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From:	General Secretariat of the Council
To:	Delegations
Subject:	AOB for the meeting of the Transport, Telecommunications and Energy Council on 16 June 2025 Challenges in the implementation of Regulation (EU) 2024/1787 on the reduction of methane emissions in the energy sector – Recommendations for inclusion in the simplification agenda - Information from Bulgaria, Czech Republic, Greece, Hungary, Romania, Slovakia, Slovenia

Challenges in the implementation of Regulation (EU) 2024/1787 on the reduction of methane emissions in the energy sector – Recommendations for inclusion in the simplification agenda

Information from Bulgaria, Czech Republic, Greece, Hungary, Romania, Slovakia, Slovenia

Context and rationale

Regulation (EU) 2024/1787 on methane emissions reduction in the energy sector is the cornerstone of the Union's climate ambition and contributes to global commitments under the Global Methane Pledge. However, the practical application of several provisions has revealed implementation obstacles that risk undermining both regulatory effectiveness and compliance feasibility. In the current energy and security context, it is essential that legal obligations remain proportionate, technically achievable, and aligned with wider policy objectives such as security of supply and operational safety.

The Omnibus simplification package offers an appropriate and timely opportunity to introduce targeted adjustments to the Regulation prior to its full rollout. This way we can preserve environmental integrity and enhance its operability, while ensuring legislative predictability and investor certainty

In this context, and in the spirit of increasing European economic competitiveness, it is crucial to maintain a level playing field between Union-based producers and importers of fossil fuels. Flexibilities should create appropriate market conditions that encourage investments in European internal energy production, as this will in turn result in an overall competitive advantage for the EU on the global markets, while maintaining environmental integrity. Ensuring regulatory symmetry across the value chain is essential to preserve market robustness, integrate indigenous production, and further safeguard Union's security of supply.

Furthermore, it is essential that simplifications and clarifications are introduced early in the implementation process, rather than at a later stage, to avoid a fragmented application of the Regulation across the Union. A delayed or uneven adjustment risks creating a regulatory mismatch between Member States, leading to divergent levels of compliance, uneven investment burdens, and the unintended emergence of "front-runners" and "laggards." Early and coordinated simplification measures will help ensure consistent implementation, legal certainty, and a harmonized pathway toward methane emissions reduction.

Finally, the proposed simplifications are also envisaged to prevent unintended environmental trade-offs, particularly the generation of additional CO_2 emissions linked to the execution of certain methane mitigation measures. For instance, the use of heavy equipment, offshore interventions, or high-energy operations for minor leak repairs may result in a net increase in greenhouse gas emissions. A holistic and balanced approach is needed — one that ensures environmental protection prevails in the most effective and efficient manner, maximizing climate benefit across all emission sources. Avoiding disproportionate or counterproductive measures is essential to safeguarding the Regulation's overall objective.

The following themes outline key areas where simplification or clarification is warranted.

1. Onshore and offshore implementation challenges

The Regulation imposes uniform obligations across diverse operational environments, which creates difficulties in high-risk or technically complex settings. Offshore installations and onshore sites nearing the end of their operational life face significant barriers in complying with the mandatory timelines and technical upgrades required under Articles 14–17.

The mandatory modernization of flaring and venting infrastructure within 18 months (Article 17(2)) presents particular difficulties in aging production sites, where permitting procedures are lengthy and technical upgrades could inadvertently increase emissions or safety risks. In some cases, retrofitting infrastructure may not be economically or environmentally justified, or may even lead to safety hazards (such as the automation of outside battery limit gas transmission flares). An approach that recognizes the necessity of controlled venting in specific, risk-based scenarios is essential for maintaining alignment between climate policy and industrial safety standards. Either the appropriate exemptions for venting and flaring should be included in the regulation, or national regulatory competence should be established to decide on exemptions.

LDAR (Leak Detection and Repair) obligations for offshore operations introduce additional complexity. The inclusion of subsea components in the LDAR scope (Article 14(2)) creates disproportionate costs and technical feasibility concerns, as leak detection and repair undersea is logistically burdensome and may involve carbon-intensive interventions with marginal mitigation benefit. Recent experience has demonstrated that the investigation of subsea components may be complicated in some regions by the ongoing military activities.

A more integrated approach to implementation is needed to avoid redundancies, inefficiencies, and unintended consequences. For example, an examination of the thresholds and frequencies applied to LDAR surveys—particularly between the different types foreseen under Article 14—may be warranted to streamline monitoring obligations, reduce administrative burden, and avoid duplication or double counting in reporting[1]. It may be appropriate to review the thresholds and frequency of LDAR checks. Synchronising LDAR surveys frequencies could be a solution to consider. Similarly, the time taken to repair a leak may depend on its size. The obligation to notify immediately the authorities if repairs are postponed could be limited to the largest leaks, to limit the

[1] For example, (i) Annex I, part 1, point 2, in the standard material section (pipes), for protected steel corresponding to the largest transport networks, specifies a deadline of 24 months for LDAR type 1 and 36 months for LDAR type 2. The same applies below the table for operators with an integrity management system (36 months for type 1 and 24 months for type 2). This gradually creates a time lag between campaigns and undermines their effectiveness.

administrative burden. For smallest leaks an annual report could be provided to the authority. Simplification in this area would contribute to more coherent enforcement while enabling operators and authorities to focus efforts where the environmental impact is greatest.

Moreover, Article 18 doesn't define any threshold for inactive wells, temporarily plugged wells and permanently plugged and abandoned wells. Implementing measures and mitigation plan on less significant sources appears disproportionately low and may lead to human and financial resource-intensive obligations with limited environmental return. In order to focus on more significant sources of emissions and to ensure consistency with closed coal mines, settling a threshold up to 2 tons of methane per year would allow a more balanced approach. It would also be an opportunity to gather feedback in order to extend, in a second phase, measurement to lower sources.

2. Redundant measurement and monitoring requirements

Article 12(3) requires operators to conduct annual methane emission measurements at the facility level, in addition to component-level LDAR inspections. This dual system duplicates effort without proportionate benefit. Site-level measurements often rely on technologies with lower accuracy and higher cost, while LDAR inspections already provide precise and actionable data for emission reduction.

Instead, a more effective approach would be to use satellite-based systems, such as the IMEO's Methane Alert and Response System (MARS), to detect large-scale emissions. Satellites (MARS) IMEO would be more effective for this purpose (although they are not as accurate, they are excellent for providing an early warning and for planning targeted inspections). These systems can serve as early-warning tools to trigger targeted inspections, without imposing blanket measurement obligations on all operators.

Maintaining a balance between monitoring precision, cost-efficiency, and real-world mitigation outcomes is crucial. Measurement requirements should support practical leak detection and repair, rather than becoming a costly compliance exercise with limited environmental gain. Similarly, demonstrating the absence of leaks from temporarily plugged wells over a five-year period would yield equivalent benefits even over a shorter monitoring timeframe. This approach would enhance cost-efficiency and reduce environmental risks, as any detected leaks would be promptly addressed.

The entire section of the regulation on leak detection and immediate repairs is tailored to hermetic gas technologies, where a leak equals a failure. Hermetically sealing oil extraction technology is often impossible for safety reasons or at least due to unreasonable/prohibitive costs.

Moreover, the Regulation imposes specific obligations on companies, such as high-frequency measurement and reporting requirements, mandatory LDAR inspections, and strict limitations on flaring and venting. The Regulation assumes that a supervisor takes all the necessary measures to ensure compliancy with the Regulation. Complying with strict and frequent checks and monitoring of methane emissions requires supervisors to intensify their oversight duties by verifying whether companies meet their obligations. This represents a significant increase in workload for supervisors unless risk-based supervision is applied. To enable effective supervision in which available resources are used effectively to safeguard human health and the environment, each Member State should be able to apply risk-based supervision to ensure compliancy with the Regulation.

3. The coal sector

The current threshold in article 25(2) for the mandatory installation of continuous measurement equipment in coal mines appears disproportionately low and may lead to resource-intensive obligations with limited environmental return, also bearing in mind the isolated nature of many of the mines which does not allow for power supply. Installing such equipment can lead to more CO2 emissions due to the necessary infrastructure (cables, transformers, stations, etc.) needed to reach these remote sites with continuous monitoring equipment.

At first, raising this threshold to 2 tons of methane per year would allow competent authorities and operators to better target monitoring infrastructure towards sites with emission potential, avoiding the allocation of financial and technical resources to low-impact sources. Such an adjustment would support the Regulation’s objective in a more balanced and cost-effective manner, ensuring that efforts remain focused on reducing significant methane emissions while maintaining the overall integrity of the reporting system. It would also allow experience feedback about measurement systems in order to extend, in a second phase, these measurements to inactive wells and temporary plugged wells with lower emissions of methane.

4. Importers' obligations and traceability requirements

Annex IX imposes new obligations on importers to provide detailed information on methane intensity for fossil fuel imports. In practice, this traceability is difficult to ensure due to the complex and fragmented nature of international supply chains. Additional standards for methane emissions certification are therefore necessary. These standards should provide clarity on how to address the complexity of the supply chain and ensure traceability. When developing these standards, the objectives of the regulation must remain safeguarded.

Indeed, several external partners have indicated difficulties in ensuring compliance with the provisions of the Regulation, especially with the equivalence and contractual obligations. Non-compliance of importers from third countries can lead to potential trade disruptions, and misalignment with international standards, impacting market competitiveness and energy security.

Additionally, the absence of a harmonized digital reporting template creates inconsistency in data submission, complicating aggregation and analysis at Union level. A standard EU-wide digital reporting format is needed to ensure uniform compliance, enhance data comparability, and reduce administrative fragmentation. Some of the definitions regarding third countries as well as penalties provisions, especially when the importers demonstrate that they have implemented their best efforts to collect the necessary information, may warrant a careful reconsideration under the current geopolitical context.

The implications of these obligations on security of supply must also be assessed, particularly in light of the EU's strategic need to maintain diversified import sources. Reporting and transparency requirements should avoid inadvertently limiting access to critical suppliers outside existing voluntary frameworks.

The application of penalties, the methane performance profiles as well as potential derogations for small quantities/importers should also examined in light of the new geopolitical context, while ensuring a level playing field with EU producers. More specific, the absence of a thresholds for small quantities of imported fossil goods results in relatively high administrative burdens for businesses and competent authorities without being much effective. Therefore, we advocate for a minimum threshold of imported goods that must be reported on.

5. Strategic infrastructure and security considerations

Some provisions of the Regulation may be difficult to reconcile with national frameworks governing critical infrastructure, especially those linked to defense or dual-use applications, in light of the new EU legislations dealing with security and defense. Obligations such as third-party inspections, detailed emissions reporting, or real-time monitoring may conflict with confidentiality or security requirements.

To safeguard operational sovereignty and maintain compliance with Article 4(2) TEU and Article 346 TFEU, a general clause allowing Member States to exempt designated infrastructure of strategic interest from selected regulatory provisions—subject to clear justification and notification—would provide the necessary legal clarity and flexibility. Such exemptions should be narrowly defined to ensure environmental objectives remain unaffected.

Conclusion

The implementation of Regulation (EU) 2024/1787 raises a number of practical, financial, technical, and legal challenges across multiple segments of the energy sector. Without early and coordinated adjustments, there is a risk of uneven application, regulatory overreach, and misalignment with other key Union objectives such as energy security, proportionality, and industrial competitiveness.

The proposals outlined in this document aim to preserve the Regulation's environmental ambition while ensuring that compliance remains realistic, efficient, effective, risk-adjusted and balanced across the value chain. Streamlining monitoring requirements, optimizing obligations for importers, and reducing redundant or disproportionate provisions are essential steps to enable Member States and operators to focus their efforts on measures with the highest impact.

In this context, the undersigned Member States respectfully request the European Commission to include Regulation (EU) 2024/1787 in the scope of the Omnibus simplification mechanism. Doing so would enable a timely and coherent review of key implementation provisions and ensure the Regulation contributes effectively and efficiently to the Union's climate goals.

The undersigned Member States remain available to engage constructively in discussions on the text.