Council of the
European Union

Brussels, 19 July 2023
(OR. en)

11500/23

Interinstitutional File:
2021/0423(COD)

LIMITE

ENER 430
CLIMA 339
ENV 810
AGRI 403
IND 369
COMPET 731
RECH 338
RELEX 885
CODEC 1297

PUBLIC

NOTE

From:	General Secretariat of the Council
To:	Delegations
Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on methane emissions reduction in the energy sector and amending Regulation (EU) 2019/942

Delegations will find in the Annex the 4-column table regarding the above-mentioned proposal.

Delegations are invited to submit written comments to the Secretariat energy@consilium.europa.eu, by **31 August, 18:00**. Comments can be included directly in the 4th column, or in a separate document.

Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on methane emissions reduction in the energy sector and amending Regulation (EU) 2019/942 (Text with EEA relevance)

2021/0423(COD)
DRAFT [first draft to exchange with the Council 11 July]
13-07-2023 at 18h43

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Formula				
1	2021/0423 (COD)	2021/0423 (COD)	2021/0423 (COD)	
Proposal Title				
2	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on methane emissions reduction in the energy sector and amending Regulation (EU) 2019/942 (Text with EEA relevance)	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on methane emissions reduction in the energy sector and amending Regulation (EU) 2019/942 (Text with EEA relevance)	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on methane emissions reduction in the energy sector and amending Regulation (EU) 2019/942 (Text with EEA relevance)	
Formula				
3	THE EUROPEAN PARLIAMENT AND	THE EUROPEAN PARLIAMENT AND	THE EUROPEAN PARLIAMENT AND	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	THE COUNCIL OF THE EUROPEAN UNION,	THE COUNCIL OF THE EUROPEAN UNION,	THE COUNCIL OF THE EUROPEAN UNION,	
Citation 1				
4	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 194(2) thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 194(2) thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article ~~194(2)~~ **192(1)** thereof,	
Citation 2				
5	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	
Citation 3				
6	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	
Citation 4				
7	Having regard to the opinion of the European Economic and Social Committee[1], 1. OJ C , , p. .	Having regard to the opinion of the European Economic and Social Committee[1], 1. OJ C , , p. .	Having regard to the opinion of the European Economic and Social Committee[1], 1. OJ C , , p. .	
Citation 5				

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
8	Having regard to the opinion of the Committee of the Regions[1], 1. OJ C , , p. .	Having regard to the opinion of the Committee of the Regions[1], 1. OJ C , , p. .	Having regard to the opinion of the Committee of the Regions[1], 1. OJ C , , p. .	
Citation 6				
9	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	
Formula				
10	Whereas:	Whereas:	Whereas:	
Recital 1				
11	(1) Methane, the main component of natural gas, is second only to carbon dioxide in its overall contribution to climate change and is responsible for approximately a third of current warming.	(1) Methane~~, the main component of natural gas,~~ is second only to carbon dioxide in its overall contribution to climate change and is responsible for approximately a third of current warming. ***The Intergovernmental Panel on Climate Change (IPCC) published in its Sixth Assessment Report the finding that deep reductions in anthropogenic methane emissions are needed by 2030 to stay below 1,5 ° C.***	(1) Methane, the main component of natural gas, is second only to carbon dioxide in its overall contribution to climate change and is responsible for approximately a third of current warming.	
Recital 2				

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
12	(2) On a molecular level, although methane remains in the atmosphere for a shorter period (10 to 12 years) than carbon dioxide (hundreds of years), its greenhouse effect on the climate is more significant and it contributes to ozone formation which is a potent air pollutant that causes serious health problems. The amount of methane in the atmosphere globally has risen sharply over the last decade.	(2) ~~On a molecular level,~~ ***(2)*** Although methane ~~remains in the atmosphere for a shorter period~~***has a shorter average atmospheric residence time*** (10 to 12 years) than carbon dioxide (hundreds of years), its greenhouse effect on the climate is ~~more significant and it contributes to ozone formation which is a potent air pollutant that causes serious health problems~~***over 80 times[3] more significant than carbon dioxide (CO_2) over a 20-year period***. The amount of methane in the atmosphere globally has risen sharply over the last decade. ***3. According to IPCC, on a100-year timescale, methane has 29,8 times greater global warming potential than carbon dioxide and is 82,5 times more potent on a 20-year timescale. IPCC Sixth Assessment Report (AR6, Table 7.15 at https://www.ipcc.ch/report/ar6/wg1/downloads/report/IPCC_AR6_WGI_FullReport.pdf)***	(2) ~~On a molecular level,~~ Although methane ~~remains in the atmosphere for a shorter period~~**has a shorter average atmospheric residence time** (10 to 12 years) than carbon dioxide (hundreds of years), its greenhouse effect on the climate is more significant and it contributes to ozone formation which is a potent air pollutant that causes serious health problems. The amount of methane in the atmosphere globally has risen sharply over the last decade.	
12a		***(2a) Methane is a precursor gas for harmful ground-level ozone and contributes to air pollution, with ground-level ozone contributing to nearly 20 000 premature deaths every year[4]. Tackling methane emissions will address not only environment and climate but also improve protection of***		

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		the health in line with the One Health approach. _____ ***4. European Environment Agency, Air quality in Europe – 2020 report, p.7;***		
Recital 3				
13	(3) According to recent estimates by the United Nations Environment Programme and the Climate and Clean Air Coalition, methane emission reductions of 45% by 2030, based on available targeted measures and additional measures in line with the United Nations ('UN') priority development goals, could avoid 0.3°C of global warming by 2045.	(3) According to recent estimates by the United Nations Environment Programme and the Climate and Clean Air Coalition, methane emission reductions of 45% by 2030, based on available targeted measures and additional measures in line with the United Nations ('UN') priority development goals, could avoid 0.3°C of global warming by 2045.	(3) According to recent estimates by the United Nations Environment Programme and the Climate and Clean Air Coalition, methane emission reductions of 45% by 2030, based on available targeted measures and additional measures in line with the United Nations ('UN') priority development goals, could avoid 0.3°C of global warming by 2045.	
13a		***(3a) The resolution of the European Parliament of 21 October 2021 on an EU strategy to reduce methane emissions[5], calls on the Commission to analyse the implications for policies and measures of using a 20-year time horizon for global warming potential, as a complement to the 100-year timeframe currently used in accordance with the United Nations Framework Convention on Climate Change***		

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		(UNFCCC) guidelines on greenhouse gas inventories. It further notes that more transparency about the short-term global warming implications of methane emissions would help to better inform Union climate policies and stresses that the use of such a complementary metric should by no means be used to delay necessary action to also drastically and rapidly reduce CO2 emissions. _____ ***5. https://www.europarl.europa.eu/doceo/document/TA-9-2021-0436_EN.html - Spyraki report***		
Recital 4				
14	(4) According to the Union's greenhouse gas ('GHG') inventories data, the energy sector is estimated to be responsible for 19% of methane emissions within the Union. This does not include methane emissions linked to the Union's fossil energy consumption which are occurring outside the Union.	(4) According to the Union's greenhouse gas ('GHG') inventories data, ***53 % of anthropogenic methane emissions come from agriculture, 26 % from waste and*** the energy sector is estimated to be responsible for 19% of methane emissions within the Union. This does not include methane emissions linked to the Union's fossil energy consumption which are occurring outside the Union. ***The Union is the world's largest importer of fossil gas, thus the Union is an important driver of global methane emissions.***	(4) According to the Union's greenhouse gas ('GHG') inventories data, the energy sector is estimated to be responsible for 19% of methane emissions within the Union. This does not include methane emissions linked to the Union's fossil energy consumption which are occurring outside the Union.	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Recital 5				
15	(5) The European Green Deal combines a comprehensive set of mutually reinforcing measures and initiatives aimed at achieving climate neutrality in the Union by 2050. The European Green Deal Communication[1] indicates that the decarbonisation of the gas sector will be facilitated, including by addressing the issue of energy-related methane emissions. The Commission adopted an EU strategy to reduce methane emissions ('the Methane Strategy') in October 2020 setting out measures to cut methane emissions in the EU, including in the energy sector, and internationally. In Regulation (EU) 2021/1119[2] ('European Climate Law'), the Union has enshrined into legislation the target of economy-wide climate neutrality by 2050 and also established a binding Union domestic reduction commitment of net greenhouse gas emissions (emissions after deduction of removals) of at least 55% below 1990 levels by 2030. To achieve that level of GHG emission reductions, methane emissions from the energy sector should decrease by around 58% by 2030 compared to 2020. _____ 1. COM(2019) 640 final. 2. Regulation (EU) 2021/1119 of the European	(5) The European Green Deal combines a comprehensive set of mutually reinforcing measures and initiatives aimed at achieving climate neutrality in the Union by 2050. The European Green Deal Communication[~~1~~6] indicates that the decarbonisation of the gas sector will be facilitated, including by addressing the issue of energy-related methane emissions. The Commission adopted an EU strategy to reduce methane emissions ('the Methane Strategy') in October 2020 setting out measures to cut methane emissions in the EU, including in the energy sector, and internationally. In Regulation (EU) 2021/1119[~~2~~7] ('European Climate Law'), the Union has enshrined into legislation the target of economy-wide climate neutrality by 2050 and also established a binding Union domestic reduction commitment of net greenhouse gas emissions (emissions after deduction of removals) of at least 55% below 1990 levels by 2030. ***The Commission indicates in its accompanying impact assessment to this Regulation that 77% of total projected***~~To achieve that level of GHG emission reductions,~~ methane emissions ~~from the energy sector should decrease by around 58% by 2030 compared to 2020~~***over and above the baseline can be abated in 2030 at***	(5) The European Green Deal combines a comprehensive set of mutually reinforcing measures and initiatives aimed at achieving climate neutrality in the Union by 2050 **at the latest**. The European Green Deal Communication[1] indicates that the decarbonisation of the gas sector will be facilitated, including by addressing the issue of energy-related methane emissions. The Commission adopted an EU strategy to reduce methane emissions ('the Methane Strategy') in October 2020 setting out measures to cut methane emissions in the EU, including in the energy sector, and internationally. In Regulation (EU) 2021/1119[2] ('European Climate Law'), the Union has enshrined into legislation the target of economy-wide climate neutrality by 2050 **at the latest** and also established a binding Union domestic reduction commitment of net greenhouse gas emissions (emissions after deduction of removals) of at least 55% below 1990 levels by 2030. To achieve that level of GHG emission reductions, methane emissions from the energy sector should decrease by around 58% by 2030 compared to 2020. _____ 1. COM(2019) 640 final. 2. Regulation (EU) 2021/1119 of the European	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 ('European Climate Law') (OJ L 243, 9.7.2021).	***less than the sum of the social and environmental benefits[8] This will contribute positively to limiting global warming to 1.5°C and would allow the Union to effectively take the lead in fighting methane emissions and strengthening energy security***. _____ ~~1. COM(2019) 640 final.~~ ***6. COM(2019) 640 final.*** ~~2. Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 ('European Climate Law') (OJ L 243, 9.7.2021).~~ ***7. Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 ('European Climate Law') (OJ L 243, 9.7.2021).*** ***8. https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=SWD:2021:0459:FIN:EN:PDF (p. 67).***	Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 ('European Climate Law') (OJ L 243, 9.7.2021).	
Recital 6				
16	(6) Methane emissions are included in the scope of the Union greenhouse gas reduction targets for 2030 set out in the European Climate Law and the binding national emission reduction targets under Regulation (EU) 2018/842[1]. However, there	(6) ***Methane emissions come from a wide range of sectors, including agriculture, waste, waste water and energy.*** Methane emissions are included in the scope of the Union greenhouse gas reduction targets for 2030 set out in the European Climate Law	(6) Methane emissions are included in the scope of the Union greenhouse gas reduction targets for 2030 set out in the European Climate Law and the binding national emission reduction targets under Regulation (EU) 2018/842[1]. However, there is currently	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	is currently no Union level legal framework setting out specific measures for the reduction of anthropogenic methane emissions in the energy sector. In addition, whilst Directive 2010/75[2] on industrial emissions covers methane emissions from the refining of mineral oil and gas, it does not cover other activities in the energy sector. _____ 1. Regulation (EU) 2018/842 of the European Parliament and of the Council of 30 May 2018 on binding annual greenhouse gas emission reductions by Member States from 2021 to 2030 contributing to climate action to meet commitments under the Paris Agreement and amending Regulation (EU) No 525/2013 (OJ L 156, 19.6.2018). 2. Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334, 17.12.2010).	and the binding national emission reduction targets under Regulation (EU) 2018/842[~~1~~9]. However, there is currently no Union level legal framework setting out specific ***targets and*** measures ***covering all sectors*** for the reduction of anthropogenic methane emissions ***leading to a significant reduction of methane emissions*** in the ~~energy sector~~***Union by 2030, in line with the Paris Agreement***. In addition, whilst Directive 2010/75[~~2~~10] on industrial emissions covers methane emissions from the refining of mineral oil and gas, it does not cover other activities in the energy sector. _____ ***[9] Regulation (EU) 2018/842 of the European Parliament and of the Council of 30 May 2018 on binding annual greenhouse gas emission reductions by Member States from 2021 to 2030 contributing to climate action to meet commitments under the Paris Agreement and amending Regulation (EU) No 525/2013 (OJ L 156, 19.6.2018).*** ***[10] Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334, 17.12.2010).*** _____ ~~1. Regulation (EU) 2018/842 of the European Parliament and of the Council of 30 May 2018 on binding annual greenhouse gas emission reductions by~~	no Union level legal framework setting out specific measures for the reduction of anthropogenic methane emissions in the energy sector. In addition, whilst Directive 2010/75[2] on industrial emissions covers methane emissions from the refining of mineral oil and gas, it does not cover other activities in the energy sector. _____ 1. Regulation (EU) 2018/842 of the European Parliament and of the Council of 30 May 2018 on binding annual greenhouse gas emission reductions by Member States from 2021 to 2030 contributing to climate action to meet commitments under the Paris Agreement and amending Regulation (EU) No 525/2013 (OJ L 156, 19.6.2018). 2. Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334, 17.12.2010).	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		~~*Member States from 2021 to 2030 contributing to climate action to meet commitments under the Paris Agreement and amending Regulation (EU) No 525/2013 (OJ L 156, 19.6.2018).*~~ ~~*2. Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334, 17.12.2010).*~~		
Recital 7				
17	(7) In this context, this Regulation should apply to the reduction of methane emissions in oil and fossil gas upstream exploration and production, fossil gas gathering and processing, gas transmission, distribution, underground storage and liquid fossil gas (LNG) terminals, as well as to operating underground and surface coalmines, closed and abandoned underground coal mines.	(7) In this context, this Regulation should apply to the reduction of methane emissions in oil and fossil gas upstream exploration and production, fossil gas gathering and processing, gas transmission, distribution, underground storage and ~~*liquid*~~***liquefied*** fossil gas (LNG) terminals, as well as to ***petrochemicals,*** operating underground and surface coalmines, closed and abandoned underground coal mines.	(7) In this context, this Regulation should apply to the reduction of methane emissions in oil and fossil gas upstream exploration and production, fossil gas gathering and processing, gas transmission, distribution, underground storage and ~~liquid fossil gas (LNG)~~ **liquefied gas** terminals, as well as to operating underground and surface ~~coalmines~~**coal mines**, closed and abandoned underground coal mines.	
17a		***(7a) Given that upstream exploration and production, oil and fossil gas gathering and processing also yields naphtha and natural gas liquids for use in the petrochemical sector and results in methane emissions. The petrochemical sector should be subject to the measures on monitoring and***		

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		reporting, leak detection and repair, and limits to venting and flaring similar to those in the energy sector.		
Recital 8				
18	(8) Rules for accurate measurement, reporting and verification of methane emissions in the oil, gas and coal sectors, as well as for the abatement of those emissions, including through leak detection and repair surveys and restrictions on venting and flaring, should be addressed by an appropriate Union legal framework. Such a framework should contain rules to enhance transparency with regard to fossil energy imports into the Union, thus improving the incentives for a wider uptake of methane mitigation solutions across the globe.	(8) Rules for accurate measurement, reporting and verification of methane emissions in the oil, gas and coal sectors, as well as for the abatement of those emissions, including through leak detection and repair surveys and restrictions on venting and flaring, ***while ensuring the protection of workers from methane emissions,*** should be addressed by an appropriate Union legal framework. ~~Such a framework should contain rules to~~ ***The rules laid down in this Regulation should*** enhance transparency with regard to fossil energy imports into the Union~~, thus improving the incentives for a~~ ***and lead towards,*** wider uptake of methane ***emissions*** mitigation solutions across the globe.	(8) Rules for accurate measurement, **monitoring,** reporting and verification of methane emissions in the oil, gas and coal sectors, as well as for the abatement of those emissions, including through leak detection and repair surveys and restrictions on venting and flaring, should be addressed by an appropriate Union legal framework. Such a framework should contain rules to enhance transparency with regard to fossil energy imports into the Union, thus improving the incentives for a wider uptake of methane mitigation solutions across the globe.	
Recital 9				
19	(9) Compliance with the obligations under this Regulation is likely to require investments by regulated operators and the costs associated with such investments	(9) Compliance with the obligations under this Regulation is likely to require investments by regulated operators and the ***additional*** costs associated with such	(9) Compliance with the obligations under this Regulation is likely to require investments by regulated operators and the costs associated with such investments	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	should be taken into account in tariff setting, subject to efficiency principles.	investments should be taken into account in tariff setting, subject to efficiency principles. ***According to the International Energy Agency (IEA), methane abatement measures are very cost-effective in the oil and gas sectors, particularly given the increased market prices for gas, and necessary investments for such measures would be limited, with a short payback period[11]. The necessary costs should not result in a dispropotionate financial burden on end users and consumers. Costs associated with investments in above zero net costs methane emission reduction measures should therefore be taken into account in tariff setting. Vulnerable households should be protected from dispropotionate financial burdens of this Regulation. Appropriate measures taken by the operators to prevent and minimise methane emissions should be those in which the resulting societal impact of the emission is larger than the societal impact of the mitigation measure.*** [11] ***https://www.iea.org/reports/global-methane-tracker-2023 - February 2023***	should be taken into account in tariff setting, subject to efficiency principles.	
Recital 10				
20	(10) Each Member State should appoint at	(10) Each Member State should appoint at	(10) Each Member State should appoint at	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	least one competent authority to oversee that operators effectively comply with the obligations laid down in this Regulation and should notify the Commission about such appointment and any changes thereof. The competent authorities appointed should take all the necessary measures to ensure compliance with the requirements set out in this Regulation. Taking into account the cross-border character of energy sector operations and methane emissions, competent authorities should cooperate with each other and the Commission. In this context, the Commission and the competent authorities of the Member States should form together a network of public authorities applying this Regulation to foster close cooperation, with the necessary arrangements for exchanging information and best practices and allow for consultations.	least one competent authority to oversee that operators effectively comply with the obligations laid down in this Regulation and should notify the Commission about such appointment and any changes thereof. The competent authorities appointed should ***be provided with sufficient financial and human resources by the Member State and should*** take all the necessary measures to ensure compliance with ***this Regulation. The competent authority should establish a contact point***~~the requirements set out in this Regulation~~. Taking into account the cross-border character of energy sector operations and methane emissions, competent authorities should cooperate with each other and the Commission. In this context, the Commission and the competent authorities of the Member States should form together a network of public authorities applying this Regulation to foster close cooperation, with the necessary arrangements for exchanging information and best practices and allow for consultations.	least one competent authority to oversee that operators effectively comply with the obligations laid down in this Regulation and should notify the Commission about such appointment and any changes thereof. The competent authorities appointed should take all the necessary measures to ensure compliance with ~~the requirements set out in~~ this Regulation~~. Taking into account the cross-border character of energy sector operations and methane emissions, competent authorities should cooperate with each other and the Commission. In this context, the Commission and the competent authorities of the Member States should form together a network of public authorities applying this Regulation to foster close cooperation, with the necessary arrangements for exchanging information and best practices and allow for consultations.~~ **in accordance with the tasks specifically attributed to them therein .**	
Recital 11				
21	(11) In order to ensure a smooth and effective implementation of the obligations laid down in this Regulation, the Commission supports Member States	(11) In order to ensure a smooth and effective implementation of the obligations laid down in this Regulation, the Commission supports Member States through	(11) In order to ensure a smooth and effective implementation of the obligations laid down in this Regulation, the Commission supports Member States	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	through the Technical Support Instrument[1] providing tailor-made technical expertise to design and implement reforms, including those promoting the reduction of methane emissions in the energy sector. The technical support, for example, involves strengthening of administrative capacity, harmonising the legislative frameworks and sharing of relevant best practices. _____ 1. Regulation (EU) 2021/240 of the European Parliament and of the Council of 10 February 2021 establishing a Technical Support Instrument (OJ L 57, 18.2.2021).	the Technical Support Instrument[1] providing tailor-made technical expertise to design and implement reforms, including those promoting the reduction of methane emissions in the energy sector. The technical support, for example, involves strengthening of administrative capacity, harmonising the legislative frameworks and sharing of relevant best practices. _____ 1. Regulation (EU) 2021/240 of the European Parliament and of the Council of 10 February 2021 establishing a Technical Support Instrument (OJ L 57, 18.2.2021).	through the Technical Support Instrument[1] providing tailor-made technical expertise to design and implement reforms, including those promoting the reduction of methane emissions in the energy sector. The technical support, for example, involves strengthening of administrative capacity, harmonising the legislative frameworks and sharing of relevant best practices. _____ 1. Regulation (EU) 2021/240 of the European Parliament and of the Council of 10 February 2021 establishing a Technical Support Instrument (OJ L 57, 18.2.2021).	
Recital 12				
22	(12) In order to ensure the performance of their tasks, operators should provide the competent authorities with all assistance necessary. In addition, operators should take all the necessary actions identified by the competent authorities within the period determined by the competent authorities or any other period agreed with the competent authorities.	(12) In order to ensure the performance of their tasks, operators should provide the competent authorities with all assistance necessary. In addition, operators should take all the necessary actions identified by the competent authorities within the period determined by the competent authorities or any other period agreed with the competent authorities. ***Member States should regularly monitor the situation of the sector to detect any possible delay in the application of this Regulation due to a shortage of skilled workers and technologies.***	(12) In order to ensure the performance of their tasks, operators should provide the competent authorities with all assistance necessary. In addition, operators should take all the necessary actions identified by the competent authorities within the period determined by the competent authorities or any other period agreed with the competent authorities.	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Recital 12a				
22a			**(12a) Taking into account the cross-border character of energy sector operations and methane emissions, competent authorities should cooperate with each other and the Commission. In this context, the Commission and the competent authorities of the Member States should form together a network of public authorities applying this Regulation to foster close cooperation, with the necessary arrangements for exchanging information and best practices and allow for consultations.**	
22b		***(12a) According to Regulation (EC) No 1367/2006 of the European Parliament and of the Council[13] and Directive 2003/4/EC of the European Parliament and of the Council[14] emissions into the environment are environmental information. Any grounds for refusal of information by the authorities of the Member States or Union institutions, bodies, offices or agencies regards access to information are therefore to be interpreted in a restrictive way, taking into account the public interest served by disclosure and whether the information***		

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		requested relates to emissions into the environment. [13] ***Regulation (EC) No 1367/2006 of the European Parliament and of the Council of 6 September 2006 on the application of the provisions of the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters to Community institutions and bodies*** [14] ***Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information and repealing Council Directive 90/313/EEC***		
Recital 13				
23	(13) The main mechanism available to the competent authorities should be inspections, including examination of documentation and records, emissions measurements and site checks. Inspections should take place regularly, on the basis of an appraisal of the environmental risk conducted by the competent authorities. In addition, inspections should be carried out to investigate substantiated complaints and occurrences of non-compliance and to ensure that repairs or replacements of	(13) The main mechanism available to the competent authorities should be inspections, including examination of documentation and records, emissions measurements and site checks. Inspections should take place regularly, on the basis of an appraisal of the environmental risk conducted by the competent authorities. ***Already established controlling mechanisms available to the competent authorities should be taken into account. Best practice examples should be identified by the competent authorities.*** In	(13) The main mechanism available to the competent authorities should be inspections, including examination of documentation and records, emissions measurements and site checks. Inspections should take place regularly, on the basis of an appraisal of the environmental risk conducted by the competent authorities. In addition, inspections should be carried out to investigate substantiated complaints and occurrences of non-compliance and to ensure that repairs or replacements of components	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	components are carried out in accordance with this Regulation. Where they identify a serious breach of the requirements of this Regulation, competent authorities should issue a notice of remedial actions to be taken by the operator. Competent authorities should keep records of the inspections and the relevant information should be made available in accordance with Directive 2003/4/EC of the European Parliament and of the Council[1]. 1. Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information and repealing Council Directive 90/313/EEC (OJ L 41, 14.2.2003).	addition, inspections should be carried out to investigate substantiated complaints and occurrences of non-compliance and to ensure that repairs or replacements of components are carried out in accordance with this Regulation. Where they identify a ~~serious~~ breach of the requirements of this Regulation, competent authorities should issue a notice of remedial actions to be taken by the operator. Competent authorities should keep records of the inspections and the relevant information should be made available in accordance with Directive 2003/4/EC of the European Parliament and of the Council~~[1]~~[15]. [15] ***Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information and repealing Council Directive 90/313/EEC (OJ L 41, 14.2.2003)***. ~~1. Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information and repealing Council Directive 90/313/EEC (OJ L 41, 14.2.2003).~~	**and mitigation measures** are carried out in accordance with this Regulation. Where they identify a serious breach of the requirements of this Regulation, competent authorities should issue a notice of remedial actions to be taken by the operator. **Alternatively, the competent authorities may decide to instruct the operator or mine operator to submit to their approval a set of remedial actions to address the breaches.** Competent authorities should keep records of the inspections and the relevant information should be made available in accordance with Directive 2003/4/EC of the European Parliament and of the Council[1]. 1. Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information and repealing Council Directive 90/313/EEC (OJ L 41, 14.2.2003).	
Recital 14				
24	(14) In light of the proximity of some	(14) In light of the proximity of some	(14) In light of the proximity of some	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	methane emission sources to urban or residential areas, natural or legal persons harmed by breaches of this Regulation should be able to lodge duly substantiated complaints with the competent authorities. Complainants should be kept informed of the procedure and decisions taken and should receive a final decision within a reasonable time of lodging the complaint.	methane emission sources to urban or residential areas ***and their impact on health, environment and climate***, natural or legal persons ***should be able to lodge duly substantiated complaints with the competent authorities of possible*** ~~harmed by~~ breaches of this Regulation***. In this context, the European Justice Portal*** should ~~be able to lodge duly substantiated complaints with the~~***enable the submission of complaints and provide access to*** competent authorities ***as well as information***. Complainants should be kept informed of the procedure and decisions taken and should receive a final decision within a reasonable time of lodging the complaint.	methane emission sources to urban or residential areas, natural or legal persons harmed by breaches of this Regulation should be able to lodge duly substantiated complaints with the competent authorities. Complainants should be kept informed of the procedure and decisions taken and should receive a final decision within a reasonable time of lodging the complaint.	
Recital 15				
25	(15) A robust verification framework can improve the credibility of reported data. In addition, the level of detail and technical complexity of methane emissions measurements requires proper verification of methane emissions data reported by operators and mine operators. While self-verification is possible, third party verification ensures greater independence and transparency. In addition, it allows for a harmonized set of competences and level of expertise that may not be available to all	(15) A robust verification framework can improve the credibility of reported data. In addition, the level of detail and technical complexity of methane emissions measurements requires proper verification of methane emissions data reported by operators and mine operators. While self-verification is possible, third party verification ensures greater independence and transparency. In addition, it allows for a harmonized set of competences and level of expertise that may not be available to all public entities.	(15) A robust verification framework ~~can improve~~ **improves** the credibility of reported data. In addition, the level of detail and technical complexity of methane emissions measurements requires proper verification of methane emissions data reported by operators and mine operators. While self-verification is possible, third party verification ensures greater independence and transparency. In addition, it allows for a harmonized set of competences and level of expertise that may	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	public entities. Verifiers should be accredited by accreditation bodies in accordance with Regulation (EC) 765/2008 of the European Parliament and of the Council[1]. Independent accredited verifiers should thus ensure that emissions reports prepared by operators and mine operators are correct and in compliance with the requirements set out in this Regulation. They should review the data in the emissions reports to assess their reliability, credibility and accuracy against free and publicly available European or international standards developed by independent bodies and made applicable by the Commission. The Commission should thus be empowered to adopt delegated acts for the purpose of incorporating and setting out the applicability of such European or international standards. Verifiers are separate from competent authorities and should be independent from the operators and mine operators, who should provide them with all assistance necessary to enable or facilitate the performance of the verification activities, notably as regards access to the premises and the presentation of documentation or records. _____ 1. Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market	Verifiers should be accredited by accreditation bodies in accordance with Regulation (EC) 765/2008 of the European Parliament and of the Council[~~1~~16]. Independent accredited verifiers should thus ensure that emissions reports prepared by operators and mine operators are correct and in compliance with the requirements set out in this Regulation. ~~They~~***The verification activities should be conducted in line with current European or international standards and methodologies and taking due account of the nature of the operator's activities. The verifiers*** should review the data in the emissions reports to assess their reliability, credibility and accuracy against free and publicly available European or international standards developed by independent bodies and made applicable by the Commission. ***To ensure the accuracy of the data, verifiers should conduct announced and unannounced site checks.*** The Commission should thus be empowered to adopt delegated acts for the purpose of incorporating and setting out the applicability of such European or international standards. Verifiers are separate from competent authorities and should be independent from the operators and mine operators, who should provide them with all assistance necessary to enable or facilitate the performance of the verification activities, notably as regards	not be available to all public entities. Verifiers should be accredited by accreditation bodies in accordance with Regulation (EC) 765/2008 of the European Parliament and of the Council[1]~~. Independent accredited verifiers should thus ensure that emissions reports prepared by operators and mine operators are correct and in compliance with the requirements set out in this Regulation. They should review the data in the emissions reports to assess their reliability, credibility and accuracy against free and publicly available European or international standards developed by independent bodies and made applicable by the Commission. The Commission should thus be empowered to adopt delegated acts for the purpose of incorporating and setting out the applicability of such~~ **or otherwise authorised in a manner comparable to Regulation (EC) 765/2008 of the** European ~~or international standards. Verifiers are separate from competent authorities and should be independent from the operators and mine operators, who should provide them with all assistance necessary to enable or facilitate the performance~~**Parliament and** of the ~~verification activities, notably as regards access to the premises and the presentation of documentation or records.~~**Council.** _____	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93 (OJ L 218, 13.8.2008).	access to the premises and the presentation of documentation or records. [16] ***Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93 (OJ L 218, 13.8.2008).*** ~~1. Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93 (OJ L 218, 13.8.2008).~~	1. Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93 (OJ L 218, 13.8.2008).	
Recital 15a				
25a			**(15a)** Independent verifiers should thus ensure that emissions reports prepared by operators and mine operators are correct and in compliance with the requirements set out in this Regulation. They should review the data in the emissions reports to assess their reliability, credibility and accuracy against **clear and harmonised measurement and quantification specifications. In the interest of harmonization and data reliability, credibility, accuracy and comparability, such specifications may be**	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			based or set by means of European standards or, in the absence of such standards, International standards. In the absence of suitable European standards, the Commission should consider requesting the relevant European standardisation organisations to adopt such standards in accordance with Regulation (EU) No 1025/2012 of the European Parliament and of the Council[1]. The Commission should thus be empowered to adopt delegated acts for the purpose of establishing such specifications. _____ **1. Regulation (EU) No 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European standardisation, amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Council Decision 87/95/EEC and Decision No 1673/2006/EC of the European Parliament and of the Council (OJ L 316, 14.11.2012, p. 12).**	
Recital 15b				
25b			**(15b)** Verifiers are separate from competent authorities and should be independent from the operators and mine operators, who should provide them with all assistance	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			necessary to enable or facilitate the performance of the verification activities, notably as regards access to the premises and the presentation of documentation or records.	
Recital 16				
26	(16) The information in the emission reports submitted to the competent authorities should be provided to the Commission in view of a verification role to be attributed to the International Methane Emissions Observatory (IMEO), in particular with regards to methodologies for data aggregation and analysis and verification of methodologies and statistical processes employed by companies to quantify their emissions reported data. The reference criteria in that respect may include the OGMP standards and guidance documents. The information produced by the IMEO should be made available to the public and the Commission should use such information to address any identified shortcomings with regards to the measurement, reporting and verification of methane emissions data.	(16) ~~*The information in the emission reports submitted to the competent authorities should be provided to*~~ ***In performing their obligations and exercising their powers under this Regulation, verifiers, the competent authorities and*** the Commission ~~*in view of a verification role to be attributed to*~~ ***should consider the information made available internationally, for example by*** the International Methane Emissions Observatory (IMEO), in particular with regards to methodologies for data aggregation and analysis and verification of methodologies and statistical processes employed by ***operators and mine operators*** ~~*companies*~~ to quantify their emissions reported data. The reference criteria in that respect may include the ~~*OGMP standards and guidance documents. The information produced by the IMEO should be made available to the public and the Commission should use such information to address any identified shortcomings with regards to the measurement, reporting and verification of*~~	(16) ~~The information in the emission reports submitted to~~**In performing their obligations and exercising their powers under this Regulation, verifiers,** the competent authorities ~~should be provided to~~**and** the Commission ~~in view of a verification role to be attributed to~~**should consider the information made available internationally, for example by** the International Methane Emissions Observatory (IMEO),- in particular with regards to methodologies for data aggregation and analysis and verification of methodologies and statistical processes employed by ~~companies~~**operators or mine operators** to quantify their emissions reported data. The reference criteria in that respect may include the OGMP standards and guidance documents. ~~The information produced by the IMEO should be made available to the public and the Commission should use such information to address any identified shortcomings with regards to the measurement, reporting and verification of~~	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		~~methane emissions data.~~ ***Oil and Gas Methane Partnership (OGMP) reporting framework, templates and guidance documents.***	~~methane emissions data.~~	
Recital 17				
27	(17) The IMEO was set up in October 2020 by the Union in partnership with the United Nations Environmental Programme, the Climate and Clean Air Coalition and the International Energy Agency, and launched at the G20 Summit in October 2021. The IMEO has been tasked with collecting, reconciling, verifying and publishing anthropogenic methane emissions data at a global level. The IMEO is part of the United Nations Environment Programme, which concluded a Memorandum of Understanding with the European Union. Its role is crucial for verification of methane emissions data in the energy sector and appropriate relations should be established in order to put into effect the entrustment of verification tasks. As the IMEO is not a Union body and is not subject to Union law, it is essential to provide that IMEO takes appropriate measures to ensure the protection of the interests of the Union and its Member States.	(17) The IMEO was set up in October 2020 by the Union in partnership with the United Nations Environmental Programme, the Climate and Clean Air Coalition and the International Energy Agency, and launched at the G20 Summit in October 2021. The IMEO has been tasked with collecting, reconciling, verifying and publishing anthropogenic methane emissions data at a global level. The IMEO ~~*is part of the United Nations Environment Programme, which concluded a Memorandum of Understanding with the European Union. Its role is crucial for verification of methane emissions data in the energy sector and appropriate relations should be established in order to put into effect the entrustment of verification tasks. As the IMEO is not a Union body and is not subject to Union law, it is essential to provide that IMEO takes appropriate measures to ensure the protection of the interests of the Union and its Member States.*~~ ***should play a role in identifying super emitters by way of an early detection and***	(17) The IMEO was set up in October 2020 by the Union in partnership with the United Nations Environmental Programme, the Climate and Clean Air Coalition and the International Energy Agency, and launched at the G20 Summit in October 2021. ~~The IMEO has been tasked with collecting, reconciling, verifying and publishing anthropogenic methane emissions data at a global level. The IMEO is part of the United Nations Environment Programme, which concluded a Memorandum of Understanding with the European Union. Its role is crucial for verification of methane emissions data in the energy sector and appropriate relations should be established in order to put into effect the entrustment of verification tasks. As the IMEO is not a Union body and is not subject to Union law, it is essential to provide that IMEO takes appropriate measures to ensure the protection of the interests of the Union and its Member States.~~	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		warning system.		
Recital 18				
28	(18) As party to the United Nations Framework Convention on Climate Change (UNFCCC) and the Paris Agreement, the Union is required to provide annually an inventory report of anthropogenic greenhouse gas emissions constituting an aggregate of the member States national greenhouse gas inventories, prepared using good practice methodologies accepted by the Intergovernmental Panel on Climate Change (IPCC).	(18) As party to the United Nations Framework Convention on Climate Change (UNFCCC) and the Paris Agreement, the Union is required to provide annually an inventory report of anthropogenic greenhouse gas emissions constituting an aggregate of the member States national greenhouse gas inventories, prepared using good practice methodologies accepted by the Intergovernmental Panel on Climate Change (IPCC).	(18) As party to the United Nations Framework Convention on Climate Change (UNFCCC) and the Paris Agreement, the Union is required to provide annually an inventory report of anthropogenic greenhouse gas emissions constituting an aggregate of the member States national greenhouse gas inventories, prepared using good practice methodologies accepted by the Intergovernmental Panel on Climate Change (IPCC).	
Recital 19				
29	(19) Regulation (EU) 2018/1999 of the European Parliament and of the Council[1] requires Member States to report greenhouse gas inventory data to the Commission and to report their national projections. Pursuant to Article 17(2) of Regulation (EU) 2018/1999 reporting is to be undertaken using UNFCCC reporting guidelines, and is often based on default emission factors rather than direct source-level measurements, implying uncertainties on the origin, frequency and magnitude of	(19) Regulation (EU) 2018/1999 of the European Parliament and of the Council[1] requires Member States to report greenhouse gas inventory data to the Commission and to report their national projections. Pursuant to Article 17(2) of Regulation (EU) 2018/1999 reporting is to be undertaken using UNFCCC reporting guidelines, and is often based on default emission factors rather than direct source-level measurements, implying uncertainties on the origin, frequency and magnitude of emissions.	(19) Regulation (EU) 2018/1999 of the European Parliament and of the Council[1] requires Member States to report greenhouse gas inventory data to the Commission and to report their national projections. Pursuant to Article 17(2) of Regulation (EU) 2018/1999 reporting is to be undertaken using UNFCCC reporting guidelines, and is often based on default emission factors rather than direct source-level measurements, implying uncertainties on the origin, frequency and magnitude of emissions.	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	emissions. _____ 1. Regulation (EU) 2018/1999 of the European Parliament and of the Council of 11 December 2018 on the Governance of the Energy Union and Climate Action, amending Regulations (EC) No 663/2009 and (EC) No 715/2009 of the European Parliament and of the Council, Directives 94/22/EC, 98/70/EC, 2009/31/EC, 2009/73/EC, 2010/31/EU, 2012/27/EU and 2013/30/EU of the European Parliament and of the Council, Council Directives 2009/119/EC and (EU) 2015/652 and repealing Regulation (EU) No 525/2013 of the European Parliament and of the Council (OJ L 328, 21.12.2018, p. 1).	_____ 1. Regulation (EU) 2018/1999 of the European Parliament and of the Council of 11 December 2018 on the Governance of the Energy Union and Climate Action, amending Regulations (EC) No 663/2009 and (EC) No 715/2009 of the European Parliament and of the Council, Directives 94/22/EC, 98/70/EC, 2009/31/EC, 2009/73/EC, 2010/31/EU, 2012/27/EU and 2013/30/EU of the European Parliament and of the Council, Council Directives 2009/119/EC and (EU) 2015/652 and repealing Regulation (EU) No 525/2013 of the European Parliament and of the Council (OJ L 328, 21.12.2018, p. 1).	_____ 1. Regulation (EU) 2018/1999 of the European Parliament and of the Council of 11 December 2018 on the Governance of the Energy Union and Climate Action, amending Regulations (EC) No 663/2009 and (EC) No 715/2009 of the European Parliament and of the Council, Directives 94/22/EC, 98/70/EC, 2009/31/EC, 2009/73/EC, 2010/31/EU, 2012/27/EU and 2013/30/EU of the European Parliament and of the Council, Council Directives 2009/119/EC and (EU) 2015/652 and repealing Regulation (EU) No 525/2013 of the European Parliament and of the Council (OJ L 328, 21.12.2018, p. 1).	
Recital 20				
30	(20) Country data reported pursuant to UNFCCC reporting provisions is submitted to the UNFCCC secretariat according to different tiers of reporting in line with the IPCC guidelines. In this context, the IPCC generally suggests using higher tier methods for those emission sources which have a significant influence on a country's total inventory of greenhouse gases in terms of absolute level, trend or uncertainty.	(20) Country data reported pursuant to UNFCCC reporting provisions is submitted to the UNFCCC secretariat according to different tiers of reporting in line with the IPCC guidelines. In this context, the IPCC generally suggests using higher tier methods for those emission sources which have a significant influence on a country's total inventory of greenhouse gases in terms of absolute level, trend or uncertainty.	(20) Country data reported pursuant to UNFCCC reporting provisions is submitted to the UNFCCC secretariat according to different tiers of reporting in line with the IPCC guidelines. In this context, the IPCC generally suggests using higher tier methods for those emission sources which have a significant influence on a country's total inventory of greenhouse gases in terms of absolute level, trend or uncertainty.	
Recital 21				
31	(21) A tier represents a level of methodological complexity. Three tiers are	(21) A tier represents a level of methodological complexity. Three tiers are	(21) A tier represents a level of methodological complexity. Three tiers are	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	available. Tier 1 methods typically use IPCC default emission factors and require the most basic, and least disaggregated, activity data. Higher tiers usually utilise more elaborate methods and source-specific, technology-specific, region-specific or country-specific emission factors, which are often based on measurements, and normally require more highly disaggregated activity data. Specifically, tier 2 requires country-specific, instead of default, emission factors to be used, while tier 3 requires plant-by-plant data or measurements and comprises the application of a rigorous bottom-up assessment by source type at the individual facility level. Progressing from tier 1 to tier 3 represents an increase in the certainty of measurements of methane-related emissions[1]. _____ 1. IPCC (2019) 2019 Refinement to the 2006 IPCC guidelines for national greenhouse gas inventories.	available. Tier 1 methods typically use IPCC default emission factors and require the most basic, and least disaggregated, activity data. Higher tiers usually utilise more elaborate methods and source-specific, technology-specific, region-specific or country-specific emission factors, which are often based on measurements, and normally require more highly disaggregated activity data. Specifically, tier 2 requires country-specific, instead of default, emission factors to be used, while tier 3 requires plant-by-plant data or measurements and comprises the application of a rigorous bottom-up assessment by source type at the individual facility level. Progressing from tier 1 to tier 3 represents an increase in the certainty of measurements of methane-related emissions[1]. _____ 1. IPCC (2019) 2019 Refinement to the 2006 IPCC guidelines for national greenhouse gas inventories.	available. Tier 1 methods typically use IPCC default emission factors and require the most basic, and least disaggregated, activity data. Higher tiers usually utilise more elaborate methods and source-specific, technology-specific, region-specific or country-specific emission factors, which are often based on measurements, and normally require more highly disaggregated activity data. Specifically, tier 2 requires country-specific, instead of default, emission factors to be used, while tier 3 requires plant-by-plant data or measurements and comprises the application of a rigorous bottom-up assessment by source type at the individual facility level. Progressing from tier 1 to tier 3 represents an increase in the certainty of measurements of methane-related emissions[1]. _____ 1. IPCC (2019) 2019 Refinement to the 2006 IPCC guidelines for national greenhouse gas inventories.	
Recital 22				
32	(22) Member States have different practices as concerns the tier level at which they report their energy related methane emissions to the UNFCCC. Reporting at tier 2 for large emission sources is in line	(22) Member States have different practices as concerns the tier level at which they report their energy related methane emissions to the UNFCCC. Reporting at tier 2 for large emission sources is in line with IPCC	(22) Member States have different practices as concerns the tier level at which they report their energy related methane emissions to the UNFCCC. Reporting at tier 2 for large emission sources is in line with IPCC	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	with IPCC reporting guidelines as tier 2 is considered a higher tier method. Consequently, estimation methodologies and reporting of energy related methane emissions varies across Member States, and reporting at the lowest, tier 1, level is still very common in several Member States for methane emissions from coal, gas and oil.	reporting guidelines as tier 2 is considered a higher tier method. Consequently, estimation methodologies and reporting of energy related methane emissions varies across Member States, and reporting at the lowest, tier 1, level is still very common in several Member States for methane emissions from coal, gas and oil.	reporting guidelines as tier 2 is considered a higher tier method. Consequently, estimation methodologies and reporting of energy related methane emissions varies across Member States, and reporting at the lowest, tier 1, level is still very common in several Member States for methane emissions from coal, gas and oil.	
Recital 23				
33	(23) Currently, voluntary industry-led initiatives remain the principal course of action for methane emissions quantification and mitigation in many countries. A key energy sector led initiative is the Oil and Gas Methane Partnership ('OGMP'), a voluntary initiative on measuring and reporting of methane emissions created in 2014 by the United Nations Environmental Programme (UNEP) and the Climate and Clean Air Coalition (CCAC), in whose board the Commission is represented. The OGMP focuses on establishing best-practices to improve the availability of global information on methane emissions quantification and management and to drive mitigation actions to reduce methane emissions. To date, over 60 companies have signed up to OGMP, covering 30% of global oil and gas production and assets in	(23) Currently, voluntary industry-led initiatives remain the principal course of action for methane emissions quantification and mitigation in many countries. A key energy sector led initiative is the Oil and Gas Methane Partnership ('OGMP'), a voluntary initiative on measuring and reporting of methane emissions created in 2014 by the United Nations Environmental Programme (UNEP) and the Climate and Clean Air Coalition (CCAC), in whose board the Commission is represented. The OGMP focuses on establishing best-practices to improve the availability of global information on methane emissions quantification and management and to drive mitigation actions to reduce methane emissions. To date, over 60 companies have signed up to OGMP, covering 30% of global oil and gas production and assets in five	(23) Currently, voluntary industry-led initiatives remain the principal course of action for methane emissions quantification and mitigation in many countries. A key energy sector led initiative is the Oil and Gas Methane Partnership ('OGMP'), a voluntary initiative on measuring and reporting of methane emissions created in 2014 by the United Nations Environmental Programme (UNEP) and the Climate and Clean Air Coalition (CCAC), in whose board the Commission is represented. The OGMP focuses on establishing best-practices to improve the availability of global information on methane emissions quantification and management and to drive mitigation actions to reduce methane emissions. To date, over 60 companies have signed up to OGMP, covering 30% of global oil and gas production and assets in five	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	five continents. The OGMP's work on developing standards and methodologies involves governments, civil society and business. The OGMP 2.0 framework is the latest iteration of a dynamic methane emissions standard and it can provide a suitable basis for methane emissions standards, based on sound scientific norms.	continents. The OGMP's work on developing standards and methodologies involves governments, civil society and business. The OGMP 2.0 framework is the latest iteration of a dynamic methane emissions standard and it can provide a suitable basis for methane emissions standards, based on sound scientific norms.	continents. The OGMP's work on developing standards and methodologies involves governments, civil society and business. The OGMP 2.0 framework is the latest iteration of a dynamic methane emissions standard and it can provide a suitable basis for methane emissions standards, based on sound scientific norms.	
Recital 24				
34	(24) Against this background, it is necessary to improve the measurement and quality of reported data of methane emissions, including on the main sources of methane emissions associated with energy produced and consumed within the Union. Moreover, the availability of source-level data and robust quantification of emissions should be ensured, thereby increasing the reliability of reporting as well as the scope for appropriate measures for mitigation.	(24) Against this background, it is necessary to improve the measurement and quality of reported data of methane emissions, including on the main sources of methane emissions associated with energy produced and consumed within the Union. Moreover, the availability of source-level data and robust quantification of emissions should be ensured, thereby increasing the reliability of reporting as well as the scope for appropriate measures for mitigation.	(24) Against this background, it is necessary to improve the measurement and quality of reported data of methane emissions, including on the main sources of methane emissions associated with energy produced and consumed within the Union. Moreover, the availability of source-level data and robust quantification of emissions should be ensured, thereby increasing the reliability of reporting as well as the scope for appropriate measures for mitigation.	
Recital 25				
35	(25) For measuring and reporting to be effective, oil and gas companies should be required to measure and report methane emissions by source, and to make aggregated data available to Member States	(25) For ~~measuring~~***quantification*** and reporting to be effective, oil and gas companies should be required to ~~measure~~***quantify*** and report methane emissions by source, and to make aggregated	(25) For measuring and reporting to be effective, oil**, gas and coal** ~~and gas~~ companies should be required to measure and report methane emissions by source, and to make aggregated data available to	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	in order for Member States to be able to improve the accuracy of their inventories reporting. In addition, effective verification of company reported data is necessary and, to minimise the administrative burden for operators, reporting should be organised on an annual basis.	data available to Member States in order for Member States to be able to improve the accuracy of their inventories reporting. In addition, effective verification of company reported data is necessary and, to minimise the administrative burden for operators, reporting should be organised on an annual basis.	Member States in order for Member States to be able to improve the accuracy of their inventories reporting. In addition, effective verification of company reported data is necessary and, to minimise the administrative burden for operators, reporting should be organised on an annual basis.	
Recital 26				
36	(26) This Regulation builds on the OGMP 2.0 framework insofar as it meets the criteria referred to in Recitals 24 and 25, to contribute towards the collection of reliable and robust data that would form a sufficient basis for monitoring methane emissions and if necessary to build additional action to further curb methane emissions.	(26) This Regulation builds on the OGMP 2.0 framework insofar as it meets the criteria referred to in Recitals 24 and 25, to contribute towards the collection of reliable and robust data that would form a sufficient basis for monitoring methane emissions and if necessary to build additional action to further curb methane emissions.	(26) This Regulation builds on the ~~OGMP 2.0~~ **latest OGMP** framework insofar as it meets the criteria referred to in Recitals 24 and 25, to contribute towards the collection of reliable and robust data that would form a sufficient basis for monitoring methane emissions and if necessary to build additional action to further curb methane emissions.	
Recital 27				
37	(27) The OGMP 2.0 framework has five levels of reporting. Source-level reporting begins at level 3, which is considered comparable with UNFCCC tier 3. It allows generic emission factors to be used. OGMP 2.0 level 4 reporting requires direct measurements of source-level methane	(27) The ***latest*** OGMP 2.0 framework has five levels of reporting. Source-level reporting begins at level 3, which is considered comparable with UNFCCC tier 3. It allows generic emission factors to be used. OGMP 2.0 level 4 reporting requires direct measurements of source-level methane	(27) The ~~OGMP 2.0~~ **latest OGMP** framework has five levels of reporting. Source-level reporting begins at level 3, which is considered comparable with UNFCCC tier 3. It allows generic emission factors to be used. OGMP 2.0 level 4 reporting requires direct measurements of	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	emissions. It allows the use of specific emission factors. OGMP 2.0 level 5 reporting requires the addition of complementary site-level measurements. In addition, the OGMP 2.0 framework requires companies to report direct measurements of methane emissions within three years of joining OGMP 2.0 for operated assets and within five years for non-operated assets. Building on the approach taken in OGMP 2.0 with regard to source-level reporting and taking into account that a large number of Union companies had already signed up to OGMP 2.0 in 2021, Union operators should be required to deliver direct source-level measurements of their emissions within 24 months for operated assets and within 36 months for non-operating assets. In addition to source level quantification, site-level quantification allows assessment, verification and reconciliation of source-level estimates aggregated by site, thereby providing improved confidence in reported emissions. As in OGMP 2.0, this Regulation requires site-level measurements to reconcile source-level measurements.	emissions. It allows the use of specific emission factors. OGMP 2.0 level 5 reporting requires the addition of complementary site-level measurements. In addition, the OGMP 2.0 framework requires companies to report direct measurements of methane emissions within three years of joining OGMP 2.0 for operated assets and within five years for non-operated assets. Building on the approach taken in OGMP 2.0 with regard to source-level reporting and taking into account that a large number of Union companies had already signed up to OGMP 2.0 in 2021, Union operators should be required to deliver direct source-level measurements of their emissions within ~~24~~***12*** months for operated assets and within ~~36~~***24*** months for non-operating assets. In addition to source level quantification, site-level quantification allows assessment, verification and reconciliation of source-level estimates aggregated by site, thereby providing improved confidence in reported emissions. As in OGMP 2.0, this Regulation requires site-level measurements to reconcile source-level ~~*measurements*~~***quantification***.	source-level methane emissions. It allows the use of specific emission factors. OGMP 2.0 level 5 reporting requires the addition of complementary site-level measurements. In addition, the OGMP 2.0 framework requires companies to report direct measurements of methane emissions within three years of joining OGMP 2.0 for operated assets and within five years for non-operated assets. Building on the approach taken in OGMP 2.0 with regard to source-level reporting and taking into account that a large number of Union companies had already signed up to OGMP 2.0 in 2021, Union operators should be required to deliver direct source-level measurements of their emissions within 24 months for operated assets and within 36 months for non-operating assets. In addition to source level quantification, site-level quantification allows assessment, verification and reconciliation of source-level estimates aggregated by site, thereby providing improved confidence in reported emissions. As in OGMP 2.0, this Regulation requires site-level measurements to reconcile source-level measurements. **A harmonised approach requires standardised specifications to conduct direct measurements or quantification for gas infrastructure which may be based or set by means of European standards or, in the absence of such standards, International**	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			standards. In the absence of suitable European standards, the Commission should consider requesting the relevant European standardisation organisations to adopt such standards in accordance with Regulation (EU) No 1025/2012 of the European Parliament and of the Council. The Commission should thus be empowered to adopt delegated acts for the purpose of establishing such specifications.	
Recital 28				
38	(28) According to data from the Union's GHG inventory, more than half of all direct energy sector methane emissions is due to unintentional release of emissions into the atmosphere. In the case of oil and gas, that represents the largest share of methane emissions.	(28) According to data from the Union's GHG inventory, more than half of all direct energy sector methane emissions is due to unintentional release of emissions into the atmosphere. In the case of oil and gas, that represents the largest share of methane emissions.	(28) According to data from the Union's GHG inventory, more than half of all direct energy sector methane emissions is due to unintentional release of emissions into the atmosphere. In the case of oil and gas, that represents the largest share of methane emissions.	
Recital 29				
39	(29) Unintentional leaks of methane into the atmosphere can occur during drilling, extraction as well as during processing, storage, transmission and distribution to end-use consumers. They can also occur in inactive oil or gas wells. Some emissions	(29) Unintentional leaks of methane into the atmosphere can occur during drilling, extraction as well as during processing, storage, transmission and distribution to end-use consumers. They can also occur in inactive oil or gas wells. Some emissions	(29) Unintentional leaks of methane into the atmosphere can occur during drilling, extraction as well as during processing, storage, transmission and distribution to end-use consumers. They can also occur in inactive**, temporarily plugged and**	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	result from imperfections in, or ordinary wear and tear of, technical components such as joints, flanges and valves, or from damaged components, for example in the case of accidents. Corrosion or damage can also cause leaks from the walls of pressurised equipment.	result from imperfections in, or ordinary wear and tear of, technical components such as joints, flanges and valves, or from damaged components, for example in the case of accidents. Corrosion or damage can also cause leaks from the walls of pressurised equipment.	**permanently plugged and abandoned** oil or gas wells. Some emissions– result from imperfections in, or ordinary wear and tear of, technical components such as joints, flanges and valves, or from damaged components, for example in the case of accidents. Corrosion or damage can also cause leaks from the walls of pressurised equipment.	
Recital 30				
40	(30) While venting of methane is typically intentional, resulting from processes or activities and devices designed for that purpose, it can also be unintentional, as in the case of a malfunction.	(30) ~~*While*~~***Flaring and*** venting of methane ~~*is typically*~~***are*** intentional, resulting from processes or activities and devices designed for that purpose~~*, it can also be unintentional, as in the case of a malfunction*~~.	(30) While venting of methane is typically intentional, resulting from processes or activities and devices designed for that purpose, it can also be unintentional, as in the case of a malfunction.	
Recital 31				
41	(31) In order to reduce those emissions, operators should take all measures available to them to minimise methane emissions in their operations.	(31) In order to reduce those emissions, operators should take all measures available to them to minimise methane emissions in their operations.	(31) In order to reduce those emissions, operators should take all ~~measures available to them~~ **appropriate mitigation measures** to minimise methane emissions in their operations.	
41a		***(31a) The member companies of Oil and***		

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		Gas Climate Initiative (OGCI), including many with headquarters in Europe, have committed to lower methane intensity to 0.2% by 2025 and have begun deploying mitigation efforts. The OGCI member companies met their initial 2025 upstream methane intensity level already in 2020 and reached 0.17% in 2021. Several major European producers report to have reached a methane intensity for its upstream and midstream intensity level well-below the level. The Commission should therefore study the possibility of introducing an ambitious upstream methane emission intensity performance standard at below or equal to 0,2% and come up with a metric and provisions to implement the appropriate performance standard.		
Recital 32				
42	(32) More specifically, methane emissions from leaks are most commonly reduced by methane leak detection and repair ('LDAR') surveys, carried out to identify leaks and followed by repair of such leaks. Operators should therefore conduct at least periodic LDAR surveys and these should also cover surveying of components that vent methane, to survey for unintentional venting of methane.	(32) More specifically, methane emissions from leaks are most commonly reduced by methane leak detection and repair ('LDAR') surveys, carried out to identify ~~*leaks and followed by repair of such leaks*~~***and then repair leaks or replacement of leaking components***. Operators should therefore conduct at least periodic LDAR surveys and these should also cover surveying of components that vent methane, to ~~*survey for*~~	(32) More specifically, methane emissions from leaks are most commonly reduced by methane leak detection and repair ('LDAR') surveys, carried out to identify leaks and followed by repair of such leaks. Operators should therefore conduct at least periodic LDAR surveys and these should also cover surveying of components that vent methane, to survey for unintentional venting of methane.	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		~~unintentional venting of methane~~***check for malfunctioning equipment***.		
Recital 33				
43	(33) For that purpose, a harmonised approach to ensure a level-playing field for all operators in the Union should be set up. That approach should include minimum requirements for LDAR surveys, while leaving an adequate degree of flexibility to Member States and operators. This is essential to allow innovation and the development of new LDAR technologies and methods, thus preventing the lock-in of technology, to the detriment of environmental protection. New technologies and detection methods continue to emerge and Member States should encourage innovation in this sector, so that the most accurate and cost-effective methods can be adopted.	(33) For that purpose, a harmonised approach to ensure a level-playing field for all operators in the Union should be set up. That approach should include minimum requirements for LDAR surveys, while leaving an adequate degree of flexibility to Member States and operators. This is essential to allow innovation and the development of new ***components,*** LDAR technologies and methods, thus preventing the lock-in of technology, to the detriment of environmental protection. New technologies and detection methods continue to emerge and Member States should encourage innovation in this sector, so that the most ***leak-free,*** accurate and cost-effective ***components, LDAR technologies and*** methods can be adopted.	(33) For that purpose, a harmonised approach to ensure a level-playing field for all operators in the Union should be set up. That approach should include minimum requirements for LDAR surveys, while leaving an adequate degree of flexibility to Member States and operators. This is essential to allow innovation and the development of new LDAR technologies and methods, thus preventing the lock-in of technology, to the detriment of environmental protection. New technologies and detection methods continue to emerge and Member States should encourage innovation in this sector, so that the most accurate and cost-effective methods can be adopted.	
Recital 33a				
43a			**(33a) A harmonised approach requires standardised specifications to identify or detect methane releases using different instruments and technologies and which**	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			may be based or set by means of European standards or, in the absence of such standards, International standards. In the absence of suitable European standards, the Commission should consider requesting the relevant European standardisation organisations to adopt such standards in accordance with Regulation (EU) No 1025/2012 of the European Parliament and of the Council. The Commission should thus be empowered to adopt delegated acts for the purpose of establishing such specifications.	
43b		***(33a) A harmonised approach benefits from standardised specifications to identify or detect methane releases using different instruments and technologies and which may be based or set by means of European standards or, in the absence of such standards, International standards. In the absence of suitable European standards, the Commission should consider requesting the relevant European standardisation organisations to adopt such standards in accordance with Regulation (EU) No 1025/2012 of the European Parliament and of the Council. The Commission should***		

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		thus be empowered to adopt delegated acts for the purpose of establishing such specifications.		
Recital 34				
44	(34) Obligations on LDAR surveys should reflect a number of good practices. LDAR surveys should be primarily aimed at finding and fixing leaks, rather than quantifying them, and those areas with a higher risk of leaks should be checked more frequently; the frequency of surveys should be guided not only by the need to repair components from which methane is escaping above the methane emission threshold but also by operational considerations, taking into account risks to safety. Thus, where a higher risk to safety or higher risk of methane losses is identified, the competent authorities should be allowed to recommend a higher frequency of surveys for the relevant components; all leaks irrespective of size should be recorded and monitored, as small leaks can develop into larger ones; leak repairs should be followed by confirmation that they have been effective; in order to allow for future, more advanced methane emissions detecting technologies to be used, the size of methane loss at or above which a	(34) Obligations on LDAR surveys should reflect a number of good practices. LDAR surveys should be primarily aimed at finding and ~~*fixing leaks, rather than quantifying them, and those areas with a higher risk of leaks should be checked more frequently*~~***eliminating as quickly as possible leaks by repair or replacement of the leaking component, rather than quantifying them***; the frequency of surveys should be guided ~~*not only*~~ by the need to repair ~~*components from which methane is escaping above the methane emission threshold but also by operational considerations, taking into account risks to safety. Thus, where a higher risk to safety or higher risk of methane losses is identified, the competent authorities should be allowed to recommend a higher frequency of surveys for the relevant components*~~***or replace components with a technology that is more leak tight***; all leaks irrespective of size should be ~~*recorded and monitored*~~***repaired***, as small leaks can develop into larger ones; leak repairs should be followed by confirmation that they have	(34) Obligations on LDAR surveys should reflect a number of good practices. LDAR surveys should be primarily aimed at finding and fixing leaks, rather than quantifying them, and those areas with a higher risk of leaks should be checked more frequently; the frequency of surveys should be guided not only by the need to repair components from which methane is escaping above the methane emission threshold but also by operational considerations, taking into account risks to safety. Thus, where a higher risk to safety or higher risk of methane losses is identified, the competent authorities should be allowed ~~to recommend~~**toimpose changes in LDAR programme such as** a higher frequency of surveys for the relevant components~~; all leaks irrespective of size should be recorded and monitored, as small leaks can develop into larger ones; leak repairs should be followed by confirmation that they have been effective; in~~**. I n** order to allow for future, more advanced methane emissions detecting technologies to be used, the size of methane loss at or above which a	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	repair is warranted should be specified, while allowing operators the choice of detection device. Where appropriate, continuous monitoring may be used in the context of this Regulation.	been effective; in order to allow for future, more advanced ***components or*** methane emissions detecting technologies to be used, the ~~*size of methane loss at or above which a repair is warranted*~~***minimum requirements for the device and methodology used for leak detection*** should be specified, ~~*while allowing operators the choice of detection device. Where appropriate, continuous monitoring may be used in the context of this Regulation*~~***based on their proven efficacy***.	repair is warranted should be specified, while allowing operators the choice of detection ~~device~~**devices**. Where appropriate, continuous monitoring may be used in the context of this Regulation.	
Recital 34a				
44a			**(34a) Repair or replacement should take place immediately after detection or as soon as possible thereafter. Albeit the need to consider exceptional safety, administrative and technical aspects, the necessary evidence to justify any delays in repair should be provided. Moreover, all leaks irrespective of size should be recorded and monitored, as small leaks can develop into larger ones; leak repairs should be followed by confirmation that they have been effective.**	
44b		***(34a) Many leaks today are due to old***		

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		technologies and poor maintenance. Those technologies should be rapidly replaced by new innovative solutions. The leak detection and repair programme should therefore outline how the operator intends to map components which are at a high risk of methane leaks and set out how it intends to replace all of these components with new innovative technologies that ensure long-term protection against future leaks.		
Recital 34b				
44c			**(34b) Small connected systems as defined in Directive (EU) 2019/944 may face security of supply and grid stability issues in the case of a system shutdown. Therefore, to avoid such risks for the security of supply, repair or replacement works should be carried out when the next shutdown is scheduled.**	
Recital 35				
45	(35) Venting consists of the release of uncombusted methane into the atmosphere either intentionally from processes or activities or devices designed to do it, or unintentionally in the case of a malfunction. In light of its potent GHG emission effect,	(35) Venting consists of the release of uncombusted methane into the atmosphere ~~*either*~~ intentionally from processes or activities or devices designed to do it~~*, or unintentionally in the case of a malfunction*~~. In light of its potent GHG emission effect,	(35) ~~Venting consists of the release of uncombusted methane into the atmosphere either intentionally from processes or activities or devices designed to do it, or unintentionally in the case of a malfunction.~~ In light of its potent GHG emission effect,	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	venting should be banned except in the case of emergencies, malfunction or during certain specific events where some venting is unavoidable.	venting should be banned except in the case of emergencies, malfunction or during certain specific events where some venting is unavoidable. ***To ensure that operators do not use equipment designed to vent, technology standards should be adopted that allow for the use of zero-emitting alternatives.***	venting should be banned except in the case of emergencies, malfunction or during certain specific events where some venting is unavoidable **and strictly necessary. To ensure that operators do not use equipment designed to vent, technology standards should be adopted that allow for the use of lower-emitting alternatives**.	
Recital 36				
46	(36) Flaring is the controlled combustion of methane for the purpose of disposal in a device designed for said combustion. When carried out during the normal production of oil or fossil gas and as a result of insufficient facilities or amenable geology to re-inject methane, utilise it on-site, or dispatch it to a market, it is considered routine flaring. Routine flaring should be banned. Flaring should only be permissible when it is the only alternative to venting and where venting is not prohibited. Venting is more harmful to the environment than flaring as the released gas typically contains high-levels of methane, whereas flaring oxidises methane into carbon dioxide.	(36) Flaring is the controlled combustion of methane for the purpose of disposal in a device designed for said combustion. When carried out during the normal production of oil or fossil gas and as a result of insufficient facilities or amenable geology to re-inject methane, utilise it on-site, or dispatch it to a market, it is considered routine flaring. Routine flaring should be banned. Flaring should only be permissible when it is the only alternative to venting and where venting is not prohibited***, consequently, where no other choice is available, flaring should always be preferred to venting. However, according to the IEA[19], globally, 143 bcm of fossil gas was flared in 2021 – roughly equivalent to the total volume of natural gas imported into Germany, France and the Netherlands. This resulted in the direct release of 270 Mt of CO2 and nearly 8 Mt of***	(36) ~~Flaring is the controlled combustion of methane for the purpose of disposal in a device designed for said combustion.~~ When carried out during the normal production of oil ~~or fossil gas and as a result of insufficient~~**and gas in the absence of sufficient** facilities or amenable geology to re-inject ~~methane~~**the produced gas ,**~~,~~ utilise it on-site, or dispatch it to a market, ~~it~~ **flaring** is considered **as** routine flaring. Routine flaring should be banned. Flaring should only be permissible when it is the only alternative to venting ~~and where venting is not prohibited.~~. Venting is more harmful to the environment than flaring as the released gas typically contains high-levels of methane, whereas flaring oxidises methane into carbon dioxide **which has a lower global warming potential**.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		methane (240 Mt CO2-eq). Venting is more harmful to the environment than flaring as the released gas typically contains high-levels of methane, whereas flaring oxidises methane into carbon dioxide. ***According to the IEA, reducing flaring, venting and methane leaks would offer more immediate relief to gas markets than investing in new supply. The IEA[20] estimated that nearly 210 billion cubic metres (bcm) of natural gas could be made available to gas markets by a global effort to eliminate non-emergency flaring and reduce methane emissions from oil and gas operations.*** [19] ***https://www.iea.org/reports/flaring-emissions - September 2022*** [20] ***https://iea.blob.core.windows.net/assets/9414ec9a-bbba-4592-b005-4af05c894bdc/Theenergysecuritycasefortacklinggasflaringandmethaneleaks.pdf - June 20222***		
Recital 37				
47	(37) Using flaring as an alternative to venting requires that flaring devices are efficient at combusting methane. For that reason, a combustion efficiency requirement should also be included for the	(37) Using flaring as an alternative to venting requires that flaring devices are efficient at combusting methane. For that reason, a combustion efficiency requirement should also be included for the cases in	(37) Using flaring as an alternative to venting requires that flaring devices are efficient at combusting methane. For that reason, a combustion efficiency requirement should also be included for the cases in	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	cases in which flaring is admissible. Use of pilot burners, which give more reliable ignition as they are not affected by wind, should also be required.	which flaring is admissible. Use of ***auto-igniter or continuous*** pilot burners, which give more reliable ignition as they are not affected by wind, should also be required.	which flaring is admissible. Use of **an auto-igniter or** pilot burners, which give more reliable ignition as they are not affected by wind, should also be required.	
Recital 38				
48	(38) Re-injection, utilisation on-site or dispatch of the methane to a market should always be preferable to flaring - and therefore venting - of methane. Operators that vent should provide proof to the competent authorities that neither re-injection, utilisation on-site or dispatch of the methane to a market nor flaring were possible and operators that flare should provide proof to the competent authorities that re-injection, utilisation on-site or dispatch of the methane to a market was not possible.	(38) Re-injection, utilisation on-site or dispatch of the methane to a market should always be preferable to flaring - and therefore venting - of methane. Operators that vent should provide proof to the competent authorities that neither re-injection, utilisation on-site or dispatch of the methane to a market nor flaring were possible and operators that flare should provide proof to the competent authorities that re-injection, utilisation on-site or dispatch of the methane to a market was not possible.	(38) Re-injection, utilisation on-site or dispatch of the methane to a market should always be preferable to flaring - and therefore venting - of methane. Operators that vent should provide proof to the competent authorities that neither re-injection, utilisation on-site or dispatch of the methane to a market nor flaring were possible and operators that flare should provide proof to the competent authorities that re-injection, utilisation on-site or dispatch of the methane to a market was not possible.	
Recital 39				
49	(39) Operators should notify major venting and flaring events without delay to the competent authorities and submit more comprehensive reports on all venting and flaring events. They should also ensure that equipment and devices comply with the standards laid down in Union law.	(39) Operators should notify major venting and flaring events without delay to the competent authorities and submit more comprehensive reports on all venting and flaring events. They should also ensure that equipment and devices comply with the standards laid down in Union law.	(39) Operators should notify major venting and flaring events without delay to the competent authorities and submit **annually** more comprehensive reports on all venting and flaring events. They should also ensure that equipment and devices comply with **European standards or, in the absence of**	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			such ~~the~~ standards**, International standards. In the absence of suitable European standards, the Commission should consider requesting the relevant European standardisation organisations to adopt standards in accordance with Regulation (EU) No 1025/2012 of the European Parliament and of the Council. The Commission should thus be empowered to adopt delegated acts for the purpose of incorporating and setting out the applicability of such standards** ~~laid down in Union law~~.	
Recital 40				
50	(40) Methane emissions from inactive oil and gas wells pose public health, safety and environmental risks. Therefore, monitoring and reporting obligations should still apply and those wells and well sites should be reclaimed and remediated. In such cases, Member States should have a predominant role, in particular to establish an inventories and mitigation plans.	(40) Methane emissions from inactive oil and gas wells pose public health, safety and environmental risks. Therefore, monitoring and reporting obligations should still apply and those wells and well sites should be reclaimed and remediated. In such cases, Member States should have a predominant role, in particular to establish an inventories and mitigation plans ***within clear deadlines***.	(40) Methane emissions from inactive**, temporarily plugged and permanently plugged and abandoned** oil and gas wells pose public health, safety and environmental risks. Therefore, monitoring**, including quantification and pressure monitoring, where such monitoring equipment exists on wellheads,** and reporting obligations should still apply and those wells and well sites should be reclaimed and remediated. In such cases, Member States should have a predominant role, in particular to establish ~~an~~ inventories and mitigation plans.	
Recital 40a				

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
50a			**(40a) The number of inactive wells, temporarily plugged wells and permanently plugged and abandoned wells located on the territory of the Member States vary significantly, with some Member States having a very high density of these wells on their territories. Those Member States with very high number of wells located on their territory should therefore be allowed to apply a more gradual approach to fulfilling obligations regarding the establishment of inventories of all of inactive wells, temporarily plugged wells and permanently plugged and abandoned wells and their updates on their territory or under their jurisdiction in order to ensure the proportionality of the costs and administrative burden associated with the inventory of these wells.**	
Recital 40b				
50b			**(40b) Operators or, where appropriate, licensees or owners, should reduce the methane leaks from wells to as low as reasonably practicable levels, meaning to the point where the cost of further leak reduction would be grossly disproportionate to the benefits of such**	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			reduction in curbing methane emissions to the atmosphere. The reasonable practicability of leak reduction measures should be kept under review in the light of new knowledge and technology developments. In assessing whether the time, cost and effort would be grossly disproportionate to the benefits of further reducing methane leaks, regard should be had to best practice compatible with the repair operations being considered, as well as the overall efforts that can be taken at Union level to reduce methane leaks from other sources in the energy sector.	
Recital 40c				
50c			**(40c) It follows from available scientific data that the potential of methane leakage from offshore wells to reach the surface decreases with water depth, and that deeper leakage has less potential to reach the atmosphere since it is absorbed or oxidised as it ascends the water column. Research surveys suggest that methane does not reach the surface from water depths greater than 150m under normal circumstances. However, in specific circumstances such as blow-out accidents during oil and gas operations, presence of**	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			oil leaks or hydrates, methane may reach the atmosphere to some degree even from greater depths. The environmental impact assessments conducted before drilling can indicate such situations where methane can leak to the atmosphere, or such conditions can arise accidentally during operations. Considering that the resources necessary to survey and intervene in offshore wells are higher in comparison to onshore wells and other parts of the energy sector, and that these resources increase with increasing water depth and distance from shore, exemptions from the obligations under this regulation should be considered for offshore wells located at water depth between 200 meters and 700 meters, unless there is a documented risk of migration of methane leaks to the atmosphere .	
Recital 41				
51	(41) EU GHG inventory data shows that coalmine methane emissions are the biggest single source of methane emissions in the Union's energy sector. In 2019, direct emissions from the coal sector represented 31% of methane emissions, almost equal to the percentage of direct methane emissions from fossil gas and oil combined, of 33%.	(41) EU GHG inventory data shows that coalmine methane emissions are the biggest single source of methane emissions in the Union's energy sector. In 2019, direct emissions from the coal sector represented 31% of methane emissions, almost equal to the percentage of direct methane emissions from fossil gas and oil combined, of 33%.	(41) EU GHG inventory data shows that coalmine methane emissions are the biggest single source of methane emissions in the Union's energy sector. In 2019, direct emissions from the coal sector represented 31% of methane emissions, almost equal to the percentage of direct methane emissions from fossil gas and oil combined, of 33%.	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Recital 42				
52	(42) Currently, there is no Union-wide specific regulations limiting methane emissions from the coal sector, despite availability of a wide array of mitigation technologies. There is no Union or international coal-specific monitoring, reporting and verification standard. In the Union, reporting of methane emissions from the coal industry is part of the GHG emission reporting by Member States and data from underground mines is also included in the European Pollutant Release and Transfer Register established by Regulation (EC) No 166/2006[1]. _____ 1. Regulation (EC) No 166/2006 of the European Parliament and of the Council of 18 January 2006 concerning theestablishment of a European Pollutant Release and Transfer Register and amending Council Directives 91/689/EEC and 96/61/EC (OJ L 33, 4.2.2006)	(42) Currently, there is no Union-wide specific regulations limiting methane emissions from the coal sector, despite availability of a wide array of mitigation technologies. There is no Union or international coal-specific monitoring, reporting and verification standard. In the Union, reporting of methane emissions from the coal industry is part of the GHG emission reporting by Member States and data from underground mines is also included in the European Pollutant Release and Transfer Register established by Regulation (EC) No 166/2006[1]. _____ 1. Regulation (EC) No 166/2006 of the European Parliament and of the Council of 18 January 2006 concerning theestablishment of a European Pollutant Release and Transfer Register and amending Council Directives 91/689/EEC and 96/61/EC (OJ L 33, 4.2.2006)	(42) Currently, there is no Union-wide specific regulations limiting methane emissions from the coal sector, despite availability of a wide array of mitigation technologies. There is no Union or international coal-specific monitoring, reporting and verification standard. In the Union, reporting of methane emissions from the coal industry is part of the GHG emission reporting by Member States and data from underground mines is also included in the European Pollutant Release and Transfer Register established by Regulation (EC) No 166/2006[1]. _____ 1. Regulation (EC) No 166/2006 of the European Parliament and of the Council of 18 January 2006 concerning ~~theestablishment~~**the establishment** of a European Pollutant Release and Transfer Register and amending Council Directives 91/689/EEC and 96/61/EC (OJ L 33, 4.2.2006)	
Recital 43				
53	(43) Methane emissions are primarily linked to underground mining activities, both in active and abandoned mines[1]. In active underground mines, methane	(43) Methane emissions are primarily linked to underground mining activities, both in active and abandoned mines[1]. In active underground mines, methane concentration	(43) Methane emissions are primarily linked to underground mining activities, both in active and abandoned mines[1]. In active underground mines, methane concentration	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	concentration in the air is continuously controlled, as it constitutes a health and safety hazard. In the case of underground coal mines, the vast majority of the methane emissions occur through ventilation and drainage or degasification systems, which represent the two main ways of lowering methane concentrations in a mine's airways. _____ 1. (2020) N. Kholod et al Global methane emissions from coal mining to continue growing even with declining coal production, Journal of Cleaner Production, Volume 256, 120489	in the air is continuously controlled, as it constitutes a health and safety hazard. In the case of underground coal mines, the vast majority of the methane emissions occur through ventilation and drainage or degasification systems, which represent the two main ways of lowering methane concentrations in a mine's airways. _____ 1. (2020) N. Kholod et al Global methane emissions from coal mining to continue growing even with declining coal production, Journal of Cleaner Production, Volume 256, 120489	in the air is continuously controlled, as it constitutes a health and safety hazard. In the case of underground coal mines, the vast majority of the methane emissions occur through ventilation and drainage or degasification systems, which represent the two main ways of lowering methane concentrations in a mine's airways. _____ 1. (2020) N. Kholod et al Global methane emissions from coal mining to continue growing even with declining coal production, Journal of Cleaner Production, Volume 256, 120489	
Recital 44				
54	(44) Once production is halted and a mine is closed or abandoned, it continues to release methane, referred to as abandoned mine methane (AMM). These emissions typically occur at well-defined point sources, such as ventilation shafts or pressure-relief vents. With increased climate ambition and shifting energy production to less carbon-intensive energy sources, AMM emissions are likely to increase in the Union. It is estimated that even 10 years after mining is ceased, methane from non-flooded mines continues to be emitted at levels attaining	(44) Once production is halted and a mine is closed or abandoned, it continues to release methane, referred to as abandoned mine methane (AMM). These emissions typically occur at well-defined point sources, such as ventilation shafts or pressure-relief vents. With increased climate ambition and shifting energy production to less carbon-intensive energy sources, AMM emissions are likely to increase in the Union. It is estimated that even 10 years after mining is ceased, methane from non-flooded mines continues to be emitted at levels attaining approximately 40% of emissions recorded at	(44) Once production is halted and a mine is closed or abandoned, it continues to release methane, referred to as abandoned mine methane (AMM). These emissions typically occur at well-defined point sources, such as ventilation shafts or pressure-relief vents. With increased climate ambition and shifting energy production to less carbon-intensive energy sources, AMM emissions are likely to increase in the Union. It is estimated that even 10 years after mining is ceased, methane from non-flooded mines continues to be emitted at levels attaining approximately 40% of emissions recorded at	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	approximately 40% of emissions recorded at the time of closure[1]. Moreover, treatment of AMM remains fragmented due to different ownership and exploitation rights across the EU. Member States should thus establish inventories of closed and abandoned coal assets and, either them or the identified responsible party, should be required to install devices for measurement of methane emissions. _____ 1. (2020) N. Kholod et al Global methane emissions from coal mining to continue growing even with declining coal production, Journal of Cleaner Production, Volume 256, 120489	the time of closure~~[1]~~[23]. Moreover, treatment of AMM remains fragmented due to different ownership and exploitation rights across the EU. Member States should thus establish inventories of closed and abandoned coal assets and, either them or the identified responsible party, should be required to install devices for measurement of methane emissions. ***Best practice examples should be identified and integrated in possible guidelines for the treatment of AMM.*** _____ ~~1. (2020) N. Kholod et al Global methane emissions from coal mining to continue growing even with declining coal production, Journal of Cleaner Production, Volume 256, 120489~~ ***23. (2020) N. Kholod et al Global methane emissions from coal mining to continue growing even with declining coal production, Journal of Cleaner Production, Volume 256, 120489***	the time of closure[1]. Moreover, treatment of AMM remains fragmented due to different ownership and exploitation rights **and obligations** across the EU. Member States should thus establish inventories of closed and abandoned **underground coal mines where operations have ceased since … [50 years prior to the date of entry into force of this Regulation]**~~coal assets~~ and, either them or the identified responsible party, should be required to install devices for measurement of methane emissions. _____ 1. (2020) N. Kholod et al Global methane emissions from coal mining to continue growing even with declining coal production, Journal of Cleaner Production, Volume 256, 120489	
Recital 45				
55	(45) Operating surface coal mines in the Union produce lignite and emit less methane than underground coal mines. According to the Union GHG inventory, in 2019 operating surface mines emitted 166 kilotonnes compared to 828 kilotonnes for underground coal mines[1]. Measurement of surface coal mine methane emissions is challenging due to their diffuse nature over	(45) Operating surface coal mines in the Union produce lignite and emit less methane than underground coal mines. According to the Union GHG inventory, in 2019 operating surface mines emitted 166 kilotonnes compared to 828 kilotonnes for underground coal mines[1]. Measurement of surface coal mine methane emissions is challenging due to their diffuse nature over a wide area.	(45) Operating surface coal mines in the Union produce lignite and emit less methane than underground coal mines. **Lignite mines in the EU are predominantly opencast surface mines, with the exception of one lignite underground mine in one Member State.** According to the Union GHG inventory, in 2019 operating surface mines emitted 166 kilotonnes compared to 828	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	a wide area. Therefore, and despite available technology[2], emissions from surface mines are rarely measured. Methane emissions from surface mines can be derived using basin-specific coal emission factors[3] and, with greater precision, using mine- or deposit-specific emission factors, since coal basins have deposits with different methane-bearing capacity[4]. Emission factors can be derived from measuring gas content of the seams sampled from exploration borehole cores[5]. Mine operators should thus perform measurements of methane emissions in surface coal mines using such emission factors. _____ 1. Methane emissions for the energy sector in Kilotonnes, disaggregated by emission category source, as reported to UNFCC in April 2021 by EEA on behalf of the EU 2. Best Practice Guidance for Effective Management of Coal Mine Methane at National Level: Monitoring, Reporting, Verification and Mitigation, ECE Energy Series No. 71, UNECE 2021 (Forthcoming) 3. 2006 IPCC guidelines for national greenhouse gas inventories. 4. Bilans Zasobow Zloz Kopalin, stan na 31.12.2020', State Geological Surowce mineralne (pgi.gov.pl) 5. Best Practice Guidance for Effective Management of Coal Mine Methane at National Level: Monitoring, Reporting, Verification and Mitigation, ECE Energy Series No. 71, UNECE 2021 (Forthcoming)	Therefore, and despite available technology[2], emissions from surface mines are rarely measured. Methane emissions from surface mines can be derived using basin-specific coal emission factors[3] and, with greater precision, using mine- or deposit-specific emission factors, since coal basins have deposits with different methane-bearing capacity[4]. Emission factors can be derived from measuring gas content of the seams sampled from exploration borehole cores[5]. Mine operators should thus perform measurements of methane emissions in surface coal mines using such emission factors. _____ 1. Methane emissions for the energy sector in Kilotonnes, disaggregated by emission category source, as reported to UNFCC in April 2021 by EEA on behalf of the EU 2. Best Practice Guidance for Effective Management of Coal Mine Methane at National Level: Monitoring, Reporting, Verification and Mitigation, ECE Energy Series No. 71, UNECE 2021 (Forthcoming) 3. 2006 IPCC guidelines for national greenhouse gas inventories. 4. Bilans Zasobow Zloz Kopalin, stan na 31.12.2020', State Geological Surowce mineralne (pgi.gov.pl) 5. Best Practice Guidance for Effective Management of Coal Mine Methane at National Level: Monitoring, Reporting, Verification and Mitigation, ECE Energy Series No. 71, UNECE 2021 (Forthcoming)	kilotonnes for underground coal mines[1]. Measurement of surface coal mine methane emissions is challenging due to their diffuse nature over a wide area. Therefore, and despite available technology[2], emissions from surface mines are rarely measured. Methane emissions from surface mines can be derived using basin-specific coal emission factors[3] and, with greater precision, using mine- or deposit-specific emission factors, since coal basins have deposits with different methane-bearing capacity[4]. Emission factors can be derived from measuring gas content of the seams sampled from exploration borehole cores[5]. Mine operators should thus perform ~~measurements~~**quantification** of methane emissions in surface coal mines using such emission factors. _____ 1. Methane emissions for the energy sector in Kilotonnes, disaggregated by emission category source, as reported to UNFCC in April 2021 by EEA on behalf of the EU 2. Best Practice Guidance for Effective Management of Coal Mine Methane at National Level: Monitoring, Reporting, Verification and Mitigation, ECE Energy Series No. 71, UNECE 2021 (Forthcoming) 3. 2006 IPCC guidelines for national greenhouse gas inventories. 4. Bilans Zasobow Zloz Kopalin, stan na 31.12.2020', State Geological Surowce mineralne (pgi.gov.pl) 5. Best Practice Guidance for Effective Management of Coal Mine Methane at National Level: Monitoring, Reporting, Verification and Mitigation, ECE Energy Series No. 71, UNECE 2021 (Forthcoming)	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Recital 46				
56	(46) Therefore, mine operators should perform continuous measurement and quantification of methane emissions from ventilation shafts in underground coal mines, continuous measurement of vented and flared methane in drainage stations and use specific emission factors as regards surface coal mines. They should report that data to the competent authorities.	(46) Therefore, mine operators should perform continuous measurement and quantification of methane emissions from ventilation shafts in underground coal mines, continuous measurement of vented and flared methane in drainage stations and use specific emission factors as regards surface coal mines. They should report that data to the competent authorities.	(46) Therefore, mine operators should perform continuous measurement and quantification of methane emissions from ventilation shafts in underground coal mines, continuous measurement of vented and flared methane in drainage stations and use specific emission factors as regards surface coal mines. They should report that data to the competent authorities.	
Recital 47				
57	(47) Currently, mitigation of methane emissions can be best achieved in operating and closed or abandoned underground coal mines. Effective mitigation of methane emissions from operating and closed or abandoned surface mines is currently limited by technology. However, in order to support research and development on mitigation technologies of such emissions in the future, there should be effective and detailed monitoring, reporting, and verification of the scale of those emissions.	(47) Currently, mitigation of methane emissions can be best achieved in operating and closed or abandoned underground coal mines. Effective mitigation of methane emissions from operating and closed or abandoned surface mines is currently limited by technology. However, in order to support research and development on mitigation technologies of such emissions in the future, there should be effective and detailed monitoring, reporting, and verification of the scale of those emissions.	(47) Currently, mitigation of methane emissions can be best achieved in operating and closed or abandoned underground coal mines. Effective mitigation of methane emissions from operating and closed or abandoned surface mines is currently limited by technology. However, in order to support research and development on mitigation technologies of such emissions in the future, there should be effective and detailed monitoring, reporting, and verification of the scale of those emissions.	
Recital 48				

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
58	(48) Underground mines are either thermal or coking coal mines. Thermal coal is used primarily as an energy source and coking coal is used as a fuel and as a reactant in the process of steelmaking. Both coking coal and thermal coal mines should be subject to measuring, reporting and verification of methane emissions.	(48) Underground mines are either thermal or coking coal mines. Thermal coal is used primarily as an energy source and coking coal is used as a fuel and as a reactant in the process of steelmaking. Both coking coal and thermal coal mines should be subject to measuring, reporting and verification ***and mitigation measures*** of methane emissions.	(48) **Operating** underground mines are either thermal or coking coal mines. Thermal coal is used primarily as an energy source and coking coal is used as a fuel and as a reactant in the process of steelmaking. Both coking coal and thermal coal mines should be subject to measuring, reporting and verification of methane emissions. **Mitigation of methane emissions should be implemented through a phase out of venting and flaring.**	
Recital 49				
59	(49) For operating underground coal mines, mitigation of methane emissions should be implemented through a phase out of venting and flaring. For closed or abandoned underground coal mines, while flooding the mine can prevent methane emissions, this is not systematically done and has environmental risks. Venting and flaring in these mines should also be phased out. As geological constraints and environmental considerations prevent a one-size-fits-all approach to mitigate methane emissions from abandoned underground coal mines[1], Member States should establish their own mitigation plan, taking into consideration those constraints	(49) For operating underground coal mines, mitigation of methane emissions should be implemented through a phase out of venting and flaring ***with and efficiency of less than 99%***. For closed or abandoned underground coal mines, while flooding the mine can prevent methane emissions, this is not systematically done and has environmental risks. Venting and flaring ***with an efficiency below 99%*** in these mines should also be phased out. As geological constraints and environmental considerations prevent a one-size-fits-all approach to mitigate methane emissions from abandoned underground coal mines~~[1]~~[29], Member States should establish their own mitigation plan, taking into	(49) ~~For operating~~ Closed or abandoned underground coal mines~~, mitigation of methane emissions~~ **should be** ~~implemented through a phase out of venting and flaring. For closed or abandoned underground coal~~ **subject to measuring, reporting and verification of methane emissions. For mitigation of methane emissions in those mines,** while flooding ~~the mine~~ can prevent methane emissions, this is not systematically done and has environmental risks. Venting and flaring in these mines should also be phased out. As geological constraints and environmental considerations prevent a one-size-fits-all approach to mitigate methane emissions from abandoned underground coal	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	and the technical feasibility of AMM mitigation. _____ 1. Best Practice Guidance for Effective Methane Recovery and Use from Abandoned Mines (UNECE, 2019)	consideration those constraints and the technical feasibility of AMM mitigation. _____ ***[29] Best Practice Guidance for Effective Methane Recovery and Use from Abandoned Mines (UNECE, 2019)*** _____ ~~1. Best Practice Guidance for Effective Methane Recovery and Use from Abandoned Mines (UNECE, 2019)~~	mines[1], Member States should establish their own mitigation plan, taking into consideration those constraints and the technical feasibility of AMM mitigation. _____ 1. Best Practice Guidance for Effective Methane Recovery and Use from Abandoned Mines (UNECE, 2019)	
59a		***(49a) In order to decrease methane emissions from operating coal mines the Union should support systems of incentives for the reduction of emission of methane. Those systems may in particular incentivise investments into methane capture and injection to the grid, decrease of methane emission from ventilations shafts and from flaring. The Union should take decisive action to mobilise Union financial resources aimed at investments into methane reduction technologies in all operating and abandoned mines. Where Union support is not sufficient to support this goal dedicated systems of fees and charges, which are clearly structured to facilitate investments into methane reductions inter alia as part of Sate aid programmes aimed at the***		

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		decommissioning of coal production capacities should be encouraged.		
Recital 50				
60	(50) Following a Commission proposal, on 28 June 2021, the Council adopted the new legal base of the Research Fund for Coal and Steel[1] which foresees support for research and innovation for repurposing of the formerly operating coal mines or coal mines in the process of closure and related infrastructure in line with the overall objective of moving away from the coal and the Just Transition Mechanism. In this context, one of the main objectives for the new Research Fund for Coal and Steel programme for the coming years will be to minimise the environmental impacts of coal mines in transition, in particular with regard to methane emissions. _____ 1. Council Decision (EU) 2021/1094 of 28 June 2021 amending Decision 2008/376/EC on the adoption of the Research Programme of the Research Fund for Coal and Steel and on the multiannual technical guidelines for this programme, OJ L 236/69. Council Decision (EU) 2021/1207 of 19 July 2021 amending Decision 2003/77/EC laying down multiannual financial guidelines for managing the assets of the ECSC in liquidation and, on completion of the liquidation, the Assets of the Research Fund for Coal and Steel. Council Decision (EU) 2021/1208 of 19	(50) Following a Commission proposal, on 28 June 2021, the Council adopted the new legal base of the Research Fund for Coal and Steel[1] which foresees support for research and innovation for repurposing of the formerly operating coal mines or coal mines in the process of closure and related infrastructure in line with the overall objective of moving away from the coal and the Just Transition Mechanism. In this context, one of the main objectives for the new Research Fund for Coal and Steel programme for the coming years will be to minimise the environmental impacts of coal mines in transition, in particular with regard to methane emissions. _____ 1. Council Decision (EU) 2021/1094 of 28 June 2021 amending Decision 2008/376/EC on the adoption of the Research Programme of the Research Fund for Coal and Steel and on the multiannual technical guidelines for this programme, OJ L 236/69. Council Decision (EU) 2021/1207 of 19 July 2021 amending Decision 2003/77/EC laying down multiannual financial guidelines for managing the assets of the ECSC in liquidation and, on completion of the liquidation, the Assets of the Research Fund for Coal and Steel. Council Decision (EU) 2021/1208 of 19 July 2021	(50) ~~Following a Commission proposal, on 28 June 2021, the Council adopted the new legal base of the Research Fund for Coal and Steel[1] which foresees support for research and innovation for repurposing of the formerly operating coal mines or coal mines in the process of closure and related infrastructure in line with the overall objective of moving away from the coal and the Just Transition Mechanism. In this context, one of the main objectives for the new Research Fund for Coal and Steel programme for the coming years will be to minimise the environmental impacts of coal mines in transition, in particular with regard to methane emissions.~~ _____ ~~1. Council Decision (EU) 2021/1094 of 28 June 2021 amending Decision 2008/376/EC on the adoption of the Research Programme of the Research Fund for Coal and Steel and on the multiannual technical guidelines for this programme, OJ L 236/69. Council Decision (EU) 2021/1207 of 19 July 2021 amending Decision 2003/77/EC laying down multiannual financial guidelines for managing the assets of the ECSC in liquidation and, on completion of the liquidation, the Assets of the Research Fund for Coal and Steel. Council Decision (EU) 2021/1208 of 19 July~~	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	July 2021 amending Decision 2003/76/EC establishing the measures necessary for the implementation of the Protocol, annexed to the Treaty establishing the European Community, on the financial consequences of the expiry of the ECSC Treaty and on the Research Fund for Coal and Steel, OJ L 261/54.	amending Decision 2003/76/EC establishing the measures necessary for the implementation of the Protocol, annexed to the Treaty establishing the European Community, on the financial consequences of the expiry of the ECSC Treaty and on the Research Fund for Coal and Steel, OJ L 261/54.	~~2021 amending Decision 2003/76/EC establishing the measures necessary for the implementation of the Protocol, annexed to the Treaty establishing the European Community, on the financial consequences of the expiry of the ECSC Treaty and on the Research Fund for Coal and Steel, OJ L 261/54.~~	
Recital 51				
61	(51) The Union is dependent on imports for 70% of its hard coal consumption, 97% of its oil consumption, and 90% of its fossil gas consumption. There is no precise knowledge on the magnitude, origin or nature of methane emissions linked to fossil energy consumed in the Union but occurring in third countries.	(51) The Union is dependent on imports for 70% of its hard coal consumption, 97% of its oil consumption, and 90% of its fossil gas consumption. ***The IEA estimates that in 2020, methane emissions associated with imported oil and gas to the Union represented around 9,000 kilotonnes of methane[31]. This compares to 1,033 kilotonnes*** ~~*There is no precise knowledge on the magnitude, origin or nature*~~ of methane emissions ***from oil and gas estimated to have occurred in 2019*** ~~*linked to fossil energy consumed*~~ in the Union ~~*but occurring in third countries*~~***[32]. While the share of total global man-made methane emissions emitted in Europe is estimated to be around 6%[33], the consumption of, and import dependency on, fossil fuels produced outside the Union hence adds significant levels of methane emissions that are incurred because of consumption within the Union***.	(51) The Union is dependent on imports for 70% of its hard coal consumption, 97% of its oil consumption, and 90% of its fossil gas consumption. There is no precise knowledge on the magnitude, origin or nature of methane emissions linked to fossil energy consumed in the Union but occurring in third countries.	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		31. in Commission Impact Assessment Report Accompanying the Proposal for a Regulation of the European Parliament and of the Council on Methane Emissions Reduction in the Energy Sector: https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=SWD:2021:0459:FIN:EN:PDF *32. in Commission Impact Assessment Report Accompanying the Proposal for a Regulation of the European Parliament and of the Council on Methane Emissions Reduction in the Energy Sector: https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=SWD:2021:0459:FIN:EN:PDF* *33. in Commission Impact Assessment Report Accompanying the Proposal for a Regulation of the European Parliament and of the Council on Methane Emissions Reduction in the Energy Sector: https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=SWD:2021:0459:FIN:EN:PDF*		
Recital 52				
62	(52) Global warming effects caused by methane emissions are cross-border. Although some fossil energy producing countries are beginning to act domestically to reduce methane emissions from their energy sectors, many exporters are not subject to any regulations in their respective domestic markets. Such operators need clear incentives to act on their methane emission, hence transparent information on methane emissions should be made	(52) Global warming effects caused by methane emissions are cross-border. Although some fossil energy producing countries are beginning to act domestically to reduce methane emissions from their energy sectors, many exporters are not subject to any regulations in their respective domestic markets. Such operators need clear incentives to act on their methane emission, hence ~~*transparent information on methane emissions should be made available to the*~~	(52) Global warming effects caused by methane emissions are cross-border. Although some fossil energy producing countries are beginning to act domestically to reduce methane emissions from their energy sectors, many ~~exporters~~**operators importing fossil energy to the Union** are not subject to any regulations in ~~their respective domestic markets~~**the country of origin of this energy** . Such operators need clear incentives to act on their methane	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	available to the markets.	~~markets~~***the need for this Regulation to cover the whole supply chain***.	emission, hence transparent information on methane emissions should be made available to the markets.	
Recital 53				
63	(53) Currently there is limited accurate data (UNFCCC Tier 3 or equivalent) on international methane emissions. Many fossil exporting countries have so far not submitted full inventory data to the UNFCCC. At the same time, there is evidence of large increases of methane emissions from oil and gas production activities globally from 65 to 80 Mt/year in the last 20 years[1]. _____ 1. Global Assessment of Oil and Gas Methane 1 Ultra-Emitters; T. Lauvaux, C. Giron, M. Mazzolini, A. d'Aspremont, R. Duren, D. Cusworth, D. Shindell, P. Ciais; April 2021.	(53) Currently there is limited accurate data (UNFCCC Tier 3 or equivalent) on international methane emissions. Many fossil exporting countries have so far not submitted full inventory data to the UNFCCC. At the same time, there is evidence of large increases of methane emissions from oil and gas production activities globally from 65 to 80 Mt/year in the last 20 years[1]. _____ 1. Global Assessment of Oil and Gas Methane 1 Ultra-Emitters; T. Lauvaux, C. Giron, M. Mazzolini, A. d'Aspremont, R. Duren, D. Cusworth, D. Shindell, P. Ciais; April 2021.	(53) ~~Currently there is limited accurate data (UNFCCC Tier 3 or equivalent) on international methane emissions. Many fossil exporting countries have so far not submitted full inventory data to the UNFCCC. At the same time, there is evidence of large increases of methane emissions from oil and gas production activities globally from 65 to 80 Mt/year in the last 20 years[1].~~ _____ ~~1. Global Assessment of Oil and Gas Methane 1 Ultra-Emitters; T. Lauvaux, C. Giron, M. Mazzolini, A. d'Aspremont, R. Duren, D. Cusworth, D. Shindell, P. Ciais; April 2021.~~	
Recital 54				
64	(54) As announced in the Communication on the EU Methane Strategy[1], the Union is committed to working in cooperation with its energy partners and other key fossil energy importing countries to tackle methane emissions globally. Energy	(54) As announced in the Communication on the EU Methane Strategy~~[1]~~[35], the Union is committed to working in cooperation with its energy partners and other key fossil energy importing countries to tackle methane emissions globally. Energy diplomacy on	(54) ~~As announced in the Communication on the EU Methane Strategy[1], the Union is committed to working in cooperation with its energy partners and other key fossil energy importing countries to tackle methane emissions globally. Energy diplomacy on~~	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	diplomacy on methane emissions has already yielded important outcomes. In September 2021, the Union and the United States announced the Global Methane Pledge, which represents a political commitment to reduce global methane emissions by 30% by 2030 (from 2020 levels), launched at the UN Climate Change Conference (COP 26) in November 2021 in Glasgow. Over one hundred countries have committed their support, representing nearly half of global anthropogenic methane emissions. The Global Methane Pledge includes a commitment to move towards using best available inventory methodologies to quantify methane emissions, with a particular focus on high emission sources. _____ 1. COM(2020) 663 final	methane emissions has already yielded important outcomes. In September 2021, the Union and the United States announced the Global Methane Pledge, which represents a political commitment to ***take voluntary action to contribute to a collective effort to*** reduce global methane emissions by 30% by 2030 (from 2020 levels), launched at the UN Climate Change Conference (COP 26) in November 2021 in Glasgow. Over one hundred countries have committed their support, representing nearly half of global anthropogenic methane emissions. The Global Methane Pledge includes a commitment to move towards using best available inventory methodologies to quantify methane emissions~~, *with a particular focus on high emission sources.*~~. _____ ***[35] COM(2020) 663 final*** _____ ~~*1. COM(2020) 663 final*~~	~~methane emissions has already yielded important outcomes. In September 2021, the Union and the United States announced the Global Methane Pledge, which represents a political commitment to reduce global methane emissions by 30% by 2030 (from 2020 levels), launched at the UN Climate Change Conference (COP 26) in November 2021 in Glasgow. Over one hundred countries have committed their support, representing nearly half of global anthropogenic methane emissions. The Global Methane Pledge includes a commitment to move towards using best available inventory methodologies to quantify methane emissions, with a particular focus on high emission sources.~~ _____ ~~1. COM(2020) 663 final~~	
Recital 55				
65	(55) Further, the International Methane Emissions Observatory (IMEO) will play an important and lead role to increase transparency on global energy sector methane emissions. Support for setting up the IMEO was provided by the Council in	(55) Further, the International Methane Emissions Observatory (IMEO) will play an important and lead role to increase transparency on global energy sector methane emissions. Support for setting up the IMEO was provided by the Council in its	(55) ~~Further, the International Methane Emissions Observatory (IMEO) will play an important and lead role to increase transparency on global energy sector methane emissions. Support for setting up the IMEO was provided by the Council in its~~	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	its January 2021 conclusions on Climate and Energy Diplomacy[1]. _____ 1. 5263/21 TI/eb 1 RELEX.1.C	January 2021 conclusions on Climate and Energy Diplomacy[1]. _____ 1. 5263/21 TI/eb 1 RELEX.1.C	~~January 2021 conclusions on Climate and Energy Diplomacy[1].~~ _____ ~~1. 5263/21 TI/eb 1 RELEX.1.C~~	
Recital 56				
66	(56) The Commission will work with the IMEO to set up a 'Methane Supply Index', as explicitly referred to in the Communication on the EU Methane Strategy[1]. It would provide methane emission data from different sources of fossil energy from around the globe - including from source-level estimations and measurements as well as from aerial/satellite monitoring - thereby empowering buyers of fossil energy to make informed purchasing decisions on the basis of the methane emissions of fossil energy sources. _____ 1. COM(2020) 663 final	(56) The Commission will work with the IMEO to set up a 'Methane Supply Index', as explicitly referred to in the Communication on the EU Methane Strategy[1]. It would provide methane emission data from different sources of fossil energy from around the globe - including from source-level estimations and measurements as well as from aerial/satellite monitoring - thereby empowering buyers of fossil energy to make informed purchasing decisions on the basis of the methane emissions of fossil energy sources. _____ 1. COM(2020) 663 final	(56) ~~The Commission will work with the IMEO to set up a 'Methane Supply Index', as explicitly referred to in the Communication on the EU Methane Strategy[1]. It would provide methane emission data from different sources of fossil energy from around the globe - including from source-level estimations and measurements as well as from aerial/satellite monitoring - thereby empowering buyers of fossil energy to make informed purchasing decisions on the basis of the methane emissions of fossil energy sources.~~ _____ ~~1. COM(2020) 663 final~~	
Recital 57				
67	(57) In parallel to continuing its successful diplomatic work to achieve such global commitments, the Union is further encouraging significant methane emissions	(57) In parallel to continuing its ~~*successful*~~ diplomatic work to achieve ~~*such*~~ global commitments ***for significant methane reductions***, the Union ~~*is*~~***should*** further	(57) ~~In parallel to continuing its successful diplomatic work to achieve such global commitments, the Union is further encouraging significant methane emissions~~	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	abatement globally, and in particular in the countries supplying fossil energy to the Union.	~~encouraging~~***advance all efforts related to*** significant methane emissions abatement globally, and in particular in the countries supplying fossil energy to the Union***, by regulating imports***.	~~abatement globally, and in particular in the countries supplying fossil energy to the Union.~~	
Recital 58				
68	(58) Therefore, importers of fossil energy to the Union should be required to provide Member States with information on measures related to measurement, reporting and mitigation of methane emissions undertaken by exporters, in particular the application of regulatory or voluntary measures to control their methane emissions, including measures such as leak detection and repair surveys or measures to control and restrict venting and flaring of methane. The levels of measurement and reporting set out in the information requirements applied to importers correspond to the ones to be required from Union operators in this Regulation, as outlined in Recitals 24 to 26 and 46. The information on measures to control methane emissions is not more burdensome than that required from Union operators.	(58) Therefore, importers of fossil energy to the Union should be ~~required to provide Member States with information on measures related to measurement, reporting and mitigation of methane emissions undertaken by exporters, in particular the application of regulatory or voluntary measures to control their methane emissions, including measures such as~~***submitted to the rules that are similar to those for producers within the Union on monitoring, reporting and verification,*** leak detection and repair ~~surveys or measures to control and restrict~~ ***and limits to*** venting and flaring ~~of methane. The levels of measurement and reporting set out in the information requirements applied to importers correspond to the ones to be required from Union operators in this Regulation, as outlined in Recitals 24 to 26 and 46. The information on measures to control methane emissions is not more burdensome than that required from Union operators~~.	(58) Therefore, importers of fossil energy to the Union should be required to provide Member States with information on measures related to measurement, reporting and mitigation of methane emissions undertaken by exporters, in particular the application of regulatory or voluntary measures to control their methane emissions, including measures such as leak detection and repair surveys or measures to control and restrict venting and flaring of methane. The levels of measurement and reporting set out in the information requirements applied to importers correspond to the ones to be required from Union operators in this Regulation, as outlined in Recitals 24 to 26 and 46. The information on measures to control methane emissions is not more burdensome than that required from Union operators.	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
68a		***(58a) Where an importer demonstrates the implementation of measures throughout the supply chain deemed comparable in effectiveness to the requirements set out in this Regulation, or provides guarantees of origin and transport in countries deemed to have regulatory equivalence, that importer should be eligible for a derogation, The Commission should assess and grant the derogation with a view to ensuring its trade law compatibility.***		
Recital 59				
69	(59) Member States should communicate that information to the Commission. On the basis of that information, the Union should set up and manage a transparency database for fossil energy imports into the Union, detailing whether the exporting companies have signed up to the OGMP for oil and gas companies and to the extent that it is set up, an equivalent, internationally or Union recognised standard for coal companies. Such information should demonstrate the degree of commitment of companies in exporting countries to measure, report and	(59) Member States should communicate that information to the Commission. On the basis of that information, the Union should set up and manage a transparency database for fossil energy imports into the Union, detailing whether the exporting companies have signed up to the OGMP for oil and gas companies and to the extent that it is set up, an equivalent, internationally or Union recognised standard for coal companies. Such information should demonstrate the degree of commitment of companies in exporting countries to measure, report and have	(59) Member States should communicate that information to the Commission. On the basis of that information, the Union should set up and manage a transparency database for fossil energy imports into the Union, detailing whether the exporting companies have signed up to the OGMP for oil and gas companies and to the extent that it is set up, an equivalent, internationally or Union recognised standard for coal companies. Such information should demonstrate the degree of commitment of companies in exporting countries to measure, report and	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	have verified their methane emissions according to tier 3 methods of UNFCCC reporting. Such a transparency database would serve as a source of information for the purchasing decisions of importers of fossil energy to the Union as well as for other stakeholders and the public. The transparency database should also reflect the efforts undertaken by companies in the Union and companies exporting fossil energy to the Union to measure and report as well as reduce their methane emissions. It should also include information on the measurement, reporting and mitigation regulatory actions by countries where fossil energy is produced.	verified their methane emissions according to tier 3 methods of UNFCCC reporting. Such a transparency database would serve as a source of information for the purchasing decisions of importers of fossil energy to the Union as well as for other stakeholders and the public. The transparency database should also reflect the ~~efforts~~***measures*** undertaken by companies in the Union and companies exporting fossil energy to the Union to measure and report as well as reduce their methane emissions. It should also include information on the measurement, reporting and mitigation regulatory actions by countries where fossil energy is produced.	have verified their methane emissions according to tier 3 methods of UNFCCC reporting. Such a transparency database would serve as a source of information for the purchasing decisions of importers of fossil energy to the Union as well as for other stakeholders and the public. The transparency database should also reflect the efforts undertaken by companies in the Union and companies exporting fossil energy to the Union to measure and report as well as reduce their methane emissions. It should also include information on the measurement, reporting and mitigation regulatory actions by countries where fossil energy is produced.	
Recital 60				
70	(60) In addition, the Union should put in place a global methane emitter monitoring tool, providing information on the magnitude, recurrence and location of high methane-emitting sources. This should further encourage real and demonstrable results from the implementation of methane regulations and effective mitigation actions by companies in the Union and companies supplying fossil energy to the Union. The tool should pool data from several certified data providers and services, including the	(60) In addition, the Union should put in place a global methane emitter monitoring tool, providing information on the magnitude, recurrence and location of high methane-emitting sources. This should further encourage real and demonstrable results from the implementation of methane regulations and effective mitigation actions by companies in the Union and companies supplying fossil energy to the Union. The tool should pool data from several certified data providers and services, including the	(60) In addition, the Union should put in place a ~~global~~ methane ~~emitter~~**emitters global** monitoring tool, providing information on the magnitude, recurrence and location of high methane-emitting sources. This should further encourage real and demonstrable results from the implementation of methane regulations and effective mitigation actions by companies in the Union and companies supplying fossil energy to the Union. The tool should pool data from several certified data providers and	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Copernicus component of the EU Space Programme and the IMEO. The tool should inform the Commission's bilateral dialogues with the countries concerned to discuss the different scenarios envisaged for methane emissions policies and measures.	Copernicus component of the EU Space Programme and the IMEO. The tool should inform the Commission's bilateral dialogues with the countries concerned to discuss the different scenarios envisaged for methane emissions policies and measures.	services, including the Copernicus component of the EU Space Programme and the IMEO. The tool should inform the Commission's bilateral dialogues with the countries concerned to discuss the different scenarios envisaged for methane emissions policies and measures.	
Recital 61				
71	(61) In combination, the measures referred to in Recitals 58 to 60 should enhance transparency for buyers, enabling them to make informed sourcing decisions and improve the possibility of wider uptake of methane mitigation solutions across the globe. In addition, they should further incentivise international companies to sign up to international methane measurement and reporting standards such as OGMP or to adopt effective measurement, reporting and mitigation measures. These measures are designed as the basis for a stepwise approach to increase the level of stringency of the measures applicable to imports. The Commission should thus be empowered to amend or add to the reporting requirements of importers. Furthermore, the Commission should evaluate the implementation of those measures and, if it deems appropriate, submit proposals for review to impose more	(61) In combination, the measures referred to in Recitals 58 to 60 should enhance transparency for buyers, ~~enabling them to make informed sourcing decisions and improve the possibility of wider uptake of methane mitigation solutions across the globe~~***and facilitate the examination of full compliance with Union regulation for imports***. In addition, they should further incentivise international companies to sign up to international methane measurement and reporting standards such as OGMP or to adopt effective measurement, reporting and mitigation measures. ~~These measures are designed as the basis for a stepwise approach to increase the level of stringency of the measures applicable to imports.~~ The Commission should ~~thus~~ be empowered to amend or add to the reporting requirements of importers. Furthermore, the Commission should evaluate the implementation of those	(61) In combination, the ~~measures referred to in Recitals 58 to 60~~**methane transparency database and the methane emitters global monitoring tool** should enhance transparency for buyers, enabling them to make informed sourcing decisions and improve the possibility of wider uptake of methane mitigation solutions across the globe. In addition, they should further incentivise international companies to sign up to international methane measurement and reporting standards such as OGMP or to adopt effective measurement, reporting and mitigation measures. These measures are designed as the basis for a stepwise approach to increase the level of stringency of the measures applicable to imports. The Commission should thus be empowered to amend or add to the reporting requirements of importers. Furthermore, the Commission should evaluate the implementation of those	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	stringent measures on importers and to ensure a comparable level of effectiveness of measures applicable in third countries to monitor, report, verify and mitigate methane emissions. The evaluation should take into account the work undertaken by the IMEO, including the Methane Supply Index, the transparency database and the global methane emitter monitoring tool. Should the Commission find it appropriate to increase the level of stringency of the measures applicable to imports, it is of particular importance that the Commission carries out appropriate consultations during its preparatory work including consulting relevant third countries.	measures and, if it deems appropriate, submit proposals for review to impose more stringent measures on importers ~~and to ensure a comparable level of effectiveness of measures applicable in third countries to monitor, report, verify and mitigate methane emissions~~. The evaluation should take into account the work undertaken by the IMEO, including the Methane Supply Index, the transparency database and the global methane emitter monitoring tool. Should the Commission find it appropriate to increase the level of stringency of the measures applicable to imports, it is of particular importance that the Commission carries out appropriate consultations during its preparatory work including consulting relevant third countries.	measures and, if it deems appropriate, submit proposals for review to impose more stringent measures on importers and to ensure a comparable level of effectiveness of measures applicable in third countries to monitor, report, verify and mitigate methane emissions. The evaluation should take into account the work undertaken by the IMEO, including the Methane Supply Index, the transparency database and the global methane emitter monitoring tool. Should the Commission find it appropriate to increase the level of stringency of the measures applicable to imports, it is of particular importance that the Commission carries out appropriate consultations during its preparatory work including consulting relevant third countries.	
Recital 61a				
71a			**(61a) To ensure a harmonised approach based on common specification, the Commission should be empowered to adopt delegated acts that comply with the requirements of this regulation and avoid redundancy with, and contradictions to, existing suitable European or International standards. In the absence of such suitable standards, the Commission should consider requesting the relevant**	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			European standardisation organisations to adopt such standards in accordance with Regulation (EU) No 1025/2012 of the European Parliament and of the Council.	
Recital 62				
72	(62) Member States should ensure that infringements of this Regulation are sanctioned by effective, proportionate and dissuasive penalties, which may include fines and periodic penalty payments, and take all measures necessary to ensure that they are implemented. In order to play a significant deterrent effect, penalties should be adequate to the type of infringement, to the possible advantage for the operator and to the type and gravity of the environmental damage. When imposing penalties, due regard should be given to the nature, gravity and duration of the infringement in question. The imposition of penalties should be proportionate and should comply with Union and national law, including with applicable procedural safeguards and with the principles of the Charter of fundamental rights.	(62) Member States should ensure that infringements of this Regulation are sanctioned by effective, proportionate and dissuasive penalties, which may include fines and periodic penalty payments, and take all measures necessary to ensure that they are implemented. In order to play a significant deterrent effect, penalties should be adequate to the type of infringement, to the possible advantage for the operator and to the type and gravity of the environmental damage. When imposing penalties, due regard should be given to the nature, gravity and duration of the infringement in question. The imposition of penalties should be proportionate and should comply with Union and national law, including with applicable procedural safeguards and with the principles of the Charter of fundamental rights.	(62) Member States should ensure that infringements of this Regulation are sanctioned by effective, proportionate and dissuasive penalties, which may include fines and periodic penalty payments, and take all measures necessary to ensure that they are implemented. In order to play a significant deterrent effect, penalties should be adequate to the type of infringement, to the possible advantage for the operator and to the type and gravity of the environmental damage**, impact on human safety and public health**. When imposing penalties, due regard should be given to the nature, gravity and duration of the infringement in question. The imposition of penalties should be proportionate and should comply with Union and national law, including with applicable procedural safeguards and with the principles of the Charter of fundamental rights.	
Recital 63				

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
73	(63) In order to ensure more consistency, a list of the types of infringements that should be subject to penalties should be set out. In order to facilitate the more consistent application of penalties, common non-exhaustive and indicative criteria for the application of penalties should be set out. The deterrent effect of penalties should be reinforced by the possibility to publish the information related to the penalties imposed by Member States, in compliance with the data protection requirements set out in Regulations (EU) 2016/679[1] and (EU) 2018/1725 of the European Parliament and the Council[2]. _____ 1. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1). 2. Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).	(63) In order to ensure more consistency, a list of the types of infringements that should be subject to penalties should be set out. In order to facilitate the more consistent application of penalties, common non-exhaustive and indicative criteria for the application of penalties should be set out. The deterrent effect of penalties should be reinforced by the possibility to publish the information related to the penalties imposed by Member States, in compliance with the data protection requirements set out in Regulations (EU) 2016/679[1] and (EU) 2018/1725 of the European Parliament and the Council[2]. _____ 1. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1). 2. Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).	(63) In order to ensure more consistency, a list of the types of infringements that should be subject to penalties should be set out. In order to facilitate the more consistent application of penalties, common non-exhaustive and indicative criteria for the application of penalties should be set out. The deterrent effect of penalties should be reinforced by the possibility to publish the information related to the penalties imposed by Member States~~, in~~[2]**subject to** compliance with ~~the data protection requirements set out in Regulations (EU) 2016/679[1] and (EU) 2018/1725 of the European Parliament and the Council~~[2]**Union law on the protection of personal data where the penalties are imposed on natural persons**. _____ 2. Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39). ~~1. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).~~	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Recital 64				
74	(64) As a result of the provisions requiring investments by regulated operators to be taken into account in tariff setting, Regulation (EU) 2019/942 of the European Parliament and of the Council[1] should be amended to entrust ACER with the task of making available a set of indicators and reference values for the comparison of unit investment costs linked to measurement, reporting and abatement of methane emissions for comparable projects. _____ 1. Regulation (EU) 2019/942 of the European Parliament and of the Council of 5 June 2019 establishing a European Union Agency for the Cooperation of Energy Regulators (OJ L 158, 14.6.2019).	(64) As a result of the provisions requiring investments by regulated operators to be taken into account in tariff setting, Regulation (EU) 2019/942 of the European Parliament and of the Council[1] should be amended to entrust ACER with the task of making available a set of indicators and reference values for the comparison of unit investment costs linked to measurement, reporting and abatement of methane emissions for comparable projects. _____ 1. Regulation (EU) 2019/942 of the European Parliament and of the Council of 5 June 2019 establishing a European Union Agency for the Cooperation of Energy Regulators (OJ L 158, 14.6.2019).	(64) As a result of the provisions requiring investments by regulated operators to be taken into account in tariff setting, Regulation (EU) 2019/942 of the European Parliament and of the Council[1] should be amended to entrust ACER with the task of making available a set of indicators and reference values for the comparison of unit investment costs linked to measurement, **monitoring,** reporting**, verification** and abatement of methane emissions for comparable projects. _____ 1. Regulation (EU) 2019/942 of the European Parliament and of the Council of 5 June 2019 establishing a European Union Agency for the Cooperation of Energy Regulators (OJ L 158, 14.6.2019).	
Recital 65				
75	(65) In order to define the elements of the phase out of venting and flaring in coking coal mines, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission to supplement this Regulation by setting out	(65) In order to define the elements of the phase out of venting and flaring in coking coal mines, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission to supplement this Regulation by setting out	(65) In order to define the elements of the phase out of venting and flaring in coking coal mines, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission to supplement this Regulation by setting out	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	restrictions on venting methane from ventilation shafts for coking coal mines. In addition, in order to allow for further information to be required from importers, as proved necessary, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission to supplement this Regulation by amending or adding to the information to be provided by importers. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.	restrictions on venting methane from ventilation shafts for coking coal mines. In addition, in order to allow for further information to be required from importers, as proved necessary, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission to supplement this Regulation by amending or adding to the information to be provided by importers. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.	restrictions on venting methane from ventilation shafts for coking coal mines. In addition, in order to allow for further information to be required from importers, as proved necessary, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission to supplement this Regulation by amending or adding to the information to be provided by importers. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.	
Recital 66				
76	(66) In order to ensure uniform conditions	(66) In order to ensure uniform conditions	(66) In order to ensure uniform conditions	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	for implementation, implementing powers should be conferred on the Commission to adopt detailed rules with regard to common formats for reporting, in accordance with Article 291 of the Treaty on the Functioning of the European Union. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council[1]. _____ 1. Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).	for implementation, implementing powers should be conferred on the Commission to adopt detailed rules with regard to common formats for reporting, in accordance with Article 291 of the Treaty on the Functioning of the European Union. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council[1]. _____ 1. Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).	for implementation, implementing powers should be conferred on the Commission to adopt detailed rules with regard to common formats for reporting, in accordance with Article 291 of the Treaty on the Functioning of the European Union. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council[1]. _____ 1. Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).	
Recital 66a				
76a			**(66a) In order to fulfil the objectives of this Regulation and to contribute to the goal set out in the Global Methane Pledge to reduce global methane emissions by 30% until 2030, the European Union should consider extending the requirements set out in this Regulation to imports from third countries. By [12 months after the date of entry into force of this Regulation], the European Commission should submit to the European Parliament and the Council a report on the implications of a possible**	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			extension of the requirements under this Regulation to the energy supply chain and production of fossil fuels imported into the Union. When preparing the report, the European Commission should put particular focus on the methane mitigation potential, consequences for energy prices, security of energy supply and availability of energy resources on the EU market. Depending on the outcome of that report and as part of the review of this Regulation, the Commission should consider submitting appropriate legislative proposals to extend the scope of this Regulation and its requirements and standards accordingly to importers of the relevant products to the Union.	
Recital 67				
77	(67) Operators and competent authorities should be given a reasonable period in order to take the necessary preparatory actions to meet the requirements of this Regulation.	(67) Operators and competent authorities should be given a reasonable period in order to take the necessary preparatory actions to meet the requirements of this Regulation.	(67) Operators and competent authorities should be given a reasonable period in order to take the necessary preparatory actions to meet the requirements of this Regulation.	
Recital 68				
78	(68) Since the objective of this Regulation, namely the accurate measurement,	(68) Since the objective of this Regulation, namely the accurate measurement, reporting,	(68) Since the objective of this Regulation, namely the accurate measurement,	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	reporting, verification and the reduction of methane emissions in the energy sector, cannot be achieved by the Member States individually and can therefore, by reason of its scale, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective,	verification and the reduction of methane emissions in the energy sector, cannot be achieved by the Member States individually and can therefore, by reason of its scale, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective,	**monitoring,** reporting, verification and the reduction of methane emissions in the energy sector, cannot be achieved by the Member States individually and can therefore, by reason of its scale, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective,	
Formula				
79	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	
Chapter 1				
80	Chapter 1 General Provisions	Chapter 1 General Provisions	Chapter 1 General Provisions	
Article 1				
81	Article 1 Subject matter and scope	Article 1 Subject matter and scope	Article 1 Subject matter and scope	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1(1)				
82	1. This Regulation lays down rules for the accurate measurement, reporting and verification of methane emissions in the energy sector in the Union, as well as the abatement of those emissions, including through leak detection and repair surveys and restrictions on venting and flaring. This Regulation also lays down rules on tools ensuring transparency of methane emissions from imports of fossil energy into the Union.	1. This Regulation lays down rules for the accurate measurement, ***quantification, monitoring,*** reporting and verification of methane emissions in the energy sector in the Union, as well as the abatement of those emissions, including through leak detection and repair surveys***, repair obligations*** and restrictions on venting and flaring. This Regulation also lays down rules on tools ensuring transparency of methane emissions from imports of fossil energy into the Union.	1. This Regulation lays down rules for the accurate measurement, **quantification, monitoring,** reporting and verification of methane emissions in the energy sector in the Union, as well as the abatement of those emissions, including through leak detection and repair surveys**, repair obligations** and restrictions on venting and flaring. This Regulation also lays down rules on tools ensuring transparency of methane emissions from imports of fossil energy into the Union.	
Article 1(2)				
83	2. This Regulation applies to:	2. This Regulation applies to:	2. This Regulation applies to:	
Article 1(2), point (a)				
84	(a) oil and fossil gas upstream exploration and production, fossil gas gathering and processing;	(a) oil and fossil gas upstream exploration and production, fossil gas gathering and processing;	(a) oil and fossil gas ~~upstream~~ exploration and production**, including inactive wells, temporarily plugged wells, permanently plugged and abandoned wells**, **and** fossil gas gathering and processing;	
Article 1(2), point (b)				

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
85	(b) gas transmission, distribution, underground storage and liquid gas (LNG) terminals operating with fossil and/or renewable (bio-or synthetic) methane;	(b) gas transmission, distribution, ***(excluding metering systems at final consumption points)*** underground storage and ~~*liquid gas (LNG)*~~***liquefied gas*** terminals operating with fossil and/or renewable (bio-or synthetic) methane;	(b) **fossil and/or renewable** gas transmission, distribution~~, underground storage and liquid gas (LNG) terminals operating with fossil and/or renewable (bio-or synthetic~~ **(excluding metering systems at final consumption points and service lines between the distribution network and metering system), underground storage and liquefied gas terminals ;** ~~methane;~~	
Article 1(2), point (c)				
86	(c) operating underground and surface coalmines, closed and abandoned underground coal mines.	(c) operating underground and surface coalmines, closed and abandoned underground coal mines.	(c) operating underground and surface ~~coalmines~~**coal mines**, closed **underground coal mines** and abandoned underground coal mines.	
86a		***(ca) petrochemicals.***		
Article 1(3)				
87	3. This Regulation applies to methane emissions occurring outside the Union in what relates to importer information requirements, to the methane transparency	3. This Regulation applies to methane emissions occurring outside the Union in what relates to importer ~~*information*~~ requirements, to the methane transparency	3. This Regulation applies to methane emissions occurring outside the Union in what relates to importer information requirements, to the methane transparency	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	database and to the methane emitters monitoring tool.	database and to the methane emitters monitoring tool.	database and to the methane emitters monitoring tool.	
87a		***Article 1a*** ***Union methane emission reduction target*** ***1. Pursuant to the long-term temperature goal set out in Article 2(1), point (a) of the Paris Agreement, the target of net zero greenhouse gas emissions at the latest by 2050 set out in Article 2(1) of Regulation (EU) 2021/1119 and the Global Methane Pledge goal of cutting global anthropogenic methane emissions by at least 30% by 2030 from 2020 levels, the Commission shall propose, by 31 December 2025 and based on an impact assessment, a 2030 Union binding methane emission reduction target covering all relevant emitting sectors.*** ***2. Pursuant to paragraph 1, Member States shall collectively ensure that methane emissions from the energy sector in the Union are reduced, by 2030, to a level that will capture the social benefits of methane mitigation at less than their costs.*** ***3. Each Member State shall set national methane emissions reduction targets established under in paragraph 2 of***		

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		this Article as part of their integrated national energy and climate plans in accordance with Articles 3, 4, 5 and 9 to 14 of Regulation (EU)2018/1999. If, on the basis of the assessment of the first update of the integrated national energy and climate plans submitted pursuant to Article 14 of Regulation (EU) 2018/1999, the Commission concludes that the national contributions of the Member States are insufficient for the collective achievement of the Union target, it shall propose measures and exercise its powers at Union level in order to ensure the collective achievement of the target referred to in paragraph 2 of this Article.		
Article 2				
88	Article 2 Definitions	Article 2 Definitions	Article 2 Definitions	
Article 2, first paragraph				
89	For the purposes of this Regulation, the following definitions apply:	For the purposes of this Regulation, the following definitions apply:	For the purposes of this Regulation, the following definitions apply:	
Article 2, first paragraph, point (1)				

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
90	(1) 'methane emissions' means all direct emissions occurring from all components that are potential sources of methane emissions, whether as a result of intentional or unintentional venting, incomplete combustion in flares or from other components and unintentional leaks;	(1) 'methane emissions' means all direct emissions occurring from all components that are potential sources of methane emissions, whether as a result of ~~*intentional or unintentional*~~ venting, incomplete combustion in flares or from other components and ~~*unintentional*~~ leaks;	(1) 'methane emissions' means all direct emissions occurring from all components that are potential sources of methane emissions, whether as a result of intentional or unintentional venting, incomplete combustion in flares or from other components and unintentional leaks;	
Article 2, first paragraph, point (1a)				
90a			**(1a) 'transmission' means transmission as defined in point (3) of Article 2 of Directive 2009/73/EC of the European Parliament and of the Council[1] [to be adapted as per ongoing recast proposal];** **1. Directive 2009/73/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in natural gas and repealing Directive 2003/55/EC (OJ L 211, 14.8.2009, p. 94).**	
90b		***(1a) 'component' means any single piece of technical equipment that has the potential to emit fugitive emissions of methane or volatile organic compounds ;***		

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
90c		***(1b) 'leak' means any unintentional methane emission from a component;***		
Article 2, first paragraph, point (2)				
91	(2) 'transmission system operator' has the meaning attributed to it by [Article 2(4) of Directive 2009/73/EC of the European Parliament and of the Council[1]] [to be adapted as per ongoing recast proposal]; _____ 1. Directive 2009/73/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in natural gas and repealing Directive 2003/55/EC (OJ L 211, 14.8.2009, p. 94).	(2) 'transmission system operator' has the meaning attributed to it by [Article 2(4) of Directive 2009/73/EC of the European Parliament and of the Council[1]] [to be adapted as per ongoing recast proposal]; _____ 1. Directive 2009/73/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in natural gas and repealing Directive 2003/55/EC (OJ L 211, 14.8.2009, p. 94).	(2) 'transmission system operator' ~~has the meaning attributed to it by [~~**means transmission system operator as defined in point (4) of** Article ~~2(4)~~**2** of Directive 2009/73/EC of the European Parliament and of the Council[1]~~]~~ [***to be adapted as per ongoing recast*** ~~to be adapted as per ongoing recast~~ proposal]; _____ 1. Directive 2009/73/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in natural gas and repealing Directive 2003/55/EC (OJ L 211, 14.8.2009, p. 94).	
Article 2, first paragraph, point (2a)				
91a			**(2a) 'distribution' means distribution as defined in point (5) of Article 2 of Directive 2009/73/EC [to be adapted as per ongoing recast proposal];**	
Article 2, first paragraph, point (3)				
92				

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(3) 'distribution system operator' has the meaning attributed to it by [Article 2(6) of Directive 2009/73/EC] [to be adapted as per ongoing recast proposal];	(3) 'distribution system operator' has the meaning attributed to it by [Article 2(6) of Directive 2009/73/EC] [to be adapted as per ongoing recast proposal];	(3) 'distribution system operator' ~~has the meaning attributed to it by [~~**means distribution system operator as defined in point (6) of** Article ~~2(6)~~**2** of Directive 2009/73/EC~~]~~ [***to be adapted as per ongoing recast proposal***~~to be adapted as per ongoing recast proposal~~];	
Article 2, first paragraph, point (4)				
93	(4) 'operator' means any natural or legal person who operates or controls an asset or, where provided for in national legislation, to whom decisive economic power over the technical functioning of an asset has been delegated;	(4) 'operator' means any natural or legal person who operates or controls an asset or, where provided for in national legislation, to whom decisive economic power over the technical functioning of an asset has been delegated;	(4) 'operator' means any natural or legal person who operates or controls an asset or, where provided for in national legislation, to whom decisive economic power over the technical functioning of an asset has been delegated;	
Article 2, first paragraph, point (5)				
94	(5) 'mine operator' means any natural or legal person who operates or controls a coal mine or, where provided for in national legislation, to whom decisive economic power over the technical functioning of a coal mine has been delegated;	(5) 'mine operator' means any natural or legal person who operates or controls a coal mine or, where provided for in national legislation, to whom decisive economic power over the technical functioning of a coal mine has been delegated;	(5) 'mine operator' means any natural or legal person who operates or controls a coal mine or, where provided for in national legislation, to whom decisive economic power over the technical functioning of a coal mine has been delegated;	
Article 2, first paragraph, point (5a)				
94a			**(5a) 'component' means any part or**	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			element of equipment used in oil or gas sites or infrastructure that could be the source of fugitive emissions or venting of methane, including but not limited to, valves, connectors and flanges, open-ended lines, pressure release valves, thief hatches, walls of vessels or aboveground or underground pipelines;	
Article 2, first paragraph, point (5b)				
94b			**(5b) 'site' means a collection of components with some relation to one another as a subdivision of an asset, including but not limited to a production battery, compressor station, processing plant, transmission station, pipeline segment, a pipeline network, or a liquefaction plant;**	
Article 2, first paragraph, point (6)				
95	(6) 'verification' means the activities carried out by a verifier to assess the conformity of the reports transmitted by the operators and mine operators;	(6) 'verification' means the activities carried out by a verifier to assess the conformity of the reports transmitted by the operators and mine operators;	(6) 'verification' means the activities carried out by a verifier to assess the conformity of the reports transmitted by the operators and mine operators;	
Article 2, first paragraph, point (7)				
96				

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(7) 'verifier' means a legal person different from the competent authorities appointed in accordance with Article 4 of this Regulation which carries out verification activities and which is accredited by a national accreditation body pursuant to Regulation (EC) No 765/2008 or a natural person otherwise authorised, without prejudice to Article 5(2) of that Regulation, at the time a verification statement is issued;	(7) 'verifier' means a legal person ~~*different from the competent authorities appointed in accordance with Article 4 of this Regulation*~~ which carries out verification activities and which is accredited by a national accreditation body pursuant to Regulation (EC) No 765/2008 or a natural person otherwise authorised, without prejudice to Article 5(2) of that Regulation, at the time a verification statement is issued;	(7) 'verifier' means a legal person ~~different from the competent authorities appointed in accordance with Article 4 of this Regulation~~ which carries out verification activities and which is accredited by a national accreditation body pursuant to Regulation (EC) No 765/2008 or a natural person otherwise authorised, without prejudice to Article 5(2) of that Regulation, at the time a verification statement is issued;	
Article 2, first paragraph, point (7a)				
96a			**(7a) 'quantification' means operations to determine the quantity of methane emissions, based on direct measurements and where those are not feasible, based on other methods such as simulation tools and other detailed engineering calculations or a combination of such methods.**	
Article 2, first paragraph, point (8)				
97	(8) 'source' means a component or a geological structure that releases methane into the atmosphere whether intentionally or unintentionally, intermittently or persistently;	(8) 'source' means a component or a geological structure that releases methane into the atmosphere whether intentionally or unintentionally, intermittently or persistently;	(8) 'source' means a component or a geological structure that releases methane into the atmosphere whether intentionally or unintentionally, intermittently or persistently;	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 2, first paragraph, point (9)				
98	(9) 'asset' means a business or operating unit, which can be composed of several facilities or sites, including assets under the operational control of the operator (operated assets) and assets which are not under the operational control of the operator (non-operated assets);	(9) 'asset' means a business or operating unit, which can be composed of several facilities or sites, including assets under the operational control of the operator (operated assets) and assets which are not under the operational control of the operator (non-operated assets);	(9) 'asset' means a business or operating unit, which can be composed of several facilities or sites, including assets under the operational control of the operator (operated assets) and assets which are not under the operational control of the operator (non-operated assets);	
98a		***(9a) 'facility' means one or more installations on the same site that are operated by the same natural or legal person;***		
98b		***(9b) 'site' means the geographical location of the facility;***		
Article 2, first paragraph, point (10)				
99	(10) 'emission factor' means a coefficient that quantifies the emissions or removals of a gas per unit activity, which is often based on a sample of measurement data, averaged to develop a representative rate of emission	(10) 'emission factor' means a coefficient that quantifies the emissions ~~or removals~~ of a gas per unit ***of*** activity, which is often based on a sample of measurement data, averaged to develop a representative rate of emission	(10) 'emission factor' means a coefficient that quantifies the emissions or removals of a gas per unit **of** activity, which is ~~often~~**either** based on a sample of measurement data **or other methods such as simulation tools**	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	for a given activity level under a given set of operating conditions;	for a given activity level under a given set of operating conditions;	**and detailed engineering calculations**, averaged to develop a representative rate of emission for a given activity level under a given set of operating conditions;	
Article 2, first paragraph, point (11)				
100	(11) 'generic emission factor' means a standardised emission factor for each type of emission source which is derived from inventories or databases, but in any case not verified through direct measurements;	(11) 'generic emission factor' means a standardised emission factor for each type of emission source which is derived from inventories or databases, but in any case not verified through direct measurements;	(11) 'generic emission factor' means a standardised emission factor for each type of emission source which is derived from inventories or databases, but in any case not verified through direct measurements;	
Article 2, first paragraph, point (12)				
101	(12) 'specific emission factor' means an emission factor derived from direct measurements;	(12) 'specific emission factor' means an emission factor ***for a type of emission source that is*** derived from direct measurements;	(12) 'specific emission factor' means an emission factor derived from direct measurements;	
Article 2, first paragraph, point (13)				
102	(13) 'direct measurement' means direct quantification of the methane emission at source-level with a methane measuring device;	(13) 'direct measurement' means ~~*direct quantification*~~***measurement*** of the methane emission at source-level with a ~~*methane*~~ measuring device ***that allows such a measurement***;	(13) 'direct measurement' means ~~direct quantification~~ **measurement** of the methane emission at source-level with **measuring devices allowing to obtain credible estimates of parameters needed for the quantification of** ~~a~~ methane ~~measuring device~~**emission rates ;**~~;~~	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
102a		***(13a) 'quantification' means operations to determine the quantity of methane emissions, based on direct measurements or, where direct measurements are not feasible, based on detailed engineering calculations or simulation tools, and based on advanced equipment and monitoring methods;***		
Article 2, first paragraph, point (14)				
103	(14) 'site-level methane emissions' means all sources of emissions within an asset;	(14) 'site-level methane emissions' means all sources of emissions within an ~~asset~~***entire site***;	(14) 'site-level methane emissions' means all sources of emissions within an **entire site** ~~asset~~;	
Article 2, first paragraph, point (15)				
104	(15) 'site-level measurement' means a top-down measurement and typically involves the use of sensors mounted on a mobile platform, such as vehicles, drones, aircrafts, boats and satellites or other means to capture a complete overview of emissions across an entire site;	(15) 'site-level measurement' means a top-down measurement and typically involves the use of sensors mounted on a mobile platform, such as vehicles, drones, aircrafts, boats***, satellites, the use of fixed sensors, such as continuous point sensor networks,*** ~~and satellites~~ or other means to capture a complete overview of emissions across an entire site;	(15) 'site-level measurement' means a **measurement that captures a complete overview of the emissions occurring across an entire site, including, for a pipeline network, emissions from segments of such a network,** ~~top-down measurement~~ and typically involves the use of sensors mounted on a mobile platform, such as vehicles, drones, aircrafts, boats and satellites or other means to capture a complete overview of emissions across an entire site;	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 2, first paragraph, point (16)				
105	(16) 'undertaking' means a natural or legal person carrying out at least one of the following functions: upstream oil and fossil gas exploitation, exploration and production, fossil gas gathering and processing and gas transmission, distribution and underground storage, including LNG;	(16) 'undertaking' means a natural or legal person carrying out at least one of the following functions: upstream oil and fossil gas exploitation, exploration and production, fossil gas gathering and processing and gas transmission, distribution and underground storage, including LNG;	(16) 'undertaking' means a natural or legal person carrying out at least one of the following ~~functions~~**activities**: ~~upstream~~ oil and fossil gas ~~exploitation,~~ exploration and production, fossil gas gathering and processing and gas transmission, distribution and underground storage, including **with regard to liquified gas** ~~LNG~~;	
Article 2, first paragraph, point (17)				
106	(17) 'leak detection and repair survey' means a survey to identify sources of methane emissions, including leaks and unintentional venting;	(17) 'leak detection and repair survey' means a survey ***with an instrument or other advanced technology with a minimum detection limit and confidence bound,*** to identify ***and detect*** sources of methane emissions~~, including~~ leaks and ***other*** unintentional ~~venting~~***methane emissions, and to repair or replace the leaking components***;	(17) 'leak detection and repair survey' means a survey to identify **and detect** sources of methane ~~emissions, including~~ leaks and **other** unintentional ~~venting~~**methane emissions ;**~~;~~	
Article 2, first paragraph, point (17a)				
106 a			**(17a) 'Type 1 leak detection and repair survey' means a leak detection and repair survey undertaken with a minimum detection limit and a minimum leak**	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			threshold of 7000 parts per million or 17 grams per hour;	
Article 2, first paragraph, point (17b)				
106 b			**(17b) 'Type 2 leak detection and repair survey' means a leak detection and repair survey undertaken with a minimum detection limit of 10 parts per million or 0.15 grams per hour and a minimum leak threshold of 500 parts per million or 1 gram per hour for aboveground components, minimum detection limit and a minimum leak threshold of 3000 parts per million or 5 grams/hour for underground components and for offshore components above the sea level and minimum detection limit and a minimum leak threshold of 7000 parts per million or 17 grams/hour for offshore components below the sea level and below the seabed;**	
Article 2, first paragraph, point (17c)				
106 c			**(17c) 'Production location' means a location where fossil gas or oil is extracted from the underground and where no processing takes place;**	
Article 2, first paragraph, point (17d)				

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
106d			**(17d) 'Processing' means processes which are used to treat fossil gas and oil, such as the separation of fossil gas and oil from production water;**	
Article 2, first paragraph, point (17e)				
106e			**(17e) 'Leak detection rate' means the relative number of leakages detected by performing type 2 LDAR survey over all components that can possibly leak in a given period.**	
Article 2, first paragraph, point (17f)				
106f			**(17f) 'shutdown' means a situation where a site or part of its components is shut down from normal operating conditions and where complete or partial pressure reduction is required prior to initiating repair and maintenance works;**	
Article 2, first paragraph, point (18)				
107	(18) 'venting' means the release of uncombusted methane into the atmosphere either intentionally from processes, activities or devices designed for such a	(18) 'venting' means the release of uncombusted methane into the atmosphere ~~either~~ intentionally from processes, activities or devices designed for such a purpose~~, or~~	(18) 'venting' means the **direct** release of uncombusted methane into the atmosphere either intentionally from processes, activities or devices designed for such a purpose, or	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	purpose, or unintentionally in the case of a malfunction or geological constraints;	~~unintentionally in the case of a malfunction or geological constraints~~;	unintentionally in the case of a malfunction or geological constraints;	
Article 2, first paragraph, point (19)				
108	(19) 'flaring' means the controlled combustion of methane for the purpose of disposal in a device designed for said combustion;	(19) 'flaring' means the controlled combustion of methane for the purpose of disposal in a device designed for said combustion;	(19) 'flaring' means the controlled combustion of methane for the purpose of disposal in a device designed for said combustion;	
Article 2, first paragraph, point (20)				
109	(20) 'emergency' means a temporary, unexpected, infrequent situation in which the methane emission is unavoidable and necessary to prevent an immediate and substantial adverse impact on human safety, public health or the environment, but does not include situations arising from or related to the following events:	(20) 'emergency' means a temporary, unexpected, infrequent situation in which the methane emission is unavoidable and necessary to prevent an immediate and substantial adverse impact on human safety, public health or the environment, but does not include situations arising from or related to the following events:	(20) 'emergency' means a temporary, unexpected, infrequent situation in which the methane emission is unavoidable and necessary to prevent ~~an immediate and~~ substantial adverse impact on human safety, public health or the environment, but does not include situations arising from or related to the following events:	
Article 2, first paragraph, point (20)(a)				
110	(a) failure of the operator to install appropriate equipment of sufficient capacity for the expected or actual rate and pressure of production;	(a) failure of the operator to install appropriate equipment of sufficient capacity for the expected or actual rate and pressure of production;	(a) failure of the operator to install appropriate equipment of sufficient capacity for the expected or actual rate and pressure of production;	
Article 2, first paragraph, point (20)(b)				

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
111	(b) failure of the operator to limit production where the production rate exceeds the capacity of the related equipment or gathering system, except where the excess production is due to a downstream emergency, malfunction, or unscheduled repair and lasts for no longer than eight hours from the time of notification of the downstream capacity issue;	(b) failure of the operator to limit production where the production rate exceeds the capacity of the related equipment or gathering system, except where the excess production is due to a downstream emergency, malfunction, or unscheduled repair and lasts for no longer than eight hours from the time of notification of the downstream capacity issue;	(b) failure of the operator to limit production where the production rate exceeds the capacity of the related equipment or gathering system, except where the excess production is due to a downstream emergency, malfunction, or unscheduled repair and lasts for no longer than eight hours from the time of notification of the downstream capacity issue;	
Article 2, first paragraph, point (20)(c)				
112	(c) scheduled maintenance;	(c) scheduled maintenance;	(c) scheduled maintenance;	
Article 2, first paragraph, point (20)(d)				
113	(d) operator negligence;	(d) operator negligence;	(d) operator negligence;	
Article 2, first paragraph, point (20)(e)				
114	(e) repeated failures, that is to say four or more failures within the preceding 30 days, of the same piece of equipment;	(e) repeated failures, that is to say four or more failures within the preceding 30 days, of the same piece of equipment;	(e) repeated failures, that is to say four or more failures within the preceding 30 days, of the same piece of equipment;	
Article 2, first paragraph, point (21)				
115				

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(21) 'malfunction' means a sudden, unavoidable failure or breakdown of equipment beyond the reasonable control of the operator that substantially disrupts operations but does not include a failure or breakdown that is caused entirely or in part by poor maintenance, careless operation or other preventable equipment failure or breakdown;	(21) 'malfunction' means a sudden, unavoidable failure or breakdown of equipment beyond the reasonable control of the operator that substantially disrupts operations but does not include a failure or breakdown that is caused entirely or in part by poor maintenance, careless operation or other preventable equipment failure or breakdown;	(21) 'malfunction' means a sudden, unavoidable failure or breakdown of equipment beyond the reasonable control of the operator that substantially disrupts operations but does not include a failure or breakdown that is caused entirely or in part by poor maintenance, careless operation or other preventable equipment failure or breakdown;	
Article 2, first paragraph, point (22)				
116	(22) 'routine flaring' means flaring during the normal production of oil or fossil gas and in the absence of sufficient facilities or amenable geology to re-inject methane, utilise it on-site, or dispatch it to a market;	(22) 'routine flaring' means flaring during the normal production of oil or fossil gas and in the absence of sufficient facilities or amenable geology to re-inject methane, utilise it on-site, ***process it,*** or dispatch it to a market***, and excluding flaring caused by an emergency***;	(22) 'routine flaring' means flaring during the normal production of oil or fossil gas and in the absence of sufficient facilities or amenable geology to re-inject methane, utilise it on-site, or dispatch it to a market;	
Article 2, first paragraph, point (23)				
117	(23) 'flare stack' means a device equipped with a burner used to flare methane;	(23) 'flare stack' means a device equipped with a burner used to flare methane;	(23) 'flare stack' means a device equipped with a burner used to flare methane;	
Article 2, first paragraph, point (23a)				
117a			**(23a) 'destruction and removal efficiency' means the mass percentage of methane**	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			that is destroyed or removed after the combustion has ceased relative to the quantity of methane entering the flare;	
Article 2, first paragraph, point (24)				
118	(24) 'inactive well' means an oil or gas well or well site where operations for exploration or production have ceased for at least one year;	(24) 'inactive well' means an oil or gas well or well site***, that is onshore or offshore,*** where operations for exploration or production have ceased for at least one year; ***it does not include permanently plugged and abandoned wells.***	(24) 'Inactive well' means an **exploration or production** oil or gas well or well site**, onshore or offshore,** where operations for exploration or production have ceased for at least one year**. It does not include temporarily plugged wells, permanently plugged and abandoned wells, as defined in this Regulation**;	
Article 2, first paragraph, point (24a)				
118 a			**(24a) 'Permanently plugged and abandoned well' means an oil or gas well or well site, onshore or offshore, which has been plugged and will not be re-entered, where all installations associated with the well have been removed and operations have been terminated in accordance with regulatory requirements and where documentation adequate to demonstrate that there are no methane emissions from that well or well site can be provided as established in Annex IV;**	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
118 b		***(24a) 'permanently plugged and abandoned well' means an oil or gas well or well site, that is onshore or offshore, which has been plugged and will not be re-entered, in which all installations associated with the well have been removed and operations have been terminated and where documentation can be provided that is adequate to demonstrate in accordance with Annex IV that there are no methane emissions from that well or well site;***		
Article 2, first paragraph, point (24b)				
118 c			**(24b) 'Temporarily plugged well' means an oil or gas well or well site, onshore or offshore, where well barriers have been installed and where a wellhead is still installed and access to the well is still provided for;**	
Article 2, first paragraph, point (25)				
119	(25) 'remediating' means the process of cleaning up contaminated water and soil;	(25) 'remediating' means the process of cleaning up contaminated water and soil;	(25) 'remediating' means the process of cleaning up contaminated water and soil;	
Article 2, first paragraph, point (26)				

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
120	(26) 'reclaiming' means the process of returning a well or well site to having soil and vegetation conditions similar to those that existed before it was disturbed;	(26) 'reclaiming' means the process of returning a well or well site to having soil and vegetation conditions similar to those that existed before it was disturbed;	(26) 'reclaiming' means the process of returning a well or well site to having soil and vegetation conditions similar to those that existed before it was disturbed;	
Article 2, first paragraph, point (27)				
121	(27) 'coal mine' means a site where coal mining occurs or has occurred, including lands, excavations, underground passageways, shafts, slopes, tunnels and workings, structures, facilities, equipment, machines and tools situated on the surface or underground and used in, or resulting from the work of extracting lignite, subbituminous coal, bituminous coal, or anthracite from its natural deposits in the earth by any means or method, including the work of preparing the coal to be extracted;	(27) 'coal mine' means a site where coal mining occurs or has occurred, including lands, excavations, underground passageways, shafts, slopes, tunnels and workings, structures, facilities, equipment, machines and tools situated on the surface or underground and used in, or resulting from the work of extracting lignite, subbituminous coal, bituminous coal, or anthracite from its natural deposits in the earth by any means or method, including the work of preparing the coal to be extracted;	(27) 'coal mine' means a site where coal mining occurs or has occurred, including lands, excavations, underground passageways, shafts, slopes, tunnels and workings, structures, facilities, equipment, machines and tools situated on the surface or underground and used in, or resulting from the work of extracting lignite, subbituminous coal, bituminous coal, or anthracite from its natural deposits in the earth by any means or method, including the work of preparing the coal to be extracted;	
Article 2, first paragraph, point (28)				
122	(28) 'operating coal mine' means a coal mine where the majority of its revenue comes from the work of extracting lignite, subbituminous coal, bituminous coal or anthracites, and where at least one of the following conditions apply:	(28) 'operating coal mine' means a coal mine where the majority of its revenue comes from the work of extracting lignite, subbituminous coal, bituminous coal or anthracites, and where at least one of the following conditions apply:	(28) 'operating coal mine' means a coal mine where the majority of its revenue comes from the work of extracting lignite, subbituminous coal, bituminous coal or anthracites, and where at least one of the following conditions apply:	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 2, first paragraph, point (28)(a)				
123	(a) mine development is underway.	(a) mine development is underway.	(a) mine development is underway.	
Article 2, first paragraph, point (28)(b)				
124	(b) coal has been produced within the last 90 days.	(b) coal has been produced within the last 90 days.	(b) coal has been produced within the last 90 days.	
Article 2, first paragraph, point (28)(c)				
125	(c) mine ventilation fans are operative.	(c) mine ventilation fans are operative.	(c) mine ventilation fans are operative.	
Article 2, first paragraph, point (29)				
126	(29) 'underground coal mine' means a coal mine where coal is produced by tunnelling into the earth to the coalbed, which is then mined with underground mining equipment such as cutting machines and continuous, longwall and shortwall mining machines, and transported to the surface;	(29) 'underground coal mine' means a coal mine where coal is produced by tunnelling into the earth to the coalbed, which is then mined with underground mining equipment such as cutting machines and continuous, longwall and shortwall mining machines, and transported to the surface;	(29) 'underground coal mine' means a coal mine where coal is produced by tunnelling into the earth to the coalbed, which is then mined with underground mining equipment such as cutting machines and continuous, longwall and shortwall mining machines, and transported to the surface;	
Article 2, first paragraph, point (30)				
127	(30) 'surface coal mine' means a coal mine	(30) 'surface coal mine' means a coal mine	(30) 'surface coal mine' means a coal mine	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	where coal lies near the surface and can be extracted by removing the covering layers of rock and soil;	where coal lies near the surface and can be extracted by removing the covering layers of rock and soil;	where coal lies near the surface and can be extracted by removing the covering layers of rock and soil;	
Article 2, first paragraph, point (31)				
128	(31) 'ventilation shaft' means a vertical passage used to move fresh air underground or to remove methane and other gases from an underground coal mine;	(31) 'ventilation shaft' means a vertical passage used to move fresh air underground or to remove methane and other gases from an underground coal mine;	(31) 'ventilation shaft' means a vertical passage used to move fresh air underground or to remove methane and other gases from an underground coal mine;	
Article 2, first paragraph, point (32)				
129	(32) 'drainage station' means a station collecting methane from a coal mine gas drainage system;	(32) 'drainage station' means a station collecting methane from a coal mine gas drainage system;	(32) 'drainage station' means a station collecting methane from a coal mine gas drainage system;	
Article 2, first paragraph, point (33)				
130	(33) 'drainage system' means a system, which may comprise multiple methane sources and which drains methane-rich gas from coal seams or surrounding rock strata and transports it to a drainage station;	(33) 'drainage system' means a system, which may comprise multiple methane sources and which drains methane-rich gas from coal seams or surrounding rock strata and transports it to a drainage station;	(33) 'drainage system' means a system, which may comprise multiple methane sources and which drains methane-rich gas from coal seams or surrounding rock strata and transports it to a drainage station;	
Article 2, first paragraph, point (34)				
131	(34) 'post-mining activities' are activities	(34) 'post-mining activities' are activities	(34) 'post-mining activities' are activities	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	carried out after coal has been mined and brought to the surface, including coal handling, processing, storage, and transport;	carried out after coal has been mined and brought to the surface, including coal handling, processing, storage, and transport;	carried out after coal has been mined and brought to the surface, including coal handling, processing, storage, and transport;	
Article 2, first paragraph, point (35)				
132	(35) 'continuous measurement' means a measurement where the reading is taken at least every minute;	(35) 'continuous measurement' means a measurement where the reading is taken at least every minute;	(35) 'continuous measurement' means a measurement where the reading is taken at least every minute;	
Article 2, first paragraph, point (36)				
133	(36) 'ventilation air methane' means methane emitted from coal seams and other gas-bearing strata and which enters the ventilation air and is exhausted from the ventilation shaft;	(36) 'ventilation air methane' means methane emitted from coal seams and other gas-bearing strata and which enters the ventilation air and is exhausted from the ventilation shaft;	(36) 'ventilation air methane' means methane emitted from coal seams and other gas-bearing strata and which enters the ventilation air and is exhausted from the ventilation shaft;	
Article 2, first paragraph, point (37)				
134	(37) 'coal deposit' is an area of the land containing significantly mineable quantities of coal, defined according to the Member State's methodology on documenting geological mineral deposits;	(37) 'coal deposit' is an area of the land containing significantly mineable quantities of coal, defined according to the Member State's methodology on documenting geological mineral deposits;	(37) 'coal deposit' is an area of the land containing ~~significantly mineable~~**significant concentrations and** quantities of coal, defined according to the Member State's methodology on documenting geological mineral deposits;	
Article 2, first paragraph, point (38)				

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
135	(38) 'closed coal mine' means a coal mine with an identified operator, owner or licensee and closed according to the applicable licensing requirements or other regulations;	(38) 'closed coal mine' means a coal mine with an identified operator, owner or licensee and closed according to the applicable licensing requirements or other regulations;	(38) 'closed coal mine' means a coal mine ~~with an identified operator, owner or licensee and~~**where coal production has ceased and is not expected to occur in the future , which is** closed ~~according~~**pursuant** to the applicable licensing requirements or other regulations **and for which anoperator, owner or licensee has still an active permit ;**~~;~~	
Article 2, first paragraph, point (39)				
136	(39) 'abandoned coal mine' means a coal mine where an operator, owner or licensee cannot be identified, or that has not been closed in a regulated manner;	(39) 'abandoned coal mine' means a coal mine where an operator, owner or licensee cannot be identified, or that has not been closed in a regulated manner;	(39) 'abandoned coal mine' means a coal mine where **coal production has ceased but for which** an operator, owner or licensee cannot be identified **as subject to the obligations under an active permit**, or that has not been closed in a regulated manner;	
Article 2, first paragraph, point (39a)				
136 a			**(39a) 'alternative use of an abandoned coal mine' means the use of the subsurface mine infrastructure and coal mining equipment for purposes other than coal production, including the development of geothermal and heat storage projects in flooded mines, and hydropower applications in non-flooded mines.**	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
136 b		*(39a) 'coal mining equipment in closed or abandoned coal mine' means any equipment that remains linked to the methane-bearing strata, including but not limited to gob vents and drainage pipes;*		
Article 2, first paragraph, point (39b)				
136 c			**(39b) 'coal mining equipment in closed or abandoned coal mine' means any equipment that remains linked to the methane-bearing strata, including but not limited to gob vents and drainage pipes;**	
Article 2, first paragraph, point (40)				
137	(40) 'coking coal mine' means a mine where at least 50% of the production output averaged over the last three available years is coking coal, as defined in Annex B of Regulation (EC) no 1099/2008 of the European Parliament and of the Council[1]; _____ 1. Regulation (EC) No 1099/2008 of the European Parliament and of the Council of 22 October 2008 on energy statistics (OJ L 304, 14.11.2008, p. 1)	(40) 'coking coal mine' means a mine where at least 50% of the production output averaged over the last three available years is coking coal, as defined in Annex B of Regulation (EC) no 1099/2008 of the European Parliament and of the Council[1]; _____ 1. Regulation (EC) No 1099/2008 of the European Parliament and of the Council of 22 October 2008 on energy statistics (OJ L 304, 14.11.2008, p. 1)	(40) 'coking coal mine' means a mine where at least 50% of the production output averaged over the last three available years is coking coal, as defined in Annex B of Regulation (EC) no 1099/2008 of the European Parliament and of the Council[1]; _____ 1. Regulation (EC) No 1099/2008 of the European Parliament and of the Council of 22 October 2008 on energy statistics (OJ L 304, 14.11.2008, p. 1)	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 2, first paragraph, point (41)				
138	(41) 'importer' means a natural or legal person established in the Union who, in the course of a commercial activity, places fossil energy from a third country on the Union market.	(41) 'importer' means a natural or legal person ~~established in the Union~~ who, in the course of a commercial activity, places fossil ~~energy~~***gas, oil or coal*** from a third country on the Union market ***including any natural person established in the Union who is appointed to carry out actions required under Article 27***.	(41) 'importer' means a natural or legal person ~~established in the Union~~ who, in the course of a commercial activity, places ~~fossil energy~~**gas, oil or coal** from a third country on the Union ~~market~~**marketincluding any natural or legal person established in the Union appointedto carry out acts and formalities required under Chapter 5 of this Regulation**.	
Article 2, first paragraph, point (42)				
138 a			**(42) 'European standard' means a standard as defined in point (b) of point 1 of Article 2 of Regulation (EU) No 1025/2012;**	
Article 2, first paragraph, point (43)				
138 b			**(43) 'International standard' means a standard as defined in point (a) of point 1 of Article 2 of Regulation (EU) No 1025/2012;**	
Article 3				

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
139	Article 3 Costs of regulated operators	Article 3 Costs of regulated operators	Article 3 Costs of regulated operators	
Article 3(1)				
140	1. When fixing or approving transmission or distribution tariffs or the methodologies to be used by transmission system operators, distribution system operators, LNG terminal operators or other regulated companies including where applicable underground gas storage operators, regulatory authorities shall take into account the costs incurred and investments made to comply with the obligations under this Regulation, insofar as they correspond to those of an efficient and structurally comparable regulated operator.	1. When fixing or approving ~~*transmission or distribution*~~ tariffs or the methodologies to be used by transmission system operators, distribution system operators, LNG terminal operators or other regulated companies including where applicable underground gas storage operators, regulatory authorities shall take into account the ***additional*** costs incurred and investments made to comply with the obligations under this Regulation, insofar as they correspond to those of an efficient and structurally comparable regulated operator. ***The unit investment costs referred to in paragraph 2 may be used by regulatory authorities to benchmark the costs incurred by the operators.***	1. When fixing or approving ~~transmission or distribution~~ tariffs or the methodologies to be used by transmission system operators, distribution system operators, LNG terminal operators or other regulated companies including where applicable underground gas storage operators, regulatory authorities shall take into account the costs incurred and investments made to comply with the obligations under this Regulation, insofar as they ~~correspond to those of an efficient and structurally comparable regulated operator~~**are efficiently and transparently incurred. The unit investment costs referred to in paragraph 2 may be used by the regulatory authorities to benchmark the costs incurred by the operators**.	
Article 3(2)				
141	2. Every three years, the European Union Agency for the Cooperation of Energy Regulators (ACER) shall establish and make publicly available a set of indicators	2. Every three years, the European Union Agency for the Cooperation of Energy Regulators (ACER) shall establish and make publicly available a set of indicators and	2. Every three years, the European Union Agency for the Cooperation of Energy Regulators (ACER) shall establish and make publicly available a set of indicators and	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	and corresponding reference values for the comparison of unit investment costs linked to measurement, reporting and abatement of methane emissions for comparable projects.	corresponding reference values for the comparison of unit investment costs linked to measurement, ***monitoring,*** reporting***, verification*** and abatement ***of emissions, including from venting and flaring,*** of methane emissions for comparable projects.	corresponding reference values for the comparison of unit investment costs linked to measurement, **monitoring,** reporting**, verification** and abatement of methane emissions for comparable projects. **The relevant regulatory authorities and the regulated operators shall provide ACER with all the data necessary for that comparison.**	
Chapter 2				
142	Chapter 2 Competent authorities and independent verification	Chapter 2 Competent authorities and independent verification	Chapter 2 **Chapter 2** Competent authorities and independent verification	
Article 4				
143	Article 4 Competent authorities	Article 4 Competent authorities	Article 4 Competent authorities	
Article 4(1), first subparagraph				
144	1. Each Member State shall designate one or more competent authorities responsible for monitoring and enforcing the application of this Regulation.	1. Each Member State shall designate one or more competent authorities responsible for monitoring and enforcing the application of this Regulation.	1. Each Member State shall designate one or more competent authorities responsible for monitoring and enforcing the application of this Regulation.	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 4(1), second subparagraph				
145	Member States shall notify the Commission of the names and contact details of the competent authorities by … [3 months after the date of entry into force of this Regulation]. Member States shall notify the Commission without delay of any changes to the names or contact details of the competent authorities.	Member States shall notify the Commission of the names and contact details of the competent authorities by … [~~3~~***6*** months after the date of entry into force of this Regulation]. Member States shall notify the Commission without delay of any changes to the names or contact details of the competent authorities.	Member States shall notify the Commission of the names and contact details of the competent authorities by … [~~3~~ **6** ***months after the date of entry into force of this Regulation***~~months after the date of entry into force of this Regulation~~]. Member States shall notify the Commission without delay of any changes to the names or contact details of the competent authorities.	
Article 4(2)				
146	2. The Commission shall make a list of the competent authorities publicly available and shall regularly update that list.	2. The Commission shall make a list of the competent authorities publicly available and shall regularly update that list ***upon receipt of a notification of any change from a Member State***.	2. The Commission shall make a list of the competent authorities publicly available and shall regularly update that list.	
Article 4(3)				
147	3. Member States shall ensure that the competent authorities have adequate powers and resources to perform the obligations set out in this Regulation.	3. Member States shall ensure that the competent authorities ***establish a contact point,*** have adequate powers and ***resources including human*** resources to perform the obligations set out in this Regulation.	3. Member States shall ensure that the competent authorities have adequate powers and resources to perform the obligations set out in this Regulation.	
Article 5				

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
148	Article 5 Tasks of the competent authorities	Article 5 Tasks of the competent authorities	Article 5 Tasks of the competent authorities	
Article 5(1)				
149	1. The competent authorities shall take the necessary measures to ensure compliance with the requirements set out in this Regulation.	1. The competent authorities shall take***, in performing their tasks,*** the necessary measures to ensure compliance with~~*the requirements set out in*~~ this Regulation.	1. The competent authorities shall take the necessary measures to ensure compliance with **this Regulation in accordance with the tasks specifically attributed to them therein .**~~the requirements set out in this Regulation.~~	
Article 5(2)				
150	2. Operators and mine operators shall provide the competent authorities with all assistance necessary to enable or facilitate the performance of the tasks of the competent authorities referred to in this Regulation, notably as regards access to the premises and the presentation of documentation or records.	2. ***Operators, mine*** operators and ~~*mine operators*~~***importers, insofar as those importers are required pursuant to Article 27,*** shall provide the competent authorities with all assistance necessary to enable or facilitate the performance of the tasks of the competent authorities referred to in this Regulation, notably as regards access to the premises and the presentation of documentation or records.	2. Operators and mine operators shall provide the competent authorities with all assistance necessary to enable or facilitate the performance of the tasks of the competent authorities referred to in this Regulation, notably as regards access to the ~~premises and~~**sites,** the presentation of documentation or records **and, in case the site is located offshore, transport to or from the site**.	
Article 5(3)				
151	3. The competent authorities shall	3. The competent authorities shall cooperate	3. The competent authorities shall cooperate	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	cooperate with each other and with the Commission and as necessary with authorities of third countries, in order to ensure compliance with this Regulation. The Commission may set up a network of competent authorities to foster cooperation, with the necessary arrangements for exchanging information and best practices and allow for consultations.	with each other and with the Commission and as necessary with authorities of third countries, in order to ensure compliance with this Regulation. The Commission ~~may~~***shall*** set up a network of competent authorities to foster cooperation, with the necessary arrangements for exchanging information and best practices and allow for consultations. ***The contact points established within the competent authorities shall support those activities.***	with each other and with the Commission and as necessary **may cooperate** with authorities of third countries, in order to ensure compliance with this Regulation. The Commission ~~may~~**shall** set up a network of competent authorities to foster cooperation, with the necessary arrangements for exchanging information **on monitoring, regulating and compliance** and best practices and allow for consultations.	
151 a		***3a. The competent authorities shall carry out regular checks to verify compliance by importers with Article 27 (2a), insofar as those importers are required pursuant to Article 27, by means of documentary checks and independent third party verification, in conjunction with other methods and technologies at their disposal to verify the existence of methane emissions.***		
151 b		***3b. The competent authorities shall review and approve the mitigation plan referred to in Article 18(6) to address methane emissions submitted by the operators.***		

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 5(4), first subparagraph				
152	4. Where reports are to be made public in accordance with this Regulation, the competent authorities shall make them publicly available free of charge, on a designated website and in freely accessible, downloadable and editable format.	4. Where reports are to be made public in accordance with this Regulation, the competent authorities shall make them publicly available free of charge, on a designated website and in freely accessible, downloadable and editable format. ***The data collected shall ensure the confidentiality of commercially sensitive information of companies.***	4. Where reports are to be made public in accordance with this Regulation, the competent authorities shall make them publicly available **and** free of charge, on a designated website and in freely accessible, downloadable and ~~editable~~**non-editable (read only)** format.	
Article 5(4), second subparagraph				
153	Where information is kept confidential in accordance with Article 4 of Directive 2003/4/EC, the competent authorities shall indicate the type of information that has been withheld and the reason therefor.	Where information is kept confidential in accordance with Article 4 of Directive 2003/4/EC, the competent authorities shall indicate the type of information that has been withheld and the reason therefor.	Where information is kept confidential in accordance with Article 4 of Directive 2003/4/EC **or where necessary under Union law on the protection of personal data**, the competent authorities shall indicate the type of information that has been withheld and the reason therefor.	
Article 6				
154	Article 6 Inspections	Article 6 Inspections	Article 6 Inspections	
Article 6(1)				

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
155	1. The competent authorities shall carry out periodic inspections to check the compliance of operators or mine operators with the requirements set out in this Regulation. The first inspection shall be completed by … [18 months after the date of entry into force of this Regulation].	1. The competent authorities shall carry out periodic inspections to check the compliance of operators or mine operators with the requirements set out in this Regulation. The first inspection shall be completed by … [18 months after the date of entry into force of this Regulation]. ***Already established controlling mechanisms available to the competent authorities shall be taken into account. Competent authorities shall identify best practices.***	1. The competent authorities shall carry out periodic inspections to check the compliance of operators or mine operators with the requirements set out in this Regulation. **Subject to paragraphs 2 and 3, the competent authorities may decide on the scope and frequency of the periodic inspections, based on an assessment of risks associated with each site, such as environmental, human safety and public health risks, as well as any identified breaches of this Regulation.** The first inspection shall be completed by … [~~18~~ **21** ***months after the date of entry into force of this Regulation***~~months after the date of entry into force of this Regulation~~].	
Article 6(2), first subparagraph				
156	2. Inspections shall include, where relevant, site checks or field audits examination of documentation and records that demonstrate compliance with the requirements of this Regulation, methane emissions detection and concentration measurements and any follow-up action undertaken by or on behalf of the competent authority to check and promote compliance of sites or facilities with the requirements of this Regulation.	2. Inspections shall include, where relevant, site checks or field audits examination of documentation and records that demonstrate compliance with the requirements of this Regulation, methane emissions detection and concentration measurements and any follow-up action undertaken by or on behalf of the competent authority to check and promote compliance of sites or facilities with the requirements of this Regulation.	2. Inspections shall include, where relevant, site checks or field audits examination of documentation and records that demonstrate compliance with the requirements of this Regulation, methane emissions detection and concentration measurements and any follow-up action undertaken by or on behalf of the competent authority to check and promote compliance of sites~~ or facilities~~ with the requirements of this Regulation.	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 6(2), second subparagraph				
157	Where an inspection has identified a serious breach of the requirements of this Regulation, the competent authorities shall issue a notice of remedial actions to be undertaken by the operator or mine operator, as part of the report referred to in paragraph 5.	Where an inspection has identified a ~~*serious*~~ breach of the requirements of this Regulation, the competent authorities shall issue a notice of remedial actions to be undertaken by the operator or mine operator***, with clear deadlines for those actions***, as part of the report referred to in paragraph 5.	Where an inspection has identified a serious breach of the requirements of this Regulation, the competent authorities shall issue a notice of remedial actions **with clear deadlines** to be undertaken by the operator or mine operator, as part of the report referred to in paragraph 5. **Alternatively, the competent authorities may decide to instruct the operator or mine operator to submit to their approval a set of remedial actions to address the breaches identified within one month from the conclusion of the inspection. Those actions shall be included in the report referred to in paragraph 5.**	
Article 6(3)				
158	3. After the first inspection referred to in paragraph 1, the competent authorities shall draw up programmes for routine inspections. The period between inspections shall be based on an appraisal of the environmental risk and shall not exceed two years. Where an inspection has identified a serious breach of the requirements of this Regulation, the subsequent inspection shall	3. After the first inspection referred to in paragraph 1, the competent authorities shall draw up programmes for routine inspections. The period between inspections shall be based on an appraisal of the environmental risk***, including assessment of cumulative impacts of all methane emissions as a pollutant,*** and shall not exceed ~~*two years*~~***16 months***. Where an inspection has identified a	3. After the first inspection referred to in paragraph 1, the competent authorities shall draw up programmes for routine inspections **based on a risk assessment**. The period between inspections shall be based on an appraisal of the environmental risk**, human safety and public health risks** and shall not exceed **five** ~~two~~ years. Where an inspection has identified a serious breach of the	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	take place within one year.	serious breach of the requirements of this Regulation, the subsequent inspection shall take place within ~~one year~~***a maximum period of nine months***.	requirements of this Regulation, the subsequent inspection shall take place within one year.	
Article 6(4)				
159	4. The competent authorities shall carry out non-routine inspections:	4. The competent authorities shall carry out non-routine inspections:	4. **Without prejudice to periodic inspections,** the competent authorities shall carry out ~~non-routine~~ inspections:	
Article 6(4), point (a)				
160	(a) to investigate substantiated complaints referred to in Article 7 and occurrences of non-compliance as soon as possible after the date the competent authorities become aware of such complaints or non-compliance;	(a) to investigate substantiated complaints referred to in Article 7 and occurrences of non-compliance as soon as possible after the date the competent authorities become aware of such complaints or non-compliance ***and no later than 6 months after that date***;	(a) to investigate substantiated complaints referred to in Article 7 and occurrences of non-compliance as soon as possible after the date the competent authorities become aware of such complaints or non-compliance;	
Article 6(4), point (b)				
161	(b) to ensure that leak repairs or replacements of components were carried out in accordance with Article 14.	(b) to ensure that leak repairs or replacements of components were carried out in accordance with Article 14.	(b) to ensure**, where deemed relevant by the competent authorities,** that leak repairs or replacements of components were carried out in accordance with Article 14 **and that mitigation measures were implemented in accordance with Articles 18, 22 and 26**.	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 6(5), first subparagraph				
162	5. Following each inspection, the competent authorities shall prepare a report describing the legal basis for the inspection, the procedural steps followed, the relevant findings and recommendations for the further action by the operator or mine operator.	5. Following each inspection, the competent authorities shall prepare a report describing the legal basis for the inspection, the procedural steps followed, the relevant findings and recommendations for the further action by the operator or mine operator, ***including the deadlines for their implementation***.	5. Following each inspection, the competent authorities shall prepare a report describing the legal basis for the inspection, the procedural steps followed, the relevant findings and recommendations for ~~the~~ further ~~action~~**actions** by the operator or mine operator. **Where appropriate, the competent authorities may prepare one report covering multiple inspections of components, assets or sites of the same operator or mine operator provided such inspections are done in the same inspection period.**	
Article 6(5), second subparagraph				
163	The report shall be notified to the operator concerned and made publicly available within two months of the date of the inspection. Where the report was triggered by a complaint made in accordance with Article 7, the competent authorities shall notify the complainant once the report is publicly available.	The report shall be notified to the operator concerned and made publicly available within two months of the date of the inspection. Where the report was triggered by a complaint made in accordance with Article 7, the competent authorities shall notify the complainant once the report is publicly available.	The report shall be notified to the operator **or mine operator** concerned and made publicly available within two months of the date of the inspection. Where the report was triggered by a complaint made in accordance with Article 7, the competent authorities shall notify the complainant once the report is publicly available.	
Article 6(5), third subparagraph				
164	The report shall be made publicly available	The report shall be made publicly available	The report shall be made publicly available	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	by the competent authorities in accordance with Directive 2003/4/EC. Where information is kept confidential in accordance with Article 4 of Directive 2003/4/EC, the competent authorities shall indicate in the report the type of information that has been withheld and the reason thereof.	by the competent authorities in accordance with Directive 2003/4/EC. Where information is kept confidential in accordance with Article 4 of Directive 2003/4/EC, the competent authorities shall indicate in the report the type of information that has been withheld and the reason thereof.	by the competent authorities ~~in accordance with~~**subject to Article 7 of** Directive 2003/4/EC. Where information ~~is kept confidential~~**falls under an exception** in accordance with Article 4 of Directive 2003/4/EC, the competent authorities shall indicate in the report the type of information that has been withheld and the reason thereof.	
Article 6(6)				
165	6. Operators and mine operators shall take all the necessary actions set out in the report referred to in paragraph 5 within the period determined by the competent authorities or any other period agreed with the competent authorities.	6. Operators and mine operators shall take ***without delay*** all the necessary actions set out in the report referred to in paragraph 5 within the period determined by the competent authorities or any other period agreed with the competent authorities.	6. ~~Operators and mine operators shall take all the necessary actions set out in the report referred to in paragraph 5 within the period determined by the competent authorities or any other period agreed with the competent authorities~~**Member States may enter into formal agreements with appropriate Union agencies or other suitable bodies where available for the provision of specialist expertise to support the competent authority in carrying out the functions attributed to them by this article. For the purposes of this paragraph a body shall not be deemed suitable where its objectivity may be compromised by a conflict of interest**.	
Article 6(7)				

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
165 a			**7. Where the inspection report referred to in paragraph 5 concludes that the operators or mine operators do not comply with the requirements of this Regulation, operators and mine operators shall take all the necessary actions to bring their operations into compliance with the Regulation. The actions shall be taken within the period determined by the competent authorities.**	
Article 7				
166	Article 7 Complaints lodged with the competent authorities	Article 7 Complaints lodged with the competent authorities	Article 7 Complaints lodged with the competent authorities	
Article 7(1)				
167	1. Any natural or legal person which considers that it has suffered injury as a result of a breach of the requirements of this Regulation by operators or mine operators, may lodge a written complaint with the competent authorities.	1. Any natural or legal person ~~*which considers that it has suffered injury as a result of a*~~ ***may lodge a written complaint with the competent authorities on a possible*** breach of the requirements of this Regulation by operators or mine operators***. In addition, the European Justice Portal shall act as a contact point for the purpose of the submission of complaints to***~~*, may lodge a written complaint with*~~ the competent	1. Any natural or legal person ~~which considers that it has suffered injury as a result of a~~ **, may lodge a written complaint with the competent authorities on a possible** breach of the requirements of this Regulation by operators or mine operators~~, may lodge a written complaint with the competent authorities~~.	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		authorities ***concerned***.		
Article 7(2)				
168	2. The complaints shall be duly substantiated and contain sufficient evidence of the alleged breach and of the injury resulting therefrom.	2. The complaints shall be duly substantiated and contain sufficient evidence of the alleged breach ~~*and of the injury resulting therefrom*~~.	2. The complaints shall be duly substantiated and contain sufficient evidence of the alleged breach ~~and of the injury resulting therefrom.~~	
Article 7(3)				
169	3. Where it becomes apparent that the complaint does not provide sufficient evidence to justify pursuing an investigation, the competent authorities shall inform the complainant of the reasons for their decision not to pursue an investigation.	3. Where it becomes apparent that the complaint does not provide sufficient evidence to justify pursuing an investigation, the competent authorities shall inform the complainant ***within a reasonable time but no later than one month*** of the reasons for their decision not to pursue an investigation.	3. Where it becomes apparent that the complaint does not provide sufficient evidence to justify pursuing an investigation, the competent authorities shall inform the complainant of the reasons for their decision not to pursue an investigation. **This paragraph shall not apply where complaints that are not sufficiently substantiated are repeatedly lodged and for that reason deemed abusive by the competent authorities.**	
Article 7(4)				
170	4. Without prejudice to the rules applicable pursuant to national law, the competent authorities shall keep the complainant informed of the steps taken in the procedure	4. Without prejudice to the rules applicable pursuant to national law, the competent authorities shall keep the complainant informed of the steps taken in the procedure	4. Without prejudice to the rules applicable pursuant to national law **and paragraph 3**, the competent authorities shall keep the complainant informed of the steps taken in	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	and, where applicable, inform them of appropriate alternative forms of redress, such as recourse to national courts or any other national or international complaints procedure.	and, where applicable, inform them of appropriate alternative forms of redress, such as recourse to national courts or any other national or international complaints procedure.	the procedure and, where applicable, inform them of appropriate alternative forms of redress, such as recourse to national courts or any other national or international complaints procedure.	
Article 7(5)				
171	5. Without prejudice to the rules applicable pursuant to national law and on the basis of comparable procedures, the competent authorities shall establish and make publicly available indicative periods to take a decision on complaints.	5. Without prejudice to the rules applicable pursuant to national law and on the basis of comparable procedures, the competent authorities shall establish and make publicly available indicative periods to take a decision on complaints.	5. Without prejudice to the rules applicable pursuant to national law and on the basis of comparable procedures, the competent authorities shall establish and make publicly available indicative periods to take a decision on complaints.	
Article 8				
172	Article 8 Verification activities and verification statement	Article 8 Verification activities and verification statement	Article 8 Verification activities and verification statement	
Article 8(1)				
173	1. Verifiers shall assess the conformity of the emissions reports submitted to them by operators or mine operators in accordance with this Regulation. They shall assess the conformity of the reports with the requirements laid down this Regulation and	1. Verifiers shall assess the conformity of the emissions reports submitted to them by operators***, mine operators or importers, insofar as those importers are required pursuant to Article 27,*** ~~or mine operators~~ in accordance with this Regulation. They shall	1. Verifiers shall assess the conformity of the emissions reports submitted to them by operators or mine operators in accordance with this Regulation. They shall assess the conformity of the reports with the requirements laid down **in** this Regulation	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	review all data sources and methodologies used in order to assess their reliability, credibility and accuracy, in particular the following points:	assess the conformity of the reports with the requirements laid down ***in*** this Regulation and review all data sources and methodologies used in order to assess their reliability, credibility and accuracy, in particular the following points:	and review all data sources and methodologies used in order to assess their reliability, credibility and accuracy, in particular the following points:	
Article 8(1), point (a)				
174	(a) the choice and employment of emission factors;	(a) the choice and employment of emission factors;	(a) the choice and employment of emission factors;	
Article 8(1), point (b)				
175	(b) the methodologies, calculations, samplings, statistical distributions and levels of materiality leading to the determination of methane emissions;		(b) the methodologies, calculations, samplings, statistical distributions and levels of materiality leading to the determination of methane emissions;	
Article 8(1), point (c)				
176	(c) any risks of inappropriate measuring or reporting;	(c) any risks of inappropriate measuring or reporting;	(c) any risks of inappropriate measuring or reporting;	
Article 8(1), point (d)				
177	(d) any quality control or quality assurance systems applied by the operators or mine	(d) any quality control ~~or~~ quality assurance systems applied by the operators***, mine***	(d) any quality control or quality assurance systems applied by the operators or mine	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	operators.	***operators or importers, insofar as those importers are required pursuant to Article 27*** ~~or mine operators~~.	operators.	
Article 8(2), first subparagraph				
178	2. In carrying out the verification activities referred to in paragraph 1, verifiers shall use free and publicly available European or international standards for methane emissions quantification as made applicable by the Commission in accordance with paragraph 5. Until such date where the applicability of those standards is determined by the Commission, verifiers shall use existing European or international standards for quantification and verification of greenhouse gas emissions.	2. In carrying out the verification activities referred to in paragraph 1, verifiers shall use ~~free and~~ publicly available European or international standards for methane emissions quantification as made applicable by the Commission in accordance ***with this Regulation, in particular*** with paragraph 5. Until such date where the applicability of those standards is determined by the Commission, verifiers shall use existing European or international standards for quantification and verification of greenhouse gas emissions.	2. In carrying out the verification activities referred to in paragraph 1, verifiers shall use ~~free and publicly available European or international standards~~ **the specifications** for methane emissions **measurement,** quantification ~~as made applicable by the Commission~~**and mitigation established** in accordance with ~~paragraph 5~~**Article 29a**. Until such date where the **specifications are established, operators or mine operators shall provide information to the** ~~applicability of those standards is determined by the Commission,~~ verifiers ~~shall use existing European or international standards for quantification and verification of greenhouse gas emissions~~**on the relevant standards or methodologies used by the operators, for the purpose of verification activities**.	
Article 8(2), first subparagraph a				
178 a		***Where no European or international standards are available, operators or mine***		

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		operators shall provide information to the verifiers on the standards or methodologies used by the operators, mine operators or importers for the purpose of verification activities.		
Article 8(2), second subparagraph				
179	Verifiers may conduct site checks to determine the reliability, credibility and accuracy of the data sources and methodologies used.	Verifiers ~~may~~***shall*** conduct ***announced and unannounced*** site checks to determine the reliability, credibility and accuracy of the data sources and methodologies used.	Verifiers may conduct site checks to determine the reliability, credibility and accuracy of the data sources and methodologies used.	
179 a		***The verification activities referred to in paragraphs 1 and 2 of this Article shall be aligned with current European or international standards and methodologies in order to limit the burden on operators, mine operators or importers, insofar as those importers are required pursuant to Article 27, and on competent authorities and take due account of the nature of the operator's activities.***		
Article 8(3), first subparagraph				
180	3. Verifiers shall issue a verification	3. Verifiers shall issue a verification	3. Verifiers shall issue a verification	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	statement verifying the conformity of the emissions report and specifying the verification work carried out, once their assessment concludes with reasonable assurance that the emissions report complies with the requirements of this Regulation.	statement verifying the conformity of the emissions report and specifying the verification work carried out, once their assessment concludes with reasonable assurance that the emissions report complies with the requirements of this Regulation.	statement verifying the conformity of the emissions report and specifying the verification work carried out, once their assessment concludes with reasonable assurance that the emissions report complies with the requirements of this Regulation.	
Article 8(3), second subparagraph				
181	The verifiers shall only issue the verification statement where reliable, credible and accurate data and information enable the methane emissions to be determined with a reasonable degree of certainty and provided the reported data is coherent with the estimated data, complete and free of inconsistencies.	The verifiers shall only issue the verification statement where reliable, credible and accurate data and information enable the methane emissions to be determined with a reasonable degree of certainty and provided the reported data is coherent with the estimated data, complete and free of inconsistencies.	The verifiers shall only issue the verification statement where reliable, credible and accurate data and information enable the methane emissions to be determined with a reasonable degree of certainty and provided the reported data is coherent with the estimated data, complete and free of inconsistencies.	
Article 8(3), third subparagraph				
182	Where the assessment concludes that the emissions report does not comply with the requirements of this Regulation, the verifiers shall inform the operator or the mine operator thereof and the operator or the mine operator shall submit a revised emissions report to the verifier without delay.	Where the assessment concludes that the emissions report does not comply with the requirements of this Regulation, the verifiers shall inform the operator***, the mine operator*** or the ~~*mine operator*~~***importer, insofar as the importer is required pursuant to Article 27,*** thereof and the operator ~~*or*~~***,*** the mine operator ***or importer, insofar as the importer is required pursuant to Article 27,*** shall submit	Where the assessment concludes that the emissions report does not comply with the requirements of this Regulation, the verifiers shall inform the operator or the mine operator thereof and **provide reasoned feedback to the operator or the mine operator in light of recognized standards.** The operator or the mine operator shall submit a revised emissions report to the	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		a revised emissions report to the verifier without delay ***and no later than within three weeks***.	verifier without delay.	
Article 8(4)				
183	4. Operators and mine operators shall provide the verifiers with all the assistance necessary to enable or facilitate the performance of the verification activities, notably as regards access to the premises and the presentation of documentation or records.	4. Operators ~~and~~, mine operators ***and importers insofar as those importers are required pursuant to Article 27,*** shall provide the verifiers with all the assistance necessary to enable or facilitate the performance of the verification activities, notably as regards access to the premises and the presentation of documentation or records.	4. Operators and mine operators shall provide the verifiers with all the assistance necessary to enable or facilitate the performance of the verification activities, notably as regards access to the ~~premises~~**sites** and the presentation of documentation or records.	
Article 8(5)				
184	5. The Commission shall be empowered to adopt delegated acts in accordance with Article 31 to supplement this Regulation by incorporating and setting out the applicability of European or international standards on methane emissions quantification and measurement for the purposes of this Regulation.	5. The Commission shall be empowered to adopt delegated acts in accordance with Article 31 to supplement this Regulation by incorporating and setting out the applicability of European or international standards on methane emissions quantification and measurement for the purposes of this Regulation.	5. ~~The Commission shall be empowered to adopt delegated acts in accordance with Article 31 to supplement this Regulation by incorporating and setting out the applicability of European or international standards on methane emissions quantification and measurement for the purposes of this Regulation.~~	
184 a		***5a. The costs incurred from the activities***		

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		referred to in this Article shall be taken into account as referred to in Article 3.		
Article 9				
185	Article 9 Independence and accreditation of verifiers	Article 9 Independence and accreditation of verifiers	Article 9 Independence and accreditation **or authorisation** of verifiers	
Article 9(1)				
186	1. Verifiers shall be independent from the operators and mine operators and shall carry out the activities required under this Regulation in the public interest. For that purpose, neither the verifiers nor any part of the same legal entity shall be an operator or mine operator, the owner of an operator or mine operator, or be owned by them, nor shall the verifiers have relations with operators or mine operators that could affect their independence and impartiality.	1. Verifiers shall be independent from the operators and mine operators and shall carry out the activities required under this Regulation in the public interest. For that purpose, neither the verifiers nor any part of the same legal entity shall be an operator or mine operator, the owner of an operator or mine operator, or be owned by them, nor shall the verifiers have relations with operators or mine operators that could affect their independence and impartiality.	1. Verifiers shall be independent from the operators and mine operators and shall carry out the activities required under this Regulation in the public interest. For that purpose, neither the verifiers nor any part of the same legal entity shall be an operator or mine operator, the owner of an operator or mine operator, or be owned by them, nor shall the verifiers have relations with operators or mine operators that could affect their independence and impartiality.	
Article 9(2)				
187	2. Verifiers shall be accredited by a national accreditation body pursuant to Regulation (EC) No 765/2008.	2. Verifiers shall be accredited by a national accreditation body pursuant to Regulation (EC) No 765/2008.	2. Verifiers**, that are legal persons** shall be accredited by a national accreditation body pursuant to Regulation (EC) No 765/2008.	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 9(2a)				
187 a			**2a. For the purposes of this Regulation, the accreditation of verifiers shall be carried out in accordance with Regulation (EC) No 765/2008 .**	
Article 9(3)				
188	3. Where no specific provisions concerning the accreditation of verifiers are laid down in this Regulation, the relevant provisions of Regulation (EC) No 765/2008 shall apply.	3. Where no specific provisions concerning the accreditation of verifiers are laid down in this Regulation, the relevant provisions of Regulation (EC) No 765/2008 shall apply.	3. Where no specific provisions concerning the accreditation of verifiers are laid down in this Regulation, the relevant provisions of Regulation (EC) No 765/2008 shall apply.	
Article 9(3a)				
188 a			**3a. Member State may decide to authorise verifiers that are natural persons for the purpose of this Regulation. The authorisation of those verifiers shall be entrusted to a national authority other than the national accreditation body appointed pursuant to Article 4(1) of Regulation (EC) No 765/2008.**	
Article 9(3b)				
188 b			**3b. Where a Member State decides to use**	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			the option laid down in paragraph 3a, it shall ensure that the national authority concerned meets the requirements of this Regulation and provides the Commission and the other Member States with all the documentary evidence necessary for the verification of the competence of the verifiers it authorises under paragraph 3a .	
Article 10				
189	Article 10 International Methane Emissions Observatory	Article 10 International Methane Emissions Observatory	Article 10 ~~International Methane Emissions Observatory~~ **Use and sharing of information**	
Article 10(1)				
190	1. Provided the interest of the Union is protected, the International Methane Emissions Observatory shall be attributed a verification role with respect to methane emissions data, in particular with regard to the following tasks:	1. ~~*Provided the interest of the Union is protected, the International Methane Emissions Observatory*~~***In performing their obligations and exercising their powers under this Regulation, verifiers, the competent authorities and the Commission*** shall ~~*be attributed a verification role with respect to*~~***consider the information made available to the public by the International*** Methane Emissions ~~*data*~~***Observatory (IMEO)***, in particular with regard to the	1. ~~Provided the interest of the Union is protected, the International Methane Emissions Observatory shall be attributed a verification role with respect to methane emissions data~~ **In performing their obligations and exercising their powers under this Regulation, verifiers, the competent authorities and the Commission shall consider relevant internationally available information** , in particular with ~~regard~~**regards** to the	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		following ~~*tasks*~~:	following**:** ~~tasks:~~	
Article 10(1), point (a)				
191	(a) aggregation of methane emissions data in accordance with appropriate statistical methods;	(a) aggregation of methane emissions data in accordance with appropriate statistical methods;	(a) aggregation of methane emissions data in accordance with appropriate statistical methods;	
Article 10(1), point (b)				
192	(b) verification of methodologies and statistical processes employed by companies to quantify methane emissions data;	(b) verification of methodologies and statistical processes employed by companies to quantify methane emissions data;	(b) ~~verification~~ **validation** of methodologies and statistical processes employed by companies to quantify methane emissions data;	
Article 10(1), point (c)				
193	(c) development of data aggregation and analysis methodologies in accordance with scientific and statistical good practice to ensure a higher level of accuracy of emission estimates, with appropriate characterization of the uncertainty;	(c) development of data aggregation and analysis methodologies in accordance with scientific and statistical good practice to ensure a higher level of accuracy of emission estimates, with appropriate characterization of the uncertainty;	(c) development of data aggregation and analysis methodologies in accordance with scientific and statistical good practice to ensure a higher level of accuracy of emission estimates, with appropriate characterization of the uncertainty;	
Article 10(1), point (d)				
194	(d) publication of aggregated company reported data by core source and by level of	(d) publication of aggregated company reported data by core source and by level of	(d) publication of aggregated ~~company~~ reported data by core source and by level of	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	reporting, classified by operated and non-operated assets, in compliance with competition and confidentiality requirements;	reporting, classified by operated and non-operated assets, in compliance with competition and confidentiality requirements;	reporting, ~~classified by operated and non-operated assets,~~ in compliance with competition and confidentiality requirements;	
Article 10(1), point (e)				
195	(e) reporting of findings on major discrepancies between data sources.	(e) reporting of findings on major discrepancies between data sources~~.~~ ***contributing to build more robust scientific methodologies;***	(e) reporting of findings on major discrepancies between data sources.	
195 a		***(ea) reporting of super-emitters identified by way of an early detection and warning system.***		
Article 10(2)				
196	2. The Commission may submit methane emissions data to the International Methane Emissions Observatory, as made available to it by the competent authorities in accordance with this Regulation.	2. The Commission ~~may~~***shall*** submit ***relevant*** methane emissions data to the ~~International Methane Emissions Observatory, as made available to it by the competent authorities in accordance with this Regulation~~***IMEO***.	2. The Commission may submit **publicly available** methane emissions data to the International Methane Emissions Observatory, as made available to it by the competent authorities in accordance with this Regulation.	
Article 10(3)				

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
197	3. The information produced by the International Methane Emissions Observatory shall be made available to the public and the Commission.	3. ~~*The information produced by the International Methane Emissions Observatory shall be made available to the public and the Commission.*~~	3. ~~The information produced by the International Methane Emissions Observatory shall be made available to the public and the Commission.~~	
Chapter 3				
198	Chapter 3 Methane emissions in the oil and gas sectors	Chapter 3 Methane emissions in the oil and gas sectors	Chapter 3 Methane emissions in the oil and gas sectors	
Article 11				
199	Article 11 Scope	Article 11 Scope	Article 11 Scope	
Article 11, first paragraph				
200	This Chapter applies to the activities referred to in points (a) and (b) of Article 1(2).	This Chapter applies to the activities referred to in points (a) and (b) of Article 1(2).	This Chapter applies to the activities **within the Union** referred to in points (a) and (b) of Article 1(2).	
Article 12				
201	Article 12 Monitoring and reporting	Article 12 Monitoring and reporting	Article 12 Monitoring and reporting	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 12(1)				
202	1. By … [12 months from the date of entry into force of this Regulation], operators shall submit a report to the competent authorities containing source-level methane emissions estimated using generic but source-specific emission factors for all sources.	1. By … ~~[12~~***10*** months from the date of entry into force of this Regulation], operators shall submit a report to the competent authorities containing ***the quantification of*** source-level methane emissions estimated using ~~generic but source-specific~~***at least generic*** emission factors for all sources. ***Operators may choose to submit simultaneously a report in accordance with the requirements set out in paragraph 2.***	1. By … [~~12~~***18 months from the date of entry into force of this Regulation)*** ~~months from the date of entry into force of this Regulation~~], operators shall submit a report to the competent authorities containing **the quantification of** source-level methane emissions estimated using ~~generic but source-specific~~ **at least generic** emission factors for all sources. **Operators may choose to submit at that stage a report according to the requirements in paragraph 2.**	
Article 12(2)				
203	2. By … [24 months from the date of entry into force of this Regulation], operators shall also submit a report to the competent authorities containing direct measurements of source-level methane emissions for operated assets. Reporting at such level may involve the use of source-level measurement and sampling as the basis for establishing specific emission factors used for emissions estimation.	2. ~~By …~~ ***Operators and undertakings established in the Union shall submit a report to the competent authorities containing quantification of source-level methane emissions:*** ***(a) for operated assets by...***[~~24~~***12*** months from the date of entry into force of this Regulation], ~~operators shall also submit a report to the competent authorities containing direct measurements of source-level methane emissions for operated assets~~***and*** ***(b) for non-operated assets by...[24 months from the date of entry into force of***	2. By … [***24 months from the date of entry into force of this Regulation***~~24 months from the date of entry into force of this Regulation~~], operators shall ~~also~~ submit a report to the competent authorities containing ~~direct measurements~~ **quantification** of source-level methane emissions for operated assets. Reporting at such level may involve the use of source-level measurement and sampling as the basis for establishing specific emission factors used for emissions **quantification.** ~~estimation.~~	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		this Regulation], provided these assets have not been reported by an operator pursuant to the obligation under point (a). Reporting at such level ~~*may*~~ ***shall*** involve the use of source-level ***direct*** measurement and sampling as the basis for establishing specific emission factors used for emissions ~~*estimation*~~ ***quantification***.		
Article 12(3), first subparagraph				
204	3. By … [36 months from the date of entry into force of this Regulation] and by 30 March every year thereafter, operators shall submit a report to the competent authorities containing direct measurements of source-level methane emissions for operated assets referred to in paragraph 2, complemented by measurements of site-level methane emissions, thereby allowing assessment and verification of the source-level estimates aggregated by site.	3 ~~*By … [36 months from the date of entry into force of this Regulation] and by 30 March every year thereafter, operators*~~***Operators and undertakings established in the Union*** shall submit a report to the competent authorities containing ~~*direct measurements*~~***quantification*** of source-level methane emissions ~~*for operated assets referred to in paragraph 2*~~, complemented by measurements of site-level methane emissions, thereby allowing assessment and verification of the source-level estimates aggregated by site~~.~~***:***	3. By … [***36 months from the date of entry into force of this Regulation***~~36 months from the date of entry into force of this Regulation~~] and by ~~30 March~~ **31 May** every year thereafter, operators shall submit a report to the competent authorities containing ~~direct measurements of~~ **quantificationof** source-level methane emissions for operated assets referred to in paragraph 2, complemented by measurements of site-level methane emissions, thereby ~~allowing~~**improving the** assessment ~~and verification~~ of the source-level estimates aggregated by site.	
204 a		***(a) for operated assets by…[24 months from the date of entry into force of this***		

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		Regulation] and by 31 May every year thereafter, and		
204 b		***(b) for non-operated assets by...[42 months from the date of entry into force of this Regulation] and by 31 May every year thereafter, provided those have not been reported by an operator pursuant to point (a).***		
Article 12(3), second subparagraph				
205	Before submission to the competent authorities, operators shall ensure that the reports set out in this paragraph are assessed by a verifier and include a verification statement issued in accordance with Articles 8 and 9.	Before submission to the competent authorities, operators ***and undertakings*** shall ensure that the reports set out in this paragraph are assessed by a verifier and include a verification statement issued in accordance with Articles 8 and 9.	~~Before submission to the competent authorities~~**By … [*36 months from the date of entry into force of this Regulation*] and by 31 May every year thereafter**, operators shall ~~ensure that the reports set out in this~~**submit a report to the competent authorities containing quantificationof source-level methane emissions for operated assets referred to in** paragraph ~~are assessed by a verifier and include a verification statement issued in accordance with Articles 8 and 9~~**2, complemented by measurements of site-level methane emissions, thereby improving the assessment of the source-level estimates aggregated by site**.	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 12(4)				
206	4. By … [36 months from the date of entry into force of this Regulation], undertakings established in the Union shall submit a report to the competent authorities containing direct measurements of source-level methane emissions for non-operated assets. Reporting at such level may involve the use of source-level measurement and sampling as the basis for establishing specific emission factors used for emissions estimation.	4. ~~*By … [36 months from the date of entry into force of this Regulation], undertakings established in the Union shall submit a report to the competent authorities containing direct measurements of source-level methane emissions for non-operated assets. Reporting at such level may involve the use of source-level measurement and sampling as the basis for establishing specific emission factors used for emissions estimation.*~~	4. By … [***36 months from the date of entry into force of this Regulation***~~36 months from the date of entry into force of this Regulation~~], undertakings established in the Union shall submit a report to the competent authorities ~~containing direct measurements~~**of the Member State where the asset is located containing quantification** of source-level methane emissions for non-operated assets~~.~~ **provided these have not already been reported by an operator in response to the obligation under paragraph 2.** Reporting at such level may involve the use of source-level measurement and sampling as the basis for establishing specific emission factors used for emissions estimation.	
Article 12(5), first subparagraph				
207	5. By … [48 months from the date of entry into force of this Regulation] and by 30 March every year thereafter, undertakings established in the Union shall submit a report to the competent authorities containing direct measurements of source-level methane emissions for non-operated	5. ~~*By … [48 months from the date of entry into force of this Regulation] and by 30 March every year thereafter, undertakings established in the Union shall submit a report to the competent authorities containing direct measurements of source-level methane emissions for non-operated*~~	5. By … [***48 months from the date of entry into force of this Regulation***~~48 months from the date of entry into force of this Regulation~~] and by ~~30 March~~**31 May** every year thereafter, undertakings established in the Union shall submit a report to the competent authorities ~~containing direct~~	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	assets as set out in paragraph 4, complemented by measurements of site-level methane emissions, thereby allowing assessment and verification of the source-level estimates aggregated by site.	~~*assets as set out in paragraph 4, complemented by measurements of site-level methane emissions, thereby allowing assessment and verification of the source-level estimates aggregated by site.*~~	~~measurements~~**of the Member State where the asset is located containing quantification** of source-level methane emissions for non-operated assets as set out in paragraph 4, **provided these have not already been reported by an operator in response to the obligation under paragraph 3** complemented by measurements of site-level methane emissions, thereby allowing assessment and verification of the source-level estimates aggregated by site.	
Article 12(5), second subparagraph				
208	Before submission to the competent authorities, undertakings shall ensure that the reports set out in this paragraph are assessed by a verifier and include a verification statement issued in accordance with Articles 8 and 9.	~~*Before submission to the competent authorities, undertakings shall ensure that the reports set out in this paragraph are assessed by a verifier and include a verification statement issued in accordance with Articles 8 and 9.*~~	Before submission to the competent authorities, undertakings shall ensure that the reports set out in this paragraph are assessed by a verifier and include a verification statement issued in accordance with Articles 8 and 9.	
Article 12(6), first subparagraph				
209	6. The reports provided for in this Article shall cover the last available calendar year period and include at least the following information:	6. The reports provided for in this Article shall cover the last available calendar year period and include at least the following information:	6. The reports provided for in this Article shall cover the last available calendar year period and include at least the following information:	
Article 12(6), first subparagraph, point (a)				

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
210	(a) emission source type and location;	(a) emission source type and location;	(a) emission source type and location;	
Article 12(6), first subparagraph, point (b)				
211	(b) data per detailed, individual, emission source type;	(b) data per detailed, individual, emission source type;	(b) data per detailed~~, individual,~~ emission source type;	
Article 12(6), first subparagraph, point (c)				
212	(c) detailed information on the quantification methodologies employed to measure methane emissions;	(c) detailed information on the quantification methodologies ~~*employed to measure methane emissions*~~;	(c) detailed information on the quantification methodologies ~~employed to measure methane emissions,~~;	
Article 12(6), first subparagraph, point (d)				
213	(d) all methane emissions for operated assets;	(d) all methane emissions for operated assets;	(d) all methane emissions for operated assets;	
Article 12(6), first subparagraph, point (e)				
214	(e) share of ownership and methane emissions from non-operated assets multiplied by the share of ownership;	(e) share of ownership and methane emissions from non-operated assets multiplied by the share of ownership;	(e) share of ownership and methane emissions from non-operated assets multiplied by the share of ownership;	
Article 12(6), first subparagraph, point (f)				
215				

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(f) a list of the entities with operational control of the non-operated assets.	(f) a list of the entities with operational control of the non-operated assets.	(f) a list of the entities with operational control of the non-operated assets.	
Article 12(6), second subparagraph				
216	The Commission shall, by means of implementing acts, lay down a reporting template for the reports under paragraphs 2, 3, 4 and 5. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 32(2).	The Commission shall, by means of implementing acts, lay down a reporting template for the reports under ~~paragraphs 2, 3, 4 and 5~~***this Article taking into account the national inventory reports already in place***. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 32(2). ***Until the adoption of those implementing acts, operators and undertakings shall use the technical guidance documents and reporting templates of the OGMP 2.0, for upstream and for mid and downstream operations, as applicable.***	The Commission shall, by means of implementing acts, lay down a reporting template for the reports under paragraphs 2, 3, 4 and 5 **taking into account Common Reporting Tables ("CRT") for the electronic reporting of greenhouse gas emissions under the UNFCCC and the latest technical guidance documents and reporting templates of the Oil and Gas Methane Partnership ('OGMP')**. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 32(2). **Until the adoption of the relevant implementing acts, operators may use the latest OGMP technical guidance documents and reporting templates , for upstream and for mid and downstream operations, as applicable.**	
Article 12(7)				
217	7. For site-level measurements referred to in paragraphs 3 and 5, appropriate quantification technologies shall be used which can provide such measurements.	7. For site-level measurements referred to in ~~paragraphs 3 and 5,~~***paragraph 3 approved emissions quantification technologies developed by the*** appropriate ~~quantification~~	7. For site-level measurements referred to in paragraphs 3 and 5, appropriate quantification technologies shall be used**, taking into account net economic and**	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		~~technologies~~***European or international standardisation bodies,*** shall be used***. Until such standards are established, operators and undertakings, as applicable, shall use the technical guidance documents of the OGMP 2.0 and follow state of the art industry practices and best available technologies for methane emissions*** ~~which can provide such~~ measurements.	**environmental benefits** ~~which can provide such measurements~~.	
Article 12(8)				
218	8. In the case of significant discrepancies between the emissions quantified using source-level methods and those resulting from site-level measurement, additional measurements shall be carried out within the same reporting period.	8. In the case of significant discrepancies between the emissions ~~quantified using~~***at*** source-level ~~methods~~ and those ~~resulting from~~***at*** site-level measurement, ***the reports referred to in paragraph 3 shall include the reasons for the discrepancy. Where the discrepancy is not due to the uncertainty of the quantification technology used, the following*** additional ~~measurements~~***measures*** shall be carried out within the same reporting period~~.~~***:***	8. In the case of significant discrepancies between the emissions quantified using source-level methods and those resulting from site-level measurement**, operators or undertakings, as applicable,**~~, additional measurements~~ shall ~~be carried out within the same reporting~~**provide justification for the discrepancy. Where the discrepancy is not due to the uncertainty of the quantification technology used, the competent authority may request an additional measurement within a reasonable** period **of maximum 6 months as set by that competent authority**.	
218 a		***(a) where the site-level measurement is***		

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		higher than that in the source-level inventory to a statistically significant degree, the operator shall include documentation in the report to reconcile the source-level inventory with site-level measurement, and shall update its source-level inventory to reflect the higher site-level measurements.		
218 b		***(b) where the site-level measurement is lower than the source-level inventory to a statistically significant degree, the operator shall review the minimum detection limit (MDL) of the site-level measurement devices to confirm that the MDL is sufficiently low to detect expected levels of emissions from individual component; where the MDL is not sufficiently low enough, the operator shall repeat the measurement using devices with a sufficiently low enough MDL within the same calendar year, and shall compare that result to the source-level inventory; where the MDL is determined to be adequate, the operator shall include documentation in the report which sets out the reasons for the discrepancy.***		
Article 12(9)				

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
219	9. Methane emissions measurements for gas infrastructure shall be conducted according to appropriate European (CEN) or international (ISO) standards for methane emissions quantification.	9. ~~*Methane emissions measurements for gas infrastructure*~~***By … [9 months from the date of entry into force of this Regulation], the Commission*** shall ~~*be conducted according to appropriate European (CEN) or international (ISO) standards for*~~***adopt delegated acts in accordance with Article 31 to supplement this Regulation by laying down the specifications applicable to direct measurements and quantification of*** methane emissions***. Those specifications shall apply to standardisation requests issued by the Commission for the purposes of this Article*** ~~*quantification*~~.	9. Methane emissions **direct** measurements **or quantification** for gas infrastructure shall be conducted **using the specifications established in accordance with Article 29a. Until such methodologies are established, best practices established in the context of measurement campaigns co-funded by the Union or the United Nations Environmental Programme may guide operators in performing source level measurements** ~~according to appropriate European (CEN) or international (ISO) standards for methane emissions quantification~~.	
Article 12(10)				
220	10. Where information is kept confidential in accordance with Directive (EU) 2016/943 of the European Parliament and of the Council[1], operators shall indicate in the report the type of information that has been withheld and the reason thereof. _____ 1. Directive (EU) 2016/943 of the European Parliament and of the Council of 8 June 2016 on the protection of undisclosed know-how and business information (trade secrets) against their unlawful acquisition, use and disclosure (OJ L 157, 15.6.2016)	10. Where information is kept confidential in accordance with Directive (EU) 2016/943 of the European Parliament and of the Council[1], operators shall indicate in the report the type of information that has been withheld and the reason thereof. _____ 1. Directive (EU) 2016/943 of the European Parliament and of the Council of 8 June 2016 on the protection of undisclosed know-how and business information (trade secrets) against their unlawful acquisition, use and disclosure (OJ L 157, 15.6.2016)	10. Where information is kept confidential in accordance with Directive (EU) 2016/943 of the European Parliament and of the Council **[1]**~~,[1]~~, operators shall indicate in the report the type of information that has been withheld and the reason thereof. _____ 1. Directive (EU) 2016/943 of the European Parliament and of the Council of 8 June 2016 on the protection of undisclosed know-how and business information (trade secrets) against their unlawful acquisition, use and disclosure (OJ L 157, 15.6.2016)	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 12(11)				
221	11. The competent authorities shall make the reports set out in this Article available to the public and the Commission, within three months from submission by operators and in accordance with Article 5(4).	11. The competent authorities shall make the reports set out in this Article available to the public and the Commission, within three months from submission by operators and in accordance with Article 5(4).	11. The competent authorities shall make the reports set out in this Article available to the public and the Commission, within three months from submission by operators and in accordance with Article 5(4).	
221 a		***11a. Monitoring and reporting shall refer to the global warming potential, which is on a 100-year time scale 29,8 times greater than carbon dioxide and 82,5 times more potent than carbon dioxide on a 20-year time scale.[45]*** _____ ***45. IPCC Sixth Assessment Report Global Warming Potentials - https://www.ercevolution.energy/ipcc-sixth-assessment-report/***		
Article 13				
222	Article 13 General mitigation obligation	Article 13 General mitigation obligation	Article 13 General mitigation obligation	
Article 13, first paragraph				
223	Operators shall take all measures available	Operators shall take all ***appropriate***	Operators shall take all ~~measures available to~~	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	to them to prevent and minimise methane emissions in their operations.	***mitigation*** measures available to them to prevent and minimise methane emissions in their operations.	~~them~~ **appropriate mitigation measures** to prevent and minimise methane emissions in their operations.	
223 a		***By...[six months after the date of entry into force of this Regulation], the Commission shall submit a report to the Parliament and to the Council on the impact of introducing an ambitious upstream performance standard for methane emissions intensity for the oil and gas imported into or extracted within the Union. The Commission shall specifically assess the setting of a methane intensity standard below or equal to 0,2%.***		
223 b		***Prior to adopting the delegated act referred to in paragraph 1c, the Commission shall carry-out an impact assessment, evaluating in particular the implications for both the climate and the security of energy supply of the Union, in full respect of Regulation (EU) 2021/1119.***		

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
223c		***By ...[18 months after the date of entry into force of this Regulation] the Commission shall adopt a delegated act in accordance with Article 31 to supplement this Regulation by setting a performance standard as referred to in paragraph 1a implementing a methane emission intensity level for the upstream sector to be reached by...[3 years of the date of entry into force of this Regulation] and the methodology to clearly define a robust methane emission intensity metric.***		
223d		***The Commission shall adopt delegated acts in accordance with Article 31 to supplement this Regulation by setting out the emission intensity level for the midstream and downstream sectors to be reached.***		
Article 14				
224	Article 14 Leak detection and repair	Article 14 Leak detection and repair	Article 14 Leak detection and repair	
Article 14(1), first subparagraph				
225				

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	1. By … [3 months from the date of entry into force of this Regulation], operators shall submit a leak detection and repair programme to the competent authorities which shall detail the contents of the surveys to be carried out in accordance with the requirements in this Article.	1. By … [~~3~~ ***6 months from the date of entry into force of this Regulation*** ~~months from the date of entry into force of this Regulation~~], operators shall submit a leak detection and repair programme to the competent authorities which shall detail the contents of the surveys ***and activities*** to be carried out in accordance with~~–~~ the requirements in this Article.	1. By … [~~3~~ ***9 months from the date of entry into force of this Regulation*** ~~months from the date of entry into force of this Regulation~~], operators shall submit a leak detection and repair programme to the competent authorities which shall detail the contents of the surveys **and activities, including specific timelines,** to be carried out in accordance with~~–~~ the requirements in this Article**, Parts 1 and 2 of Annex I and the relevant specifications established pursuant to Article 29a(1). If any changes to the leak detection and repair programme are made, operators shall re-submit the programme to the competent authorities as soon as possible.**	
Article 14(1), second subparagraph				
226	The competent authorities may require the operator to amend the programme taking into account the requirements of this Regulation.	The competent authorities may require the operator to amend the programme taking into account the requirements of this Regulation.	The competent authorities may require the operator to amend the programme taking into account the requirements of this Regulation.	
Article 14(1) a				
226 a		***1a Without prejudice to Regulation (EU) No 1025/2012, the Union shall pursue the timely development by the appropriate standardisation organisations of European***		

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		standards containing the technical specifications in respect of leak detection and repair surveys and activities for the purpose of this Article. ***The Commission is empowered to adopt delegated acts in accordance with Article 31 to supplement this Regulation in order to require compliance with the technical specifications referred to in the first subparagraph, to update the references to those European standards and to lay down technical specifications in respect of leak detection and repair surveys where appropriate. Until such specifications are established, operators shall use practices, technologies, processes and level of expertise which would be expected from a leading service provider to fulfil the obligations set out in this Article and, where requested, shall provide competent authorities and verifiers with information on the standards or methodologies used.***		
Article 14(2), first subparagraph				
227	2. By … [6 months from the date of entry into force of this Regulation], operators shall carry out a survey of all relevant components under their responsibility in accordance with the leak detection and repair programme referred in paragraph 1.	2. By … [~~6~~ ***9 months from the date of entry into force of this Regulation*** ~~months from the date of entry into force of this Regulation~~], operators shall carry out a survey of all relevant components under their responsibility in accordance with the leak	2. By … [~~6~~**12** ***months from the date of entry into force of this Regulation*** ~~months from the date of entry into force of this Regulation~~], operators shall **initiate a type 2 leak detection and repair** ~~carry out a~~ survey of all ~~relevant~~ components under their	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		detection and repair programme referred in paragraph 1.	responsibility in accordance with the leak detection and repair programme referred in paragraph 1.	
Article 14(2), second subparagraph				
228	Thereafter, leak detection and repair surveys shall be repeated every three months.	Thereafter, leak detection and repair surveys shall be ***carried out with the following frequencies:*** ~~*repeated every three months.*~~	Thereafter, **type 1 and type 2** leak detection and repair surveys shall be **carried-out with frequencies as follows:** ~~repeated every three months.~~	
Article 14(2), point (a)				
228 a			**(a) For aboveground and underground components excluding distribution networks, for distribution networks and for offshore components including under the seabed: in accordance with the minimum frequencies set out in Part 1 of Annex I.**	
228 b		***(a) once every two months for all aboveground components using detection devices with the minimum detection limit referred to in paragraph 3, point (a);***		
Article 14(2), point (b)				

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
228 c			**(b) For all other components: type 1 leak detection and repair surveys shall be carried-out every six months and type 2 leak detection and repair surveys shall be carried-out every twelve months.**	
228 d		***(b) once every four months for all aboveground components using detection devices with the minimum detection limit referred to in paragraph 3, point (b);***		
Article 14(2a)				
228 e			**2a. Operators may choose, after the approval of competent authorities, to carry out a type 2 leak detection and repair survey instead of a type 1 leak detection and repair survey.** **In lieu of, or in combination with leak detection and repair surveys, operators may use continuous monitoring systems, provided that:** **a) the competent authorities approve its use in the context of the leak detection and repair programme referred to in paragraph 1;** **b) the measurement is undertaken at the**	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			level of each individual potential emission source; and **c) the continuous monitoring systems comply with the minimum values as set out in paragraphs 3 and 4 and in accordance with requirements set out in Part 2 of Annex I.**	
228 f		***(c) once every five months, or at the frequency levels set in Part 1 of Annex I, for all underground components using detection devices with the minimum detection limit referred to in paragraph 3, point (c).***		
Article 14(2aa)				
228 g			**2aa. Where operators producing or processing fossil gas or oil provide evidence on the basis of measurements during the five preceeding years that less than 1 % of their components are leaking, different LDAR survey frequencies for components where no leaks were identified may be used, subject to the approval of the competent authorities and provided that:** **a. For all components at processing**	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			locations, Type 1 LDAR surveys are performed at least every 12 months; **b. For at least 25% of all components at processing locations, Type 2 LDAR surveys are performed every 12 months, ensuring that all components are checked every 48 months;** **c. For all components at production locations, Type 1 LDAR surveys are performed at least every 36 months;** **d. For all components at production locations, Type 2 LDAR surveys are performed at least every 60 months.** **If the number of leaks detected following the surveys performed in accordance with the first subparagraph exceeds 1 %, the operator shall be subject to obligations under paragraphs 2 and 2a.**	
Article 14(3)				
229	3. In carrying out the surveys, operators shall use devices that allow detection of loss of methane from components of 500 parts per million or more.	3. In carrying out the surveys, operators shall use ~~devices that allow~~ detection ~~of loss of methane from components of 500 parts per million or more.~~ ***devices with a minimum detection limit as follows:***	3. In carrying out the -surveys **,**~~,~~ operators shall use **detection** devices ~~that allow~~**with a minimum detection limitas follows:** **a. for type 1 leak** detection **and repair surveys: 7000 parts per million or 17 grams per hour of methane at standard temperature and pressure, in compliance with the manufacturer specifications for operation and maintenance;**	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			b. for type 2 leak detection and repair surveys: **i. 10 parts per million or 0.15 grams/hour**~~of loss~~ of methane ~~from~~**for aboveground** components**;** **ii. 3000 parts per million or 5 grams/hour of methane for underground components and offshore components above the sea level;** **iii. 7000**~~of 500~~ parts per million or ~~more~~**17 grams per hour for offshore components below the sea level and below the seabed at standard temperature and pressure in compliance with the manufacturer specifications for operation and maintenance**.	
229 a		***(a) 17 grams per hour of methane at standard temperature and pressure;the survey shall be undertaken at the level of each individual potential emission source;***		
229 b		***(b) 50 parts per million in volume of methane or 1 gram per hour;the survey shall be undertaken at the contact of each individual potential emission source for***		

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		aboveground components;		
229 c		***(c) 500 parts per million or 5 grams per hour of methane for underground components.***		
Article 14(4), first subparagraph				
230	4. Operators shall repair or replace all components found to be emitting 500 parts per million or more of methane.	4. Operators shall repair or replace all components found to be ~~emitting 500 parts per million or more of~~ ***leaking*** methane.	4. Operators shall repair or replace all components found to be emitting **at least:** **a.. type 1 leak detection and repair survey: 7000 parts per million or 17 grams per hour or more of methane at standard temperature and pressure;** **b. type 2 leak detection and repair surveys:** **i.** 500 parts per million or **1 gram per hour or** more of methane **for aboveground components;** **ii. 3000 parts per million or 5 grams per hour of methane for underground components and for offshore components above the seal level;** **iii. 7000 parts per million or 17 grams per hour for offshore components below the sea level and below the seabed at standard temperature and pressure.**	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 14(4), second subparagraph				
231	The repair or replacement of the components referred to in the first subparagraph shall take place immediately after detection, or as soon as possible thereafter but no later than five days after detection, provided operators can demonstrate that safety or technical considerations do not allow immediate action and provided operators establish a repair and monitoring schedule.	The repair or replacement of the components referred to in ***this paragraph,*** ~~*the first subparagraph*~~ shall take place immediately after detection, or as soon as possible ***for a first attempt*** ~~*thereafter*~~ but no later than five days after detection~~*, provided*~~ ***. Repairs or replacements referred to in this paragraph shall use state-of-the-art technologies and materials that provide long-term protection against future leakage. Where*** operators can demonstrate that ***the repair referred to in this paragraph is not successful or possible within five days due to*** safety or technical considerations ***, the operators establish a repair and monitoring schedule no later than 5 days after detection. The*** ~~*do not allow immediate action and provided operators establish a*~~ repair and monitoring schedule ***referred to in this subparagraph shall be set so that the found leakages are repaired within 30 days after detection***.	**4a.** The repair or replacement of the components referred to in the ~~first subparagraph~~**paragraph 4** shall take place immediately after detection, or as soon as possible thereafter but no later than five days **for a first attempt and 30 days for a complete repair,** after detection~~, provided~~**. The** operators ~~can demonstrate that~~ **shall prioritize repairs of larger leaks. Where the repair or replacement is not successful or possible within five days for a first attempt or if the operator anticipates that a complete repair shall not be possible within 30 days due to** safety**, administrative,** or technical considerations**, the operator shall provide evidence thereof and shall establish a repair schedule as set out in Annex Ia no later than 15 days after leak detection. The repair schedule shall include all the necessary evidence justifying such a decision to delay repair. The** ~~do not allow immediate action and provided operators establish a~~ repair **schedule shall guarantee that the environmental impact is minimized, while respecting safety, administrative, and technical considerations. The competent authorities may require the operator to amend the repair**~~and monitoring~~ schedule **taking into**	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			account the requirements of this Regulation. The repair or replacement shall be carried out as soon as possible.	
Article 14(4), third subparagraph				
232	Safety and technical considerations that do not allow immediate action, as referred to in the second subparagraph, shall be limited to taking into account safety to personnel and humans in proximity, environmental impacts, concentration of methane loss, accessibility to component, availability of replacement of the component. Environmental impact considerations may include instances whereby repair could lead to a higher level of methane emissions than in the absence of the repair.	Safety and technical considerations ~~*that do not allow immediate action*~~, as referred to in the second ***and third subparagraphs*** ~~*subparagraph*~~, shall be limited to ~~*taking into account safety to personnel and humans in proximity, environmental impacts, concentration of methane loss, accessibility to component, availability of replacement of the component. Environmental impact considerations may include instances whereby repair could lead to a higher level of methane emissions than in the absence of the repair.*~~ **:**	Safety**, administrative** and technical considerations ~~that do not allow immediate action,~~, as referred to in the second subparagraph, shall be limited to taking into account safety to personnel and humans in proximity, **scheduled maintenance, unavailability of components necessary for the repair or replacement,** environmental impacts, ~~concentration of methane loss,~~ **significant deterioration of the gas supply situation likely to lead to a situation as established in Article 11(1) of Regulation (EU) 2017/1938[1], permitting process requirements or required administrative authorization, ,** accessibility to component, availability of **parts necessary for repair** ~~replacement~~ of the component. Environmental impact considerations may include instances whereby repair could lead to a higher level of -methane emissions than in the absence of the repair. _____ **1. Regulation (EU) 2017/1938 of the European Parliament and of the Council of 25 October 2017**	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			concerning measures to safeguard the security of gas supply and repealing Regulation (EU) No 994/2010 (OJ L 280, 28.10.2017, p. 1–56)	
232 a		***(a) safety of personnel and humans in proximity to the detected leak;***		
232 b		***(b) any adverse environmental impacts of taking action if it can be demonstrated that those impacts would be greater than the environmental benefits of taking action, such as where a repair could lead to a higher overall level of methane emissions than would be the case in the absence of the repair;***		
232 c		***(c) accessibility of a component, including any access permits and***		
232 d		***(d) unavailability of replacement parts***		

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		necessary for the repair of the component or components necessary for the replacement.		
Article 14(4), fourth subparagraph				
233	Where a system shutdown is required before the repair or replacement can be undertaken, operators shall minimise the leak within one day of detection and shall repair the leak by the end of the next scheduled system shutdown or within a year, whichever is sooner.	Where***, due to one or more of the conditions set out in points (a)-(d) applying,*** a system shutdown is required before the repair or replacement can be undertaken, operators shall minimise the leak within one day of detection and shall repair the leak by the end of the next scheduled system shutdown or within a year, whichever is sooner.	**4b.** Where a ~~system~~ shutdown is required before the repair or replacement can be undertaken, operators shall **attempt to** minimise the leak within one day of detection and shall repair the leak by the end of the next scheduled ~~system~~ shutdown or within a year, whichever is sooner**, unless carrying out an earlier repair could reasonably be expected to lead to a worse environmental outcome in terms of emissions, that is a situation whereby the amount of methane vented during repair operations would very likely be significantly higher than the amount of methane that would leak in the absence of a repair; or unless carrying out an earlier repair could reasonably be expected to lead to security of supply issues in small connected systems as defined in Directive (EU) 2019/944. All the necessary evidence justifying the decision to delay repair shall be without any delay provided to the competent authorities. Decisions to delay repair shall require approval by the competent authorities before being carried out and shall be included in the**	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			repair schedule set out in Annex Ia. The competent authorities may require the operator to amend the repair schedule taking into account the requirements of this Regulation.	
233 a		***Operators shall establish, maintain and make fully available to the competent authorities, a record of all decisions to delay repair pursuant to this Article, including all necessary evidence justifying each decision and the corresponding repair and monitoring schedules. Operators shall enter that information in the record without delay. The competent authorities may require the operator to amend the repair schedule taking into account the requirements of this Regulation.***		
Article 14(5), first subparagraph				
234	5. Notwithstanding paragraph 2, operators shall survey components that were found to be emitting 500 parts per million or more of methane during any of the previous surveys as soon as possible after the repair carried out pursuant to paragraph 4, and no later than 15 days thereafter to ensure that the	5. Notwithstanding paragraph 2, operators shall ***post-repair*** survey components that were found to be ~~*emitting 500 parts per million or more of*~~ ***leaking*** methane ~~*during any of the previous surveys as soon as possible*~~ ***immediately*** after the repair carried out pursuant to paragraph 4, and no later than	5. Notwithstanding paragraph 2, operators shall survey components that were found to be emitting ~~500 parts per million or more of methane during any of the previous surveys as soon as possible after the repair carried out pursuant to paragraph 4, and no later than 15 days thereafter to ensure that the~~	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	repair was successful.	~~15~~ ***30*** days thereafter to ensure that the repair was successful.	~~repair was successful.~~**:**	
Article 14(5), point (a)				
234 a			**a. at levels of methane equal to or higher than the thresholds in paragraph 4 at standard temperature and pressure during any of the previous surveys as soon as possible after the repair carried out pursuant to paragraph 4, and no later than two months thereafter to ensure that the repair was successful; and**	
Article 14(5), second subparagraph				
235	Notwithstanding paragraph 2, operators shall survey components that were found to be emitting below 500 parts per million of methane, no later than three months after the emissions were detected, to check whether the size of loss of methane has changed.	~~*Notwithstanding paragraph 2, operators shall survey components that were found to be emitting below 500 parts per million of methane, no later than three months after the emissions were detected, to check whether the size of loss of methane has changed.*~~	**b.** ~~Notwithstanding paragraph 2, operators shall survey components that were found to be emitting below 500 parts per million of methane~~**at levels of methane lower than the thresholds in paragraph 4 at standard temperature and pressure**, no later than three months after the emissions were detected, to check whether the size of loss of methane has changed.	
Article 14(5), third subparagraph				
236	Where a higher risk to safety or a higher	~~*Where a higher risk to safety or a higher risk*~~	Where a higher risk to safety or a higher risk	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	risk of methane losses is identified, the competent authorities may recommend that surveys of the relevant components take place more frequently.	~~*of methane losses is identified, the competent authorities may recommend that surveys of the relevant components take place more frequently.*~~	of methane losses is identified, the competent authorities may recommend that surveys of the relevant components take place more frequently.	
Article 14(6), first subparagraph				
237	6. Without prejudice to the reporting obligations pursuant to paragraph 7, operators shall record all identified leaks, irrespective of their size, and shall continually survey them to ensure that they are repaired in accordance with paragraph 4.	6. Without prejudice to the reporting obligations pursuant to paragraph 7, operators shall record all identified leaks, irrespective of their size, and shall ~~*continually*~~ ***regularly*** survey them ~~*to*~~ ***and*** ensure that they are repaired in accordance with paragraph 4.	6. Without prejudice to the reporting obligations pursuant to paragraph 7, operators shall record all identified leaks, irrespective of their size, and shall ~~continually~~**periodically** survey them ~~to~~**and** ensure that they are repaired in accordance with paragraph 4.	
Article 14(6), second subparagraph				
238	Operators shall keep the record for at least ten years and shall provide that information to competent authorities upon their request.	Operators shall keep the record for at least ten years and shall provide that information to competent authorities upon their request.	Operators shall keep the record for at least ten years and shall provide that information to competent authorities upon their request.	
Article 14(7), first subparagraph				
239	7. Within one month after each survey, operators shall submit a report with the results of the survey and a repair and monitoring schedule to the competent authorities of the Member State where the relevant assets are located. The report shall	7. ~~*Within one month after each survey*~~ ***Every year***, operators shall submit a report ~~*with*~~ ***summarising*** the results of ***all the surveys completed and all corresponding*** ~~*the survey and a*~~ repair and monitoring ***schedules during the previous year*** ~~*schedule*~~ to the	7. ~~Within one month after each survey~~**Every six months**, operators shall submit ~~a report~~**all monitoring reports** with the results of ~~the survey and a repair and monitoring schedule~~ **surveys completed during the previous six months** to the	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	include at least the elements set out in Annex I.	competent authorities of the Member State where the relevant assets are located. The report shall include at least the elements set out in Annex I.	competent authorities of the Member State where the relevant assets are located. The **monitoring** report shall include at least the elements set out in- Annex ~~I~~**Ia**.	
Article 14(7), second subparagraph				
240	The competent authorities may require the operator to amend the report or the repair and monitoring schedule taking into account the requirements of this Regulation.	~~*The competent authorities may require the operator to amend the report or the repair and monitoring schedule taking into account the requirements of this Regulation.*~~	The competent authorities may require the operator to amend the ~~report or the repair and~~ monitoring ~~schedule~~**report** taking into account the requirements of this Regulation.	
Article 14(8)				
241	8. Operators may delegate any of the tasks set out in this Article. Delegated tasks shall not affect the responsibility of operators and shall not impact the effectiveness of supervision by the competent authorities.	8. Operators may delegate any of the tasks set out in this Article. Delegated tasks shall not affect the responsibility of operators and shall not impact the effectiveness of supervision by the competent authorities.	8. Operators may delegate any of the tasks set out in this Article. Delegated tasks shall not affect the responsibility of operators and shall not impact the effectiveness of supervision by the competent authorities.	
Article 14(9)				
242	9. Member States shall ensure that certification, accreditation schemes or equivalent qualification schemes, including suitable training programmes, are available for service providers with respect to the surveys.	9. Member States shall ensure that certification, accreditation schemes or equivalent qualification schemes, including suitable training programmes, are available ~~*for*~~ ***to*** service providers ***and to operators*** with respect to the surveys.	9. Member States shall ensure that certification, accreditation schemes or equivalent qualification schemes, including suitable training programmes, are available for service providers **and for operators** with respect to the surveys.	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 14(9a)				
242 a			**9a. Without prejudice to the provisions of Directive 2013/30/EU and Directive 2008/56/EC, offshore oil and gas wells located at a depth greater than 700 meters shall be exempt from the obligations under this Article.**	
Article 15				
243	Article 15 Limits to venting and flaring	Article 15 Limits to venting and flaring	Article 15 Limits to venting and flaring	
Article 15(1)				
244	1. Venting shall be prohibited except in the circumstances provided for this Article. Routine flaring shall be prohibited.	1. Venting shall be prohibited except in the circumstances provided for this Article. Routine flaring shall be prohibited.	1. Venting shall be prohibited except in the circumstances provided for this Article. Routine flaring shall be prohibited.	
Article 15(2)				
245	2. Venting shall only be allowed in the following situations:	2. Venting ***and flaring*** shall only be allowed in the following situations:	2. Venting **and flaring** shall only be allowed in the following situations:	
Article 15(2), point (a)				
246	(a) in case of an emergency or malfunction;	(a) in case of an emergency or malfunction~~;~~	(a) in case of an emergency or malfunction;	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	and	~~and~~.	and	
Article 15(2), point (b)				
247	(b) where unavoidable and strictly necessary for the operation, repair, maintenance or testing of components or equipment and subject to the reporting obligations set out in Article 16.	(b) ~~where unavoidable and strictly necessary for the operation, repair, maintenance or testing of components or equipment and subject to the reporting obligations set out in Article 16.~~	(b) where unavoidable and strictly necessary for the operation, **construction,** repair, maintenance**, decommissioning** or testing of components or equipment and subject to the reporting obligations set out in Article 16.	
Article 15(3)				
248	3. Venting under point (b) of paragraph 2 shall include the following specific situations where venting cannot be completely eliminated:	3. ~~Venting under~~***In addition to paragraph 2,*** point ~~(b) of paragraph 2~~***(a), venting and flaring*** shall ~~include~~***only be allowed in*** the following specific situations where venting ***or flaring, as applicable,*** cannot be completely eliminated ***or is necessary for safety reasons***:	3. Venting **and flaring** under point (b) of paragraph 2 shall include the following specific situations where venting **or flaring, as applicable,** cannot be completely eliminated:	
Article 15(3), point (a)				
249	(a) during normal operations of certain components, provided that the equipment meets all the specified equipment standards and it is properly maintained and regularly inspected to minimise methane losses;	(a) during normal operations of ***pneumatic devices and pumps, dry gas seals, compressors, atmospheric pressure storage tanks, or other*** ~~certain~~ components ***designed to vent***, provided that the equipment meets all the specified equipment standards ~~and it~~ ***established pursuant to paragraph 5b, and***	(a) during normal operations of **components designed to vent, including but not limited to pneumatic controllers and pumps, compressors, atmospheric pressure storage tanks, sampling for measurement devices and dry gas seals** ~~certain components~~, provided that the	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		is properly maintained and regularly inspected to minimise methane losses;	equipment meets ~~all the specified equipment~~**the** standards ~~and it is properly maintained and regularly inspected to minimise methane losses~~**set out in the delegated acts referred to in Article 29a (2)**;	
Article 15(3), point (b)				
250	(b) to unload or clean-up liquid holdup in a well to atmospheric pressure;	(b) to unload or clean-up liquid holdup in a well to atmospheric pressure;	(b) to unload or clean-up liquid holdup in a well to atmospheric pressure;	
Article 15(3), point (c)				
251	(c) during gauging or sampling a storage tank or other low-pressure vessel;	(c) during gauging or sampling a storage tank or other low-pressure vessel***, provided that the tank or vessel meets the standards established pursuant to paragraph 5b***;	(c) during gauging or sampling a storage tank or other low-pressure vessel**, provided that the tank or vessel meets the standards set out in the delegated acts referred to in Article 29a (2)**;	
Article 15(3), point (d)				
252	(d) during loading out liquids from a storage tank or other low-pressure vessel to a transport vehicle in compliance with applicable standards;	(d) during loading out liquids from a storage tank or other low-pressure vessel to a transport vehicle in compliance with applicable standards***, provided that the tank or vessel meets the standards established pursuant to paragraph 5b***;	(d) during loading out liquids from a storage tank or other low-pressure vessel to a transport vehicle ~~in compliance with applicable~~**provided that the tank or vessel meets the** standards **set out in the delegated acts referred to in Article 29a (2)**;	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 15(3), point (e)				
253	(e) during repair and maintenance, including blowing down and depressurizing equipment to perform repair and maintenance;	(e) during repair***, maintenance, test procedures and decommissioning*** ~~*and maintenance*~~, including blowing down and depressurizing equipment to perform repair and maintenance;	(e) during repair**, maintenance and decommissioning** ~~and maintenance~~, including blowing down and depressurizing equipment to perform repair and maintenance;	
Article 15(3), point (f)				
254	(f) during a bradenhead test;	(f) during a bradenhead test;	(f) during a bradenhead test;	
Article 15(3), point (g)				
255	(g) during a packer leakage test;	(g) during a packer leakage test;	(g) during a packer leakage test;	
Article 15(3), point (h)				
256	(h) during a production test lasting less than 24 hours;	(h) during a production test lasting less than 24 hours;	(h) during a production test lasting less than 24 hours;	
Article 15(3), point (i)				
257	(i) where methane does not meet the gathering pipeline specifications, provided the operator analyses methane samples	(i) where methane does not meet the gathering pipeline specifications, provided the operator analyses methane samples twice	(i) where methane does not meet the ~~gathering~~ pipeline specifications, provided the operator analyses methane samples twice	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	twice per week to determine whether the specifications have been achieved and routes the methane into a gathering pipeline as soon as the pipeline specifications are met;	per week to determine whether the specifications have been achieved and routes the methane into a gathering pipeline as soon as the pipeline specifications are met;	per week to determine whether the specifications have been achieved and routes the methane into a gathering pipeline as soon as the pipeline specifications are met;	
Article 15(3), point (j)				
258	(j) during commissioning of pipelines, equipment or facilities, only for as long as necessary to purge introduced impurities from the pipeline or equipment;	(j) during commissioning of pipelines, equipment or facilities, only for as long as necessary to purge introduced impurities from the pipeline or equipment;	(j) during commissioning of pipelines, equipment or facilities, only for as long as necessary to purge introduced impurities from the pipeline or equipment;	
Article 15(3), point (k)				
259	(k) during pigging, blow-down to repair or purging a gathering pipeline for repair or maintenance, and only where the gas cannot be contained or redirected into an unaffected portion of the pipeline.	(k) during pigging, blow-down to repair or purging a gathering pipeline for repair or maintenance, and only where the gas cannot be contained or redirected into an unaffected portion of the pipeline.	(k) during pigging, blow-down to repair**, decommissioning** or purging a ~~gathering~~ pipeline for repair or maintenance, and only where the gas cannot be contained or redirected into an unaffected portion of the pipeline.	
Article 15(4)				
260	4. Where venting is allowed pursuant to paragraphs 2 and 3, operators shall vent only where flaring is not technically feasible or risks endangering safety of operations or personnel. In such a situation,	4. Where venting is allowed pursuant to ~~*paragraphs 2 and 3*~~ ***paragraph 2***, operators shall vent only where flaring is not technically feasible ***due to lack of flammability, inability to sustain a flame,***	4. Where venting is allowed pursuant to paragraphs 2 and 3, operators shall vent only where flaring is not technically feasible or risks endangering safety of operations or personnel **or leads to a worse**	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	as part of the reporting obligations set out in Article 16, operators shall demonstrate to the competent authorities the necessity to opt for venting instead of flaring.	***safety concerns, when the environmental or climate impact of mitigation measures is higher than the benefit, or when it*** ~~or~~ risks endangering safety of operations or personnel. In such a situation, as part of the reporting obligations set out in Article 16, operators shall demonstrate to the competent authorities the necessity to opt for venting instead of flaring.	**environmental outcome in terms of emissions,** . In such a situation, as part of the reporting obligations set out in Article 16, operators shall ~~demonstrate~~**provide evidence** to the competent authorities **of** the necessity to opt for venting instead of flaring **and shall be notified to the competent authorities**.	
260 a		***4a. Where non-emitting alternative equipment is available to the equipment that vents, it shall replace that equipment by 31 December 2026, provided that the non-venting equipment meets the standards established pursuant to paragraph 5b.***		
Article 15(5)				
261	5. Flaring shall only be allowed where either re-injection, utilisation on-site or dispatch of the methane to a market are not feasible for reasons other than economic considerations. In such a situation, as part of the reporting obligations set out in Article 16, operators shall demonstrate to the competent authorities the necessity to opt for flaring instead of either re-injection,	5. ***In addition to the conditions set out in paragraph 2,*** flaring shall only be allowed where either re-injection, utilisation on-site***, gas processing,*** or dispatch of the methane to a market are not feasible for reasons other than economic considerations. In such a situation, as part of the reporting obligations set out in Article 16, operators shall demonstrate to the competent authorities the	5. **Where** flaring ~~shall only be allowed~~ **is allowed pursuant to paragraphs 2 and 3, operators shall flare only** where either re-injection, utilisation on-site**, storage for later use** or dispatch of the methane to a market are not feasible for reasons other than economic considerations. In such a situation, as part of the reporting obligations set out in Article 16, operators shall demonstrate to the	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	utilisation on-site or dispatch of the methane to a market.	necessity to opt for flaring instead of either re-injection, utilisation on-site or dispatch of the methane to ~~a~~ market.	competent authorities the necessity to opt for flaring instead of either re-injection, utilisation on-site**, storage for later use** or dispatch of the methane to a market.	
Article 15(6)				
261 a			**6. Where a site is built, replaced or refurbished in whole, operators shall utilise only zero-emitting controllers and pumps. Where a site is replaced or refurbished in part, operators shall utilise in said part only zero-emitting controllers and pumps.**	
261 b		***5a. Where a site is built, replaced or refurbished, in whole or in part, operators shall utilise only zero-emitting pneumatic controllers and pumps on that site.***		
Article 15(7)				
261 c			**7. Where the implementation of this Article requires a permitting process or otherwise administrative approval from the relevant authorities or where the unavailability of equipment causes an**	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			exceptional delay of the actions required for that implementation, operators shall provide the competent authorities with a schedule for that implementation. The schedule shall include sufficient evidence of the conditions laid down in this paragraph and the full implementation shall not exceed … [two years from the date of entry into force of this Regulation]. The competent authorities may require modifications of the schedule.	
261 d		***5b. By... [24 months from the date of entry into force of this Regulation], the Commission shall adopt delegated acts in accordance with Article 31 to supplement this Regulation by incorporating and setting out the applicability of technology standards for venting, zero-emitting and flaring equipment. The Commission shall be empowered to revise such delegated acts in line with technological developments.***		
261 e		***5c. Where the implementation of this Article requires a permit or any other administrative approval from relevant***		

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		authorities, or where the lack of available venting or flaring equipment causes an exceptional delay in actions necessary for that implementation, operators shall provide the competent authorities with a detailed schedule for that implementation. Operators shall proceed to implement without delay. The competent authorities may request modifications of the schedule.		
Article 16				
262	Article 16 Reporting of venting and flaring events	Article 16 Reporting of venting and flaring events	Article 16 Reporting of venting and flaring events	
Article 16(1), first subparagraph				
263	1. Operators shall notify the competent authorities of venting and flaring events:	1. Operators shall notify the competent authorities of venting and flaring events:	1. Operators shall notify the competent authorities of venting and flaring events:	
Article 16(1), first subparagraph, point (a)				
264	(a) caused by an emergency or a malfunction;	(a) caused by an emergency ~~*or*~~, a malfunction ***or***;	(a) caused by an emergency or a malfunction; **or**	
Article 16(1), first subparagraph, point (b)				
265	(b) lasting a total of 8 hours or more within	(b) lasting a total of 8 hours or more within a	(b) lasting a total of 8 hours or more within	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	a 24 hour period from a single event.	24 hour period from a single event.	a 24 hour period from a single event**, excluding controlled flaring that occurs during shutdowns, which shall be reported in the annual report**.	
Article 16(1), second subparagraph				
266	The notification referred to in the first subparagraph shall be made without delay after the event and at the latest within 48 hours from the start of the event or the moment the operator became aware of it.	The notification referred to in the first subparagraph shall be made without delay after the event and at the latest within 48 hours from the start of the event or the moment the operator became aware of it.	The notification referred to in the first subparagraph shall be made without delay after the event and at the latest within 48 hours from the start of the event or the moment the operator became aware of it**, in accordance with the elements set out in Annex II**.	
Article 16(2)				
267	2. Operators shall submit to the competent authorities quarterly reports of all venting and flaring referred to in paragraph 1 and in Article 15 in accordance with the elements set out in Annex II.	2. Operators shall submit to the competent authorities quarterly reports of all venting and flaring referred to in paragraph 1 and in Article 15 in accordance with the elements set out in Annex II.	2. Operators shall submit to the competent ~~authorities quarterly reports of~~**authoritiesinformation on** all venting and flaring referred to in paragraph 1 and in Article 15 in accordance with the elements set out in Annex II**, as part of the relevant report referred to in Article 12**.	
Article 16(3)				
268	3. The competent authorities shall make the reports set out in this Article available to	3. The competent authorities shall make the reports set out in this Article available to the	3. ~~The competent authorities shall make the reports set out in this Article available to the~~	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the public and the Commission annually and in accordance with Article 5(4).	public and the Commission annually and in accordance with Article 5(4).	~~public and the Commission annually and in accordance with Article 5(4).~~	
Article 17				
269	Article 17 Requirements for flaring standards	Article 17 Requirements for flaring standards	Article 17 Requirements for flaring ~~standards~~**efficiency**	
Article 17(1)				
270	1. Where a facility is built, replaced or refurbished, or where new flare stacks or other combustion devices are installed, operators shall install only combustion devices with an auto-igniter or continuous pilot and a complete destruction removal efficiency for hydrocarbons.	1. ~~*Where a facility is built, replaced or refurbished, or where new*~~ ***Operators shall install all*** flare stacks ~~*or other combustion devices are installed, operators shall install only*~~***that uses*** combustion devices with an auto-igniter or continuous pilot and ***at least 99%*** ~~*a complete*~~ destruction ***and*** removal efficiency for hydrocarbons ***by ...[18 months from the date of entry into force of this Regulation].***	1. Where a ~~facility~~ **site** is built, replaced or refurbished **in whole or in part**, or where new flare stacks or other combustion devices are installed, operators shall install only combustion devices with an auto-igniter or continuous pilot and ~~a complete~~ **at least 98%** destruction **and** removal efficiency ~~for hydrocarbons.~~	
Article 17(2)				
271	2. Operators shall ensure that all flare stacks or other combustion devices comply with the requirements of paragraph 1 by … [12 months from the date of entry into force of this Regulation].	2. ~~*Operators shall ensure that all flare stacks or other combustion devices comply with the requirements of paragraph 1 by … [12 months from the date of entry into force of this Regulation].*~~	2. Operators shall ensure that all flare stacks or other combustion devices **used in normal operations** comply with the requirements of paragraph 1 by … [~~12~~***18 months from the date of entry into force of this Regulation*** ~~months from the date of entry into force of~~	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			~~this Regulation~~].	
Article 17(3)				
272	3. Operators shall conduct weekly inspections of flare stacks in accordance with the elements set out in Annex III.	3. Operators shall conduct weekly inspections of flare stacks in accordance with the elements set out in Annex III. ***As an alternative to weekly inspections of a flare stack, operators may use remote or automated continuous monitoring devices, if approved by competent authorities, to collect the observations of the flare stack referred to in points (i) and (ii) of the third subparagraph of Annex III. Where irregularities are detected, operators shall investigate the cause of the irregularity and remedy it within 6 hours or, in the case of bad weather or other extreme conditions, within 24 hours.***	3. Operators shall conduct ~~weekly~~ **monthly** inspections of flare stacks in accordance with the elements set out in Annex III**, except for flares that are not used in normal operations, which operators shall inspect before each use**. **As an alternative to monthly inspections of a flare stack, operators may use continuous monitoring devices on that flare stack, in accordance with the elements set out in Annex III.**	
Article 17(4)				
272 a			**4. Where auto-igniters or continuous pilots are used, flame supervision equipment shall be used to continuously monitor the main flare flame or the pilot flame to ensure that venting does not occur due to a flame-out condition.**	
Article 18				

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
273	Article 18 Inactive wells	Article 18 Inactive wells	Article 18 Inactive wells**, temporarily plugged wells and permanently plugged and abandoned wells**	
Article 18(1)				
274	1. By … [12 months from the date of entry into force of this Regulation], Member States shall establish and make publicly available an inventory of all inactive wells on their territory or under their jurisdiction, including at least the elements set out in Annex IV.	1. By … [~~12~~ ***six months from the date of entry into force of this Regulation*** ~~months from the date of entry into force of this Regulation~~], Member States shall establish and make publicly available an inventory of all inactive ***wells and permanently plugged and abandoned*** wells on their territory or under their jurisdiction, including at least the elements set out in Annex IV.	1. By … [***12 months from the date of entry into force of this Regulation***~~12 months from the date of entry into force of this Regulation~~], Member States shall establish and make publicly available an inventory of all **recorded** inactive wells**, temporarily plugged wells and permanently plugged and abandoned wells** on their territory or under their jurisdiction, **where information on location exists or where location can be identified with all reasonable efforts,** including at least the elements set out in **Part 1 of** Annex IV.	
Article 18(1a)				
274 a			**1a. By derogation from paragraph 1, Member State with 40 000 or more inactive wells, temporarily plugged wells and permanently plugged and abandoned wells combined may adopt a plan for completing the inventory of all recorded**	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			inactive wells, temporarily plugged wells and permanently plugged and abandoned wells on their territory or under their jurisdiction, where information on location exists or where location can be identified with all reasonable efforts, including at least the elements set out in Part 1 of Annex IV. and make it publicly available, provided that: **(a) By [12 months from the date of entry into force of this Regulation], at least 20 % of these wells are included in the inventory prioritizing inactive and temporary plugged wells;** **(b) By [24 months from the date of entry into force of this Regulation], at least 40 % of these wells are included in the inventory;** **(c) Every 12 months thereafter at least an additional 15 % of these wells are included in the inventory;** **(d) All wells are included into the inventory by [72 months from the date of entry into force of this Regulation] at the latest; The plan shall be approved by the competent authorities.**	
Article 18(2)				
275	2. By … [18 months of the date of entry into force of this Regulation], equipment	2. ~~*By … [18 months of the date of entry into force of this Regulation], equipment for*~~	2. **Without prejudice to paragraph 3, reports containing information on**	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	for measurement of methane emissions shall be installed on all inactive wells.	~~*measurement of methane emissions shall be installed on all inactive wells.*~~	**quantification of methane emissions and, where such monitoring equipment exists on wellheads, pressure monitoring, from all inactive wells,and temporarily plugged wells shall be submitted to the competent authorities by … [*24 months of the date of entry into force of this Regulation*~~By … [18 months of the date of entry into force of this Regulation~~] and by 31 May every year thereafter and cover the last available calendar year.** **The reports set out in this Article shall include methane emissions to air and to water, as applicable, using the specifications established in accordance with Article 29a(1). Where operators or Member States report**~~, equipment for measurement of~~ methane emissions **within the framework of international or regional agreements to which the Union or the relevant Member State is a party, the reports set out in this Article may include the information reported thereunder. Reports concerning inactive and temporarily plugged wells located in Member States with 40 000 or more inactive wells, temporarily plugged wells and permanently plugged and abandoned wells combined** shall be ~~installed on all inactive~~**submitted in accordance with this paragraph by 12 months after the inclusion of the** wells **in the inventory and**	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			updated at least every four years thereafter.	
Article 18(3)				
276	3. Reports containing the measurements referred to in paragraph 2 shall be submitted to the competent authorities by … [24 months of the date of entry into force of this Regulation] and by 30 March every year thereafter and cover the last available calendar year. Before submission to the competent authorities, the reports set out in this paragraph shall be assessed by a verifier and include a verification statement issued in accordance with Articles 8 and 9.	3. Reports containing ***information on quantification of methane emissions to air and water, as applicable, from all wells*** ~~*the measurements*~~ referred to in paragraph ~~2~~ ***1*** shall be submitted to the competent authorities by … [~~24~~ ***18 months of the date of entry into force of this Regulation*** ~~*months of the date of entry into force of this Regulation*~~] and by 30 March every year thereafter and cover the last available calendar year. ***Where the competent authorities are provided with reliable evidence that proves that there are no methane emissions from permanently plugged and abandoned wells within the last five years, the reporting obligation set out in this paragraph shall not apply to that well.*** -Before submission to the competent authorities, the reports set out in this paragraph shall be assessed by a verifier and include a verification statement issued in accordance with Articles 8 and 9.	3. ~~Reports containing the measurements referred to in paragraph 2 shall be submitted to the competent authorities by … [24 months of the date of entry into force of this Regulation] and by 30 March every year thereafter and cover the last available calendar year. Before submission to the competent authorities, the reports set out in this paragraph shall be assessed by a verifier and include a verification statement issued in accordance with Articles 8 and 9~~**Where five consecutive quantification of methane emissions and, where such monitoring equipment exists on wellheads, pressure monitoring, from an onshore temporarily plugged well, at yearly intervals, prove no methane emissions, paragraph 2 shall cease to apply to that well.** **Where two consecutive quantification of methane emissions and where such monitoring equipment exists on wellheads, pressure monitoring, from an offshore inactive well or temporarily plugged well, made every two years, prove no methane emissions, paragraph 2 shall cease to**	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			apply to that well.	
Article 18(4)				
276 a			**4. Where the competent authorities are provided with reliable evidence of material methane emissions in a permanently plugged and abandoned well and when this evidence has been confirmed by a verifier, the obligations set out in this Article for temporarily plugged wells shall apply to that well. In that case, remediation, reclamation or plugging of that well shall be carried out by the responsible party, where technically feasible and only if the associated reduction of the above-mentioned material emissions cumulated over 100 years offsets the environmental impacts of the necessary works.**	
Article 18(5)				
276 b			**5. The reports set out in this *paragraph* Article shall be assessed by a verifier and include a verification statement issued in accordance with Articles 8 and 9.**	
Article 18(4)				

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
277	4. The competent authorities shall make the reports set out in this Article available to the public and the Commission, within three months from submission by operators and in accordance with Article 5(4).	4. The competent authorities shall make the reports set out in this Article available to the public and the Commission, within three months from submission ~~*by operators*~~ and in accordance with Article 5(4).	~~4~~**6**. The competent authorities shall make the reports set out in this Article available to the public and the Commission, within three months from submission by operators and in accordance with Article 5(4).	
Article 18(5)				
278	5. Member States shall be responsible for fulfilling the obligations laid down in paragraphs 2 and 3, except where a responsible party can be identified, in which case that party shall bear responsibility.	5. Member States shall be responsible for fulfilling the obligations laid down in paragraphs 2 ~~*and 3*~~, except where a responsible party can be identified, in which case that party shall bear responsibility.	~~5~~**7**. Member States shall ~~be responsible for~~**ensure** fulfilling the obligations laid down in paragraphs 2 ~~and 3, except~~**to 4 by the operators.** Where a responsible party ~~can be identified, in which case that~~**provides reliable evidence that it does not have adequate financial assurance to fulfil those obligations or where the responsible** party **cannot be identified, the Member State** shall bear responsibility.	
Article 18(6), first subparagraph				
279	6. Member States shall develop and implement a mitigation plan to remediate, reclaim and permanently plug inactive wells located in their territory.	6. ***By ...[12 months from the date of entry into force of this Regulation]*** Member States ~~*shall develop and implement*~~ ***or the responsible party shall develop*** a mitigation plan to remediate, reclaim and permanently plug inactive wells located in their territory***, and implement it by... [24 months from the date of entry into force of this Regulation]***.	6. **By … [28 months from the date of entry into force of this Regulation],** Member States ~~shall develop and implement~~**or the responsible party, in accordance with paragraph 7, shall develop** a mitigation plan to remediate, reclaim and permanently plug inactive wells ~~located in their territory~~**and temporarily**	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			plugged wells including at least the elements set out in Part 2 of Annex IV and setting out an implementation period starting no later than 12 months after the first reports referred to in paragraph 2.	
Article 18(6), second subparagraph				
280	Mitigation plans shall use the inventories referred to in paragraph 1 to determine priority for activities including:	Mitigation plans shall use the inventories referred to in paragraph 1 to determine priority for activities including:	Mitigation plans shall use the inventories referred to in paragraph 1 **and the reports referred to in paragraph 2** to determine priority for activities including:	
Article 18(6), second subparagraph, point (a)				
281	(a) remediating, reclaiming and permanently plugging wells;	(a) remediating, reclaiming and permanently plugging wells;	(a) remediating, reclaiming and permanently plugging wells;	
Article 18(6), second subparagraph, point (b)				
282	(b) reclaiming related access roads;	(b) reclaiming related access roads;	(b) reclaiming related access roads **or the surrounding soil under water, as applicable**;	
Article 18(6), second subparagraph, point (c)				
283	(c) restoring land, water and habitat impacted by wells and the prior operations;	(c) restoring land, water and habitat impacted by wells and the prior operations;	(c) restoring land, water**, seabed** and habitat impacted by wells and the prior operations;	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 18(6), second subparagraph, point (d)				
284	(d) yearly checks to ensure plugged wells are no longer a source of methane emissions.	(d) yearly checks to ensure plugged wells are no longer a source of methane emissions.	(d) ~~yearly~~ **regular** checks to ensure **temporarily** plugged wells ~~are no longer~~ **and, where deemed applicable, permanently plugged and abandoned wells are not** a source of methane emissions.	
Article 18(6), second subparagraph, point (da)				
284 a			**9. Without prejudice to the provisions of Directive 2013/30/EU and Directive 2008/56/EC, offshore oil and gas wells located at a depth greater than [700 meters] are exempt from the provisions obligations of this Article.**	
Article 18(6), second subparagraph, point (db)				
284 b			**10. Without prejudice to the provisions of Directive 2013/30/EU and Directive 2008/56/EC, and subject to the approval of the competent authority, offshore wells located at water depth between 200 and 700 meters may be exempt from the obligations of this Article, where the operator demonstrates that during the**	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			environmental impact assessments conducted before drilling, or after accidents during operations, no possibility of migration of potential methane leaks to the atmosphere has been documented.	
284 c		***6a. When identifying inactive, permanently plugged and abandoned wells, Member States shall undertake a robust and objective assessment based on the most up to date scientific findings, including data from IMEO.***		
Chapter 4				
285	Chapter 4 Methane emissions in the coal sector	Chapter 4 Methane emissions in the coal sector	Chapter 4 Methane emissions in the coal sector	
Section I				
286	Section I Monitoring and reporting in operating mines	Section I Monitoring and reporting in operating mines	Section I Monitoring and reporting in operating mines	
Article 19				
287				

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 19 Scope	Article 19 Scope	Article 19 Scope	
Article 19(1)				
288	1. This Section applies to operating underground and surface coal mines.	1. This Section applies to operating underground and surface coal mines.	1. This Section applies to operating underground-and surface coal mines.	
Article 19(2)				
289	2. Methane emissions from operating underground coal mines include the following emissions:	2. Methane emissions from operating underground coal mines include the following emissions:	2. Methane emissions from operating underground coal mines include the following emissions:	
Article 19(2), point (a)				
290	(a) methane emissions from all ventilation shafts in use by the mine operator;	(a) methane emissions from all ventilation shafts in use by the mine operator;	(a) methane-emissions from all ventilation shafts in use by the mine operator;	
Article 19(2), point (b)				
291	(b) methane emissions from drainage stations and from the methane drainage system, whether occurring as a result of intentional or unintentional venting, or incomplete combustion in flares;	(b) methane emissions from drainage stations and from the methane drainage system, whether occurring as a result of intentional or unintentional venting, or incomplete combustion in flares;	(b) methane emissions from drainage stations and-from the methane drainage system, whether occurring as a result of intentional or unintentional venting, or incomplete combustion in flares;	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 19(2), point (c)				
292	(c) methane emissions occurring during post-mining activities.	(c) methane emissions occurring during post-mining activities ***and within the area of the mine***.	(c) methane emissions occurring during post-mining activities **and within the area of the mine**.	
Article 19(3)				
293	3. Methane emissions from operating surface coal mines include the following emissions:	3. Methane emissions from operating surface coal mines include the following emissions:	3. Methane emissions from operating surface coal mines include the following emissions:	
Article 19(3), point (a)				
294	(a) methane emissions occurring at the coal mine during the mining process;	(a) methane emissions occurring at the coal mine during the mining process;	(a) methane emissions occurring at the coal mine during the mining process;	
Article 19(3), point (b)				
295	(b) methane emissions occurring during post-mining activities.	(b) methane emissions occurring during post-mining activities.	(b) methane emissions occurring during post-mining activities **and within the area of the mine**.	
Article 20				
296	Article 20 Monitoring and reporting	Article 20 Monitoring and reporting	Article 20 Monitoring and reporting	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 20(1)				
297	1. For underground coal mines, mine operators shall perform continuous ventilation air methane emissions measurement and quantification on all exhaust ventilation shafts used by the mine operator, using apparatus with a methane concentration sensitivity threshold of at least 100 parts per million. They shall also take monthly sample-based measurements.	1. For underground coal mines, mine operators shall perform continuous ~~*ventilation air*~~ ***source level*** methane ***direct*** emissions measurement and quantification on all exhaust ventilation shafts ***. Mine operators shall report to the competent authorities methane releases per ventilation shaft per year in kilotonne (kt) of methane*** ~~*used by the mine operator*~~, using ~~*apparatus*~~***equipment and methodologies resulting in a measurement accuracy*** with a ~~*methane concentration sensitivity threshold of at least 100 parts per million*~~***tolerance of 0,5 kt/year of methane or of 5% of the reported amount***. They shall also take monthly sample-based measurements.	1. For underground coal mines, mine operators shall perform continuous ***ventilation air methane emissions source*** **level direct** ~~ventilation air methane emissions~~ measurement **or *and*** and quantification on all exhaust ventilation shafts. M**ine operators shall report to the competent authorities methane releases per ventilation shaft per year in kt of methane**~~used by the mine operator~~, using **equipment and methodologies resulting in a measurement accuracy with a tolerance of [+/-5% of the reported amount]or [+/- 0.5 kt] of methane] whichever value is lower** ~~apparatus with a methane concentration sensitivity threshold of at least 100 parts per million. They shall also take monthly sample-based measurements.~~	
Article 20(2)				
298	2. Drainage stations operators shall perform continuous measurements of volumes of vented and flared methane, regardless of the reasons for such venting and flaring activity.	2. Drainage stations operators shall perform continuous ***source level direct emissions*** measurements ***and quantification of total releases*** ~~*of volumes*~~ of vented and flared methane, regardless of the reasons for such venting and flaring activity.	2. Drainage stations operators shall perform continuous **source level direct** measurements ~~of~~ ***or*** **and quantifications of *volumes* total releases** ~~volumes~~ of vented and flared methane, regardless of the reasons for such venting and flaring activity.	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 20(3)				
299	3. As regards surface coal mines, mine operators shall use deposit-specific coal mine methane emission factors to quantify emissions resulting from mining operations. Mine operators shall establish those emission factors on a quarterly basis, in accordance with appropriate scientific standards and take into account methane emissions from surrounding strata.	3. As regards surface coal mines, mine operators shall use deposit-specific coal mine methane emission factors to quantify emissions resulting from mining operations. Mine operators shall establish those emission factors on a quarterly basis, in accordance with appropriate scientific standards and take into account methane emissions from surrounding strata.	3. As regards surface coal mines, mine operators shall use deposit-specific- coal mine methane emission factors to quantify emissions resulting from mining- operations. Mine operators shall establish those emission factors on a-quarterly basis, in accordance with appropriate scientific standards and take into account methane emissions from surrounding strata.	
Article 20(4), first subparagraph				
300	4. The measurements and quantification referred to in paragraphs 1 to 3 shall be undertaken in accordance with an appropriate European or international standards.	4. The measurements and quantification referred to in paragraphs 1 to 3 shall be undertaken in accordance with an appropriate European or international standards.	4. The measurements and quantification referred to in paragraphs 1 to 3 shall be undertaken ***in accordance with an appropriate European or international standards*** **using the specifications established in accordance with Article 29a(1). Until such** ***standards become available*** **specifications are established, best practices established in the context of measurement campaigns co-funded by the Union or the United Nations Environmental Programme may also guide operators in**	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			performing source level measurements~~in accordance with an appropriate European or international standards~~.	
Article 20(4), second subparagraph				
301	As regards continuous measurements referred to in paragraphs 1 and 2, where part of the measuring equipment is not operating for a period, readings taken during periods when the equipment was operating may be used to estimate data on a pro rata basis for the period that the equipment was not operating.	As regards continuous ***source level direct*** measurements ***and quantification*** referred to in paragraphs 1 and 2, where part of the measuring equipment is not operating for a period, readings taken during periods when the equipment was operating may be used to estimate data on a pro rata basis for the period that the equipment was not operating.	As regards continuous **source level direct** measurements ***or* and quantifications** referred to in paragraphs 1 and 2, where part of the measuring equipment is not operating for a period, readings taken during-periods when the equipment was operating may be used to estimate data on a-pro rata basis for the period that the equipment was not operating.	
Article 20(4), third subparagraph				
302	The equipment used for continuous measurements referred to in paragraphs 1 and 2 shall operate for more than 90% of the period for which it is used to monitor an emission, excluding downtime taken for re-calibration.	The equipment used for continuous ***source level direct*** measurements ***and quantification*** referred to in paragraphs 1 and 2 shall operate for more than 90% of the period for which it is used to monitor an emission, excluding downtime taken for re-calibration.	The equipment used for continuous **source level direct** measurements ***or* andquantifications** referred to in paragraphs 1 and 2 shall operate for more-than 90% of the period for which it is used to monitor an emission, excluding-downtime taken for re-calibration **and repairs**.	
Article 20(5)				
303				

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	5. Mine operators shall estimate coal post-mining emissions using coal post-mining emission factors, updated annually, based on deposit-specific coal samples and in accordance with appropriate scientific standards.	5. ***Where relevant,*** mine operators shall estimate coal post-mining emissions using coal post-mining emission factors, updated annually, based on deposit-specific coal samples and in accordance with appropriate scientific standards.	5. **Where relevant, *M***mine operators shall estimate coal post-mining-emissions using coal post-mining emission factors, updated annually, based on-deposit-specific coal samples and in accordance with appropriate scientific-standards.	
Article 20(6), first subparagraph				
304	6. By… [12 months from the date of entry into force of this Regulation] and by 30 March every year thereafter, mine operators and drainage station operators shall submit a report to the competent authorities containing yearly source-level methane emissions data in accordance with the provisions of this Article.	6. By… [12 months from the date of entry into force of this Regulation] and by 30 March every year thereafter, mine operators and drainage station operators shall submit a report to the competent authorities containing yearly source-level methane emissions data in accordance with the provisions of this Article.	6. By… [12 ***months from the date of entry into force of this Regulation*** ~~months from the date of entry into force of this Regulation~~] and by ***30 March*** **31 May**~~30 March~~ every year thereafter, mine operators and drainage station operators-shall submit a report to the competent authorities containing yearly source-level methane emissions data in accordance with the provisions of this Article.	
Article 20(6), second subparagraph				
305	The report shall cover the last available calendar year period and include the elements set out in Part 1 of Annex V for operating underground coal mines, Part 2 of Annex V for operating surface coal mines and Part 3 of Annex V for drainage stations.	The report shall cover the last available calendar year period and include the elements set out in Part 1 of Annex V for operating underground coal mines, Part 2 of Annex V for operating surface coal mines and Part 3 of Annex V for drainage stations.	The report shall cover the-last available calendar year period and include the elements set out in Part 1-of Annex V for operating underground coal mines, Part 2 of Annex V for-operating surface coal mines and Part 3 of Annex V for drainage stations.	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 20(6), third subparagraph				
306	Before submission to the competent authorities, mine operators and drainage stations operators shall ensure that the reports set out in this paragraph are assessed by a verifier and include a verification statement issued in accordance with Articles 8 and 9.	Before submission to the competent authorities, mine operators and drainage stations operators shall ensure that the reports set out in this paragraph are assessed by a verifier and include a verification statement issued in accordance with Articles 8 and 9.	Before submission to the competent authorities, mine operators and drainage ~~stations~~**station** operators shall ensure that the reports set out in this paragraph are assessed by a verifier and include a verification statement issued in accordance with Articles 8 and 9.	
Article 20(7)				
307	7. The competent authorities shall make the reports set out in this Article available to the public and the Commission, within three months from submission by operators and in accordance with Article 5(4).	7. The competent authorities shall make the reports set out in this Article available to the public and the Commission, within three months from submission by operators and in accordance with Article 5(4).	7. The competent authorities shall make the reports-set out in this Article available to the public and the Commission, within-three months from submission by operators and in accordance with Article 5(4).	
Section II				
308	Section II mitigation of methane emissions from operating underground coal mines	Section II mitigation of methane emissions from operating underground coal mines	Section II mitigation of methane-emissions from operating underground coal mines	
Article 21				
309	Article 21 Scope	Article 21 Scope	Article 21 Scope	
Article 21, first paragraph				

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
310	This Section applies to the methane emissions from underground coal mines referred to in Article 19(2).	This Section applies to the methane emissions from underground coal mines referred to in Article 19(2).	This Section applies to the methane emissions from underground coal mines referred to in Article 19(2).	
Article 22				
311	Article 22 Mitigation measures	Article 22 Mitigation measures	Article 22 Mitigation measures	
Article 22(1)				
312	1. Venting and flaring of methane from drainage stations shall be prohibited from [1 January 2025], except in the case of an emergency, a malfunction or where unavoidable and strictly necessary for maintenance. In such cases, drainage station operators shall vent only if flaring is not technically feasible or risks endangering safety of operations or personnel. In such a situation, as part of the reporting obligations set out in Article 23, drainage station operators shall demonstrate to the competent authorities the necessity to opt for venting instead of flaring.	1. ~~*Venting and flaring*~~ ***Flaring with a destruction and removal design efficiency below 99% and venting*** of methane from drainage ~~*stations*~~ ***system*** shall be prohibited from [1 January 2025], except in the case of an emergency~~*, a malfunction*~~ or where unavoidable and strictly necessary for maintenance. In such cases, drainage station operators shall vent only if flaring is not technically feasible or risks endangering safety of operations or personnel. In such a situation, as part of the reporting obligations set out in Article 23, drainage station operators shall demonstrate to the competent authorities the necessity to opt for venting instead of flaring.	1. ~~Venting and flaring~~**Flaring with a destruction and removal efficiency below 98% and venting** of methane from drainage stations shall be prohibited from [1 January 2025], except in the case of an emergency, a malfunction or where unavoidable and strictly necessary for maintenance **and venting in accordance with paragraph 2**. In such cases, drainage station operators shall vent only if flaring is not technically feasible or risks endangering safety of operations or personnel. In such a situation, as part of the reporting obligations set out in Article 23, drainage station operators shall demonstrate to the competent authorities the necessity to opt for venting instead of flaring.	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 22(2)				
313	2. Venting of methane through ventilation shafts in coal mines emitting more than 0.5 tonnes of methane/kilotonne of coal mined, other than coking coal mines, shall be prohibited from 1 January 2027.	2. Venting of methane through ventilation shafts in coal mines emitting more than ***five tonnes of methane/kilotonne of coal mined, other than coking coal mines, shall be prohibited from 1 January 2027, except where it would pose a direct threat to the health and life of working miners and would increase the work-safety risk in mining plants.*** ***Venting of methane through ventilation shafts in coal mines emitting more than three*** ~~0.5~~ tonnes of methane/kilotonne of coal mined, other than coking coal mines, shall be prohibited from 1 January ~~2027~~***2031.*** ***These thresholds shall apply per year per mine and per operator, if one entity operates several mines***.	2. Venting of methane through ventilation shafts in coal mines emitting more than ~~0.5~~**5** tonnes of methane/kilotonne of coal mined, other than coking coal mines, shall be prohibited from 1 January 2027. **Venting of methane throughventilation shafts in coal mines emitting more than 0.53 tonnes ofmethane/kilotonne of coal mined, other than coking coal mines, shall be prohibited from 1 January 2031. These thresholds shall apply per year per mine and per operator, if one entity operates several mines.**	
Article 22(3)				
314	3. By … [three years from the date of entry into force of this Regulation] the Commission shall adopt a delegated act in accordance with Article 31 to supplement this Regulation by setting out restrictions on venting methane from ventilation shafts for coking coal mines.	3. By … [three years from the date of entry into force of this Regulation] the Commission shall adopt a delegated act in accordance with Article 31 to supplement this Regulation by setting out restrictions on venting methane from ventilation shafts for coking coal mines.	3. By … [~~three~~ ***five years from the date of entry intoforce of this Regulation*** ~~years from the date of entry into force of this Regulation~~] the Commission shall adopt a delegated act in-accordance with Article 31 to supplement this Regulation by setting out ~~restrictions on~~ **methane**	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			venting ~~methane~~**thresholds** from ventilation shafts for coking coal mines.	
314 a		***3a. Where Member States intend to implement a dedicated system of incentives to reduce methane emissions, they may use fees, charges or penalties as referred to in Article 30 as an instrument of guaranteeing the compliance of operators of existing mines with the obligations in paragraphs 1 and 2 of this Article.***		
Article 23				
315	Article 23 Reporting of venting and flaring events	Article 23 Reporting of venting and flaring events	Article 23 Reporting-of venting and flaring events	
Article 23(1), first subparagraph				
316	1. From [1 January 2025], drainage station operators shall notify the competent authorities of all venting and flaring events:	1. From ~~[~~1 January 2025~~]~~, drainage station operators shall notify the competent authorities of all venting ***events*** and flaring events ***with a destruction and removal design efficiency below 99%***:	1. From [1 January-2025], drainage station operators shall notify the competent authorities-of all venting **events** and flaring events **with a destruction and removal efficiency below 98%**:	
Article 23(1), first subparagraph, point (a)				

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
317	(a) caused by an emergency or a malfunction,	(a) caused by an emergency ~~or a malfunction,~~,	(a) caused by an emergency or a malfunction,	
Article 23(1), first subparagraph, point (b)				
318	(b) occurring unavoidably due to maintenance of the drainage system.	(b) occurring unavoidably due to maintenance of the drainage system.	(b) occurring unavoidably due to maintenance of the drainage system.	
Article 23(1), second subparagraph				
319	That notification shall be made without delay after the event and at the latest within 48 hours from the start of event or the moment the operator became aware of it, in accordance with the elements set out in Annex VI.	That notification shall be made without delay after the event and at the latest within 48 hours from the start of event or the moment the operator became aware of it, in accordance with the elements set out in Annex VI.	That notification shall be made without delay after the event and at the latest within 48 hours from the start of event or the moment the operator became aware of it, in accordance with the elements set out in Annex VI.	
Article 23(2)				
320	2. The competent authorities shall make the information submitted to them pursuant to this Article available to the public and the Commission annually and in accordance with Article 5(4).	2. The competent authorities shall make the information submitted to them pursuant to this Article available to the public and the Commission annually and in accordance with Article 5(4).	2. The competent authorities shall make the information submitted to them pursuant to this Article available to the public and the Commission annually and in accordance with Article 5(4).	
Section III				
321				

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Section III methane emissions from closed and abandoned underground coal mines	Section III methane emissions from closed and abandoned underground coal mines	Section III methane emissions from closed and abandoned underground coal mines	
Article 24				
322	Article 24 Scope	Article 24 Scope	Article 24 Scope	
Article 24, first paragraph				
323	This Section applies to the following methane emissions from abandoned and closed underground coal mines where coal production has been discontinued:	This Section applies to the following methane emissions from ***closed and*** abandoned and closed underground coal mines where coal production has been discontinued:	This Section applies to the following methane emissions from ~~abandoned and closed~~ **closed and abandoned**underground coal mines where coal production has been **discontinued since… *[50 years prior to the date of entry intoforce of this Regulation]*** ~~discontinued~~:	
Article 24, first paragraph, point (a)				
324	(a) methane emissions from all ventilation shafts which continue emitting methane;	(a) methane emissions from all ventilation shafts which continue emitting methane;	(a) methane emissions from all ventilation shafts which continue emitting methane;	
Article 24, first paragraph, point (b)				
325	(b) methane emissions from coal mining	(b) methane emissions from coal mining	(b) methane emissions from coal mining	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	equipment, use of which has been discontinued;	equipment, use of which has been discontinued;	equipment, use of which has been discontinued;	
Article 24, first paragraph, point (c)				
326	(c) methane emissions from other well-defined point emission sources as outlined in Part 1 of Annex VII.	(c) methane emissions from other well-defined point emission sources as outlined in Part 1 of Annex VII.	(c) methane emissions from other well-defined point emission sources as outlined in Part 1 of Annex VII.	
Article 25				
327	Article 25 Monitoring and reporting	Article 25 Monitoring and reporting	Article 25 Monitoring and reporting	
Article 25(1)				
328	1. By … [12 months from the date of entry into force of this Regulation] Member States shall set up and make publicly available an inventory of all closed coal mines and abandoned coal mines in their territory or under their jurisdiction, in accordance with the methodology and including at least the elements set out in Part 1 of Annex VII.	1. By … [***12 months from the date of entry into force of this Regulation***~~*12 months from the date of entry into force of this Regulation*~~] Member States shall set up and make publicly available an inventory of all~~ *closed coal mines*~~ ***underground*** and abandoned coal mines in their territory or under their jurisdiction, in accordance with the methodology and including at least the elements set out in Part 1 of Annex VII.	1. By … [12-months from the date of entry into force of this Regulation] Member-States shall set up and make publicly available an inventory of all closed ~~coal mines~~ and abandoned **underground** coal mines in their territory or under their jurisdiction **whereoperations have ceased since … [*50 years prior to the date of entry into force of this Regulation*]**, in accordance with-the methodology and including at least the elements set out in Part 1 of Annex VII.	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
328 a		***1a. When identifying closed mines and abandoned coal mines, Member States shall undertake a robust and objective assessment based on the most up- to- date scientific findings, including data from the IMEO when available***		
Article 25(2), first subparagraph				
329	2. Methane concentration measurements shall be taken in accordance with appropriate scientific standards and at least on an hourly basis from all elements listed in part 1(vi) of Annex VII which were found to emit methane.	2. ~~*Methane concentration measurements shall be taken in accordance with appropriate scientific standards and at least on an hourly basis from all elements listed in part 1(vi) of Annex VII which were found to emit methane.*~~	2. **From … [*24 months from the date of entry into force of this Regulation*],** methane ~~concentration measurements~~**emissions shall be measured in all closed and abandoned underground coal mines where operations have ceased since …[*50 years prior to the date of entry into force of this Regulation*]. Measurement equipment** shall be **installed on all elements listed in point (v) of Part 1(v) of Annex VII which were found to emit above 0,5 tonnes of methane per year based on the inventory in Paragraph 1. The equipment shall perform source level direct measurements or quantifications** taken in accordance with ~~appropriate scientific standards and~~ **the specifications established in accordance with Article 29a and** at least on an hourly basis **and of sufficient**	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			quality to allow for a representative estimation of yearly methane emissions from all elements-listed in part 1(vi) of Annex VII which were found to emit methane. **Until such methodologies are established, publicly available European and international standards may be used.**	
Article 25(2), second subparagraph				
330	From … [18 months from the date of entry into force of this Regulation], measurement equipment shall be installed on all elements listed in point (v) of Part 1 of Annex VII for closed coal mines and abandoned coal mines where operations have ceased since … [50 years prior to the date of entry into force of this Regulation].	From … [***18 months from the date of entry into force of this Regulation***~~*18 months from the date of entry into force of this Regulation*~~], measurement equipment shall be installed on all elements listed in point (v) of Part 1 of Annex VII ~~*for closed coal mines and abandoned coal mines where operations have ceased since … [50 years prior to the date of entry into force of this Regulation]*~~***which were found to emit above 0,5 tonnes of methane per year based on the inventory referred to in paragraph 1 of this Article for closed coal mines and abandoned coal mines***.	~~From … [18 months from the date of entry into force of this Regulation], measurement equipment shall be installed on all elements listed in point (v) of Part 1 of Annex VII for closed coal mines and abandoned coal mines where operations have ceased since … [50 years prior to the date of entry into force of this Regulation].~~	
330 a		***The equipment shall perform source level direct measurements or quantifications***		

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		taken in accordance with appropriate scientific standards and, if possible on an hourly basis, and of sufficient quality to allow for a representative estimation of yearly methane emissions from all elements listed in Part 1, point (v) of Annex VII which were found to emit methane.		
Article 25(2), third subparagraph				
331	The sensitivity threshold of the measurement equipment used for the measurements referred to in paragraph 2 shall be at least 10,000 parts per million.	~~*The sensitivity threshold of the measurement equipment used for the measurements referred to in paragraph 2 shall be at least 10,000 parts per million.*~~	~~The sensitivity threshold of the measurement equipment used for the measurements referred to in paragraph 2 shall be at least 10,000 parts per million.~~	
Article 25(2), fourth subparagraph				
332	The measurement equipment must operate for more than 90% of the period for which it is used to monitor the emissions, excluding downtime taken for re-calibration.	The measurement equipment must operate for more than 90% of the period for which it is used to monitor the emissions, excluding downtime taken for re-calibration.	~~The measurement equipment must operate for more than 90% of the period for which it is used to monitor the emissions, excluding downtime taken for re-calibration.~~	
Article 25(2), fourth subparagraph a				
332 a			**2a. If the observed annual methane release of an element listed in part 1(v) of Annex VII is below 1 tonne of methane for six**	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			consecutive years in the case of flooded mines or twelve consecutive years inthe case of dry mi nes, no further monitoring and reporting shall be taken for that specific element.	
332 b		***2a. If the observed annual methane release of an element listed in Part 1, point (v) of Annex VII is below 1 tonne of methane for six consecutive years in the case of flooded mines or 12 consecutive years in the case of dry mines, no further monitoring and reporting shall be taken for that specific element.***		
Article 25(3), first subparagraph				
333	3. Reports containing estimates of yearly source-level methane emissions data shall be submitted to the competent authorities by … [24 months of the date of entry into force of this Regulation] and by 30 March every year thereafter.	3. Reports containing estimates of yearly source-level methane emissions data shall be submitted to the competent authorities by … [24 months of the date of entry into force of this Regulation] and by 30 March every year thereafter.	3. Reports containing estimates of yearly source-level methane emissions-data shall be submitted to the competent authorities by … [~~24~~***246 months of after the date of entry into force of this Regulation*** ~~months of the date of entry into force of this Regulation~~] and by ***30 March*** **31 May** ~~30 March~~ every year thereafter.	
Article 25(3), second subparagraph				

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
334	The reports shall cover the last available calendar year and include the elements set out in Part 3 of Annex VII.	The reports shall cover the last available calendar year and include the elements set out in Part 3 of Annex VII.	The reports shall cover the last available calendar year and include the elements set out in Part **2**~~3~~ of Annex VII.	
Article 25(3), third subparagraph				
335	Before submission to the competent authorities, the reports set out in this paragraph shall be assessed by a verifier and include a verification statement issued in accordance with Articles 8 and 9.	Before submission to the competent authorities, the reports set out in this paragraph shall be assessed by a verifier and include a verification statement issued in accordance with Articles 8 and 9.	Before submission to the competent authorities, the reports set out in this paragraph shall be assessed by a verifier and include a verification statement issued in accordance with Articles 8 and 9.	
Article 25(4)				
336	4. Mine operators shall be responsible for the requirements referred to in paragraphs 2 and 3 as regards closed mines. Member States shall be responsible for the requirements referred to in paragraphs 2 and 3 as regards abandoned mines.	4. Mine operators***, asset operators or Member States*** shall be responsible for the requirements referred to in paragraphs 2 and 3 as regards closed mines. Member States shall be responsible for the requirements referred to in paragraphs 2 and 3 as regards abandoned mines.	4. Mine **operators or Member States**~~operators~~ shall be responsible for the requirements referred to in paragraphs 2**, 2a** and 3 as regards closed mines. Member States shall be responsible for the requirements referred to in paragraphs 2**, 2a** and 3 as regards **abandoned mines. In case of alternative uses of** abandoned mines**, the permit holder shall be responsible for the requirements referred to in paragraphs 2, 2a and 3**.	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 25(5)				
337	5. The competent authorities shall make the reports set out in this Article available to the public and the Commission, within three months from submission by operators and in accordance with Article 5(4).	5. The competent authorities shall make the reports set out in this Article available to the public and the Commission, within three months from submission by operators and in accordance with Article 5(4).	5. The competent authorities shall make the reports set out in this Article available to the public and the Commission, within three months from submission by operators and in accordance with Article 5(4).	
Article 26				
338	Article 26 Mitigation measures	Article 26 Mitigation measures	Article 26 Mitigation measures	
Article 26(1), first subparagraph				
339	1. On the basis of the inventory referred to in Article 25, Member States shall develop and implement a mitigation plan to address methane emissions from abandoned coal mines.	1. On the basis of the inventory referred to in Article 25, Member States shall develop and implement a mitigation plan to address methane emissions from ***closed and*** abandoned ***underground*** coal mines.	1. On the basis of the inventory referred to in Article 25, Member States shall develop and implement a mitigation plan to address methane emissions from **closed and** abandoned **underground** coal mines **where operations have ceased since … [*50 years prior to the date of entry into force of this Regulation*]**.	
Article 26(1), second subparagraph				
340				

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	The mitigation plan shall be submitted to competent authorities by … [36 months from the date of entry into force of this Regulation] and include at least the elements set out in Part 4 of Annex VII.	The mitigation plan shall be submitted to competent authorities by … [~~36~~ ***18 months from the date of entry into force of this Regulation*** ~~months from the date of entry into force of this Regulation~~] and include at least the elements set out in Part 4 of Annex VII. ***The Member States shall implement it by... [2 years from the date of entry into force of this Regulation].***	The mitigation plan shall be submitted to competent authorities by … [36 months from the date of entry into force of this Regulation] and include at least the elements set out in Part **43** of Annex VII.	
Article 26(2)				
341	2. Venting and flaring from equipment referred to in Article 25(2) shall be prohibited from 1 January 2030, unless utilisation or mitigation is not technically feasible or risks endangering environmental safety or safety of operations or personnel. In such a situation, as part of the reporting obligations set out in Article 25, mine operators or Member States shall demonstrate the necessity to opt for venting or flaring instead of utilisation or mitigation.	2. Venting and flaring from equipment referred to in Article 25(2) shall be prohibited from 1 January 2030, unless utilisation or mitigation is not technically feasible or risks endangering environmental safety ***, or human*** ~~or~~ safety ***, including that of the personnel, or public health*** ~~of operations or personnel~~. In such a situation, as part of the reporting obligations set out in Article 25, mine operators or Member States shall demonstrate the necessity to opt for venting or flaring instead of utilisation or mitigation.	2. Venting and flaring from equipment referred to in Article 25(2) shall be prohibited from 1 January 2030, unless utilisation or mitigation is not technically feasible or risks endangering environmental safety**, human safety, including that of the personnel, or public health** ~~or safety of operations or personnel~~. In such a situation, as part of the reporting obligations set out in Article 25, mine operators or Member States shall demonstrate the necessity to opt for venting or flaring instead of utilisation or mitigation.	
Article 26(3)				
341 a			**3 Alternative use of abandoned coal**	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			mines shall be allowed following a permitting procedure adapted to the specific reuse of the abandoned coal mine. The permit applicant shall provide a detailed plan of measures to avoid methane emissions to competent authorities. The permit holder shall comply with the monitoring, reporting and mitigation obligations under Article 25 and Article 26.	
341 b		***2a. For closed coal mines:*** ***(a) capturing methane by degassing shall be possible;*** ***(b) the use of safety-relevant degassing devices, e.g. vent hoods (Protegohaube), may continued to be operated;*** ***(c) the use of mine gas as an energy resource shall not be affected by the scope of application of this Regulation;*** ***(d) impoundment of mine water to reduce methane emissions shall be allowed under this Regulation.***		
Chapter 5				
342	Chapter 5 Methane emissions occurring outside the	Chapter 5 Methane emissions occurring outside the	Chapter 5 Methane emissions occurring outside the	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Union	Union	Union	
Article 27				
343	Article 27 Importer requirements	Article 27 Importer requirements	Article 27 Importer requirements	
Article 27(1), first subparagraph				
344	1. By … [9 months from the date of entry into force of the Regulation] and by 31 December every year thereafter, importers shall provide the information set out in Annex VIII to the competent authorities of the importing Member State.	1. By … [9 months from the date of entry into force of the Regulation] and by 31 December every year thereafter, importers shall provide the information set out in Annex VIII to the competent authorities of the importing Member State.	1. By … [9 months from the date of entry into force of the Regulation] and by ~~31 December~~**30 June** every year thereafter, importers shall provide the information set out in Annex VIII to the competent authorities of the importing Member State. **Where importers fail to provide the information set out in Annex VIII, in whole or in part, they shall demonstrate to the competent authorities of the importing Member State that all reasonable efforts have been undertaken to acquire the information.**	
Article 27(1), second subparagraph				
345	The Commission shall be empowered to	The Commission shall ***adopt a delegated***	The Commission shall be empowered to	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	adopt delegated acts in accordance with Article 31 to supplement this Regulation by amending or adding to the information to be provided by importers.	***act by 31 December 2025*** ~~*be empowered to adopt delegated acts*~~ in accordance with Article 31 to supplement this Regulation by amending or adding to the information to be provided by importers.	adopt delegated acts in accordance with Article 31 to ~~supplement~~**amend** this Regulation by amending or adding to the information to be provided by importers **pursuant to this Article**.	
Article 27(2), first subparagraph				
346	2. By … [12 months from the date of entry into force of the Regulation] and by 30 June every year thereafter, Member States shall submit to the Commission the information provided to them by importers.	2. By … [12 months from the date of entry into force of the Regulation] and by 30 June every year thereafter, Member States shall submit to the Commission the information provided to them by importers.	2. By … [12 months from the date of entry into force of the Regulation] and by ~~30 June~~**31 December** every year thereafter, Member States shall submit to the Commission the information provided to them by importers.	
Article 27(2), second subparagraph				
347	The Commission shall make the information available in accordance with Article 28.	The Commission shall make the information available in accordance with Article 28.	The Commission shall make the information available in accordance with Article 28.	
347 a		***2a. As of 1 January 2026, importers of coal, oil and gas, shall demonstrate that exporters of coal, oil and gas into the Union comply with the requirements for the measurement,***		

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		monitoring, reporting and verification, leak detection and repair, and venting and flaring established in Chapters 3 and 4 of this Regulation or otherwise meet the requirements for derogations set out in paragraph 2b of this Article.		
347 b		***2b. Importers that demonstrate the implementation of measures deemed comparable in effectiveness or provide guarantees of origin from countries deemed to have regulatory equivalence shall be subject to a derogation from paragraphs 2a, in accordance with paragraph 2c.***		
347 c		***2c. Where importers claim a derogation provided for in paragraph 2b, they shall notify the Commission and provide all required information. The Commission shall assess the applicability of a derogation taking into account:*** ***(a) the effectiveness of the measures or regulatory requirements compared to those applicable within the Union;*** ***(b) the accuracy of the data provided by importers; and***		

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		(c) penalties for non-compliance and effectiveness of enforcement in the relevant jurisdictions where regulatory equivalence is sought.		
347 d		*2d. The Commission shall adopt a delegated act by 31 December 2025 in accordance with Article 31 to supplement this Regulation with both the modalities and the procedures for importers claiming a derogation under paragraph 2c, and the specific requirements for demonstrating comparable in effectiveness and regulatory equivalence, including establishing the necessary role of IMEO to ensure the quality control, referred to in paragraph 2b.*		
347 e		*2e. Member States shall ensure that importers who place on the market coal, oil and gas, comply with this Article within their territory. Member States shall set out progressive penalties for infringements, including the suspension of the authorisation to place oil, gas and coal on the market as referred to in Article 30, taking into account the need for effective*		

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		deterrence of breaches.Member States shall ensure that importers who place on the market coal, oil and gas, comply with this Article within their territory. Member States shall set out progressive penalties for infringements, including the suspension of the authorisation to place oil, gas and coal on the market as referred to in Article 30, taking into account the need for effective deterrence of breaches.		
347 f		***2f. Where importers fail to provide the information referred to in paragraphs 1, 2a and 2b, but can demonstrate to the competent authorities of the importing Member States that all reasonable endeavours have been undertaken to acquire such information, Member States may consider reducing or not imposing penalties on importers as referred to in paragraph 2e.***		
Article 27(3), first subparagraph				
348	3. By 31 December 2025, or earlier if the Commission considers that sufficient evidence is available, the Commission shall examine the application of this Article,	3. By 31 December 2025, or earlier if the Commission considers that sufficient evidence is available, the Commission shall ***propose amendments to this Regulation to***	3. By 31 December ~~2025~~**2027**, or earlier if the Commission considers that sufficient evidence is available, the Commission shall examine the	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	considering in particular:	***strengthen the requirements applicable to importers with a view to implementing upstream performance standards for methane emissions on all fossil gas and oil imports equivalent to the methane emissions intensity referred to in*** ~~*examine the application of this*~~ Article~~, considering in particular:~~ ***13 and a commensurate standard for coal imports.***	application of this Article, considering in particular:	
Article 27(3), first subparagraph, point (a)				
349	(a) reporting of the available methane emissions data collected in the context of the global methane monitoring tool referred to in Article 29;	(a) ~~*reporting of the available methane emissions data collected in the context of the global methane monitoring tool referred to in Article 29;*~~	(a) reporting of the available methane emissions data collected in the context of the global methane monitoring tool referred to in Article 29;	
Article 27(3), first subparagraph, point (b)				
350	(b) methane emission data analysis by the IMEO;	(b) ~~*methane emission data analysis by the IMEO;*~~	(b) methane emission data analysis by the IMEO;	
Article 27(3), first subparagraph, point (c)				
351	(c) information on monitoring, reporting, verification and mitigation measures of operators located outside of the Union and from whom energy is imported into the Union; and	(c) ~~*information on monitoring, reporting, verification and mitigation measures of operators located outside of the Union and from whom energy is imported into the Union; and*~~	(c) information on monitoring, reporting, verification and mitigation measures of operators located outside of the Union and from whom energy is imported into the Union; and	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 27(3), first subparagraph, point (d)				
352	(d) security of supply and the level playing field implications in case of possible additional obligations, including mandatory measures such as methane emission standards or targets, taking into account the oil, gas and coal sectors separately.	(d) ***When proposing amendments to this Regulation as referred to in the first subparagraph, the Commission shall particularly assess the implications for the climate, the*** security of supply ***of the Union*** and the level playing field***. [***-implications in case of possible additional obligations, including mandatory measures such as methane emission standards or targets, taking***[*. The Commission may also take*** into account the oil, gas and coal sectors separately. ***----------*** **** The text within brackets is to be deleted, by mistake this was not done in the final report and the TA.***	(d) security of supply and the level playing field implications in case of possible additional obligations, including mandatory measures such as methane emission standards or targets, taking into account the oil, gas and coal sectors separately.	
Article 27(3), second subparagraph				
353	Where appropriate and based on the necessary evidence to secure full compliance with the applicable international obligations of the Union, the Commission shall propose amendments to this Regulation to strengthen the requirements applicable to importers with	Where appropriate and based on the necessary evidence to secure full compliance with ***both*** the applicable international obligations of the Union, ~~*the Commission shall propose amendments to this Regulation to strengthen the requirements applicable to importers with the view to ensure a*~~	Where appropriate and based on the necessary evidence to secure full compliance with the applicable international obligations of the Union, the Commission ~~shall~~**may** propose amendments to this Regulation to strengthen the requirements	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the view to ensure a comparable level of effectiveness with respect to measurement, reporting and verification and mitigation of energy sector methane emissions.	~~comparable level of effectiveness with respect to measurement, reporting and verification and mitigation of energy sector methane emissions~~***including its long-term temperature goal set out in Article 2(1), point (a) of the Paris Agreement, the Commission shall propose amendments to this Article in accordance with Article 33 to strengthen the requirements applicable to importers*** .	applicable to importers with the view to ensure a comparable level of effectiveness with respect to measurement **or quantification,** ~~,~~reporting and verification and mitigation of energy sector methane emissions.	
Article 28				
354	Article 28 Methane transparency database	Article 28 Methane transparency database	Article 28 Methane transparency database	
Article 28(1)				
355	1. By … [18 months after the date of entry into force of the Regulation] the Commission shall establish and maintain a methane transparency database containing the information submitted to it pursuant to Article 27 and Articles 12(11), 16(3), 18(4), 20(7), 23(2) and 25(5).	1. By … [***18 months after the date of entry into force of the Regulation***~~18 months after the date of entry into force of the Regulation~~] the Commission shall establish and maintain a methane transparency database***, organised by countries, companies, and quantities of gas, coal and oil imported,*** containing the information submitted to it pursuant to Article 27 and Articles 12(11), 16(3), 18(4), 20(7), 23(2) and 25(5).	1. By … [18 months after the date of entry into force of the Regulation] the Commission shall establish and maintain a methane transparency database containing the information submitted to it pursuant to Article 27 and Articles 12(11), ~~16(3), 18(4)~~**16(2), 18(6)**, 20(7), 23(2) and 25(5).	
Article 28(2)				

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
356	2. In addition to the information referred to in paragraph 1, the database shall include the following information:	2. In addition to the information referred to in paragraph 1, the database shall include the following information:	2. In addition to the information referred to in paragraph 1, the database shall include the following information:	
Article 28(2), point (a)				
357	(a) a list of countries where fossil energy is produced and exported to the Union;	(a) a list of countries where fossil energy is produced and exported to the Union;	(a) a list of countries where fossil energy is produced and exported to the Union;	
Article 28(2), point (b)				
358	(b) for each country referred in point (a) information about the following points:	(b) for each country referred in point (a) information about the following points:	(b) for each country referred in point (a) information about the following points:	
Article 28(2), point (b)(i)				
359	(i) whether it has mandatory regulatory measures in place on energy sector methane emissions, covering the elements set out in this Regulation regarding measurement, reporting and verification and mitigation of energy sector methane emissions;	(i) whether it has mandatory regulatory measures in place on energy sector methane emissions, covering the elements set out in this Regulation regarding measurement, reporting and verification and mitigation of energy sector methane emissions ***and whether those measures are sufficient***;	(i) whether it has mandatory regulatory measures in place on energy sector methane emissions, covering the elements set out in this Regulation regarding measurement, reporting and verification and mitigation of energy sector methane emissions;	
Article 28(2), point (b)(ii)				
360				

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(ii) whether it has signed the Paris Agreement on climate change;	(ii) whether it has signed the Paris Agreement on climate change;	(ii) whether it has signed the Paris Agreement on climate change;	
360 a		***(iia) whether it has signed the Global Methane Pledge;***		
Article 28(2), point (b)(iii)				
361	(iii) whether it is delivering national inventories in accordance with the requirements of the United Nations Framework Convention on Climate Change, where applicable;	(iii) whether it is delivering national inventories in accordance with the requirements of the United Nations Framework Convention on Climate Change, where applicable;	(iii) whether it is delivering national inventories in accordance with the requirements of the United Nations Framework Convention on Climate Change, where applicable;	
Article 28(2), point (b)(iv)				
362	(iv) whether the national inventories submitted pursuant to the United Nations Framework Convention on Climate Change include tier 3 reporting of energy methane emissions, where applicable;	(iv) whether the national inventories submitted pursuant to the United Nations Framework Convention on Climate Change include tier 3 reporting of energy methane emissions, where applicable;	(iv) whether the national inventories submitted pursuant to the United Nations Framework Convention on Climate Change include tier 3 reporting of energy methane emissions, where applicable;	
Article 28(2), point (b)(v)				
363	(v) the amount of energy sector methane emissions according to the national	(v) the amount of energy sector methane emissions according to the national	(v) the amount of energy sector methane emissions according to the national	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	inventories submitted pursuant to the United Nations Framework Convention on Climate Change, where applicable, and whether the data was subject to independent verification.	inventories submitted pursuant to the United Nations Framework Convention on Climate Change, where applicable, and whether the data was subject to independent verification.	inventories submitted pursuant to the United Nations Framework Convention on Climate Change, where applicable, and whether the data was subject to independent verification.	
Article 28(2), point (b)(vi)				
364	(vi) the list of companies exporting fossil energy into the Union	(vi) the list of companies exporting fossil energy into the Union	(vi) the list of companies exporting fossil energy into the Union **and whether they are part of any global methane reduction initiative**	
Article 28(2), point (b)(vii)				
365	(vii) a list of importers of fossil energy into the Union	(vii) a list of importers of fossil energy into the Union	(vii) a list of importers of fossil energy into the Union	
Article 28(3)				
366	3. The transparency database shall be available to the public online, free of charge and at least in English.	3. The transparency database shall be available to the public online, free of charge and at least in English.	3. The transparency database shall be available to the public online, free of charge ~~and at least in English.~~	
Article 28(4)				
367	4. This Article shall apply without	4. This Article shall apply without prejudice	4. This Article shall apply without prejudice	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	prejudice to the provisions of Directive (EU) 2016/943.	to the provisions of Directive (EU) 2016/943.	to the provisions of Directive (EU) 2016/943.	
Article 29				
368	Article 29 Methane emitters global monitoring tool	Article 29 Methane emitters global monitoring tool	Article 29 Methane emitters global monitoring tool	
Article 29(1), first subparagraph				
369	1. By … [two years after the date of entry into force of the Regulation], the Commission shall establish a global methane monitoring tool based on satellite data and input from several certified data providers and services, including the Copernicus component of the EU Space Programme.	1. By … [two years after the date of entry into force of the Regulation], the Commission shall establish a global methane monitoring tool based on satellite data and input from several certified data providers and services, including the Copernicus component of the EU Space Programme.	1. By … [two years after the date of entry into force of the Regulation], the Commission shall establish a global methane monitoring tool based on satellite data and input from several certified data providers and services, including the Copernicus component of the EU Space Programme.	
Article 29(1), second subparagraph				
370	The tool shall be made available to the public and provide regular updates at least on the magnitude, recurrence and location of high methane-emitting sources of energy.	The tool shall be made available to the public and provide regular updates at least on the magnitude, recurrence and location of high methane-emitting sources of energy.	The tool shall be made available to the public and provide ~~regular~~**frequent** updates at least on the magnitude, recurrence and location of high methane-emitting sources of energy.	
Article 29(2)				

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
371	2. The tool shall inform the Commission's bilateral dialogues with respect to methane emissions policies and measures. Where the tool identifies a new major emission source, the Commission shall alert the relevant country with a view to promoting awareness and remedial actions.	2. The tool shall inform the Commission's bilateral dialogues with respect to methane emissions policies and measures. Where the tool identifies a new major emission source, the Commission shall alert the relevant country with a view to promoting awareness and***, if needed, shall offer technical support to ensure fast*** remedial actions.	2. The tool shall ~~inform~~**support** the Commission's bilateral dialogues with respect to methane emissions policies and measures. Where the tool identifies a new major emission source, the Commission shall alert the relevant country with a view to promoting awareness and remedial actions.	
Article 29(3)				
372	3. This Article shall be subject to the provisions of Directive (EU) 2016/943.	3. This Article shall be subject to the provisions of Directive (EU) 2016/943.	3. This Article shall be subject to the provisions of Directive (EU) 2016/943.	
Chapter 6				
373	Chapter 6 Final provisions	Chapter 6 Final provisions	Chapter 6 Final provisions	
Article 29a				
373 a			**Article 29a** **Methodologies and equipment standards**	
Article 29a(1)				
373 b			**1. The Commission shall be**	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			empowered to adopt delegated acts in accordance with Article 31 to supplement this Regulation by setting the specifications applicable to: **(a) direct measurement and quantification of methane emissions in oil, gas and coal operations, for the purposes of Articles 8(2), 12(9), 18(2), 20(4) and 25(2);** **(b) leak detection and repair surveys for the purposes of Article 14.**	
Article 29a(2)				
373 c			**2. The Commission shall be empowered to adopt delegated acts inaccordance with Article 31 to supplement this Regulation by incorporating and setting out the applicability of standards for venting and flaring equipment for the purposes of Article 15(3)(a), (c) and (d).**	
Article 30				
374	Article 30 Penalties	Article 30 Penalties	Article 30 Penalties	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 30(1)				
375	1. Member States shall lay down the rules on penalties applicable to infringements of the provisions of this Regulation and shall take all measures necessary to ensure that they are implemented.	1. Member States shall lay down the rules on penalties applicable to infringements of the provisions of this Regulation and shall take all measures necessary to ensure that they are implemented***, including the polluter pays principle***.	1. Member States shall lay down the rules on penalties applicable to infringements of the provisions of this Regulation and shall take all measures necessary to ensure that they are implemented.	
Article 30(2), first subparagraph				
376	2. The penalties provided for must be effective, proportionate and dissuasive and may include:	2. The penalties provided for must be effective, proportionate and dissuasive and ~~*may*~~ ***shall*** include:	2. The penalties provided for must be effective, proportionate and dissuasive and may include:	
Article 30(2), first subparagraph, point (a)				
377	(a) fines proportionate to the environmental damage, calculating the level of such fines in such way as to make sure that they effectively deprive those responsible of the economic benefits derived from their infringements and gradually increasing the level of such fines for repeated serious infringements;	(a) fines proportionate to the environmental damage, ***impact on safety and health,*** calculating the level of such fines in such way as to make sure that they effectively deprive those responsible of the economic benefits derived from their infringements and gradually increasing the level of such fines for repeated serious ***or multiple*** infringements;	(a) fines proportionate to the environmental damage~~, calculating~~ **and impact on human safety and public health.** The level of such fines ~~in~~ **shall be calculated in** such way as to make sure that they **at least** effectively deprive those responsible of the economic benefits derived from their infringements and gradually increasing the level of such fines for repeated serious infringements;	
Article 30(2), first subparagraph, point (b)				
378				

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(b) periodic penalty payments to compel operators to put an end to an infringement, comply with a decision ordering remedial actions or corrective measures, supply information or submit to an inspection, as applicable.	(b) periodic penalty payments to compel operators to put an end to an infringement, comply with a decision ordering remedial actions or corrective measures, supply information or submit to an inspection, as applicable.	(b) periodic penalty payments to compel operators to put an end to an infringement, comply with a decision ordering remedial actions or corrective measures, supply information or submit to an inspection, as applicable.	Text Origin: Commission Proposal
378 a		***In addition to the penalties laid down in points (a) and (b) of this paragraph, Member States shall consider suspension of the authorisation to place oil, gas or coal to the market in case of serious or repeated breaches of this Regulation taking into consideration the security of energy supply.***		
Article 30(2), second subparagraph				
379	Member States shall notify the rules on penalties to the Commission by [3 months from the date of entry into force of the Regulation]. In addition, Member States shall notify any subsequent amendment affecting such rules to the Commission without delay.	Member States shall notify the rules on penalties to the Commission by [3 months from the date of entry into force of the Regulation]. In addition, Member States shall notify any subsequent amendment affecting such rules to the Commission without delay.	Member States shall notify the rules on penalties to the Commission by [~~3~~**12** months from the date of- entry into force of the Regulation]. In addition, Member States shall-notify any subsequent amendment affecting such rules to the Commission without-delay.	
Article 30(3)				
380				

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	3. At least the following infringements shall be subject to penalties:	3. At least the following infringements shall be subject to penalties:	3. At least the following infringements shall be subject to penalties:	Text Origin: Commission Proposal
Article 30(3), point (a)				
381	(a) failure of operators or mine operators to provide the competent authorities or the verifiers with the assistance necessary to enable or facilitate the performance of their tasks in accordance with this Regulation;	(a) failure of operators or mine operators to provide the competent authorities or the verifiers with the assistance necessary to enable or facilitate the performance of their tasks in accordance with this Regulation;	(a) failure of operators or mine operators to provide the competent authorities or the verifiers with the assistance necessary to enable or facilitate the performance of their tasks in accordance with this Regulation;	Text Origin: Commission Proposal
Article 30(3), point (b)				
382	(b) failure of operators or mine operators to carry out the actions set out in the inspections report referred to in Article 6;	(b) failure of operators or mine operators to carry out the actions set out in the inspections report referred to in Article 6;	(b) failure of operators or mine operators to carry out the actions set out in the inspections report referred to in Article 6;	Text Origin: Commission Proposal
382 a		***(ba) the operator or undertaking has not submitted a methane emissions report in accordance with Article 12;***		
Article 30(3), point (c)				

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
383	(c) failure of operators of mine operators to submit the methane emissions reports as required by this Regulation, including the verification statement issued by independent verifiers in accordance with Articles 8 and 9;	(c) failure of operators of mine operators to submit the methane emissions reports as required by this Regulation, including the verification statement issued by independent verifiers in accordance with Articles 8 and 9;	(c) failure of operators ***of*** **or~~of~~** mine operators to submit the methane-emissions reports as required by this Regulation, including the verification-statement issued by independent verifiers in accordance with Articles 8 and 9;	
Article 30(3), point (d)				
384	(d) failure of operators to carry out a leak detection and repair survey in accordance with Article 14;	(d) failure of operators to carry out a leak detection and repair survey in accordance with Article 14;	(d) failure of operators to carry out a leak detection and repair survey in accordance with Article 14;	
Article 30(3), point (e)				
385	(e) failure of operators to repair or replace components, to continuous survey components and to record leaks in accordance with Article 14;	(e) failure of operators to repair or replace components, to continuous survey components and to record leaks in accordance with Article 14;	(e) failure of operators to repair or replace components, to continuous survey components and to record leaks in accordance with Article 14;	
Article 30(3), point (f)				
386	(f) failure of operators to submit a report in accordance with Article 14;	(f) failure of operators to submit a report in accordance with Article 14;	(f) failure of operators to submit a report in accordance with Article 14;	
Article 30(3), point (g)				
387				

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(g) venting or flaring by operators or mine operators beyond the situations provided for in Articles 15, 22 and 26, as applicable;	(g) venting or flaring by operators or mine operators beyond the situations provided for in Articles 15, 22 and 26, as applicable;	(g) venting or flaring by operators or mine operators beyond the situations provided for in Articles 15, 22 and 26, as applicable;	
Article 30(3), point (h)				
388	(h) routine flaring by operators;	(h) routine flaring by operators;	(h) routine flaring by operators;	
Article 30(3), point (i)				
389	(i) failure of operators or mine operators to demonstrate the necessity to opt for venting instead of flaring and to demonstrate the necessity to opt for flaring instead of either re-injection, utilisation on-site or dispatch of the methane to a market, in the case of operators, or utilisation or mitigation, in the case of mine operators, in accordance with Articles 15, 22 and 26;	(i) failure of operators or mine operators to demonstrate the necessity to opt for venting instead of flaring and to demonstrate the necessity to opt for flaring instead of either re-injection, utilisation on-site or dispatch of the methane to a market, in the case of operators, or utilisation or mitigation, in the case of mine operators, in accordance with Articles 15, 22 and 26;	(i) failure of operators or mine operators to demonstrate the necessity to opt for venting instead of flaring and to demonstrate the necessity to opt for flaring instead of either re-injection, utilisation on-site or dispatch of the methane to a market, in the case of operators, or utilisation or mitigation, in the case of mine operators, in accordance with Articles 15, 22 and 26;	
Article 30(3), point (j)				
390	(j) failure of operators or mine operators to notify or report on venting and flaring events in accordance with Articles 16, 23 and 26, as applicable;	(j) failure of operators or mine operators to notify or report on venting and flaring events in accordance with Articles 16, 23 and 26, as applicable;	(j) failure of operators or mine operators to notify or report on venting and flaring events in accordance with Articles 16, 23 and 26, as applicable;	
Article 30(3), point (k)				

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
391	(k) use of flare stacks or combustion devices in breach of the requirements laid down in Article 17;	(k) use of flare stacks or combustion devices in breach of the requirements laid down in Article 17;	(k) use of flare stacks or combustion devices in breach of the requirements laid down in ~~Article 17~~**Articles 17, 22 and 23**;	
Article 30(3), point (l)				
392	(l) failure of importers to provide the information required in accordance with Article 27 and Annex VIII.	(l) failure of importers to provide the information required in accordance with Article 27 and Annex VIII.	(l) failure of importers to provide the information required in accordance with Article 27 and Annex VIII.	
Article 30(3), point (a)				
392 a			**(3a) Where the conditions set out in Article 15(7) are fulfilled, Member States shall consider reducing or not imposing penalties on operators for the implementation period deemed necessary by the national authorities.**	
392 b		***(la) failure of importers, insofar as they are required pursuant to Article 27, to provide the information required in accordance with an independent assessment of compliance conducted by a verification body.***		

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
392c		*(lb) failure of importers, insofar as they are required pursuant to Article 27, to demonstrate that exporters of coal, oil and gas have complied with the requirements on monitoring, reporting and verification, on leak detection and repair, and on routine venting and flaring, in accordance with Article 27;*		
392d		*3a. Where the conditions set out in Article 15(5d) are fulfilled, Member States shall consider reducing or not imposing penalties on operators for the implementation period deemed necessary by the competent authorities.*		
392e		*3b. Paragraph 3, points (l), (la), (lb) shall not apply to importers where importers fail to provide the information set out in Annex VIII, and can demonstrate to the competent authorities of the importing Member States that all reasonable endeavours have been undertaken to acquire such information.*		

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 30(4)				
393	4. Member States shall take into account at least the following indicative criteria for the imposition of penalties, as appropriate:	4. Member States shall take into account at least the following indicative criteria for the imposition of penalties, as appropriate:	4. Member States shall take into account at least the following indicative criteria for the imposition of penalties, as appropriate:	
Article 30(4), point (a)				
394	(a) the duration or temporal effects, the nature and the gravity of the infringement;	(a) the duration or temporal effects, the nature and the gravity of the infringement;	(a) the duration or temporal effects, the nature and the gravity of the infringement;	
Article 30(4), point (b)				
395	(b) any action taken by the undertaking, operator or mine operator to timely mitigate or remedy the damage;	(b) any action taken by the undertaking, operator or mine operator to timely mitigate or remedy the damage;	(b) any action taken by the undertaking, operator or mine operator to timely mitigate or remedy the damage;	
Article 30(4), point (c)				
396	(c) the intentional or negligent character of the infringement;	(c) the intentional or negligent character of the infringement;	(c) the intentional or negligent character of the infringement;	
Article 30(4), point (d)				
397	(d) any previous infringements by the undertaking, operator or mine operator;	(d) any previous infringements by the undertaking, operator or mine operator;	(d) any previous infringements by the undertaking, operator or mine operator;	
Article 30(4), point (e)				

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
398	(e) the financial benefits gained or losses avoided directly or indirectly by the undertaking, operator or mine operator due to the infringement, if the relevant data are available;	(e) the financial benefits gained or losses avoided directly or indirectly by the undertaking, operator or mine operator due to the infringement, if the relevant data are available;	(e) the financial benefits gained or losses avoided directly or indirectly by the undertaking, operator or mine operator due to the infringement, if the relevant data are available;	
Article 30(4), point (f)				
399	(f) the size of the undertaking, operator or mine operator;	(f) the size of the undertaking, operator or mine operator;	(f) the size of the undertaking, operator or mine operator;	
Article 30(4), point (g)				
400	(g) the degree of cooperation with the authority;	(g) the degree of cooperation with the authority;	(g) the degree of cooperation with ***the*** **authorityies**~~the authority~~;	
Article 30(4), point (h)				
401	(h) the manner in which the infringement became known to the authority, in particular whether, and if so to what extent, the operator timely notified the infringement;	(h) the manner in which the infringement became known to the authority, in particular whether, and if so to what extent, the operator timely notified the infringement;	(h) the manner in which the infringement became known to the ~~authority~~**authority*ies***, in particular whether, and if so to what extent, the operator **or mine operator** timely notified the infringement;	
Article 30(4), point (ha)				
401 a			**(i) third party actions aggravating any**	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			breaches of this Regulation;	
Article 30(4), point (i)				
402	(i) any other aggravating or mitigating factor applicable to the circumstances of the case.	(i) any other aggravating or mitigating factor applicable to the circumstances of the case.	~~(i)~~(j) any other aggravating or mitigating factor applicable to the circumstances of the case.	
Article 30(5)				
403	5. Member States shall publish annually information on the type and the size of the penalties imposed under this Regulation, the infringements and the operators upon which penalties have been imposed.	5. Member States shall publish annually information on the type and the size of the penalties imposed under this Regulation ***and in line with the penalties as set out in the [amended Protection of the environment through criminal law]***, the infringements and the operators upon which penalties have been imposed.	5. Member States shall publish annually information on the type and the size of the penalties imposed under this Regulation, the infringements and the operators **or mine operators** upon which penalties have been imposed.	
Article 31				
404	Article 31 Exercise of the delegation	Article 31 Exercise of the delegation	Article 31 Exercise of the delegation	
Article 31(1)				
405	1. The power to adopt delegated acts is conferred on the Commission subject to the	1. The power to adopt delegated acts is conferred on the Commission subject to the	1. The power to adopt delegated acts is conferred on the Commission subject to the	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	conditions laid down in this Article.	conditions laid down in this Article.	conditions laid down in this Article.	
Article 31(2)				
406	2. The power to adopt delegated acts referred to in Articles 8(5), 22(3) and 27(1) shall be conferred on the Commission for an indeterminate period of time from … [date of entry into force of the Regulation].	2. The power to adopt delegated acts referred to in Articles 8(5), ~~22(3) and 27(1)~~ ***[...]*** shall be conferred on the Commission for ~~an indeterminate~~ ***a*** period of ***five years from the date of entry into force of the Regulation*** ~~time from … [date of entry into force of the Regulation]~~.	2. The power to adopt delegated acts referred to in-Articles 8(5), 22(3)**, 27(1)and 29a(1)** ~~and 27(1)~~ shall be conferred on the Commission for an indeterminate period of time from … [date of entry into-force of the Regulation].	
Article 31(3)				
407	3. The delegation of power referred to in Articles 8(5), 22(3) and 27(1) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	3. The delegation of power referred to in Articles 8(5), 22(3) and 27(1) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	3. The delegation of power referred to in Articles 8(5), 22(3) and 27(1) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	
Article 31(4)				
408	4. Before adopting a delegated act, the	4. Before adopting a delegated act, the	4. Before adopting a delegated act, the	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016.	Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016.	Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016.	
Article 31(5)				
409	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	
Article 31(6)				
410	6. A delegated act adopted pursuant to Articles 8(5), 22(3) and 27(1) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.	6. A delegated act adopted pursuant to Articles 8(5), ~~22(3) and 27(1)~~ **[...]** shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.	6. A delegated act adopted pursuant to Articles 8(5), 22(3) and 27(1) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 32				
411	Article 32 Committee procedure	Article 32 Committee procedure	Article 32 Committee procedure	
Article 32(1)				
412	1. The Commission shall be assisted by the Energy Union Committee established by Article 44 of Regulation (EU) 2018/1999.	1. The Commission shall be assisted by the ***Climate Change Committee and the*** Energy Union Committee established by Article 44 of Regulation (EU) 2018/1999.	1. The Commission shall be assisted by the Energy Union Committee established by Article 44 of Regulation (EU) 2018/1999.	
Article 32(2)				
413	2. Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.	2. Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.	2. Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.	
Article 33				
414	Article 33 Review	Article 33 Review	Article 33 Review	
Article 33(1)				
415	1. Every five years the Commission shall submit a report on the evaluation of this Regulation to the European Parliament and	1. ~~*Every five years the Commission shall submit a report on the evaluation of this Regulation*~~ ***By 1 January 2027 and every***	1. **By 2030 and** every five years **thereafter,** the Commission shall submit a report on the evaluation of this Regulation to the European	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	to the Council and shall, if appropriate, submit legislative proposals to amend this Regulation. The reports shall be made public.	***four years thereafter, the Commission shall report*** to the European Parliament and to the Council ***on the evaluation of this Regulation. The Commission reports may be accompanied by legislative proposals where appropriate*** ~~and shall, if appropriate, submit legislative proposals to amend this Regulation~~. The reports shall be made public.	Parliament and to the Council and shall, if appropriate, submit legislative proposals to amend this Regulation. The reports shall be made public.	
Article 33(1a)				
415 a			**1a. The Commission shall assess the potential impact of the extension of the obligations concerning the measurement, quantification, monitoring, reporting and verification of methane emission as well as their abatement to importers of fossil fuels into the Union, identifying potential barriers and proposing possible solutions with a view to reducing methane emissions, while not impacting energy prices and security of supply. Based on that impact assessment the Commission shall, by [… *12 months after the date of entry into force of this Regulation*], present a report to the European Parliament and the Council which shall be accompanied, if appropriate, by a legislative proposal to amend this Regulation.**	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 33(2)				
416	2. For the purpose of this Article, the Commission may request information from Member States and competent authorities and shall take into account notably the information provided by Member States in their integrated National Energy and Climate Plans, updates thereof and in their National Energy and Climate progress reports pursuant to Regulation (EU) 2018/1999.	2. For the purpose of this Article, the Commission may request information from Member States and competent authorities and shall take into account notably the information provided by Member States in their integrated National Energy and Climate Plans, updates thereof and in their National Energy and Climate progress reports pursuant to Regulation (EU) 2018/1999.	2. For the purpose of this Article, the Commission may request information from Member States and competent authorities and shall take into account notably the information provided by Member States in their integrated National Energy and Climate Plans, updates thereof and in their National Energy and Climate progress reports pursuant to Regulation (EU) 2018/1999.	
Article 34				
417	Article 34 Amendments to Regulation (EU) 2019/942	Article 34 Amendments to Regulation (EU) 2019/942	Article 34 Amendments to Regulation (EU) 2019/942	
Article 34, first paragraph				
418	In Article 15 of Regulation (EU) 2019/942 of the European Parliament and of the Council the following paragraph 5 is added:	In Article 15 of Regulation (EU) 2019/942 of the European Parliament and of the Council the following paragraph 5 is added:	In Article 15 of Regulation (EU) 2019/942 of the European Parliament and of the Council the following paragraph 5 is added:	
Article 34, first paragraph, amending provision, numbered paragraph (5)				
419	" 5. Every three years ACER shall establish and make publicly available a set of	" 5. Every three years ACER shall establish and make publicly available a set of	" 5. Every three years ACER**, after receiving input from Member States** shall establish	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	indicators and corresponding reference values for the comparison of unit investment costs linked to measurement, reporting and abatement of methane emissions for comparable projects. It shall issue recommendations on indicators and reference values for unit investment costs for complying with the obligations under [this Regulation] pursuant to Article 3 of [this Regulation]. ”	indicators and corresponding reference values for the comparison of unit investment costs linked to measurement, ***monitoring,*** reporting***, verification*** and abatement***, including venting and flaring*** of methane emissions for comparable projects. It shall issue recommendations on indicators and reference values for unit investment costs for complying with the obligations under [***this Regulation***~~this Regulation~~] pursuant to Article 3 of [***this Regulation***~~this Regulation~~]. ”	and make-publicly available a set of indicators and corresponding reference values for the comparison of unit investment costs linked to measurement **or quantification**, reporting**, venting and flaring,** and abatement of-methane emissions for comparable projects. It shall issue recommendations on-indicators and reference values for unit investment costs for complying with-the obligations under [this Regulation]-pursuant to Article 3 of [this Regulation].	
Article 35				
420	Article 35 Entry into force	Article 35 Entry into force	Article 35 Entry into force	
Article 35, first paragraph				
421	This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	
Article 35, second paragraph				
422	This Regulation shall be binding in its entirety and directly applicable in all	This Regulation shall be binding in its entirety and directly applicable in all Member	This Regulation shall be binding in its entirety and directly applicable in all	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Member States.	States.	Member States.	
Formula				
423	Done at Brussels,	Done at Brussels,	Done at Brussels,	
Formula				
424	For the European Parliament	For the European Parliament	For the European Parliament	
Formula				
425	The President	The President	The President	
Formula				
426	For the Council	For the Council	For the Council	
Formula				
427	The President	The President	The President	
Annex I				
428	Annex I	Annex I	Annex I	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			ANNEX I ~~*Leak detection r*~~ ~~*Repair and monitoring schedules*~~ **Leak detection and repair surveys** **Part 1** **For all** ~~*underground*~~ **aboveground components, excluding distribution networks, referred to in Article 14(2)(a), leak detection and repair surveys as set out in Article 14** ~~*must*~~ **shall be carried-out as per the following minimum frequencies:**	

Type of LDAR survey	Type of component	Frequency
~~*Remote*~~ Type 1	Compressor station	6 months

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate			Draft Agreement
			LDAR survey	**Underground storage** **LNG-Terminal** **Regulating and metering station**		
				Valve station	**12 months**	
				Transmission pipeline	**24 months**	
			~~*Contact*~~ **Type 2 LDAR survey**	**Compressor station** **Underground storage** **LNG-Terminal** **Regulating and metering station**	**12 months**	
				Valve station	**24 months**	
				Transmission pipeline	**36 months**	
			For all underground components, excluding distribution networks, referred to in Article 14(2)(a), leak			

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			detection and repair surveys as set out in Article 14 shall be carried-out as per the following minimum frequencies:	

Type of LDAR survey	Type of material	Frequen survey
Type 1 LDAR survey	**Bitumen sheet** **Grey cast iron**	**~~4~~ 3 mont**
	~~Grey cast iron~~ **Asbestos** **Ductile cast iron**	**6 months**
	Non-protected steel ***~~Polyethylene~~*** ***~~PVC~~*** ***~~protected steel (< = 16 bar)~~*** **Copper**	**12 montl**
	Polyethylene **PVC**	**24 montl**

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate			Draft Agreement
				Protected steel		
			Type 2 LDAR survey	**Bitumen sheet** **Grey cast iron**	**~~8~~ 6 mont**	
				~~Grey cast iron~~ **Asbestos** **Ductile cast iron**	**12 montl**	
				Non-protected steel **Polyethylene** **PVC** ***~~protected steel (< = 16 bar)~~*** **Copper**	**24 montl**	
				Protected steel	**36 montl**	
			For all ~~*underground*~~ components of distribution networks referred to in Article 14(2)(a), leak detection and repair surveys as set out in Article 14			

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate			Draft Agreement
			shall be carried-out as per the following minimum frequencies:			
			Type of LDAR survey	**Type of material or component**	**Frequ of sur**	
			~~*Remote*~~ **Type 1 LDAR survey**	**Grey cast iron** **Bitumen sheet**	**3 mor**	
				~~*Grey cast iron*~~ **Asbestos** **Ductile cast iron** **Regulating and metering station**	**6 mor**	
				Non-protected steel	**12 mo**	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate			Draft Agreement
				~~*Polyethylene*~~ ~~*PVC*~~ ~~*protected steel (< = 16 bar)*~~ **Copper**		
				Polyethylene **PVC** **protected steel (< = 16 bar)**	**24 mo**	
			~~Contact~~**Type 2 LDAR survey**	**Grey cast iron** **Bitumen sheet**	**6 mor**	
				~~*Grey cast iron*~~ **Asbestos** **Ductile cast iron**	**12 mo**	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate			Draft Agreement
				Regulating and metering station		
				Non-protected steel ~~*Polyethylene*~~ ~~*PVC*~~ ~~*protected steel (< = 16 bar)*~~ **<u>Copper</u>**	**24 mo**	
				Polyethylene **PVC** **protected steel (< = 16 bar)**	**36 mo**	
			For underground and below the sea level protected steel pipelines with pressure above 16 bar, operators shall			

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			also perform preventive pipeline integrity management to prevent any leakage in accordance with relevant European standards or national pipeline integrity management legislation. Taking into account results of that preventive pipeline integrity management, the competent authority may approve different frequency of up to 36 months for Type 1 LDAR survey and 48 months for Type 2 LDAR survey. **For all offshore components ~~below the sea level~~ referred to in Article 14(2)(a), leak detection and repair surveys as set out in Article 14 shall be carried-out as per the following minimum frequency:** **Type of LDAR survey** | **Fre of s**	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement

Type 1 LDAR survey	**Offshore components above the sea level**	**12 m**
	Offshore components below the sea level	**24 m**
	Offshore components below the seabed	**36 m**
Type 2 LDAR survey	**Offshore components above the sea level**	**24 m**

Part ~~1~~2

~~*Approval of continuous monitoring*~~

Information requirements on devices used in leak detection and repair ~~programmes~~surveys

As part of the leak detection and repair programme referred to in paragraph 1 of Article 14~~*For the purposes of the approval by the competent authorities of the use of continuous monitoring systems*~~

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			~~*according to Article 14 of this Regulation*~~**, operators must provide the following information:** **(i)** ~~*the continuous monitoring*~~ **device manufacturer information;** **(ii) the leak detection capabilities, reliability, and limitations of the** ~~*continuous monitoring system*~~ **devices, including, but not limited to, the ability to identify specific leaks or locations, detection limits, and any restrictions on use, as well as supporting data;** **(iii) a description of where, when, and how the** ~~*continuous monitoring system*~~ **devices will be used;**	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			~~(iv) documentation adequate to demonstrate the continuous monitoring system is as effective at reducing emissions as the quarterly surveys set out in Article 14.~~	
Annex Ia				
428 a			**Annex Ia**	
Annex I, first paragraph				
429	Leak detection repair and monitoring schedules	**Part 1:** *Leak detection* **and** *repair* **surveys** ***Notwithstanding the leak detection and repair surveys as set out in Article 14.2 (c), for all underground components listed in this Annex, leak detection and repair surveys must be carried-out as per the following minimum frequencies:*** ***Asset*** / ***Material*** / ***Frequency*** ***[...]*** / ***[...]*** / ***[...]*** / /	~~Leak detection~~ Repair and monitoring schedules	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex I, second paragraph				
430	Repair schedule	Repair schedule	Repair ~~schedule~~	
Annex I, third paragraph				
431	The repair schedule referred to in Article 14 must include at least the following elements:	The repair schedule referred to in Article 14 must include at least the following elements:	The repair schedule referred to in Article 14 must include at least the following elements:	
Annex I, fourth paragraph				
432	(i) Inventory and identification of all components that have been checked	(i) Inventory and identification of all components that have been checked	(i) Inventory and identification of all components that have been checked	
Annex I, fifth paragraph				
433				

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(ii) Result of inspection in terms of whether methane loss has been detected and, if so, size of loss	(ii) Result of inspection in terms of whether methane loss has been detected and, if so, size of loss	(ii) Result of inspection in terms of whether methane loss has been detected and, if so, size of loss	
Annex I, sixth paragraph				
434	(iii) For components found to be emitting 500 parts per million or more of methane, indication of whether repair was undertaken during the LDAR survey and if not why, taking into account the requirements as regards what elements can be taken into account for a delayed repair, as per Article 14, paragraph 4.	(iii) For components found to be emitting ~~*500 parts per million or more of methane*~~, indication of whether repair was undertaken during the LDAR survey and if not why, taking into account the requirements as regards what elements can be taken into account for a delayed repair, as per Article 14, paragraph 4.	(iii) For components found to be emitting ~~500 parts per million or more of methane~~**at or above the thresholds set out in Article 14(4)**, indication of whether repair was undertaken during the LDAR survey and if not why, taking into account the requirements as regards what elements can be taken into account for a delayed repair, as per Article 14, paragraph 4.	
Annex I, seventh paragraph				
435	(iv) For components found to be emitting 500 parts per million or more of methane, planned repair schedule indicating planned date of repair,	(iv) For components found to be emitting ~~*500 parts per million or more of methane*~~, planned repair schedule indicating planned date of repair,	(iv) For components found to be emitting ~~500 parts per million or more of methane~~**at or above the thresholds set out in Article 14(4)**, planned repair schedule indicating planned date of repair,	
Annex I, eighth paragraph				
436	(v) For components found to be emitting less than 500 parts per million in previous	(v) ~~*For components found to be emitting less than 500 parts per million in previous LDAR*~~	(v) For components found to be emitting ~~less than 500 parts per million~~**below the**	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	LDAR survey, but found to be emitting 500 parts per million or more of methane during post LDAR monitoring to check whether the size of loss of methane has evolved, indication whether repair was undertaken immediately and if not, why not (as per iii), and planned repair schedule indicating planned date of repair.	~~*survey, but found to be emitting 500 parts per million or more of methane during post LDAR monitoring to check whether the size of loss of methane has evolved, indication whether repair was undertaken immediately and if not, why not (as per iii), and planned repair schedule indicating planned date of repair.*~~	**thresholds set out in Article 14(4)** in previous LDAR survey, but found to be emitting ~~500 parts per million or more of methane~~**at or above such thresholds** during post LDAR monitoring to check whether the size of loss of methane has evolved, indication whether repair was undertaken immediately and if not, why not (as per iii), and planned repair schedule indicating planned date of repair.	
Annex I, ninth paragraph				
437	This is to be followed by a post repair schedule to indicate when repairs were effectively carried out.	This is to be followed by a post repair schedule to indicate when repairs were effectively carried out.	This is to be followed by a ~~post repair~~ **monitoring** schedule to indicate when repairs were effectively carried out.	
Annex I, tenth paragraph				
438	Monitoring schedule	Monitoring schedule	Monitoring ~~schedule~~	
Annex I, eleventh paragraph				
439	The monitoring schedule referred to in Article 14 must include at least the following elements:	The monitoring schedule referred to in Article 14 must include at least the following elements:	The monitoring ~~schedule~~ **report** referred to in Article 14 must include at least the following elements:	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex I, twelfth paragraph				
440	(i) Inventory and identification of all components that have been checked	(i) Inventory and identification of all components that have been checked	(i) Inventory and identification of all components that have been checked	
Annex I, thirteenth paragraph				
441	(ii) Result of inspection in terms of whether methane loss has been detected and, if so, size of loss	(ii) Result of inspection in terms of whether methane loss has been detected and, if so, size of loss	(ii) Result of inspection in terms of whether methane loss has been detected and, if so, size of loss	
Annex I, fourteenth paragraph				
442	(iii) For components found to be emitting 500 parts per million or more of methane, results of monitoring after repair to check if repair was successful	(iii) For components found to be emitting ~~*500 parts per million or more of methane*~~, results of monitoring after repair to check if repair was successful	(iii) For components found to be emitting ~~500 parts per million or more of methane~~**at or above the thresholds set out in Article 14(4) in previous LDAR survey, information about the repair undertaken and**~~,~~ results of monitoring after repair to check if repair was successful	
Annex I, fifteenth paragraph				
443	(iv) For components found to be emitting less than 500 parts per million of methane, results of post LDAR monitoring to check whether the size of loss of methane has evolved and recommendation on the basis	(iv) ~~*For components found to be emitting less than 500 parts per million of methane, results of post LDAR monitoring to check whether the size of loss of methane has evolved and recommendation on the basis of*~~	(iv) For components found to be emitting ~~less than 500 parts per million of methane~~**below the thresholds set out in Article 14(4) in the previous LDAR survey,**~~,~~	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	of finding.	~~finding.~~	results of post LDAR monitoring to check whether the size of loss of methane has evolved and recommendation on the basis of finding.	
Annex II				
444	Annex II	Annex II	Annex II	
Annex II, first paragraph				
445	Reporting of venting and flaring events	Reporting of venting and flaring events	Reporting of venting and flaring events	
Annex II, second paragraph				
446	Pursuant to Article 16, operators must report to the competent authorities at least the following information regarding methane flared or vented:	Pursuant to Article 16, operators must report to the competent authorities at least the following information regarding methane flared or vented:	Pursuant to Article 16, operators must report to the competent authorities at least the following information regarding methane flared or vented:	
Annex II, third paragraph				
447	(i) name of the operator;	(i) name of the operator;	(i) name of the operator;	
Annex II, fourth paragraph				
448	(ii) name and type of asset;	(ii) ***location,*** name and type of asset;	(ii) **location,** name and type of asset;	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex II, fifth paragraph				
449	(iii) equipment involved;	(iii) equipment involved;	(iii) equipment involved;	
Annex II, sixth paragraph				
450	(iv) date(s) and time(s) that venting or flaring was discovered or commenced and terminated;	(iv) date(s) and time(s) that venting or flaring was discovered or commenced and terminated;	(iv) date(s) and time(s) that venting or flaring was discovered or commenced and terminated;	
Annex II, seventh paragraph				
451	(v) measured or estimated volume of vented or flared natural gas;	(v) measured ~~*or estimated*~~ volume of vented or flared ~~*natural gas*~~ ***methane***;	(v) measured ~~or estimated~~ volume of vented or flared **methane. Where a measured volume is not available, a motivated estimation must be provided** ~~natural gas~~;	
Annex II, seventh paragraph a				
451 a			**(v1) flaring efficiency**	
451 b		***(va) flaring efficiency and the type of flare***		

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		used;		
Annex II, eighth paragraph				
452	(vi) cause and nature of venting or flaring;	(vi) cause and nature of venting or flaring;	(vi) cause and nature of venting or flaring;	
Annex II, ninth paragraph				
453	(vii) steps taken to limit the duration and magnitude of venting or flaring;	(vii) steps taken to limit the duration and magnitude of venting or flaring;	(vii) steps taken to limit the duration and magnitude of venting or flaring;	
Annex II, tenth paragraph				
454	(viii) corrective actions taken to eliminate the cause and recurrence of venting or flaring;	(viii) corrective actions taken to eliminate the cause and recurrence of venting or flaring;	(viii) corrective actions taken to eliminate the cause and recurrence of venting or flaring;	
Annex II, eleventh paragraph				
455	(ix) results of weekly inspections of flare stacks carries out in accordance with Article 17	(ix) results of weekly inspections ***and of continuous monitoring*** of flare stacks carries out in accordance with Article 17	(ix) results of ~~weekly~~**monthly** inspections of flare stacks ~~carries~~ **and of the continuous monitoring of flare stacks, as applicable, carried** out in accordance with Article 17**, where an issue has been identified.**	
Annex III				

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
456	Annex III	Annex III	Annex III	
Annex III, first paragraph				
457	Flare stack inspections	Flare stack inspections	Flare stack inspections	
Annex III, second paragraph				
458	Weekly flare stack inspections must include a comprehensive Audio, Visual and Olfactory (AVO) inspection (including external visual inspection of flare stacks, listening for pressure and liquid leaks and smelling for unusual and strong odours).	Weekly flare stack inspections must include a comprehensive Audio, Visual and Olfactory (AVO) inspection (including external visual inspection of flare stacks, listening for pressure and liquid leaks and smelling for unusual and strong odours).	~~Weekly~~**Monthly** flare stack inspections must include a comprehensive Audio, Visual and Olfactory (AVO) inspection (including external visual inspection of flare stacks, listening for pressure and liquid leaks and smelling for unusual and strong odours).	
Annex III, third paragraph				
459	During the inspection the operator must inspect all components, including flare stacks, thief hatches, closed vent systems, pumps, compressors, pressure relief devices, valves, lines, flanges, connectors, and associated piping to identify defects, leaks and releases.	During the inspection the operator must inspect all components, including flare stacks, thief hatches, closed vent systems, pumps, compressors, pressure relief devices, valves, lines, flanges, connectors, and associated piping to identify defects, leaks and releases.	During the inspection the operator must inspect all components, including flare stacks, thief hatches, closed vent systems, pumps, compressors, pressure relief devices, valves, lines, flanges, connectors, and associated piping to identify defects, leaks and releases.	
Annex III, fourth paragraph				

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
460	The following observations must be included in the report:	The following observations must be included in the report:	The following observations must be included in the report:	
Annex III, fifth paragraph				
461	(i) In the case of lit flares: whether combustion is considered adequate or inadequate. Inadequate combustion being defined as a flare with visible emissions that exceed a total of five minutes during any two consecutive hours.	(i) In the case of lit flares: whether combustion is considered adequate or inadequate. Inadequate combustion being defined as a flare with visible emissions that exceed a total of five minutes during any two consecutive hours.	(i) In the case of lit flares: whether combustion is considered adequate or inadequate. Inadequate combustion being defined as a **flare with visible emissions that exceed a total of five minutes during any two consecutive hours. Where flares are equipped with continuous monitoring, inadequate combustion being defined as a** flare with visible emissions that exceed a total of five minutes during any two consecutive hours **recorded on a live basis**.	
Annex III, sixth paragraph				
462	(ii) In the case of unlit flares: whether the unlit flare has a gas vent or not. If it does have a gas vent, an intervention to remedy it should take place within 6 hours or within 24 hours in the case of bad weather or other extreme conditions.	(ii) In the case of unlit flares: whether the unlit flare has a gas vent or not. If it does have a gas vent, an intervention to remedy it should take place within 6 hours or within 24 hours in the case of bad weather or other extreme conditions.	(ii) In the case of unlit flares: whether the unlit flare has a gas vent or not. If it does have a gas vent, an intervention to remedy it should take place within 6 hours or within 24 **hours in the case of bad weather or other extreme conditions. Where flares are equipped with**	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			continuous monitoring, the emissions are calculated based on the flow rate and methane slip in case there is a gas vent. An intervention to remedy it must take place within 6 hours or within 24 hours in the case of bad weather or other extreme conditions.	
Annex IV				
463	Annex IV	Annex IV	Annex IV	
Annex IV, first paragraph				
464	Inventories of inactive wells	Inventories of inactive wells	Inventories **and mitigation plans for** ~~of~~ inactive wells**, temporarily plugged wells and permanently plugged and abandoned wells**	
Annex IV, first paragraph a				
464 a			**Part 1**	
Annex IV, second paragraph				
465	Pursuant to Article 18, inventories of	Pursuant to Article 18, inventories of inactive	Pursuant to	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	inactive wells must include at least the following information:	wells ***and permanently plugged and abandoned wells*** must include at least the following information:	Article 18, inventories of inactive wells**, temporarily plugged wells and permanently plugged and abandoned wells must** ~~must~~ include at least the following information:	
Annex IV, third paragraph				
466	(i) name and address of the operator, owner or licensee, where applicable;	(i) name and address of the operator, owner or licensee, where applicable;	(i) name and address of the operator, owner or licensee, where applicable;	
Annex IV, fourth paragraph				
467	(ii) name, type and address of well or well site;	(ii) name, type and address of well or well site***, specifying whether it is an inactive well or a permanently plugged and abandoned well***;	(ii) name, type and address of well or well site**, specifying whether it is an inactive well, temporarily plugged well or permanently plugged and abandoned well, as defined in this Regulation**;	
Annex IV, fifth paragraph				
468	(iii) map showing borders of the well or well site;	(iii) map showing borders of the well or well site;	(iii) **where relevant,** map showing borders of the well or well site;	
Annex IV, sixth paragraph				

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
469	(iv) results of any methane concentration measurements.	(iv) results of ***methane emissions measurements to air and to water*** ~~*any methane concentration measurements*~~.	(iv) results of ~~any~~**measurements or quantification of** methane ~~concentration measurements~~**emissions to air and to water carried out prior to the inventory, if any**.	
Annex IV, sixth paragraph a				
469 a			**Pursuant to Article 18, inventories of inactive wells, temporarily plugged wells and permanently plugged and abandoned wells may include the following information:** **(i) Dates for initial drilling and last operation;** **(ii) Orientation (vertical, horizontal, slant);** **(iii) Overall depth of well;** **(iv) Whether any notable events have occurred during the drilling process, such as "kicks";**	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(v) Whether the well has contacted gas containing significant amounts of sulphur compounds (sour gas), or trace amounts (sweet gas); **(vi) Seismic data available for the well in the upper 1000m of its trajectory with a 1000m radius;** **(vii) The most recent well integrity assessment report;** **(viii) Whether the well is an exploration or production well;** **(ix) Whether the well has contacted any shallow gas pockets, shallow gas zones or loss circulation zones;** **(x) Whether the well is located onshore (indicate urban, rural, other) or offshore (indicate water depth);**	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(xi) In the case of offshore wells, information regarding any conditions at the sea bed which could assist methane migration up through the water column; **(xii) Information on the well's lifecycle status, (active, inactive, downhole plugged, surface decommissioned, etc);** **(xii) Whether the well cap associated with a decommissioned well is vented or not.**	
469 b		***Pursuant to Article 18, with respect to permanently plugged and abandoned wells, inventories shall also include:*** ***(i) the last known measurements of methane emissions to air and water, if any;*** ***(ii) information showing that the relevant competent authority has attested that the well or well site in question fulfils the criteria set out in Article 2(24a);*** ***(iii) adequate documentation to***		

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		demonstrate that there have been no methane emissions from that well or well site for at least the last five years.		
Annex IV, seventh paragraph				
469 c			**Pursuant to Article 18, with respect to permanently plugged and abandoned wells, inventories must also include:** **(i) the last known measurements or quantification of methane emissions to air and to water, if any;** **(ii) information showing that the relevant competent authority has attested that the well or well site in question fulfils the criteria set out in Article 2(24a5);** **(iii) documentation adequate to demonstrate that there are no methane emissions from that well or well site for**	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			all wells permanently plugged and abandoned after the adoption of this Regulation, or where such documentation already exists prior to adoption.	
469 d		***Pursuant to Article 18, mitigation plans must include at least the following information:*** ***(i) the schedule of addressing each inactive well, including the actions to be performed;*** ***(ii) name and address of the operator, owner or licensee of the inactive well, where applicable;*** ***(iii) projected end date of all remediation, reclamation or plugging of inactive wells.***		
Annex IV, eighth paragraph				
469 e			**Part 2** **Pursuant to Article 18, mitigation plans must include** **at least the following information:** **(i)** **the schedule of addressing each inactive well and temporarily plugged well, including the actions to be**	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			performed; **(ii)** **name and address of the operator, owner or licensee of the inactive well or temporarily plugged well, where applicable;** **(iii)** **projected end date of all remediation, reclamation or plugging of inactive wells and temporarily plugged wells.**	
Annex V				
470	Annex V	Annex V	Annex V	
Annex V, first paragraph				
471	Reporting for operating coal mines	Reporting for operating coal mines	Reporting for operating coal mines	
Annex V, Part I				
472	Part I Part 1	Part I Part 1	Part I ~~Part 1~~	
Annex V, second paragraph				
473	Pursuant to Articles 19 and 20, the reports	Pursuant to Articles 19 and 20, the reports for	Pursuant to Articles 19 and 20, the reports	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	for operating underground mines must include at least the following information:	operating underground mines must include at least the following information:	for operating underground mines must include at least the following information:	
Annex V, third paragraph				
474	(i) name and address of the mine operator;	(i) name and address of the mine operator;	(i) name and address of the mine operator;	
Annex V, fourth paragraph				
475	(ii) mine address;	(ii) mine address;	(ii) mine address;	
Annex V, fifth paragraph				
476	(iii) tonnage of each coal type produced by the mine;	(iii) tonnage of each coal type produced by the mine;	(iii) tonnage of each coal type produced by the mine;	
Annex V, sixth paragraph				
477	(iv) for all ventilation shafts utilised by the mine	(iv) for all ventilation shafts utilised by the mine	(iv) for all ventilation shafts utilised by the mine	
Annex V, seventh paragraph				
478	1) name (if any);	1) name (if any);	1) name (if any);	
Annex V, eighth paragraph				

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
479	2) period of use, if different from the reporting period;	2) period of use, if different from the reporting period;	2) period of use, if different from the reporting period;	
Annex V, ninth paragraph				
480	3) coordinates;	3) coordinates;	3) coordinates;	
Annex V, tenth paragraph				
481	4) purpose (intake, exhaust);	4) purpose (intake, exhaust);	4) purpose (intake, exhaust);	
Annex V, eleventh paragraph				
482	5) technical specification of the measurement apparatus used for measurement and quantification of methane emissions and optimum operating conditions specified by the producer;	5) technical specification of the measurement apparatus used for measurement and quantification of methane emissions and optimum operating conditions specified by the producer;	5) technical specification of the measurement ~~apparatus used~~ **equipment used** for measurement and quantification of methane emissions and optimum operating conditions specified by the producer;	
Annex V, twelfth paragraph				
483	6) proportion of time when continuous measurement apparatus was operating;	6) proportion of time when continuous measurement apparatus was operating;	6) proportion of time when continuous measurement ~~apparatus was~~ **equipment was** operating;	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex V, thirteenth paragraph				
484	7) choice of European or international standard for:	7) choice of European or international standard for:	7) ~~choice of European or international standards~~**pecifications** for:	
Annex V, fourteenth paragraph				
485	- methane measurement apparatus sampling position;	- methane measurement apparatus sampling position;	- methane measurement ~~apparatus~~**equipment** sampling position;	
Annex V, fifteenth paragraph				
486	- measurement of flow rates;	- measurement of flow rates;	- measurement of flow rates;	
Annex V, sixteenth paragraph				
487	- measurement of methane concentrations;	- measurement of methane concentrations;	- measurement of methane concentrations;	
Annex V, seventeenth paragraph				
488	8) methane emissions registered by the continuous measurement apparatus (in tonnes);	8) methane emissions registered by the continuous measurement apparatus (in tonnes);	8) methane emissions registered by the continuous measurement ~~apparatus~~ **equipment** (in tonnes);	
Annex V, eighteenth paragraph				
489	9) methane emissions registered through	9) methane emissions registered through	9) methane emissions registered through	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	monthly sampling (in tonnes/hour) covering information on;	monthly sampling (in tonnes/hour) covering information on;	monthly sampling (in tonnes/hour) covering information on;	
Annex V, nineteenth paragraph				
490	- sampling date;	- sampling date;	- sampling date;	
Annex V, twentieth paragraph				
491	- sampling technique;	- sampling technique;	- sampling technique;	
Annex V, twenty-first paragraph				
492	- readings of atmospheric conditions (pressure, temperature, humidity), taken at an appropriate distance to reflect conditions at which continuous measurement apparatus is operating;	- readings of atmospheric conditions (pressure, temperature, humidity), taken at an appropriate distance to reflect conditions at which continuous measurement apparatus is operating;	- readings of atmospheric conditions (pressure, temperature, humidity), taken at an appropriate distance to reflect conditions at which continuous measurement ~~apparatus~~ **equipment** is operating;	
Annex V, twenty-second paragraph				
493	10) if mine is joined to another mine by any means allowing for a flux of air between the mines, name of the mine;	10) if mine is joined to another mine by any means allowing for a flux of air between the mines, name of the mine;	10) if mine is joined to another mine by any means allowing for a flux of air between the mines, name of the mine;	
Annex V, twenty-third paragraph				

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
494	(v) post mining emission factors and description of method employed for their calculation;	(v) post mining emission factors and description of method employed for their calculation;	(v) post mining emission factors and description of method employed for their calculation;	
Annex V, twenty-fourth paragraph				
495	(vi) post-mining emissions (in tonnes).	(vi) post-mining emissions (in tonnes).	(vi) post-mining emissions (in tonnes).	
Annex V, Part II				
496	Part II Part 2	Part II Part 2	Part II ~~Part 2~~	
Annex V, twenty-fifth paragraph				
497	Pursuant to Articles 19 and 20, the reports for operating surface mines must include at least the following information:	Pursuant to Articles 19 and 20, the reports for operating surface mines must include at least the following information:	Pursuant to Articles 19 and 20, the reports for operating surface mines must include at least the following information:	
Annex V, twenty-sixth paragraph				
498	(i) name and address of the mine operator;	(i) name and address of the mine operator;	(i) name and address of the mine operator;	
Annex V, twenty-seventh paragraph				
499	(ii) mine address;	(ii) mine address;	(ii) mine address;	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex V, twenty-eighth paragraph				
500	(iii) tonnage of each coal type produced by the mine;	(iii) tonnage of each coal type produced by the mine;	(iii) tonnage of each coal type produced by the mine;	
Annex V, twenty-ninth paragraph				
501	(iv) map of all deposits utilised by the mine, outlining borders of these deposits;	(iv) map of all deposits utilised by the mine, outlining borders of these deposits;	(iv) map of all deposits utilised by the mine, outlining borders of these deposits;	
Annex V, thirtieth paragraph				
502	(v) for each coal deposit:	(v) for each coal deposit:	(v) for each coal deposit:	
Annex V, thirty-first paragraph				
503	1) name (if any)	1) name (if any)	1) name (if any)	
Annex V, thirty-second paragraph				
504	2) period of use, if different from the reporting period	2) period of use, if different from the reporting period	2) period of use, if different from the reporting period	
Annex V, thirty-third paragraph				
505	3) outline of the experimental method employed to determine methane emissions	3) outline of the experimental method employed to determine methane emissions	3) outline of the experimental method employed to determine methane emissions	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	due to mining activities, including the choice of methodology to account for methane emissions from surrounding strata	due to mining activities, including the choice of methodology to account for methane emissions from surrounding strata	due to mining activities, including the choice of methodology to account for methane emissions from surrounding strata	
Annex V, thirty-fourth paragraph				
506	(vi) post mining emission factors and description of method employed for their calculation;	(vi) post mining emission factors and description of method employed for their calculation;	(vi) post mining emission factors and description of method employed for their calculation;	
Annex V, thirty-fifth paragraph				
507	(vii) post-mining emissions.	(vii) post-mining emissions.	(vii) post-mining emissions.	
Annex V, Part III				
508	Part III Part 3	Part III Part 3	Part III ~~Part 3~~	
Annex V, thirty-sixth paragraph				
509	Pursuant to Articles 19 and 20, the reports for drainage stations must include at least the following information:	Pursuant to Articles 19 and 20, the reports for drainage stations must include at least the following information:	Pursuant to Articles 19 and 20, the reports for drainage stations must include at least the following information:	
Annex V, thirty-seventh paragraph				
510	(i) name and address of the mine operator;	(i) name and address of the mine operator;	(i) name and address of the mine operator;	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex V, thirty-eighth paragraph				
511	(ii) tonnage of methane supplied by a mine/mines drainage system, per mine;	(ii) tonnage of methane supplied by a mine/mines drainage system, per mine;	(ii) tonnage of methane supplied by a mine/mines drainage system, per mine;	
Annex V, thirty-ninth paragraph				
512	(iii) tonnage of methane vented;	(iii) tonnage of methane vented;	(iii) tonnage of methane vented;	
Annex V, fortieth paragraph				
513	(iv) tonnage of flared methane;	(iv) tonnage of flared methane;	(iv) tonnage of flared methane;	
Annex V, forty-first paragraph				
514	(v) flare efficiency;	(v) flare efficiency;	(v) flare efficiency;	
Annex V, forty-second paragraph				
515	(vi) use of methane captured.	(vi) use of methane captured.	(vi) use of methane captured.	
Annex VI				
516	Annex VI	Annex VI	Annex VI	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex VI, first paragraph				
517	Reporting of venting and flaring events in drainage stations	Reporting of venting and flaring events in drainage stations	Reporting of venting and flaring events in drainage stations	
Annex VI, second paragraph				
518	Pursuant to Article 23, drainage station operators must report to the competent authorities at least the following information regarding methane flared or vented:	Pursuant to Article 23, drainage station operators must report to the competent authorities at least the following information regarding methane flared or vented:	Pursuant to Article 23, drainage station operators must report to the competent authorities at least the following information regarding methane flared or vented:	
Annex VI, third paragraph				
519	(i) name and address of the operator;	(i) name and address of the operator;	(i) name and address of the operator;	
Annex VI, fourth paragraph				
520	(ii) time when the event was first detected;	(ii) time when the event was first detected;	(ii) time when the event was first detected;	
Annex VI, fifth paragraph				
521	(iii) cause of the venting and/or flaring event;	(iii) cause of the venting and/or flaring event; ***justification for using venting instead of flaring, if applicable;***	(iii) cause of the venting and/or flaring event;	
Annex VI, sixth paragraph				

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
522	(iv) tonnage of methane vented and flared (or an estimate if quantification is not possible).	(iv) tonnage of methane vented and flared (or an estimate if quantification ***or measurement*** is not possible).	(iv) tonnage of methane vented and flared (or an estimate if quantification **or measurement** is not possible).	
Annex VII				
523	Annex VII	Annex VII	Annex VII	
Annex VII, first paragraph				
524	Closed and abandoned mines	Closed and abandoned mines	Closed and abandoned mines	
Annex VII, Part I				
525	Part I Part 1	Part I Part 1	Part I ~~Part 1~~	
Annex VII, second paragraph				
526	Pursuant to Article 24 and 25, for each site, the inventory of closed and abandoned coal mines must include at least the following information:	Pursuant to Article 24 and 25, for each site, the inventory of closed and abandoned coal mines must include at least the following information:	Pursuant to Article 24 and 25, for each site, the inventory of closed and abandoned coal mines must include at least the following information:	
Annex VII, third paragraph				
527	(i) name and address of the operator, owner	(i) name and address of the operator, owner	(i) name and address of the operator, owner	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	or licensee, where applicable;	or licensee, where applicable;	or licensee, where applicable;	
Annex VII, fourth paragraph				
528	(ii) site address;	(ii) site address;	(ii) site address;	
Annex VII, fifth paragraph				
529	(iii) map showing borders of the mine;	(iii) map showing borders of the mine;	(iii) map showing borders of the mine;	
Annex VII, sixth paragraph				
530	(iv) schemes of mine workings and their status	(iv) schemes of mine workings and their status	(iv) schemes of mine workings and their status	
Annex VII, seventh paragraph				
531	(v) results of methane concentration measurement at the following elements:	(v) results of ***source level direct*** ~~*methane concentration*~~ measurement ***or quantification*** at the following ***point emission sources*** ~~*elements*~~:	(v) results of ***source* level direct** ~~methane concentration~~ measurement ~~at~~ **or quantification at** the following ~~elements~~**point emission sources**:	
Annex VII, eighth paragraph				
532	1) all ventilation shafts utilised by the mine when operating, accompanied by:	1) all ventilation shafts utilised by the mine when operating, accompanied by:	1) all ~~ventilation~~ shafts utilised by the mine when operating,	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			accompanied by:	
Annex VII, ninth paragraph				
533	- shaft coordinates	- shaft coordinates	- shaft coordinates	
Annex VII, tenth paragraph				
534	- shaft name (if any)	- shaft name (if any)	- shaft name (if any)	
Annex VII, eleventh paragraph				
535	- sealing status and sealing method, if known	- sealing status and sealing method, if known	- sealing status and sealing method, if known	
Annex VII, twelfth paragraph				
536	2) unused vent pipes	2) unused vent pipes***, if not part of safety infrastructure***	2) unused vent pipes	
Annex VII, thirteenth paragraph				
537	3) unused gas drainage wells	3) unused gas drainage wells	3) unused gas drainage wells	
Annex VII, fourteenth paragraph				
538				

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	4) outcrops;	4) ~~*outcrops;*~~	4) ~~outcrops;~~	
Annex VII, fifteenth paragraph				
539	5) identifiable strata fractures at the mine's territory or linked to its former coal deposit;	5) ~~*identifiable strata fractures at the mine's territory or linked to its former coal deposit;*~~	5) ~~identifiable strata fractures at the mine's territory or linked to its former coal deposit;~~	
Annex VII, sixteenth paragraph				
540	6) other recorded potential point emission sources.	6) other recorded potential point emission sources.	6) other recorded potential point emission sources.	
Annex VII, Part II				
541	Part II Part 2	Part II Part 2	Part II ~~Part 2~~	
Annex VII, seventeenth paragraph				
542	The measurements referred to in point (v) of Part 1 must be performed in accordance with the following principles:	The measurements referred to in point (v) of Part 1 must be performed in accordance with the following principles:	The measurements referred to in point (v) ~~of Part 1~~**above** must be performed in accordance with the following principles:	
Annex VII, eighteenth paragraph				
543	(i) measurements must be performed at	(i) measurements must be performed at	(i) measurements must be performed at	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	atmospheric pressure allowing for potential methane leak to be detected, and according to the appropriate scientific standards.	atmospheric pressure allowing for potential methane leak to be detected, and according to the appropriate scientific standards.	atmospheric pressure allowing for potential methane leak to be detected, and according to the appropriate scientific standards~~.~~**;**	
Annex VII, nineteenth paragraph				
544	(ii) measurements must be performed using an apparatus with a sensitivity threshold of at least 10.000 ppm, at the closest available distance to the measured emission source.	(ii) measurements must be performed using an ***equipment resulting in a methane emissions measurement accuracy of at least 0,5 tonnes per year.*** ~~*apparatus with a sensitivity threshold of at least 10.000 ppm, at the closest available distance to the measured emission source.*~~	(ii) measurements must be performed using an ~~apparatus with a sensitivity threshold of at least 10.000 ppm, at the closest available distance to the measured emission source.~~**equipment capable of estimating yearly methane emissions at the level of at least 0,5 tonnes or above from such source;**	
Annex VII, twentieth paragraph				
545	(iii) measurements must be accompanied by an information on:	(iii) measurements must be accompanied by an information on:	(iii) measurements must be accompanied by an information on:	
Annex VII, twenty-first paragraph				
546	1) date of the measurement	1) date of the measurement	1) date of the measurement	
Annex VII, twenty-second paragraph				
547	2) atmospheric pressure	2) atmospheric pressure	2) atmospheric pressure	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex VII, twenty-third paragraph				
548	3) technical details of the equipment used for the measurement	3) technical details of the equipment used for the measurement	3) technical details of the equipment used for the measurement	
Annex VII, twenty-fourth paragraph				
549	(iv) ventilation shafts historically utilised by two or more mines must be assigned to just one mine, to avoid double-counting	(iv) ventilation shafts historically utilised by two or more mines must be assigned to just one mine, to avoid double-counting	(iv) ventilation shafts historically utilised by two or more mines must be assigned to just one mine, to avoid double-counting**.**	
Annex VII, Part III				
550	Part III Part 3	Part III Part 3	Part ~~III~~**2** ~~Part 3~~	
Annex VII, twenty-fifth paragraph				
551	The report set out in Article 25(3) must include the following elements:	The report set out in Article 25(3) must include the following elements:	The report set out in Article 25(3) must include the following elements**, where data is available or can be acquired**:	
Annex VII, twenty-sixth paragraph				
552	(i) name and address of the operator, owner or licensee, where applicable;	(i) name and address of the operator, owner or licensee, where applicable;	(i) name and address of the operator, owner or licensee, where applicable;	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex VII, twenty-seventh paragraph				
553	(ii) site address;	(ii) site address;	(ii) site address;	
Annex VII, twenty-eighth paragraph				
554	(iii) methane emissions from all elements outlined in Article 25(3) including:	(iii) methane emissions from all ***point emission sources*** ~~*elements*~~ outlined in ~~*Article 25(3)*~~ ***Part 1*** including:	(iii) methane emissions from all ~~elements~~**point emission sources** outlined in ~~Article 25(3)~~**Part 1** including:	
Annex VII, twenty-ninth paragraph				
555	1) type of element	1) type of ***point emission source*** ~~*element*~~	1) type of ~~element~~**point emission source;**	
Annex VII, thirtieth paragraph				
556	2) technical details of measurement apparatus used for the measurement including sensitivity	2) technical details of measurement apparatus used for the measurement including sensitivity	2) technical details of **measurement equipment and method employed to estimate methane releases;** ~~measurement apparatus used for the measurement including sensitivity~~	
Annex VII, thirty-first paragraph				
557	3) proportion of time when measurement	3) proportion of time when measurement	3) proportion of time when measurement	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	apparatus was operating	apparatus was operating	~~apparatus~~**equipment** was operating**;**	
Annex VII, thirty-second paragraph				
558	4) methane concentration registered by the measurement apparatus	4) methane concentration registered by the measurement apparatus	4) methane concentration registered by the measurement ~~apparatus~~**equipment*;***	
Annex VII, thirty-third paragraph				
559	5) estimates of methane emissions from the element	5) estimates of methane emissions ***the point emission source*** ~~*from the element*~~	5) estimates of methane emissions from the **point emission source.** ~~element~~	
Annex VII, Part IV				
560	Part IV Part 4	Part IV Part 4	Part ~~IV~~**3** ~~Part 4~~	
Annex VII, thirty-fourth paragraph				
561	The mitigation plan set out in Article 26(1) must include at least the following information:	The mitigation plan set out in Article 26(1) must include at least the following information:	The mitigation plan set out in Article 26(1) must include at least the following information**, where data is available or can be acquired**:	
Annex VII, thirty-fifth paragraph				
562	(i) list of all elements covered in Article	(i) list of all ***point emission sources***	(i) list of all ~~elements covered in Article~~	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	25(3);	***outlined in Part 1*** ~~*elements covered in Article 25(3)*~~;	~~25(3)~~**point emission sources outlined in Part 1;**~~;~~	
Annex VII, thirty-sixth paragraph				
563	(ii) technical feasibility of mitigation of methane emissions from elements outlined in Article 25(3);	(ii) technical feasibility of mitigation of methane emissions ~~*from elements outlined in Article 25(3);*~~***; each point emission source***	(ii) technical feasibility of mitigation of methane emissions ~~from elements outlined in Article 25(3)~~**at site level, based on point emission sources;**~~;~~	
Annex VII, thirty-seventh paragraph				
564	(iii) timeline of mitigation of methane emissions from elements outlined in Article 25(3).	(iii) timeline of mitigation of methane emissions from elements outlined in Article 25(3).	(iii) timeline of mitigation of methane emissions from ~~elements outlined in Article 25(3).~~**at each site;**	
Annex VII, thirty-seventh paragraph a				
564 a			**(iv) assessment of the efficiency of projects for collection of abandoned mine methane, where implemented.**	
Annex VIII				
565	Annex VIII	Annex VIII	Annex VIII	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex VIII, first paragraph				
566	Information to be provided by importers	Information to be provided by importers	Information to be provided by importers	
Annex VIII, second paragraph				
567	For the purposes of this Annex, 'exporter' means the contractual counterparty in each supply contract entered into by the importer for the delivery of fossil energy into the Union.	For the purposes of this Annex, 'exporter' means the contractual counterparty in each supply contract entered into by the importer for the delivery of fossil energy into the Union.	For the purposes of this Annex, 'exporter' means the contractual counterparty in each supply contract entered into by the importer for the delivery of fossil energy into the Union.	
Annex VIII, third paragraph				
568	Pursuant to Article 27, importers must provide the following information:	Pursuant to Article 27, importers must provide ***a report with*** the following information ***for each site from which the import to the Union has taken place, including upstream oil and fossil gas production, fossil gas gathering, processing and transmission, and liquefied natural gas terminals***:	Pursuant to Article 27, importers must provide the following information:	
Annex VIII, fourth paragraph				
569	(i) name and address of exporter and, if different from exporter, name and address of producer;	(i) name and address of exporter and, if different from exporter, name and address of producer;	(i) **where exporters or producers can be identified,** name and address of exporter and, if different from exporter, name and address of producer;	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex VIII, fifth paragraph				
570	(ii) country and regions corresponding to the Union nomenclature of territorial units for statistics (NUTS) level 1 where the energy was produced and countries and corresponding to the Union nomenclature of territorial units for statistics (NUTS) level 1 through which the energy was transported until it was placed on the Union market;	(ii) country and regions corresponding to the Union nomenclature of territorial units for statistics (NUTS) level 1 where the energy was produced ~~and~~, countries and ***regions*** corresponding to the Union nomenclature of territorial units for statistics (NUTS) level 1 through which the energy was transported until it was placed on the Union market;	(ii) ~~country~~**countries** and regions corresponding to the Union nomenclature of territorial units for statistics (NUTS) level 1 where the energy was produced and countries and **regions** corresponding to the Union nomenclature of territorial units for statistics (NUTS) level 1 through which the energy was transported until it was placed on the Union market;	
Annex VIII, sixth paragraph				
571	(iii) as regards oil and fossil gas, whether the exporter is undertaking measurement and reporting of its methane emissions, either independently or as part of commitments to report national GHG inventories in line with United Nations Framework Convention on Climate Change (UNFCCC) requirements, and whether it is in compliance with UNFCCC reporting requirements or in compliance with Oil and Gas Methane Partnership 2.0 standards. This must be accompanied by a copy of the latest report on methane emissions, including, where available, the information	(iii) as regards oil and fossil gas, ***information specifying*** ~~whether~~ the exporter***'s, or where relevant, the producer's direct measurements of site-level methane emissions, conducted by independent service provider, in the last available calendar year period including data per detailed, individual, emission source type and detailed information on the quantification methodologies employed to measure methane emissions;*** ~~is undertaking~~ measurement and reporting of its methane emissions, either independently or as part of commitments to report national GHG	(iii) as regards oil and fossil gas, whether the exporter**, or where relevant, the producer** is undertaking measurement and reporting of its methane emissions, either independently or as part of commitments to report national GHG inventories in line with United Nations Framework Convention on Climate Change (UNFCCC) requirements, and whether it is in compliance with UNFCCC reporting requirements or in compliance with Oil and Gas Methane Partnership 2.0 standards. This must be accompanied by a copy of the latest report on methane	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	referred to in Article 12(6). The method of quantification (such as UNFCCC tiers or OGMP levels) employed in the reporting must be specified for each type of emissions;	inventories in line with United Nations Framework Convention on Climate Change (UNFCCC) requirements, and whether it is in compliance with UNFCCC reporting requirements or in compliance with~~-~~ Oil and Gas Methane Partnership 2.0 standards. This must be accompanied by a copy of the latest report on methane emissions, including, where available, the information referred to in Article 12(6)***), where provided in such report***. The method of quantification (such as UNFCCC tiers or OGMP levels) employed in the reporting ~~must~~ be specified for each type of emissions;	emissions, including, where available, the information referred to in Article 12(6)**, where provided in such report**. The method of quantification (such as UNFCCC tiers or OGMP **2.0** levels) employed in the reporting must be specified for each type of emissions;	
Annex VIII, seventh paragraph				
572	(iv) as regards oil and gas, whether the exporter applies regulatory or voluntary measures to control its methane emissions, including measures such as leak detection and repair surveys or measures to control and restrict venting and flaring of methane. This must be accompanied by a description of such measures, including, where available, reports from leak detection and repair surveys and from venting and flaring events with respect to the last available calendar year;	(iv) as regards oil and gas, ***information specifying*** ~~whether~~ the exporter***'s, or where relevant, the producer's*** ~~applies~~ regulatory or voluntary measures to control its methane emissions, including measures such as leak detection and repair surveys or measures to control and restrict venting and flaring of methane***; leak detection and repair surveys and programmes conducted within the last two calendar years and information on all venting; and flaring events within the last two calendar years***. This must be accompanied by a description of such measures, including, where available, reports	(iv) as regards oil and gas, whether the **exporter, or where relevant, the producer** ~~exporter~~ applies regulatory or voluntary measures to control its methane-emissions, including measures such as leak detection and repair surveys or-measures to control and restrict venting and flaring of methane. This must be-accompanied by a description of such measures, including, where available, **relevant** reports from leak detection-and repair surveys and from venting and flaring events with respect to the last-available calendar year;	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		from leak detection and repair surveys and from venting and flaring events with respect to the last available calendar year;		
Annex VIII, eighth paragraph				
573	(v) as regards coal, whether the exporter is undertaking measurement and reporting of its methane emissions, either independently or as part of commitments to report national GHG inventories in line with United Nations Framework Convention on Climate Change (UNFCCC) requirements, and whether it is in compliance with UNFCCC reporting requirements or in compliance with an international or European standard for monitoring, reporting and verification of methane emissions. This must be accompanied by a copy of the latest report on methane emissions, including, where available the information referred to in Article 20(6). The method of quantification (such as UNFCCC tiers or OGMP levels) employed in the reporting must be specified for each type of emissions;	(v) as regards coal, ***information specifying*** ~~*whether*~~ the exporter***'s source-level methane emissions data measured for ventilation air methane emissions, calculated and quantified in accordance with the methodology described in Part 1 of Annex V;*** ~~*is undertaking*~~ measurement and reporting of its methane emissions, either independently or as part of commitments to report national GHG inventories in line with United Nations Framework Convention on Climate Change (UNFCCC) requirements, and whether it is in compliance with UNFCCC reporting requirements or in compliance with an international or European standard for monitoring, reporting and verification of methane emissions. This must be accompanied by a copy of the latest report on methane emissions, including, where available the information referred to in Article 20(6). The method of quantification (such as UNFCCC tiers or OGMP levels) employed in the reporting must be specified for each type of emissions;	(v) as regards coal, whether the exporter**, or where relevant, the producer is** ~~is~~ undertaking measurement and reporting of its methane emissions, either independently or as part of commitments to report national GHG inventories in line with United Nations Framework Convention on Climate Change (UNFCCC) requirements, and whether it is in compliance with UNFCCC reporting requirements or in compliance with an international or European standard for monitoring, reporting and verification of methane emissions. This must be accompanied by a copy of the latest report on methane emissions, including, where available the information referred to in Article 20(6). The method of quantification (such as UNFCCC tiers or OGMP **2.0** levels) employed in the reporting must be specified for each type of emissions;	

PUBLIC

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex VIII, ninth paragraph				
574	(vi) as regards coal, whether the exporter applies regulatory or voluntary measures to control its methane emissions, including measures to control and restrict venting and flaring of methane. This must be accompanied by a description of such measures, including, where available, reports from venting and flaring events with respect to the last available calendar year;	(vi) as regards coal, ***information specifying*** ~~*whether*~~ the exporter~~*applies*~~***'s*** regulatory or voluntary measures to control its methane emissions, including measures to control and restrict venting and flaring of methane***; volumes of vented and flared methane calculated in each production site during the last two calendar years; and venting and flaring mitigation plans in force in the production site***. This must be accompanied by a description of such measures, including, where available, reports from venting and flaring events with respect to the last available calendar year;	(vi) as regards coal, whether the exporter**, or where relevant, the producer** applies regulatory or voluntary measures to control its methane emissions,-including measures to control and restrict venting and flaring of methane. This-must be accompanied by a description of such measures, including, where-available, reports from venting and flaring events with respect to the last available calendar year;	
574 a		***(via) a reference to its own methane reduction action plan according to Article 15 of [corporate sustainability due diligence];***		
Annex VIII, tenth paragraph				
575	(vii) name of the entity that performed independent verification of the reports referred to in points (iii) and (v), if any.	(vii) name of the entity that performed independent verification of the reports referred to in points (iii) and (v), if any.	(vii) name of the entity that performed independent verification of the reports referred to in points (iii) and (v), if any.	

PUBLIC

PUBLIC