



Brussels, 25th September 2008

BIOMASS definition Directive Renewable Energy Sources

CEWEP – Confederation of European Waste-to-Energy Plants (www.cewep.eu),
ESWET – European Suppliers of Waste to Energy Technology (www.eswet.eu) and
FEAD – European Federation of Waste Management and Environmental Services (www.fead.be),

are united in expressing their **grave concerns over the modified BIOMASS definition** as adopted by the Industry, Research and Energy Committee of the European Parliament on the 11th September 2008.

Please find below a **combined proposal for a Compromise amendment** in view of the **plenary vote of the 16th December 2008**.

<i>Proposal from ITRE Committee Article 2 - Definitions</i>	<i>Joint proposal from CEWEP – ESWET – FEAD Article 2 - Definitions</i>
(b) "biomass" means the biodegradable fraction of products, waste and residues from agriculture (including vegetal and animal substances), aquaculture, forestry and related industries, the separated collected biodegradable fraction of industrial and municipal waste as well as wastewater sludge;	(b) "biomass" means the biodegradable fraction of products, waste and residues from agriculture (including vegetal and animal substances), aquaculture, forestry and related industries, the biodegradable fraction of industrial and municipal waste as well as wastewater sludge;

In combination with:

<i>Proposal from ITRE Committee Article 5.1</i>	<i>Joint proposal from CEWEP – ESWET – FEAD Article 5 Calculation of the share of energy from renewable sources</i>
1. The final consumption of energy from renewable sources in each Member State shall be calculated as the sum of: <ul style="list-style-type: none"> (a) final consumption of electricity from renewable energy sources; (b) final consumption of energy from renewable sources for heating and cooling; and (c) final energy from renewable 	1. The final consumption of energy from renewable sources in each Member State shall be calculated as the sum of: <ul style="list-style-type: none"> (a) final consumption of electricity from renewable energy sources; (b) final consumption of energy from renewable sources for heating and cooling; and (c) final energy from renewable

<p style="text-align: center;">sources consumed in transport.</p> <p>Gas, electricity and hydrogen from renewable energy sources shall only be considered once in either 1(a), 1(b) or 1(c) for calculating the share of final consumption of energy from renewable sources.</p> <p>Biofuels and other bioliquids that do not fulfil the environmental sustainability criteria in Article 15 shall not be taken into account.</p>	<p style="text-align: center;">sources consumed in transport.</p> <p>Gas, electricity and hydrogen from renewable energy sources shall only be considered once in either 1(a), 1(b) or 1(c) for calculating the share of final consumption of energy from renewable sources.</p> <p>Biofuels and other bioliquids that do not fulfil the environmental sustainability criteria in Article 15 shall not be taken into account.</p> <p>Member States shall establish the rates defining which part of the energy produced by installations using waste to generate energy is to be considered as renewable energy.</p>
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Justification

Waste-to-energy installations should not count the energy they produce as 100% renewable, since only part of the waste they use is biodegradable waste. Furthermore, the proportion of biodegradable waste varies from one Member State to another.

Obliging separate collection of the residue (biomass), resulting itself from a separate collection (separating recyclable and non-recyclable materials) as it is to be understood from the ITRE Committee's proposal, does not make any sense. Source separation, as well as ambitious recycling targets, has been introduced within the recently adopted Waste Framework Directive, and the results of these comprehensive discussions (during almost 3 years) should not be contradicted within the RES Directive.

As such, the approach of the ITRE Committee's Rapporteur was rejected by the ENVI Committee last July. This was good since it would in no way change the fact that at present waste-to-energy installations have no legal guidelines or obligation to account for the rate of renewable energy they produce in proportion to the biodegradable waste they use.

Calling upon Member States to define a ratio, based on facts, that will be applied to every waste-to-energy plant (e.g. in France it is 50%) would surely pre-empt possible abuses.

As a consequence, CEWEP, ESWET and FEAD:

- a) remind the European Parliament that the ENVI Committee had rejected the ITRE Rapporteur's proposal;**
- b) call for the rejection of the modification of the biomass definition as proposed by the ITRE Committee;**
- c) urge for the tabling and the adoption of the biomass definition as jointly proposed by CEWEP, ESWET and FEAD.**