



2023/0081(COD)

15.9.2023

COMPROMISE AMENDMENTS

1 - 11

Draft opinion

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Establishing a framework of measures for strengthening Europe's net-zero technology products manufacturing ecosystem (Net Zero Industry Act)

Proposal for a regulation

(COM(2023)0161 – C9-0062/2023 – 2023/0081(COD))

Obtenu par CONTEXTE

Compromise Amendment 1 - Article 1 - Subject Matter

EPP, S&D, Renew, Greens, The Left

Compromise amendment replacing Amendments 185-213, 720, 723

Proposal for a regulation

Article 1 – paragraph 1

Text proposed by the Commission

1. This Regulation establishes the framework of measures for innovating and scaling up the manufacturing capacity of net-zero technologies in the Union to support the Union's 2030 target of reducing net greenhouse gas emissions by at least 55 % relative to 1990 levels and the Union's 2050 climate neutrality target, as defined by Regulation (EU) 2021/1119, and to ensure the Union's access to a secure and sustainable supply of net-zero technologies needed to safeguard the resilience of the Union's energy system and to *contribute* to the creation of quality jobs.

Amendment

1. This Regulation establishes the framework of measures for *coordinating*, innovating and scaling up the manufacturing capacity of *commercially available net-zero technologies and innovative* net-zero technologies in the Union to support the Union's 2030 target of reducing net greenhouse gas emissions by at least 55 % relative to 1990 levels and the Union's 2050 climate neutrality target, as defined by Regulation (EU) 2021/1119, and to ensure the Union's access to a secure and sustainable supply of net-zero technologies, *including specific components and machinery*, needed to safeguard the resilience of the Union's energy system, and to *promote development, testing and validation of innovative net-zero technologies, while contributing* to the creation of quality jobs.

Or. en

Proposal for a regulation

Article 1 – paragraph 3

Text proposed by the Commission

3. Where, based on the report referred to in Article 35, the Commission concludes that the Union is likely not to achieve the objectives set out in *paragraph 1*, it shall assess the feasibility and proportionality of proposing measures or exercising its powers at Union level in order to ensure the achievement of those objectives.

Amendment

3. Where, based on the report referred to in Article 35, the Commission concludes that the Union is likely not to achieve the objectives set out in *this Article*, it shall assess the feasibility and proportionality of proposing measures, *including by means of a legislative proposal*, or exercising its powers at Union level in order to ensure the achievement of those objectives.

Or. en

Proposal for a regulation
Article 1 – paragraph 2 – point a

Text proposed by the Commission

a) that by 2030, manufacturing capacity in the Union of the strategic net-zero technologies listed in the Annex ***approaches or*** reaches a benchmark of at least 40% of the Union's annual deployment needs for the corresponding technologies necessary to achieve the Union's 2030 climate and energy targets;

Amendment

a) that by 2030, manufacturing capacity in the Union of the strategic net-zero technologies listed in the Annex ***I, including the primarily used key components and machinery required for their manufacture,*** reaches a benchmark of at least 40% of the Union's annual deployment needs for the corresponding technologies necessary to achieve the Union's 2030 climate and energy targets;

Where by [date of entry into force of this Regulation], the manufacturing capacity in the Union of a strategic net-zero technology listed in the Annex has already reached a benchmark of at least 30% of the Union's annual deployment needs, the benchmark target for this strategic net-zero technology shall be increased by 20 percentage points in relation to its current benchmark performance;

Or. en

Proposal for a regulation
Article 1 – paragraph 2 – point a a (new)

Text proposed by the Commission

Amendment

aa) the consistency with the Union's climate and environmental targets, objectives and principles, including achieving a just and inclusive transition;

Or. en

Compromise Amendment 2 - Definition of net-zero technologies
EPP, S&D, Renew, Greens/EFA, The Left

Compromise amendment replacing Amendments 214-231, 742, 753-756

Proposal for a regulation
Article 3 – paragraph 1 – point a

Text proposed by the Commission

(a) ‘net-zero technologies’ means renewable energy technologies⁶⁶; electricity and heat storage technologies; heat pumps; grid technologies; renewable fuels of non-biological origin technologies; sustainable alternative fuels technologies⁶⁷; electrolyzers and fuel cells; **advanced technologies to produce energy from nuclear processes with minimal waste from the fuel cycle, small modular reactors, and related best-in-class fuels;** carbon capture, **utilisation**, and storage technologies; **and** energy-system related energy efficiency technologies. They refer to the final products, specific components and specific machinery primarily used for the production of those products. They shall have reached a technology readiness level of at least 8.

Amendment

(a) ‘net-zero technologies’ means renewable energy technologies **namely wind, solar (solar thermal and solar photovoltaic), and geothermal energy;** electricity and heat storage technologies; heat pumps; grid technologies; **clean energy based on innovative water technologies; advanced biofuels as defined in Directive (EU) 2018/2001 Annex IX part A;** renewable fuels of non-biological origin technologies, **including hydrogen for use in sectors which cannot be directly electrified;** sustainable alternative fuels technologies **meaning e-fuel production for aviation and shipping from e-ammonia, e-methanol, e-liquid H2 and e-kerosene;** electrolyzers and fuel cells; **environmentally safe** carbon capture, **transport** and storage technologies, **environmentally safe direct capture of CO2 from the atmosphere (DACs) and carbon capture and utilisation (CCU) with safe, sustainable and permanent storage of CO2, in particular for unavoidable industrial process emissions;** energy-system related energy efficiency technologies; **manufacturing technologies for improving energy and material efficiency in industrial processes.** They refer to the **commercially available** final products, specific components and specific machinery primarily used for the production of those products. They shall have reached a technology readiness level of at least 8.

⁶⁶ ‘renewable energy’ means ‘renewable energy’ as defined in Directive (EU)

2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources

⁶⁷ ‘sustainable alternative fuels’ means fuels covered by the Proposal for a Regulation of the European Parliament and of the Council on ensuring a level playing field for sustainable air transport, COM/2021/561 final and by the Proposal for a Regulation of the European Parliament and Council on the use of renewable and low-carbon fuels in maritime transport COM/2021/562 final.

Or. en

Compromise Amendment 2A - Alternative CA on Definition of net-zero technologies EPP, Renew, ECR

Compromise amendment replacing Amendments: CA 2, 214-231

Proposal for a regulation

Article 3 – paragraph 1 – point a

Text proposed by the Commission

(a) ‘net-zero technologies’ means renewable energy technologies⁶⁶; electricity and heat storage technologies; heat pumps; grid technologies; renewable fuels of non-biological origin technologies; sustainable alternative fuels technologies⁶⁷; electrolyzers and fuel cells; **advanced** technologies to produce energy from nuclear processes with minimal waste **from the fuel cycle**, small modular reactors, **and related best-in-class fuels**; carbon capture, **utilisation**, and storage technologies; **and** energy-system related energy efficiency technologies. They refer to the final products, specific components and specific machinery primarily used for the production of those products. They shall have reached a technology readiness level of at least 8.

Amendment

(a) ‘net-zero technologies’ means renewable energy technologies **namely wind, solar (solar thermal and solar photovoltaic), and geothermal energy**; electricity and heat storage technologies; heat pumps; grid technologies; **clean energy based on innovative water technologies; advanced biofuels as defined in Directive (EU) 2018/2001 Annex IX part A**; renewable fuels of non-biological origin technologies, **including hydrogen for use in sectors which cannot be directly electrified**; sustainable alternative fuels technologies **meaning e-fuel production for aviation and shipping from e-ammonia, e-methanol, e-liquid H2 and e-kerosene**; electrolyzers and fuel cells; technologies, **including the fuel cycle**, to produce energy from

nuclear processes with minimal waste, **including** small modular reactors; **environmentally safe** carbon capture, **transport** and storage technologies, **environmentally safe direct capture of CO₂ from the atmosphere (DACs)** and **carbon capture and utilisation (CCU) with safe, sustainable and permanent storage of CO₂, in particular for unavoidable industrial process emissions**; energy-system related energy efficiency technologies; **manufacturing technologies for improving energy and material efficiency in industrial processes**. They refer to the **commercially available** final products, specific components and specific machinery primarily used for the production of those products. They shall have reached a technology readiness level of at least 8.

Compromise Amendment 3 - Article 3 - Other definitions
EPP, S&D, Renew, Greens/EFA, The Left

Compromise amendment replacing Amendments 232- 263

Proposal for a regulation

Article 3 – paragraph 1 – point (b) - (qa)

Proposal for a regulation

Article 3 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(ba) ‘primarily used’ means specific components and specific machinery, including the specific components and specific machinery set out in Annex Ia, where a minimum of 60 per cent of output is used for the production of net-zero technologies. Where this cannot be demonstrated, a competent authority can qualify specific components and specific machinery as ‘primarily used’ based on evidence provided by the project promoter, such as, market studies or off-take agreements after approval

from the Commission that those specific components and specific machinery can be considered as primarily used in the context of this Regulation;

Or. en

Proposal for a regulation
Article 3 – paragraph 1 – point c

Text proposed by the Commission

(c) ‘innovative net-zero technologies’ means technologies *which satisfy the definition of ‘net-zero technologies’, except that they have not reached a technology readiness level of at least 8,* and that comprise genuine innovation which *are not currently available on the market and* are advanced enough to be tested in a controlled environment.

Amendment

(c) ‘innovative net-zero technologies’ means technologies *that* have not *yet reached market* readiness, and that comprise genuine innovation which *helps to reduce strategic dependencies and to achieve the objectives of this Regulation through improved energy, material or resource efficiency, pollution prevention, circularity or reduced climate impact, and which* are advanced enough to be tested in a controlled environment *without risk to the environment or public health.*

Or. en

Proposal for a regulation
Article 3 – paragraph 1 – point q

Text proposed by the Commission

(q) ‘CO₂ injection capacity’ means the annual amount of CO₂ that can be injected in an operational geological storage site, permitted under Directive 2009/31/EC, with the purpose to reduce emissions or increase carbon removals, in particular from large scale industrial installations and which is measured in tonnes per annum;

Amendment

(q) ‘CO₂ injection capacity’ means the annual amount of CO₂ that can be injected in an operational geological storage site *such as depleted oil and gas fields or saline aquifers,* permitted under Directive 2009/31/EC, with the purpose to reduce emissions or increase carbon removals, in particular from large scale industrial installations and which is measured in tonnes per annum;

Or. en

Compromise Amendment 4 - Article 7
EPP, S&D, Renew, Greens/EFA, The Left

Compromise amendment replacing Amendments: 311-365

Proposal for a regulation
Article 7 – paragraph 1

Text proposed by the Commission

1. Where an environmental impact assessment must be carried out in accordance with **Articles 5 to 9 of Directive 2011/92/EU**, the project promoter concerned shall request an opinion to the competent authority referred to in Article 4 on the scope and level of detail of the information to be included in the environmental impact assessment report pursuant to Article 5(1) of that Directive. The national competent authority shall ensure that the opinion referred to in the first subparagraph is issued as soon as possible and within a period of time not exceeding **30 days** from the date on which the project promoter submitted its request.

Amendment

1. Where an environmental impact assessment must be carried out in accordance with Directive 2011/92/EU, the project promoter concerned shall request an opinion to the competent authority referred to in Article 4 on the scope and level of detail of the information to be included in the environmental impact assessment report pursuant to Article 5(1) of that Directive. The national competent authority shall ensure that the opinion referred to in the first subparagraph is issued as soon as possible and within a period of time not exceeding **20 days without exception** from the date on which the project promoter submitted its request, **provided that this request includes all required documentation. Competent authorities shall provide a list of required documentation to the project promoter at the outset of their request, aim to streamline the process and guide the project promoter through the process.**

Or. en

Proposal for a regulation
Article 7 – paragraph 3

Text proposed by the Commission

3. The national competent authority shall ensure that the authorities concerned

Amendment

3. The national competent authority shall ensure that the authorities concerned

issue a reasoned conclusion as referred to in Article 1(2), point (g)(iv) of Directive 2011/92/EU on the environmental impact assessment within **three months** of receiving all **necessary** information gathered pursuant to Articles 5, 6 and 7 of that Directive and completing the consultations referred to in Articles 6 and 7 of that Directive.

issue a reasoned conclusion as referred to in Article 1(2), point (g)(iv) of Directive 2011/92/EU on the environmental impact assessment within **80 days** of receiving all information gathered pursuant to Articles 5, 6 and 7 of that Directive, **verifying its quality**, and completing the consultations referred to in Articles 6 and 7 of that Directive.

Or. en

Proposal for a regulation

Article 7 – paragraph 2 – subparagraph 3 a (new)

Text proposed by the Commission

Amendment

The application of the joint or coordinated procedure shall not affect the content of the environmental impact assessment.

Or. en

Proposal for a regulation

Article 7 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. In exceptional cases, where the nature, complexity, location or size of the proposed project so require, the national competent authority referred to in Article 8(1) may extend the time limits referred to in paragraph 3 by a maximum of 30 days, before their expiry and on a case-by-case basis. In that event, the national competent authority referred to in Article 8(1) shall inform the project promoter of the reasons justifying the extension and of the date when the reasoned conclusion is expected in writing.

Or. en

Proposal for a regulation
Article 7 – paragraph 4

Text proposed by the Commission

4. The timeframes for consulting the public concerned on the environmental report referred to in Article 5(1) of Directive 2011/92/EU shall not be longer than **45** days. In cases falling under the second sub-paragraph of Article 6(4), this period **shall** be extended to 90 days.

Amendment

4. The timeframes for consulting the public concerned on the environmental report referred to in Article 5(1) of Directive 2011/92/EU shall not be longer than **80 days but not shorter than 40** days. In cases falling under the second sub-paragraph of Article 6(4), this period **can** be extended to **a maximum of 90 days on a case-by-case basis. In that event, the national competent authority shall inform the project promoter of the reasons justifying the extension. Public consultation shall begin as soon as the file submitted by the project promoter is deemed to be complete by the competent administrative authority and be conducted in parallel to the assessment of the project request by the national competent authority, while complying with the requirements on consulting the public concerned set out in Directive 2011/92/EU and making the results of the public consultation available to the competent authority.**

Or. en

Proposal for a regulation
Article 7 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. Where a project would affect a designated Natura 2000 area, the environmental assessment shall be subject to the conditions set out in Directive 92/43/EEC.

Or. en

Proposal for a regulation
Article 7 – paragraph 4 b (new)

Text proposed by the Commission

Amendment

4b. The Member States shall ensure that their national competent authorities and other authorities pursuant to Article 6(1) of Directive 2011/92/EU are adequately equipped to fulfil its obligations under this Article.

Compromise Amendment 5 -Article 8, Article 9
EPP, S&D, Renew, Greens/EFA, The Left

Compromise amendment replacing Amendments: 366-389

Proposal for a regulation
Article 8 – paragraph 2

Text proposed by the Commission

Amendment

2. Where plans include provisions for the development of net-zero technology manufacturing projects, including net-zero strategic projects, are subject to an assessment pursuant to Directive 2001/42/EC and pursuant to Article 6 of Directive 92/43/EEC, those assessments shall be combined. Where relevant, that combined assessment shall also address the impact on potentially affected water bodies and verify whether the **plan** potentially prevent a water body from achieving good status or good potential or cause deterioration of status or of potential referred to in Article 4 of Directive 2000/60/EC or would potentially hamper that a water body achieves good status or good potential. Where relevant Member

2. Where plans include provisions for the development of net-zero technology manufacturing projects, including net-zero strategic projects **and their required infrastructure**, are subject to an assessment pursuant to Directive 2001/42/EC and pursuant to Article 6 of Directive 92/43/EEC, those assessments shall be combined. Where relevant, that combined assessment shall also address the impact on potentially affected water bodies and verify whether the **specific projects under the plan could** potentially prevent a water body from achieving good status or good potential or cause deterioration of status or of potential referred to in Article 4 of Directive 2000/60/EC or would potentially hamper that a water body

States are required to assess the impacts of existing and future activities on the marine environment, including land-sea interactions, as referred to in Article 4 of Directive 2014/89/EU, these impacts shall also be covered by the combined assessment.

achieves good status or good potential. Where relevant Member States are required to assess the impacts of existing and future activities on the marine environment, including land-sea interactions, as referred to in Article 4 of Directive 2014/89/EU, these impacts shall also be covered by the combined assessment. ***The combined assessment shall not affect the content or quality of the assessment and shall be conducted in such a way that they do not lead to a prolongation of the time limits set out in this Regulation.***

Or. en

Proposal for a regulation Article 9 – paragraph 1

Text proposed by the Commission

The provisions set out in this Regulation are without prejudice to the obligations under **Articles 6 and 7** of the United Nations Economic Commission for Europe (UNECE) Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters, signed at Aarhus on 25 June 1998, and under the UNECE Convention on environmental impact assessment in a transboundary context, signed at Espoo on 25 February 1991.

Amendment

The provisions set out in this Regulation are without prejudice to the obligations the United Nations Economic Commission for Europe (UNECE) Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters, signed at Aarhus on 25 June 1998, and under the UNECE Convention on environmental impact assessment in a transboundary context, signed at Espoo on 25 February 1991.

Proposal for a regulation Article 9 – paragraph 2

Text proposed by the Commission

2. All decisions adopted pursuant to this Section and Articles 12 **and 13** shall be made publicly available.

Amendment

2. All decisions adopted pursuant to this Section and Articles 12, **13, 14 and 21** shall be made publicly available ***in an easily understandable manner, with all decisions concerning one project retrievable from a single source.***

Or. en

Compromise Amendment 6 - Article 10, Article 12, Article 13, Article 15a (new)
EPP, S&D, Renew, Greens/EFA, The Left

Compromise amendment replacing Amendments: 392-492, 502-507, 721, 757

Proposal for a regulation

Article 10 – paragraph 1 – introductory part

Text proposed by the Commission

1. Member States shall recognise as net-zero strategic projects net-zero technology manufacturing projects corresponding to a technology listed in the Annex and located in the Union that contributes to the realisation of the objectives set out in Article 1 of this Regulation and meet ***at least one of*** the following criteria:

Amendment

1. Member States shall recognise as net-zero strategic projects net-zero technology manufacturing projects corresponding to a technology listed in the Annex and located in the Union that contributes to the realisation of the objectives set out in Article 1 of this Regulation, ***including the climate targets as defined under Regulation (EU) 2021/1119***, and meet the following criteria:

Or. en

Proposal for a regulation

Article 10 – paragraph 1 – point b – point ii

Text proposed by the Commission

(ii) it manufactures technologies with improved sustainability ***and performance***;

Amendment

(ii) it manufactures technologies with improved ***environmental*** sustainability ***or circularity features, in particular with regard to reuse and recycling***;

Or. en

Proposal for a regulation

Article 10 – paragraph 1 – point b – point iv

Text proposed by the Commission

(iv) it adopts comprehensive low-carbon and circular manufacturing

Amendment

(iv) it adopts comprehensive low-carbon, ***sustainable, resource-efficient***,

practices, including waste heat recovery.

and circular manufacturing practices, including waste heat recovery, ***energy and material efficiency and with a carbon footprint lower than industry average;***

Or. en

Proposal for a regulation

Article 10 – paragraph 1 – point b – point iv a (new)

Text proposed by the Commission

Amendment

(iva) it is aligned with the promoter's obligations under Article 15 of Directive 2022/0051.

Or. en

Proposal for a regulation

Article 10 – paragraph 1 – point ba (new)

Text proposed by the Commission

Amendment

(ba) the net-zero manufacturing project fulfils the 'Do No Significant Harm' principle within the meaning of Article 17 of Regulation (EU) 2020/852 pursuant to the technical screening criteria set out in the Delegated Acts on Environment and Climate for the corresponding manufacturing sector;

Proposal for a regulation

Article 10 – paragraph 2 – point bb (new)

Text proposed by the Commission

Amendment

(bb) the CO2 storage project contributes to reducing unavoidable industrial process emissions remaining after the best available techniques and all demand-side emissions reduction measures have been demonstrably applied;

Proposal for a regulation
Article 10 – paragraph 2 – point b c (new)

Text proposed by the Commission

Amendment

(bc) the CO₂ storage project does not store emissions generated by economic operators selling petroleum products, natural gas or coal in the Union;

Or. en

Proposal for a regulation
Article 10 – paragraph 2 – point b d (new)

Text proposed by the Commission

Amendment

(bd) the CO₂ storage project aims at sustainably, safely and permanently storing CO₂ emissions.

Or. en

Proposal for a regulation
Article 12

Text proposed by the Commission

Amendment

Priority status of net-zero strategic projects

Priority status of net-zero strategic projects

1. Project promoters and all authorities that, under national law, are competent to issue various permits and authorisations related to the planning, design and construction of immovable assets, including energy infrastructure, shall ensure that for net-zero strategic projects those processes are treated in the most rapid way possible in accordance with Union and national law.

1. Project promoters and all authorities that, under national law, are competent to issue various permits and authorisations related to the planning, design and construction of immovable assets, including energy infrastructure, shall ensure that for net-zero strategic projects those processes are treated in the most rapid way possible in accordance with Union and national law.

2. Without prejudice to obligations provided for in Union law, Member States shall grant net-zero strategic projects the status of the highest national significance possible, where such a status exists in national law, and be treated accordingly in the permit-granting processes including those relating to environmental assessments and if national law so provides, to spatial planning.

3. Net-zero strategic projects shall be considered to contribute to the security of supply of strategic net-zero technologies in the Union and therefore to be in the public interest. With regard to the environmental impacts addressed in Articles 6(4) and 16(1)I of Directive 92/43/EEC, Article 4(7) of Directive 2000/60/EC and Article 9(1)(a) of Directive 2009/147/EC, net-zero strategic projects in the Union shall be considered as being of public interest and may be considered as having an overriding public interest provided that all the conditions set out in those Directives are fulfilled.

4. All dispute resolution procedures, litigation, appeals and judicial remedies related to net-zero strategic projects in front of any national courts, tribunals, panels, including mediation or arbitration, where they exist in national law, shall be treated as urgent, if and to the extent to which national law provides for such urgency procedures and provided that the normally applicable rights of defence of individuals or of local communities would be respected Project promoters of net-zero strategic projects shall participate in such urgency procedure, where applicable.

2. Without prejudice to obligations provided for in Union law, Member States shall grant net-zero strategic projects the status of the highest national significance possible, where such a status exists in national law, and be treated accordingly in the permit-granting processes including those relating to environmental assessments and if national law so provides, to spatial planning.

3. Net-zero strategic projects shall be considered to contribute to the security of supply of strategic net-zero technologies in the Union and therefore to be in the public interest. With regard to the environmental impacts addressed in Articles 6(4) and 16(1)I of Directive 92/43/EEC, Article 4(7) of Directive 2000/60/EC and Article 9(1)(a) of Directive 2009/147/EC, net-zero strategic projects in the Union shall be considered as being of public interest and may be considered as having an overriding public interest provided that all the conditions set out in those Directives are fulfilled.

4. All dispute resolution procedures, litigation, appeals and judicial remedies related to net-zero strategic projects in front of any national courts, tribunals, panels, including mediation or arbitration, where they exist in national law, shall be treated as urgent, if and to the extent to which national law provides for such urgency procedures and provided that the normally applicable rights of defence of individuals or of local communities would be respected Project promoters of net-zero strategic projects shall participate in such urgency procedure, where applicable.

Or. en

Proposal for a regulation
Article 13 – paragraph 4

4. National competent authorities shall ensure that the lack of reply of the relevant administrative bodies within the applicable time limits referred to in this Article results in the specific intermediary steps to be considered as approved, except where the specific project is subject to an environmental impact assessment pursuant to Council Directive 92/43/EEC or Directive 2000/60/EC, Directive 2008/98/EC, Directive 2009/147/EC, Directive 2010/75/EU, 2011/92/EU or Directive 2012/18/EU or a determination of whether such environmental impact assessment is necessary **and the relevant assessments concerned have** not yet been carried out, or where the principle of administrative tacit approval does not exist in the national legal system. This provision shall not apply to final decisions on the outcome of the process, which are to be explicit. All decisions shall be made publicly available.

4. National competent authorities shall ensure that the lack of reply of the relevant administrative bodies within the applicable time limits referred to in this Article results in the specific intermediary steps to be considered as approved, except where the specific project is subject to an environmental impact assessment pursuant to Council Directive 92/43/EEC or Directive 2000/60/EC, Directive 2008/98/EC, Directive 2009/147/EC, Directive 2010/75/EU, 2011/92/EU or Directive 2012/18/EU or a determination of whether such environmental impact assessment is necessary **has** not yet been carried out, or where the principle of administrative tacit approval does not exist in the national legal system. **Where the lack of reply of the relevant administrative bodies occurs frequently, Member States shall ensure that the bodies are adequately resourced to respond within the applicable time limits to future requests.** This provision shall not apply to final decisions on the outcome of the process, which are to be explicit. All decisions shall be made publicly available.

Or. en

Proposal for a regulation
Article 15 a (new)

Text proposed by the Commission

Amendment

Article 15a

Financing of net-zero technologies

Without prejudice to the relevant provisions of Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 (ETS Directive), Member States shall report annually on the percentage of national revenues generated from the auctioning of the allowances pursuant to Article 10(3) of

Directive 2003/87/EC that is used to support the objectives of this Regulation with regard to the strategic net-zero technologies listed in Annex I of this Regulation, with a view of reaching at least 25%.

Or. en

**Compromise Amendment 7 - Article 16, Article 17
EPP, S&D, Renew, Greens/EFA, The Left**

Compromise amendment replacing Amendments: 508-560

**Proposal for a regulation
Article 16 – paragraph 1**

Text proposed by the Commission

An annual injection capacity of at least **50** million tonnes of CO₂ shall be achieved by 2030, in storage sites located in the territory of the European Union, its exclusive economic zones or on its continental shelf within the meaning of the United Nations Convention on the Law of the Sea (UNCLOS) and which are not combined with Enhanced Hydrocarbon Recovery (EHR).

Amendment

An annual injection capacity *with a provisional target* of at least **60** million tonnes of CO₂, *with priority access for unavoidable industrial process emissions*, shall be achieved by 2030 in storage sites, *meaning geological storage sites permitted under Directive 2009/31/EC, including depleted oil and gas fields and saline aquifers*, located in the territory of the European Union, *the EEA, or* its exclusive economic zones or on its continental shelf within the meaning of the United Nations Convention on the Law of the Sea (UNCLOS) and which are not combined with Enhanced Hydrocarbon Recovery (EHR). *The provisional target shall be subject to adaptation and become binding in accordance with the results of the adequacy assessment set out in Article 17, paragraph 2a of this Regulation;*

Or. en

**Proposal for a regulation
Article 16 – paragraph 1 a (new)**

The Commission shall present a report, accompanied by a legislative proposal if appropriate, to establish a new annual CO2 injection capacity to be achieved between 2030 and 2040 by [3 years following the entry into force of the Regulation] on the basis of the data received under Article 17 and 18.

Or. en

Proposal for a regulation

Article 17 – paragraph 1 – point a

Text proposed by the Commission

(a) make publicly available data on areas where CO2 storage sites can be permitted on their territory.

Amendment

(a) make publicly available data on areas where CO2 storage sites can be permitted on their territory ***and where permits or exploration permits have been issued.***

Or. en

Proposal for a regulation

Article 17 – paragraph 1 – point b

Text proposed by the Commission

(b) oblige entities holding an authorisation as defined in Article 1, point 3, of Directive 94/22/EC of the European Parliament and of the Council⁷¹ on their territory to make publicly available all geological data relating to production sites that have been decommissioned or whose decommissioning has been notified to the competent authority.

Amendment

(b) oblige entities holding an authorisation as defined in Article 1, point 3, of Directive 94/22/EC of the European Parliament and of the Council⁷¹ on their territory to make publicly available all geological data relating to production sites that have been decommissioned or whose decommissioning has been notified to the competent authority, ***and preliminary economic assessments of the respective costs of enabling CO2 injection on each site, including data on:***

⁷¹ Directive 94/22/EC of the European

⁷¹ Directive 94/22/EC of the European

Parliament and of the Council of 30 May 1994 on the conditions for granting and using authorizations for the prospection, exploration and production of hydrocarbons (OJ L 164, 30.6.1994, p. 3).

Parliament and of the Council of 30 May 1994 on the conditions for granting and using authorizations for the prospection, exploration and production of hydrocarbons (OJ L 164, 30.6.1994, p. 3).

Or. en

Proposal for a regulation

Article 17 – paragraph 1 – point b – point i (new)

Text proposed by the Commission

Amendment

i) whether the site is suitable for sustainably, safely and permanently injecting and storing CO₂;

Or. en

Proposal for a regulation

Article 17 – paragraph 1 – point b – point ii (new)

Text proposed by the Commission

Amendment

ii) whether transport infrastructure and modes suitable for safely transporting CO₂ to reach the site is available or can be constructed.

Or. en

Proposal for a regulation

Article 17 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) For the purposes of point (a), the data shall include at least the information requested in the Commission Notice on the Guidance to Member States for the update of the 2021-2030 National Energy and Climate Plans.

(c) For the purposes of point (a), the data shall include at least the information requested in the Commission Notice on the Guidance to Member States for the update of the 2021-2030 National Energy and Climate Plans ***and its subsequent updates.***

Updated data shall be made publicly

available at least every 5 years.

Or. en

Proposal for a regulation

Article 17 – paragraph 2 – introductory part

Text proposed by the Commission

2. By six months from the entry into force of this Regulation and each year thereafter, each Member State shall submit to the Commission a report describing:

Amendment

2. By six months from the entry into force of this Regulation and each year thereafter, each Member State shall submit to the Commission ***and make available publicly*** a report describing:

Or. en

Proposal for a regulation

Article 17 – paragraph 2 – point a

Text proposed by the Commission

(a) CO₂ capture projects in progress and an estimation of the corresponding needs for injection and storage capacities;

Amendment

(a) ***a mapping of*** CO₂ capture projects in progress ***on its territory or in cooperation with other Member States*** and an estimation of the corresponding needs for injection and storage capacities, ***clearly distinguishing those projects that are capturing unavoidable industrial process emissions;***

Or. en

Proposal for a regulation

Article 17 – paragraph 2 – point b

Text proposed by the Commission

(b) CO₂ storage projects in progress on its territory, including the status of permitting under Directive 2009/31/EC, expected dates for Final Investment Decision (FID) and entry into operation;

Amendment

(b) ***a mapping of*** CO₂ storage ***and CO₂ transport*** projects in progress on its territory, including the status of permitting under Directive 2009/31/EC, expected dates for Final Investment Decision (FID) and entry into operation;

Proposal for a regulation
Article 17 – paragraph 2 – point c

Text proposed by the Commission

(c) the national support measures that *could* be adopted to prompt projects referred to in points (a) and (b).

Amendment

(c) ***a national strategy on CO₂ capture and, where applicable, CO₂ storage and transport, prioritising the capture, storage and transport of unavoidable industrial process emissions, to contribute to the Union annual injection capacity target including national targets, and the national support measures that *have been and will* be adopted to prompt projects referred to in points (a) and (b);***

Or. en

Proposal for a regulation
Article 17 – paragraph 2 – point c a (new)

Text proposed by the Commission

Amendment

(ca) ***in the absence of CO₂ storage projects in progress or planned on its territory, the support measures for alternative decarbonisation pathways for industry sectors generating unavoidable CO₂ emissions, such as cross-border CO₂ transport projects to CO₂ storage sites in other Member States;***

Or. en

Proposal for a regulation
Article 17 – paragraph 2 – point c b (new)

Text proposed by the Commission

Amendment

(cb) ***arrangements, including bilateral agreements, to facilitate non-discriminatory and fair access to cross-***

border CO2 transport infrastructure, if applicable.

These reports shall be made publicly available.

Or. en

Proposal for a regulation
Article 17 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. By 12 months from the entry into force of this Regulation and every 12 months thereafter, the Commission shall publish a CO2 storage and injection capacity adequacy assessment, using notably the information collected pursuant to Article 17(2) and to Article 18 (6).

This adequacy assessment shall:

(a) provide a detailed analysis of the geographical and temporal adequacies between the existing and planned CO2 storage sites and the CO2 capture projects for CO2 emissions from industrial installations within the Union;

(b) identify the main infrastructure needed for the transportation and storage of CO2 emissions from industrial installations, in the most environmentally and socially responsible as well as the most cost-efficient manner, throughout the Union;

(c) adapt the provisional target of necessary CO2 injection capacity to be developed in the Union and set a binding target to enable the permanent storage of CO2 emissions from industrial installations by 2030.

Or. en

Compromise Amendment 8 - Article 18, Article 18 a (new), Article 30, Article 31

Compromise amendment replacing Amendments: 561-623, 693-716, 724

Proposal for a regulation

Article 18 – title

Text proposed by the Commission

Contribution of *authorised oil and gas producers*

Amendment

Contribution of *economic operators offering petroleum products, natural gas or coal on the Union market*

Or. en

Proposal for a regulation

Article 18 – paragraph 1

Text proposed by the Commission

1. Each *entity holding an authorisation as defined in Article 1, point 3, of Directive 94/22/EC* shall be subject to an individual contribution to the Union-wide target for available CO₂ injection capacity set in Article 16. Those individual contributions shall be calculated pro-rata on the basis of each entity's share in the Union's *crude oil and natural gas production* from 1 January 2020 to 31 December 2023 and shall consist of CO₂ injection capacity in a storage site permitted in accordance with Directive 2009/31/EC on the geological storage of carbon dioxide and available to the market by 2030.

Amendment

1. Each *economic operator offering petroleum products, natural gas or coal on the Union market* shall be subject to an individual contribution to the Union-wide target for available CO₂ injection capacity set in Article 16. Those individual contributions shall be calculated pro-rata on the basis of each entity's share in the Union's *greenhouse gas emissions stemming from the combustion of the volumes of fossil fuels products offered on the Union market* from 1 January 2020 to 31 December 2023 and shall consist of CO₂ injection capacity in a storage site permitted in accordance with Directive 2009/31/EC on the geological storage of carbon dioxide and available to the market by 2030.

Or. en

Proposal for a regulation

Article 18 – paragraph 2

Text proposed by the Commission

Amendment

2. Within three months of the entry into force of this Regulation, Member States shall, identify and report to the European Commission the entities referred to in paragraph 1 and their volumes in crude oil **and** natural gas **production** from 1 January 2020 to 31 December 2023.

2. Within three months of the entry into force of this Regulation, Member States shall, identify and report to the European Commission the entities referred to in paragraph 1 and their volumes in crude oil natural gas **and coal placed on the Union market** from 1 January 2020 to 31 December 2023.

Or. en

Proposal for a regulation
Article 18 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Entities referred to in paragraph 1 shall be able to meet their individual contribution to the Union-wide target for available CO2 injection capacity also through available injection capacity in storage sites located in a neighbouring country that applies the same legal requirements as the ones set out in Directive 2009/31/EC, pursuant to a legal agreement ratified between that third country and the Union.

Or. en

Proposal for a regulation
Article 18 – paragraph 3

Text proposed by the Commission

Amendment

3. Following the receipt of the reports submitted pursuant to Article 17 (2), the Commission after having consulted Member States and interested parties, shall specify the share of the contribution to the Union CO2 injection capacity objective by 2030 from entities referred to in paragraph 1.

3. Following the receipt of the reports submitted pursuant to Article 17 (2), the Commission after having consulted Member States and interested parties, shall specify **and make publicly available within six months** the share of the contribution to the Union CO2 injection capacity objective by 2030 from entities referred to in paragraph 1.

Proposal for a regulation

Article 18 – paragraph 4 – introductory part

Text proposed by the Commission

4. Within twelve months of the entry into force of the Regulation, the entities referred to in paragraph 1 shall submit to the Commission a plan detailing how they intend to meet their contribution to Union CO₂ injection capacity objective by 2030. Those plans shall:

Amendment

4. Within twelve months of the entry into force of the Regulation, the entities referred to in paragraph 1 shall submit to the Commission ***and make publicly available*** a plan detailing how they intend to meet their ***individual*** contribution to Union CO₂ injection capacity objective by 2030. Those plans shall:

Or. en

Proposal for a regulation

Article 18 – paragraph 4 – point b

Text proposed by the Commission

(b) specify the means and the milestones for reaching the targeted volume.

Amendment

(b) specify the means and the milestones for reaching the targeted volume, ***including CO₂ capture sources;***

Or. en

Proposal for a regulation

Article 18 – paragraph 4 – point b a (new)

Text proposed by the Commission

Amendment

(ba) outline how the entity ensures that the conditions for any commercial arrangements with third parties for the capture, storage and transport of CO₂ are fair and non-discriminatory.

Or. en

Proposal for a regulation
Article 18 – paragraph 4 – point b b (new)

Text proposed by the Commission

Amendment

(bb) outline how the entity ensures that priority access will be given to unavoidable industrial process emissions;

Or. en

Proposal for a regulation
Article 18 – paragraph 5 – point a

Text proposed by the Commission

Amendment

(a) develop CO2 storage projects alone or in co-operation;

(a) **invest in, or** develop CO2 storage projects alone or in co-operation;

Or. en

Proposal for a regulation
Article 18 – paragraph 5 – point c

Text proposed by the Commission

Amendment

(c) enter into agreements with third party storage project developers or investors to fulfil their contribution.

(c) enter into agreements with third party storage, **capture and transport** project developers or investors to fulfil their contribution.

Or. en

Proposal for a regulation
Article 18 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5a. The entities shall demonstrate the safety and permanence of their CO2 storage sites, including the safety of CO2 transport to the site, through independent third-party verification and fulfil the

**Proposal for a regulation
Article 18 – paragraph 6**

Text proposed by the Commission

6. Two years after the entry into force of the Regulation and every year thereafter, the entities referred to in paragraph 1 shall submit a report to the Commission detailing their progress towards meeting their contribution. The Commission shall make these reports public.

Amendment

6. Two years after the entry into force of the Regulation and every year thereafter, the entities referred to in paragraph 1 shall submit a report to the ***competent authority of the Member States and the Commission*** detailing their progress towards meeting their contribution, ***including related costs. This report shall include details on new injection capacity commissioned, how much of that capacity is being utilised, the sources of CO₂ that is stored and an overview of the economic feasibility of planned injection capacities and recommendations to the Member States on additional measures required to reach the CO₂ injection objective.*** The Commission shall make these reports public.

**Proposal for a regulation
Article 18 – paragraph 6 a (new)**

Text proposed by the Commission

Amendment

6a. The Commission shall assess the compliance of the entities referred to in paragraph 1 with the requirements of this Chapter. In this assessment the Commission shall take into account the development of CO₂ transport modalities to the injection sites as well as the development of carbon capture activities to produce the demand for CO₂ injection.

Proposal for a regulation
Article 18 – paragraph 7 – point b

Text proposed by the Commission

(b) The content of the reports referred to in paragraph 6.

Amendment

(b) The content of the reports referred to in paragraph 6.

Or. en

Proposal for a regulation
Article 18 – paragraph 7 – point b a (new)

Text proposed by the Commission

Amendment

(ba) The list of sectors with unavoidable industrial process emissions from large-scale industrial installations, for which no direct emissions reduction options are available after the best available techniques have been applied, that will be prioritised for the CO₂ storage projects in this Chapter, based on a clear methodology taking into account scientific evidence, the current state-of-the-art of relevant technologies, as well as appropriate demand-side emissions reduction measures. The list shall be regularly reviewed and updated at least every 5 years to take into account relevant scientific or technological developments.

Or. en

Proposal for a regulation
Article 18 – paragraph 7 a (new)

Text proposed by the Commission

Amendment

7a. Member States shall lay down rules on dissuasive penalties applicable to the entities referred to in paragraph 1 in case of infringement of the provisions of

paragraphs 1, 4, 5 and 5a of this Article and notify these rules to the Commission within three months after entry into force of this Regulation.

Or. en

Proposal for a regulation
Article 18 a (new)

Text proposed by the Commission

Amendment

Article 18a

Regulatory framework for the market for CO₂ storage and transport

Within 1 year of the entry into force of this Regulation, the Commission shall adopt a legislative proposal, following the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making and including an impact assessment, to establish a regulatory framework for a Union-wide CO₂ capture, storage and transport market to complement the rules set out in Directive 2009/31/EC, laying down rules on:

- (a) open, fair and non-discriminatory access and safety of the CO₂ storage and transport network;***
- (b) the functioning and interconnection of the CO₂ transport network and other infrastructure across the Union;***
- (c) economic incentives, funding and financial assistance mechanisms;***
- (d) specification standards for CO₂ storage and transport;***
- (e) environmental standards;***
- (f) enforcement mechanisms.***

Or. en

Proposal for a regulation

Article 30 – paragraph 1

Text proposed by the Commission

Member States shall take into consideration this Regulation when preparing their national energy and climate plans and their updates, submitted pursuant to Articles 3, 9, and 14 of Regulation (EU) 2018/1999, in particular as regards the dimension “research, innovation and competitiveness” of the Energy Union, and in the submission of their biennial progress reports in accordance with Article 17 of that Regulation.

Amendment

Member States shall take into consideration this Regulation when preparing their national energy and climate plans and their updates, submitted pursuant to Articles 3, 9, and 14 of Regulation (EU) 2018/1999 **and shall include a detailed analysis of their progress towards the objectives in Article 1 of this Regulation and future measures to achieve these objectives, including through cross-border cooperation**, in particular as regards the dimension “research, innovation and competitiveness” of the Energy Union, and in the submission of their biennial progress reports in accordance with Article 17 of that Regulation. **In particular, Member States shall identify measures to promote research, development and innovation in order to:**

(a) minimise and counterbalance unavoidable CO₂ emissions from energy-intensive sectors;

(b) improve environmental sustainability and circularity features of manufacturing capacities of strategic net-zero technologies, in particular with regard to the reuse, recycling and resource-efficiency considerations;

(c) improve the performance of those technologies compared to the state-of-the-art in the Union in order to maintain global leadership.

Or. en

Proposal for a regulation

Article 31 – paragraph 1 – introductory part

Text proposed by the Commission

1. The Commission shall monitor on an ongoing basis:

Amendment

1. The Commission shall monitor **and make publicly available the results of this**

monitoring on an ongoing basis:

Or. en

Proposal for a regulation
Article 31 – paragraph 1 – point a

Text proposed by the Commission

(a) The Union’s progress with respect to the Union’s objectives referred to in Article 1, and the related impact of this Regulation;

Amendment

(a) The Union’s progress with respect to the Union’s objectives referred to in Article 1, and the related impact of this Regulation, ***including its consistency with the requirements of the ‘Do No Significant Harm’ principle in the meaning of in Regulation (EU) 2020/852;***

Or. en

Proposal for a regulation
Article 31 – paragraph 1 – point b

Text proposed by the Commission

(b) the progress with respect to the Union level objective of CO₂ injection capacity referred to in Article 16.

Amendment

(b) the progress with respect to the Union level objective of CO₂ injection capacity referred to in Article 16, ***to be published every two years after the entry into force of the Regulation and including:***

Or. en

Proposal for a regulation
Article 31 – paragraph 1 – point b – point i (new)

Text proposed by the Commission

Amendment

i) an overview of the geographical spread of storage sites across the EU;

Or. en

Proposal for a regulation

Article 31 – paragraph 1 – point b – point ii (new)

Text proposed by the Commission

Amendment

ii) a CO₂ storage and injection capacity adequacy assessment providing a detailed analysis of geographical and temporal adequacies of planned and existing CO₂ storage sites;

Or. en

Proposal for a regulation

Article 31 – paragraph 1 – point b – point iii (new)

Text proposed by the Commission

Amendment

iii) an identification of the infrastructure needed for the transport and storage of CO₂ throughout the Union.

Or. en

Proposal for a regulation

Article 31 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(ba) the progress with respect to the assessment referred to in Article 8 (2) for the development of net-zero technologies to achieve the objectives under Article 1 paragraph 2(a);

Or. en

Proposal for a regulation

Article 31 – paragraph 1 – point b b (new)

Text proposed by the Commission

Amendment

(bb) the Union's progress with respect to each technology referred to in Article 1(a) and Annex 1 of this Regulation, to be published every two years after entry into force of this Regulation and including an evaluation of whether the list of strategic and net-zero technologies are fit for purpose.

Or. en

**Proposal for a regulation
Article 31 – paragraph 1 – point b c (new)**

Text proposed by the Commission

Amendment

(bc) the adequacy of the administrative capacity of the Member States to fulfil their obligations under this Regulation.

Or. en

**Proposal for a regulation
Article 31 – paragraph 2 – introductory part**

Text proposed by the Commission

Amendment

2. Member States and the national authorities they designate for this purpose shall collect and provide data and other evidence required pursuant to paragraph 1, points (a) and (b). In particular, they shall collect **and** report each year to the Commission data on:

2. Member States and the national authorities they designate for this purpose shall collect and provide data and other evidence required pursuant to paragraph 1, points (a) and (b). In particular, they shall collect, report **and make publicly available** each year to the Commission data on:

Or. en

**Proposal for a regulation
Article 31 – paragraph 2 – point h a (new)**

Text proposed by the Commission

Amendment

(ha) The effect of net-zero technology manufacturing projects, net-zero strategic

projects and, where applicable, net-zero regulatory sandboxes on biodiversity, only where available based on the information gathered during the environmental assessments conducted in the permitting process.

Or. en

Compromise Amendment 9 - Annex I and Annex Ia (new)

EPP, S&D, Renew, Greens/EFA, The Left

Compromise amendment replacing Amendments: 728, 729, 731-741, 743-752

Proposal for a regulation

Annex – row 6

Text proposed by the Commission

6. Sustainable *biogas/biomethane* technologies

Amendment

6. Sustainable *alternative fuels* technologies *meaning e-fuel production for aviation and shipping from e-ammonia, e-methanol, e-liquid H2 and e-kerosene*

Or. en

Proposal for a regulation

Annex – row 7

Text proposed by the Commission

7. Carbon Capture and storage (CCS) technologies

Amendment

7. Carbon Capture and Storage (CCS) technologies, *including Direct Air Capture and Storage technologies (DACs)*

Or. en

Proposal for a regulation

Annex I a (new)

Text proposed by the Commission

<i>Components</i>	<i>Assemblies / end products</i>
<i>Permanent Magnets</i>	<i>Wind turbines</i>
<i>Blades</i>	
<i>Nacelle casing</i>	
<i>Gearbox</i>	
<i>Shafts</i>	
<i>Power generator</i>	
<i>Bearings</i>	
<i>Tower</i>	
<i>Silicon ingots</i>	<i>Solar PV Panels</i>
<i>Silicon wafers</i>	
<i>Solar cells</i>	
<i>Modules</i>	
<i>Inverter</i>	
<i>Junction box</i>	
<i>Frames</i>	
<i>Connectors</i>	
<i>Compressor</i>	<i>Heat pumps</i>
<i>Electronic control</i>	
<i>Heat exchanger</i>	
<i>Tanks & hot water cylinders</i>	
<i>Valves</i>	
<i>Pumps</i>	
<i>Fans</i>	
<i>Pipework</i>	
<i>Anodes</i>	<i>Li-ion battery technologies</i>
<i>Cathodes</i>	
<i>Electrolytes</i>	
<i>Separators</i>	
<i>Anodes</i>	<i>Electrolysers</i>
<i>Cathodes</i>	
<i>Catalysts</i>	
<i>Membranes</i>	
<i>Electrolytes</i>	
<i>Bipolar plates</i>	
<i>Anodes</i>	<i>Fuel cells</i>
<i>Cathodes</i>	

<i>Electrolytes</i>	<i>Grid technologies</i>
<i>Catalysts</i>	
<i>Bipolar plates</i>	
<i>Cell sealants</i>	
<i>Conductors, towers, insulators</i>	
<i>Transformers</i>	
<i>Switchgears</i>	
<i>Circuit breakers</i>	
<i>Capacity banks, bus bars</i>	
<i>Panels</i>	
<i>Pipes</i>	
<i>Tanks</i>	
<i>Concentrated solar plant: mirrors, lenses, tower (for molten salt), heat exchanger, heat engine</i>	
<i>Power generator</i>	

**Compromise Amendment 10 - Recitals
EPP, S&D, Renew, Greens/EFA, The Left**

Compromise amendment replacing Amendments: 1-16, 18-105, 107-124, 133, 134, 136- 148, 153- 167, 169- 174, 177, 178, 180, 181, 183

**Proposal for a regulation
Recital 6**

Text proposed by the Commission

Amendment

(6) The net-zero transformation is already causing huge industrial, economic, and geopolitical shifts across the globe, which will become ever more pronounced as the world advances in its decarbonisation efforts. The road to net zero translates into strong opportunities for the expansion of Union’s net-zero industry, making use of the strength of the Single Market, by promoting investment in technologies in the field of renewable energy technologies, electricity and heat storage technologies, heat pumps, grid technologies, renewable fuels of non-biological origin technologies, electrolysers and fuel cells, *[fusion, small modular reactors and related best-in-class fuels,]* carbon capture, utilisation, and

(6) The net-zero transformation is already causing huge industrial, economic, and geopolitical shifts across the globe, which will become ever more pronounced as the world advances in its decarbonisation efforts. The road to net zero translates into strong opportunities for the expansion of Union’s net-zero industry, making use of the strength of the Single Market, by promoting investment in technologies in the field of renewable energy technologies, electricity and heat storage technologies, heat pumps, grid technologies, renewable fuels of non-biological origin technologies, electrolysers and fuel cells, carbon capture, utilisation, and storage technologies, *clean energy based on innovative water technologies including tidal wave and*

storage technologies, and energy-system related energy efficiency technologies and their supply chains, allowing for the decarbonisation of our economic sectors, from energy supply to transport, buildings, and industry. A strong net zero industry within the European Union can help significantly in reaching the Union's climate and energy targets effectively, as well as in supporting other Green Deal objectives, while creating jobs and growth.

Proposal for a regulation

Recital 10

Text proposed by the Commission

(10) To achieve the 2030 objectives a particular focus is needed on some of the net-zero technologies, also in view their significant contribution towards the path to net zero by 2050. These technologies include solar photovoltaic and solar thermal technologies, onshore and offshore renewable technologies, battery/storage technologies, heat pumps and geothermal energy technologies, electrolysers and fuel cells, sustainable biogas/biomethane, carbon capture and storage technologies **and** grid technologies. These technologies play a key role in the Union's open strategic autonomy, ensuring that citizens have access to clean, affordable, secure energy. Given their role, these technologies should benefit from even faster permitting procedures, obtain the status of the highest national significance possible under national law and benefit from additional support to crowd-in investments.

osmosis power technologies and energy-system related energy efficiency technologies and their supply chains, allowing for the decarbonisation of our economic sectors, from energy supply to transport, buildings, and industry. A strong net zero industry within the European Union can help significantly in reaching the Union's climate and energy targets effectively, as well as in supporting other Green Deal objectives, while creating jobs and growth.

Amendment

(10) To achieve the 2030 objectives a particular focus is needed on some of the net-zero technologies, also in view their significant contribution towards the path to net zero by 2050. These technologies include, ***inter alia***, solar photovoltaic and solar thermal technologies, onshore and offshore renewable technologies, battery/storage technologies, heat pumps and geothermal energy technologies, electrolysers and fuel cells, sustainable biogas/biomethane, carbon capture and storage technologies, grid technologies ***and clean energy based on innovative water technologies including tidal wave technologies including tidal wave and osmosis power technologies***. These technologies, ***including specific components and specific machinery primarily used for their production***, play a key role in the Union's open strategic autonomy, ensuring that citizens have access to clean, affordable, secure energy. Given their role, these technologies should benefit from even faster permitting procedures, obtain the status of the highest national significance possible under national law and benefit from additional support to crowd-in investments.

Or. en

Proposal for a regulation
Recital 13

Text proposed by the Commission

(13) The development of carbon capture and storage solutions for industry is confronted with a coordination failure. On the one hand, despite the growing CO₂ price incentive provided by the EU Emissions Trading System, for industry to invest into capturing CO₂ emissions making such investments economically viable, they face a significant risk of not being able to access a permitted geological storage site. On the other hand, investors into first CO₂ storage sites face upfront costs to identify develop and appraise them even before they can apply for a regulatory storage permit. Transparency about potential CO₂ storage capacity in terms of the geological suitability of relevant areas and existing geological data, in particular from the exploration of hydrocarbon production sites, can support market operators to plan their investments. Member State should make such data publicly available and report regularly in a forward-looking perspective about progress in developing CO₂ storage sites and the corresponding needs for injection and storage capacities above, in order to collectively reach the Union-wide target for CO₂ injection capacity.

Proposal for a regulation
Recital 13 a (new)

Text proposed by the Commission

Amendment

(13) The development of carbon capture and storage solutions for industry is confronted with a coordination failure. On the one hand, despite the growing CO₂ price incentive provided by the EU Emissions Trading System, for industry to invest into capturing CO₂ emissions making such investments economically viable, they face a significant risk of not being able to access a permitted geological storage site. On the other hand, investors into first CO₂ storage sites face upfront costs to identify develop and appraise them even before they can apply for a regulatory storage permit. Transparency about potential CO₂ storage capacity in terms of the geological suitability of relevant areas and existing geological data, in particular from the exploration of hydrocarbon production sites, can support market operators to plan their investments. Member State should make such data publicly available and report regularly in a forward-looking perspective about progress in developing CO₂ storage sites and the corresponding needs for injection and storage capacities above, in order to collectively reach the Union-wide target for CO₂ injection capacity. ***To ensure that injection capacity will deliver the expected CO₂ removals and to avoid stranded assets, CCS value chains including capture-transport and storage need to be established by 2030.***

Amendment

(13a) Additional policy effort is essential to secure the deployment of cross-border infrastructure planning. Accessibility and connectivity of the full range of carbon dioxide (CO₂) transportation modalities

plays a critical role for the deployment of CCS and CCU projects. Modalities cover ship, barge, train and truck as well as fixed facilities for connecting and docking, for liquefaction, buffer storage and converters of CO₂ in view of its further transportation through pipelines and in dedicated modes of transport. To reach the Union's target of 60 million tonnes of annual operational CO₂ injection capacity by 2030, the Commission should develop a CO₂ infrastructure plan with actions towards creating a regulatory and financial framework to establish a unified CCS market in the EU.

Proposal for a regulation

Recital 14

Text proposed by the Commission

(14) A key bottleneck for carbon capture investments that are today increasingly economically viable is the availability of operating CO₂ storage sites in Europe, which underpin the incentives from Directive 2003/87/EC. To scale up the technology and expand its leading manufacturing capacities, the EU needs to develop a forward-looking supply of permanent geological CO₂ storage sites permitted in accordance with Directive 2009/31/EU³⁶. By defining a Union target of 50 million tonnes of annual operational CO₂ injection capacity by 2030, in line with the expected capacities needed in 2030, the relevant sectors can coordinate their investments towards a European Net-Zero CO₂ transport and storage value chain that industries can use to decarbonise their operations. This initial deployment will also support further CO₂ storage in a 2050 perspective. According to the Commission's estimates, the Union could need to capture up to 550 million tonnes of CO₂ annually by 2050 to meet the net zero objective³⁷, including for carbon removals. Such a first industrial-scale storage capacity will de-risk investments into the

Amendment

(14) A key bottleneck for carbon capture investments that are today increasingly economically viable is the availability of operating CO₂ storage sites in Europe, which underpin the incentives from Directive 2003/87/EC. To scale up the technology and expand its leading manufacturing capacities, the EU needs to develop a forward-looking supply of permanent geological CO₂ storage sites permitted in accordance with Directive 2009/31/EU³⁶, **which prioritises the storage of unavoidable industrial process emissions from large-scale industrial installations**. By defining a **provisional** Union target of 60 million tonnes of annual operational CO₂ injection capacity by 2030, in line with the expected capacities needed in 2030, the relevant sectors can coordinate their investments towards a European Net-Zero CO₂ transport and storage value chain that industries can use to decarbonise their operations. This initial deployment will also support further CO₂ storage in a 2050 perspective. **In order to keep the Union target in line with actually available storage capacities and demand, the Commission shall adapt this target**

capturing of **CO₂** emissions as important tool to reach climate neutrality. When this regulation is incorporated into the EEA Agreement, the Union **target of 50 million tonnes of annual operational CO₂ injection capacity by 2030** will be adjusted accordingly.

pursuant to an adequacy assessment taking into account the data collected for the purposes of this Regulation.

According to the Commission's estimates, the Union could need to capture up to 550 million tonnes of **CO₂** annually by 2050 to meet the net zero objective³⁷, including for carbon removals. Such a first industrial-scale storage capacity will de-risk investments into the capturing of **CO₂** emissions as important tool to reach climate neutrality. When this regulation is incorporated into the EEA Agreement **or other agreements between the Union and third countries on the storage of CO₂ are ratified, the adequacy assessment and corresponding CO₂ injection capacity will be adjusted accordingly.**

³⁶ Directive 2009/31/EC of the European Parliament and of the Council of 23 April 2009 on the geological storage of carbon dioxide and amending Council Directive 85/337/EEC, European Parliament and Council Directives 2000/60/EC, 2001/80/EC, 2004/35/EC, 2006/12/EC, 2008/1/EC and Regulation (EC) No 1013/2006 (Text with EEA relevance), (OJ L 140, 5.6.2009, p. 114).

³⁷ In depth analysis in support of the Commission Communication (2018/773) A Clean Planet for all. A European long-term strategic vision for a prosperous, modern, competitive and climate neutral economy.

³⁶ Directive 2009/31/EC of the European Parliament and of the Council of 23 April 2009 on the geological storage of carbon dioxide and amending Council Directive 85/337/EEC, European Parliament and Council Directives 2000/60/EC, 2001/80/EC, 2004/35/EC, 2006/12/EC, 2008/1/EC and Regulation (EC) No 1013/2006 (Text with EEA relevance), (OJ L 140, 5.6.2009, p. 114).

³⁷ In depth analysis in support of the Commission Communication (2018/773) A Clean Planet for all. A European long-term strategic vision for a prosperous, modern, competitive and climate neutral economy.

Or. en

Proposal for a regulation

Recital 15

Text proposed by the Commission

(15) By defining **CO₂** storage sites that contribute to the Union's 2030 target as net-zero strategic projects, the development of **CO₂** storage sites can be accelerated and facilitated, and the increasing industrial demand for storage sites can be channelled

Amendment

(15) By defining **CO₂** storage sites that contribute to the Union's 2030 target as net-zero strategic projects, the development of **CO₂** storage sites can be accelerated and facilitated, and the increasing industrial demand for storage sites can be channelled

towards the most-cost-effective storage sites. An increasing volume of depleting gas and oil fields that could be converted in safe **CO₂** storage sites are at the end of their useful production lifetime. In addition, the oil and gas industry has affirmed its determination to embark on an energy transition and possesses the assets, skills and knowledge needed to explore and develop additional storage sites. To reach the Union's target of **50** million tonnes of annual operational **CO₂** injection capacity by 2030, the sector needs to pool its contributions to ensure that carbon capture and storage as a climate solution is available ahead of demand. In order to ensure a timely, Union-wide and cost-effective development of **CO₂** storage sites in line with the EU objective for injection capacity, **licensees of oil and gas production** in the EU should contribute to this target pro rata of their **oil and gas manufacturing capacity**, while providing flexibilities to cooperate and take into account other contributions of third parties.

towards the most-cost-effective storage sites. An increasing volume of depleting gas and oil fields that could be converted in safe **CO₂** storage sites are at the end of their useful production lifetime. In addition, the oil and gas industry has affirmed its determination to embark on an energy transition and possesses the assets, skills and knowledge needed to explore and develop additional storage sites. To reach the Union's **provisional** target of **60** million tonnes of annual operational **CO₂** injection capacity by 2030, the sector needs to pool its contributions to ensure that carbon capture and storage as a climate solution is available ahead of demand, **taking into account the adequacy assessment conducted in order to assess the viability of storage capacity and the provisional target**. In order to ensure a timely, Union-wide and cost-effective development of **CO₂** storage sites in line with the EU objective for injection capacity, **economic operators selling petroleum products, natural gas or coal** in the EU should contribute to this target pro rata of their **greenhouse gas emissions**, while providing flexibilities to cooperate and take into account other contributions of third parties.

Or. en

Proposal for a regulation

Recital 18

Text proposed by the Commission

(18) Considering these objectives together, while also taking into account that for certain elements of the supply chain (such as inverters, as well as solar cells, wafers, and ingots for solar PV or cathodes and anodes for batteries) the Union manufacturing capacity is low, the Union net-zero technologies annual capacity should aim at approaching or reaching an overall annual manufacturing benchmark of at least 40% of annual

Amendment

(18) Considering these objectives together, while also taking into account that for certain elements of the supply chain (such as inverters, as well as solar cells, wafers, and ingots for solar PV or cathodes and anodes for batteries) the Union manufacturing capacity is low, the Union net-zero technologies annual capacity should aim at approaching or reaching an overall annual manufacturing benchmark of at least 40% of annual

deployment needs by 2030 for the technologies listed in *the* Annex .

deployment needs by 2030 for the technologies listed in Annex *I*. **However, some technologies have already reached a significant level of manufacturing capacity. For those technologies, a higher benchmark should be set, in relation to the existing capacity.**

Proposal for a regulation
Recital 43 a (new)

Text proposed by the Commission

Amendment

(43a) With the increase of EU ETS prices, revenues from the EU ETS for Member States have increased substantially. To promote the decarbonisation of Union industry, Member States should significantly increase their allocation of national revenues stemming from the EU ETS to support the decarbonisation of industry and should therefore aim to allocate at least 25% of their national revenues stemming from the Emission Trading System to support the objectives of this Act.