

# Call for feedback by the Platform on Sustainable Finance on the draft report on preliminary recommendations for technical screening criteria for the EU taxonomy

Fields marked with \* are mandatory.

## Introduction

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### Technical issue:

We are aware that this questionnaire takes a long time to load.

#### Here are 2 pieces of advice to enhance your experience

- **use the latest versions of one of the following browsers: Microsoft Edge, Mozilla Firefox or Google Chrome**
- **follow the order of the questionnaire: fill it in one section after the other without skipping any section.** Jumping over unfilled section(s) can cause never ending loading of the next sections

We are aware of this issue and are still working on technical solutions to make the process of filling the questionnaire easier and faster.

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### Disclaimer:

The draft report is a working document by the [Platform on Sustainable Finance](#) and contains preliminary technical screening criteria that do not represent a final view of the Platform.

This call for feedback is part of ongoing work by the Platform, which was set up by the Commission to provide advice on the further development of the EU taxonomy. The call for feedback represents an opportunity to gather feedback and evidence from a wider set of stakeholders, to improve the draft criteria and make them more robust and usable.

This feedback process is not an official Commission consultation. The draft report produced by the Platform is not an official Commission document. Nothing in this feedback process commits the Commission nor does it preclude any policy outcomes.

The climate and environmental challenges we face put an immense task ahead of us: to transition to a low carbon, climate-resilient, and environmentally sustainable economy. The aim of sustainable finance policies is to help all economic actors navigate that transition with the urgency needed to avoid risks and meet climate and environmental goals.

In March 2018, the Commission published its [action plan: financing sustainable growth](#), based on the advice of the [High Level Expert Group \(HLEG\)](#). Action 1 of the Commission's action plan calls for the establishment of an EU classification system for sustainable activities, or [EU taxonomy](#). The Commission followed through on this action by proposing a regulation for such a taxonomy, which was adopted by the co-legislators in June 2020. The [Taxonomy Regulation](#) establishes the basis for the EU taxonomy by setting out 4 overarching conditions that an economic activity has to meet in order to qualify as making a substantial contribution to environmental objectives

- i. it contributes substantially to one or more of the six environmental objectives set out in the Taxonomy Regulation [\[1\]](#)
- ii. it does not significantly harm any of the other environmental objectives
- iii. it is carried out in compliance with minimum (social) safeguards set out in the Taxonomy Regulation [\[2\]](#)
- iv. and it complies with the 'technical screening criteria' that are established by the European Commission through delegated acts. The technical screening criteria specify the conditions under which an economic activity meets criteria (i) and (ii)

The development of the EU taxonomy relies on extensive input from experts from across the economy and civil society. Building on the experience of the [Technical Expert Group \(TEG\) on Sustainable Finance](#) and in line with the Article 20 of the [Taxonomy Regulation \(\(EU\) 2020/8521\)](#), the European Commission set up a permanent expert group, the [Platform on Sustainable Finance](#), which advises the Commission on issues related to its sustainable finance policy, notably the further development of the EU taxonomy. The Platform operates through a plenary in full composition of all 57 members and 11 observers, and is organised around 6 subgroups where the technical work on its opinions, reports or recommendations takes place. As one of the 6 subgroups, the [Technical Working Group \(TWG\)](#) has, as its core tasks, to

- advise the Commission on the technical screening criteria on environmental objectives in line with Article 19 of the Taxonomy Regulation
- advise on the possible need to update those criteria
- analyse the impact of the technical screening criteria in terms of potential costs and benefits

- and assist the Commission in analysing requests from stakeholders to develop or revise technical screening criteria for a given economic activity

The first of the above-mentioned tasks is the focus of the [Platform's TWG July 2021 draft report and accompanying annex document](#) as well as this associated call for stakeholder feedback – specifically to gather further evidence and feedback on proposed draft technical screening criteria. **The draft criteria presented in the report are working documents of the Platform and do not represent a final view of the Platform.** They are presented to gather feedback so that the criteria can be further refined and developed before a final set of recommendations on the criteria are agreed by the Platform and presented to the European Commission in November 2021.

The TWG report focuses primarily on presenting a first set of priority economic activities and draft recommendations for associated substantial contribution and do no significant harm (DNSH) technical screening criteria in relation to the four non-climate environmental objects covering water, circular economy, pollution prevention, and biodiversity & ecosystems. However, a small number of economic activities and corresponding draft recommendations for technical screening criteria related to the climate mitigation and adaptation objectives have also been included.

Due to resources, workload and time available, the Platform TWG addressed a first set of economic activities per environmental objective in its first phase of the work. The proposed methodology for the selection and prioritisation of the activities is explained in detail in the [TWG draft report](#). It is important to note that an activity that is not included in this first batch of activities for the remaining 4 environmental objectives, for which the Platform will develop recommendations for technical screening criteria, may still be addressed as part of a second batch (Platform work starting after submission of the current batch of criteria). It is likely that the recommendations for additional activities and criteria included in that second batch would be addressed in a later update of the delegated act by the European Commission. Thus, non-inclusion by the Platform in the first batch of priority activities does not imply that the activity will not be considered for inclusion in the taxonomy. As recalled above, nothing in this process commits the Commission or precludes any policy outcomes.

In line with the taxonomy's guiding principle of establishing robust, science-based criteria, the call for feedback puts emphasis on providing a clear scientific and technical explanation and rationale as well as supporting evidence (including links to published journals and articles) for any comments made with respect to the proposed technical screening criteria.

## Call for feedback

The Platform is inviting stakeholders to provide feedback on the draft report through this online questionnaire.

**The deadline for providing feedback is Friday 24 September 2021 at 18:00 Central European Summer Time.**

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<sup>1</sup> The environmental objectives as set out in Article 9 of the Taxonomy Regulation are: climate change mitigation, climate change adaptation, pollution prevention and control, water and protection of marine resources, a circular economy, resource efficiency and recycling, and protection of ecosystems.

<sup>2</sup> Article 18 of the Taxonomy Regulation specifies those as the OECD guidelines for multinational enterprises and UN guiding principles on business and human rights, including the declaration on fundamental principles and rights at work of the International Labour Organisation (ILO), the eight fundamental conventions of the ILO and the international bill of human rights.

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**Please note:** In order to ensure a fair and transparent consultation process **only responses received through our online questionnaire will be taken into account** and included in the report summarising the responses. Should you have a problem completing this questionnaire or if you require particular assistance, please contact [fisma-platform-sf@ec.europa.eu](mailto:fisma-platform-sf@ec.europa.eu).

More information on

- [the call for feedback document](#)
- [the draft report of the Platform Technical Working Group on proposed \(TSC\)](#)
- [the Platform on Sustainable Finance](#)
- [sustainable finance](#)
- [the protection of personal data regime for this consultation](#)

## About you

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\* I am giving my contribution as

- Academic/research institution
- Business association
- Company/business organisation
- Consumer organisation
- EU citizen
- Environmental organisation
- Non-EU citizen
- Non-governmental organisation (NGO)
- Public authority
- Trade union
- Other

\* First name

Ivana

\* Surname

Jakovljevic

\* Email (this won't be published)

ivana.jakovljevic@orgalim.eu

\* Organisation name

*255 character(s) maximum*

Orgalim, Europe's Technology Industries

## Transparency register number

*255 character(s) maximum*

Check if your organisation is on the [transparency register](#). It's a voluntary database for organisations seeking to influence EU decision-making.

20210641335-88

### \* Organisation size

- Micro (1 to 9 employees)
- Small (10 to 49 employees)
- Medium (50 to 249 employees)
- Large (250 or more)

### \* Where are you based?

Please add your country of origin, or that of your organisation.

- |  |                                     |                                     |                                      |
|--|-------------------------------------|-------------------------------------|--------------------------------------|
| <input type="radio"/> Austria            | <input type="radio"/> France        | <input type="radio"/> Lithuania     | <input type="radio"/> Slovakia       |
| <input checked="" type="radio"/> Belgium | <input type="radio"/> Germany       | <input type="radio"/> Luxembourg    | <input type="radio"/> Slovenia       |
| <input type="radio"/> Bulgaria           | <input type="radio"/> Greece        | <input type="radio"/> Malta         | <input type="radio"/> Spain          |
| <input type="radio"/> Croatia            | <input type="radio"/> Hungary       | <input type="radio"/> Netherlands   | <input type="radio"/> Sweden         |
| <input type="radio"/> Cyprus             | <input type="radio"/> Iceland       | <input type="radio"/> Norway        | <input type="radio"/> Switzerland    |
| <input type="radio"/> Czech Republic     | <input type="radio"/> Ireland       | <input type="radio"/> Other country | <input type="radio"/> United Kingdom |
| <input type="radio"/> Denmark            | <input type="radio"/> Italy         | <input type="radio"/> Poland        |                                      |
| <input type="radio"/> Estonia            | <input type="radio"/> Latvia        | <input type="radio"/> Portugal      |                                      |
| <input type="radio"/> Finland            | <input type="radio"/> Liechtenstein | <input type="radio"/> Romania       |                                      |

### \* Where does your organisation carry out its activities (you can select more than one answer)?

- Europe
- Middle East
- Africa
- Asia
- North America
- South America
- Global

### Field of activity

\* Financial activity

Please select as many answers as you like

- Accounting
- Auditing
- Banking
- Credit rating agencies
- Insurance
- Pension provision
- Investment management (e.g. hedge funds, private equity funds, venture capital funds, money market funds, securities)
- Market infrastructure operation (e.g. CCPs, CSDs, Stock exchanges)
- Social entrepreneurship
- Other
- Not applicable

\* Please specify your financial activity field(s)

not applicable

\* Non-financial activity (NACE)

Please select as many answers as you like

- Agriculture, forestry and fishing
- Mining and quarrying
- Manufacturing
- Electricity, gas, steam and air conditioning supply
- Water supply; sewerage, waste management and remediation activities
- Construction
- Transportation and storage
- Accommodation and food service activities
- Information and communication
- Real estate activities
- Professional, scientific and technical activities
- Administrative and support service activities
- Public administration and defence; compulsory social security
- Education
- Human health and social work activities
-

Other

Not applicable

**\* Contributions received are intended for publication on the Commission's website dedicated to the Platform. Do you agree to your contribution being published?**

The Commission will publish the responses to this public consultation. You can choose whether you would like your details to be made public or to remain anonymous.

- Yes, I agree to my responses being published under the name I indicate ( name of your organisation/company/public authority or your name – your email address will never be published)**
- No, I do not want my response to be published**

I agree with the [personal data protection provisions](#)

## Activities you would like to comment on

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Please select the activity(ies) and the aspect(s) of the activity(ies) and its criteria that you would like to comment on:

### Sector 1: Agriculture, forestry & fishing

Please select as many answers as you like

- Animal production 1.1
- Crop production 1.2
- Forestry logging 1.3
- Fishing 1.4

### Sector 2: Manufacturing

Please select as many answers as you like

- Manufacture of basic pharmaceutical products 2.1
- Manufacture of basic pharmaceutical preparations 2.2
- Manufacture of chemicals 2.3
- Manufacture of chemicals products 2.4
- Manufacture of plastic packing goods 2.5
- Manufacture of durable electrical and electronic equipment 2.6
- Manufacture of circular electrical and electronic equipment 2.7
-

- Resell and/or remanufacture of used electrical and electronic equipment 2.8
- Manufacture of equipment generating electricity and/or heat 2.9
- Manufacture of high, medium and low voltage electrical equipment that result in or enable substantial GHG emissions reductions 2.10
- Manufacture of machinery enabling closed-loop systems, and high-quality waste collection and waste management 2.11
- Manufacture of machinery, equipment and solutions enabling a substantial contribution to the circular economy 2.12
- Manufacture of machinery, equipment and solutions enabling a substantial contribution to pollution prevention and control 2.13
- Manufacture of machinery, equipment and solutions enabling a substantial contribution the sustainable use and protection of water and marine resources 2.14
- Manufacture of motor vehicles, trailers and semi-trailers 2.15
- Manufacture of other transport equipment 2.16
- Design, manufacture, remanufacture, and reselling of furniture 2.17
- Manufacture of food products and beverages (making a substantial contribution to biodiversity) 2.18
- Manufacture of food products and beverages (making a substantial contribution to the transition to a circular economy) 2.19
- Finishing of textiles 2.20
- Manufacture, repair, refurbishment and resale of wearing apparel 2.21
- Manufacture, remanufacture and reselling of footwear and leather goods 2.22
- Tanning of leather 2.23

### Sector 3: Energy

Please select as many answers as you like

- Environmental refurbishment of electricity generation facilities that produce electricity from hydropower 3.1
- Electricity generation from bioenergy for protection and restoration of biodiversity and ecosystems 3.2
- Electricity generation using solar photovoltaic technology 3.3
- Electricity generation using concentrated solar power (CSP) technology 3.4
- Electricity generation from wind power 3.5
- Electricity generation from ocean energy technologies 3.6
-



- Electricity generation from hydropower 3.7
- Electricity generation from geothermal energy 3.8
- Electricity generation from natural gas 3.9
- Electricity generation from renewable non-fossil gaseous fuels 3.10
- Electricity generation from biogas 3.11
- Power from cogeneration of heat/cool and power from solar energy 3.12
- Power from cogeneration of heat/cool and power from geothermal energy 3.13
- Power from cogeneration of heat/cool and power from natural gas 3.14
- Power from cogeneration of heat/cool and power from renewable non-fossil gaseous fuels 3.15
- Power from cogeneration of heat/cool and power from biogas 3.16

## **Sector 4: Civil engineering**

Please select as many answers as you like

- Construction of civil engineering objects 4.1
- Civil engineering for climate change adaptation 4.2
- Maintenance of roads and motorways 4.3
- Maintenance of bridges and tunnels (railway, road and cycling infrastructure) 4.4

## **Sector 5: Buildings**

Please select as many answers as you like

- Construction of new buildings and major renovations of buildings for the transition to a circular economy 5.1
- Construction of new buildings and major renovations of buildings for protection and restoration of biodiversity and ecosystems 5.2
- Acquisition and ownership of buildings 5.3
- Demolition or wrecking of buildings and other structures 5.4

## **Sector 6: ICT**

Please select as many answers as you like

- Digital solutions exploiting space-based earth observations enabling climate change mitigation 6.1
- Digital solutions exploiting space-based earth observations enabling climate change adaptation 6.2

- Digital solutions exploiting space-based earth observations enabling the protection and restoration of biodiversity and ecosystems 6.3
- Digital solutions exploiting space-based earth observations enabling pollution prevention and control 6.4
- Digital solutions exploiting space-based earth observations enabling sustainable use of waters and marine resources, and their protection 6.5
- Provision of data-driven solutions enabling to prolong asset's lifetime, provide value chain material and product information, or enable product designers to make a substantial contribution to the circular economy 6.6
- Provision of data-driven solutions enabling map and monitor water quality and scarcity, and manufacture of equipment enabling the efficient use and treatment of water resources 6.7

## Sector 7: Disaster risk management

Please select as many answers as you like

- Emergency services – Emergency health services 7.1
- Emergency services – Disaster response coordination 7.2
- Emergency services – Disaster relief 7.3
- Emergency services – Search and rescue 7.4
- Emergency services – Hazardous materials response 7.5
- Emergency services – Firefighting 7.6
- Emergency services – Technical protection response and assistance 7.7
- Flood risk prevention and protection infrastructure for inland and coastal floods 7.8
- Nature based solutions (Nbs) for flood risk prevention and protection for both inland and coastal waters 7.9

## Sector 8: Transport

Please select as many answers as you like

- Sea and coastal freight water transport 8.1
- Sea and coastal passenger water transport 8.2
- Retrofit and upgrade of vessels for the transport of freight on vessels designed for operating on sea or coastal waters 8.3
- Retrofit and upgrade of vessels for the transport of passengers on vessels designed for operating on sea or coastal waters 8.4
-

- Inland freight water transport 8.5
- Inland passenger water transport 8.6
- Urban and suburban passenger land public transport 8.7
- Transport by motorbikes, passenger cars and light commercial vehicles 8.8
- Manufacturing of aircraft 8.9
- Passenger air transport 8.10
- Air transportation ground handling operations 8.11

## **Sector 9: Restoration, remediation**

Please select as many answers as you like

- Conservation of habitats/ecosystems 9.1
- Restoration of ecosystems for protection and restoration of biodiversity and ecosystems 9.2
- Restoration of ecosystems for climate change adaptation 9.3
- Remediation activities enabling restoration of waterbodies 9.4
- Remediation activities for the transition to a circular economy 9.5
- Remediation activities for pollution prevention and control 9.6
- Remediation activities enabling restoration of ecosystems 9.7

## **Sector 10: Tourism**

- Hotels, holiday, camping grounds and similar accommodation 10.1

## **Sector 11: Water supply**

Please select as many answers as you like

- Water supply 11.1
- Desalination 11.2

## **Sector 12: Sewerage**

Please select as many answers as you like

- Urban wastewater treatment 12.1
- Phosphorus recovery 12.2
- Production of alternative water resources 12.3
- Sustainable urban drainage systems (SUDs) 12.4

## **Sector 13: Waste management**

Please select as many answers as you like

- Collection and transport of non-hazardous and hazardous waste 13.1
- Separate collection and transport of hazardous waste 13.2
- Treatment of hazardous waste as a means for pollution prevention and control 13.3
- Treatment of hazardous waste as a means for material recovery 13.4
- Recovery of bio-waste by anaerobic digestion and/or composting 13.5
- Remediation of legally non-conforming landfills and abandoned or illegal waste dumps 13.6
- Depollution and dismantling of end-of-life products for material recovery 13.7
- Sorting and material recovery of non-hazardous waste 13.8
- Preparation for re-use of end-of-life products and components they are made of having become waste 13.9

## **Sector 14: Services**

Please select as many answers as you like

- Provision of electrical and electronic equipment through circular business models 14.1
- Provision of repair and maintenance services and of directly related activities 14.2

## **On which aspect(s) of this activity would you like to comment?**

Please select as many answers as you like

- The description/boundary of the activity
- The substantial contribution TSC
- The DNSH TSC

## **On which aspect(s) of this activity would you like to comment?**

Please select as many answers as you like

- The description/boundary of the activity
- The substantial contribution TSC
- The DNSH TSC

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Please select as many answers as you like

- The description/boundary of the activity
- The substantial contribution TSC
- The DNSH TSC

## On which aspect(s) of this activity would you like to comment?

Please select as many answers as you like

- The description/boundary of the activity
- The substantial contribution TSC
- The DNSH TSC

## Manufacture of durable electrical and electronic equipment 2.6

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## On which aspect(s) of this activity would you like to comment?

Please select as many answers as you like

- The description/boundary of the activity
- The substantial contribution TSC
- The DNSH TSC

## Description/boundary of the economic activity

## What does your comment about the description/boundary of the activity concern?

Please select as many answers as you like

- The granularity of the activity
- The boundary of the activity
- The clarity with which the activity has been defined

## Please provide a brief scientific/technical explanation and rationale as well as supporting evidence (including links to published journals and articles) for your selection:

*2000 character(s) maximum*

including spaces and line breaks, i.e. stricter than the MS Word characters counting method.

Functional durability” forces manufacturers to provide monitoring devices as additional bundled products for the electrical appliances in question. This burdens the manufacturer with the obligation to provide additional monitoring devices, either through their own product portfolio or by distribution of third-party appliances. Bundled sales leave the possibility for aftermarket products providing monitoring functionality and services providing out.

A standard exists to date on durability (EN 45552). It defines what should be taken into account under

durability, it clarifies the concepts but does not constitute a methodological guide to provide a simple roadmap for declining it for the various product families. It is important to take into account the maturity of the subject and the possibilities for improvement of the product when determining the objectives. The granularity should be precised to integrate these specificities and possibilities

## Substantial contribution technical screening criteria (TSC)

**Do you consider the ambition level set by the proposed substantial contribution criteria to be appropriate?**

- Yes
- No (please comment)
- Don't know / no opinion / not applicable

**Please provide an alternative suggestion with a brief scientific/technical explanation and rationale as well as supporting evidence (including links to published journals and articles) for your suggestion:**

*2000 character(s) maximum*

including spaces and line breaks, i.e. stricter than the MS Word characters counting method.

Concerning the generic formula of Lifetime improvement =  $1+2,5Ln$

Lower coefficient 2,5 to 1,5

rationale: The lifetime improvement expected with a coefficient of 2,5 corresponds for some products with a short lifetime to increase by 140% their lifetime, which is unreachable for economical reasons.

We agree to promote ambitious but reachable objectives. The formula should be revised and adapted to take into account the specificities and diversity of the products.

Technical durability :

Precise the threshold designated by the mention « the above listed threshold » (paragraph 2 of the part on technical durability, but also paragraph 3 of the part on functional durability)

- The conversion of cycle units in time units for B10/B50 is not obvious

-More precisions on the method: For the nominal lifetime, there is a need to compare and to base comparisons on a complementary norm, that is missing.

Replace « by one of the three top companies in the same market, other than the manufacturer” by “by one representative competitor company “

Rationale : The expression “the three top companies in the same market, other than the manufacturer” lacks of precision (who is doing this rating ? Which indicators?) to be correctly and uniformly applied.

The selection criteria of the competitor should be done under the review process

Functional durability :

Part on functional durability, second paragraph:

- First sentence, after « the offer is sold with the monitoring device”, replace « and » by « or »

- First sentence, after « that enables » add the word repair, ».

-Second sentence, after the word “sale of the monitoring device » replace « and » by « or »,

Rationale : This modification introduces repair activities in the sub-criteria of the functional durability. It is

also making the sub criteria of the monitoring device optional, and only applicable when it is coherent (which is not the case for the manufacture of small domestic appliances).

**Are there any key factors which have been omitted from the draft proposed substantial contribution criteria or that need better defining that should be addressed?**

- Yes (please comment)
- No
- Don't know / no opinion / not applicable

**Do you have any major concerns with respect to the ability to implement (e.g. technical feasibility) the proposed substantial contribution criteria?**

- Yes (please comment)
- No
- Don't know / no opinion / not applicable

**Please identify your concern(s) on the ability to implement the proposed substantial contribution criteria, together with a brief explanation and rationale as well as supporting evidence (including links to published journals and articles) for your concern(s):**

*2000 character(s) maximum*

including spaces and line breaks, i.e. stricter than the MS Word characters counting method.

The functional durability can also be improved by economical repairability, defined as the access to an approved network of repairers, allowing economical repairing activities. As a result, the curative maintenance must be integrated into the technical screening criteria of the functional durability.  
The monitoring device should remain an optional criterion to define functional durability, and only applicable when it is coherent, which is not the case for the manufacture of small domestic appliances

**Do you consider that the rationale and scientific evidence on which the proposed criteria are based is sufficient and robust?**

- Yes
- No (please comment)
- Don't know / no opinion / not applicable

**Please identify your concern(s) on the sufficiency and robustness of the rationale and scientific evidence, together with a brief explanation and rationale as well as supporting evidence (including links to published journals and articles) for your concern(s):**

*2000 character(s) maximum*



including spaces and line breaks, i.e. stricter than the MS Word characters counting method.

A standard exists to date on durability (EN 45552). It defines what should be taken into account under durability, it clarifies the concepts but does not constitute a methodological guide to provide a simple roadmap for declining it for the various product families. It is important to take into account the maturity of the subject and the possibilities for improvement of the product when determining the objectives. We should use the text already existing to have a common basis for the development of these criteria.

### **Do the criteria for the activity represent the state-of-the-art in technological and/or practice terms?**

- Yes
- No (please comment)
- Don't know / no opinion / not applicable

### **Additional information**

Should you wish to provide additional information on this activity (e.g. a position paper, report) or raise specific points not covered by the questionnaire, you can upload your additional document(s) below.

The maximum file size is 1 MB.

You can upload several files.

Only files of the type pdf,txt,doc,docx,odt,rtf are allowed

## **Manufacture of circular electrical and electronic equipment**

### **2.7**

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### **On which aspect(s) of this activity would you like to comment?**

Please select as many answers as you like

- The description/boundary of the activity
- The substantial contribution TSC
- The DNSH TSC

### **Substantial contribution technical screening criteria (TSC)**

**Do you consider the ambition level set by the proposed substantial contribution criteria to be appropriate?**

- Yes

- No (please comment)
- Don't know / no opinion / not applicable

**Please provide an alternative suggestion with a brief scientific/technical explanation and rationale as well as supporting evidence (including links to published journals and articles) for your suggestion:**

*2000 character(s) maximum*

including spaces and line breaks, i.e. stricter than the MS Word characters counting method.

Design for long lifetime », add “when applicable”, at the end of the first and second paragraph. Those conditions on software must only be mandatory when applicable. All the products do not need software to function and be circular.

Design for repair and guarantee :Diagnostic fault and error codes that can lead to security issues should not be included in the repair information.

- remove the last condition « the manufacturer provides commercial guarantee one additional year compared to requirement at no extra-cost”. The extension of the commercial guarantee should be removed from mandatory sub criteria because it doesn't contribute to the manufacture of circular products. On the contrary, this extension is only conceivable in a linear logic « to produce, to consume, to throw up, to replace” and may results in an improper use of the product, opposed, by definition, to the principles of the circular economy. The proposal mentions:Main aspects to be included in the information where applicable.” It is not specified, what “where applicable” means. Diagnostic fault and error codes that can lead to security issues should not be included in the repair information.

Exclusion of toxic substances: exclusions that are going beyond the scope of current legislation will de facto exclude all industrial goods:no information is available to manufacturers on the substances that are not yet in the scope of REACH or RoHs regulations. Data collection on substances requires intense effort in the supply chain, with often data collected over several tiers of suppliers. In practice, manufacturers are able to collect information only on SVHC substances that are in the scope of REACH and RoHs substances, thanks to the requirements from EU legislat.EU legislation enables to manage exclusions by exposure risks, rather than substance toxicity. It is important to keep consistency between EU substance legislation and EU taxonomy, so that companieonly track one referential for assessment

**Are there any key factors which have been omitted from the draft proposed substantial contribution criteria or that need better defining that should be addressed?**

- Yes (please comment)
- No
- Don't know / no opinion / not applicable

**Do you have any major concerns with respect to the ability to implement (e.g. technical feasibility) the proposed substantial contribution criteria?**

- Yes (please comment)
- No
- Don't know / no opinion / not applicable

**Please identify your concern(s) on the ability to implement the proposed substantial contribution criteria, together with a brief explanation and rationale as well as supporting evidence (including links to published journals and articles) for your concern(s):**

*2000 character(s) maximum*

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Comment on part B. Proactive substitution of hazardous substances:

All RoHS exemptions are assessed according to the criteria defined in article 5 of the Directive.

We wonder why two specific exemptions have been singled out despite all RoHS exemptions having equal justification.

They are granted for materials and applications if substitution or elimination of the hazardous substance is impracticable, not reliable or the total negative impacts outweigh the benefits.

For these materials and applications no solution without the use of hazardous substances is available yet. In case a substitution would be technically practicable, reliable and would not outweigh the benefits, the exemption would not be granted.

Applying the screening criteria of 2.7 to electrical/electronic equipment needing RoHS exemptions would not lead to a higher comparability because all such equipment would not be taxonomy aligned.

The requirements of part B. would lead to the situation that economic operators and electrical and electronic equipment needing RoHS exemptions would not be taxonomy aligned . This can prevent investments in projects that would indeed generate relevant environmental benefits but can currently only be realized by using electrical and electronic equipment applying RoHS exemptions.

We expect also the situation that bigger projects are defined to be taxonomy aligned but in the project definition phase it is not yet possible to define the last details regarding electrical and electronic components.

As a consequence, the whole project might have to be stopped or changed once it turns out that the criteria of 2.7 cannot be fulfilled. For example, a building cannot work without the door locks, air conditioning, lighting, etc. that currently use different RoHS exemptions.

1) Exclude from sentence 1 on page 204 uses or categories of uses exempted from the authorization requirement.

2) Delete sentence 2 on page 204.

See also our comment on TSC above

**Do you consider that the rationale and scientific evidence on which the proposed criteria are based is sufficient and robust?**

- Yes
- No (please comment)
- Don't know / no opinion / not applicable

**Do the criteria for the activity represent the state-of-the-art in technological and/or practice terms?**

- Yes
- No (please comment)
- Don't know / no opinion / not applicable

## Additional information

Should you wish to provide additional information on this activity (e.g. a position paper, report) or raise specific points not covered by the questionnaire, you can upload your additional document(s) below.

The maximum file size is 1 MB.

You can upload several files.

Only files of the type pdf,txt,doc,docx,odt,rtf are allowed

### On which aspect(s) of this activity would you like to comment?

Please select as many answers as you like

- The description/boundary of the activity
- The substantial contribution TSC
- The DNSH TSC

## Manufacture of equipment generating electricity and/or heat 2.9

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### On which aspect(s) of this activity would you like to comment?

Please select as many answers as you like

- The description/boundary of the activity
- The substantial contribution TSC
- The DNSH TSC

### Description/boundary of the economic activity

#### What does your comment about the description/boundary of the activity concern?

Please select as many answers as you like

- The granularity of the activity
- The boundary of the activity
- The clarity with which the activity has been defined

**Please provide a brief scientific/technical explanation and rationale as well as supporting evidence (including links to published journals and articles) for your selection:**

*2000 character(s) maximum*

including spaces and line breaks, i.e. stricter than the MS Word characters counting method.

The approach is extremely difficult, as it proposes limit values that do not refer to the production or the product (e.g. a turbine), but to the energy that is later generated with the manufactured product in a power plant - i.e. always in relation to kWh heat or electricity output of the power plant.

### **Additional information**

Should you wish to provide additional information on this activity (e.g. a position paper, report) or raise specific points not covered by the questionnaire, you can upload your additional document(s) below.

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## **Manufacture of high, medium and low voltage electrical equipment that result in or enable substantial GHG emissions reductions 2.10**

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**On which aspect(s) of this activity would you like to comment?**

Please select as many answers as you like

- The description/boundary of the activity
- The substantial contribution TSC
- The DNSH TSC

### **Description/boundary of the economic activity**

**What does your comment about the description/boundary of the activity concern?**

Please select as many answers as you like



The granularity of the activity

- The boundary of the activity
- The clarity with which the activity has been defined

**Please provide a brief scientific/technical explanation and rationale as well as supporting evidence (including links to published journals and articles) for your selection:**

*2000 character(s) maximum*

including spaces and line breaks, i.e. stricter than the MS Word characters counting method.

The current list of NACE codes (C 27.1; 27.3; 27.9) might not cover all relevant activities. The draft report should include economic activities with the following NACE Codes: C 26.51; 27.20; 33.13; 33.14; 33.20.

Granularity/clarity

The description of the activity is going into very specific details and technologies: it is important it remains generic in order to be technology neutral and future proof:

It could be modified according to the following:

“The activity manufactures high, medium and low voltage electrical equipment that result in or enable substantial contribution to climate change mitigation in other sectors of the economy. The activity includes technologies for the integration of renewable sources of energy in the Union electric grids (through the management and compensation of fluctuations of renewable energy production and demand management), the recharging of the zero emissions vehicles, energy-management and automation equipment enabling sustainability and reliability of the electricity network (at LV and MV level) such as for example as monitoring and control technologies for energy efficiency.”

Boundary

Coverage of medium & high voltage technologies: the focus is very much on low voltage, while medium and high voltage technologies that are essential for the integration of clean distributed energy resources and efficiency of the grid are missing. Although it is argued that these technologies are already covered in section 4.9 on transmission and distribution of electricity, we ask for legal certainty and clarify these technologies are also covered in the manufacturing section, and not limited to operations.

## Substantial contribution technical screening criteria (TSC)

**Do you consider the ambition level set by the proposed substantial contribution criteria to be appropriate?**

- Yes
- No (please comment)
- Don't know / no opinion / not applicable

**Please provide an alternative suggestion with a brief scientific/technical explanation and rationale as well as supporting evidence (including links to published journals and articles) for your suggestion:**

*2000 character(s) maximum*

including spaces and line breaks, i.e. stricter than the MS Word characters counting method.

TSC are too restrictive, focusing on specific technologies, that are not capturing the full enabling potential of electrical equipment (EE). They require the use of connected EE. This fails to consider that EE is part of a system, in which some elements are connected while some are not. In addition, HV and MV technologies should be included in this section and not be only covered in section 4.9, to make sure it covers the full manufacturing chain, from high to low voltage. Proposed changes:

c) High, Medium and Low voltage equipment and systems (in residential or commercial or industrial building applications for low voltage) to increase the controllability of the electricity system, integrate renewable energy (RE) and generate energy efficiency:

Add:

- Smart EE to protect the electrical grid (automated switchgears)
- Sensors and measurement tools (including meteorological sensors for forecasting renewable production);
- demand-side management services allowing the integration of prosumers in the energy system (including EV, renewables, storage) and supporting grid stability;
- Equipment and systems ensuring safe delivery of energy to users: wiring devices, busbars, cables managements systems.
- EE to ensure that electrical assets are safely managed and people are protected (e.g. MCBs, RCCBs, emergency lighting, access control);
- Electrical devices ensuring and improving the measurement and monitoring of electricity installations;
- Stand-alone or embedded controllers/relays to enabling an efficient use of electrical sources and loads

amend:

- Connected circuit breakers, switchgear and controlgear etc

Text to be continued in another box.

**Are there any key factors which have been omitted from the draft proposed substantial contribution criteria or that need better defining that should be addressed?**

- Yes (please comment)
- No
- Don't know / no opinion / not applicable

**Please identify the missing aspects or the improved definitions together with a brief scientific/technical explanation and rationale as well as supporting evidence (including links to published journals and articles) for your suggestion(s)**

*2000 character(s) maximum*

including spaces and line breaks, i.e. stricter than the MS Word characters counting method.

Gap in the proposed scope/key missing elements

Manufacturing of the industrial products and processes that enable industries included in DA on climate

change mitigation to reduce their energy consumption and transition towards decarbonization and environment protection are not covered. This should include:Electrical motors, variable speed drives and contactors:

- In Europe, the savings potential of drive systems is about 89 TWh. This is equal to about 8 billion euros in energy costs per year: 72 TWh can be saved by using variable speed drives and 17 TWh by using energy-efficient motors .
- Motors and drives themselves are covered by Ecodesign requirements for energy-related products , in light of their huge potential. The Ecodesign implementing regulation for motors and drives has been recently revised in 2019 .
- Automation and control systems (ACS): ACS are key to optimize the energy demand, resources and overall GHG emissions optimization in industrial facilities. Demand-driven automation technology alone could deliver additional energy savings of between 10 % and 25 % in machines and plants in Germany .EC recognised the importance of energy management system (EMS) within the EED (EMS is to become compulsory for industrial sites using more than 100 TJ per year) .

**Do you have any major concerns with respect to the ability to implement (e.g. technical feasibility) the proposed substantial contribution criteria?**

- Yes (please comment)
- No
- Don't know / no opinion / not applicable

**Please identify your concern(s) on the ability to implement the proposed substantial contribution criteria, together with a brief explanation and rationale as well as supporting evidence (including links to published journals and articles) for your concern(s):**

*2000 character(s) maximum*

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Continued from SC TSC/ambition level:

d) amend according to the following:

- Automated technologies for load and/or source management restricted to including energy control centers (ECCs) and their core components: Smart switchboards, connected contactors, connected relays, connected circuit breakers, load shedding equipment and source switching equipment (incl. automatic transfer switches). Core components must be installed as part of ECCs.

e) Amend according to the following:

- Advanced software and analytics to maximise energy efficiency and consumption of DER renewable energy ((incl. advanced software and control rooms, automation of substations of feeders, and voltage control capabilities). Need to prove technologies is used to integrate distributed energy resources (EV, RE, heat pumps etc.)Advanced software and analytics to maximise energy efficiency and consumption of Distributed Energy resources renewable energy ((including advanced software and control rooms, automation of substations of feeders, and voltage control capabilities). Need to prove technologies is used to integrate distributed energy resources (EV, RE, heat pumps etc.)
- Real-time network supervision software enabling integration of distributed energy resources, energy efficiency and investment optimization.



**Do you consider that the rationale and scientific evidence on which the proposed criteria are based is sufficient and robust?**

- Yes
- No (please comment)
- Don't know / no opinion / not applicable

**Please identify your concern(s) on the sufficiency and robustness of the rationale and scientific evidence, together with a brief explanation and rationale as well as supporting evidence (including links to published journals and articles) for your concern(s):**

*2000 character(s) maximum*

including spaces and line breaks, i.e. stricter than the MS Word characters counting method.

The current draft of technical screening criteria includes a list of standards which represent a clear supporting evidence of the enabling function of the electrical equipment. These standards are international recognized standards, revised on a regular basis to ensure the relevant level of ambition.

The introductory sentence should be slightly modified to be better accurate:  
“The economic activity manufactures electrical equipment that complies with or that can be used in installation in compliance with the latest regulations and standards, that increase the energy performance and the development and integration of renewable energy sources, in particular with the following standards where relevant: “

The following additional standards could also be added:

- IEC TS 62786: Distributed energy resources connection with the grid
- IEC 62557-12: Equipment for testing, measuring or monitoring of protective measures - Part 12: Power metering and monitoring devices (PMD) - Part 1: Device requirements
- IEC 62974-1: Monitoring and measuring systems used for data collection, gathering and analysis
- ISO 50001 Energy Management Systems
- IEC 62962:2019 Particular requirements for load-shedding equipment (LSE)
- IEC 63044 Home and Building Electronic Systems (HBES) and Building Automation and Control Systems (BACS)

**Do the criteria for the activity represent the state-of-the-art in technological and/or practice terms?**

- Yes
- No (please comment)
- Don't know / no opinion / not applicable

**Please identify your concern(s) on the criteria for the activity, together with a brief explanation and rationale as well as supporting evidence (including links to published journals and articles) for your concern(s):**

*2000 character(s) maximum*

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We refer to the answer above.

## Do No Significant Harm (DNSH) technical screening criteria (TSC)

**Does the proposed DNSH criteria ensure no significant harm to the environmental objective?**

- Yes
- No (please comment)
- Don't know / no opinion / not applicable

**Are there any key factors which have been omitted from the draft proposed DNSH criteria or that need better defining?**

- Yes (please comment)
- No
- Don't know / no opinion / not applicable

**Do you have any major concerns with respect to the ability to implement (e.g. technical feasibility) the proposed DNSH criteria?**

- Yes (please comment)
- No
- Don't know / no opinion / not applicable

**Please identify your concern(s) on the ability to implement the proposed DNSH criteria, together with a brief explanation and rationale as well as supporting evidence (including links to published journals and articles) for your concern(s):**

*2000 character(s) maximum*

including spaces and line breaks, i.e. stricter than the MS Word characters counting method.

On the DNSH criteria on (5) Pollution prevention and control: it refers to the DNSH as set out in Appendix C of Annex 1 to the Commission Delegated Regulation (EU) .../... supplementing Regulation (EU) 2020/852.

Appendix C of Annex I covers the DNSH for pollution prevention and control regarding use and presence of chemicals. Some criteria that have been adopted are not applicable: this concerns criteria (f) and (g):

- They both use the concept of 'use proven to be essential for the society', which does not exist in EU legislation.
- Additionally, substances of article 57 of regulation are not forbidden in EU legislation today.

These two specific criteria go beyond other criteria (a) to (e) of Appendix C, and if interpreted strictly would

disqualify most industrial activities. In addition, criteria (f) and (g) open the door to wide interpretation on their meaning and scope, which simply makes them inapplicable.

## Additional information

Should you wish to provide additional information on this activity (e.g. a position paper, report) or raise specific points not covered by the questionnaire, you can upload your additional document(s) below.

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## Manufacture of machinery enabling closed-loop systems, and high-quality waste collection and waste management

### 2.11

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### On which aspect(s) of this activity would you like to comment?

Please select as many answers as you like

- The description/boundary of the activity
- The substantial contribution TSC
- The DNSH TSC

### Substantial contribution technical screening criteria (TSC)

**Do you consider the ambition level set by the proposed substantial contribution criteria to be appropriate?**

- Yes
- No (please comment)
- Don't know / no opinion / not applicable

**Are there any key factors which have been omitted from the draft proposed substantial contribution criteria or that need better defining that should be addressed?**

- Yes (please comment)
- No

- Don't know / no opinion / not applicable

**Do you have any major concerns with respect to the ability to implement (e.g. technical feasibility) the proposed substantial contribution criteria?**

- Yes (please comment)
- No
- Don't know / no opinion / not applicable

**Please identify your concern(s) on the ability to implement the proposed substantial contribution criteria, together with a brief explanation and rationale as well as supporting evidence (including links to published journals and articles) for your concern(s):**

*2000 character(s) maximum*

including spaces and line breaks, i.e. stricter than the MS Word characters counting method.

The introduction of third-party verifications in sections 2.11 to 2.14 is another reason for concern for our industry. In particular, we highlight the cost of performing listed assessments. Also, we would welcome more clarities on this part as well as for the Platform to consider introducing a self-assessment.

**Do you consider that the rationale and scientific evidence on which the proposed criteria are based is sufficient and robust?**

- Yes
- No (please comment)
- Don't know / no opinion / not applicable

**Do the criteria for the activity represent the state-of-the-art in technological and/or practice terms?**

- Yes
- No (please comment)
- Don't know / no opinion / not applicable

**Do No Significant Harm (DNSH) technical screening criteria (TSC)**

**Does the proposed DNSH criteria ensure no significant harm to the environmental objective?**

- Yes
- No (please comment)
-

Don't know / no opinion / not applicable

**Are there any key factors which have been omitted from the draft proposed DNSH criteria or that need better defining?**

- Yes (please comment)
- No
- Don't know / no opinion / not applicable

**Do you have any major concerns with respect to the ability to implement (e.g. technical feasibility) the proposed DNSH criteria?**

- Yes (please comment)
- No
- Don't know / no opinion / not applicable

**Please identify your concern(s) on the ability to implement the proposed DNSH criteria, together with a brief explanation and rationale as well as supporting evidence (including links to published journals and articles) for your concern(s):**

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There are repetitions and inconsistencies in the DNSH, with even some objectives that are missing. These parts need to be reviewed.

For several objectives, even sometimes under the same activities, a life cycle performance assessment is required, including performance above average compared to technologies with a similar purpose currently available on the market. The use of Recommendation 2013/179/EU is also required as well as verification by an independent third party etc.

These requirements goes beyond the DNSH principles, and constitute additional technical screening criteria through the DNSH. Adding LCA to be compared with available technologies, with a third-party assessment etc. makes it impossible to implement these requirements.

## **Additional information**

Should you wish to provide additional information on this activity (e.g. a position paper, report) or raise specific points not covered by the questionnaire, you can upload your additional document(s) below.

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You can upload several files.

# Manufacture of machinery, equipment and solutions enabling a substantial contribution to the circular economy

## 2.12

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### On which aspect(s) of this activity would you like to comment?

Please select as many answers as you like

- The description/boundary of the activity
- The substantial contribution TSC
- The DNSH TSC

### Description/boundary of the economic activity

### What does your comment about the description/boundary of the activity concern?

Please select as many answers as you like

- The granularity of the activity
- The boundary of the activity
- The clarity with which the activity has been defined

### Please provide a brief scientific/technical explanation and rationale as well as supporting evidence (including links to published journals and articles) for your selection:

*2000 character(s) maximum*

including spaces and line breaks, i.e. stricter than the MS Word characters counting method.

On the description/scope of the activity: An economic activity under this category should not only be able to contribute as an enabling activity but also as an economic activity contributing directly itself to the Circular Economy. This could be the case by proving that the economic activity contributes to Circular Economy activities like durability, repair, reuse, remanufacture and/or recycle by using the European Standards for energy-related products (EN 45552-45557:2020) with a self-declaration.

Regarding the proposed technical criteria, the requirement for a direct link would have the consequence to exclude all activities that are done "indirect, through partners (a distributor, EPC company, installer, system assembler and commissioner, etc.) is involved. It should be allowed for manufacturers to document the use of their technologies, even in cases where this is not a "direct sale".

Edit proposal: remove "direct" in the title of point 1 (direct link...) and add indirect in the following sentence: "The activity directly or indirectly sells an equipment..."

## Substantial contribution technical screening criteria (TSC)

Do you consider the **ambition level** set by the proposed substantial contribution criteria to be appropriate?

- Yes
- No (please comment)
- Don't know / no opinion / not applicable

Are there any **key factors which have been omitted** from the draft proposed substantial contribution criteria or that **need better defining** that should be addressed?

- Yes (please comment)
- No
- Don't know / no opinion / not applicable

Do you have any major concerns with respect to the **ability to implement** (e.g. technical feasibility) the proposed substantial contribution criteria?

- Yes (please comment)
- No
- Don't know / no opinion / not applicable

Do you consider that the **rationale and scientific evidence** on which the proposed criteria are based is **sufficient and robust**?

- Yes
- No (please comment)
- Don't know / no opinion / not applicable

Do the criteria for the activity **represent the state-of-the-art in technological and/or practice terms**?

- Yes
- No (please comment)
- Don't know / no opinion / not applicable

## Do No Significant Harm (DNSH) technical screening criteria (TSC)

Does the proposed DNSH criteria ensure no significant harm to the environmental objective?

-

Yes

- No (please comment)
- Don't know / no opinion / not applicable

**Are there any key factors which have been omitted from the draft proposed DNSH criteria or that need better defining?**

- Yes (please comment)
- No
- Don't know / no opinion / not applicable

**Do you have any major concerns with respect to the ability to implement (e.g. technical feasibility) the proposed DNSH criteria?**

- Yes (please comment)
- No
- Don't know / no opinion / not applicable

**Please identify your concern(s) on the ability to implement the proposed DNSH criteria, together with a brief explanation and rationale as well as supporting evidence (including links to published journals and articles) for your concern(s):**

*2000 character(s) maximum*

including spaces and line breaks, i.e. stricter than the MS Word characters counting method.

The Do Not Significantly Harm Criteria (DNSH) are problematic for 4 main reasons:

- First they are departing from the ones proposed under the first delegated acts, adding additional requirements. It should be aligned from the existing, to avoid inconsistencies and divergence with the existing.
- Secondly, the DNSH criteria are required a life cycle assessment (LCA) that is comparative, audited by a third party and published. This goes beyond the purpose of DNSH, constituting de facto additional technical screening criteria.
- Third, LCA is meant for products not for systems and would simply be impossible to implement.
- Fourth, it refers to the DNSH as set out in Appendix C of Annex 1 to the Commission Delegated Regulation (EU) .../... supplementing Regulation (EU) 2020/852

Appendix C of Annex I deals with the DNSH for pollution prevention and control regarding use and presence of chemicals. Some criteria that have been adopted are actually not applicable: this concerns criteria (f) and (g):

- They both use the concept of 'use proven to be essential for the society', which does not exist in EU legislation.
- Additionally, substances of article 57 of regulation are not forbidden in EU legislation today.

These two specific criteria go beyond other criteria (a) to (e) of Appendix C, and if interpreted strictly would disqualify most industrial activities. In addition, criteria (f) and (g) open doors to wide interpretation on their meaning and scope, which simply makes them unapplicable.



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## Additional information

Should you wish to provide additional information on this activity (e.g. a position paper, report) or raise specific points not covered by the questionnaire, you can upload your additional document(s) below.

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## Manufacture of machinery, equipment and solutions enabling a substantial contribution to pollution prevention and control 2.13

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### On which aspect(s) of this activity would you like to comment?

Please select as many answers as you like

- The description/boundary of the activity
- The substantial contribution TSC
- The DNSH TSC

### Substantial contribution technical screening criteria (TSC)

Do you consider the **ambition level** set by the proposed substantial contribution criteria to be appropriate?

- Yes
- No (please comment)
- Don't know / no opinion / not applicable

Are there any **key factors which have been omitted** from the draft proposed substantial contribution criteria or that **need better defining** that should be addressed?

- Yes (please comment)
- No
- Don't know / no opinion / not applicable

**Please identify the missing aspects or the improved definitions together with a brief scientific/technical explanation and rationale as well as supporting evidence (including links to published journals and articles) for your suggestion(s)**

*2000 character(s) maximum*

including spaces and line breaks, i.e. stricter than the MS Word characters counting method.

There is no need to impose strict requirements on manufactures to document a direct link between the enabling technology and the taxonomy alignment of the end user. This represents a significant restriction of the scope for enabling technologies compared to similar categories in the DA Climate. e.g., Section 3.6. of the DA Climate “Manufacture of other low carbon technologies”. In fact, technologies supporting pollution prevention and protection of water resources are similar to section 3.6. “Other low carbon technologies” of the DA Climate , where the TSC only relate to the performance of the enabling technology itself. Such technologies can only be applied in ways that have a positive impact on the environment. Consequently, the TSCs for the enabling technologies for pollution control and protection of water resources should be redesigned with inspiration from the TSCs of section 3.6. on “Other low carbon technologies” of the DA Climate. This includes: Description of enabling technologies qualifying under the scope (e.g. components, equipment, solutions and or technologies which directly from their application contribute to increased water efficiency or pollution reduction in other economic sectors; Setting performance for the intended use of the technology inspired by those in section 3.6 in the DA Climate, i.e. best in class criteria.

**Do you have any major concerns with respect to the **ability to implement (e.g. technical feasibility) the proposed substantial contribution criteria?****

- Yes (please comment)
- No
- Don't know / no opinion / not applicable

**Do you consider that the **rationale and scientific evidence** on which the proposed criteria are based is **sufficient and robust?****

- Yes
- No (please comment)
- Don't know / no opinion / not applicable

**Do the criteria for the activity represent the **state-of-the-art in technological and/or practice terms?****

- Yes
- No (please comment)
- Don't know / no opinion / not applicable

**Do No Significant Harm (DNSH) technical screening criteria (TSC)**

**Does the proposed DNSH criteria ensure no significant harm to the environmental objective?**

- Yes
- No (please comment)
- Don't know / no opinion / not applicable

**Are there any key factors which have been omitted from the draft proposed DNSH criteria or that need better defining?**

- Yes (please comment)
- No
- Don't know / no opinion / not applicable

**Do you have any major concerns with respect to the ability to implement (e.g. technical feasibility) the proposed DNSH criteria?**

- Yes (please comment)
- No
- Don't know / no opinion / not applicable

**Please identify your concern(s) on the ability to implement the proposed DNSH criteria, together with a brief explanation and rationale as well as supporting evidence (including links to published journals and articles) for your concern(s):**

*2000 character(s) maximum*

including spaces and line breaks, i.e. stricter than the MS Word characters counting method.

The Do Not Significantly Harm Criteria (DNSH) are problematic for 4 main reasons:

- First they are departing from the ones proposed under the first delegated acts, adding additional requirements. It should be aligned from the existing, to avoid inconsistencies and divergence with the existing.
- Secondly, the DNSH criteria are required a life cycle assessment (LCA) that is comparative, audited by a third party and published. This goes beyond the purpose of DNSH, constituting de facto additional technical screening criteria.
- Third, LCA is meant for products not for systems and would simply be impossible to implement.
- Fourth, it refers to the DNSH as set out in Appendix C of Annex 1 to the Commission Delegated Regulation (EU) .../... supplementing Regulation (EU) 2020/852

Appendix C of Annex I deals with the DNSH for pollution prevention and control regarding use and presence of chemicals. Some criteria that have been adopted are actually not applicable: this concerns criteria (f) and (g):

- They both use the concept of 'use proven to be essential for the society', which does not exist in EU legislation.
- Additionally, substances of article 57 of regulation are not forbidden in EU legislation today.

These two specific criteria go beyond other criteria (a) to (e) of Appendix C, and if interpreted strictly would disqualify most industrial activities. In addition, criteria (f) and (g) open doors to wide interpretation on their meaning and scope, which simply makes them inapplicable.

## Additional information

Should you wish to provide additional information on this activity (e.g. a position paper, report) or raise specific points not covered by the questionnaire, you can upload your additional document(s) below.

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## Manufacture of machinery, equipment and solutions enabling a substantial contribution the sustainable use and protection of water and marine resources 2.14

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### On which aspect(s) of this activity would you like to comment?

Please select as many answers as you like

- The description/boundary of the activity
- The substantial contribution TSC
- The DNSH TSC

### Substantial contribution technical screening criteria (TSC)

**Do you consider the ambition level set by the proposed substantial contribution criteria to be appropriate?**

- Yes
- No (please comment)
- Don't know / no opinion / not applicable

**Are there any key factors which have been omitted from the draft proposed substantial contribution criteria or that need better defining that should be addressed?**

- Yes (please comment)

- No
- Don't know / no opinion / not applicable

**Please identify the missing aspects or the improved definitions together with a brief scientific/technical explanation and rationale as well as supporting evidence (including links to published journals and articles) for your suggestion(s)**

*2000 character(s) maximum*

including spaces and line breaks, i.e. stricter than the MS Word characters counting method.

there is no need to impose strict requirements on manufactures to document a direct link between the enabling technology and the taxonomy alignment of the end user. This represents a significant restriction of the scope for enabling technologies compared to similar categories in the DA Climate. e.g., Section 3.6. of the DA Climate "Manufacture of other low carbon technologies". In fact, technologies supporting pollution prevention and protection of water resources are similar to section 3.6. "Other low carbon technologies" of the DA Climate , where the TSC only relate to the performance of the enabling technology itself. Such technologies can only be applied in ways that have a positive impact on the environment. Consequently, the TSCs for the enabling technologies for pollution control and protection of water resources should be redesigned with inspiration from the TSCs of section 3.6. on "Other low carbon technologies" of the DA Climate. This includes: Description of enabling technologies qualifying under the scope (e.g. components, equipment, solutions and or technologies which directly from their application contribute to increased water efficiency or pollution reduction in other economic sectors; Setting performance for the intended use of the technology inspired by those in section 3.6 in the DA Climate, i.e. best in class criteria.

**Do you have any major concerns with respect to the ability to implement (e.g. technical feasibility) the proposed substantial contribution criteria?**

- Yes (please comment)
- No
- Don't know / no opinion / not applicable

**Do you consider that the rationale and scientific evidence on which the proposed criteria are based is sufficient and robust?**

- Yes
- No (please comment)
- Don't know / no opinion / not applicable

**Do the criteria for the activity represent the state-of-the-art in technological and/or practice terms?**

- Yes
- No (please comment)
- Don't know / no opinion / not applicable

## Do No Significant Harm (DNSH) technical screening criteria (TSC)

**Does the proposed DNSH criteria ensure no significant harm to the environmental objective?**

- Yes
- No (please comment)
- Don't know / no opinion / not applicable

**Are there any key factors which have been omitted from the draft proposed DNSH criteria or that need better defining?**

- Yes (please comment)
- No
- Don't know / no opinion / not applicable

**Do you have any major concerns with respect to the ability to implement (e.g. technical feasibility) the proposed DNSH criteria?**

- Yes (please comment)
- No
- Don't know / no opinion / not applicable

**Please identify your concern(s) on the ability to implement the proposed DNSH criteria, together with a brief explanation and rationale as well as supporting evidence (including links to published journals and articles) for your concern(s):**

*2000 character(s) maximum*

including spaces and line breaks, i.e. stricter than the MS Word characters counting method.

The Do Not Significantly Harm Criteria (DNSH) are problematic for 4 main reasons:

- First they are departing from the ones proposed under the first delegated acts, adding additional requirements. It should be aligned from the existing, to avoid inconsistencies and divergence with the existing.
- Secondly, the DNSH criteria are required a life cycle assessment (LCA) that is comparative, audited by a third party and published. This goes beyond the purpose of DNSH, constituting de facto additional technical screening criteria.
- Third, LCA is meant for products not for systems and would simply be impossible to implement.
- Fourth, it refers to the DNSH as set out in Appendix C of Annex 1 to the Commission Delegated Regulation (EU) .../... supplementing Regulation (EU) 2020/852

Appendix C of Annex I deals with the DNSH for pollution prevention and control regarding use and presence of chemicals. Some criteria that have been adopted are actually not applicable: this concerns criteria (f) and (g):

- They both use the concept of 'use proven to be essential for the society', which does not exist in EU legislation.

- Additionally, substances of article 57 of regulation are not forbidden in EU legislation today.

These two specific criteria go beyond other criteria (a) to (e) of Appendix C, and if interpreted strictly would disqualify most industrial activities. In addition, criteria (f) and (g) open doors to wide interpretation on their meaning and scope, which simply makes them unapplicable.

## Additional information

Should you wish to provide additional information on this activity (e.g. a position paper, report) or raise specific points not covered by the questionnaire, you can upload your additional document(s) below.

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You can upload several files.

Only files of the type pdf,txt,doc,docx,odt,rtf are allowed

### On which aspect(s) of this activity would you like to comment?

Please select as many answers as you like

- The description/boundary of the activity
- The substantial contribution TSC
- The DNSH TSC

### On which aspect(s) of this activity would you like to comment?

Please select as many answers as you like

- The description/boundary of the activity
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- The substantial contribution TSC
- The DNSH TSC

## Electricity generation from wind power 3.5

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### On which aspect(s) of this activity would you like to comment?

Please select as many answers as you like

- The description/boundary of the activity
- The substantial contribution TSC
- The DNSH TSC

### Substantial contribution technical screening criteria (TSC)

#### Do you consider the **ambition level** set by the proposed substantial contribution criteria to be appropriate?

- Yes
- No (please comment)
- Don't know / no opinion / not applicable

#### Please provide an alternative suggestion with a brief scientific/technical explanation and rationale as well as supporting evidence (including links to published journals and articles) for your suggestion:

*2000 character(s) maximum*

including spaces and line breaks, i.e. stricter than the MS Word characters counting method.

From the point of view of wind turbine manufacturers, the limit values have a good level of ambition and appear fundamentally feasible. Some limit values could not yet be assessed, as methodological questions need to be clarified (e.g. PM10 per kWh) or the specifications are not sufficiently clear or need to be clarified (e.g. painting and coating). Difficulties of understanding arise regarding to the methodology. According to the specification, the limit values are to be calculated using the Product Environmental Footprint (PEF) method. According to our assessment, not all indicators given can be calculated directly with PEF. For example, the acidification potential in PEF would be given in the unit Mole H+ eq, but it is given in the specifications in the unit kg SO2eq. This means that, we would have to calculate with e.g. CML or ReCiPe. Another example is that PM10eq/kWh would have to be calculated separately

#### Are there any **key factors which have been omitted** from the draft proposed substantial contribution criteria or that need better defining that should be addressed?

- Yes (please comment)
- No
- Don't know / no opinion / not applicable

**Do you have any major concerns with respect to the ability to implement (e.g. technical feasibility) the proposed substantial contribution criteria?**

- Yes (please comment)
- No
- Don't know / no opinion / not applicable

**Do you consider that the rationale and scientific evidence on which the proposed criteria are based is sufficient and robust?**

- Yes
- No (please comment)
- Don't know / no opinion / not applicable

**Please identify your concern(s) on the sufficiency and robustness of the rationale and scientific evidence, together with a brief explanation and rationale as well as supporting evidence (including links to published journals and articles) for your concern(s):**

*2000 character(s) maximum*

including spaces and line breaks, i.e. stricter than the MS Word characters counting method.

It would be good if the Commission/Platform could provide more transparency regarding the process of setting the values/thresholds. In EU law, values for NOx, SO2 etc. are normally measured and stated in mg /Nm3.

It should be clearly stated which equivalence factors are to be used for acidification, photochemical ozone creation, eutrophication

Lack of clarity can lead to values for different power plants/companies, etc. that are not comparable. It does not make sense to have a point 2.9 that has the title "Manufacture of equipment generating electricity and/or heat" and then does not refer to the "manufacture", but to the life-cycle emissions of what is produced

**Do the criteria for the activity represent the state-of-the-art in technological and/or practice terms?**

- Yes
- No (please comment)
- Don't know / no opinion / not applicable

**Do No Significant Harm (DNSH) technical screening criteria (TSC)**

**Does the proposed DNSH criteria ensure no significant harm to the environmental objective?**

- Yes
- No (please comment)

- Don't know / no opinion / not applicable

**Are there any key factors which have been omitted from the draft proposed DNSH criteria or that need better defining?**

- Yes (please comment)
- No
- Don't know / no opinion / not applicable

**Do you have any major concerns with respect to the ability to implement (e.g. technical feasibility) the proposed DNSH criteria?**

- Yes (please comment)
- No
- Don't know / no opinion / not applicable

**Please identify your concern(s) on the ability to implement the proposed DNSH criteria, together with a brief explanation and rationale as well as supporting evidence (including links to published journals and articles) for your concern(s):**

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There is still a need for clarification of some do-no-significant-harm criteria. For example, it must be clarified what is meant by energy in "The activity manufactures the equipment using energy with direct emissions lower than 270gCO<sub>2</sub>/kWh", does this also include energy for transport on the production site? Currently, manufacturers assume that e.g. transport to and from production sites is not included. This should also not be included, as this is not in the hands of the manufacturers. There is also a need for clarification on physical climate risks, e.g. what the term lifetime refers to in relation to "performance of the economic activity during its expected lifetime". For a company or a production site, unlike for a product, no lifetime is defined /indicated.

## **Additional information**

Should you wish to provide additional information on this activity (e.g. a position paper, report) or raise specific points not covered by the questionnaire, you can upload your additional document(s) below.

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- The substantial contribution TSC
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### On which aspect(s) of this activity would you like to comment?

Please select as many answers as you like

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**Provision of data-driven solutions enabling to prolong asset's lifetime, provide value chain material and product information, or enable product designers to make a substantial contribution to the circular economy 6.6**

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## On which aspect(s) of this activity would you like to comment?

Please select as many answers as you like

- The description/boundary of the activity
- The substantial contribution TSC
- The DNSH TSC

## Do No Significant Harm (DNSH) technical screening criteria (TSC)

### Does the proposed DNSH criteria ensure no significant harm to the environmental objective?

- Yes
- No (please comment)
- Don't know / no opinion / not applicable

### Are there any key factors which have been omitted from the draft proposed DNSH criteria or that need better defining?

- Yes (please comment)
- No
- Don't know / no opinion / not applicable

### Do you have any major concerns with respect to the ability to implement (e.g. technical feasibility) the proposed DNSH criteria?

- Yes (please comment)
- No
- Don't know / no opinion / not applicable

### Please identify your concern(s) on the ability to implement the proposed DNSH criteria, together with a brief explanation and rationale as well as supporting evidence (including links to published journals and articles) for your concern(s):

*2000 character(s) maximum*

including spaces and line breaks, i.e. stricter than the MS Word characters counting method.

The DNSH criteria for the climate change mitigation obligation are not acceptable:

- They are talking about "equipment" while in the ICT part dealing mainly with softwares, monitoring systems etc.
- The LCA of such systems is therefore not possible to conduct, as applying to products
- Additionally, the DNSH criteria is a duplication of the technical screening criteria applying under section 8.2 8.2. Data-driven solutions for GHG emissions reductions of the delegated act on climate change mitigation (see below) but talking about life cycle performance.

These requirements goes beyond the DNSH principles, and constitute additional technical screening criteria through the DNSH, not even aligned with the one under climate change mitigation.

- Additionally, the DNSH for pollution prevention and control are adding additional requirements, while they should be aligned with the ones existing in the first climate change mitigation delegated act. It should refer the DNSH as set out in Appendix C of Annex 1 to the Commission Delegated Regulation (EU) .../... supplementing Regulation (EU) 2020/852 provided some changes are made:

Some criteria that have been adopted are actually not applicable: this concerns criteria (f) and (g):

- They both use the concept of 'use proven to be essential for the society', which does not exist in EU legislation.
- Additionally, substances of article 57 of regulation are not forbidden in EU legislation today.

These two specific criteria go beyond other criteria (a) to (e) of Appendix C, and if interpreted strictly would disqualify most industrial activities. In addition, criteria (f) and (g) open doors to wide interpretation on their meaning and scope, which simply makes them inapplicable.

## Additional information

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## Provision of data-driven solutions enabling map and monitor water quality and scarcity, and manufacture of equipment enabling the efficient use and treatment of water resources 6.7

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### On which aspect(s) of this activity would you like to comment?

Please select as many answers as you like

- The description/boundary of the activity
- The substantial contribution TSC
- The DNSH TSC

### Do No Significant Harm (DNSH) technical screening criteria (TSC)

**Does the proposed DNSH criteria ensure no significant harm to the environmental objective?**

- Yes
- No (please comment)
- Don't know / no opinion / not applicable

**Are there any key factors which have been omitted from the draft proposed DNSH criteria or that need better defining?**

- Yes (please comment)
- No
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**Do you have any major concerns with respect to the ability to implement (e.g. technical feasibility) the proposed DNSH criteria?**

- Yes (please comment)
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- The LCA of such systems is therefore not possible to conduct, as applying to products
- Additionally, the DNSH criteria is a duplication of the technical screening criteria applying under section 8.2 8.2. Data-driven solutions for GHG emissions reductions of the delegated act on climate change mitigation (see below) but talking about life cycle performance.

These requirements goes beyond the DNSH principles, and constitute additional technical screening criteria through the DNSH, not even aligned with the one under climate change mitigation.

8.2. Data-driven solutions for GHG emissions reductions

1. The ICT solutions are predominantly used for the provision of data and analytics enabling GHG emission reductions.

2. Where an alternative solution/technology is already available on the market, the ICT solution demonstrates substantial life-cycle GHG emission savings compared to the best performing alternative solution/technology. Life-cycle GHG emissions and net emissions are calculated using Recommendation 2013/179/EU or, alternatively, using ETSI ES 203 199311 , ISO 14067:2018312 or ISO 14064- 2:2019313 .

Quantified life-cycle GHG emission reductions are verified by an independent third party which transparently assesses how the standard criteria, including those for critical review, have been followed when the value was derived.

## Additional information

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## Provision of electrical and electronic equipment through circular business models 14.1

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### On which aspect(s) of this activity would you like to comment?

Please select as many answers as you like

- The description/boundary of the activity
- The substantial contribution TSC
- The DNSH TSC

### Substantial contribution technical screening criteria (TSC)

**Do you consider the ambition level set by the proposed substantial contribution criteria to be appropriate?**

- Yes
- No (please comment)
- Don't know / no opinion / not applicable

**Are there any key factors which have been omitted from the draft proposed substantial contribution criteria or that need better defining that should be addressed?**

- Yes (please comment)
- No
- Don't know / no opinion / not applicable

**Please identify the missing aspects or the improved definitions together with a brief scientific/technical explanation and rationale as well as supporting evidence (including links to published journals and articles) for your suggestion(s)**

*2000 character(s) maximum*

including spaces and line breaks, i.e. stricter than the MS Word characters counting method.

Remove the two options "increase the product's lifespan by 100%" and "increase product's intensity by 100%".

rationale : The circular economy action plan of the European commission, underlines the necessity to incentivised product-as-a-service or other models where producers keep the ownership of the product or the responsibility for its performance throughout its lifecycle.

From a circular economy point of view, product as a service have always low impact or positive impact.

Instead of having an item that might be less useful through time and might end as a waste in the end, users could rely on the service offered by the manufacturer

**Do you have any major concerns with respect to the ability to implement (e.g. technical feasibility) the proposed substantial contribution criteria?**

- Yes (please comment)
- No
- Don't know / no opinion / not applicable

**Do you consider that the rationale and scientific evidence on which the proposed criteria are based is sufficient and robust?**

- Yes
- No (please comment)
- Don't know / no opinion / not applicable

**Do the criteria for the activity represent the state-of-the-art in technological and/or practice terms?**

- Yes
- No (please comment)
- Don't know / no opinion / not applicable

### **Additional information**

Should you wish to provide additional information on this activity (e.g. a position paper, report) or raise specific points not covered by the questionnaire, you can upload your additional document(s) below.

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## **Provision of repair and maintenance services and of directly related activities 14.2**

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**On which aspect(s) of this activity would you like to comment?**

Please select as many answers as you like

- The description/boundary of the activity
- The substantial contribution TSC
- The DNSH TSC

### **Description/boundary of the economic activity**

**What does your comment about the description/boundary of the activity concern?**

Please select as many answers as you like

- The granularity of the activity
- The boundary of the activity
- The clarity with which the activity has been defined

**Please provide a brief scientific/technical explanation and rationale as well as supporting evidence (including links to published journals and articles) for your selection:**

*2000 character(s) maximum*

including spaces and line breaks, i.e. stricter than the MS Word characters counting method.

Add NACE code C33.14 / Repair of electrical equipment

### **Do No Significant Harm (DNSH) technical screening criteria (TSC)**

**Does the proposed DNSH criteria ensure no significant harm to the environmental objective?**

- Yes
- No (please comment)
- Don't know / no opinion / not applicable

**Are there any key factors which have been omitted from the draft proposed DNSH criteria or that need better defining?**

- Yes (please comment)
- No
- Don't know / no opinion / not applicable

**Do you have any major concerns with respect to the ability to implement (e.g. technical feasibility) the proposed DNSH criteria?**

- Yes (please comment)
- No
- Don't know / no opinion / not applicable

**Please identify your concern(s) on the ability to implement the proposed DNSH criteria, together with a brief explanation and rationale as well as**



## supporting evidence (including links to published journals and articles) for your concern(s):

*2000 character(s) maximum*

including spaces and line breaks, i.e. stricter than the MS Word characters counting method.

We support the principle of excluding the maintenance of non-efficient or obsolete equipment from the taxonomy.

However, the burden of proof should be alleviated for the criteria to be useable by companies. Requirement of proof with audited LCA comparison should be restricted to cases where the benefits of maintenance really require quantified proof.

In addition, there is environmental value in maintaining products and systems that have not exceeded their normal lifetime, as it would be very damageable to replace all existing stock of a given technology each time a new efficient generation of product is put on the market.

Therefore, we propose to add:

- DNSH Climate change mitigation : This criterion does not apply to products or systems that are within their planned lifetime, as defined in Product Category Rules for the Life Cycle Assessment (LCA). This criterion does not apply to products or systems for which there has been no significant improvement in the carbon emissions of the use phase compared to current similar products or systems placed on the market.
- DNSH Sustainable use and protection of water and marine resources : This criterion does not apply to products or systems that are within their planned lifetime, as defined in Product Category Rules for the Life Cycle Assessment (LCA). This criterion does not apply to products or systems for which there has been no significant improvement in the water impact of the use phase compared to current similar products or systems placed on the market

## Additional information

Should you wish to provide additional information on this activity (e.g. a position paper, report) or raise specific points not covered by the questionnaire, you can upload your additional document(s) below.

The maximum file size is 1 MB.

You can upload several files.

Only files of the type pdf,txt,doc,docx,odt,rtf are allowed

## Horizontal considerations with respect to the proposed TSCs

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### Substantial contribution technical screening criteria (TSC)

**Where economic activities are linked (e.g. through the supply chain) or have similar characteristics, are the associated substantial contribution criteria for a particular environmental objective suitably aligned and consistent?**

- Yes
- No (please comment)
- Don't know / no opinion / not applicable

Should you wish to provide additional information (e.g. a position paper, report) on the TSC or raise specific points not covered by the questionnaire, you can upload your additional document(s) below.

The maximum file size is 1 MB.

You can upload several files.

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## Do No Significant Harm (DNSH) technical screening criteria (TSC)

**For each environmental objective, is the proposed performance level of DNSH criteria generally consistent and aligned across the different economic activities?**

- Yes
- No (please comment)
- Don't know / no opinion / not applicable

Should you wish to provide additional information (e.g. a position paper, report) on the DNSH TSC or raise specific points not covered by the questionnaire, you can upload your additional document(s) below.

The maximum file size is 1 MB.

You can upload several files.

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## General feedback on the draft report

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**Please provide us with any additional comments you would like to make on the report:**

*5000 character(s) maximum*

including spaces and line breaks, i.e. stricter than the MS Word characters counting method.

We would like to highlight that our input to this consultation is limited due to the timing constraints. We believe that both the Platform and its experts would have benefited from more detailed recommendations in

this consultation. However, a very short timeframe imposed made it impossible for us to provide more details and assess additional economic activities. We urge the Platform and the Commission to set an appropriate timeframe for future consultations which would allow stakeholders sufficient time for drafting well argued feedback.

Should you wish to provide additional information (e.g. a position paper, report) or raise specific points not covered by the questionnaire, you can upload your additional document(s) below.

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## Useful links

[Call for feedback document \(https://ec.europa.eu/info/files/2021-technical-screening-criteria-taxonomy-report-call-for-feedback-document\\_en\)](https://ec.europa.eu/info/files/2021-technical-screening-criteria-taxonomy-report-call-for-feedback-document_en)

[Draft report by the Platform on Sustainable Finance on preliminary recommendations for technical screening criteria for the EU taxonomy \(https://ec.europa.eu/info/publications/210803-sustainable-finance-platform-technical-screening-criteria-taxonomy-report\\_en\)](https://ec.europa.eu/info/publications/210803-sustainable-finance-platform-technical-screening-criteria-taxonomy-report_en)

[More on sustainable finance \(https://ec.europa.eu/info/business-economy-euro/banking-and-finance/sustainable-finance\\_en\)](https://ec.europa.eu/info/business-economy-euro/banking-and-finance/sustainable-finance_en)

[Platform on Sustainable Finance \(https://ec.europa.eu/info/business-economy-euro/banking-and-finance/sustainable-finance/overview-sustainable-finance/platform-sustainable-finance\\_en\)](https://ec.europa.eu/info/business-economy-euro/banking-and-finance/sustainable-finance/overview-sustainable-finance/platform-sustainable-finance_en)

[Specific privacy statement \(https://ec.europa.eu/info/files/2021-technical-screening-criteria-taxonomy-report-specific-privacy-statement\\_en\)](https://ec.europa.eu/info/files/2021-technical-screening-criteria-taxonomy-report-specific-privacy-statement_en)

## Contact

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