



EU Environment Report

February/March 2014

CLIMATE CHANGE

ETS exemption for flights outside Europe rejected by EP Environment Committee

On 19 March 2014, the Environment Committee of the European Parliament ("EP") rejected a deal to maintain the exemption for flights to and from non-EU airports from the EU Emissions Trading System ("ETS") until 2016. The informal deal between the Council of the EU and the EP was made on 4 March 2014 and aims to support an international agreement for 2016. Following the Committee's negative vote, the proposal will be submitted to an EP plenary vote on 3 April 2014.

The European Commission's website on EU ETS and aviation can be accessed here:

http://ec.europa.eu/clima/policies/transport/aviation/index_en.htm

CHEMICALS

ECHA sends legally binding letters to companies which have registered their substances as intermediates

The European Chemicals Agency ("ECHA") is sending legally binding letters to 46 companies which have registered their substances as intermediates, but have not responded to requests to correct alleged inconsistencies. The companies have one month to update their registration before ECHA forwards the cases to the Member States enforcement authorities.

The press release from ECHA can be accessed under:

http://echa.europa.eu/view-article/-/journal_content/title/unresponsive-registrants-of-intermediates-obliged-to-give-more-information

Member States agree on nine additional substances for REACH authorisation list

Member States agreed on 20 February 2014 on the inclusion of nine additional substances in Annex XIV (the so-called "authorisation list") of the REACH Regulation. The use of such substances will therefore become subject to authorisation. This inclusion is still subject to approval by the EP and the Council of the EU.

The proposal can be accessed under:

<http://ec.europa.eu/transparency/regcomitology/index.cfm?do=search.documentdetail&C1eFb3vDfYqac7eGQZGNIJXpCml+8dYI1hTpwc03vNuBuE2177sL3dMBPrfEfPrJ>

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This newsletter briefly describes EU environment developments.

Due to the general nature of its content, this newsletter is not and should not be regarded as legal advice.

Stricter rules on flame retardants, BPA and nickel in toys

On 18 February 2014, Member States agreed on restrictions to the presence of several substances in toys. Accordingly, specific limit values for TCEP, TCPP, TDCP and Bisphenol A in toys intended for use by children under 36 months, or in other toys intended to be placed in the mouth, should be adopted. A specific exemption to the use of nickel should also be adopted. These changes are still subject to approval by the EP and the Council of the EU.

The proposals can be accessed under:

<http://ec.europa.eu/transparency/regcomitology/index.cfm?do=search.documentdetail&ov2ycvowkAq5QZCy6GFxE2e5N2E94xxlvNMQalf/tpaBuE2177sL3dMBpRfefPrJ>

<http://ec.europa.eu/transparency/regcomitology/index.cfm?do=search.documentdetail&ov2ycvowkAq5QZCy6GFxE/xH/4utdnOibEbNlmj8k28bJttRQbV3VEQ5uatX/i98>

<http://ec.europa.eu/transparency/regcomitology/index.cfm?do=search.documentdetail&ov2ycvowkAq5QZCy6GFxE+VUmyhffK9CsoJlwfJ64hxxbx1TISJ2Mfg5DtxY23N>

Commission proposal to ban triclosan from several products backed by Member States

In March 2014, Member States backed a proposed European Commission decision to ban the biocide triclosan from a range of products, including textiles and paints. The proposal is based on the lack of interest from companies in maintaining the authorisation for its use in such products.

EMISSIONS

Car emissions: adaptation of specifications of reference fuels

On 11 February 2014, the Commission issued Regulation (EU) No 136/2014 amending Directive 2007/46/EC, Regulation (EC) No 692/2008 as regards emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and Regulation (EU) No 582/2011 as regards emissions from heavy duty vehicles (Euro VI). The two regulations specify the reference fuels which should be used by vehicle manufacturers to perform emissions tests in accordance with Regulation (EC) No 715/2007 and Regulation (EC) No 595/2009.

Due to the increasing usage of biofuels in the market in recent years, specifications of reference fuels are adapted to correspond to the fuels available currently and in the foreseeable future on the EU market.

The Regulation can be accessed here:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2014:043:0012:0046:EN:PDF>

Emissions limits: adaptation to technical progress

On 31 January 2014, the Commission adopted Regulation (EU) No 133/2014 amending Directive 2007/46/EC, Regulation (EC) No 595/2009, and Regulation (EU) No 582/2011.

This new Regulation aims at adapting the current legislation to technical progress, including updating type-approval rules on emissions from heavy-duty vehicles, specifying the on-board diagnostic threshold limit for carbon monoxide emissions, and updating the references to UNECE Regulation No 49, which has been amended.

For more information on these and other topics related to environmental law, please contact:

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The Regulation can be accessed here:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2014:047:0001:0057:EN:PDF>

Approval of the light emitting diodes low beam module 'E-Light' as an innovative technology for reducing CO₂ emissions from passenger cars

On 10 March 2014, the Commission adopted a decision implementing Regulation (EC) No 443/2009 setting emissions performance standards for new passenger cars as part of the EU's integrated approach to reduce CO₂ emissions from light-duty vehicles.

This decision approves the LED low beam 'E-Light' intended for use in M1 vehicles as an innovative technology in the sense of the Regulation. As a result, CO₂ savings achieved through the use of this innovative technology will be taken into account in the calculation of the CO₂ emissions targets set out in the Regulation.

The Decision can be accessed here:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2014:070:0030:0034:EN:PDF>

Modalities for reaching the 2020 target to reduce CO₂ emissions from new light commercial vehicles

Regulation (EU) 253/2014 of 26 February 2014 amends Regulation (EU) 510/2011 to define the modalities for reaching the 2020 target to reduce CO₂ emissions from new light commercial vehicles.

From 2020, a target of 147g CO₂/km is set for the average emissions of new light commercial vehicles registered in the EU. Exemptions for specific targets are granted to a manufacturer which, together with all of its connected undertakings, is responsible for less than 1,000 new light commercial vehicles registered in the Union in the previous calendar year. In addition, CO₂ savings achieved through the use of innovative technologies or a combination of innovative technologies will be taken into account.

The Regulation can be accessed here:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2014:084:0038:0041:EN:PDF>

ENERGY

European Commission modifies draft Energy & Environmental State Aid Guidelines

On 18 December 2013, the European Commission launched a consultation on the guidelines for energy and environmental State Aid ("EEA" guidelines), which ended on 14 February 2014.

In the new draft of the guidelines, the European Commission appears to be withdrawing a few issues with regard to the renewables subsidy reform, notably avoiding the initially proposed distinction between "deployed" and "less deployed" technologies. The draft further introduces a transitional phase between 2015 and 2016 requiring a minimum of 5% of renewables to be covered by bidding processes. The goal is that by 2017, all aid should be granted through a bidding process.

The document is currently at the stage of the inter-service consultations and is expected to be adopted in the coming weeks.

Further information on the EEAG can be found here:

http://ec.europa.eu/competition/consultations/2013_state_aid_environment/index

[en.html](#)

WASTE

Only 1/3 of Member States have notified their implementation of the WEEE Directive to the Commission

On 4 July 2012, the European Parliament and the Council adopted the Waste Electrical and Electronic Equipment Directive (Directive 2012/19/EU, so called "WEEE") which needs to be transposed into national law. The aim of the Directive is not only to prevent waste in this field but also to incentivise recycling, improve overall environmental awareness of the parties involved, and protect the environment as well as human health.

Even though the deadline for the transposition of the 2012 WEEE Directive expired on 14 February 2014, only five countries have fully and another five countries partially transposed the directive. The European Commission is aware that usually there are delays in the transposition processes.

Further information can be accessed here:

Website of the European Commission on WEEE:
http://ec.europa.eu/environment/waste/weee/legis_en.htm

Directive WEEE:
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:197:0038:0071:EN:PDF>

The Months Ahead

10-11 April

Environmental Impact Assessment Procedures in the European Union, Trier, Germany
<https://www.era.int/>

10-11 April

The Single Market for Energy, Trier, Germany
<https://www.era.int/>

22-23 April

The Air Quality and Emissions Show (AQE Show 2015), Telford, UK
<http://www.environmental-expert.com>

23-25 April

Onshore Wind Conference, London, UK
<http://www.managenergy.net/events/1411>

24-26 April

3rd Annual Intelligent Hedging and Portfolio Optimisation for the Energy Markets, London, UK
<http://www.marcusevans-conferences-paneuropian.com>

28-29 April

M2M for Oil and Gas, London, UK
<http://www.smi-online.co.uk/utility/uk/conference/M2M-for-the-Oil-and-Gas-Industry>

28 April – 2 May

Climate Change: Vulnerability, Impacts and Adaptation 2014, Newcastle upon Tyne, UK
<http://www.environmental-expert.com/events/climate-change-vulnerability-impacts-and-adaptation-2013-13326>

28 April – 2 May

Petroleum in the Environment 2014, Newcastle upon Tyne, UK

<http://www.environmental-expert.com/events/petroleum-in-the-environment-2014-15058>

1 May

Environmental Claims 2014, London, UK

<http://www.brownfieldbriefing.com/events/environmental-insurance-claims-2014>

7-8 May

ICERE 2014 International Conference on Environment and Renewable Energy, Paris, France

<http://energy.conference-site.com/>

11-15 May

SETAC Europe 24th Annual Meeting, Basel, Switzerland

<http://www.basel.setac.eu/?contentid=763>

12-14 May

Waste Management 2014, Ancona, Italy

<http://www.wessex.ac.uk/14-conferences/waste-management-2014.html>

14-16 May

International Conference and Exhibition on Emissions Monitoring, Istanbul, Turkey

<http://www.environmental-expert.com/events>

14-16 May

2014 5th International Conference on Environmental Science and Technology (ICEST 2014), Gdansk, Poland

<http://www.icest.org/>

14-16 May

2014 3rd International Conference on Petroleum Industry and Energy (ICPIE 2014), Gdansk, Poland

<http://www.icpie.org/>

14-16 May

Environmental Impact 2014, Ancona, Italy

<http://www.wessex.ac.uk/14-conferences/environmental-impact-2014.html>

22-23 May

1st International Conference on Renewable Energy Gas Technology, REGATEC 2014, Malmö, Sweden

<http://www.managenergy.net/events/1261>

25-28 May

Carbon Expo 2014, Cologne, Germany

<http://www.environmental-expert.com>

26-28 May

Water Pollution 2014, The Algarve, Portugal

<http://www.wessex.ac.uk/14-conferences/water-pollution-2014.html>

26-28 May

5th Annual Quantitative Analysis in Commodity and Energy Trading, Berlin, Germany

http://www.marcusevans-conferences-paneuropian.com/marcusevans-conferences-event-details.asp?EventID=21021&ad=5QA_confalerts&me_cid=32300

3 June

World Bio Energy 2014, Jönköping, Sweden

<http://www.managenergy.net/events/1328>

3-4 June

2nd International Solar District Heating Conference, Hamburg, Germany

<http://www.managenergy.net/events/1426>

8-10 June

10th International Recycling, Environmental Technologies & Waste Management Trade Fair, Istanbul, Turkey

<http://www.environmental-expert.com/events/10th-international-recycling-environmental-technologies-waste-management-trade-fair-4227>

8-12 June

Ecology and Safety 2014, 23rd International Conference, Elenite Holiday Village, Burgas, Bulgaria

<http://www.sciencebg.net/en/conferences/ecology-and-safety/>

10-12 June

GreenTech Amsterdam 2014, Amsterdam, Netherlands

<http://www.environmental-expert.com/events/greentech-amsterdam-2014-15849>

12-13 June

3rd Annual Weather Risk Management for the Energy Markets, Berlin, Germany

<http://www.marcusevans-conferences-paneuropean.com/marcusevans-conferences-event>

18-19 June

8th Annual Gas Storage and Transmissions, London, UK

<http://www.smi-online.co.uk/energy/uk/conference/gas-storage>

24-25 June

Energy Systems Conference: When Theory Meets Reality, London, UK

<http://www.energysystemsconference.com/>

25-27 June

Sustainability in Energy & Buildings 2014, Cardiff, UK

<http://seb-14.sustainedenergy.org/>

27-28 June

Sixth International Conference on Climate Change: Impacts and Responses, Reykjavik, Iceland

<http://on-climate.com/the-conference/registration/registration>

29 June – 4 July

The 1st South East European Conference on Sustainable Development of Energy, Water and Environment Systems - SEE SDEWES Ohrid 2014, Ohrid, Macedonia

<http://www.ohrid2014.sdewes.org/>

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