



Wirtschaftsverband Stahl- und
Metallverarbeitung e.V.

WSM Uerdinger Straße 58-62 40474 Düsseldorf

Mr. Anthony Whelan
Deputy Director-General
DG Competition
European Commission

Place Madou/Madouplein 1
1210 Bruxelles/Brussel
Belgium

Chief Executive Officer
Christian Vietmeyer
Syndikusrechtsanwalt

Uerdinger Straße 58-62
40474 Düsseldorf

Telefon (02 11) 95 78 68 22
Telefax (02 11) 95 78 68 40
cvietmeyer@wsm-net.de
<http://www.wsm-net.de>

19. Dezember 2025

National Emission Trading System – Carbon Leakage Regulation (BECV) – state aid approval of applications under § 18 et seq. and § 23 BECV

Dear Director-General,

Since January 1, 2021, emissions in Germany are subject to the national Emissions Trading System under the Fuel Emissions Trading Law (Brennstoffemissionshandelsgesetz, BEHG) of December 12, 2019. This applies not only to emissions caused by the use of fuels in transport and buildings, but also to fuels used in industrial facilities. To prevent disadvantages in international competition, Section 11, Paragraph 3 of the BEHG includes measures to avoid carbon leakage, which are implemented through the Fuel Emissions Trading Act Carbon Leakage Regulation (BECV). This came into force on July 22, 2021, and was approved by the EU Commission under state aid law on August 10, 2023. Since then, companies listed under the carbon leakage sector can apply to the German Emissions Trading Authority (DEHSt) for relief in exchange for ecological obligations.

The BECV provides in §§18 et seq. for a procedure to apply for the inclusion of additional economic sectors on the carbon leakage list. In addition, representatives of economic sectors that are already listed on the carbon leakage list can, in accordance with §23 BECV, apply for an increase in the compensation level. These applications were to be submitted to the DEHSt. After a review, the applications were forwarded to the competent ministries (Federal Ministry for the Environment, Nature Conservation, Nuclear Safety and Consumer Protection and Federal Ministry for Economic Affairs and Climate Action) and subsequently submitted to the Competition Commission of the European Commission for state aid approval.



Wirtschaftsverband Stahl- und
Metallverarbeitung e.V.

Our member associations have submitted applications for the following economic sectors and sub-sectors (NACE-Codes):

- 2432 application pursuant to §18 et seq. BECV
by the Association of Cold Rolling Mills e.V.
- 2431.11 and 2434.13 application pursuant to §18 et seq. BECV
by the Iron Wire and Steel Wire Association e.V.
- 2550.12 application pursuant to §18 et seq. BECV
by the Industrial Association for Bulk Forming e.V.
- 2550.11.34 application pursuant to §23 BECV
by the Industrial Association for Bulk Forming e.V.
- 2561.21 application pursuant to §18 et seq. BECV
by the Industrial Association for Hardening Technology e.V.

According to information from the German Federal Ministry for Economic Affairs and Energy, the applications have been proven and forwarded to the EU Competition Directorate at in February 2024. We would be very grateful if you would personally ensure that the applications are processed promptly and approved under state aid law. In the meantime, the companies have been paying the full prices for the emission certificates for 44 months, even though their high trade and emission intensity is documented in the applications. In the meantime, significant economic and structural challenges have arisen, which further complicate survival in international competition. The relief measures are intended to enable the companies to invest in their climate-neutral transformation. Without the funds, this challenge cannot be met.

Kind regards,

Christian Vietmeyer
Chief Executive Officer

Holger Ade
Head of Industrial and Energy Policy