

## **Comments on the proposed “New EU Legislation on the Promotion of Renewable Energy”**

**Question 1.1:** Do you think the “possible way forward” described above is feasible?

**Answer 1.1:** Yes the proposed “possible way forward” is feasible as long as clear guidelines are given to the member states for its implementation.

**Question 1.2:** What do you think the administrative burden of an approach like the “possible way forward” would be?

**Answer 1.2:** The only way to minimize the administrative burden is to set forward a clear but thorough procedural scheme on reporting, verification and monitoring. Quantification of the actual administrative burden can only be done by the relative administrative services of the member states that will finally have to implement the proposed procedural scheme.

**Question 1.3:** Please give your general comments on the “possible way forward”, and on how it could be implemented. Does it give an adequate level of assurance that biofuels will be sustainably produced?

**Answer 1.3:** It is my opinion that the following additions, if included in the “possible way forward”, will make it more feasible and can increase the level of assurance that biofuels will be sustainably produced:

1. **Box1 – Possible Environmental Sustainability Criteria for Biofuels:** It is my opinion that Criterion 1 should not only assure a minimum level of greenhouse gas savings but it should also promote the use of fuels with higher greenhouse gas savings. The question of biofuels sustainability should not be answered by a Yes or No but instead “what is the degree of biofuels sustainability?”. The legislation should include measures that will promote the use of biofuels with maximum greenhouse gas savings. For example the higher the greenhouse gas saving are, the greater the financial support (e.g., tax reduction) should be.

2. **Box1 – Possible Environmental Sustainability Criteria for Biofuels:** It is my opinion that an additional “**Criterion 4**” should be incorporated that will promote the use of Environmentally Harmful Systems as feedstocks for biofuels production. The legislation to be developed should appoint Environmentally Harmful Wastes as “Preferred Feedstocks” for biofuel production, as long as Criteria 1-3 are fulfilled. A quantification of the degree of feedstocks “harmfulness” might be also feasible (see next comment for more details).
3. **Box 2 – Possible Types of Evidence to Show that Environmental Sustainability Criteria are Respected:** Since biofuel could be also produced from certain types of wastes (some of them environmentally harmful), and since the relative EU legislation and National Schemes which define the degree of “harmfulness” of these wastes exist, the latter schemes, once accredited for EU, could be used as evidence to show that environmental sustainability Criterion 4 is respected.

**Question 1.4:** Carbon stock differences between land uses would be taken into account under criterion 2. Should they also be taken into account under criterion 1? If so, what method should be used to determine how the land in question would have been used if it had not been used to produce raw material for biofuels?

**Answer 1.4:** No, it is my opinion that carbon stock differences between land uses should not be taken into account under criterion 1. I strongly believe that all criteria should be kept as less complex as possible. Complexity might easily lead to misapprehension and to additional, unnecessary administrative burden.

**Question 1.5:** As described in the “possible way forward”, criterion 3 focuses on land uses associated with exceptional biodiversity. Should the criterion be extended to apply to land that is adjacent to land uses associated with exceptional biodiversity? If so, why? How could this land be defined?

**Answer 1.5:** Yes, it is widely acceptable that human activity close to lands with exceptional biodiversity can and might influence nearby ecosystems. A buffer zone (in terms of a range) around the land associated with biodiversity should be clearly defined. However, special attention should be given in defining the extent of such a buffer zone. A larger buffer zone can on one hand provide a higher level of security but on the other hand could mean a larger and unnecessary “waste of land”, which might be very important especially for the smaller (in terms of land size) Member States.

**Question 2.1:** Please give your comments on the “possible way forward” described above. If you think the problem should be tackled in a different way, please say how.

**Answer 2.1:** In my opinion, the proposed “possible way forward” provides an adequate means of monitoring indirect effects of land use for biofuel production. However, the proposed reports should not be limited on the land which is directly used for the production of biofuels, but should also extent on nearby land within a specific range (a buffer zone similar to that of Answer 1.5 should be also defined).

**Question 3.1:** How should second-generation biofuels be defined?

**Answer 3.1:** The type of raw material from which biofuels are made is definitely one of the most important factors, since it will directly define the quality and chemical composition of biofuels and thus the amount of greenhouse gas savings resulting from its use. However, I strongly believe that the type of technology used to produce the biofuel should not be considered as a criterion. The actual criterion that should be used though is the final quality of the biofuel. The quality of biofuels is currently evaluated using several chemical properties (parameters) of the fuel (e.g., chloride content, water content, oxidation stability, etc). These parameters should be incorporated in a global (European) standard which should be used as a criterion for the quality of biofuels.

**Question 3.2:** Please give your comments on the “possible way forward” described above. If you think the problem should be tackled in a different way, please say how.

**Answer 3.2:** I believe that the proposed “possible way forward” is adequate.

**Question 3.3:** Should second-generation biofuels only be able to benefit from these advantages if they also achieve a defined level of greenhouse gas savings.

**Answer 3.3:** Yes, greenhouse gas savings should be always considered as the first priority. As also mentioned in Answer 1.3, the legislation should include measures that will promote the use of biofuels with maximum greenhouse gas savings. For example the higher the greenhouse gas saving are, the greater the financial support (e.g., tax reduction) should be.

**Question 4.1:** Should the legislation include measures to ensure that diesel containing 10% biodiesel can be placed on the market, and is in fact placed on the market?

**Answer 4.1:** Yes measures should be taken in order to ensure that diesel containing 10% biodiesel can be placed on the market, and is in fact placed on the market. However, I believe that it is very difficult, if not impossible, to develop legislation that will ensure the above.

It is my opinion that the major factors that will finally define the availability and sales of blended diesel in the market are (a) the price of the blended fuel, and (b) the degree of public awareness on the benefits resulting from using biofuels. It is clear that price will be finally defined by the extent and number of advantages that will be set out for biodiesel according to Sections 1 and 3 (see also Answers 1.3 and 3.2). What is also important though is to develop such a scheme that will lead to the increase of biodiesel or blended diesel demand in the market. The legislation to be developed, should include measures that will motivate and guide Member States to develop proper National Schemes on the public awareness regarding the benefits of using biodiesel and blended diesel. Increasing the

demand of biodiesel will force the producers on one hand to increase biodiesel production and on the other hand to make it available on the market.

**Question 4.6:** More generally, what role should taxation play in the promotion of biofuels (considering different situations such as low blends, high blends and second-generation biofuels)?

**Answer 4.6:** As mentioned above, taxation is one of the main factors that will eventually define the price of biofuels. It is recommended that a gradual tax deductions scheme should be followed, based on the quality and greenhouse gas savings resulting from the use of each biofuel. Second-generation biofuels (as described in Section 3) and high blends should benefit more from the latter taxation scheme than first-generation biofuels and low blends.