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NEGATIVE EMISSIONS BY STOCKHOLM EXERGI

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RECOMMENDED AMENDMENTS

Text proposed by the Commission	Proposed amendments	Justification
Section 1: Integration of negative emissions in the EU ETS:		
Article 9c		
2. An additional 10 million allowances from the Union-wide quantity of allowances referred to in Article 9 between 2031 and 2040 shall be made available to the Commission to auction them to generate revenues for the purchase of those permanent carbon removals units, in the event the revenues generated from the allowances under paragraph 1 would be insufficient for the purchase of the total amount of domestic permanent carbon removals units.	2. An additional 10 million allowances from the Union-wide quantity of allowances referred to in Article 9 between 2031 and 2040 shall be made available to the Commission to auction them to generate revenues for the purchase of those permanent carbon removals units, in the event the revenues generated from the allowances under paragraph 1 would be insufficient for the purchase of the total amount of domestic permanent carbon removals units. ***Where the revenues generated under paragraphs 1 and 2 remain insufficient to purchase the equivalent amount of domestic permanent carbon removal units, the Commission and Member states shall mobilise complementary Union and national support, including through extending available allowances under the Union-wide quantity beyond 10 million, the Industrial Decarbonisation Bank, the Innovation Fund and national support.***	If EUA prices remain below the cost of permanent carbon removals, auction revenues, including those generated from the additional 10 million allowances, may be insufficient to finance the intended procurement volume. The amendment therefore introduces a funding backstop requiring the Commission and Member States to mobilise complementary Union and national support where necessary. This would ensure that a funding gap does not prevent the delivery of the intended removal volume, while providing the investment certainty needed to scale up permanent carbon removal technologies.
4. The Commission is empowered to adopt delegated acts in accordance with Article 23 to supplement this Directive concerning the detailed modalities for the purchase of the domestic permanent carbon removal units indicated under paragraph 1, including the timing of the auctioning of the allowances referred to in paragraphs 1 and 2; the forms of support, selection procedure and criteria, eligibility criteria and technological requirements for the different types of support and payment mechanisms, using competitive allocation where feasible and reporting transparently on the outcome of the procedures; as well as the financial rules to ensure an appropriate implementation of the purchase. Those delegated acts shall ensure that any early auctioning of the allowances	4. The Commission is empowered to adopt delegated acts in accordance with Article 23 to supplement this Directive concerning the detailed modalities for the purchase of the domestic permanent carbon removal units indicated under paragraph 1, including the timing of the auctioning of the allowances referred to in paragraphs 1 and 2; the forms of support, selection procedure and criteria, eligibility criteria and technological requirements for the different types of support and payment mechanisms, using competitive allocation where feasible and reporting transparently on the outcome of the procedures; as well as the financial rules to ensure an appropriate implementation of the purchase ***and (ii) the rules to apply for contracting of purchases ahead of 2031 with delivery and payment at the***	Early contracting would provide removal projects with greater demand certainty ahead of 2031, supporting investment decisions and enabling projects to secure financing and begin construction in time to deliver removals from 2031 onwards. The amendment clarifies that such contracts may be concluded before 2031, while delivery and payment would take place from 2031.

Stockholm Exergi remains at your disposal for any questions concerning the inclusion of domestic permanent removals in the EU ETS. You can send your questions to **Karin Boman Roding**, Head of Public Affairs and Strategic Communication, at karin.boman.roding@stockholmexergi.se.

referred to in paragraphs 1 and 2 is balanced out through the auctioning of the allowances under Article 10, to achieve the equivalent effect of a gradual integration of carbon removals towards the auctioning of 48 million of the allowances referred to in paragraphs 1 and 2 in 2040. (...)	***earliest in 2031***. (...) Those delegated acts shall ensure that any early auctioning of the allowances referred to in paragraphs 1 and 2 is balanced out through the auctioning of the allowances under Article 10, to achieve the equivalent effect of a gradual integration of carbon removals towards the auctioning of 48 million of the allowances referred to in paragraphs 1 and 2 in 2040. (...)	
Section 2: Voluntary pathway and operators' right to use CRCF removals		
Recital 34		
To facilitate the use of permanent carbon removals by operators, shipping companies and aircraft operators, these should be allowed to compensate their own fossil emissions with their biogenic CO2 emissions captured and permanently stored, which are certified as permanent carbon removal units in accordance with the methodologies for the certification of domestic permanent biogenic emissions capture with carbon storage (BioCCS) removals established under Regulation (EU) 2024/3012 of the European Parliament and of the Council. To avoid double counting, carbon removals units used for the purpose of compensating own emissions should be cancelled from the Union Registry provided for in Article 12 of Regulation (EU) 2024/3012 of the European Parliament and of the Council (...)	To facilitate the use of permanent carbon removals by operators, shipping companies and aircraft operators, these should be allowed to compensate their own fossil emissions with ~~their biogenic CO2 emissions captured and permanently stored, which are certified as permanent carbon removal units in accordance with the methodologies for the certification of domestic permanent biogenic emissions capture with carbon storage (BioCCS) removals established domestic permanent carbon removal units generated under the scope of this Directive and certified~~ ***domestic permanent carbon removal units generated under the scope of this Directive and certified*** under Regulation (EU) 2024/3012 of the European Parliament and of the Council. To avoid double counting, carbon removals units used for the purpose of compensating own emissions should be cancelled from the Union Registry provided for in Article 12 of Regulation (EU) 2024/3012 of the European Parliament and of the Council (...)	Recital 33 should be aligned with the amended Article 14(1a). This ensures consistency between the operative provision and its explanatory recital.
Article 14 (1a)		
The following paragraph is inserted: '1a. The acts referred to in paragraph 1 shall provide for the possibility for operators, aircraft operators and shipping companies to compensate their fossil emissions with domestic permanent carbon removal units generated from the storage of their biogenic emissions under the scope of this Directive and certified under Regulation (EU) 2024/3012, while avoiding the double counting of those negative emissions.'	The following paragraph is inserted: '1a. The acts referred to in paragraph 1 shall provide for the possibility for operators, aircraft operators and shipping companies to compensate their ***own*** fossil emissions with domestic permanent carbon removal units generated ~~from the storage of their biogenic emissions~~ under the scope of this Directive and certified under Regulation (EU) 2024/3012, while avoiding the double counting of those negative emissions.	The Commission proposal introduces a limited own-use pathway. This restricts participation to a limited number of entities and excludes many ETS operators that may wish to contribute to the scale-up of permanent removals but do not generate removals themselves. In the period leading up to ETS integration, private-sector demand will remain important to provide the revenue certainty needed for project development, investment decisions and cost reductions. Without the possibility

		for ETS operators to purchase eligible permanent removals from third-party providers and use them within the compliance framework, the development of a broader European removals market may be constrained.
Section 3: Waste incineration		
Recital 71		
The carbon price signal and circular economy policies are mutually reinforcing. The hierarchical principles of waste management, as established in the EU Waste Framework Directive 2008/98/EC27, prioritise prevention, reuse, recycling, and recovery over disposal, including incineration, and emphasise the need to reduce the environmental impact of waste at every stage of its lifecycle. The carbon price will complement regulatory and fiscal policies with a harmonised incentive and support for waste management in line with the higher steps of the waste hierarchy through improved waste prevention, preparing for reuse, separate collection, sorting and recycling. More circularity in turn reduces GHG emissions from waste management and displaces more carbon-intensive virgin materials. However, carbon emissions generated during the incineration of waste are not solely determined by the incineration process and the pre-treatment carried out by operators. These emissions are also influenced by upstream activities, including the availability and utilisation of recycling, reuse, and composting infrastructure; the effectiveness of separate collection schemes for recyclable and recoverable materials; the extent of separation at source by households, commercial actors, and public authorities; the consumption patterns of products and materials; and the design and lifespan of goods. Therefore, complementary waste policies under Regulation (EU) […./..] [Circular Economy Act] will contribute to ensure a comprehensive approach by stimulating the single market and demand for secondary materials and circular products, supporting investment in recycling capacity, reducing the landfilling and incineration of used raw materials, and rolling-out upstream producer-oriented policies such as eco-design requirements and strengthened Extended Producer Responsibility.	The carbon price signal and circular economy policies are mutually reinforcing. The hierarchical principles of waste management, as established in the EU Waste Framework Directive 2008/98/EC27, prioritise prevention, reuse, recycling, and recovery over disposal, including incineration, and emphasise the need to reduce the environmental impact of waste at every stage of its lifecycle. The carbon price will complement regulatory and fiscal policies with a harmonised incentive and support for waste management in line with the higher steps of the waste hierarchy through improved waste prevention, preparing for reuse, separate collection, sorting and recycling. More circularity in turn reduces GHG emissions from waste management and displaces more carbon-intensive virgin materials. However, carbon emissions generated during the incineration of waste are not solely determined by the incineration process and the pre-treatment carried out by operators. These emissions are also influenced by upstream activities, including the availability and utilisation of recycling, reuse, and composting infrastructure; the effectiveness of separate collection schemes for recyclable and recoverable materials; the extent of separation at source by households, commercial actors, and public authorities; the consumption patterns of products and materials; and the design and lifespan of goods. Therefore, complementary waste policies under Regulation (EU) […./..] [Circular Economy Act] will contribute to ensure a comprehensive approach by stimulating the single market and demand for secondary materials and circular products, supporting investment in recycling capacity, reducing the landfilling and incineration of used raw materials, and rolling-out upstream producer-oriented policies such as eco-design requirements and strengthened Extended Producer Responsibility, ***including the cost arising from the surrender of allowances in respect of the carbon contained in non-recycled waste.***	This amendment aims to extend the carbon price signal further up the value chain, so that responsibility for the climate impact of products and their packaging is shared across the value chain.

Recital 74		
To ensure a smooth transition of the sector in the EU ETS, the surrendering of allowances by municipal waste incineration installations that become subject to the system from 2031 onwards should be gradually introduced with respect to verified emissions reported for the period 2031 to 2034. This staged integration should not apply to installations currently already included in the EU ETS. Several reasons support a staged integration of the compliance obligation rather than immediate full inclusion. The start from 2031 (...)	To ensure a smooth transition of the sector in the EU ETS, the surrendering of allowances by municipal waste incineration installations that become subject to the system from 2031 onwards should be gradually introduced with respect to verified emissions reported for the period 2031 to 2034. ~~This staged integration should not apply to installations currently already included in the EU ETS.~~ Several reasons support a staged integration of the compliance obligation rather than immediate full inclusion. The start from 2031 (...)	See below.
Article 12a		
Waste incineration and waste co incineration installations that become subject to the system from 2031 shall be liable to surrender allowances according to the following schedule (...)	Waste incineration and waste co-incineration installations that **are or** become subject to the system from 2031, shall be liable to surrender allowances according to the following schedule (...)	Provides Member States with flexibility to determine whether waste incineration installations already included in the EU ETS should also be subject to the phased surrender schedule from 2031 to 2034. This would allow Member States to determine the appropriate treatment of existing installations.
Section 4: International credits		
Article 9b		
Up to 260 million allowances from the Union-wide quantity of allowances referred to in Article 9 shall be made available to the facility for the purchase of up to 260 Mt of high quality and high integrity international credits, out of the international credits provided in Regulation 2021/1119/EU, to contribute to the climate ambition of the activities listed in Annex I from 2036 to 2040. All purchases shall be subject to the criteria of Regulation 2021/1119/EU being fulfilled.	Up to 260 million allowances from the Union-wide quantity of allowances referred to in Article 9 shall be made available to the facility for the purchase of up to 260 Mt of high quality and high integrity international credits, out of the international credits provided in Regulation 2021/1119/EU, ***or domestic permanent removals under the scope of this Directive*** to contribute to the climate ambition of the activities listed in Annex I from 2036 to 2040. All purchases shall be subject to the criteria of Regulation 2021/1119/EU being fulfilled.	The amendment would allow the facility to purchase eligible domestic permanent carbon removals in addition to international credits. This would ensure that the flexibility introduced for international credits does not come at the expense of investment in European carbon removal capacity.