



KOMISIA EURÓPSKÝCH SPOLOČENSTIEV

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OZNÁMENIE KOMISIE

Akčný plán o biomase

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1. ÚVOD

Energia je kľúčom v podpore Európe pri dosahovaní cieľov zameraných na rast, pracovné miesta a trvalo udržateľný rozvoj. Vysoké ceny ropy zameriavajú pozornosť na zvyšujúcu sa závislosť Európy na dovoze energie.

Je potrebné, aby Únia na túto výzvu výrazne reagovala. Hlavní predstavitelia štátov a vlád Únie v októbri 2005 na neformálnom samite v Hampton Court potvrdili ústrednú dôležitosť energetickej politiky v podpore Európy v reagovaní na výzvy globalizácie.

Zohľadňujúc túto skutočnosť Komisia uskutočňuje dôkladné prehodnotenie svojej energetickej politiky. To bude predmetom zelenej knihy na jar v roku 2006 s tromi hlavnými cieľmi – konkurencieschopnosť, trvalo udržateľný rozvoj a bezpečnosť dodávok.

V rámci kontextu silnejšieho hospodárskeho rastu medzi základné prvky tejto politiky patrí silnejší hospodársky rast, potreba znížiť energetický dopyt¹; zvýšenie dôvery v obnoviteľné energetické zdroje vzhľadom na potenciál spojený s domácou výrobou týchto zdrojov a s ich trvalo udržateľným rozvojom; diverzifikácia energetických zdrojov a zvýšenie medzinárodnej spolupráce. Tieto prvky môžu Európu podporiť pri znižovaní závislosti na dovoze energie, zvýšení udržateľného rozvoja a stimulovaní rastu a pracovných miest.

Na dosiahnutie úspechu si to vyžaduje súvislé riadenie týchto cieľov a ich vhodný časový plán. Do procesu budú zahrnuté mechanizmy na zaangažovanie členských štátov, zástupcov Európskeho parlamentu a zúčastnených strán².

Komisia predkladá svoj akčný plán v tomto širšom kontexte integrovanej a súvislej energetickej politiky a najmä podpory obnoviteľných energetických zdrojov. Len jeden komponent opatrení je potrebný dosiahnuť, aby sa splnili uvedené ciele, je však dôležitý, pretože biomasa v súčasnosti predstavuje asi polovicu obnoviteľnej energie, ktorá sa využíva v EÚ³.

V oznámení z roku 2004 o podiele obnoviteľných energetických zdrojov v Európskej únii sa Európska Komisia zaviazala vypracovať akčný plán o biomase, pričom zdôraznila potrebu koordinovaného prístupu k politike biomasy.⁴ Rada sa na svojom jarnom zasadnutí v roku 2004 uzniesla, že intenzívnejšie využívanie obnoviteľnej energie je dôležité

¹ Zaoberá sa tým v nedávnej zelenej knihe o energetickej účinnosti „Menej znamená viac“, KOM (2005) 265

² Tieto mechanizmy budú zahŕňať fórum pre energetiku a dopravu, „amsterdamské“ fórum pre trvalo udržateľnú energiu, „berlínske“ fórum pre fosilne palivá, „florentské“ regulačné fórum pre elektrickú energiu a „madridské“ regulačné fórum pre plyn. Okrem toho Komisia sa nedávno rozhodla zriadiť skupinu na vysokej úrovni pre konkurencieschopnosť, energetiku a životné prostredie.

³ Je to 44 % na základe „substitučného prístupu“, 65 % na základe „klasického prístupu“ – pozri oddiel 2 hodnotenia vplyvu.

⁴ „Podiel obnoviteľných energetických zdrojov v EÚ“, KOM (2004) 366, oddiel 4.3.1.

z „environmentálnych dôvodov a z dôvodov konkurencieschopnosti“⁵, pričom Európsky parlament poznamenal, že „biomasa má veľa výhod v porovnaní s konvenčnými energetickými zdrojmi, ako aj s niektorými inými obnoviteľnými energetickými zdrojmi, najmä relatívne nízke náklady, menšia závislosť na krátkodobých zmenách počasia, podpora regionálnych hospodárskych štruktúr a poskytovanie alternatívnych zdrojov príjmov pre poľnohospodárov“⁶.

Uvedený akčný plán stanovuje opatrenia na zvýšenie rozvoja energie biomasy z dreva, odpadu a poľnohospodárskych plodín vytvorením stimulov na báze trhu na jej využitie a odstránením prekážok na rozvoj trhu. Takto sa môže Európa zbaviť svojej závislosti na fosílnych palivách, znížiť emisie skleníkových plynov a stimulovať hospodársku činnosť vo vidieckych oblastiach. Opatrenia sú uvedené v prílohe č. 1.

Tento akčný plán predstavuje prvý koordinovaný krok. Stanovuje opatrenia na podporu využívania biomasy pri vykurovaní, pri výrobe elektrickej energie a v doprave, po ktorých nasledujú prierezové opatrenia týkajúce sa zásobovania biomasou, financovania a výskumu. Dopĺňa ho všeobecné hodnotenie vplyvu. Druhý krok predstavuje predloženie individuálnych opatrení, ktoré podliehajú osobitnému hodnoteniu vplyvu v súlade s pravidlami Komisie.

1.1. Potenciál biomasy

EÚ v súčasnosti pokrýva biomasou 4 % svojich energetických potrieb. Ak by naplno využila jej potenciál, do roku 2010 by viac než zdvojnásobila využívanie biomasy (zo 69 mtoe⁷ v roku 2003 na približne 185 mtoe v roku 2010), v súlade s osvedčenou poľnohospodárskou praxou, pri zabezpečení trvalo udržateľnej výroby bez významného ovplyvnenia domácej výroby potravín⁸. Vstupom Bulharska a Rumunska do EÚ sa zlepšila dostupnosť⁹ biomasy a ďalšie možnosti poskytuje aj dovoz.

V posudku Komisie by opatrenia v tomto akčnom pláne mohli viesť k zvýšeniu využitia biomasy na približne 150 mtoe v roku 2010 alebo o niekoľko rokov neskôr¹⁰. Predstavuje to menej než je úplný potenciál; je to v súlade s indikatívnymi cieľmi týkajúcimi sa obnoviteľných energetických zdrojov¹¹.

1.2. Náklady a prínosy

Niekoľko vedeckých a ekonomických štúdií poukazuje na to, že zvýšenie využitia biomasy by v roku 2010 mohlo znamenať tieto prínosy:

⁵ Zasadnutie Európskej rady v Bruseli, 25. a 26. marca 2004, závery predsedníctva.

⁶ Rezolúcia o „obnoviteľnej energii v EÚ“, plenárne zasadnutie 28. septembra 2005.

⁷ Milióny ton ekvivalentných rope.

⁸ Európska environmentálna agentúra „Koľko biomasy môže využívať Európa bez toho, aby poškodila životné prostredie“, tlačová konferencia 2/2005; pozri prílohu 2.

⁹ Napr. v Bulharsku a Rumunsku pripadá 0,7 hektárov poľnohospodárskej pôdy na obyvateľa v porovnaní s 0,4 hektára v EÚ 25.

¹⁰ Pozri prílohu 3 a hodnotenie vplyvu.

¹¹ Tieto ciele predstavujú pre rok 2010 12 % celkový podiel pre obnoviteľné energetické zdroje, 21 % podiel v sektore elektrickej energie a 5,75-percentný podiel pre biopalivá. Na základe opatrení v akčnom pláne Komisia odhaduje, že tieto podiely je možné dosiahnuť - v prípade celkového podielu k tomu môže dôjsť v roku 2010, alebo o rok či o dva roky neskôr.

- diverzifikáciu dodávok energie v Európe, zvýšenie podielu obnoviteľných energetických zdrojov o 5 % a zníženie závislosti na dovoze energie zo 48 % na 42 %;¹²
- zníženie emisií skleníkových plynov o 209 miliónov ton CO₂eq ročne;¹³
- priamu zamestnanosť pre 250-300 000 ľudí, najmä vo vidieckych oblastiach. Rozdielne štúdie poskytujú veľmi odlišné údaje;¹⁴
- potenciálny tlak na zníženie cien ropy ako výsledok nižšieho dopytu po rope.

Za predpokladu, že ceny fosílnych palív budú v porovnaní so súčasnými približne o 10 % nižšie, je možné odhadovať, že priamo merateľné náklady budú predstavovať 9 miliárd eur ročne – 6 miliárd eur na biopalivá v doprave a 3 miliardy eur na biomasu pri výrobe elektrickej energie (náklady týkajúce sa biomasy pri vykurovaní sú často konkurencieschopné)¹⁵. Je to ekvivalentné nárastu približne o 1,5 centa na liter benzínu alebo nafty a 0,1 centa na kWh elektrickej energie¹⁶.

Prínosy je tiež možné očakávať pri rozšírení vedúceho postavenia EÚ v technológii v týchto sektoroch.

Je možné očakávať, že tento prínos sa dá dosiahnuť bez ďalšieho znečisťovania životného prostredia alebo iných foriem jeho poškodzovania¹⁷.

Komisia hodnotí prínos, ktorý by obnoviteľné energetické zdroje mohli znamenať pre zmes energií do roku 2020. Tento akčný plán by mohol podporiť nárast prínosu obnoviteľných zdrojov energie do roku 2020.

1.3. Využitie biomasy v doprave, pri elektrickej energii a vykurovaní

V posledných štyroch rokoch sa ceny ropy strojnásobili. Doprava je kľúčový hospodársky sektor; takmer všetka energia, ktorú využíva, pochádza z ropy. Kvapalné biopalivá sú jedinou priamou náhradou ropy v doprave a majú odôvodnene vysokú politickú prioritu.

Okrem toho neustály rast dopravného sektora ešte neumožnil stabilizovanie emisií skleníkových plynov, a to aj napriek značným snahám, ktoré sa v tomto sektore vynaložili. Biopalivá predstavujú drahý spôsob zníženia skleníkových plynov, avšak v rámci dopravy sú

¹² Pozri hodnotenie vplyvu, oddiel 5.

¹³ Pozri hodnotenie vplyvu, oddiel 5.

¹⁴ Tento údaj predpokladá, že 70 %-90 % biomasy sa vyrába v EÚ. Pokiaľ ide o priamu zamestnanosť, biopalivá sú zvyčajne 50-100 krát intenzívnejšie v oblasti zamestnanosti v EÚ ako alternatívy fosílnych palív; elektrická energia z biomasy je 10-20 krát intenzívnejšia v oblasti zamestnanosti; vykurovanie biomasou je dvakrát intenzívnejšie v oblasti zamestnanosti. Komentátori sa odlišujú v nepriamych účinkoch. Niektorí poukazujú na multiplikátory alebo na vývozné možnosti, ktoré by mohli priamy účinok zdvojnásobiť. Ďalší polemizujú o tom, že pracovné príležitosti týkajúce sa bioenergie nahradia iné pracovné príležitosti a že čistý účinok na zamestnanosť bude rovný nule. (Pozri hodnotenie vplyvu, oddiel 5.)

¹⁵ Pozri hodnotenie vplyvu, oddiel 5.

¹⁶ (Ropa stojí približne 60 USD/barel alebo (pri súčasnom kurze) 48 eur/barel. Na to, aby bola bionafta konkurencieschopná, musela by byť cena ropy približne 75 USD/barel, a aby bol konkurencieschopný bioetanol, musela by byť cena ropy približne 95 USD/barel. Keby cena fosílnych palív vyjadrovala ich externé náklady, by boli konkurencieschopné viaceré formy biomasy.

¹⁷ Pozri prílohu 4.

jedným z dvoch opatrení, ktoré majú reálnu šancu v blízkej budúcnosti výrazne znížiť tieto emisie (druhou možnosťou je súhlas výrobcov motorových vozidiel znížiť priemerné emisie CO₂ pri nových automobiloch – pozri oddiel 4.2).

Na začiatku roku 2006 Komisia predloží oznámenie osobitne sa zaoberajúce biopalivami.

Hoci biopalivá v doprave majú najvyššiu intenzitu zamestnanosti a najvyššiu bezpečnosť týkajúcu sa prínosov spojených s dodávkou, biomasa na výrobu elektrickej energie má najväčší prínos v oblasti skleníkových plynov a biomasa vo vykurovaní je najlacnejšia. Biomasa by sa mala podporovať vo všetkých troch sektoroch. Minimálne do roku 2010 nebude existovať žiadna veľká konkurencia v oblasti surovín: biopalivá pochádzajú najmä z poľnohospodárskych plodín, zatiaľ čo výroba elektrickej energie a vykurovanie využívajú drevo a odpad.

2. VYKUROVANIE BIOMASOU

Technológia pre využitie biomasy pri vykurovaní obytných priestorov a priemyselnom vykurovaní je jednoduchá a lacná. Vo využití biomasy existuje silná tradícia a je to sektor, v ktorom sa biomasa využíva najviac. Nové technológie spracovania dreva a čistých rezíduí, ktoré sú k dispozícii na štandardizované pelety a ktoré sú environmentálne bezpečné a ľahko sa s nimi manipuluje.

Napriek tomu však využitie biomasy vo vykurovaní rastie najpomalšie.

Popri pozornom monitorovaní implementácie právnych predpisov Spoločenstva týkajúcich sa kogenerácie¹⁸, ktorá predstavuje pre biomasu dôležitý výstup, Komisia to bude riešiť prostredníctvom týchto opatrení:

2.1. Právne predpisy týkajúce sa obnoviteľných zdrojov energie vo vykurovaní

Predstavuje to chýbajúci článok v skladačke popri existujúcich smerniciach týkajúcich sa elektrickej energie a dopravy. Komisia rozpracuje tieto právne predpisy v roku 2006. Je potrebné zmeniť postoj predchádzajúcich smerníc, keďže kľúčové problémy spočívajú skôr v dôveryhodnosti trhu a v postojoch, než v nákladoch. Medzi prvky, ktoré sa budú skúmať, patria:

- Nové osobitné právne predpisy o obnoviteľných zdrojoch energie vo vykurovaní založené na kritickom prehodnotení potenciálneho prínosu:
 - opatrení na zabezpečenie toho, aby dodávatelia palív sprístupnili palivá z biomasy;
 - zavedenia kritérií účinnosti pre biomasu a zariadení, v ktorých sa má využívať;
 - označovania vybavenia, ktoré ľuďom umožní kupovať čisté a efektívne zariadenia;
 - iných technických opatrení;

¹⁸ Smernica 2004/8/ES o podpore kogenerácie, 11.2.2004.

- vhodnosti určenia cieľov;
 - dobrovoľných dohôd v rámci priemyslu.
- Zmena a doplnenie smernice o energetickej hospodárnosti budov, aby sa zvýšila motivácia využívať obnoviteľné zdroje energie;¹⁹
 - Štúdia o tom, ako zlepšiť výkonnosť domácich ohrievačov používajúcich biomasu a znížiť znečistenie²⁰ s cieľom stanoviť požiadavky v rámci smernice o ekologickej koncepcii²¹.

2.2. Obnova diaľkového vykurovania

Diaľkové vykurovanie (kolektívne vykurovanie) môže jednoduchšie zvládnuť využívanie obnoviteľných palív, pričom spaľuje viaceré typy palív s nižšími emisiami. Preto sa využívanie biomasy v diaľkovom vykurovaní rozvíja ľahšie ako pri individuálnom vykurovaní.

Diaľkové vykurovanie slúži 56 miliónom obyvateľov EÚ, pričom 61 % z nich žije v nových členských štátoch. Ešte viac prispeje vstup Bulharska a Rumunska do EÚ. Diaľkové vykurovanie čelí konkurenčným problémom s individuálnym vykurovaním. Mnohé systémy vyžadujú modernizáciu teplární, infraštruktúry a riadenia, aby sa zvýšila ich efektívnosť týkajúca sa nákladov a aby sa zlepšil komfort pre užívateľov. Tieto systémy musia prejsť na využívanie biomasy ako paliva. Komisia podporuje, aby sa systémy diaľkového vykurovania vyvíjali týmto spôsobom.

Komisia naliehavo žiada Radu, aby schválila jej návrh na pridanie poskytovania diaľkového vykurovania do zoznamu výrobkov a služieb, na ktoré môžu členské štáty uplatňovať zníženú sadzbu DPH²². Ďalej by chcela odporúčať členským štátom, aby na diaľkové vykurovanie rozšírili zníženú sadzbu DPH, ktorú už uplatňujú na zemný plyn alebo elektrickú energiu.

Je možné, že Komisia tiež predloží právny návrh týkajúci sa daňových otázok, ktoré ovplyvňujú diaľkové vykurovanie. Preskúma, či by sa zároveň mali navrhnuť aj iné opatrenia.

3. ELEKTRICKÁ ENERGIA Z BIOMASY

Elektrickú energiu je možné vyrábať zo všetkých druhov biomasy pri využití viacerých technológií (pozri prílohu 6). Komisia podporuje členské štáty, aby využili potenciál všetkých účinných foriem výroby elektrickej energie z biomasy z hľadiska nákladov.

¹⁹ Smernica 2002/91/ES o energetickej hospodárnosti budov, Ú. v. ES L1, 4.1.2003; pozri prílohu 5.

²⁰ Keď sa biomasa spaľuje bez správnych kontrolných mechanizmov, môže byť značným zdrojom znečistenia. Môže to byť dôsledkom nezákonného spaľovania odpadu a používania ohrievačov na biomasu bez primeranej kontroly spaľovania a prevencie znečisťovania. Moderné ohrievače na peletovú biomasu a teplárne diaľkového vykurovania spôsobujú omnoho menšie znečistenie.

²¹ Smernica 2005/32/ES o vytvorení rámca na stanovenie požiadaviek na ekodizajn výrobkov využívajúcich energiu, Ú. v. EÚ L 191, 22.7.2005.

²² V KOM(2003)397 z 23.7.2003.

Smernica o obnoviteľných zdrojoch energie pri výrobe elektrickej energie poskytuje rámec pre využívanie biomasy pri výrobe elektrickej energie²³. Členské štáty sa zaviazali dosiahnuť ciele týkajúce sa elektrickej energie z obnoviteľných zdrojov energie. Vo väčšine prípadov sa zdá byť nemožné dosiahnuť tieto ciele bez väčšieho využívania biomasy²⁴. Implementácia smernice je preto kľúčom na rozvoj využitia biomasy pri výrobe elektrickej energie. Komisia tomu bude naďalej venovať mimoriadnu pozornosť²⁵.

V kombinovaných teplárnach a elektrárnach môže biomasa súčasne poskytovať tepelnú a elektrickú energiu. Komisia podporuje členské štáty, aby pri svojich podporných systémoch zvažili tento dvojitý účinok.

4. BIOPALIVÁ V DOPRAVE

4.1. Implementácia smernice o biopalivách

Tak, ako pri výrobe elektrickej energie, aj tu je stanovený rámec právnych predpisov Spoločenstva. Smernica o biopalivách²⁶, ktorá stanovuje ako referenčné hodnoty pre biopalivá vo výške 2 % podielu na trhu v roku 2005 a 5,75 % v roku 2010²⁷.

Referenčná hodnota určená pre rok 2005 sa nedosiahne. V úsilí členských štátov existujú výrazné rozdiely²⁸. V prípade, ak všetky členské štáty dosiahnu ciele, ktoré si vytýčili, biopalivá sa budú podieľať na trhu len 1,4 %.

Pri implementácii tejto smernice sa mnohé štáty spoliehajú na oslobodenie od dane z palív²⁹. Podlieha kontrole štátnej pomoci. V súlade s usmerneniami pre environmentálnu štátnu pomoc Komisia zaujala všeobecne priaznivé stanovisko k oznámeniam, ktoré obdržala. Vznikol však rad praktických problémov. Niektoré štáty začali požadovať dodržiavanie záväzkov o biopalivách a od spoločností dodávajúcich palivá vyžadujú, aby do objemu paliva, ktoré uvádzajú na trh, zahrnuli určité percento biopalív. Viac informácií o týchto dvoch prístupoch je uvedených v prílohe 9. Záväzky o biopalivách sa zdajú byť sľubným spôsobom na riešenie problémov s oslobodením od dane, zabezpečujúcim nákladovo efektívne dosiahnutie cieľov. Tiež uľahčujú priaznivé zaobchádzanie s biopalivami druhej generácie, ktoré Komisia podporuje.

V súlade so smernicou o biopalivách Komisia predloží v roku 2006 správu o implementácii smernice s cieľom jej nožnej revízie. Táto správa bude zahŕňať otázky týkajúce sa:

²³ Smernica 2001/77/ES z 27. septembra 2001 o podpore elektrickej energie vyrábanej z obnoviteľných zdrojov energie na vnútornom trhu s elektrickou energiou, Ú. v. ES L 283, 27.10.2001.

²⁴ V minuloročnom oznámení o podiele obnoviteľných zdrojov energie Komisia upozornila na to, že spomedzi troch hlavných zdrojov obnoviteľnej energie na výrobu elektrickej energie je podiel vodnej energie takmer nemenný, podiel biomasy sa pomaly zvyšuje a podiel veternej energie sa zvyšuje rýchlo. Ciele vytýčené v tejto smernici sa nedosiahnu, ak sa podiel biomasy nebude zvyšovať rýchlejšie.

²⁵ Pozri samostatné oznámenie o podpore elektrickej energie z obnoviteľných zdrojov energie (KOM(2005) 627).

²⁶ Smernica 2003/30/ES z 8. mája 2003 o podpore používania biopalív alebo iných obnoviteľných palív v doprave, Ú. v. EÚ L 123, 17.5.2003.

²⁷ Pozri prílohu 7.

²⁸ Pozri prílohu 8.

²⁹ Umožňuje to smernica 2003/96/ES z 27. októbra 2003 o reštrukturalizácii právneho rámca Spoločenstva pre zdaňovanie energetických výrobkov a elektriny, Ú. v. EÚ L 283, 31.10.2003.

- vnútroštátnych cieľov na podiel biopalív na trhu;
- používania záväzkov týkajúcich sa biopalív
- požadovania toho, aby sa prostredníctvom systému osvedčení schvaľovali vzhľadom na ciele len tie biopalivá, ktorých kultivácia je v súlade s minimálnymi normami trvalej udržateľnosti³⁰.

Pri systéme osvedčení by sa vyžadovalo uplatňovanie nediskriminačného spôsobu vzťahujúceho sa na domácom trhu vyrobené biopalivá a na dovoz.

4.2. Trh s vozidlami

Komisia onedlho predloží právny návrh podporujúci verejné obstarávanie čistých vozidiel, vrátane tých, ktoré používajú zmesi s vysokým podielom biopalív³¹.

Komisia skúma rozsah využívania alternatívnych palív vrátane biopalív, aby sa dosiahlo zníženie CO₂ pre ľahké úžitkové vozidlá, ako súčasť svojho prehodnotenia týkajúceho sa spôsobu, ako splniť cieľ Spoločenstva požadujúci priemerné emisie vo výške 120g/km. Budúca stratégia, ktorá sa má predložiť v roku 2006, bude založená na „integrovanom prístupe.“ Znamená to, že okrem snáh výrobcov týkajúcich sa technológie vozidiel sa budú zohľadňovať opatrenia, ako je využitie biopalív, daňové stimuly, informovanie zákazníkov a vyhýbanie sa preťaženiu. V tejto stratégii sa bude zohľadňovať stratégia o budúcnosti automobilového priemyslu, ktorá sa tiež navrhne v roku 2006.

4.3. Vyváženie vnútroštátnej produkcie a dovozu

S biopalivami a ich surovinami sa obchoduje na svetových trhoch. Sebestačný prístup pri uspokojovaní potrieb EÚ nie je možný a ani vhodný. Európska únia však v určitej miere sama rozhoduje o tom, nakoľko sa má podporovať vnútroštátna produkcia a/alebo dovoz. V prílohe 10 sa opisuje súčasná situácia týkajúca sa obchodu s bioetanolom. V prílohe 11 sa hodnotia tri cesty vedúce k 5,75 % podielu na trhu pre biopalivá:

- minimálny podiel dovozu
- maximálny podiel dovozu
- vyvážený prístup.

Komisia uprednostňuje vyvážený prístup. Z toho dôvodu:

- navrhne zmenu a doplnenie týkajúce sa normy EN14214, aby sa uľahčilo využívanie širšieho sortimentu rastlinných olejov na výrobu bionafty v realizovateľnom rozsahu bez výrazných nežiaducich účinkov na výkonnosť paliva;

³⁰ Komisia sa tiež zameria na to, ako by sa minimálne normy trvalej udržateľnosti mohli tiež uplatňovať pre biomasu využívanú na iné energetické ciele.

³¹ Verejné obstarávanie tiež hrá dôležitú úlohu pri podporovaní ďalších foriem biomasy, najmä pre vykurovanie.

- bude riešiť otázku zmeny a doplnenia týkajúceho sa smernice o biopalivách, aby sa na jej ciele využívali len tie biopalivá, ktorých kultivácia je v súlade s minimálnymi normami trvalej udržateľnosti;
- zachová podmienky prístupu na trh pre dovážaný bioetanol, ktoré nie sú menej výhodné, ako podmienky zabezpečené v súčasnosti platnými obchodnými zmluvami;
- bude podporovať vyvážený prístup pri prebiehajúcich rokovaniach týkajúcich sa dohody o voľnom obchode s krajinami/regiónmi vyrábajúcimi etanol. EÚ musí dodržiavať záujmy domácich výrobcov a obchodných partnerov EÚ v kontexte zvyšujúceho sa dopytu po biopalivách.
- bude podporovať rozvojové krajiny, ktoré chcú vyrábať biopalivá a rozvinie ich domáce trhy. Má to dôležitý význam v kontexte reforiem týkajúcich sa cukru³².

Komisia prednesie tieto ciele v rámci dvojstranných rokovaní (napríklad s Mercosurom) a v rámci viacstranných rokovaní (napríklad v rámci kola rokovaní Svetovej obchodnej organizácie v Dohe a v rámci diskusií o obchodovaní s environmentálnymi výrobkami).

4.4. Normy

Smernica o kvalite palív³³ stanovuje limity týkajúce sa obsahu etanolu, éteru a ďalších oxygenátov v benzíne. Obmedzuje tlak pár benzínu. V norme EN590 sa uvádza, že nafta môže obsahovať maximálne 5 % objemu bionafty (4,6 % z energetického hľadiska). Tieto limity vedú k možnosti dosiahnuť zvýšené využívanie biopalív.

Komisia prehodnocuje smernicu o kvalite palív. Vyhodnotí vplyv možností pri riešení uvedených otázok. Komisia zvažuje množstvo faktorov, pričom zohľadňuje náklady a prínosy ovplyvnených sektorov. Pri hodnotení týchto možností Komisia *inter alia* zohľadní:

- vplyv na zdravie a životné prostredie (vrátane znečisťujúcich emisií a emisií skleníkových plynov);
- účinky na dosiahnutie cieľov vytýčených v smernici o biopalivách a na náklady na ich dosiahnutie.

4.5. Odstránenie technických prekážok

Pri zavádzaní biopalív existujú technické prekážky. Napr. v priemysle sa argumentuje, že

- benzín zmiešaný s etanolom nie je možné prepravovať ropovodmi;
- nie je praktické ponúkať zásoby benzínu s nižším tlakom výparov vhodným na priame primiešanie etanolu.

Komisia požiada zástupcov príslušných sektorov, aby podali technické odôvodnenie týchto prekážok, a bude sa usilovať o získanie stanovísk aj od ostatných zúčastnených strán. Bude

³² Tento aspekt sa bude riešiť v najbližšom oznámení o biopalivách.

³³ Smernica 98/70/ES z 13. októbra 1998 týkajúca sa kvality benzínu a naftových palív (Ú. v. ES L 350, 28.12.1998), zmenená a doplnená smernicou 2003/17/ES z 3. marca 2003 (Ú. v. EÚ L 76, 22.3.2003).

monitorovať správanie sa príslušných sektorov, aby sa zabezpečilo, že vo vzťahu k palivám neexistuje žiadna diskriminácia.

4.6. Využívanie etanolu na zníženie dopytu po naftě

Európsky vozový park sa prikláňa k naftovým vozidlám. Európa má však väčšiu kapacitu na výrobu bioetanolu než na výrobu bionafty, s využitím menšej plochy územia a s väčším priestorom na znižovanie nákladov prostredníctvom úspor z rozsahu. Tiež existuje možnosť zvýšeného dovozu etanolu z tretích krajín.

Komisia bude podporovať využívanie etanolu na znižovanie dopytu po naftě, vrátane využívania 95 % etanolu v modifikovaných naftových motoroch. Ako súčasť navrhovaného prehodnotenia normy EN14214 navrhne posúdenie zmeny, ktorá by umožnila nahradiť metanol pri výrobe bionafty etanolom.

5. PRIEREZOVÉ OTÁZKY

5.1. Dodávka biomasy

Uvedené opatrenia závisia od dostupnosti primeraných dodávok biomasy. V tomto oddiele sa stanovujú podporné opatrenia.

Spoločná poľnohospodárska politika (SPP)

Reforma SPP v roku 2003 znamená, že podpora príjmov poľnohospodárov už nesúvisí s vyprodukovanými plodinami. V dôsledku toho môžu poľnohospodári slobodne reagovať na rastúci dopyt po energetických plodinách. Touto reformou sa tiež zaviedla zvláštna „pomoc pre energetické plodiny“³⁴ a zachovala sa možnosť povinného využívania pozemkov „vyňatých z produkcie“ na pestovanie nepotravinových plodín (vrátane energetických plodín). V roku 2006 Komisia predloží Rade správu o implementácii systému energetických plodín, prípadne doplnenú o návrhy zohľadňujúce ciele Európskej únie vo vzťahu k biopalivám.

V minulosti sa výhody podpory mohli využívať len v obmedzenom rozsahu energetických plodín prostredníctvom režimu „vyňatia z produkcie“. Reforma poľnohospodárom vydláždila cestu na pestovanie väčšieho množstva energetických plodín vrátane výmladkových porastov a iných trvácných plodín. Rozhodnutia o pestovaní vhodných energetických plodín je najlepšie prijímať na regionálnej alebo na miestnej úrovni. Komisia bude financovať informačnú kampaň o vlastnostiach týchto plodín a o tom, aké možnosti poskytujú³⁵. Zmenený prístup si vyžaduje rýchlo rastúce drevo, pretože poľnohospodári musia obrábať pôdu niekoľko rokov a najmenej 4 roky musia prejsť pred prvým zberom úrody.

Lesníctvo

Okolo 35 % ročného rastu dreva v lesoch EÚ sa nevyužíva³⁶. V mnohých krajinách je len obmedzený trh na malé prebierky, ktoré je možné použiť na výrobu tepelnej a elektrickej energie. Väčšina nevyužitých zdrojov je vo vlastníctve malých súkromných podnikov, čo ešte viac komplikuje mobilizáciu. Niektoré krajiny vyriešili tento problém tak, že zriadili zásobovacie reťazce s existujúcimi prevádzkami a podporili organizáciu logistických systémov, spolupráce vlastníkov lesov a dopravy. Komisia sa bude usilovať odovzdávať ďalej takto získané skúsenosti a bude podporovať podobné iniciatívy v ostatných krajinách.

Komisia pripravuje akčný plán pre lesníctvo, ktorý má byť prijatý v roku 2006 a bude zameraný na energetické využitie dreva.

Komisia prehodnotí vplyv energetického využitia dreva a rezíduí z dreva v sektoroch, ktorých základ predstavujú lesy.

Odpad

Odpad predstavuje slabo využívaný zdroj energie. Komisia vyvíja tematickú stratégiu prevencie a recyklácie odpadu a pripravuje návrh na prehodnotenie rámcových právnych predpisov o odpade. Medzi prijateľné možnosti patrí:

- podpora techník odpadového hospodárstva, ktoré znižujú environmentálne účinky používania odpadu ako paliva;
- zaujatie trhového postoja k aktivitám súvisiacim s recykláciou a obnovou;

³⁴ „Platby za energetické plodiny“, podľa ktorých sa za produkciu energetických plodín poskytuje prémie vo výške 45 eur na hektár, s maximálnou zaručenou rozlohou 1,5 milióna hektárov ako rozpočtovým limitom.

³⁵ Kampaň bude pokrývať aj lesníctvo.

³⁶ (Nie sú zahrnuté lesy v chránených oblastiach ako sú oblasti Natura 2000.)

- vypracovanie technických noriem umožňujúcich, aby sa obnovený materiál považoval za výrobok (vďaka čomu sa bude ľahšie používať na energetické účely);
- podpora investovania do energeticky efektívnych techník používania odpadu ako paliva.

Vedľajšie živočíšne výrobky

Vedľajšie živočíšne výrobky, ktoré nie sú určené na ľudskú spotrebu, sa stále viac využívajú pri energii, najmä v bioplyne a bionafta. Technologický a vedecký pokrok neustále viedol k vývoju nových výrobných postupov. Na povolenie takýchto postupov Komisia prehodnotí regulačný rámec, aby sa mohli otvoriť nové zdroje energie pri zachovaní vysokej úrovne ochrany zdravia verejnosti a zdravia zvierat.

Normy

Európske normy pre pevné palivá biomasy sú potrebné na zjednodušenie obchodovania, na rozvoj trhov a na zvýšenie dôvery zákazníkov. Pracuje na nich Európsky výbor pre normalizáciu (CEN). Komisia ho bude podporovať prisúdením vysokej priority tejto práci.

Zlepšenie zásobovacieho reťazca

Európske obchodné prostredie na obchodovanie s peletami a pilinami sa začalo budovať za podpory programu EÚ s názvom Inteligentná energia pre Európu. Objemy sú nízke. Komisia sa zameria na to, ako je možné zlepšiť výsledky smerom k obchodnému systému na úrovni EÚ (ak je to technicky a ekonomicky vhodné).

Vnútroštátne akčné plány o biomase

Vnútroštátne akčné plány o biomase môžu zmenšiť neistotu investorov tým, že sa zhodnotí fyzická a ekonomická dostupnosť rôznych druhov biomasy vrátane dreva a reziduí z dreva, ako aj odpadov a poľnohospodárskych plodín, že sa stanovia priority pre druhy biomasy určené na využitie a určí sa spôsob rozvoja zdrojov biomasy a že sa stanovia opatrenia na vnútroštátnej úrovni na podporu týchto cieľov. Tiež je to možné spojiť s kampaňami informovania zákazníkov o prínose biomasy. To isté sa môže uskutočniť na regionálnej úrovni. Komisia podporuje rozvoj vnútroštátnych akčných plánov o biomase.

5.2. Finančná podpora EÚ týkajúca sa energie z biomasy

Mnohé z regiónov, ktoré využívajú európske štrukturálne a kohézne fondy, majú vysoký potenciál na zvyšovanie hospodárskeho rastu a vytvárania zamestnanosti alebo jej stabilizácie prostredníctvom biomasy. Platí to predovšetkým pre vidiecke oblasti v strednej a východnej Európe. Nízke náklady na pracovnú silu a vysoká dostupnosť zdrojov môžu týmto regiónom poskytovať porovnateľné výhody pri výrobe biomasy. Podpora rozvoja obnoviteľných a alternatívnych zdrojov energie, ako aj výroba biomasy, je preto dôležitým cieľom pre štrukturálne a kohézne fondy, ako sa uvádza v návrhu Komisie pre strategické usmernenia Spoločenstva v oblasti kohézie³⁷. Tieto fondy môžu podporovať rekvalifikáciu poľnohospodárov; poskytovanie zariadení pre výrobcov biomasy; investície do zariadení na výrobu biopalív a iných materiálov; a prechod poskytovateľov elektrickej energie a diaľkového vykurovania z paliva na biomasu.

Komisia vyzýva členské štáty a regióny, aby pri príprave svojich vnútroštátnych strategických referenčných rámcov a operačných programov zabezpečili náležité zohľadnenie potenciálnych prínosov biomasy.

³⁷ KOM(2005) 299 z 5.7.2005.

Prostredníctvom politiky rozvoja vidieka sa môžu podporovať aj investície do hospodárstiev alebo do oblastí blízko hospodárstiev, napríklad do spracovania biomasy, ako aj mobilizácia nevyužitej biomasy zo strany vlastníkov lesov. Komisia navrhla strategické usmernenia Spoločenstva pre rozvoj vidieka, ktoré kladú dôraz na obnoviteľné energetické zdroje vo všeobecnosti, a predovšetkým na reťazce zásobovania biomasou³⁸. Komisia podporuje členské štáty, aby tieto príležitosti využili na rozvoj a diverzifikáciu hospodárstva vidieka prostredníctvom svojich vnútroštátnych programov rozvoja vidieka. Komisia navrhuje osobitnú skupinu ad hoc, aby v týchto programoch zvažila príležitosti týkajúce sa biomasy.

5.3. Štátna pomoc

Oficiálna podpora výroby a využitia biomasy musí byť v súlade s politikou štátnej pomoci Spoločenstva. Komisia môže povoliť investičnú pomoc a prevádzkovú pomoc na základe usmernení Spoločenstva a na základe štátnej pomoci na ochranu životného prostredia³⁹. Pravidlá týkajúce sa týchto usmernení zohľadňujú účinky prínosu, že energiu vyrobenú z biomasy je možné porovnať s výrobou energie na základe fosílnych palív. Pomoc na investície v podporovaných oblastiach je možné považovať za zlučiteľnú so spoločným trhom podľa usmernení pre vnútroštátnu regionálnu pomoc⁴⁰. Nemalo by dôjsť k neprimeranému narušeniu hospodárskej súťaže. Pozri aj prílohu 9.

6. VÝSKUM

Návrh Komisie siedmeho rámcového programu prisudzuje výskumu biomasy vysokú prioritu. Zahŕňa niekoľké akcie s komponentom biomasy:

- „Biomasa pre palivá, elektrickú energiu, vykurovanie a chladenie“ s cieľom vyvinúť portfólio technológií a preukázať ho;
- „Inteligentné energetické siete“ vrátane integrácie zariadení pre biomasu do elektrických rozvodových sietí a zavádzanie bioplynu a syntetického plynu do rozvodových sietí zemného plynu;
- „Biovýskum a biotechnológia pre trvalo udržateľné nepotravinové výrobky a postupy“ vrátane využitia biotechnológie na zlepšenie produktivity, trvalej udržateľnosti a kompozície materiálov biomasy a na vývoj nových bioprocessov.

Niektoré z najdôležitejších oblastí činnosti budú:

- Vývoj sektorovo riadenej „technologickej platformy pre biopalivá“;
- Koncepcia „bio-rafinérie“, čo najlepšie využitie všetkých častí prevádzok;
- Výskum biopalív druhej generácie, kde sa očakáva výrazný rast poskytovania zdrojov Spoločenstva.

³⁸ KOM(2005) 304.

³⁹ Ú. v. ES C37 z 3.2.2001, s. 3.

⁴⁰ Ú. v. ES C74 z 10.3.1998, s. 9.

Komisia zväží, ako čo najlepšie priblížiť výskum optimalizácii poľnohospodárskych a lesných plodín energetickým cieľom a konverzným procesom.

Prostredníctvom programu Inteligentná energia pre Európu Komisia podporí šírenie techník, ktoré sa vo výskume osvedčili.

Podrobnosti sú uvedené v prílohe 12.

7. ZÁVER

Európa sa musí zbaviť svojej závislosti na fosílnych palivách. Biomasa predstavuje jednu z hlavných alternatív. Na európskej úrovni sa musia vypracovať opatrenia v prospech biomasy, aby sa:

- získali maximálne výhody z inovácie na vnútroštátnej aj miestnej úrovni;
- zabezpečila jasný budúci smer pre veľké sektory, ktoré sú organizované na európskej úrovni;
- spravodlivo rozložila záťaž.

Toto oznámenie stanovuje koordinovaný program pre akciu Spoločenstva vrátane opatrení na zlepšenie dopytu po biomase; zlepšenie dodávok; prekonanie technických prekážok a rozvoj výskumu.

Trvalo takmer rok, kým sa vypracoval tento akčný plán. Je založený na rozsiahlych poradách so zúčastnenými stranami⁴¹. Ich reakcia na myšlienku energického prístupu Spoločenstva v tejto oblasti bola zväčša, a neraz aj výrazne, pozitívna. Ďalším krokom bude uviesť tento program do činnosti. Na jar sa bude v ďalšej zelenej knihe o súvislej európskej energetickej politike riešiť pokrok a ďalší vývoj.

⁴¹ Pozri prílohu 13.

PRÍLOHA 1 – Biomass action plan: summary of measures

Biomass for heating and electricity

The Commission will:

- work towards a proposal for Community legislation in 2006 to encourage the use of renewable energy, including biomass, for heating and cooling;
- examine how the directive on energy performance of buildings could be amended to increase incentives for the use of renewable energy;
- study how to improve the performance of household biomass boilers and reduce pollution, with a view to setting requirements in the framework of the eco-design directive;
- encourage district heating scheme owners to modernise them and convert them to biomass fuel;
- encourage Member States that apply a reduced VAT rate to gas and electricity to apply such a rate to district heating too;
- pay close attention to the implementation of the directive on electricity from renewable energy sources;
- encourage Member States to harness the potential of all cost-effective forms of biomass electricity generation;
- encourage Member States to take into account, in their support systems, the fact that, in combined heat and power plants, biomass can provide heat and electricity at the same time.

Transport biofuels

The Commission will:

- Bring forward a report in 2006 in view of a possible revision of the biofuels directive. This report will address the issues of:
 - setting national targets for the share of biofuels;
 - using biofuels obligations on fuel suppliers;
 - ensuring, through certification schemes, that the biofuels used to meet the targets satisfy minimum sustainability requirements.
- Encourage Member States to give favourable treatment to second-generation biofuels in biofuels obligations.
- Bring forward a legislative proposal promoting public procurement of clean and efficient vehicles, including those using high blends of biofuels.

- Examine how biofuel use can count towards the CO₂ emission reduction targets for car fleets.
- Pursue a balanced approach in ongoing free trade agreement negotiations with ethanol-producing countries/regions. The EU must respect the interests of domestic producers and EU trading partners, within the context of rising demand for biofuels.
- Propose amendments to the “biodiesel standard” to facilitate the use of a wider range of oils, including imported oils, to produce biodiesel, and allow ethanol to replace methanol in biodiesel production.
- Assess the impact of options to address the issues of limits on the content of ethanol, ether and other oxygenates in petrol; limits on the vapour content of petrol; and limits on the biodiesel content of diesel.
- Ask the relevant industries to explain the technical justification for practices that act as barriers to the introduction of biofuels and monitor the behaviour of these industries to ensure that there is no discrimination against biofuels.
- Support developing countries by helping them to produce biofuels and by maintaining market access conditions that are no less favourable than those provided by the trade agreements currently in force.
- Bring forward a communication dealing specifically with biofuels early in 2006.

Cross-cutting issues

The Commission will:

- Assess the implementation of the energy crop scheme.
- Finance a campaign to inform farmers and forest holders about the properties of energy crops and the opportunities they offer.
- Bring forward a forestry action plan in which energy use of forest material will play an important part.
- Review the impact of the energy use of wood and wood residues on forest based industries.
- Consider how the waste framework legislation could be amended to facilitate the use of clean wastes as fuel.
- Review how the animal by-products legislation could be amended in order to facilitate the authorisation and approval of alternative processes for the production of biogas and other biofuels
- Encourage the European Committee for Standardisation to speed up work on standards for the quality of biomass fuels.
- Explore how to develop a European spot market in pellets and chips.

- Encourage Member States to establish national biomass action plans.

Encourage Member States and regions to ensure that the benefits of biomass are taken into account when preparing their national reference frameworks and operational plans under the cohesion policy and the rural development policy.

Research

The Commission will:

- Continue to encourage the development of an industry-led “Biofuel technology platform”.
- Consider how best to take forward research into the optimisation of agricultural and woody crops for energy purposes, and biomass to energy conversion processes.
- Give a high priority to research into the “bio-refinery” concept, finding valuable uses for all parts of the plant.
- Give a high priority to research into second-generation biofuels, with an aim of improving their efficiency and cost-effectiveness; a substantial increase in Community funding is expected.

PRÍLOHA 2 – EU biomass production potential

The table assesses the EU's potential to produce biomass for energy use. These estimates are conservative because they are based on the following assumptions:

- no effect on domestic food production for domestic use;
- no increase in pressure on farmland and forest biodiversity;
- no increase in environmental pressure on soil and water resources;
- no ploughing of previously unploughed permanent grassland;
- a shift towards more environmentally friendly farming, with some areas set aside as ecological stepping stones;
- the rate of biomass extraction from forests adapted to local soil nutrient balance and erosion risks.

The first column of the table shows the quantities of EU-produced biomass used for energy purposes today. The following columns show the potential contribution in 2010, 2020 and 2030. The potential for 2010 is 2½ times the contribution today. The potential for 2020 is 3 to 3½ times the contribution today, and the potential for 2030 is 3½ to 4½ times that of today. Forests, wastes and agriculture all make a big contribution to this potential for growth. The increase from forestry comes from an increase both in fellings and in the use of residues. The increase from agriculture is driven by the reform of the common agricultural policy.

EU biomass production potential⁴²

<i>Mtoe</i>	Biomass consumption, 2003	Potential, 2010	Potential, 2020	Potential, 2030
Wood direct from forest (increment and residues)	67 ⁴³	43	39-45	39-72
Organic wastes, wood industry residues, agricultural and food processing residues, manure		100	100	102
Energy crops from agriculture	2	43-46	76-94	102-142
TOTAL	69	186-189	215-239	243-316

⁴² Sources: 2003 data from Eurostat; projections for 2010, 2020 and 2030 from European Environmental Agency, "How much biomass can Europe use without harming the environment", briefing 2/2005

⁴³ This figure includes 59 Mtoe of wood and wood wastes; 3 Mtoe of biogas; and 5 Mtoe of municipal solid waste.

It should be underlined that due to lack of data, this table only covers the EU25. It does not include the contribution of Bulgaria and Romania. These countries will be EU members by 2010, and have high biomass production potential. Nor does the table include imports. Most regions of the world have higher potential to produce biomass, relative to their energy consumption, than the EU. Potential EU consumption is therefore significantly higher than these figures would suggest.

PRÍLOHA 3 – A scenario to increase biomass energy using current technologies

<i>mtoe</i>	Current (2003)	Future (2010)	Difference
Electricity	20	55	35
Heat	48	75	27
Transport	1	19	18
TOTAL	69	149	80

This scenario is drawn from the 2004 communication “The share of renewable energy”, expanded to the EU25. It is compatible with achievement of the Community’s targets of: a 12% overall share of renewable energy; a 21% share of renewable energy in electricity generation; and a 5.75% market share for biofuels.

The Commission believes this scenario can be achieved in the three sectors sectors – electricity, heat and transport – through the measures in this action plan – if not in 2010, the year for which these targets were set, then within a year or two of that date.

This is the scenario that serves as the basis for the impact assessment on this communication.

PRÍLOHA 4 – Environmental impacts

Biomass has three main environmental impacts:

- Avoidance of greenhouse gas emissions

The Commission estimates that the scenario in Annex 3, if achieved, would reduce greenhouse gas emissions by 209 million tonnes of CO₂-eq per year.

- Environmental impact of the production of raw materials

Agriculture can have significant effects on the environment, positive and negative. In general, the level of harmful effects varies with the intensity of the agriculture. This is true whether crops are used for food or energy purposes. It can be particularly harmful to bring previously uncultivated land (permanent grassland) into agricultural use.

On the other hand, using grass cuttings from such land for biomass production can help to prevent the decline of biodiversity on species-rich grasslands due to land abandonment.

Energy crop cultivation can help to improve the overall profitability of the farm business, contributing to the maintenance of farming in areas where this may be useful from an environmental (or wider sustainable development) perspective. This is important in a number of regions to improve soil stability and prevent irreversible landslide damage. Another potential positive aspect of energy crop production is its contribution to the establishment of new crop rotation systems that are more advantageous from a wider environmental point of view (for example, alternatives to the monoculture of maize).

If energy crops are grown on agricultural land that was previously used for food production, the change in environmental pressure depends on which biomass crops are cultivated.

The plantation of tree crops to enhance soil cover on degraded land can also have a globally positive impact. However this should not take place on steppe or mountain habitats that have a high biodiversity value.

The use of wastes and residues for energy purposes often gives an environmental bonus compared with other means of disposal. For forest residues, the environmental impact depends on the local soil nutrient balance and the risk of erosion, which may require a certain amount of the residues (especially foliage) to be left on site. In some regions, however, their extraction help to reduce the risk of fire.

- Environmental impact of the use of biomass

Like fossil fuels, biomass emits pollutants. Advanced emission control equipment can virtually eliminate this, however. Such equipment is already standard in transport and, increasingly, in electricity generation. The situation is less favourable with heating, particularly home heating.

This analysis points to two priorities:

- the need to guarantee that site-specific environmental requirements are observed when producing biomass – this will be addressed in the Commission's 2006 report on the implementation of the biofuels directive
- improving the pollution performance of household biomass burning – this will be addressed as part of the measures proposed in this action plan to develop biomass heating.

The Commission will also take steps to improve understanding of the costs and environmental impacts of all transport fuels, including conventional biofuels.

PRÍLOHA 5 – Renewable energy and the directive on the energy performance of buildings

The directive on the energy performance of buildings⁴⁴ requires Member States, when calculating the energy performance of buildings, to take into account the positive influence of "heating and electricity systems based on renewable energy sources". The relative importance attached to different kinds of renewable energy will be decided by the Member States in their transposition of the directive, allowing them, in principle, to attach substantial premia to the use of biomass in their calculation methods.

Moreover, for new buildings larger than 1000 square meters, Member States are required to carry out technical, environmental and economic feasibility studies on the use of decentralised energy supply systems based on renewable energy, on CHP and on district or block heating or cooling. This also gives Member States considerable leeway to promote biomass. In many Member States, biomass heating is one of the most practical and cost-effective options.

During 2006, taking into account comments received on the energy efficiency Green Paper⁴⁵, the Commission will decide how it thinks the directive should be further developed. The possibilities it will consider could include:

- amending the annex to the directive to ensure that calculation procedures allow greater weight and more active promotion to be given to biomass heating and other forms of renewable energy;
- reducing the thresholds in the directive so that many more new buildings would have to be considered for renewable energy before construction starts, and many more renovation projects would need to meet minimum efficiency requirements based on energy performance calculations that include the positive influence of renewable energy sources, including biomass;
- setting EU-wide minimum energy performance standards and criteria that could also promote the use of biomass where it is technically feasible and economically interesting.

At the same time, the Commission will examine other options for development of the directive, including *inter alia* the use of energy-efficient building materials.

⁴⁴ Directive 2002/91 of the European Parliament and of the Council of 16 December 2002 on the energy performance of buildings, O.J. L1, 4/01/2003

⁴⁵ COM(2005)265 final of 22/06/2005

PRÍLOHA 6 – Biomass for electricity generation

Electricity can be generated from all types of biomass. Several reliable technologies are available. These technologies can be used to “co-fire” biomass, by mixing it with coal or natural gas, or to run freestanding power stations.

Large centralised power plants, like those used to burn straw in Denmark or forest residues in Finland, offer the best economic performance, especially if they are also used for heat (combined heat and power, CHP). Co-firing biomass with coal is another good centralised option in existing large power plants.

It is more efficient, when electricity is generated from biomass, to make use of the heat that is produced as well. Member States can support this in the design of support schemes for electricity generated from renewable energy sources, or through CHP support schemes developed in accordance with the harmonised European efficiency reference values for CHP which will come into force in February 2006 in accordance with the CHP directive⁴⁶.

Smaller decentralised plants burning solid biomass or biogas tend to cost more, but often have advantages for the environment and for rural development. The EU structural funds or its rural development programme can be used to study their optimal location in relation to biomass availability, transport infrastructure, grid connection possible and labour markets.

The Commission encourages Member States to harness the potential of all cost-effective forms of biomass electricity generation rather than focusing on one form alone.

⁴⁶ Directive 2004/8 of the European Parliament and of the Council of 11 February 2004 on the promotion of cogeneration based on a useful heat demand in the internal energy market and amending Directive 92/42/EEC, O.J. L52, 21/02/2004

PRÍLOHA 7 – Transport biofuels: background

In 2001 the Commission adopted a communication on alternative fuels for road transport, identifying three fuels (biofuels, natural gas and hydrogen) that could play a big part⁴⁷. It was accompanied by legislative proposals requiring Member States to promote biofuels and making it easier to use fuel tax exemptions to do this. These proposals were adopted, in amended form, in 2003⁴⁸.

Since the adoption of the communication the market share of biofuels has increased from 0.2% in 2000 to 0.8% in 2004. About 90% of biofuel consumption is covered by domestic raw materials, 10% by imports. Out of the EU25's total arable land of 97 million hectares, about 1.8 million hectares were used for producing raw materials for biofuels in 2005. As expected, there has been a shift towards low blends and away from the high blends or pure biofuels that prevailed in 2001. Biodiesel's share of total biofuel consumption has stayed at 70 to 80%.

The rise in the oil price and a growing interest in new markets for agricultural products in the light of the reform of the common agricultural policy - and the sugar regime in particular - have led to a wider appreciation of biofuels' advantages at European level and have provoked widespread discussion in Member States.

“Second-generation” biofuels from wood and wastes are currently more expensive than first-generation biofuels from agricultural crops and have not yet been fully demonstrated on a commercial scale. Once that has been achieved, they will widen the range of raw materials that can be used and could also further improve biofuels' environmental profile. It should be underlined, however, that first-generation biofuels already offer significant benefits and that any significant contribution from second-generation biofuels will not materialise until after 2010. Therefore, the emphasis of this action plan is on first-generation biofuels.

⁴⁷ COM (2001) 547

⁴⁸ Directive 2003/30/EC of the European Parliament and of the Council of 8 May 2003 on the promotion of the use of biofuels or other renewable fuels for transport, O.J. L123, 17/05/2003, and Council Directive 2003/96/EC of 27 October 2003 restructuring the Community framework for the taxation of energy products and electricity, O.J. L283, 31/10/2003

PRÍLOHA 8 – Biofuels: progress at national level

Member State	Market share 2003	National indicative target for 2005	Targeted increase, 2003-2005
AT	0.06%	2.5%	+2.44%
BE	0	2%	+2%
CY	0	1%	+1%
CZ	1.12%	3.7% (2006)	+ 1.72% (assuming linear path)
DK	0	0%	+0%
EE	0	2%	+2%
FI	0.1%	0.1%	+0%
FR	0.68%	2%	+1.32%
DE	1.18%	2%	+0.82%
GR	0	0.7%	+0.7%
HU	0	0.4-0.6%	+0.4-0.6%
IE	0	0.06%	+0.06%
IT	0.5%	1%	+0,5%
LA	0.21%	2%	+1.79%
LI	0 (assumed)	2%	+2%
LU	0 (assumed)	not yet reported, assume 0	not yet reported
MT	0.02%	0.3%	+0.28%
NL	0.03%	2% (2006)	+0% (promotional measures will come into force from January 2006)
PL	0.49%	0.5%	+0.01%
PT	0	2%	+2%
SK	0.14%	2%	+1.86%
SI	0 (assumed)	0.65%	+0.65%
ES	0.76%	2%	+1.24%
SV	1.32%	3%	+1.68%
UK	0.03%	0.3%	+0.27%
EU25	0.6%	1.4%	+0.8%

Sources

2003: National reports under the biofuels directive except Belgium: Eurostat (figure for 2002) and Italy: EurObserv'Er

2005: National reports under the biofuels directive.

National reports under the biofuels directive are available at http://europa.eu.int/comm/energy/res/legislation/biofuels_en.htm

PRÍLOHA 9 – Implementing the biofuels directive: fuel tax exemptions and biofuel obligations

Member States are using two main tools to implement the Biofuels Directive: tax exemptions and biofuels obligations.

Tax exemptions

Member States make a good deal of use of fiscal policy to promote biofuels. The energy taxation directive establishes the framework for the consequent tax exemptions.

Under Article 16 of this directive, Member States can reduce taxes on biofuels or completely exempt them from taxes, without needing the Commission's prior approval (on fiscal grounds), as long as they respect certain strict conditions.

The tax reduction or exemption cannot exceed the amount of tax which would otherwise be payable on the volume of biofuel present in the product that is eligible for the reduction. In addition, it should be emphasised that the tax reductions or exemptions introduced by Member States must be modified in line with changes in the price of raw materials, in order to ensure that the reductions do not lead to overcompensation of the additional costs of biofuel production. The fiscal advantage (exemption or reduction) granted to a fuel of renewable origin cannot exceed the difference between this fuel and an equivalent fossil fuel.

These fiscal measures no longer need the prior, unanimous approval of other Member States. However, they remain subject to state aid control. The Commission has taken a generally favourable attitude to the notifications received. The exemptions that have received state aid approval are listed in the table.

Table - Biofuel tax exemptions that have received state aid approval

Case	Biofuels concerned	reference
C64/2000 FR	ETBE	OJ L 94 of 10.4.03, p.1
N461/01 IT	Biodiesel	OJ C 146 of 19.6.02, p.6
N480/02 SE	All CO ₂ -neutral fuels	OJ C 33 of 6.2.2004, p.7
N804/01 UK	Biodiesel	OJ C 238 of 3.10.02, p.10
N512/02 SE	Biofuel pilot projects	OJ C 75 of 27.3.03, p.2
N685/02 DE	Bioethanol, biodiesel and vegetable oils	OJ C 86 of 6.4.04, p.15
N717/02 IT	Bioethanol and ETBE	OJ C 16 of 22.1.04, p.22
N407/03 UK	Bioethanol	OJ C 193 of 28.4.05, p.17
NN43/04 AT	Bioethanol, biodiesel and vegetable oils	Not published yet
N187/04 SE	Biofuel pilot projects	Not published yet
N206/04 CZ	Biodiesel	Not published yet
N427/04 HU	Biodiesel and ETBE	OJ C133 of 31.5.05, p.2
N582/04 IT	Biodiesel (prolongation of N461/01)	Not published yet
N599/04 IRL	Biodiesel, bioethanol and vegetable oils	OJ C 98 of 22.4.05, p.10
N44/05 LT	Biodiesel, bioethanol, vegetable oils and ETBE	Not published yet
N223/05 CZ	Biodiesel	Not published yet
N314/05 EE	Bioethanol, biodiesel and vegetable oils	Not published yet

All decisions not to raise objections can be found on the Commission's website: http://europa.eu.int/comm/secretariat_general/sgb/droit_com/index_en.htm#aides

However, the Commission is aware that the system of tax exemptions, as implemented, is giving rise to three problems:

- 1) The risk of **unnecessarily high cost to the state and unnecessarily high payments to undertakings**. Biofuels producers have different costs but, under the tax exemption system, all receive the same level of compensation. If the level of compensation is enough to bring high-cost producers into the market, there is a risk that it overcompensates lower-cost producers. The risk of overcompensation appears to be widespread, both within the Community and internationally. The services of the Commission are presently looking into several possibilities, including the limitation of detaxation to undenatured bioethanol (which is subject to the highest import duty) and/or making the rate of detaxation depend on the raw material used.
- 2) Insufficient **investor certainty**. The Energy Taxation Directive limits the duration of tax exemptions to six years. Among the schemes adopted to date, only the French scheme lasts as long as this. In general, Member States could consider taking coordinated measures to create a stable investment climate, in particular by making full use of the possibility under Community law to adopt six-year tax reliefs and to arrange for their extension well before the term has expired. However, stakeholder consultation has clarified that even this period of certainty is less than needed for some investments, particularly in second-generation biofuels but also in first-generation ethanol plants.
- 3) While some Member States use open aid schemes, available to all, others have opted for a **quota-based approach**, limiting the quantity of biofuel that will qualify for the tax exemption and setting up a process to choose the firms that will benefit from it. The Commission sees risks of non-transparency, arbitrary allocation and increased market concentration in quota-based schemes.

Biofuels obligations

At present there is increasing interest among Member States in the use of **biofuel obligations**, requiring fuel supply companies to incorporate a given percentage of biofuels in the fuel they place on the national market or face a penalty⁴⁹. Obligations are in force in France and Austria and will come into force in Slovenia in 2006 and in the Czech Republic and the Netherlands in 2007. The UK and Germany have recently said that they will introduce them. Schemes vary in relation to: the point in the distribution chain where the obligation is placed; whether individual types of biofuel are distinguished; how compliance is monitored; whether they are implemented through a system of tradable certificates; and whether they coexist with fuel tax exemptions.

Obligations have a number of advantages. They place responsibility for addressing the problem of excessive oil dependence on the sector where it originates – while implying only a negligible increase in the cost of fuel. They give fuel supply companies an incentive to push

⁴⁹ Obligations that take this form are compatible with the Fuel Quality Directive (Directive 98/70/EC of the European Parliament and of the Council of 13 October 1998 relating to the quality of petrol and diesel fuels and amending Council Directive 93/12/EEC (O.J. L350, 28/12/1998), as amended by Directive 2003/17/EC of the European Parliament and of the Council of 3 March 2003 (O.J. L76, 22/03/2003)). By contrast, an obligation to incorporate a given proportion of biofuel in each litre of fuel sold would not be compatible with the Directive..

down the cost of biofuels – and it follows that they are more cost-efficient. They can include a premium for second-generation biofuels. Unlike state aids, they are not subject to a time limit and so could be a good way to establish the stable framework that investors want.

Compatibility between obligations and exemptions

It is important to point out that Article 16.6 of the energy taxation directive states that if Community law requires Member States to comply with legally binding obligations requiring them to place a minimum proportion of biofuels, the option for Member States to reduce excise duties under fiscal control (that is, without needing specific authorisation from the Council under unanimity) would disappear.

PRÍLOHA 10 – Trade in bioethanol

1. Current trade in bioethanol

There is currently no specific customs classification for bioethanol for biofuel production. This product is traded under code 22 07 which covers both denatured (CN 22 07 20) and undenatured alcohol (CN 22 07 10). Both denatured and undenatured alcohol can then be used for biofuel production. It is not possible to establish from trade data whether or not imported alcohol is used in the fuel ethanol sector in the EU.

An import duty of €19.2/hl is levied on undenatured alcohol, while an import duty of €10.2/hl applies to denatured alcohol.

Table I

Imports under code 2207 (in hl)			
	Av. 1999-2001	Av. 2002-04	% of total (02-04)
Undenatured alcohol	1 167 935	2 383 239	93%
Denatured alcohol	279 904	180 988	7%
Total	1 447 839	2 564 226	100%

Overall imports of alcohol under code 2207 averaged 2 564 226 hl over the 2002-04 period, up from 1 447 839 hl over 1999-2001. Over 93% of them came under code 22 07 10 (undenatured alcohol).

The principal trade trends are summarised in Table II:

Table II

Total imports of alcohol under code 22 07 (in hl) by type of duty					
	2002	2003	2004	Av. 2002-04	% of total
Reduced duty	227 285	182 940	288 364	232 863	9%
Duty-free	980 693	2 027 632	1 709 282	1 572 536	61%
MFN	657 011	494 771	1 124 699	758 827	30%
TOTAL	1 864 989	2 705 344	3 122 345	2 564 226	100%

- average imports of bioethanol increased by 77% over 2002-2004 compared to the previous three-year period (1999-2001) when they totalled 1 447 839 hl;
- over that period 70% of these imports were traded under preferential conditions, out of which almost 61% were duty-free, while 9% benefited from some type of duty reduction;
- 30% of EU trade under code 22 07 takes place under MFN (most favoured nation) conditions.

With respect to the largest exporting countries:

- a) over the 2002-2004 period, Pakistan was the largest duty-free exporter with an average of 501 745 hl followed, at a distance, by Guatemala with 223 782 hl;
- b) Brazil is the only country capable of exporting large quantities as MFN with an average of 649 640 hl over the same period, with the second MFN exporter, the USA, on only 20 109 hl;
- c) one country - Ukraine - accounts for the vast majority of imports at reduced duty with 107 711 hl over the 2002-04 period. Egypt came second with over 43 000 hl.

2. Preferential imports of bioethanol into the EU

The EU's preferential trade basically comes under two regimes: the Generalised System of Preferences (including, among others, the Everything But Arms (EBA) initiative) and the Cotonou Agreement. The main preferences accorded by each of them are summarised in Table III and described in detail in the following sections.

Table III

Import conditions under code 22 07 under EU's main preferential agreements					
	GSP normal		GSP+	EBA	Cotonou
Duty reduction	15% up to 31.12.2005	0% as of 1.1.2006	100%	100%	100%
Quantitative restrictions	NO		NO	NO	NO
Beneficiaries	All GSP beneficiaries if not graduated.		Bolivia, Colombia, Costa Rica, Ecuador, Guatemala, Honduras, Panama, Peru, El Salvador, Venezuela, Georgia, Sri Lanka and Mongolia	LDCs	ACPs

2.1. GSP

The current Council Regulation (Regulation (EC) 2501/2001), in force until 31 December 2005, classifies denatured and undenatured alcohol under code 22 07 as a sensitive product. According to article 7.4 of the regulation, imports of this alcohol from all GSP beneficiary countries qualify for a 15% reduction of the MFN duty⁵⁰.

Under the special drugs regime envisaged by Council Regulation (EC) 2501/2001, which was in force from the early nineties until repealed on - 30 June 2005, exports from a number of countries (Bolivia, Colombia, Costa Rica, Ecuador, Guatemala, Honduras, Nicaragua, Panama, Peru, Pakistan, El Salvador and Venezuela) qualified for duty-free access under code 22 07.

⁵⁰ Article 7(4) of Council Regulation (EC) No 2501/2001 of 10.12.2001.

The new GSP Regulation (Council Regulation (EC) No 980/2005 of 27.06.2005), which will apply from 1 January 2006 to 31 December 2008, no longer envisages any tariff reduction for either denatured or undenatured alcohol under code 22 07 (still classified as a sensitive product). This Regulation put in place a special incentive arrangement for sustainable development and good governance (the new GSP + incentive scheme) which has been applying on a provisional basis since 1 July 2005 and will apply on a permanent basis from 1 January 2006 to 31 December 2008. This new incentive arrangement grants unlimited and duty free access (suspension of Common Customs Tariff duties) to denatured or undenatured alcohol under code 2207. It includes all the countries which already benefited from the previous drugs scheme, with the exception of Pakistan which is subject to the full MFN duty.

The new incentive arrangement now also includes Georgia, Sri Lanka and Mongolia, which have not so far exported bioethanol to the EU.

Moreover, a special arrangement for least developed countries (the EBA initiative) provided for by the new GSP Regulation offers an unlimited duty-free access to denatured or undenatured alcohol under code 2207.

2.2. Cotonou Agreement

Under the Cotonou Agreement, ACP countries qualify for duty-free access for denatured and undenatured alcohol under code 22 07 with the sole exception of South Africa. According to Regulation (EC) 2501/2001, South Africa enjoys a 15% reduction in customs duties. From 1 January 2006 it will therefore have to pay full MFN duty. During the ongoing European Partnership Agreement (EPA) negotiations with ACP countries, the customs duties of alcohol under code 22 07 will need to be negotiated.

2.3. Other countries with preferential arrangements

Egypt currently has unlimited duty-free access to the EU under the Euro-Mediterranean Agreement. Before that, it qualified for a 15% reduction under the GSP scheme.

Norway, which ranks among the top ten exporters with a total of 89 375 hl under code 22 07 in 2004, has been granted duty-free access to the EU within the framework of tariff rate quotas (TRQs) since the mid-nineties. In 2005 the TRQ will total 164 000 hl for exports under code 22 07 10 (up from 134 000 hl the previous year) and 14 340 hl under code 22 07 20, up from 3 340 hl.

3. Trade analysis

Table IV sums up trade under the various preferential arrangements.

Table IV

Imports under preferential conditions 2002 – 2004 (in hl)					
	2002	2003	2004	Av. 2002-04	% of total trade 2002-04
GSP normal	227 285	182 940	288 364	232 863	9%

GSP +	553 156	1 569 005	1 412 896	1 178 352	47.5%
ACP	291 055	268 784	154 663	238 167	9%
EBA	30 018	86 247	18 956	45 074	1.5%
Others	106 464	103 597	122 768	110 943	4%
Total preferential	1 207 978	2 210 573	1 997 646	1 805 399	70%
Total MFN	657 011	494 771	1 124 699	758 827	30%
Grand total	1 864 989	2 705 344	3 122 345	2 564 226	100%

3.1. GSP

Trade data for 2001–2004 show a dramatic increase in bioethanol exports from the countries benefiting from the special drugs regime in previous years. Although these countries have benefited from the same regime since the 1990s, the unlimited duty-free access enjoyed under it at a moment of rising demand for alcohol under code 22 07 can be considered the single most important factor underlying the doubling of bioethanol exports from these countries to the EU. All major exporters under code 22 07 over the last three years benefit from such a scheme: Pakistan, Guatemala, Peru, Bolivia, Ecuador, Nicaragua and Panama.

Altogether, exports of ethanol from the GSP plus beneficiaries totalled 1 412 896 hl in 2004: practically all duty-free exports to the EU and 46% of all exports under code 22 07 to the EU over the 2002-2004 period.

Thanks to its lower production costs, Pakistan took a big lead over the other GSP beneficiaries with 1 008 656 hl in 2004 (the second largest exporter in the world) followed, at a distance, by Guatemala with over 250 000 hl.

Under the new GSP an exclusion of Pakistan from the list of countries having unlimited duty-free access to the EU market, will remove from the market one of the most aggressive and competitive producers. All old direct competitors under the GSP drugs regime will continue to enjoy duty-free access to the EU market and might be expected to fill the gap left by Pakistan as they have relatively low production costs too.

Nevertheless, at US\$14.52/hl, Pakistan has production costs closer to Brazil's which, with production costs of US\$13.55/hl, manages to export substantial quantities to the EU paying the full MFN duty. Pakistan might therefore be expected to continue to be able to export significant quantities of ethanol to the EU, albeit not at the same pace as before, thus utilising the increased production capacity built over the last couple of years.

By contrast, the 15% reduction offered by the normal GSP regime opened access for approximately 9% of exports of the same product to the EU market. Unlike the obvious favourable impact of the GSP drugs regime, the impact of the 15% duty reduction is more difficult to assess. The two largest exporting countries benefiting from such a reduction are Ukraine and South Africa. In the case of Ukraine, the introduction of the 15% reduction coincided with a dramatic increase in exports over the 2002-2004 period. For South Africa, on the other hand, the last two years showed

exports stable on approximately 50 000 hl, with a dramatic decrease over the 2000-2001 period. Under these conditions, it is difficult to predict the impact of removal of the 15% import duty reduction although it seems fair to say that even such a small reduction seemed to provide a competitive advantage over the countries paying full duty.

3.2. EBA

So far, exports of bioethanol from countries benefiting from the special arrangement for the least developed countries (the EBA initiative) under the GSP (EC) Regulation 980/2005 to the EU have been negligible and have primarily come from one country - the Democratic Republic of Congo - which already qualified for duty-free access as an ACP country. At the moment, the Democratic Republic of Congo is the only LDC with sizeable, though erratic, exports of alcohol to the EU under code 22 07 since 1999. In 2004 exports totalled 18 956 hl after peaking at 86 246 hl the year before.

It is fair to recognise, however, that EBA dates back to only 2001 and that some of the countries which did not have duty-free access under other earlier regimes (notably Bangladesh, Laos, Cambodia, Afghanistan and Nepal) might find new ways of access to the EU in the medium or longer term.

New opportunities might emerge in these countries - which generally do not produce (or are not very competitive at producing) sugar cane or any other raw material for bioethanol production from their own resources – in the form of processing molasses imported from their competitive, sugar-producing neighbours. This might be the case with Cambodia which could use raw material from Thailand, or with Bangladesh and Nepal which might process raw material from India. At the moment it is difficult to quantify future potential production from these countries but investments are known to have been made in some of them, like Bangladesh.

In this respect it is important to stress that under Council Regulation (EC) 2501/2001, imports are subject to the GSP rules of origin plus regional cumulation. The Commission is currently examining a proposal for a new regulation which would introduce the principle of determination of the preferential rules of origin based on the value-added method. Distillation should continue to be considered an operation with sufficient added value to confer origin on the finished product.

3.3. Cotonou Agreement

- On the whole, ACP exports to the EU under code 22 07 have so far been limited. Over the last couple of years they have, however, been fairly stable at 238 167 hl despite a low of 154 663 hl in 2004 (excluding South Africa: 48 728 hl).
- Swaziland and Zimbabwe are by far the leading exporters with an average of 85 562 hl and 120 261 hl respectively over the 2002-04 period. A number of ACP countries are likely to consider bioethanol production as an alternative to sugar production as part of the restructuring resulting from the EU sugar reform. However, bioethanol production from sugar cane might remain relatively low and limited only to countries where sugar production is competitive, such as Swaziland and Zimbabwe, which have production costs close to Brazil's and India's and which are already exporting substantial quantities to the EU under code 22 07.

PRÍLOHA 11 – Achieving the 5.75% biofuels target: the balance between domestic production and imports

One of the key variables in biofuel policy is the balance between domestic production and imports. Biofuels and their raw materials are traded on world markets. An autarkic approach to meeting the EU's needs is neither possible nor desirable. But the Union still has a degree of discretion about how far to encourage domestic production and/or imports. The purpose of this annex is to set out the facts and assess the pros and cons of different options.

Tools for shifting the balance between domestic production and imports

The starting point is to understand the tools that can be used to shift the balance between domestic production and imports.

In the case of **bioethanol**, the main tool for shifting the balance is the duty paid. EU-produced bioethanol can be expected to cost about €900/toe by 2010 (costs are currently higher because most production plants are rather small). The cheapest imported bioethanol (from Brazil) can be bought in Europe at around €680/toe. Bioethanol imports are subject to duties ranging from zero (for imports from certain countries and/or under certain conditions) to about €376/toe (for undenatured ethanol imported at the maximum tariff). Consequently, imported bioethanol is cheaper than European if no import duty is paid, and more expensive if the maximum tariff is paid. If all tariffs on bioethanol were removed, it would be difficult for domestic producers to stay in the market.

In Germany, only fuel containing undenatured ethanol is eligible for fuel tax exemption. Even imported bioethanol needs the exemption in order to be price-competitive with petrol (currently around €457/toe⁵¹).

More details on trade arrangements affecting bioethanol are given in Annex 10.

Imports of **biodiesel** or of the vegetable oils used to make it are subject to low or zero tariffs.

Biodiesel can be made from most types of vegetable oil, notably rape oil, soya oil and palm oil.

EU rape oil competes at the world market price. Imported soya oil and palm oil are cheaper. However, biodiesel made predominantly from one or another of these oils does not comply with the "biodiesel" or "FAME" standard, EN14214 – and it needs to comply with this standard if it is to be sold for use in unadapted vehicles. Biodiesel made predominantly from rape oil does comply with the standard, even if blended with a small amount – around 25% – of one of the other oils.

The Commission believes that the limits in standard EN14214 could be adapted to allow a higher proportion of other oils – perhaps 50% – to be used in biodiesel.

Scenarios for assessment

Three theoretical models must be assessed:

⁵¹ Assuming oil at \$60/barrel and the € at \$1.25.

- 1) Minimum share for imports;
- 2) Maximum share for imports;
- 3) Balanced approach.

Scenario 1: Minimum share for imports

The first point to assess is the technical feasibility of this option and, in particular, whether sufficient land is available to produce the necessary crops.

The Commission estimates that in order to meet the biofuel directive’s objective of a 5.75% share of the petrol and diesel market in 2010, 18.6 mtoe of biofuels will be needed. Most domestic biofuel production will come from three crops: sugarbeet and cereals (for bioethanol, replacing petrol) and rape (for biodiesel, replacing diesel). Average biofuel yields per hectare vary widely, depending on the characteristics of the crops, the soil and the climate. The following averages have been assumed:

Sugarbeet	2.9 toe/ha
Cereals	0.9 toe/ha
Rape	1.1 toe/ha

On the basis of this it can be estimated that about 17 million hectares of EU agricultural land would be needed to meet the directive’s objective entirely from domestic production.

This can be compared with total EU arable land of 97 million hectares.

In the present context where crop production per hectare is rising steadily and the reform of the sugar regime will release resources currently used for food production, this appears to be technically feasible in principle. The Union is technically capable of meeting its biofuels targets for 2010 from domestic production, although it should be noted that there are agronomic limits on the cultivation of individual crops (e.g. the frequency with which rape can be included in crop rotation cycles)..

However, it should be pointed out that: existing trade arrangements and World Trade Organisation commitments do not permit the EU to close the door to imports of biofuels and biofuel raw materials; these materials are already being imported today; and there is no proposal to increase tariff protection for these goods. Therefore, the scenario of 100% domestic production is a theoretical one and would not be possible in practice.

Even interpreted as “minimum imports” rather than “no imports”, this scenario would have two disadvantages.

First, it would expose the EU food and biofuels sectors to excessive increases in the price of raw materials. By creating a new market that could be served only by domestically produced crops, the biofuels policy would drive up their prices, particularly for cereals and rape which are currently traded at world market prices.

Second, it would do nothing to encourage the production of biofuels elsewhere in the world where the creation of new biofuels industries – partly serving foreign customers like the EU, partly domestic needs – can bring benefits to developing countries. In addition, to the extent

that increased consumption of biofuels is a tool to exercise downward pressure on the oil price, this is a global phenomenon – and the EU therefore has an interest in promoting biofuel production globally.

Scenario 2: Maximum share for imports

By encouraging amendment of the biodiesel standard, the EU would ensure that the maximum proportion of its biodiesel consumption is met from imports. The Commission believes that, with an appropriate amendment, imported vegetable oils would capture about 50% of the biodiesel market. However, much of the processing is likely to continue to take place in the Union.

By removing all tariffs on bioethanol, the EU would ensure that the maximum share of its bioethanol consumption is met from imports. The Commission believes that bioethanol made from agricultural crops in Europe will not be able to compete on price with bioethanol made from sugar cane from tropical countries. Therefore, the result of this policy would be that 100% of EU bioethanol consumption would be covered by imports. There would be no domestic bioethanol industry.

On the hypothesis that 56% of biofuel consumption will be biodiesel (in line with diesel's current share of the petrol and diesel market), these steps would lead to imported biofuels (or their raw materials) taking about 70% of the EU biofuel market.

For biodiesel, this approach has merit. It would enable both EU producers and developing countries to benefit, in a balanced way, from the growth of biofuel consumption in the EU. It is an appropriate response to the limits on expansion of rape production in the EU. An EU industry would continue to exist.

But this strategy would not address the serious concerns that the present expansion of vegetable oil production – such as palm oil and soya – in developing countries could be responsible for destruction of natural habitats and deforestation and that increased demand from the EU could translate into an increased rate of deforestation. If this is true, it would be an important factor to set against the greenhouse gas emission reductions that the increased use of biofuels would deliver. If such doubts cannot be removed, public support for biofuels will be undermined. Therefore, it would be wrong to maximise the import of biofuels/raw materials for biofuels without paying attention to the environmental impact of their cultivation.

For bioethanol, this is not a good approach for the EU to follow. If the EU obtains its bioethanol from imports rather than domestic production, the cost will be about 25% lower and the global greenhouse gas benefits will be greater. However, there will be no rural development benefits for Europe. And the security of supply benefits will be less, because Europe will not have the advantage of developing a new domestic fuel source. From a practical point of view, it must be remembered that implementation of the Union's biofuel policy depends on the efforts of Member States. If there is no prospect of domestic involvement in the production of bioethanol, it is likely that many of them will focus their efforts on biodiesel instead – eroding the market into which developing countries hope to sell. Finally, if the least developed countries are not able to compete on price on the world sugar market, there is no reason to believe that they will be able to do so on the world bioethanol market if trade is made completely free.

Environmental concerns are also raised about the cultivation of sugar cane for bioethanol. Against this, it is argued that most bioethanol comes and will continue to come from land that has been under cultivation for a long time.

Scenario 3 –Balanced approach

The Commission believes that an intermediate approach would avoid the disadvantages of the first two options.

This approach should have five elements:

- i) Amendment of standard EN14214 to facilitate the use of a wider range of vegetable oils for biodiesel, to the extent feasible without significant ill effects on fuel performance;
- ii) Maintain market access conditions for imported bioethanol that are no less favourable than those provided by trade agreements currently in force;⁵²
- iii) Pursue a balanced approach in ongoing free trade agreement negotiations with ethanol-producing countries/regions. The EU must respect the interests of domestic producers and EU trading partners, within the context of rising demand for biofuels;⁵³
- iv) Address the issue of amending the biofuels directive so that only biofuels whose cultivation complies with minimum sustainability standards count towards its targets;
- v) Support developing countries in the production of biofuels.

The system of certificates would need to apply in a non-discriminatory way to domestically produced biofuels and imports. In particular, it would need to be non-discriminatory in relation to the requirements of the World Trade Organisation. It would need to be developed in line with other initiatives for certification of agricultural and forestry produce and could require EU support in its introduction. The potential impact on developing countries would be taken into consideration before any system of certification is introduced.

The Commission estimates that under this approach:

- price increases for agricultural crops could be kept in an acceptable range;
- a sufficient share of the market for biodiesel raw materials, a majority of the market for biodiesel production, and a majority of the market for bioethanol would remain domestic;
- least-developed countries, including those for whom the reform of the EU sugar regime is a particular challenge and whose bioethanol is not subject to tariffs, would gain a share of the EU biofuel market;

⁵² In particular, under the Everything But Arms, Generalised System of Preferences (+) and Cotonou agreements, which presently provide free access to the EU for ethanol imports.

⁵³ Note: existing trade agreements, notably Everything But Arms (EBA), Generalised System of Preferences (GSP) + and Cotonou, which presently provide free access to the EU for ethanol exports, will maintain this level of access..

- the promotion of biofuels would not cause deforestation and habitat destruction.

Notes on the production of biofuels in developing countries

Support for developing countries in the production of biofuels is in the EU's interest both for development policy reasons and to maximise downward pressure on the oil price. It could contribute in specific countries, as in the EU but often in more critical situations, to greater energy security and access to energy, improved foreign exchange and trade balances, economic development and employment in rural regions, and environmental benefits. To the extent that the development of biofuel consumption will exert downward pressure on the global oil price, consumption in developing countries will contribute in the same way that European consumption does. EU development policy, as well as other EU policies such as research and energy and the clean development mechanism under the Kyoto Protocol, offers a number of instruments that can be used.

The positive and negative impacts of cash crops for biofuels on food production and food security have been the subject of extensive discussion. The costs and benefits depend on the site, the way the crop is produced and how it is integrated in the local production system. There is no general rule. Sugar cane has almost always been cultivated as a cash crop in developing countries, and a switch in the end-product from sugar to ethanol should not affect the food supply of the region. Some biofuel raw materials like jatropha could allow the sustainable use of low-value land and, in the process, contribute (via earnings) to an improvement in food security.

PRÍLOHA 12 – The Commission’s perspective on biomass and biofuel research

1. Introduction

Research, technological development and demonstration have potential to support the use of biomass. The Commission intends to capitalise on this. Its proposal for the Seventh Framework Programme – Specific Programmes, adopted in September 2005, gives a high priority to biomass.

An industry-led European biofuel technology platform is under development⁵⁴. This is intended to develop and implement a European vision and strategy for the production of biofuels, in particular for transport. Once the technology platform is established, the EC will explore the need to propose a possible joint technology initiative in this area⁵⁵.

Other technology platforms will also play an important role – for example, those dealing with “Industrial biotechnology”, “Plants for the future”, “Road transport” and “Forest-based sectors”. Under the framework of the Seventh Framework Programme, there is a need for increased coverage of the following topics: biomass availability and logistics ; energy crops for the production of biomass;⁵⁶ and combustion, gasification and pyrolysis of biomass covering co-firing, recovered fuels and combined heat and power.

This research and development activity under the Seventh RTD Framework Programme will be complemented by non-research action in the “Intelligent Energy – Europe” programme. The main focus here is to support soft measures and to remove non-technological barriers to the widespread market deployment of already demonstrated biomass and biofuel technologies.

2. Research priorities – biomass in general

The following actions related to biomass, with their corresponding objectives, are included in the Seventh Framework Programme.

- Biomass for electricity, heating and cooling

The objective is to develop and demonstrate a portfolio of technologies for electricity, heating and cooling from biomass, including the biodegradable fraction of waste. This research aims at increasing overall conversion efficiency, achieving cost reductions, further reducing the environmental impact and optimising the technologies in different regional conditions. A broad range of research topics are considered including biomass availability and logistics; conversion technologies, such as combustion, co-firing and gasification; emission abatement; and land use.

⁵⁴ Technology platforms are channels to involve industries in defining research priorities.

⁵⁵ Joint technology initiatives are a new way to create public-private partnerships at European level. They have their foundation in technology platforms. They may take the form of a joint undertaking.

⁵⁶ With emphasis on woody crops (short-rotation coppice, grasses and miscanthus); on new crop breeds and novel cropping systems optimised for non-food use; on improving the energy content of the agricultural crops used for first-generation biofuels; and on machines and techniques for planting, harvesting, storage, transport, pre-treatment and conversion into material that can be fed into conveyor systems.

The Commission will propose to the “Zero Emission Power Generation” technology platform that co-firing be included in its scope.

- Smart energy networks

To facilitate the transition to a more sustainable energy system, a wide-ranging R&D effort is required on the EU electricity and gas systems and networks. Research aims at effective integration of biomass installations into electricity grids and feeding biogas and synthetic natural gas into the natural gas grid.

- Life sciences and biotechnology for sustainable non-food products and processes

The objective is to strengthen the knowledge base and develop advanced technologies for terrestrial or marine biomass production for energy and industry. Biotechnology will be applied to improve the productivity, sustainability and composition of biomass raw materials and to develop new bio-processes.

The Commission also attaches high importance to the “biorefinery” concept to maximise the value derived from biomass feedstocks by making full use of their components. Biorefineries could be built up by adding further fractionation and conversion steps to current biomass processing facilities (sugar, grain, pulp mills, oil refineries, etc.) to obtain a broad range of products such as food, feed, sustainable polymers, chemicals, fuels, and heat and power. Improving the cost-efficiency of biofuels through the biorefinery concept will be an important element of the biofuel technology platform.

3. Second-generation biofuels: state of play

Producing bioethanol from cellulose delivers a gasoline substitute which is identical to bioethanol produced from sugar or cereals. Synthetic enzymes provide the key to unlock the cellulose molecules and break them down into simpler substances, which are subsequently fermented to ethanol and purified (distilled) the same way as conventional bioethanol. It is hoped that energy balances and, hence, CO₂ emission reductions will be largely enhanced.

The first demonstration plant was taken in operation by Iogen (4 million litres per year in Canada) and this was followed by ETEK (150 thousand litres per year pilot plant in Sweden) which was supported by EU regional funds. A third facility is under construction by Abengoa (5 million litres per year in Spain) and this plant is supported by the Fifth Framework Programme. Enzymatic hydrolysis is expected to become competitive in the medium term due to the decreasing price of the enzymes and low cost of the raw material (such as straw or even wood); being one of the most critical parameters in the overall cost of the biofuel.

Second-generation biodiesel is chemically different from vegetable-oil-based biodiesel. Gasification of biomass (anything works, but the drier the better) produces a “synthesis gas” consisting mainly of carbon monoxide (CO) and hydrogen. Exposing this gas to a suitable catalyst converts it into hydrocarbons (Fischer Tropsch synthesis), which will subsequently be treated to deliver a mixture of gasoline, jet fuel and diesel. Because of the high price of jet fuel, the excellent quality of the diesel fraction and the low quality of the gasoline fraction (low octane number), the process is normally optimised towards the production of jet fuel/diesel.

The different steps in the process have all been demonstrated to work commercially for Fischer Tropsch synthesis gas derived from coal or natural gas. Optimisation still remains to be done on gasification of biomass from different raw materials and gas purification to synthesis gas quality. A large-scale pilot plant (15 000 t/year) is being constructed in Freiberg (Germany) by the company Choren. In addition, Choren and Shell are in the process of developing a full-size prototype commercial plant with a capacity of 200 000 t/year which optimistically, depending on the experience with the pilot plant, could be operational in 2009/10. In parallel to the experience to be gained from this “biomass-to-liquid” (BTL) process, a number of large-scale “gas-to-liquid” projects, several in Qatar, will deliver technology experience on the second stage (Fischer Tropsch) of the process in the years ahead.

Alternatively the synthesis gas can be converted to bio-dimethylether (DME), which can also be used to replace diesel in modified diesel engines. DME, a gaseous fuel under ambient conditions, can be of particular relevance in heavy-duty applications.

The advantage of second-generation biodiesel is partly that the basic treatment of the raw material (gasification) allows virtually any organic material to be used and partly that it delivers a premium-quality diesel fuel, whether to be used in its own right or as a blending component in petroleum-based diesel. Its CO₂ emission profile depends on whether the energy source for conversion is biomass only or whether an external energy source is used, and whether the biomass is a waste product (e.g. straw) or an energy crop. This also affects the cost. Here too, significant CO₂ gains and energy balance improvements are hoped for.

Hybrids between first- and second-generation biofuels are also in preparation. Fortum (Finland) is planning to expand its Porvoo refinery to use vegetable oil and animal fat as a raw material in a conventional hydrogenation process. This delivers the same high-quality diesel as BTL with lower investment, but higher raw material costs (close to conventional biodiesel).

4. Research priorities - transport biofuels

The main area of research is second-generation biofuels made from various biomass resources and wastes, e.g. bioethanol, biodiesel, DME. The technical feasibility of converting cellulose material (straw/wood) and organic wastes into bioethanol and biodiesel has been demonstrated. But costs need to be brought down and technology needs to be further developed and demonstrated for commercial-scale production (over 150 000 tonnes a year). If this can be done, second-generation biofuels should offer three major advantages:

- they will secure a higher market share for biofuels by allowing the use of a wider range of raw material;
- the cultivation process (if any) could be less environmentally intensive than for ordinary agricultural crops;
- this lower intensity will be reflected in lower greenhouse gas emissions from cultivation.

Second-generation biodiesel production has a fourth advantage: the fuel is of better quality than conventional diesel⁵⁷.

⁵⁷ The process can also be used to produce a (good) substitute for jet fuel or a (poor) substitute for petrol.

The price of these fuels will depend on technical developments and the price at which the raw material can be obtained. At this stage there is no reason to assume that they will be substantially cheaper than first-generation biofuels.

The Commission plans to substantially increase its support for the development of second-generation biofuels through its research budgets.

PRÍLOHA 13 – Results of consultation

This communication and the impact assessment published alongside it take into account the results of extensive consultations. These began with the Commission's analysis of the various policies affecting biomass and an extensive public consultation campaign using all possible means, such as a public questionnaire via the Internet, numerous meetings with stakeholders, and bilateral meetings with Member States that have developed national Biomass Action Plans and with biomass experts.

The main conclusion drawn from the consultations was that the Commission should push strongly on all fronts, at EU level and national level, in order to overcome the non-technical barriers facing biomass.

Several more specific conclusions can be drawn from the consultation process:

- Sufficient biomass resources are available in the Union to meet the needs for an additional 80 mtoe per year by 2010 without major effects on forest products industries and food production. Energy crops can make a significant contribution while providing a new market outlet for agriculture and contributing to rural development. Any shortfalls can be addressed by imports.
- There are competitive, reliable and efficient European technologies to convert biomass resources into energy vectors (electricity, heating or cooling and biofuels for transport). Nevertheless, RTD work on biomass (supported by appropriate national and EC funds) has to be intensified in order to meet new challenges.
- European (as well as international) solid and liquid biofuels markets are in their infancy and have to be developed further to commodity level. In order to develop them successfully, work on standards and norms has to be accelerated.
- Biomass is generally more expensive than comparable fossil fuel energy. However, in some areas (such as household heating by pellets and industrial CHP based on residues) biomass is already competitive.
- There is an urgent need to start a professionally managed campaign to inform European citizens more fully about the benefits of biomass. This information barrier, as well as the absence of more effective representation of biomass at all levels, is also due to the lack of a strong European biomass association with industrial involvement.
- The main problem that appears to be holding back the penetration of biomass on the energy markets is the lack of demand. The only way to increase demand is through appropriate policies implemented at national level.
- Biomass is the only renewable energy source that does not suffer from intermittency problems and can potentially provide energy for heat, power and transport from the same installation.
- Biomass in the form of solid, liquid or gaseous biofuels is the only renewable energy source that can directly replace solid, liquid and gaseous fossil fuels, either fully or in blends of various percentages, in which case often there is no need for equipment modifications.

- Biomass is the only renewable energy source that cannot be found free; it necessitates a long chain of activities such as planting, growing, harvesting, pre-treatment (storage and drying) and upgrading to a fuel and, finally, mechanical, thermochemical or biological conversion into an energy carrier (power, heat or biofuels for transport). Therefore, biofuels (with the exception of untreated municipal waste) always have an associated cost that has to be borne by the final user.
- Since land availability is limited there could come a point in the future when biomass for energy will have to compete with food, materials, bio-chemicals and carbon sinks. However, this point in time is beyond 2020, and if international trade in biomass fuels becomes effective could lie beyond 2050.
- Environmental concerns must also be addressed whenever biomass is grown for food, products or fuels. This has to be done by taking an overall systems approach and by comparisons with other alternatives and not in isolation.