



Brussels  
CLIMA.A.1

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**Subject: Your access to documents request with reference Gestdem 2022/3493**

Dear Mr Burman,

We refer to your e-mail dated 14 June 2022 in which you make a request for access to documents, registered on the 20 June 2022 under the above-mentioned reference number.

You requested access to “*documents pertaining to the following two draft delegated regulations published for feedback on 20 May 2022 under Directive (EU) 2018/2001<sup>1</sup>*”:

- *draft delegated regulation establishing a minimum threshold for greenhouse gas emissions savings of recycled carbon fuels and by specifying a methodology for assessing greenhouse gas emissions savings from renewable liquid and gaseous transport fuels of non-biological origin and from recycled carbon fuels (Ref: Ares(2022)3836721), and;*
- *draft delegated regulation establishing a Union methodology setting out detailed rules for the production of renewable liquid and gaseous transport fuels of non-biological origin (Ref: Ares(2022)3836651)”.*

Specifically, you requested access to the following:

- *“Documents revealing the existence of meetings that have taken place since 1 January 2021 between DG CLIMA staff on the one hand and representatives of external parties (including but not limited to lobby consultancies and law firms) on the other hand, in which one or both of the Proposed Delegated Acts were mentioned;*
- *Minutes and other reports of these meetings;*

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<sup>1</sup> OJ L 328, 21.12.2018, p. 82–209

iii. All correspondence (including emails, letters, attached documents and enclosures) since 1 January 2021 between DG CLIMA staff on the one hand and representatives of external parties (including but not limited to lobby consultancies and law firms) on the other hand, in which one or both of the Proposed Delegated Acts were mentioned”.

DG CLIMA has identified the following documents within the scope of your application:

	Author	Date	Reference
1	European Commission	26 February 2021	Ares(2021)1501195
2	European Commission	9 June 2021	Ares(2021)3788032
3	European Commission	16 December 2021	Ares(2021)7783045
4	Solar Power Europe	17 February 2022	Ares(2022)1180450
5	Solar Power Europe	17 February 2022	Ares(2022)1180450
6	RWE and others	5 May 2022	Ares(2022)3460591
7	RWE and others	5 May 2022	Ares(2022)3460591
8	Fortescue Future Industries	10 May 2022	Ares(2022)3565925
9	Fortescue Future Industries	10 May 2022	Ares(2022)3565925

Following an examination of the documents under the provisions of Regulation (EC) No 1049/2001, I regret to inform you that a complete disclosure of documents 1-6, 8 and 9 is prevented by the exception concerning the protection of privacy and the integrity of the individual outlined in Article 4(1)(b) of Regulation (EC) No 1049/2001, because they contain: names and contact information of Commission staff members not pertaining to the senior management; names and contact details of other natural persons and other information relating to an identified or identifiable natural person.

Article 9(1)(b) of the Data Protection Regulation does not allow the transmission of these personal data, except if you prove that it is necessary to have the data transmitted to you for a specific purpose in the public interest and where there is no reason to assume that the legitimate interests of the data subject might be prejudiced. In your request, you do not express any particular interest to have access to these personal data nor do you put forward any arguments to establish the necessity to have the data transmitted for a specific purpose in the public interest.

Consequently, I conclude that, pursuant to Article 4(1)(b) of Regulation (EC) No 1049/2001, access cannot be granted to the personal data contained in the above-mentioned documents, as the need to obtain access thereto for a purpose in the public interest has not been substantiated and there is no reason to think that the legitimate interests

of the individuals concerned would not be prejudiced by disclosure of the personal data concerned.

As regards documents 1-3, these were drawn up for internal use under the responsibility of the relevant officials of the Directorate-General for Climate Action. They solely reflect the authors' interpretation of the interventions made and do not set out any official position of the third parties to which the documents refer, which were not consulted on their content. They do not reflect the position of the Commission and cannot be quoted as such.

In case you would disagree with this position, you are entitled, in accordance with Article 7(2) of Regulation (EC) No 1049/2001, to submit a confirmatory application requesting the Commission to review this position.

Such a confirmatory application should be addressed within 15 working days upon receipt of this letter to the Secretariat-General of the Commission at the following address:

European Commission  
Secretariat-General  
Unit C.1. 'Transparency, Document Management and Access to Documents'  
BERL 7/076  
B-1049 Brussels, or by email to: [sg-acc-doc@ec.europa.eu](mailto:sg-acc-doc@ec.europa.eu)

Yours faithfully,

*(Electronically signed)*

p.o. Isobel FINDLAY