STATUTORY RULES OF NORTHERN IRELAND

2013 No. 116

The Renewables Obligation (Amendment) Order (Northern Ireland) 2013

Amendments to Part 1 of Schedule 2 (interpretation)

31.—(1) Paragraph 1 of Part 1 of Schedule 2 to the 2009 Order(**1**) is amended as follows.

(2) Before the definition of "AD" insert—

""2009/11 dedicated biomass generating station" means a generating station which has, in any month after March 2009 and before November 2011, generated electricity—

(a) only from biomass, and

(b) in respect of which NIROCs were issued for all or part of the electricity so generated during that month;"

(3) For the definition of "advanced gasification" substitute—

""advanced gasification/pyrolysis" means electricity generated from an advanced fuel which—

(a) in the case of a gaseous fuel, has a gross calorific value when measured at 25 degrees Celsius and 0.1 megapascals at the inlet to the generating station which is at least 4 megajoules per metre cubed, and

(b) in the case of a liquid fuel, has a gross calorific value when measured at 25 degrees Celsius and 0.1 megapascals at the inlet to the generating station which is at least 10 megajoules per kilogram;".

(4) Omit the definition of "advanced pyrolysis".

(5) At the appropriate places insert—

""building mounted solar PV" means electricity generated from the direct conversion of sunlight into electricity by equipment not installed on the ground either—

(a) directly, or

(b) on a frame, plinth or other structure installed—

(i) on the ground, and

(ii) wholly or mainly for the purpose of supporting that equipment,

where the relevant generating station is not a qualifying existing solar photovoltaic station or a qualifying new solar photovoltaic station as defined in Article 27A;"

""closed landfill gas" means electricity generated—

(a) from landfill gas (other than electricity generated using the heat from a turbine or engine), and

(**1**) Part 1 of Schedule 2 was amended by Article 17 of S.R. 2010/134.

(b) in a month in which the generating station generates electricity only from gas formed by the digestion of material in a landfill which has finally ceased to accept waste for disposal;"

""co-firing of regular bioliquid" means electricity generated from regular bioliquid burned in a combustion unit in a month in which—

(a) the energy content of the biomass burned in that combustion unit is less than 100% of the energy content of all of the energy sources burned in that combustion unit during that month, and

(b) the generating station generates electricity partly from fossil fuel and partly from renewable sources;"

""co-firing of regular bioliquid with CHP" means electricity generated from regular bioliquid burned by a qualifying combined heat and power generating station in a combustion unit in a month in which—

(a) the energy content of the biomass burned in that combustion unit is less than 100% of the energy content of all of the energy sources burned in that combustion unit during that month,

(b) the generating station generates electricity partly from fossil fuel and partly from renewable sources, and

(c) the fossil fuel and regular bioliquid have been burned in separate combustion units;"

""ground mounted solar PV" means electricity generated from the direct conversion of sunlight into electricity by equipment installed on the ground either—

(a) directly, or

(b) on a frame, plinth or other structure installed—

(i) on the ground, and

(ii) wholly or mainly for the purpose of supporting that equipment,

where the relevant generating station is not a qualifying existing solar photovoltaic station or a qualifying new solar photovoltaic station as defined in Article 27A;"

""high-range co-firing" means electricity generated from energy crops or regular solid or gaseous biomass burned in a combustion unit in a month in which—

(a) the energy content of the biomass burned in that combustion unit is at least 85% but is less than 100% of the energy content of all of the energy sources burned in that combustion unit during that month, and

(b) the generating station generates electricity partly from fossil fuel and partly from renewable sources;"

""high-range co-firing with CHP" means—

(a) electricity generated from regular solid or gaseous biomass burned by a qualifying combined heat and power generating station in a combustion unit in a month in which—

(i) the energy content of the biomass burned in that combustion unit is at least 85% but is less than 100% of the energy content of all of the energy sources burned in that combustion unit during that month,

(ii) the generating station generates electricity partly from fossil fuel and partly from renewable sources, and

(iii) the fossil fuel and regular solid or gaseous biomass have been burned in separate combustion units;

(b) electricity generated from energy crops burned by a qualifying combined heat and power generating station in a combustion unit in a month in which—

(i) the energy content of the biomass burned in that combustion unit is at least 85% but is less than 100% of the energy content of all of the energy sources burned in that combustion unit during that month,

(ii) the generating station generates electricity partly from fossil fuel and partly from renewable sources, and

(iii) the fossil fuel and energy crops have been burned in separate combustion units;"

""landfill gas heat recovery" means electricity generated using the heat from a turbine or engine, where that turbine or engine is generating electricity from landfill gas;"

""low-range co-firing" means electricity generated from energy crops or regular solid or gaseous biomass burned in a combustion unit in a month in which—

(a) the energy content of the biomass burned in that combustion unit is less than 50% of the energy content of all of the energy sources burned in that combustion unit during that month, and

(b) the generating station generates electricity partly from fossil fuel and partly from renewable sources;"

""low-range co-firing with CHP" means—

(a) electricity generated from regular solid or gaseous biomass burned by a qualifying combined heat and power generating station in a combustion unit in a month in which—

(i) the energy content of the biomass burned in that combustion unit is less than 50% of the energy content of all of the energy sources burned in that combustion unit during that month,

(ii) the generating station generates electricity partly from fossil fuel and partly from renewable sources, and

(iii) the fossil fuel and regular solid or gaseous biomass have been burned in separate combustion units;

(b) electricity generated from energy crops burned by a qualifying combined heat and power generating station in a combustion unit in a month in which—

(i) the energy content of the biomass burned in that combustion unit is less than 50% of the energy content of all of the energy sources burned in that combustion unit during that month,

(ii) the generating station generates electricity partly from fossil fuel and partly from renewable sources, and

(iii) the fossil fuel and energy crops have been burned in separate combustion units;"

""mid-range co-firing" means electricity generated from energy crops or regular solid or gaseous biomass burned in a combustion unit in a month in which—

(a) the energy content of the biomass burned in that combustion unit is at least 50% but is less than 85% of the energy content of all of the energy sources burned in that combustion unit during that month, and

(b) the generating station generates electricity partly from fossil fuel and partly from renewable sources;"

""mid-range co-firing with CHP" means—

(a) electricity generated from regular solid or gaseous biomass burned by a qualifying combined heat and power generating station in a combustion unit in a month in which—

(i) the energy content of the biomass burned in that combustion unit is at least 50% but is less than 85% of the energy content of all of the energy sources burned in that combustion unit during that month,

(ii) the generating station generates electricity partly from fossil fuel and partly from renewable sources, and

(iii) the fossil fuel and regular solid or gaseous biomass have been burned in separate combustion units;

(b) electricity generated from energy crops burned by a qualifying combined heat and power generating station in a combustion unit in a month in which—

(i) the energy content of the biomass burned in that combustion unit is at least 50% but is less than 85% of the energy content of all of the energy sources burned in that combustion unit during that month,

(ii) the generating station generates electricity partly from fossil fuel and partly from renewable sources, and

(iii) the fossil fuel and energy crops have been burned in separate combustion units;"

""qualifying existing solar photovoltaic station" has the meaning given to that term under Article 29A(1);"

""qualifying new solar photovoltaic station" has the meaning given to that term under Article 27(3);"

""regular bioliquid" means bioliquid other than—

(a) advanced fuel,

(b) fuel produced by means of anaerobic digestion,

(c) energy crops;"

""regular solid or gaseous biomass" means regular biomass other than bioliquid;"

""relevant fossil fuel CHP generating station" means a relevant fossil fuel generating station which is a qualifying combined heat and power generating station;"

""relevant fossil fuel generating station" means—

(a) a generating station—

(i) which is not a 2009/11 dedicated biomass generating station, and

(ii) which has, in any 6 month period since it was first commissioned, generated electricity from fossil fuel, where the energy content of the fossil fuel was more than 15% of the energy content of all of the energy sources used by the station to generate electricity during that 6 month period, or

(b) a generating station—

(i) which is a 2009/11 dedicated biomass generating station, and

(ii) which has, in any 6 month period since 1st November 2011, generated electricity from fossil fuel, where the energy content of the fossil fuel was more than 15% of the energy content of all of the energy sources used by the station to generate electricity during that 6 month period;"

""station conversion" means electricity generated—

(a) from regular biomass or from energy crops,

(b) by a relevant fossil fuel generating station, and

(c) in a month in which the station generates electricity only from biomass or only from energy crops;"

""station conversion with CHP" means electricity generated—

(a) from regular biomass or from energy crops,

(b) by a relevant fossil fuel CHP generating station, and

(c) in a month in which the station generates electricity only from biomass or only from energy crops;"

""unit conversion" means electricity generated from regular biomass or energy crops burned in a combustion unit in a month in which—

(a) that combustion unit burns only biomass or burns only energy crops, and

(b) the generating station generates electricity partly from fossil fuel and partly from renewable sources;"

""unit conversion with CHP" means electricity generated from regular biomass or energy crops burned by a qualifying combined heat and power generating station in a combustion unit in a month in which—

(a) that combustion unit burns only biomass or burns only energy crops, and

(b) the generating station generates electricity partly from fossil fuel and partly from renewable sources;".

(6) Omit the definitions of "co-firing of biomass", "co-firing of biomass with CHP", "co-firing of energy crops" and "co-firing of energy crops with CHP" .

(7) For the definition of "dedicated biomass" substitute—

""dedicated biomass" means electricity generated from regular biomass by a generating station—

(a) which is not a relevant fossil fuel generating station, and

(b) in a month in which it generates electricity only from biomass;".

(8) For the definition of "dedicated biomass with CHP" substitute—

""dedicated biomass with CHP" means electricity generated from regular biomass by a qualifying combined heat and power generating station—

(a) which is not a relevant fossil fuel generating station, and

(b) in a month in which it generates electricity only from biomass;".

(9) For the definition of "dedicated energy crops" substitute—

""dedicated energy crops" means electricity generated from energy crops by a generating station—

(a) which is not a relevant fossil fuel generating station, and

(b) in a month in which the generating station generates electricity only from energy crops or only from biomass;".

(10) Omit the definition of "dedicated energy crops with CHP".

(11) In the definition of "energy from waste with CHP"—

(a) after "other than" insert "an advanced fuel or"; and

(b) omit ", gasification or pyrolysis".

(12) For the definition of "standard gasification" substitute—

""standard gasification/pyrolysis" means electricity generated from an advanced fuel which—

(a) in the case of a gaseous fuel, has a gross calorific value when measured at 25 degrees Celsius and 0.1 megapascals at the inlet to the generating station which is at least 2 megajoules per metre cubed but is less than 4 megajoules per metre cubed, and

(b) in the case of a liquid fuel, has a gross calorific value when measured at 25 degrees Celsius and 0.1 megapascals at the inlet to the generating station which is less than 10 megajoules per kilogram;".

(13) Omit the definition of "standard pyrolysis".

(14) After paragraph 1(2)(a) of Part 1 of Schedule 2, omit "and".

(15) After paragraph 1(2)(b) of Part 1 of Schedule 2, insert—

"(c) in determining the energy content of the energy sources used by a generating station to generate electricity, no account is to be taken of any fossil fuel or waste which the station uses for permitted ancillary purposes; and

(d) in determining the energy content of the energy sources burned in a combustion unit, no account is to be taken of any fossil fuel or waste which is used—

(i) in that combustion unit for a purpose listed in Article 21(3)(a), and

(ii) in a month in which the energy content of the fossil fuel or waste used in that combustion unit for a purpose listed in Article 21(3)(a) (or, where both fossil fuel and waste are so used during a month, their combined energy content) does not exceed 10% of the energy content of all of the energy sources burned in that combustion unit during that month.".