Requirements for Energy Audits and Energy Management Systems according to Dir 2012/27/EU on Energy Efficiency - an example from France

BUILDING PARTNERSHIPS FOR ENERGY SECURITY

www.inogate.org
Legal Framework

Article 8 of the 2012/27/EU Directive

Primary legislation: Law n° 2013-619 of 16th July 2013 – art 40

Three acts of secondary legislation for practical enforcement

The biggest enterprises must have carried out an energy audit before 5th December 2015 (stipulated by the Directive) and renew it every 4 years.

Must follow the European Standard
EN 16247

- Buildings: NF EN 16247-2
- Industrial processes: NF EN 16247-3
- Transports: NF EN 16247-4
Enterprises Concerned and Covered Area

More than 250 employees

OR

Turnover > 50 M€
AND a Balance sheet > 43 M€

Government’s estimation

3.5 M enterprises in total

5 000 (0,14%) concerned

50 to 60% of total energy consumption

Exemptions

Enterprises involved in an Energy Management System under the ISO 50 001 or 14 0001 standards

Enterprises that have already carried out an energy audit recently under certain conditions
Auditors

External “qualified” engineering consultant

Transmit applications for accreditation to Ministry of Environment

COFRAC
(French Accreditation Committee)

Give the accreditations to:
- OPQIBI
- LNE
- ICERT
- AFNOR CERTIFICATION

Give the qualifications to:

Auditors (engineers & technical consultants, etc)

OR

an internal competent employee under conditions
Costs and financing

**Financed by the enterprise itself**

No regulatory price

**Cost depends on:**

- Size of the enterprise
- Service covered by the audit
- Auditors' prices

2 000 – 5000 euros small Buildings

10 000 euros

30 000 euros
Follow up

Report to be transferred to the prefect (National representative authority)

Precision on payback time

- < 1 year
- between 1 and 4 years
- above 4 years

No regulatory implementation of recommendations, but strong incentive

Data collected will be analysed by ADEME
Penalty for no compliance

Mentioned penalties are

- Serving notice to the Cie
- Notice may be published
- Until 2% Turnover
- Until 4% in case of new violation

Put into force in June 2016

Most likely the State will not apply straight and will try to convince first
Practical difficulties

Buildings
- 350 qualified auditors

Industrial processes
- 100 qualified auditors

Transports
- 20 qualified auditors

5,000 enterprises

“Bottleneck effect”
Quality of the audits vs deadline

Prolongation of the deadline by the government to 30th June 2016
First feedbacks

First estimation: 1/3 of the enterprises have fulfilled their obligation before the deadline

Reasons:
(i) Lack of information
(ii) Lack of awareness
(iii) Government failed to involve intermediary organisations
(iv) Bottleneck effect
History of French energy efficiency policy toward enterprises

1. **1980’s period**
   - Support to financial investment & mandatory energy audits

2. **1990’s period**
   - Low political incentive & end of mandatory energy audits

**Results**: rebound effect and loss of all gains from the 80’s period

**NO SUSTAINABILITY WITHOUT ENERGY MANAGEMENT SYSTEM**
History of French energy efficiency policy toward enterprises (ii)

3 2000’s period
   Financial support to voluntary energy audits but no more financial support to investment
   European and International political promotion of Energy Management

4 2014
   Mandatory energy audit
Overview of Directive Implementation over Europe (i)

Map: Status of Transposition of Art. 8 EED by 5 June 2015

- Fully transposed
- Partly transposed
- Not transposed

Year of adoption of primary leg.
Overview of Directive Implementation over Europe (ii)

Most countries took the proposed scope which is the non SMEs

Some have chosen to use another scope definition

<table>
<thead>
<tr>
<th>Country</th>
<th>MWh/year</th>
<th>Above</th>
<th>below</th>
</tr>
</thead>
<tbody>
<tr>
<td>Malta</td>
<td>50</td>
<td>large companies</td>
<td>no obligation</td>
</tr>
<tr>
<td>Denmark</td>
<td>100</td>
<td>large companies</td>
<td>no obligation</td>
</tr>
<tr>
<td>Italy</td>
<td>2400</td>
<td>all companies whose energy ratio cost of energy used/turnover &gt; 3%</td>
<td>only large companies</td>
</tr>
<tr>
<td>Bulgaria</td>
<td>3000</td>
<td>industrial systems</td>
<td>only large companies in the manufacturing and service sector</td>
</tr>
<tr>
<td>Czech Rep.</td>
<td>10000</td>
<td>large companies</td>
<td>no obligation</td>
</tr>
<tr>
<td>Romania</td>
<td>11630</td>
<td>all companies</td>
<td>only large companies</td>
</tr>
</tbody>
</table>
The 18 Members States that have transposed the directive so far defined exemptions in a really similar way: ISO 51 001 & ISO 14001.

Concerning internal auditors, the Directive is unclear and the Member States have all implemented a different system.
Conclusion

Positive for all the enterprises that are not committed to energy efficiency at all

Be careful not to slow down companies already involved in Energy Efficiency: the law gives an obligation that may not fit with their own EE projects
THANK YOU

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