



**COUNCIL OF
THE EUROPEAN UNION**

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NOTE

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| from: | General Secretariat |
| to: | Delegations |
| Subject: | Implementation of the Fuel Quality Directive |
| | - Information from the Commission |

Delegations will find annexed an information note from the Commission on the above subject, which will be dealt with under "other business" at the Environment Council meeting on 19 December 2011.

Implementation of the Fuel Quality Directive

- Information from the Commission -

The Fuel Quality Directive (Directive 2009/30/EC) requires suppliers to reduce by 6% the lifecycle greenhouse gas intensity of fuel for use in road and non-road mobile machinery and other energy (e.g. electricity) supplied for use in road vehicles. The Commission is required to adopt implementing measures on, *inter alia*, the method for calculating the greenhouse gas intensity of fossil fuels.

Preparation of the measure

The Commission has been discussing various aspects of the implementing measure with stakeholders since late 2009. This work included a consultation process, a preparation and a peer-review of studies on two unconventional fuel sources, two stakeholder meetings as well as a discussion of a concept paper with the Member States. The revision of the Fuel Quality Directive, including aspects of the greenhouse gas reduction target itself, was based on a thorough impact assessment.

The proposed measure

Member States have received the draft implementing measure for their consideration at a meeting of the Committee under the Fuel Quality Directive on 25 October 2011.

The Commission has considered that the appropriate legislative approach needs to balance the accuracy and the complexity of the reporting method with the degree of variability in the greenhouse gas intensity of different fuels.

The Commission has therefore, *inter alia*, proposed greenhouse gas values for all carbon intensive unconventional sources in a coherent way, making it clear that these sources have a greater greenhouse gas impact than average crude oil.

The measure also allows those unconventional fuels, which have a better greenhouse gas performance than the value attributed to them, to report the values of their actual greenhouse gas performance. The Commission's assessment indicates that the measure complies with the Union's obligations under international law.

Discussions are on-going with representatives of Member States in the context of the Committee set up under the Fuel Quality Directive.
