

# A sustainable bioenergy policy for the period after 2020

Fields marked with \* are mandatory.

## Introduction

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EU Member States have agreed on a new policy framework for climate and energy, including EU-wide targets for the period between 2020 and 2030. The targets include reducing the Union's greenhouse gas (GHG) emissions by 40 % relative to emissions in 2005 and ensuring that at least 27 % of the EU's energy comes from renewable sources. They should help to make the EU's energy system more competitive, secure and sustainable, and help it meet its long-term (2050) GHG reductions target.

In January 2014, in its Communication on A policy framework for climate and energy in the period from 2020 to 2030,[1] the Commission stated that '[a]n improved biomass policy will also be necessary to maximise the resource-efficient use of biomass in order to deliver robust and verifiable greenhouse gas savings and to allow for fair competition between the various uses of biomass resources in the construction sector, paper and pulp industries and biochemical and energy production. This should also encompass the sustainable use of land, the sustainable management of forests in line with the EU's forest strategy and address indirect land-use effects as with biofuels'.

In 2015, in its Energy Union strategy,[2] the Commission announced that it would come forward with an updated bioenergy sustainability policy, as part of a renewable energy package for the period after 2020.

Bioenergy is the form of renewable energy used most in the EU and it is expected to continue to make up a significant part of the overall energy mix in the future. On the other hand, concerns have been raised about the sustainability impacts and competition for resources stemming from the increasing reliance on bioenergy production and use.

Currently, the Renewable Energy Directive[3] and the Fuel Quality Directive[4] provide an EU-level sustainability framework for biofuels[5] and bioliquids.[6] This includes harmonised sustainability criteria for biofuels and provisions aimed at limiting indirect land-use change,[7] which were introduced in 2015.[8]

In 2010, the Commission issued a Recommendation[9] that included non-binding sustainability criteria for solid and gaseous biomass used for electricity, heating and cooling (applicable to installations with a capacity of over 1 MW). Sustainability schemes have also been developed in a number of Member States.

The Commission is now reviewing the sustainability of all bioenergy sources and final uses for the period after 2020. Identified sustainability risks under examination include lifecycle greenhouse gas emissions from bioenergy production and use; impacts on the carbon stock of forests and other ecosystems; impacts on biodiversity, soil and water, and emissions to the air; indirect land use change impacts; as well as impacts on the competition for the use of biomass between different sectors (energy, industrial uses, food). The Commission has carried out a number of studies to examine these issues more in detail.

The development of bioenergy also needs to be seen in the wider context of a number of priorities for the Energy Union, including the ambition for the Union to become the world leader in renewable energy, to lead the fight against global warming, to ensure security of supply and integrated and efficient energy markets, as well as broader EU objectives such as reinforcing Europe's industrial base, stimulating research and innovation and promoting competitiveness and job creation, including in rural areas. The Commission also stated in its 2015 Communication on the circular economy<sup>[10]</sup> that it will 'promote synergies with the circular economy when examining the sustainability of bioenergy under the Energy Union'. Finally, the EU and its Member States have committed themselves to meeting the 2030 Sustainable Development Goals.

[1] COM(2014) 15.

[2] COM/2015/080 final.

[3] Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC (OJ L 140, 5.6.2009, p. 16).

[4] Directive 98/70/EC of the European Parliament and of the Council of 13 October 1998 relating to the quality of petrol and diesel fuels and amending Council Directive 93/12/EEC (OJ L 350, 28.12.1998, p. 58).

[5] Used for transport.

[6] Used for electricity, heating and cooling.

[7] Biomass production can take place on land that was previously used for other forms of agricultural production, such as growing food or feed. Since such production is still necessary, it may be (partly) displaced to land not previously used for crops, e.g. grassland and forests. This process is known as indirect land use change (ILUC); see <http://ec.europa.eu/energy/en/topics/renewable-energy/biofuels/land-use-change>.

[8] See more details on the existing sustainability framework for biofuels and bioliquids in section 5.

[9] COM/2010/0011 final.

[10] Closing the loop – an EU action plan for the circular economy (COM(2015) 614/2).

## 1. General information about respondents

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\* 1.1. In what capacity are you completing this questionnaire?

- academic/research institution
- as an individual / private person
- civil society organisation
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- international organisation
- other
- private enterprise
- professional organisation
- public authority
- public enterprise

1.8. If replying as an individual/private person, please give your name; otherwise give the name of your organisation

*200 character(s) maximum*

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1.9. If your organisation is registered in the Transparency Register, please give your Register ID number.

(If your organisation/institution responds without being registered, the Commission will consider its input as that of an individual and will publish it as such.)

*200 character(s) maximum*

1.10. Please give your country of residence/establishment

- Austria
- Belgium
- Bulgaria
- Croatia
- Cyprus
- Czech Republic
- Denmark
- Estonia
- Finland
- France
- Germany
- Greece
- Hungary
- Ireland
- Italy
- Latvia
- Lithuania
- Luxembourg
- Malta
- Netherlands
- Poland
- Portugal

- Romania
- Slovakia
- Slovenia
- Spain
- Sweden
- United Kingdom
- Other non-EU European country
- Other non-EU Asian country
- Other non-EU African country
- Other non-EU American country

\* 1.11. Please indicate your preference for the publication of your response on the Commission's website:

(Please note that regardless the option chosen, your contribution may be subject to a request for access to documents under [Regulation 1049/2001](#) on public access to European Parliament, Council and Commission documents. In this case the request will be assessed against the conditions set out in the Regulation and in accordance with applicable [data protection rules](#).)

- Under the name given: I consent to publication of all information in my contribution and I declare that none of it is subject to copyright restrictions that prevent publication.
- Anonymously: I consent to publication of all information in my contribution and I declare that none of it is subject to copyright restrictions that prevent publication.
- Please keep my contribution confidential. (it will not be published, but will be used internally within the Commission)

## Perceptions of bioenergy

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### 2.1. Role of bioenergy in the achievement of EU 2030 climate and energy objectives

Please indicate which of the statements below best corresponds to your perception of the role of bioenergy in the renewable energy mix, in particular in view of the EU's 2030 climate and energy objectives:

- Bioenergy should continue to play a dominant role in the renewable energy mix.
- Bioenergy should continue to play an important role in the renewable energy mix, but the share of other renewable energy sources (such as solar, wind, hydro and geothermal) should increase significantly.
- Bioenergy should not play an important role in the renewable energy mix: other renewable energy sources should become dominant.

### 2.2. Perception of different types of bioenergy

Please indicate, for each type of bioenergy described below, which statement best corresponds to your perception of the need for public (EU, national, regional) policy intervention (tick one option in each line):

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	Should be further promoted	Should be further promoted, but within limits	Should be neither promoted nor discouraged	Should be discouraged	No opinion
Biofuels from food crops	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Biofuels from energy crops (grass, short rotation coppice, etc.)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Biofuels from waste (municipal solid waste, wood waste)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Biofuels from agricultural and forest residues	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Biofuels from algae	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Biogas from manure	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Biogas from food crops (e.g. maize)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Biogas from waste, sewage sludge, etc.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Heat and power from forest biomass (except forest residues)	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Heat and power from forest residues (tree tops, branches, etc.)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Heat and power from agricultural biomass (energy crops, short rotation coppice)	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Heat and power from industrial residues (such as sawdust or black liquor)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Heat and power from waste	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Large-scale electricity generation (50 MW or more) from solid biomass	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Commercial heat generation from solid biomass	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Large-scale combined heat and power generation from solid biomass	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Small-scale combined heat and power generation from solid biomass	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Heat generation from biomass in domestic (household) installations	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Bioenergy based on locally sourced feedstocks	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Bioenergy based on feedstocks sourced in the EU	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Bioenergy based on feedstocks imported from non-EU countries	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Other	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

### 3. Benefits and opportunities from bioenergy

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#### 3.1. Benefits and opportunities from bioenergy

Bioenergy (biofuel for transport, biomass and biogas for heat and power) is currently promoted as it is considered to be contributing to the EU's renewable energy and climate objectives, and also having other potential benefits to the EU economy and society.

Please rate the contribution of bioenergy, as you see it, to the benefits listed below (one answer per line):

	of critical importance	important	neutral	negative	No opinion
Europe's energy security: safe, secure and affordable energy for European citizens	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Grid balancing including through storage of biomass (in an electricity system with a high proportion of electricity from intermittent renewables)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Reduction of GHG emissions	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Environmental benefits (including biodiversity)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Resource efficiency and waste management	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Boosting research and innovation in bio-based industries	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Competitiveness of European industry	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Growth and jobs, including in rural areas	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Sustainable development in developing countries	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

### 3.2. Any additional views on the benefits and opportunities from bioenergy? Please explain

*2500 character(s) maximum*

While we believe it is absolutely correct to set threshold GHG reductions and sustainability criteria that must be achieved by qualifying biofuels, current legislation is too prescriptive in terms of exactly what feedstocks may be used in order to produce biofuels. In this way current legislation not only defines the desired outcome, but also how to achieve the outcome. In so doing current legislation specifically blocks the development and deployment of technologies unforeseen today for the production of low carbon, sustainable fuels from novel feedstocks. By adopting a strategy that simply prescribes the outcome in terms of GHG reduction and resource sustainability criteria, a greater volume of fuels may be produced with the potential for greater triple bottom line benefits for the EU being realized. Such a strategy would also recognize the power of innovation to find new, disruptive solutions to our most urgent challenges.

The use of gas fermentation to produce biofuels from industrial residues is an excellent example of this. Through gas fermentation the carbon and energy in existing industrial waste gases may be locked into low GHG footprint fuels that displace fossil-derived fuels, keeping fossil in the ground. This technology was unforeseen at the time of writing of current biofuels legislation and allows by-products of steel making and other large scale industrial processes to be converted into sustainable, low carbon fuels and chemicals. Nevertheless, this pathway provides:

- provides a path to sustainably produced low carbon fuel by recycling waste carbon from existing industrial processes
- Provides a diversification opportunity to existing industrial processes in the EU
- Access to a large, local, and as-yet un-tapped resource for low carbon fuel production i.e. waste from industry
- Does not require the use of land or food resources
- Offers future potential for production of carbon-fixed chemical feedstocks from the same gas resources.
- Enables the Circular economy model by reusing waste materials to make new useful products.

In a legislative approach that sought only to define the qualifying attributes of a fuel in terms of GHG reduction and resource sustainability criteria, strategies like gas fermentation would qualify and allow much greater domestic production of sustainable fuels.

## 4. Risks from bioenergy production and use

### 4.1. Identification of risks

A number of risks have been identified (e.g. by certain scientists, stakeholders and studies) in relation to bioenergy production and use. These may concern specific biomass resources (agriculture, forest, waste), their origin (sourced in the EU or imported) or their end-uses (heat, electricity, transport).

Please rate the relevance of each of these risks as you see it (one answer per line):

	critical	significant	not very significant	non-existent	No opinion
Change in carbon stock due to deforestation and other direct land-use change in the EU	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Change in carbon stock due to deforestation and other direct land-use change in non-EU countries	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Indirect land-use change impacts	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
GHG emissions from the supply chain (e.g. cultivation, processing and transport)	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
GHG emissions from combustion of biomass ('biogenic emissions')	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Impacts on air quality	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Impacts on water and soil	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Impacts on biodiversity	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Varying degrees of efficiency of biomass conversion to energy	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Competition between different uses of biomass (energy, food, industrial uses) due to limited availability of land and feedstocks and/or subsidies for specific uses	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Internal market impact of divergent national sustainability schemes	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

#### 4.2. Any additional views on the risks from bioenergy production and use? Please explain

*2500 character(s) maximum*

By the use of legislation that restricts biofuel production technologies to the use of specific feedstocks (i.e. biomass) presents a significant risk to achieving a successful outcome for current biofuels policy at every level. By directing biofuels production technologies to use a farmed feedstocks exposes the biofuel production value chain to:

- **Technology risk:** technologies to convert a broad array of woody biomass resources to fuels consistently at scale are not mature. Significant time and investment is needed to develop these technologies to a point of maturity.
- **Supply Risk:** The consistency of the supply of biomass resources at a scale that would be required to produce sustainable fuels in impactful volumes is not certain. New agricultural systems to intensively farm biofuel crops are needed. Additionally, with increasingly unpredictable weather patterns, harvest volumes are increasingly less certain. A broader feedstock base decreases the impact of a failure in any individual resource.
- **Reputational risk:** Investors, supply-chain stakeholders and the public will lose confidence in the biofuel industry if there is a failure to deliver sustainable fuel consistently and at an impactful volume. By broadening what feedstocks may be accessed in turn increases the number of technologies that may be deployed to deliver volumes of biofuel, decreasing the relative impact of a failure to deliver in a single technology area, and increasing the certainty of the successful delivery of large volumes of biofuels into the market.
- **Technology risk:** Current legislation focuses research and development strategies technologies that allow access to only certain, primarily biomass-derived feedstocks. This legislation therefore and restricts innovative efforts to develop new breakthrough biofuel production technologies from novel feedstocks. In this way the current approach is anti-innovation and could result in European industrial and academic research lagging capability

elsewhere to expand the potential options for low carbon fuel production at scale.

- **Environmental risk:** By restricting low carbon fuel production to a technologies that access defined feedstocks places the achievement of the EU GHG reduction targets at risk. A broader view of acceptable feedstocks for low-carbon fuel production technologies could be deployed increasing the certainty of achieving current and future more ambitious GHG reduction goals.

## 5. Effectiveness of existing EU sustainability scheme for biofuels and bioliquids

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In 2009, the EU established a set of sustainability criteria for biofuels (used in transport) and bioliquids (used for electricity and heating). Only biofuels and bioliquids that comply with the criteria can receive government support or count towards national renewable energy targets. The main criteria are as follows:

- Biofuels produced in new installations must achieve GHG savings of at least 60 % in comparison with fossil fuels. In the case of installations that were in operation before 5 October 2015, biofuels must achieve a GHG emissions saving of at least 35 % until 31 December 2017 and at least 50 % from 1 January 2018. Lifecycle emissions taken into account when calculating GHG savings from biofuels include emissions from cultivation, processing, transport and direct land-use change;
- Biofuels cannot be grown in areas converted from land with previously (before 2008) high carbon stock, such as wetlands or forests;
- Biofuels cannot be produced from raw materials obtained from land with high biodiversity, such as primary forests or highly biodiverse grasslands.

In 2015, new rules<sup>[1]</sup> came into force that amend the EU legislation on biofuel sustainability (i.e. the Renewable Energy Directive and the Fuel Quality Directive) with a view to reducing the risk of indirect land-use change, preparing the transition to advanced biofuels and supporting renewable electricity in transport. The amendments:

- limit to 7 % the proportion of biofuels from food crops that can be counted towards the 2020 renewable energy targets;
- set an indicative 0.5 % target for advanced biofuels as a reference for national targets to be set by EU countries in 2017;
- maintain the double-counting of advanced biofuels towards the 2020 target of 10 % renewable energy in transport and lay down a harmonised EU list of eligible feedstocks; and
- introduce stronger incentives for the use of renewable electricity in transport (by counting it more towards the 2020 target of 10 % renewable energy use in transport).

[1] Directive (EU) 2015/1513 of the European Parliament and of the Council of 9 September 2015 amending Directive 98/70/EC relating to the quality of petrol and diesel fuels and amending Directive 2009/28/EC on the promotion of the use of energy from renewable sources (OJ L 239, 15.9.2015, p. 1).

### 5.1. Effectiveness in addressing sustainability risks of biofuels and bioliquids

In your view, how effective has the existing EU sustainability scheme for biofuels and bioliquids been in addressing the risks listed below? (one answer per line)

	effective	partly effective	neutral	counter-productive	No opinion
GHG emissions from cultivation, processing and transport	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
GHG emissions from direct land-use change	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Indirect land-use change	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Impacts on biodiversity	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Impact on soil, air and water	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Any additional comments?

*2500 character(s) maximum*

Although the RED has undertaken to provide a framework for sustainability criteria, it has been overly prescriptive and leaves out scope for additional resources to be used, such as waste gases. In so doing this legislation has become a “handbrake” to the commercialization of viable technologies for the production of high volumes of fuels that qualify from both a GHG-savings and an ILUC perspective, even at the most aggressive thresholds. The confusion and restrictions created under the RED has therefore stifled commercial efforts to make low carbon fuels by damaging investor confidence.

### 5.2. Effectiveness in promoting advanced biofuels

In your view, how effective has the sustainability framework for biofuels, including its provisions on indirect land-use change, been in driving the development of ‘advanced’ biofuels, in particular biofuels produced from ligno-cellulosic material (e.g. grass or straw) or from waste material (e.g. waste vegetable oils)?

- very effective
- effective
- neutral
- counter-productive
- no opinion

What additional measures could be taken to further improve the effectiveness in promoting advanced biofuels?

*2500 character(s) maximum*

Current legislation has specifically restricted the deployment of advanced low carbon fuel production processes by taking an artificially narrow view as to what feedstocks may be used in such efforts. Legislation should take a holistic view recognizing the need for robust carbon accounting and process sustainability into account. This would in turn encourage innovation on a broader front to develop new technologies that access alternative feedstocks, enable more investment in the sector as investors have confidence in the opportunities offered by new innovative production paths, The resultant increase in technology deployment and production volumes on the market will also boost public opinion, with greater certainty that low carbon fuels can provide an alternative to existing fuel options.

### 5.3. Effectiveness in minimising the administrative burden on operators

In your view, how effective has the EU biofuel sustainability policy been in reducing the administrative burden on operators placing biofuels on the internal market by harmonising sustainability requirements in the Member States (as compared with a situation where these matter would be regulated by national schemes for biofuel sustainability)?

- very effective
- effective
- not effective
- no opinion

What are the lessons to be learned from implementation of the EU sustainability criteria for biofuels? What additional measures could be taken to reduce the administrative burden further?

*2500 character(s) maximum*

### 5.4. Deployment of innovative technologies

In your view, what is needed to facilitate faster development and deployment of innovative technologies in the area of bioenergy? What are the lessons to be learned from the existing support mechanisms for innovative low-carbon technologies relating to bioenergy?

*2500 character(s) maximum*

By taking a rather arbitrary view as to what feedstock can and cannot be used for low carbon fuel production, the current legislation is not only anti-innovation it has created a challenging market dynamic for the commercialization of new technologies. It is important that we move rapidly to create a results driven support framework that allows a broader scope of

technologies to be deployed and make it to the market place. If they meet sustainability criteria and help reduce carbon emissions, they should be allowed to compete in the open market. Today policy barriers prevent advanced biofuels production technology d processes being deployed in the EU because they fall out of the scope of the existing framework.

To focus only on processes that use biomass-derived feedstocks for low carbon fuel production reflects a decision by policy makers to merely extrapolate what has been practiced in the past in order to address our problems in the future. If structured and incentivized correctly technology innovation offers the potential to access a much broader array of feedstocks for biofuel production, thereby greatly enhancing the level of societal decarbonisation that is possible. Processes such as gas fermentation that allow carbon and energy in feedstocks as diverse as industrial waste gas, municipal solid waste, biogas and agricultural waste to all be equally used for low carbon fuel production are just such an example. In order to meet the carbon reduction goals of Paris, we need to move beyond just biomass as a solution and embrace a wider variety of biological processes and feedstocks that drive toward the same outcomes.

## 6. Effectiveness of existing EU policies in addressing solid and gaseous biomass sustainability issues

6.1. In addition to the non-binding criteria proposed by the Commission in 2010, a number of other EU policies can contribute to the sustainability of solid and gaseous bioenergy in the EU. These include measures in the areas of energy, climate, environment and agriculture.

In your view, how effective are current EU policies in addressing the following risks of negative environmental impacts associated with solid and gaseous biomass used for heat and power? (one answer per line)

	effective	partly effective	neutral	counter-productive	No opinion
Change in carbon stock due to deforestation, forest degradation and other direct land-use change in the EU	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Change in carbon stock due to deforestation, forest degradation and other direct land-use change in non-EU countries	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Indirect land-use change impacts	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
GHG emissions from supply chain, e.g. cultivation, processing and transport	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
GHG emissions from combustion of biomass ('biogenic emissions')	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Air quality	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Water and soil quality	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Biodiversity impacts	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Varying degrees of efficiency of biomass conversion to energy	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Competition between different uses of biomass (energy, food, industrial uses) due to limited availability of land and feedstocks	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

6.2. Any additional views on the effectiveness of existing EU policies on solid and gaseous biomass?  
Please explain

*2500 character(s) maximum*

Current legislation is highly restrictive, using as its basis the regulation of both the inputs and the output of low carbon fuel production processes. Legislators need to recognize that while biomass is an excellent resource from which to produce low carbon fuels, it is not the only resource that could be used. Technology and innovation has enabled access to resources such as current industrial waste streams that are available today, available in large volumes, do not interfere with food production and are relatively low cost. Gas fermentation is a demonstrated process that allows access to such streams while producing a fuel that achieves a greater than 70% reduction in GHG emissions relative to gasoline.

Although the RED has undertaken to provide a framework for sustainability criteria, it has been overly prescriptive and leaves out scope for additional

resources to be used, such as waste gases. In so doing this legislation has become a “handbrake” to the commercialization of viable technologies for the production of high volumes of fuels that qualify from both a GHG-savings and an ILUC perspective, even at the most aggressive thresholds. The confusion and restrictions created under the RED has therefore stifled commercial efforts to make low carbon fuels by damaging investor confidence.

Gas fermentation as a process for recycling the carbon and energy in industrial waste gas for low carbon fuel production is real and ready today. Investors and industrial partners are lining up to invest in a cleaner more competitive EU using processes like gas fermentation. It is therefore imperative to revise definitions to be more inclusive.

## 7. Policy objectives for a post-2020 bioenergy sustainability policy

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7.1. In your view, what should be the key objectives of an improved EU bioenergy sustainability policy post-2020? Please rank the following objectives in order of importance: most important first; least important 9th/10th (you can rank fewer than 9/10 objectives):

	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th
Contribute to climate change objectives	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Avoid environmental impacts (biodiversity, air and water quality)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Mitigate the impacts of indirect land-use change	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Promote efficient use of the biomass resource, including efficient energy conversion	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Promote free trade and competition in										

the EU among all end-users of the biomass resource	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>						
Ensure long-term legal certainty for operators	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Minimise administrative burden for operators	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Promote energy security	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Promote EU industrial competitiveness, growth and jobs	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>						

## 7.2. Any other views? Please specify

*2500 character(s) maximum*

In order to be effective the commission needs to be united in what its aims are. If we want to meet our climate commitments we cannot be mired in narrow legislative text-it must be designed to enable all sustainable solutions to support the bioenergy sector. This will provide the basis for achieving the regions climate, energy security goals. Gas fermentation is not accepted under the RED if it uses waste gases from for example the steel industry, but if we cut down forests to burn wood to produce iron and use that gas it is ok. If we do nothing and leave the gas to be combusted for electricity generation, we are adding GHG and pollutants to the atmosphere. What is the goal of the Commission? To promote pollution and chop down trees to burn them? Or to reduce emissions, clean up industry, produce lower carbon fuels compared to fossil and promote a circular bioeconomy?

The climate crisis has the potential to be indiscriminately damaging to health, environment and economies of Europeans. We should be seeking to solve this issue by any sustainable means necessary, with focused unified policies that recognize the urgency and gravity of the situation. This means opening the bioeconomy up to enable it to deliver its full potential in this area by allowing waste gas recycling for sustainable low GHG low fuels to be produced from established industrial emissions.

## 8. EU action on sustainability of bioenergy

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### 8.1. In your view, is there a need for additional EU policy on bioenergy sustainability?

- No: the current policy framework (including the sustainability scheme for biofuels and bioliquids, and other EU and national policies covering solid and gaseous biomass) is sufficient.
- Yes: additional policy is needed for solid and gaseous biomass, but for biofuels and bioliquids the existing scheme is sufficient.
- Yes: additional policy is needed on biofuels and bioliquids, but for solid and gaseous biomass existing EU and national policies are sufficient.
- Yes: a new policy is needed covering all types of bioenergy.

### 8.2. In your view, and given your answers to the previous questions, what should the EU policy framework on the sustainability of bioenergy include? Please be specific

*5000 character(s) maximum*

Current legislation and policy frameworks are stifling the bioeconomy, preventing it from delivering of its full potential in terms of low carbon fuel production. The legislation restricts and confines the industry to efforts that use biomass as the feedstock for low carbon fuel production. The legislation does not encourage innovative new approaches, such as gas fermentation, that are ready for commercial deployment to recycle waste carbon and energy from large scale industrial processes operating in the EU, for the

production of a low carbon fuel. Such restrictive legislation represents a significant risk for the achievement of the GHG targets the commission has set for the transportation sector.

Legislation should take a holistic view recognizing the need for robust carbon accounting and process sustainability into account. This would in turn encourage innovation on a broader front to develop new technologies that access alternative feedstocks, enable more investment in the sector as investors have confidence in the opportunities offered by new innovative production paths. The resultant increase in technology deployment and production volumes on the market will also boost investor confidence in the sector and the supply chain and re-enforce public opinion, with greater certainty that low carbon fuels can provide an alternative to existing fuel options. With this in place, the market can decide the most economic solutions that will disrupt or improve established technologies.

## 9. Additional contribution

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Do you have other specific views that could not be expressed in the context of your replies to the above questions?

*5000 character(s) maximum*

Finally, you may upload here any relevant documents, e.g. position papers, that you would like the European Commission to be aware of.

**Thank you for participation to the consultation!**

### Contact

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