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Arrêté du 24 août 2011 relatif au système national d'inventaires d'émissions et de bilans dans l'atmosphère

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The Minister of Ecology, Sustainable Development, Transport and Housing,
Having regard to the Geneva Convention on Long-range Transboundary Air Pollution;
Having regard to the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters at Aarhus on 25 June 1998;
Having regard to Directive 2001/81/EC of the European Parliament and of the Council of 23 October 2001 setting national emission ceilings for certain atmospheric pollutants;
Having regard to Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on environmental information;
Having regard to Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community;
Having regard to Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing a geographical information infrastructure in the European Community;
Having regard to Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and clean air for Europe;
Having regard to Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy produced from renewable sources;
Having regard to Directive 2009/29/EC of the European Parliament and of the Council of 23/04/09 amending Directive 2003/87/EC to improve and extend the Community greenhouse gas emission allowance trading scheme;
Having regard to Directive 2009/31/EC of the European Parliament and of the Council of 23 April 2009 on the geological storage of carbon dioxide;
Having regard to Council Decision 2002/358/EC of 25 April 2002 on the approval, on behalf of the European Community, of the Kyoto Protocol to the United Nations Framework Convention on Climate Change and the joint implementation of the resulting commitments;
Having regard to Council Decision 2003/507/EC of 13 June 2003 approving the accession of the European Community to the Gothenburg Protocol to the 1979 Convention on Long-range Transboundary Air Pollution, relating to the reduction of acidification, eutrophication and tropospheric ozone;
Having regard to Decision 280/2004/EC of the European Parliament and of the Council of 11 February 2004 on a mechanism for monitoring greenhouse gas emissions in the Community and implementing the Kyoto Protocol and 2005/166/EC;
Having regard to Commission Decision 166/2005/EC of 10 February 2005 laying down the procedure for implementing Decision 280/2004/EC of 11 February 2004 on a mechanism for monitoring greenhouse gas emissions in the Community and implementing the Kyoto Protocol;
Having regard to Decision 406/2009/EC of the European Parliament and of the Council of 23 April 2009 on the efforts to be made by Member States to reduce their greenhouse gas emissions in order to meet the Community's commitments to reduce these emissions until 2020;

Having regard to the Environmental Code;
Having regard to Law No. 2000-645 of 10 July 2000 authorizing the approval of the Kyoto Protocol to the United Nations Framework Convention on Climate Change;
Having regard to Law No. 2010-788 of 12 July 2010 on national commitment to the environment;
Having regard to Decree No. 2010-1250 of 21 October 2010 on air quality;
Having regard to Decree No. 2011-829 of 11 July 2011 on the greenhouse gas emissions assessment and the territorial climate and energy plan;
Having regard to the decree of 21 October 2010 on the procedures for monitoring air quality and informing the public;
On the proposal of the Director General of Energy and Climate,
Stop:

Article 1

The Minister in charge of ecology (Directorate-General for Energy and Climate) ensures the implementation and monitoring of a system of national and territorial inventories of air pollutant emissions, and greenhouse gas emission balance sheets, called the national system of inventories of emissions and atmospheric balance sheets (SNIEBA).

This system of inventories and balance sheets allows France to estimate the emissions of the main air pollutants and the emissions and absorptions of greenhouse gases by the different sectors of activity.

It is organized to ensure the consistency of results for all uses of this data, in particular those to meet the obligations resulting from European directives and decisions as well as international conventions and their protocols.

Article 2

I. — The ministry in charge of ecology can entrust the production of national inventories to an organization certified according to the ISO 9001 standard, for the technical realization of air emission inventories.

Where appropriate, this body shall propose the methods, collect the information, process the data and prepare the reports, databases and other information media necessary for the smooth running of these tasks and the publication of the inventories. It participates in the work of the consultation and information group on emissions inventories (GCIIE) provided for in Article 6 aimed at ensuring the consistency of the methods proposed by the two poles and those of the national inventory defined in Article 8 below.

II. — The ministry in charge of ecology may entrust the implementation of the method of establishing territorial inventories and the monitoring of its proper use to organizations certified according to the ISO 9001 standard, or organizations with recognized skills in this area.

III. — The ministry in charge of ecology may entrust the implementation of the methods for establishing greenhouse gas emission balances, defined by Article 75 of Law No. 2010-788 of 12 July 2010 on a national commitment to the environment, and the monitoring of their proper use under the same conditions as in II above.

Article 3

The national inventories carried out under the SNIEBA are those listed in Annex I to this Order.

The methods used in the territorial inventories carried out under the SNIEBA are consistent with those of the inventories listed in Annex I to this Order. They make it possible to respond in particular to the specificities of the PPA (Plan de protection de l'atmosphère) inventories.

The methods used in the greenhouse gas emission balance sheets carried out under the SNIEBA take into account those of the inventories listed in Annex I to this Order with regard to common perimeters (direct emissions).

Article 4

I. — The realization of national inventories is based on:

— on the one hand, on the data and statistics made available by the ministries and agencies in accordance with the indicative list in Annex II;

— on the other hand, on the data from experts and bodies other than those referred to above, the list of which is given in the methodological report provided for in Article 5 of this Order.

The procedures and methods used for the preparation of national inventories are in accordance with the requirements and good practice guides approved by the bodies of international conventions or by the European Commission.

II. — The establishment of the method for carrying out territorial inventories and updating them is based in particular on the exchange of data between the ministries and the organizations mentioned in the indicative list in Annex II to this order.

III. — For the application of I and II above, the ministry responsible for ecology or, where appropriate, the body to which it has

entrusted the realization of the national inventories is responsible for defining and implementing the provisions necessary to obtain these data.

As necessary, agreements may be established between the ministry responsible for ecology and the other ministries and agencies concerned.

Article 5

The ministry in charge of ecology is preparing and updating a methodological report for national inventories that describes:

- the organization of the SNIEBA and its functional provisions regarding national inventories;
- the methods used, the types of activity data (and in particular those listed in Annex II) and emission factors, as well as the benchmarks used for the realization of the various national inventories;
- the quality assurance and control program put in place;
- the measures taken to assess uncertainties;
- the data sources used.

If necessary, the preparation of this report may be entrusted to the body referred to in I of Article 2 of this Order. This report is validated by the ministry in charge of ecology. It is accessible to the public and can be consulted on the website of the aforementioned organization.

Article 6

The ministries concerned by the preparation of national and territorial inventories, and by greenhouse gas emission balance sheets, the list of which is given in Annex III, meet within the GCIIE.

This group is led by the Directorate-General for Energy and Climate (DGEC), and its secretariat may, if necessary, be provided by the body mentioned in I of Article 2 of this Order.

The GCIIE provides missions whose results and publications are validated by the ministry in charge of ecology.

These missions are as follows:

- give an opinion on the methods of drawing up national inventories and draft national inventory reports;
- give an opinion on the work of the national coordination pole on greenhouse gas emission balance sheets defined in Article 8, and in particular on restitution methods and formats;
- give an opinion on the work of the national coordination of territorial inventories pole defined in Article 8, and in particular on the method of establishing territorial inventories;
- coordinate the work and results of the poles defined in Article 8.

Technical sub-working groups may be convened to work more specifically on sectors of the national inventory.

The Minister in charge of ecology approves the establishment method and the national inventories listed in Annex I according to the deadlines and formats required, in accordance with France's obligations in this area as well as the work and results of the national coordination poles on greenhouse gas emission balance sheets and territorial inventories, whose missions are defined in Article 8. This work and results will be published by the ministry in charge of ecology.

Article 7

The Minister responsible for ecology communicates the national emissions inventories to the international bodies.

The Ministry of Ecology reports annually to the European Commission the territorial inventories of the areas affected by one or more air quality standard exceedances. To do this, the Ministry of Ecology relies on territorial inventories in accordance with the method developed within the framework of the SNIEBA.

The Ministry in charge of ecology ensures the dissemination of the emissions inventories listed in Annex I to the bodies concerned by their national and local applications (ministries, DREAL, public institutions, industrial federations, NGOs...) and to the public by the appropriate means; it uses, where appropriate, the bodies to which it has entrusted the realization of the inventories.

Article 8

The GCIIE organizes two poles of national coordination for a period until December 31, 2012.

On the one hand, the national coordination pole on greenhouse gas emission balance sheets defined by Article 75 of Law No. 2010-788 of 12 July 2010 on a national commitment to the environment. Its missions are defined in Article R. 229-49 of the Environmental Code.

It proposes to the GCIIE for advice the methodological choices necessary for carrying out greenhouse gas emission balance sheets and to ensure the consistency of the results with regard to, in particular, the obligations resulting from international conventions, directives and European decisions. In this regard, the cluster is based on the principles of the ISO 14064-1 standard

"Greenhouse gases. — Part 1: Specification and guidelines, at the organizational level, for the quantification and reporting of greenhouse gases and their elimination" or any internationally recognized reference method that has equivalent requirements. It is preparing the provision of a method for establishing the greenhouse gas emissions balance for local authorities respecting the requirements mentioned in Article 2 of Decree No. 2011-829 of 11 July 2011 on the greenhouse gas emissions balance and the territorial climate-energy plan.

It ensures, in collaboration with the national coordination of territorial inventories pole, consistency in methods concerning direct greenhouse gas emissions.

This pole is managed by the Directorate-General for Energy and Climate; its secretariat is provided by the Agency for the Environment and Energy Management (ADEME). The list of members of this cluster is detailed in Annex IV.

The cluster relies in particular on the work of the governance committee of the ADEME Carbon Base for the proposal of default emission factors made available to eligible entities for the realization, in the context of the application of Article 75, of their greenhouse gas emission balance sheets.

On the other hand, the pole of the national coordination of territorial inventories, provided for in Articles L. 221-6, L. 222-1 and R. 222-15 of the Environmental Code, and defined as an inventory of direct emissions of air pollutants and greenhouse gases, on a given territory in France.

This cluster develops and proposes to the GCIE for advice the method of territorial inventory of direct emissions of atmospheric pollutants and greenhouse gases in agglomerations of more than 250,000 inhabitants and in areas where air quality standards are exceeded or at risk of exceeding. This method specifies the databases and emission factors used, as well as how emissions are calculated.

In connection with the GCIE, it ensures consistency with the inventory formats covered by the Directives and Protocols on emissions inventories and ensures, in collaboration with the national coordination pole on greenhouse gas emissions, consistency in methods concerning direct greenhouse gas emissions.

This cluster proposes and evaluates all the methodological developments used in the territorial emission inventories necessary for the assessment of air quality. In particular, the approved bodies for air quality monitoring will present to this pole all the developments envisaged in their inventories.

This cluster is also responsible for setting up a system for updating territorial inventories through the drafting of data exchange agreements between the ministry in charge of ecology, other data holding organizations and approved organizations for air quality monitoring.

It ensures the quality of the territorial inventories, in particular by analyzing the technical audits of the inventories carried out in the bodies approved for air quality monitoring by the national air quality monitoring system.

It reports annually to the GCIE on the implementation of the territorial inventories.

This cluster is managed by the Directorate-General for Energy and Climate, and its secretariat is provided by the National Institute of the Industrial Environment and Risks (INERIS).

The list of members of this cluster is detailed in Annex V.

The animation of the productions of the national coordination of territorial inventories will be jointly carried out by the National Federation of Approved Air Quality Monitoring Associations (ATMO France), the Technical Interprofessional Center for Atmospheric Pollution Studies (CITEPA) and INERIS.

Article 9

The decree of 29 December 2006 on the national system of inventories of atmospheric pollutant emissions is repealed.

Article 10

The Director General of Energy and Climate is responsible for the execution of this order, which will be published in the Official Journal of the French Republic.

Annexes (Articles Annex I to Appendix V)
Annex I

LIST OF INVENTORIES CARRIED OUT UNDER THE SNIEBA (IN PARTICULAR IN CONNECTION WITH THE 2010 REPORTING OBLIGATIONS)

Framework	REQUESTING ORGANIZATION	INVENTORY NAME	INVENTORY ELEMENTS

United Nations Framework Convention on Climate Change/Kyoto Protocol	United Nations (secretariat of the convention)	UNFCCC (annual)	CRF Data Tables to the convention perimeter + report including the methodology
	European Commission	UNFCCC-K (annual)	CRF Data Tables at the Kyoto perimeter + report including the methodology
		UNFCCC + UNFCCC-K + additional elements (annual)	Ditto above + specific annexes
United Nations Economic Commission for Europe Convention on Long-range Transboundary Air Pollution	United Nations - Economic Commission for Europe (convention secretariat)	EEC-NU (annual)	NFR Data Tables + report including the methodology
	European Commission	EEC-NU (annual)	NFR Data Tables + report including the methodology
United Nations Economic Commission for Europe Convention on Long-range Transboundary Air Pollution	United Nations - Economic Commission for Europe (convention secretariat)	CEE-NU/EMEP (quinnual)	Report and data tables
European directives for large combustion plants/IED	European Commission	GIC (tri-annual/annual at the request of the EC)	Data tables
European Directive on national emission ceilings	European Commission	NEC (annual)	Data tables
EUROSTAT economic statistics programme (regulations in the process of being implemented)	EUROSTAT	NAMEA	Data tables and report
Climate plan	Ministry of Ecology	Climate plan (annual)	Data tables
Environmental Code (national emission data)	Ministry of Ecology	SECTEN (annual)	Report
European Directive on ambient air quality	European Commission	PPA (annual)	Data tables and report

The UN EEC and UN CES/EMEP inventories cover substances related to acidification, eutrophication and photochemical pollution, heavy metals, persistent organic products and dust (total and fine), substances covered by the Convention on Long-range Transboundary Air Pollution (including pollutants SO₂, NO_x, NMCCV, CO, particles, climate-related).

For the EEC-NU/EMEP inventory, the geographical coverage is metropolitan France, with a presentation of the data according to a geographical mesh of 50 × 50 km (323 cells in total).

The UNFCCC inventories cover the direct greenhouse gases listed in Annex A of the Kyoto Protocol, in addition to the global warming power (GRP) and the four indirect greenhouse gases (SO₂, NO_x, NMCC, CO) that must be reported under the Framework Convention on Climate Change and the Kyoto Protocol.

Geographical coverage includes mainland France and overseas, for the framework agreement, metropolitan France and overseas outside the OCT for the Kyoto Protocol.

The Climate Plan inventory includes the greenhouse gas inventory submitted to the United Nations under the Kyoto Protocol in a consumer format.

The NEC inventory concerns the substances covered by the National Emission Ceilings Directive, namely: SO₂, NO_x, NNVC and NH₃.

The SECTEN inventory (economic and energy sectorization) includes all the pollutants studied and offers analyses by sectors and conventional sub-sectors reflecting the different usual economic actors. The geographical coverage is metropolitan France.

The GIC inventory concerns the emissions of large combustion plants covered by the GIC and IED directives relating to SO₂, NO_x and total dust on the perimeter of the metropolis and overseas outside the OCT.

The NAMEA inventory provides emissions according to an economic nomenclature for the same substances as the CCCNUCC and UNCEE inventories with the exception of persistent organic pollutants. The geographical perimeter applies to mainland France and overseas outside the OCT.

The PPA inventories relate to the air pollutants mentioned in Directive 2008/50/EC. The methodology of territorial inventories will also include greenhouse gases (CO₂, CH₄ and N₂O). Their geographical coverage includes mainland France and overseas outside the OCTs.

The list of inventories described or their characteristics are subject to change by the international bodies mentioned in Article 1.

Annex II

INDICATIVE LIST OF STATISTICS AND DATA FROM PUBLIC BODIES OR WITH A PUBLIC SERVICE MISSION USED FOR BROADCAST INVENTORIES

Sector	DATA TYPE	ISSUING ORGANIZATION Data
	<p>Energy balance.</p> <p>Energy consumption in France.</p> <p>Consumption and ventilation of petroleum products for non-energy use.</p> <p>Energy consumption in industry.</p> <p>Energy consumption in residential and tertiary sectors.</p>	<p>Ministry in charge of the industry</p>

Energy	Renewable energy consumption in industry and residential/tertiary. Petrochemical assessment.	
	Annual declarations of pollutant discharges from certain classified installations.	Ministry in charge of ecology
	Energy consumption in the agricultural and food industries (IAA).	Ministry in charge of agriculture and fisheries
	Transportation accounts of the nation. Maritime transport statistics. Air transport statistics.	Ministry in charge Transport
Industrial processes Use of solvents and other products	Annual declarations of pollutant discharges from certain classified installations.	Ministry in charge of ecology
	Production of IAA. Branch surveys.	Ministry in charge of agriculture and fisheries
	Industrial statistics.	INSEE
	Inventories of refrigerants.	ADEME
	Annual declarations of pollutant discharges from certain classified installations.	Ministry in charge of ecology
	Production, imports and exports, paint/ink/glue consumption.	IINSEE and Ministry in charge of foreign trade
Agriculture	Agricultural statistics. Characterization of breeding methods (method of waste management, buildings). Characterization of cultural practices.	Ministry in charge of agriculture and fisheries INRA

	Emission factors.	
UTCf (land use, change of assignment land and forestry)	Forest statistics. Use of the territory. Wood harvesting and sawdust production.	Ministry in charge of agriculture and fisheries
	Increase and forest stocks in mainland France.	IFN
	Global solar temperature/radiation.	RenEcofor/ONF Network
Waste	Inventory of household and similar waste treatment facilities. Statistics of care waste at risk. Industrial waste statistics.	ADEME and Ministry in charge of ecology
	Declarations of polluting discharges. Dioxin/heavy metal monitoring of incineration plants.	Ministry in charge of ecology
All sectors	All or part of the above elements according to the sectors, for territorial inventories.	See above, and AASQA, CITEPA, services of communities

Annex III

LIST OF DEPARTMENTS AND AGENCIES PARTICIPATING IN THE EMISSION INVENTORIES CONCERTATION AND INFORMATION GROUP (GCIIE)

Ministry of Agriculture:

Statistics and Foresight Service (SSP);

Directorate-General for Agricultural, Agri-Food and Territorial Policies (DGPAAT).

Ministry of Economy, Finance and Industry:

Directorate-General for Competitiveness, Industry and Services (DGCIS);

Directorate General of the Treasury (DGT);

General Directorate of INSEE.

Ministry in charge of ecology:

Directorate-General for Energy and Climate (DGEC);

Directorate General of Planning, Housing and Nature (DGALN);

Directorate-General for Risk Prevention (DGPR);

Observation and Statistics Service of the Commissariat général au développement durable (CGDD/SOeS).

Ministry of Transport:

Directorate General of Civil Aviation (DGAC);

Directorate-General for Infrastructure, Transport and the Sea (DGITM).

Department of Research.

Agency for the Environment and Energy Management (ADEME), as secretary of the national coordination pole on greenhouse gas emission balances.

National Institute of Industrial Environment and Risks (INERIS), as secretary of the national coordination of territorial inventories cluster.

As needed, other departments, agencies or experts will be associated with the GCIIE.

Annex IV

Modified by Order of January 25, 2016 - art. 1

COMPOSITION OF THE NATIONAL COORDINATION POLE ON GREENHOUSE GAS EMISSIONS BALANCES

Ministry of Economy, Finance and Industry:

Directorate-General for Competitiveness, Industry and Services (DGCIS);

Directorate General of the Treasury (DGT);

General Directorate of INSEE.

Ministry in charge of ecology:

Directorate-General for Energy and Climate (DGEC);

Directorate General of Planning, Housing and Nature (DGALN);

Directorate-General for Risk Prevention (DGPR);

Observation and Statistics Service of the Commissariat général au développement durable (CGDD/SOeS).

Ministry of Transport:

Directorate General of Civil Aviation (DGAC);

Directorate-General for Infrastructure, Transport and the Sea (DGITM).

Ministry of Agriculture:

Statistics and Foresight Service (SSP);

Directorate-General for Agricultural, Agri-Food and Territorial Policies (DGPAAT).

Ministry of the Interior, Overseas, Local Authorities and Immigration:

Directorate-General for Local Authorities;

General Delegation to Overseas.

Ministry of Defence and Veterans Affairs.

Bodies referred to in I, II and III of Article 2 of this Order.

Agency for the Environment and Energy Management (ADEME).

Association of the Regions of France (ARF).

Association of Departments of France (ADF).

Associations of Mayors of France (AMF).

Assembly of Communities of France (AdCF).

Association of Urban Communities of France (ACUF).

Association of Mayors of Major Cities of France (AMGVF).

French Association of Private Enterprises (AFEP).

Movement of French Enterprises (MEDEF).

National Association of Food Industries (ANIA).

Association of Professionals in Carbon Consulting (APCC).

Network of Regional Energy Agencies (RARE).

Federation of Trade Unions of Intellectual Services of Consulting, Engineering and Digital (CINOV).

As necessary, other ministries, organizations or experts will be associated with the cluster.

Appendix V

COMPOSITION OF THE NATIONAL COORDINATION OF TERRITORIAL INVENTORIES POLE

Ministry in charge of ecology:

Directorate-General for Energy and Climate (DGEC);

Directorate-General for Risk Prevention (DGPR);

Directorate General of Planning, Housing and Nature (DGALN);

Observation and Statistics Service of the General Commissioner for Sustainable Development (CGDD/SOeS);

Regional Directorates of Environment, Planning and Housing (DREAL).

Ministry of Transport:

Directorate-General for Infrastructure, Transport and the Sea (DGITM).

Ministry of Agriculture:

Statistics and Foresight Service (SSP);

Directorate-General for Agricultural, Agri-Food and Territorial Policies (DGPAAT).

Bodies referred to in I, II and III of Article 2 of this Order.

Interprofessional Technical Center for Atmospheric Pollution Studies (CITEPA).

Approved Air Quality Monitoring Associations (AASQA).

National Federation of AASQA (ATMO France).

National Institute of Industrial Environment and Risks (INERIS).

Association of the Regions of France (ARF).

Association of Departments of France (ADF).

Association of Mayors of France (AMF).

Association of Communities of France (AdCF).

Association of Urban Communities of France (ACUF).

Association of Mayors of Major Cities of France (AMGVF).

Association of Professionals in Carbon Consulting (APCC).

As necessary, other ministries, organizations or experts will be associated with the cluster.

Done on August 24, 2011.

For the Minister and by delegation:
The Executive Director
energy and climate,

