

Public report
on the assessment of

certification scheme Better Biomass

(request for advice from February 2019)

against the Dutch legal sustainability criteria
for solid biomass for energy applications

by the

Advisory Commission on Sustainability
of Biomass for Energy Applications

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1 Introduction

1.1 Dutch sustainability criteria for solid biomass for energy applications

In September 2013 more than 40 Dutch government bodies, companies and non-governmental organisations endorsed the National Energy Agreement for Sustainable Growth. Part of this Agreement deals with targets for the more sustainable use of energy in the years 2020 and 2023. Bio-energy plays an important role in meeting these targets. It was also agreed that sustainability criteria would be formulated for the large-scale application of biomass for cofiring in coal-fired power plants, and that these sustainability criteria would include forest management and climate aspects like greenhouse gas emissions, carbon debt and indirect land use change.

A working group with representatives from energy companies, environmental organisations and the government has further developed the sustainability criteria into principles and underlying criteria. As from 2015 these principles and criteria have been included as a condition in the subsidy regulation SDE+ for cofiring and for production of industrial steam from wood pellets, and from beginning 2018 these principles and criteria are laid down in environmental legislation. In order to demonstrate compliance with these principles and criteria, companies need to demonstrate that the biomass used fully meets the legal requirements. This can be achieved by use of certification schemes and/or by use of the verification protocol approved for this purpose by the Dutch minister of Economic Affairs and Climate Policy (minister of EZK).

1.2 The advisory commission sustainability biomass for energy applications

The independent advisory commission sustainability of biomass for energy applications (further in this document “commission” or “advisory commission” or “ADBE”) is installed by the Dutch government. The commission advises the minister of EZK on the extent to which certification schemes comply with the sustainability criteria in the Dutch legal ‘*regeling conformiteitsbeoordeling vaste biomassa voor energietoepassingen*’. The commission only gives advice on request of the minister, who receives applications for approval of certification schemes and has to decide on the approval. The minister of EZK will approve certification schemes per individual sustainability criterion, and will only approve schemes which address all management criteria. The use of a certification scheme leads to one or several claims (for instance the claim “Better Biomass certified”). The ADBE will advise which Dutch sustainability criteria are covered by the claim of the scheme.

Energy companies can use the approved certification schemes and their claims to demonstrate that the solid biomass which they use complies with the Dutch legal sustainability criteria, either as “sustainable biomass” or as “controlled biomass”. Demonstrating compliance is a condition for receiving subsidy from the so-called [SDE+ subsidy scheme](#) for cofiring of solid biomass in coal-fired power stations or for the large-scale production of industrial steam from solid biomass. Certification schemes might not be approved for all sustainability criteria. In this case a combination of two or more certification schemes and/or a combination of certification and verification might be required to show compliance with all Dutch legal sustainability criteria.

1.3 Readers guide

In chapter 2 of this report the assessment procedure of the advisory commission plus the application by Better Biomass and the timeline of the assessment are briefly explained. Chapter 3 gives a summary of the findings from the assessment by the commission for the certification scheme Better Biomass. In chapter 4, details on the commission’s judgement are given, and chapter 5 lists the documents that were used when performing this assessment. This report comes with two annexes: the first annex gives background information on the requirements for biomass categories and the Chain-of-Custody (CoC) system from Dutch legislation, and the second annex lists the abbreviations that are used throughout this report.

2 The commissions' assessment procedure and assessment of Better Biomass

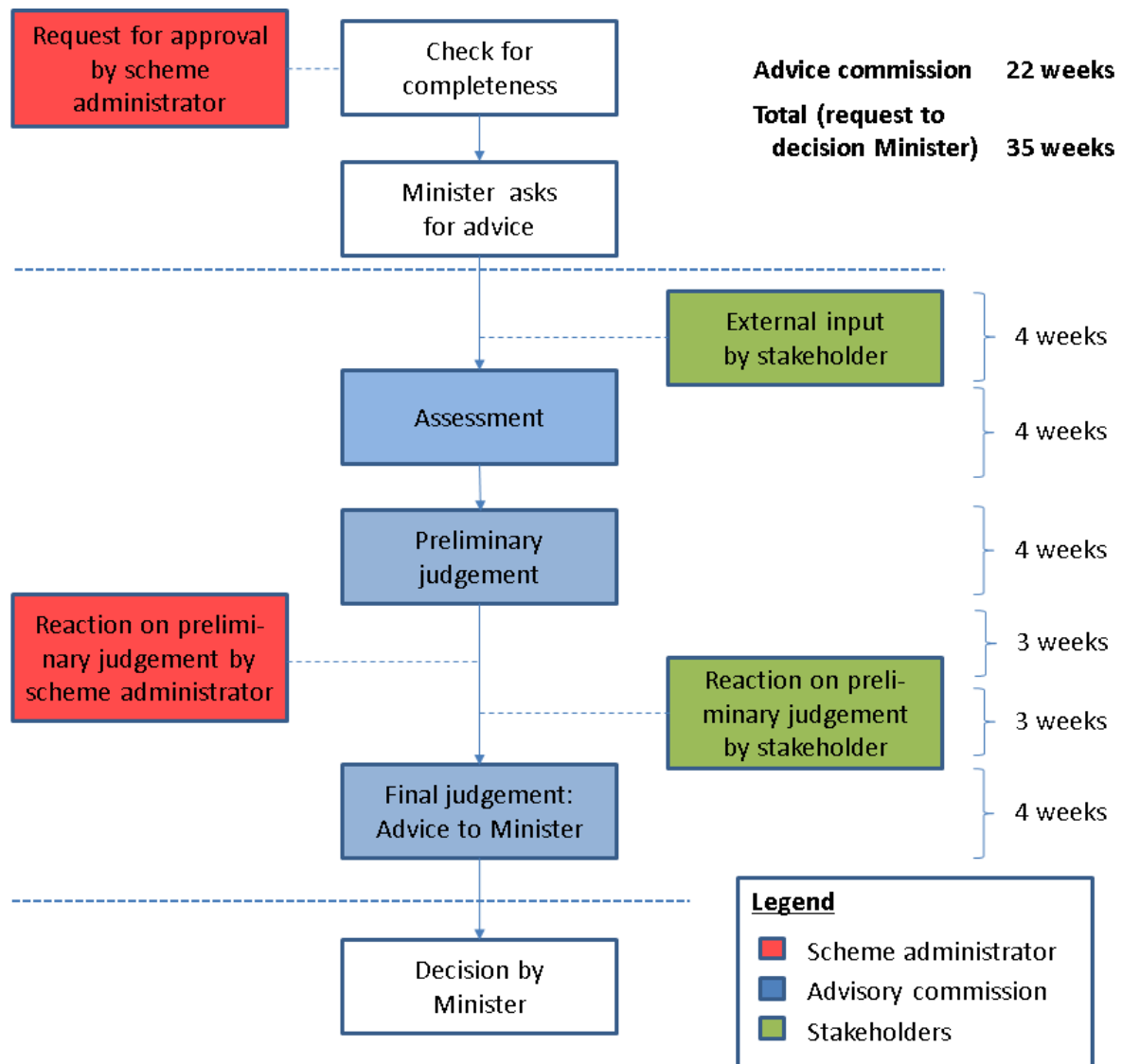
2.1 Assessment protocol

The assessment procedure of the advisory commission is described in a document called "toetsingsprotocol" (assessment protocol). The actual version of this protocol can be found on the [website of the advisory commission](#). The assessment protocol is available in Dutch language only. An English summary of the assessment procedure can be found on [this webpage](#).

The certification scheme Better Biomass is assessed using version 2.2 of the assessment protocol.

2.2 Summary of the assessment procedure

Schematically the procedure is visualised in the figure below.



2.3 Application by Better Biomass

The Better Biomass scheme manager made an application to the Dutch ministry of EZK in which approval of Better Biomass is requested for:

- Dutch sustainability criterion 7.2;
- biomass categories 1 and 2; and
- geographical coverage “Global”.

The current application is a follow-up of an earlier application that Better Biomass submitted in April 2018 and on which the Dutch Minister of EZK decided on November 5, 2018 to approve Better Biomass for all sustainability criteria except 1.1 (which is partially addressed and therefore not approved), 7.2 (not approved) and 12.6 (not requested). Since that approval, Better Biomass modified the Better Biomass Interpretation document.

In this report the Better Biomass claim (or certification level’; this is the term used in the Better Biomass scheme document) “Better Biomass certified” is assessed. The following scheme documents were used for the assessment:

- NTA 8080-1:2015, Sustainably produced biomass for bioenergy and bio-based products - Part 1: Sustainability requirements
- NTA 8080-2:2015, Sustainably produced biomass for bioenergy and bio-based products - Part 2: Chain-of-custody requirements
- Better Biomass certification scheme (NCS 8080:2018-08)
- Better Biomass Interpretation Document No. 03 (2019-01)
- NEN Scheme management manual – Version 5 (2018)
- NEN By-laws & Rules of Procedure (February 2014)

2.4 Timeline of the Better Biomass assessment

The commission received a request for advice on the Better Biomass application from the Minister of EZK on February 15, 2019. This was the third request for advice which the commission received on Better Biomass. The first request for advice from August 2017 did not result in an advice as the Better Biomass scheme manager has withdrawn this first request for approval in March 2018. The second request for approval by Better Biomass and the corresponding request for advice to the commission (both from April 2018) resulted in an advice by the commission and a decision by the Minister of EZK as published [on this webpage](#) (Dutch) and [on this webpage](#) (English).

The commission completed its preliminary judgement on the February 2019 request for advice on March 20, 2019. This preliminary judgement was sent for comments to the scheme manager on March 21. The Better Biomass scheme manager replied on March 31.

On April 4, 2019 the commission came to its final judgement, which is described in this report. The advice which the commission has sent on April 5, 2019 to the minister of EZK consists of a cover letter plus this report.

2.5 External input

Stakeholders have been given the opportunity to submit external input to the commission during the first four weeks of the procedure (see also paragraph 2.2). For the certification scheme Better Biomass no external input was received.

3 Summary of findings on certification scheme Better Biomass

A summary of the commission’s findings on the application for approval by the certification scheme Better Biomass is given in the three paragraphs of this chapter 3. Further details on the commission’s findings are given in chapter 4 “Full assessment tables for certification scheme Better Biomass”. The sustainability and management criteria referred to by the numbers in this chapter and listed in chapter 4 are copied from the Dutch legal regulation (the *regeling conformiteitsbeoordeling vaste biomassa voor energietoepassingen*), effective as from 1 January 2018.

The commission’s final judgement, based on the combined findings as described below, is that Better Biomass can be approved for sustainability criterion 7.2 for biomass categories 1 and 2.

3.1 Findings on classification of biomass and on the first link in CoC to be certified

The commission comes to the same conclusion as it earlier did in the previous Better Biomass advice (see the [public assessment report from October 2018](#)): Better Biomass has included the categorisation according to the five biomass categories in Annex D.4 of the normative Interpretation document. Better Biomass requires that for every individual consignment of biomass the transaction certificate contains a product description including the biomass category, and hence the commission concludes that Better Biomass can be approved for biomass categories 1 and 2. For further details see paragraph 4.1.

3.2 Findings for management criteria

A certification scheme can only be approved if the scheme complies with all management criteria. The ADBE already concluded for the earlier application (April 2018) that the Better Biomass certification scheme meets all management criteria.

The ADBE checked and concluded that – when modifying the Interpretation document – Better Biomass followed its own procedure for scheme development. For further details see paragraph 4.2.

3.3 Findings for individual sustainability criteria

The minister of EZK will approve certification schemes per claim and per individual sustainability criterion from the Dutch legal regulation. In the table below the findings of the advisory commission are summarised for sustainability criterion 7.2 for the claim “Better Biomass certified”.

The table below does not show names or descriptions of the individual criteria, please refer to the table in paragraph 4.3 for further details. The green colour indicates that the ADBE will give a positive advice to the Minister of EZK.

Better Biomass has already been approved for all purple-coloured criteria in the table below except for criterion 1.1 (the commission concluded that the Better Biomass scheme partially addresses this criterion). Better Biomass did not request approval for sustainability criterion 12.6 on controlled biomass.

Principle	Number of the criterion as related to the respective principle to the left							
	1	2	3	4	5	6	7	8
P1: GHG emissions	■							
P2: Soil quality	■							
P3: Carbon sinks	■	■	■					
P4: Long-term carbon debt	■	■	■					
P5: Indirect Land Use Change (ILUC)	■							
P6: Laws and regulations	■	■	■					
P7: Biodiversity	■	■	■	■	■			
P8: Regulating effect and quality, health and vitality of forest	■	■	■	■	■	■	■	■
P9: Production capacity, safeguard future of forests	■	■						
P10: Management system	■	■	■	■	■			
P11: Forest management by a group or regional association	■	■						
P12: Chain of custody system	■	■	■	■	■	■	■	■
P13: Chain of custody system for a group	■	■	■					

Legend (scoring table)

Colour	Score	Meaning
Light green :	2	The sustainability criterion is largely addressed the Better Biomass. Supplementary verification or another approved certification scheme is not needed.
Grey :		No request for approval.
Purple :		These criteria were part of an earlier advice of the commission on Better Biomass.

4 Assessment tables for certification scheme Better Biomass

This chapter contains three paragraphs on respectively a number of general topics of the Better Biomass application (4.1), on the management criteria (4.2), and on the sustainability criteria for the claim “Better Biomass certified” (4.3). The score “2” and green colour that is used in the table in paragraph 4.3 is explained in the legend on the previous page.

4.1 Assessment of classification of biomass and on first link in CoC to be certified

Annex D of the Dutch regulation contains two tables (which are copied into Annex I of this report) with a number of general requirements on biomass categories and on the first link in the CoC to be certified. The ADBE has assessed whether Better Biomass meets these requirements. This gives the same result as the earlier assessment on the April 2018 request for advice.

One important aspect is whether Better Biomass can make a distinction between the five biomass categories. To the opinion of the ADBE the information on the certificates following Annex D of NTA 8080-1:2015 is not sufficient to unambiguously determine the biomass category. Some raw materials as specified in Annex D do not clearly fall in a specific biomass category. This point of attention has been solved by the interpretation on this Table D in Interpretation document No 3 (version January 2019). As a result the commission concludes that throughout the Better Biomass CoC it is clear to which biomass category belongs each individual batch/consignment of biomass.

For biomass categories 1 and 2 the Better Biomass certification starts at the biomass producer (e.g. farmers, foresters), which is in line with the condition on the first link in the Chain-of-Custody (CoC) from Table 2 in Annex D of the Dutch regulation.

4.2 Assessment table for management criteria

The table below contains details of the assessment of the advisory commission on the Better Biomass certification scheme against the Dutch management criteria from the “regeling conformiteitsbeoordeling vaste biomassa voor energiedoeleinden”. The ADBE already concluded for the earlier application (April 2018) that the Better Biomass certification scheme meets all management criteria. During the current assessment the ADBE checked whether Better Biomass followed its own procedure.

Management criteria to be checked by the ABDE (from the Dutch “regeling conformiteitsbeoordeling vaste biomassa voor energiedoeleinden”)	ADBE judgement on whether Better Biomass complies with the management criteria
<p>The development of the scheme is transparent and participation in the process of development of the scheme is open to anyone.</p> <p>The scheme is publicly available or accessible under fair, reasonable and non-discriminatory conditions.</p>	<p>The commission has checked whether the Better Biomass scheme manager followed its own procedures when updating the Better Biomass certification scheme.</p> <p>The procedure for amendments of the scheme (which includes the updating of Instruction documents) is described in paragraph 3.3.5 of the NEN scheme management manual (version 5). In answer to questions the Better Biomass scheme manager confirmed that the scheme management committee “Better Biomass” has approved Instruction document No. 3. The ADBE did check with an auditor of a Certification Body whether they were actively informed by the Better Biomass</p>

	<p>scheme manager on the new version of the Interpretation document, including a request to inform the certificate holders. The auditor from the certification body confirmed that this had been done. The commission therefore concludes that Better Biomass has followed its own procedures on amendment of scheme documents.</p> <p>The commission has observed that the updated instruction document (version 3, January 2019) is publicly available via the Better Biomass website.</p> <p>As a result, the commission concludes that Better Biomass also meets management criteria 2 and 5 after making the updates to the Better Biomass Instruction Document.</p>
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4.3 Assessment tables on sustainability criteria for the claim “Better Biomass certified”

The advisory commission has assessed whether the certification scheme Better Biomass and its claim “Better Biomass certified” addresses Dutch sustainability criterion 7.2 from the Dutch “*regeling conformiteitsbeoordeling vaste biomassa voor energiedoeleinden*”. The assessment result is given in the tables below.

Principle 7: Biodiversity is maintained and where possible enhanced		
Sustainability criterion from the Dutch “ <i>regeling conformiteitsbeoordeling vaste biomassa voor energiedoeleinden</i> ”	ADBE judgement on whether Better Biomass complies with the sustainability criterion	Score
<p>7.2 Measures have been taken to protect endangered plant and animal species and, if applicable, to increase the populations and enhance the habitats of these species.</p>	<p>NTA8080-1:2015 requirement 6.4.1.1 stipulates that the organisation shall not produce biomass from areas, or a zone of 5 km around these areas, designated for the protection of rare, threatened or endangered ecosystems OR species recognized by international agreements or included in lists drawn up by intergovernmental organizations OR the International Union for the Conservation of Nature ..[.]. The definition of protected species within the Better Biomass certification scheme (NTA 8080-1:2015 3.1) is “species of living organisms (plants, animals, fungi, bacteria) that have been designated as protected species by national legislation OR, in the absence of national legislation, species that are classified as ‘vulnerable’, ‘endangered’ or ‘critically endangered’ on the IUCN Red List.”</p> <p>In interpretation document No. 3, Better Biomass has added that within the framework of “<i>Regeling conformiteitsbeoordeling vaste biomassa voor energietoepassingen</i>” the term ‘endangered plant and animal species’ is used, which is defined as plant and animal species that are classified at least as “threatened” in the global red list of the International Union for the Conservation of Nature (IUCN) and the guidelines of the IUCN for the regional application of the red list of the IUCN. If the organization produces biomass for energy applications that will be processed and traded to be supplied to an organization that uses this processed biomass to produce energy within the framework of this regulation, the organization shall comply with this definition of ‘protected species’.</p> <p>The commission observes that, as a result, Better Biomass now includes two definitions for protected/endangered species that can be used to comply with requirement 6.4.1.1 from NTA8080-1:2015. The Better Biomass scheme manager has indicated that in the summary of the certification audit report it will have to be indicated whether an organisation has been assessed to comply with the Dutch regulation “<i>conformiteitsbeoordeling vaste biomassa voor energietoepassingen</i>” and including the definition for endangered species from that regulation. By doing so, it will be clear (for each Better Biomass certified company) which definition has been used.</p> <p>The commission is of opinion that requirement 6.4.1.1 from NTA8080-1:2015 plus the definition of the Interpretation document No. 3 address Dutch criterion 7.2. The commission is however also of the opinion that the information on</p>	2

		<p>which definition was actually used, must be passed on through the chain of custody as using the strictest of the two definitions is a voluntary choice within the Better Biomass scheme. Through Interpretation document No. 3 Better Biomass requires that Transaction documents include an "explicit declaration that the definition of 'endangered plant and animal species' as laid down in this regulation has been applied".</p> <p>Furthermore the commission is of opinion that "not producing biomass from areas, or a zone of 5 km around these areas" is not the same as protecting endangered species, as species could be collected/hunted even when biomass is not produced from their habitats or when the species are outside their usual habitats (e.g. migrating birds). As Better Biomass also requires that the production location is protected against illegal hunting and fishing (requirement 5.6.1 from NTA 8080-1:2015 and Interpretation document No 2, NTA 8080-1:2015, 5.6), the commission considers the risk that endangered species are not protected under Better Biomass to be small. A small risk nevertheless exists for countries without e.g. hunting regulations for endangered animal species.</p> <p>As a result, the commission concludes that Better Biomass largely addresses Dutch sustainability criterion 7.2.</p>	
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5 Documents used for the assessment of certification scheme Better Biomass

The following documents have been used for the current assessment of certification scheme Better Biomass. Documents 1-6 were submitted by the scheme manager as part of the current and the previous request for approval.

1. [NTA 8080-1:2015](#), Sustainably produced biomass for bioenergy and bio-based products - Part 1: Sustainability requirements
2. [NTA 8080-2:2015](#), Sustainably produced biomass for bioenergy and bio-based products - Part 2: Chain-of-custody requirements
3. [Better Biomass certification scheme](#) (NCS 8080:2018-08)
4. [Better Biomass Interpretation Document No. 3](#) (January 2019)
5. [NEN Scheme management manual](#) (version 5)
6. [NEN By-laws & Rules of Procedure](#)
7. U.S. [Endangered Species Act](#) (ESA)
8. Harris, J.B.C. et al, [Conserving imperiled species: a comparison of the IUCN Red List and U.S. Endangered Species Act](#), Conservation Letters 00 (2011)
9. [US Fish and Wildlife Service](#)

Annex I – Biomass categories and the CoC system

The sustainability and management criteria in paragraphs 4.2 and 4.3 are a translation from the criteria in Annexes B and C of the Dutch regulation on conformity assessment of solid biomass for energy production . In Annex D of this regulation two tables show which requirements apply to the five categories and the set-up of the chain of custody. In the explanatory notes to the legislation a table can be found with additional guidance to the requirements.

Biomass categories and the chain of custody system

There are five biomass categories for which the sustainability requirements apply. In Table 1 for each category is listed which sustainability requirements apply:

Table 1. Biomass category’s with the applicable sustainability requirements

Sustainability requirements	Greenhouse gas emission	Soil management	Carbon and land use change	Sustainable forest management	Chain of custody
1. Woody biomass from forest management units	1.1		3.1-3.3, 4.1-4.3, 5.1	6.1-6.3, 7.1-7.5, 8.1-8.8, 9.1-9.2, 10.1-10.5, 11.1-11.2	12.1-12.6, 13.1-13.3
2. Woody biomass from forest management units less than 500 ha	1.1		3.1-3.3, 4.1-4.3	6.1-6.3, 7.1-7.5, 8.1-8.8, 9.1-9.2, 10.1-10.5, 11.1-11.2	12.1-12.6, 13.1-13.3
3. Residues from nature and landscape management	1.1	2.1			12.1-12.6, 13.1-13.3
4. Agricultural residues	1.1	2.1			12.1-12.6, 13.1-13.3
5. Biogenic residues and waste	1.1				12.1-12.6, 13.1-13.3

The source of the five categories and controlled biomass has to be known for each consignment. The conformity assessment by a conformity assessment body starts at the first link of the chain of custody. In Table 2 for each category the source of the material and the first link of the chain of custody are listed.

Table 2. Distinction between the source and the first link in the chain of custody per biomass category

Category	Source	First link chain of custody
1. Woody biomass from forest management units	Forest management unit	Forest management unit
2. Woody biomass from forest management units less than 500 ha	Forest management unit or predefined supply base of which the forest management unit <500 ha forms a part	Forest management unit or biomass producer
3. Residues from nature and landscape management	Predefined supply base	First collection point
4. Agricultural residues	Predefined supply base	First collection point
5. Biogenic residues and waste	Company that generates the residues or waste	First collection point

As part of the SDE+ subsidy scheme a temporary exemption applies for category 2 biomass regarding the first link of the chain of custody. For this category either the forest management unit or the biomass producer can be the first link. In case the biomass producer is the first link a risk based approach is used to demonstrate compliance with the sustainable forest management requirements.

Annex II – Abbreviations

ADBE	Advisory commission Sustainability Biomass for Energy applications
CoC	Chain-of-Custody
EZK	“Ministry of EZK” is the Dutch Minister of Economic Affairs and Climate Policy
GHG	GreenHouse Gas
ILUC	Indirect Land Use Change
IUCN	International Union for Conservation of Nature
NEN	Dutch Standardisation Institute
NTA	Nederlandse Technische Afspraak (Dutch Technical Agreement)
SDE+	A Dutch subsidy scheme (feed-in tariff) for production of renewable energy