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COMMISSION DECISION

of 5 September 2013

concerning national implementation measures for the transitional free allocation of greenhouse gas emission allowances in accordance with Article 11(3) of Directive 2003/87/EC of the European Parliament and of the Council

(notified under document C(2013) 5666)

(Text with EEA relevance)

(2013/448/EU)

(OJ L 240, 7.9.2013, p. 27)

Amended by:

		Official Journal		
		No	page	date
► <u>M1</u>	Commission Decision (EU) 2017/126 of 24 January 2017	L 19	93	25.1.2017

**COMMISSION DECISION****of 5 September 2013****concerning national implementation measures for the transitional free allocation of greenhouse gas emission allowances in accordance with Article 11(3) of Directive 2003/87/EC of the European Parliament and of the Council***(notified under document C(2013) 5666)***(Text with EEA relevance)**

(2013/448/EU)

CHAPTER I

NATIONAL IMPLEMENTING MEASURES*Article 1*

1. The inscription of the installations listed in Annex I to this Decision on the lists of installations covered by Directive 2003/87/EC submitted to the Commission pursuant to Article 11(1) of Directive 2003/87/EC and the corresponding preliminary total annual amounts of emission allowances allocated free of charge to these installations is rejected.

2. No objections are raised should a Member State amend the preliminary total annual amounts of emission allowances submitted for the installations in its territory included in the lists referred to in paragraph 1 and listed in point A of Annex I to this Decision before determining the final total annual amount for each year from 2013 to 2020 in accordance with Article 10(9) of Decision 2011/278/EU to the extent that the amendment consists of excluding any increase in allocation that is not provided for in that Decision.

No objections are raised should a Member State amend the preliminary total annual amounts of emission allowances allocated for free to installations in its territory included in the lists referred to in paragraph 1 and listed in point B of Annex I to this Decision before determining the final total annual amount for each year from 2013 to 2020 in accordance with Article 10(9) of Decision 2011/278/EU to the extent that the amendment consists of excluding any allocation on the basis of the hot metal benchmark to installations importing hot metal as defined in Annex I to Decision 2011/278/EU for further processing. Where this leads to an increase of the preliminary total annual amount of emission allowances in an installation producing and exporting hot metal to an installation listed in point B of Annex I to this Decision, no objections are raised should the Member State concerned amend the preliminary total annual amount of this installation producing and exporting hot metal accordingly.

No objections are raised should a Member State amend the preliminary total annual amounts of emission allowances allocated free of charge to installations in its territory included in the lists referred to in paragraph 1 and listed in point C of Annex I to this Decision before determining

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the final total annual amount for each year from 2013 to 2020 in accordance with Article 10(9) of Decision 2011/278/EU to the extent that the amendment consists of bringing the allocation in line with Article 10(2)(a) of Decision 2011/278/EU and excluding any allocation for processes that are covered by the system boundaries of the product benchmark for hot metal as defined in Annex I to Decision 2011/278/EU to an installation not producing, but importing hot metal that would otherwise lead to double counting.

No objections are raised should a Member State amend the preliminary total annual amounts of emission allowances allocated free of charge to installations in its territory included in the lists referred to in paragraph 1 and listed in point D of Annex I to this Decision before determining the final total annual amount for each year from 2013 to 2020 in accordance with Article 10(9) of Decision 2011/278/EU to the extent that the amendment consists of excluding any allocation on the basis of a process emissions sub-installation for the production of zinc in the blast furnace and related processes. Where this leads to an increase of the preliminary allocation under the fuel or heat benchmark sub-installation in an installation with a blast furnace and listed in point D of Annex I to this Decision, no objections are raised should the Member State concerned amend the preliminary total annual amount of this installation accordingly.

No objections are raised should a Member State amend the preliminary total annual amounts of emission allowances allocated free of charge to installations in its territory included in the lists referred to in paragraph 1 and listed in point E of Annex I to this Decision before determining the final total annual amount for each year from 2013 to 2020 in accordance with Article 10(9) of Decision 2011/278/EU to the extent that the amendment consists of excluding any allocation for heat exported to installations producing polymers, such as S-PVC and E-PVC, and VCM.

3. Any amendment referred to in paragraph 2 shall be notified to the Commission as soon as possible, and a Member State may not proceed to the determination of the final total annual amount for each year from 2013 to 2020 in accordance with Article 10(9) of Decision 2011/278/EU until acceptable amendments have been made.

Article 2

Without prejudice to Article 1, no objections are raised with regard to the lists of installations covered by Directive 2003/87/EC submitted by Member States pursuant to Article 11(1) of Directive 2003/87/EC and the corresponding preliminary total annual amounts of emission allowances allocated for free to these installations.

▼BCHAPTER II
TOTAL QUANTITY OF ALLOWANCES*Article 3*

Article 1 of Decision 2010/634/EU is replaced by the following:

“Article 1

On the basis of Articles 9 and 9a of Directive 2003/87/EC, the total quantity of allowances to be issued from 2013 onwards and annually decreased in a linear manner pursuant to Article 9 of Directive 2003/87/EC, is 2 084 301 856 allowances.”

CHAPTER III
CROSS-SECTORAL CORRECTION FACTOR**▼M1***Article 4*

The uniform cross-sectoral correction factor referred to in Article 10a(5) of Directive 2003/87/EC and determined in accordance with Article 15(3) of Decision 2011/278/EU is set out in Annex II to this Decision.

▼B*Article 5*

This Decision is addressed to the Member States.

▼B*ANNEX I*

POINT A

Installation Identifier as submitted in the NIMs

DE000000000000010

DE0000000000000563

DE0000000000000978

DE000000000001320

DE000000000001425

DE-new-14220-0045

DE-new-14310-1474

POINT B

Installation Identifier as submitted in the NIMs

DE000000000000044

DE000000000000053

DE000000000000056

DE000000000000059

DE000000000000069

POINT C

Installation identifier as submitted in the NIMs

CZ-existing-CZ-73-CZ-0134-11/M

CZ-existing-CZ-52-CZ-0102-05

POINT D

Installation Identifier as submitted in the NIMs

DE-new-14220-0045

DE000000000001320

POINT E

Installation Identifier as submitted in the NIMs

DE000000000000005

DE0000000000000762

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DE000000000001050

DE000000000001537

DE000000000002198

▼ M1*ANNEX II*

The cross-sectoral correction factor values applying to allocations free of charge to installations not covered by Article 10a(3) of Directive 2003/87/EC for the years 2013-2020 are the following:

Year	Cross-sectoral correction factor
2013	89,207101 %
2014	87,657727 %
2015	86,090119 %
2016	84,506152 %
2017	82,905108 %
2018	81,288476 %
2019	79,651677 %
2020	78,009186 %