

THE ENERGY COMMUNITY

Crosslinks between MRVA and RED II Directive

9th July 2024

Article 38(5) of the MRR

Biofuels, bioliquids and biomass fuels (biogas + solid biomass) used for **combustion** shall fulfil the **sustainability and the greenhouse gas emissions saving criteria** laid down in REDII Directive in order to apply an emission factor of **zero**.

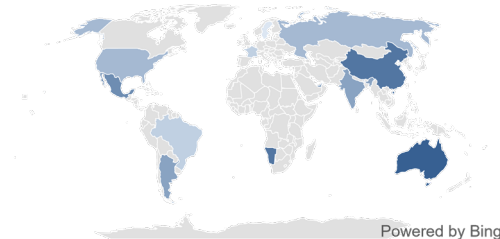


EXEMPTIONS

Biomass produced from waste and residues, other than **agricultural, aquaculture, fisheries and forestry** residues are required to fulfil only the **GHG emissions saving criteria**.

Municipal solid waste shall not be subject to the **GHG emissions saving criteria**.

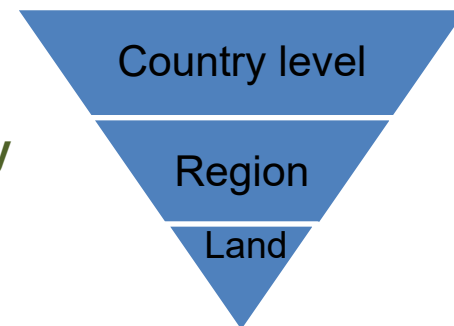
Criteria shall apply **irrespective of the geographical origin** of the biomass.



If those criteria are not met, the material must be treated like **a fossil fuel (not zero rated)**.

REDII Directive

Sustainability criteria Art 29 (2-7)



Set of specific criteria applicable to biomass from agriculture and forestry

Agriculture:

- monitoring or management plans needs to be in place to address the impacts on soil quality and soil carbon
- exclude materials from land with a high biodiversity value;
- prevents the use of land with high carbon stocks
- excludes biomass from former peatland



Specific EU Regulation

Forestry:

- minimise the risk of using biomass from unsustainable production
- specified land-use, land-use change and forestry (LULUCF) criteria



Specific EU Regulation

For other biomass (e.g. animal waste; products, wastes or residues from aquaculture and fisheries; biomass from microorganisms, etc.) **there are no sustainability criteria.**

REDII Directive

GHG emissions saving criteria Art 29 (10)

Energy produced from biomass must lead to **lower life cycle emissions** than the use of comparable fossil fuels.

Start of operation:	Biofuels, bioliquids, biogas for transport	Start of operation:	Solid and gaseous biomass
5 October 2015	At least 50%	Before 2021	-
31 December 2020	At least 60%	1 January 2021	At least 70%
1 January 2021	At least 65%	1 January 2026	At least 80%

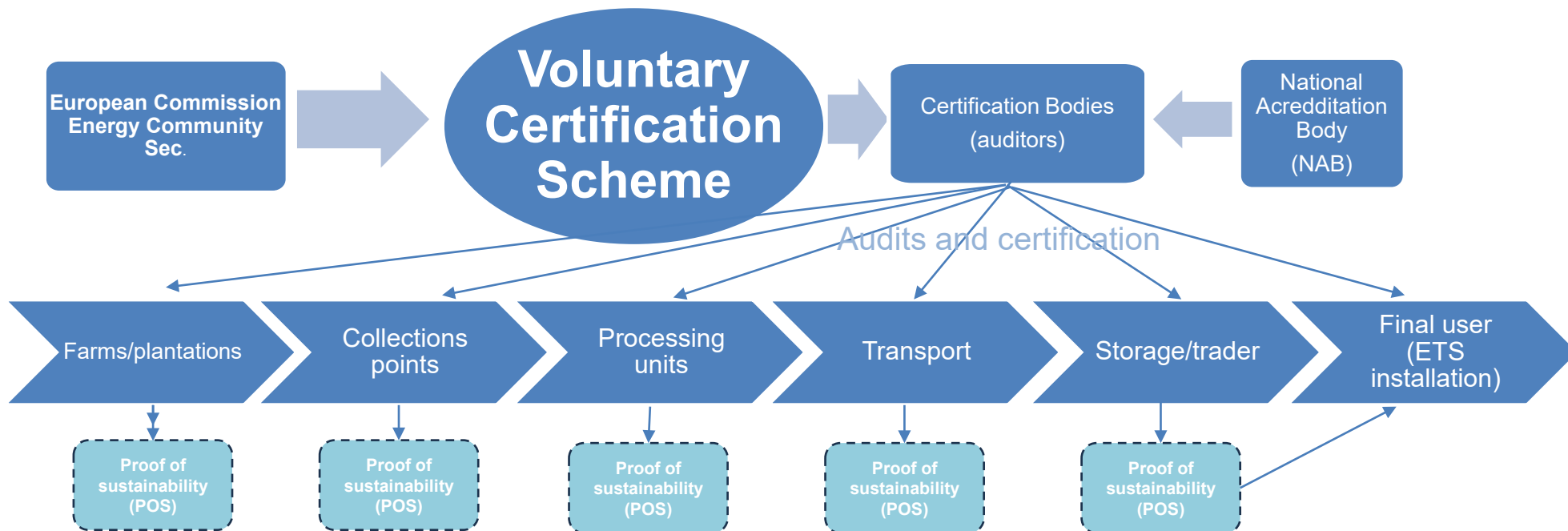
Emissions that needs to be included in calculations:



REDII Directive

How to demonstrate compliance?

- ❑ national scheme
- ❑ voluntary national or international scheme recognised by the Commission/Energy Community Secretariat
- ❑ by providing audited evidence and GHG calculations themselves (through national legislation).



REDII Directive

Implication for MRVA

Monitoring: *Annex I 1(8) a description of the procedure used to assess if biomass source streams comply with Article 38(5);*

For each biomass source stream, you need to know:

- State of matter (solid, liquid, gas)
- Category (agriculture, forestry, other)
- Purpose of usage (energy, non-energy)
- Is it municipal solid waste?
- When was biomass used for the first time?

- Is ETS operator certified by voluntary scheme?
- Is whole supply chain certified by voluntary scheme?
- Is scope of voluntary scheme in line with biomass category and type?

Which criteria applies?
Which exemptions applies?

How compliance with the
criteria will be proven?

REDII Directive

Implication for MRVA

Reporting:

- The burden of proof for compliance with the RED II criteria is on the user of the biomass, i.e. the operator of the installation or the aircraft operator
- However, for practical reasons, the operator or aircraft operator will often have to rely on data and information provided by third parties, i.e. either the supplier or producer of the biomass

Verification:

Verifier should check:

- Applicability of criteria (nature of biomass, category, exemption)
- Compliance (proofs of sustainability, outcomes of GHG reduction calculations)

Accreditation:

- Knowledge about REDII should be a part of verifiers competences.

REDII Directive Guiding questions?

- Is biomass already in use or will be used by ETS operators in your country?
- Are you already in the process to implementation of sustainability and the greenhouse gas emissions saving criteria into national legislation?
- With route are you planning to take when it comes to verification of compliance with criteria (national scheme, voluntary international scheme)?
- Are current voluntary schemes recognized by European Commission active in your country?



THANK YOU FOR YOUR ATTENTION

tomasz.karpinski@energy.community.org

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