



Findings from the Compliance Cycle Evaluation Project

**The 2012 EU ETS Compliance Forum Event
Compliance Challenges for 2013 and Beyond: Making
it Simpler, more Efficient, more Effective**

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Sina Wartmann

s.wartmann@ecofys.com

The Project

- *Scope: EU-MS, Liechtenstein, Iceland, Norway*
- *Consortium: Ecofys and PwC*
- *Questions:*
 - How have MS implemented the EU-ETS compliance cycle in 2009/2010 (2010/2011 for aviation)?
 - Are MS in compliance with the relevant legal requirements?
 - What has changed since the previous project?
 - Have the recommendations to MS from the previous project been implemented?

Main Findings

- *As an overall finding, the execution of the compliance processes is in line with the Emission Trading Directive and 2007 MRG.*
- *Largest improvement potential regarding harmonisation in the areas of verification, supervision of accreditation and enforcement*
- *Changes in implementation compared to previous study mainly in aviation and accreditation.*

Main Findings

- *The aviation sector shows a higher level of harmonisation than the stationary installations – both within and among MS*
- *Potential for improvement remains with regards to MS exchanging best practices, especially guidance or tools.*
- *Increased interest with MS in applying IT solutions*

Main Recommendations

- *Continue working towards common approaches through common guidance, templates and tools, e.g. for the ETS new activities, implementation of the new Regulations*
- *Improve the exchange of information and experience among MS, e.g. through the Compliance Forum, exchange programmes, coaching among MS*
- *Facilitate the enhanced use of IT, e.g. in common tools*
- *Support control within the system, e.g. through clearer roles and implementation of information feedback-loops between relevant actors*

Best Practices: Aviation

At EU-Level:

- *Common templates for monitoring and reporting*
- *Common guidance documents*

At national level:

- *Shared responsibilities between Ministry of Environment and Aviation Authority as competent authority for aviation (ES)*
- *Tools with automatic cross-checks for review of reports (UK, IR), including cross-checks between reports and monitoring plans (DK) and with ETS Support Facility on Aerodrome Distance (DE)*

Best Practices Accreditation

- *Main changes in accreditation related to complying with Regulation 765/2008*
- *Transfer of knowledge from CA to AB by a joint working group and (planned) joint surveillance activities in 2012 (PT)*
- *Clear transitional provisions for verification bodies holding accreditation not issued by the newly appointed national AB with regards to validity (until end of 2014) and extension of scope (ES)*

Experiences from Evaluation Projects

- *Evaluations covering all EU-ETS participants took place in 2010 and 2011, covering the 2008/2009 and 2009/2010 compliance cycles*
- *Changes found mainly where framework conditions changed (aviation, accreditation)*
- *Member States struggled with implementation of recommendations received*
 - ✓ *In the timeframe of one year*
 - ✓ *With several EU-ETS relevant processes going on in parallel (e.g. benchmarking)*
 - ✓ *With further changes to implemented from 2013 onwards based on the M&R and A&V Regulations*

Recommendations for future Evaluations

Introduce an efficient continuous evaluation system:

- *Basic annual reporting, e.g. through Art. 21*
- *Flexible in-depth data collection approaches considering the level of change taking place in the EU-ETS:*
 - *Phone interviews or in-country visits*
 - *Covering the whole compliance cycle or specific elements likely to have changed*
 - *Regularly at larger intervals (e.g. 3-4 years) or after relevant changes in the legal framework at EU-Level*



Thank you for your attention!

For more information please contact:

Sina Wartmann

Ecofys Germany GmbH

Tel: +49 221 27070-139

s.wartmann@ecofys.com