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# Waiver of site visits 2013, Non-compliance with the MRR, Changes to the operation

Wolfgang Seidel

„ACCREDITATION & VERIFICATION FORUM“  
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## Verification of AER 2013 requires a site visit

- **Site visits** are a key element of the verification; **waivers need** specific justification.
- **AVR applies** from 01 January 2013 **for the first time** in all MS.
- AER 2013 verification is **the initial verification within** the framework of the new **MRR & AVR. All MPs are re-approved.**
- **Exception** in Art. 31 AVR proves the rule in Art. 21; waiving in 2013 would mean to start with the exception.
- Site visits serve several purposes besides assessing emissions data, e.g.
  - Checking the installation boundaries
  - Assessing whether internal procedures required by the MRR are appropriate and implemented according to the MP
  - Identifying areas for improvement

# Non-compliances with MRR

## Reporting of all detected non-compliances with the MRR

- **Starting point** of AER verification is the approved **MP**; no complete assessment of the AER against the MRR (and other legal provisions) is required.
- However AVR requires assessment, whether
  - the AER is complete and in line with Annex X MRR
  - there are modifications of the MP which have to be notified to the CA pursuant to Art. 15 MRR
  - internal procedures of the operator required by the MRR are comprehensive and consistent with those described in the MP and implemented accordingly.

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- **Detected non-compliances have to be reported**
  - Non-compliances with the MRR **could have a material effect**
  - **Uncertainties** below the „threshold“ of a non-compliance **should be part of the recommendations for improvement**

# Accreditation/Verification with regard to the CIMs

## Verification of „changes to the operation“ is not adequately addressed

- **CIMs is lacking a verification requirement concerning** information on „changes to the operation of an installation“ pursuant to **Art 24 CIMs** which can require adjustments to the allocation
  - Verification of the notifications by the operator should be made mandatory.
  - Gap was not adequately closed by MRR & AVR since only an **indirect verification** of information concerning capacity changes together with the AER is stipulated.
- Decision 2011/278/EC does not incorporate provisions for accreditation with regard to new entrants. There are no specific requirements for the verification of new entrants allocation.
- AVR only mentions scope 98 in Annex I. Further provisions would lack legal basis.



**Thank you for your attention!**

**Dr Wolfgang Seidel**

E-Mail: [emissionstrading@dehst.de](mailto:emissionstrading@dehst.de)

Internet: [www.dehst.de](http://www.dehst.de)