

Methane emissions reduction in the energy sector

2021/0423(COD) - 10/04/2024 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 530 votes to 63, with 28 abstentions, a legislative resolution on the 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.

The position adopted by the European Parliament at first reading under the ordinary legislative procedure is as follows:

Subject matter and scope

The proposed Regulation lays down rules for the accurate measurement, **quantification, monitoring, reporting and verification of methane emissions** in the energy sector in the Union. It should apply to: (a) oil and fossil gas exploration and production, and fossil gas gathering and processing; (b) inactive wells, temporarily plugged wells and permanently plugged and abandoned wells; (c) natural gas transmission and distribution; and (d) active underground coal mines and surface coal mines, closed underground coal mines and abandoned underground coal mines.

This Regulation applies also to methane emissions occurring outside the Union, with respect to crude oil, natural gas and coal placed on the Union market.

Competent authorities

Each Member State should appoint at least one competent authority to oversee the effective compliance by operators, undertakings, mine operators and importers with the obligations laid down in this Regulation and should notify the Commission about such appointment and any changes thereto. Those competent authorities should be provided with sufficient financial and human resources and should take all the necessary measures to ensure compliance with this Regulation in accordance with the tasks specifically attributed to them. The competent authorities should establish a contact point.

Methane emissions in the oil and gas sector

By 12 months from the date of entry into force of this Regulation, operators should submit a report to the competent authorities containing the quantification of source-level methane emissions estimated using at least generic emission factors for all sources.

Operators should take all appropriate **mitigation measures** to prevent and minimise methane emissions in their operations.

Leak detection and repair

By **9 months** from the date of entry into force of this Regulation for existing sites and within **6 months** from the date of start of operations for new sites, operators should submit a leak detection and repair **programme** ('LDAR programme') to the competent authorities. In any event, operators should carry out the first type 2 leak detection and repair survey by 12 months from the date of entry into force of this Regulation for existing sites.

If the repair cannot be carried out immediately after detection, it should be attempted as soon as possible and no later than 5 days after detection and should be completed within 30 days after detection.

While it could be necessary to consider exceptional safety, administrative and technical aspects, evidence should be provided to justify any delays in repair or replacement. Repairs or replacements should use the best technologies that are commercially available and that provide long-term protection against future leakage.

Restrictions on venting and flaring

Venting or flaring should be allowed only in case of an emergency or malfunction. Venting or flaring should be allowed where unavoidable and strictly necessary. Where venting is allowed, operators should vent only where flaring is not technically feasible due to lack of flammability or inability to sustain a flame, risks endangering safety of operations or personnel or where it would have a worse environmental impact in terms of emissions.

Operators should comply with these measures without delay and, in any case, not later than 18 months from the date of entry into force of this Regulation for existing sites and not later than 12 months from the date of start of operations for new sites.

Inactive wells, temporarily plugged wells and permanently plugged and abandoned wells

By 12 months from the date of entry into force of this Regulation, Member States should set up and make publicly available an **inventory** of all closed underground coal mines and abandoned underground coal mines in their territory or under their jurisdiction.

Methane emissions in the coal sector

EU countries should continuously measure and report methane emissions from operating underground mines and from surface mines. In addition, they should set-up a **public inventory of mines closed or abandoned in the last 70 years** and measure their emissions, except for mines that have been flooded for more than 10 years.

For **active underground coal mines**, flaring with a destruction and removal efficiency by design level below 99% and venting of methane from drainage systems should be prohibited from 1 January **2025**. Venting of methane through ventilation shafts in coal mines emitting more than 5 tonnes of methane per kilotonne of coal mined, other than coking coal mines, should be prohibited from 1 January **2027**, except in the case of an emergency. Those emitting more than 3 tonnes of methane per kilotonne of coal mined, other than coking coal mines, should be prohibited from 1 January **2031**, except in the case of an emergency. Venting and flaring from equipment should be prohibited from 1 January **2030**.

Requirements for oil, gas and coal imports

New contracts concluded by EU importers for the supply of crude oil, natural gas or coal must reinforce the adoption in third countries of rules on the monitoring, reporting and verification of methane emissions which are equivalent to those laid down in this Regulation. The amended Regulation therefore lays down requirements for imports of oil, gas and coal. **From 1 January 2027**, importers should demonstrate equivalent monitoring, reporting and verification requirements at the production level.