



Practical Application of Sustainability Criteria for Biofuels


Department of Communications,
Energy and Natural Resources
Ireland



Biofuel Obligation Scheme

Commenced in July 2010

- Certificate based scheme, in which tradable certificates are awarded to applicants on the provision of certain data.
- Scheme was designed with the Sustainability Criteria in mind from the outset.



The Energy (Biofuel Obligation and Miscel Provisions) Act 2010;

- Is designed to operate on a 'mass balance' basis from the outset,
- Incorporates double certification for relevant biofuels,
- Provides for appropriate powers around non compliance with information provision requirements and around auditing,
- Provides for measures to exclude double counting within the EU.



Section 44G(4)

- (4) An application for a biofuel obligation certificate shall include a statement by the biofuel obligation account holder concerned, in the prescribed form and including the prescribed information, particulars and documentation, that he or she has complied with—
 - (a) the sustainability criteria for biofuels and bioliquids set out in paragraphs 2 to 6 of Article 17 of the Directive, and
 - (b) any requirements for verification of compliance with those sustainability criteria for the purposes of Article 18 of the Directive.
- (44G(8) provides for the power to make regulations on ‘the prescribed form’.



Further Regulations;


“SUSTAINABILITY CRITERIA FOR BIOFUEL REGULATIONS, 2011” are being finalised at present.


These set out the precise form of data that will be required to meet the criteria, as well as setting a legal basis for the ‘National Scheme’.

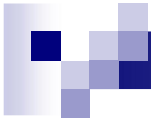


Implications for Operators

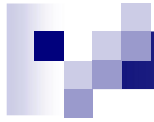
- The basic Obligation Scheme involves a substantial change in the manner in which the industry operates – necessary to prepare for the introduction of the Sustainability Criteria.
- Operators ('Obligated Parties') now need to report biofuel and mineral volume separately, and in detail.

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- Both Obligated Parties (mineral fuel suppliers) and Biofuel suppliers already need to apply for Certificates for each consignment of Biofuel they bring to market. In doing so, they need to provide a defined set of data on the fuel before certification will be granted.
 - It is this Form that will be used to ensure 'first pass' compliance with the criteria.

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- This system allows us to amend the data required if and when any changes are made to the Criteria (Annex V), or if further clarifications are issued in response to operational lessons learned.



There will be an associated 'Guidance Document' produced to set out how the information is to be provided, including using 'Biograce' data for worked examples.



Next Steps

- Finalise Regulations
- Consult with industry
- Obtain political decision on start date



