COMMISSION DECISION

of 16 December 2020

instructing the Central Administrator of the European Union Transaction Log to enter changes to the national allocation tables of Germany into the European Union Transaction Log

(2021/C 115/02)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a system for greenhouse gas emission allowance trading within the Union and amending Council Directive 96/61/EC ([1]),

Having regard to Commission Regulation (EU) No 389/2013 of 2 May 2013 establishing a Union Registry pursuant to Directive 2003/87/EC of the European Parliament and of the Council, Decisions No 280/2004/EC and No 406/2009/EC of the European Parliament and of the Council and repealing Commission Regulations (EU) No 920/2010 and (EU) No 1193/2011 ([2]), and in particular the second subparagraph of Article 52(2) thereof,

Whereas:

(1) On 27 April 2011, the Commission adopted Decision 2011/278/EU ([3]) determining transitional Union-wide rules for harmonised free allocation of emission allowances pursuant to Article 10a of Directive 2003/87/EC.

(2) On 5 September 2013, the Commission adopted Decision 2013/448/EU ([4]) concerning national implementation measures for the transitional free allocation of greenhouse gas emission allowances for the period 2013-2020.

(3) By Decision 2014/9/EU ([5]), the Commission amended Decisions 2010/2/EU ([6]) and 2011/278/EU as regards the list of sectors and subsectors which are deemed to be exposed to a significant risk of carbon leakage (hereinafter 'carbon leakage list').

([1]) OJ L 275, 25.10.2003, p. 32.
([2]) OJ L 122, 3.5.2013, p. 1.
([3]) Commission Decision 2011/278/EU of 27 April 2011 determining transitional Union-wide rules for harmonised free allocation of emission allowances pursuant to Article 10a of Directive 2003/87/EC of the European Parliament and of the Council (OJ L 130, 17.5.2011, p. 1).
([4]) Commission Decision 2013/448/EU of 5 September 2013 concerning national implementation measures for the transitional free allocation of greenhouse gas emission allowances in accordance with Article 11(3) of Directive 2003/87/EC of the European Parliament and of the Council (OJ L 240, 7.9.2013, p. 27).
([5]) Commission Decision 2014/9/EU of 18 December 2013 amending Decisions 2010/2/EU and 2011/278/EU as regards the sectors and subsectors which are deemed to be exposed to a significant risk of carbon leakage (OJ L 9, 14.1.2014, p. 9).
([6]) Commission Decision 2010/2/EU of 24 December 2009 determining, pursuant to Directive 2003/87/EC of the European Parliament and of the Council, a list of sectors and subsectors which are deemed to be exposed to a significant risk of carbon leakage (OJ L 1, 5.1.2010, p. 10).

(4) By Decisions C(2013) 9281 ([7]), C(2014) 123 ([8]), C(2014) 674 ([9]) and C(2014) 1167 ([10]), the Commission instructed the Central Administrator of the European Union Transaction Log to enter the national allocation tables and the revised national allocation tables of Belgium, Bulgaria, Czechia, Denmark, Germany, Estonia, Ireland, Greece, Spain, France, Croatia, Italy, Cyprus, Latvia, Lithuania, Luxembourg, Hungary, the Netherlands, Austria, Poland, Portugal, Romania, Slovenia, Slovakia, Finland, Sweden and the United Kingdom into the European Union Transaction Log.

(5) By Decision C(2019)4184, the Commission instructed the Central Administrator to change the national allocation table of Germany following the notification, by the German Emissions Trading Authority, that included the polymerisation installation DE-210619. However, the data reported for the calculation of free allocation was based on an incorrect heat balance between carbon leakage and non-carbon leakage subinstallations, which resulted in the allocation of 1 876 too few allowances. Therefore, pursuant to the first subparagraph of Article 52(2) of Regulation (EU) No 389/2013, Germany notified to the Commission, by letter dated 5 October 2020 changes to its national allocation table concerning installation DE-210619.

(6) By Decision C(2019)4184, the Commission instructed the Central Administrator to change the national allocation table of Germany following the notification, by the German Emissions Trading Authority, that included the polymerisation installation DE-210620. However, the data reported for the calculation of free allocation was based on an incorrect heat balance between carbon leakage and non-carbon leakage subinstallations, which resulted in the allocation of 3 217 too few allowances. Therefore, pursuant to the first subparagraph of Article 52(2) of Regulation (EU) No 389/2013, Germany notified to the Commission, by letter dated 5 October 2020 changes to its national allocation table concerning installation DE-210620.

(7) The Commission considers that the notified changes to the national allocation table of Germany are in conformity with Directive 2003/87/EC and Decision 2011/278/EU. The Central Administrator of the European Union Transaction Log should therefore be instructed to enter those changes into the European Union Transaction Log,

HAS DECIDED AS FOLLOWS:

Sole Article

The Central Administrator of the European Union Transaction Log shall enter the changes to the national allocation table of Germany as set out in the Annex.

Done at Brussels, 16 December 2020.

For the Commission
Frans TIMMERMANS
Executive Vice-President

([7]) Commission Decision C(2013) 9281 of 18 December 2013 on instructing the Central Administrator of the European Union Transaction Log to enter the national allocation tables of Austria, Greece, Ireland, Latvia, the Netherlands, Portugal, Sweden and the United Kingdom into the European Union Transaction Log.

([8]) Commission Decision C(2014) 123 of 17 January 2014 on instructing the Central Administrator of the European Union Transaction Log to enter the national allocation tables of the Czech Republic, Denmark, France, Lithuania, Hungary and Slovakia into the European Union Transaction Log.

([9]) Commission Decision C(2014) 674 of 12 February 2014 on instructing the Central Administrator of the European Union Transaction Log to enter the national allocation tables of Belgium, Germany, Estonia, Luxembourg, Slovenia and Finland into the European Union Transaction Log.

([10]) Commission Decision C(2014) 1167 of 26 February 2014 on instructing the Central Administrator of the European Union Transaction Log to enter the national allocation tables of Bulgaria, Spain, Croatia, Italy, Cyprus, Latvia, Poland, Romania and the United Kingdom into the European Union Transaction Log.

ANNEX

Changes to National allocation table for the period 2013-2020 pursuant to Article 10a of Directive 2003/87/EC (NIMs)

Member State: Germany

The changed allocations in the National allocation table for the indicated installations are as follows:

Installation ID (NE&C)	Installation ID (Union registry)	Operator name	Installation name	Quantity to be allocated								Quantity to be allocated modified by NE&C data by installation
				2013	2014	2015	2016	2017	2018	2019	2020	
DE-new-14616-0168	210619	Dow Olefinverbund GmbH	Polyethylen-Anlage / Train 4 in Leuna	0	0	0	0	0	2 654	2 565	2 478	7 697
DE-new-14616-0169	210620	Dow Olefinverbund GmbH	Polyethylen-Anlage / Train 5 in Leuna	0	0	0	0	0	8 012	7 484	6 974	22 470