



EUROPEAN COMMISSION
DIRECTORATE-GENERAL
ENVIRONMENT
Directorate C - Climate Change & Air
ENV.C.3 - Clean Air & Transport

Brussels,
DG ENV/C3/PO/WW/ak Ares(2009)

Dear Mr.

Following my letter of 24 July 2009, I would like to raise an *additional question* in connection with the consultation document concerning the options for implementing Article 7a of Directive 98/70 ("the Fuel Quality Directive"). This question concerns a possible methodology to calculate the greenhouse gas intensity of non-biofuels and energy supplied to road transport and non-road machinery as required by Article 7a (5a) of the Fuel Quality Directive.

Annex V of Directive 2009/28 ("the Renewable Energy Directive") lays down a method for calculating greenhouse gas emissions from biofuels, bioliquids and other transport fuels (including fossil fuels). Annex IV of the Fuel Quality Directive contains the same method as far as biofuels are concerned and sets out that a method for fossil fuels is to be determined on the basis of Article 7a.

The main elements of the green house gas calculation methodology set out in the Renewable Energy Directive are as follows:

- Emissions along the production chain with and beyond the EU (including those from flaring) are tracked and taken into account.
- In reporting emissions, fuel suppliers have a choice between using default values (laid down in the Directives) and actual values.
- The default values are set at a conservative level to make it unlikely for fuel suppliers to be able to claim values that are more favourable than the actual ones..
- The "energy allocation" rule is used to divide emissions between different fuels produced in a refinery.

The intention of this *additional question* is to gather views as to the validity and feasibility of these principles for the purpose of calculating lifecycle green house gas emissions from fossil fuels.

The Directives require biofuels to achieve minimum rates of greenhouse gas savings. Savings are calculated in relation to a fossil fuel comparator (petrol and diesel). The Directives state that the methodology determined under the present consultation will be used under both Directives for calculating the value of the fossil fuel comparator.

In this context the additional question is as follows: *Should the method laid down in the Renewable Energy Directive and Fuel Quality Directive for calculating greenhouse gas*

emissions from biofuels also be used to calculate greenhouse gas emissions for fossil fuels?

This option would lead to a consistent calculation method for all transport fuels and would create a level playing field between producers of different fuel types in terms of the efforts needed to demonstrate compliance. It would take into account the emissions attributable to high-emission sources of oil, and would result in the emissions of the fossil fuel comparator for biofuels being calculated using the same method as for the biofuels themselves. It would, however, impose a certain administrative burden. It is also considered that the allocation of emissions on the basis of these products' energy content may yield less accurate results for fossil fuels.

You are invited to provide written comments on this question within 4 weeks of the date of the sending of this letter to the following email address: ENV-98-70-implementation@ec.europa.eu. Your response will be available for public consultation viewing subsequent to its submission.

Yours sincerely,

Philip OWEN
Head of Unit