



# Overview of NIMs assessments

*15<sup>th</sup> Compliance Conference*

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# National Implementation Measures

## Legal basis

- Article 11(1) of Directive 2003/87/EC for the collection of data
- Article 14(1) of FAR Regulation (EU) 2019/331 specifies that
  - the data will be submitted using an electronic template and
  - all installations covered by the EU ETS even for the purposes of Articles 14 and 15 should be in the NIMs list

# NIMs project - workshops

1 online for all MS and EFTA states and 2 regional workshops were organised to support the CAs in their data assessment.

- The **first workshop** was organized by the Commission, it was online only and took place on Wednesday **24 July**.
- The **second workshop** was hosted by Swedish Environmental Protection Agency, and took place on **27 August**, in Stockholm.
- The **third workshop** was hosted by Italy, Ministry of Environment and Energy Security, on **18 September**, in Rome.

# Phase 4.2 main changes

Broadening of scope of inclusion (change in the definitions of heat and fuel sub-installation, specific sectors, handling of waste incinerators)

Conditionality criteria (Energy efficiency improvement measures, Climate Neutrality plans >80th percentile - DH conditionality provisions)

New CBAM sub-installations, impact on FA

Exchangeability of fuel and electricity was removed from FAR

The “De-minimis” rule no longer applies to Heat recovery from fuel/process emissions sub-installations

Heat from electricity

Sector-specific changes, CCU, CSCF exemption

# NIMs list submission

- 29 NIMs lists were submitted by end of September
  - 27 formal notifications were received
- EFTA countries also notified to EFTA Surveillance Authority
  - 28 Methodology Reports were received
- 8 MS applied Article 27, 4 equivalent measures were submitted
  - 12 MS applied Article 27a

Completeness check in process

# NIMs list submission

- 26 questionnaires were sent to MS
  - 2 MS already replied
- EFTA countries will receive the questions on completeness end of this week

Completeness check in process

# NIMs submission – issues

No issues were reported by the CA

There was one case that an installation was not included in the NIMs list by mistake made by the CA

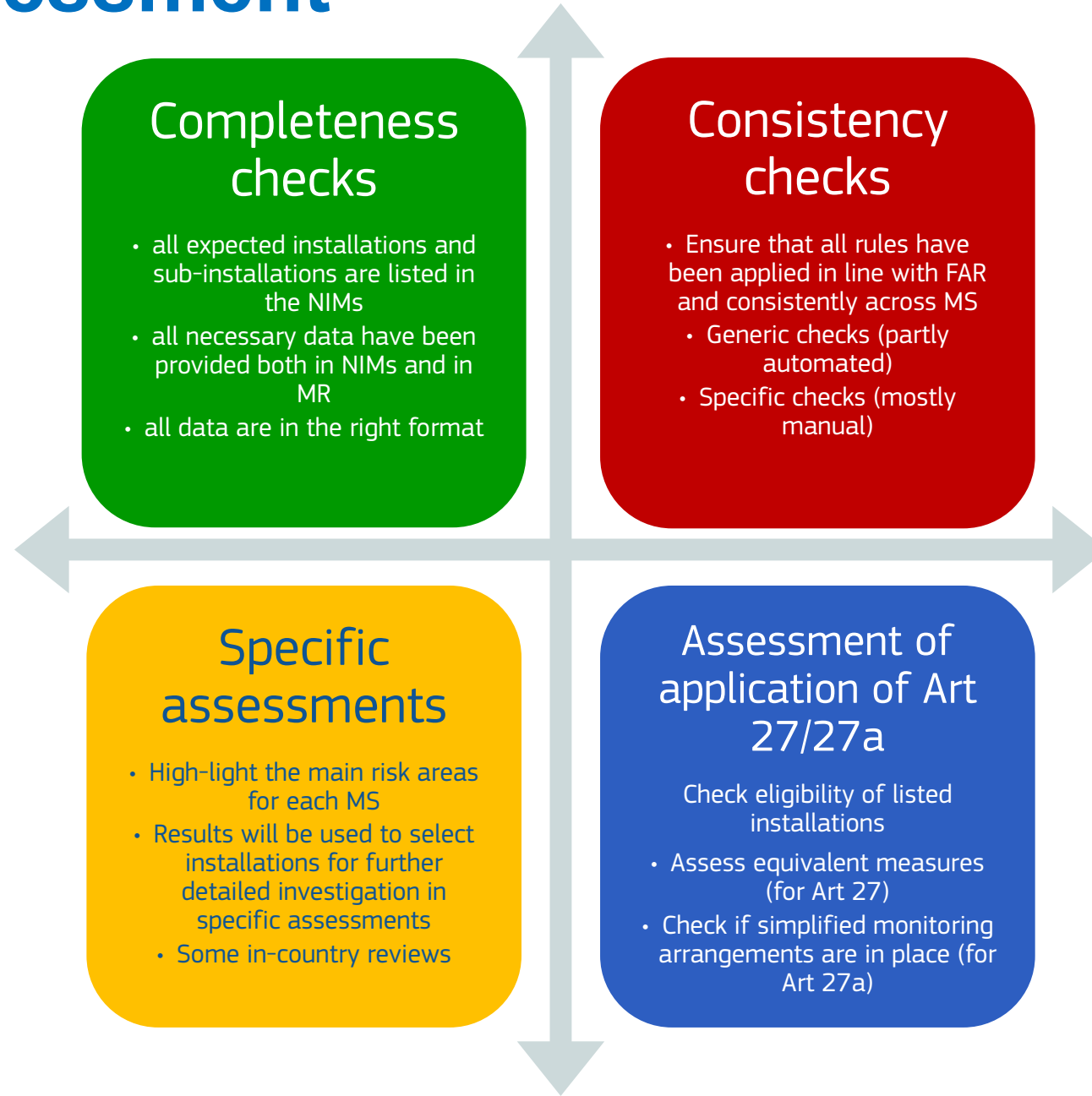
Another MS did not include installations in the NIMs list because they hadn't completed their assessment. We urged them to do it

In other cases, when an installation that is expected to be in the list, it does not appear we ask the CA to clarify the change, although we can see the permit withdrawal in the EUTL. We'll ask the CA to notify the closure

We need an ID for each installation, and in these cases we asked the CA to complete the list

We kept the questions at this stage at installation level and CA's level, to proceed faster to the next consistency stage

# NIMs assessment





# Free allocation for Phase 4.2

1. Commission Decision on rejection or acceptance of installations in the NIMs list pursuant to Article 14(4) of the FAR Regulation. This Decision will be adopted after completion of the assessment period of the NIMs list. Envisaged adoption: Q4 2025
2. Commission Implementing Regulation on benchmark values pursuant to Article 10a(2) of the EU ETS Directive. Envisaged adoption: Q1 2026
3. Commission Decision on cross-sectoral correction factor for the adjustment of free allocations of emission allowances for the period 2026 to 2030. Envisaged adoption: Q1/Q2 2026
4. First NAT Commission Decision with the free allocation of emission allowances for the period 2026 to 2030. Envisaged adoption: Q2 2026

# Thank you



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