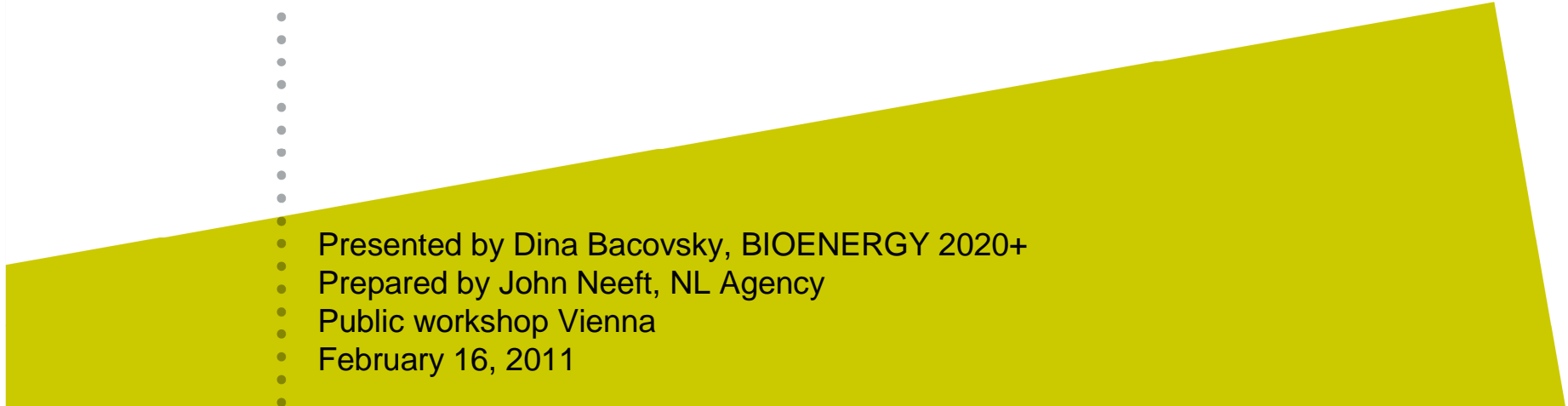




Harmonised Calculations of  
Biofuel Greenhouse Gas Emissions in Europe

# • Practical implementation of • sustainability criteria in the EU



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- Implementation of the RED in Member States
- Voluntary certification schemes
- Overview of developments

## Introduction

- MS must transpose RED regulation into national law by December 5, 2010
- RED and FQD first legislation to include sustainability criteria (Articles 17, 18, 19 & 21)
- Some aspects are not yet clear
  - Definition of highly diverse grassland
  - If/how to include ILUC
- Some aspects give rise to many questions
  - What are “residues and wastes”
  - Details on interpretation of “mass balance system”

## Introduction

- Two forums have been created for exchange of information on implementation of (biofuels parts of) the RED:
  - o CA-RES  
Concerted Action on Renewable Energy Sources  
[www.buildup.eu/news/11734](http://www.buildup.eu/news/11734)  
Working Group 8 : RES in transport and biofuels
  - o REFUREC  
Renewable Fuel Regulators Club  
see [www.Refurec.org](http://www.Refurec.org)

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## Implementation of the RED in MS

### Overview

- RED transposed into national law:  
Germany, Sweden
- RED close to transposition:  
Slovakia, Austria, Hungary, France, Ireland, Portugal,  
Spain, The Netherlands, UK, Malta, ...
- Other MS lag further behind

## Implementation of the RED in MS

### Germany (1/3)

- RED is/will be transposed by:
  - Biomassestrom-NachhaltigkeitsV (BioSt-NachV) - (Biomass-electricity-sustainability ordinance)
  - Biokraftstoff-NachhaltigkeitsV (Biokraft-NachV) - (Biofuel-sustainability ordinance)both published in July 2009, binding from 2011 on
- How are sustainability criteria implemented?:  
included in national legislation (adopted from RED one-to-one);  
the BLE guidance provides further practical specification

## Implementation of the RED in MS

### Germany (2/3)

- Authority:  
Bundesanstalt für Ernährung und Landwirtschaft (BLE)  
(Federal Agency for Food and Agriculture)
- Is double counting included?:  
No; 36. BImSchV (Regulation on details of biofuels quota)  
will be amended in 2011 to implement this
- Are voluntary schemes being (1) developed, (2) assessed?:
  1. No, the government does not develop systems;
  2. Yes, BLE is the authority to recognize systems, two  
systems are recognized so far:
    - ISCC (basically financed by Min. of. Agric.)
    - REDCert (private initiative, companies, associations)

## Implementation of the RED in MS

### Germany (3/3)

- How to show compliance:  
The proof is issued by the last interface of the supply chain.  
All interfaces have to be certified by a recognized system and need to implement a mass balance system.  
Cultivators have to sign a self-declaration committing to the requirements of Art. 17 (3 - 6)
- Is compliance required in 2011?:  
Yes, since 1 Jan 2011, including the harvest of feedstock crops in 2010

## Implementation of the RED in MS

### Sweden (1/3)

- RED is/will be transposed by:
  - Law on Sustainability Criteria, Aug 2010
  - Regulation on Sustainability Criteria, Dec 2010
  - Detailed regulations from Swedish Energy Agency, Feb 2011
  - Changes in the law for Energy tax and in the law for Electricity green certificates
- How are sustainability criteria implemented?:  
Included in national legislation

## Implementation of the RED in MS

### Sweden (2/3)

- Authority:  
Swedish Energy Agency
- Is double counting included?:  
No; Tax reduction for all sustainable biofuel
- Are voluntary schemes being (1) developed, (2) assessed?:
  1. No;
  2. No

## Implementation of the RED in MS

### Sweden (3/3)

- How to show compliance:  
Control system according to the Swedish legislation or a voluntary scheme approved by the commission
- Is compliance required in 2011?:  
Yes

## Implementation of the RED in MS

### UK (1/3)

- RED is/will be transposed by:
  - Renewable Fuels Transport Obligation (RTFO)  
published 2007, regularly updated
- How are sustainability criteria implemented?:  
Included in national legislation (RTFO meta standard);  
Details given in Carbon & Sustainability (C&S) Technical  
Guidance;  
Currently: consultation on Guidance for 2011/2012 obligation  
year

## Implementation of the RED in MS

### UK (2/3)

- Authority:  
Renewable Fuels Agency
- Is double counting included?:  
No
- Are voluntary schemes being (1) developed, (2) assessed?:
  1. Yes, UK has RTFO meta standard;
  2. Yes, UK assesses (benchmarks) voluntary schemes

## Implementation of the RED in MS

### UK (3/3)

- How to show compliance:  
By using an accepted voluntary certification scheme or by using the RTFO meta standard
- Is compliance required in 2011?:  
Not fully: Information must be provided. But not fully RED-proof (as details of RED not yet clear). Fuels that do not meet criteria are accepted under RTFO in 2011.

## Implementation of the RED in MS

### The Netherlands (1/3)

- RED is/will be transposed by:
  - “Wet milieubeheer” – (Environment protection law)
  - Besluit hernieuwbare energie vervoer - (Decree on renewable energy in transport)
  - Regeling hernieuwbare energie vervoer - (Regulation on renewable energy in transport)To be published in February or March 2011
- How are sustainability criteria implemented?:  
Reference to RED

## Implementation of the RED in MS

### The Netherlands (2/3)

- Authority:  
NEa = Dutch Emission Authority
- Is double counting included?:  
Yes, a double counting regulation that was in force 2009 and 2010 is moved into the new Regulation
- Are voluntary schemes being (1) developed, (2) assessed?:
  1. Yes, the double counting regulation will be assessed;
  2. Yes, an assessment protocol has been made, for assessing voluntary schemes:
    - a) that are not yet recognised
    - b) that have been recognised by other MS
    - c) that have been sent to the Commission for recognition

## Implementation of the RED in MS

### The Netherlands (3/3)

- How to show compliance:  
By providing a verifier statement.  
The verifier gives a statement after checking that
  - sustainability information is delivered for all batches supplied
  - information on quantity & quality of biofuels is correct (mass balance is also fulfilled after the point of issuing sustainability certificates)
- Is compliance required in 2011?:  
No, no full compliance is required in transition year 2011.  
Requirements in 2011 are to provide information on:
  - the (voluntary) certification scheme(s) used
  - the verifier of the information
  - crop/feedstock, country of origin and GHG reduction

## Implementation of the RED in MS

### Spain (1/3)

- RED is/will be transposed by:
  - Royal Decree 1088/2010, September 2010, transposing partially FQD and regulating the technical specifications of petrol and diesel, use of biofuels and sulphur content of marine use fuels
  - Royal decree 1738/2010, December 2010, transposing partially RED and setting the minimum obligatory objectives for biofuel consumption in 2011, 2012 and 2013
- How are sustainability criteria implemented?:  
Not enough information available;  
National authority is waiting for CTN303 report

## Implementation of the RED in MS

### Spain (2/3)

- Authority:  
CNE (National Energy Commission)
- Is double counting included?:  
Yes, according to IDAE, there is the commitment to include it and currently they are working on the definitions of wastes and residues
- Are voluntary schemes being (1) developed, (2) assessed?:
  1. No, no voluntary scheme is developed by government, but a Spanish company (Abengoa) has developed a voluntary scheme and has sent it for recognition ;
  2. Tbd

## Implementation of the RED in MS

### Spain (3/3)

- How to show compliance:  
According to the national authority, there is still not enough information on requirements to show compliance
- Is compliance required in 2011?:  
No

## Implementation of the RED in MS

### France (1/3)

- RED is/will be transposed by:
  - Law 2011-12 (5/01/2011): adaptation to EU regulation
  - Ordinance modifying energy law of July 2007, decree in State Council and order detailing terms of implementationTo be published before end of June 2011
- How are sustainability criteria implemented?:  
Included in national legislation

## Implementation of the RED in MS

### France (2/3)

- Authority:  
Tbd
- Is double counting included?:  
Yes, included in the decree under preparation
- Are voluntary schemes being (1) developed, (2) assessed?:
  1. Yes, a national scheme would be set up;
  2. Yes, recognition of other national systems of MS

## Implementation of the RED in MS

### France (3/3)

- How to show compliance:
  - providing sustainability declaration;
  - obligation of an independent and transparent control of information related to sustainability criteria;
  - control under voluntary scheme or national system by verifier which check accuracy of information
- Is compliance required in 2011?:  
No, no full compliance required;

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## Voluntary certification schemes

- o The European Commission will recognise voluntary certification schemes
  - Commission has hired an advisor for assessments
  - Many schemes were sent in, first recognitions April 2011?
  - GHG calculation tools are also “voluntary schemes”
- o Many certification schemes exist
  - A recent study identified 67 certification initiatives on the sustainability of bio-energy  
*Van Dam, Junginger & Faaij,  
Renewable and Sustainable Energy Reviews 14 (2010) 2445–2472*
  - Most of these initiatives are not specifically developed for biofuels (e.g. forestry, agriculture)

## Voluntary certification schemes

- o Schemes being developed by consortia / roundtables
  - **Bonsucro** (formerly BSI, sugarcane) – [www.bettersugarcane.com](http://www.bettersugarcane.com)
  - **ISCC** – [www.iscc-system.org](http://www.iscc-system.org)
  - **NTA 8080/8081** – [www.sustainable-biomass.org](http://www.sustainable-biomass.org)
  - **REDcert** – [www.redcert.org](http://www.redcert.org)
  - **RSB** – [www.rsb.epfl.ch](http://www.rsb.epfl.ch)
  - **RSPO** (palm oil) – [www.rspo.org](http://www.rspo.org)
  - **RTRS** (soy) – [www.responsiblesoy.org](http://www.responsiblesoy.org)
- o Schemes being developed by companies
  - **Abengoa** (RED Bioenergy Sustainability Assurance)
  - **French stakeholders** – 2BSvs
  - **Nesté Oil**
  - **Red Tractor** – <http://www.nfuonline.com/News/Red-Tractor-scheme-proposed-for-biofuels/>
  - **SEKAB/UNICA** – [www.sustainableethanolinitiative.com](http://www.sustainableethanolinitiative.com)

**Red colour:**  
Send to EC  
for recognition

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## Overview of developments

- Most MS that are late with implementation are catching up quickly
- Tendency is that MS choose for:
  - biofuel obligation (majority of MS)
  - independent authority for administration (11 MS, increasing)
  - not developing a national voluntary scheme (majority of MS)
  - using the voluntary schemes developed by roundtables and industry for showing compliance with sustainability criteria
- Some MS benchmark voluntary schemes and/or accept schemes nationally (UK, GE, NL) but most MS wait for recognition by EC
- Late MS learn from other MS (CA-RES, REFUREC)

## Overview of developments

**CA-RES**CONCERTED ACTION  
RENEWABLE ENERGY  
SOURCES DIRECTIVE[www.ca-res.eu](http://www.ca-res.eu)

- Topics discussed in CA-RES (1 meeting held):
  - Legislation, voluntary schemes, audits, administrators
  - Harmonisation of legislation
  - Export and import between Member States
  - Interpretation of mass balance

**REFUREC**

renewable fuels regulators club

[www.refurec.org](http://www.refurec.org)

- Topics discussed in REFUREC (4 meetings held)
  - Registers (database on biofuels supplied)
  - Mass balance
  - Double counting

*Thank you for your attention*

**Intelligent Energy**  **Europe**

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