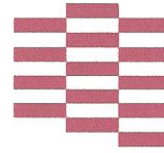


ZWIĄZEK PRACODAWCÓW GÓRNICTWA WĘGLA KAMIENNEGO W KATOWICACH

ZRZESZONY W:

**EURACOAL**

European Association  
for Coal and Lignite  
AISBL



Pracodawcy  
Rzeczypospolitej  
Polskiej  
Rok założenia 1989

L.dz. 547/2012

Katowice, 25 October 2012

*Mr Harthmuth Zeiss,  
President EURACOAL  
Avenue de Tervueren 168 Bte 11  
B-1150 Brussels  
BELGIUM*

*Dear Mr President,*

We wish to kindly note that the Association of Hard Coal Employers received the information that the European Commission intends to undertake works on amendment of Directive 2003/87/EC directed towards the inclusion of methane emissions from active coal mines as of 2013 into the Emissions Trading Scheme.

*Therefore, we are applying to Euracoal to take decisive actions to block this already sequent attempt to change Directive 2003/87/EC in the direction shown above.*

**Rationale:** In the absence of a real influence on the volume of methane emissions in the coal mining industry, the necessity to purchase emission allowances for this gas will be a tax, which is levied on coal, not a real economic instrument aimed at taking actions to reduce greenhouse gas emissions. The estimated total cost of the methane emission allowances for the coal mining industry in Poland will amount to more than 300 ml per year, assuming that the price of one emission allowance will be around 20 € and methane emissions will stabilize at the level of that from 2011.

The idea of the European Commission to work on the revision of then a/m Directive consists in elimination of the currently in force system of allocation of free emission allowances and the introduction of full auctioning system enforcing to the purchase of all allowances, and also to extension of the Community's emissions trading scheme (ETS) as of 2013, and the inclusion into it of new sectors of the economy and greenhouse gases. The entry into force of the amendment under consideration will result that from 2013 hard coal mining will be forced to buy all the methane emission allowances for the above mentioned estimated amount of more than 300 ml € per year.

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By inclusion of methane emissions from active coal mines into the emissions trading scheme /ETS/, the sector, accounting for only ~ 7% of the total CH<sub>4</sub> emissions from the EU will be the only "victim". Other sectors, responsible for 93% of anthropogenic methane emissions (agriculture, particularly cattle breeding, municipal wastes storage sites, mining and transportation of oil and gas) will be placed, in such a situation, in a privileged position, although their share of emissions is incomparably greater. In coal mines methane is emitted from coal seams into the mine workings and during ventilation of workings the gas is emitted to the air.

Due to the explosibility of methane in its concentrations of 5 - 15% the regulations on safety in the mining industry of the European Union require keeping the gas concentration in the mine air in underground workings below 2%. The process of methane drainage from mine workings is conducted primarily to ensure the safety of mining crews. In accordance with the provisions any works must be stopped, if this level is exceeded.

Currently, most of the emitted methane is the so called "ventilation" methane, the concentration of which is too low to be able to effectively use it bearing in mind the current level of technological development of its management. There is no proven technology, of efficient use of "ventilation" methane. Due to its very low concentrations, it may not even be burned in flares, which would allow reducing it to CO<sub>2</sub>, regarded as the gas with less global warming potential. Only a small amount of methane, emitted from the rockmass can be captured by methane drainage systems and is suitable for use in installations for the generation of electricity and heat. However, the specific character of methane sources, as in the case of coal mines, such as: the uneven flow of form such a source, the variability of gas composition and especially the content of methane in the captured mine gas causes considerable technological difficulties in its management.

To date, the Directive 2003/87/EC has not listed any sectors of the economy that generate the emissions of methane. After an eventual adoption by the EU of the amendment under consideration, hard coal mining, as the only one sector of the economy causing methane emissions, would be covered by this system. Inclusion of methane emissions from hard coal mines into the emissions trading system is irrational because of the lack of opportunity to influence the level of emission of this gas, unless one reduces or terminates coal production, although methane emissions takes place even in the case of the abandoned hard coal mines.

We wish to specially emphasize here that as a result of the introduced changes *the two main products generated from coal, electricity and coke, would be in practice charged with a kind of peculiar double tax because of the obligation to purchase allowances – once at the stage of winning of a raw material and a second time at the stage of generation of the final product (in power plants and coking plants).*

It should also be emphasized also that the hard coal mining are responsible, according to estimates, for only a few percent of anthropogenic methane emissions is capable, as one of the few sectors of the economy, to accurately calculate the emissions of this gas, primarily in connection with an ongoing detailed monitoring of methane hazard. Other economic operators, responsible for most of the emissions (agriculture, particularly cattle breeding, municipal wastes storage sites, mining and transportation of oil and gas) will not be subjected to the rigors. It is contrary to the principles of equal treatment of economic operators. *Hard coal mining will therefore incur disproportionately high costs as against its impact level on the natural environment.*

Związek Pracodawców  
Górnictwa Węgla Kamiennego  
PRZEWODNICZĄCY PREZES ZARZĄDU

**Piotr RYKALA**

Związek Pracodawców  
Górnictwa Węgla Kamiennego  
Z-CM PRZEWODNICZĄCEGO PREZESA ZARZĄDU

**Maksymilian KLANK**