Subject: Update of Commission web site, notifications and transparency measures

Dear Sir or Madam,

We have thought about a couple of measures mainly aiming to improve the transparency of the operation of voluntary schemes, to clarify when voluntary schemes need to notify scheme changes and to address some practical issues including to improve the information content of our web site.

Commission web site

On the Commission web site key information about the sustainability scheme and voluntary schemes can be found. This includes also the scheme documents which have been scrutinised by the Commission when the schemes were recognised. We would like to keep those formally accepted documents on the web site even though some schemes have adjusted their procedures in the meantime. However, in order to reflect that changes have taken place we would like to add a link to the web site of the schemes where interested parties can easily find all relevant information such as the latest version of scheme documents and contact information. The latter would allow stakeholders to raise questions to the scheme or to share information. We would welcome if you would provide us with a link to the appropriate web site of your scheme. In this context we would like to use the opportunity to ask you to provide us with updated contact information. Such information can be inserted in the attached spreadsheet file.

I would also like to inform you that DG Energy has established a functional mail box ("ENER-VOLUNTARY-SCHEMES@ec.europa.eu"). This address should be used for any official correspondence with the Commission services which concerns the operation of voluntary schemes, notification of updates or applications for recognition. E-mails will be forwarded to the responsible staff.
Notification of scheme updates

As mentioned above voluntary schemes are allowed to adjust their procedures in order to take experience gained during the operation of the scheme into account. As stated in the Commission Decision, schemes that after adoption of the Decision undergo changes to their content in a way that might affect the basis of the Decision must notify these changes to the Commission. In our view notification this is necessary for the following types of changes:

- Changes to the mandatory sustainability criteria covered by the scheme
- Extension of the scope of the scheme beyond what is described in the Decision
- Extension of the scope of feedstock or biofuels referred to in the original scheme documents provided that the risk profile of added feedstock differs (e.g. inclusion of wastes or residues) or specific procedures are applied
- Changes to the mass balance rules
- Changes to auditing procedures or requirements for auditors that are addressed in legislation, Commission Communications or guidance documents
- Changes/Extensions to the GHG calculation methodology
- Any other change that could be considered to affect the basis of the Decision but is not explicitly mentioned here

Specifically with regard to the GHG emission calculation I would like to emphasise that elements of the methodology representing measurements of emission savings such as eccr and eccs can be applied under the scheme only if they are described in detail in the scheme documents. Inclusion of the GHG calculation formula only cannot be regarded as sufficient in this regard. Similarly, actual values can only be used if such a methodology was included in the original scheme documents.

The Commission services will assess the notified changes with a view to establish whether the schemes are still adequately covering the sustainability criteria for which they were recognised and will take action if necessary.

Transparency measures for voluntary schemes

Finally, you may be aware that in the context of the negotiations on the Commission proposal to limit indirect land use changes also measures to improve the transparency of voluntary schemes are discussed which in particular concern potential future reporting obligations.

This implies that voluntary schemes might have to adjust their procedures after the final agreement on the ILUC file to take the changes in the legislative framework into account. However, already in the meantime it seems adequate for voluntary schemes to apply the following measures aimed at improving transparency:
• Publication and regular update of the economic operators who participate in the scheme. It must be transparent at any time whether an operator is eligible to make claims under the scheme or not.

• Publication of economic operators who used to participate in the scheme but do not participate in the scheme any longer. Schemes should require economic operators to make previous auditing reports including reports established under other voluntary schemes available to the auditors. The publication of the participation history provides auditors with the possibility verify the claims made by economic operators in this regard.

• Publication of the certification bodies that economic operators may choose from for auditing purposes and if relevant where they are accredited.

• Publication of the names of other voluntary schemes the scheme is recognising.

• Publication of the latest version of scheme documents

• Publication of contact details for the scheme e.g. telephone number, email address and correspondence address.

I am aware that most schemes apply such measures already but we considered it appropriate to be more explicit about the transparency measures we will require in future assessments.

Yours sincerely,

Paula Abreu Marques