

## GBER Review

*Slovenský plynárenský priemysel, a. s.*

Provision	Proposed wording	Justification
Art. 1 (1) inserting Art. 2 (102e)	(102e) 'low-carbon hydrogen' means fossil-based hydrogen with carbon capture and storage or electricity-based hydrogen, where that hydrogen achieves life-cycle greenhouse gas emissions savings of at least [73.4 %] [resulting in life-cycle greenhouse gas emissions below 3 tCO <sub>2</sub> eq/tH <sub>2</sub> ] relative to a fossil fuel comparator of [94g CO <sub>2</sub> e/MJ (2.256 tCO <sub>2</sub> eq/tH <sub>2</sub> )]. <del>The carbon content of electricity-based hydrogen shall be determined by the marginal generation unit in the bidding zone where the electrolyser is located in the imbalance settlement periods when the electrolyser consumes electricity from the grid;</del>	We propose deleting the second sentence of this provision, as it should be up to hydrogen producer how he secures electricity contract (e.g. via guarantees of origin, long term contracts...).
Art. 1 (1) inserting Art. 2 (102f)	(102f) 'clean vehicle' means: (a) a clean vehicle as defined in Article 4, point (4)(a) of Directive 2009/33/EC of the European Parliament and of the Council*; <del>(b) until 31 December 2025, a low emission heavy duty vehicle as defined in Article 3, point (12) of Regulation (EU) 2019/1242 of the European Parliament and of the Council**;</del> (c) <del>until 31 December 2025,</del> a clean vehicle as defined in Article 4, point (4)(b) of Directive 2009/33/EC <del>and not falling within the scope of Regulation (EU) 2019/1242;</del>	We propose deleting the letter b) of this provision and to use letter c) analogically to letter a).
Art. 1 (1) inserting Art. 2 (102h)	(102h) 'vehicle' means any of the following: (a) a road vehicle of category M1, M2, N1, M3, N2, N3 or L; (b) an inland or a sea and coastal vessel for passenger or freight transport; (c) rolling stock, <b>including trams and trolleybuses;</b>	We propose to explicitly mentioning trams and trolleybuses.
Art. 1 (1) inserting Art. 2 (131a)	(131a) 'carbon capture and storage' or 'CCS' means a set of technologies that captures the (CO <sub>2</sub> ) emitted from industrial plants based on fossil fuels or biomass <b>(in case of biomass denoted as bioenergy carbon capture and storage 'BECCS')</b> , including power	We propose to explicitly mentioning BECCS for which we propose higher maximum intensity, then for other forms of CCS, as they could be used as natural carbon sinks.

	plants, transports it to a storage site and injects the CO <sub>2</sub> in suitable underground geological formations for the purpose of permanent storage of CO <sub>2</sub> ;	
Art. 1 (21) (i) replacing Art. 36 letter 6a	6a. In case of investments relating to CCUS, the aid intensity shall not exceed 20 %. <b>In case of investments relating to BECCS, the aid intensity shall not exceed 50 %.</b>	We propose to explicitly mentioning BECCS for which we propose higher maximum intensity, then for other forms of CCS, as they could be used as natural carbon sinks.
Art. 1 (22) replacing Art. 36a point 2	2. This Article shall only cover aid granted for recharging or refuelling infrastructures that supply vehicles with electricity or with renewable or low-carbon hydrogen for transport purposes. The Member State shall ensure that the requirement to supply renewable or low-carbon hydrogen is complied with throughout the economic lifetime of the infrastructure. <b>Aid can be provided also to natural gas infrastructure (bioCNG, bioLNG), but only to the extent that the aided fuels are compliant with the sustainability and greenhouse gases emissions saving criteria of Directive (EU) 2018/2001 and its implementing or delegated acts and are made from the feedstock listed in Part A of Annex IX to that Directive.</b> This Article is without prejudice to the possibility to grant aid for investments relating to alternative fuel infrastructure as part of port infrastructure under Articles 56b and 56c.	We propose to add bioCNG and bioLNG infrastructure, when it fulfills all sustainability criteria.
Art. 1 (22) replacing Art. 36a point 9	9. By way of derogation from paragraph 8, the necessity of aid for recharging or refuelling infrastructure for road vehicles shall be presumed where vehicles powered exclusively by electricity (for recharging infrastructures) or vehicles powered at least partially by hydrogen <b>or natural gas</b> (for refuelling infrastructures) represent respectively less than 2 % of the total number of vehicles of the same category registered in the Member State concerned. For the purpose of this paragraph, passenger cars and light-duty commercial vehicles shall be considered as being part of the same category of vehicles.	We propose to add natural gas (bioCNG and bioLNG infrastructure), if it is also in early development stage (as the situation varies strongly between Member states).

<p>Art. 1 (28) replacing Art. 41 letter 2) paragraph 3</p>	<p>3. Investment aid for the production of hydrogen shall be exempted from the notification requirement of Article 108(3) of the Treaty only for installations producing exclusively renewable hydrogen. For renewable hydrogen projects consisting of an electrolyser and one or more renewable generation units behind a single grid connection point, the capacity of the electrolyser shall not exceed the combined capacity of the renewable generation units. <b>For renewable hydrogen projects consisting only of an electrolyser and hydrogen infrastructure (e.g. hydrogen refueling station) without renewable generation units, the guarantees of origin issued in line with Directive (EU) 2018/2001 are sufficient proof of renewable source.</b> The investment aid may cover dedicated infrastructure for the transmission or distribution of renewable hydrogen, as well as storage facilities for renewable hydrogen.</p>	<p>We propose to add specific clarification, when renewable electricity generation, location of an electrolyser and/or location of hydrogen refueling station can take place on a different location.</p> <p>This would optimize also the logistics of hydrogen, as it would enable to produce and consume hydrogen where there is demand for hydrogen (e.g. bus depots, where there is limited potential for renewable electricity generation units).</p>