

Justification

Correction

Amendment 49

Proposal for a directive

Article 1 – paragraph 1 – point 12 – point d

Directive (EU) 2018/2001

Article 23 – paragraph 4 – introductory part

Text proposed by the Commission

4. To achieve the average annual increase referred to in paragraph 1, first subparagraph, Member States *may* implement ***one or more of*** the following measures:

Amendment

4. To achieve the average annual increase referred to in paragraph 1, first subparagraph, ***the Commission shall encourage*** Member States ***to*** implement the following measures:

Or. en

Justification

Stronger encouragement to use the proposed measures.

Amendment 50

Proposal for a directive

Article 1 – paragraph 1 – point 12 – point d

Directive (EU) 2018/2001

Article 23 – paragraph 4 – point b

Text proposed by the Commission

(b) installation of highly efficient renewable heating and cooling systems in buildings, or use of renewable energy or waste heat and cold in industrial heating and cooling processes;

Amendment

(b) installation of highly efficient renewable heating and cooling systems in buildings, or use of renewable energy or waste heat and cold in industrial heating and cooling processes, ***connection of buildings to efficient district heating and cooling systems;***

Or. en

Justification

Only with the help of local and district heating can the climate protection goals in the building sector be achieved, and thus the connection to an efficient district heating supply should also be mentioned. Efficient district heating is an essential component of the decarbonization of the building stock.

Amendment 51

Proposal for a directive

Article 1 – paragraph 1 – point 13 – point a

Directive (EU) 2018/2001

Article 24 – paragraph 1

Text proposed by the Commission

1. Member States shall ensure that information on the energy performance and the share of renewable energy in their district heating and cooling systems is provided to final consumers in an easily accessible manner, such as on bills or on the suppliers' websites and on request. The information on the renewable energy share shall be expressed at least as a percentage of gross final consumption of heating and cooling assigned to the customers of a given district heating and cooling system, ***including information on how much energy was used to deliver one unit of heating to the customer or end-user.***;

Amendment

1. Member States shall ensure that information on the energy performance and the share of renewable energy in their district heating and cooling systems is provided to final consumers in an easily accessible manner, such as on bills or on the suppliers' websites and on request. The information on the renewable energy share shall be expressed at least as a percentage of gross final consumption of heating and cooling assigned to the customers of a given district heating and cooling system.

Or. en

Justification

Reducing bureaucratic burden that do not have any added value for the consumers.

Amendment 52

Proposal for a directive

Article 1 – paragraph 1 – point 13 – point c

Directive (EU) 2018/2001

Article 24 – paragraph 4a – introductory part

Text proposed by the Commission

4a. Member States shall ensure that operators of district heating or cooling systems above 25 MWth capacity are obliged to connect third party suppliers of energy from renewable sources and from waste heat and cold or are obliged to offer to connect and purchase heat or cold from

Amendment

4a. Member States shall ensure that operators of district heating or cooling systems above 25 MWth capacity are obliged to connect third party suppliers of energy from renewable sources and from waste heat and cold or are obliged to offer to connect and purchase heat or cold from

renewable sources and from waste heat and cold from third-party suppliers based on non-discriminatory criteria *set by the competent authority of the Member State concerned*, where such operators need to do one or more of the following:

renewable sources and from waste heat and cold from third-party suppliers based on non-discriminatory criteria *if such a connection is technically and economically feasible and* where such operators need to do one or more of the following:

Or. en

Justification

Any obligations to give access to third parties must be subject to technical and economic feasibility.

Amendment 53

Proposal for a directive

Article 1 – paragraph 1 – point 14

Directive (EU) 2018/2001

Article 25 – paragraph 1 – subparagraph 1 – point a

Text proposed by the Commission

(a) the amount of renewable fuels and renewable electricity supplied to the transport sector leads to a greenhouse gas intensity reduction of at least **13** % by 2030, compared to the baseline set out in Article 27(1), point (b), in accordance with an indicative trajectory set by the Member State;

Amendment

(a) the amount of renewable fuels and renewable electricity supplied to the transport sector leads to a greenhouse gas intensity reduction of at least **20** % by 2030, compared to the baseline set out in Article 27(1), point (b), in accordance with an indicative trajectory set by the Member State;

Or. en

Justification

The greenhouse gas intensity reduction target should be higher to create an incentive for advanced biofuels, RFNBO etc.

Amendment 54

Proposal for a directive

Article 1 – paragraph 1 – point 14

Directive (EU) 2018/2001

Article 25 – paragraph 1 – subparagraph 1 – point b

Text proposed by the Commission

(b) the share of advanced biofuels and biogas produced from the feedstock listed in Part A of Annex IX in the energy supplied to the transport sector is at least **0,2 %** in 2022, **0,5 %** in 2025 and **2,2 %** in 2030, and the share of renewable fuels of non-biological origin is at least 2,6 % in 2030.

Amendment

(b) the share of advanced biofuels and biogas produced from the feedstock listed in Part A of Annex IX in the energy supplied to the transport sector is at least **0,4 %** in 2022, **1 %** in 2025 and **5 %** in 2030, and the share of renewable fuels of non-biological origin **and low-carbon hydrogen, including low-carbon hydrogen derived fuels**, is at least 2,6 % in **2028 and 5 % in 2030**.

Or. en

Justification

The advanced biofuels, RFNBO and hydrogen quota are the most powerful measure to ramp up biofuels, hydrogen and e-fuels in transport, complementing e-mobility.

Amendment 55

Proposal for a directive

Article 1 – paragraph 1 – point 14

Directive (EU) 2018/2001

Article 25 – paragraph 2

Text proposed by the Commission

2. Member States shall establish a mechanism allowing fuel suppliers in their territory to exchange credits for supplying renewable energy to the transport sector. Economic operators that supply renewable electricity to electric vehicles through public recharging stations shall receive credits, irrespectively of whether the economic operators are subject to the obligation set by the Member State on fuel suppliers, and may sell those credits to fuel suppliers, which shall be allowed to use the credits to fulfil the obligation set out in paragraph 1, first subparagraph.;

Amendment

2. Member States shall establish a mechanism allowing fuel suppliers in their territory to exchange credits for supplying renewable energy **and low-carbon hydrogen** to the transport sector. Economic operators that supply renewable electricity to electric vehicles through public recharging stations, **renewable energy, low-carbon hydrogen or low-carbon hydrogen derived fuels** shall receive credits, irrespectively of whether the economic operators are subject to the obligation set by the Member State on fuel suppliers, and may sell those credits to fuel suppliers, which shall be allowed to use the credits to fulfil the obligation set out in paragraph 1, first subparagraph.

Justification

To ensure that economic operators supplying low-carbon hydrogen or other RFNBOs to the transport sector can participate equally in the proposed credit mechanism. A level playing field for the different compliance options is essential for an effective and efficient reduction of emissions in the road transport sector.

Amendment 56**Proposal for a directive****Article 1 – paragraph 1 – point 15 – point a – point i**

Directive (EU) 2018/2001

Article 26 – paragraph 1 – subparagraph 1

Text proposed by the Commission

For the calculation of a Member State's gross final consumption of energy from renewable sources referred to in Article 7 and of the greenhouse gas intensity reduction target referred to in Article 25(1), first subparagraph, point (a), the share of biofuels and bioliquids, as well as of biomass fuels consumed in transport, where produced from food and feed crops, shall be no more than ***one percentage point higher than the share of such fuels in the final consumption of energy in the transport sector in 2020 in that Member State, with a maximum of 7 %*** of final consumption of energy in the transport sector in that Member State.;

Amendment

For the calculation of a Member State's gross final consumption of energy from renewable sources referred to in Article 7 and of the greenhouse gas intensity reduction target referred to in Article 25(1), first subparagraph, point (a), the share of biofuels and bioliquids, as well as of biomass fuels consumed in transport, where produced from food and feed crops shall be no more than 7 % of final consumption of energy in the transport sector in that Member State.;

Justification

Crop-based biofuels are an immediate and cost-effective tool to reduce emissions of existing and future light and heavy-duty vehicles, considering their number and lifespan, and their use should not be limited to transport modes that cannot be electrified. ILUC concerns were fully addressed in 2018 in the REDII delegated act on high ILUC-risk biofuels, which singled out problematic feedstocks and confirmed that European crop-based ethanol does not drive deforestation. Only high ILUC-risk biofuels must be progressively phased out.

Amendment 57

Proposal for a directive

Article 1 – paragraph 1 – point 16 – point b

Directive (EU) 2018/2001

Article 27 – paragraph 1 – subparagraph 1 – point a – point ii

Text proposed by the Commission

(ii) for renewable fuels of non-biological origin and recycled carbon fuels, by multiplying the amount of these fuels that is supplied to all transport modes by their emissions savings determined in accordance with delegated acts adopted pursuant to Article 29a(3);

Amendment

(ii) for renewable fuels of non-biological origin, **low-carbon hydrogen, low-carbon hydrogen derived fuels** and recycled carbon fuels, by multiplying the amount of these fuels that is supplied to all transport modes by their emissions savings determined in accordance with delegated acts adopted pursuant to Article 29a(3);

Or. en

Justification

To align with the addition of low-carbon hydrogen

Amendment 58

Proposal for a directive

Article 1 – paragraph 1 – point 16 – point b

Directive (EU) 2018/2001

Article 27 – paragraph 1 – subparagraph 1 – point a – point iii

Text proposed by the Commission

(iii) for renewable electricity, by multiplying the amount of renewable electricity that is supplied to all transport modes by the fossil fuel comparator $EC_{F(e)}$ set out in in Annex V;

Amendment

(iii) for renewable electricity, by multiplying the amount of renewable electricity that is supplied to all transport modes by the fossil fuel comparator $E_{F(t)}$ set out in in Annex V;

Or. en

Justification

The same fossil fuel comparator should be applied for the calculation of GHG savings for both renewable electricity and renewable fuels. Otherwise, it would result in unequal treatment. The Commission proposes a GHG calculation methodology that would lead to disproportionality high GHG savings for renewable electricity in transport.

Amendment 59

Proposal for a directive

Article 1 – paragraph 1 – point 16 – point b

Directive (EU) 2018/2001

Article 27 – paragraph 1 – subparagraph 1 – point d

Text proposed by the Commission

(d) the greenhouse gas intensity reduction from the use of renewable energy is determined by dividing the greenhouse gas emissions saving from the use of biofuels, biogas and renewable electricity supplied to all transport modes by the baseline.

Amendment

(d) the greenhouse gas intensity reduction from the use of renewable energy is determined by dividing the greenhouse gas emissions saving from the use of biofuels, biogas, **renewable fuels of non-biological origin, low-carbon hydrogen, recycled carbon fuels** and renewable electricity supplied to all transport modes by the baseline.

Or. en

Justification

Adding the contribution of RFNBOs, low-carbon hydrogen and recycled carbon fuels to the numerator

Amendment 60

Proposal for a directive

Article 1 – paragraph 1 – point 16 – point d - point i

Directive (EU) 2018/2001

Article 27 – paragraph 3 - subparagraphs 1, 2 and 3

Text proposed by the Commission

(i) the first, second **and** third subparagraphs are deleted;

Amendment

(i) the first, second, third **and fourth** subparagraphs are deleted;

Or. en

Amendment 61

Proposal for a directive

Article 1 – paragraph 1 – point 16 – point d - point ii

Directive (EU) 2018/2001
Article 27 – paragraph 3 – subparagraph 4

Text proposed by the Commission

Amendment

(ii) the fourth subparagraph is replaced by the following: **deleted**

‘Where electricity is used for the production of renewable fuels of nonbiological origin, either directly or for the production of intermediate products, the average share of electricity from renewable sources in the country of production, as measured two years before the year in question, shall be used to determine the share of renewable energy.’;

Or. en

Amendment 62

Proposal for a directive

Article 1 – paragraph 1 – point 16 – point d - point iii

Directive (EU) 2018/2001

Article 27 – paragraph 3 – subparagraph 5

Text proposed by the Commission

Amendment

However, electricity obtained from direct connection to an installation generating renewable electricity may be fully counted as renewable electricity where it is used for the production of renewable ***liquid and gaseous transport*** fuels of non-biological origin, provided that the installation:

Electricity obtained from direct connection to an installation generating renewable electricity may be fully counted as renewable electricity where it is used for the production of renewable fuels of non-biological origin, provided that the installation ***is not connected to the grid or is connected to the grid but evidence can be provided that the electricity concerned has been supplied without taking electricity from the grid.***

Or. en

Amendment 63

Proposal for a directive

Article 1 – paragraph 1 – point 16 – point d - point iiiia (new)

Directive (EU) 2018/2001

Article 27 – paragraph 3 – subparagraph 6

Present text

Electricity that has been taken from the grid may be counted as fully renewable provided that it is produced exclusively from renewable sources and the renewable properties have been demonstrated, ensuring that the renewable properties of that electricity are claimed only once and only in one end-use sector.

Amendment

(iiiia) the sixth subparagraph is replaced by the following:

Electricity that has been taken from the grid may be counted as fully renewable provided that it is produced exclusively from renewable sources and the renewable properties have been demonstrated, ensuring that the renewable properties of that electricity are claimed only once and only in one end-use sector. ***This can be achieved by either following any of the following:***

(a) to demonstrate the renewable properties, producers of renewable fuels of non-biological origin should be required to conclude one or more renewable power purchase agreements generating electricity for an amount that is at least equivalent to the amount of electricity that is claimed as fully renewable.

The balance between the renewable electricity purchased through one or several power purchase agreements and the amount of electricity taken from the grid to produce renewable fuels of non-biological origin shall be achieved on a quarterly basis.

From 1 January 2026, the balance between the renewable electricity purchased through one or several power purchase agreements and the amount of electricity taken from the grid to produce renewable fuels of non-biological origin shall be achieved on a daily basis.

A power purchase agreement can be signed with an existing installation producing renewable electricity provided

that the installation does not receive support in form of operating aid or investment aid at the date the contract enters into force, or such support has ended.

(b) a granular guarantee of origin pursuant to Article 19(2) may be used in order to demonstrate the renewable properties of the electricity used for the production of renewable fuels of non-biological origin and to ensure that the renewable properties of that electricity are claimed only once and only in one end-use sector.

Or. en

Amendment 64

Proposal for a directive

Article 1 – paragraph 1 – point 16 a - point iii b (new)

Directive (EU) 2018/2001

Article 27 – paragraph 3 – subparagraph 6 a (new)

Text proposed by the Commission

Amendment

(iiib) the following subparagraph is inserted:

“Member States shall ensure that any additional electricity demand used for the production of renewable fuels of non-biological origin is included in their National Energy and Climate Plans.”

Or. en

Amendment 65

Proposal for a directive

Article 1 – paragraph 1 – point 16 a - point iii c (new)

Directive (EU) 2018/2001

Article 27 – paragraph 3 – subparagraph 7

Present text

Amendment

By **31 December 2021**, the Commission shall adopt a delegated act in accordance with Article 35 to supplement this Directive by establishing **a Union methodology setting out detailed rules by which economic operators are to comply with the requirements laid down in the fifth and sixth subparagraphs of this paragraph.**

(iiic) the seventh subparagraph is replaced by the following:

“By ...[one year after the entry into force of this amending Directive], the Commission shall adopt a delegated act in accordance with Article 35 to supplement this Directive by establishing a methodology for the implementation of this Article.”

Or. en

Amendment 66

Proposal for a directive

Article 1 – paragraph 1 – point 16 a - point iii d (new)

Directive (EU) 2018/2001

Article 27 – paragraph 3 – subparagraph 7 a (new)

Text proposed by the Commission

Amendment

(iiid) the following subparagraph is added:

“The requirements in this Article, or, where not applicable, equivalent requirements shall apply to renewable fuels of non-biological origin imported in the Union.”

Or. en

Amendment 67

Proposal for a directive

Article 1 – paragraph 1 – point 18 – point a – point ii

Directive (EU) 2018/2001

Article 29 – paragraph 1 – subparagraph 4 – point a

Text proposed by the Commission

Amendment

(a) in the case of solid biomass fuels, in installations producing electricity, heating and cooling with a total rated thermal input equal to or exceeding **5** MW,

(a) in the case of solid biomass fuels, in installations producing electricity, heating and cooling with a total rated thermal input equal to or exceeding **20** MW,

Or. en

Justification

Mainly small and decentralised bioenergy plants would be affected by lowering the threshold. The administrative and financial burden would be too excessive for those local plants that play an important role for i.e. local heat.

Amendment 68

Proposal for a directive

Article 1 – paragraph 1 – point 18 – point e

Directive (EU) 2018/2001

Article 29 – paragraph 6 – point a – point iv

Text proposed by the Commission

Amendment

(iv) that harvesting is carried out considering maintenance of soil quality and biodiversity with the aim of minimising negative impacts, ***in a way that avoids harvesting of stumps and roots, degradation of primary forests or their conversion into plantation forests, and harvesting on vulnerable soils; minimises large clear-cuts and ensures locally appropriate thresholds for deadwood extraction and requirements to use logging systems that minimise impacts on soil quality, including soil compaction, and on biodiversity features and habitats;***

(iv) that harvesting is carried out considering maintenance of soil quality and biodiversity with the aim of minimising negative impacts;

Or. en

Justification

Member States or local/regional authorities should specify sustainable forest management practices. Forest-related requirements should be addressed in appropriate legislation.

Amendment 69

Proposal for a directive

Article 1 – paragraph 1 – point 18 – point f

Directive (EU) 2018/2001

Article 29 – paragraph 6 – point b – point iv

Text proposed by the Commission

(iv) that harvesting is carried out considering maintenance of soil quality and biodiversity with the aim of minimising negative impacts, ***in a way that avoids harvesting of stumps and roots, degradation of primary forests or their conversion into plantation forests, and harvesting on vulnerable soils; minimises large clear-cuts and ensures locally appropriate thresholds for deadwood extraction and requirements to use logging systems that minimise impacts on soil quality, including soil compaction, and on biodiversity features and habitats;***

Amendment

(iv) that harvesting is carried out considering maintenance of soil quality and biodiversity with the aim of minimising negative impacts;

Or. en

Justification

Member States or local/regional authorities should specify sustainable forest management practices. Forest-related requirements should be addressed in appropriate legislation.

Amendment 70

Proposal for a directive

Article 1 – paragraph 1 – point 18 – point g

Directive (EU) 2018/2001

Article 29 – paragraph 10 – subparagraph 1 – point d

Text proposed by the Commission

(d) at least **70 %** for electricity, heating and cooling production from biomass fuels used in installations until 31 December 2025, and at least **80 %** from 1 January 2026.;

Amendment

(d) at least **60 %** for electricity, heating and cooling production from biomass fuels used in installations ***starting operation from 1 January 2021*** until 31 December 2025, and at least **70 % for installations**

starting operation from 1 January 2026.;

Or. en

Justification

Reinstalling the provisions from REDII. The proposed changes would mean that existing biomass plants would retroactively become concerned of GHG reduction criteria. Investments security must remain valid.

Amendment 71

Proposal for a directive

Article 1 – paragraph 1 – point 19

Directive (EU) 2018/2001

Article 29a – paragraph 3

Text proposed by the Commission

3. The Commission is empowered to adopt delegated acts in accordance with Article 35 to supplement this Directive by specifying the methodology for assessing greenhouse gas emissions savings from renewable fuels of non-biological origin and from recycled carbon fuels. The methodology shall ensure that credit for avoided emissions is not given for CO₂ the capture of which has already received an emission credit under other provisions of law.;

Amendment

3. The Commission is empowered to adopt delegated acts in accordance with Article 35 to supplement this Directive by specifying the methodology for assessing greenhouse gas emissions savings from renewable fuels of non-biological origin, ***low-carbon hydrogen, low-carbon derived fuels*** and from recycled carbon fuels. The methodology shall ensure that credit for avoided emissions is not given for CO₂ the capture of which has already received an emission credit under other provisions of law.;

Or. en

Justification

Need for a methodology to assess the GHG savings of low-carbon hydrogen and low-carbon hydrogen derived fuels

Amendment 72

Proposal for a directive

Article 1 – paragraph 1 – point 19 a (new)

Directive (EU) 2018/2001

Article 29 b (new)

(19a) the following article is inserted:

“Article 29b

***Greenhouse gas emissions saving criteria
for low-carbon hydrogen and low-carbon
hydrogen- derived fuels***

***1. Notwithstanding Article 29a,
energy from low-carbon hydrogen and
low-carbon hydrogen-derived fuels shall
be counted only towards the targets
referred to in Articles 22a(1) and 25(1),
provided that the greenhouse gas
emissions savings from the use of those
fuels are at least 70 %. It shall not count
towards the binding overall Union target
for the share of renewable sources in the
Union's gross final consumption of
energy in 2030.***

***2. The Commission is empowered to
adopt delegated acts in accordance with
Article 35 to supplement this Directive by
specifying the methodology for assessing
greenhouse gas emissions savings from
low-carbon hydrogen and low-carbon
hydrogen-derived fuels. The methodology
shall ensure that no credit is given for
CO₂ emissions avoided where the capture
of such emissions has already received an
emission credit under another legal
provision.’***

Or. en

Justification

To integrate low-carbon hydrogen for the ramp-up of the hydrogen market.

Amendment 73

Proposal for a directive
Article 1 – paragraph 1 – point 22
Directive (EU) 2018/2001
Article 31a – paragraph 1

Text proposed by the Commission

1. The Commission shall ensure that a Union database is set up to enable the tracing of liquid and gaseous renewable fuels and recycled carbon fuels.

Amendment

1. The Commission shall ensure that a Union database is set up to enable the tracing of liquid and gaseous renewable fuels, ***low-carbon hydrogen, low-carbon hydrogen derived fuels*** and recycled carbon fuels.

Or. en

Justification

Addition of low-carbon hydrogen

Amendment 74

Proposal for a directive

Article 1 – paragraph 1 – point 22

Directive (EU) 2018/2001

Article 31a – paragraph 2 – subparagraph 1

Text proposed by the Commission

2. Member States shall require the relevant economic operators to enter in a timely manner accurate information into that database on the transactions made and the sustainability characteristics of the fuels subject to those transactions, including their life-cycle greenhouse gas emissions, starting from their point of production to the moment it is consumed in the Union. Information on whether support has been provided for the production of a specific consignment of fuel, and if so, on the type of support scheme, shall also be included in the database.

Amendment

2. Member States shall require the relevant economic operators to enter in a timely manner accurate information into that database on the transactions made and the sustainability characteristics of the fuels subject to those transactions, including their life-cycle greenhouse gas emissions, starting from their point of production to the moment it is consumed in the Union. ***The interconnected gas system shall be considered to be a single mass balance system. Information about injection and withdrawal transactions and crossing of entry-exit points shall be reported.*** Information on whether support has been provided for the production of a specific consignment of fuel, and if so, on the type of support scheme, shall also be included in the database.

Or. en

Justification

The EU gas system should be considered as a single logistical facility in order to match the realities of the European gas market, but to allow for tracking of cross-border transfers to benefit from tariff discounts for renewable and low-carbon gases, proposed under the Gas Package.

Amendment 75

Proposal for a directive

Article 1 – paragraph 1 – point 22 a (new)

Directive (EU) 2018/2001

Article 33 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

(22a) in Article 33, the following paragraph is inserted:

“2a. By ... [1 year before the date of entry into force of this amending Directive], and in line with the application of the “one in, one out” principle, the Commission shall, where appropriate, present legislative proposals for the offsetting of the regulatory burdens introduced by this Directive, by means of the amendment or deletion of provisions in other Union legislative acts that generate compliance costs in the affected sectors.”

Or. en

Amendment 76

Proposal for a directive

Article 1 – paragraph 1 – point 22 b (new)

Directive (EU) 2018/2001

Article 33 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

(22b) in Article 33, the following paragraph is added:

4a. By 1 October 2023, the Commission shall review the implementation of this Directive and publish a report setting out the conclusions of its review. The review shall, in particular, examine the external effects of the deployment of renewable energy and its impact on the environment.

Or. en

EXPLANATORY STATEMENT

Short Justification:

Guiding principle – with a regulatory framework and a market economy towards climate neutrality

If Europe is to contribute to the Paris Climate Agreement, it is crucial to revise the Renewable Energy Directive (RED III), increasing the amount of renewable energy as a percentage of total gross energy consumption from 32% to 40% by 2030. This extremely ambitious target can be achieved only through a massive expansion of renewable forms of energy in all sectors by means of innovative technology. The target underpins Europe's ambition to expand its global leadership in innovation when it comes to environmental technologies.

Ambitious targets set the framework for market-based solutions in industry, construction and transport. The targets must be interlinked and must not lead to a double tax burden for energy consumers, for example through ETS pricing or labelling. The increase in the share of renewable forms of energy – through electrification, the use of electricity-based fuels and through bioenergy – must be technology neutral and allow for transitional solutions. However, the 40% share must consist of 100% renewables. The Paris targets are the benchmark.

Harnessing Single Market synergies – Shortening authorisation procedures – Promoting innovation

The Commission's proposal neglects the contribution of the European single market to the energy transition. Also in view of the disappointing energy performance of the Recovery Fund, this report calls for a redoubling of ambitions for the cross-border deployment of relevant networks and other infrastructure projects for larger Member States. 'Labelling' for renewable energy projects is intended to help shorten permit-granting procedures.

Energy transition projects must be given a high legal of priority in all Member States by means of fast-track planning procedures. In order to stabilise networks with increasing shares of renewable energy, it is important for European energy networks to be further integrated and interconnected. It doing so, it needs to be ensured that the development of renewables also keeps pace with the expansion and planning of the energy network, so as to also ensure optimal use of renewable energy when it comes to storage, for example through connected batteries. These need to be significantly more transparent for consumers in terms of storage capacity, state of charge and wear and tear. At the same time, we need to ensure Europe's competitiveness, including through innovation. This is why the report calls for innovative forms of renewable energy technology, such as wave or tidal technology, to account for 5% of future capacity in each Member State between 2025 and 2035.

Speeding up hydrogen roll-out – Not limiting biomass availability

The climate objectives can be achieved only if all available decarbonisation options are exploited in all sectors. The Commission's specifications for the production of green hydrogen and other renewable fuels of non-biological origin (RFNBOs) are too complicated

and need to be simplified without adversely affecting the environment. Hydrogen production must not be reserved for specific installations in specific regions at specific times. Through H2 Power Purchase Agreements and guarantees of origin, a modern, digitalised market-based regulatory framework must be created that simplifies hydrogen procurement. In view of existing waste hierarchies and natural differences, the cascade principle can lead to a double tax burden and should be the responsibility of the Member States.

Industry, transport, buildings – flexibility will enable the goal to be reached quicker

The approach of setting a binding target of 50 % for RFNBOs as raw materials and energy sources in industry is likely to be too ambitious and can be brought within reach only by speeding up approval procedures, a robust system of guarantees of origin and accepting that some percentage points need to come from low-carbon energy sources. This in no way changes the 40 % target for renewable energy with regard to final consumption. As a faster H2 ramp-up would appear possible from 2030, a 70 % target for green hydrogen (without low carbon) should be set for 2035. The renewable energy target in the buildings sector (49 %) is also very ambitious and must take into account, in addition to electrification, the use of green district heating and the integration of renewable gases into the existing gas network.

By contrast, the greenhouse gas reduction target in the transport sector should be increased to 20 %. At the same time, sub-targets for biofuels, synthetic fuels and e-fuels need to be increased to send a real signal with regard to technological openness and also to provide options for economic/transport sectors and regions which are hard to electrify.

Financial viability: Flexible aid framework required, use transitions to accelerate target achievement, accelerate green energy imports

Financial support and efficient regulation will be important, especially in the coming years, in order to compensate for competitive disadvantages incurred by companies. The new targets of RED III must be aligned with the requirements of the new EU climate, energy and environmental State aid guidelines (CEEAG) and the Gas Market Directive. Furthermore, the inclusion of low-carbon technologies in the sectoral targets should be considered as an accelerator of CO2 reduction. In any case, RED III must provide impetus for a large-scale import strategy for green electricity and hydrogen imports that also takes the relevant guarantees of origin and production criteria into account, and counts imports towards the achievement of the overall target or sector targets.

Improve impact assessments and cut red tape

The Commission can only provide robust impact assessments for a maximum target of 38-40% savings. It is not answerable for proposals beyond this. This directive has added a lot of requirements and reporting obligations (energy supply database, battery information, qualification certificates, third party access to district heating networks, coverage of smaller production facilities). These are to be reviewed or avoided if regulations are in place in the Member States. In accordance with the one-in-one-out principle, the Commission is called upon to submit proposals for the administrative relief of economic operators by a given deadline.

Legal and investment security should be achieved in particular through the directive itself. I

therefore advocate that the Commission’s decision-making powers be exercised in accordance with the principles of subsidiarity and proportionality. Therefore, I am fundamentally critical of the large number of delegated acts that are to be granted to the Commission in the Renewable Energy Directive.

We have now reached a level of regulation and interdependence in the energy sector that can hardly be overlooked (see the interlinkages of RED III on the graph). An integrative approach is needed that combines reporting and evidence-related obligations for economic operators.

