

12th Compliance Conference



EU ETS Guidance on Biomass (GD3) – Topics that need to be included for a harmonized implementation

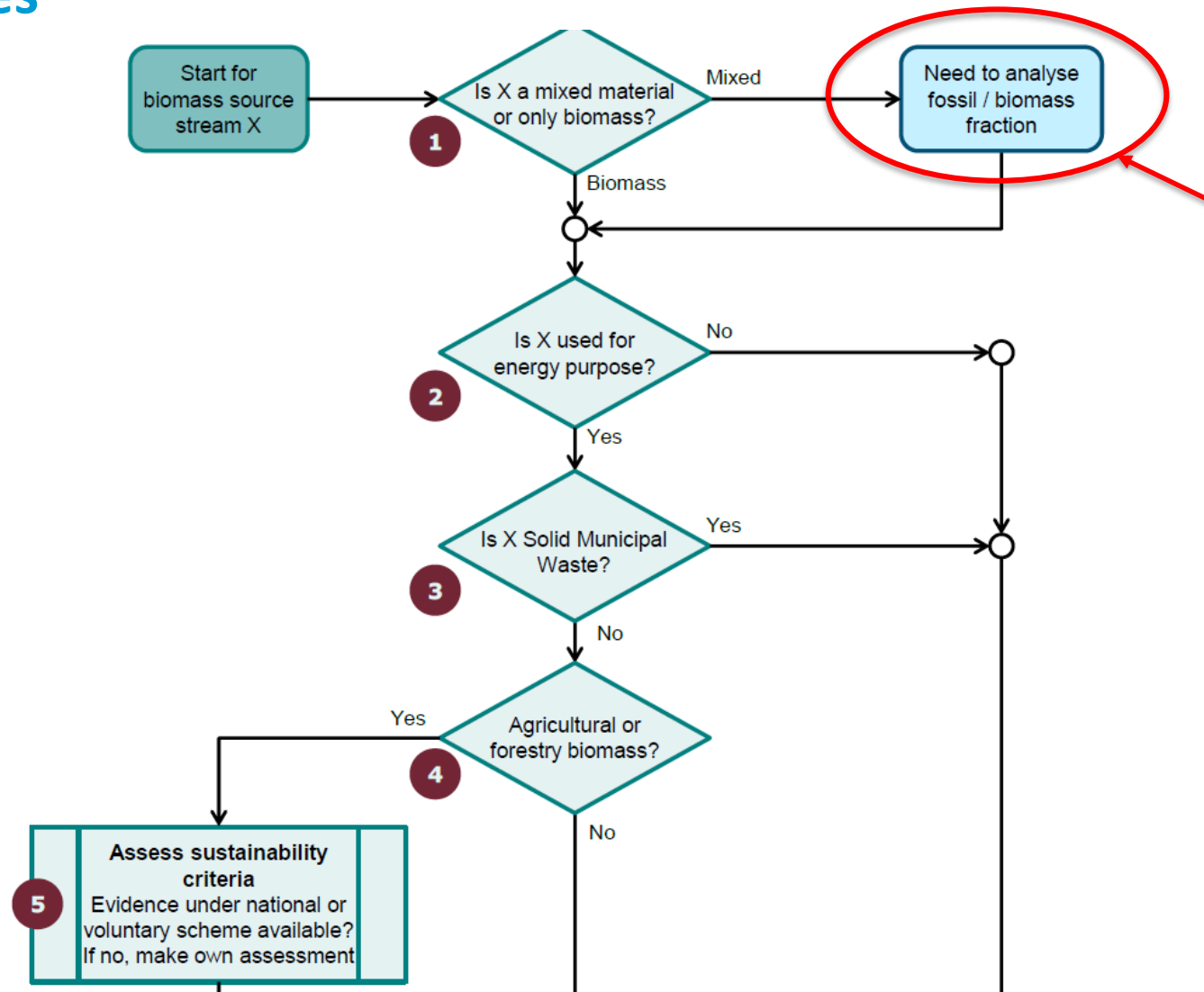
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Topic concerning step 1: biogenic energy amount on sustainability certificate vs. analyses



Please clarify:

1) sustainability certificate contains sustainable biogenic energy amount

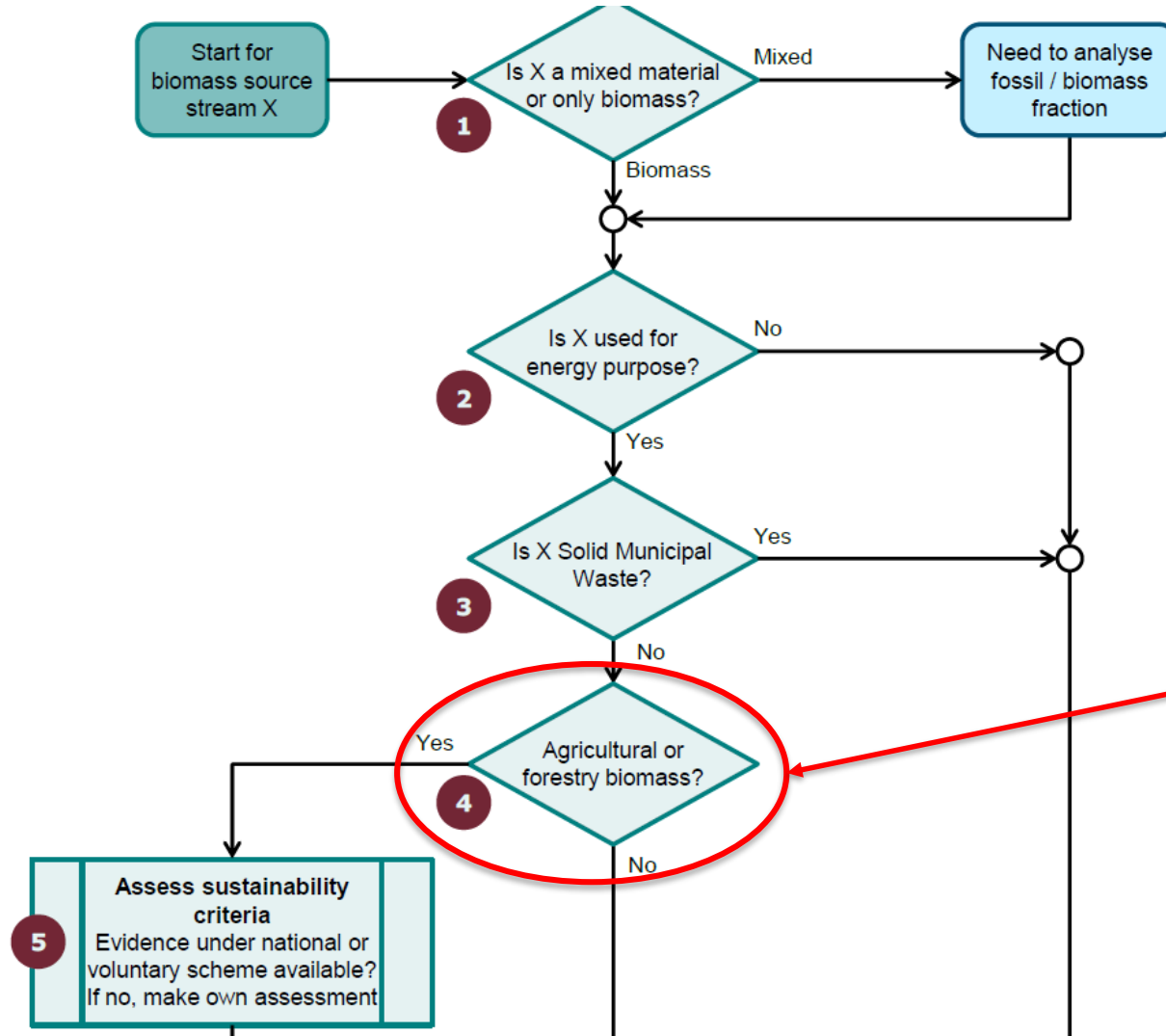
1a) In case of biofuels and liquid biomass: Should biomass fraction be determined based on the sustainable energy amount laid down in the certificates (analogue to biomethane from gas grid or aviation fuel from central tank)?

1b) In case of solid biomass: Same considerations as for biofuels and liquid biomass necessary?

2) non-conformity

How to deal with a non conformity in case no evidence (sustainability certificates) is shown by operator in AER?

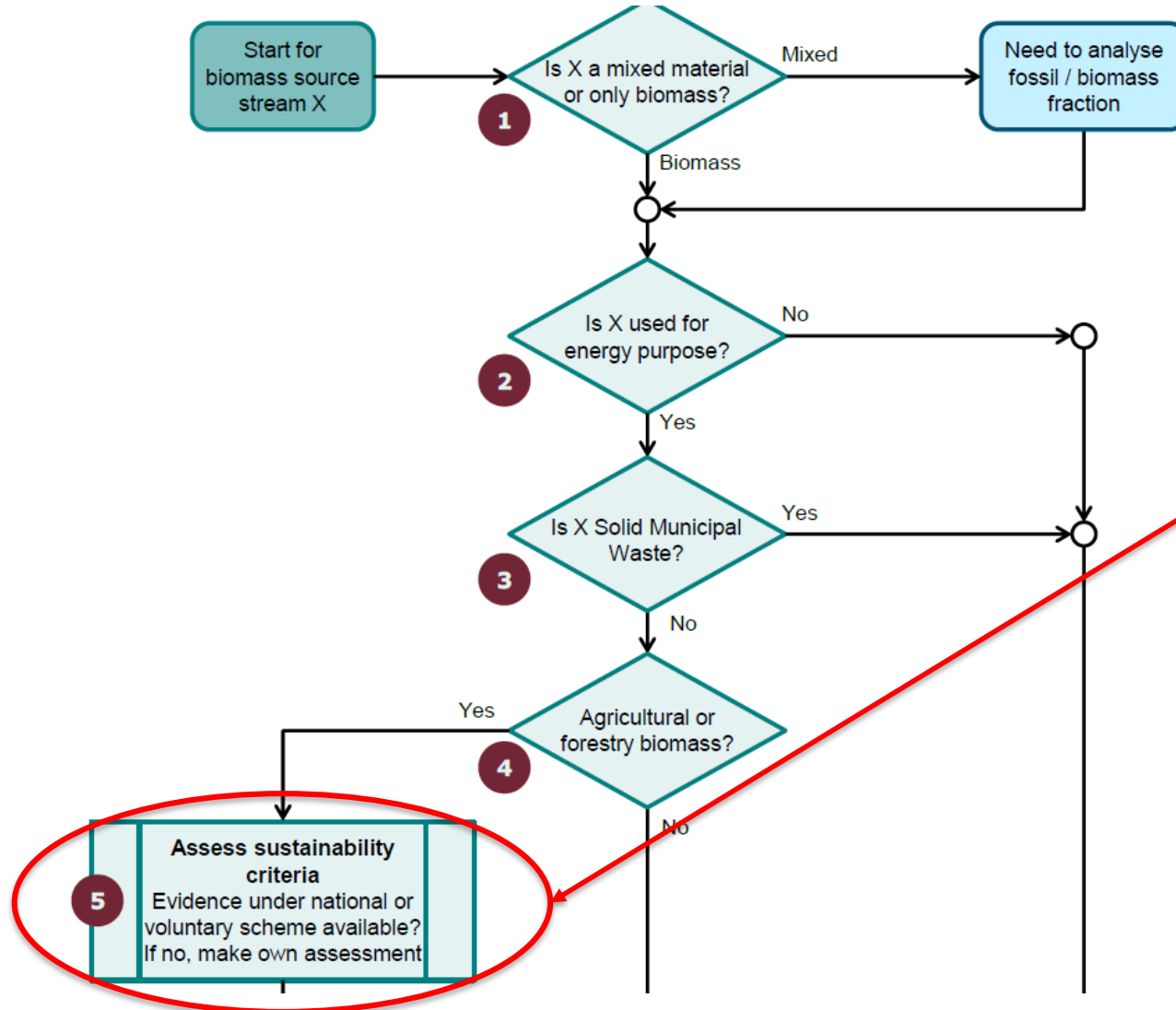
Topic concerning step 4: What is agricultural or forestry biomass?



Please clarify:

How to assess whether a waste/residue is agricultural or forestry biomass without European waste catalogue codes assigned to source streams?
→ list of biomass falling in this category needed?

Topic concerning step 5: competence of third party



Please clarify:

If there a national or voluntary scheme is not available in a MS

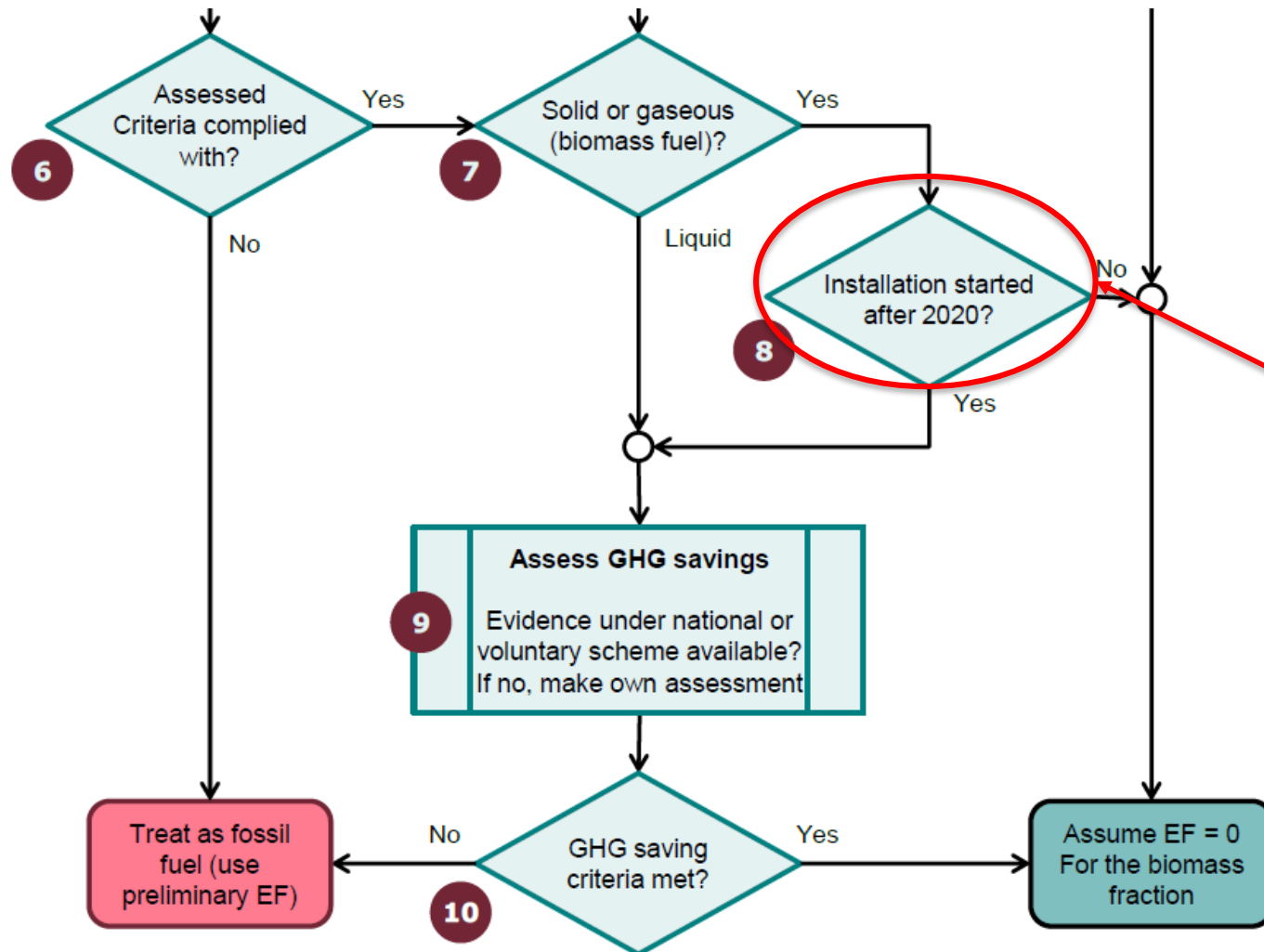
→ own assessment → get verifiers confirmation (GD1 footnote 125)

→ GD3 should explain “relevant competence” of third parties

→ Which “competence” can be accepted by MS?

Otherwise no harmonized approach throughout MS possible

Topic concerning step 8: date of starting operation



Please clarify:

GD1: discrepancy between text for step 8 and footnote 126:

- **Step 8** refers to the „starting operation date“ of EU-ETS installation
- **Footnote 126** says that Art. 29(10) REDII is to be applied: reference to the start of using biomass

Using biomass for the first time at all or using that specific biomass type for the first time (e.g. if incumbent installation changes from use of sewage sludge to waste wood)

Topic concerning Art. 30 (1) RED II: certification of EU-ETS installation necessary?

- Article 30(1) includes a requirement for a mass balance
 - Generally: Does an EU-ETS installation (end user) need to be certified by the same national or voluntary scheme as the supplier in order to meet the mass balance criteria?
 - Specifically: If an EU-ETS installation uses internally produced waste/residues or uses both internally produced waste/residues and imported waste/residues → does an EU-ETS installation (both producer and end user) need to be certified in order to meet the mass balance criteria?

Topics concerning biogas

- Is a purchase record needed for biogas on top of a Guarantee of Origin according to Art. 19 REDII?

Biogas transfer between MS

- What should be part of the evidence that there is no double counting of the same biogas quantity when biogas is imported from other MS?
- An overview over MS instruments for biogas would be helpful: What do MS instruments fund/subsidize?
→ overview helps CAs to assess if there is a double funding/subsidy which needs to be avoided

Thank you for your attention!

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