

Communication from the Commission amending the Communication from the Commission Guidelines on certain State aid measures in the context of the greenhouse gas emission allowance trading scheme post-2012

(Text with EEA relevance)

(2012/C 387/06)

In the definition of the 'fall-back electricity consumption efficiency benchmark' (Annex I of the Guidelines), 80 % will be added. It will read as follows:

- "fall back electricity consumption efficiency benchmark", 80 % of baseline electricity consumption. It corresponds to the average reduction effort imposed by the application of the electricity consumption efficiency benchmarks (benchmark electricity consumption/*ex ante* electricity consumption). It is applied for all products and processes which fall within eligible sectors or subsectors, but which are not covered by the electricity consumption efficiency benchmarks set in Annex III.'

Annex III of the Communication 'Electricity consumption efficiency benchmarks for products covered by the NACE codes in Annex II' will be replaced by the following:

Electricity consumption efficiency benchmarks for products covered by the NACE codes in Annex II

NACE4	Product benchmark ⁽¹⁾	Benchmark value	Benchmark unit	Unit of production ⁽²⁾	Product definition ⁽²⁾	Processes covered by product BM ⁽²⁾	Relevant prodcom-code (Rev 1.1)	Description
2742	Primary aluminium	14,256	MWh/t product (AC consumption)	Tonne of unwrought non-alloy liquid aluminium	Unwrought non-alloy liquid aluminium from electrolysis	Unwrought non-alloy liquid aluminium from electrolysis, including pollution control units, auxiliary processes and the cast house. In addition to the definitions of the product in Commission Decision 2011/278/EU the anode plant (pre-bake anodes) is included. In case anodes are provided from a stand-alone plant in Europe, this plant should not be compensated as already comprised in the BM. In case anodes are produced outside Europe, a correction may be applied.	27421130	Unwrought non-alloy aluminium (excluding powders and flakes)
							27421153	Unwrought aluminium alloys in primary form (excluding aluminium powders and flakes)
2742	Alumina (refining)	0,225	MWh/t product	Tonne of alumina		All processes directly or indirectly linked to the production of alumina	27421200	Aluminium oxide (excluding artificial corundum)
2710	Basic oxygen steel	0,036	MWh/t product	Tonne of crude (cast) steel		Secondary metallurgy, refractories preheating, auxiliaries (in particular dedusting) and casting installations up to cut-off of crude steel products	2710T122	Non-alloy steel produced by other processes than in electric furnaces
							2710T132	Alloy steel other than stainless steel produced by other processes than in electric furnaces

NACE4	Product benchmark (1)	Benchmark value	Benchmark unit	Unit of production (2)	Product definition (2)	Processes covered by product BM (2)	Relevant prodcom-code (Rev 1.1)	Description
							2710T142	Stainless and heat resisting steel produced by other processes than in electric furnaces
2710	EAF carbon steel	0,283	tCO ₂ /t product	Tonne of crude secondary steel ex-caster.	Steel containing less than 8 % metallic alloying elements and tramp elements to such levels limiting the use to those applications where no high surface quality and processability is required.	All processes directly or indirectly linked to the process units: — electric arc furnace — secondary metallurgy — casting and cutting — post-combustion unit — dedusting unit — vessels heating stands — casting ingots preheating stands — scrap drying and — scrap preheating are included.	2710T121	Crude steel: non-alloy steel produced in electric furnaces
		(Based on 10 % best average)					2710T131	Crude steel: alloy steel other than stainless steel produced in electric furnaces
							2710T141	Crude steel: stainless and heat resisting steel produced in electric furnaces
2710	EAF high alloy steel	0,352	tCO ₂ /t product	Tonne of high alloy crude steel	Steel containing 8 % or more metallic alloying elements or where high surface quality and processability is required	All processes directly or indirectly linked to the process units: — electric arc furnace — secondary metallurgy — casting and cutting — post-combustion unit — dedusting unit	2710T121	Crude steel: non-alloy steel produced in electric furnaces

NACE4	Product benchmark (1)	Benchmark value	Benchmark unit	Unit of production (2)	Product definition (2)	Processes covered by product BM (2)	Relevant prodcom-code (Rev 1.1)	Description
						<ul style="list-style-type: none"> — vessels heating stands — casting ingots preheating stands — slow cooling pit — scrap drying and — scrap preheating are included. The process units FeCr converter and cryogenic storage of industrial gases are not included. 		
		(Based on 10 % best average)					2710T131	Crude steel: alloy steel other than stainless steel produced in electric furnaces
							2710T141	Crude steel: stainless and heat resisting steel produced in electric furnaces
2710	FeSi	8,540	MWh/t product	Tonne of final FeSi-75	FeSi-75	<p>All processes directly linked to operation of the furnaces.</p> <p>Auxiliaries are not included.</p>	27102020/ 24101230	Ferro-silicon-75 % Si content
2710	FeMn HC	2,760	MWh/t product	Tonne of final High Carbon FeMn	High Carbon FeMn	<p>All processes directly linked to the furnaces.</p> <p>Auxiliary processes are not included.</p>	27102010	Ferro-manganese (in accordance with BREF)
2710	SiMn	3,850	MWh/t product	Tonne of final SiMn	Silico-manganese of different carbon content, including SiMn, Low Carbon SiMn, Very Low Carbon SiMn	<p>All processes directly linked to the operation of the furnaces.</p> <p>Auxiliary processes are not included.</p>	27102030	Silico-manganese excluding FeSiMn

NACE4	Product benchmark (1)	Benchmark value	Benchmark unit	Unit of production (2)	Product definition (2)	Processes covered by product BM (2)	Relevant prodcom-code (Rev 1.1)	Description
2413	Cl2	2,461	MWh/t product	Tonne of chlorine	Chlorine	All processes directly or indirectly linked to the electrolysis unit, including auxiliaries like motors	24131111	Chlorine
2413	Si metal	11,870	MWh/t product	Tonne of Si metal	Silicon with a grade 90-99,99 %	All processes directly linked to the furnaces. Auxiliary processes are not included.	24131155	Silicon containing by weight < 99,99 % of silicon
2413	Hyperpure polysilicon	60,000	MWh/t product	Tonne of hyperpure Si metal	Silicon with a grade > 99,99 %	All processes directly or indirectly linked to the furnace, including auxiliaries	24131153	Silicon containing by weight ≥ 99,99 % of silicon
2413	SiC	6,200	MWh/t product	Tonne of 100 % SiC	Silicon carbide with 100 % purity	All processes directly or indirectly linked to the furnace, including auxiliaries	24135450	Carbides whether or not chemically defined
2414	High value Chemicals	0,702	tCO ₂ /t product	Tonne of high value chemical (HVC) (tonne of acetylene, ethylene, propylene, butadiene, benzene and hydrogen)	Mix of high value chemicals (HVC) expressed as total mass of acetylene, ethylene, propylene, butadiene, benzene and hydrogen excluding HVC from supplemental feed (hydrogen, ethylene, other HVC) with an ethylene content in the total product mix of at least 30 mass-percent and a content of HVC, fuel gas, butenes and liquid hydrocarbons of together at least 50 mass-percent of the total product mix.	All processes directly or indirectly linked to the production of high value chemicals as purified product or intermediate product with concentrated content of the respective HVC in the lowest tradable form (raw C4, unhydrogenated pygas) are included except C4 extraction (butadiene plant), C4-hydrogenation, hydro-treating of pyrolysis gasoline and aromatics extraction and logistics/storage for daily operation.	Several prodcom-codes under NACE 2414	
							24141120	Saturated acyclic hydrocarbons
							24141130	Unsaturated acyclic hydrocarbons: ethylene

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							24141140	Unsaturated acyclic hydrocarbons; propene (propylene)
							24141150	Unsaturated acyclic hydrocarbons; butene (butylene) and isomers thereof
							24141160	Unsaturated acyclic hydrocarbons; buta-1.3-diene and isoprene
							24141190	Unsaturated acyclic hydrocarbons (excluding ethylene, propene-butene, buta-1.3-diene and isoprene)
							24/20141223	Benzene
2414	Aromatics	0,030	tCO ₂ /t product	CO ₂ weighted tonne	Mix of aromatics expressed as CO ₂ weighted tonne (CWT)	All processes directly or indirectly linked to aromatics sub-units: <ul style="list-style-type: none"> — pygas hydrotreater — benzene/toluene/xylene (BTX) extraction — TDP — HDA — xylene isomerisation — p-xylene units — cumene production and — cyclo-hexane production are included. 	Several prodcom-codes under NACE 2414. See guidance document 9 for the direct emissions for the full list.	
2414	Black carbon	1,954	tCO ₂ /t product	Tonne of furnace carbon black (saleable unit, > 96 %)	Furnace carbon black. Gas and lampblack products are not covered by this benchmark.	All processes directly or indirectly linked to the production of furnace carbon black as well as finishing, packaging and flaring are included.	24131130	Carbon (carbon blacks and other forms of carbon, n.e.c.)

NACE4	Product benchmark (1)	Benchmark value	Benchmark unit	Unit of production (2)	Product definition (2)	Processes covered by product BM (2)	Relevant prodcom-code (Rev 1.1)	Description
2414	Styrene	0,527	tCO ₂ /t product	Tonne of styrene (saleable product)	Styrene monomer (vinyl benzene, CAS number: 100-42-5)	All processes directly or indirectly linked to the production of: <ul style="list-style-type: none"> — styrene as well as — the intermediate product ethylbenzene (with the amount used as feed for the styrene production) are included. 	24141250	Styrene
2414	Ethylene oxide/ethylene glycols EO/EG	0,512	tCO ₂ /t product	Tonne of EO-equivalents (EOE), defined as the amount of EO (in mass) that is embedded in one mass unit of any of the specific glycols.	The ethylene oxide/ethylene glycol benchmark covers the products: <ul style="list-style-type: none"> — ethylene oxide (EO, high purity) — monoethylene glycol (MEG, standard grade + fiber grade (high purity)) — diethylene glycol (DEG) — triethylene glycol (TEG) The total amount of products is expressed in terms of EO-equivalents (EOE), which are defined as the amount of EO (in mass) that is embedded in one mass unit of the specific glycol.	All processes directly or indirectly linked to the process units EO production, EO purification and glycol section are included.	24146373	Oxirane (ethylene oxide)
							24142310	Ethylene glycol (ethanediol)
							24146333	2,2-Oxydiethanol (diethylene glycol; digol)
2743	Zinc electrolysis	4,000	MWh/t product	Tonne of zinc	Primary zinc	All processed directly or indirectly linked to the zinc electrolysis unit including auxiliaries	27431230	Unwrought non-alloy zinc (excluding zinc dust, powders and flakes)

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							2743125	Unwrought zinc alloys (excluding zinc dust, powders and flakes)
2415	Ammonia	1,619	tCO ₂ /t product	Tonne of ammonia produced as saleable (net) production and 100 % purity.	Ammonia (NH ₃), to be recorded in tons produced	All processes directly or indirectly linked to the production of the ammonia and the intermediate product hydrogen are included.	24151075	Anhydrous ammonia

⁽¹⁾ For products shaded in light grey, interchangeability between electricity and fuels was established and the benchmark is provided in terms of tCO₂.

⁽²⁾ Production units, definitions and processes covered, which are shaded in dark grey, are based on 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.

Products for which inter-exchangeability of electricity and fuels was established in Annex 1(2) of Decision 2011/278/EU ⁽¹⁾

Decision 2011/278/EU in Annex I established that in respect of some production processes there is substitutability between fuel and electricity. For those products, it is not appropriate to set a benchmark on the basis of MWh/t of product. Instead, starting points are the specific greenhouse gases emission curves derived for the direct emissions. For those processes, the product benchmarks were determined on the basis of the sum of direct emissions (from energy and process emissions), as well as indirect emissions arising from the use of the inter-exchangeable part of the electricity.

In these cases, the factor 'E' in the formula for the calculation of the maximum aid amount as referred to in paragraph 27(a) of the Guidelines is to be replaced by the following term that converts a product benchmark as per Decision 2011/278/EU into an electricity consumption efficiency benchmark on the basis of an average European emission intensity factor of 0,465 tCO₂/MWh:

Existing product BM from Annex I from Decision 2011/278/EU (in tCO₂/t) × share of relevant indirect emissions ^(*) over the baseline period (%) / 0,465 (tCO₂/MWh).

⁽¹⁾ Commission Decision of 27 April 2011 on determining transitional Union-wide rules for harmonised free allocation pursuant to Article 10a of Directive 2003/87/EC, C(2011) 2772 final (OJ L 130, 17.5.2011, p. 1).

^(*) "Share of relevant indirect emissions over the baseline period" means the quotient of

- the relevant indirect emissions and
- the sum of total direct emissions and relevant indirect emissions

as per Article 14 of Decision 2011/278/EU.
