



2021/0423(COD)

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COMPROMISE AMENDMENTS 1-27

Draft report
[...], **Jutta Paulus**
(PE736.476v01-00)

Regulation on methane emissions in the energy sector and amending Regulation
(EU) 2019/942

Proposal for a regulation
(COM(2021)805 – C9-0467/2021 – 2021/0423(COD))

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United in diversity

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Compromise amendment 1 - Article 1 (Subject matter and scope), Article 1a (Union methane emission reduction target), Recitals 1, 2, 2a, 3a, 4, 5, 6, 7, 7a, 8 EPP, S&D, Renew, Greens/EFA, ECR, The left

Compromise amendment replacing Amendments: 1, 150-178, 44-62, 64-75

**Proposal for a regulation
Article 1 – paragraph 1**

Text proposed by the Commission

1. This Regulation lays down rules for the accurate measurement, reporting and verification of methane emissions in the energy sector in the Union, as well as the abatement of those emissions, including through leak detection and repair surveys and restrictions on venting and flaring. This Regulation also lays down rules on tools ensuring transparency of methane emissions from imports of fossil energy into the Union.

Amendment

1. This Regulation lays down rules for the accurate measurement, **quantification, monitoring**, reporting and verification of methane emissions in the energy sector in the Union, as well as the abatement of those emissions, including through leak detection and repair surveys, **repair obligations** and restrictions on venting and flaring. This Regulation also lays down rules on tools ensuring transparency of methane emissions from imports of fossil energy into the Union.

**Proposal for a regulation
Article 1 – paragraph 2 – introductory part**

Text proposed by the Commission

2. This Regulation applies to:

Amendment

2. This Regulation applies to:

**Proposal for a regulation
Article 1 – paragraph 2 – point a**

Text proposed by the Commission

(a) oil and fossil gas upstream exploration and production, fossil gas gathering and processing;

Amendment

(a) oil and fossil gas upstream exploration and production, fossil gas gathering and processing;

**Proposal for a regulation
Article 1 – paragraph 2 – point b**

Text proposed by the Commission

(b) gas transmission, distribution, underground storage and **liquid gas (LNG)** terminals operating with fossil and/or renewable (bio-or synthetic) methane;

Amendment

(b) gas transmission, distribution, **(excluding metering systems at final consumption points)** underground storage and **liquefied gas** terminals operating with fossil and/or renewable (bio-or synthetic) methane;

Proposal for a regulation

Article 1 – paragraph 2 – point c

Text proposed by the Commission

(c) operating underground and surface coalmines, closed and abandoned underground coal mines.

Amendment

(c) operating underground and surface coalmines, closed and abandoned underground coal mines.

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(c a) petrochemicals;

Proposal for a regulation

Article 1 – paragraph 3

Text proposed by the Commission

3. This Regulation applies to methane emissions occurring outside the Union in what relates to importer **information** requirements, to the methane transparency database and to the methane emitters monitoring tool.

Amendment

3. This Regulation applies to methane emissions occurring outside the Union in what relates to importer requirements, to the methane transparency database and to the methane emitters monitoring tool.

Proposal for a regulation

Article 1a (new)

Article 1 a

Union methane emission reduction target

1. In accordance with the long-term temperature goal set out in point (a) of Article 2(1) of the Paris agreement, the target of net zero greenhouse gas emissions by 2050 at the latest set out in Article 2(1) of Regulation (EU) 2021/1119 ('European Climate Law') and the Global Methane Pledge goal of cutting global anthropogenic methane emissions by at least 30% by 2030 from 2020 levels, the Commission shall propose, by 31 December 2025 and based on an impact assessment, a 2030 Union binding methane emission reduction target covering all relevant emitting sectors.

2. In accordance with paragraph 1, Member States shall collectively ensure that methane emissions from the energy sector in the Union are reduced, by 2030, to a level that will capture the social benefits of methane mitigation at less than their costs.

3. Each Member State shall set national methane emissions reduction targets as referred to in paragraph 2 as part of their integrated national energy and climate plans in accordance with Articles 3 to 5 and 9 to 14 of Regulation (EU)2018/1999. If, on the basis of the assessment of the first update of the integrated national energy and climate plans submitted pursuant to Article 14 of Regulation (EU) 2018/1999, the Commission concludes that the national contributions of the Member States are insufficient for the collective achievement of the Union target, it shall propose measures and exercise its powers at Union level in order

to ensure the collective achievement of the target referred to in paragraph 2.

Proposal for a regulation

Recitals 1, 2, 2a, 3a, 4, 5, 6, 7, 7a, 8

Text proposed by the Commission

Amendment

(1) Methane, *the main component of natural gas*, is second only to carbon dioxide in its overall contribution to climate change and is responsible for approximately a third of current warming.

(1) Methane is second only to carbon dioxide in its overall contribution to climate change and is responsible for approximately a third of current warming. *The Intergovernmental Panel on Climate Change (IPCC) published in its Sixth Assessment Report the finding that deep reductions in anthropogenic methane emissions are needed by 2030 to stay below 1.5 degrees Celsius.*

(2) *On a molecular level*, although methane *remains in the atmosphere for* a shorter *period* (10 to 12 years) than carbon dioxide (hundreds of years), its greenhouse effect on the climate is more significant *and it contributes to ozone formation which is a potent air pollutant that causes serious health problems*. The amount of methane in the atmosphere globally has risen sharply over the last decade.

(2) Although methane *has* a shorter *average atmospheric residence time* (10 to 12 years) than carbon dioxide (hundreds of years), its greenhouse effect on the climate is *over 80 times¹* more significant *than carbon dioxide (CO₂) over a 20-year period*. The amount of methane in the atmosphere globally has risen sharply over the last decade.

(2a) *Methane is a precursor gas for harmful ground-level ozone (O₃) and contributes to air pollution, with ground-level ozone contributing to nearly 20 000 premature deaths every year²; whereas tackling methane emissions will address not only environmental and climate but*

¹ *According to IPCC, on a 100-year timescale, methane has 29,8 times greater global warming potential than carbon dioxide and is 82,5 times more potent on a 20-year timescale. IPCC Sixth Assessment Report (AR6, Table 7.15 at https://www.ipcc.ch/report/ar6/wg1/downloads/report/IPCC_AR6_WGI_FullReport.pdf)*

² *European Environment Agency, Air quality in Europe – 2020 report, p.7;*

(3) According to recent estimates by the United Nations Environment Programme and the Climate and Clean Air Coalition, methane emission reductions of 45% by 2030, based on available targeted measures and additional measures in line with the United Nations ('UN') priority development goals, could avoid 0.3°C of global warming by 2045.

(4) According to the Union's greenhouse gas ('GHG') inventories data, the energy sector is estimated to be responsible for 19% of methane emissions within the Union. This does not include methane emissions linked to the Union's fossil energy consumption which are occurring outside the Union.

also improve protection of the health in line with the One Health approach;

(3) According to recent estimates by the United Nations Environment Programme and the Climate and Clean Air Coalition, methane emission reductions of 45% by 2030, based on available targeted measures and additional measures in line with the United Nations ('UN') priority development goals, could avoid 0.3°C of global warming by 2045.

(3a) The European Parliament in its resolution of 21 October 2021 on an EU strategy to reduce methane emissions³, calls on the Commission to analyse the implications for policies and measures of using a 20-year time horizon for global warming potential, as a complement to the 100-year timeframe currently used in accordance with the UNFCCC guidelines on greenhouse gas inventories. It further notes that more transparency about the short-term global warming implications of methane emissions would help to better inform EU climate policies and stresses that the use of such a complementary metric should by no means be used to delay necessary action to also drastically and rapidly reduce CO2 emissions.

(4) According to the Union's greenhouse gas ('GHG') inventories data, **53 % of anthropogenic methane emissions come from agriculture, 26 % from waste and** the energy sector is estimated to be responsible for 19% of methane emissions within the Union. This does not include methane emissions linked to the Union's fossil energy consumption which are occurring outside the Union. **The EU is the world's largest importer of fossil gas, thus the Union is an important driver of global**

³

https://www.europarl.europa.eu/doceo/document/TA-9-2021-0436_EN.html - *Spyraki report*

methane emissions.

(5) The European Green Deal combines a comprehensive set of mutually reinforcing measures and initiatives aimed at achieving climate neutrality in the Union by 2050. The European Green Deal Communication indicates that the decarbonisation of the gas sector will be facilitated, including by addressing the issue of energy-related methane emissions. The Commission adopted an EU strategy to reduce methane emissions ('the Methane Strategy') in October 2020 setting out measures to cut methane emissions in the EU, including in the energy sector, and internationally. In Regulation (EU) 2021/1119 ('European Climate Law'), the Union has enshrined into legislation the target of economy-wide climate neutrality by 2050 and also established a binding Union domestic reduction commitment of net greenhouse gas emissions (emissions after deduction of removals) of at least 55% below 1990 levels by 2030. ***To achieve that level of GHG emission reductions, methane emissions from the energy sector should decrease by around 58% by 2030 compared to 2020.***

(6) Methane emissions are included in the scope of the Union greenhouse gas reduction targets for 2030 set out in the European Climate Law and the binding national emission reduction targets under

(5) The European Green Deal combines a comprehensive set of mutually reinforcing measures and initiatives aimed at achieving climate neutrality in the Union by 2050. The European Green Deal Communication¹⁴ indicates that the decarbonisation of the gas sector will be facilitated, including by addressing the issue of energy-related methane emissions. The Commission adopted an EU strategy to reduce methane emissions ('the Methane Strategy') in October 2020 setting out measures to cut methane emissions in the EU, including in the energy sector, and internationally. In Regulation (EU) 2021/1119¹⁵ ('European Climate Law'), the Union has enshrined into legislation the target of economy-wide climate neutrality by 2050 and also established a binding Union domestic reduction commitment of net greenhouse gas emissions (emissions after deduction of removals) of at least 55% below 1990 levels by 2030. ***The Commission indicates in its accompanying Impact Assessment that 77% of total projected methane emissions over and above the baseline can be abated in 2030 at less than the sum of the social and environmental benefits⁴. This will contribute positively to limiting global warming to 1.5°C and would allow the EU to effectively take the lead in fighting methane emissions and strengthening energy security.***

(6) ***Methane emissions come from a wide range of sectors, including agriculture, waste, waste water and energy.*** Methane emissions are included in the scope of the Union greenhouse gas

⁴ <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=SWD:2021:0459:FIN:EN:PDF> (p. 67)

Regulation (EU) 2018/842. However, there is currently no Union level legal framework setting out specific measures for the reduction of anthropogenic methane emissions *in the energy sector*. In addition, whilst Directive 2010/75 on industrial emissions covers methane emissions from the refining of mineral oil and gas, it does not cover other activities in the energy sector.

(7) In this context, this Regulation should apply to the reduction of methane emissions in oil and fossil gas upstream exploration and production, fossil gas gathering and processing, gas transmission, distribution, underground storage and **liquid** fossil gas (LNG) terminals, as well as to operating underground and surface coalmines, closed and abandoned underground coal mines.

(8) Rules for accurate measurement, reporting and verification of methane emissions in the oil, gas and coal sectors, as well as for the abatement of those emissions, including through leak detection and repair surveys and restrictions on venting and flaring, should be addressed by an appropriate Union legal framework.

reduction targets for 2030 set out in the European Climate Law and the binding national emission reduction targets under Regulation (EU) 2018/842¹⁶. However, there is currently no Union level legal framework setting out specific **targets and measures covering all sectors** for the reduction of anthropogenic methane emissions **leading to a significant reduction of methane emissions in the EU by 2030, in line with the Paris Agreement**. In addition, whilst Directive 2010/75¹⁷ on industrial emissions covers methane emissions from the refining of mineral oil and gas, it does not cover other activities in the energy sector

(7) In this context, this Regulation should apply to the reduction of methane emissions in oil and fossil gas upstream exploration and production, fossil gas gathering and processing, gas transmission, distribution, underground storage and **liquefied** fossil gas (LNG) terminals, as well as to **petrochemicals**, operating underground and surface coalmines, closed and abandoned underground coal mines.

(7a) Given that upstream exploration and production, oil and fossil gas gathering and processing also yields naphtha and natural gas liquids for use in the petrochemical sector and results in methane emissions. The petrochemical sector should be subject to the measures on monitoring and reporting, leak detection and repair, and limits to venting and flaring as the energy sector.

(8) Rules for accurate measurement, reporting and verification of methane emissions in the oil, gas and coal sectors, as well as for the abatement of those emissions, including through leak detection and repair surveys and restrictions on venting and flaring, **while ensuring the protection of workers from methane,**

Such a framework should contain rules to enhance transparency with regard to fossil energy imports into the Union, *thus improving the incentives for a* wider uptake of methane mitigation solutions across the globe.

should be addressed by an appropriate Union legal framework. *The rules laid out in this Regulation should* enhance transparency with regard to fossil energy imports into the Union *and lead towards,* wider uptake of methane *emissions* mitigation solutions across the globe.

Compromise amendment 2 - Article 2 - Definitions
EPP, S&D, Renew, Greens/EFA, ECR, The Left

Compromise amendment replacing Amendments: 2-6, 181-266

Proposal for a regulation
Article 2 – paragraph 1 – point 1

Text proposed by the Commission

(1) ‘methane emissions’ means all direct emissions occurring from all components that are potential sources of methane emissions, whether as a result of *intentional or unintentional* venting, incomplete combustion in flares or from other components and *unintentional* leaks;

Amendment

(1) ‘methane emissions’ means all direct emissions occurring from all components that are potential sources of methane emissions, whether as a result of venting, incomplete combustion in flares or from other components and leaks;

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

Text proposed by the Commission

Amendment

(1 a) ‘leak’ means any unintentional methane emission from component;

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

Text proposed by the Commission

Amendment

(1 b) ‘component’ means any single piece of technical equipment that has the potential to emit fugitive emissions of methane or volatile organic compounds

(VOC);

Proposal for a regulation
Article 2 – paragraph 1 – point 2

Text proposed by the Commission

(2) ‘transmission system operator’ has the meaning attributed to it by [Article 2(4) of Directive 2009/73/EC of the European Parliament and of the Council⁴¹] [to be adapted as per ongoing recast proposal];

Amendment

(2) ‘transmission system operator’ has the meaning attributed to it by [Article 2(4) of Directive 2009/73/EC of the European Parliament and of the Council⁴¹] [to be adapted as per ongoing recast proposal];

Proposal for a regulation
Article 2 – paragraph 1 – point 3

Text proposed by the Commission

(3) ‘distribution system operator’ has the meaning attributed to it by [Article 2(6) of Directive 2009/73/EC] [to be adapted as per ongoing recast proposal];

Amendment

(3) ‘distribution system operator’ has the meaning attributed to it by [Article 2(6) of Directive 2009/73/EC] [to be adapted as per ongoing recast proposal];

Proposal for a regulation
Article 2 – paragraph 1 – point 4

Text proposed by the Commission

(4) ‘operator’ means any natural or legal person who operates or controls an asset or, where provided for in national legislation, to whom decisive economic power over the technical functioning of an asset has been delegated;

Amendment

(4) ‘operator’ means any natural or legal person who operates or controls an asset or, where provided for in national legislation, to whom decisive economic power over the technical functioning of an asset has been delegated;

Proposal for a regulation
Article 2 – paragraph 1 – point 5

Text proposed by the Commission

(5) ‘mine operator’ means any natural or legal person who operates or controls a coal mine or, where provided for in

Amendment

(5) ‘mine operator’ means any natural or legal person who operates or controls a coal mine or, where provided for in

national legislation, to whom decisive economic power over the technical functioning of a coal mine has been delegated;

national legislation, to whom decisive economic power over the technical functioning of a coal mine has been delegated;

Proposal for a regulation

Article 2 – paragraph 1 – point 6

Text proposed by the Commission

(6) ‘verification’ means the activities carried out by a verifier to assess the conformity of the reports transmitted by the operators and mine operators;

Amendment

(6) ‘verification’ means the activities carried out by a verifier to assess the conformity of the reports transmitted by the operators and mine operators;

Proposal for a regulation

Article 2 – paragraph 1 – point 7

Text proposed by the Commission

(7) ‘verifier’ means a legal person ***different from the competent authorities appointed in accordance with Article 4 of this Regulation*** which carries out verification activities and which is accredited by a national accreditation body pursuant to Regulation (EC) No 765/2008 or a natural person otherwise authorised, without prejudice to Article 5(2) of that Regulation, at the time a verification statement is issued;

Amendment

(7) ‘verifier’ means a legal person which carries out verification activities and which is accredited by a national accreditation body pursuant to Regulation (EC) No 765/2008 or a natural person otherwise authorised, without prejudice to Article 5(2) of that Regulation, at the time a verification statement is issued;

Proposal for a regulation

Article 2 – paragraph 1 – point 8

Text proposed by the Commission

(8) ‘source’ means a component or a geological structure that releases methane into the atmosphere whether intentionally or unintentionally, intermittently or persistently;

Amendment

(8) ‘source’ means a component or a geological structure that releases methane into the atmosphere whether intentionally or unintentionally, intermittently or persistently;

Proposal for a regulation

Article 2 – paragraph 1 – point 9

Text proposed by the Commission

(9) ‘asset’ means a business or operating unit, which can be composed of several facilities or sites, including assets under the operational control of the operator (operated assets) and assets which are not under the operational control of the operator (non-operated assets);

Amendment

(9) ‘asset’ means a business or operating unit, which can be composed of several facilities or sites, including assets under the operational control of the operator (operated assets) and assets which are not under the operational control of the operator (non-operated assets);

Proposal for a regulation

Article 2 – paragraph 1 – point 9 a (new)

Text proposed by the Commission

Amendment

(9 a) ‘facility’ means one or more installations on the same site that are operated by the same natural or legal person;

Proposal for a regulation

Article 2 – paragraph 1 – point 9 b (new)

Text proposed by the Commission

Amendment

(9 b) ‘site’ means the geographical location of the facility;

Proposal for a regulation

Article 2 – paragraph 1 – point 10

Text proposed by the Commission

Amendment

(10) ‘emission factor’ means a coefficient that quantifies the emissions ***or removals*** of a gas per unit activity, which is often based on a sample of measurement data, averaged to develop a representative rate of emission for a given activity level under a given set of operating conditions;

(10) ‘emission factor’ means a coefficient that quantifies the emissions of a gas per unit ***of*** activity, which is often based on a sample of measurement data, averaged to develop a representative rate of emission for a given activity level under a given set of operating conditions;

Proposal for a regulation
Article 2 – paragraph 1 – point 11

Text proposed by the Commission

(11) ‘generic emission factor’ means a standardised emission factor for each type of emission source which is derived from inventories or databases, but in any case not verified through direct measurements;

Amendment

(11) ‘generic emission factor’ means a standardised emission factor for each type of emission source which is derived from inventories or databases, but in any case not verified through direct measurements;

Proposal for a regulation
Article 2 – paragraph 1 – point 12

Text proposed by the Commission

(12) ‘specific emission factor’ means an emission factor derived from direct measurements;

Amendment

(12) ‘specific emission factor’ means an emission factor *for a type of emission source that is* derived from direct measurements;

Proposal for a regulation
Article 2 – paragraph 1 – point 13

Text proposed by the Commission

(13) ‘direct measurement’ means *direct quantification* of the methane emission at source-level with a *methane* measuring device;

Amendment

(13) ‘direct measurement’ means *measurement* of the methane emission at source-level with a measuring device *that allows such a measurement*;

Proposal for a regulation
Article 2 – paragraph 1 – point 13 a (new)

Text proposed by the Commission

Amendment

(13 a) ‘quantification’ means operations to determine the quantity of methane emissions, based on direct measurements and where those are not feasible, based on detailed engineering calculations or simulation tools, and should be based on advanced equipment and monitoring

methods.

Proposal for a regulation
Article 2 – paragraph 1 – point 14

Text proposed by the Commission

(14) ‘site-level methane emissions’ means all sources of emissions within an *asset*;

Amendment

(14) ‘site-level methane emissions’ means all sources of emissions within an *entire site*;

Proposal for a regulation
Article 2 – paragraph 1 – point 15

Text proposed by the Commission

(15) ‘site-level measurement’ means a top-down measurement and typically involves the use of sensors mounted on a mobile platform, such as vehicles, drones, aircrafts, boats *and* satellites or other means to capture a complete overview of emissions across an entire site;

Amendment

(15) ‘site-level measurement’ means a top-down measurement and typically involves the use of sensors mounted on a mobile platform, such as vehicles, drones, aircrafts, boats, satellites, *the use of fixed sensors, such as continuous point sensor networks*, or other means to capture a complete overview of emissions across an entire site;

Proposal for a regulation
Article 2 – paragraph 1 – point 16

Text proposed by the Commission

(16) ‘undertaking’ means a natural or legal person carrying out at least one of the following functions: upstream oil and fossil gas exploitation, exploration and production, fossil gas gathering and processing and gas transmission, distribution and underground storage, including LNG;

Amendment

(16) ‘undertaking’ means a natural or legal person carrying out at least one of the following functions: upstream oil and fossil gas exploitation, exploration and production, fossil gas gathering and processing and gas transmission, distribution and underground storage, including LNG;

Proposal for a regulation
Article 2 – paragraph 1 – point 17

Text proposed by the Commission

(17) ‘leak detection and repair survey’ means a survey to identify sources of methane emissions, **including** leaks and unintentional **venting**;

Amendment

(17) ‘leak detection and repair survey’ means a survey **with an instrument or other advanced technology with a minimum detection limit and confidence bound**, to identify **and detect** sources of methane emissions leaks and **other** unintentional **methane emissions, and to repair or replace the leaking components**;

Proposal for a regulation

Article 2 – paragraph 1 – point 18

Text proposed by the Commission

(18) ‘venting’ means the release of uncombusted methane into the atmosphere **either** intentionally from processes, activities or devices designed for such a purpose, **or unintentionally in the case of a malfunction or geological constraints**;

Amendment

(18) ‘venting’ means the release of uncombusted methane into the atmosphere intentionally from processes, activities or devices designed for such a purpose;

Proposal for a regulation

Article 2 – paragraph 1 – point 19

Text proposed by the Commission

(19) ‘flaring’ means the controlled combustion of methane for the purpose of disposal in a device designed for said combustion;

Amendment

(19) ‘flaring’ means the controlled combustion of methane for the purpose of disposal in a device designed for said combustion;

Proposal for a regulation

Article 2 – paragraph 1 – point 20

Text proposed by the Commission

(20) ‘emergency’ means a temporary, unexpected, infrequent situation in which the methane emission is unavoidable and necessary to prevent an immediate and substantial adverse impact on human

Amendment

(20) ‘emergency’ means a temporary, unexpected, infrequent situation in which the methane emission is unavoidable and necessary to prevent an immediate and substantial adverse impact on human

safety, public health or the environment, but does not include situations arising from or related to the following events:

- (a) failure of the operator to install appropriate equipment of sufficient capacity for the expected or actual rate and pressure of production;
- (b) failure of the operator to limit production where the production rate exceeds the capacity of the related equipment or gathering system, except where the excess production is due to a downstream emergency, malfunction, or unscheduled repair and lasts for no longer than eight hours from the time of notification of the downstream capacity issue;
- (c) scheduled maintenance;
- (d) operator negligence;
- (e) repeated failures, that is to say four or more failures within the preceding 30 days, of the same piece of equipment;

Proposal for a regulation
Article 2 – paragraph 1 – point 21

Text proposed by the Commission

(21) ‘malfunction’ means a sudden, unavoidable failure or breakdown of equipment beyond the reasonable control of the operator that substantially disrupts operations but does not include a failure or breakdown that is caused entirely or in part by poor maintenance, careless operation or other preventable equipment failure or breakdown;

Proposal for a regulation
Article 2 – paragraph 1 – point 22

safety, public health or the environment, but does not include situations arising from or related to the following events:

- (a) failure of the operator to install appropriate equipment of sufficient capacity for the expected or actual rate and pressure of production;
- (b) failure of the operator to limit production where the production rate exceeds the capacity of the related equipment or gathering system, except where the excess production is due to a downstream emergency, malfunction, or unscheduled repair and lasts for no longer than eight hours from the time of notification of the downstream capacity issue;
- (c) scheduled maintenance;
- (d) operator negligence;
- (e) repeated failures, that is to say four or more failures within the preceding 30 days, of the same piece of equipment;

Amendment

(21) ‘malfunction’ means a sudden, unavoidable failure or breakdown of equipment beyond the reasonable control of the operator that substantially disrupts operations but does not include a failure or breakdown that is caused entirely or in part by poor maintenance, careless operation or other preventable equipment failure or breakdown;

Text proposed by the Commission

(22) ‘routine flaring’ means flaring during the normal production of oil or fossil gas and in the absence of sufficient facilities or amenable geology to re-inject methane, utilise it on-site, or dispatch it to a market;

Amendment

(22) ‘routine flaring’ means flaring during the normal production of oil or fossil gas and in the absence of sufficient facilities or amenable geology to re-inject methane, utilise it on-site, ***process it***, or dispatch it to a market, ***and excluding flaring caused by an emergency***;

Proposal for a regulation

Article 2 – paragraph 1 – point 23

Text proposed by the Commission

(23) ‘flare stack’ means a device equipped with a burner used to flare methane;

Amendment

(23) ‘flare stack’ means a device equipped with a burner used to flare methane;

Proposal for a regulation

Article 2 – paragraph 1 – point 24

Text proposed by the Commission

(24) ‘inactive well’ means an oil or gas well or well site where operations for exploration or production have ceased for at least one year;

Amendment

(24) ‘inactive well’ means an oil or gas well or well site, ***onshore or offshore***, where operations for exploration or production have ceased for at least one year. ***It does not include permanently plugged and abandoned wells, as defined in this Regulation.***

Proposal for a regulation

Article 2 – paragraph 1 – point 24 a (new)

Text proposed by the Commission

Amendment

(24 a) ‘Permanently plugged and abandoned well’ means an oil or gas well or well site, onshore or offshore, which has been plugged and will not be re-entered, where all installations associated with the well have been removed and

operations have been terminated and where documentation adequate to demonstrate that there are no methane emissions from that well or well site can be provided, as established in Annex IV.

Proposal for a regulation

Article 2 – paragraph 1 – point 25 -39

Text proposed by the Commission

(25) ‘remediating’ means the process of cleaning up contaminated water and soil;

(26) ‘reclaiming’ means the process of returning a well or well site to having soil and vegetation conditions similar to those that existed before it was disturbed;

(27) ‘coal mine’ means a site where coal mining occurs or has occurred, including lands, excavations, underground passageways, shafts, slopes, tunnels and workings, structures, facilities, equipment, machines and tools situated on the surface or underground and used in, or resulting from the work of extracting lignite, subbituminous coal, bituminous coal, or anthracite from its natural deposits in the earth by any means or method, including the work of preparing the coal to be extracted;

(28) ‘operating coal mine’ means a coal mine where the majority of its revenue comes from the work of extracting lignite, subbituminous coal, bituminous coal or anthracites, and where at least one of the following conditions apply:

(a) mine development is underway.

(b) coal has been produced within the last 90 days.

(c) mine ventilation fans are operative.

(29) ‘underground coal mine’ means a coal mine where coal is produced by tunnelling into the earth to the coalbed, which is then

Amendment

(25) ‘remediating’ means the process of cleaning up contaminated water and soil;

(26) ‘reclaiming’ means the process of returning a well or well site to having soil and vegetation conditions similar to those that existed before it was disturbed;

(27) ‘coal mine’ means a site where coal mining occurs or has occurred, including lands, excavations, underground passageways, shafts, slopes, tunnels and workings, structures, facilities, equipment, machines and tools situated on the surface or underground and used in, or resulting from the work of extracting lignite, subbituminous coal, bituminous coal, or anthracite from its natural deposits in the earth by any means or method, including the work of preparing the coal to be extracted;

(28) ‘operating coal mine’ means a coal mine where the majority of its revenue comes from the work of extracting lignite, subbituminous coal, bituminous coal or anthracites, and where at least one of the following conditions apply:

(a) mine development is underway.

(b) coal has been produced within the last 90 days.

(c) mine ventilation fans are operative.

(29) ‘underground coal mine’ means a coal mine where coal is produced by tunnelling into the earth to the coalbed, which is then

mined with underground mining equipment such as cutting machines and continuous, longwall and shortwall mining machines, and transported to the surface;

(30) 'surface coal mine' means a coal mine where coal lies near the surface and can be extracted by removing the covering layers of rock and soil;

(31) 'ventilation shaft' means a vertical passage used to move fresh air underground or to remove methane and other gases from an underground coal mine;

(32) 'drainage station' means a station collecting methane from a coal mine gas drainage system;

(33) 'drainage system' means a system, which may comprise multiple methane sources and which drains methane-rich gas from coal seams or surrounding rock strata and transports it to a drainage station;

(34) 'post-mining activities' are activities carried out after coal has been mined and brought to the surface, including coal handling, processing, storage, and transport;

(35) 'continuous measurement' means a measurement where the reading is taken at least every minute;

(36) 'ventilation air methane' means methane emitted from coal seams and other gas-bearing strata and which enters the ventilation air and is exhausted from the ventilation shaft;

(37) 'coal deposit' is an area of the land containing significantly mineable quantities of coal, defined according to the Member State's methodology on documenting geological mineral deposits;

(38) 'closed coal mine' means a coal mine with an identified operator, owner or licensee and closed according to the applicable licensing requirements or other

mined with underground mining equipment such as cutting machines and continuous, longwall and shortwall mining machines, and transported to the surface;

(30) 'surface coal mine' means a coal mine where coal lies near the surface and can be extracted by removing the covering layers of rock and soil;

(31) 'ventilation shaft' means a vertical passage used to move fresh air underground or to remove methane and other gases from an underground coal mine;

(32) 'drainage station' means a station collecting methane from a coal mine gas drainage system;

(33) 'drainage system' means a system, which may comprise multiple methane sources and which drains methane-rich gas from coal seams or surrounding rock strata and transports it to a drainage station;

(34) 'post-mining activities' are activities carried out after coal has been mined and brought to the surface, including coal handling, processing, storage, and transport;

(35) 'continuous measurement' means a measurement where the reading is taken at least every minute;

(36) 'ventilation air methane' means methane emitted from coal seams and other gas-bearing strata and which enters the ventilation air and is exhausted from the ventilation shaft;

(37) 'coal deposit' is an area of the land containing significantly mineable quantities of coal, defined according to the Member State's methodology on documenting geological mineral deposits;

(38) 'closed coal mine' means a coal mine with an identified operator, owner or licensee and closed according to the applicable licensing requirements or other

regulations;

(39) ‘abandoned coal mine’ means a coal mine where an operator, owner or licensee cannot be identified, or that has not been closed in a regulated manner;

Proposal for a regulation

Article 2 – paragraph 1 – point 39 a (new)

Text proposed by the Commission

regulations;

(39) ‘abandoned coal mine’ means a coal mine where an operator, owner or licensee cannot be identified, or that has not been closed in a regulated manner;

Amendment

(39 a) ‘coal mining equipment in closed or abandoned coal mine’ means any equipment that remains linked to the methane-bearing strata, including but not limited to gob vents and drainage pipes.

Proposal for a regulation

Article 2 – paragraph 1 – point 40

Text proposed by the Commission

(40) ‘coking coal mine’ means a mine where at least 50% of the production output averaged over the last three available years is coking coal, as defined in Annex B of Regulation (EC) no 1099/2008 of the European Parliament and of the Council;

Amendment

(40) ‘coking coal mine’ means a mine where at least 50% of the production output averaged over the last three available years is coking coal, as defined in Annex B of Regulation (EC) no 1099/2008 of the European Parliament and of the Council;

Proposal for a regulation

Article 2 – paragraph 1 – point 41

Text proposed by the Commission

(41) ‘importer’ means a natural or legal person ***established in the Union*** who, in the course of a commercial activity, places fossil ***energy*** from a third country on the Union market.

Amendment

(41) ‘importer’ means a natural or legal person who, in the course of a commercial activity, places fossil ***gas, oil or coal*** from a third country on the Union market ***including any natural person established in the Union appointed to carry out acts and formalities required under Article 27.***

**Compromise amendment 3 - Article 3, Recital 9 Costs of regulated operators
EPP, S&D, Renew, Greens/EFA, ECR, The Left**

Compromise amendment replacing Amendments: 7, 76-79, 267-274

**Proposal for a regulation
Article 3 – paragraph 1**

Text proposed by the Commission

1. When fixing or approving **transmission or distribution** tariffs or the methodologies to be used by transmission system operators, distribution system operators, LNG terminal operators or other regulated companies including where applicable underground gas storage operators, regulatory authorities shall take into account the costs incurred and investments made to comply with the obligations under this Regulation, insofar as they correspond to those of an efficient and structurally comparable regulated operator.

Amendment

1. When fixing or approving tariffs or the methodologies to be used by transmission system operators, distribution system operators, LNG terminal operators or other regulated companies including where applicable underground gas storage operators, regulatory authorities shall take into account the **additional** costs incurred and investments made to comply with the obligations under this Regulation, insofar as they correspond to those of an efficient and structurally comparable regulated operator. ***The unit investment costs referred to in paragraph 2 may be used by regulatory authorities to benchmark the costs incurred by the operators.***

**Proposal for a regulation
Article 3 – paragraph 2**

Text proposed by the Commission

2. Every three years, the European Union Agency for the Cooperation of Energy Regulators (ACER) shall establish and make publicly available a set of indicators and corresponding reference values for the comparison of unit investment costs linked to measurement, reporting and abatement of methane emissions for comparable projects.

Amendment

2. Every three years, the European Union Agency for the Cooperation of Energy Regulators (ACER) shall establish and make publicly available a set of indicators and corresponding reference values for the comparison of unit investment costs linked to measurement, ***monitoring***, reporting, ***verification*** and abatement ***of emissions, including from venting and flaring***, of methane emissions for comparable projects.

Proposal for a regulation
Recital 9

Text proposed by the Commission

(9) Compliance with the obligations under this Regulation is likely to require investments by regulated operators and the costs associated with such investments should be taken into account in tariff setting, subject to efficiency principles.

Amendment

(9) Compliance with the obligations under this Regulation is likely to require investments by regulated operators and the **additional** costs associated with such investments should be taken into account in tariff setting, subject to efficiency principles. ***According to the IEA, methane abatement measures are very cost-effective in the oil and gas sectors, particularly given the increased market prices for gas, and necessary investments for such measures would be limited, with a short payback period^{1a}. The required costs should not result in a disproportionate financial burden on end users and consumers. Costs associated with investments in above zero net costs methane emission reduction measures should therefore be taken into account in tariff setting. Vulnerable households should be protected from disproportionate financial burdens of the Regulation. Appropriate measures taken by the operators to prevent and minimise methane emissions should be those where the resulting societal impact of the emission is larger than the societal impact of the mitigation measure.***

^{1a} <https://www.iea.org/reports/global-methane-tracker-2023> - February 2023

Compromise amendment **4 - Article 4, Recital 10 competent authorities**
EPP, S&D, Renew, Greens/EFA, ECR, The Left

Compromise amendment replacing Amendments: 80-81, 275 -279

Proposal for a regulation
Article 4 – paragraph 1

Text proposed by the Commission

1. Each Member State shall designate one or more competent authorities responsible for monitoring and enforcing the application of this Regulation. Member States shall notify the Commission of the names and contact details of the competent authorities by ... [3 months after the date of entry into force of this Regulation]. Member States shall notify the Commission without delay of any changes to the names or contact details of the competent authorities.

Amendment

1. Each Member State shall designate one or more competent authorities responsible for monitoring and enforcing the application of this Regulation. Member States shall notify the Commission of the names and contact details of the competent authorities by ... [6 months after the date of entry into force of this Regulation]. Member States shall notify the Commission without delay of any changes to the names or contact details of the competent authorities.

Proposal for a regulation
Article 4 – paragraph 2

Text proposed by the Commission

2. The Commission shall make a list of the competent authorities publicly available and shall regularly update that list.

Amendment

2. The Commission shall make a list of the competent authorities publicly available and shall regularly update that list ***upon receiving a notification of any changes from Member States.***

Proposal for a regulation
Article 4 – paragraph 3

Text proposed by the Commission

3. Member States shall ensure that the competent authorities have adequate powers and resources to perform the obligations set out in this Regulation.

Amendment

3. Member States shall ensure that the competent authorities ***establish a contact point,*** have adequate powers and ***resources including human*** resources to perform the obligations set out in this Regulation.

Proposal for a regulation
Recital 10

Text proposed by the Commission

Amendment

(10) Each Member State should appoint at least one competent authority to oversee that operators effectively comply with the obligations laid down in this Regulation and should notify the Commission about such appointment and any changes thereof. The competent authorities appointed should take all the necessary measures to ensure compliance with **the requirements set out in** this Regulation. Taking into account the cross-border character of energy sector operations and methane emissions, competent authorities should cooperate with each other and the Commission. In this context, the Commission and the competent authorities of the Member States should form together a network of public authorities applying this Regulation to foster close cooperation, with the necessary arrangements for exchanging information and best practices and allow for consultations.

(10) Each Member State should appoint at least one competent authority to oversee that operators effectively comply with the obligations laid down in this Regulation and should notify the Commission about such appointment and any changes thereof. The competent authorities appointed should **be provided with sufficient financial and human resources by the Member State and should** take all the necessary measures to ensure compliance with this Regulation. **The competent authority should establish a contact point.** Taking into account the cross-border character of energy sector operations and methane emissions, competent authorities should cooperate with each other and the Commission. In this context, the Commission and the competent authorities of the Member States should form together a network of public authorities applying this Regulation to foster close cooperation, with the necessary arrangements for exchanging information and best practices and allow for consultations.

**Compromise amendment
authorities**

5 - Article 5, Recital 12, 12a tasks of competent

EPP, S&D, Renew, Greens/EFA, ECR, The Left

Compromise amendment replacing Amendments: 8, 82, 280 -291, 293-294

**Proposal for a regulation
Article 5 – paragraph 1**

Text proposed by the Commission

Amendment

1. The competent authorities shall take the necessary measures to ensure

1. The competent authorities shall take, **in performing their tasks**, the

compliance with *the requirements set out in* this Regulation.

necessary measures to ensure compliance with this Regulation.

Proposal for a regulation Article 5 – paragraph 2

Text proposed by the Commission

2. Operators *and* mine operators shall provide the competent authorities with all assistance necessary to enable or facilitate the performance of the tasks of the competent authorities referred to in this Regulation, notably as regards access to the premises and the presentation of documentation or records.

Amendment

2. Operators, mine operators *and importers, insofar as they are required pursuant to Article 27*, shall provide the competent authorities with all assistance necessary to enable or facilitate the performance of the tasks of the competent authorities referred to in this Regulation, notably as regards access to the premises and the presentation of documentation or records.

Proposal for a regulation Article 5 – paragraph 3

Text proposed by the Commission

3. The competent authorities shall cooperate with each other and with the Commission and as necessary with authorities of third countries, in order to ensure compliance with this Regulation. The Commission *may* set up a network of competent authorities to foster cooperation, with the necessary arrangements for exchanging information and best practices and allow for consultations.

Amendment

3. The competent authorities shall cooperate with each other and with the Commission and as necessary with authorities of third countries, in order to ensure compliance with this Regulation. The Commission *shall* set up a network of competent authorities to foster cooperation, with the necessary arrangements for exchanging information and best practices and allow for consultations. *The contact points established within the competent authorities shall support these activities.*

Proposal for a regulation Article 5 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. The competent authorities shall carry out regular checks to verify

compliance with Article 27 2a of importers, insofar as they are required pursuant to Article 27, by means of documentary checks and independent third party verification, in conjunction with other methods and technologies at their disposal to verify alleged methane emissions.

Proposal for a regulation
Article 5 – paragraph 3 b (new)

Text proposed by the Commission

Amendment

3b. *The competent authorities shall review and approve the mitigation plan to address methane emissions submitted by the operators.*

Proposal for a regulation
Article 5 – paragraph 4

Text proposed by the Commission

Amendment

4. Where reports are to be made public in accordance with this Regulation, the competent authorities shall make them publicly available free of charge, on a designated website and in freely accessible, downloadable and editable format.

4. Where reports are to be made public in accordance with this Regulation, the competent authorities shall make them publicly available free of charge, on a designated website and in freely accessible, downloadable and editable format. ***The data collected shall ensure the confidentiality of commercially sensitive information of companies.***

Where information is kept confidential in accordance with Article 4 of Directive 2003/4/EC, the competent authorities shall indicate the type of information that has been withheld and the reason therefor.

Where information is kept confidential in accordance with Article 4 of Directive 2003/4/EC, the competent authorities shall indicate the type of information that has been withheld and the reason therefor.

Proposal for a regulation
Recital 12

Text proposed by the Commission

Amendment

(12) In order to ensure the performance of their tasks, operators should provide the

(12) In order to ensure the performance of their tasks, operators should provide the

competent authorities with all assistance necessary. In addition, operators should take all the necessary actions identified by the competent authorities within the period determined by the competent authorities or any other period agreed with the competent authorities.

competent authorities with all assistance necessary. In addition, operators should take all the necessary actions identified by the competent authorities within the period determined by the competent authorities or any other period agreed with the competent authorities. ***Member States should regularly monitor the situation of the sector to detect any possible delay of the application of this Regulation due to a shortage of skilled workers and technologies.***

Proposal for a regulation
Recital 12 a (new)

Text proposed by the Commission

Amendment

According to Regulation (EC) No 1367/2006 of the European Parliament and of the Council^{1a} and Directive 2003/4/EC of the European Parliament and of the Council^{2a} emissions into the environment are environmental information. Therefore, any grounds for refusal of information by the authorities of the Member States or Union institutions, bodies, offices or agencies regards access to information are to be interpreted in a restrictive way, taking into account the public interest served by disclosure and whether the information requested relates to emissions into the environment.

^{1a} *Regulation (EC) No 1367/2006 of the European Parliament and of the Council of 6 September 2006 on the application of the provisions of the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters to Community institutions and bodies*

^{2a} *Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information and repealing Council Directive 90/313/EEC*

Compromise amendment **6 - Article 6, Recital 13 Inspections**
EPP, S&D, Renew, Greens/EFA, ECR, The Left
Compromise amendment replacing Amendment(s): 9, 83-86, 295-319

Proposal for a regulation
Article 6 – paragraph 1

Text proposed by the Commission

1. The competent authorities shall carry out periodic inspections to check the compliance of operators or mine operators with the requirements set out in this Regulation. The first inspection shall be completed by ... [18 months after the date of entry into force of this Regulation].

Amendment

1. The competent authorities shall carry out periodic inspections to check the compliance of operators or mine operators with the requirements set out in this Regulation. The first inspection shall be completed by ... [18 months after the date of entry into force of this Regulation].
Already established controlling mechanisms with the competent authorities shall be taken into account. Competent authorities shall identify best practices.

Proposal for a regulation
Article 6 – paragraph 2

Text proposed by the Commission

2. Inspections shall include, where relevant, site checks or field audits examination of documentation and records that demonstrate compliance with the requirements of this Regulation, methane emissions detection and concentration measurements and any follow-up action undertaken by or on behalf of the competent authority to check and promote compliance of sites or facilities with the requirements of this Regulation.

Where an inspection has identified a ***serious*** breach of the requirements of this Regulation, the competent authorities shall issue a notice of remedial actions to be undertaken by the operator or mine operator, as part of the report referred to in paragraph 5.

Amendment

2. Inspections shall include, where relevant, site checks or field audits examination of documentation and records that demonstrate compliance with the requirements of this Regulation, methane emissions detection and concentration measurements and any follow-up action undertaken by or on behalf of the competent authority to check and promote compliance of sites or facilities with the requirements of this Regulation.

Where an inspection has identified a breach of the requirements of this Regulation, the competent authorities shall issue a notice of remedial actions to be undertaken by the operator or mine operator, ***with clear deadlines for these actions***, as part of the report referred to in

paragraph 5.

Proposal for a regulation **Article 6 – paragraph 3**

Text proposed by the Commission

3. After the first inspection referred to in paragraph 1, the competent authorities shall draw up programmes for routine inspections. The period between inspections shall be based on an appraisal of the environmental risk and shall not exceed **two years**. Where an inspection has identified a serious breach of the requirements of this Regulation, the subsequent inspection shall take place within **one year**.

Amendment

3. After the first inspection referred to in paragraph 1, the competent authorities shall draw up programmes for routine inspections. The period between inspections shall be based on an appraisal of the environmental risk, **including assessment of cumulative impacts of all methane emissions as a pollutant**, and shall not exceed **16 months**. Where an inspection has identified a serious breach of the requirements of this Regulation, the subsequent inspection shall take place within **a maximum period of nine months**.

Proposal for a regulation **Article 6 – paragraph 4**

Text proposed by the Commission

4. The competent authorities shall carry out non-routine inspections:

(a) to investigate substantiated complaints referred to in Article 7 and occurrences of non-compliance as soon as possible after the date the competent authorities become aware of such complaints or non-compliance;

(b) to ensure that leak repairs or replacements of components were carried out in accordance with Article 14.

Amendment

4. The competent authorities shall carry out non-routine inspections:

(a) to investigate substantiated complaints referred to in Article 7 and occurrences of non-compliance as soon as possible after the date the competent authorities become aware of such complaints or non-compliance **and no later than 6 months after that date**;

(b) to ensure that leak repairs or replacements of components were carried out in accordance with Article 14.

Proposal for a regulation
Article 6 – paragraph 5

Text proposed by the Commission

Following each inspection, the competent authorities shall prepare a report describing the legal basis for the inspection, the procedural steps followed, the relevant findings and recommendations for the further action by the operator or mine operator.

The report shall be notified to the operator concerned and made publicly available within two months of the date of the inspection. Where the report was triggered by a complaint made in accordance with Article 7, the competent authorities shall notify the complainant once the report is publicly available.

The report shall be made publicly available by the competent authorities in accordance with Directive 2003/4/EC. Where information is kept confidential in accordance with Article 4 of Directive 2003/4/EC, the competent authorities shall indicate in the report the type of information that has been withheld and the reason thereof.

Proposal for a regulation
Article 6 – paragraph 6

Text proposed by the Commission

6. Operators and mine operators shall take all the necessary actions set out in the report referred to in paragraph 5 within the

Amendment

Following each inspection, the competent authorities shall prepare a report describing the legal basis for the inspection, the procedural steps followed, the relevant findings and recommendations for the further action by the operator or mine operator, ***including the deadlines for their implementation.***

The report shall be notified to the operator concerned and made publicly available within two months of the date of the inspection. Where the report was triggered by a complaint made in accordance with Article 7, the competent authorities shall notify the complainant once the report is publicly available.

The report shall be made publicly available by the competent authorities in accordance with Directive 2003/4/EC. Where information is kept confidential in accordance with Article 4 of Directive 2003/4/EC, the competent authorities shall indicate in the report the type of information that has been withheld and the reason thereof.

6. Operators and mine operators shall take ***without delay*** all the necessary actions set out in the report referred to in

period determined by the competent authorities or any other period agreed with the competent authorities.

paragraph 5 within the period determined by the competent authorities or any other period agreed with the competent authorities.

Proposal for a regulation

Recital 13

Text proposed by the Commission

(13) The main mechanism available to the competent authorities should be inspections, including examination of documentation and records, emissions measurements and site checks. Inspections should take place regularly, on the basis of an appraisal of the environmental risk conducted by the competent authorities. In addition, inspections should be carried out to investigate substantiated complaints and occurrences of non-compliance and to ensure that repairs or replacements of components are carried out in accordance with this Regulation. Where they identify a *serious* breach of the requirements of this Regulation, competent authorities should issue a notice of remedial actions to be taken by the operator. Competent authorities should keep records of the inspections and the relevant information should be made available in accordance with Directive 2003/4/EC of the European Parliament and of the Council¹⁹.

¹⁹ Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information and repealing Council Directive 90/313/EEC (OJ L 41, 14.2.2003).

Amendment

(13) The main mechanism available to the competent authorities should be inspections, including examination of documentation and records, emissions measurements and site checks. Inspections should take place regularly, on the basis of an appraisal of the environmental risk conducted by the competent authorities. ***Already established controlling mechanisms with the authorities should be taken into account. Best practice examples should be identified.*** In addition, inspections should be carried out to investigate substantiated complaints and occurrences of non-compliance and to ensure that repairs or replacements of components are carried out in accordance with this Regulation. Where they identify a breach of the requirements of this Regulation, competent authorities should issue a notice of remedial actions to be taken by the operator. Competent authorities should keep records of the inspections and the relevant information should be made available in accordance with Directive 2003/4/EC of the European Parliament and of the Council¹⁹.

¹⁹ Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information and repealing Council Directive 90/313/EEC (OJ L 41, 14.2.2003).

Compromise amendment **7 - Article 7, Recital 14 Complaints lodged with the competent authorities**
EPP, S&D, Renew, Greens/EFA, ECR, The Left

Compromise amendment replacing Amendment(s): 87-91, 320 - 340

Proposal for a regulation
Article 7 – paragraph 1

Text proposed by the Commission

1. Any natural or legal person ***which considers that it has suffered injury as a result of a*** breach of the requirements of this Regulation by operators or mine operators, ***may lodge a written complaint with the*** competent authorities.

Amendment

1. Any natural or legal person ***may lodge a written complaint with the competent authorities on a possible*** breach of the requirements of this Regulation by operators or mine operators. ***In addition, the European Justice Portal shall act as a contact point for the purpose of the transferal of complaints to the responsible*** competent authorities.

Proposal for a regulation
Article 7 – paragraph 2

Text proposed by the Commission

2. The complaints shall be duly substantiated and contain sufficient evidence of the alleged breach ***and of the injury resulting therefrom.***

Amendment

2. The complaints shall be duly substantiated and contain sufficient evidence of the alleged breach.

Proposal for a regulation
Article 7 – paragraph 3

Text proposed by the Commission

3. Where it becomes apparent that the complaint does not provide sufficient evidence to justify pursuing an investigation, the competent authorities shall inform the complainant of the reasons

Amendment

3. Where it becomes apparent that the complaint does not provide sufficient evidence to justify pursuing an investigation, the competent authorities shall inform the complainant ***within a***

for their decision not to pursue an investigation.

reasonable time but no later than one month of the reasons for their decision not to pursue an investigation.

Proposal for a regulation
Article 7 – paragraph 4

Text proposed by the Commission

4. Without prejudice to the rules applicable pursuant to national law, the competent authorities shall keep the complainant informed of the steps taken in the procedure and, where applicable, inform them of appropriate alternative forms of redress, such as recourse to national courts or any other national or international complaints procedure.

Amendment

4. Without prejudice to the rules applicable pursuant to national law, the competent authorities shall keep the complainant informed of the steps taken in the procedure and, where applicable, inform them of appropriate alternative forms of redress, such as recourse to national courts or any other national or international complaints procedure.

Proposal for a regulation
Article 7 – paragraph 5

Text proposed by the Commission

5. Without prejudice to the rules applicable pursuant to national law and on the basis of comparable procedures, the competent authorities shall establish and make publicly available indicative periods to take a decision on complaints.

Amendment

5. Without prejudice to the rules applicable pursuant to national law and on the basis of comparable procedures, the competent authorities shall establish and make publicly available indicative periods to take a decision on complaints.

Proposal for a regulation
Recital 14

Text proposed by the Commission

(14) In light of the proximity of some methane emission sources to urban or residential areas, natural or legal persons **harmed by breaches of this Regulation** should be able to lodge duly substantiated complaints with the competent authorities. Complainants should be kept informed of the procedure and decisions taken and should receive a final decision within a

Amendment

(14) In light of the proximity of some methane emission sources to urban or residential areas **and their impact on health, environment and climate**, natural or legal persons should be able to lodge duly substantiated complaints with the competent authorities **of possible breaches of this Regulation. In this context, the European Justice Portal should enable**

reasonable time of lodging the complaint.

the submission of complaints and provide access to national authorities as well as information. Complainants should be kept informed of the procedure and decisions taken and should receive a final decision within a reasonable time of lodging the complaint.

Compromise amendment 8 - Article 8, Recital 15 Verification activities and verification statement
EPP, S&D, Renew, Greens/EFA, ECR, The Left

Compromise amendment replacing Amendment(s): 10-13, 93-97, 341-371

Proposal for a regulation
Article 8 – paragraph 1

Text proposed by the Commission

1. Verifiers shall assess the conformity of the emissions reports submitted to them by operators *or* mine operators in accordance with this Regulation. They shall assess the conformity of the reports with the requirements laid down in this Regulation and review all data sources and methodologies used in order to assess their reliability, credibility and accuracy, in particular the following points:

- (a) the choice and employment of emission factors;
- (b) the methodologies, calculations, samplings, statistical distributions and levels of materiality leading to the determination of methane emissions;
- (c) any risks of inappropriate measuring or reporting;
- (d) any quality control *or* quality assurance systems applied by the operators or mine operators.

Amendment

1. Verifiers shall assess the conformity of the emissions reports submitted to them by operators, mine operators *or importers, insofar as they are required pursuant to Article 27* in accordance with this Regulation. They shall assess the conformity of the reports with the requirements laid down *in* this Regulation and review all data sources and methodologies used in order to assess their reliability, credibility and accuracy, in particular the following points:

- (a) the choice and employment of emission factors;
- (b) the methodologies, calculations, samplings, statistical distributions and levels of materiality leading to the determination of methane emissions;
- (c) any risks of inappropriate measuring or reporting;
- (d) any quality control quality assurance systems applied by the operators, mine operators *or importers, insofar as they are*

required pursuant to Article 27.

Proposal for a regulation

Article 8 – paragraph 2 – subparagraph 1

Text proposed by the Commission

In carrying out the verification activities referred to in paragraph 1, verifiers shall use **free and** publicly available European or international standards for methane emissions quantification as made applicable by the Commission in accordance with paragraph 5. Until such date where the applicability of those standards is determined by the Commission, verifiers shall use existing European or international standards for quantification and verification of greenhouse gas emissions.

Amendment

In carrying out the verification activities referred to in paragraph 1, verifiers shall use publicly available European or international standards for methane emissions quantification as made applicable by the Commission in accordance **with this Regulation, in particular** with paragraph 5. Until such date where the applicability of those standards is determined by the Commission, verifiers shall use existing European or international standards for quantification and verification of greenhouse gas emissions.

Where no European or international standards are available, operators or mine operators shall provide information to the verifiers on the standards or methodologies used by the operators, mine operators or importers for the purpose of verification activities.

Proposal for a regulation

Article 8 – paragraph 2 – subparagraph 2

Text proposed by the Commission

Verifiers **may** conduct site checks to determine the reliability, credibility and accuracy of the data sources and methodologies used.

Amendment

Verifiers **shall** conduct **announced and unannounced** site checks to determine the reliability, credibility and accuracy of the data sources and methodologies used.

Proposal for a regulation

Article 8 – paragraph 2 – subparagraph 2 a (new)

The verification activities referred to in paragraphs 1 and 2 shall be aligned with current European or international standards and methodologies in order to limit the burden on operators, mine operators or importers, insofar as they are required pursuant to Article 27, and on competent authorities and take due account of the nature of the operator's activities.

Proposal for a regulation

Article 8 – paragraph 3 – subparagraph 1

Text proposed by the Commission

Verifiers shall issue a verification statement verifying the conformity of the emissions report and specifying the verification work carried out, once their assessment concludes with reasonable assurance that the emissions report complies with the requirements of this Regulation.

Amendment

Verifiers shall issue a verification statement verifying the conformity of the emissions report and specifying the verification work carried out, once their assessment concludes with reasonable assurance that the emissions report complies with the requirements of this Regulation.

Proposal for a regulation

Article 8 – paragraph 3 – subparagraph 2

Text proposed by the Commission

Where the assessment concludes that the emissions report does not comply with the requirements of this Regulation, the verifiers shall inform the operator **or** the mine operator thereof and the operator **or** the mine operator shall submit a revised emissions report to the verifier without delay.

Amendment

Where the assessment concludes that the emissions report does not comply with the requirements of this Regulation, the verifiers shall inform the operator, the mine operator **or the importer, insofar as they are required pursuant to Article 27**, thereof and the operator, the mine operator **or importer, insofar as they are required pursuant to Article 27**, shall submit a revised emissions report to the verifier without delay **and no later than within three weeks.**

Proposal for a regulation
Article 8 – paragraph 4

Text proposed by the Commission

4. Operators **and** mine operators shall provide the verifiers with all the assistance necessary to enable or facilitate the performance of the verification activities, notably as regards access to the premises and the presentation of documentation or records.

Amendment

4. Operators, mine operators **and importers insofar as they are required pursuant to Article 27**, shall provide the verifiers with all the assistance necessary to enable or facilitate the performance of the verification activities, notably as regards access to the premises and the presentation of documentation or records.

Proposal for a regulation
Article 8 – paragraph 5

Text proposed by the Commission

5. The Commission shall be empowered to adopt delegated acts in accordance with Article 31 to supplement this Regulation by incorporating and setting out the applicability of European or international standards on methane emissions quantification and measurement for the purposes of this Regulation.

Amendment

5. The Commission shall be empowered to adopt delegated acts in accordance with Article 31 to supplement this Regulation by incorporating and setting out the applicability of European or international standards on methane emissions quantification and measurement for the purposes of this Regulation.

Proposal for a regulation
Article 8 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5 a. Costs incurred from those activities shall be taken into account as referred to in Article 3.

Proposal for a regulation
Recital 15

Text proposed by the Commission

Amendment

(15) A robust verification framework

(15) A robust verification framework

can improve the credibility of reported data. In addition, the level of detail and technical complexity of methane emissions measurements requires proper verification of methane emissions data reported by operators and mine operators. While self-verification is possible, third party verification ensures greater independence and transparency. In addition, it allows for a harmonized set of competences and level of expertise that may not be available to all public entities. Verifiers should be accredited by accreditation bodies in accordance with Regulation (EC) 765/2008 of the European Parliament and of the Council²⁰. Independent accredited verifiers should thus ensure that emissions reports prepared by operators and mine operators are correct and in compliance with the requirements set out in this Regulation. **They** should review the data in the emissions reports to assess their reliability, credibility and accuracy against free and publicly available European or international standards developed by independent bodies and made applicable by the Commission. The Commission should thus be empowered to adopt delegated acts for the purpose of incorporating and setting out the applicability of such European or international standards. Verifiers are separate from competent authorities and should be independent from the operators and mine operators, who should provide them with all assistance necessary to enable or facilitate the performance of the verification activities, notably as regards access to the premises and the presentation of documentation or records.

can improve the credibility of reported data. In addition, the level of detail and technical complexity of methane emissions measurements requires proper verification of methane emissions data reported by operators and mine operators. While self-verification is possible, third party verification ensures greater independence and transparency. In addition, it allows for a harmonized set of competences and level of expertise that may not be available to all public entities. Verifiers should be accredited by accreditation bodies in accordance with Regulation (EC) 765/2008 of the European Parliament and of the Council²⁰. Independent accredited verifiers should thus ensure that emissions reports prepared by operators and mine operators are correct and in compliance with the requirements set out in this Regulation. **The verification activities should be conducted in line with current European or international standards and methodologies and taking due account of the nature of the operator's activities. The verifiers** should review the data in the emissions reports to assess their reliability, credibility and accuracy against free and publicly available European or international standards developed by independent bodies and made applicable by the Commission. **To ensure the accuracy of the data, verifiers should conduct announced and unannounced site checks.** The Commission should thus be empowered to adopt delegated acts for the purpose of incorporating and setting out the applicability of such European or international standards. Verifiers are separate from competent authorities and should be independent from the operators and mine operators, who should provide them with all assistance necessary to enable or facilitate the performance of the verification activities, notably as regards access to the premises and the presentation

of documentation or records.

²⁰ Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93 (OJ L 218, 13.8.2008).

²⁰ Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93 (OJ L 218, 13.8.2008).

**Compromise amendment 9 - Article 9 Independence and accreditation of verifiers
EPP, S&D, Renew, Greens/EFA, ECR, The Left**

Compromise amendment replacing Amendment(s): 372 - 374

**Proposal for a regulation
Article 9**

Text proposed by the Commission

1. Verifiers shall be independent from the operators and mine operators and shall carry out the activities required under this Regulation in the public interest. For that purpose, neither the verifiers nor any part of the same legal entity shall be an operator or mine operator, the owner of an operator or mine operator, or be owned by them, nor shall the verifiers have relations with operators or mine operators that could affect their independence and impartiality.
2. Verifiers shall be accredited by a national accreditation body pursuant to Regulation (EC) No 765/2008.
3. Where no specific provisions concerning the accreditation of verifiers are laid down in this Regulation, the relevant provisions of Regulation (EC) No 765/2008 shall apply.

Amendment

1. Verifiers shall be independent from the operators and mine operators and shall carry out the activities required under this Regulation in the public interest. For that purpose, neither the verifiers nor any part of the same legal entity shall be an operator or mine operator, the owner of an operator or mine operator, or be owned by them, nor shall the verifiers have relations with operators or mine operators that could affect their independence and impartiality.
2. Verifiers shall be accredited by a national accreditation body pursuant to Regulation (EC) No 765/2008.
3. Where no specific provisions concerning the accreditation of verifiers are laid down in this Regulation, the relevant provisions of Regulation (EC) No 765/2008 shall apply.

**Compromise amendment 10 - Article 10, Recitals 16, 17 IMEO
EPP, S&D, Renew, Greens/EFA, ECR, The Left**

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Compromise amendment replacing Amendment(s): 14-17, 98-100, 376-382

Proposal for a regulation

Article 10 – paragraph 1 – introductory part

Text proposed by the Commission

1. ***Provided the interest of the Union is protected***, the International Methane Emissions Observatory ***shall be attributed a verification role with respect to methane emissions data***, in particular with regard to the following ***tasks***:

Amendment

1. ***In performing their obligations and exercising their powers under this Regulation, verifiers, the competent authorities and the Commission shall consider the information made available to the public by the International Methane Emissions Observatory (IMEO)***, in particular with regard to the following:

Proposal for a regulation

Article 10 – paragraph 1 – point a-d

Text proposed by the Commission

(a) aggregation of methane emissions data in accordance with appropriate statistical methods;

(b) verification of methodologies and statistical processes employed by companies to quantify methane emissions data;

(c) development of data aggregation and analysis methodologies in accordance with scientific and statistical good practice to ensure a higher level of accuracy of emission estimates, with appropriate characterization of the uncertainty;

(d) publication of aggregated company reported data by core source and by level of reporting, classified by operated and non-operated assets, in compliance with competition and confidentiality requirements;

Amendment

(a) aggregation of methane emissions data in accordance with appropriate statistical methods;

(b) verification of methodologies and statistical processes employed by companies to quantify methane emissions data;

(c) development of data aggregation and analysis methodologies in accordance with scientific and statistical good practice to ensure a higher level of accuracy of emission estimates, with appropriate characterization of the uncertainty;

(d) publication of aggregated company reported data by core source and by level of reporting, classified by operated and non-operated assets, in compliance with competition and confidentiality requirements;

Proposal for a regulation
Article 10 – paragraph 1 – point e

Text proposed by the Commission

(e) reporting of findings on major discrepancies between data sources.

Amendment

(e) reporting of findings on major discrepancies between data sources
contributing to build more robust scientific methodologies;

Proposal for a regulation
Article 10 – paragraph 1 – point e a (new)

Text proposed by the Commission

Amendment

(ea) reporting of super-emitters with an early detection and warning system.

Proposal for a regulation
Article 10 – paragraph 2

Text proposed by the Commission

Amendment

2. The Commission *may* submit methane emissions data to the ***International Methane Emissions Observatory, as made available to it by the competent authorities in accordance with this Regulation.***

2. The Commission ***shall*** submit ***relevant*** methane emissions data to the ***IMEO.***

Proposal for a regulation
Article 10 – paragraph 3

Text proposed by the Commission

Amendment

3. ***The information produced by the International Methane Emissions Observatory shall be made available to the public and the Commission.***

deleted

Proposal for a regulation
Recital 16

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Text proposed by the Commission

Amendment

(16) ***The information in the emission reports submitted to the competent authorities should be provided to the Commission in view of a verification role to be attributed to the International Methane Emissions Observatory (IMEO), in particular with regards to methodologies for data aggregation and analysis and verification of methodologies and statistical processes employed by companies to quantify their emissions reported data. The reference criteria in that respect may include the OGMP standards and guidance documents. The information produced by the IMEO should be made available to the public and the Commission should use such information to address any identified shortcomings with regards to the measurement, reporting and verification of methane emissions data.***

(16) ***In performing their obligations and exercising their powers under this Regulation, verifiers, the competent authorities and the Commission should consider the information made available internationally, for example by the International Methane Emissions Observatory (IMEO), in particular with regards to methodologies for data aggregation and analysis and verification of methodologies and statistical processes employed by operators and mine operators to quantify their emissions reported data. The reference criteria in that respect may include the Oil and Gas Methane Partnership (OGMP) reporting framework, templates and guidance documents.***

Proposal for a regulation

Recital 17

Text proposed by the Commission

Amendment

(17) The IMEO was set up in October 2020 by the Union in partnership with the United Nations Environmental Programme, the Climate and Clean Air Coalition and the International Energy Agency, and launched at the G20 Summit in October 2021. The IMEO has been tasked with collecting, reconciling, verifying and publishing anthropogenic methane emissions data at a global level. ***The IMEO is part of the United Nations Environment Programme, which concluded a Memorandum of Understanding with the European Union. Its role is crucial for verification of methane emissions data in the energy sector and appropriate relations should be established in order to***

(17) The IMEO was set up in October 2020 by the Union in partnership with the United Nations Environmental Programme, the Climate and Clean Air Coalition and the International Energy Agency, and launched at the G20 Summit in October 2021. The IMEO has been tasked with collecting, reconciling, verifying and publishing anthropogenic methane emissions data at a global level. ***The IMEO should play a role in identifying super emitters with an early detection and warning system.***

put into effect the entrustment of verification tasks. As the IMEO is not a Union body and is not subject to Union law, it is essential to provide that IMEO takes appropriate measures to ensure the protection of the interests of the Union and its Member States.

**Compromise amendment 11 - Articles 11 and 12, Recitals 24, 25, 27 Scope of chapter 3 + Monitoring and reporting
EPP, S&D, Renew, Greens/EFA, ECR, The Left**

Compromise amendment replacing Amendment(s): 101-105, 383, 385- 507

**Proposal for a regulation
Article 11 – paragraph 1**

Text proposed by the Commission

This Chapter applies to the activities referred to in points (a) and (b) of Article 1(2).

Amendment

This Chapter applies to the activities referred to in points (a) and (b) of Article 1(2).

**Proposal for a regulation
Article 12 – paragraph 1**

Text proposed by the Commission

1. By ... [**12** months from the date of entry into force of this Regulation], operators shall submit a report to the competent authorities containing source-level methane emissions estimated using generic **but source-specific** emission factors for all sources.

Amendment

1. By ... **10** months from the date of entry into force of this Regulation], operators shall submit a report to the competent authorities containing **the quantification of** source-level methane emissions estimated using **at least** generic emission factors for all sources. **Operators may choose to submit simultaneously a report according to the requirements set out in paragraph 2.**

**Proposal for a regulation
Article 12 – paragraph 2**

Text proposed by the Commission

2. **By ... [24 months from the date of entry into force of this Regulation],** operators shall **also** submit a report to the competent authorities containing **direct measurements** of source-level methane emissions for operated assets. Reporting at such level **may** involve the use of source-level measurement and sampling as the basis for establishing specific emission factors used for emissions **estimation**.

Amendment

2. Operators **and undertakings established in the Union** shall submit a report to the competent authorities containing **quantification** of source-level methane emissions:

(a) for operated assets **by...[12 months from the entry into force of this Regulation], and**

(b) **for non-operated assets by...[24 months from the entry into force of this Regulation], provided these have not been reported by an operator in response to the obligation under (a).**

Reporting at such level **shall** involve the use of source-level **direct** measurement and sampling as the basis for establishing specific emission factors used for emissions **quantification**.

Proposal for a regulation

Article 12 – paragraph 3 – subparagraph 1

Text proposed by the Commission

By ... [36 months from the date of entry into force of this Regulation] and by 30 March every year thereafter, operators shall submit a report to the competent authorities containing **direct measurements** of source-level methane emissions for operated assets **referred to in paragraph 2,** complemented by measurements of site-level methane emissions, thereby allowing assessment and verification of the source-level estimates aggregated by site.

Amendment

Operators **and undertakings established in the Union** shall submit a report to the competent authorities containing **quantification** of source-level methane emissions, complemented by measurements of site-level methane emissions, thereby allowing assessment and verification of the source-level estimates aggregated by site:

(a) for operated assets **by...[24 months**

from the entry into force of this Regulation] and by 31 May every year thereafter, and

(b) for non-operated assets by...[42 months from the entry into force of this Regulation] and by 31 May every year thereafter, provided these have not been reported by an operator in response to the obligation under (a).

Proposal for a regulation
Article 12 – paragraph 3 – subparagraph 2

Text proposed by the Commission

Before submission to the competent authorities, operators and undertakings shall ensure that the reports set out in this paragraph are assessed by a verifier and include a verification statement issued in accordance with Articles 8 and 9.

Amendment

Before submission to the competent authorities, operators **and undertakings** shall ensure that the reports set out in this paragraph are assessed by a verifier and include a verification statement issued in accordance with Articles 8 and 9.

Proposal for a regulation
Article 12 – paragraph 4

Text proposed by the Commission

4. By ... [36 months from the date of entry into force of this Regulation], undertakings established in the Union shall submit a report to the competent authorities containing direct measurements of source-level methane emissions for non-operated assets. Reporting at such level may involve the use of source-level measurement and sampling as the basis for establishing specific emission factors used for emissions estimation.

Amendment

deleted

Proposal for a regulation

Article 12 – paragraph 5

Text proposed by the Commission

Amendment

5. By ... [48 months from the date of entry into force of this Regulation] and by 30 March every year thereafter, undertakings established in the Union shall submit a report to the competent authorities containing direct measurements of source-level methane emissions for non-operated assets as set out in paragraph 4, complemented by measurements of site-level methane emissions, thereby allowing assessment and verification of the source-level estimates aggregated by site.

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Before submission to the competent authorities, undertakings shall ensure that the reports set out in this paragraph are assessed by a verifier and include a verification statement issued in accordance with Articles 8 and 9.

Or. en

Proposal for a regulation

Article 12 – paragraph 6 – subparagraph 1 – point a

Text proposed by the Commission

Amendment

(a) emission source type and location;

(a) emission source type and location;

Proposal for a regulation

Article 12 – paragraph 6 – subparagraph 1 – point b

Text proposed by the Commission

Amendment

(b) data per detailed, individual, emission source type;

(b) data per detailed, individual, emission source type;

Proposal for a regulation

Article 12 – paragraph 6 – subparagraph 1 – point c

Text proposed by the Commission

Amendment

(c) detailed information on the quantification methodologies *employed to measure methane emissions*;

(c) detailed information on the quantification methodologies;

Proposal for a regulation

Article 12 – paragraph 6 – subparagraph 1 – point d

Text proposed by the Commission

Amendment

(d) all methane emissions for operated assets;

(d) all methane emissions for operated assets;

Proposal for a regulation

Article 12 – paragraph 6 – subparagraph 1 – point e

Text proposed by the Commission

Amendment

(e) share of ownership and methane emissions from non-operated assets multiplied by the share of ownership;

(e) share of ownership and methane emissions from non-operated assets multiplied by the share of ownership;

Proposal for a regulation

Article 12 – paragraph 6 – subparagraph 1 – point f

Text proposed by the Commission

Amendment

(f) a list of the entities with operational control of the non-operated assets.

(f) a list of the entities with operational control of the non-operated assets.

Proposal for a regulation

Article 12 – paragraph 6 – subparagraph 2

Text proposed by the Commission

Amendment

The Commission shall, by means of implementing acts, lay down a reporting template for the reports under *paragraphs 2, 3, 4 and 5*. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 32(2).

The Commission shall, by means of implementing acts, lay down a reporting template for the reports under *this Article taking into account the national inventory reports already in place*. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 32(2). *Until the adoption of the relevant implementing acts, operators and undertakings shall use the technical guidance documents and reporting*

templates of the OGMP 2.0, for upstream and for mid and downstream operations, as applicable.

Proposal for a regulation
Article 12 – paragraph 7

Text proposed by the Commission

7. For site-level measurements referred to in *paragraphs 3 and 5*, **appropriate** quantification technologies shall be used **which can provide such** measurements.

Amendment

7. For site-level measurements referred to in *paragraph 3* **approved emissions** quantification technologies **developed by the appropriate European or international standardisation bodies**, shall be used. **Until such standards are established, operators and undertakings, as applicable, shall use the technical guidance documents of the OGMP 2.0 and follow state of the art industry practices and best available technologies for methane emissions** measurements.

Proposal for a regulation
Article 12 – paragraph 8

Text proposed by the Commission

8. In the case of significant discrepancies between the emissions **quantified using** source-level **methods** and those **resulting from** site-level measurement, additional **measurements** shall be carried out within the same reporting period.

Amendment

8. In the case of significant discrepancies between the emissions **at** source-level and those **at** site-level measurement, **the reports referred to in paragraph 3 shall include the reasons for the discrepancy. Where the discrepancy is not due to the uncertainty of the quantification technology used, the following** additional **measures** shall be carried out within the same reporting period:

(a) where the site-level measurement is higher than the source-level inventory to a statistically significant degree, the operator shall include in the report documentation to reconcile the source-level inventory and site-level

measurement, and shall update its source-level inventory to reflect the higher site-level measurements.

(b) where the site-level measurement is lower than the source-level inventory to a statistically significant degree, the operator shall review the minimum detection limit (MDL) of the site-level measurement devices to confirm that the MDL is sufficiently low to detect expected levels of emissions from individual component; where the MDL is not sufficiently low enough, the operator shall repeat the measurement using devices with a sufficiently low enough MDL within the same calendar year, and shall compare that result to the source-level inventory; where the MDL is determined to be adequate, the operator shall include in the report documentation which sets out the reasons for the discrepancy.

Proposal for a regulation
Article 12 – paragraph 9

Text proposed by the Commission

9. *Methane emissions measurements for gas infrastructure shall be conducted according to appropriate European (CEN) or international (ISO) standards for methane emissions quantification.*

Amendment

9. *By ... [9 months from the date of entry into force of this Regulation], the Commission shall adopt delegated acts in accordance with Article 31 to supplement this Regulation by laying down the specifications applicable to direct measurements and quantification of methane emissions. Those specifications shall apply to standardisation requests issued by the Commission for the purposes of this Article.*

Proposal for a regulation
Article 12 – paragraph 10

Text proposed by the Commission

10. Where information is kept confidential in accordance with Directive (EU) 2016/943 of the European Parliament and of the Council, operators shall indicate in the report the type of information that has been withheld and the reason thereof.

Amendment

10. Where information is kept confidential in accordance with Directive (EU) 2016/943 of the European Parliament and of the Council, operators shall indicate in the report the type of information that has been withheld and the reason thereof.

Proposal for a regulation

Article 12 – paragraph 11 a (new)

Text proposed by the Commission

Amendment

11a. Monitoring and reporting shall refer to the global warming potential (GWP), which is on a 100-year time scale 29,8 times greater than carbon dioxide and 82,5 times more potent on a 20-year time scale^{1a}.

1a IPCC Sixth Assessment Report Global Warming Potentials - <https://www.erevolution.energy/ipcc-sixth-assessment-report/>

Proposal for a regulation

Recital 24

Text proposed by the Commission

Amendment

(24) Against this background, it is necessary to improve the measurement and quality of reported data of methane emissions, including on the main sources of methane emissions associated with energy produced and consumed within the Union. Moreover, the availability of source-level data and robust quantification of emissions should be ensured, thereby increasing the reliability of reporting as well as the scope for appropriate measures for mitigation.

(24) Against this background, it is necessary to improve the measurement and quality of reported data of methane emissions, including on the main sources of methane emissions associated with energy produced and consumed within the Union. Moreover, the availability of source-level data and robust quantification of emissions should be ensured, thereby increasing the reliability of reporting as well as the scope for appropriate measures for mitigation.

Proposal for a regulation

Recital 25

Text proposed by the Commission

(25) For **measuring** and reporting to be effective, oil and gas companies should be required to **measure** and report methane emissions by source, and to make aggregated data available to Member States in order for Member States to be able to improve the accuracy of their inventories reporting. In addition, effective verification of company reported data is necessary and, to minimise the administrative burden for operators, reporting should be organised on an annual basis.

Amendment

(25) For **quantification** and reporting to be effective, oil and gas companies should be required to **quantify** and report methane emissions by source, and to make aggregated data available to Member States in order for Member States to be able to improve the accuracy of their inventories reporting. In addition, effective verification of company reported data is necessary and, to minimise the administrative burden for operators, reporting should be organised on an annual basis.

Proposal for a regulation

Recital 27

Text proposed by the Commission

(27) The OGMP 2.0 framework has five levels of reporting. Source-level reporting begins at level 3, which is considered comparable with UNFCCC tier 3. It allows generic emission factors to be used. OGMP 2.0 level 4 reporting requires direct measurements of source-level methane emissions. It allows the use of specific emission factors. OGMP 2.0 level 5 reporting requires the addition of complementary site-level measurements. In addition, the OGMP 2.0 framework requires companies to report direct measurements of methane emissions within three years of joining OGMP 2.0 for operated assets and within five years for non-operated assets. Building on the approach taken in OGMP 2.0 with regard to source-level reporting and taking into account that a large number of Union companies had already signed up to OGMP 2.0 in 2021, Union operators should be required to deliver direct source-level

Amendment

(27) The **latest** OGMP 2.0 framework has five levels of reporting. Source-level reporting begins at level 3, which is considered comparable with UNFCCC tier 3. It allows generic emission factors to be used. OGMP 2.0 level 4 reporting requires direct measurements of source-level methane emissions. It allows the use of specific emission factors. OGMP 2.0 level 5 reporting requires the addition of complementary site-level measurements. In addition, the OGMP 2.0 framework requires companies to report direct measurements of methane emissions within three years of joining OGMP 2.0 for operated assets and within five years for non-operated assets. Building on the approach taken in OGMP 2.0 with regard to source-level reporting and taking into account that a large number of Union companies had already signed up to OGMP 2.0 in 2021, Union operators should be required to deliver direct source-level

measurements of their emissions within **24** months for operated assets and within **36** months for non-operating assets. In addition to source level quantification, site-level quantification allows assessment, verification and reconciliation of source-level estimates aggregated by site, thereby providing improved confidence in reported emissions. As in OGMP 2.0, this Regulation requires site-level measurements to reconcile source-level *measurements*.

measurements of their emissions within **12** months for operated assets and within **24** months for non-operating assets. In addition to source level quantification, site-level quantification allows assessment, verification and reconciliation of source-level estimates aggregated by site, thereby providing improved confidence in reported emissions. As in OGMP 2.0, this Regulation requires site-level measurements to reconcile source-level *quantification*.

Compromise amendment **12 - Article 13, Recitals 30, 31a General mitigation obligation**
EPP, S&D, Renew, Greens/EFA, ECR, The Left

Compromise amendment replacing Amendment(s): 106, 508-514

Proposal for a regulation
Article 13 – paragraph 1

Text proposed by the Commission

Operators shall take all measures available to them to prevent and minimise methane emissions in their operations.

Amendment

I. Operators shall take all ***appropriate mitigation*** measures available to them to prevent and minimise methane emissions in their operations.

Proposal for a regulation
Article 13 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. By six months after entry into force of this Regulation, the Commission shall submit a report to the Parliament and Council on the impact of introducing an ambitious upstream performance standard for methane emissions intensity for the oil and gas imported into or extracted within the EU. The Commission shall specifically assess the setting of a

methane intensity standard below or equal to 0.2%.

Proposal for a regulation
Article 13 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

1b. Prior to adopting the delegated act referred to in paragraph 1c of this Article, the Commission shall carry-out an impact assessment, evaluating in particular the implications for both the climate and the security of energy supply of the Union, in full respect of the European Climate Law.

Proposal for a regulation
Article 13 – paragraph 1 c (new)

Text proposed by the Commission

Amendment

1c. The Commission shall adopt a delegated act in accordance with Article 31 to supplement this Regulation by setting a performance standard referred to in paragraph 1a implementing an emission intensity level for upstream sector to be reached within 3 years of the date of entry into force of this Regulation and the methodology to clearly define a robust methane emission intensity metric. The Commission shall adopt that delegated act by 18 months after the entry into force of this Regulation.

Proposal for a regulation
Article 13 – paragraph 1 c (new)

Text proposed by the Commission

Amendment

1c. The Commission shall be empowered to adopt delegated acts in accordance with Article 31 to supplement this Regulation

by setting out the emission intensity level for the midstream and downstream sectors to be reached.

Proposal for a regulation

Recital 30

Text proposed by the Commission

(30) *While* venting of methane *is typically* intentional, resulting from processes or activities and devices designed for that purpose, *it can also be unintentional, as in the case of a malfunction.*

Amendment

(30) ***Flaring and*** venting of methane ***are*** intentional, resulting from processes or activities and devices designed for that purpose.

Proposal for a regulation

Recital 31 a (new)

Text proposed by the Commission

Amendment

(31a) The company members of Oil and Gas Climate Initiative (OGCI), including many headquartered in Europe, have committed to lower methane intensity to 0.2% by 2025 and begun deploying mitigation efforts. The OGCI member companies met their initial 2025 upstream methane intensity target already in 2020 and reached 0.17% in 2021. Several major European producers report to have reached a methane intensity for its upstream and midstream well-below the target. The Commission should therefore study the possibility of introducing an ambitious upstream methane emission intensity performance standard at below or equal to 0.2% and come up with a metric and provisions to implement the appropriate performance standard.

Compromise amendment **13 - Article 14, Recitals 32, 33, 34, 34a, Annex I LDAR EPP, S&D, Renew, Greens/EFA, ECR, The Left**

Compromise amendment replacing Amendment(s): 18-23, 32-36, 108- 111, 515-673, 1057-1090

Proposal for a regulation

Article 14 – paragraph 1 – subparagraph 1

Text proposed by the Commission

By ... [3 months from the date of entry into force of this Regulation], operators shall submit a leak detection and repair programme to the competent authorities which shall detail the contents of the surveys to be carried out in accordance with the requirements in this Article.

Amendment

By ... [**6** months from the date of entry into force of this Regulation], operators shall submit a leak detection and repair programme to the competent authorities which shall detail the contents of the surveys **and activities** to be carried out in accordance with the requirements in this Article.

Proposal for a regulation

Article 14 – paragraph 1 – subparagraph 2

Text proposed by the Commission

The competent authorities may require the operator to amend the programme taking into account the requirements of this Regulation.

Amendment

The competent authorities may require the operator to amend the programme taking into account the requirements of this Regulation.

Proposal for a regulation

Article 14 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Without prejudice to Regulation (EU) No 1025/2012, the Union shall pursue the timely development by the appropriate standardisation organisations of European standards containing the specifications to leak detection and repair surveys and activities for the purpose of this Article.

The Commission shall be empowered to adopt delegated acts in accordance with

Article 31 to supplement this Regulation in order to require compliance with the technical specifications contained in the European standards to be developed pursuant to this Article, to update the references to the standards and to lay down specifications to leak detection and repair surveys where appropriate. Until such specifications are established, operators shall use practices, technologies, processes and level of expertise which would be expected from a leading service provider to fulfil the obligations set out in this Article and, where requested, shall provide competent authorities and verifiers with information on the standards or methodologies used.

Proposal for a regulation

Article 14 – paragraph 2 – subparagraph 1

Text proposed by the Commission

By ... [6 months from the date of entry into force of this Regulation], operators shall carry out a survey of all relevant components under their responsibility in accordance with the leak detection and repair programme referred in paragraph 1.

Amendment

By ... [**9** months from the date of entry into force of this Regulation], operators shall carry out a survey of all relevant components under their responsibility in accordance with the leak detection and repair programme referred in paragraph 1.

Proposal for a regulation

Article 14 – paragraph 2 – subparagraph 2

Text proposed by the Commission

Thereafter, leak detection and repair surveys shall be **repeated every three months**.

Amendment

Thereafter, leak detection and repair surveys shall be **carried-out with the following frequencies:**

Proposal for a regulation

Article 14 – paragraph 2 – subparagraph 2 – point a (new)

Text proposed by the Commission

Amendment

(a) once every two months for all aboveground components using detection devices with the minimum detection limit referred to in paragraph 3(a);

Proposal for a regulation

Article 14 – paragraph 2 – subparagraph 2 – point b (new)

Text proposed by the Commission

Amendment

(b) once every four months for all aboveground components using detection devices with the minimum detection limit referred to in paragraph 3(b);

Proposal for a regulation

Article 14 – paragraph 2 – subparagraph 2 – point c (new)

Text proposed by the Commission

Amendment

(c) once every five months, or at the frequency levels set in Annex I Part 1, for all underground components using detection devices with the minimum detection limit referred to in paragraph 3(c).

Proposal for a regulation

Article 14 – paragraph 3

Text proposed by the Commission

Amendment

3. In carrying out the surveys, operators shall use devices *that allow detection of loss of methane from components of 500 parts per million or more.*

3. In carrying out the surveys, operators shall use *detection* devices *with a minimum detection limit as follows:*

Proposal for a regulation
Article 14 – paragraph 3 – point a (new)

Text proposed by the Commission

Amendment

(a) 17 grams per hour of methane at standard temperature and pressure. The survey shall be undertaken at the level of each individual potential emission source.

Proposal for a regulation
Article 14 – paragraph 3 – point b (new)

Text proposed by the Commission

Amendment

(b) 50 parts per million in volume of methane or 1 gram per hour. The survey shall be undertaken at the contact of each individual potential emission source for aboveground components.

Proposal for a regulation
Article 14 – paragraph 3 – point c (new)

Text proposed by the Commission

Amendment

(c) 500 parts per million or 5 grams per hour of methane for underground components.

Proposal for a regulation
Article 14 – paragraph 4 – subparagraph 1

Text proposed by the Commission

Amendment

Operators shall repair or replace all components found to be *emitting 500 parts per million or more of* methane.

Operators shall repair or replace all components found to be *leaking* methane.

Proposal for a regulation
Article 14 – paragraph 4 – subparagraph 2

Text proposed by the Commission

The repair or replacement of the components referred to in the first **subparagraph** shall take place immediately after detection, or as soon as possible **thereafter** but no later than five days after detection, **provided** operators can demonstrate that safety or technical considerations **do not allow immediate action and provided** operators establish a repair and monitoring schedule.

Amendment

The repair or replacement of the components referred to in the first **this paragraph** shall take place immediately after detection, or as soon as possible **for a first attempt** but no later than five days after detection. **Repairs or replacements referred to in this paragraph shall use state-of-the-art technologies and materials that provide long-term protection against future leakage.**

Where operators can demonstrate that **the repair referred to in this paragraph is not successful or possible within five days due to** safety or technical considerations, **the operators shall provide evidence for the delay to the competent authorities and shall** establish a repair and monitoring schedule **no later than 5 days after detection. The repair and monitoring schedule referred to in this subparagraph shall be set so that the found leakages are repaired within 30 days after detection.**

Proposal for a regulation
Article 14 – paragraph 4 – subparagraph 3

Text proposed by the Commission

Safety and technical considerations **that do not allow immediate action**, as referred to in the second **subparagraph**, shall be limited to **taking into account safety to personnel and humans in proximity, environmental impacts, concentration of methane loss, accessibility to component, availability of replacement of the component. Environmental impact considerations may include instances whereby repair could lead to a higher level of methane emissions than in the**

Amendment

Safety and technical considerations, as referred to in the second **and third subparagraphs**, shall be limited to:

absence of the repair.

Proposal for a regulation

Article 14 – paragraph 4 – subparagraph 3 – point a (new)

Text proposed by the Commission

Amendment

(a) safety of personnel and humans in proximity to the detected leak,

Proposal for a regulation

Article 14 – paragraph 4 – subparagraph 3 – point b (new)

Text proposed by the Commission

Amendment

(b) any adverse environmental impacts of taking action if it can be demonstrated that it would be greater than the environmental benefits of taking action, such as where repair could lead to a higher overall level of methane emissions than in the absence of the repair;

Proposal for a regulation

Article 14 – paragraph 4 – subparagraph 3 – point c (new)

Text proposed by the Commission

Amendment

(c) accessibility of a component, including any access permits; and

Proposal for a regulation

Article 14 – paragraph 4 – subparagraph 3 – point d (new)

Text proposed by the Commission

Amendment

(d) unavailability of replacement parts necessary for the repair of the component or of components necessary for the replacement.

Proposal for a regulation
Article 14 – paragraph 4 – subparagraph 4

Text proposed by the Commission

Where a system shutdown is required before the repair or replacement can be undertaken, operators shall minimise the leak within one day of detection and shall repair the leak by the end of the next scheduled system shutdown or within a year, whichever is sooner.

Amendment

Where, ***due to one or more of the conditions in subparagraphs 4(a)-(d) applying***, a system shutdown is required before the repair or replacement can be undertaken, operators shall minimise the leak within one day of detection and shall repair the leak by the end of the next scheduled system shutdown or within a year, whichever is sooner.

Operators shall establish, maintain and make fully available to the competent authorities, a record of all decisions to delay repair pursuant to this Article, including all necessary evidence justifying each decision and the corresponding repair schedules. Operators shall enter the information referred to in this subparagraph in the record without delay. The competent authorities may require the operator to amend the repair schedule taking into account the requirements of this Regulation.

Proposal for a regulation
Article 14 – paragraph 5 – subparagraph 1

Text proposed by the Commission

Notwithstanding paragraph 2, operators shall ***survey*** components that were found to be ***emitting 500 parts per million or more of methane during any of the previous surveys*** as soon as possible after the repair carried out pursuant to paragraph 4, and no later than ***15*** days thereafter to ensure that the repair was successful.

Amendment

Notwithstanding paragraph 2, operators shall ***post-repair survey*** components that were found to be ***leaking*** methane ***immediately*** after the repair carried out pursuant to paragraph 4, and no later than ***30*** days thereafter to ensure that the repair was successful.

Proposal for a regulation
Article 14 – paragraph 5 – subparagraph 2

Text proposed by the Commission

Amendment

Notwithstanding paragraph 2, operators shall survey components that were found to be emitting below 500 parts per million of methane, no later than three months after the emissions were detected, to check whether the size of loss of methane has changed.

deleted

Proposal for a regulation
Article 14 – paragraph 5 – subparagraph 3

Text proposed by the Commission

Amendment

Where a higher risk to safety or a higher risk of methane losses is identified, the competent authorities may recommend that surveys of the relevant components take place more frequently.

deleted

Proposal for a regulation
Article 14 – paragraph 6 – subparagraph 1

Text proposed by the Commission

Amendment

Without prejudice to the reporting obligations pursuant to paragraph 7, operators shall record all identified leaks, irrespective of their size, and shall **continually** survey them to ensure that they are repaired in accordance with paragraph 4.

Without prejudice to the reporting obligations pursuant to paragraph 7, operators shall record all identified leaks, irrespective of their size, and shall **regularly** survey them to **and** ensure that they are repaired in accordance with paragraph 4.

Proposal for a regulation
Article 14 – paragraph 6 – subparagraph 2

Text proposed by the Commission

Amendment

Operators shall keep the record for at least ten years and shall provide that information to competent authorities upon their request.

Operators shall keep the record for at least ten years and shall provide that information to competent authorities upon their request.

Proposal for a regulation
Article 14 – paragraph 7 – subparagraph 1

Text proposed by the Commission

*Within one month after each survey, operators shall submit a report **with** the results of **the survey** and a repair and monitoring schedule to the competent authorities of the Member State where the relevant assets are located. The report shall include at least the elements set out in Annex I.*

Amendment

*Every year, operators shall submit a report **summarising** the results of **all the surveys completed** and **all corresponding repair and monitoring schedules during the previous year** to the competent authorities of the Member State where the relevant assets are located. The report shall include at least the elements set out in Annex I.*

Proposal for a regulation
Article 14 – paragraph 7 – subparagraph 2

Text proposed by the Commission

The competent authorities may require the operator to amend the report or the repair and monitoring schedule taking into account the requirements of this Regulation.

Amendment

deleted

Or. en

Proposal for a regulation
Article 14 – paragraph 8

Text proposed by the Commission

8. Operators may delegate any of the tasks set out in this Article. Delegated tasks shall not affect the responsibility of operators and shall not impact the effectiveness of supervision by the competent authorities.

Amendment

8. Operators may delegate any of the tasks set out in this Article. Delegated tasks shall not affect the responsibility of operators and shall not impact the effectiveness of supervision by the competent authorities.

Proposal for a regulation
Article 14 – paragraph 9

Text proposed by the Commission

9. Member States shall ensure that certification, accreditation schemes or equivalent qualification schemes, including suitable training programmes, are available **for** service providers with respect to the surveys.

Amendment

9. Member States shall ensure that certification, accreditation schemes or equivalent qualification schemes, including suitable training programmes, are available **to** service providers **and to operators** with respect to the surveys.

ANNEX I

Part I: Leak detection and repair surveys

Notwithstanding the leak detection and repair surveys as set out in Article 14.2 (c), for all underground components listed in this Annex, leak detection and repair surveys must be carried-out as per the following minimum frequencies:

Asset	Material	Frequency
[...]	[...]	[...]

Proposal for a regulation
Annex I – subheading 1

Text proposed by the Commission

Leak detection repair and monitoring schedules

Amendment

Part 2 Repair and monitoring schedules

Proposal for a regulation
Annex I – paragraph 2 – point i

Text proposed by the Commission

(i) Inventory and identification of all components that have been checked

Amendment

(i) Inventory and identification of all components that have been checked

Proposal for a regulation
Annex I – paragraph 2 – point iii

Text proposed by the Commission

(iii) For components found to be emitting **500 parts per million or more of methane**, indication of whether repair was undertaken during the LDAR survey and if not why, taking into account the requirements as regards what elements can be taken into account for a delayed repair, as per Article 14, paragraph 4.

Amendment

(iii) For components found to be emitting, indication of whether repair was undertaken during the LDAR survey and if not why, taking into account the requirements as regards what elements can be taken into account for a delayed repair, as per Article 14, paragraph 4.

Proposal for a regulation
Annex I – paragraph 2 – point iv

Text proposed by the Commission

(iv) For components found to be emitting **500 parts per million or more of methane**, planned repair schedule indicating planned date of repair,

Amendment

(iv) For components found to be emitting, planned repair schedule indicating planned date of repair,

Proposal for a regulation
Annex I – paragraph 2 – point v

Text proposed by the Commission

(v) *For components found to be emitting less than 500 parts per million in previous LDAR survey, but found to be emitting 500 parts per million or more of methane during post LDAR monitoring to check whether the size of loss of methane has evolved, indication whether repair was undertaken immediately and if not, why not (as per iii), and planned repair schedule indicating planned date of repair.*

Amendment

deleted

Proposal for a regulation
Annex I – paragraph 5 – point iii

Text proposed by the Commission

Amendment

(iii) For components found to be emitting **500 parts per million or more of methane**, results of monitoring after repair to check if repair was successful

(iii) For components found to be emitting, results of monitoring after repair to check if repair was successful

Proposal for a regulation
Annex I – paragraph 5 – point iv

Text proposed by the Commission

Amendment

(iv) **For components found to be emitting less than 500 parts per million of methane, results of post LDAR monitoring to check whether the size of loss of methane has evolved and recommendation on the basis of finding.**

deleted

Proposal for a regulation
Recital 32

Text proposed by the Commission

Amendment

(32) More specifically, methane emissions from leaks are most commonly reduced by methane leak detection and repair ('LDAR') surveys, carried out to identify **leaks and followed by repair of such** leaks. Operators should therefore conduct at least periodic LDAR surveys and these should also cover surveying of components that vent methane, to **survey for unintentional venting of methane**.

(32) More specifically, methane emissions from leaks are most commonly reduced by methane leak detection and repair ('LDAR') surveys, carried out to identify **and then repair leaks or replacement of leaking components**. Operators should therefore conduct at least periodic LDAR surveys and these should also cover surveying of components that vent methane, to **check for malfunctioning equipment**.

Proposal for a regulation
Recital 33

Text proposed by the Commission

Amendment

(33) For that purpose, a harmonised approach to ensure a level-playing field for all operators in the Union should be set up.

(33) For that purpose, a harmonised approach to ensure a level-playing field for all operators in the Union should be set up.

That approach should include minimum requirements for LDAR surveys, while leaving an adequate degree of flexibility to Member States and operators. This is essential to allow innovation and the development of new LDAR technologies and methods, thus preventing the lock-in of technology, to the detriment of environmental protection. New technologies and detection methods continue to emerge and Member States should encourage innovation in this sector, so that the most accurate and cost-effective methods can be adopted.

That approach should include minimum requirements for LDAR surveys, while leaving an adequate degree of flexibility to Member States and operators. This is essential to allow innovation and the development of new **components**, LDAR technologies and methods, thus preventing the lock-in of technology, to the detriment of environmental protection. New technologies and detection methods continue to emerge and Member States should encourage innovation in this sector, so that the most **leak-free**, accurate and cost-effective **components, LDAR technologies and** methods can be adopted.

Proposal for a regulation
Recital 33 a (new)

Text proposed by the Commission

Amendment

(33a) A harmonised approach benefits from standardised specifications to identify or detect methane releases using different instruments and technologies and which may be based or set by means of European standards or, in the absence of such standards, International standards. In the absence of suitable European standards, the Commission should consider requesting the relevant European standardisation organisations to adopt such standards in accordance with Regulation (EU) No 1025/2012 of the European Parliament and of the Council. The Commission should thus be empowered to adopt delegated acts for the purpose of establishing such specifications.

Proposal for a regulation
Recital 34

(34) Obligations on LDAR surveys should reflect a number of good practices. LDAR surveys should be primarily aimed at finding and **fixing** leaks, rather than quantifying them, **and those areas with a higher risk of leaks should be checked more frequently**; the frequency of surveys should be guided **not only** by the need to repair components **from which methane is escaping above the methane emission threshold but also by operational considerations, taking into account risks to safety. Thus, where a higher risk to safety or higher risk of methane losses is identified, the competent authorities should be allowed to recommend a higher frequency of surveys for the relevant components**; all leaks irrespective of size should be **recorded and monitored**, as small leaks can develop into larger ones; leak repairs should be followed by confirmation that they have been effective; in order to allow for future, more advanced methane emissions detecting technologies to be used, the **size of methane loss at or above which a repair is warranted** should be specified, **while allowing operators the choice of detection device. Where appropriate, continuous monitoring may be used in the context of this Regulation.**

(34) Obligations on LDAR surveys should reflect a number of good practices. LDAR surveys should be primarily aimed at finding and **eliminating as quickly as possible leaks by repair or replacement of the leaking component**, rather than quantifying them; the frequency of surveys should be guided by the need to repair **or replace** components **with a technology that is more leak tight**; all leaks irrespective of size should be **repaired**, as small leaks can develop into larger ones; leak repairs should be followed by confirmation that they have been effective; in order to allow for future, more advanced **components or methane emissions detecting technologies** to be used, the **minimum requirements for the device and methodology used for leak detection** should be specified, **based on their proven efficacy.**

Proposal for a regulation
Recital 34 a (new)

(34 a) Many leaks today are due to old technologies and poor maintenance. These technologies should be rapidly replaced with new innovative solutions. The leak detection and repair programme should therefore outline how the operator intends to map components with high risk of methane leaks and describe how they

intend to replace all of these with new innovative technologies that ensure long-term protection against future leaks.

Compromise amendment **14 - Article 15, Recitals 35, 36, 37, 38 Limits to venting and flaring**
EPP, S&D, Renew, Greens/EFA, ECR, The Left

Compromise amendment replacing Amendment(s): 24-25, 112-118, 674-775, 781-797, 833

Proposal for a regulation
Article 15 – paragraph 1

Text proposed by the Commission

Amendment

1. Venting shall be prohibited except in the circumstances provided for this Article. Routine flaring shall be prohibited.

1. Venting shall be prohibited except in the circumstances provided for this Article. Routine flaring shall be prohibited.

Proposal for a regulation
Article 15 – paragraph 2 – introductory part

Text proposed by the Commission

Amendment

2. Venting shall only be allowed in the following situations:

2. Venting **and flaring** shall only be allowed in the following situations:

Proposal for a regulation
Article 15 – paragraph 2 – point a

Text proposed by the Commission

Amendment

(a) in case of an emergency or malfunction; and

(A) in case of an emergency or malfunction; and

Proposal for a regulation
Article 15 – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) *where unavoidable and strictly necessary for the operation, repair, maintenance or testing of components or equipment and subject to the reporting*

deleted

obligations set out in Article 16.

Proposal for a regulation

Article 15 – paragraph 3 – introductory part

Text proposed by the Commission

3. *Venting under point (b) of paragraph 2 shall include* the following specific situations where venting cannot be completely eliminated:

Amendment

(B) *in* the following specific situations where venting *or flaring, as applicable,* cannot be completely eliminated *or is necessary for safety reasons:*

Proposal for a regulation

Article 15 – paragraph 3 – point a

Text proposed by the Commission

(a) during normal operations of *certain* components, provided that the equipment meets all the specified equipment standards and *it* is properly maintained and regularly inspected to minimise methane losses;

Amendment

(a) during normal operations of *pneumatic devices and pumps, dry gas seals, compressors, atmospheric pressure storage tanks, or other* components *designed to vent*, provided that the equipment meets all the specified equipment standards *set out in accordance with paragraph 5b*, and is properly maintained and regularly inspected to minimise methane losses;

Proposal for a regulation

Article 15 – paragraph 3 – point b

Text proposed by the Commission

(b) to unload or clean-up liquid holdup in a well to atmospheric pressure;

Amendment

(b) to unload or clean-up liquid holdup in a well to atmospheric pressure;

Proposal for a regulation

Article 15 – paragraph 3 – point c

Text proposed by the Commission

(c) during gauging or sampling a

Amendment

(c) during gauging or sampling a storage tank or other low-pressure vessel,

storage tank or other low-pressure vessel;

provided that the tank or vessel meets the standards established pursuant to paragraph 5b;

Proposal for a regulation

Article 15 – paragraph 3 – point d

Text proposed by the Commission

(d) during loading out liquids from a storage tank or other low-pressure vessel to a transport vehicle in compliance with applicable standards;

Amendment

(d) during loading out liquids from a storage tank or other low-pressure vessel to a transport vehicle in compliance with applicable standards, *provided that the tank or vessel meets the established pursuant to paragraph 5b;*

Proposal for a regulation

Article 15 – paragraph 3 – point e

Text proposed by the Commission

(e) during repair *and* maintenance, including blowing down and depressurizing equipment to perform repair and maintenance;

Amendment

(e) during repair, maintenance, *test procedures and decommissioning*, including blowing down and depressurizing equipment to perform repair and maintenance;

Proposal for a regulation

Article 15 – paragraph 3 – point f-k

Text proposed by the Commission

- (f) during a bradenhead test;
- (g) during a packer leakage test;
- (h) during a production test lasting less than 24 hours;
- (i) where methane does not meet the gathering pipeline specifications, provided the operator analyses methane samples twice per week to determine whether the specifications have been achieved and routes the methane into a gathering pipeline as soon as the pipeline

Amendment

- (f) during a bradenhead test;
- (g) during a packer leakage test;
- (h) during a production test lasting less than 24 hours;
- (i) where methane does not meet the gathering pipeline specifications, provided the operator analyses methane samples twice per week to determine whether the specifications have been achieved and routes the methane into a gathering pipeline as soon as the pipeline

specifications are met;

(j) during commissioning of pipelines, equipment or facilities, only for as long as necessary to purge introduced impurities from the pipeline or equipment;

(k) during pigging, blow-down to repair, or purging of a gathering pipeline for repair or maintenance, and only where the gas cannot be contained or redirected into an unaffected portion of the pipeline.

Proposal for a regulation Article 15 – paragraph 4

Text proposed by the Commission

4. Where venting is allowed pursuant to **paragraphs 2 and 3**, operators shall vent only where flaring is not technically feasible **or** risks endangering safety of operations or personnel. In such a situation, as part of the reporting obligations set out in Article 16, operators shall demonstrate to the competent authorities the necessity to opt for venting instead of flaring.

Proposal for a regulation Article 15 – paragraph 4 a (new)

Text proposed by the Commission

specifications are met;

(j) during commissioning of pipelines, equipment or facilities, only for as long as necessary to purge introduced impurities from the pipeline or equipment;

(k) during pigging, blow-down to repair, or purging of a gathering pipeline for repair or maintenance, and only where the gas cannot be contained or redirected into an unaffected portion of the pipeline.

Amendment

4. Where venting is allowed pursuant to **paragraph 2**, operators shall vent only where flaring is not technically feasible ***due to lack of flammability, inability to sustain a flame, safety concerns, when the environmental or climate impact of mitigation measures is higher than the benefit, or when it*** risks endangering safety of operations or personnel. In such a situation, as part of the reporting obligations set out in Article 16, operators shall demonstrate to the competent authorities the necessity to opt for venting instead of flaring.

4a. Where non-emitting alternative equipment to equipment that vents is available, it shall replace that equipment by 31 December 2026, provided that the non-venting equipment meets the standards established pursuant to paragraph 5b;

Proposal for a regulation
Article 15 – paragraph 5

Text proposed by the Commission

5. Flaring shall only be allowed where either re-injection, utilisation on-site or dispatch of the methane to a market are not feasible for reasons other than economic considerations. In such a situation, as part of the reporting obligations set out in Article 16, operators shall demonstrate to the competent authorities the necessity to opt for flaring instead of either re-injection, utilisation on-site or dispatch of the methane to *a* market.

Amendment

5. ***In addition to the conditions set out in paragraph 2***, flaring shall only be allowed where either re-injection, utilisation on-site, ***gas processing***, or dispatch of the methane to a market are not feasible for reasons other than economic considerations. In such a situation, as part of the reporting obligations set out in Article 16, operators shall demonstrate to the competent authorities the necessity to opt for flaring instead of either re-injection, utilisation on-site or dispatch of the methane to market.

Proposal for a regulation
Article 15 – paragraph 5 a (new)

Text proposed by the Commission

5a. Where a site is built, replaced or refurbished, in whole or in part, operators shall utilise only zero-emitting pneumatic controllers and pumps on that site.

Amendment

Proposal for a regulation
Article 15 – paragraph 5 b (new)

Text proposed by the Commission

5b. By 24 months from the date of entry into force of this Regulation], the Commission shall adopt delegated acts in accordance with Article 31 to supplement this Regulation by incorporating and setting out the applicability of technology standards for venting, zero-emitting and flaring equipment. The Commission shall be empowered to revise such delegated

Amendment

acts in line with the technological development.

Proposal for a regulation
Article 15 – paragraph 5 c (new)

Text proposed by the Commission

Amendment

5c. Where the implementation of this Article requires a permit or any other administrative approval from relevant authorities or where the unavailability of venting or flaring equipment causes exceptional delay of the actions required for that implementation, operators shall provide the competent authorities with a detailed schedule for that implementation. Operators shall proceed to implement without delay. The competent authorities may request modifications of the schedule.

Proposal for a regulation
Recital 35

Text proposed by the Commission

Amendment

(35) Venting consists of the release of uncombusted methane into the atmosphere ***either*** intentionally from processes or activities or devices designed to do it, ***or unintentionally in the case of a malfunction***. In light of its potent GHG emission effect, venting should be banned except in the case of emergencies, malfunction or during certain specific events where some venting is unavoidable.

(35) Venting consists of the release of uncombusted methane into the atmosphere intentionally from processes or activities or devices designed to do it. In light of its potent GHG emission effect, venting should be banned except in the case of emergencies, malfunction or during certain specific events where some venting is unavoidable. ***To ensure that operators do not use equipment designed to vent, technology standards should be adopted that allow for the use of zero-emitting alternatives.***

Proposal for a regulation
Recital 36

(36) Flaring is the controlled combustion of methane for the purpose of disposal in a device designed for said combustion. When carried out during the normal production of oil or fossil gas and as a result of insufficient facilities or amenable geology to re-inject methane, utilise it on-site, or dispatch it to a market, it is considered routine flaring. Routine flaring should be banned. Flaring should only be permissible when it is the only alternative to venting and where venting is not prohibited. Venting is more harmful to the environment than flaring as the released gas typically contains high-levels of methane, whereas flaring oxidises methane into carbon dioxide.

(36) Flaring is the controlled combustion of methane for the purpose of disposal in a device designed for said combustion. When carried out during the normal production of oil or fossil gas and as a result of insufficient facilities or amenable geology to re-inject methane, utilise it on-site, or dispatch it to a market, it is considered routine flaring. Routine flaring should be banned. Flaring should only be permissible when it is the only alternative to venting and where venting is not prohibited, ***consequently, when no other choice is available, flaring should always be preferred to venting. However, according to the IEA^{1a}, globally, 143 bcm of fossil gas was flared in 2021 – roughly equivalent to the total volume of natural gas imported into Germany, France and the Netherlands. This resulted in the direct release of 270 Mt of CO₂ and nearly 8 Mt of methane (240 Mt CO₂-eq).*** Venting is more harmful to the environment than flaring as the released gas typically contains high-levels of methane, whereas flaring oxidises methane into carbon dioxide. ***According to the IEA, reducing flaring, venting and methane leaks would offer more immediate relief to gas markets than investing in new supply. The IEA^{1b} estimated that nearly 210 billion cubic metres (bcm) of natural gas could be made available to gas markets by a global effort to eliminate non-emergency flaring and reduce methane emissions from oil and gas operations [RM1]Following RE request to be more factual.***

^{1a} <https://www.iea.org/reports/flaring-emissions> - September 2022

^{1b}

<https://iea.blob.core.windows.net/assets/94>

Proposal for a regulation

Recital 37

Text proposed by the Commission

(37) Using flaring as an alternative to venting requires that flaring devices are efficient at combusting methane. For that reason, a combustion efficiency requirement should also be included for the cases in which flaring is admissible. Use of pilot burners, which give more reliable ignition as they are not affected by wind, should also be required.

Amendment

(37) Using flaring as an alternative to venting requires that flaring devices are efficient at combusting methane. For that reason, a combustion efficiency requirement should also be included for the cases in which flaring is admissible. Use of ***auto-igniter or continuous*** pilot burners, which give more reliable ignition as they are not affected by wind, should also be required.

Proposal for a regulation

Recital 38

Text proposed by the Commission

(38) Re-injection, utilisation on-site or dispatch of the methane to a market should always be preferable to flaring - and therefore venting - of methane. Operators that vent should provide proof to the competent authorities that neither re-injection, utilisation on-site or dispatch of the methane to a market nor flaring were possible and operators that flare should provide proof to the competent authorities that re-injection, utilisation on-site or dispatch of the methane to a market was not possible.

Amendment

(38) Re-injection, utilisation on-site or dispatch of the methane to a market should always be preferable to flaring - and therefore venting - of methane. Operators that vent should provide proof to the competent authorities that neither re-injection, utilisation on-site or dispatch of the methane to a market nor flaring were possible and operators that flare should provide proof to the competent authorities that re-injection, utilisation on-site or dispatch of the methane to a market was not possible.

Compromise amendment

15 - Article 16, Recital 39, Annex II, Annex III Reporting

of venting and flaring events
EPP, S&D, Renew, Greens/EFA, ECR, The Left

Compromise amendment replacing Amendment(s): 26, 37-39 , 119-120, 798 - 818, 1091-1098, 1099-1102

Proposal for a regulation

Article 16 – paragraph 1 – subparagraph 1 – introductory part

Text proposed by the Commission

Amendment

Operators shall notify the competent authorities of venting and flaring events:

Operators shall notify the competent authorities of venting and flaring events:

Proposal for a regulation

Article 16 – paragraph 1 – subparagraph 1 – point a

Text proposed by the Commission

Amendment

(a) caused by an emergency *or* a malfunction;

(a) caused by an emergency a malfunction *or*;

Proposal for a regulation

Article 16 – paragraph 1 – subparagraph 1 – point b

Text proposed by the Commission

Amendment

(b) lasting a total of 8 hours or more within a 24 hour period from a single event.

(b) lasting a total of 8 hours or more within a 24 hour period from a single event.

Proposal for a regulation

Article 16 – paragraph 1 – subparagraph 2

Text proposed by the Commission

Amendment

The notification referred to in the first subparagraph shall be made without delay after the event and at the latest within 48 hours from the start of the event or the moment the operator became aware of it.

The notification referred to in the first subparagraph shall be made without delay after the event and at the latest within 48 hours from the start of the event or the moment the operator became aware of it.

Proposal for a regulation

Article 16 – paragraph 2

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EN

Text proposed by the Commission

2. Operators shall submit to the competent authorities quarterly reports of all venting and flaring referred to in paragraph 1 and in Article 15 in accordance with the elements set out in Annex II.

Amendment

2. Operators shall submit to the competent authorities quarterly reports of all venting and flaring referred to in paragraph 1 and in Article 15 in accordance with the elements set out in Annex II.

Proposal for a regulation
Article 16 – paragraph 3

Text proposed by the Commission

3. The competent authorities shall make the reports set out in this Article available to the public and the Commission annually and in accordance with Article 5(4).

Amendment

3. The competent authorities shall make the reports set out in this Article available to the public and the Commission annually and in accordance with Article 5(4).

Proposal for a regulation
Annex II – paragraph 1 – point ii

Text proposed by the Commission

(ii) name and type of asset;

Amendment

(ii) **location**, name and type of asset;

Proposal for a regulation
Annex II – paragraph 1 – point v

Text proposed by the Commission

(v) measured **or estimated** volume of vented or flared **natural gas**;

Amendment

(v) measured volume of vented or flared **methane**;

Proposal for a regulation
Annex II – paragraph 1 – point v a (new)

Text proposed by the Commission

Amendment

(v a) **flaring efficiency and the type of flare used**

Proposal for a regulation
Annex II – paragraph 1 – point ix

Text proposed by the Commission

(ix) results of weekly inspections of flare stacks carries out in accordance with Article 17

Amendment

(ix) results of weekly inspections **and of continuous monitoring** of flare stacks carries out in accordance with Article 17

Proposal for a regulation
Annex III – paragraph 1

Text proposed by the Commission

Weekly flare stack inspections must include a comprehensive Audio, Visual and Olfactory (AVO) inspection (including external visual inspection of flare stacks, listening for pressure and liquid leaks and smelling for unusual and strong odours).

Amendment

Weekly flare stack inspections must include a comprehensive Audio, Visual and Olfactory (AVO) inspection (including external visual inspection of flare stacks, listening for pressure and liquid leaks and smelling for unusual and strong odours).

Proposal for a regulation
Annex III – paragraph 3 – point ii

Text proposed by the Commission

(ii) In the case of unlit flares: whether the unlit flare has a gas vent or not. If it does have a gas vent, an intervention to remedy it should take place within 6 hours or within 24 hours in the case of bad weather or other extreme conditions.

Amendment

(ii) In the case of unlit flares: whether the unlit flare has a gas vent or not. If it does have a gas vent, an intervention to remedy it should take place within 6 hours or within 24 hours in the case of bad weather or other extreme conditions.

Proposal for a regulation
Recital 39

Text proposed by the Commission

(39) Operators should notify major venting and flaring events without delay to the competent authorities and submit more comprehensive reports on all venting and flaring events. They should also ensure that equipment and devices comply with the

Amendment

(39) Operators should notify major venting and flaring events without delay to the competent authorities and submit more comprehensive reports on all venting and flaring events. They should also ensure that equipment and devices comply with the

standards laid down in Union law.

standards laid down in Union law.

**Compromise amendment 16 - Article 17 Requirements for flaring standards
EPP, S&D, Renew, Greens/EFA, ECR, The Left**

Compromise amendment replacing Amendment(s): 27, 819 - 832

**Proposal for a regulation
Article 17 – paragraph 1**

Text proposed by the Commission

Amendment

1. ***Where a facility is built, replaced or refurbished, or where new flare stacks or other combustion devices are installed,*** operators shall install ***only*** combustion devices with an auto-igniter or continuous pilot and ***a complete*** destruction removal efficiency for hydrocarbons.

1. Operators shall install ***all flare stacks that uses*** combustion devices with an auto-igniter or continuous pilot and ***at least 99%*** destruction ***and*** removal efficiency for hydrocarbons ***by 18 months from the date of entry into force of this Regulation.***

**Proposal for a regulation
Article 17 – paragraph 2**

Text proposed by the Commission

Amendment

2. ***Operators shall ensure that all flare stacks or other combustion devices comply with the requirements of paragraph 1 by ... [12 months from the date of entry into force of this Regulation].***

deleted

**Proposal for a regulation
Article 17 – paragraph 3**

Text proposed by the Commission

Amendment

3. Operators shall conduct weekly inspections of flare stacks in accordance with the elements set out in Annex III.

2. Operators shall conduct weekly inspections of flare stacks in accordance with the elements set out in Annex III. ***As an alternative to weekly inspections of a flare stack, operators may use remote or automated continuous monitoring***

devices, if approved by competent authorities, to collect the observations of the flare stack referred to in points (i) and (ii) of the third subparagraph of Annex III. In case of irregularities detected, operators shall investigate the cause of the irregularity and remedy it within 6 hours or within 24 hours in the case of bad weather or other extreme conditions.

**Compromise amendment 17 - Article 18, Recital 40, Annex IV Inactive wells
EPP, S&D, Renew, Greens/EFA, ECR, The Left**

Compromise amendment replacing Amendment(s): 122-123, 835 - 862, 1103-1107

**Proposal for a regulation
Article 18 – paragraph 1**

Text proposed by the Commission

1. By ... *[12 months from the date of entry into force of this Regulation]*, Member States shall establish and make publicly available an inventory of all inactive wells on their territory or under their jurisdiction, including at least the elements set out in Annex IV.

Amendment

1. By *six* months from the date of entry into force of this Regulation, Member States shall establish and make publicly available an inventory of all inactive *wells and permanently plugged and abandoned* wells on their territory or under their jurisdiction, including at least the elements set out in Annex IV.

**Proposal for a regulation
Article 18 – paragraph 2**

Text proposed by the Commission

2. By ... *[18 months of the date of entry into force of this Regulation]*, *equipment for measurement of methane emissions shall be installed on all inactive wells.*

Amendment

deleted

Amendment 75

Proposal for a regulation Article 18 – paragraph 3

Text proposed by the Commission

3. Reports containing *the measurements* referred to in paragraph 2 shall be submitted to the competent authorities by ... [24 months of the date of entry into force of this Regulation] and by 30 March every year thereafter and cover the last available calendar year. Before submission to the competent authorities, the reports set out in this paragraph shall be assessed by a verifier and include a verification statement issued in accordance with Articles 8 and 9.

Amendment

2. Reports containing *information on quantification of methane emissions to air and water, as applicable, from all wells* referred to in paragraph 1 shall be submitted to the competent authorities by ... 18 months of the date of entry into force of this Regulation and by 30 March every year thereafter and cover the last available calendar year.

Where the competent authorities are provided with reliable evidence that proves that there are no methane emissions from permanently plugged and abandoned wells within the last five years, the obligation for permanently plugged and abandoned wells set out in this paragraph shall not apply to that wells.

Before submission to the competent authorities, the reports set out in this paragraph shall be assessed by a verifier and include a verification statement issued in accordance with Articles 8 and 9.

Proposal for a regulation Article 18 – paragraph 4

Text proposed by the Commission

4. The competent authorities shall make the reports set out in this Article available to the public and the Commission, within three months from submission *by operators* and in accordance with Article 5(4).

Amendment

4. The competent authorities shall make the reports set out in this Article available to the public and the Commission, within three months from submission and in accordance with Article 5(4).

Proposal for a regulation
Article 18 – paragraph 5

Text proposed by the Commission

5. Member States shall be responsible for fulfilling the obligations laid down in paragraphs 2 **and 3**, except where a responsible party can be identified, in which case that party shall bear responsibility.

Amendment

5. Member States shall be responsible for fulfilling the obligations laid down in paragraphs 2, except where a responsible party can be identified, in which case that party shall bear responsibility.

Proposal for a regulation
Article 18 – paragraph 6 – subparagraph 1

Text proposed by the Commission

Member States shall develop **and implement** a mitigation plan to remediate, reclaim and permanently plug inactive wells located in their territory.

Amendment

By 12 months from the date of entry into force of this Regulation Member States or the responsible party shall develop a mitigation plan to remediate, reclaim and permanently plug inactive wells located in their territory, ***and implement it by 24 months from the date of entry into force of this Regulation.***

Proposal for a regulation
Article 18 – paragraph 6 – subparagraph 2 – point d

Text proposed by the Commission

(d) yearly checks to ensure plugged wells are no longer a source of methane emissions.

Amendment

(d) yearly checks to ensure plugged wells are no longer a source of methane emissions.

Proposal for a regulation
Article 18 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6a. When identifying inactive, permanently plugged and abandoned wells, Member States shall undertake a

robust and objective assessment based on the most up to date scientific findings, including data of the International Methane Emissions Observatory (IMEO).

Proposal for a regulation
Annex IV – paragraph 1 – introductory part

Text proposed by the Commission

Pursuant to Article 18, inventories of inactive wells must include at least the following information:

Amendment

I. Pursuant to Article 18, inventories of inactive **wells and permanently plugged and abandoned** wells must include at least the following information:

Proposal for a regulation
Annex IV – paragraph 1 – point ii

Text proposed by the Commission

(ii) name, type and address of well or well site;

Amendment

(ii) name, type and address of well or well site, **specifying whether it is an inactive well or a permanently plugged and abandoned well**;

Proposal for a regulation
Annex IV – paragraph 1 – point iv

Text proposed by the Commission

(iv) results of **any** methane **concentration** measurements.

Amendment

(iv) results of methane **emissions** measurements **to air and to water**.

Proposal for a regulation
Annex IV – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Pursuant to Article 18, with respect to **permanently plugged and abandoned wells, inventories shall also include:**

(i) the last known measurements of

methane emissions to air and water, if any;

(ii) information showing that the relevant competent authority has attested that the well or well site in question fulfils the criteria set out in Article 2(24a);

(iii) adequate documentation to demonstrate that there have been no methane emissions from that well or well site for at least the last five years.

Proposal for a regulation
Annex IV – paragraph 1 b (new)

Text proposed by the Commission

Amendment

Ib. Pursuant to Article 18, mitigation plans must include at least the following information:

(i) the schedule of addressing each inactive well, including the actions to be performed;

(ii) name and address of the operator, owner or licensee of the inactive well, where applicable;

(iii) projected end date of all remediation, reclamation or plugging of inactive wells.

Proposal for a regulation
Recital 40

Text proposed by the Commission

Amendment

(40) Methane emissions from inactive oil and gas wells pose public health, safety and environmental risks. Therefore, monitoring and reporting obligations should still apply and those wells and well sites should be reclaimed and remediated. In such cases, Member States should have a predominant role, in particular to establish an inventories and mitigation plans.

(40) Methane emissions from inactive oil and gas wells pose public health, safety and environmental risks. Therefore, monitoring and reporting obligations should still apply and those wells and well sites should be reclaimed and remediated. In such cases, Member States should have a predominant role, in particular to establish an inventories and mitigation plans ***within clear deadlines.***

Compromise Amendment **18 - Article 19, Article 20, Annex V scope of chapter 4 + monitoring and reporting**
EPP, S&D, Renew, Greens/EFA, ECR, The Left

Compromise amendment replacing Amendment(s): 863 - 871, 872-895, 1108

Proposal for a regulation
Article 19 – paragraph 1

Text proposed by the Commission

1. This Section applies to operating underground and surface coal mines.

Amendment

1. This Section applies to operating underground and surface coal mines.

Proposal for a regulation
Article 19 – paragraph 2 – point c

Text proposed by the Commission

- (c) methane emissions occurring during post-mining activities.

Amendment

- (c) methane emissions occurring during post-mining activities ***and within the area of the mine.***

Proposal for a regulation
Article 19 – paragraph 3

Text proposed by the Commission

3. Methane emissions from operating surface coal mines include the following emissions:
 - (a) methane emissions occurring at the coal mine during the mining process;
 - (b) methane emissions occurring during post-mining activities.

Amendment

3. Methane emissions from operating surface coal mines include the following emissions:
 - (a) methane emissions occurring at the coal mine during the mining process;
 - (b) methane emissions occurring during post-mining activities.

Proposal for a regulation
Article 20 – paragraph 1

Text proposed by the Commission

1. For underground coal mines, mine operators shall perform continuous **ventilation air** methane emissions measurement and quantification on all exhaust ventilation shafts **used by the mine operator, using apparatus with a methane concentration sensitivity threshold of at least 100 parts per million**. They shall also take monthly sample-based measurements.

Amendment

1. For underground coal mines, mine operators shall perform continuous **source level** methane **direct** emissions measurement and quantification on all exhaust ventilation shafts. **Mine operators shall report to the competent authorities methane releases per ventilation shaft per year in kilotonne (kt) of methane, using equipment and methodologies resulting in a measurement accuracy with a tolerance of 0,5 kt/year of methane or of 5% of the reported amount**. They shall also take monthly sample-based measurements.

Proposal for a regulation

Article 20 – paragraph 2

Text proposed by the Commission

2. Drainage stations operators shall perform continuous measurements **of volumes** of vented and flared methane, regardless of the reasons for such venting and flaring activity.

Amendment

2. Drainage stations operators shall perform continuous **source level direct emissions** measurements **and quantification of total releases** of vented and flared methane, regardless of the reasons for such venting and flaring activity.

Proposal for a regulation

Article 20 – paragraph 3

Text proposed by the Commission

3. As regards surface coal mines, mine operators shall use deposit-specific coal mine methane emission factors to quantify emissions resulting from mining operations. Mine operators shall establish those emission factors on a quarterly basis, in accordance with appropriate scientific standards and take into account methane emissions from surrounding strata.

Amendment

3. As regards surface coal mines, mine operators shall use deposit-specific coal mine methane emission factors to quantify emissions resulting from mining operations. Mine operators shall establish those emission factors on a quarterly basis, in accordance with appropriate scientific standards and take into account methane emissions from surrounding strata.

Proposal for a regulation
Article 20 – paragraph 4 – subparagraph 1

Text proposed by the Commission

The measurements and quantification referred to in paragraphs 1 to 3 shall be undertaken in accordance with an appropriate European or international standards.

Amendment

The measurements and quantification referred to in paragraphs 1 to 3 shall be undertaken in accordance with an appropriate European or international standards.

Proposal for a regulation
Article 20 – paragraph 4 – subparagraph 2

Text proposed by the Commission

As regards continuous measurements referred to in paragraphs 1 and 2, where part of the measuring equipment is not operating for a period, readings taken during periods when the equipment was operating may be used to estimate data on a pro rata basis for the period that the equipment was not operating.

Amendment

As regards continuous *source level direct* measurements *and quantification* referred to in paragraphs 1 and 2, where part of the measuring equipment is not operating for a period, readings taken during periods when the equipment was operating may be used to estimate data on a pro rata basis for the period that the equipment was not operating.

Proposal for a regulation
Article 20 – paragraph 4 – subparagraph 3

Text proposed by the Commission

The equipment used for continuous measurements referred to in paragraphs 1 and 2 shall operate for more than 90% of the period for which it is used to monitor an emission, excluding downtime taken for re-calibration.

Amendment

The equipment used for continuous *source level direct* measurements *and quantification* referred to in paragraphs 1 and 2 shall operate for more than 90% of the period for which it is used to monitor an emission, excluding downtime taken for re-calibration.

Proposal for a regulation
Article 20 – paragraph 5

Text proposed by the Commission

5. Mine operators shall estimate coal post-mining emissions using coal post-mining emission factors, updated annually, based on deposit-specific coal samples and in accordance with appropriate scientific standards.

Amendment

5. **Where relevant**, mine operators shall estimate coal post-mining emissions using coal post-mining emission factors, updated annually, based on deposit-specific coal samples and in accordance with appropriate scientific standards.

Proposal for a regulation
Annex V – Part 2 – paragraph 1 – point v – point 3

Text proposed by the Commission

3) outline of the experimental method employed to determine methane emissions due to mining activities, including the choice of methodology to account for methane emissions from surrounding strata

Amendment

3) outline of the experimental method employed to determine methane emissions due to mining activities, including the choice of methodology to account for methane emissions from surrounding strata

Compromise amendment **19 - Article 21, Article 22, Recitals 43, 44, 48, 49, 65 scope of chapter 4 (coal underground) + mitigation measures**
EPP, S&D, Renew, Greens/EFA, ECR

Compromise amendment replacing Amendment(s): 30-31, 124-127, 148, 896 - 897, 898 - 915

Proposal for a regulation
Article 21 – paragraph 1

Text proposed by the Commission

This Section applies to the methane emissions from underground coal mines referred to in Article 19(2).

Amendment

This Section applies to the methane emissions from underground coal mines referred to in Article 19(2).

Proposal for a regulation
Article 22 – paragraph 1

Text proposed by the Commission

1. **Venting and** flaring of methane from drainage *stations* shall be prohibited from 1 January 2025, except in the case of an emergency, **a malfunction** or where unavoidable and strictly necessary for maintenance. In such cases, drainage station operators shall vent only if flaring is not technically feasible or risks endangering safety of operations or personnel. In such a situation, as part of the reporting obligations set out in Article 23, drainage station operators shall demonstrate to the competent authorities the necessity to opt for venting instead of flaring.

Amendment

1. Flaring **with a destruction and removal design efficiency below 99% and venting** of methane from drainage **system** shall be prohibited from 1 January 2025, except in the case of an emergency or where unavoidable and strictly necessary for maintenance. In such cases, drainage station operators shall vent only if flaring is not technically feasible or risks endangering safety of operations or personnel. In such a situation, as part of the reporting obligations set out in Article 23, drainage station operators shall demonstrate to the competent authorities the necessity to opt for venting instead of flaring.

Proposal for a regulation
Article 22 – paragraph 2

Text proposed by the Commission

2. Venting of methane through ventilation shafts in coal mines emitting more than **0.5** tonnes of methane/kilotonne of coal mined, other than coking coal mines, shall be prohibited from 1 January 2027.

Amendment

2. Venting of methane through ventilation shafts in coal mines emitting more than **5** tonnes of methane/kilotonne of coal mined, other than coking coal mines, shall be prohibited from 1 January 2027, **except when it would pose a direct threat to the health and life of working miners and would increase work safety risk in in the mining plants.**

Venting of methane through ventilation shafts in coal mines emitting more than 3 tonnes of methane/kilotonne of coal mined, other than coking coal mines, shall be prohibited from 1 January 2031.

These thresholds shall apply per year per mine and per operator, if one entity operates several mines.

Proposal for a regulation
Article 22 – paragraph 3

Text proposed by the Commission

3. By ... [three years from the date of entry into force of this Regulation] the Commission shall adopt a delegated act in accordance with Article 31 to supplement this Regulation by setting out restrictions on venting methane from ventilation shafts for coking coal mines.

Amendment

3. By ... [three years from the date of entry into force of this Regulation] the Commission shall adopt a delegated act in accordance with Article 31 to supplement this Regulation by setting out restrictions on venting methane from ventilation shafts for coking coal mines.

Proposal for a regulation
Article 22 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. (new) Where Member States intend to implement a dedicated system of incentives to reduce methane emissions, they may use fees, charges or penalties referred to in Article 30 as an instrument of guaranteeing the compliance of operators of existing mines with the obligations in Article 22 paragraphs (1) and (2).

Proposal for a regulation
Recital 43

Text proposed by the Commission

(43) Methane emissions are primarily linked to underground mining activities, both in active and abandoned mines²⁴. In active underground mines, methane concentration in the air is continuously controlled, as it constitutes a health and safety hazard. In the case of underground coal mines, the vast majority of the methane emissions occur through

Amendment

(43) Methane emissions are primarily linked to underground mining activities, both in active and abandoned mines²⁴. In active underground mines, methane concentration in the air is continuously controlled, as it constitutes a health and safety hazard. In the case of underground coal mines, the vast majority of the methane emissions occur through

ventilation and drainage or degasification systems, which represent the two main ways of lowering methane concentrations in a mine's airways.

ventilation and drainage or degasification systems, which represent the two main ways of lowering methane concentrations in a mine's airways.

²⁴ (2020) N. Kholod et al Global methane emissions from coal mining to continue growing even with declining coal production, Journal of Cleaner Production, Volume 256, 120489

²⁴ (2020) N. Kholod et al Global methane emissions from coal mining to continue growing even with declining coal production, Journal of Cleaner Production, Volume 256, 120489

Proposal for a regulation

Recital 44

Text proposed by the Commission

(44) Once production is halted and a mine is closed or abandoned, it continues to release methane, referred to as abandoned mine methane (AMM). These emissions typically occur at well-defined point sources, such as ventilation shafts or pressure-relief vents. With increased climate ambition and shifting energy production to less carbon-intensive energy sources, AMM emissions are likely to increase in the Union. It is estimated that even 10 years after mining is ceased, methane from non-flooded mines continues to be emitted at levels attaining approximately 40% of emissions recorded at the time of closure²⁵. Moreover, treatment of AMM remains fragmented due to different ownership and exploitation rights across the EU. Member States should thus establish inventories of closed and abandoned coal assets and, either them or the identified responsible party, should be required to install devices for measurement of methane emissions.

Amendment

(44) Once production is halted and a mine is closed or abandoned, it continues to release methane, referred to as abandoned mine methane (AMM). These emissions typically occur at well-defined point sources, such as ventilation shafts or pressure-relief vents. With increased climate ambition and shifting energy production to less carbon-intensive energy sources, AMM emissions are likely to increase in the Union. It is estimated that even 10 years after mining is ceased, methane from non-flooded mines continues to be emitted at levels attaining approximately 40% of emissions recorded at the time of closure²⁵. Moreover, treatment of AMM remains fragmented due to different ownership and exploitation rights across the EU. Member States should thus establish inventories of closed and abandoned coal assets and, either them or the identified responsible party, should be required to install devices for measurement of methane emissions. ***Best practice examples should be identified and integrated in possible guidelines for the treating of AMM.***

²⁵ (2020) N. Kholod et al Global methane emissions from coal mining to continue growing even with declining coal production, Journal of Cleaner Production, Volume 256, 120489

²⁵ (2020) N. Kholod et al Global methane emissions from coal mining to continue growing even with declining coal production, Journal of Cleaner Production, Volume 256, 120489

Proposal for a regulation

Recital 48

Text proposed by the Commission

(48) Underground mines are either thermal or coking coal mines. Thermal coal is used primarily as an energy source and coking coal is used as a fuel and as a reactant in the process of steelmaking. Both coking coal and thermal coal mines should be subject to measuring, reporting and verification of methane emissions.

Amendment

(48) Underground mines are either thermal or coking coal mines. Thermal coal is used primarily as an energy source and coking coal is used as a fuel and as a reactant in the process of steelmaking. Both coking coal and thermal coal mines should be subject to measuring, reporting and verification **and mitigation measures** of methane emissions.

Proposal for a regulation

Recital 49

Text proposed by the Commission

(49) For operating underground coal mines, mitigation of methane emissions should be implemented through a phase out of venting and flaring. For closed or abandoned underground coal mines, while flooding the mine can prevent methane emissions, this is not systematically done and has environmental risks. Venting and flaring in these mines should also be phased out. As geological constraints and environmental considerations prevent a one-size-fits-all approach to mitigate methane emissions from abandoned underground coal mines³¹, Member States should establish their own mitigation plan, taking into consideration those constraints and the technical feasibility of AMM mitigation.

Amendment

(49) For operating underground coal mines, mitigation of methane emissions should be implemented through a phase out of venting and flaring **with an efficiency of less than 99%**. For closed or abandoned underground coal mines, while flooding the mine can prevent methane emissions, this is not systematically done and has environmental risks. Venting and flaring **with an efficiency of less than 99%** in these mines should also be phased out. As geological constraints and environmental considerations prevent a one-size-fits-all approach to mitigate methane emissions from abandoned underground coal mines³¹, Member States should establish their own mitigation plan, taking into consideration those constraints and the technical

feasibility of AMM mitigation.

³¹ Best Practice Guidance for Effective Methane Recovery and Use from Abandoned Mines (UNECE, 2019)

³¹ Best Practice Guidance for Effective Methane Recovery and Use from Abandoned Mines (UNECE, 2019)

Proposal for a regulation
Recital 49 a new

Text proposed by the Commission

Amendment

(49a) In order to decrease the methane emission from operating coal mines the Union should support systems of incentives for the reduction of emission of methane. These systems may in particular incentivise investments into methane capture and injection to the grid, decrease of methane emission from ventilations shafts and from flaring. The EU should take decisive action to mobilise EU financial resources aimed at investments into methane reduction technologies in all operating and abandoned mines. Where EU support is not sufficient to support this goal dedicated systems of fees and charges, which are clearly structured to facilitate investments into methane reductions inter alia as part of state aid programs aimed at the decommissioning of coal production capacities should be encouraged.

Proposal for a regulation
Recital 65

Text proposed by the Commission

Amendment

(65) In order to define the elements of the phase out of venting and flaring in coking coal mines, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European

(65) In order to define the elements of the phase out of venting and flaring in coking coal mines, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European

Union should be delegated to the Commission to supplement this Regulation by setting out restrictions on venting methane from ventilation shafts for coking coal mines. In addition, in order to allow for further information to be required from importers, as proved necessary, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission to supplement this Regulation by amending or adding to the information to be provided by importers. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Union should be delegated to the Commission to supplement this Regulation by setting out restrictions on venting methane from ventilation shafts for coking coal mines. In addition, in order to allow for further information to be required from importers, as proved necessary, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission to supplement this Regulation by amending or adding to the information to be provided by importers. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Compromise amendment **20 - Article 23, Annex VI reporting of venting and flaring events**
EPP, S&D, Renew, Greens/EFA, ECR, The Left

Compromise amendment replacing Amendment(s): 40, 916 - 917, 1109-1110

Proposal for a regulation
Article 23 – paragraph 1 – subparagraph 1 – introductory part

Text proposed by the Commission

From [1 January 2025], drainage station operators shall notify the competent authorities of all venting and flaring

Amendment

From 1 January 2025, drainage station operators shall notify the competent authorities of all venting *events* and flaring events *with a destruction and removal*

events:

design efficiency below 99%.

Proposal for a regulation

Article 23 – paragraph 1 – subparagraph 1 – point a

Text proposed by the Commission

Amendment

(a) caused by an emergency *or a malfunction,*

(a) caused by an emergency,

Proposal for a regulation

Annex VI – paragraph 1 – point iii

Text proposed by the Commission

Amendment

(iii) cause of the venting and/or flaring event;

(iii) cause of the venting and/or flaring event; *justification for using venting instead of flaring, if applicable;*

Proposal for a regulation

Annex VI – paragraph 1 – point iv

Text proposed by the Commission

Amendment

(iv) tonnage of methane vented and flared (or an estimate if quantification is not possible).

(iv) tonnage of methane vented and flared (or an estimate if quantification *or measurement* is not possible).

Compromise Amendment
underground mines)

21 - Article 24, Annex VII scope of chapter 4 (closed

EPP, S&D, Renew, Greens/EFA, ECR, The Left

Compromise amendment replacing Amendment(s): 41, 918 - 922, 1111-1135

Proposal for a regulation

Article 24 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

This Section applies to the following methane emissions from abandoned *and closed* underground coal mines where coal

This Section applies to the following methane emissions from *closed and* abandoned underground coal mines where

production has been discontinued:

coal production has been discontinued:

Proposal for a regulation

Article 24 – paragraph 1 – point a-c

Text proposed by the Commission

- (a) methane emissions from all ventilation shafts which continue emitting methane;
- (b) methane emissions from coal mining equipment, use of which has been discontinued;
- (c) methane emissions from other well-defined point emission sources as outlined in Part 1 of Annex VII.

Amendment

- (a) methane emissions from all ventilation shafts which continue emitting methane;
- (b) methane emissions from coal mining equipment, use of which has been discontinued;
- (c) methane emissions from other well-defined point emission sources as outlined in Part 1 of Annex VII.

Proposal for a regulation

Annex VII – Part 1 – paragraph 1 – introductory part

Text proposed by the Commission

Pursuant to Article 24 and 25, for each site, the inventory of closed and abandoned coal mines must include at least the following information:

Amendment

Pursuant to Article 24 and 25, for each site, the inventory of closed and abandoned coal mines must include at least the following information:

Proposal for a regulation

Annex VII – Part 1 – paragraph 1 – point iv

Proposal for a regulation

Annex VII – paragraph 1 – point iv

Text proposed by the Commission

- (iv) schemes of mine workings and their status

Amendment

- (iv) schemes of mine workings and their status

Proposal for a regulation

Annex VII – Part 1 – paragraph 1 – point v – introductory part

Text proposed by the Commission

- (v) results of *methane concentration*

Amendment

- (v) results of *source level direct*

measurement at the following *elements*:

measurement *or quantification* at the following *point emission sources*:

Proposal for a regulation

Annex VII – Part 1 – paragraph 1 – point v – point 1

Text proposed by the Commission

Amendment

- 1) all ventilation shafts utilised by the mine when operating, accompanied by:
- shaft coordinates
 - shaft name (if any)
 - sealing status and sealing method, if known

- 1) all ventilation shafts utilised by the mine when operating, accompanied by:
- shaft coordinates
 - shaft name (if any)
 - sealing status and sealing method, if known

Proposal for a regulation

Annex VII – Part 1 – paragraph 1 – point v – point 2

Text proposed by the Commission

Amendment

- 2) unused vent pipes

- 2) unused vent pipes, *if not part of safety infrastructure*

Proposal for a regulation

Annex VII – Part 1 – paragraph 1 – point v – point 3

Text proposed by the Commission

Amendment

- 3) unused gas drainage wells

- 3) unused gas drainage wells

Proposal for a regulation

Annex VII – Part 1 – paragraph 1 – point v – point 4

Text proposed by the Commission

Amendment

- 4) *outcrops*;

deleted

Proposal for a regulation
Annex VII – Part 1 – paragraph 1 – point v – point 5

Text proposed by the Commission

Amendment

- 5) *identifiable strata fractures at the mine's territory or linked to its former coal deposit;* **deleted**

Proposal for a regulation
Annex VII – Part 1 – paragraph 1 – point v – point 6

Text proposed by the Commission

Amendment

- 6) other recorded potential point emission sources. 6) other recorded potential point emission sources.

Proposal for a regulation
Annex VII – Part 2 – paragraph 1 – point ii

Text proposed by the Commission

Amendment

- (ii) measurements must be performed using an *apparatus with a sensitivity threshold* of at least *10.000 ppm, at the closest available distance to the measured emission source.* (ii) measurements must be performed using an *equipment resulting in a methane emissions measurement accuracy* of at least *0,5 tonnes per year.*

Proposal for a regulation
Annex VII – Part 2 – paragraph 1 – point iii

Proposal for a regulation

Annex VII – Part 2 – paragraph 1 – point iii

Text proposed by the Commission

Amendment

- (iii) measurements must be accompanied by an information on:
1) date of the measurement
2) atmospheric pressure
3) technical details of the equipment used
- (iii) measurements must be accompanied by an information on:
1) date of the measurement
2) atmospheric pressure
3) technical details of the equipment used

for the measurement

for the measurement

Proposal for a regulation

Annex VII – Part 3 – paragraph 1 – point iii – introductory part

Text proposed by the Commission

Amendment

(iii) methane emissions from all *elements* outlined in *Article 25(3)* including:

(iii) methane emissions from all *point emission sources* outlined in *Part 1* including:

Proposal for a regulation

Annex VII – Part 3 – paragraph 1 – point iii – point 1

Text proposed by the Commission

Amendment

1) type of *element*

1) type of *point emission source*

Proposal for a regulation

Annex VII – Part 3 – paragraph 1 – point iii – point 5

Text proposed by the Commission

Amendment

5) estimates of methane emissions *from the element*

5) estimates of methane emissions *the point emission source*

Proposal for a regulation

Annex VII – Part 4 – paragraph 1 – point i

Text proposed by the Commission

Amendment

(i) list of all *elements covered in Article 25(3)*;

(i) list of all *point emission sources outlined in Part 1*;

Proposal for a regulation

Annex VII – Part 4 – paragraph 1 – point ii

Text proposed by the Commission

Amendment

(ii) technical feasibility of mitigation of methane emissions *from elements outlined*

(ii) technical feasibility of mitigation of methane emissions; *each point emission*

in Article 25(3);

source

Proposal for a regulation

Annex VII – Part 4 – paragraph 1 – point iii

Text proposed by the Commission

Amendment

(iii) timeline of mitigation of methane emissions from *elements* outlined in *Article 25(3)*.

(iii) timeline of mitigation of methane emissions from *each point emission sources* outlined in *Part 1*.

**Compromise amendment 22 - Article 25 monitoring and reporting
EPP, S&D, Renew, Greens/EFA, ECR, The Left**

Compromise amendment replacing Amendment(s): 923 - 951

Proposal for a regulation

Article 25 – paragraph 1

Text proposed by the Commission

Amendment

1. By ... [12 months from the date of entry into force of this Regulation] Member States shall set up and make publicly available an inventory of all *closed coal mines* and abandoned coal mines in their territory or under their jurisdiction, in accordance with the methodology and including at least the elements set out in Part 1 of Annex VII.

1. By ... [12 months from the date of entry into force of this Regulation] Member States shall set up and make publicly available an inventory of all and abandoned *underground* coal mines in their territory or under their jurisdiction, in accordance with the methodology and including at least the elements set out in Part 1 of Annex VII.

Proposal for a regulation

Article 25 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1 a. When identifying closed mines and abandoned coal mines, Member States shall undertake a robust and objective assessment based on the most up to date scientific findings, including data of the International Methane Emissions Observatory (IMEO) when available;

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

Text proposed by the Commission

Amendment

Methane concentration measurements shall be taken in accordance with appropriate scientific standards and at least on an hourly basis from all elements listed in part 1(vi) of Annex VII which were found to emit methane.

deleted

Proposal for a regulation
Article 25 – paragraph 2 – subparagraph 2

Text proposed by the Commission

Amendment

From ... [18 months from the date of entry into force of this Regulation], measurement equipment shall be installed on all elements listed in point (v) of Part 1 of Annex VII for closed coal mines and abandoned coal mines *where operations have ceased since ... [50 years prior to the date of entry into force of this Regulation].*

From ... [18 months from the date of entry into force of this Regulation], measurement equipment shall be installed on all elements listed in point (v) of Part 1 of Annex VII *which were found to emit above 0,5 tonnes of methane per year based on the inventory in paragraph 1* for closed coal mines and abandoned coal mines.

Proposal for a regulation
Article 25 – paragraph 2 – subparagraph 2 a (new)

Text proposed by the Commission

Amendment

The equipment shall perform source level direct measurements or quantifications taken in accordance with appropriate scientific standards and, if possible on an hourly basis, and of sufficient quality to allow for a representative estimation of yearly methane emissions from all elements listed in part 1 (v) of Annex VII which were found to emit methane.

Proposal for a regulation
Article 25 – paragraph 2 – subparagraph 3

Text proposed by the Commission

Amendment

The sensitivity threshold of the measurement equipment used for the measurements referred to in paragraph 2 shall be at least 10,000 parts per million.

deleted

Proposal for a regulation
Article 25 – paragraph 2 – subparagraph 4

Text proposed by the Commission

Amendment

The measurement equipment must operate for more than 90% of the period for which it is used to monitor the emissions, excluding downtime taken for re-calibration.

The measurement equipment must operate for more than 90% of the period for which it is used to monitor the emissions, excluding downtime taken for re-calibration.

Proposal for a regulation
Article 25 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. If the observed annual methane release of an element listed in part 1(v) of Annex VII is below 1 tonne of methane for six consecutive years in the case of flooded mines or twelve consecutive years in the case of dry mines, no further monitoring and reporting shall be taken for that specific element.

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

Text proposed by the Commission

Amendment

Reports containing estimates of yearly source-level methane emissions data shall be submitted to the competent authorities

Reports containing estimates of yearly source-level methane emissions data shall be submitted to the competent authorities

by ... [24 months of the date of entry into force of this Regulation] and by 30 March every year thereafter.

by ... [24 months of the date of entry into force of this Regulation] and by 30 March every year thereafter.

Proposal for a regulation

Article 25 – paragraph 3 – subparagraph 2

Text proposed by the Commission

The reports shall cover the last available calendar year and include the elements set out in Part 3 of Annex VII.

Amendment

The reports shall cover the last available calendar year and include the elements set out in Part 3 of Annex VII.

Proposal for a regulation

Article 25 – paragraph 3 – subparagraph 3

Text proposed by the Commission

Before submission to the competent authorities, the reports set out in this paragraph shall be assessed by a verifier and include a verification statement issued in accordance with Articles 8 and 9.

Amendment

Before submission to the competent authorities, the reports set out in this paragraph shall be assessed by a verifier and include a verification statement issued in accordance with Articles 8 and 9.

Proposal for a regulation

Article 25 – paragraph 4

Text proposed by the Commission

4. Mine operators shall be responsible for the requirements referred to in paragraphs 2 and 3 as regards closed mines. Member States shall be responsible for the requirements referred to in paragraphs 2 and 3 as regards abandoned mines.

Amendment

4. Mine operators, ***asset operators or Member States*** shall be responsible for the requirements referred to in paragraphs 2 and 3 as regards closed mines. Member States shall be responsible for the requirements referred to in paragraphs 2 and 3 as regards abandoned mines.

Compromise amendment 23 - Article 26 mitigation measures EPP, S&D, Renew, Greens/EFA, ECR, The Left

Compromise amendment replacing Amendment(s): 952 - 965

Proposal for a regulation

Article 26 – paragraph 1 – subparagraph 1

Text proposed by the Commission

On the basis of the inventory referred to in Article 25, Member States shall develop and implement a mitigation plan to address methane emissions from abandoned coal mines.

Amendment

On the basis of the inventory referred to in Article 25, Member States shall develop and implement a mitigation plan to address methane emissions from ***closed and abandoned underground*** coal mines.

Proposal for a regulation

Article 26 – paragraph 1 – subparagraph 2

Text proposed by the Commission

The mitigation plan shall be submitted to competent authorities by ... [36 months from the date of entry into force of this Regulation] and include at least the elements set out in Part 4 of Annex VII.

Amendment

The mitigation plan shall be submitted to competent authorities by ... ***18 months]*** from the date of entry into force of this Regulation] and include at least the elements set out in Part 4 of Annex VII. ***The Member States shall implement it by [2 years from the entry into force of this Regulation].***

Proposal for a regulation

Article 26 – paragraph 2

Text proposed by the Commission

2. Venting and flaring from equipment referred to in Article 25(2) shall be prohibited from 1 January 2030, unless utilisation or mitigation is not technically feasible or risks endangering environmental safety ***or safety of operations or*** personnel. In such a situation, as part of the reporting obligations set out in Article 25, mine operators or Member States shall demonstrate the necessity to opt for venting or flaring instead of utilisation or mitigation.

Amendment

2. Venting and flaring from equipment referred to in Article 25(2) shall be prohibited from 1 January 2030, unless utilisation or mitigation is not technically feasible or risks endangering environmental safety, ***or human safety, including that of the personnel, or public health.*** In such a situation, as part of the reporting obligations set out in Article 25, mine operators or Member States shall demonstrate the necessity to opt for venting or flaring instead of utilisation or mitigation.

Proposal for a regulation
Article 26 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. For closed coal mines:

(a) Capturing methane by degassing shall be possible;

(b) The use of safety-relevant degassing devices, e.g. vent hoods (Protegohaube), may continued to be operated;

(c) The use of mine gas as an energy resource shall not be affected by the scope of application of the regulation;

(d) Impoundment of mine water to reduce methane emissions shall be allowed under the Regulation.

Compromise amendment **24 - Article 27 (Importers), Recitals 51, 52, 54, 57, 58, 58a, 59, 61, Annex VIII**
EPP, S&D, Renew, Greens/EFA, ECR, The Left

Compromise amendment replacing Amendment(s): 128 - 138, 140- 147, 292, 966-999, 1136-1148

Proposal for a regulation
Article 27 – title

Text proposed by the Commission

Amendment

Importer requirements

Importer requirements

Proposal for a regulation
Article 27 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Amendment

By ... [9 months from the date of entry into force of the Regulation] and by 31 December every year thereafter, importers shall provide the information set out in Annex VIII to the competent authorities of

By ... [9 months from the date of entry into force of the Regulation] and by 31 December every year thereafter, importers shall provide the information set out in Annex VIII to the competent authorities of

the importing Member State.

the importing Member State.

Proposal for a regulation

Article 27 – paragraph 1 – subparagraph 2

Text proposed by the Commission

The Commission shall ***be empowered to*** adopt delegated ***acts*** in accordance with Article 31 to supplement this Regulation by amending or adding to the information to be provided by importers.

Amendment

The Commission shall adopt ***a*** delegated ***act by 31 December 2025*** in accordance with Article 31 to supplement this Regulation by amending or adding to the information to be provided by importers.

Proposal for a regulation

Article 27 – paragraph 2 – subparagraph 1

Text proposed by the Commission

By ... [12 months from the date of entry into force of the Regulation] and by 30 June every year thereafter, Member States shall submit to the Commission the information provided to them by importers.

Amendment

By ... [12 months from the date of entry into force of the Regulation] and by 30 June every year thereafter, Member States shall submit to the Commission the information provided to them by importers.

Proposal for a regulation

Article 27 – paragraph 2 – subparagraph 2

Text proposed by the Commission

The Commission shall make the information available in accordance with Article 28.

Amendment

The Commission shall make the information available in accordance with Article 28.

Proposal for a regulation

Article 27 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. As of 1 January 2026, Importers of coal, oil and gas, shall demonstrate that exporters of coal, oil and gas into the EU comply with the requirements for the

measurement, monitoring, reporting and verification, leak detection and repair, and venting and flaring established in Chapters 3 and 4 of this Regulation or otherwise meet the requirements for derogations set out in paragraph 2b.

Proposal for a regulation
Article 27 – paragraph 2 b (new)

Text proposed by the Commission

Amendment

2b. *Importers that demonstrate the implementation of measures deemed comparable in effectiveness or provide guarantees of origin from countries deemed to have regulatory equivalence shall be subject to derogation from paragraphs 2a, in accordance with paragraph 2c.*

Proposal for a regulation
Article 27 – paragraph 2 c (new)

Text proposed by the Commission

Amendment

2c. *Where importers claim a derogation provided for in paragraph 2b, they shall notify the Commission and provide all required information. The Commission shall assess the applicability of a derogation taking into account:*

- (a) the effectiveness of the measures or regulatory requirements compared to those applicable within the Union;*
- (b) the accuracy of the data provided by importers; and*
- (c) penalties for non-compliance and effectiveness of enforcement in the relevant jurisdictions where regulatory equivalence is sought.*

Proposal for a regulation
Article 27 – paragraph 2 d (new)

Text proposed by the Commission

Amendment

2d. *The Commission shall adopt a delegated act by 31 December 2025 in accordance with Article 31 to supplement this Regulation with both the modalities and the procedures for importers claiming a derogation under paragraph 2c, and the specific requirements for demonstrating comparable in effectiveness and regulatory equivalence, including establishing the necessary role of IMEO to ensure the quality control, referred to in paragraph 2b.*

Proposal for a regulation
Article 27 – paragraph 2 e (new)

Text proposed by the Commission

Amendment

2e. *Member States shall ensure that importers who are placing on the market coal, oil and gas, comply with this Article within their territory and shall set out progressive penalties for infringements, including the suspension of the authorisation to place oil, gas and coal on the market as referred to in Article 30, taking into account the need for effective deterrence of breaches.*

Proposal for a regulation
Article 27 – paragraph 2 f (new)

Text proposed by the Commission

Amendment

2f. *Where importers fail to provide the information referred to in paragraphs 1, 2a and 2b, but can demonstrate to the competent authorities of the importing Member States that all reasonable*

endeavours have been undertaken to acquire such information, Member States may consider reducing or not imposing penalties on importers as referred to in paragraph 2e.

Proposal for a regulation

Article 27 – paragraph 3 – subparagraph 1 – introductory part

Text proposed by the Commission

By 31 December 2025, or earlier if the Commission considers that sufficient evidence is available, the Commission shall *examine the application of this Article, considering in particular:*

Amendment

By 31 December 2025, or earlier if the Commission considers that sufficient evidence is available, the Commission shall *propose amendments to this Regulation to strengthen the requirements applicable to importers with a view to implement upstream performance methane emission standards on all fossil gas and oil imports equivalent to the methane emissions intensity referred to in Article 13 and a commensurate standard for coal imports.*

Proposal for a regulation

Article 27 – paragraph 3 – subparagraph 1 – point a

Text proposed by the Commission

(a) *reporting of the available methane emissions data collected in the context of the global methane monitoring tool referred to in Article 29;*

Amendment

deleted

Proposal for a regulation

Article 27 – paragraph 3 – subparagraph 1 – point b

Text proposed by the Commission

(b) *methane emission data analysis by the IMEO;*

Amendment

deleted

Proposal for a regulation

Article 27 – paragraph 3 – subparagraph 1 – point c

Text proposed by the Commission

Amendment

(c) *information on monitoring, reporting, verification and mitigation measures of operators located outside of the Union and from whom energy is imported into the Union; and*

deleted

Proposal for a regulation

Article 27 – paragraph 3 – subparagraph 1 – point d

Text proposed by the Commission

Amendment

(d) security of supply and the level playing field implications in case of possible additional obligations, including mandatory measures such as methane emission standards or targets, taking into account the oil, gas and coal sectors separately.

(d) **When preparing amendments to this Regulation as referred to in the first subparagraph, the Commission shall notably assess the implications for the climate, the security of supply of the Union** and the level playing field. implications in case of possible additional obligations, including mandatory measures such as methane emission standards or targets. **The Commission may also take** taking into account the oil, gas and coal sectors separately.

Proposal for a regulation

Article 27 – paragraph 3 – subparagraph 2

Text proposed by the Commission

Amendment

Where appropriate and based on the necessary evidence to secure full compliance with the applicable international obligations of the Union, the Commission shall propose amendments to this **Regulation** to strengthen the requirements applicable to importers **with the view to ensure a comparable level of effectiveness with respect to measurement, reporting and verification and mitigation**

Where appropriate and based on the necessary evidence to secure full compliance with **both** the applicable international obligations of the Union, **including its long-term temperature goal set out in point (a) of Article 2(1) of the Paris Agreement**, the Commission shall propose amendments to this **Article in accordance with Article 33** to strengthen the requirements applicable to importers.

of energy sector methane emissions.

Proposal for a regulation
Annex VIII – paragraph 2 – introductory paragraph

Text proposed by the Commission

Pursuant to Article 27, importers must provide the following information:

Amendment

Pursuant to Article 27, importers must provide ***a report with*** the following information ***for each site from which the import to the EU has taken place, including upstream oil and fossil gas production, fossil gas gathering, processing and transmission, and liquefied natural gas terminals:***

Proposal for a regulation
Annex VIII – paragraph 2 – point i

Text proposed by the Commission

(i) name and address of exporter and, if different from exporter, name and address of producer;

Amendment

(i) name and address of exporter and, if different from exporter, name and address of producer;

Proposal for a regulation
Annex VIII – paragraph 2 – point ii

Text proposed by the Commission

(ii) country and regions corresponding to the Union nomenclature of territorial units for statistics (NUTS) level 1 where the energy was produced ***and*** countries and corresponding to the Union nomenclature of territorial units for statistics (NUTS) level 1 through which the energy was transported until it was placed on the Union market;

Amendment

(ii) country and regions corresponding to the Union nomenclature of territorial units for statistics (NUTS) level 1 where the energy was produced, countries ***and regions*** corresponding to the Union nomenclature of territorial units for statistics (NUTS) level 1 through which the energy was transported until it was placed on the Union market;

Proposal for a regulation
Annex VIII – paragraph 2 – point iii

(iii) as regards oil and fossil gas, **whether** the exporter **is undertaking** measurement and reporting of its methane emissions, either independently or as part of commitments to report national GHG inventories in line with United Nations Framework Convention on Climate Change (UNFCCC) requirements, and whether it is in compliance with UNFCCC reporting requirements or in compliance with Oil and Gas Methane Partnership 2.0 standards. This must be accompanied by a copy of the latest report on methane emissions, including, where available, the information referred to in Article 12(6). The method of quantification (such as UNFCCC tiers or OGMP levels) employed in the reporting must be specified for each type of emissions;

(iii) as regards oil and fossil gas, **information specifying** the exporter's, **or where relevant, the producer's direct measurements of site-level methane emissions, conducted by independent service provider, in the last available calendar year period including data per detailed, individual, emission source type and detailed information on the quantification methodologies employed to measure methane emissions;** measurement and reporting of its methane emissions, either independently or as part of commitments to report national GHG inventories in line with United Nations Framework Convention on Climate Change (UNFCCC) requirements, and whether it is in compliance with UNFCCC reporting requirements or in compliance with Oil and Gas Methane Partnership 2.0 standards. This must be accompanied by a copy of the latest report on methane emissions, including, where available, the information referred to in Article 12(6), **where provided in such report.** The method of quantification (such as UNFCCC tiers or OGMP levels) employed in the reporting be specified for each type of emissions;

Proposal for a regulation
Annex VIII – paragraph 2 – point iv

(iv) as regards oil and gas, **whether** the exporter **applies** regulatory or voluntary measures to control its methane emissions, including measures such as leak detection and repair surveys or measures to control and restrict venting and flaring of methane. This must be accompanied by a description of such measures, including, where available, reports from leak detection and

(iv) as regards oil and gas, **information specifying** the exporter's, **or where relevant, the producer's** regulatory or voluntary measures to control its methane emissions, including measures such as leak detection and repair surveys or measures to control and restrict venting and flaring of methane; **leak detection and repair surveys and programmes conducted within the**

repair surveys and from venting and flaring events with respect to the last available calendar year;

last two calendar years and information on all venting; and flaring events within the last two calendar years. This must be accompanied by a description of such measures, including, where available, reports from leak detection and repair surveys and from venting and flaring events with respect to the last available calendar year;

**Proposal for a regulation
Annex VIII – paragraph 2 – point v**

Text proposed by the Commission

(v) as regards coal, whether the exporter is undertaking measurement and reporting of its methane emissions, either independently or as part of commitments to report national GHG inventories in line with United Nations Framework Convention on Climate Change (UNFCCC) requirements, and whether it is in compliance with UNFCCC reporting requirements or in compliance with an international or European standard for monitoring, reporting and verification of methane emissions. This must be accompanied by a copy of the latest report on methane emissions, including, where available the information referred to in Article 20(6). The method of quantification (such as UNFCCC tiers or OGMP levels) employed in the reporting must be specified for each type of emissions;;

Amendment

(v) as regards coal, ***information specifying the exporter's source-level methane emissions data measured for ventilation air methane emissions, calculated and quantified in accordance with the methodology described in part 1 of Annex V;*** measurement and reporting of its methane emissions, either independently or as part of commitments to report national GHG inventories in line with United Nations Framework Convention on Climate Change (UNFCCC) requirements, and whether it is in compliance with UNFCCC reporting requirements or in compliance with an international or European standard for monitoring, reporting and verification of methane emissions. This must be accompanied by a copy of the latest report on methane emissions, including, where available the information referred to in Article 20(6). The method of quantification (such as UNFCCC tiers or OGMP levels) employed in the reporting must be specified for each type of emissions;

**Proposal for a regulation
Annex VIII – paragraph 2 – point vi**

Text proposed by the Commission

Amendment

(vi) as regards coal, **whether** the exporter **applies** regulatory or voluntary measures to control its methane emissions, including measures to control and restrict venting and flaring of methane. This must be accompanied by a description of such measures, including, where available, reports from venting and flaring events with respect to the last available calendar year;

(vi) as regards coal, **information specifying** the exporter's regulatory or voluntary measures to control its methane emissions, including measures to control and restrict venting and flaring of methane; **volumes of vented and flared methane calculated in each production site during the last 2 calendar years; and venting and flaring mitigation plans in force in the production site.** This must be accompanied by a description of such measures, including, where available, reports from venting and flaring events with respect to the last available calendar year;

Proposal for a regulation
Annex VIII – paragraph 2 – point vii a (new)

Text proposed by the Commission

Amendment

(vii a) a reference to its own methane reduction action plan according to Article 15 of [corporate sustainability due diligence]

Proposal for a regulation
Recital 51

Text proposed by the Commission

Amendment

(51) The Union is dependent on imports for 70% of its hard coal consumption, 97% of its oil consumption, and 90% of its fossil gas consumption. **There is no precise knowledge on the magnitude, origin or nature** of methane emissions **linked to fossil energy consumed in the Union but occurring in third countries.**

(51) The Union is dependent on imports for 70% of its hard coal consumption, 97% of its oil consumption, and 90% of its fossil gas consumption. **The IEA estimates that in 2020, methane emissions associated with imported oil and gas to the EU represented around 9,000 kilotonnes of methane^{1a}. This compares to 1,033 kilotonnes of methane emissions from oil and gas estimated to have occurred in 2019 in the EU^{1b}. While the share of total global man-made methane emissions emitted in Europe is estimated to be around 6%^{1c}, the consumption of, and import dependency on, fossil fuels**

produced outside the EU hence adds significant levels of methane emissions that are incurred because of consumption within the EU.

*^{1a} in Commission Impact Assessment Report Accompanying the Proposal for a Regulation of the European Parliament and of the Council on Methane Emissions Reduction in the Energy Sector:
<https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=SWD:2021:0459:FIN:EN:PDF>*

*^{1b} in Commission Impact Assessment Report Accompanying the Proposal for a Regulation of the European Parliament and of the Council on Methane Emissions Reduction in the Energy Sector:
<https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=SWD:2021:0459:FIN:EN:PDF>*

*^{1c} in Commission Impact Assessment Report Accompanying the Proposal for a Regulation of the European Parliament and of the Council on Methane Emissions Reduction in the Energy Sector:
<https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=SWD:2021:0459:FIN:EN:PDF>*

Proposal for a regulation

Recital 52

Text proposed by the Commission

(52) Global warming effects caused by methane emissions are cross-border. Although some fossil energy producing countries are beginning to act domestically to reduce methane emissions from their energy sectors, many exporters are not subject to any regulations in their respective domestic markets. Such operators need clear incentives to act on

Amendment

(52) Global warming effects caused by methane emissions are cross-border. Although some fossil energy producing countries are beginning to act domestically to reduce methane emissions from their energy sectors, many exporters are not subject to any regulations in their respective domestic markets. Such operators need clear incentives to act on

their methane emission, ***hence transparent information on methane emissions should be made available to the markets.***

their methane emission, hence ***the need for the Regulation to cover the whole supply chain.***

Proposal for a regulation

Recital 54

Text proposed by the Commission

(54) As announced in the Communication on the EU Methane Strategy³⁴, the Union is committed to working in cooperation with its energy partners and other key fossil energy importing countries to tackle methane emissions globally. Energy diplomacy on methane emissions has already yielded important outcomes. In September 2021, the Union and the United States announced the Global Methane Pledge, which represents a political commitment to reduce global methane emissions by 30% by 2030 (from 2020 levels), launched at the UN Climate Change Conference (COP 26) in November 2021 in Glasgow. Over one hundred countries have committed their support, representing nearly half of global anthropogenic methane emissions. The Global Methane Pledge includes a commitment to move towards using best available inventory methodologies to quantify methane emissions, ***with a particular focus on high emission sources.***

³⁴ COM(2020) 663 final

Amendment

(54) As announced in the Communication on the EU Methane Strategy³⁴, the Union is committed to working in cooperation with its energy partners and other key fossil energy importing countries to tackle methane emissions globally. Energy diplomacy on methane emissions has already yielded important outcomes. In September 2021, the Union and the United States announced the Global Methane Pledge, which represents a political commitment to ***take voluntary action to contribute to a collective effort to*** reduce global methane emissions by 30% by 2030 (from 2020 levels), launched at the UN Climate Change Conference (COP 26) in November 2021 in Glasgow. Over one hundred countries have committed their support, representing nearly half of global anthropogenic methane emissions. The Global Methane Pledge includes a commitment to move towards using best available inventory methodologies to quantify methane emissions.

³⁴ COM(2020) 663 final

Proposal for a regulation

Recital 57

Text proposed by the Commission

(57) In parallel to continuing its

Amendment

(57) In parallel to continuing

successful diplomatic work to achieve *such* global commitments, the Union *is* further *encouraging* significant methane emissions abatement globally, and in particular in the countries supplying fossil energy to the Union.

its diplomatic work to achieve global commitments *for significant methane reductions*, the Union *should* further *advance all efforts related to* significant methane emissions abatement globally, and in particular in the countries supplying fossil energy to the Union, *by regulating imports*.

Proposal for a regulation Recital 58

Text proposed by the Commission

(58) Therefore, importers of fossil energy to the Union should be *required to provide Member States with information on measures related to measurement, reporting and mitigation of methane emissions undertaken by exporters, in particular the application of regulatory or voluntary measures to control their methane emissions, including measures such as* leak detection and repair *surveys or measures to control and restrict venting and flaring of methane. The levels of measurement and reporting set out in the information requirements applied to importers correspond to the ones to be required from Union operators in this Regulation, as outlined in Recitals 24 to 26 and 46. The information on measures to control methane emissions is not more burdensome than that required from Union operators.*

Amendment

(58) Therefore, importers of fossil energy to the Union should be *submitted to the similar rules as producers within the EU on monitoring, reporting and verification, leak detection and repair and limits to* venting and flaring.

Proposal for a regulation Recital 58 a (new)

Text proposed by the Commission

Amendment

(58 a) Importers that demonstrate the implementation of measures throughout the supply chain deemed comparable in effectiveness to the requirements set out in this Regulation, or that provide

guarantees of origin and transport in countries deemed to have regulatory equivalence, should be eligible for derogation, as assessed and granted by the Commission with a view to ensuring trade law compatibility of such derogation.

Proposal for a regulation

Recital 59

Text proposed by the Commission

(59) Member States should communicate that information to the Commission. On the basis of that information, the Union should set up and manage a transparency database for fossil energy imports into the Union, detailing whether the exporting companies have signed up to the OGMP for oil and gas companies and to the extent that it is set up, an equivalent, internationally or Union recognised standard for coal companies. Such information should demonstrate the degree of commitment of companies in exporting countries to measure, report and have verified their methane emissions according to tier 3 methods of UNFCCC reporting. Such a transparency database would serve as a source of information for the purchasing decisions of importers of fossil energy to the Union as well as for other stakeholders and the public. The transparency database should also reflect the *efforts* undertaken by companies in the Union and companies exporting fossil energy to the Union to measure and report as well as reduce their methane emissions. It should also include information on the measurement, reporting and mitigation regulatory actions by countries where fossil energy is produced.

Amendment

(59) Member States should communicate that information to the Commission. On the basis of that information, the Union should set up and manage a transparency database for fossil energy imports into the Union, detailing whether the exporting companies have signed up to the OGMP for oil and gas companies and to the extent that it is set up, an equivalent, internationally or Union recognised standard for coal companies. Such information should demonstrate the degree of commitment of companies in exporting countries to measure, report and have verified their methane emissions according to tier 3 methods of UNFCCC reporting. Such a transparency database would serve as a source of information for the purchasing decisions of importers of fossil energy to the Union as well as for other stakeholders and the public. The transparency database should also reflect the *measures* undertaken by companies in the Union and companies exporting fossil energy to the Union to measure and report as well as reduce their methane emissions. It should also include information on the measurement, reporting and mitigation regulatory actions by countries where fossil energy is produced.

Proposal for a regulation

Recital 61

(61) In combination, the measures referred to in Recitals 58 to 60 should enhance transparency for buyers, **enabling them to make informed sourcing decisions and improve the possibility of wider uptake of methane mitigation solutions across the globe**. In addition, they should further incentivise international companies to sign up to international methane measurement and reporting standards such as OGMP or to adopt effective measurement, reporting and mitigation measures. **These measures are designed as the basis for a stepwise approach to increase the level of stringency of the measures applicable to imports**. The Commission should **thus** be empowered to amend or add to the reporting requirements of importers. Furthermore, the Commission should evaluate the implementation of those measures and, if it deems appropriate, submit proposals for review to impose more stringent measures on importers **and to ensure a comparable level of effectiveness of measures applicable in third countries to monitor, report, verify and mitigate methane emissions**. The evaluation should take into account the work undertaken by the IMEO, including the Methane Supply Index, the transparency database and the global methane emitter monitoring tool. Should the Commission find it appropriate to increase the level of stringency of the measures applicable to imports, it is of particular importance that the Commission carries out appropriate consultations during its preparatory work including consulting relevant third countries.

(61) In combination, the measures referred to in Recitals 58 to 60 should enhance transparency for buyers, **and facilitate the examination of full compliance with EU regulation for imports**. In addition, they should further incentivise international companies to sign up to international methane measurement and reporting standards such as OGMP or to adopt effective measurement, reporting and mitigation measures. The Commission should be empowered to amend or add to the reporting requirements of importers. Furthermore, the Commission should evaluate the implementation of those measures and, if it deems appropriate, submit proposals for review to impose more stringent measures on importers. The evaluation should take into account the work undertaken by the IMEO, including the Methane Supply Index, the transparency database and the global methane emitter monitoring tool. Should the Commission find it appropriate to increase the level of stringency of the measures applicable to imports, it is of particular importance that the Commission carries out appropriate consultations during its preparatory work including consulting relevant third countries.

Compromise amendment **25 - Article 28 (Methane transparency database), Article 29 (Methane emitters global monitoring tool)**
EPP, S&D, Renew, Greens/EFA, ECR, The Left

Compromise amendment replacing Amendment(s): 1000-1007, 1008-1011

Proposal for a regulation
Article 28 – paragraph 1

Text proposed by the Commission

1. By ... [18 months after the date of entry into force of the Regulation] the Commission shall establish and maintain a methane transparency database containing the information submitted to it pursuant to Article 27 and Articles 12(11), 16(3), 18(4), 20(7), 23(2) and 25(5).

Amendment

1. By ... [18 months after the date of entry into force of the Regulation] the Commission shall establish and maintain a methane transparency database, ***organised by countries, companies, and quantities of gas, coal and oil imported***, containing the information submitted to it pursuant to Article 27 and Articles 12(11), 16(3), 18(4), 20(7), 23(2) and 25(5).

Proposal for a regulation
Article 28 – paragraph 2 – introductory part

Text proposed by the Commission

2. In addition to the information referred to in paragraph 1, the database shall include the following information:

Amendment

2. In addition to the information referred to in paragraph 1, the database shall include the following information:

Proposal for a regulation
Article 28 – paragraph 2 – point a

Text proposed by the Commission

(a) a list of countries where fossil energy is produced and exported to the Union;

Amendment

(a) a list of countries where fossil energy is produced and exported to the Union;

Proposal for a regulation
Article 28 – paragraph 2 – point b – introductory part

Text proposed by the Commission

- (b) for each country referred in point
(a) information about the following points:

Amendment

- (b) for each country referred in point
(a) information about the following points:

Proposal for a regulation

Article 28 – paragraph 2 – point b – point i

Text proposed by the Commission

- (i) whether it has mandatory regulatory measures in place on energy sector methane emissions, covering the elements set out in this Regulation regarding measurement, reporting and verification and mitigation of energy sector methane emissions;

Amendment

- (i) whether it has mandatory regulatory measures in place on energy sector methane emissions, covering the elements set out in this Regulation regarding measurement, reporting and verification and mitigation of energy sector methane emissions **and whether those measures are sufficient**;

Proposal for a regulation

Article 28 – paragraph 2 – point b – point ii

Text proposed by the Commission

- (ii) whether it has signed the Paris Agreement on climate change;

Amendment

- (ii) whether it has signed the Paris Agreement on climate change;

Proposal for a regulation

Article 28 – paragraph 2 – point b – point ii a (new)

Text proposed by the Commission

Amendment

- (ii a) whether it has signed the Global Methane Pledge;**

Proposal for a regulation

Article 28 – paragraph 2 – point b – point iii

Text proposed by the Commission

Amendment

- (iii) whether it is delivering national

- (iii) whether it is delivering national

inventories in accordance with the requirements of the United Nations Framework Convention on Climate Change, where applicable;

inventories in accordance with the requirements of the United Nations Framework Convention on Climate Change, where applicable;

Proposal for a regulation

Article 28 – paragraph 2 – point b – point iv

Text proposed by the Commission

(iv) whether the national inventories submitted pursuant to the United Nations Framework Convention on Climate Change include tier 3 reporting of energy methane emissions, where applicable;

Amendment

(iv) whether the national inventories submitted pursuant to the United Nations Framework Convention on Climate Change include tier 3 reporting of energy methane emissions, where applicable;

Proposal for a regulation

Article 28 – paragraph 2 – point b – point v

Text proposed by the Commission

(v) the amount of energy sector methane emissions according to the national inventories submitted pursuant to the United Nations Framework Convention on Climate Change, where applicable, and whether the data was subject to independent verification.

Amendment

(v) the amount of energy sector methane emissions according to the national inventories submitted pursuant to the United Nations Framework Convention on Climate Change, where applicable, and whether the data was subject to independent verification.

Proposal for a regulation

Article 28 – paragraph 2 – point b – point vi

Text proposed by the Commission

(vi) the list of companies exporting fossil energy into the Union

Amendment

(vi) the list of companies exporting fossil energy into the Union

Proposal for a regulation

Article 28 – paragraph 2 – point b – point vii

Text proposed by the Commission

(vii) a list of importers of fossil energy into the Union

Amendment

(vii) a list of importers of fossil energy into the Union

Proposal for a regulation
Article 28 – paragraph 3

Text proposed by the Commission

3. The transparency database shall be available to the public online, free of charge and at least in English.

Amendment

3. The transparency database shall be available to the public online, free of charge and at least in English.

Proposal for a regulation
Article 28 – paragraph 4

Text proposed by the Commission

4. This Article shall apply without prejudice to the provisions of Directive (EU) 2016/943.

Amendment

4. This Article shall apply without prejudice to the provisions of Directive (EU) 2016/943.

Proposal for a regulation
Article 29 – paragraph 1 – subparagraph 1

Text proposed by the Commission

By ... [two years after the date of entry into force of the Regulation], the Commission shall establish a global methane monitoring tool based on satellite data and input from several certified data providers and services, including the Copernicus component of the EU Space Programme.

Amendment

By ... [two years after the date of entry into force of the Regulation], the Commission shall establish a global methane monitoring tool based on satellite data and input from several certified data providers and services, including the Copernicus component of the EU Space Programme.

Proposal for a regulation
Article 29 – paragraph 2

Text proposed by the Commission

Amendment

2. The tool shall inform the Commission's bilateral dialogues with respect to methane emissions policies and measures. Where the tool identifies a new major emission source, the Commission shall alert the relevant country with a view to promoting awareness and remedial actions.

2. The tool shall inform the Commission's bilateral dialogues with respect to methane emissions policies and measures. Where the tool identifies a new major emission source, the Commission shall alert the relevant country with a view to promoting awareness and, ***if needed, shall offer technical support to ensure fast remedial actions.***

**Proposal for a regulation
Article 29 – paragraph 3**

Text proposed by the Commission

Amendment

3. This Article shall be subject to the provisions of Directive (EU) 2016/943.

3. This Article shall be subject to the provisions of Directive (EU) 2016/943.

**Compromise amendment 26 - Article 30 Penalties
EPP, S&D, Renew, Greens/EFA, ECR, The Left**

Compromise amendment replacing Amendment(s): 139, 1012-1042

**Proposal for a regulation
Article 30 – paragraph 1**

Text proposed by the Commission

Amendment

1. Member States shall lay down the rules on penalties applicable to infringements of the provisions of this Regulation and shall take all measures necessary to ensure that they are implemented.

1. Member States shall lay down the rules on penalties applicable to infringements of the provisions of this Regulation and shall take all measures necessary to ensure that they are implemented, ***including the polluter pays principle.***

**Proposal for a regulation
Article 30 – paragraph 2 – subparagraph 1 – introductory part**

Text proposed by the Commission

The penalties provided for must be effective, proportionate and dissuasive and *may* include:

Amendment

The penalties provided for must be effective, proportionate and dissuasive and *shall* include:

Proposal for a regulation

Article 30 – paragraph 2 – subparagraph 1 – point a

Text proposed by the Commission

(a) fines proportionate to the environmental damage, calculating the level of such fines in such way as to make sure that they effectively deprive those responsible of the economic benefits derived from their infringements and gradually increasing the level of such fines for repeated serious infringements;

Amendment

(a) fines proportionate to the environmental damage, *impact on safety and health*, calculating the level of such fines in such way as to make sure that they effectively deprive those responsible of the economic benefits derived from their infringements and gradually increasing the level of such fines for repeated serious *or multiple* infringements;

Proposal for a regulation

Article 30 – paragraph 2 – subparagraph 1 – point b

Text proposed by the Commission

(b) periodic penalty payments to compel operators to put an end to an infringement, comply with a decision ordering remedial actions or corrective measures, supply information or submit to an inspection, as applicable.

Amendment

(b) periodic penalty payments to compel operators to put an end to an infringement, comply with a decision ordering remedial actions or corrective measures, supply information or submit to an inspection, as applicable.

Proposal for a regulation

Article 30 – paragraph 2 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

In addition to the penalties laid down in points (a) and (b) of this paragraph, Member States shall consider suspension

of the authorisation to place oil, gas or coal to the market in case of serious or repeated breaches of this Regulation taking into consideration the security of energy supply.

Proposal for a regulation
Article 30 – paragraph 2 – subparagraph 2

Text proposed by the Commission

Member States shall notify the rules on penalties to the Commission by [3 months from the date of entry into force of the Regulation]. In addition, Member States shall notify any subsequent amendment affecting such rules to the Commission without delay.

Amendment

Member States shall notify the rules on penalties to the Commission by [3 months from the date of entry into force of the Regulation]. In addition, Member States shall notify any subsequent amendment affecting such rules to the Commission without delay.

Proposal for a regulation
Article 30 – paragraph 3 – introductory part

Text proposed by the Commission

3. At least the following infringements shall be subject to penalties:

Amendment

3. At least the following infringements shall be subject to penalties:

Proposal for a regulation
Article 30 – paragraph 3 – point a

Text proposed by the Commission

(a) failure of operators or mine operators to provide the competent authorities or the verifiers with the assistance necessary to enable or facilitate the performance of their tasks in accordance with this Regulation;

Amendment

(a) failure of operators or mine operators to provide the competent authorities or the verifiers with the assistance necessary to enable or facilitate the performance of their tasks in accordance with this Regulation;

Proposal for a regulation
Article 30 – paragraph 3 – point b

Text proposed by the Commission

(b) failure of operators or mine operators to carry out the actions set out in the inspections report referred to in Article 6;

Amendment

(b) failure of operators or mine operators to carry out the actions set out in the inspections report referred to in Article 6;

Proposal for a regulation

Article 30 – paragraph 3 – point b a (new)

Text proposed by the Commission

(c) failure of operators of mine operators to submit the methane emissions reports as required by this Regulation, including the verification statement issued by independent verifiers in accordance with Articles 8 and 9;

Amendment

(b a) the operator or undertaking has not submitted a methane emissions report in accordance with Article 12;

Proposal for a regulation

Article 30 – paragraph 3 – point c

Text proposed by the Commission

(d) failure of operators to carry out a leak detection and repair survey in accordance with Article 14;

Amendment

(c) failure of operators of mine operators to submit the methane emissions reports as required by this Regulation, including the verification statement issued by independent verifiers in accordance with Articles 8 and 9;

Proposal for a regulation

Article 30 – paragraph 3 – point d

Text proposed by the Commission

EN

Text proposed by the Commission

(e) failure of operators to repair or replace components, to continuous survey components and to record leaks in accordance with Article 14;

Amendment

(e) failure of operators to repair or replace components, to continuous survey components and to record leaks in accordance with Article 14;

Proposal for a regulation
Article 30 – paragraph 3 – point f

Text proposed by the Commission

(f) failure of operators to submit a report in accordance with Article 14;

Amendment

(f) failure of operators to submit a report in accordance with Article 14;

Proposal for a regulation
Article 30 – paragraph 3 – point g

Text proposed by the Commission

(g) venting or flaring by operators or mine operators beyond the situations provided for in Articles 15, 22 and 26, as applicable;

Amendment

(g) venting or flaring by operators or mine operators beyond the situations provided for in Articles 15, 22 and 26, as applicable;

Proposal for a regulation
Article 30 – paragraph 3 – point h

Text proposed by the Commission

(h) routine flaring by operators;

Amendment

(h) routine flaring by operators;

Proposal for a regulation
Article 30 – paragraph 3 – point i

Text proposed by the Commission

(i) failure of operators or mine operators to demonstrate the necessity to opt for venting instead of flaring and to demonstrate the necessity to opt for flaring

Amendment

(i) failure of operators or mine operators to demonstrate the necessity to opt for venting instead of flaring and to demonstrate the necessity to opt for flaring

instead of either re-injection, utilisation on-site or dispatch of the methane to a market, in the case of operators, or utilisation or mitigation, in the case of mine operators, in accordance with Articles 15, 22 and 26;

instead of either re-injection, utilisation on-site or dispatch of the methane to a market, in the case of operators, or utilisation or mitigation, in the case of mine operators, in accordance with Articles 15, 22 and 26;

Proposal for a regulation
Article 30 – paragraph 3 – point j

Text proposed by the Commission

(j) failure of operators or mine operators to notify or report on venting and flaring events in accordance with Articles 16, 23 and 26, as applicable;

Amendment

(j) failure of operators or mine operators to notify or report on venting and flaring events in accordance with Articles 16, 23 and 26, as applicable;

Proposal for a regulation
Article 30 – paragraph 3 – point k

Text proposed by the Commission

(k) use of flare stacks or combustion devices in breach of the requirements laid down in Article 17;

Amendment

(k) use of flare stacks or combustion devices in breach of the requirements laid down in Article 17;

Proposal for a regulation
Article 30 – paragraph 3 – point l

Text proposed by the Commission

(l) failure of importers to provide the information required in accordance with Article 27 and Annex VIII.

Amendment

(l) failure of importers to provide the information required in accordance with Article 27 and Annex VIII.

Proposal for a regulation
Article 30 – paragraph 3 – point l a (new)

Text proposed by the Commission

Amendment

(l a) failure of importers, insofar as they are required pursuant to Article 27, to demonstrate that exporters of coal, oil

and gas have complied with the requirements on monitoring, reporting and verification, on leak detection and repair, and on routine venting and flaring, in accordance with Article 27.

Proposal for a regulation
Article 30 – paragraph 3 – point 1 b (new)

Text proposed by the Commission

Amendment

(1 b) failure of importers, insofar as they are required pursuant to Article 27, to provide the information required in accordance with an independent assessment of compliance conducted by a verification body.

Proposal for a regulation
Article 30 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. Where the conditions set out in Article 15(5d) are fulfilled, Member States shall consider reducing or not imposing penalties on operators for the implementation period deemed necessary by the competent authorities.

Proposal for a regulation
Article 30 – paragraph 3 b (new)

Text proposed by the Commission

Amendment

3 b. Subparagraphs (l), (la), (lb) of paragraph 3 shall not apply to importers where importers fail to provide the information set out in Annex VIII, and can demonstrate to the competent authorities of the importing Member States that all reasonable endeavours

have been undertaken to acquire such information.

Proposal for a regulation
Article 30 – paragraph 4 – introductory part

Text proposed by the Commission

4. Member States shall take into account at least the following indicative criteria for the imposition of penalties, as appropriate:

Amendment

4. Member States shall take into account at least the following indicative criteria for the imposition of penalties, as appropriate:

Proposal for a regulation
Article 30 – paragraph 4 – point a

Text proposed by the Commission

(a) the duration or temporal effects, the nature and the gravity of the infringement;

Amendment

(a) the duration or temporal effects, the nature and the gravity of the infringement;

Proposal for a regulation
Article 30 – paragraph 4 – point b

Text proposed by the Commission

(b) any action taken by the undertaking, operator or mine operator to timely mitigate or remedy the damage;

Amendment

(b) any action taken by the undertaking, operator or mine operator to timely mitigate or remedy the damage;

Proposal for a regulation
Article 30 – paragraph 4 – point c

Text proposed by the Commission

(c) the intentional or negligent character of the infringement;

Amendment

(c) the intentional or negligent character of the infringement;

Proposal for a regulation
Article 30 – paragraph 4 – point d

Text proposed by the Commission

(d) any previous infringements by the undertaking, operator or mine operator;

Amendment

(d) any previous infringements by the undertaking, operator or mine operator;

Proposal for a regulation

Article 30 – paragraph 4 – point e

Text proposed by the Commission

(e) the financial benefits gained or losses avoided directly or indirectly by the undertaking, operator or mine operator due to the infringement, if the relevant data are available;

Amendment

(e) the financial benefits gained or losses avoided directly or indirectly by the undertaking, operator or mine operator due to the infringement, if the relevant data are available;

Proposal for a regulation

Article 30 – paragraph 4 – point f

Text proposed by the Commission

(f) the size of the undertaking, operator or mine operator;

Amendment

(f) the size of the undertaking, operator or mine operator;

Proposal for a regulation

Article 30 – paragraph 4 – point g

Text proposed by the Commission

(g) the degree of cooperation with the authority;

Amendment

(g) the degree of cooperation with the authority;

Proposal for a regulation

Article 30 – paragraph 4 – point h

Text proposed by the Commission

(h) the manner in which the infringement became known to the authority, in particular whether, and if so to what extent, the operator timely notified

Amendment

(h) the manner in which the infringement became known to the authority, in particular whether, and if so to what extent, the operator timely notified

the infringement;

the infringement;

Proposal for a regulation

Article 30 – paragraph 4 – point i

Text proposed by the Commission

(i) any other aggravating or mitigating factor applicable to the circumstances of the case.

Amendment

(i) any other aggravating or mitigating factor applicable to the circumstances of the case.

Proposal for a regulation

Article 30 – paragraph 5

Text proposed by the Commission

5. Member States shall publish annually information on the type and the size of the penalties imposed under this Regulation, the infringements and the operators upon which penalties have been imposed.

Amendment

5. Member States shall publish annually information on the type and the size of the penalties imposed under this Regulation ***and in line with the penalties as set out in the [amended Protection of the environment through criminal law]***, the infringements and the operators upon which penalties have been imposed.

**Compromise amendment 27 - Articles 31, 32, 33, 34
EPP, S&D, Renew, Greens/EFA, ECR, The Left**

Compromise amendment replacing Amendment(s): 776-780, 1043-1048, 1049-1050, 1051-1056

Proposal for a regulation

Article 31 – paragraph 1

Text proposed by the Commission

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

Amendment

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

Proposal for a regulation

Article 31 – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Articles 8(5), 22(3) and 27(1) shall be conferred on the Commission for ***an indeterminate*** period of ***time from ...*** [date of entry into force of the Regulation].

Amendment

2. The power to adopt delegated acts referred to in Articles 8(5), ***[list to be completed when all articles will be cleared]*** shall be conferred on the Commission for ***a*** period of ***five years from the*** date of entry into force of the Regulation.

Proposal for a regulation
Article 31 – paragraph 3

Text proposed by the Commission

3. The delegation of power referred to in Articles 8(5), 22(3) and 27(1) 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 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

3. The delegation of power referred to in Articles 8(5), 22(3) and 27(1) 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 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.

Proposal for a regulation
Article 31 – paragraph 4

Text proposed by the Commission

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016.

Amendment

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016.

Proposal for a regulation
Article 31 – paragraph 5

Text proposed by the Commission

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

Amendment

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

Proposal for a regulation
Article 31 – paragraph 6

Text proposed by the Commission

6. A delegated act adopted pursuant to Articles 8(5), **22(3) and 27(1)** shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Amendment

6. A delegated act adopted pursuant to Articles 8(5), [**list to be completed when text stabilised**] shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Proposal for a regulation
Article 32 – paragraph 1

Text proposed by the Commission

1. The Commission shall be assisted by the Energy Union Committee established by Article 44 of Regulation (EU) 2018/1999.

Amendment

1. The Commission shall be assisted by **the Climate Change Committee and** the Energy Union Committee established by Article 44 of Regulation (EU) 2018/1999.

Proposal for a regulation
Article 32 – paragraph 2

Text proposed by the Commission

2. Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.

Amendment

2. Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.

Proposal for a regulation
Article 33 – paragraph 1

Text proposed by the Commission

1. Every *five* years the Commission shall *submit a* report *on the evaluation of this Regulation* to the European Parliament and to the Council *and shall, if appropriate, submit* legislative proposals *to amend this Regulation*. The reports shall be made public.

Amendment

1. ***By 1 January 2027 and every four years thereafter,*** the Commission shall report to the European Parliament and to the Council ***on the evaluation of this Regulation. The Commission reports may be accompanied by*** legislative proposals ***where appropriate.*** The reports shall be made public.

Proposal for a regulation
Article 33 – paragraph 2

Text proposed by the Commission

2. For the purpose of this Article, the Commission may request information from Member States and competent authorities and shall take into account notably the information provided by Member States in their integrated National Energy and Climate Plans, updates thereof and in their National Energy and Climate progress reports pursuant to Regulation (EU) 2018/1999.

Amendment

2. For the purpose of this Article, the Commission may request information from Member States and competent authorities and shall take into account notably the information provided by Member States in their integrated National Energy and Climate Plans, updates thereof and in their National Energy and Climate progress reports pursuant to Regulation (EU) 2018/1999.

Proposal for a regulation
Article 34 – paragraph 1
Regulation (EU) 2019/942
Article 15

Text proposed by the Commission

“5. Every three years ACER shall establish and make publicly available a set of indicators and corresponding reference values for the comparison of unit investment costs linked to measurement, reporting and abatement of methane emissions for comparable projects. It shall issue recommendations on indicators and reference values for unit investment costs for complying with the obligations under [this Regulation] pursuant to Article 3 of [this Regulation]”.

Amendment

“5. Every three years ACER shall establish and make publicly available a set of indicators and corresponding reference values for the comparison of unit investment costs linked to measurement, **monitoring**, reporting, **verification** and abatement, **including venting and flaring** of methane emissions for comparable projects. It shall issue recommendations on indicators and reference values for unit investment costs for complying with the obligations under [this Regulation] pursuant to Article 3 of [this Regulation]”.