



*Environmental activities of
the Energy Community*

Peter VAJDA, Environmental Expert,
Energy Community Secretariat

Three pillars of the Energy Community



- *Creation of a regional energy market /
enhance regional competition*
- *Security of supply*
- *Sustainability of energy systems*



Title II: “ACQUIS of the EnC” → NETWORK ENERGY
geographical scope: Contracting Parties

Environment

- **Directive 85/337/EEC (EIA) – after entry into force**
- **Directive 1999/32/EC (SiF) – as of 1 January 2012**
- **Directive 2001/80/EC (LCP) – as of 1 January 2018**
- **Art. 4(2) Directive 79/409/EEC (Wild Birds) – after entry into force**
- **Endeavour to accede/implement: Kyoto Protocol; Directive 96/61/EC (IPPC)**
- **Construction and operation of new generating plants – after the entry into force of the Treaty and with compliance on the acquis on environment**
- **No binding acquis on climate yet, logical next step → HLRG (2014), analytical paper (2015), Env TF (2015), PHLG (Dec 2015)**

Environmental impact assessment - scope



- ***“public and private projects which are likely to have significant effects on the environment”***
- ***Definition of project:***
 - ***the execution of construction works or of other installations or schemes,***
 - ***other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources;***
- ***For some projects (Annex I) → mandatory EIA (size, nature of the project)***
- ***For some projects (Annex II) → screening***

What is required under an EIA



- EIA is a process to identify the potential effects of the project on the environment
- Information to be provided by the developer:
 - a description of the project comprising information on the site, design and size of the project,
 - a description of the measures envisaged in order to avoid, reduce and, if possible, remedy significant adverse effects,
 - the data required to identify and assess the main effects which the project is likely to have on the environment,
 - an outline of the main alternatives studied by the developer and an indication of the main reasons for his choice, taking into account the environmental effects,
 - a non-technical summary of the information mentioned in the previous indents.

Benefits of an EIA



- Potentially screens out environmentally-unsound projects***
- Proposes modified designs to reduce environmental impacts***
- Identifies feasible alternatives***
- Predicts significant adverse impacts***
- Identifies mitigation measures to reduce, offset, or eliminate major impacts***
- Engages and informs potentially affected communities and individuals***
- Influences decision-making and the development of terms and conditions***

The Sulphur in Fuels Directive



- **Legal requirements for the sulphur content of heavy fuel oil (1%) and gas oil (0.1%)**
- **Marine fuels (2005/2012 amendments) → N/A to EC Contracting Parties (proposal)**
- **Provisions on sampling and analysis → reference to ISO standards**
- **Implementation deadline in the Energy Community → 31 December 2011 (31 December 2012 for Ukraine, 31 December 2014 for Moldova)**
- **A number of Contracting Parties are facing challenges with the implementation of the Directive / meeting the deadline (dispute settlement cases) → Reasoned Requests**
- **Refineries are usually in need of modernization to be able to meet the standards of the Directive**
- **In certain Contracting Parties, testing and sampling (standards) is an issue**

The LCP Directive



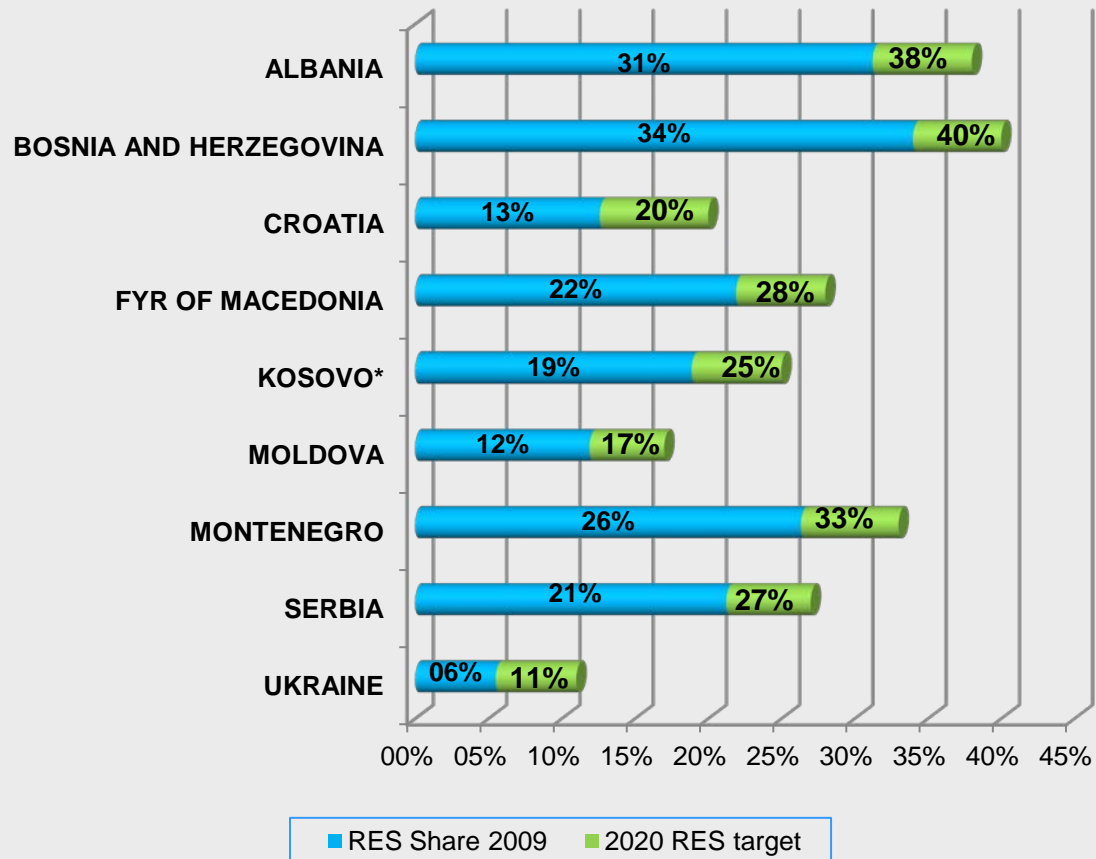
- ***LCP = Large Combustion Plants***
- ***First European legislative instrument in this field adopted in 1988 (88/609/EEC)***
- ***Current LCP Directive adopted in 2001, to be replaced by IED in 2016 in the EU***
- ***Setting emission limit values for SO₂, NO_x and dust (particulate matter) for plants with a rated thermal input (RTI) \geq 50 MW***
- ***ELVs may vary based on the RTI of the plant and on the type of fuel used***
- ***Provisions on monitoring***
- ***Flexibility mechanisms (national emission reduction plan, limited lifetime derogation, etc.)***



ENVIRONMENTAL COMPLIANCE / LCPs

- ***Emissions abatement → a possible contribution to climate goals***
- ***From the Large Combustion Plants Directive (LCPD) towards the Industrial Emissions Directive (IED)***
- ***EnC estimate: 1 on 15 cost-benefit ratio***
- ***LCPD to be implemented as of 1 Jan 2018, IED same date for new plants, for existing plants → 1 Jan 2028 (2015 decision)***
- ***Policy Guidelines on new and existing plants (2014)***
- ***Addresses pollutants into the air (SO₂, NO_x and dust), indirect effect: reduction of GHGs***
- ***Preparation of National Emission Reduction Plans, submission by end 2015***
- ***Opt-out (limited lifetime derogation) → 20,000 operational hours between 2018-2023, afterwards: shut-down (written declaration by operator until end 2015, decision of MC)***

RES targets – Directive 2009/28/EC



Next steps



- ***Follow-up on the HLRG proposals → new EIA, SEA, ELD, new SiF (marine)***
- ***Although no binding climate acquis, such considerations are to be taken into account when planning new investments***
- ***Paris Agreement – an opportunity for the EnC as well***
- ***Getting closer to what EU MSs are doing (inventories/PaMs/projections) → MMR recommendation***
- ***Progress towards 2020 RES targets → NREAPs***
- ***Plans and programmes should be turned into real action***
- ***Clear responsibilities and coordination between different government actors → more efforts needed from CPs***
- ***High-level political support is vital***