POSITION ON THE TARGETED AMENDMENT ON FLEXIBILITY TO METHANE IMPORTERS

Proposal amending Regulation (EU) 2024/1787 on the reduction of methane emissions in the energy sector COM(2026) 569 final

THÜGA AKTIENGESELLSCHAFT | 20. October 2026

1. General remarks

Although the utilities of the Thüga group are not directly affected by the import requirements of the Methane-Regulation (Chapter 5), we generally support a postponement. At the same time, domestic requirements (Chapter 3) are in force since August 2024 and first reports have been drafted and handed in for 2025 – where and if Member States have named a designated authority[1]. With first experiences made, Thüga would like to put forth further targeted amendments, improving the ecological and economic rationale of the regulation, making – besides imports – also **domestic requirements** (for TSOs and DSOs, cf. Article 1(2) c)) **of the regulation workable without questioning the high level of ambition of the regulation**.

2. Suggestion of further targeted amendments

3.1 On Article 12 – Monitoring and reporting

Article 12 – Monitoring and reporting	*Proposed amendment*
3. Operators and undertakings established in the Union shall submit a report to the competent authorities of the Member State where the asset is located containing quantification of source-level methane emissions, complemented by measurements of site-level methane emissions, thereby allowing assessment of and comparison with the source-level estimates aggregated by site: (a)for operated assets, by 5 February 2027 and by 31 May every year thereafter; and (b)for non-operated assets, by 5 August 2028 and by 31 May every year thereafter, where those assets have not been reported under point (a). (…)	3. Operators and undertakings established in the Union shall submit a report to the competent authorities of the Member State where **an** asset **above 500 square meters or 150 cubic meters** is located containing quantification of source-level methane emissions, complemented by measurements of site-level methane emissions, thereby allowing assessment of and comparison with the source-level estimates aggregated by site: (a)for operated assets, by 5 February 2027 and by 31 May every year thereafter; and (b)for non-operated assets, by 5 August 2028 and by 31 May every year thereafter, where those assets have not been reported under point (a). (…)
Justification:	

[1] I.E. in Germany, 9 of the 16 Länder (States) have not yet designated a competent authority.

Since the second report (2026), source-level measurements taken directly at the individual components are required. From the third report onwards (February 2027), site-level measurements — capturing the entire facility (e.g., regulation or compressor station) from an external vantage point — are also required to verify the plausibility of the source-level measurements. For large facilities involved in production or within transmission networks such as compressor stations, this approach is adequate, as it ensures that no leaks were overlooked during the source-level measurements. For smaller facilities however, typically found in distribution networks, this dual-measurement approach is unproportionate, given that all leaks are already reliably detected during source-level measurements. With the introduction of a threshold, the high ambition of the regulation is upheld while making it workable and more proportionate.

3.2 On Article 14 – Leak detection and repair

Article 14 – Leak detection and repair	*Proposed amendment*
9. The repair or replacement of the components referred to in paragraph 8 shall take place immediately after detection. If the repair cannot be carried out immediately after detection, it shall be attempted as soon as possible and no later than 5 days after detection and shall be completed within 30 days after detection. Where an operator can demonstrate that the repair or replacement would not be successful or possible within 5 days for a first attempt or where the operator expects that a complete repair would not be possible within 30 days due to safety, administrative or technical considerations, the operator shall notify the competent authorities and provide them with evidence thereof together with the repair and monitoring schedules containing at least the elements set out in Annex II no later than 12 days from the date of detection. Those repair and monitoring schedules shall include all the necessary evidence justifying any delay. They shall ensure that the environmental impact is minimised, while respecting the relevant safety, administrative and technical considerations. The competent authorities may require the operator to amend the repair and monitoring schedules taking into account the requirements of this Regulation. In any event, the repair or replacement shall be carried out as soon as possible. The operators shall prioritise repairs of larger leaks. Repairs or replacements referred to in this paragraph shall use the best technologies that are	9. The repair or replacement of the components referred to in paragraph 8 shall take place ~~immediately after detection. If the repair cannot be carried out immediately after detection, it shall be attempted~~ as soon as possible ~~and no later than 5 days after detection and shall be completed within 30 days after detection~~. Where an operator can demonstrate that the repair or replacement would not be successful~~, or possible~~ within **a reasonable timeframe** ~~5 days for a first attempt or where the operator expects that a complete repair would not be possible within 30 days due to safety, administrative or technical considerations~~, the operator shall notify the competent authorities and provide them with evidence thereof together with the repair and monitoring schedules containing at least the elements set out in Annex II no later than ~~12~~ **30** days from the date of detection. Those repair and monitoring schedules shall ~~include all the necessary evidence justifying any delay. They shall~~ ensure that the environmental impact is minimised, while respecting the relevant safety, administrative and technical considerations. The competent authorities may require the operator to amend the repair and monitoring schedules taking into account the requirements of this Regulation. ~~In any event, the repair or replacement shall be carried out as soon as possible.~~ The operators shall prioritise repairs of larger leaks. Repairs or replacements referred to in this paragraph shall use the best technologies that are

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commercially available and that provide long-term protection against future leaks. (…)	commercially available and that provide long-term protection against future leaks. (…)
Justification: *The obligation to undertake a first repair attempt within five days and to complete the repair within 30 days for every detected leak, regardless of its materiality or environmental impact, undermines a risk-based approach to leak management. It has the potential to divert resources from higher-priority leaks and prevent operators from optimising their repair activities, for example, by grouping interventions in the same area to improve operational efficiency. A safety and risk-based threshold should therefore be applied of the most stringent repair requirements and under the supervision of the competent authority, while giving operators the flexibility to schedule repairs according to risk-based criteria, cost-benefit considerations and operational efficiency, provided that appropriate periodic monitoring is carried out until the repair is completed.*	

3.3 On Article 15 – Restrictions on venting and flaring

Article 15 – Restrictions on venting and flaring	*Proposed amendment*
6. In addition to the conditions set out in paragraphs 2 and 3, flaring shall be allowed only where either re-injection, utilisation on-site, storage for later use or dispatch of methane to a market are not feasible for reasons other than economic considerations. In such a situation, as part of the reporting obligations set out in Article 16, operators shall demonstrate to the competent authorities the necessity to use flaring instead of either re-injection, utilisation on-site, storage for later use or dispatch of methane to a market.	6. In addition to the conditions set out in paragraphs 2 and 3, flaring shall be allowed only where either re-injection, utilisation on-site, storage for later use or dispatch of methane to a market are not feasible **or where this process will result in more emissions than flaring** for reasons other than economic considerations. In such a situation, as part of the reporting obligations set out in Article 16, operators shall demonstrate to the competent authorities the necessity to use flaring instead of either re-injection, utilisation on-site, storage for later use or dispatch of methane to a market.
Justification: *In general, flaring should be preferred over venting. The current provisions demand that flaring is only permissible if re-injection, on-site use, storage for later use, or the transport of the methane to a market is not feasible. In some cases, however, CO_2 emissions emitted from transporting the specialized equipment needed for suction and re-injection to the site are higher, than CH_4 emissions (in $CO_{2eq.}$) abated. The amendment provides for fewer emissions while making the provision more workable for technicians on the ground, while the ex-post reporting obligation provides for safeguards against any misuse.*	

3.3 On Article 16 – Reporting of venting events and flaring events

Article 16 – Reporting of venting events and flaring events	*Proposed amendment*
1. Operators shall notify the competent authorities of venting events and flaring events:	1. **Where the competent authority deems it necessary on the basis of the annual report set out in paragraph 2 of this Article, they shall oblige**

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(a) caused by an emergency or a malfunction; or (b) lasting a total of 8 hours or more within a 24-hour period from a single event. The notification referred to in the first subparagraph shall be made without delay after the event and at the latest within 48 hours from the start of the event or the moment the operator became aware of it, in accordance with the elements set out in Annex III. By derogation from the first subparagraph, controlled flaring that occurs during shutdowns, shall be reported in the annual report. 2. Operators shall submit to the competent authorities annual reports on all venting events and flaring events, referred to in paragraph 1 of this Article and in Article 15, in accordance with the elements set out in Annex III and as part of the relevant report referred to in Article 12.	**o**perators ~~**shall to**~~ notify the competent authorities of venting events and flaring events: (a) caused by an emergency or a malfunction; or (b) lasting a total of 8 hours or more within a 24-hour period from a single event. The notification referred to in the first subparagraph shall be made without delay after the event and at the latest within 48 hours from the start of the event or the moment the operator became aware of it, in accordance with the elements set out in Annex III. By derogation from the first subparagraph, controlled flaring that occurs during shutdowns, shall be reported in the annual report. 2. Operators shall submit to the competent authorities annual reports on all venting events and flaring events, referred to in paragraph 1 of this Article and in Article 15, in accordance with the elements set out in Annex III and as part of the relevant report referred to in Article 12.
Justification: *Ad-hoc venting and flaring reports cannot be handled by operators as well as competent authorities. They should therefore be limited to cases, where the competent authority has reasons to believe that an operator is not compliant with the obligations of Article 15 and 16.*	

4. Final remarks

With the preceding four amendments, **the most pressing problems** of administering an ambitious Methane regulation on the domestic side can make the regulation more workable and even makes further improves on abated emissions while giving operators more flexibility. Further improvements should be considered for the planned review of the Regulation.

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About Thüga:

Thüga is the largest cooperative network of municipal energy and water service providers in Germany. More than 100 municipal utilities make up the Thüga Group, while retaining their corporate independence. The group employs approximately 28,500 people. Companies within the Thüga Group are active in the generation, distribution network management, and supply of electricity, gas, heat, and water. They provide drinking water to over one million customers, deliver more than 12,000 GWh of heat annually, and operate approximately 5 GW of generation capacity from renewable energy sources.
You can find Thüga's entry in the German Lobby registry (No. R001118) here.
You can find Thüga's entry in the European Lobby registry (No. 702152628415-31) here.