

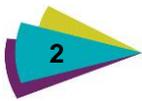
Evaluation of Directive 98/70/EC of 13 October 1998 relating to the quality
of petrol and diesel fuels as amended

Industry and other stakeholders questionnaire

Questionnaire for distribution in August 2015

NOTE FOR NON-ENGLISH SPEAKERS: If you would prefer to discuss and respond to the questionnaire over the phone in your native language, the project team contains proficient or native speakers of several European languages. To arrange this please contact:

Ms Maria Pooley: +44 (0)20 3215 1610, maria.pooley@amecfw.com



Evaluation of Directive 98/70/EC of 13 October 1998 relating to the quality of petrol and diesel fuels as amended

Introduction and Scope of Study

As part of its Smart Regulation policy to make EU law lighter, simpler and less costly, the European Commission is to undertake an evaluation of Directive 98/70/EC of 13 October 1998 relating to the quality of petrol and diesel fuels as amended¹ (hereinafter 'the Directive' or 'the FQD').

The European Commission, DG CLIMA, has awarded a study contract to Amec Foster Wheeler Environment and Infrastructure UK Limited (lead), CE Delft and TNO (the Netherlands Organisation for Applied Scientific Research TNO) to evaluate the Directive to assess its effectiveness, efficiency, coherence, relevance and EU added value. The evaluation study will support the Commission in collecting and assessing evidence to assess the performance of the Directive against initial expectations.

The scope of the study includes the following articles of the Directive:

- ▶ **Article 1** sets out the Directive's objectives and the scope of the FQD in relation to road and non-road vehicles;
- ▶ **Article 2** sets out the definitions used in the Directive;
- ▶ **Article 3** sets out the requirements for petrol under the Directive;
- ▶ **Article 4** sets out the requirement for diesel fuel under the Directive;
- ▶ **Article 5** ensures the free circulation of fuels which comply with the FQD specifications;
- ▶ **Article 6** enables the marketing of fuels that comply with more stringent environmental specifications, but only with a view to protecting the health of the population in a specific agglomeration or the environment in a sensitive area;
- ▶ **Article 7** is a general safeguard to prevent any disruptions of fuel supply to the transportation sector in case refineries cannot comply with the fuel specification due to an exceptional event;
- ▶ **Article 8** sets out the monitoring and reporting requirements of both member states and Commission;
- ▶ **Article 8a** limits the use of metallic additive MMT and requires labelling in case MMT or any other metallic additive is applied;
- ▶ **Article 9** contains the Commission's obligation to submit every three years a report to Parliament and Council on the functioning of the FQD; and
- ▶ **Article 9a** requires Member States to set penalties for the breach of the provisions of the FQD.

This study will not address the other articles of the Directive (including e.g. Article 7a on greenhouse gas emissions reductions).

The Fuel Quality Directive has been amended a number of times. In this survey, 'the latest amendments' to the Directive refers to the amendments put in place by Directive 2009/30/EC. These include:

- ▶ The confirmation of maximum 10 ppm sulphur content petrol and diesel, and confirmation of maximum aromatics content in petrol of 35%;
- ▶ New elements include the introduction of a 7% limit for FAME in diesel, introduction of a vapour pressure waiver, and derogation for small amounts of leaded petrol.

¹ OJ L 350, 28.12.1998, p.58



The focus of this evaluation includes:

- ▶ The costs of implementation and non-implementation of the legislation;
- ▶ The administrative burden of implementation and opportunities for improving implementation and reducing administrative burden without compromising the integrity of the purpose of the Directive;
- ▶ The variation in implementation of the Directive across different Member States;
- ▶ The relevance, effectiveness, efficiency, coherence and EU added value of the relevant articles of the Directive.

This survey has been developed with the aim of gathering information and providing insight to support the evaluation and review of implementation across the EU Member States of the Directive. Its focus is on questions and issues relevant for industry and other stakeholders. Another separate questionnaire has been drafted for Member State Competent Authorities.

We expect that an interim report will be available in late autumn 2015. The consultants will present the preliminary outcome of the work at a workshop which will take place in early spring 2016 in Brussels. The results of the workshop will then be used as a basis to finalise the study.

Completion of the questionnaire

Please complete all of the sections and questions that you are able to. Where you are not able to answer any of the questions – either through lack of data or because it is not relevant to your organisation – there is no need to provide a response, however please indicate if your non-response is due to lack of data, as this is helpful to the analysis. Where answers are uncertain, an estimate is more useful than no information at all. Where annual data is provided, please state the year, source and where relevant, please state the currency used in your answers.

If you would prefer to discuss the questionnaire over the phone rather than draft a written response do not hesitate to contact us using the contact details provided below. Furthermore, please use the same contact details if you have any queries. Any additional supporting documentation you wish to provide is also welcome.

To assist you in completing this questionnaire a link to the consolidated version of the Directive is provided below:

<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:01998L0070-20090625>

This link also provides access to other language versions of the Directive. As noted in the link itself the document is meant purely as a documentation tool and the institutions and the consultants undertaking this study do not assume any liability for its contents.

Returning your completed questionnaire

Please provide information directly to the consultants by **24th September 2015**. If you wish to discuss the questionnaire over the phone, please arrange a phone interview with Maria Pooley at Amec Foster Wheeler. Maria's details are: maria.pooley@amecfw.com, +44 (0)20 3215 1610.

If after reviewing the questionnaire you wish to submit your response online, the questionnaire is available at: https://www.surveymonkey.com/r/FuelQualityDirective_Questionnaire_Industry



Introduction

I. Information concerning the organisation you are representing

a) **Name of your company or organisation:** ePURE

- If you wish to remain anonymous, please tick this box

b) **Please indicate the type of the organisation you are representing:**

- Industry Operator
- Industry Association
- Competent Authority for FQD
- National level environment agencies
- European Environment Agency
- International organisation
- Research organisation / university
- Other interest group organisation / association
- Other

If Other please include details on the type of organisation you represent: _____

For industry and trade association the following questions apply:

i. **What is the size of your business?**

- Micro firm (0-9 employees)
- Small firm (10-49 employees)
- Medium firm (50-249 employees)
- Large firm (over 250 employees)

c) **Please select in the list below the Member State(s) in which you reside and operate which is covered by this questionnaire.**

- | | |
|---|--------------------------------------|
| <input type="checkbox"/> Austria | <input type="checkbox"/> Lithuania |
| <input type="checkbox"/> Belgium | <input type="checkbox"/> Luxembourg |
| <input type="checkbox"/> Bulgaria | <input type="checkbox"/> Latvia |
| <input type="checkbox"/> Croatia | <input type="checkbox"/> Malta |
| <input type="checkbox"/> Cyprus | <input type="checkbox"/> Netherlands |
| <input type="checkbox"/> Czech Republic | <input type="checkbox"/> Poland |
| <input type="checkbox"/> Denmark | <input type="checkbox"/> Portugal |
| <input type="checkbox"/> Estonia | <input type="checkbox"/> Romania |
| <input type="checkbox"/> Finland | <input type="checkbox"/> Spain |
| <input type="checkbox"/> France | <input type="checkbox"/> Sweden |
| <input type="checkbox"/> Germany | <input type="checkbox"/> Slovenia |
| <input type="checkbox"/> Greece | <input type="checkbox"/> Slovakia |



Hungary

United Kingdom

Ireland

EU level organisation

Italy

Other (including non-EU countries):

If other please include details on the country you represent: _____

d) Please indicate (if applicable) your key duties in relation to the Fuel Quality Directive:

Monitoring emissions data

Reporting emissions data

Administrating data reported at national level

Administrating data reported at EU level

Verifying quality of data

Other: _____

II. Level of understanding and expertise regarding the Regulation

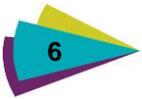
Please indicate the level of understanding and expertise regarding the following:

	High (fully aware of all elements of the legislation)	Medium (aware of some parts of the legislation)	Basic (aware of the basic aims or small parts of the legislation)	None
Fuel Quality Directive		X		
National legislation transposing the FQD		X		
Comments				

In some cases it will be useful for us to get in touch after submission of the questionnaire to follow up on key issues of interest. Please include a name and contact email address for this purpose below.

Contact name: Robert Wright, Secretary General

Email address: wright@epure.org



Evaluation of the FQD Directive (Directive 2009/30/EC)

General questions

1. Could the FQD be enforced with lower costs to car manufacturers, fuel producers and fuel suppliers?

- Yes
- No
- Do not know

Further comment:

2. Does the FQD give the fuel and car industry a strong home-market?

- Yes
- No
- Do not know

Further comment:

▶ Does this confer competitive advantages over non-EU industries?

- Yes
- No
- Do not know

Further comment:

While the EU considers what needs to be done in terms of biofuels incorporation, other parts of the world are moving ahead. In Brazil, regular petrol contains between 18 and 28% ethanol by law. This secures the market uptake for ethanol production, and cars are optimised to run on such petrol – ethanol blends. In the US, E10 has been widely rolled out, and E15 is now being introduced. Thailand has introduced E20.

Europe is lagging behind in the introduction of ethanol blends higher than 10% which would allow to reap the benefits associated with ethanol increased content in petrol in terms of engine efficiency and decreased emissions.

Article 1.

Article 1 of the Directive defines the scope of the legislation. It specifies that the Directive applies to road vehicles, and non-road mobile machinery (including inland waterway vessels when not at sea), agricultural and forestry tractors, and recreational craft when not at sea and that the Directive sets:



- ▶ technical specifications on health and environmental grounds for fuels to be used with positive ignition and compression-ignition engines, taking account of the technical requirements of those engines; and
- ▶ a target for the reduction of life cycle greenhouse gas emissions (GHG emissions are outside the scope of this study).

3. Is the scope of the FQD clear and understandable?

- To a large extent
- To some extent
- To no extent
- Do not know

Further comment:

4. The main objectives of the FQD are to ensure a single market for motor fuels and to ensure minimum levels of environmental and health protection. Are these objectives sufficiently reflected in the scope of the FQD?

- To a large extent
- To some extent
- To no extent
- Do not know

Further comment:

5. Does the Directive effectively ensure a single market in relation to the scope defined in Article 1?

- Yes
- No
- Do not know

Further comment:

Article 3.3 allows Member States to require suppliers to ensure the placing on the market of petrol with a maximum oxygen content of 2,7 % and a maximum ethanol content of 5 % beyond 2013 if they consider it necessary.

A strict deadline should be inserted (2020) after which E5 would be removed from the market. In addition, the ethanol content in the E10 petrol specification in the FQD should just be 10% (min and max) in the FQD, as is practiced in the USA.

- ▶ If your answer to the above was "NO": What could be improved?



6. Could a single market be ensured were the FQD to be repealed?

- Yes
- No
- Do not know

Further comment:

The FQD is a necessary piece of legislation to ensure minimum consistent quality of fuels across the EU.

It should however also allow and promote ways to reach the EU ambitions to have 10% renewables in transport (RED) and a reduction of the GHG intensity of fuels put onto the market contained in Article 7a.

In that respect, it should allow and even promote the incorporation of ethanol blends in petrol in higher concentrations. More specifically needed going forward is the introduction of an E20/25 petrol specification in the FQD, hence a mandate to CEN to develop a standard, on the basis of the findings of the ICF/CE Delft study on the impact of higher levels of biocomponents in transport fuels for DG CLIMA, whose preliminary results were presented on 16 September 2015 in Brussels.

- ▶ Would the voluntary national application of CEN standards EN 590 and EN 228 have the same results than the intervention at EU-level brought up by the FQD?

- Yes
- No
- Do not know

Further comment:

Examples exist in the market where EU Member States adopt national legislation of fuel specifications that do not correspond with CEN standards, rendering the question hypothetical.

A voluntary national application of the standards EN 228 and EN 590 would lead to a fragmentation of the European fuels market which would have negative impact on all stakeholders, especially consumers who could not rely on the availability of a given fuel while crossing national borders.

7. Is it clear what fuels are included in the scope of the FQD?

- Yes
- No
- Do not know

Further comment:



▶ Since the introduction of the latest amendments to the directive, specifications for gas oil for inland waterway vessels are only covered by the FQD. Does this support the introduction of a single European market?

- To a large extent
- To some extent
- To no extent
- Do not know

Please describe why the above is the case?

8. Does the FQD ensure the proper functioning of engines and emission after treatment systems?

- To a large extent
- To some extent
- To no extent
- Do not know

Please describe why the above is the case?

▶ Is the proper functioning of the engine a valid argument for future fuel specifications now that modern engines have highly sophisticated engine management systems?

- Yes
- No

Please describe why the above is the case?

9. Does the FQD sufficiently support the introduction of alternative fuels, including higher biofuel blends?

- Yes
- No
- Do not know

▶ Are any fuels missing from the scope that you believe should be included?

- Yes
 No
 Do not know

Further comment:

There is a discrepancy in the treatment of ethanol and biodiesel blends. Article 4 allows the placing on the market of diesel with a FAME content higher than 7%, 'notwithstanding the requirements of Annex II. A similar provision does not exist under Article 3 for petrol that would allow the placing on the market of petrol with an ethanol content higher than 10%, such as E20/25 petrol.

The European Commission and CEN have done research on E20/25 in the framework of the agreement (ENER/C2/GA/449-2012/SI2.641582) between January 2013 and mid Oct. 2014 to:

- fill gaps in the specification design;
- complete a full bibliography; and, upon completion of the first two tasks,
- run some car trials to show possible impacts of using such E20/25 fuels.

However, in the framework of a subsequent agreement, a CEN Workshop agreement could not take place as stakeholders have argued that the limit of ethanol concentration in petrol to 10% contained in the FQD would prevent further research in the form of a CWA. Possible specifications for E20/25 should be included in the FQD to proceed.

Last year, the European Commission took legal steps for the withdrawal of E15 in Lithuania and the Netherlands for being contradictory to the FQD, highlighting a contradiction between the overall objectives of renewables in transport and the restrictions imposed by the FQD. The FQD should ensure it encourages alternative renewable fuels rather than restrict the ability to place them on the market.

While it is an EU objective to have more renewables in transport (10% by 2020 in energy content), the FQD prevents it. Even the JEC in 2014 concluded that given current blending limits the 10% objective could not be met by 2020.

10. Does the scope bring unwanted restrictions? If so, what should be changed?

- Yes
 No
 Do not know

Further comment:

See above.

The FQD should allow the placing on the market of petrol with ethanol and oxygenates content higher than 10%.

Article 2

Article 2 sets out the relevant Definitions for this Directive. This includes definitions for the following: petrol, diesel fuels for road vehicles, gas oils intended for use by non-road mobile machinery and biofuels. This article also sets out the definition for:

- ▶ Outermost regions (The French overseas departments, the Azores and Madeira from Portugal, and the Canary Islands from Spain);
- ▶ Member States with arctic or severe winter conditions;
- ▶ Member States with low ambient summer temperatures refers to Denmark, Estonia, Finland, Ireland, Latvia, Lithuania, Sweden and the United Kingdom.

11. Does the use of Combined Nomenclature (CN)-codes contribute to establishing a single fuel market?

- To a large extent
- To some extent
- To no extent
- Do not know

Please describe why the above is the case?

The CN code contributes to defining petrol and diesel in the FQD. The same clarity on what constitutes ethanol fuel blends through a proper CN code reference under the FQD would prevent the improper classification of ethanol blends across Member States.

12. Are the definitions in the FQD clear and understandable?

- Yes
- No
- Do not know

Further comment:

The definitions of biofuels refer to the Renewable Energy Directive do not specify the CN codes of the different biofuels, leading to divergent interpretations across Member States.

The Fuel Quality Directive should specify that for its effect, ethanol is classified under CN Code 2207, be it for its use as a fuel or as a raw material to produce fuels for motor vehicles.

13. Are the definitions in the FQD still adequate?

- Yes
- No
- Do not know

Further comment:

See above, the definitions of 'biofuels' is too loose for the purpose of the FQD. It should refer to the CN Codes, 2207, when it comes to ethanol.

14. Would the EU benefit from the adoption of definitions used in other regions, like US or Japan?

- Yes
- No
- Do not know

Please describe the benefits:

Article 3

Article 3 sets out the requirements for petrol fuel under the Directive. These include ensuring that petrol in the EU is generally lead free and sulphur free (<10 ppm). Fuel may contain up to 10% v/v ethanol and up to 3.7 % m/m oxygen content and fulfils octane, vapour pressure, distillation and specific hydrocarbon requirements. Special derogations exist to facilitate the introduction of this petrol standard: for outermost regions, for Member States with low ambient summer temperatures, for very limited quantities of leaded fuel and an ethanol vapour pressure waiver. Most derogations are accompanied by additional conditions and notification obligations.

As some older vehicles are not capable of handling petrol with up to 10% ethanol (E10), the continued supply of petrol with up to 5% ethanol (E5) was ensured for a transitional period with an appropriate geographical coverage. The transitional period was originally foreseen to end in 2013, with the possibility of extension. E5 and E10 are to be marked adequately.

15. What proportion of the petrol fuel placed on your national market is in compliance with specifications of Annex III? Specifications include: ensuring petrol is generally lead and sulphur free (<10ppm), contains up to 10% v/v ethanol and up to 3.7% m/m oxygen content and fulfils octane, vapour pressure, distillation and specific hydrocarbon requirements (this excludes special derogations for Outermost Region, for Member States with low ambient summer temperatures and other derogations).

- 100%
- 95-99%
- 85-94%
- 50-84%
- 25-49%
- Less than 25%
- Do not know

Why is the above the case?

16. Was EU action necessary for the removal of leaded petrol from the market?

- Yes
- No
- Do not know

Further comment:

17. The latest amendment of the FQD introduced a derogation for placing on the market of small amounts of leaded petrol to be used by old vehicles. Does the derogation lead to lower production, administrative or distribution costs for fuel or lower compliance costs for owners of old vehicles?

- Yes
- No
- Not applicable
- Do not know

Please describe these costs reductions and quantify if possible:

18. The latest amendment of the Directive introduced an E10 specification to support the European strategies on alternative fuels and climate change. Did the introduction of E10 specifications help the introduction of higher biofuel contents in petrol? Or will it do so in the near future?

- X Yes
- No
- Do not know

Further comment:

An E10 specification is a step towards the successful introduction of the fuel. The actual roll out requires the collaboration of the actors down the chain, including fuel distributors and OEMs, including providing clear information to consumers on the compatibility of the fuel with their vehicle.

19. Article 3 requires Member State to inform consumers of the biofuel content of petrol and the appropriate use of different blends of petrol. Is this addressed appropriately in your country?

- Yes
- No
- Do not know

Further comment:

E10 is labelled as such in the countries where it was introduced. However, information on the compatibility of the newly introduced fuel with vehicles must be given at different entry points (owners' manual, filling stations, on the car itself). TC 441 is working on this as support to the mandatory requirements of Article 7 of the Alternative Fuels Directive.

20. Has the co-existence of E5 and E10 blends implied difficulties and higher costs in the fuel distribution chain?

- Yes
- No
- Do not know

Further comment:

21. Has the fact that some Member States have introduced limits that differ from those required by the FQD reduced the added value of the Directive? (e.g. France has introduced legislation that allows for higher ethanol/oxygenates contents, which goes beyond the requirements of the FQD).

- Yes
- No
- Do not know

Further comment:

ePURE including its French members have no knowledge of France allowing higher ethanol/oxygenates beyond the FQD requirements.

22. The latest amendment of the Directive confirmed the mandatory introduction of sulphur free (<10 ppm) petrol. This has lowered the previous sulphur level (50 ppm). Does this influence on the functioning of the engine?

- Yes
- No
- Do not know

Further comment:

► Does this influence fuel production costs?

- Yes
- No
- Do not know

Further comment:

23. The latest amendment of the Directive confirmed a limit for aromatics of 35%, whereas it was previously 42%. Does this influence on the engine functioning?

- Yes
- No
- Do not know

Further comment:

► Does this change increase fuel production costs?

- Yes
- No
- Do not know

Further comment:

24. What are the interactions between fuel quality requirements and vehicle standards in your country?
Please describe.

25. Article 3 sets out a derogation for those Member States with low ambient summer temperatures (MS) or for Member States that intend to place petrol containing bioethanol during the summer period (subject to approval by the Commission). Has your company incurred higher costs than BAU when adapting petrol specifications in these particular Member States?

- Yes
- No
- Not applicable
- Do not know

Further comment:

▶ Do you think the benefits brought by the derogations outweigh these costs?

- Yes
- No
- Not applicable
- Do not know

Further comment:

26. Do the provisions in Article 3 contribute sufficiently to the objective of a single market or do they give too much flexibility?

- Yes
- No
- Not applicable
- Do not know

Further comment:

The derogations help to protect the single market.

27. Is the introduction of alternative fuels hindered by the provisions in Article 3?

- Yes

- No
- Not applicable
- Do not know

Further comment:

Yes, to the extent that it does not allow the placing on the market petrol with ethanol content higher than 10% v/v.

Are you based or do you operate within France, Spain or Portugal? If yes, please respond to the following questions. Alternatively, please jump to [Article 4](#).

28. The outermost regions include the French overseas departments, the Azores and Madeira (Portugal), and the Canary Islands (Spain). The FQD grants them a derogation allowing the provision of petrol with a maximum sulphur content of 10 mg/kg. Was the derogation used?

- Yes
- No
- Not applicable
- Do not know

If used, did the derogation assist the Outermost Regions in complying with the Fuel Quality Directive or were the stricter (non-derogated) values also applied in your Outermost Regions?

- ▶ The FQD grants Outermost Regions a derogation allowing the provision of petrol with a maximum sulphur content of 10 mg/kg. Have the benefits from applying this derogation outweigh the costs of implementing it?

- Yes
- No
- Not applicable
- Do not know

Further comment:

- ▶ Are the special provisions for Outermost Regions still relevant to your particular Outermost Region?

- Yes
- No
- Do not know

Further comment:

Article 4

Article 4 sets out the specifications that must be met by diesel fuels. These include ensuring that diesel for road vehicles in the EU is generally sulphur free (<10 ppm), may contain up to 7% v/v FAME and up to 8% m/m polycyclic aromatic hydrocarbons and fulfils cetane, distillation and density requirements.

For the outermost regions and Member States with severe winter conditions special derogations apply. As of the end of 2011 all transitional periods have expired and gas oil for use in non-road mobile machinery, inland waterway vessels, tractors and recreational crafts should be sulphur free. The CN code and the sulphur content are the only requirements for gas oil in the FQD.

29. What proportion of the diesel fuel placed on the market is in compliance with specifications of Annex II? Specifications include: ensuring diesel for road vehicles is generally sulphur free (<10ppm), contains up to 7% v/v FAME, up to 8% m/m/ polycyclic aromatic hydrocarbons, and fulfils cetane, distillation and density requirements (derogations for Outermost Regions and Member States with extreme winter conditions apply). From the end of 2011 transitional periods have expired and gas oil for use in non-road mobile machinery, inland waterway vessels, tractors and recreational crafts should be sulphur free.

- 100%
- 95-99%
- 85-94%
- 50-84%
- 25-49%
- Less than 25%
- Do not know

Why?

30. The latest amendment of the Directive introduced a limit of 7% FAME for diesel. However, they can place in the market diesel with a higher proportion of FAME. Was the limit suitable for preventing engine malfunctioning and after treatment emissions?

- Yes
- No
- Do not know

Further comment:

- ▶ Is this limit still relevant taking into account the latest advances in engine efficiency?

- Yes
 No
 Do not know

Further comment:

31. Do the costs to car manufacturers and fuel producers in your country outweigh the benefits of the Directive (environmental, health, single market)?

- Yes
 No
 Do not know

Further comment:

32. Is there sufficient information for consumers with regard to the FAME content?

- Yes
 No
 Do not know

Further comment:

33. The latest amendment of the Directive confirmed the mandatory introduction of sulphur free (<10 ppm) diesel and introduced the 10 ppm for gas oil. Without confirmation the sulphur level would have been 50 ppm for diesel and 1000 ppm for gas oil. Do these limits have implications on the functioning of diesel engines?

- Yes
 No
 Do not know

Further comment:

- ▶ Do the introduction of these limits increase fuel production costs?

- Yes
- No
- Do not know

Further comment:

34. The latest amendment of the Directive introduced a limit of 8% in the PAH content. Does this influence the functioning of diesel engines?

- Yes
- No
- Do not know

Further comment:

▶ Does the introduction of the limit lead to higher production or distribution costs?

- Yes
- No
- Do not know

Further comment:

35. Do the restrictions introduced by the latest amendment of the FQD lead to lower production, administrative or distribution costs for fuel producers?

- Yes
- No
- Not applicable
- Do not know

Please describe these costs reductions and quantify if possible:

36. Has the fact that some Member States have introduced stricter limits than those required by the FQD reduced the added value of the Directive? (e.g. France has introduced legislation which goes beyond the requirements of the FQD).



- Yes
- No
- Do not know

Further comment:

37. What are the interactions between fuel quality requirements and vehicle standards in your country?
Please describe.

Are you based or do you operate in, France, Spain, Portugal? If Yes, please respond to the following questions. Alternatively, please jump to [Article 5](#).

38. The outermost regions are the French Outermost Regions, the Azores and Madeira in Portugal, and the Canary Islands in Spain. The FQD grants them a derogation for the introduction of diesel fuel and gas oils with a maximum sulphur content of 10mg/kg. Have the benefits from applying this derogation outweighed the costs of implementing it in your Outermost region?

- Yes
- No
- Do not know

Further comment:

▶ Are the special provisions for Outermost Regions still relevant for your particular Outermost Region with regard to Article 4?

- Yes
- No
- Do not know

Further comment:

Article 5

Article 5 ensures the free circulation of fuels which comply with the FQD specifications.

39. Has the requirement for free circulation for all compliant fuels contributed to the single market?

- To a large extent
- To some extent
- To no extent
- Do not know

Why?

- ▶ Would your Member State prohibit, restrict or prevent marketing of fuels complying with the Directive if **Article 5** did not prevent it?

- Yes
- No
- Don't know

40. Do you think that EU action is still needed to ensure the free circulation of the fuels complying with the FQD requirements?

- Yes
- No
- Don't know

Further comment:

41. Is the free circulation of fuel compliant with the requirements of the FQD coherent with other EU legislation?

- Yes
- No
- Do not know

Further comment:

Article 6

Article 6 enables the marketing of fuels that comply with more stringent environmental specifications than those set out under Articles 3 and 4, but only with a view to protecting the health of the population in a specific agglomeration or the environment in a sensitive area. A Member State wishing to make use of such a derogation shall submit its request in advance to the Commission.

42. Was a derogation in place in your Member State pursuant of Article 6?

- Yes
- No
- Do not know

Further comment:

43. Did the use of the derogation imply higher costs?

- Yes
- No
- Do not know

Further comment:

Article 7

Article 7 sets out a general safeguard to prevent any disruptions of fuel supply to the transportation sector in case refineries cannot comply with the fuel specification due to an exceptional event. It enables Member States to request a derogation if a sudden change in the supply of crude oils or petroleum products renders it difficult for the refineries in a Member State to respect the fuel specification requirements or Article 3 and 4. The Commission may authorise higher limit values in the Member State for a period not exceeding six months.

44. Have you used the possibility of implementing less stringent limits at Member State level under special circumstances granted by this article?

- Yes
- No
- Do not know

Further comments, particularly where you have answered yes:

45. What costs may arise from the authorisation to use higher limits in case of change in supply of crude oils?

- Yes
- No
- Do not know

Further comments:

▶ Are these costs justified?

- Yes
- No
- Do not know

Further comments:

46. In the case that your Member State was granted a derogation for higher limit values (6 months) due to special circumstances. If the derogation had not been granted; would it have led to a loss of supply?

- Yes
- No
- Do not know

Further comment (please state the special circumstances leading to the granting of the derogation):

▶ Do the cost of applying the derogation outweigh the costs related to a potential loss of supply?

- Yes
- No
- Do not know

Further comment:

Article 8

Article 8 is on the monitoring and reporting requirements of both member states and Commission. The annual reports are a useful source of information on the implementation and achievements of the FQD.

47. Do the reporting and monitoring obligations in the FQD (Article 8) contradict other reporting obligations you need to comply with?

- Yes
- No
- Do not know

Further comment:

48. Are CEN (European Committee for Standardisation) and existing national standards sufficient or is the FQD assisting with harmonisation (adding value), or is it redundant?

- Yes, the existing standards are sufficient
- No, the existing standards are not sufficient and FQD is adding value
- Do not know

Further comment:

49. Do additional costs for fuel producers or car manufacturers arise from the monitoring and reporting obligations?

- Yes
- No
- Do not know

If yes, please can you provide further detail of costs:

▶ Are these costs higher the first year of implementation compared to later years?

- Yes
- No
- Do not know

If yes, please can you provide further detail of costs:

- ▶ What would you do to improve the system and make it cost-efficient?

Article 8a

Article 8a limits the use of metallic additive methylcyclopentadienyl manganese tricarbonyl (MMT) and requires labelling in case MMT or any other metallic additive is applied.

50. Are you aware of the use of metallic additives?

- Yes
 No
 Do not know

Further comment:

51. If so, are metallic additives appropriately labelled in fuel stations?

- Yes
 No
 Do not know

Further comment:

Article 9

Article 9 contains the Commission's obligation to submit every three years a report to Parliament and Council on the functioning of the FQD. Continuing technical progress in the fields of automotive and fuel technology coupled with the continuing desire to ensure that the level of environmental and health protection is optimised necessitate periodic review of the fuel specifications based upon further studies and analyses of the impact of additives and biofuel components on pollutant emissions.

52. Has the reporting as required by this Article resulted in a better understanding of the impacts of the Directive?

- Yes
 No
 Do not know

Further comment:

53. **Article 9.** What is your opinion about the FQD review process?

Article 9a

Article 9a requires Member States to set penalties for the breach of the provisions of the FQD. It specified that penalties determined must be 'effective, proportionate and dissuasive'.

54. Are the penalties necessary for meeting the objectives of the Directive?

- Yes
 No
 Do not know

Further comment:

55. Have penalties been imposed to your organisation/Members of your organisation?

- Yes
 No
 Do not know

Further comment:

56. Do you consider the penalties proportionate?

- Yes
- No
- Do not know

Further comment:

▶ Could the requirements be enforced at lower costs?

- Yes
- No
- Do not know

Further comment:

57. Are there other factors that influence the ability to comply with the requirements and avoid penalties?

- Yes
- No
- Do not know

If so, what are these factors?

Many thanks for taking the time to complete this questionnaire, your inputs are much appreciated.

If you have any queries or wish to discuss anything further, please contact Maria Pooley at Amec Foster Wheeler by email: maria.pooley@amecfw.com or telephone: +44 (0)20 3215 1610.