

II

(Non-legislative acts)

REGULATIONS

COMMISSION REGULATION (EU) No 743/2014**of 9 July 2014****replacing Annex VII to Regulation (EU) No 601/2012 as regards Minimum frequency of analyses****(Text with EEA relevance)**

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 scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC ⁽¹⁾, and in particular Article 14(1) thereof,

Whereas:

- (1) Annex VII to Commission Regulation (EU) No 601/2012 ⁽²⁾ determines the minimum frequency of analyses for relevant fuels and materials to be applied by operators for the determination of calculation factors.
- (2) Article 35 of Regulation (EU) No 601/2012 provides that Annex VII to that Regulation is to be reviewed on a regular basis and in the first instance not more than two years from Regulation (EU) No 601/2012 entering into force.
- (3) Annex VII to Regulation (EU) No 601/2012 should be amended to clarify the classification and categorisation of fuels and materials listed therein to improve consistency regarding application of appropriate factors used in the calculation of emissions.
- (4) In the interest of clarity, it is appropriate to replace Annex VII to Regulation (EU) No 601/2012.
- (5) Regulation (EU) No 601/2012 should therefore be amended accordingly.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Climate Change Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Annex VII to Regulation (EU) No 601/2012 is replaced by the text set out in the Annex to this Regulation.

⁽¹⁾ OJ L 275, 25.10.2003, p. 32.

⁽²⁾ Commission Regulation (EU) No 601/2012 of 21 June 2012 on the monitoring and reporting of greenhouse gas emissions pursuant to Directive 2003/87/EC of the European Parliament and of the Council (OJ L 181, 12.7.2012, p. 30).

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 9 July 2014.

For the Commission
The President
José Manuel BARROSO

ANNEX

ANNEX VII

Minimum frequency of analyses (Article 35)

Fuel/material	Minimum frequency of analyses
Natural gas	At least weekly
Other gases, in particular synthesis gas and process gases such as refinery mixed gas, coke oven gas, blast-furnace gas, convertor gas	At least daily — using appropriate procedures at different parts of the day
Fuel oils (for example light, medium, heavy fuel oil, bitumen)	Every 20 000 tonnes of fuel and at least six times a year
Coal, coking coal, petroleum coke, peat	Every 20 000 tonnes of fuel/material and at least six times a year
Other fuels	Every 10 000 tonnes of fuel and at least four times a year
Untreated solid waste (pure fossil or mixed biomass/fossil)	Every 5 000 tonnes of waste and at least four times a year
Liquid waste, pre-treated solid waste	Every 10 000 tonnes of waste and at least four times a year
Carbonate minerals (including limestone and dolomite)	Every 50 000 tonnes of material and at least four times a year
Clays and shales	Amounts of material corresponding to 50 000 tonnes of CO ₂ and at least four times a year
Other materials (primary, intermediate and final product)	Depending on the type of material and the variation, amounts of material corresponding to 50 000 tonnes of CO ₂ and at least four times a year'