OPINION

of the Committee on Transport and Tourism

for the Committee on Industry, Research and Energy


Rapporteur for opinion: Barbara Thaler
SHORT JUSTIFICATION

Starting point

The revision of the Renewable Energy Directive is necessary to achieve the European Union’s targets set in the Climate Target Plan. The main aim is to increase the share of renewable energy from 32% to 40%.

According to EUROSTAT\(^1\) this would require to more than double the share of renewable energy from roughly 15% in 2019 to 40% in 2030. In 2019, the year before the COVID-19 pandemic, the primary energy consumption in the EU was covered by five different sources. Oil (incl. crude oil) had by far the largest share with 36%, followed by natural gas (22%) and renewable energy (15%) on the second and third place. Nuclear energy and solid fossil fuels contributed 13% each.

61% of the final energy consumption had to be imported while 39% was produced within the European Union. Of the EU-based production, renewable energy accounted for the largest share with 37%, followed by nuclear energy with 32%. Solid fuels contributed roughly a fifth to the energy production with 19% followed by natural gas (8%) and crude oil (4%).\(^2\)

Sustainability energy means clean, reliable and affordable energy:

While the main objective of the revision of REDII is to substantially increase the share of renewable energy forms in the years to come, the unparalleled transformation of the energy sector makes it necessary to introduce certain safeguards.

European energy needs to become cleaner, but it also needs to stay affordable and reliable. Otherwise, the European Union will set an example that the rest of the world will not be willing to follow. Maintaining the advantages of the former system, namely its reliability and affordability, while decreasing our dependency and carbon footprint are all necessary factors that need to be equally considered in the revision of the REDII. Similarly, its provisions should equally take into account the rising energy demand to prevent mobility reduction and energy and transport poverty.

Primarily, a functioning internal market for renewable energy is a key prerequisite to meet the aforementioned demands. In order to keep energy affordable, renewable energy has to be produced where the given geography of Europe is most suitable and not due to the particular state aide landscape of our Member States.

A functioning internal market requires a lean and uniform framework that lays the groundwork to trade, trace and to enforce. Consequently, considerable investments into transmission grids within and between Member States need to be made, in order to lower dispatch costs and to make power purchase agreements more attractive. Incentives need to be given for Member States to develop more joint projects. Furthermore, owners of battery electric vehicles should be given the possibility of being incorporated in a better management

---

of demand and supply via virtual power plants.

**Technology neutrality:**

The long-term goal to reach climate neutrality by 2050 is unequally more challenging than the interim 2030 target. Such ambitious targets demand a broad set of tools and out of the box thinking, especially if also considering affordability, reliability and an increasing energy demand. Artificially limiting research and development in certain sectors and for certain applications is adding an unnecessary burden on top of a world-wide unique endeavour. In order to reach the targets in the most efficient way, different technologies have to compete with each other on the market and it is up to the end-consumer to choose the most suitable option. Therefore, the legislation has to ensure a level playing field between all energy carriers and all possible technologies, while the responsible authorities must ensure proper enforcement.

**Renewable fuels and gases of biological origin:**

The rules for bio feedstock have just recently been adopted in the recast of REDII and some Member States are still working on implementing the new measures. In addition, the Commission still needs to come forward with delegated and implementing acts. The previous recast of RED fully addressed the potential negative effects that first generation biofuels could have had without proper rules. The sustainability criteria, together with the reporting and monitoring obligations, ensure that no harm is done if the rules are applied and enforced properly. Therefore, a further tightening of available bio feedstock is against economic and environmental rational, since conventional biofuels are the only affordable option to replace conventional fuels in sufficient quantities for the time being. As an exemption of this general rule, Member States may specify certain national rules for the use of forestry based biomass to address unique circumstances, linked to the cascading principle, if necessary. Conventional biofuels, together with advanced biofuels, are also the main source for potential green jobs in Europe and allow Member States to diversify their supply according to their national capacities.

**Renewable fuels and gases of non-biological origin:**

Fuels and gases derived from renewable hydrogen have a potentially unlimited availability and could power all modes of transport without additional investments in infrastructure. However, their potential is limited due to their high price and the enormous amounts of clean electricity needed. The industry is still in a juvenile stage and has to be scaled up before the price per unit can become competitive. Since the industry is still evolving and the necessary amounts of electricity are not readily available, considerable investments to rump up RFNBOs market are at stake. Those investments could create a considerable amount of green jobs in Europe, but the danger of investment leakage is extremely high, since geographical conditions to produce vast amounts of clean electricity are unequal within Member States. In addition, neither electricity nor hydrogen can easily be transported across continents and hydrogen is needed as easily dispatchable storage for renewable electricity and as raw material for the industry. In order to mitigate the risk of 100% investment leakage, only sub-targets for hydrogen should be introduced in RED III. This would avoid shifting dependency of certain countries to other countries and thus strengthen the resilience of the EU.
Low-carbon fuels and gases:

In order to enable an affordable and timely transition towards decarbonised energy-carriers, the investment in electrolysers and pyrolysers must be decoupled from the parallel roll-out of renewable electricity and the expansion of the transmission grids. In order to allow electrolysers to reach their full capacity, the principle of additionality, together with the requirement of only using 100% renewable electricity, need to be abolished. However, such hydrogen should consequently not count to the renewable energy target of 40%, but fuels and gases derived from it should be able to contribute to the -13% green-house-gas intensity target, as long as they save more than 70% in comparison to their conventional equivalents. Shortly before 2030, the Commission should present a report on whether low-carbon fuels and gases are still needed or if they may be phased out.

Sub-targets, quotas and caps:

A sub-target for RFNBOs should be postponed until 2030 and should be linked to a possible out phasing of low-carbon gases and fuels in order to give Europe the time needed to develop an industry on its own territory. Introducing a binding sub-target at the time being, would lead to investment leakage and would put a home-grown industry at a competitive disadvantage for the next decades. Sub-targets for advanced biofuels lower have a lesser risk of investment leakage. However, sub-targets would nonetheless harm research and innovation, since fuel suppliers would inevitably and prematurely choose the cheapest and most readily available product on the market. Therefore, Member States and industry should be able to choose the most suitable option on their territory, which might have positive side effects for the whole economy.

The caps for conventional biofuels and feedstock in Annex IX b should be abolished in order to allow as much feedstock and options as possible. The only limitation to fuels and gases should be based on the sustainability criteria as laid out in Art 29 of REDII.

AMENDMENTS

The Committee on Transport and Tourism calls on the Committee on Industry, Research and Energy, as the committee responsible, to take into account the following amendments:

Amendment 1

Proposal for a directive
Recital 1 a (new)

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1a) This transition affects Member States, regions, economic sectors and citizens differently and depending on their</td>
<td></td>
</tr>
</tbody>
</table>
particular situation. It is therefore essential to ensure that the Green Deal is implemented in a way that promotes economic, social and territorial cohesion in the EU and that the transition is just and inclusive. In particular, it must be ensured that disruptions are avoided in critical sectors that meet basic needs of the economy and society, such as mobility.

Amendment 2
Proposal for a directive
Recital 1 b (new)

Text proposed by the Commission Amendment
(1b) Energy is an essential production factor that is in constant demand and vitally important in economic, social and environmental terms. All human activities, including transport, depend on sufficient and affordable energy being available when needed.

Amendment 3
Proposal for a directive
Recital 1 c (new)

Text proposed by the Commission Amendment
(1c) This Directive aims to ensure that, as part of the EU’s energy policy, investments in renewable energy production are encouraged while upholding the energy sovereignty of each Member State.

Amendment 4
Proposal for a directive
Recital 1 d (new)
(1d) The Renewable energy directive is part of the ‘Fit for 55 package’, which will also have multiple effects on the Union, including on competitiveness, job creation, household purchasing power, the achievement of climate targets and on the magnitude of carbon leakage. As such, a comprehensive evaluation of the aggregated macroeconomic impact of the Regulations that make up the ‘Fit for 55 package’ should be carried out on a regular basis.

Amendment 5
Proposal for a directive
Recital 2 a (new)

(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 6
Proposal for a directive
Recital 4

(4) There is a growing recognition of the need for alignment of bioenergy policies with the cascading principle of biomass use\(^1\), 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 Council. 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. In addition, Member States should reflect the cascading principle in their national legislations.
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.

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) bioenergy and 6) disposal.


https://publications.jrc.ec.europa.eu/repository/handle/JRC122719

Amendment 7
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.

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.
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 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.

Amendment 8

Proposal for a directive
Recital 7

Text proposed by the Commission

(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.

Amendment

(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) 2020/1294[14] would meet this obligation for the Member States involved.


Amendment 9

Proposal for a directive
Recital 8

Text proposed by the Commission

(8) The Offshore Renewable Energy Strategy introduces an ambitious objective of 300 GW of offshore wind and 40 GW of ocean energy across all the Union’s sea basins by 2050. To ensure this step change, Member States will need to work together across borders at sea-basin level. Member States should therefore jointly define the amount of offshore renewable generation to be deployed within each sea basin by 2050, with intermediate steps in 2030 and 2040. These objectives should be reflected in the updated national energy and climate plans that will be submitted in 2023 and 2024 pursuant to Regulation (EU) 2018/1999. In defining the amount, Member States should take into account the offshore renewable energy potential of each sea basin, environmental protection, climate adaptation and other uses of the sea, as well as the Union’s decarbonisation targets. In addition, Member States should increasingly consider the possibility of combining offshore renewable energy generation with transmission lines

Amendment

(8) The Offshore Renewable Energy Strategy introduces an ambitious objective of 300 GW of offshore wind and 40 GW of ocean energy across all the Union’s sea basins by 2050. To ensure this step change, Member States will need to work together across borders at sea-basin level. Member States should therefore jointly define the amount of offshore renewable generation to be deployed in line with maritime spatial planning within each sea basin by 2050, with intermediate steps in 2030 and 2040. Where intermediate steps are not in line with the 2030, 2040 and 2050 objectives, the Commission should take additional measures to facilitate the roll-out of offshore renewable energy. These objectives should be reflected in the updated national energy and climate plans that will be submitted in 2023 and 2024 pursuant to Regulation (EU) 2018/1999. In defining the amount, Member States should take into account the offshore renewable energy potential of each sea basin, environmental protection, climate
interconnecting several Member States, in the form of hybrid projects or, at a later stage, a more meshed grid. This would allow electricity to flow in different directions, thus maximising socio-economic welfare, optimising infrastructure expenditure and enabling a more sustainable usage of the sea.

Amendment 10

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 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

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 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 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.

Amendment 11
Proposal for a directive
Recital 16

Text proposed by the Commission

(16) In order for flexibility and balancing services from the aggregation of distributed storage assets to be developed in a competitive manner, real-time access to basic battery information such as state of health, state of charge, capacity and power set point should be provided under non-discriminatory terms and free of charge to the owners or users of the batteries and the entities acting on their behalf, such as building energy system managers, mobility service providers and other electricity market participants. It is therefore appropriate to introduce measures addressing the need of access to such data for facilitating the integration-related operations of domestic batteries and electric vehicles, complementing the provisions on access to battery data related to facilitating the repurposing of batteries in [the proposed Commission regulation concerning batteries and waste batteries, repealing Directive 2006/66/EC and amending Regulation (EU) No 2019/1020]. The provisions on access to battery data of electric vehicles should apply in addition to any laid down in Union law on type approval of vehicles.

Amendment

(16) In order for flexibility and balancing services from the aggregation of distributed storage assets to be developed in a competitive manner, real-time access to basic battery information such as state of health, state of charge, capacity and power set point should be provided under non-discriminatory terms and free of charge to the owners of the batteries, in full compliance with the relevant provisions in Regulation [(EU) 2016/679 of the European Parliament and of the Council on the protection of natural persons with regard to the processing of personal data and on the free movement of such data]. The Commission should therefore carry out an assessment, in order to determine which measures would facilitate the integration-related operations of domestic batteries and electric vehicles. The provisions on access to battery data of electric vehicles should apply in addition to any laid down in Union law on type approval of vehicles.
Amendment 12

Proposal for a directive
Recital 17

Text proposed by the Commission

(17) The increasing number of electric vehicles in road, rail, maritime and other transport modes will require that recharging operations are optimised and managed in a way that does not cause congestion and takes full advantage of the availability of renewable electricity and low electricity prices in the system. In situations where bidirectional charging would assist further penetration of renewable electricity by electric vehicle fleets in transport and the electricity system in general, such functionality should also be made available. In view of the long life span of recharging points, requirements for charging infrastructure should be kept updated in a way that would cater for future needs and would not result in negative lock-in effects to the development of technology and services.

Amendment

(17) The increasing number of electric vehicles in road, rail, maritime and other transport modes will require that recharging operations are optimised and managed in a way that does not cause congestion and takes full advantage of the availability of renewable electricity and low electricity prices in the system. In situations where smart and bidirectional charging would assist further efficient penetration of renewable electricity by electric vehicle fleets in transport and the electricity system in general, such functionality should also be made available. In view of the long life span of recharging points, requirements for charging infrastructure should be kept updated in a way that would cater for future needs and would not result in negative lock-in effects to the development of technology and services.

Amendment 13

Proposal for a directive
Recital 18

Text proposed by the Commission

(18) Electric vehicle users entering into contractual agreements with electromobility service providers and electricity market participants should have the right to receive information and explanations on how the terms of the agreement will affect the use of their vehicle and the state of health of its battery. Electromobility service providers and electricity market participants should explain clearly to electric vehicle users how they will be remunerated for the

Amendment

(18) Electric vehicle users entering into contractual agreements with electromobility service providers and electricity market participants should have the right to receive information and explanations on how the terms of the agreement will affect the use of their vehicle and the state of health of its battery. Transmission grid operators and/or distribution grid operators should explain clearly to electric vehicle users how they will be remunerated for the flexibility and
flexibility, balancing and storage services provided to the electricity system and market by the use of their electric vehicle. Electric vehicle users also need to have their consumer rights secured when entering into such agreements, in particular regarding the protection of their personal data such as location and driving habits, in connection to the use of their vehicle. Electric vehicle users’ preference regarding the type of electricity purchased for use in their electric vehicle, as well as other preferences, can also be part of such agreements. For the above reasons, it is important that electric vehicle users can use their subscription at multiple recharging points. This will also allow the electric vehicle user’s service provider of choice to optimally integrate the electric vehicle in the electricity system, through predictable planning and incentives based on the electric vehicle user preferences. This is also in line with the principles of a consumer-centric and prosumer-based energy system, and the right of supplier choice of electric vehicle users as final customers as per the provisions of Directive (EU) 2019/944.

Amendment 14

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 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 how their aggregated data will be used for balancing and storage services provided to the electricity system and market by the use of their electric vehicle. Electric vehicle users also need to have their consumer rights secured when entering into such agreements, in particular regarding the protection of their privacy and personal data such as location and driving habits, in connection to the use of their vehicle. Electric vehicle users’ preference regarding the type of electricity purchased for use in their electric vehicle, as well as other preferences, can also be part of such agreements. It is essential that the use of publicly accessible recharging stations is open to all users, regardless of the car brand or connector type, whether or not they are part of a contract-based payment scheme and that they accept payment cards widely used in the Union.
small and mobile ones, to offer flexibility and balancing services to the system and to contribute to the further penetration of renewable electricity, in comparison with larger, stationary storage assets.

concerning connection and operation of the decentralised energy resources assets, such as tariffs, commitment times and connection specifications, should be designed in a way that does not hamper the potential of all these assets, including small and mobile ones, to offer flexibility and balancing services to the system and to contribute to the further penetration of renewable energy, in particular in comparison with larger assets. Member States should also provide a level playing field for smaller market actors, in particular renewable energy communities, so that they are able to participate in the market without facing disproportionate administrative or regulatory burden.

Amendment 15
Proposal for a directive
Recital 22

Text proposed by the Commission

(22) Renewable fuels of non-biological origin can be used for energy purposes, but also for non-energy purposes as feedstock or raw material in industries such as steel or chemicals. The use of renewable fuels of non-biological origin for both purposes exploits their full potential to replace fossil fuels used as feedstock and to reduce greenhouse gas emissions in industry and should therefore be included in a target for the use of renewable fuels of non-biological origin. National measures to support the uptake of renewable fuels of non-biological origin in industry should not result in net pollution increases due to an increased demand for electricity generation that is satisfied by the most polluting fossil fuels, such as coal, diesel, lignite, oil peat and oil shale.

Amendment

(22) Renewable fuels of non-biological origin can be used for energy purposes, but also for non-energy purposes as feedstock or raw material in industries such as steel or chemicals. The use of renewable fuels of non-biological origin for both purposes exploits their full potential to replace fossil fuels used as feedstock and to reduce greenhouse gas emissions in industry and should therefore be included in a target for the use of renewable fuels of non-biological origin.
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 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

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. Any and all environmental ambitions and CO2 reductions should guarantee that transport policy is future-proof and promotes resilience, efficiency and competitiveness in the sector. 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. Member States may choose to meet the GHG target by means of measures targeting volumes, energy content or greenhouse gas emissions, provided that it is demonstrated that the greenhouse gas intensity reduction and sub-targets are met. 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. 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 – Fuel EU 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
Amendment 17
Proposal for a directive
Recital 29 a (new)

Text proposed by the Commission

Amendment

(29a) The COVID-19 pandemic has demonstrated the strategic importance of the transport sector. The implementation of green lanes, which provided secure supply chains for health care and emergency services, essential food supply and pharmaceutical products was a good practice, which in the future should take precedence over emissions reduction in times of crisis.

Amendment 18
Proposal for a directive
Recital 29 b (new)

Text proposed by the Commission

Amendment

(29b) The implementation or installation of wind-assisted propulsion and wind propulsion systems is considered as a renewable energy source and one of the decarbonisation solutions for maritime transport.

Amendment 19
Proposal for a directive
Recital 30
Text proposed by the Commission

(30) Electromobility will play an essential role in decarbonising the transport sector. To foster the further development of electromobility, Member States should establish a credit mechanism enabling operators of charging points accessible to the public to contribute, by supplying renewable electricity, towards the fulfilment of the obligation set up by Member States on fuel suppliers. While supporting electricity in transport through such a mechanism, it is important that Member States continue setting a high level of ambition for the decarbonisation of their liquid fuel mix in transport.

Amendment

(30) Electromobility will play an essential role in decarbonising the transport sector. To foster the further development of electromobility, in all transport modes, Member States should establish a credit mechanism enabling operators of charging points accessible to the public to contribute, by supplying renewable electricity and hydrogen towards the fulfilment of the obligation set up by Member States on fuel suppliers. While supporting electricity and ‘green’ hydrogen in transport through such a mechanism, it is important that Member States continue setting a high level of ambition for the decarbonisation of their liquid fuel mix in transport.

Amendment 20

Proposal for a directive
Recital 30 a (new)

Text proposed by the Commission

(30a) While this directive is aimed to increase the share of energy produced by renewable sources, there is also a need to recognize that at this stage low-carbon fuels are still needed for the transition towards a decarbonised transport sector, as renewable fuels and renewable electricity haven’t yet reached sufficient technological maturity in all transport modes and still need significant investments to scale up their development and production.

Amendment

(30a) While this directive is aimed to increase the share of energy produced by renewable sources, there is also a need to recognize that at this stage low-carbon fuels are still needed for the transition towards a decarbonised transport sector, as renewable fuels and renewable electricity haven’t yet reached sufficient technological maturity in all transport modes and still need significant investments to scale up their development and production.
(30b) Hydrogen can be used as feedstock or a source of energy in industrial and chemical processes and in air and maritime transport, decarbonising sectors in which direct electrification is not technologically possible or competitive, as well as for energy storage to balance, where necessary, the energy system, thereby playing a significant role in energy system integration;

Amendment 22
Proposal for a directive
Recital 30 c (new)

(30c) Both low-carbon and renewable hydrogen should develop in the European energy market, taking into account that these have different infrastructure and investment needs and prioritizing the need for investment to scale up renewable production fast enough to reach the EU’s climate targets and environmental goals for 2030 and 2050, by exploiting low-carbon hydrogen as a bridging technology in the short term. The Commission should therefore assess how much low-carbon hydrogen will be needed for decarbonisation purposes until renewable hydrogen can play this role alone, in which cases, and for how long. In addition, the Commission and the Member States should reduce regulatory and economic hurdles in order to foster a quick market uptake of renewable hydrogen.

Amendment 23
Proposal for a directive
Recital 30 d (new)

Text proposed by the Commission

(30d) The Union regulatory framework and initiatives aimed at achieving the greenhouse gas emission reduction targets should support the industry to shift towards a more sustainable European energy system, especially when establishing new targets and production thresholds.

Amendment 24

Proposal for a directive
Recital 31

Text proposed by the Commission

(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

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, through a strict enforcement of the sustainability criteria. Sustainable biofuels, bioliquids and biomass fuels that co-generate valuable protein for animal and human consumption, and are deforestation-free, should be a building block of the decarbonisation of transport, within a reasonable limit preventing unwanted negative impacts on the availability of food and feed resources. Member States should be put on an equal footing in their use of these sustainable bio fuels, bioliquids and biomass fuels, to reach the higher level of emission savings. In case of severe disruption on food markets, Member States should take rapid action to secure global food security, such as suspension measures on the production and blending of crop-based biofuels.
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.

Amendment 25

Proposal for a directive
Recital 31 a (new)

Text proposed by the Commission

Amendment

(31a) Greenhouse gas emissions of fuels will continue to be measured through a sophisticated life cycle assessment methodology. This methodology, however, can only take into account emissions that are directly related to the production of the fuels. No indirect emissions from the use of waste or residues should be taken into account in the life cycle assessment, given that estimates of such possible indirect emissions are associated with a high degree of uncertainty and are therefore unsuitable to be applied in legislation.

Amendment 26

Proposal for a directive
Recital 32

Text proposed by the Commission

Amendment

(32) Expressing the transport target as a greenhouse gas intensity reduction target

(32) Expressing the transport target as a greenhouse gas intensity reduction target
makes it unnecessary to use multipliers to promote certain renewable energy sources. This is because different renewable energy sources save different amounts of greenhouse gas emissions and, therefore, contribute differently to a target.

Renewable electricity should be considered to have zero emissions, meaning it saves 100% emissions compared to electricity produced from fossil fuels. This will create an incentive for the use of renewable electricity since renewable fuels and recycled carbon fuels are unlikely to achieve such a high percentage of savings. Electrification relying on renewable energy sources would therefore become the most efficient way to decarbonise road transport. In addition, in order to promote the use of advanced biofuels and biogas and renewable fuels of non-biological origin in the aviation and maritime modes, which are difficult to electrify, it is appropriate to keep the multiplier for those fuels supplied in those modes when counted towards the specific targets set for those fuels.

Amendment 27

Proposal for a directive
Recital 33

Text proposed by the Commission

(33) **Direct electrification of end-use sectors, including the transport sector, contributes to the efficiency and facilitates the transition to an energy system based on renewable energy.** It is therefore in itself an effective means to reduce greenhouse gas emissions. The creation of a framework on additionality applying specifically to renewable electricity supplied to electric vehicles in the transport is therefore not required.

Amendment

(33) **Increasing the target for renewable energy sources from 32% to 40% across the EU, facilitates the transition to an energy system based on renewable energy.** It is therefore in itself an effective means to reduce greenhouse gas emission. The creation of a framework on additionality applying specifically to renewable energy is therefore not required.
Amendment 28

Proposal for a directive
Recital 34

Text proposed by the Commission

(34) Since renewable fuels of non-biological origin are to be counted as renewable energy regardless of the sector in which they are consumed, the rules to determine their renewable nature when produced from electricity, which were applicable only to those fuels when consumed in the transport sector, should be extended to all renewable fuels of non-biological origin, regardless of the sector where they are consumed.

Amendment

(34) Since renewable fuels of non-biological origin are to be counted as renewable energy regardless of the sector in which they are consumed, the rules to determine their renewable nature when produced from electricity, which were applicable only to those fuels when consumed in the transport sector, should be extended to all renewable fuels of non-biological origin, regardless of the sector where they are consumed. As the producing country of Renewable fuels of non-biological origin may be different from the country consuming, a sharing mechanism needs to be ensured so that both countries benefit of the produced renewables.

Amendment 29

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

(35) To ensure a coherent approach to the 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 reflect the ETS threshold of currently 20 MW.

Amendment 30

Proposal for a directive
Recital 36
(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 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.

(37) In order to reduce the administrative burden for producers of renewable fuels and recycled carbon fuels and for Member States, where voluntary or national schemes have been recognised by the Commission through an implementing act as giving evidence or providing accurate data regarding the compliance with sustainability and greenhouse gas emissions saving criteria as well as other requirements set in this Directive, Member States should accept the results of the

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 ensure that those rules work as intended a coherent application and strict monitoring and enforcement is essential. Member States should reflect the cascading principle in their national legislations, guidelines and schemes if necessary.
certification issued by such schemes within the scope of the Commission’s recognition. In order to reduce the burden on small installations, Member States should establish a simplified verification mechanism for installations of between 5 and 10MW.

Amendment 32

Proposal for a directive
Recital 38

Text proposed by the Commission

(38) The Union database to be set up by the Commission aims at enabling the tracing of liquid and gaseous renewable fuels and recycled carbon fuels. Its scope should be extended from transport to all other end-use sectors in which such fuels are consumed. This should make a vital contribution to the comprehensive monitoring of the production and consumption of those fuels, mitigating risks of double-counting or irregularities along the supply chains covered by the Union database. In addition, to avoid any risk of double claims on the same renewable gas, a guarantee of origin issued for any consignment of renewable gas registered in the database should be cancelled.

Amendment

(38) The Union database to be set up by the Commission aims at enabling the tracing of solid, liquid and gaseous renewable fuels and recycled carbon fuels. Its scope should be extended from transport to all other end-use sectors in which such fuels are consumed. This should make a vital contribution to the comprehensive monitoring of the production and consumption of those fuels, mitigating risks of double-counting or irregularities along the supply chains covered by the Union database. In addition, to avoid any risk of double claims on the same renewable gas, a guarantee of origin issued for any consignment of renewable gas registered in the database should be cancelled. This database should be made publicly available in an open, transparent and user friendly manner. The Commission should publish annual reports for the general public about the information reported in the Union database including the quantities, the geographic origin and feedstock type of biofuels, bioliquids and biomass fuels per fuel supplier and per member state.
Proposal for a directive
Recital 40

Text proposed by the Commission


Amendment


Amendment 34

Proposal for a directive
Recital 40 a (new)

Text proposed by the Commission

(40a) It is also important to encourage research and innovation in the field of clean energies, such as hydrogen, in order to meet the growing demand for alternative fuels and, above all, to make available on the market energy that is cheaper than fossil fuels like diesel, fuel oil and petrol, for which prices are now hitting record highs.

Amendment

(40a) Fuels have a significant potential to enable the reduction of pollutant and CO\(_2\) emissions.

Amendment 35

Proposal for a directive
Recital 40 b (new)

Text proposed by the Commission

(40b) Fuels have a significant potential to enable the reduction of pollutant and CO\(_2\) emissions.
emissions from new vehicles and the existing fleet. Directive 98/70/EC has not been updated since 2009 and in light of the introduction of new Euro 7/VII emission standards, Directive 98/70/EC needs to be revised as well.

Amendment 36

Proposal for a directive
Recital 47 a (new)

Text proposed by the Commission

Amendment

(47a) Guarantees of origin which are currently in place for renewable electricity should be extended to cover renewable gas and low-carbon energy sources. Further extending the guarantees of origin system to energy from non-renewable sources, other than low-carbon energy sources, should be an option for Member States. This would provide a consistent means of proving to final consumers the origin of renewable gas such as biomethane and would facilitate greater cross-border trade in such gas. It would also enable the creation of guarantees of origin for other renewable and low-carbon gas such as hydrogen.

Amendment 37

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

Present text

Amendment

(1) ‘energy from renewable sources’ or ‘renewable energy’ means energy from renewable non-fossil sources, namely wind, solar (solar thermal and solar photovoltaic) and geothermal energy, ambient energy, tide, wave and other ocean energy, osmotic energy,
energy, hydropower, biomass, landfill gas, sewage treatment plant gas, and biogas;

Amendment 38

Proposal for a directive
Article 1 – paragraph 1 – point 1 – point c – point i (new)
Article 2 – paragraph 2 – point 3 a (new)

Text proposed by the Commission

Amendment

(3a) ‘osmotic energy’ means energy naturally created from the difference in salt concentration between two fluids, commonly fresh and salt water;

Amendment 39

Proposal for a directive
Article 1 – paragraph 1 – point 1 – point c – point ii (new)
Article 2 – paragraph 2 – point 3 b (new)

Text proposed by the Commission

Amendment

(3b) ‘innovative renewable energy technology’ means a technology that improves in at least one way a comparable state-of-the-art renewable technology or technologies, or makes exploitable a largely untapped renewable energy resource;

Amendment 40

Proposal for a directive
Article 1 – paragraph 1 – point 1 – point c – point iii (new)
Article 2 – paragraph 2 – point 3 c (new)

Text proposed by the Commission

Amendment

(3c) ‘wind propulsion’ or ‘wind-
assisted propulsion’ means a propulsion technique that contributes primarily or auxiliary to the navigation of any type of vessel via the energy of the wind;

Amendment 41

Proposal for a directive
Article 1 – paragraph 1 – point 1 – point a a (new)
Article 2 – paragraph 2 – point 12

Present text

(12) ‘guarantee of origin’ means an electronic document which has the sole function of providing evidence to a final customer that a given share or quantity of energy was produced from renewable sources;

Amendment

(aa) In Article 2 – paragraph 2, point (12) is replaced by the following:

“(12) ‘guarantee of origin’ means an electronic document which has the sole function of providing evidence to a final customer that a given share or quantity of energy was produced from renewable sources and/or low-carbon sources;

Amendment 42

Proposal for a directive
Article 1 – paragraph 1 – point 1 – point a
Article 2 – paragraph 2 – point 36 a (new)

Text proposed by the Commission

(36a) ‘low carbon fuels’ means liquid and gaseous fuels which save at least 70% greenhouse gas emissions in comparison to conventional liquid or gaseous fossil fuels;

Amendment

(36a) ‘low carbon fuels’ means liquid and gaseous fuels which save at least 70% greenhouse gas emissions in comparison to conventional liquid or gaseous fossil fuels;

Amendment 43

Proposal for a directive
Article 1 – paragraph 1 – point 1 – point b a (new)
Article 2 – paragraph 2 – point 36 b (new)
(36b) ‘direct air capture’ means the process by which CO₂ is captured from the ambient air for the production of renewable fuels of non-biological origin or other non-biogenic materials.

Amendment 44

Proposal for a directive
Article 1 – paragraph 1 – point 1 – point c a (new)
Article 2 – paragraph 2 – point 36 c (new)

(36c) ‘renewable bio hydrogen’ means hydrogen produced from bio feedstock compatible with the sustainability criteria of Art. 29.

Amendment 45

Proposal for a directive
Article 1 – paragraph 1 – point 2 – point a
Article 3 – paragraph 1 – subparagraph 1 a (new)

Member States shall collectively ensure that yearly biomethane production by 2030 is at least 35 billion cubic meters.

Amendment 46

Proposal for a directive
Article 1 – paragraph 1 – point 2 – point a
Article 3 – paragraph 1 a (new)
Moreover, each Member State shall set a minimum indicative target of 3% of the total capacity it will install between 2020 and 2030 to be of innovative renewable energy technology.

Amendment 47

Proposal for a directive
Article 1 – paragraph 1 – point 2 – point b
Article 3 – paragraph 3 – subparagraph 1

Text proposed by the Commission

3. 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

3. 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 in their support schemes. Member States shall take into account the waste hierarchy as set out in Article 4 of Directive 2008/98/EC and the cascading principle in their national legislations, guidelines and schemes.

Amendment 48

Proposal for a directive
Article 1 – paragraph 1 – point 2 – point b
Article 3 – paragraph 3 – subparagraph 2 – point (i)

Text proposed by the Commission

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

Amendment

(i) the use of saw logs and veneer logs.
Proposal for a directive
Article 1 – paragraph 1 – point 2 – point b
Article 3 – paragraph 3 – subparagraph 2 – point (iii)

Text proposed by the Commission

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

Amendment

Proposal for a directive
Article 1 – paragraph 1 – point 2 – point b
Article 3 – paragraph 3 – subparagraph 3

Text proposed by the Commission

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

Amendment

Proposal for a directive
Article 1 – paragraph 1 – point 2 – point b
Article 3 – paragraph 3 – subparagraph 4

Text proposed by the Commission

By 2026 the Commission shall present a report on the impact of the Member States’ support schemes for biomass, including on biodiversity and possible market distortions, and will assess the possibility for further limitations regarding support schemes to forest biomass.

Amendment

By 2026 the Commission shall present a report on the impact of the Member States’ support schemes for biomass, including on possible market distortions, and possible impacts on biodiversity.
Amendment 52

Proposal for a directive
Article 1 – paragraph 1 – point 2a (new)
Article 5 – paragraph 5

Present text

5. By 2023, the Commission shall carry out an evaluation of the implementation of this Article. That evaluation shall assess the need to introduce an obligation on Member States partially to open participation in their support schemes for electricity from renewable sources to producers located in other Member States with a view to a 5% opening by 2025 and a 10% opening by 2030.

Amendment

(2a) Article 5 is amended as follows:
(a) paragraph 5 is replaced as follows:

5. "By 2025, the Commission shall carry out an evaluation of the implementation of this Article. That evaluation shall assess the need to introduce an obligation on Member States partially to open participation in their support schemes for electricity from renewable sources to producers located in other Member States with a view to a 5% opening by 2025 and a 10% opening by 2030.

Amendment 53

Proposal for a directive
Article 1 – paragraph 1 – point 3 – point a
Article 7 – paragraph 1 – subparagraph 2

Text proposed by the Commission

With regard to the first subparagraph, point (a), (b), or (c), gas and electricity from renewable sources shall be considered only once for the purposes of calculating the share of gross final consumption of energy from renewable sources. Energy produced from renewable fuels of non-biological origin shall be accounted in the sector - electricity, heating and cooling or transport - where it is consumed.

Amendment

With regard to the first subparagraph, point (a), (b), or (c), gas, electricity and hydrogen from renewable sources shall be considered only once for the purposes of calculating the share of gross final consumption of energy from renewable sources. Energy produced from renewable fuels of non-biological origin shall be accounted in the sector - electricity, heating and cooling or transport - where it is consumed.
Amendment 54

Proposal for a directive
Article 1 – paragraph 1 – point 4 – point a
Article 9 – paragraph 1a

Text proposed by the Commission

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 established by Commission Implementing Regulation (EU) 2020/1294 shall be deemed to satisfy this obligation for the Member States involved.;

Amendment

1a. By 31 December 2025, each Member State shall agree to establish at least one onshore joint project with one or more other Member States for the production of renewable energy. By 31 December 2030 coastal Member States having an annual electricity consumption of more than 100 TWh shall establish an offshore 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 established by Commission Implementing Regulation (EU) 2020/1294 shall be deemed to satisfy this obligation for the Member States involved.;


Amendment 55

Proposal for a directive
Article 1 – paragraph 1 – point 4 – point b
Article 9 – paragraph 7a

Text proposed by the Commission

7a. Member States bordering a sea basin shall cooperate to jointly define the amount of offshore renewable energy they

Amendment

7a. Member States bordering a sea basin shall cooperate to jointly define the maritime spatial planning and the amount

plan to produce in that sea basin by 2050, with intermediate steps in 2030 and 2040. They shall take into account the specificities and development in each region, the offshore renewable potential of the sea basin and the importance of ensuring the associated integrated grid planning. Member States shall notify that amount in the updated integrated national energy and climate plans submitted pursuant to Article 14 of Regulation (EU) 2018/1999.

**Amendment 56**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 5 – point a a (new)**

**Directive (EU) 2018/2001**

**Article 15 – paragraph 3**

**Present text**

3. Member States shall ensure that their competent authorities at national, regional and local level include provisions for the integration and deployment of renewable energy, including for renewables self-consumption and renewable energy communities, and the use of unavoidable waste heat and cold when planning, including early spatial planning, designing, building and renovating urban infrastructure, industrial, commercial or residential areas and energy infrastructure, including electricity, district heating and cooling, natural gas and alternative fuel networks. Member States shall, in particular, encourage local and regional administrative bodies to include heating and cooling from renewable sources in the planning of city infrastructure where appropriate, and to consult the network operators to reflect the

**Amendment**

"3. Member States shall ensure that their competent authorities at national, regional and local level include provisions for the integration and deployment of renewable energy, including for renewables self-consumption and renewable energy communities, and the use of unavoidable waste heat and cold when planning, including early spatial planning, designing, building and renovating urban infrastructure, industrial, commercial or residential areas, energy and transport infrastructure, including electricity, district heating and cooling, natural gas and alternative fuel networks. Member States shall, in particular, encourage local and regional administrative bodies to include heating and cooling from renewable sources in the planning of city infrastructure where appropriate, and to consult the network operators to reflect the
impact of energy efficiency and demand response programs as well as specific provisions on renewables self-consumption and renewable energy communities, on the infrastructure development plans of the operators.

(Directive 2018/2001 EC)

Amendment 57

Proposal for a directive
Article 1 – paragraph 1 – point 8 – point -a (new)

Article 19 – paragraph 1

Present text

1. For the purposes of demonstrating to final customers the share or quantity of energy from renewable sources in an energy supplier’s energy mix and in the energy supplied to consumers under contracts marketed with reference to the consumption of energy from renewable sources, Member States shall ensure that the origin of energy from renewable sources can be guaranteed as such within the meaning of this Directive, in accordance with objective, transparent and non-discriminatory criteria.

Amendment

(-a) In article 19, paragraph 1 is replaced by the following:

"1. For the purposes of demonstrating to final customers the share or quantity of energy from renewable sources and/or the share or quantity of energy from low-carbon sources in an energy supplier’s energy mix and in the energy supplied to consumers under contracts marketed with reference to the consumption of energy from renewable sources and/or from low-carbon sources, Member States shall ensure that the origin of energy from renewable sources can be guaranteed as such within the meaning of this Directive, in accordance with objective, transparent and non-discriminatory criteria.

Amendment 58

Proposal for a directive
Article 1 – paragraph 1 – point 8 – point a – point i

Article 19 – paragraph 2 – subparagraph 1

Text proposed by the Commission

To that end, Member States shall ensure

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. 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 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;

that a guarantee of origin is issued in response to a request from a producer of energy from renewable sources and from a producer of energy from low carbon sources. Member States may arrange for guarantees of origin to be issued for energy from other non-renewable sources. Issuance of guarantees of origin may be made subject to a minimum capacity limit. A guarantee of 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;

Amendment 59

Proposal for a directive
Article 1 – paragraph 1 – point 8 – point a
Article 19 – paragraph 7 – point g

Text proposed by the Commission

(a a) paragraph 7 is amended as follows:

(i) The following point (g) is inserted:

"(g) information on the greenhouse gas footprint of the produced energy covering life cycle greenhouse gas emissions";

Amendment 60

Proposal for a directive
Article 1 – paragraph 1 – point 10
Article 20a – paragraph 1

Text proposed by the Commission

1. Member States shall require transmission system operators and distribution system operators in their territory to make available information on the share of renewable electricity and the greenhouse gas emissions content of the greenhouse gas emissions content of the

1. Member States shall require:
electricity supplied in each bidding zone, as accurately as possible and as close to real time as possible but in time intervals of no more than one hour, with forecasting where available. This information shall be made available digitally in a manner that ensures it can be used by electricity market participants, aggregators, consumers and end-users, and that it can be read by electronic communication devices such as smart metering systems, electric vehicle recharging points, heating and cooling systems and building energy management systems.

i) transmission system operators and distribution system operators in their territory to make available information on the share of renewable electricity and the greenhouse gas emissions content of the electricity supplied in each bidding zone and

ii) regulators or relevant traders to make available information on wholesale electricity prices in day-ahead and intraday markets.

The information shall be made available as accurately as possible and as close to real time as possible but in time intervals at least equal to the market settlement frequency, and with the aim to reach 15-minute intervals with forecasting where available.

DSO shall also make available anonymised and aggregated data on the demand response potential and the renewable electricity generated by self-consumers and renewable energy communities and injected to the grid.

Amendment 61

Proposal for a directive
Article 1 – paragraph 1 – point 10
Article 20a – paragraph 1 a (new)
Text proposed by the Commission

1a. The information and data referred to in paragraph 1 shall be made available digitally in a manner that ensures interoperability based on harmonised data formats and standardised data sets so that it can be used in a non-discriminatory manner by electricity market participants, aggregators, consumers and end-users, and that it can be read by electronic communication devices such as smart metering systems, electric vehicle recharging points, both publicly and non-publicly accessible, heating and cooling systems and building energy management.

Amendment 62

Proposal for a directive
Article 1 – paragraph 1 – point 10
Article 20a – paragraph 2 – subparagraph 1

Text proposed by the Commission

2. In addition to the requirements in [the proposal for a Regulation concerning batteries and waste batteries, repealing Directive 2006/66/EC and amending Regulation (EU) No 2019/1020], Member States shall ensure that manufacturers of domestic and industrial batteries enable real-time access to basic battery management system information, including battery capacity, state of health, state of charge and power set point, to battery owners and users as well as to third parties acting on their behalf, such as building energy management companies and electricity market participants, under non-discriminatory terms and at no cost.

Amendment

2. In addition to the requirements in [the proposal for a Regulation concerning batteries and waste batteries, repealing Directive 2006/66/EC and amending Regulation (EU) No 2019/1020], by 6 months from the entry into force of the Directive Member States shall adopt measures requiring manufacturers of domestic and industrial batteries enable real-time access to basic battery management system information, including battery capacity, state of health, state of charge and power set point, to battery owners and users as well as to third parties acting on their behalf, such as building energy management companies and electricity market participants, under non-discriminatory terms free of charge to the owners or users of the batteries and the entities acting on their behalf and in full compliance with the relevant provisions in
Amendment 63

Proposal for a directive
Article 1 – paragraph 1 – point 10
Article 20a – paragraph 2 – subparagraph 2

**Text proposed by the Commission**

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.

**Amendment**

By 6 months from the entry into force of the Directive Member States shall adopt measures requiring vehicle manufacturers to 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, free of charge to the owners or users of the batteries and the entities acting on their behalf, in addition to further requirements in the type approval and market surveillance regulation and in full compliance with the relevant provisions in Regulation (EU) 2016/679. In accordance with the Battery Regulation [xxx], data shall be shared as ‘read-only’, thus preventing third parties from modifying the parameters of the data.

Amendment 64

Proposal for a directive
Article 1 – paragraph 1 – point 10
Article 20a – paragraph 2 – subparagraph 2 a (new)

**Text proposed by the Commission**

**Amendment**
smart heating and cooling devices, hot water tanks, thermal energy storage units and other smart devices facilitating consumers to provide demand response to the energy system to enable real-time access to data relevant for demand response to users, as well as to third parties acting on the owners’ and users’ behalf, under non-discriminatory terms free of charge, in full compliance with the relevant provisions in Regulation (EU) 2016/679.

Amendment 65

Proposal for a directive
Article 1 – paragraph 1 – point 10
Article 20a – paragraph 3

Text proposed by the Commission

3. In addition to the requirements in [the proposal for a Regulation concerning the deployment of alternative fuel infrastructure, repealing Directive 2014/94/EU], Member States shall ensure that non–publicly accessible normal power recharging points installed in their territory from [the transposition deadline of this amending Directive] can support smart charging functionalities and, where appropriate based on assessment by the regulatory authority, bidirectional charging functionalities.

Amendment

3. In addition to the requirements in [the proposal for a Regulation concerning the deployment of alternative fuel infrastructure, repealing Directive 2014/94/EU], Member States shall ensure that non–publicly accessible normal power recharging points installed in their territory from [the transposition deadline of this amending Directive] can support smart and bidirectional charging functionalities.

In order to support smart sector integration, Member States may apply support schemes such as financial support, upfront-cost financing, tax rebates or rebate payments for bidirectional charging, when foreseen as an additional functionality contributing to the cost-effective penetration of renewable electricity in transport and the electricity system.
Amendment 66

Proposal for a directive
Article 1 – paragraph 1 – point 10
Article 20a – paragraph 4

Text proposed by the Commission

4. Member States shall ensure that the national regulatory framework does not discriminate against participation in the electricity markets, including congestion management and the provision of flexibility and balancing services, of small or mobile systems such as domestic batteries and electric vehicles, both directly and through aggregation.;

Amendment

4. Member States shall ensure that the national regulatory framework does not discriminate against participation in the electricity markets, including congestion management and the provision of flexibility and balancing services, of district heating and cooling networks, of small or mobile systems such as domestic batteries and electric vehicles, thermal energy storage units and smart electric heating and cooling appliances and systems, and other smart devices facilitating consumers’ flexible renewable electricity consumption both directly and through aggregation. Member States shall provide a level playing field for smaller market actors, in particular renewable energy communities, so that they are able to participate in the market without facing disproportionate administrative or regulatory burden;

Amendment 67

Proposal for a directive
Article 1 – paragraph 1 – point 10
Article 20a – paragraph 4 a (new)

Text proposed by the Commission

4a. Member States shall ensure in their national regulatory framework that electric vehicle users entering into contractual agreements always receive clear information and explanations on how the terms of the agreement will affect the use of their vehicle and the state of health of its battery. Clear explanations

Amendment
should be provided to electric vehicle users on how they will be remunerated for the flexibility, balancing and storage services provided to the electricity system and market. Electric vehicle users’ consumer rights shall be secured when entering into such agreements, in particular regarding the protection of their personal data such as location and driving habits, in connection to the use of their vehicle.

Amendment 68

Proposal for a directive
Article 1 – paragraph 1 – point 10
Article 20a – paragraph 4 b (new)

Text proposed by the Commission

Amendment

4b. Member States shall require their regulatory authority to assess, within one year of the transposition deadline of this Directive and periodically every 3 years thereafter, the potential contribution of bidirectional charging to the penetration of renewable electricity, system optimisation of their electricity grids and security of supply. Based on the results of the energy regulator's assessment, Member States shall take measures to adjust the availability and geographical distribution of bidirectional charging infrastructure, in both public and private areas. The regulator’s assessment and the Member States’ planned measures shall be made publicly available.

Amendment 69

Proposal for a directive
Article 1 – paragraph 1 – point 11
Article 22a – paragraph 2 a (new)
Text proposed by the Commission  

2a. By ... [one year after the entry into force of this amending Directive], the Commission shall assess how much RFNBOS can be produced in Europe and develop a strategy for imports which ensures a diverse third country supplier ecosystem together with the Member States.

Amendment 70

Proposal for a directive  
Article 1 – paragraph 1 – point 14  
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 71

Proposal for a directive  
Article 1 – paragraph 1 – point 14  
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. Only fuels produced within the EU are counted towards the targets referred to in point b.

Amendment 72

Proposal for a directive
Article 1 – paragraph 1 – point 14
Article 25 – paragraph 1 – subparagraph 2

Text proposed by the Commission

For the calculation of the reduction referred to in point (a) and the share referred to in point (b), Member States shall take into account renewable fuels of non-biological origin also when they are used as intermediate products for the production of conventional fuels. For the calculation of the reduction referred to in point (a), Member States may take into account recycled carbon fuels.

Amendment

For the calculation of the reduction referred to in point (a) Member States shall take into account renewable fuels of non-biological origin also when they are used as intermediate products for the production of conventional fuels. For the calculation of the reduction referred to in point (a), Member States may also take into account recycled and low carbon fuels.

Amendment 73

Proposal for a directive
Article 1 – paragraph 1 – point 14
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

Amendment

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, including in rail, aviation and maritime sectors, through public, semi-public and private recharging stations, where technically possible, 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 74

Proposal for a directive
Article 1 – paragraph 1 – point 15 – point a – point i
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, Member States shall exclude the share of high indirect land-use change risk biofuels, bioliquids or biomass fuels produced from food and feed crops for which a significant expansion of the production area into land with high-carbon stock is observed;

Amendment 75

Proposal for a directive
Article 1 – paragraph 1 – point 15 – point a – point i
Article 26 – paragraph 1 – subparagraph 1a (new)

Text proposed by the Commission

In cases of severe disruption in food markets, Member States shall take temporary suspension measures on crop-based biofuels, bioliquids and biomass fuels in order to reduce energy demand for food commodities, secure additional
Amendment 76

Proposal for a directive
Article 1 – paragraph 1 – point 15 – point a – point ii
Article 26 – paragraph 1 – subparagraph 4

Text proposed by the Commission
Amendment

Where the share of biofuels and bioliquids, as well as of biomass fuels consumed in transport, produced from food and feed crops in a Member State is limited to a share lower than 7% or a Member State decides to limit the share further, that Member State may reduce the greenhouse gas intensity reduction target referred to in Article 25(1), first subparagraph, point (a), accordingly, in view of the contribution these fuels would have made in terms of greenhouse gas emissions saving. For that purpose, Member States shall consider those fuels save 50% greenhouse gas emissions.;

Amendment 77

Proposal for a directive
Article 1 – paragraph 1 – point 16 – point b
Article 27 – paragraph 1 – subparagraph 1 – point a – point iii

Text proposed by the Commission
Amendment

(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(t)} set out in in Annex V;

Amendment 78

PE719.572v02-00 48/69 AD\1255833EN.docx
Proposal for a directive

Article 1 – paragraph 1 – point 16 – point b

Directives (EU) 2018/2001

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

Text proposed by the Commission

(iii) the amount of renewable electricity supplied to the transport sector is determined by multiplying the amount of electricity supplied to that sector by the average share of renewable electricity supplied in the territory of the Member State in the two previous years. By way of exception, where electricity is obtained from a direct connection to an installation generating renewable electricity and supplied to the transport sector, that electricity shall be fully counted as renewable;

Amendment

Amendment 79

Proposal for a directive

Article 1 – paragraph 1 – point 16 – point b

Directives (EU) 2018/2001

Article 27 – paragraph 1 – subparagraph 1 – point c – point iv

Text proposed by the Commission

(iv) the share of biofuels and biogas produced from the feedstock listed in Part B of Annex IX in the energy content of fuels and electricity supplied to the transport sector shall, except in Cyprus and Malta, be limited to 1,7 %;

Amendment

deleted
Amendment 80

Proposal for a directive
Article 1 – paragraph 1 – point 16 – point b
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** and renewable electricity supplied to all transport modes by the baseline.

Amendment 81

Proposal for a directive
Article 1 – paragraph 1 – point 16 – point c
Article 27 – paragraph 1a – point (b)

Text proposed by the Commission

(b) for the calculation of the numerator, the energy content of advanced biofuels and biogas produced from the feedstock listed in Part A of Annex IX and renewable fuels of non-biological origin supplied to all transport modes in the territory of the Union shall be taken into account;

Amendment

(b) for the calculation of the numerator, the energy content of advanced biofuels and biogas produced from the feedstock listed in Part A of Annex IX and renewable fuels of non-biological origin supplied to all transport modes in the territory of the Union shall be taken into account **if they are produced in the Union**;

Amendment 82

Proposal for a directive
Article 1 – paragraph 1 – point 16 – point e – point iii
Article 27 – paragraph 3 – subparagraph 2 – introductory part

Text proposed by the Commission

However, electricity obtained from direct

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 fuels of non-biological origin, provided that the installation:

- connection to one or several installations 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 demonstrates that the electricity concerned has been supplied without taking electricity from the grid, or the installations generating renewable electricity do not receive support in form of operating aid for the production of renewable fuels of non-biological origin, or such support has ended.

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 and other appropriate criteria have been demonstrated, ensuring that the renewable properties of that electricity are claimed only once and only in one enduse sector. This can be fulfilled by complying with the following requirements:

To demonstrate the renewable properties, fuel producers should be required to conclude one or more renewable power purchase agreements with installations generating electricity for an amount that is at least equivalent to the amount of electricity that is claimed as fully renewable. The installations generating renewable electricity do not receive support in form of operating aid, or such support has ended.

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 the fuel shall be achieved on a yearly basis in order for the production to be fully qualified as renewable fuel of non-biological origin.
Proposal for a directive  
Article 1 – paragraph 1 – point 16 – point e – point i a (new)  
Article 27 – paragraph 3 —subparagraph 2 – point a and point b

Present text

Amendment

(a) comes into operation after, or at the same time as, the installation producing the renewable liquid and gaseous transport fuels of non-biological origin; and

(b) 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.

Amendment 84

Proposal for a directive  
Article 1 – paragraph 1 – point 16 – point e – point iii a (new)  
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.

Amendment 85

Proposal for a directive  
Article 1 – paragraph 1 – point 18 – point a – point ii  
Article 29 – paragraph 1 – subparagraph 4 – point a
Text proposed by the Commission

(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,

Amendment

Proposal for a directive
Article 1 – paragraph 1 – point 18 – point a – point ii
Article 29 – paragraph 1 – subparagraph 4 – point b

(b) in the case of gaseous biomass fuels, in installations producing electricity, heating and cooling with a total rated thermal input equal to or exceeding 2 MW,

Amendment

Proposal for a directive
Article 1 – paragraph 1 – point 18 – point b
Article 29 – paragraph 3 – subparagraph 2

This paragraph, with the exception of the first subparagraph, point (c), also applies to biofuels, bioliquids and biomass fuels produced from forest biomass.

Amendment

Proposal for a directive
Article 1 – paragraph 1 – point 18 – point c
Article 29 – paragraph 4
Text proposed by the Commission

The first subparagraph, with the exception of points (b) and (c), and the second subparagraph also apply to biofuels, bioliquids and biomass fuels produced from forest biomass.

Amendment

deleted

Amendment 89

Proposal for a directive
Article 1 – paragraph 1 – point 18 – point d
Article 29 – paragraph 5

Text proposed by the Commission

5. Biofuels, bioliquids and biomass fuels produced from agricultural or forest biomass taken into account for the purposes referred to in paragraph 1, first subparagraph, points (a), (b) and (c), shall not be made from raw material obtained from land that was peatland in January 2008, unless evidence is provided that the cultivation and harvesting of that raw material does not involve drainage of previously undrained soil.

Amendment

Proposal for a directive
Article 1 – paragraph 1 – point 18 – point e
Article 29 – paragraph 6 – subparagraph 1 – point a – 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

Amendment

(iv) that harvesting is carried out considering maintenance of soil quality and biodiversity with the aim of minimising negative impacts, using locally appropriate sustainable forest management practices based on principles agreed in Forest Europe and FAO,
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 91

Proposal for a directive
Article 1 – paragraph 1 – point 19
Article 29a – title

Text proposed by the Commission
Greenhouse gas emissions saving criteria for renewable fuels of non-biological origin and recycled carbon fuels

Amendment
Greenhouse gas emissions saving criteria for renewable fuels of non-biological origin, low carbon fuels and recycled carbon fuels

Amendment 92

Proposal for a directive
Article 1 – paragraph 1 – point 19
Article 29a – paragraph 2a (new)

Text proposed by the Commission

2a. Energy from low carbon fuels may be counted towards the greenhouse gas emissions reduction target referred to in Article 25(1), first subparagraph, point (a), only if the greenhouse gas emissions savings from the use of those fuels are at least 70%.

Amendment 93

Proposal for a directive
Article 1 – paragraph 1 – point 19
Article 29a – paragraph 3
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 CO$_2$ the capture of which has already received an emission credit under other provisions of law.;

Amendment

Where renewable fuels and recycled carbon fuels are to be counted towards the targets referred to in Articles 3(1), 15a(1), 22a(1), 23(1), 24(4) and 25(1), Member States shall require economic operators to show that the sustainability and greenhouse gas emissions saving criteria laid down in Articles 29(2) to (7) and (10) and 29a(1) and (2) for renewable fuels and recycled-carbon fuels have been fulfilled. For that purpose, they shall require economic operators to use a mass balance system which:

Amendment 95

Proposal for a directive
Article 1 – paragraph 1 – point 20 – point b

Where renewable fuels, low carbon fuels and recycled carbon fuels are to be counted towards the targets referred to in Articles 3(1), 15a(1), 22a(1), 23(1), 24(4) and 25(1), Member States shall require economic operators to show that the sustainability and greenhouse gas emissions saving criteria laid down in Articles 29(2) to (7) and (10) and 29a(1) and (2) for renewable fuels, low carbon fuels and recycled-carbon fuels have been fulfilled. For that purpose, they shall require economic operators to use a mass balance system which:
Article 30 – paragraph 3 – subparagraph 1

Text proposed by the Commission

Member States shall take measures to ensure that economic operators submit reliable information regarding the compliance with the sustainability and greenhouse gas emissions saving criteria laid down in Articles 29(2) to (7) and (10) and 29a(1) and (2), and that economic operators make available to the relevant Member State, upon request, the data used to develop that information.

Amendment

Member States shall take measures to ensure that economic operators submit reliable information regarding the compliance with the sustainability and greenhouse gas emissions saving criteria laid down in Articles 29(2) to (7) and (10) and 29a(1) and (2), and that economic operators make available to the relevant Member State, upon request, the data used to develop that information. **Member states shall require economic operators to arrange for an adequate standard of independent auditing of the information submitted, and to provide evidence that this has been done. In order to comply with point (a), (b), and (d) of Article 29 (3), point (a) of Article 29(4), Article 29 (5), point (a) of Article 29 (6) and point (a) of Article 29(7), the first or second party auditing may be used up to the first gathering point of the forest biomass. The auditing shall verify that the systems used by economic operators are accurate, reliable and protected against fraud, including verification ensuring that materials are not internationally modified or discarded so that the consignment or part thereof could become a waste or residue. It shall evaluate the frequency and methodology of sampling and robustness of the data.**

Amendment 96

Proposal for a directive

Article 1 – paragraph 1 – point 20 – point b

Article 30 – paragraph 3 – subparagraph 2

Text proposed by the Commission

The obligations laid down in this paragraph shall apply regardless of whether

Amendment

The obligations laid down in this paragraph shall apply regardless of whether
renewable fuels and recycled carbon fuels are produced within the Union or are imported. Information about the geographic origin and feedstock type of biofuels, bioliquids and biomass fuels per fuel supplier shall be made available to consumers on the websites of operators, suppliers or the relevant competent authorities and shall be updated on an annual basis.

Amendment 97

Proposal for a directive
Article 1 – paragraph 1 – point 20 – point c
Article 30 – paragraph 4 – subparagraph 1

The Commission may decide that voluntary national or international schemes setting standards for the production of renewable fuels, low carbon fuels and recycled carbon fuels, provide accurate data on greenhouse gas emission savings for the purposes of Articles 29(10) and 29a (1) and (2), demonstrate compliance with Articles 27(3) and 31a(5), or demonstrate that consignments of biofuels, bioliquids and biomass fuels comply with the sustainability criteria laid down in Article 29(2) to (7). When demonstrating that the criteria laid down in Article 29(6) and (7) are met, the operators may provide the required evidence directly at sourcing area level. The Commission may recognise areas for the protection of rare, threatened or endangered ecosystems or species recognised by international agreements or included in lists drawn up by intergovernmental organisations or the International Union for the Conservation of Nature for the purposes of Article 29(3), first subparagraph, point (c)(ii).
Amendment 98

Proposal for a directive
Article 1 – paragraph 1 – point 20 – point d
Article 30 – paragraph 6 – subparagraph 4

*Text proposed by the Commission*

For installations producing electricity heating and cooling with a total rated thermal input between 5 and **10** MW, Member States shall establish simplified national verification schemes to ensure the fulfillment of the sustainability and greenhouse gas emissions criteria set out in paragraphs (2) to (7) and (10) of Article 29.

*Amendment*

For installations producing electricity heating and cooling with a total rated thermal input between 5 and **20** MW, Member States shall establish simplified national verification schemes to ensure the fulfillment of the sustainability and greenhouse gas emissions criteria set out in paragraphs (2) to (7) and (10) of Article 29.

Amendment 99

Proposal for a directive
Article 1 – paragraph 1 – point 20 – point f
Article 30 – paragraph 10 – subparagraph 1

*Text proposed by the Commission*

At the request of a Member State, which may be based on the request of an economic operator, the Commission shall, on the basis of all available evidence, examine whether the sustainability and greenhouse gas emissions saving criteria laid down in Article 29(2) to (7) and (10) and Article 29a(1) and (2) in relation to a source of renewable fuels and recycled carbon fuels have been met.

*Amendment*

At the request of a Member State, which may be based on the request of an economic operator, the Commission shall, on the basis of all available evidence, examine whether the sustainability and greenhouse gas emissions saving criteria laid down in Article 29(2) to (7) and (10) and Article 29a(1) and (2) in relation to a source of renewable fuels, **low carbon fuels** and recycled carbon fuels have been met.

Amendment 100

Proposal for a directive
Article 1 – paragraph 1 – point 20 – point f
Article 30 – paragraph 10 – subparagraph 2 – point a
(a) take into account the renewable fuels and recycled carbon fuels from that source for the purposes referred to in points (a), (b) and (c) of the first subparagraph of Article 29(1); or

(b) by way of derogation from paragraph 9 of this Article, require suppliers of the source of renewable fuels and recycled carbon fuels to provide further evidence of compliance with those sustainability and greenhouse gas emissions saving criteria and those greenhouse gas emissions savings thresholds.;

(21) in Article 31, paragraphs 2, 3 and 4 are deleted:

(a) take into account the renewable fuels, low carbon fuels and recycled carbon fuels from that source for the purposes referred to in points (a), (b) and (c) of the first subparagraph of Article 29(1); or

(b) by way of derogation from paragraph 9 of this Article, require suppliers of the source of renewable fuels, low carbon fuels and recycled carbon fuels to provide further evidence of compliance with those sustainability and greenhouse gas emissions saving criteria and those greenhouse gas emissions savings thresholds.;
Article 31a – paragraph 4

Text proposed by the Commission

4. If guarantees of origin have been issued for the production of a consignment of renewable gases, Member States shall ensure that those guarantees of origin are cancelled before the consignment of renewable gases can be registered in the database.

Amendment

4. When guarantees of origin have been issued for the production of a consignment of renewable gases, Member States shall ensure that those guarantees of origin are registered in the database and are cancelled after the consignment of renewable gases is withdrawn from the European network for renewable gas.

Amendment 104

Proposal for a directive
Article 1 – paragraph 1 – point 22
Article 31 a – paragraph 5 a (new)

Text proposed by the Commission

5a. The database shall be made publicly available in an open, transparent and user friendly manner and kept updated. The data shall also be made available in aggregated and disaggregated form.

The Commission shall publish annual reports for the general public about the information reported in the Union database including the quantities, the geographic origin and feedstock type of biofuels, bioliquids and biomass fuels per fuel supplier and per member state.

Amendment

5a. The database shall be made publicly available in an open, transparent and user friendly manner and kept updated. The data shall also be made available in aggregated and disaggregated form.

The Commission shall publish annual reports for the general public about the information reported in the Union database including the quantities, the geographic origin and feedstock type of biofuels, bioliquids and biomass fuels per fuel supplier and per member state.

Amendment 105

Proposal for a directive
Article 1 – paragraph 1 – point 23 – point a
Article 35 – paragraph 2
The power to adopt delegated acts referred to in Article 8(3), second subparagraph, Article 29a(3), Article 26(2), fourth subparagraph, Article 26(2) fifth subparagraph, Article 27(1), second subparagraph, Article 27(3), fourth subparagraph, Article 28(5), Article 28(6), second subparagraph, Article 31(5), second subparagraph, and Article 31a(2), second subparagraph, shall be conferred on the Commission for a period of five years from [the entry into force of this amending Directive]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

Amendment

The delegation of power referred to in Article 7(3), fifth subparagraph, Article 8(3), second subparagraph, Article 29a(3), Article 26(2), fourth subparagraph, Article 26(2) fifth subparagraph, Article 27(1), second subparagraph, Article 27(3), fourth subparagraph, Article 28(5), Article 28(6), second subparagraph, Article 31(5), and Article 31a(2), second subparagraph, may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in

Proposal for a directive

Article 1 – paragraph 1 – point 23 – point b
Article 35 – paragraph 4
following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

**Amendment 107**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 23 – point c**


Article 35 – paragraph 7

_A text proposed by the Commission_

A delegated act adopted pursuant to Article 7(3), fifth subparagraph, Article 8(3), second subparagraph, Article 29a(3), Article 26(2), fourth subparagraph, Article 26(2) fifth subparagraph, Article 27(1), second subparagraph, Article 27(3), fourth subparagraph, Article 28(5), Article 28(6), second subparagraph, Article 31(5), and Article 31a(2), second subparagraph, shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and to the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

**Amendment**

A delegated act adopted pursuant to Article 7(3), fifth subparagraph, Article 8(3), second subparagraph, Article 29a(3), Article 26(2), fourth subparagraph, Article 26(2) fifth subparagraph, Article 27(1), second subparagraph, Article 28(5), Article 28(6), second subparagraph, Article 31(5), and Article 31a(2), second subparagraph, shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and to the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

**Amendment 108**

**Proposal for a directive**

**Article 3 – paragraph 1 – point 1 a (new)**

Directive 98/70/EC

Article 3 – paragraph 2 – point 1 a (new)

_A text proposed by the Commission_

(1a) At the latest in 2024, the European
Commission shall adopt a proposal to amend Directive 98/70/EC with the aim to improve the quality of motor fuels specified in Annexes I and II of this Directive.

Amendment 109
Proposal for a directive
Article 7 – paragraph -1 (new)

Text proposed by the Commission

Amendment

By December 2024, the European Commission shall present a comprehensive impact assessment on the combined and cumulative effects of the "fit for 55" package including this directive.

Amendment 110
Proposal for a directive
Annex I – paragraph 1 – point 5 – point a
Annex V – part c – point 6

Text proposed by the Commission

Amendment

6. For the purposes of the calculation referred to in point 1(a), greenhouse gas emissions savings from improved agriculture management, esca, such as shifting to reduced or zero-tillage, improved crop/rotation, the use of cover crops, including crop residue management, and the use of organic soil improver (e.g. compost, manure fermentation digestate), shall be taken into account only if they do not risk to negatively affect biodiversity. Further, solid and verifiable evidence shall be provided that the soil carbon has increased or that it is reasonable to expect to have increased over the period in which the raw materials concerned were

Carbon in biomasses can be converted into biochar through pyrolysis, which can be stored by land application, thereby making it a negative emissions
cultivated while taking into account the
emissions where such practices lead to
increased fertiliser and herbicide use\textsuperscript{37};
technology. Here, the bonus for the
improved agricultural and manure
management is returned to the farmer
responsible for the negative emissions
when sustainability/environmental
certificates are issued. Further, solid and
verifiable evidence shall be provided that
the soil carbon has increased or that it is
reasonable to expect to have increased over
the period in which the raw materials
concerned were cultivated while taking
into account the emissions where such
practices lead to increased fertiliser and
herbicide use\textsuperscript{37};
\begin{footnotesize}
\begin{footnotes}
\textsuperscript{37} Measurements of soil carbon can
constitute such evidence, e.g. by a first
measurement in advance of the cultivation
and subsequent ones at regular intervals
several years apart. In such a case, before
the second measurement is available,
increase in soil carbon would be estimated
on the basis of representative experiments
or soil models. From the second
measurement onwards, the measurements
would constitute the basis for determining
the existence of an increase in soil carbon
and its magnitude.
\end{footnotes}
\end{footnotesize}

Amendment 111

Proposal for a directive
Annex I – paragraph 1 – point 5 – point c
Annex V – part c – point 18

\textit{Text proposed by the Commission}

18. For the purposes of the calculations
referred to in point 17, the emissions to be
divided shall be \textit{ec}\textsubscript{c} + \textit{el} + \textit{esca} + those
fractions of \textit{ep}, \textit{etd}, \textit{eccs} and \textit{eccr} that take
place up to and including the process step
at which a co-product is produced. If any
allocation to co-products has taken place at
an earlier process step in the life-cycle, the
fraction of those emissions assigned in the

\textit{Amendment}

18. For the purposes of the calculations
referred to in point 17, the emissions to be
divided shall be \textit{ec}\textsubscript{c} + \textit{el} + \textit{esca} + those
fractions of \textit{ep}, \textit{etd}, \textit{eccs} and \textit{eccr} that take
place up to and including the process step
at which a co-product is produced. If any
allocation to co-products has taken place at
an earlier process step in the life-cycle, the
fraction of those emissions assigned in the
last such process step to the intermediate fuel product shall be used for those purposes instead of the total of those emissions. In the case of biogas and biomethane, all co-products that do not fall under the scope of point 7 shall be taken into account for the purposes of that calculation. No emissions shall be allocated to wastes and residues. Co-products that have a negative energy content shall be considered to have an energy content of zero for the purposes of the calculation. Wastes and residues including all wastes and residues included in Annex IX shall be considered to have zero life-cycle greenhouse gas emissions up to the process of collection of those materials irrespectively of whether they are processed to interim products before being transformed into the final product.

Residues that are not included in Annex IX and fit for use in the food or feed market shall be considered to have the same amount of emissions from the extraction, harvesting or cultivation of raw materials, eec as their closest substitute in the food and feed market that is included in the table in part D. In the case of biomass fuels produced in refineries, other than the combination of processing plants with boilers or cogeneration units providing heat and/or electricity to the processing plant, the unit of analysis for the purposes of the calculation referred to in point 17 shall be the refinery;

Amendment 112

Proposal for a directive
Annex I – paragraph 1 – point 6 – point c
Annex VI – point 18 – subparagraph 3

Text proposed by the Commission

Wastes and residues including all wastes and residues included in Annex IX shall be

Amendment

Wastes and residues including all wastes and residues included in Annex IX shall be
considered to have zero life-cycle greenhouse gas emissions up to the process of collection of those materials irrespectively of whether they are processed to interim products before being transformed into the final product. 

Residues that are not included in Annex IX and fit for use in the food or feed market shall be considered to have the same amount of emissions from the extraction, harvesting or cultivation of raw materials, $e_{ec}$ as their closest substitute in the food and feed market that is included in the table in part D of Annex V.
## Title

## References

## Committee responsible
- **Date announced in plenary**: ITRE 13.9.2021

## Opinion by
- **Date announced in plenary**: TRAN 13.9.2021

## Rapporteur for the opinion
- **Date appointed**: Barbara Thaler 29.10.2021

## Discussed in committee
- **Date**: 14.3.2022

## Date adopted
- **Date**: 17.5.2022

## Result of final vote
- +: 30
- -: 9
- 0: 9

## Members present for the final vote
Magdalena Adamowicz, Andris Ameriks, José Ramón Bauzá Díaz, Izaskun Bilbao Barandica, Paolo Borchia, Karolin Braunsberger-Reinhold, Marco Campomenosi, Massimo Casanova, Ciarán Cuffe, Jakop G. Dalunde, Karima Delli, Anna Deparnay-Grunenberg, Ismail Ertug, Gheorghe Falcă, Giuseppe Ferrandino, Carlo Fidanza, Mario Furore, Søren Gade, Isabel García Muñoz, Jens Gieseke, Elsi Katainen, Kateřina Konečná, Bogusław Liberadzki, Peter Lundgren, Benoît Lutgen, Elżbieta Katarzyna Łukacijewska, Marian-Jean Marinescu, Tilly Metz, Cláudia Monteiro de Aguiar, Caroline Nagtegaal, Jan-Christoph Oetjen, João Pimenta Lopes, Rovana Plumb, Tomasz Piotr Poręba, Dominique Riquet, Massimiliano Salini, Vera Tax, Barbara Thaler, István Ujhelyi, Henna Virkkunen, Petar Vitanov, Elissavet Vozemberg-Vrionidi, Lucia Vuolo, Roberts Zīle, Kosma Zlotowski

## Substitutes present for the final vote
Clare Daly, Maria Grapini, Roman Haider
<table>
<thead>
<tr>
<th>30</th>
<th>+</th>
</tr>
</thead>
<tbody>
<tr>
<td>ECR</td>
<td>Carlo Fidanza, Tomasz Piotr Poręba, Roberts Zīle, Kosma Złotowski</td>
</tr>
<tr>
<td>ID</td>
<td>Paolo Borchia, Marco Campomenosi, Massimo Casanova, Roman Haider</td>
</tr>
<tr>
<td>PPE</td>
<td>Magdalena Adamowicz, Karolin Braunsberger-Reinhold, Gheorghe Falcă, Jens Gieseke, Elżbieta Katarzyna Łukacijewska, Benoît Thaler, Henna Virkkunen, Elissavet Vozemberg-Vrionidi, Lucia Vuolo</td>
</tr>
<tr>
<td>Renew</td>
<td>José Ramón Bauzá Díaz, Izaskun Bilbao Barandica, Søren Gade, Elsi Katakain, Caroline Nagtegaal, Jan-Christoph Oetjen, Dominique Riquet</td>
</tr>
<tr>
<td>S&amp;D</td>
<td>Maria Grapini, István Ujhelyi</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>9</th>
<th>-</th>
</tr>
</thead>
<tbody>
<tr>
<td>NI</td>
<td>Mario Furore</td>
</tr>
<tr>
<td>The Left</td>
<td>Clare Daly, Kateřina Konečná, João Pimenta Lopes</td>
</tr>
<tr>
<td>Verts/ALE</td>
<td>Ciarán Cuffe, Jakop G. Dalunde, Karima Delli, Anna Deparnay-Grunenberg, Tilly Metz</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>9</th>
<th>0</th>
</tr>
</thead>
<tbody>
<tr>
<td>ECR</td>
<td>Peter Landgren</td>
</tr>
<tr>
<td>S&amp;D</td>
<td>Andris Ameriks, Ismail Ertug, Giuseppe Ferrandino, Isabel García Muñoz, Boguslaw Liberadzki, Rovana Plumb, Vera Tax, Petar Vitanov</td>
</tr>
</tbody>
</table>

Key to symbols:
+ : in favour
- : against
0 : abstention