



BIOGRACE

Harmonised Calculations of
Biofuel Greenhouse Gas Emissions in Europe

• Practical implementation of • sustainability criteria in the EU

• Bregje van Keulen
• Agentschap NL
• Public workshop Utrecht
• March 21, 2011

Contents

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

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
see www.ca-res.eu
Working Group 8 : RES in transport and biofuels
 - o REFUREC
Renewable Fuel Regulators Club
see www.refurec.org

Contents

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- Overview of developments
- Voluntary certification schemes
- Standardization

Implementation of the RED in MS

Overview

- RED transposed into national law:
Germany, Sweden
- RED close to transposition:
Slovakia, Denmark, 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

Austria (1/3)

- RED is/will be transposed by:
 - “Verordnung des BMLFUW über landwirtschaftliche Ausgangsstoffe für Biokraftstoffe und flüssige Biobrennstoffe“ (BGBL.II Nr. 250/2010) published: 27 July 2010, in force since: 1 December 2010
 - Kraftstoffverordnung 2011 (Fuel ordinance 2011)
 - final draft
- How are sustainability criteria implemented?:
 - Separate ordinance and authority for raw materials
 - National sustainability scheme for biofuels
 - Technical guidance for GHG calculations

Implementation of the RED in MS

Austria (2/3)

- Authority:
 - Agrarmarkt Austria (for raw materials)
 - Umweltbundesamt (Environment Agency Austria)
- Is double counting included?:
 - Yes, case by case recognition
- Are voluntary schemes being (1) developed, (2) assessed?:
 1. No;
 2. No

Implementation of the RED in MS

Austria (3/3)

- How to show compliance?:
 - Farmers have to be registered at the Agrarmarkt Austria that controls EU farming standards
 - Austrian scheme or voluntary scheme approved by EC
 - Bilateral recognition of schemes of others MS
- Is compliance required in 2011?:
 - Compliance is not compulsory for 2011
 - Declaration of farmers has started 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

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. To be decided

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:
To be decided
- Is double counting included?:
Yes, included in the decree under preparation
- Are voluntary schemes being (1) developed, (2) assessed?:
 1. Yes, a national scheme will 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;
 - control under voluntary scheme or national system by verifier which check accuracy of information
- Is compliance required in 2011?:
No, no full compliance required;

Contents

- Introduction
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- Standardization

Overview of developments

- 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, GER, NL) but most MS wait for recognition by EC
- Late MS learn from other MS (CA-RES, REFUREC)

Overview of developments

CA-RESCONCERTED ACTION
RENEWABLE ENERGY
SOURCES DIRECTIVEwww.ca-res.eu

- Topics discussed in CA-RES (1 meeting held):
 - Legislation, voluntary schemes, audits, administrators
 - Double counting
- Next meeting in May, Lisbon → harmonisation of national systems

REFUREC renewable fuels regulators club www.refurec.org

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

Contents

- Introduction
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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 May 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
 - **ISCC** – www.iscc-system.org
 - **NTA 8080/8081** – www.sustainable-biomass.org
 - **REDcert** – www.redcert.org
 - **RSB** – www.rsb.epfl.ch
 - **RSPO** (palm oil) – www.rspo.org
 - **RTRS** (soy) – www.responsiblesoy.org
- o Schemes being developed by companies
 - **Abengoa** (RED Bioenergy Sustainability Assurance)
 - **French stakeholders** – 2BSvs
 - **Greenergy** - www.greenergy.com/Biofuel_sustainability
 - **Nesté Oil**
 - **Red Tractor** – www.nfuonline.com/News/Red-Tractor-scheme-proposed-for-biofuels/
 - **SEKAB/UNICA** – www.sustainableethanolinitiative.com

Red colour:
Send to EC
for recognition

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Standardization: CEN TC 383

- Scope: *Sustainability produced biomass for energy applications – Principles, criteria, indicators and verifiers for biofuels and bioliquids*
- EC agreed with CEN work May 2009
- Six Working groups under TC 383
 - WG1: Terminology & cross cutting issues
 - WG2: GHG emission balance
 - WG3: Biodiversity and environmental issues
 - WG4: Economic and social aspects (*work stopped*)
 - WG5: Verification and auditing
 - WG6: Indirect effects (*work stopped*)

Standardization: CEN TC 383

- prEN 16214-1 Part 1: Terminology
 - Relevant terms and definitions in RED
- prEN 16214-2 Part 2: Conformity assessment including chain of custody and mass balance
 - Mass balance boundaries, accredited conformity assessment, product declarations and management system requirements
- prEN 16214-3 Part 3: Biodiversity and environmental aspects
 - Areas with nature protection purposes, highly biodiverse non-natural grasslands and peat lands
- March 2012/ May 2012 availability of final standards

Standardization: ISO/PC 248

- Scope: Sustainability for bioenergy
- Four working groups approved
 - WG1: Cross cutting issues (incl. terminology and verification and auditing)
 - WG2: Greenhouse gases
 - WG3: Environmental, economic and social aspects
 - WG4: Indirect effects (*work has not yet started*)
- Will result in ISO 13065 standard
- Publication of ISO standard: May 2014

Thank you for your attention

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