

REVISED DETERMINATION

To Whom it may Concern

In accordance with Section 44G (2B) (1) 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 the draft of its Proposed Revised Determination on **21st November 2022**, has determined that the feedstock material referred to as **Liquid Whey Permeate** in the application for Biofuel Obligation Certificates, which was submitted to the Agency on **9th October 2017** by **Inver Energy Ltd**, meets the description contained in Annex IX Part A (d) of the recast Renewable Energy Directive (EU 2018/2001) where the **liquid whey permeate has an acetic acid concentration above 2.5 g/kg dry matter content or chloride concentration above 10g/kg dry matter content.**

(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.

Accordingly, BOS Account Holders may apply, for the obligation period commencing from 1st January 2023, for two **Green** Certificates in respect of each megajoule of biofuel 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 Revised 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 the Environment, Climate and Communications.

If **Liquid Whey Permeate** 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 revised determination and it will dictate the treatment of biofuel produced from this feedstock.

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

Date: 21/12/2022 _____