



Third Joint session of the Working Group on Effects and the Steering Body to EMEP

11 - 15 September 2017

Geneva, Switzerland

Comments from Spain to the “Review of the 2017 Adjustment Application by Spain”

Agenda item 13.a.

Background

Spain submitted in 1996 the National Emission Inventory based on the CORINAIR Guidebook from 1992, since. The 1999 Guidebook (recommended by the 2014 Technical Guidance for Adjustment Applications) was not available in 1996.

These 1996 estimations were used to set the ceiling of the Gothenburg Protocol for Spain.

Using this approach, in 1996 National Emissions of ammonia were estimated in 351 ktonnes, and a ceiling of 353 ktonnes was fixed for 2019-2021 within the Gothenburg Protocol.

In Emission Inventory submission of year 2000 emissions were recalculated using the 1999 Guidebook approach and then emissions estimation grew to 476 ktonnes, and accordingly if we use these estimations the emission ceiling of 353 ktonnes will make compliance technically unfeasible to Spain.

Spain has officially requested in 2017 an adjustment application for the two main sources of ammonia emission to check its compliance against a more adequate ceiling.

Technical comments on the ERT's report

Spain does not agree with the justifications provided in the Report regarding the recommendations of Spain's adjustment applications for NH₃ emission from inventory categories 3Da1 and 3B.

Spain considers that its application fully meets EB Decisions 2012/3, 2012/12 and 2014/1 and adjusts to the Technical Guidance for Parties Making Adjustment Applications and for the Expert Review of Adjustment Applications (ECE/EB.AIR/130, informal technical guidance updated by the Secretariat according to EB Decision 2014/1).

However, Spain considers that ERT rejection is based on an interpretation of the (informal) Technical Guidance for Adjustment Applications and Reviews, that should provide guidance but cannot be the basis for a final decision. In this sense, Spain points out the following arguments:

1. The Spanish adjustment is based on Decision 2012/3 paragraph 6. b and 6.c. which states that:



"6. *Decides* that the circumstances under which such an adjustment under paragraph 2 or 3 could be applied are extraordinary and fall into three broad categories where:

(a) emission source categories are identified that were not accounted for at the time when emission reduction commitments were set;

(b) emission factors used to determine emissions levels for particular source categories for the year in which emissions reduction commitments are to be attained are significantly different than the emission factors applied to these categories **when emission reduction commitments were set**; or"

(c) the methodologies used for determining emissions from specific source categories have undergone significant changes between the time **when emission reduction commitments were set** and the year they are to be attained.

2. At the time when emission ceilings were set, NH₃ calculations for both sources were based on the latest official Inventory Report submitted by Spain in 1996. In that Inventory edition, 1999 guidebook was not available yet and Spain used emission factors and simple methodologies recommended in the CORINAIR Inventory-Default Emissions Factors Handbook of 1992. This is explicitly stated in the adjustment applications.

3. The ERT judgement is based on the a particular interpretation of Technical Guidance for Adjustment Applications and Reviews as stated in para 38 of the Review Report as follows:

38. ... the methods for quantifying an adjustment are presented in the Technical Guidance for Parties Making Adjustment Applications and for the Expert Review of Adjustment Applications (ECE/EB.AIR/130). This **explains that the original methodology is taken from the 1999 version of the EMEP/CORINAR Inventory Guidebook 1999**.

4. However, Spain considers that this statement is not in line with the Technical Guidance for Adjustment Applications and Reviews which expects the 1999 Guidebook to be key reference, but not exclusive, for adjustment applications as stated in paragraph 14.a as follows:

14. It is important to identify which versions of emission factors are to be compared and contrasted:

(a) The 2010 emission ceilings for the Gothenburg Protocol were set in 1999. Therefore, EFs "used when the ceilings were set" **will be the version of national emissions inventories reported in 1999** (which include the emission estimates for 1980–1997). The content of the EMEP/CORINAIR Guidebook [1999] and the software program for the calculation of air pollutant emissions from road transport (COPERT II model)⁴ are therefore **expected to be key references for adjustment applications**, as they will contain many of the emission factors used by Parties in 1999;

5. Since the 1999Guide Book was not available at the time the Official Spanish Inventory used to set the ceilings was submitted, Spain believes that the guiding principle of the Technical Guidance is not applicable to its adjustment application and general provision of Decision 2012/3 must prevail.

In conclusion, Spain considers that the adjustment applications are based on the extraordinary circumstance set by Decision 2012/3, criteria 6c- Significant changes to methodology, combined with criteria 6b- Significant changes to emissions factors, fully meet the Decision 2012/12 and adjust to the Technical Guidance for Adjustment Applications (ECE/EB.AIR/130).



In this regards, Spain would request to revise the conclusion of the ERT regarding the adjustment application of Spain, leave the process in an “open status” for further review and ask the CEIP to request to a different ERT to further assess the adjustment application in 2018.

It is finally to be stressed that current ERT's recommendation does not offer any alternative to resolve the problem of a ceiling clearly underestimated that makes compliance technically unfeasible to Spain.

Madrid, 12th September 2017

SPAIN