

SCHEDULE 1

Article 2(1)

GREENHOUSE GAS CRITERIA FOR BIOLIQUID

Interpretation

1. In this Schedule—

“actual value method” means the calculation method for greenhouse gas emissions from the production and use of bioliquids provided for in paragraphs 1, 2 and 5 to 18 of Part C of Annex 5 to the Renewables Directive;

“default percentage” means—

(a) in relation to bioliquid described in the first column of Part A or Part B of Annex 5 to the Renewables Directive—

(i) the percentage (if any) which corresponds to that description in the third column of Part A or Part B of that Annex, or

(ii) where a percentage corresponding to that description is not set out in the third column of Part A or Part B of that Annex, the percentage which complies with the provision corresponding to that description in the second column of Part A or Part B of that Annex,

(b) in all other cases 0%;

“disaggregated default value” means, in relation to a bioliquid described in the first column of a table in Part D or Part E of Annex 5 to the Renewables Directive, the value which corresponds to that description in the third column of that table in Part D or Part E of that Annex;

“disaggregated default values for cultivation” means the figures in the third column of the table entitled “Disaggregated default values for cultivation: ‘e_{ec}’ as defined in part C of this Annex” in Part D of Annex 5 to the Renewables Directive;

“greenhouse gas emissions from the use of fossil fuel” means the value given in paragraph 19 of Part C of Annex 5 to the Renewables Directive as the fossil fuel comparator for bioliquids used for electricity production;

“mixed value method” means the calculation method for greenhouse gas emissions from the production and use of bioliquids provided for in paragraphs 1, 2 and 5 to 18 of Part C of Annex 5 to the Renewables Directive, but using one or more disaggregated default values for the bioliquid when carrying out the calculation set out in paragraph 1 of Part C of that Annex; and

“relevant percentage” means—

(a) in relation to bioliquid used to generate electricity before 1st January 2017, 35%;

(b) in relation to bioliquid used to generate electricity during 2017, 50%;

(c) in relation to bioliquid produced by an installation that started producing bioliquid before 1st January 2017 and used to generate electricity on or after 1st January 2018, 50%;

(d) in all other cases, 60%.

The greenhouse gas criteria

2. Bioliquid meets the greenhouse gas criteria if the greenhouse gas emissions from its use are lower, by at least the relevant percentage, than the greenhouse gas emissions from the use of fossil fuel.

Calculating the percentage difference

3. For the purposes of paragraph 2, and subject to paragraphs 4 to 6, the percentage difference between the greenhouse gas emissions from the use of the bioliquid and the greenhouse gas emissions from the use of fossil fuel—

- (a) is to be calculated by the operator of the generating station using the actual value method, or the mixed value method, or
- (b) when not so calculated, is equal to the default percentage.

4. The mixed value method must not be used for the purposes of paragraph 2 unless the bioliquid is described in the first column of a table in Part D or Part E of Annex 5 to the Renewables Directive.

5. Where the mixed value method is used for the purposes of paragraph 2, the disaggregated default values for cultivation must not be used in carrying out the calculation in paragraph 1 of Part C of Annex 5 to the Renewables Directive unless the biomaterial from which the bioliquid is made—

- (a) was cultivated outside the EU,
- (b) was cultivated in an area included in a list submitted under Article 19(2) of the Renewables Directive,
- (c) is waste, or
- (d) is residue (other than residue from agriculture, aquaculture or fisheries).

6. The default percentage must not be used in relation to bioliquid described in the first column of Part A or Part B of Annex 5 to the Renewables Directive unless—

- (a) in relation to the bioliquid, the result of the calculation in paragraph 7 of Part C of Annex 5 to the Renewables Directive is equal to, or less than, zero; and
- (b) in the case of a bioliquid described in the first column of Part A of Annex 5 to the Renewables Directive, the biomaterial from which the bioliquid is made—
 - (i) was cultivated outside the EU,
 - (ii) was cultivated in an area included in a list submitted under Article 19(2) of the Renewables Directive,
 - (iii) is waste, or
 - (iv) is residue (other than residue from agriculture, aquaculture or fisheries).