

## **Sustainable biofuels, bioliquids and bioenergy and the production of sustainable biomass – National Implementation in Germany according to RED and German legislation**

Based on the RED (Renewable Energy Sources Directive) Germany has established in 2009 implementing legislative acts for sustainable biofuels (and bioliquids) and the production of sustainable biomass:

- Energy Tax Act (EnergieStG)
- Federal Immission Control Act (BImSchG)
- Renewable Energy Sources Act Law for priority of renewable energy (EEG)
- Sustainable-biofuels ordinance (Biokraft-NachV)
- Biomass-electricity-sustainability ordinance (BioSt-NachV)

The responsible German Office is the Bundesanstalt für Landwirtschaft und Ernährung (BLE, see [www.ble.de/biomasse](http://www.ble.de/biomasse)). The BLE evaluates the German implementation of RED sustainability criteria and edits an annual progress report on behalf of the Federal Government (first one on 2010, published in March 2011). Furthermore, the BLE recognizes and supervises all national and other certification systems and certification bodies.

More specifically, on biofuels, the BLE takes care of the data required for the attribution of biofuels to the biofuel quota or for tax relief available to the biofuel quota body and to main customs offices. On bioenergy, the BLE takes care of the data required for compensation and for any renewable resource bonus to installation operators available to the network operators. The information the BLE asks for to comply with an effective implementation of national legislation do not go beyond the information the RED asked for.

The BLE also keeps a register of all installations that convert liquid biomass to electricity. The BLE checks the plausibility of the last operator proofs of sustainability and issues partial proofs of sustainability on suppliers' requests. The BLE works with an electronic system, the so-called WEB-application "Nabisy" aiming at avoidance for bureaucratic procedures. Nabisy is able to check at each stage the plausibility of proofs of sustainability; it also issues partial proofs of sustainability on suppliers' requests.

If the economic operators, irrespective whether national or foreign, provide for the information needed for proof of sustainability and provision of compliance with the RED and complementing national legislation, they are eligible to claim a national tax relief or a credit against the German biofuels quota or payment of any remuneration by network operators in the electricity sector.

With regard to sustainable biomass production requirements, based on the above-mentioned two German implementing ordinances (Biokraft-NachV and BioSt-NachV), the BLE recognises certification systems for the purposes of affirming at all stages the sustainability of production, transportation and distribution (delivery) of biomass to be fulfilled. At present - besides the most recently recognised EU certification systems - Germany has recognized three certification systems (ISCC, Köln; REDcert, Bonn; RSB, Lausanne). Moreover, Germany has recognized 29 certification bodies that are independent natural or legal persons that certify interfaces, verify the achievement of the requirements of the ordinance(s) and, where appropriate, further standards of the certification system related to companies and operational sites, interfaces and suppliers operating under that specific certification system.