

Regulation (EU) 421/2014 and changes to ETSWAP



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Aviation reporting update

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Dear [REDACTED]

The Environmental Protection Agency is sending you this letter as it understands that your operations either;

1. do not fall below the threshold for a non-commercial aircraft operator of 1,000 tCO₂ full scope annual emissions based on the best available data from 2013 and or 2014.
or
2. as a commercial aircraft operator you have full scope emissions greater than 10,000 tCO₂ or greater than 243 flights per period for three consecutive four-month periods,

and that you are required to have an approved AEM Plan, to submit an AEM Report and complete the compliance cycle by surrendering allowances through your AOHA.

It is possible that [REDACTED] may be above a threshold in one year and have to report and comply, but below the following year and have no reporting obligation. Such aircraft operators will have to note their traffic and activity carefully year on year.

Next Steps:

Please read the attached newsletter in particular the section '*Next steps for aircraft operators remaining in the scheme*' and check your ETSWAP account to see if your details are correct and notify us of any errors or queries.

Yours sincerely



Mr. Marc Kierans
Climate, Resource and Research Unit

This newsletter is for all Aircraft Operators on the Irish list.

1. Introduction:

The European Parliament voted an amendment to the Emissions Trading Directive (Directive 2003/87/EC) which came into effect on 30 April 2014.

The amendment impacts how Ireland implements the Emissions Trading Directive and how you as an aircraft operator will comply with it.

This newsletter will set out how [Regulation \(EU\) 421/2014](#) affects your operations and your future reporting to the Environmental Protection Agency.

Finally a number of changes to the functionality of [ETSWAP](#) and the Registry and your Aircraft Operator Holding Accounts (AOHA) are being made as a result of the amendments.

Q. Am I now exempt?

A. Yes, if you are a small ⁽¹⁾ non-commercial aircraft operator.

A new status of 'Exempt-non-commercial' has been created within [ETSWAP](#). The status of 'Exempt-non-commercial' applies to non-commercial aircraft operators who are below the 1,000 tCO₂ exemption threshold ⁽¹⁾ this status is reversible and your original status will be restored should you exceed the threshold.

The most significant aspect of this new status is that such aircraft operators will not have to report for the period 2013 to 2020 as long as they remain below the threshold.

The Environmental Protection Agency will be changing the ETSWAP accounts of relevant aircraft operators in the coming days based on the 2013 Eurocontrol data i.e. you do not need to do anything. The changes will update some aircraft operators to the new status of 'Exempt-non-commercial'. ETSWAP will issue you with an email if your account status has been changed.

Once the status has been changed, ETSWAP will no longer generate AEM reports for completion, as you no longer have an obligation to report.

You should check your [ETSWAP](#) account to see if your status has been updated correctly and if you feel it has not, you should contact us.

In addition your aircraft operator's AOHA will not be closed, but set to an 'excluded' status. Once set to 'excluded' status you will not be able to move any allowances to or from your AOHA, nor will you be entitled to any allocation for the 'excluded' year.

Again as with ETSWAP this status is reversible and the original AOHA status will be restored should you exceed the threshold.

The Registry Manager will contact relevant AOHA holders in due course with further information about their accounts.

Q. Am I now exempt?

A. No, not if you are a large non-commercial or large commercial aircraft operator.

If as a non-commercial aircraft operator you have full scope emissions greater than 1,000 tCO₂ in 2013 or in any year up to 2020, you are not excluded from the scheme for that year.

If as a commercial aircraft operator you have full scope emissions greater than 10,000 tCO₂ or greater than 243 flights per period for three consecutive four-month periods, you are not excluded from the scheme for that year.

You are required to have an approved AEM Plan, you are required to submit an AEM Report and complete the compliance cycle in the given year by surrendering allowances through your AOHA.

For the period between 1 January 2013 and 31 December 2016 the AEM Report will be based on the reduced scope.

It is possible that as an aircraft operator you may be above the threshold in one year and have to report and comply, but below the following year and have no reporting obligation. Such aircraft operators will have to note their traffic and activity carefully year on year.

Next steps for aircraft operators remaining in the scheme.

2. Simplified procedures for large non-commercial or smaller commercial aircraft operators.

As an emitter of between 1,000 and 25,000 tCO₂⁽¹⁾ you do have the option of reporting using the data from the Eurocontrol Support Facility (ETS-SF). Such sourced AEM reports can be submitted directly to the Environmental Protection Agency without being independently verified.

This applies where an aircraft operator determines their emissions using the data from Eurocontrol's ETS-SF without modification. This functionally is dependent on answers given to questions in the simplified procedures section of the report form.

As with 2012, [ETSWAP](#) has been updated to accommodate the changes and ETSWAP is now open for 2013 AEM Reporting and will remain so until 31 March 2015.

3. Large commercial aircraft operators, ≥ 25,000 tCO₂.⁽¹⁾

As a large commercial aircraft operator you will remain in the scheme, but in line with Regulation (EU) 421/2014 the scope of the activity to be reported will be reduced for the period between 1 January 2013 and 31 December 2016.

2013 AEM Reports already submitted:

If you have already submitted your 2013 AEM Report to us, we will contact you regarding what you need to do next.

2013 AEM Reports currently with a verifier:

If you have already submitted your report to a verifier and it contains aerodrome pairs and aerodromes which are not included in the revised geographical scope of EU ETS, the report must either be returned to you by the verifier or recalled by you.

You can then update the report by removing the invalid aerodrome pair and aerodrome data so it can be resubmitted.

2013 AEM Reports that have been started:

If you have already entered data into your 2013 report form that is not included in the revised geographical scope of EU ETS, it will

produce a validation error when you try to submit the form.

The invalid aerodrome pair and aerodrome data will need to be removed from the form before the report can be resubmitted.

How to remove invalid aerodrome pair and aerodrome data from your report:

You will need to remove invalid aerodrome pair data from the table in the “Emissions Data” form section before removing the invalid aerodromes from the table in the “Emissions Overview” section. If you try to do it the other way around, you will get a warning message.

Invalid rows can either be deleted individually or in bulk. The best approach to use will depend on how many rows are in each table and/or how many invalid entries there are. To delete all aerodrome pair data (including both valid and invalid rows) from the table you must:

- (i) Select “Yes” in response to the question “Import Multiple emissions data?”
- (ii) Leave the data field blank;
- (iii) Select “Yes” in response to the question “Delete existing emissions data?”;
- (iv) Click the “Import Emissions Data” button.

You can then bulk upload your valid aerodrome pair data.

Please note: It is possible to bulk upload the same comma separated values (.csv) you

originally used, as the form validation will simply ignore any invalid rows.

Any questions call or email us on avets@epa.ie

2014 Reporting:

Reporting for 2014 will open on 1 January 2015 and it will be based on the amended regulation. You may need to update some procedures on your AEM Plan to reflect the changes.

4. In conclusion:

- As a small non-commercial aircraft operator you may no longer have to report for compliance. You should check your [ETSWAP](#) account.
- If you do have to report, the 2013 AEM reporting workflow is now open until 31 March 2015.
- The 2014 AEM Reporting workflow will open on 1 January 2015, again closing on 31 March 2015.

Further information: If you have a query regarding EU ETS Aviation please contact avets@epa.ie

What Annex I flights must be reported for 2013-2016?

EEA States: Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, United Kingdom, Norway, Iceland, Liechtenstein.
Basel-Mulhouse-Freiburg aerodrome (LFSB and LSZM) is located in French territory.

Territories of Member States which are part of the EEA: Melilla, Ceuta (ES); Åland Islands (FI); Jan Mayen (NO); Gibraltar (UK).

Flights between aerodromes in these territories and any aerodrome in the EEA remain fully covered. Flights between any aerodromes in the EEA and offshore installations of EEA countries that are outside territorial waters (e.g. oil and gas production or exploration platforms) also remain fully covered under the EU ETS.

Outermost Regions: Canary Islands (ES); French Guiana; Guadeloupe; Martinique; Mayotte (from 2014); Réunion; Saint Martin (FR); Azores; Madeira (PT).

Depart from	Arrive to	EEA States and territories of Member States (e.g. France or Melilla)	Outermost Regions of EEA States ⁽²⁾ (i.e. flights within the same region e.g. Canary Islands)	Croatia ⁽³⁾
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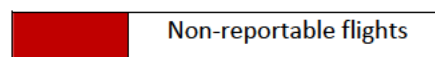
⁽¹⁾ Both the 25,000 tCO₂ and 1,000 tCO₂ thresholds are based on the full scope of the EU ETS i.e. all Annex I flights including extra-European and positioning flights.

⁽²⁾ Internal flights within Outermost Regions are included (i.e. Canary Islands to Canary Islands); however flights between Outermost Regions (e.g. Canary Islands to Madeira) are not included.

⁽³⁾ Flights between Croatia and EEA States are fully included from 1 January 2013. Domestic flights within Croatia must be reported from 1 July 2013 to 31 December 2013, but with no surrender obligation for these emissions. Emissions from flights within Croatia are fully covered, with regards to reporting and surrendering from 1 January 2014.



Reportable flights



Non-reportable flights