



EU Environment Report

December 2013 / January 2014

CHEMICALS

New restrictions on the use of PAHs

On 6 December 2013, the Commission issued **Regulation 1272/2013** amending the “Restriction List” in Annex XVII to **Regulation 1907/2006** (“REACH Regulation”), as regards a number of polycyclic aromatic hydrocarbons (“PAHs”). These PAHs are already classified as carcinogens and, as such, are banned for sale to the general public. The presence of such substances in extender oils used for the manufacture of tyres is also specifically capped by the REACH Regulation. **Regulation 1272/2013** adds a more general restriction in the Restriction List of the REACH Regulation. Accordingly, articles shall not be placed on the market, if any of their rubber or plastic components that come into contact with the human skin or the oral cavity (e.g. gloves, household utensils, sport equipment) contain more than 1 mg/kg of any of the listed PAHs. A lower limit of 0.5 mg/kg is applicable specifically for toys and childcare articles. These new restrictions will only be applicable to articles placed on the market for the first time from 27 December 2015.

The Regulation can be accessed [here](#).

CLIMATE CHANGE

Commission publishes average emissions and emissions targets of CO₂ for manufacturers of new light commercial vehicles for 2012

On 17 December 2013, the European Commission (“Commission”) issued an Implementing Decision listing the average specific emissions of CO₂ and specific emissions targets for manufacturers of new light commercial vehicles for 2012. Under **Regulation 510/2011** which sets emission performance standards for new light commercial vehicles, manufacturers must ensure that from 2014 the average CO₂ emissions of their new vehicles registered in the EU do not exceed “specific emissions targets” (by contrast, the targets set for 2012 and 2013 are merely indicative). The targets are determined, for each manufacturer, by reference to the amount of new vehicles it registered in the preceding year. In addition, the Commission publishes an annual list indicating, for each manufacturer, the average CO₂ emissions of the vehicles newly registered in that year, and its individual emissions target for the same year. Accordingly, the Decision of 17 December 2013 lists such average emissions and targets for 2012.

The Decision can be accessed [here](#).

Commission proposal package on energy and climate change for 2030

On 22 January 2014, the European Commission published its climate and energy policy proposals for the period 2020-2030. The Commission proposes a new reduction target for domestic greenhouse gas emissions of 40% by 2030, compared to 1990 levels. It also suggests increasing the share of renewable energy of the EU's energy consumption to 27% by 2030. The proposal does not

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This newsletter briefly describes EU environment developments. Due to the general nature of its content, this newsletter is not and should not be regarded as legal advice.

set any further targets for fuels used in on-road and similar vehicles. Further, while the new 27% renewable energy target would be binding on the EU, it would no longer be translated into binding national targets, which gives the Member States flexibility to transform the energy system in a way that is adapted to their national preferences and circumstances. The package still needs to be approved by the Council and the European Parliament, before it comes into force.

The proposals can be accessed [here](#).

Parliament Environment Committee supports extension of EU ETS to all flights in European airspace

On 30 January 2014, the Environment Committee of the European Parliament (“Parliament”) voted in favor of the Commission’s proposed Directive extending the application of the EU Emissions Trading Scheme (“ETS”) to flights between European airports and third countries, although only for emissions taking place not beyond EEA countries. The EU currently limits the enforcement of its ETS to flights within and between countries in Europe, in order to facilitate negotiations for a global scheme within the context of the International Civil Aviation Organisation (“ICAO”). Negotiations between the Parliament and the Member States will follow to reach an agreement on the proposal, although several Member States may attempt to maintain the status quo for extra-European flights, until a global scheme is enforced by the ICAO, which is currently expected for 2020.

The Commission’s proposed Directive can be accessed [here](#).

ENERGY EFFICIENCY

Extended scope of application for ecodesign requirements for electric motors

On 6 January 2014, the Commission issued **Regulation 4/2014** amending the scope of application of **Regulation 640/2009** establishing ecodesign requirements for electric motors. The amendments relate to the exclusion of motors specified to operate exclusively under extreme conditions from the scope of Article 1 of **Regulation 640/2009**. Due to recent technological developments, **Regulation 4/2014** increases a number of thresholds determining such extreme conditions, which means that **Regulation 640/2009** will apply to a wider range of electric motors operating under extreme conditions. For example, while motors operating exclusively at altitudes exceeding 1000 metres above sea-level were previously exempted from the ecodesign requirements, this threshold has been raised to 4000 metres.

The Regulation can be accessed [here](#).

New rules on the energy labelling and ecodesign requirement for ovens and range hoods

On 31 January 2014, **Delegated Regulation 65/2014** and **Regulation 66/2014** were published. Both acts introduce new rules on the energy labelling and ecodesign requirements applicable to ovens and range hoods. While rules on the energy labelling of household electric ovens already existed, the Delegated Regulation introduces new requirements for the labelling and provision of supplementary product information for both electric and gas domestic ovens, and for domestic electric range hoods. **Regulation 66/2014**, on the other hand, sets new ecodesign requirements, especially regarding energy efficiency, applicable to domestic ovens, hobs and electric range hoods.

The Delegated Regulation and the Regulation can be accessed [here](#).

OTHER

Exemptions to restrictions in the use of hazardous substances in medical equipment

On 9 January 2014, a series of Commission Delegated Directives were published. These Directives introduce changes to Annex III and Annex IV of **Directive 2011/65** on the restriction of the use of certain hazardous substances in electrical and electronic equipment (“**EEE**”). These Directives add several provisional exemptions to the ban on the use of mercury in lamps and the use of certain hazardous substances (essentially lead or cadmium) in medical equipment. These new exemptions are only applicable until a certain date, falling between 2016 and 2021, depending on each exemption.

The Delegated Directives can be accessed [here](#).

Talks on liberalisation of environmental goods trade

On 24 January 2014, the EU and 13 other WTO member countries (including China and the United States) announced their commitment to achieve global free trade in “environmental goods” (e.g. wind turbines and solar panels) at the Davos meeting in Switzerland. Such liberalisation would notably take the form of lower tariffs applied to a list of environmental goods. Initiatives to remove barriers to trade of such goods have been unsuccessful in the past, notably because of lacking consensus on the definition of environmental goods. A sufficient number of WTO members must join for the initiative to take effect.

The joint statement can be accessed [here](#).

EU recommendations on standards for shale gas exploration and extraction

On 22 January 2014, the European Commission issued a non-binding Recommendation encouraging EU Member States to follow certain minimum principles on environmental and safety standards, when regulating hydrocarbons exploration or production using high volume hydraulic fracturing. These minimum standards include the preparation of environmental assessments before granting exploration and/or production licences, the provision of clear rules on possible restrictions of activities, and ensuring that the geological formation of a site is suitable and that installation prevents possible surface leaks and spills to soil, water or air.

The recommendation can be accessed [here](#).

The Months Ahead

19 February

Key priorities in energy, environment & transport policy for the Greens ahead of the 2014 elections with Bas Eickhout MEP, Brussels, Belgium

<http://britishchamber.be/event/eu-committee-breakfast-briefing-bas-eickhout-mep-%E2%80%93-vice-president-group-greenseuropean-free>

27 February

ICE Nuclear 2014; Developing the UK’s Industry, London, UK

<http://www.ice-conferences.com/ICE-Nuclear-2014/>

5-6 March

Unconventional Gas, London, UK

http://www.smi-online.co.uk/energy/uk/conference/unconventional-gas?utm_source=E-038&utm_medium=EM%20-%20PM&utm_campaign=GroupMail

5-6 March

European Shale Gas, London, UK

http://www.smi-online.co.uk/energy/?utm_source=E-038&utm_medium=EM%20-%20RM&utm_campaign=GroupMail

5-7 March

10th Energy Efficiency and Renewable Energy Congress and Exhibition for South-East Europe, Sofia, Bulgaria

<http://via-expo.com/en/pages/ee-re-congress>

5-7 March

Save the Planet - Waste Management, Recycling, Environment, Sofia, Bulgaria

<http://via-expo.com/en/pages/waste-management-recycling-conference>

6-7 March

Annual Conference on European Environmental Law 2014, Trier

<https://www.era.int/cgi-bin/cms?SID=NEW&sprache=en&bereich=artikel&aktion=detail&idartikel=124326>

14-31 March

1st International e-Conference on Energies, Switzerland (Online)

<http://sciforum.net/conference/ece-1/>

18 March

European Fuels Conference, Rome, Italy

<http://www.wraconferences.com/event/european-fuels-conference>

20-21 March

Asset Integrity Management in Oil & Gas 2014, Aberdeen, United Kingdom

<http://aim.insideintelligence.com/?ls=conferencealerts>

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