Fuels and energy from renewable sources: transition to biofuels to deliver greenhouse gas savings

2012/0288(COD) - 09/09/2015 - Final act

PURPOSE: to ensure a single market for fuel for road transport and non-road mobile machinery and ensure respect for minimum levels of environmental protection in the use of that fuel. LEGISLATIVE ACT: Directive (EU) 2015/1513 of the European Parliament and of the Council 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.

CONTENT: the new Directive amends:

- the Fuel Quality Directive (98/70/EC) introduced a mandatory target for a **6% reduction in the greenhouse gas emissions** of fuels used in road transport to be achieved by 2020;
- the Renewable Energy Directive (2009/28/EC) established mandatory targets for a 20% overall share of renewable energy in the EU and a **10% share for renewable energy in the transport sector** also by 2020.

The aim of the new Directive is to **start the transition from conventional biofuels to biofuels that deliver substantial greenhouse gas savings ("advanced/second generation biofuels).** It also establishes a **clear legislative framework for the production of biofuels**, while protecting existing investments in the sector. The main elements of the new Directive are:

Capping conventional biofuels: the Directive seeks to limit the contribution that conventional biofuels (with a risk of ILUC emissions) make towards attainment of the targets in Directive 2009/28/EC so as to **address the impact of indirect land-use change** given that current biofuels are mainly produced from crops grown on existing agricultural land.

It is also provided that the calculation of biofuels in the numerator, the share of energy from biofuels produced from cereal and other starch-rich crops, sugars and oil crops and from crops grown as main crops primarily for energy purposes on agricultural land **shall be no more than 7 % of the final consumption of energy in transport** in the Member States in 2020.

Promoting advanced biofuels: each Member State shall seek to achieve the objective of there being a minimum level of consumption on their territory of biofuels produced from feedstocks and of other fuels. To that effect, **by 6 April 2017**, each Member State shall **set a national target**, which it shall endeavour to achieve.

A reference value for this target is **0.5 percentage points** of the 10% target for renewable energy in transport.

Member States may set a national target lower than the reference value of 0.5 percentage points, based on particular grounds. Member States shall also report to the Commission on the levels of consumption on their territory of advanced biofuels when setting their national targets and on their achievements towards such national targets in 2020, a synthesis report of which should be published, in order to assess the effectiveness of the measures introduced by this Directive in reducing the risk of indirect land-use change greenhouse gas emissions through the promotion of advanced biofuels.

Fuel suppliers shall report annually to the authority designated by the Member State, on the biofuel production pathways, volumes of biofuels derived from the feedstocks and the life cycle greenhouse gas emissions per unit of energy.

Review: the Commission shall at the latest by **31 December 2016**, submit a report including an assessment of the availability of the necessary quantities of cost-efficient biofuels on the Union market from non-land using feedstocks and non-food crops by 2020 and of their environmental, economic and social impacts.

The Commission shall, **by 31 December 2017**, submit a report reviewing the effectiveness of the measures introduced by this Directive, based on the best and latest available scientific evidence, in limiting the impact of indirect land-use change greenhouse gas emissions and addressing ways to further minimise that impact.

ENTRY INTO FORCE: 5.10.2015.

TRANSPOSITION: 10.9.2017.

DELEGATED ACTS: in order to permit adaptation to the technical and scientific progress of Directive 98 /70/EC and Directive 2009/28/EC, the power to adopt acts should be delegated to the Commission. The power to adopt delegated acts shall be conferred on the Commission for a period of **five years (may be tacitly extended)** from 5 October 2015. The European Parliament or the Council may object to a delegated act within two months from the date of notification (this period may be extended by two months). If the European Parliament or the Council objects to the delegated act, it shall not enter into force.