



ISCC 206 Regulations to issue Proofs of Compliance with Sus- tainability Requirements

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Regulations to issue Proofs of Compliance with Sustainability Requirements

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1 Introduction

Proofs of Compliance with Sustainability Requirements document the compliance with the requirements from the sustainability ordinances for a certain amount of bioliquids or biofuels at the point of time of issuance by the last interface.

They provide the basis for evidence towards the network operator and the quota obligated party that the used bioliquids or biofuels comply with the sustainability requirements.

2 Scope

Proofs of Compliance with Sustainability Requirements document the compliance with the sustainability requirements, as well as the securing of the requested greenhouse gas emission saving.

3 Normative references

As a basic principal, all relevant ISCC documents are valid for the scope. The normative references display the documents whose contents are linked and have to be considered as conjoint points.

Relevant references:

ISCC 201 System Basics

ISCC 203 Requirements for Traceability

ISCC 205 GHG Emissions Calculation Methodology and GHG Audit

BLE "Handbuch Nachhaltigkeitsnachweise" ("Proof of Sustainability Manual")

4 Regulations to generate Proofs of Compliance with Sustainability Requirements

4.1 Issuance

Proofs of Compliance with Sustainability Requirements are issued by the elements of the supply chain which are not followed by any further processing. The only further step is transport or storage of biomass.¹

4.2 Precondition for the issuance

The following demands for the issue of Proofs of Compliance with Sustainability Requirements have to be met:

- (1) The issuing element of the supply chain shall own a valid ISCC certificate at the time when the Proof of Compliance with Sustainability Requirements is issued.
- (2) The issuing element of the supply chain must have a copy available of the certificate/statement of conformity for each of the upstream elements of the supply chain, which in each case must have been valid at the time the biomass was produced, processed or otherwise handled. The certificate or statement of conformity must be issued by a certification system recognised by the BLE or another competent authority within the EU or one of its member states. These certificates in the chain of custody secure that the produced biomass:
 - a. meets the sustainability requirements described in the ISCC system,
 - b. the greenhouse gas emissions that incurred in the course of the production of the biomass are known,
 - c. the origin of the biomass is traceable by a traceability system,
 - d. and that the biomass offers the required greenhouse gas emission saving.

4.3 Issuance and handling procedure

The issuing elements of the supply chain (last interface) shall implement a documented process for the issue of Proofs of Compliance with Sustainability Requirements.

Regulations for the documentation of issued Proofs of Compliance with Sustainability Requirements shall be part of this process.

The issuing elements of the supply chain are only permitted to issue proofs of sustainability for biomass when that biomass originates from previously certified upstream elements of the supply chain/interfaces. It is therefore not permissible for either last interfaces within the framework of a certification system or suppliers downstream of the last interface to issue proofs of sustainability and/or partial proofs of sustainability for biomass for which a certifi-

¹ The sustainability ordinances (BioSt-NachV and BioSt-NachV) nominate these elements of supply chain as the „final interface“. The ETBE production represents an exception. Despite the further processing the Ethanol plant operates in this case as last interface.

cate issued by an environmental verifier is available in accordance with §58 Biokraft-NachVor §59 BioSt-NachV. When goods are transferred as a whole or distribution has been completed, the parties that have been certified in this manner must be reverified by means of certification by an environmental verifier. It is therefore not permitted to change system from certification by environmental verifier to proof of sustainability within the same supply chain.

The certification body must submit proofs of sustainability to the BLE in CSV format without delay. This obligation may be delegated to the respective interface, however only if the certification body has confirmed in advanced that the interface is able to submit the data records to the BLE in the required CSV format.

The issuing element of the supply chain (last interface) must submit copies of all proofs of sustainability that they have issued in the context of the Biokraft-NachV to the certification body that issued the certificate. Even if the certification body has transferred responsibility for submitting the proofs of sustainability to the BLE to the interface that they certified, this does not relieve the last interface of the obligation to submit copies of the proofs of sustainability to their competent certification body.

The issuing elements of the supply chain undertake to retain these proofs of sustainability and all supporting documentation required for their issuance for a period of at least 10 years.

4.4 Content and form of the Proofs of Compliance with Sustainability Requirements

Proofs of Compliance with Sustainability Requirements shall contain at least the following details:

- (1) name and address of the issuing element, date of issue,
- (2) a unique confirmation number that consists at least of the number of certificate of the issuing element of the supply chain and a nonrecurring number, issued by this element
- (3) the name of the certification system
- (4) quantity and nature of the liquid or gaseous biomass or biofuel, which the Proof of Compliance with Sustainability Requirements references to,
- (5) the confirmation that the liquid or gaseous biomass or biofuel, which the Proof of Compliance with Sustainability Requirements references to, meets the demands for sustainability criteria and the greenhouse gas emission saving. Particular contents shall be:
 - a) declaration that the element of supply chain started up before January, 23rd, 2008, or
 - b) the following details:
 - aa) the energy content of the liquid biomass in megajoules

- bb) the greenhouse gas emissions during production and delivery of liquid or gaseous biomass or biofuel in grams carbon dioxide equivalents per megajoule liquid biomass (g CO₂eq/MJ)²
- cc) the reference value for fossile fuel, used for the calculation of the greenhouse gas emission savings
- dd) the countries or states where liquid or gaseous biomass or biofuel can be used in; this may cover the whole area, it can be delivered to and where it can be used, without the greenhouse gas emissions of production and delivery falling below the mandatory greenhouse gas emission saving.

(6) name and address of the supplier to whom the biomass is forwarded

In the case that the last interface specifies the quantity of fuel as a volume based on the proof of sustainability, this must be specified in litres at a temperature of 15 °C. This is the only permissible basis of assessment.

If the overall default value or disaggregated default value for transport has been used to specify the greenhouse gas emissions, then the text “EU” or “Worldwide” can be entered in the field on the proof of sustainability form marked “Compliance with the greenhouse gas savings when used in the following countries (e.g. Germany, EU):”.

In the case of mixtures of liquid biomass/biofuel, the proof of sustainability must contain details of the two types of biomass that make up the largest proportion of the mixture.

Proofs of sustainability must be sent to the BLE in the form of a CSV file immediately after they have been issued. All components of a mixture must be specified when the data is sent in CSV format.

The requirements of the BLE as specified in the “Handbuch Nachhaltigkeitsnachweise” (“Proof of Sustainability Manual”) must be complied with. The latest version is available for download from the BLE website.

Proofs of Compliance with Sustainability Requirements shall be made in written form according to the template provided on the BLE website and presented to either the network operator or party that is obliged to provide proof of sustainability, as appropriate.

² The element that issues the Proof of Compliance with Sustainability Requirements can use a default value (according to Directive 2009/28/EC or German sustainability ordinance) or can use actual values. If it uses actual values and the single actual values differ, the final value can be calculated within a mass balance system (ISCC 204) or the worst actual value can be used for the entire production as long as the GHG saving requirements are still fulfilled (also see ISCC 204, chapter 4.3.8).

4.5 Invalidity of Proofs of Compliance with Sustainability Requirements

Proofs of Compliance with Sustainability Requirements are invalid if:

- (1) they do not fulfil one or more of the contents requested in chapter 4.4 (except number 5, letter b, double letter dd)
- (2) they are falsified or contain incorrect details
- (3) the certificate of the issuing element of the supply chain was not or is no longer valid at the time of issue
- (4) the Proof of Compliance with Sustainability Requirements or the certificate of the issuing element of the supply chain was issued in a certification system that was not or is no longer recognised by the competent authority at the time of issuing the Proof of Compliance with Sustainability Requirements or certificate, or
- (5) the certificate of the issuing element of the supply chain was issued by a certification body that was not or is no longer recognised by the ISCC at the time of issuing the certificate.

4.6 Issuance of Partial Proofs of Compliance with Sustainability Requirements

4.6.1 Issuance

At the owner's request, Partial Proofs of Compliance with Sustainability Requirements can be issued for partial consignments of bioliquids or biofuels for which a Proof of Compliance with Sustainability Requirements has already been issued. For partial amounts of bioliquids or biofuels for which a Proof of Compliance with Sustainability Requirements has already been issued and which are used in Germany this process is handled within the database provided by BLE.

4.6.2 Content and form

For contents and form the same regulations are valid as in case of the Proofs of Compliance with Sustainability Requirements.

4.7 Special rules

Multiple deliveries of sustainable liquid biomass or biofuel can be combined in a single proof of sustainability provided that they fulfil the following conditions:

- (1) Name and address of the supplier is identical for all deliveries
- (2) Name and address of the receiving party (i.e. last interface that issues the proof of sustainability) is identical for all deliveries
- (3) The type of liquid biomass or biofuel and its sustainability criteria are identical for all deliveries

- (4) The deliveries were carried out within a period corresponding to the period selected by the supplier for the mass balance.

4.8 Transitional regulations

Proofs of sustainability for liquid biomass or biofuels may be issued and submitted retrospectively until 31 March 2011 provided that by a date no later than the cut off date of 31 December 2010 either the liquid biomass was stored in a tank farm associated with an EEG (German Renewable Energy Act) compliant generating plant for the purpose of electricity generation or the biofuel was held in bonded storage belonging to the party that is obliged to provide proof of sustainability in accordance with Biokraft-NachV. Proof of sustainability may only be issued retrospectively under the following conditions:

- (1) On 31 December the liquid biomass/biofuel was physically stored in the tank farm associated with an EEG (German Renewable Energy Act) compliant generating plant for the purpose of electricity generation/held in bonded storage belonging to the party that is obliged to provide proof of sustainability in accordance with Biokraft-NachV.
- (2) The mass balance of liquid biomass/biofuel can be traced without gaps from the last interface to the plant operator/party that is obliged to provide proof of sustainability in accordance with Biokraft-NachV.
- (3) The proof of sustainability must be submitted before liquid biomass is removed from the tank farm for the purpose of generating electricity in accordance with the EEG/biofuel is released to market from bonded storage belonging to the party that is obliged to provide proof of sustainability.

Accordingly, it is permissible for a last interface (e.g. oil mill) to invoke the above rule if they were first certified in early 2011, but not later than 31/03/2011. The prerequisite in this case is that the supply chain is fully certified for the biomass supplied to EEG plants/bonded storage up to and including 31/12/2010. This rule provides last interfaces with the opportunity to catch up on certification that has not been completed previously, in order to allow them to issue retrospective proofs of sustainability for deliveries made in 2010. For deliveries made in 2011 it must be ensured that effective proofs of sustainability are only issued when the appropriate certificate is available.

No additional limitation on a particular crop year is imposed. This means that the last interface may issue a proof of sustainability in this respect for liquid biomass that was delivered to bonded storage or the EEG tank prior to 01/01/2011, even if it is based on raw materials from the 2009 crop year. This shall only apply if the sustainability criteria from cultivation to tank have been demonstrably met.