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CONSUM 134  
TRANS 155  
AGRI 210  
IND 183  
ENV 390  
COMPET 346  
FORETS 41  
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**NOTE**

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From: General Secretariat of the Council

To: Permanent Representatives Committee

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Subject: Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive (EU) 2018/2001 of the European Parliament and of the Council, Regulation (EU) 2018/1999 of the European Parliament and of the Council and Directive 98/70/EC of the European Parliament and of the Council as regards the promotion of energy from renewable sources, and repealing Council Directive (EU) 2015/652  
- Analysis of the final compromise text with a view to agreement

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Delegations' attention is drawn to the following main corrections<sup>1</sup> in document ST 8568/23 INIT:

Cover page

- In point 6.3, the first sentence of the first paragraph is replaced by “In Article 25, Member states will be required to set an obligation on fuel suppliers to ensuring that the amount of renewables in transports leads to either a share of renewable energy of at least 29% by 2030 or to a greenhouse gas intensity reduction of at least 14.5% by 2030.”;

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<sup>1</sup> Please note that ST 8568/23 INIT may still contain typos/misspelled words/incorrect numbering or references that will be corrected during the lawyer-linguistic phase.

- In point 6.6, the first sentence of the second paragraph should be replaced by ‘In Article 23, Member States shall increase the share of renewable energy in the heating and cooling sector by at least 0.8 percentage points as an annual average calculated for the periods period 2021 to 2025 and by at least 1.1 percentage points as an annual average calculated for the period 2026 to 2030.’

#### Annex

- Recital 11q is replaced by: “***The obligations set in Directive 2000/60/EC of the European Parliament and of the Council<sup>2</sup> remain applicable regarding hydropower plants, including in the case that a Member State decides to designate renewable acceleration areas related to hydropower with a view of ensuring that potential adverse impacts on the water body or water bodies concerned are justified and that all relevant mitigation measures are implemented.***”
- Recital 22a is replaced by: “***The EU Hydrogen Strategy recognizes the role of existing hydrogen production plants retrofitted to reduce their greenhouse gas emissions in achieving the increased 2030 climate ambition. In light of this strategy, and within the framework of the call for projects organized by the EU Innovation fund early movers have taken investment decisions with a view to retrofitting pre-existing hydrogen production facilities based on steam methane reforming technology with the aim of decarbonizing hydrogen production. For the purpose of the calculation of the denominator in the contribution of renewable fuels of non-biological origin used for final energy and non-energy purposes in industry, hydrogen produced in retrofitted production facilities based on steam methane reforming technology for which a Commission decision with a view to the award of a grant under the Innovation Fund has been published before the entry into force of this Directive and that achieve an average greenhouse gas reduction of 70% on an annual basis should not be taken into account.***”;

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<sup>2</sup> ***Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (OJ L 327, 22.12.2000, p. 1).***

- In Article 16a, the first paragraph is replaced by: ***“Member States shall ensure that the permit-granting process referred to in Article 16(1) shall not exceed one year for projects in renewables acceleration areas, except for offshore renewable energy projects, for which it shall not exceed two years. Where duly justified on the ground of extraordinary circumstances, those periods may be extended by up to six months. In such a case, Member States shall clearly inform the developer about the extraordinary circumstances that justified the extension”.***
- In Article 27, the first sentence in paragraph 5 is replaced by: ***“For the purpose of the calculations referred to in paragraph 1, point (b) and in paragraph 2, point (a), the amount of energy supplied to maritime transport shall, as a proportion of that Member State's gross final consumption of energy, be considered to be no more than 13 %.”***
- Annex V, part C, point 15 is replaced by: ***“15. Emission savings from CO2 capture and replacement, eccr, shall be related directly to the production of biofuels or bioliquids they are attributed to, and shall be limited to emissions avoided through the capture of CO2 of which the carbon originates from biomass and which is used to replace fossil-derived CO2 in production of commercial products and services before 31 December 2035.”***
- Annex VI, part B, point 15 is replaced by: ***“Emission savings from CO2 capture and replacement, eccr, shall be related directly to the production of biomass fuels they are attributed to, and shall be limited to emissions avoided through the capture of CO2 of which the carbon originates from biomass and which is used to replace fossil-derived CO2 in production of commercial products and services before 31 December 2035.”***