

Subject: ENVI vote on the recast proposal for a regulation on persistent organic pollutants

Dear Members of the European Parliament,

In view of the upcoming vote in the Parliaments' ENVI Committee on 10 October, [EDSO for Smart Grids](#) would like to comment on the recast proposal for a regulation on persistent organic pollutants – the POPs Regulation.

As electricity distribution system operators (DSOs), the proposed recast would have implications for some of our members that are specifically concerned about the text in Annex I, Part A of the regulation. This has been amended to state that: "Member States shall identify and remove from use equipment (e.g. transformers, capacitors or other receptacles containing liquid stocks) containing more than 0,005 % PCBs and volumes greater than 0,05 dm³, as soon as possible but no later than 31 December 2025."

While the reason for the recast of the Regulation is to align the text with the Stockholm Convention, the wording proposed by the Commission is much more restrictive than what is stated in the Stockholm Convention itself, which stipulates that each party shall "**endeavor to** identify and remove from use equipment containing greater than 0.005 percent polychlorinated biphenyls and volumes greater than 0.05 litres".

Consequently, the Commission's wording sets an obligation of results rather than an obligation of means.

DSOs in Europe have started buying exclusively PCB-free transformers and putting in place actions to remove equipment with PCBs from their network a long time ago. However, in certain Member States, there are still some transformers in operation that might contain very low levels of PCBs. While we fully endorse the principle that this equipment should be phased out, we disagree with the Commission's proposed wording for the following reasons:

- The removal of equipment such as transformers before the end of their useful life would result in stranded assets and is therefore economically not justifiable.
- The replacement of existing assets before the end of their useful life can have negative environmental consequences: manufacturing of new equipment, transport and additional waste.
- As explained above, there is still a small percentage of the old equipment containing oil with a very low PCB-content (between 50 and 500 ppm), but it is difficult in some cases to know which devices are concerned. Strictly speaking, the EC proposal would require testing every individual asset on the network which contains oil. This would imply testing thousands of devices on the network, implying a huge cost (100 € per device plus switching cost), for almost zero added value for the environment.
- There is a number of transformers (mainly measuring transformers) which are 'sealed for life', meaning that it is physically not possible to remove the oil in order to test it or to replace it with PCB-free oil. The only way to be compliant with the EC text would be to replace these transformers before the end of their life, while there is no environmental problem at all with those devices.

- All distribution transformers (also more recent transformers) are equipped with a recuperation tank. If there is any oil leakage on the transformer, the leaking oil falls into this tank and thus does not fall on the ground. There is no risk to contaminate the soil.

For the reasons outlined above, we recommend aligning the Commission's proposal with the text of the Stockholm Convention. We therefore fully support Amendment 50 of the ENVI rapporteur's draft report¹ which ensures full alignment between the proposed recast and the Stockholm Convention. We hope that the Parliament will support this provision and remain at your disposal if you had any questions.

Sincerely yours,



Roberto Zangrandi,
Secretary General of EDSO for Smart Grids

¹ <http://www.europarl.europa.eu/sides/getDoc.do?type=COMPARL&reference=PE-623.927&format=PDF&language=EN&secondRef=02>

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