

Commission Regulation (EU) No 601/2012 of 21 June 2012 on the monitoring and reporting of greenhouse gas emissions pursuant to Directive 2003/87/EC of the European Parliament and of the Council (Text with EEA relevance) (repealed)

### CHAPTER III

## MONITORING OF EMISSIONS OF STATIONARY INSTALLATIONS

### SECTION 2

#### *Calculation-based methodology*

#### *Subsection 1*

#### **General**

#### *Article 26*

#### **Applicable tiers**

1 When defining the relevant tiers in accordance with Article 21(1), to determine the activity data and each calculation factor, each operator shall apply the following:

- a at least the tiers listed in Annex V, in the case of an installation that is a category A installation, or where a calculation factor is required for a source stream that is a commercial standard fuel;
- b in other cases than those referred to in point (a), the highest tier as defined in Annex II.

However, the operator may apply a tier one level lower than required in accordance with the first subparagraph for category C installations and up to two levels lower for category A and B installations, with a minimum of tier 1, where it shows to the satisfaction of the competent authority that the tier required in accordance with the first subparagraph is technically not feasible or incurs unreasonable costs.

The competent authority may, for a transitional period of up to three years, allow an operator to apply lower tiers than those referred to in the second subparagraph, with a minimum of tier 1, provided that both of the following conditions are met:

- a the operator shows to the satisfaction of the competent authority that the tier required pursuant to the second subparagraph is technically not feasible or incurs unreasonable costs;
- b the operator provides an improvement plan indicating how and by when at least the tier required pursuant to the second subparagraph will be reached.

2 For activity data and each calculation factor for minor source streams, the operator shall apply the highest tier which is technically feasible and does not incur unreasonable costs, with a minimum of tier 1.

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**Changes to legislation:** There are currently no known outstanding effects for the Commission Regulation (EU) No 601/2012 (repealed), Article 26. (See end of Document for details)

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3 For activity data and each calculation factor for *de-minimis* source streams, the operator may determine activity data and each calculation factor by using conservative estimations instead of using tiers, unless a defined tier is achievable without additional effort.

4 For the oxidation factor and conversion factor, the operator shall, as a minimum, apply the lowest tiers listed in Annex II.

5 Where the competent authority has allowed the use of emission factors expressed as t CO<sub>2</sub>/t or t CO<sub>2</sub>/Nm<sup>3</sup> for fuels, and for fuels used as process input or in mass balances in accordance with Article 25, the net calorific value may be monitored using lower tiers than the highest tier as defined in Annex II.

**Changes to legislation:**

There are currently no known outstanding effects for the Commission Regulation (EU) No 601/2012 (repealed), Article 26.