

DECISION OF THE EEA JOINT COMMITTEE

No 148/2009

of 4 December 2009

amending Annex XX (Environment) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex XX to the Agreement was amended by Decision of the EEA Joint Committee No 101/2009 of 25 September 2009 ⁽¹⁾.
- (2) Commission Decision 2009/73/EC of 17 December 2008 amending Decision 2007/589/EC as regards the inclusion of monitoring and reporting guidelines for emissions of nitrous oxide ⁽²⁾ is to be incorporated into the Agreement.
- (3) Commission Decision 2009/339/EC of 16 April 2009 amending Decision 2007/589/EC as regards the inclusion of monitoring and reporting guidelines for emissions and tonne-kilometre data from aviation activities ⁽³⁾ is to be incorporated into the Agreement.
- (4) Monitoring plans submitted by aircraft operators to the EFTA States' competent authorities and approved by the latter in accordance with the requirements set out in Decision 2009/339/EC will be considered as approved in accordance with the provisions of Section 6 of Annex XIV and Section 3 of Annex XV to Decision 2009/339/EC, and recognised as such in the implementation of the EU ETS for aviation activities.
- (5) The incorporation of Decision 2009/339/EC before incorporation of Directive 2008/101/EC is without prejudice to similar incorporation procedures in the future and without prejudice to any negotiations concerning adaptations to Directive 2008/101/EC,

HAS DECIDED AS FOLLOWS:

Article 1

The following shall be added in point 21am (Commission Decision 2007/589/EC) of Annex XX to the Agreement:

‘, as amended by:

- **32009 D 0073**: Commission Decision 2009/73/EC of 17 December 2008 (OJ L 24, 28.1.2009, p. 18),
- **32009 D 0339**: Commission Decision 2009/339/EC of 16 April 2009 (OJ L 103, 23.4.2009, p. 10).’

Article 2

The texts of Decisions 2009/73/EC and 2009/339/EC in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

⁽¹⁾ OJ L 304, 19.11.2009, p. 18.

⁽²⁾ OJ L 24, 28.1.2009, p. 18.

⁽³⁾ OJ L 103, 23.4.2009, p. 10.

Article 3

This Decision shall enter into force on 5 December 2009 or on the day following the last notification to the EEA Joint Committee under Article 103(1) of the Agreement (*), whichever is the later.

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 4 December 2009.

For the EEA Joint Committee

The President

Oda Helen SLETNES

(*) No constitutional requirements indicated.