

EU biogas and biomethane inventory of regulatory framework



Number of regulatory act	DIRECTIVE (EU) 2015/1513
Name of regulatory act	ILUC Directive (amendments to RED and FQD)
Link	http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ.L:2015:239:TOC
Date of Publication	15/09/2015
Date of Implementation	05/10/2015
Purpose	The Directive aims to promote transition from conventional (starch-rich energy crops) biofuels (with a risk of ILUC emissions) to advanced biofuels (that deliver substantial greenhouse gas savings and low-ILUC) and encourage a greater market penetration of advanced biofuels by allowing such fuels to contribute more to the targets in the RED than conventional biofuels.
Relevance for the biomethane sector	The ILUC Directive sets a cap for biofuels produced from energy crops, however, it promotes a production and use of advanced generation biofuels.
Scope	Biofuels use in transport: conventional and advanced biofuels.
Targets	Recital (1) and other articles refers to 10% renewable energy target in transport by 2020.
Sustainability Criteria	References to the RED and FQD that sets out the sustainability criteria. The overall objective of the ILUC Directive is to limit ILUC.
Mass-balance	
Support Systems (subsidies, feed in tariffs, etc)	
Non-discriminatory access to the grid	
Transport sector	Recital 7 "Each Member State should promote the consumption of such advanced biofuels and seek to attain a minimum proportion of those biofuels being consumed on their territory, through setting a non legally binding national target which it shall endeavour to achieve within the obligation of ensuring that the share of energy from renewable sources in all forms of transport in 2020 is at least 10 % of the final consumption of energy in transport in that Member State." The Commission is required to report by the end of 2017 on the relative share of bioethanol and biodiesel on the EU market, ignoring the gaseous biofuel (i.e. biomethane) (Art. 2ae).
Waste regulation	In Recital 7 it is recognised that "advanced biofuels, such as those made from wastes and algae, provide high greenhouse gas emission savings, with low risk of causing indirect land use change, and do not compete directly for agricultural land for the food and feed markets. It is appropriate, therefore, to encourage greater research, development and production of such advanced biofuels as they are currently not commercially available in large quantities". Recital 15 states that "biofuels made from feedstocks that do not lead to additional demand for land, such as those from waste feedstocks, should be assigned a zero emissions factor." Article 2(1)(p) establishes that 'waste' shall be defined as in Article 3(1) of Directive 2008/98/EC. Article 2(2) explains that when setting policies for the promotion of the production of advanced biofuels, MS "shall have due regard to the waste hierarchy as established in Article 4 of Directive 2008/98/EC, including its provisions regarding life-cycle thinking on the overall impacts of the generation and management of different waste streams".
Emission Regulation	Overall objective of the ILUC Directive is to limit indirect land use change greenhouse gas emissions associated with the production of biofuels. Recital 2 recalls 6% RED GHG reduction target for road transport by 2020. Recital 7 "Liquid renewable fuels are likely to be required by the transport sector in order to reduce its greenhouse gas emissions." Article 1(3)(a) establishes that the GHG emission saving from the use of biofuels will be at least 60 % for biofuels produced in new installations.