

An Ghníomhaireact Chúltaca Ola Náisiúnta
The National Oil Reserves Agency

Consultation Process for Determining the Eligibility of Renewable Fuels Produced from Specific Feedstocks to receive two Renewable Fuel Obligation Certificates

Standard Procedure to be followed by NORA in making a determination under Section 44G of the Energy
(Biofuel Obligation and Miscellaneous Provisions) Act 2010

Revision 1

CONSULTATION PROCESS FOR TWO RENEWABLE TRANSPORT FUEL OBLIGATION CERTIFICATES (RTFO CERTS) PER MEGAJOULE

1. Under Section 44G (11) of the Energy Act 2010, as amended, where a feedstock is not explicitly listed in Annex IX, NORA must make a determination to decide if a feedstock meets any of the descriptions listed in Annex IX (b) to (d) and (p) to (q).
 - (b) Biomass fraction of mixed municipal waste, but not separated household waste subject to recycling targets under point (a) of Article 11(2) of Directive 2008/98/EC
 - (c) Biowaste as defined in point (4) of Article 3 of Directive 2008/98/EC from private households subject to separate collection as defined in point (11) of Article 3 of that Directive
 - (d) Biomass fraction of industrial waste not fit for use in the food or feed chain, including material from retail and wholesale and the agro-food and fish and aquaculture industry, and excluding feedstocks listed in part B of this Annex
 - (p) Other non-food cellulosic material
 - (q) Other ligno-cellulosic material except saw logs and veneer logs

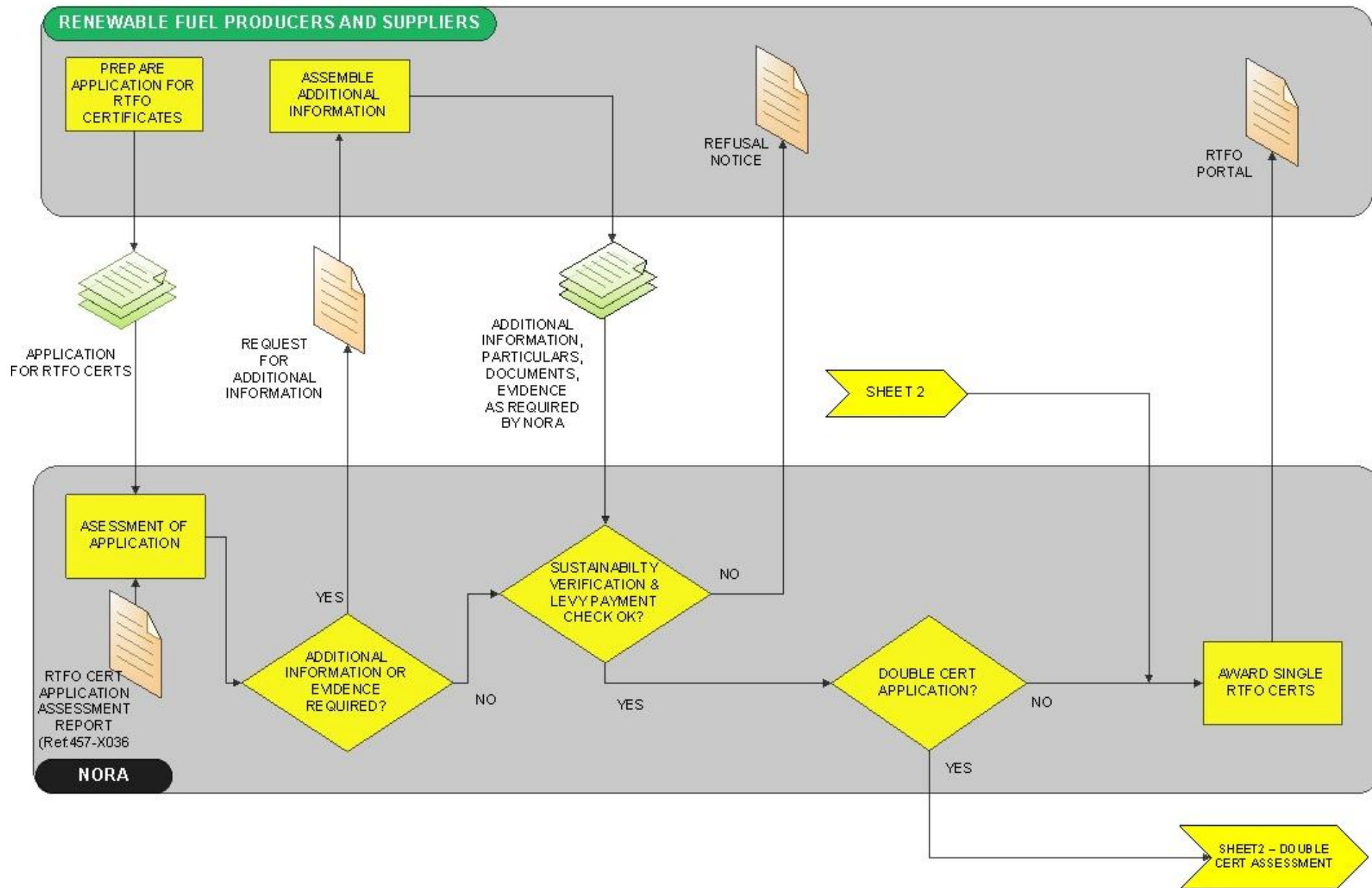
CONSULTATION PROCESS FOR TWO RENEWABLE TRANSPORT FUEL OBLIGATION CERTIFICATES (RTFO CERTS) PER MEGAJOULE

2. Before making such a determination, NORA is to consult with the following persons (the *consultees*) in order to satisfy itself as to the nature of the biofuel feedstock:
 - the National Standards Authority of Ireland (NSAI),
 - the Sustainable Energy Authority of Ireland (SEAI),
 - the Environmental Protection Agency,
 - the Minister for Transport,
 - other such persons as the Agency considers appropriate.
3. On receipt of an application for double RTFO Certs, NORA will forward the relevant information to the consultees and seek their opinions as to whether a specific feedstock (or a specific portion of it) satisfies one of the Annex IX descriptors.

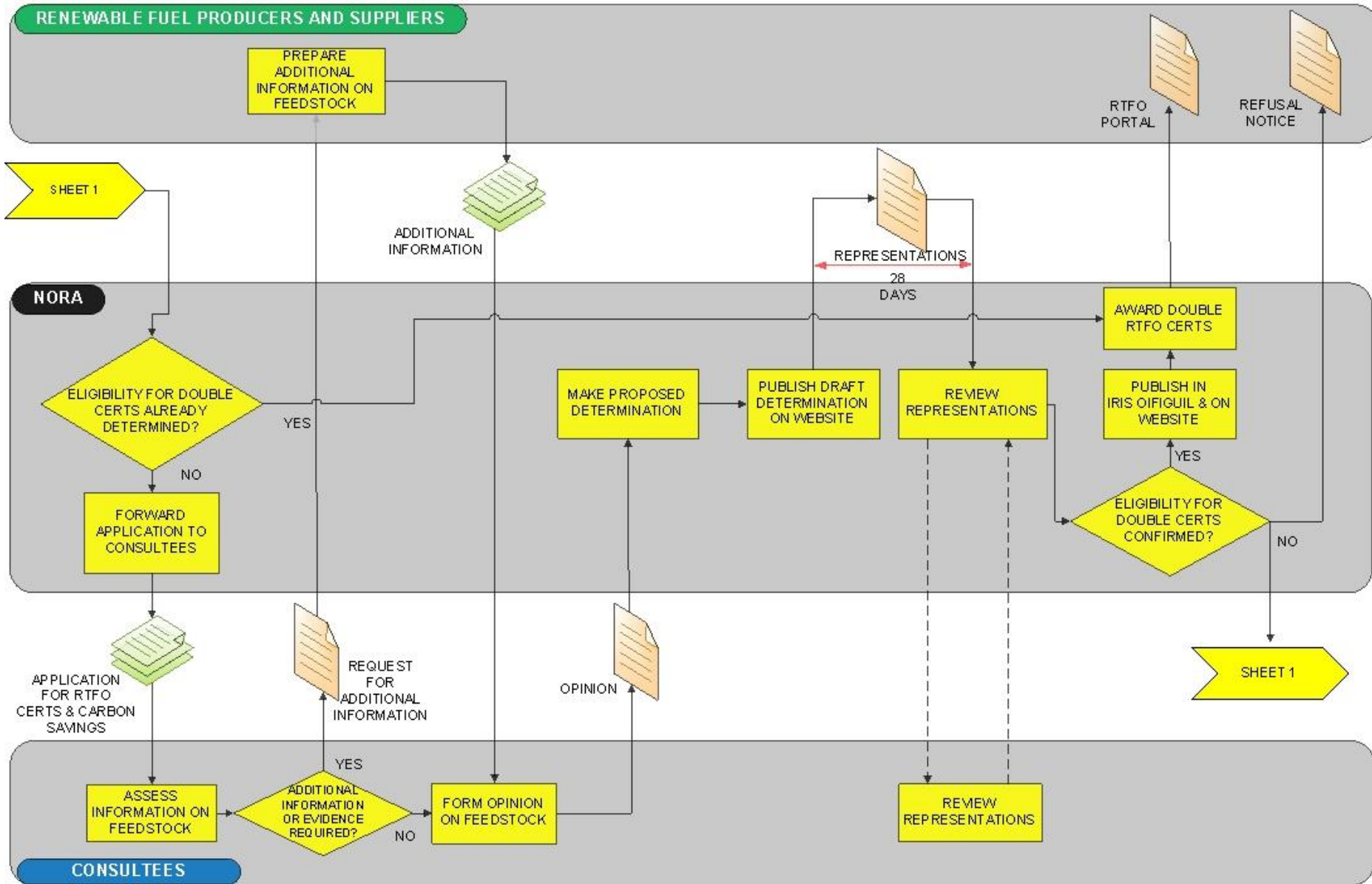
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4. Following consideration of these opinions, NORA will make a proposed determination as to whether the feedstock satisfies the description and will publish the proposed determinations on its website. Unsuccessful applicants will be informed why the feedstock did not satisfy the description.
5. Interested parties may submit representations in writing to NORA in relation to the proposed determination within 28 days of publication. NORA may revert to the consultees in relation to any representations made in respect of the origin or nature of feedstock material.
6. At the end of the 28-day period, NORA, having considered any representations made, will publish a notice of its determination in Iris Oifigiúil, on its website and by such other means as is considered appropriate. The Agency will then proceed to issue the RTFO Certs.
7. In order to meet the timelines in the legislation, NORA will request consultees' opinions, by email, **within 10 working days**. The number determinations is expected to be low and, once a determination is made in respect of a specific feedstock, there will be no need for further consultation.
8. In the event that Annex IX is modified by the European Commission, the updated Annex IX list will take precedent.
9. This SOP is illustrated schematically on pages 5 and 6. Proposed text for Determinations are given on pages 7 and 8.

Assessment of RTFO Cert Applications, Sheet 1 of 2: Single Certs



Assessment of RTFO Cert Applications, Sheet 2 of 2: Double Certs



TEXT FOR PROPOSED DETERMINATION (TO BE PUBLISHED ON NORA'S WEBSITE)

In accordance with Section 44G (1)(a) of the Energy (Biofuel Obligation and Miscellaneous Provisions) Act 2010, the National Oil Reserves Agency (NORA), following consultation with the persons listed below, proposes to determined that the feedstock material referred to as **[name]** in the application for Renewable Transport Fuel Obligation Certificates, which was submitted to the Agency on **[date]** by **[Account Holder]**, **[meets / does not meet]** the description contained in Annex IX Part A **[enter appropriate bullet]** of the recast Renewable Energy Directive (EU 2018/2001).

[provide full descriptor from Annex IX]

Accordingly, the Agency proposes that RTFO Account Holders may apply, for the obligation period commencing from 1st January 2023, for **[number of Certs] [Cert colour]** Certificates in respect of each megajoule of renewable fuel produced from this material and disposed of by sale or otherwise in the State, as reported to the Department of Environment, Climate and Communications.

In making this Determination, NORA has consulted with the following persons:

- the National Standards Authority of Ireland (NSAI),
- the Sustainable Energy Authority of Ireland (SEAI),
- the Environmental Protection Agency (EPA),
- the Minister for Transport.

If **[feedstock]** is added to Annex IX of the recast Renewable Energy Directive by way of amendment by the European Commission, the amended Annex IX shall supersede this determination and it will dictate the treatment of renewable fuel produced from this feedstock.

Representations in respect of this Proposed Determination should be made directly to NORA, in writing, within 28 days of publication.

Signed: _____ For and on behalf of the National Oil Reserves Agency

Date: _____

TEXT FOR DETERMINATION (TO BE PUBLISHED IN IRIS OIFIGIÚIL AND ON NORA'S WEBSITE)

To Whom it may Concern

In accordance with Section 44G (1) (a) of the Energy (Biofuel Obligation and Miscellaneous Provisions) Act 2010, the National Oil Reserves Agency, (NORA) having considered such representations as were made to the Agency following the publication of its Proposed Determination on **[give date]**, has determined that the feedstock material referred to as **[quote name and description used in application]** in the Application for Renewable Transport Fuel Obligation Certificates which was submitted to the Agency on **[give date]** by **[name RTFO account holder]** **[meets / does not meet]** the description contained in Annex IX Part A **[enter appropriate bullet]** of the recast Renewable Energy Directive (EU 2018/2001).

[provide full descriptor from Annex IX]

Accordingly, RTFO Account Holders may apply, for the obligation period commencing from 1st January 2023, for **[number of Certs]** **[Cert colour]** Certificates in respect of each megajoule of renewable fuel produced from this material and disposed of by sale or otherwise in the State, as reported to the Department of Environment, Climate and Communications.

In making this Determination, NORA has consulted with the following persons:

- the National Standards Authority of Ireland (NSAI),
- the Sustainable Energy Authority of Ireland (SEAI),
- the Environmental Protection Agency (EPA),
- the Minister for Transport.

If **[feedstock]** is added to Annex IX of the recast Renewable Energy Directive by way of amendment by the European Commission, the amended Annex IX shall supersede this determination and it will dictate the treatment of renewable fuel produced from this feedstock.

Signed: _____ For and on behalf of the National Oil Reserves Agency

Date: _____