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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 01/III/2006  
C(2006)584 final

**COMMISSION DECISION**

**of 01/III/2006**

**amending Commission Decision of 8 April 2005 concerning the unilateral inclusion of additional activities by the Republic of Latvia in the Community emission allowance trading scheme pursuant to Article 24 of Directive 2003/87/EC of the European Parliament and of the Council**

## COMMISSION DECISION

of 01/III/2006

**amending Commission Decision C(2005)481 final of 8 April 2005 concerning the unilateral inclusion of additional activities by The Republic of Latvia in the Community emission allowance trading scheme pursuant to Article 24 of Directive 2003/87/EC of the European Parliament and of the Council**

(Only the Latvian text is authentic)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC, and in particular Article 24(1) thereof<sup>1</sup>,

Whereas:

- (1) The Commission in its decision of 8 April 2005 approved Latvia's application to unilaterally include 23 additional installations in the Community emission allowance trading scheme pursuant to Article 24 of Directive 2003/87/EC.
- (2) By letter dated 23 June 2005, Latvia has applied for the unilateral inclusion of further 4 installations in the Community emission allowance trading scheme pursuant to Article 24 of Directive 2003/87/EC.
- (3) The application describes the 4 installations as installations that were originally included in the Community emission allowance trading scheme as mandatory participants in the category of combustion installations with a rated thermal input exceeding 20 MW. In the process of issuing greenhouse gas emissions permits to the operators of these installations, improved data was received regarding their production capacity which is now below the threshold value of 20 MW. As Latvia intends to keep these installations in the Community emission allowance trading scheme, it decided to apply for their unilateral inclusion under Article 24(1) Directive 2003/87/EC.
- (4) The national allocation plan of Latvia was registered by the Commission on 10 May 2004 and completed by letter dated 26 August 2004, including the intended allocations to installations covered by this application. No objections were raised to it by Commission Decision C(2004) 3982/5 final of 20 October 2004.

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<sup>1</sup> OJ L 275, 25.10.2003, p. 32.

- (5) The installations to be included unilaterally were intended to be issued allowances on the basis of historical emissions data from the years 1997 and 2001, as in accordance with the national allocation plan. Hence the total quantity of the allowances to be issued will not increase as a result of the opt-in application.
- (6) In the future similar installations could emerge and require to be included unilaterally in the Community emission allowance trading scheme, and it is necessary to clarify the status of such further installations without repeated decisions on behalf of the Commission.
- (7) The Commission takes into account the criteria referred to in Article 24, and considers that the inclusion of the additional 4 installations and any further similar installations will not result in distortions of competition or of the internal market, that emissions will be monitored and reported in accordance with Commission Decision 2004/156/EC<sup>2</sup> and that the inclusion of these installations will not undermine the environmental integrity of the Community emission allowance trading scheme.
- (8) The measures provided for in this Decision are in accordance with the opinion of the Climate Change Committee established by Article 9 of Decision No 280/2004/EC of the European Parliament and of the Council of 11 February 2004 concerning a mechanism for monitoring Community greenhouse gas emissions and for implementing the Kyoto Protocol<sup>3</sup>,

HAS ADOPTED THIS DECISION:

#### *Article 1*

Article 1 of the Commission Decision C(2005)481 final of 8 April 2005 concerning the unilateral inclusion of additional activities by Latvia in the Community emission allowance trading scheme pursuant to Article 24 of Directive 2003/87/EC of the European Parliament and of the Council is hereby replaced by the following:

“Latvia’s application for the unilateral inclusion of installations in the Community emission allowance trading scheme is approved. This decision applies to all installations listed in Latvia’s two applications dated 25 November 2004 and 23 June 2005, as well as to similar combustion installations with a rated thermal input below 20 MW that were included in Latvia’s National Allocation Plan, registered with the Commission on 10 May 2004 as mandatory participants in the category of combustion installations with a rated thermal input exceeding 20 MW, but subsequently fell out of the scope of the Community emission allowance trading scheme due to improvements in data.”

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<sup>2</sup> OJ L 59 26.02.2004, p. 1.

<sup>3</sup> OJ L 49 19.02.2004, p. 1.

*Article 2*

This Decision is addressed to the Republic of Latvia.

Done at Brussels, 01/III/2006.

*For the Commission*