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From: General Secretariat of the Council
To: Permanent Representatives Committee

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Subject: Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND
OF THE COUNCIL on methane emissions reduction in the energy sector
and amending Regulation (EU) 2019/942
- Preparation for the trilogue

I. INTRODUCTION

1. On 15 December 2021, the Commission published a proposal for a Regulation on methane emissions reduction in the energy sector. The proposal is part of the Fit for 55 package and represents an important component of the European Green Deal. It also follows the EU international commitments under the Global Methane Pledge to tackle global methane emissions.
2. The regulation introduces new requirements for the oil, gas and coal sectors to measure, report and verify methane emissions, and proposes strict rules to detect and repair methane leaks and to limit venting and flaring. It also puts forward global monitoring tools ensuring transparency of methane emissions from imports of oil, gas and coal into the EU.

3. The Council's general approach was adopted on 19 December 2022. On 9 May 2023 the European Parliament adopted its negotiation mandate. In the European Parliament, the proposal has been referred to both, the Committee on Environment, Public Health and Food Safety (ENVI) and the Committee on Industry, Research and Energy (ITRE). The Committees appointed two co-rapporteurs: MEP Jutta Paulus (Greens/EFA) and MEP Pascal Canfin (ENVI Chair, Renew Europe).

II. INTERINSTITUTIONAL NEGOTIATIONS – STATE OF PLAY

1. A first informal trilogue took place on 30 August 2023, the Council and the European Parliament explained their views on the main political issues and expressed their will to reach an agreement before the next United Nations Climate Change Conference, COP 28, which is due to start on 30 November 2023. A broad mandate was given to the subsequent technical meetings to identify and make progress on possible areas of compromise.
2. A second informal trilogue took place on 10 October 2023. On this occasion the Council and the European Parliament clarified their positions on monitoring and reporting, inspections, Leak Detection and Repair (LDAR), imports, and the extension of the regulation to the petrochemical sector. No compromise text was agreed on any of these political points, but the Council and the European Parliament agreed to give the mandate to work at technical level in potential compromise proposals reflecting the concerns from both institutions.
3. Throughout the whole period, at the Energy Working Party, delegations were invited to express their positions and flexibilities on the Parliament's amendments and potential compromised proposals circulated by the Presidency.
4. The suggested 'provisionally agreed' compromise proposals discussed at technical level are included in ST 14812/23 ADD 1.

III. PREPARATION FOR THE NEXT TRILOGUE

1. The third informal trilogue will take place on 14 November 2023, which is envisaged as the final informal trilogue of the file. The agenda will comprise all the remaining open points and the following political points:
 - a) Imports;
 - b) Leak detection and repair (LDAR);
 - c) Inactive, plugged and abandoned wells;
 - d) Coal mines;
 - e) Venting and flaring;
 - f) Extension of the regulation to the petrochemical sector;
 - g) Methane emissions reduction targets.

All the above issues were discussed during technical meetings with the European Parliament and the Commission and only the most political points remain open.

2. Taking into account Council's general approach, the discussions in the Energy Working Party and the input received by Member States, and the negotiations that took place so far, the Presidency proposes the following positions and asks for flexibility, where needed, in order to reach a final compromise agreement with the European Parliament.
3. **On imports (Chapter 5)**, the Commission was asked in the second informal trilogue to provide a compromise wording proposal to reinforce the provisions aiming to reduce methane emissions on the oil, gas and coal imported to the EU. These provisions had to ensure security of energy supply and the level playing field, while being viable and respectful of EU international commitments.
4. The **Commission proposed a paper and a compromise text** with three implementation phases. In a first phase (Article 28, 29 and Annex VIII), the Commission should set up a methane transparency database for gas, coal and oil placed on the EU market. These provisions were already included in the General Approach. On the basis of the data collected, the Commission should publish a series of methane profiles for Member States, third countries and companies. Additionally, by 24 months after the date of entry into force of the Regulation, the Commission should establish a super emitter rapid reaction mechanism, including the possibility to initiate on the Union's behalf bilateral dialogues with third countries supplying crude oil, fossil gas and coal to the Union for information exchange, while respecting the division of competences within the EU.

In a second and third phase (Articles 27a and 27b), by 2028 importers should demonstrate that the supply contracts concluded after the entry into force of the Regulation import fossil energy produced by companies that apply equivalent monitoring, reporting and verification measures to those set out in the Regulation, either demonstrating a reporting level 5 from the Oil & Gas Methane Partnership 2.0 or an equivalent regulatory framework in the relevant third country.

In addition, the Commission should adopt a delegated act setting out a methodology for calculating the methane intensity of companies producing oil, gas and coal placed in the Union market. On the basis of this methodology, by 2030 EU producers of oil, gas and coal, as well as importers, shall provide evidence that the methane intensity of the fossil energy placed in the Union market meets certain mandatory range level previously set out by means of an implementing act.

Penalties are reinforced in Article 30, introducing the need to ensure that the competent authorities of each Member State have the power to impose administrative penalties in order to cater for the cases in which these provisions are not respected.

5. On the basis of the compromise text proposed by the Commission and the positions expressed by Member States at the Energy Working Party on 24 October and 30 October and in written, **the Presidency suggests seeking a compromise with the Parliament based on the compromise proposal provided in the annex to this note.**

The compromise proposal by the Presidency completes the proposal from the Commission by introducing the wording proposal for Article 27 on importer requirements and Article 33 on the review clause and completing the remaining paragraphs for Article 30 and Annex VIII, in order to provide the full picture of all the provisions related to imports.

Regarding the first phase, the Presidency clarifies the wording and the scope, in order to ensure that the provisions apply to crude oil, natural gas and coal. A definition for super emitting events is introduced in Article 2. In addition to the possibility for the Commission to initiate bilateral dialogues with third countries, the Presidency introduces in Article 28 the possibility for the Commission to notify and request to the companies related to the source of a super emitting event for further information. The Presidency extends to any authority, entity or individual the possibility to notify to the Commission the presence of super emitting events.

Regarding the second and third phases, the Presidency clarifies the wording and introduces in Article 27a the application of International standards or technical prescriptions as a default possibility to demonstrate that the monitoring, reporting and verification measures are equivalent. The possibility to demonstrate equivalence by a reporting level 5 from the Oil & Gas Methane Partnership 2.0 or an equivalent regulatory framework in the relevant third country remains. The Presidency clarifies that the implementing acts by the Commission for equivalences shall be sorted in order according to the countries that represent larger volumes of imports to the EU, and clarifies that the Commission should refrain from adopting such implementing acts or entering into agreements with third countries subject to Union restrictive measures in the energy sector.

In Article 27b, the Presidency clarifies the scope of the delegated acts setting the methodology for calculating the methane intensity, which should only apply to new contracts while best efforts should be undertaken for existing contracts. Before adopting any implementing act to establish minimum methane intensity to crude oil, fossil gas and coal placed in the Union market, the Commission needs to perform an assessment of the potential impacts of such mandatory requirements. Such assessment should consider its potential to reduce global methane emissions and its impact on security of energy supply and competitiveness of Member States and the Union, as well as the global and regional market distortions. The process envisaged in the article, would replace and reinforce the review clause in the Council's general approach where the Commission had to perform an impact assessment and present a report accompanied, if appropriate, by an amendment to this Regulation.

Regarding penalties, the Presidency simplifies the text in Article 30 and clarifies that the new powers for competent authorities to impose administrative penalties apply only to the articles related to monitoring, reporting and verification of operators and importers. The Presidency also adapts the text in order to accommodate the different national penalty systems.

The Parliament may insist on advancing the calendar for implementing the second and third phases, in order to set out a mandatory methane intensity as soon as possible, and by 2027, at the latest, as well as strengthening penalties. Moreover, the Parliament may ask for the possibility by Member States to suspend the authorisation to place crude oil, natural gas and coal in the Union market when detecting a super emitting event. The Presidency would welcome Coreper's guidance on any flexibilities in this respect or any alternative solutions for a compromise with the Parliament.

6. Regarding **Article 14 on leak detection and repair (LDAR)**, the Parliament agreed in the second trilogue to keep a risk based approach, but asked for tighter deadlines and frequencies and to work on keeping a high ambition on leak detection and repair surveys in the EU, in particular regarding detection limits, repair thresholds and the exemptions introduced in the Council's general approach.

On this basis, and following the discussions at technical level with the Parliament and the positions and flexibilities expressed in the Energy Working Party, **the Presidency would suggest seeking a compromise with the Parliament based on the compromise proposal provided in the annex to this note.**

The proposal from the Presidency clarifies the text and accommodates as much as possible the concerns from the Parliament on this article, while maintaining the core elements of the Council's general approach and important additional elements raised by Member States in the Energy Working Party. Clarifications have been introduced about when operators should initiate and complete the first leak detection and repair survey.

A compromise needs to be found on deadlines and frequencies in Article 14 (1) and (2) and Annex I, as well as in the detection limits and repair thresholds in Article 14 (3) and (4). The Presidency will remain as close as possible to the Council's general approach, in particular regarding the frequencies for gas transmission and distribution networks and the repair thresholds in Annex I. Regarding the detection, a more detailed approach have been introduced, taking into account lower detection limits, while specifying different values for the different circumstances (e.g. when using aerial devices or when applying a two-step approach for underground components) in order to provide flexibility. For the detection of methane emissions for offshore components under the sea and under the seabed, some clarifications have been introduced in Article 14 (3) pointing out to the need to apply the best commercially available techniques. As for repairs, the Presidency will stay as close as possible to the Council's general approach and insist on the position of the Council that foresees that leaks under a given threshold should be closely monitored rather than repaired.

The Presidency has been working on fine-tuning the incentives and derogations introduced in the Council's general approach, namely Article 14 (2a) for continuous monitoring systems, Article 14 (2aa) for operators producing or processing fossil gas or oil that demonstrate very low leaks, and Article 14 (9a) for oil and gas components located at a depth greater than 700 meters. The proposed compromise clarifies the text and reinforces the monitoring and conditions to be applied, avoiding potential loopholes, as requested by the Parliament. The Parliament may insist on the need to reinforce the text for some of these exemptions. The Presidency will insist on the importance of having robust provisions on the basis of the proposed compromise proposal.

7. Regarding **Articles 6 and 12 on inspections and monitoring and reporting (MRV)**, the **Presidency is seeking a compromise at technical level** with the Parliament, based on the discussions in the Energy Working Party and written comments received from delegations to the compromise proposal WK 13053/2023 INIT distributed by the Presidency. This element is not planned to be part of the agenda of the trilogue.
8. On **inactive wells, temporarily plugged wells, and permanently plugged and abandoned wells, under Article 18**, the Presidency would suggest seeking a compromise with the Parliament based on the compromise proposal provided in the annex to this note.

The proposal introduces some clarifications while trying to accommodate the concerns from the Parliament in this article. The proposal introduces more accurate definitions in Article 2 and fine-tunes the derogations under Article 18 (1a), (9) and (10) in order to avoid loopholes. As for the inventories, the new wording introduces on Article 18(1) that Member States should maintain and regularly update the inventory for all wells, which includes minimum information to be provided in accordance with the annex and some additional information in case it is available. For permanently plugged and abandoned wells, demonstration that they do not emit should be provided for those permanently plugged and abandoned less than 20 years ago and, where available, for the other wells. Obligations should apply when provided evidence of material methane emissions. Mitigation plans to remediate, reclaim and permanently plug inactive wells, shall be maintained and regularly updated. The Parliament may ask for further adjustments, in particular regarding the derogations and the methane emissions quantification. The Presidency will insist on the importance of these provisions and maintain the proposed compromise wording.

9. Regarding **coal mines**, the main open element remains the minimum number of years for a mine to be closed or abandoned in order to be considered under the scope of the provisions for closed and abandoned underground coal mines in Section 3 of Chapter 4 (lines 323, 328, 329 and 339), which is 50 years in the Council's general approach but none in Parliament's position.

The Presidency would suggest seeking a compromise with the Parliament exploring the possibility to increase the number of years up to 70 years, but clarifying that fully flooded coal mines that have been fully flooded for more than 10 years are exempted from the measurement and quantification obligations. In addition, the Presidency would propose to show certain flexibility on the dedicated incentives to reduce methane emissions for existing coal mines proposed by the Parliament.

10. Regarding **venting and flaring**, two main elements remain open.

First, in Article 15 on limits to venting and flaring, the Parliament and Council have in general terms similar positions. However, different positions remain regarding the addition from the Parliament that all equipment should be replaced with non-emitting alternatives, when available, by 31 December 2026 (line 260a). The Presidency considers that this addition will bring disproportionate costs to the energy sector and final consumers. Only when replacement is necessary, non-emitting alternatives should be considered mandatory. Therefore, **the Presidency will maintain the Council's general approach on this point.**

Second, in Article 17 on the requirements for flaring, the Parliament considers that the destruction and removal efficiency should be 98% while the Council's general approach sets this value on 99%. **The Presidency would suggest exploring potential flexibilities towards Parliament's position depending on the final overall agreement.**

11. In Article 1 (2)(ca) on the subject matter and scope, the Parliament wishes to extend the regulation to the **petrochemical sector**. The Presidency has already made clear that this is not a viable option, as this regulation is not the right tool to introduce emissions requirements for one specific industrial sector. The emissions coming from the petrochemical industry are already covered under the scope of the Industrial Emissions Directive (IED),¹ the main EU instrument regulating pollutant emissions from industrial installations, including methane emissions. Furthermore, the IED is currently under revision in informal trilogues. We should avoid creating regulatory uncertainty and overlaps with other sectoral legislation. Therefore, **the Presidency will continue insisting on avoiding introducing the petrochemical sector under the scope of this regulation**. New provisions on this matter, if needed, should be introduced in the relevant industrial regulatory framework or future regulatory revisions.
12. As for the new Article 1a, introduced by the Parliament, regarding **Union and national binding methane emission reduction targets** covering all relevant emitting sectors, the Presidency will hold that these provisions are out of the scope of this regulation as they would apply, for instance, also to the agricultural and waste sectors. Even if they only apply to the energy sector, the Presidency considers that this target will not be useful nor effective, taking into account the prescriptive measures that are introduced in the regulation. In any case, the introduction of any targets would require an appropriate impact assessment and a comprehensive revision of the regulation. In this regard, **the Presidency will maintain the Council's general approach**.

IV. CONCLUSIONS

1. The Committee of the Permanent Representatives is invited to:
- confirm the compromise texts as preliminarily agreed at the technical level, as listed in ST 14812/23 ADD 1 (four-column table), in view of the upcoming open-ended informal trilogue; and
 - provide political guidance to the Presidency on possible areas of flexibility concerning the above mentioned issues and a potential overall final compromise.

¹ OJ L 334, 17.12.2010, p. 17–119

1) IMPORTS

- Additions in Council's General Approach: **bold**
- Deletions in Council's General Approach: ~~strikethrough~~
- New additions compared to Council's General Approach: *green*
- New deletions compared to Council's General Approach: ~~*green-strikethrough*~~
- In *green highlighted* the changes introduced by the Presidency compared to the Council's General Approach and the text on imports proposed by the Commission (WK 13799/2023 INIT)

Article 27

Importer requirements

1. By ... [9 months from the date of entry into force of the Regulation] and by **30 June** every year thereafter, importers shall provide the information set out in Annex VIII to the competent authorities of the importing Member State. **Where importers fail to provide the information set out in Annex VIII, in whole or in part, they shall demonstrate to the competent authorities of the importing Member State that all reasonable efforts have been undertaken to acquire the information.**

The Commission shall be empowered to adopt delegated acts in accordance with Article 31 to **amend** this Regulation by amending or adding to the information to be provided by importers pursuant to this Article.

2. By ... [12 months from the date of entry into force of the Regulation] and by **31 December** every year thereafter, Member States shall submit to the Commission the information provided to them by importers.

The Commission shall make the information available in accordance with Article 28.

~~3. By 31 December 2027, or earlier if the Commission considers that sufficient evidence is available,~~

~~the Commission shall examine the application of this Article, considering in particular: [...]~~

(a) reporting of the available methane emissions data collected in the context of the global methane monitoring tool referred to in Article 29;

(b) methane emission data analysis by the IMEO;

(c) information on monitoring, reporting, verification and mitigation measures of operators located outside of the Union and from whom energy is imported into the Union; and

(d) security of supply and the level playing field implications in case of possible additional obligations, including mandatory measures such as methane emission standards or targets, taking into account the oil, gas and coal sectors separately.

Where appropriate and based on the necessary evidence to secure full compliance with the applicable international obligations of the Union, the Commission may propose amendments to this Regulation to strengthen the requirements applicable to importers with the view to ensure a comparable level of effectiveness with respect to measurement or quantification, reporting and verification and mitigation of energy sector methane emissions.

Phase 1

Article 28

Methane transparency database and methane intensity performance profiles

1. By ... [18 months after the date of entry into force of the Regulation] the Commission shall establish and maintain a methane transparency database, organised in categories including at least *Member States and third countries, basins, companies and quantities of natural gas, coal and crude oil* placed on the EU market imported, containing the information submitted to it and provided pursuant to Article 27 and Articles 12(11), 16(2), 18(6), 20(7), 23(2) and 25(5) and 29.

2. In addition to the information referred to in paragraph 1, the database shall include, at least notably the following information:

(a) a list of countries where fossil energy is produced and exported to the Union;

(b) for each Member State and third country referred in point (a) information about the following points:

- (i) whether it has mandatory regulatory measures in place on energy sector methane emissions, covering the elements set out in this Regulation regarding measurement, reporting and verification and mitigation of energy sector methane emissions;
- (ii) whether it has signed the Paris Agreement on climate change and the Global Methane Pledge;
- (iii) whether it is delivering national inventories in accordance with the requirements of the United Nations Framework Convention on Climate Change, where applicable;
- (iv) whether the national inventories submitted pursuant to the United Nations Framework Convention on Climate Change include tier 3 reporting of energy methane emissions, where applicable;
- (v) the amount of energy sector methane emissions according to the national inventories submitted pursuant to the United Nations Framework Convention on Climate Change, where applicable, and whether the data was subject to independent verification;
- (vi) the list of companies producing and exporting natural gas, coal and crude oil fossil energy into the Union and whether they are part of any global methane reduction initiative, where applicable;
- (vii) a list of importers of natural gas, coal and crude oil fossil energy into the Union, where applicable;
- (viii) where available, electronic links to national data sources reporting on methane emissions in the energy sector;
- (ix) indicative values estimating the methane emissions related to the transport of crude oil, natural gas and coal to the Union.

2a. By ... [24 months after the date of entry into force of the Regulation], on the basis of the data and information available and collected up to that point in the methane transparency database, the Commission shall publish the methane performance profiles, methane intensity profiles of Member States linked to the consumption of fossil energy products, methane intensity profiles of operators and mine operators, as well as, methane intensity profiles of countries, and companies from which oil, gas and coal is imported into the Union.

~~2b.~~—The methane intensity performance profiles shall be published updated annually and shall contain, where relevant:

- (a) methane emissions related to crude oil, natural gas and coal placed in the Union market and a data quality assessment for reported methane emissions, including the level of OGMP reporting, where relevant;

(b) an assessment of the efforts undertaken on methane emissions monitoring, reporting and abatement by producers and companies placing crude oil, natural gas or coal in the Union of companies, Member States and relevant third countries, from which oil, gas and coal is imported into the Union, including by regions and basins where relevant, to report and reduce the methane emissions associated with the production and transportation of oil, gas and coal;

(c) data on oil, gas and coal imported to the Union as a whole and per Member State from companies established outside the Union that apply OGMP level 5 quantification and, once available, coal equivalent MRV standard;

(d) analysis of super emitting events that occurred in Member States and partner third countries and territories from which the Union imports crude oil, natural gas or coal and how these were addressed.

3. The Commission shall issue recommendations containing optional model clauses related to the information to be provided for the purpose of this Article, guiding Member States and companies placing crude oil, natural gas and coal in the Union market in the process of revision of existing or signing new supply contracts of crude oil, natural gas and coal.
4. The transparency database and the methane intensity performance profiles shall be available to the public online, and free of charge and at least in English.
5. This Article shall apply without prejudice to the provisions of Directive (EU) 2016/943.

❖ **Definitions to be included in article 2:**

(41a) ‘Methane intensity performance profile’ means the individual datasheets for producers and companies placing crude oil, natural gas or coal in the Union market, Member States and third countries datasheets published in the methane transparency database that contains qualitative and quantitative the assessment of the efforts undertaken to report, monitor and reduce the methane emission related to the crude oil, natural gas and coal related energy sector methane emissions occurring in their territory or, for producers and companies placing crude oil, natural gas or coal in the Union market, related to the crude oil, natural gas and coal that they are responsible for.

(41b) ‘Super emitting event’ means an event in the energy sector where a source or a set of closed connected sources in a site emit methane above 100 kilograms of methane per hour.

❖ **Annex VIII:**

Annex VIII

Information to be provided by importers

For the purposes of this Annex, ‘exporter’ means the contractual counterparty in each supply contract entered into by the importer for the delivery of **crude oil, natural gas or coal fossil energy** into the Union.

Pursuant to Article 27, importers must provide the following information:

- (i) **where exporters or producers can be identified**, name and address of exporter and, if different from exporter, name and address of producer;
- (ii) **countries** and regions corresponding to the Union nomenclature of territorial units for statistics (NUTS) level 1 where the energy was produced and **regions** corresponding to the Union nomenclature of territorial units for statistics (NUTS) level 1 through which the energy was transported until it was placed on the Union market;
- (iii) as regards **crude** oil and **natural** gas, **information specifying whether** the exporter, **the producer**, or where relevant, **the exporter and the producer**, **is undertaking source and site-level measurement and quantification**, **whether the data is subject to independent third-party verification, whether reporting of its methane emissions are reported**, either independently or as part of commitments to report national GHG inventories in line with United Nations Framework Convention on Climate Change (UNFCCC) requirements, and whether it is in compliance with UNFCCC reporting requirements or in compliance with **Oil and Gas Methane Partnership 2.0 standards**. This must be accompanied by a copy of the latest report on methane emissions, including, where available, the information referred to in Article 12(6), **where provided in such report**. The method of quantification (such as UNFCCC tiers or **OGMP 2.0 levels**) employed in the reporting must be specified for each type of emissions;
- (iv) as regards **crude** oil and **natural** gas, whether the exporter, **the producer or where relevant, the exporter and the producer** applies regulatory or voluntary measures to control its methane emissions, including measures such as leak detection and repair surveys or measures to control and restrict venting and flaring of methane. This must be accompanied by a description of such measures, including, where available, relevant reports from leak detection and repair surveys and from venting and flaring events with respect to the last available calendar year;

(v) as regards coal, *information specifying whether the exporter, the producer or where relevant, the exporter and the producer, is undertaking source-level methane emissions measurements and quantification*, whether it is *calculated and quantified in accordance with Annex V*, whether the data is subject to independent verification, whether ~~and reporting of~~ its methane emissions are reported, either independently or as part of commitments to report national GHG inventories in line with United Nations Framework Convention on Climate Change (UNFCCC) requirements, and whether it is in compliance with UNFCCC reporting requirements or in compliance with an international or European standard for monitoring, reporting and verification of methane emissions. This must be accompanied by a copy of the latest report on methane emissions, including, where available the information referred to in Article 20(6). The method of quantification (such as UNFCCC tiers or OGMP levels) employed in the reporting must be specified for each type of emissions;

(vi) as regards coal, whether the exporter, **the producer or where relevant, the exporter and the producer** applies regulatory or voluntary measures to control its methane emissions, including measures to control and restrict venting and flaring of methane. This must be accompanied by a description of such measures, including, where available, reports from venting and flaring events with respect to the last available calendar year;

(vii) name of the entity that performed independent verification of the reports referred to in points (iii) and (v), if any.

Article 29

Methane emitters global monitoring tool and rapid reaction mechanisms

1. By ... [two years after the date of entry into force of the Regulation], the Commission shall establish a global methane monitoring tool based on satellite data and input from several certified data providers and services, including the Copernicus component of the EU Space Programme.

The tool shall be made available to the public and provide regular updates at least on the magnitude, recurrence and location of high methane-emitting sources of energy.

2. By ... [24 months after the date of entry into force of the Regulation], and without prejudice to Article 218 Treaty on the Functioning of the EU, the Commission shall establish a super emitter rapid reaction mechanism to detect and exchange information on super emitting events.

The Commission shall, where relevant, notify the detection of the super emitting event to the relevant company or companies related to the source or set of connected sources emitting methane. The notification may include, where relevant, a request for additional information on the super emitting event and the remedial measures taken to prevent or stop the event. For this purpose, the Commission may use existing available international tools or frameworks.

By means of this rapid reaction mechanism, Without prejudice to Article 218 Treaty on the Functioning of the EU, the Commission shall propose to initiate on the Union's behalf regular bilateral dialogues with third countries or territories supplying crude oil, natural gas and coal to the Union with the aim to set up a framework for an information exchange and an early warning system to detect and alert each other of the presence of super emitting events and remedial measures taken to prevent them from occurring or stop those events. The dialogues shall aim to identify ways to accelerate the abatement of methane emissions in the energy sector and, if needed, shall offer an exchange of best practices and advice to the partner country or territory to set up monitoring, reporting, verification and abatement measures equivalent to ones established in this Regulation. No bilateral dialogues shall be initiated with third countries subject to Union restrictive measures in the energy sector adopted under Article 29 of the Treaty on the European Union or Article 215 of the Treaty on the Functioning of the EU.

~~2. The tool shall inform support the Commission's bilateral dialogues with respect to methane emissions policies and measures. Where the tool identifies a new major emission source, the Commission shall alert the relevant country with a view to promoting awareness and, if needed, shall offer technical support to ensure fast remedial actions.~~

3. A Member State Public authorities and private entities and individuals may notify to the Commission reliable evidence of the presence if it is made aware of super emitting events.

4. Based on the monitoring carried out in the context of the dialogues referred to in paragraph 2, the Commission shall keep Member States informed about the notifications of supplier emitting events and about the implementation of the remedial measures in third countries from which the Union imports crude oil, natural gas or coal and its potential impact to the security of energy supply at national and EU level.

5. This Article shall be subject to the provisions of Directive (EU) 2016/943.

Phase 2 and 3

Article [27a]

MRV equivalence

1. As of [31 December 2027], importers shall demonstrate to the competent authority of the Member State in which they are established ~~whether that~~ the contracts concluded after the entry into force of this Regulation ~~are concluded with companies established outside the Union that apply equivalent~~ for the supply of crude oil, natural gas or coal produced outside the Union are for crude oil, natural gas or coal that is subject to monitoring, reporting and verification measures ~~at the level of production that are equivalent~~ to those set out in this Regulation.
2. ~~For contracts concluded before the entry into force of the Regulation for the supply of crude oil, natural gas or coal produced outside the Union, importers shall undertake best all reasonable efforts to amend the supply contracts concluded before the entry into force of this Regulation with companies established outside the Union to require that those operators apply equivalent~~ the crude oil, natural gas or coal is subject to monitoring, reporting and verification measures ~~at the level of production that are equivalent~~ to those set out in this Regulation ~~and, Those efforts may include the amendment of those supply contracts. As of [31 December 2027], importers shall annually~~ inform the competent authority of the Member State in which they are established of the results of such efforts, ~~as part of the report referred to in Article 27(1).~~
3. The competent authorities shall protect the commercial secrecy of data obtained. The competent authorities shall provide this information to the European Commission which shall protect the commercial secrecy thereof.
4. For the purposes of this Article, monitoring, reporting and verification measures shall be treated as equivalent only ~~in the following cases where:~~
 - a) the ~~producers companies placing crude oil, natural gas or coal in the Union company~~ established in the ~~partner third country or territory~~ applies monitoring and reporting measures capable of delivering quantification of methane emissions ~~using methods equivalent to existing international standards on methane monitoring and reporting that are at least equivalent to those applied in the Union. Until such date when the International standards referred to in this paragraph come into application, monitoring and reporting measures~~ comparable to OGMP 2.0 reporting level 5 for ~~crude oil and natural gas shall be treated as equivalent and, once available, at equivalent standard for coal; or,~~
 - b) the ~~partner third country or territory~~ applies on its territory monitoring, reporting and verification requirements that are at least equivalent to those applied in the Union and which are applicable to the ~~producers and companies placing crude oil, natural gas or coal in the Union~~ established therein ~~that supply coal, oil and gas.~~

5. For the purposes of letter b of paragraph 4, a partner third country or territory shall be considered to apply equivalent monitoring, reporting and verification requirements if the procedure and requirements laid down in this paragraph are fulfilled.

On its own initiative or at the request of the competent authority of a Member State, The Commission may adopt, by way of implementing acts, and subject to the procedure referred to in Article 32, a decision assessing whether the regulatory framework of a third country ensures that the relevant producers and companies placing crude oil, natural gas or coal in the Union ~~entities operating in the fossil energy supply chain~~ comply with legally binding requirements which are at least equivalent to those ~~resulting from this Regulation to those applied in the Union,~~ and which are subject to effective independent verification, supervision and enforcement in that third country.

The Commission shall assess the need to adopt such implementing acts and initiate the procedure of equivalence for the third countries of primary production in descending order according to their imported quantity to the Union over the period of 5 consecutive years preceding the date of entry into force of this Regulation. The Commission shall refrain from assessing the need and initiating the process to adopt such implementing acts for third countries subject to Union restrictive measures in the energy sector adopted under Article 29 of the Treaty on the European Union or Article 215 of the Treaty on the Functioning of the EU. In its request, the competent authority shall indicate why it considers that the legal and supervisory framework of the third country concerned is to be considered equivalent and shall provide relevant information to that end.

Such To be considered equivalent the third-country legal and supervisory framework ~~may be considered equivalent where that framework~~ shall fulfil at least the following conditions:

~~a) [references to requirements of the relevant articles in the Regulation to be added, i.e. Art 8, 9, 12, 20, etc]~~

a) Verification requirements ensuring independent third-party supervision, in terms equivalent to those set out in Articles 8 and 9.

b) Methane emissions monitoring and reporting requirements ensuring source and site level coverage and regular reporting, in terms equivalent to those set out in Article 12 and 20.

6. As of [the date of entry into force of the Regulation], where appropriate and without prejudice to Article 218 of the Treaty on the Functioning of the EU, the Union shall aim to enter into agreements with partner third countries and territories from which it imports crude oil, natural gas or coal to technically assist them in establishing a monitoring, reporting and verification system equivalent to one established in this Regulation. The Commission shall, when recommending the opening of negotiation, aim to give priority to third countries of primary production in descending order according to their imported quantity to the Union over the period of 5 consecutive years preceding the date of entry into force of this Regulation. The Commission shall refrain from entering into agreements with third countries subject to Union restrictive measures in the energy sector adopted under Article 29 of the Treaty on the European Union or Article 215 of the Treaty on the Functioning of the EU.

7. Importers shall be exempt from reporting the obligations set out in paragraphs 1 and 2, provided that they import crude oil, natural gas or coal from partner third countries or territories with which the Commission has recognised equivalence of the monitoring, reporting and verification system of methane emissions in accordance with paragraph 5.

Article [27b]

Methane intensity of ~~crude oil, natural gas and coal placed in the Union market~~ ~~upstream operators / producers of oil, gas and coal~~

1. By ... [three years after the date of entry into force of the Regulation], the Commission shall adopt a delegated act setting out a methodology for calculating, at the level of production level, the methane intensity of, and for assessing performance of crude oil, natural gas and coal placed in the Union market, in mass of methane emissions per unit of energy or mass of crude oil, natural gas and coal. The methodology shall consider the different production processes and site conditions for the production of crude oil, natural gas and coal, and shall take into account existing international methodologies and best practice for calculating methane intensity. The methodology shall be not discriminatory, based on transparent and objective criteria, and shall be subject to the prior consultation with Member States, including through the Oil Coordination Group, the Gas Coordination Group and the Electricity Coordination Group, and relevant stakeholders.

2. By ... [four years after the date of entry into force of the Regulation], ~~producers and companies EU producers of oil, gas and coal, as well as importers~~ placing crude oil, natural gas and coal in the Union market ~~for the supply contracts concluded after the entry into force of this Regulation~~, shall report the methane intensity of the crude oil, natural gas and coal placed in the Union market according to the methodology laid set out pursuant to paragraph 1. ~~For contracts for the supply of crude oil, natural gas or coal placed in the Union market concluded before [the entry into force of the Regulation] producers and companies placing crude oil, natural gas or coal in the Union shall undertake all reasonable efforts to report the methane intensity of the crude oil, natural gas and coal placed in the Union market in accordance with the methodology established pursuant to paragraph 1. As of [four years after the date of entry into force of the Regulation], producers and companies placing crude oil, natural gas or coal in the Union shall annually inform the competent authority of the Member State in which they are established of the results of such efforts.~~

2a. By ... [five years after the date of entry into force of the Regulation], the Commission shall assess the potential impact of setting out mandatory minimum methane intensity values to crude oil, natural gas and coal placed in the Union market, and present a report to the European Parliament and the Council. The report shall include an assessment of the potential global methane emissions reductions, as well as the impacts on security of energy supply at national and EU level, the impacts on competitiveness of the Union and Member States, and potential global and regional market distortions. The report shall include a market assessment of the methane intensity of existing deliveries to the EU and the future deliveries until 2049 through both, long-term contracts and spot purchases. The assessment shall analyse the situation per Member State and importer, taking into account acquired commitments before the entry into force of this regulation and energy infrastructure capacities and potential constraints.

Accompanying this assessment, the Commission shall adopt an implementing act setting out minimum methane intensity values for crude oil, natural gas and coal placed in the Union market, in mass of methane emissions per unit of energy or mass of crude oil, natural gas and coal. The implementing act shall be consistent with the methodology for calculating the methane intensity of crude oil, natural gas and coal placed in the Union market referred to in paragraph 1. The minimum methane intensity values shall consider the different production processes and site conditions for the production of crude oil, natural gas and coal, and take into account potential impacts on security of energy supply at national and EU level. The minimum methane intensity values shall be subject to the prior consultation of Member States, including through the Oil Coordination Group, the Gas Coordination Group and the Electricity Coordination Group, and relevant stakeholders. The minimum methane intensity values shall promote the global methane emissions reductions in the crude oil, natural gas and coal placed in the Union market, while preserving the security of energy supply at national and EU level and the competitiveness of the Union and Member States.

3. By ... [one year six years after the date of entry into force of the implementing act referred to in paragraph 2a Regulation], EU operators producing ~~crude oil, natural gas and coal~~ and, as well as importers placing crude oil, natural gas and coal in the Union market for the supply contracts concluded after the entry into force of this Regulation, shall ~~provide evidence demonstrate~~ to the competent authorities of the Member State where the crude oil, natural gas or coal is first placed in the Union market that the methane intensity and performance of the crude oil, natural gas and coal placed, calculated established pursuant to the methodology referred to in paragraph 1, meets a certain level the minimum values established pursuant to the implementing act referred to in paragraph 2a. ~~The Commission shall adopt an implementing act setting out the performance ranges, the type of evidence to be provided [and additional guidance to the competent authorities].~~

Penalties

Article 30

Penalties

1. Member States shall lay down the rules on penalties applicable to infringements of the provisions of this Regulation and shall take all measures necessary to ensure that they are implemented.
2. The penalties provided for must be effective, proportionate and dissuasive and **shall** include **at least**:
 - a) fines proportionate to the environmental damage **and** impact on **human** safety and **public** health, calculating the level of such fines in such way as to make sure that they **at least** effectively deprive those responsible of the economic benefits derived from their infringements and gradually increasing the level of such fines for repeated serious **or multiple** infringements;
 - (b) periodic penalty payments to compel operators, **mine operators or undertakings** to put an end to an infringement, comply with a decision ordering remedial actions or corrective measures, supply information or submit to an inspection, as applicable.

In addition to the penalties laid down in points (a) and (b) of this paragraph, Member States shall consider suspension of the authorisation to place oil, gas or coal to the market in case of serious or repeated breaches of this Regulation taking into consideration the security of energy supply.

Member States shall notify the rules on penalties to the Commission by [[3-12] months from the date of entry into force of the Regulation]. In addition, Member States shall notify any subsequent amendment affecting such rules to the Commission without delay.

Where the legal system of the Member State does not provide for administrative fines, this Article may be applied in such a manner that the fining procedure is initiated by the competent authority and imposed by competent national court, while ensuring that those legal remedies are effective and have equivalent effect to the administrative fines imposed by supervisory authorities. In any event, the fines imposed shall be effective, proportionate and dissuasive.

2a. Member States shall, in accordance with national law, ensure that the competent authorities have the power to impose at least the following administrative **sanctions penalties** and administrative measures relating to breaches of Articles 27, 27a and 27b **the provisions** of this Regulation, provided that they do not endanger the security of energy supply:

- (a) adopt a decision requiring the person to bring the breach to an end;
- (b) the disgorgement of the profits gained or losses avoided due to the breaches insofar as they can be determined;
- (c) issue public warnings or notices;
- (d) adopt a decision imposing periodic penalty payments;
- (e) adopt a decision imposing administrative **fin** **pecuniary sanctions**;

in respect of legal persons, maximum administrative pecuniary sanctions of at least:

i. ~~for breaches of Articles [...], [...]~~% of the total [turnover] in the preceding business year;

ii. [...];

in respect of natural persons, maximum administrative pecuniary sanctions of at least:

i. ~~for breaches of Articles [...], EUR [...];~~

ii. [...];

Notwithstanding paragraph (e), The amount of the **fine pecuniary sanctions** shall not exceed 20 % of the annual turnover of the legal person concerned in the preceding business year. In the case of natural persons, the amount of the fine shall not exceed 20 % of the yearly income in the preceding calendar year.

2b. In the exercise of their powers to impose administrative fines and other administrative measures under this Article, competent authorities shall cooperate closely to ensure that the exercise of their powers, and the **penalties fines** that they impose, and any other measures that they take, are effective and consistently designed and applied in the Union.

3. At least the following infringements shall be subject to penalties:

- (a) failure of operators, ~~or~~ mine operators, **undertakings or importers** to provide the competent authorities or the verifiers with the assistance necessary to enable or facilitate the performance of their tasks in accordance with this Regulation;

- (b) failure of operators or mine operators to carry out the actions set out in the inspections report referred to in Article 6;
- (c) failure of operators ~~or~~ mine operators to submit the methane emissions reports as required by this Regulation, including the verification statement issued by independent verifiers in accordance with Articles 8 and 9;
- (d) failure of operators to carry out a leak detection and repair survey in accordance with Article 14;
- (e) failure of operators to repair or replace components, to continuous survey components and to record leaks in accordance with Article 14;
- (f) failure of operators to submit a report in accordance with Article 14;
- (g) venting or flaring by operators or mine operators beyond the situations provided for in Articles 15, 22 and 26, as applicable;
- (h) routine flaring by operators;
- (i) failure of operators or mine operators to demonstrate the necessity to opt for venting instead of flaring and to demonstrate the necessity to opt for flaring instead of either re-injection, utilisation on-site or dispatch of the methane to a market, in the case of operators, or utilisation or mitigation, in the case of mine operators, in accordance with Articles 15, 22 and 26;
- (j) failure of operators or mine operators to notify or report on venting and flaring events in accordance with Articles 16, 23 and 26, as applicable;
- (k) use of flare stacks or combustion devices in breach of the requirements laid down in ~~Article 17~~ **Articles 17, 22 and 23**;
- (l) failure of importers to provide the information required in accordance with Article 27 and Annex VIII.

(3a) Where the conditions set out in Article 15(7) are fulfilled, Member States shall consider reducing or not imposing penalties on operators for the implementation period deemed necessary by the national authorities.

4. Member States shall take into account at least the following indicative criteria for the imposition of penalties, as appropriate:
- (a) the duration or temporal effects, the nature and the gravity of the infringement;
 - (b) any action taken by the undertaking, operator or mine operator to timely mitigate or remedy the damage;

- (c) the intentional or negligent character of the infringement;
- (d) any previous infringements by the undertaking, operator or mine operator;
- (e) the financial benefits gained or losses avoided directly or indirectly by the undertaking, operator or mine operator due to the infringement, if the relevant data are available;
- (f) the size of the undertaking, operator or mine operator;
- (g) the degree of cooperation with ~~the authorities~~ **the authority**;
- (h) the manner in which the infringement became known to the ~~authority~~ **authorities**, in particular whether, and if so to what extent, the operators, ~~or mine operators, undertakings or importers~~ **mine operators, undertakings or importers** timely notified the infringement;
- ~~(i) third party actions aggravating any breaches of this Regulation;~~
- ~~(i)~~ **(i)** any other aggravating or mitigating factor applicable to the circumstances of the case, **including third party actions**.

5. Member States shall publish annually information on the type and the size of the penalties imposed under this Regulation **and in line with the penalties as set out in the [amended Protection of the environment through criminal law], the** infringements and the operators, ~~or mine operators, undertakings or importers~~ upon which penalties have been imposed.

Review clause

Article 33

Review

1. **By 2030 and** every five years **thereafter**, the Commission shall submit a report on the evaluation of this Regulation to the European Parliament and to the Council and shall, if appropriate, submit legislative proposals to amend this Regulation. The reports shall be made public.

~~1a. The Commission shall assess the potential impact of the extension of the obligations concerning the measurement, quantification, monitoring, reporting and verification of methane emission as well as their abatement to importers of fossil fuels into the Union, identifying potential barriers and proposing possible solutions with a view to reducing methane emissions, while not impacting energy prices and security of supply. Based on that impact assessment the Commission shall, by [... 12 months after the date of entry into force of this Regulation], present a report to the European Parliament and the Council which shall be accompanied, if appropriate, by a legislative proposal to amend this Regulation.~~

2. For the purpose of this Article, the Commission may request information from Member States and competent authorities and shall take into account notably the information provided by Member States in their integrated National Energy and Climate Plans, updates thereof and in their National Energy and Climate progress reports pursuant to Regulation (EU) 2018/1999.

2) LEAK DETECTION AND REPAIR (LDAR)

- New additions compared to Council’s General Approach: **bold and underlined**
- Deletions compared to Council’s General Approach: ~~red and strikethrough~~
- In **yellow** the changes compared with the first non-paper distributed to the EWP on LDAR (WK 13052/2023 INIT)
- In **blue** the changes compared with the second non-paper distributed to the EWP on LDAR (WK 13800/2023 INIT)
- In brackets the elements where flexibility is required

| | Commission proposal | EP mandate | Council mandate | Wording suggestion |
|---|---|--|--|---|
| Article 2, first paragraph, point (17) | | | | |
| 106 | (17) ‘leak detection and repair survey’ means a survey to identify sources of methane emissions, including leaks and unintentional venting; | (17) ‘leak detection and repair survey’ means a survey <u>with an instrument or other advanced technology with a minimum detection limit and confidence bound</u> , to identify <u>and detect</u> sources of methane emissions, including leaks and <u>other unintentional venting methane emissions, and to repair or replace the leaking components</u> ; | (17) ‘leak detection and repair survey’ means a survey to identify and detect sources of methane emissions, including leaks and other unintentional venting methane emissions ;; | (17) ‘leak detection and repair survey’ means a survey to identify and detect sources of methane emissions, including leaks and other unintentional venting methane emissions, and to repair or replace them the relevant components ; |
| Article 2, first paragraph, point (17a) | | | | |
| 106a | | | (17a) ‘Type 1 leak detection and repair survey’ means a leak detection and repair survey undertaken with a minimum | (17a) ‘Type 1 leak detection and repair survey’ means a leak detection and repair survey undertaken with the |

| | Commission proposal | EP mandate | Council mandate | Wording suggestion |
|---|---------------------|------------|--|---|
| | | | detection limit and a minimum leak threshold of 7000 parts per million or 17 grams per hour; | minimum detection limit and minimum leak threshold <u>set out in Article 14(3)(a) and carried out in accordance with the minimum frequencies set out in Article 14(2) and Part 1 of Annex I for Type 1 surveys;</u> |
| Article 2, first paragraph, point (17b) | | | | |
| 106b | | | (17b) ‘Type 2 leak detection and repair survey’ means a leak detection and repair survey undertaken with a minimum detection limit of 10 parts per million or 0.15 grams per hour and a minimum leak threshold of 500 parts per million or 1 gram per hour for aboveground components, minimum detection limit and a minimum leak threshold of 3000 parts per million or 5 grams/hour for underground components and for offshore components above the sea level and minimum detection limit and a minimum leak threshold of 7000 parts per million or 17 grams/hour for offshore components below the sea level and below the seabed; | (17b) ‘Type 2 leak detection and repair survey’ means a leak detection and repair survey undertaken with the minimum detection limit and minimum leak threshold <u>set out in Article 14 (3)(b) and carried out in accordance with the minimum frequencies set out in Article 14(2) and Part 1 of Annex I for Type 2 surveys;</u> |
| Article 2, first paragraph, point (17c) | | | | |
| 106c | | | (17c) ‘Production location’ means a location where fossil gas or oil is extracted from the underground and where no processing takes place; | (17c) ‘Production location’ means a location where natural fossil gas or oil is extracted from the under ground and where no processing takes place; |
| Article 2, first paragraph, point (17d) | | | | |
| 106d | | | (17d) ‘Processing’ means processes which are used to treat fossil gas and oil, such as the separation of fossil gas and oil from production water; | (17d) ‘Processing’ means processes which are used to treat natural fossil gas and oil, such as the separation of |

| | Commission proposal | EP mandate | Council mandate | Wording suggestion |
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| | | | | natural fossil gas and oil from production water; |
| Article 2, first paragraph, point (17e) | | | | |
| 106e | | | (17e) ‘Leak detection rate’ means the relative number of leakages detected by performing type 2 LDAR survey over all components that can possibly leak in a given period. | Deleted as not used in text |
| Article 2, first paragraph, point (17f) | | | | |
| 106f | | | (17f) ‘shutdown’ means a situation where a site or part of its components is shut down from normal operating conditions and where complete or partial pressure reduction is required prior to initiating repair and maintenance works; | (17f) ‘shutdown’ means a situation where a site or part of its components is shut down from normal operating conditions and where complete or partial pressure reduction is required prior to initiating repair and maintenance works; |
| Article 14 | | | | |
| 224 | Article 14 Leak detection and repair | Article 14 Leak detection and repair | Article 14 Leak detection and repair | Article 14 Leak detection and repair |
| Article 14(1), first subparagraph | | | | |
| 225 | 1. By ... [3 months from the date of entry into force of this Regulation], operators shall | 1. By ... [3 6 months from the date of entry into force of this Regulation months from the date of entry into force of this Regulation], operators shall | 1. By ... [3 9 months from the date of entry into force of this Regulation months from the date of entry into force of this Regulation], operators shall submit a leak detection and repair programme to the competent authorities which shall detail the contents of the surveys and activities, including specific timelines , to be carried out in accordance with– the requirements in this | 1. By ... [6–9 9 months from the date of entry into force of this Regulation] for existing sites and by 6–9 6 months from the date of start of operations for new sites , operators shall submit a leak detection and repair programme to the |

| | Commission proposal | EP mandate | Council mandate | Wording suggestion |
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| | submit a leak detection and repair programme to the competent authorities which shall detail the contents of the surveys to be carried out in accordance with the requirements in this Article. | of the surveys <u>and activities</u> to be carried out in accordance with the requirements in this Article. | Article, Parts 1 and 2 of Annex I and the relevant specifications established pursuant to Article 29a(1). If any changes to the leak detection and repair programme are made, operators shall re-submit the programme to the competent authorities as soon as possible. | competent authorities which shall detail the contents of the surveys and activities, including specific timelines , to be carried out in accordance with the requirements in this Article, Parts 1 and 2 of Annex I and the relevant standards and technical prescriptions specifications established pursuant to Article 29a(1). Until such date when standards or technical prescriptions referred to in this paragraph come into application, operators and undertakings, as applicable, shall follow International standards or, in the absence of such standards, state of the art industry practices and best available technologies for the leak detection and repair surveys. If any changes to the leak detection and repair programme are made, operators shall re-submit the programme to the competent authorities as soon as possible. A common approach will be required for all the requirements/standards indicated in different provisions of the Regulation |
| Article 14(1), second subparagraph | | | | |
| 226 | The competent authorities may require the operator to amend the | The competent authorities may require the operator to amend the programme taking into account the requirements of this Regulation. | The competent authorities may require the operator to amend the programme taking into account the requirements of this Regulation. | The competent authorities may require the operator to amend the programme taking into account the requirements of this Regulation. |

| | Commission proposal | EP mandate | Council mandate | Wording suggestion |
|-----------------------------------|--|---|--|--|
| | programme taking into account the requirements of this Regulation. | | | |
| Article 14(1) a | | | | |
| 226a | | <p><i><u>1a Without prejudice to Regulation (EU) No 1025/2012, the Union shall pursue the timely development by the appropriate standardisation organisations of European standards containing the technical specifications in respect of leak detection and repair surveys and activities for the purpose of this Article.</u></i></p> <p><i><u>The Commission is empowered to adopt delegated acts in accordance with Article 31 to supplement this Regulation in order to require compliance with the technical specifications referred to in the first subparagraph, to update the references to those European standards and to lay down technical specifications in respect of leak detection and repair surveys where appropriate. Until such specifications are established, operators shall use practices, technologies, processes and level of expertise which would be expected from a leading service provider to fulfil the obligations set out in this Article and, where requested, shall provide competent authorities and verifiers with information on the standards or methodologies used.</u></i></p> | | Included in previous paragraph |
| Article 14(2), first subparagraph | | | | |
| 227 | 2. By ... [6 months from the date of entry into force of this | 2. By ... [6 9 months from the date of entry into force of this Regulation months from the date of entry into force of this Regulation], operators shall carry out a survey of all relevant components under | 2. By ... [6 12 months from the date of entry into force of this Regulation months from the date of entry into force of this Regulation], operators shall initiate a type 2 leak detection and repair carry out a survey of all relevant components under their | 2. By ... [9-12 months from the date of entry into force of this Regulation] for existing sites and by [9-12 months] from the date of start of operations for new |

| | Commission proposal | EP mandate | Council mandate | Wording suggestion |
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| | Regulation], operators shall carry out a survey of all relevant components under their responsibility in accordance with the leak detection and repair programme referred in paragraph 1. | their responsibility in accordance with the leak detection and repair programme referred in paragraph 1. | responsibility in accordance with the leak detection and repair programme referred in paragraph 1. | sites, o Operators shall initiate the first type 2 leak detection and repair survey of all relevant components under their responsibility in accordance with the leak detection and repair programme referred in paragraph 1 as soon as possible after the entry into force of this Regulation. This leak detection and repair programme shall be carried out by [12 months from the date of entry into force of this Regulation] for existing sites. Type 2 leak detection and repair surveys carried out between [12 months before the entry into force of this regulation] and [entry into force of this regulation] may be considered by operators as the first type 2 leak detection and repair survey. By [9 months] from the date of start of operations of new sites, operators shall carry out the first type 2 leak detection and repair survey of all components under their responsibility in accordance with the leak detection and repair programme referred in paragraph 1. |
| Article 14(2), second subparagraph | | | | |
| 228 | Thereafter, leak detection and repair surveys shall be repeated every three months. | Thereafter, leak detection and repair surveys shall be <u>carried out with the following frequencies:</u> repeated every three months. | Thereafter, type 1 and type 2 leak detection and repair surveys shall be carried-out with frequencies as follows: repeated every three months. | Thereafter After carrying out the first type 2 leak detection and repair survey, type 1 and type 2 leak detection and repair surveys shall be carried out with the following frequencies: (a) for aboveground components, excluding distribution and transmission networks, in accordance with the |

| | Commission proposal | EP mandate | Council mandate | Wording suggestion |
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| | | | | <p><u>minimum frequencies set out in point 1, Part 1 of Annex I;</u> <u>(b) for underground components, excluding distribution and transmission networks, in accordance with the minimum frequencies set out in point 2, Part 1 of Annex I;</u> <u>(c) for components of distribution and transmission networks, in accordance with the minimum frequencies set out in point 3, Part 1 of Annex I;</u> <u>(d) for all offshore components, in accordance with the minimum frequencies set out in point 4, Part 1 of Annex I;</u> <u>(e) for all other components, in accordance with the minimum frequencies set out in point 5, Part 1 of Annex I.</u></p> |
| Article 14(2), point (a) | | | | |
| 228a | | | (a) For aboveground and underground components excluding distribution networks, for distribution networks and for offshore components including under the seabed: in accordance with the minimum frequencies set out in Part 1 of Annex I. | Moved to line 228 and Annex I |
| 228b | | <u>(a) once every two months for all aboveground components using detection devices with the minimum detection limit referred to in paragraph 3, point (a);</u> | | Moved to line 228 and Annex I |
| Article 14(2), point (b) | | | | |
| 228c | | | | |

| | Commission proposal | EP mandate | Council mandate | Wording suggestion |
|----------------|---------------------|--|---|---|
| | | | (b) For all other components: type 1 leak detection and repair surveys shall be carried-out every six months and type 2 leak detection and repair surveys shall be carried-out every twelve months. | Moved to line 228 and Annex I |
| 228d | | <i>(b) once every four months for all aboveground components using detection devices with the minimum detection limit referred to in paragraph 3, point (b);</i> | | Moved to line 228 and Annex I |
| Article 14(2a) | | | | |
| 228e | | | <p>2a. Operators may choose, after the approval of competent authorities, to carry out a type 2 leak detection and repair survey instead of a type 1 leak detection and repair survey. In lieu of, or in combination with leak detection and repair surveys, operators may use continuous monitoring systems, provided that:</p> <p>a) the competent authorities approve its use in the context of the leak detection and repair programme referred to in paragraph 1;</p> <p>b) the measurement is undertaken at the level of each individual potential emission source; and</p> <p>c) the continuous monitoring systems comply with the minimum values as set out in paragraphs 3 and 4 and in accordance with requirements set out in Part 2 of Annex I.</p> | <p>2a. <u>Without prejudice to the obligation to carry out type 2 surveys in accordance with this Article</u>, operators may choose to carry out a type 2 leak detection and repair survey instead of a type 1 leak detection and repair survey <u>when a type 1 survey is due.</u></p> <p><u>In lieu of, or combination with As part of the</u> leak detection and repair surveys, operators may use <u>advanced detection alternative quantification technologies, such as continuous monitoring systems,</u> provided that:</p> <p>a) the competent authorities approve its use in the context of the leak detection and repair programme referred to in paragraph 1;</p> <p>b) the measurement is undertaken at the level of each individual potential emission source; and</p> <p>c) the continuous monitoring systems comply with the minimum values as set</p> |

| | Commission proposal | EP mandate | Council mandate | Wording suggestion |
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| | | | | out in paragraphs 3 and 4 and in accordance with requirements set out in Part 2 of Annex I. |
| 228f | | <i>(c) once every five months, or at the frequency levels set in Part 1 of Annex I, for all underground components using detection devices with the minimum detection limit referred to in paragraph 3, point (c).</i> | | Moved to line 228 and Annex I |
| Article 14(2aa) | | | | |
| 228g | | | <p>2aa. Where operators producing or processing fossil gas or oil provide evidence on the basis of measurements during the five preceeding years that less than 1 % of their components are leaking, different LDAR survey frequencies for components where no leaks were identified may be used, subject to the approval of the competent authorities and provided that:</p> <p>a. For all components at processing locations, Type 1 LDAR surveys are performed at least every 12 months;</p> <p>b. For at least 25% of all components at processing locations, Type 2 LDAR surveys are performed every 12 months, ensuring that all components are checked every 48 months;</p> <p>c. For all components at production locations, Type 1 LDAR surveys are performed at least every 36 months;</p> <p>d. For all components at production locations, Type 2 LDAR surveys are performed at least every 60 months.</p> <p>If the number of leaks detected following the surveys performed in accordance with the first subparagraph exceeds 1 %, the operator shall be subject to obligations under paragraphs 2 and 2a.</p> | <p>2aa. Where operators producing or processing natural fossil gas or oil provide evidence on the basis of measurements during the five preceeding years that less than 1 % of all their components and subcomponents in a same site are leaking and that these leaks aggregated represent less than [0.25%] of the total mass gas or [0.03%] of the total mass oil processed or extracted in those five preceding years that period, when this evidence has been assessed by a verifier and includes a verification statement issued in accordance with Articles 8 and 9, different LDAR survey frequencies for components where no leaks were identified may be used in that site, subject to the approval of the competent authorities and provided that:</p> <p>a. For all components at processing locations, Type 1 LDAR surveys are performed at least every 12 months;</p> |

| | Commission proposal | EP mandate | Council mandate | Wording suggestion |
|---------------|---|--|---|--|
| | | | | <p>b. For at least 25% of all components at processing locations, Type 2 LDAR surveys are performed every 12 months, ensuring that all components are checked every 48 months;</p> <p>c. For all components at production locations, Type 1 LDAR surveys are performed at least every 36 months;</p> <p>d. For all components at production locations, Type 2 LDAR surveys are performed at least every 60 months. If the number of leaks detected following the surveys performed in accordance with the first subparagraph exceeds 1 %, the operator shall be subject to obligations under paragraphs 2 and 2a.</p> <p><u>The competent authority shall notify to the Commission the derogations granted pursuant to this paragraph and shall carry out non-routine inspections pursuant to Article 6 (4).</u></p> |
| Article 14(3) | | | | |
| 229 | 3. In carrying out the surveys, operators shall use devices that allow detection of loss of methane from components of 500 parts per million or more. | 3. In carrying out the surveys, operators shall use devices that allow detection of loss of methane from components of 500 parts per million or more. <u>devices with a minimum detection limit as follows:</u> | 3. In carrying out the surveys, operators shall use detection devices that allow with a minimum detection limits follows: <p>a. for type 1 leak detection and repair surveys: 7000 parts per million or 17 grams per hour of methane at standard temperature and pressure, in compliance with the manufacturer specifications for operation and maintenance;</p> <p>b. for type 2 leak detection and repair surveys:</p> <p>i. 10 parts per million or 0.15 grams/hour of loss of methane from for aboveground components;</p> | 3. In carrying out the surveys, operators shall use detection devices that allow with a minimum detection limits at standard temperature and pressure, in compliance with the manufacturer specifications for operation and maintenance, as follows: <p>a. In case of for type 1 leak detection and repair surveys:</p> |

| | Commission proposal | EP mandate | Council mandate | Wording suggestion |
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| | | | <p>ii. 3000 parts per million or 5 grams/hour of methane for underground components and offshore components above the sea level;</p> <p>iii. 7000 of 500 parts per million or more 17 grams per hour for offshore components below the sea level and below the seabed at standard temperature and pressure in compliance with the manufacturer specifications for operation and maintenance.</p> | <p>7000 parts per million <u>in volume of methane</u> or 17 grams per hour of methane <u>for all components, or 100 grams per hour of methane when detection requires the use of an aerial device for the first step in the survey of underground components.</u></p> <p>b. <u>In case of for</u> type 2 leak detection and repair surveys:</p> <p>i. <u>[10-50 10]</u> parts per million in volume of methane or <u>[0.15 grams-1 gram 0.15 grams]</u> per hour of methane for aboveground components;</p> <p>ii. <u>[30] parts per million in volume or 3 grams per hour of methane for the first step in the survey of underground components, or 100 grams per hour of methane when detection requires the use of an aerial device for the first step in the survey.</u></p> <p><u>[500-3000 500]</u> parts per million <u>in volume of methane</u> or 5 grams per hour of methane <u>for the second step, where applicable, in the survey of</u> underground components and <u>for</u> offshore components above the sea level;</p> <p>iii. <u>7000 parts per million in volume of methane</u> or 17 grams per hour <u>for offshore components below the sea level and below the seabed.</u></p> <p><u>3a. The surveys shall be undertaken with detection devices allowing to identify leaks as follows, for each type of component:</u></p> <p><u>(a) at the a level as close as possible to of each individual potential emission</u></p> |

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| | | | | <p><u>source for aboveground components and above the sea level components:</u></p> <p><u>(b) at the interface between of ground and atmosphere for underground components as a first step and, in case a leak is detected in accordance with paragraph 3, as close as possible to the emission source as a second step.</u></p> <p><u>(c) applying the best commercially available detection techniques for offshore components below the sea and below the seabed.</u></p> |
| 229a | | <u>(a) 17 grams per hour of methane at standard temperature and pressure;the survey shall be undertaken at the level of each individual potential emission source;</u> | | Moved to line 229 |
| 229b | | <u>(b) 50 parts per million in volume of methane or 1 gram per hour;the survey shall be undertaken at the contact of each individual potential emission source for aboveground components;</u> | | Moved to line 229 |
| 229c | | <u>(c) 500 parts per million or 5 grams per hour of methane for underground components.</u> | | Moved to line 229 |
| Article 14(4), first subparagraph | | | | |
| 230 | | | | |

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| | 4. Operators shall repair or replace all components found to be emitting 500 parts per million or more of methane. | 4. Operators shall repair or replace all components found to be emitting 500 parts per million or more of <u>leaking</u> methane. | 4. Operators shall repair or replace all components found to be emitting at least : a.. type 1 leak detection and repair survey: 7000 parts per million or 17 grams per hour or more of methane at standard temperature and pressure; b. type 2 leak detection and repair surveys: i. 500 parts per million or 1 gram per hour or more of methane for aboveground components; ii. 3000 parts per million or 5 grams per hour of methane for underground components and for offshore components above the seal level; iii. 7000 parts per million or 17 grams per hour for offshore components below the sea level and below the seabed at standard temperature and pressure. | 4. Operators shall repair or replace all components found to be emitting methane at or above the following levels set in paragraph 3 for the minimum detection limits at standard temperature and pressure for type 1 and type 2 leak detection and repair surveys, respectively, and in compliance with the manufacturer specifications for operation and maintenance: a. In case of for type 1 leak detection and repair surveys: 7000 parts per million in volume of methane or 17 grams per hour of methane; b. In case of for type 2 leak detection and repair surveys: i. [40-500 500] parts per million in volume of methane or [0.15 grams 1 gram 1 gram] per hour of methane for aboveground components; ii. [500-3000 1000] parts per million in volume of methane or 5 grams per hour of methane for underground components and for offshore components above the sea level; iii. 7000 parts per million in volume of methane or 17 grams per hour for offshore components below the sea level and below the seabed. |
| Article 14(4), second subparagraph | | | | |
| 231 | The repair or replacement of the components referred to in the | The repair or replacement of the components referred to in this paragraph, the first subparagraph shall take place immediately after detection, or as soon as possible for a first attempt thereafter but no later | first subparagraph 4a. The repair or replacement of the components referred to in the first subparagraph paragraph 4 shall take place immediately after detection, or as soon as possible thereafter but no later than five days for a first attempt and 30 days for a complete repair, after | subparagraph 4a. The repair or replacement of the components referred to in the first subparagraph paragraph 4 shall take place immediately after detection, or as |

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| | <p>first subparagraph shall take place immediately after detection, or as soon as possible thereafter but no later than five days after detection, provided operators can demonstrate that safety or technical considerations do not allow immediate action and provided operators establish a repair and monitoring schedule.</p> | <p>than five days after detection, provided. <u>Repairs or replacements referred to in this paragraph shall use state-of-the-art technologies and materials that provide long-term protection against future leakage.</u> <u>Where operators can demonstrate that the repair referred to in this paragraph is not successful or possible within five days due to</u> safety or technical considerations, <u>the operators establish a repair and monitoring schedule no later than 5 days after detection. The</u> do not allow immediate action and provided operators establish a repair and monitoring schedule <u>referred to in this subparagraph shall be set so that the found leakages are repaired within 30 days after detection.</u></p> | <p>detection, provided. The operators can demonstrate that shall prioritize repairs of larger leaks. Where the repair or replacement is not successful or possible within five days for a first attempt or if the operator anticipates that a complete repair shall not be possible within 30 days due to safety, administrative, or technical considerations, the operator shall provide evidence thereof and shall establish a repair schedule as set out in Annex Ia no later than 15 days after leak detection. The repair schedule shall include all the necessary evidence justifying such a decision to delay repair. The do not allow immediate action and provided operators establish a repair schedule shall guarantee that the environmental impact is minimized, while respecting safety, administrative, and technical considerations. The competent authorities may require the operator to amend the repair and monitoring schedule taking into account the requirements of this Regulation. The repair or replacement shall be carried out as soon as possible.</p> | <p>soon as possible for a first attempt thereafter but no later than 5 days after detection, provided and 30 days for a complete repair. The operators shall prioritize repairs of larger leaks. Repairs or replacements referred to in this paragraph shall use the best commercially available technologies that provide long-term protection against future leakage.</p> <p><u>Where operators can demonstrate that the repair referred to in this paragraph is not successful or possible within 5 days for a first attempt or if the operator anticipates that a complete repair shall not be possible within 30 days due to safety, administrative, or technical considerations, the operators shall provide evidence thereof and shall establish and notify to the competent authority a repair and monitoring schedule as set out in Annex Ia no later than 12 days after detection.</u> The repair and monitoring schedule shall include all the necessary evidence justifying such a decision to delay repair. The do not allow immediate action and provided operators establish a repair and monitoring schedule shall guarantee that the environmental impact is minimized, while respecting safety, administrative, and technical considerations. The competent authorities may require the operator to amend the repair and monitoring and monitoring schedule taking into account the requirements of this Regulation.</p> |

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| | | | | The repair or replacement shall be carried out as soon as possible. |
| Article 14(4), third subparagraph | | | | |
| 232 | <p>Safety and technical considerations that do not allow immediate action, as referred to in the second subparagraph, shall be limited to taking into account safety to personnel and humans in proximity, environmental impacts, concentration of methane loss, accessibility to component, availability of replacement of the component. Environmental impact considerations may include instances whereby repair could lead to a higher level of</p> | <p>Safety and technical considerations that do not allow immediate action, as referred to in the second <u>and third subparagraphs</u> subparagraph, shall be limited to taking into account safety to personnel and humans in proximity, environmental impacts, concentration of methane loss, accessibility to component, availability of replacement of the component. Environmental impact considerations may include instances whereby repair could lead to a higher level of methane emissions than in the absence of the repair.</p> | <p>Safety, administrative and technical considerations that do not allow immediate action, as referred to in the second subparagraph, shall be limited to taking into account safety to personnel and humans in proximity, scheduled maintenance, unavailability of components necessary for the repair or replacement, environmental impacts, concentration of methane loss, significant deterioration of the gas supply situation likely to lead to a situation as established in Article 11(1) of Regulation (EU) 2017/1938¹, permitting process requirements or required administrative authorization, , accessibility to component, availability of parts necessary for repair replacement of the component. Environmental impact considerations may include instances whereby repair could lead to a higher level of -methane emissions than in the absence of the repair.</p> <p>1. Regulation (EU) 2017/1938 of the European Parliament and of the Council of 25 October 2017 concerning measures to safeguard the security of gas supply and repealing Regulation (EU) No 994/2010 (OJ L 280, 28.10.2017, p. 1–56)</p> | <p>Safety, administrative and technical considerations that do not allow immediate action, as referred to in this paragraph, shall be limited to taking into account safety to personnel and humans in proximity, environmental impacts, concentration of methane loss, accessibility to component, availability of replacement of the component. Environmental impact considerations may include instances whereby repair could lead to a higher level of methane emissions than in the absence of the repair.</p> |

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| | methane emissions than in the absence of the repair. | | | |
| 232a | | <u>(a) safety of personnel and humans in proximity to the detected leak;</u> | | <u>(a) safety of personnel and humans in proximity to the detected leak;</u> |
| 232b | | <u>(b) any adverse environmental impacts of taking action if it can be demonstrated that those impacts would be greater than the environmental benefits of taking action, such as where a repair could lead to a higher overall level of methane emissions than would be the case in the absence of the repair;</u> | | <u>(b) any adverse environmental impacts of taking action if the operator can demonstrate that those impacts would be greater than the environmental benefits of taking action, such as where a repair could lead to a higher overall level of methane emissions than would be the case in the absence of the repair;</u> |
| 232c | | <u>(c) accessibility of a component, including any access permits and</u> | | <u>(c) accessibility to a component, including scheduled maintenance, permitting process requirements or required administrative public authorization</u> |
| 232d | | | | <u>(d) unavailability of replacement parts necessary for the repair of the</u> |

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| | | <u>(d) unavailability of replacement parts necessary for the repair of the component or components necessary for the replacement.</u> | | <u>component or components necessary for the replacement, and</u> <u>(e) significant deterioration of the gas supply situation likely to lead to a crisis level situation as established in Article 11(1) of Regulation (EU) 2017/19381.</u> <i>1. Regulation (EU) 2017/1938 of the European Parliament and of the Council of 25 October 2017 concerning measures to safeguard the security of gas supply and repealing Regulation (EU) No 994/2010 (OJ L 280, 28.10.2017, p. 1–56)</i> |
| Article 14(4), fourth subparagraph | | | | |
| 233 | Where a system shutdown is required before the repair or replacement can be undertaken, operators shall minimise the leak within one day of detection and shall repair the leak by the end of the next scheduled system shutdown or within a year, whichever is sooner. | Where, <u>due to one or more of the conditions set out in points (a)-(d) applying</u> , a system shutdown is required before the repair or replacement can be undertaken, operators shall minimise the leak within one day of detection and shall repair the leak by the end of the next scheduled system shutdown or within a year, whichever is sooner. | 4b. Where a system shutdown is required before the repair or replacement can be undertaken, operators shall attempt to minimise the leak within one day of detection and shall repair the leak by the end of the next scheduled system shutdown or within a year, whichever is sooner, unless carrying out an earlier repair could reasonably be expected to lead to a worse environmental outcome in terms of emissions, that is a situation whereby the amount of methane vented during repair operations would very likely be significantly higher than the amount of methane that would leak in the absence of a repair; or unless carrying out an earlier repair could reasonably be expected to lead to security of supply issues in small connected systems as defined in Directive (EU) 2019/944. All the necessary evidence justifying the decision to delay repair shall be without any delay provided to the competent authorities. Decisions to delay repair shall require approval by the competent authorities before being carried out and shall be included in the repair schedule set out in Annex Ia. The competent authorities may require the operator to amend | 4b. Where, <u>due to one or more of the conditions set out in points (a)-(e) applying</u> , a system shutdown is required before the repair or replacement can be undertaken, operators shall attempt to minimise the leak within 1 day of detection and shall repair the leak by the end of the next scheduled system shutdown or within a year, whichever is sooner, unless carrying out an earlier repair could reasonably be expected to lead to a situation whereby the amount of methane vented during repair operations would very likely be significantly higher than the amount of methane that would leak in the absence of a repair, or unless carrying out an earlier repair could reasonably be expected to lead to security of supply |

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| | | | the repair schedule taking into account the requirements of this Regulation. | issues in small connected systems as defined in Directive (EU) 2019/944. All the necessary evidence justifying the decision to delay repair shall be without any delay provided to the competent authorities. Decisions to delay repair shall require approval by the competent authorities before being carried out and shall be included in the repair and monitoring schedule set out in Annex Ia. The competent authorities may require the operator to amend the repair and monitoring schedule taking into account the requirements of this Regulation. |
| 233a | | <i>Operators shall establish, maintain and make fully available to the competent authorities, a record of all decisions to delay repair pursuant to this Article, including all necessary evidence justifying each decision and the corresponding repair and monitoring schedules. Operators shall enter that information in the record without delay. The competent authorities may require the operator to amend the repair schedule taking into account the requirements of this Regulation.</i> | | <u>Operators shall establish, maintain and make fully available to the competent authorities, a record of all decisions to delay repair pursuant to this Article, including all necessary evidence justifying each decision and the corresponding repair and monitoring schedules. Operators shall enter that information in the record without delay.</u> |
| Article 14(5), first subparagraph | | | | |
| 234 | 5. Notwithstanding paragraph 2, operators shall survey components that | 5. Notwithstanding paragraph 2, operators shall post-repair survey components that were found to be emitting 500 parts per million or more of leaking methane during any of the previous surveys as soon as possible immediately after the repair carried out | 5. Notwithstanding paragraph 2, operators shall survey components that were found to be emitting 500 parts per million or more of methane during any of the previous surveys as soon as possible after the repair carried out pursuant to paragraph 4, and no later than 15 days thereafter to ensure that the repair was successful.: | 5. Notwithstanding paragraph 2, operators shall survey components that were found to be emitting 500 parts per million or more of methane during any of the previous surveys as soon as possible after the repair carried out pursuant to |

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| | were found to be emitting 500 parts per million or more of methane during any of the previous surveys as soon as possible after the repair carried out pursuant to paragraph 4, and no later than 15 days thereafter to ensure that the repair was successful. | pursuant to paragraph 4, and no later than 15 30 days thereafter to ensure that the repair was successful. | | paragraph 4, and no later than 15 days thereafter to ensure that the repair was successful.: |
| Article 14(5), point (a) | | | | |
| 234a | | | a. at levels of methane equal to or higher than the thresholds in paragraph 4 at standard temperature and pressure during any of the previous surveys as soon as possible after the repair carried out pursuant to paragraph 4, and no later than two months thereafter to ensure that the repair was successful; and | a. at levels of methane equal to or higher than the thresholds in paragraph 4 at standard temperature and pressure during any of the previous surveys <u>immediately</u> after the repair carried out pursuant to paragraph 4, and no later than 45 days two months thereafter to ensure that the repair was successful; and |
| Article 14(5), second subparagraph | | | | |
| 235 | Notwithstanding paragraph 2, operators shall survey | Notwithstanding paragraph 2, operators shall survey components that were found to be emitting below 500 parts per million of methane, no later than three | b. Notwithstanding paragraph 2, operators shall survey components that were found to be emitting below 500 parts per million of methane at levels of methane lower than the thresholds in paragraph 4 at standard temperature and pressure, no later than | b. Notwithstanding paragraph 2, operators shall survey components that were found to be emitting below 500 parts per million of methane at levels of |

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| | components that were found to be emitting below 500 parts per million of methane, no later than three months after the emissions were detected, to check whether the size of loss of methane has changed. | months after the emissions were detected, to check whether the size of loss of methane has changed. | three months after the emissions were detected, to check whether the size of loss of methane has changed. | methane lower than the thresholds in paragraph 4 at standard temperature and pressure, no later than 3 months after the emissions were detected, to check at least once whether the size of loss of methane has changed and a repair is needed. [Notwithstanding the minimum frequencies set out in paragraph 2, this survey may be delayed up to [12 months] where the components are found to be emitting less than [30%] of the minimum detection limits established in paragraph 3 at standard temperature and pressure, and in compliance with the manufacturer specifications for operation and maintenance, using detection devices capable of such detection.] |
| Article 14(5), third subparagraph | | | | |
| 236 | Where a higher risk to safety or a higher risk of methane losses is identified, the competent authorities may recommend that surveys of the relevant components take place more frequently. | Where a higher risk to safety or a higher risk of methane losses is identified, the competent authorities may recommend that surveys of the relevant components take place more frequently. | Where a higher risk to safety or a higher risk of methane losses is identified, the competent authorities may recommend that surveys of the relevant components take place more frequently. | Where a higher risk to safety or a higher risk of methane losses is identified, the competent authorities may recommend that surveys of the relevant components take place more frequently. |
| Article 14(6), first subparagraph | | | | |
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| | 6. Without prejudice to the reporting obligations pursuant to paragraph 7, operators shall record all identified leaks, irrespective of their size, and shall continually survey them to ensure that they are repaired in accordance with paragraph 4. | 6. Without prejudice to the reporting obligations pursuant to paragraph 7, operators shall record all identified leaks, irrespective of their size, and shall continually regularly survey them to and ensure that they are repaired in accordance with paragraph 4. | 6. Without prejudice to the reporting obligations pursuant to paragraph 7, operators shall record all identified leaks, irrespective of their size, and shall continually periodically survey them to and ensure that they are repaired in accordance with paragraph 4. | 6. Without prejudice to the reporting obligations pursuant to paragraph 7, operators shall record all identified leaks, irrespective of their size, and shall continually regularly survey them to and ensure that they are repaired in accordance with paragraph 4. |
| Article 14(6), second subparagraph | | | | |
| 238 | Operators shall keep the record for at least ten years and shall provide that information to competent authorities upon their request. | Operators shall keep the record for at least ten years and shall provide that information to competent authorities upon their request. | Operators shall keep the record for at least ten years and shall provide that information to competent authorities upon their request. | Operators shall keep the record for at least ten years and shall provide that information to competent authorities upon their request. |
| Article 14(7), first subparagraph | | | | |
| 239 | 7. Within one month after each survey, operators shall submit a report | 7. Within one month after each survey Every year , operators shall submit a report with summarising the results of all the surveys completed and all corresponding the survey and a repair and monitoring schedules during the previous year | 7. Within one month after each survey Every six months , operators shall submit a report all monitoring reports with the results of the survey and a repair and monitoring schedule surveys completed during the previous six months to the competent authorities of the Member State where the relevant assets are located. The | 7. Within one month after each survey Every [6 months / year year] , operators shall submit a report all monitoring reports and a report summarising the results of all surveys completed during |

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| | with the results of the survey and a repair and monitoring schedule to the competent authorities of the Member State where the relevant assets are located. The report shall include at least the elements set out in Annex I. | schedule to the competent authorities of the Member State where the relevant assets are located. The report shall include at least the elements set out in Annex I. | monitoring report shall include at least the elements set out in Annex Ia . | the previous [6 months/year year] the survey and a repair and monitoring schedule to the competent authorities of the Member State where the relevant assets are located. The monitoring report shall include at least the elements set out in Annex Ia . |
| Article 14(7), second subparagraph | | | | |
| 240 | The competent authorities may require the operator to amend the report or the repair and monitoring schedule taking into account the requirements of this Regulation. | The competent authorities may require the operator to amend the report or the repair and monitoring schedule taking into account the requirements of this Regulation. | The competent authorities may require the operator to amend the report or the repair and monitoring schedule report taking into account the requirements of this Regulation. | The competent authorities may require the operator to amend the report or the repair and monitoring schedule report taking into account the requirements of this Regulation. |
| Article 14(8) | | | | |
| 241 | 8. Operators may delegate any of the tasks set out in this Article. | 8. Operators may delegate any of the tasks set out in this Article. Delegated tasks shall not affect the responsibility of operators and shall not impact the effectiveness of supervision by the competent authorities. | 8. Operators may delegate any of the tasks set out in this Article. Delegated tasks shall not affect the responsibility of operators and shall not impact the effectiveness of supervision by the competent authorities. | 8. Operators may delegate any of the tasks set out in this Article. Delegated tasks shall not affect the responsibility of operators and shall not impact the |

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| | Delegated tasks shall not affect the responsibility of operators and shall not impact the effectiveness of supervision by the competent authorities. | | | effectiveness of supervision by the competent authorities. |
| Article 14(9) | | | | |
| 242 | 9. Member States shall ensure that certification, accreditation schemes or equivalent qualification schemes, including suitable training programmes, are available for service providers with respect to the surveys. | 9. Member States shall ensure that certification, accreditation schemes or equivalent qualification schemes, including suitable training programmes, are available for <u>to</u> service providers <u>and to operators</u> with respect to the surveys. | 9. Member States shall ensure that certification, accreditation schemes or equivalent qualification schemes, including suitable training programmes, are available for service providers and for operators with respect to the surveys. | 9. Member States shall ensure that certification, accreditation schemes or equivalent qualification schemes, including suitable training programmes, are available for <u>to</u> service providers and to operators with respect to the surveys. |
| Article 14(9a) | | | | |
| 242a | | | 9a. Without prejudice to the provisions of Directive 2013/30/EU and Directive 2008/56/EC, offshore oil and gas wells located at a | 9a. Without prejudice to the provisions of Directive 2013/30/EU and Directive 2008/56/EC, <u>competent authorities may</u> |

| | Commission proposal | EP mandate | Council mandate | Wording suggestion | | | | | | | | | | | | | | | | | | | | | |
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| | | | depth greater than 700 meters shall be exempt from the obligations under this Article. | decide to exempt offshore oil and gas wells components located in their territory at a water depth greater than 700 meters from the obligations under this Article if robust evidence can be provided that the impact on the climate of potential emissions from those components is highly likely to be negligible. | | | | | | | | | | | | | | | | | | | | | |
| Annex I | | | | | | | | | | | | | | | | | | | | | | | | | |
| 428 | Annex I | Annex I | <p>Annex I</p> <p style="text-align: right;"><u>ANNEX I</u></p> <p>Leak detection r Repair and monitoring schedules Leak detection and repair surveys</p> <p>Part 1</p> <p>For all underground aboveground components, excluding distribution networks, referred to in Article 14(2)(a), leak detection and repair surveys as set out in Article 14 must shall be carried-out as per the following minimum frequencies:</p> <table border="1"> <thead> <tr> <th>Type of LDAR survey</th> <th>Type of component</th> <th>Frequency</th> </tr> </thead> <tbody> <tr> <td>Remote-Type 1 LDAR survey</td> <td>Compressor station Underground storage LNG-Terminal Regulating and metering station</td> <td>6 months</td> </tr> <tr> <td></td> <td>Valve station</td> <td>12 months</td> </tr> <tr> <td></td> <td>Transmission pipeline</td> <td>24 months</td> </tr> </tbody> </table> | Type of LDAR survey | Type of component | Frequency | Remote -Type 1 LDAR survey | Compressor station Underground storage LNG-Terminal Regulating and metering station | 6 months | | Valve station | 12 months | | Transmission pipeline | 24 months | <p>Annex I</p> <p style="text-align: center;"><u>ANNEX I</u></p> <p>Leak detection r Repair and monitoring schedules Leak detection and repair surveys</p> <p>Part 1</p> <p>1. For all aboveground components, excluding transmission and distribution networks, leak detection and repair surveys as set out in Article 14 shall be carried-out as per the following minimum frequencies:</p> <table border="1"> <thead> <tr> <th>Type of LDAR survey</th> <th>Type of component</th> <th>Frequency</th> </tr> </thead> <tbody> <tr> <td>Type 1 LDAR survey</td> <td>Compressor station Underground storage LNG-Terminal Regulating and metering station</td> <td>[2-6] months</td> </tr> <tr> <td></td> <td>Valve station</td> <td>[2-12] months</td> </tr> </tbody> </table> | Type of LDAR survey | Type of component | Frequency | Type 1 LDAR survey | Compressor station Underground storage LNG-Terminal Regulating and metering station | [2-6] months | | Valve station | [2-12] months |
| Type of LDAR survey | Type of component | Frequency | | | | | | | | | | | | | | | | | | | | | | | |
| Remote -Type 1 LDAR survey | Compressor station Underground storage LNG-Terminal Regulating and metering station | 6 months | | | | | | | | | | | | | | | | | | | | | | | |
| | Valve station | 12 months | | | | | | | | | | | | | | | | | | | | | | | |
| | Transmission pipeline | 24 months | | | | | | | | | | | | | | | | | | | | | | | |
| Type of LDAR survey | Type of component | Frequency | | | | | | | | | | | | | | | | | | | | | | | |
| Type 1 LDAR survey | Compressor station Underground storage LNG-Terminal Regulating and metering station | [2-6] months | | | | | | | | | | | | | | | | | | | | | | | |
| | Valve station | [2-12] months | | | | | | | | | | | | | | | | | | | | | | | |

| | Commission proposal | EP mandate | Council mandate | Wording suggestion | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| <i>Contact</i> -Type 2_LDAR survey | Compressor station Underground storage LNG-Terminal Regulating and metering station | 12 months | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Valve station | 24 months | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Transmission pipeline | 36 months | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Type of LDAR survey | Type of material | Frequency of survey | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Type 1 LDAR survey | Bitumen sheet Grey cast iron | 4-3 months | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | <i>Grey cast iron</i> Asbestos Ductile cast iron | 6 months | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Non-protected steel <i>Polyethylene</i> <i>PVC</i> <i>protected steel (<= 16 bar)</i> Copper | 12 months | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Polyethylene PVC Protected steel | 24 months | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Type 2 LDAR survey | Bitumen sheet Grey cast iron | 8-6 months | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | <i>Grey cast iron</i> Asbestos Ductile cast iron | 12 months | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Non-protected steel Polyethylene PVC <i>protected steel (<= 16 bar)</i> Copper | 24 months | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Protected steel | 36 months | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Transmission pipeline | [2-24] months | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Type 2 LDAR survey | Compressor station Underground storage LNG-Terminal Regulating and metering station | [4-12] months | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Valve station | [4-24] months | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Transmission pipeline | [4-36] months | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Type of LDAR survey | Type of material | Frequency of survey | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Type 1 LDAR survey | Bitumen sheet Grey cast iron | [3-5] months | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Asbestos Ductile cast iron | [5-6] months | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Non-protected steel Copper | [5-12] months | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Polyethylene PVC Protected steel | [5-24] months | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Type 2 LDAR | Bitumen sheet Grey cast iron | [5-6] months | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

| | Commission proposal | EP mandate | Council mandate | Wording suggestion | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|----------------------|--|---------------------|-------------------------------|---------------------|---------------------------|---------------------------------|----------|--|---|----------|--|---|-----------|--|--|------------------|----------------------------|---------------------------------|-----------------|--|---|-----------|--|---|-----------|---|--------|--|--|--|-------------------------------|----------------------|--|--|----------------------|--|-----------------|----------------------|---------------------|-------------------|---------------------|---|---|---------------------|--|---------------|----------------------|
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| Type of LDAR survey | Type of material or component | Frequency of survey | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Remote-Type 1 LDAR survey | Grey cast iron Bitumen sheet | 3 months | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | <i>Grey-cast iron</i> Asbestos Ductile cast iron Regulating and metering station | 6 months | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Non-protected steel <i>Polyethylene</i> <i>PVC</i> <i>protected steel (<= 16 bar)</i> Copper | 12 months | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Polyethylene PVC protected steel (<= 16 bar) | <u>24 months</u> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Contact-Type 2 LDAR survey | Grey cast iron Bitumen sheet | <u>6 months</u> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | <i>Grey-cast iron</i> Asbestos Ductile cast iron Regulating and metering station | 12 months | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Non-protected steel <i>Polyethylene</i> <i>PVC</i> <i>protected steel (<= 16 bar)</i> | 24 months | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| survey | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Asbestos Ductile cast iron | <u>[5-12] months</u> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Non-protected steel Polyethylene PVC Copper | <u>[5-24] months</u> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Protected steel | <u>[5-36] months</u> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Type of LDAR survey | Type of component | Frequency of survey | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Type 1 LDAR survey (design pressure > 16 bar) | Compressor station Regulating and metering station | <u>[2-6] months</u> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Valve station | <u>[2-12] months</u> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

| | Commission proposal | EP mandate | Council mandate | Wording suggestion | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|--|---------------------|---|--------------------|---------------|--|--|--|-----------|---------------------|--|---------------------|--------------------|---|-----------|--|---|-----------|--|--------------------------------------|-----------|--------------------|---|-----------|---|---|---|---------------|--|----------------------|---------------|--|--|---------------|--|----------------------|---------------|---------------------|--------------------------------------|---------------------|---|---------------------------------|------------|--|--|------------|--|---|-------------|--|---------------------|-------------|
| | | | <table border="1" data-bbox="994 272 1644 400"> <tr> <td data-bbox="994 272 1167 300"></td> <td data-bbox="1167 272 1391 300"><u>Copper</u></td> <td data-bbox="1391 272 1644 300"></td> </tr> <tr> <td data-bbox="994 300 1167 400"></td> <td data-bbox="1167 300 1391 400">Polyethylene PVC protected steel (<= 16 bar)</td> <td data-bbox="1391 300 1644 400">36 months</td> </tr> </table> <p data-bbox="978 475 1630 836">For underground and below the sea level protected steel pipelines with pressure above 16 bar, operators shall also perform preventive pipeline integrity management to prevent any leakage in accordance with relevant European standards or national pipeline integrity management legislation. Taking into account results of that preventive pipeline integrity management, the competent authority may approve different frequency of up to 36 months for Type 1 LDAR survey and 48 months for Type 2 LDAR survey.</p> <p data-bbox="978 868 1615 991">For all offshore components below the sea level referred to in Article 14(2)(a), leak detection and repair surveys as set out in Article 14 shall be carried-out as per the following minimum frequency:</p> <table border="1" data-bbox="994 1023 1644 1289"> <thead> <tr> <th data-bbox="994 1023 1167 1086">Type of LDAR survey</th> <th data-bbox="1167 1023 1429 1086"></th> <th data-bbox="1429 1023 1644 1086">Frequency of survey</th> </tr> </thead> <tbody> <tr> <td data-bbox="994 1086 1167 1134">Type 1 LDAR survey</td> <td data-bbox="1167 1086 1429 1134">Offshore components above the sea level</td> <td data-bbox="1429 1086 1644 1134">12 months</td> </tr> <tr> <td data-bbox="994 1134 1167 1182"></td> <td data-bbox="1167 1134 1429 1182">Offshore components below the sea level</td> <td data-bbox="1429 1134 1644 1182">24 months</td> </tr> <tr> <td data-bbox="994 1182 1167 1230"></td> <td data-bbox="1167 1182 1429 1230">Offshore components below the seabed</td> <td data-bbox="1429 1182 1644 1230">36 months</td> </tr> <tr> <td data-bbox="994 1230 1167 1289">Type 2 LDAR survey</td> <td data-bbox="1167 1230 1429 1289">Offshore components above the sea level</td> <td data-bbox="1429 1230 1644 1289">24 months</td> </tr> </tbody> </table> | | <u>Copper</u> | | | Polyethylene PVC protected steel (<= 16 bar) | 36 months | Type of LDAR survey | | Frequency of survey | Type 1 LDAR survey | Offshore components above the sea level | 12 months | | Offshore components below the sea level | 24 months | | Offshore components below the seabed | 36 months | Type 2 LDAR survey | Offshore components above the sea level | 24 months | <table border="1" data-bbox="1666 272 2069 676"> <tr> <td data-bbox="1666 272 1789 421">Type 2 LDAR survey (design pressure > 16 bar)</td> <td data-bbox="1789 272 1946 421"><u>Compressor station</u> <u>Regulating and metering station</u></td> <td data-bbox="1946 272 2069 421">[4-12] months</td> </tr> <tr> <td data-bbox="1666 421 1789 469"></td> <td data-bbox="1789 421 1946 469"><u>Valve station</u></td> <td data-bbox="1946 421 2069 469">[4-24] months</td> </tr> <tr> <td data-bbox="1666 469 1789 617">Type 2 LDAR survey (design pressure <= 16 bar)</td> <td data-bbox="1789 469 1946 617"><u>Regulating and metering station</u></td> <td data-bbox="1946 469 2069 617">[4-12] months</td> </tr> <tr> <td data-bbox="1666 617 1789 676"></td> <td data-bbox="1789 617 1946 676"><u>Valve station</u></td> <td data-bbox="1946 617 2069 676">[4-24] months</td> </tr> </table> <table border="1" data-bbox="1666 719 2069 1321"> <thead> <tr> <th data-bbox="1666 719 1789 815">Type of LDAR survey</th> <th data-bbox="1789 719 1946 815">Type of material <u>or component</u></th> <th data-bbox="1946 719 2069 815">Frequency of survey</th> </tr> </thead> <tbody> <tr> <td data-bbox="1666 815 1789 963">Type 1 LDAR survey (design pressure > 16 bar)</td> <td data-bbox="1789 815 1946 963">Grey cast iron Bitumen sheet</td> <td data-bbox="1946 815 2069 963">[3] months</td> </tr> <tr> <td data-bbox="1666 963 1789 1166"></td> <td data-bbox="1789 963 1946 1166">Asbestos Ductile cast iron <u>Compressor station</u> <u>Regulating and metering station</u></td> <td data-bbox="1946 963 2069 1166">[6] months</td> </tr> <tr> <td data-bbox="1666 1166 1789 1262"></td> <td data-bbox="1789 1166 1946 1262">Non-protected steel Copper <u>Valve station</u></td> <td data-bbox="1946 1166 2069 1262">[12] months</td> </tr> <tr> <td data-bbox="1666 1262 1789 1321"></td> <td data-bbox="1789 1262 1946 1321">Polyethylene PVC</td> <td data-bbox="1946 1262 2069 1321">[24] months</td> </tr> </tbody> </table> | Type 2 LDAR survey (design pressure > 16 bar) | <u>Compressor station</u> <u>Regulating and metering station</u> | [4-12] months | | <u>Valve station</u> | [4-24] months | Type 2 LDAR survey (design pressure <= 16 bar) | <u>Regulating and metering station</u> | [4-12] months | | <u>Valve station</u> | [4-24] months | Type of LDAR survey | Type of material <u>or component</u> | Frequency of survey | Type 1 LDAR survey (design pressure > 16 bar) | Grey cast iron Bitumen sheet | [3] months | | Asbestos Ductile cast iron <u>Compressor station</u> <u>Regulating and metering station</u> | [6] months | | Non-protected steel Copper <u>Valve station</u> | [12] months | | Polyethylene PVC | [24] months |
| | <u>Copper</u> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Polyethylene PVC protected steel (<= 16 bar) | 36 months | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Type of LDAR survey | | Frequency of survey | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Type 1 LDAR survey | Offshore components above the sea level | 12 months | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Offshore components below the sea level | 24 months | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Offshore components below the seabed | 36 months | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Type 2 LDAR survey | Offshore components above the sea level | 24 months | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Type 2 LDAR survey (design pressure > 16 bar) | <u>Compressor station</u> <u>Regulating and metering station</u> | [4-12] months | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | <u>Valve station</u> | [4-24] months | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Type 2 LDAR survey (design pressure <= 16 bar) | <u>Regulating and metering station</u> | [4-12] months | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | <u>Valve station</u> | [4-24] months | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Type of LDAR survey | Type of material <u>or component</u> | Frequency of survey | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Type 1 LDAR survey (design pressure > 16 bar) | Grey cast iron Bitumen sheet | [3] months | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Asbestos Ductile cast iron <u>Compressor station</u> <u>Regulating and metering station</u> | [6] months | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Non-protected steel Copper <u>Valve station</u> | [12] months | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Polyethylene PVC | [24] months | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

| | Commission proposal | EP mandate | Council mandate | Wording suggestion | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|--|-------------|---|---|--|-------------------------------|--|---|---------------------------------|------------|--|--|-------------|--|--|-------------|--|---|-------------|---|---------------------------------|------------|--|--|-------------|--|--|-------------|--|--------------|-------------|
| | | | <p>Part 42</p> <p><i>Approval of continuous monitoring</i> Information requirements on devices used in leak detection and repair programmes</p> <p>As part of the leak detection and repair programme referred to in paragraph 1 of Article 14 <i>For the purposes of the approval by the competent authorities of the use of continuous monitoring systems according to Article 14 of this Regulation, operators must provide the following information:</i></p> <p>(i) <i>the continuous monitoring</i> device manufacturer information;</p> <p>(ii) the leak detection capabilities, reliability, and limitations of the continuous monitoring system devices, including, but not limited to, the ability to identify specific leaks or locations, detection limits, and any restrictions on use, as well as supporting data;</p> <p>(iii) a description of where, when, and how the continuous monitoring system devices will be used;</p> <p>(iv) <i>documentation adequate to demonstrate the continuous monitoring system is as effective at reducing emissions as the quarterly surveys set out in Article 14.</i></p> | <table border="1"> <tr> <td data-bbox="1664 272 1787 323"></td> <td data-bbox="1787 272 1944 323">Protected steel (≤ 16 bar)</td> <td data-bbox="1944 272 2074 323"></td> </tr> <tr> <td data-bbox="1664 323 1787 475">Type 2 LDAR survey (design pressure > 16 bar)</td> <td data-bbox="1787 323 1944 475">Grey cast iron Bitumen sheet</td> <td data-bbox="1944 323 2074 475">[6] months</td> </tr> <tr> <td data-bbox="1664 475 1787 675"></td> <td data-bbox="1787 475 1944 675">Asbestos Ductile cast iron Compressor station Regulating and metering station</td> <td data-bbox="1944 475 2074 675">[12] months</td> </tr> <tr> <td data-bbox="1664 675 1787 778"></td> <td data-bbox="1787 675 1944 778">Non-protected steel Copper Valve station</td> <td data-bbox="1944 675 2074 778">[24] months</td> </tr> <tr> <td data-bbox="1664 778 1787 874"></td> <td data-bbox="1787 778 1944 874">Polyethylene PVC Protected steel (≤ 16 bar)</td> <td data-bbox="1944 778 2074 874">[36] months</td> </tr> <tr> <td data-bbox="1664 874 1787 1026">Type 2 LDAR survey (design pressure ≤ 16 bar)</td> <td data-bbox="1787 874 1944 1026">Grey cast iron Bitumen sheet</td> <td data-bbox="1944 874 2074 1026">[6] months</td> </tr> <tr> <td data-bbox="1664 1026 1787 1225"></td> <td data-bbox="1787 1026 1944 1225">Asbestos Ductile cast iron Compressor station Regulating and metering station</td> <td data-bbox="1944 1026 2074 1225">[12] months</td> </tr> <tr> <td data-bbox="1664 1225 1787 1329"></td> <td data-bbox="1787 1225 1944 1329">Non-protected steel Copper Valve station</td> <td data-bbox="1944 1225 2074 1329">[24] months</td> </tr> <tr> <td data-bbox="1664 1329 1787 1353"></td> <td data-bbox="1787 1329 1944 1353">Polyethylene</td> <td data-bbox="1944 1329 2074 1353">[36] months</td> </tr> </table> | | Protected steel (≤ 16 bar) | | Type 2 LDAR survey (design pressure > 16 bar) | Grey cast iron Bitumen sheet | [6] months | | Asbestos Ductile cast iron Compressor station Regulating and metering station | [12] months | | Non-protected steel Copper Valve station | [24] months | | Polyethylene PVC Protected steel (≤ 16 bar) | [36] months | Type 2 LDAR survey (design pressure ≤ 16 bar) | Grey cast iron Bitumen sheet | [6] months | | Asbestos Ductile cast iron Compressor station Regulating and metering station | [12] months | | Non-protected steel Copper Valve station | [24] months | | Polyethylene | [36] months |
| | Protected steel (≤ 16 bar) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Type 2 LDAR survey (design pressure > 16 bar) | Grey cast iron Bitumen sheet | [6] months | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Asbestos Ductile cast iron Compressor station Regulating and metering station | [12] months | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Non-protected steel Copper Valve station | [24] months | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Polyethylene PVC Protected steel (≤ 16 bar) | [36] months | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Type 2 LDAR survey (design pressure ≤ 16 bar) | Grey cast iron Bitumen sheet | [6] months | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Asbestos Ductile cast iron Compressor station Regulating and metering station | [12] months | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Non-protected steel Copper Valve station | [24] months | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Polyethylene | [36] months | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

| | Commission proposal | EP mandate | Council mandate | Wording suggestion | | | | | | |
|--|---------------------|------------|-----------------|--|--|-----|--|--|-----------------|--|
| | | | | <table border="1" data-bbox="1666 276 2074 327"> <tr> <td data-bbox="1666 276 1789 300"></td> <td data-bbox="1789 276 1944 300">PVC</td> <td data-bbox="1944 276 2074 300"></td> </tr> <tr> <td data-bbox="1666 300 1789 327"></td> <td data-bbox="1789 300 1944 327">Protected steel</td> <td data-bbox="1944 300 2074 327"></td> </tr> </table> <p data-bbox="1666 371 2051 520"><u>When materials are unknown, the lowest frequency survey for the respective LDAR survey type shall be used.</u></p> <p data-bbox="1666 576 2051 770"><u>LDAR surveys may be carried out using a two -step approach: first from distance and in case a leak is detected with a second detection as close as possible to the source.</u></p> <p data-bbox="1666 818 2051 1345">For underground and below the sea level protected steel pipelines with pressure above 16 bar, operators shall also perform preventive pipeline integrity management to prevent any leakage in accordance with relevant European standards or national pipeline integrity management legislation. Taking into account results of that preventive pipeline integrity management, the competent authority may approve different frequency of up to 36 months for Type 1 LDAR survey</p> | | PVC | | | Protected steel | |
| | PVC | | | | | | | | | |
| | Protected steel | | | | | | | | | |

| | Commission proposal | EP mandate | Council mandate | Wording suggestion | | | | | | | | | | | | | | | |
|---------------------|---|---------------------|-----------------|--|---------------------|--|---------------------|--------------------|---|-------------|--|---|-------------|--|--------------------------------------|-------------|--------------------|---|-------------|
| | | | | <p>and 48 months for Type 2 LDAR survey.</p> <p>4. For all offshore components, leak detection and repair surveys as set out in Article 14 shall be carried-out as per the following minimum frequency:</p> <table border="1" data-bbox="1666 517 2074 992"> <thead> <tr> <th data-bbox="1666 517 1771 612">Type of LDAR survey</th> <th data-bbox="1771 517 1944 612"></th> <th data-bbox="1944 517 2074 612">Frequency of survey</th> </tr> </thead> <tbody> <tr> <td data-bbox="1666 612 1771 715">Type 1 LDAR survey</td> <td data-bbox="1771 612 1944 715">Offshore components above the sea level</td> <td data-bbox="1944 612 2074 715">[12] months</td> </tr> <tr> <td data-bbox="1666 715 1771 817"></td> <td data-bbox="1771 715 1944 817">Offshore components below the sea level</td> <td data-bbox="1944 715 2074 817">[24] months</td> </tr> <tr> <td data-bbox="1666 817 1771 890"></td> <td data-bbox="1771 817 1944 890">Offshore components below the seabed</td> <td data-bbox="1944 817 2074 890">[36] months</td> </tr> <tr> <td data-bbox="1666 890 1771 992">Type 2 LDAR survey</td> <td data-bbox="1771 890 1944 992">Offshore components above the sea level</td> <td data-bbox="1944 890 2074 992">[24] months</td> </tr> </tbody> </table> <p>5. <u>For all other components: type 1 leak detection and repair surveys shall be carried-out every 6 months and type 2 leak detection and repair surveys shall be carried-out every 12 months.</u></p> | Type of LDAR survey | | Frequency of survey | Type 1 LDAR survey | Offshore components above the sea level | [12] months | | Offshore components below the sea level | [24] months | | Offshore components below the seabed | [36] months | Type 2 LDAR survey | Offshore components above the sea level | [24] months |
| Type of LDAR survey | | Frequency of survey | | | | | | | | | | | | | | | | | |
| Type 1 LDAR survey | Offshore components above the sea level | [12] months | | | | | | | | | | | | | | | | | |
| | Offshore components below the sea level | [24] months | | | | | | | | | | | | | | | | | |
| | Offshore components below the seabed | [36] months | | | | | | | | | | | | | | | | | |
| Type 2 LDAR survey | Offshore components above the sea level | [24] months | | | | | | | | | | | | | | | | | |

| | Commission proposal | EP mandate | Council mandate | Wording suggestion |
|--|---------------------|------------|-----------------|--|
| | | | | <p style="text-align: center;">Part 2</p> <p style="text-align: center;">Information requirements on devices used in leak detection and repair surveys</p> <p>As part of the leak detection and repair programme referred to in paragraph 1 of Article 14, operators must provide the following information:</p> <ul style="list-style-type: none"> (i) device manufacturer information; (ii) the leak detection capabilities, reliability, and limitations of the devices, including, but not limited to, the ability to identify specific leaks or locations, detection limits, and any restrictions on use, as well as supporting data; (iii) a description of where, when, and how the devices will be used; <p>Structural changes that do not modify the LDAR frequencies from the GA.</p> |

| | Commission proposal | EP mandate | Council mandate | Wording suggestion | | | | | | | | | | | | | | | | | | | | | | | | |
|---------------------------|--|---|---|--|------------------|--------------|--------------|--------------|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|
| Annex Ia | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 428a | | <p>Part 1: Leak detection and repair surveys</p> <p><i>Notwithstanding the leak detection and repair surveys as set out in Article 14.2 (c), for all underground components listed in this Annex, leak detection and repair surveys must be carried-out as per the following minimum frequencies:</i></p> <table border="1"> <thead> <tr> <th><i>Asset</i></th> <th><i>Material</i></th> <th><i>Frequency</i></th> </tr> </thead> <tbody> <tr> <td><i>[...]</i></td> <td><i>[...]</i></td> <td><i>[...]</i></td> </tr> <tr> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> </tr> </tbody> </table> | <i>Asset</i> | <i>Material</i> | <i>Frequency</i> | <i>[...]</i> | <i>[...]</i> | <i>[...]</i> | | | | | | | | | | | | | | | | | | | | |
| <i>Asset</i> | <i>Material</i> | <i>Frequency</i> | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <i>[...]</i> | <i>[...]</i> | <i>[...]</i> | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Annex I, first paragraph | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 429 | Leak detection repair and monitoring schedules | | Leak detection Repair and monitoring schedules | Leak detection repair and monitoring schedules | | | | | | | | | | | | | | | | | | | | | | | | |
| Annex I, second paragraph | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

| | Commission proposal | EP mandate | Council mandate | Wording suggestion |
|---------------------------|---|---|---|---|
| 430 | Repair schedule | Repair schedule | Repair schedule | Repair schedule |
| Annex I, third paragraph | | | | |
| 431 | The repair schedule referred to in Article 14 must include at least the following elements: | The repair schedule referred to in Article 14 must include at least the following elements: | The repair schedule referred to in Article 14 must include at least the following elements: | The repair schedule referred to in Article 14 must include at least the following elements: |
| Annex I, fourth paragraph | | | | |
| 432 | (i) Inventory and identification of all components that have been checked | (i) Inventory and identification of all components that have been checked | (i) Inventory and identification of all components that have been checked | (i) Inventory and identification of all components that have been checked |
| Annex I, fifth paragraph | | | | |
| 433 | (ii) Result of inspection in terms of whether methane loss has been detected and, if so, size of loss | (ii) Result of inspection in terms of whether methane loss has been detected and, if so, size of loss | (ii) Result of inspection in terms of whether methane loss has been detected and, if so, size of loss | (ii) Result of inspection in terms of whether methane loss has been detected and, if so, size of loss |
| Annex I, sixth paragraph | | | | |
| 434 | | | | |

| | Commission proposal | EP mandate | Council mandate | Wording suggestion |
|----------------------------|--|--|---|---|
| | (iii) For components found to be emitting 500 parts per million or more of methane, indication of whether repair was undertaken during the LDAR survey and if not why, taking into account the requirements as regards what elements can be taken into account for a delayed repair, as per Article 14, paragraph 4. | (iii) For components found to be emitting 500 parts per million or more of methane , indication of whether repair was undertaken during the LDAR survey and if not why, taking into account the requirements as regards what elements can be taken into account for a delayed repair, as per Article 14, paragraph 4. | (iii) For components found to be emitting 500 parts per million or more of methane at or above the thresholds set out in Article 14(4) , indication of whether repair was undertaken during the LDAR survey and if not why, taking into account the requirements as regards what elements can be taken into account for a delayed repair, as per Article 14, paragraph 4. | (iii) For components found to be emitting 500 parts per million or more of methane at or above the thresholds set out in Article 14(4) , indication of whether repair was undertaken during the LDAR survey and if not why, taking into account the requirements as regards what elements can be taken into account for a delayed repair, as per Article 14, paragraph 4. |
| Annex I, seventh paragraph | | | | |
| 435 | (iv) For components found to be emitting 500 parts per million or more of methane, planned repair schedule indicating planned date of repair, | (iv) For components found to be emitting 500 parts per million or more of methane , planned repair schedule indicating planned date of repair, | (iv) For components found to be emitting 500 parts per million or more of methane at or above the thresholds set out in Article 14(4) , planned repair schedule indicating planned date of repair, | (iv) For components found to be emitting 500 parts per million or more of methane at or above the thresholds set out in Article 14(4) , planned repair schedule indicating planned date of repair, |

| | Commission proposal | EP mandate | Council mandate | Wording suggestion |
|---------------------------|--|---|--|--|
| Annex I, eighth paragraph | | | | |
| 436 | (v) For components found to be emitting less than 500 parts per million in previous LDAR survey, but found to be emitting 500 parts per million or more of methane during post LDAR monitoring to check whether the size of loss of methane has evolved, indication whether repair was undertaken immediately and if not, why not (as per iii), and planned repair schedule indicating planned date of repair. | (v) For components found to be emitting less than 500 parts per million in previous LDAR survey, but found to be emitting 500 parts per million or more of methane during post LDAR monitoring to check whether the size of loss of methane has evolved, indication whether repair was undertaken immediately and if not, why not (as per iii), and planned repair schedule indicating planned date of repair. | (v) For components found to be emitting less than 500 parts per million below the thresholds set out in Article 14(4) in previous LDAR survey, but found to be emitting 500 parts per million or more of methane at or above such thresholds during post LDAR monitoring to check whether the size of loss of methane has evolved, indication whether repair was undertaken immediately and if not, why not (as per iii), and planned repair schedule indicating planned date of repair. | (v) For components found to be emitting less than 500 parts per million below the thresholds set out in Article 14(4) in previous LDAR survey, but found to be emitting 500 parts per million or more of methane at or above such thresholds during post LDAR monitoring to check whether the size of loss of methane has evolved, indication whether repair was undertaken immediately and if not, why not (as per iii), and planned repair schedule indicating planned date of repair. |
| Annex I, ninth paragraph | | | | |
| 437 | | | This is to be followed by a post repair monitoring | |

| | Commission proposal | EP mandate | Council mandate | Wording suggestion |
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| | This is to be followed by a post repair schedule to indicate when repairs were effectively carried out. | This is to be followed by a post repair schedule to indicate when repairs were effectively carried out. | schedule to indicate when repairs were effectively carried out. | This is to be followed by a post repair monitoring schedule to indicate when repairs were effectively carried out. |
| Annex I, tenth paragraph | | | | |
| 438 | Monitoring schedule | Monitoring schedule | Monitoring schedule | Monitoring schedule |
| Annex I, eleventh paragraph | | | | |
| 439 | The monitoring schedule referred to in Article 14 must include at least the following elements: | The monitoring schedule referred to in Article 14 must include at least the following elements: | The monitoring schedule report referred to in Article 14 must include at least the following elements: | The monitoring schedule report referred to in Article 14 must include at least the following elements: |
| Annex I, twelfth paragraph | | | | |
| 440 | (i) Inventory and identification of all components that have been checked | (i) Inventory and identification of all components that have been checked | (i) Inventory and identification of all components that have been checked | (i) Inventory and identification of all components that have been checked |
| Annex I, thirteenth paragraph | | | | |

| | Commission proposal | EP mandate | Council mandate | Wording suggestion |
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| 441 | (ii) Result of inspection in terms of whether methane loss has been detected and, if so, size of loss | (ii) Result of inspection in terms of whether methane loss has been detected and, if so, size of loss | (ii) Result of inspection in terms of whether methane loss has been detected and, if so, size of loss | (ii) Result of inspection in terms of whether methane loss has been detected and, if so, size of loss |
| Annex I, fourteenth paragraph | | | | |
| 442 | (iii) For components found to be emitting 500 parts per million or more of methane, results of monitoring after repair to check if repair was successful | (iii) For components found to be emitting 500 parts per million or more of methane , results of monitoring after repair to check if repair was successful | (iii) For components found to be emitting 500 parts per million or more of methane at or above the thresholds set out in Article 14(4) in previous LDAR survey, information about the repair undertaken and , results of monitoring after repair to check if repair was successful | (iii) For components found to be emitting 500 parts per million or more of methane at or above the thresholds set out in Article 14(4) in previous LDAR survey, information about the repair undertaken and results of monitoring after repair to check if repair was successful |
| Annex I, fifteenth paragraph | | | | |
| 443 | (iv) For components found to be emitting less than 500 parts per million of methane, results of post LDAR monitoring to check whether the size of loss of methane has | (iv) For components found to be emitting less than 500 parts per million of methane, results of post LDAR monitoring to check whether the size of loss of methane has evolved and recommendation on the basis of finding. | (iv) For components found to be emitting less than 500 parts per million of methane below the thresholds set out in Article 14(4) in the previous LDAR survey, results of post LDAR monitoring to check whether the size of loss of methane has evolved and recommendation on the basis of finding. | (iv) For components found to be emitting less than 500 parts per million of methane below the thresholds set out in Article 14(4) in the previous LDAR survey, results of post LDAR monitoring to check whether the size of loss of methane has evolved and recommendation on the basis of finding. |

| | Commission proposal | EP mandate | Council mandate | Wording suggestion |
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| | evolved and recommendation on the basis of finding. | | | |

3) INACTIVE WELLS, TEMPORARILY PLUGGED WELLS, AND PERMANENTLY PLUGGED AND ABANDONED WELLS

- New additions compared to Council’s General Approach: **bold and underlined**
- Deletions compared to Council’s General Approach: ~~red and strikethrough~~
- In **yellow** the changes compared with the last non-paper distributed to the EWP on Art 18 (WK 13534/2023 INIT)
- In brackets the elements where flexibility is required

Definitions

| | Commission proposal | EP mandate | Council mandate | Wording suggestion |
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| Article 2, first paragraph, point (24) | | | | |
| 118 | (24) ‘inactive well’ means an oil or gas well or well site where operations for exploration or production have ceased for at least one year; | (24) ‘inactive well’ means an oil or gas well or well site, <u>that is onshore or offshore</u> , where operations for exploration or production have ceased for at least one year; <u>it does not include permanently plugged and abandoned wells.</u> | (24) ‘Inactive well’ means an exploration or production oil or gas well or well site, onshore or offshore , where operations for exploration or production have ceased for at least one year. It does not include temporarily plugged wells, permanently plugged and abandoned wells, as defined in this Regulation; | (24) ‘Inactive well’ means an exploration or production oil or gas well or well site, onshore or offshore, in which where operations for exploration or production have ceased for at least one year. It does not include temporarily plugged wells, and permanently plugged and abandoned wells, as defined in this Regulation; |
| Article 2, first paragraph, point (24a) | | | | |
| 118a | | | (24a) ‘Permanently plugged and abandoned well’ means an oil or gas well | (24a) ‘Permanently plugged and abandoned well’ means an oil or gas well |

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| | | | or well site, onshore or offshore, which has been plugged and will not be re-entered, where all installations associated with the well have been removed and operations have been terminated in accordance with regulatory requirements and where documentation adequate to demonstrate that there are no methane emissions from that well or well site can be provided as established in Annex IV; | or well site, onshore or offshore, which has been plugged and will not be re-entered, in which all operations have been terminated and in which all installations associated with the well have been removed and operations have been terminated in accordance with the applicable regulatory requirements and where documentation can be provided adequate to demonstrate that there are no methane emissions from that well or well site <i>can be provided</i> as established in Annex IV; |
| Article 2, first paragraph, point (24b) | | | | |
| 118b | | <u>(24a) 'permanently plugged and abandoned well' means an oil or gas well or well site, that is onshore or offshore, which has been plugged and will not be re-entered, in which all installations associated with the well have been removed and operations have been terminated and where documentation can be provided that is adequate to demonstrate in accordance with Annex IV that there are no methane emissions from that well or well site;</u> | | |
| Article 2, first paragraph, point (24c) | | | | |
| 118c | | | (24b) 'Temporarily plugged well' means an oil or gas well or well site, onshore or | (24b) 'Temporarily plugged well' means an oil or gas well or well site, onshore or |

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| | | | offshore, where well barriers have been installed and where a wellhead is still installed and access to the well is still provided for; | offshore, where well barriers have been installed to temporarily isolate the producing reservoir and where a wellhead is still installed and access to the well is still provided for;] Reworded according to ISO 16530-1 |
| Article 2, first paragraph, point (25) | | | | |
| 119 | (25) 'remediating' means the process of cleaning up contaminated water and soil; | (25) 'remediating' means the process of cleaning up contaminated water and soil; | (25) 'remediating' means the process of cleaning up contaminated water and soil; | (25) 'remediating' means the process of cleaning up contaminated water and soil; |
| Article 2, first paragraph, point (26) | | | | |
| 120 | (26) 'reclaiming' means the process of returning a well or well site to having soil and vegetation conditions similar to those that existed before it was disturbed; | (26) 'reclaiming' means the process of returning a well or well site to having soil and vegetation conditions similar to those that existed before it was disturbed; | (26) 'reclaiming' means the process of returning a well or well site to having soil and vegetation conditions similar to those that existed before it was disturbed; | (26) 'reclaiming' means the process of returning a well or well site to having soil and vegetation conditions similar to those that existed before it was disturbed; |

Article 18

| | Commission proposal | EP mandate | Council mandate | Wording suggestion |
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| Article 18 | | | | |
| 273 | Article 18 Inactive wells | Article 18 Inactive wells | Article 18 Inactive wells, temporarily plugged wells and permanently plugged and abandoned wells | Article 18 Inactive wells, temporarily plugged wells, and permanently plugged and abandoned wells |

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| Article 18(1) | | | | |
| 274 | 1. By ... [12 months from the date of entry into force of this Regulation], Member States shall establish and make publicly available an inventory of all inactive wells on their territory or under their jurisdiction, including at least the elements set out in Annex IV. | 1. By ... [12 <u>six months from the date of entry into force of this Regulation</u> months from the date of entry into force of this Regulation], Member States shall establish and make publicly available an inventory of all inactive <u>wells and permanently plugged and abandoned</u> wells on their territory or under their jurisdiction, including at least the elements set out in Annex IV. | 1. By ... [12 <u>12-months</u> from the date of entry into force of this Regulation], Member States shall establish and make publicly available an inventory of all recorded inactive wells, temporarily plugged wells and permanently plugged and abandoned wells on their territory or under their jurisdiction, where information on location exists or where location can be identified with all reasonable efforts , including at least the elements set out in Part 1 of Annex IV. | 1. By ... [16-12 <u>12</u>] months from the date of entry into force of this Regulation], Member States shall establish and make publicly available an inventory of all recorded inactive wells temporarily plugged wells, and permanently plugged and abandoned wells on their territory or under their jurisdiction, where information or evidence on location exists or where location can be identified with all reasonable efforts , including at least the elements set out in Part 1 of Annex IV. Member States shall maintain and keep up to date regularly update the inventory, including by taking all reasonable efforts to locate and document all revealed inactive wells, temporarily plugged wells, and permanently plugged and abandoned wells located on their territory or under their jurisdiction, based on a robust assessment taking into account the most up to date scientific findings and best available techniques technologies. |
| Article 18(1a) | | | | |
| 274a | | | 1a. By derogation from paragraph 1, Member State with 40 000 or more inactive wells, temporarily plugged wells and permanently plugged and abandoned wells combined may adopt a plan for completing the inventory of all recorded inactive wells, temporarily plugged wells and permanently plugged and abandoned wells on their | 1a. By derogation from paragraph 1 and 2 , Member States that notify to the Commission evidence in their territory of the existence of with 40 000 or more recorded inactive wells, temporarily plugged wells, and permanently plugged and abandoned wells combined may adopt a plan for completing the inventory and the quantification of methane emissions or the |

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| | | | <p>territory or under their jurisdiction, where information on location exists or where location can be identified with all reasonable efforts, including at least the elements set out in Part 1 of Annex IV. and make it publicly available, provided that:</p> <p>(a) By [12 months from the date of entry into force of this Regulation], at least 20 % of these wells are included in the inventory prioritizing inactive and temporary plugged wells;</p> <p>(b) By [24 months from the date of entry into force of this Regulation], at least 40 % of these wells are included in the inventory;</p> <p>(c) Every 12 months thereafter at least an additional 15 % of these wells are included in the inventory;</p> <p>(d) All wells are included into the inventory by [72 months from the date of entry into force of this Regulation] at the latest; The plan shall be approved by the competent authorities.</p> | <p><u>demonstration that there are no methane emissions, as applicable</u>, of all recorded inactive wells, temporarily plugged wells, and permanently plugged and abandoned wells on their territory or under their jurisdiction, where information on location exists or where location can be identified with all reasonable efforts, including at least the elements set out in Part 1 of Annex IV, and make it publicly available, provided that:</p> <p>(a) By [12 months from the date of entry into force of this Regulation], at least 20 % of these wells are included in the inventory prioritizing inactive and temporary plugged wells;</p> <p>(b) By [24 months from the date of entry into force of this Regulation], at least 40 % of these wells are included in the inventory;</p> <p>(c) Every 12 months thereafter at least an additional 15 % of these wells are included in the inventory;</p> <p>(d) All wells are included into the inventory by [72 months from the date of entry into force of this Regulation] at the latest; The plan shall be approved by the competent authorities.</p> |
| Article 18(2) | | | | |
| 275 | <p>2. By ... [18 months of the date of entry into force of this Regulation], equipment for measurement of methane emissions shall be installed on all inactive wells.</p> | <p>2. By ... [18 months of the date of entry into force of this Regulation], equipment for measurement of methane emissions shall be installed on all inactive wells.</p> | <p>2. Without prejudice to paragraph 3, reports containing information on quantification of methane emissions and, where such monitoring equipment exists on wellheads, pressure monitoring, from all inactive wells, and temporarily plugged wells shall be submitted to the competent authorities by ... [24</p> | <p>2. Without prejudice to paragraph 3, reports containing information on quantification of methane emissions and, where such monitoring equipment exists on wellheads, <u>information on</u> pressure monitoring, from all inactive wells, and temporarily plugged wells shall be submitted to the competent authorities by ... [[18-24 21] months of the date of entry</p> |

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| | | | <p><i>months of the date of entry into force of this Regulation</i>By ... [18 months of the date of entry into force of this Regulation] and by 31 May every year thereafter and cover the last available calendar year.</p> <p>The reports set out in this Article shall include methane emissions to air and to water, as applicable, using the specifications established in accordance with Article 29a(1). Where operators or Member States report; equipment for measurement of methane emissions within the framework of international or regional agreements to which the Union or the relevant Member State is a party, the reports set out in this Article may include the information reported thereunder. Reports concerning inactive and temporarily plugged wells located in Member States with 40 000 or more inactive wells, temporarily plugged wells and permanently plugged and abandoned wells combined shall be installed on all inactivesubmitted in accordance with this paragraph by 12 months after the inclusion of the wells in the inventory and updated at least every four years thereafter.</p> | <p>into force of this Regulation] and by 31 May every year thereafter and cover the last available calendar year.</p> <p>The reports set out in this Article shall include <u>quantification of methane emissions to air and to water and information on pressure monitoring, where as applicable, using the standards or technical prescriptions specifications</u> established in accordance with Article 29a(1). <u>Until such date when standards or technical prescriptions referred to in this paragraph come into application, operators and undertakings, as applicable, shall follow International standards or, in the absence of such standards, state of the art industry practices and best available technologies for measurement or quantification.</u></p> <p>Where operators or Member States report; equipment for measurement of methane emissions within the framework of international or regional agreements to which the Union or the relevant Member State is a party, the reports set out in this Article may include the information reported thereunder. Reports concerning inactive and temporarily plugged wells located in Member States with 40 000 or more inactive wells, temporarily plugged wells, and permanently plugged and abandoned wells combined shall be installed on all inactive submitted in accordance with this paragraph by 12 months after the inclusion of each of the wells in the inventory <u>and by 31 May every year thereafter and updated at least every four years thereafter.</u></p> |
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| Article 18(3) | | | | |
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| 276 | <p>3. Reports containing the measurements referred to in paragraph 2 shall be submitted to the competent authorities by ... [24 months of the date of entry into force of this Regulation] and by 30 March every year thereafter and cover the last available calendar year. Before submission to the competent authorities, the reports set out in this paragraph shall be assessed by a verifier and include a verification statement issued in accordance with Articles 8 and 9.</p> | <p>3. Reports containing <u>information on quantification of methane emissions to air and water, as applicable, from all wells</u> the measurements referred to in paragraph 2 <u>1</u> shall be submitted to the competent authorities by ... [24 <u>18 months of the date of entry into force of this Regulation</u> months of the date of entry into force of this Regulation] and by 30 March every year thereafter and cover the last available calendar year.</p> <p><u>Where the competent authorities are provided with reliable evidence that proves that there are no methane emissions from permanently plugged and abandoned wells within the last five years, the reporting obligation set out in this paragraph shall not apply to that well.</u></p> <p>Before submission to the competent authorities, the reports set out in this paragraph shall be assessed by a verifier and include a verification statement issued in accordance with Articles 8 and 9.</p> | <p>3. Reports containing the measurements referred to in paragraph 2 shall be submitted to the competent authorities by ... [24 months of the date of entry into force of this Regulation] and by 30 March every year thereafter and cover the last available calendar year. Before submission to the competent authorities, the reports set out in this paragraph shall be assessed by a verifier and include a verification statement issued in accordance with Articles 8 and 9</p> <p>Where <u>five consecutive quantification of methane emissions and, where such monitoring equipment exists on wellheads, pressure monitoring, from an onshore temporarily plugged well, at yearly intervals, prove no methane emissions, paragraph 2 shall cease to apply to that well.</u></p> <p>Where <u>two consecutive quantification of methane emissions and where such monitoring equipment exists on wellheads, pressure monitoring, from an offshore inactive well or temporarily plugged well, made every two years, prove no methane emissions, paragraph 2 shall cease to apply to that well.</u></p> | <p>3. Reports containing the measurements referred to in paragraph 2 shall be submitted to the competent authorities by ... [24 months of the date of entry into force of this Regulation] and by 30 March every year thereafter and cover the last available calendar year. Before submission to the competent authorities, the reports set out in this paragraph shall be assessed by a verifier and include a verification statement issued in accordance with Articles 8 and 9</p> <p><u>Where the competent authority is provided with five consecutive quantification of methane emissions and, where such monitoring equipment exists on wellheads, pressure monitoring that prove that there are no methane emissions from an onshore temporarily plugged well within the last five years, at yearly intervals, prove no methane emissions, paragraph 2 shall cease to apply to that well.</u></p> <p>Where <u>the competent authority is provided with two consecutive quantification of methane emissions and, where such monitoring equipment exists on wellheads, pressure monitoring that prove that there are no methane emissions from an offshore inactive well or temporarily plugged well within the last three two years, made every two years, prove no methane emissions, paragraph 2 shall cease to apply to that well.</u></p> |
| Article 18(4) | | | | |
| 276a | | <p>4. Where the competent authorities are provided with reliable evidence of</p> | <p>4<u>3a</u>. Where the competent authorities are provided with reliable evidence of material</p> | |

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| | | | <p>material methane emissions in a permanently plugged and abandoned well and when this evidence has been confirmed by a verifier, the obligations set out in this Article for temporarily plugged wells shall apply to that well. In that case, remediation, reclamation or plugging of that well shall be carried out by the responsible party, where technically feasible and only if the associated reduction of the above-mentioned material emissions cumulated over 100 years offsets the environmental impacts of the necessary works.</p> | <p>methane emissions in a permanently plugged and abandoned well and when this evidence has been confirmed by a verifier, the obligations set out in this Article for temporarily plugged wells shall apply to that well.</p> <p>3b. Where methane emissions are detected in inactive wells, temporarily plugged wells or permanently plugged and abandoned wells, <i>In that case</i>, Member States or the responsible party in accordance with paragraph 5, shall take all the necessary measures available to them for the remediation, reclamation or permanently plugging of that well shall be carried out by the responsible party, where technically feasible, and only if the associated reduction of the above-mentioned material emissions cumulated over 100 years offsets taking into account the environmental impacts of the necessary works in view of the associated reduction of the methane emissions in question.</p> |
| Article 18(5) | | | | |
| 276b | | | <p>5. The reports set out in this Article shall be assessed by a verifier and include a verification statement issued in accordance with Articles 8 and 9.</p> | <p>53c. Before submission to the competent authorities, the reports set out in this Article shall be assessed by a verifier and include a verification statement issued in accordance with Articles 8 and 9.</p> |
| Article 18(4) | | | | |
| 277 | <p>4. The competent authorities shall make the reports set out in this Article available to the public and the Commission, within three months from submission by</p> | <p>4. The competent authorities shall make the reports set out in this Article available to the public and the Commission, within three months from submission by operators and in accordance with Article 5(4).</p> | <p>4. The competent authorities shall make the reports set out in this Article available to the public and the Commission, within three months from</p> | <p>4. The competent authorities shall make the reports and mitigation plans set out in this Article available to the public and the Commission, within three months from submission by operators or completion by</p> |

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| | operators and in accordance with Article 5(4). | | submission by operators and in accordance with Article 5(4). | Member States and in accordance with Article 5(4). |
| Article 18(5) | | | | |
| 278 | 5. Member States shall be responsible for fulfilling the obligations laid down in paragraphs 2 and 3, except where a responsible party can be identified, in which case that party shall bear responsibility. | 5. Member States shall be responsible for fulfilling the obligations laid down in paragraphs 2 and 3 , except where a responsible party can be identified, in which case that party shall bear responsibility. | 5 7. Member States shall be responsible for ensure fulfilling the obligations laid down in paragraphs 2 and 3 , except to 4 by the operators . Where a responsible party can be identified, in which case that provides reliable evidence that it does not have adequate financial assurance to fulfil those obligations or where the responsible party cannot be identified, the Member State shall bear responsibility. | 5 5 . Member States shall be responsible for ensure fulfilling the obligations laid down in paragraphs 2 and 3 , except to 4 by the operators . Where a responsible party can be identified, in which case that provides to the competent authority adequate and reliable evidence to demonstrate that it does not have the adequate financial assurance to fulfil those obligations or where the responsible party cannot be identified, the Member State shall bear responsibility. |
| Article 18(6), first subparagraph | | | | |
| 279 | 6. Member States shall develop and implement a mitigation plan to remediate, reclaim and permanently plug inactive wells located in their territory. | 6. <u>By ... [12 months from the date of entry into force of this Regulation]</u> Member States shall develop and implement or the <u>responsible party shall develop</u> a mitigation plan to remediate, reclaim and permanently plug inactive wells located in their territory, <u>and implement it by... [24 months from the date of entry into force of this Regulation].</u> | 6. By ... [28 months from the date of entry into force of this Regulation], Member States shall develop and implement the responsible party, in accordance with paragraph 7, shall develop a mitigation plan to remediate, reclaim and permanently plug inactive wells located in their territory and temporarily plugged wells including at least the elements set out in Part 2 of Annex IV and setting out an implementation period starting no later than 12 months after the first reports referred to in paragraph 2. | 6. By ... [12-28 24] months from the date of entry into force of this Regulation], Member States shall develop and implement or the responsible party in accordance with paragraph 5, shall develop a mitigation plan to remediate, reclaim and permanently plug inactive wells located in their territory and temporarily plugged wells including at least the elements set out in Part 2 of Annex IV and setting out an implementation period starting no later than implement it by 12 months after the first reports referred to in paragraph 2. Where the responsible party can demonstrate that the implementation of the mitigation plan referred to in this paragraph is not possible within 12 months after the first reports referred to in paragraph 2 due to safety, |

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| | | | | <p>administrative or technical considerations, the responsible party may delay its implementation. The mitigation plan shall include all the necessary evidence justifying such a decision to delay the implementation. The competent authorities may require the responsible party to amend the mitigation plan taking into account the requirements of this Regulation. The implementation shall be carried out as soon as possible.</p> <p>Member States or the responsible party in accordance with paragraph 5, shall maintain and regularly update the mitigation plan, in line with the inventory and report referred to in this Article and any changes or new information derived therefrom, and based on a robust assessment taking into account the most up to date scientific findings and best available techniques technologies.</p> |
| Article 18(6), second subparagraph | | | | |
| 280 | Mitigation plans shall use the inventories referred to in paragraph 1 to determine priority for activities including: | Mitigation plans shall use the inventories referred to in paragraph 1 to determine priority for activities including: | Mitigation plans shall use the inventories referred to in paragraph 1 and the reports referred to in paragraph 2 to determine priority for activities including: | Mitigation plans shall use the inventories and the reports referred to in paragraph 1 and the reports referred to in paragraph 2 this Article to determine priority for activities including: |
| Article 18(6), second subparagraph, point (a) | | | | |
| 281 | (a) remediating, reclaiming and permanently plugging wells; | (a) remediating, reclaiming and permanently plugging wells; | (a) remediating, reclaiming and permanently plugging wells; | (a) remediating, reclaiming and permanently plugging wells; |

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| Article 18(6), second subparagraph, point (b) | | | | |
| 282 | (b) reclaiming related access roads; | (b) reclaiming related access roads; | (b) reclaiming related access roads or the surrounding soil under water, as applicable; | (b) reclaiming related access roads or the surrounding soil under water, as applicable; |
| Article 18(6), second subparagraph, point (c) | | | | |
| 283 | (c) restoring land, water and habitat impacted by wells and the prior operations; | (c) restoring land, water and habitat impacted by wells and the prior operations; | (c) restoring land, water, seabed and habitat impacted by wells and the prior operations; | (c) restoring land, water, seabed and habitat impacted by wells and the prior operations; |
| Article 18(6), second subparagraph, point (d) | | | | |
| 284 | (d) yearly checks to ensure plugged wells are no longer a source of methane emissions. | (d) yearly checks to ensure plugged wells are no longer a source of methane emissions. | (d) yearly regular checks to ensure temporarily plugged wells are no longer and, where deemed applicable, permanently plugged and abandoned wells are not a source of methane emissions. | (d) yearly-regular checks monitoring to ensure temporarily plugged wells are no longer and, where deemed applicable, permanently plugged and abandoned wells are not a source of methane emissions in accordance with this Article. |
| Article 18(6), second subparagraph, point (da) | | | | |
| 284a | | | 9. Without prejudice to the provisions of Directive 2013/30/EU and Directive 2008/56/EC, offshore oil and gas wells located at a depth greater than [700 meters] are exempt from the provisions obligations of this Article. | 9. Without prejudice to the provisions of Directive 2013/30/EU and Directive 2008/56/EC, offshore oil and gas wells located at a water depth greater than [700 meters] are exempt may be exempted by competent authorities from the provisions obligations of paragraphs 2, 3b and 6 of this Article when duly justified if robust evidence can be provided that the impact on the climate of potential methane emissions from those components is highly likely to be negligible. |
| Article 18(6), second subparagraph, point (db) | | | | |
| 284b | | | | |

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| | | | 10. Without prejudice to the provisions of Directive 2013/30/EU and Directive 2008/56/EC, and subject to the approval of the competent authority, offshore wells located at water depth between 200 and 700 meters may be exempt from the obligations of this Article, where the operator demonstrates that during the environmental impact assessments conducted before drilling, or after accidents during operations, no possibility of migration of potential methane leaks to the atmosphere has been documented. | 10. Without prejudice to the provisions of Directive 2013/30/EU and Directive 2008/56/EC, and subject to the approval of the competent authority, offshore temporarily plugged wells and permanently plugged and abandoned wells located at water depth greater than between 200 and 700 meters may be exempt from the obligations of this Article, where the operator demonstrates that during the environmental impact assessments conducted before drilling or, after accidents during operations, no possibility of migration of potential methane leaks to the atmosphere has been documented. |
| Article 18(6a) | | | | |
| 284c | | <u>6a. When identifying inactive, permanently plugged and abandoned wells, Member States shall undertake a robust and objective assessment based on the most up to date scientific findings, including data from IMEO.</u> | | Included in lines 274 and 279 |

Annex IV

| | Commission proposal | EP mandate | Council mandate | Wording suggestion |
|---------------------------|---------------------|------------|-----------------|--------------------|
| Annex IV | | | | |
| 463 | Annex IV | Annex IV | Annex IV | Annex IV |
| Annex IV, first paragraph | | | | |

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| 464 | Inventories of inactive wells | Inventories of inactive wells | Inventories and mitigation plans for of inactive wells, temporarily plugged wells and permanently plugged and abandoned wells | Inventories and mitigation plans for of inactive wells, temporarily plugged wells, and permanently plugged and abandoned wells |
| Annex IV, first paragraph a | | | | |
| 464a | | | Part 1 | Part 1 |
| Annex IV, second paragraph | | | | |
| 465 | Pursuant to Article 18, inventories of inactive wells must include at least the following information: | Pursuant to Article 18, inventories of inactive wells <u>and permanently plugged and abandoned wells</u> must include at least the following information: | Pursuant to Article 18, inventories of inactive wells, temporarily plugged wells and permanently plugged and abandoned wells must must include at least the following information: | Pursuant to Article 18, inventories of inactive wells, temporarily plugged wells, and permanently plugged and abandoned wells must include at least the following information: |
| Annex IV, third paragraph | | | | |
| 466 | (i) name and address of the operator, owner or licensee, where applicable; | (i) name and address of the operator, owner or licensee, where applicable; | (i) name and address of the operator, owner or licensee, where applicable; | (i) name and address of the operator, owner or licensee, where applicable; |
| Annex IV, fourth paragraph | | | | |
| 467 | (ii) name, type and address of well or well site; | (ii) name, type and address of well or well site, <u>specifying whether it is an inactive well or a permanently plugged and abandoned well;</u> | (ii) name, type and address of well or well site, specifying whether it is an inactive well, temporarily plugged well or permanently plugged and abandoned well, as defined in this Regulation; | (ii) name, type and address location of well or well site, specifying whether it is an inactive well, temporarily plugged well, or permanently plugged and abandoned well, as defined in this Regulation; |

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| Annex IV, fifth paragraph | | | | |
| 468 | (iii) map showing borders of the well or well site; | (iii) map showing borders of the well or well site; | (iii) where relevant , map showing borders of the well or well site; | (iii) where relevant , as feasible , map showing borders of the well or well site; |
| Annex IV, sixth paragraph | | | | |
| 469 | (iv) results of any methane concentration measurements. | (iv) results of <u>methane emissions measurements to air and to water</u> any methane concentration measurements . | (iv) results of any measurements or quantification of methane concentration measurements emissions to air and to water carried out prior to the inventory, if any. | (iv) results of any measurements or quantification of methane concentration measurements emissions to air and to water carried out prior to the inventory, if any, and carried out in accordance with this Article. |
| Annex IV, sixth paragraph a | | | | |
| 469a | | | <p>Pursuant to Article 18, inventories of inactive wells, temporarily plugged wells and permanently plugged and abandoned wells may include the following information:</p> <p>(i) Dates for initial drilling and last operation;</p> <p>(ii) Orientation (vertical, horizontal, slant);</p> <p>(iii) Overall depth of well;</p> <p>(iv) Whether any notable events have occurred</p> | <p>Pursuant to Article 18, inventories of inactive wells, temporarily plugged wells, and permanently plugged and abandoned wells may shall, where available with all reasonable efforts, include the following information:</p> <p>(i) Dates for initial drilling and last operation;</p> <p>(ii) Orientation (vertical, horizontal, slant);</p> <p>(iii) Overall depth of well;</p> <p>(iv) Whether any notable events have occurred during the drilling process, such as "kicks";</p> |

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| | | | <p>during the drilling process, such as "kicks";</p> <p>(v) Whether the well has contacted gas containing significant amounts of sulphur compounds (sour gas), or trace amounts (sweet gas);</p> <p>(vi) Seismic data available for the well in the upper 1000m of its trajectory with a 1000m radius;</p> <p>(vii) The most recent well integrity assessment report;</p> <p>(viii) Whether the well is an exploration or production well;</p> <p>(ix) Whether the well has contacted any shallow gas pockets, shallow gas zones or loss circulation zones;</p> <p>(x) Whether the well is located onshore (indicate urban, rural, other) or offshore (indicate water depth);</p> <p>(xi) In the case of offshore wells, information</p> | <p>(v) Whether the well has contacted gas containing significant amounts of sulphur compounds (sour gas), or trace amounts (sweet gas);</p> <p>(vi) Seismic data available for the well in the upper 1000m of its trajectory with a 1000m radius;</p> <p>(vii) The most recent well integrity assessment report;</p> <p>(viii) Whether the well is an exploration or production well;</p> <p>(ix) Whether the well has contacted any shallow gas pockets, shallow gas zones or loss circulation zones;</p> <p>(x) Whether the well is located onshore (indicate urban, rural, other) or offshore (indicate water depth);</p> <p>(xi) In the case of offshore wells, information regarding any conditions at the sea bed which could assist methane migration up through the water column;</p> <p>(xii) Information on the well's lifecycle status, (active, inactive, downhole plugged, surface decommissioned, etc);</p> <p>(xii) Whether the well cap associated with a decommissioned well is vented or not.</p> |
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| | | | <p>regarding any conditions at the sea bed which could assist methane migration up through the water column;</p> <p>(xii) Information on the well's lifecycle status, (active, inactive, downhole plugged, surface decommissioned, etc);</p> <p>(xii) Whether the well cap associated with a decommissioned well is vented or not.</p> | |
| Annex IV, sixth paragraph a | | | | |
| 469b | | <p><u>Pursuant to Article 18, with respect to permanently plugged and abandoned wells, inventories shall also include:</u></p> <p><u>(i) the last known measurements of methane emissions to air and water, if any;</u></p> <p><u>(ii) information showing that the relevant competent authority has attested that the well or well site in question fulfils the criteria set out in Article 2(24a);</u></p> <p><u>(iii) adequate documentation to demonstrate that there have been no methane emissions from that well or well site for at least the last five years.</u></p> | | |
| Annex IV, seventh paragraph | | | | |
| 469c | | | <p>Pursuant to Article 18, with respect to permanently plugged and abandoned wells, inventories must also include:</p> | <p>Pursuant to Article 18, with respect to permanently plugged and abandoned wells, inventories must <u>shall</u> also include:</p> <p>(i) the last known measurements or quantification of methane emissions to air and to water, if any;</p> |

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| | | | <p>(i) the last known measurements or quantification of methane emissions to air and to water, if any;</p> <p>(ii) information showing that the relevant competent authority has attested that the well or well site in question fulfils the criteria set out in Article 2(24a5);</p> <p>(iii) documentation adequate to demonstrate that there are no methane emissions from that well or well site for all wells permanently plugged and abandoned after the adoption of this Regulation, or where such documentation already exists prior to adoption.</p> | <p>(ii) information showing that the relevant competent authority has attested that the well or well site in question fulfils the criteria set out in Article 2(24a5);</p> <p>(iii) documentation adequate to demonstrate that there are no methane emissions from that well or well site for all wells permanently plugged and abandoned after the adoption of this Regulation, or where such documentation already exists prior to adoption. 1) for all wells permanently plugged and abandoned from 20 years before the entry into force of this Regulation; and 2) where available, for all wells permanently plugged and abandoned earlier than 20 years before the entry into force of this Regulation.</p> |
| Annex IV, seventh paragraph | | | | |
| 469d | | <p><u>Pursuant to Article 18, mitigation plans must include at least the following information:</u></p> <p><u>(i) the schedule of addressing each inactive well, including the actions to be performed;</u></p> <p><u>(ii) name and address of the operator, owner or licensee of the inactive well, where applicable;</u></p> <p><u>(iii) projected end date of all remediation, reclamation or plugging of inactive wells.</u></p> | | |
| Annex IV, eighth paragraph | | | | |
| 469e | | | | |

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| | | | <p>Part 2</p> <p>Pursuant to Article 18, mitigation plans must include at least the following information:</p> <p>(i) the schedule of addressing each inactive well and temporarily plugged well, including the actions to be performed;</p> <p>(ii) name and address of the operator, owner or licensee of the inactive well or temporarily plugged well, where applicable;</p> <p>(iii) projected end date of all remediation, reclamation or plugging of inactive wells and temporarily plugged wells.</p> | <p>Part 2</p> <p>Pursuant to Article 18, mitigation plans must shall include at least the following information:</p> <p>(i) the schedule of addressing each inactive well and temporarily plugged well, including the actions to be performed;</p> <p>(ii) name and address of the operator, owner or licensee of the inactive well or temporarily plugged well, where applicable;</p> <p>(iii) projected end date of all remediation, reclamation or plugging of inactive wells and temporarily plugged wells.</p> |
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