Netherlands technical agreement

NTA 8081

(en)

Certification scheme for sustainably produced biomass for energy purposes (Version 1.4)

Certificatieschema voor duurzaam geproduceerde biomassa ten behoeve van energiedoeleinden (Versie 1.4)

Replaces NTA 8081:2011-08

ICS 27.190; 75.160.01

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NEN

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Foreword

Both the Dutch cabinet and the European Commission have set targets for the share of renewable energy and biofuels in the total use of energy and fuels. In this, biomass will play an important role. A condition for the application of biomass for energy purposes is that the biomass can be demonstrated to have been produced in a sustainable manner.

In February 2007 the project group “Sustainable production of biomass” under chairmanship of Jacqueline Cramer published and presented the final report *Testing framework for sustainable biomass*. The project group has identified six themes within which sustainability criteria are formulated:

1) greenhouse gas emissions;

2) competition with food and other local applications;

3) biodiversity;

4) environment;

5) prosperity;

6) social well-being.

These so-called ‘Cramer criteria’ are broadly supported in the Netherlands and are considered a minimum requirement for the application of biomass for energy purposes.

In March 2009 the Netherlands technical agreement *Sustainability criteria for biomass for energy purposes* (NTA 8080) was published, which had been established by a multi stakeholders’ working group. The Cramer criteria were the starting point for this NTA 8080 and they have been converted into verifiable requirements that can be used to demonstrate the sustainability of biomass production. Biomass is considered sustainably produced, if it has been produced according to the requirements of NTA 8080 and can be traced through the supply chain. It should be noted that NTA 8080 does not address possible (negative) indirect effects that biomass production involves.

A certification scheme is necessary to assess compliance with NTA 8080. This scheme includes reference to the verifiable requirements in NTA 8080, the method of conformity assessment and the requirements for the certification body to be allowed to certify. This NTA describes the certification scheme for sustainably produced biomass for energy purposes.

As from December 5th 2010, the European Directive for the promotion of the use of energy from renewable sources (2009/28/EC) is in force. This Directive is often quoted as the Renewable Energy Directive, abbreviated RED. The RED includes legal sustainability criteria for biofuels (for transport) and bioliquids (for other purposes than transport, such as electricity, heat and cooling). Organizations that are part of the chains need to comply with the RED. The sustainability criteria in the RED contain fewer themes than in NTA 8080.

There is a need for certificates with which one can demonstrate to comply with the RED. In principle, a certificate based on NTA 8080 will be an eligible certificate for this[1)]. As some organizations may not have reached the NTA 8080 level yet, but are in compliance with the RED, this certification scheme offers the possibility to grant certificates based on the RED as well. If it appears from the conformity assessment that an organization does not comply with NTA 8080, the organization may be assessed for compliance with the RED, if desired, and a certificate can be granted based on the RED. It is not possible to grant a certificate based on the RED at recertification. Organizations may qualify for a certificate based on the RED until 1 January 2013.

1) The European Commission needs formally to recognize yet that certificates based on NTA 8080 are also eligible to demonstrate compliance with the RED.

Certification scheme for sustainably produced biomass for energy purposes

1 Scope

This NTA describes the certification scheme linked to NTA 8080 that can be used by recognized certification bodies (CBs) by means of entering into an agreement with NEN.

This certification scheme is intended to be applied at organizations that:

— wish to produce biomass or collect residual flows, as described in annex A of NTA 8080, for energy purposes and to sell this as sustainably produced (further referred to as ‘producer’);

— wish to process or convert biomass and sell this as sustainably obtained and sustainably processed (further referred to as ‘processor’);

— wish to trade biomass and shall demonstrate that (a part of) the cargo has been produced, processed and obtained as sustainable (further referred to as ‘trader’);

— wish to use (processed) biomass for generation of energy or as transportation fuel (neat or blended) and shall demonstrate that (a part of) the biomass is produced, processed and obtained as sustainable (further referred to as ‘end-user’).

The certification scheme is related to one or more (sub)sectors. The definition of the different chains is described in clause 6. The frequently occurring biomass chains with the different types of organizations are schematically described in annex A.

This certification scheme describes the requirements for obtaining two certification levels:

1) the 'NTA 8080 approved' certificate for organizations of which the assessed production processes comply with all applicable requirements of NTA 8080 according to the assessment criteria in this certification scheme;

2) the 'NTA RED' certificate for organizations of which the assessed production processes comply with the sustainability criteria of the European Directive for the promotion of the use of energy from renewable sources (2009/28/EC).

The 'NTA RED' certificate may be granted until 1 January 2013.

NOTE The processes to produce the products are assessed, since it will not be possible to assess the physical product itself on sustainability aspects.

2 Normative references

The following referenced documents are indispensable for the application of this document. For dated references, only the edition cited applies. For undated references, the latest edition of the referenced document (including any amendments and corrigenda) applies.

NTA 8080:2009	*Sustainability criteria for biomass for energy purposes*
ISO/IEC Guide 65 [2)]	*General requirements for bodies operating product certification systems*
ISO 19011	*Guidelines for auditing management systems*

2) ISO/IEC Guide 65 is being revised; the revised version will be published as ISO/IEC 17065. In European context ISO/IEC Guide 65 has been adopted as EN 45011.

	NEN Scheme management manual [3)]
	Interpretation document(s) linked to NTA 8081 [4)]
Directive 2009/28/EC [5)]	*European Directive for the promotion of the use of energy from renewable sources*

3 Terms and definitions

For the application of this NTA, the terms and definitions in NTA 8080 and the interpretation document(s) linked to NTA 8081 apply.

4 General provisions

4.1 Ownership arrangement

By entering into an agreement with NEN recognized certification bodies (CBs) may use this certification system for sustainably produced biomass for energy purposes that is based on NTA 8080.

The certification system has been developed by the Committee of Experts “Sustainably produced biomass for energy purposes”. NEN as scheme owner will comply with the requirements set by the Dutch Accreditation Council. Certification bodies who have entered into an agreement with NEN are obliged to apply the certification system as formulated by the scheme owner “Sustainably produced biomass for energy purposes” when certifying on the basis of NTA 8080.

NEN aspires to offer a high-quality, broadly supported certificate, which has an added value, particularly in the relation of the certified organization with its external stakeholders. In order to achieve this, the Committee of Experts is composed of representatives of industry, social organizations and government. The Committee of Experts is responsible for supervising the functioning of the standard and the certification scheme and for adjusting the certification scheme, if necessary.

In addition to the standard and the certification scheme, the certification system is supported by the *NEN Scheme management manual*, which has been developed to secure the whole primary process of developing and implementing the certification system. The *NEN Scheme management manual* is administered by NEN and is provided to all parties concerned, like members of the Committee of Experts and certification bodies that have entered into an agreement with NEN.

4.2 Changes

Changes in the certification system for organizations as described in clause 1 will be effective after decree by the scheme owner under simultaneous appointment of the date of commencement and not until at least 30 days have been passed after the day of announcement. The scheme owner ensures that all parties involved will be informed of the changes and the day of their commencement.

The Scheme Owner Committee supervises the compliance with the procedure ‘developing and owning of standards’ during the above-described process. In addition, the Committee of Experts shall supervise the content of the changes. A complete specification of the authorities and responsibilities of the Scheme Owner Committee and the Committee of Experts and the procedures are part of the *NEN Scheme management manual*.

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3) For more information, see 4.1
4) The manager of this certification scheme can decide to publish one or more interpretation documents, in which an elucidation is given on requirements of NTA 8080:2009 for an unambiguous interpretation. The interpretations in this (these) document(s) shall be applied when using of this certification scheme.
5) This European Directive is often quoted as 'Renewable Energy Directive', abbreviated RED. Where the text says RED, this shall be read as Directive 2009/28/EC.

Existing certificate holders are granted a transitional period of 12 months, from the day the revised NTA becomes effective, during which they can make any changes necessary for compliances with the revised NTA.

5 Organization of the certifying body

5.1 General requirements

NEN solely enters into agreements with certification bodies having an applicable accreditation declaration from an IAF/MRA partner.

NOTE In the Netherlands the Dutch Accreditation Council RvA is the accreditation body that is IAF/MRA partner and accredits certification bodies to the application of this certification scheme.

Certification on the basis of NTA 8080 shall be performed by a certification body that has been recognized on the basis of the requirements in ISO/IEC Guide 65 or equivalent to this, supplemented with accreditation for this specific scheme.

The primary processes of the certification system are formulated in the *NEN Scheme management manual*. The specific requirements for the certification bodies with respect to NTA 8080 are given in this NTA 8081.

5.2 Requirements for the audit team

The audit team may consist of one or several persons. The competences of the lead-auditors, auditors and audit teams shall comply with the guidelines given for this in ISO 19011, supplemented with the requirements for assessment of the sustainability of the specific biomass flows and the chain of custody (traceability in the supply chain), as described hereafter.

Demonstrable expertise shall be present in the audit team in relation with the technical and sustainability aspects of the specific biomass flow to be able to assess all applicable requirements in clauses 5 and 7 of NTA 8080, in an actual situation (concerning legal, environmental and social context). Depending on the scope of certification (see 6.1) this expertise includes assessing greenhouse gas calculations, agricultural and/or forestry practices, biodiversity, environmental impact, social impact, and traceability systems. The audit team shall include members who speak the most important language(s) that is/are spoken in the area where the audit for certification is carried out, including languages that are spoken by local stakeholders.

NOTE 1 Demonstrable expertise can be found in curricula vitae of the audit team members or in references.

NOTE 2 The requirements for the audit team are described differently from 6.2 of NTA 8080. For the purpose of certification the requirements as given in this NTA 8081 are leading.

6 Method of inquiry

6.1 General

Each organization that falls within the scope of the scheme as described in clause 1 may request the certification body to perform an assessment by submitting a registration form.

Four types of scopes are distinguished:

1) ‘Producer’ for the organization that produces the primary biomass or collects residual flows, as described in annex A of NTA 8080;

2) ‘Processor’ for the organization that processes or converts the (primary) biomass;

3) ‘Trader’ for the organization that trades in the biomass;

4) ‘End-user’ for the organization that uses the biomass for the generation of electricity and heat or production of biogas or biofuel.

A biomass flow that is used for energy purposes at the end of the chain is regarded fully sustainable, if:

— all organizations that are classified as ‘producer’, ‘processor’, ‘trader’ or ‘end-user’ are in the possession of a valid certificate as meant in this scheme;

— the emission reduction of greenhouse gases along the entire chain complies with the requirement as described in 5.2.1 of NTA 8080, or in case of the 'NTA RED' certificate with the requirement as laid down in article 17.2 of Directive 2009/28/EC, and this is demonstrated by the ‘end-user’;

— the traceability of the biomass flow along the entire chain has been ensured, which is part of a certificate by taking into account the upstream links in the chain.

6.2 Verification method

The organization will be assessed for the scope for which it wishes to obtain or retain a certificate. The management of other parts of the business shall not be in conflict with the basic principles of NTA 8080.

Table 1 shows in which way the requirements of NTA 8080 shall be verified and to which type of scope these requirements apply. Annex B describes the verification method in the case of residual flows as included in annex A of NTA 8080. Annex C includes an overview of corresponding requirements of NTA 8080 and Directive 2009/28/EC to provide insight into the requirements on the basis of which the 'NTA RED' certificate may be granted, in case not all applicable requirements for granting an 'NTA 8080 approved' certificate are met (see also 7.3).

Table 1 — Verification method

See the explanation of the footnotes at the bottom of the table

Section in NTA 8080	Verification method	Scope [a]					
		A1 [b]	A2 [b]	A3 [b,c]	B [b]	C [b]	D [b]
5.1 General							
5.1.1	Check of document management system by inspecting the system Interviews with employees about compliance with procedures	X*	X*	X*	X*	X*	X*
5.1.2	Check of documents on overview of laws and regulations and the way actions are taken on this Interviews with employees about the familiarity with prevailing laws and regulations	X*	X*	X*	X*	X*	X*
5.1.3.1	Check of documents on the process of stakeholders consultation and interviewing the manager(s)	X					
5.1.3.2	Not applicable to the organization that is subject to assessment						
5.2 Greenhouse gas emissions							
5.2.1	Check of use of a validated calculation methodology Verification of variable input values on the site	X*	X*	X*	X*	X*	X*
5.2.2	Check in advance on the basis of freely available data Check of documents on the applied method Visual inspection of biomass unit	X*	X*				
5.3 Competition with food and other local applications							
5.3	Check on presence and content of reports	X	X				
5.4 Biodiversity							
5.4.1	Check of documents on overview of laws and regulations and the way actions are taken on this (see also 5.1.2)	X*	X*				
5.4.2	Check in advance on the basis of freely available data Check of documents on the applied method Visual inspection of biomass unit	X*	X*				
5.4.3	Check in advance on the basis of freely available data Check of documents on the applied method Visual inspection of biomass unit	X*	X*				

See continuation

Table 1 (continued)

Section in NTA 8080	Verification method	Scope [a]					
		A1 [b]	A2 [b]	A3 [b,c]	B [b]	C [b]	D [b]
5.4.4	Check of documents on the applied method Visual inspection of biomass unit	X	X				
5.4.5	Check of documents on the applied method Interviews with employees about awareness of measures	X	X				
5.5 Environment							
5.5.1 Soil							
5.5.1.1	Check of documents on overview of laws and regulations and the way actions are taken on this (see also 5.1.2)	X	X				
5.5.1.2	Examine measurement results and verification of reliability of these Check of documents on the applied method and improvement process Interviews with employees about awareness of measures Visual inspection of measures taken	X	X	X			
5.5.1.3	Check of documents on the applied method and improvement process Interviews with employees about awareness of measures Visual inspection of measures taken	X	X				
5.5.2 Water							
5.5.2.1	Check of documents on overview of laws and regulations and the way actions are taken on this (see also 5.1.2)	X	X				
5.5.2.2	Examine measurement results and verification of reliability of these Check of documents on the applied method and improvement process Interviews with employees about awareness of measures Visual inspection of measures taken	X	X				
5.5.2.3	Check of documents on the applied method and improvement process Visual inspection of site(s) of water sources	X	X				

See continuation

Table 1 (continued)

Section in NTA 8080	Verification method	Scope [a]					
		A1 [b]	A2 [b]	A3 [b,c]	B [b]	C [b]	D [b]
5.5.3 Air							
5.5.3.1	Check of documents on overview of laws and regulations and the way actions are taken on this (see also 5.1.2)	**X**	**X**				
5.5.3.2	Examine measurement results and verification of reliability of these Check of documents on the applied method and improvement process Interviews with employees about awareness of measures Visual inspection of measures taken	**X**	**X**				
5.5.3.3	Check of documents on steps taken Interviews with employees	**X**	**X**				
5.6 Prosperity							
5.6	Check of policy plan Check of documents on the applied method and improvement process Interviews with employees about awareness of measures	**X**					
5.7 Social well-being							
5.7.1	Check of documents on the applied method and improvement process Interviews with employees about awareness of measures	**X**					
5.7.2	Check of documents on the applied method and improvement process Interviews with employees about awareness of measures	**X**	**X**				
5.7.3	Check of reliability of data Check of documents on the applied method and complaints register Interviews with (local) employees about compliance with property rights	**X**	**X**				

See continuation

Table 1 (end)

Section in NTA 8080	Verification method	Scope [a]					
		A1 [b]	A2 [b]	A3 [b,c]	B [b]	C [b]	D [b]
5.7.4	Check of reliability of data Check of documents on the applied method and improvement process Interviews with employees about awareness of measures	X					
5.7.5	Check of registrations Check of documents on the applied method and improvement process Interviews with employees about awareness of measures	X					
7.2 Traceability [d]							
7.2.1	Check of documents, bookkeeping and organization of administration	X*	X*	X*	X*	X*	X*
7.2.2	Check of documents, bookkeeping and organization of administration	X*	X*	X*	X*	X*	X*

[a] A = producer, with the following subdivision: A1 for organizations to which all requirements apply; A2 for small-holders that are not part of a group; A3 for organizations that only collect residual flows as included in annex A of NTA 8080; B = processor; C = trader; and D = end-user.

[b] In the case of an *, it concerns a corresponding requirement in the Directive 2009/28/EC as well; see 7.3 and annex C.

[c] Additional requirements may apply to biomass flows that are within the scope of Directive 2009/28/EC; see interpretation document(s) linked to NTA 8081.

[d] Within the scope of this certification scheme the chain model book and claim (7.2.3 of NTA 8080) is excluded. An organization may choose from the chain models segregation (7.2.1 of NTA 8080) or mass balance (7.2.2 of NTA 8080), to which different requirements apply; the model chosen shall fit with the rest of the biomass chain.

6.3 Audit duration table

The audit duration is divided along the chain and with this it is linked to the number of certificates and the scope of the certificates. The initial certification audit and recertification audit duration is shown in Table 2. The surveillance audit duration is shown in Table 3.

The audit duration per certificate may be reduced or increased depending on size and complexity. The complexity depends on the processes, the number of departments involved, and the number of positions and persons within the organization. The certification body shall be able to found deviations from the starting point given.

The initial certification audit and recertification audit consist of two stages.

a) Stage 1 concerns the preliminary investigation. The certification body assesses all the necessary documents, at the organization itself if required, carries out a risk analysis and draws up the audit plan on the basis of inter alia these documents.

b) Stage 2 concerns the assessment of the organization. The audit team of the certification body assesses the organization on site. If the organization is a ‘producer’, the audit duration will increase by a number of days for inspecting and assessing the production unit(s), linked to the area of cultivation as shown in Table 4.

The surveillance audit only consists of stage 2.

If an organization has several production units, the number of production units to be visited during the audit is determined on the basis of the size of sampling according to 6.4. The audit duration is increased with six hours for each additional production unit to be visited. If the organization is a 'producer', Table 4 applies to each production unit to be visited.

Table 2 — Audit duration initial certification audit and recertification audit

Scope of certificate	Man-days stage 1: pre-audit	Man-days stage 2: on-site audit
Produce	1 day [a]	2 days [a, b]
Processor	1 day	1 day
Trader	1 day	1 day
End-user	1 day	1 day

[a] If an organization only collects residual flows as included in annex A of NTA 8080, the total man-days are 1 day.

[b] If a certification body shall carry out a stakeholders consultation according to 5.1.3.2 of NTA 8080, the audit duration at stage 2 is increased by 1 man-day.

Table 3 — Audit duration surveillance audit

Scope of certificate	Man-days stage 2: on-site audit
Producer	2 days [a]
Processor	1 day
Trader	1 day
End-user	1 day

[a] If an organization only collects residual flows as included in annex A of NTA 8080, the total man-days are 1 day.

Table 4 — Audit duration assessment production unit of 'producer'

Area of cultivation per production unit	Man-days assessment per production unit
0 ha to 100 ha	0 days to 0,5 day
100 ha to 1 000 ha	0,5 day to 1,5 day
1 000 ha to 1 000 000 ha	1,5 day to 4 days
Over 1 000 000 ha	4 days to 7 days

If small-holders arrange to be certified as group (or regional organization) it applies that the group (or the regional organization) is considered as 'producer' and that a number of small-holders (group members) to be visited is based on the sample size according to 6.4. The audit duration for each small-holder to be visited is three hours. The audit duration as shown in Table 4 is not applicable in this case.

If an organization wishes (to continue) to be certified for more scopes at the same time, a reduction of the total audit duration applies. The reduction depends on the extent of overlap in the scopes concerning the processes, the number of departments involved, and the number of positions and persons within the organization. The audit duration amounts at least to the audit duration for the scope with the highest audit duration according to the Tables 2, 3 and/or 4. The reduction shall be founded in the audit report.

NOTE For example in the case an organization wishes to be certified as both 'producer' and 'processor', the total audit duration for 'producer' can be used, if the processes, the number of departments involved and the number of positions and persons within the organization for both scopes are similar. During the assessment for 'producer' the requirements applicable to 'processor' will be taken into account at the same time.

The audit duration is excluding all travelling time and time for writing the audit report.

6.4 Sample size in case of several production units or group certification

In case an organization has several production units or in the case of group certification the minimum sample size is:

— $\sqrt{y}$ at an initial certification audit;

— $0{,}6 \times \sqrt{y}$ at a surveillance audit;

— $0{,}8 \times \sqrt{y}$ at a recertification audit.

In which y is the number of production units or associated small-holders in the group (or regional organization).

The sample size shall be rounded up on whole numbers.

NOTE For example, in the case of 17 associated small-holders the sample size is 5 small-holders at an initial certification audit.

The sample size shall be based on a risk analysis. During the risk analysis, the information available will be compared with the applicable requirements to determine the risk of non-conformities at the production units or associated small-holders. The production units or associated small-holders with relatively high risk shall be assessed.

In the case of more production units, the following criteria shall be fulfilled in order to fall under one certificate:

a) the production units operate within the same juridical entity to which the same national laws and regulations apply;

b) the production units are centrally managed, in which the organization has a central quality system and a central registration to its disposal; the data in the central registration related to traceability shall be kept per production unit;

c) similar processes take place at the production units.

6.5 Registration form

The information that the applicant provides with the registration form shall include, in addition to 8.2.1 of ISO/IEC Guide 65, at least the following data:

a) the scope (see clause 1);

b) the area of cultivation per production unit, if applicable;

c) general characteristics, as far as applicable: company details, name, address and legal identity;

d) the number of associated small-holders, in case of a group (or regional organization).

A document that corroborates the legal entity of the organization shall accompany the submission of the registration form.

NOTE In some countries it may occur that the legal entity cannot be unambiguously determined due to difference between national and regional legislation. In those cases an independent third party should be consulted about this. If the independent third party is not able to give a judgement, certification is not possible.

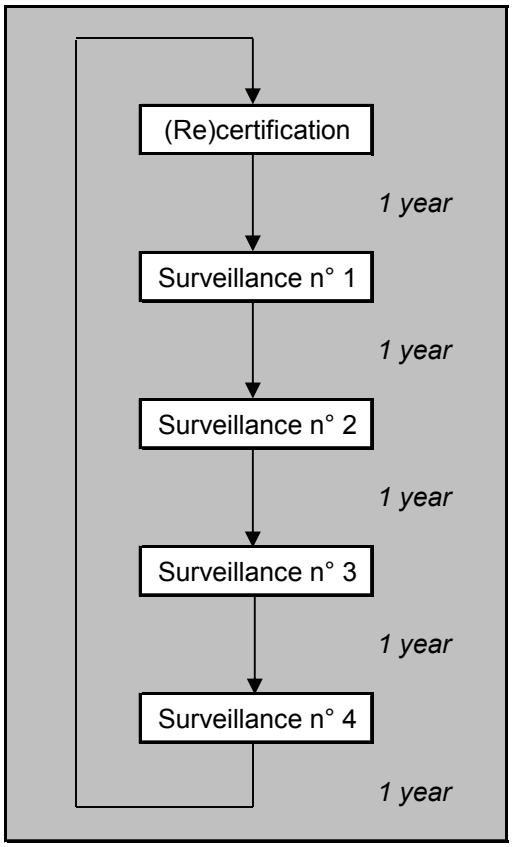
7 Assessment

7.1 Assessment frequency

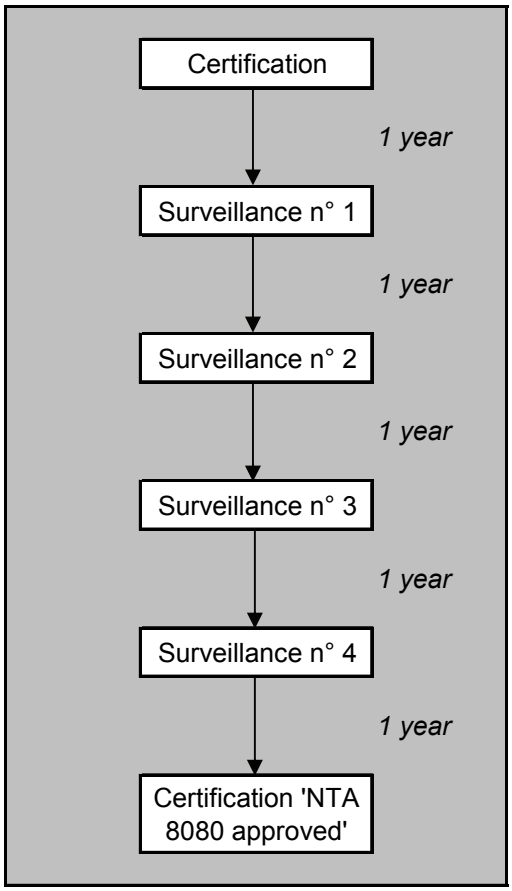
The 'NTA 8080 approved' or 'NTA RED' certificate is granted for a maximum period of five years. The recertification assessment shall take place before this period expires. Recertification for the 'NTA RED' certificate is not allowed.

During the validity of the certificate audits shall be carried out at least once a year (surveillance audits); possible seasonal variations and the requirements according to 7.3 shall be taken into account.

Figure 1 shows the assessment frequency.



a) assessment frequency 'NTA 8080 approved' certificates



b) assessment frequency 'NTA RED' certificates

Figure 1 — Assessment frequency of 'NTA 8080 approved' and 'NTA RED' certificates

7.2 Assessment criteria

NTA 8080 specifies the requirements, with which an organization shall comply to obtain the ‘NTA 8080 approved’ certificate with the applicable scope (see also Table 1). On the basis of NTA 8080 an organization can also obtain the 'NTA RED' certificate (see Table 1). Non-compliance with a specific requirement results in a non-conformity. A non-conformity could be a minor non-conformity or a major non-conformity.

Table 5 — Assessment criteria

Description major non-conformity	Related section NTA 8080[a]
The organization has not an auditable system that enables the verification of the claims it makes or relies on	5.1.1
The organization has not kept its documents for at least five years or for much longer as mandatory to prevailed laws and regulations	5.1.1
The organization has not organized the PDCA-cycle ('plan-do-check-act' cycle) in such way that it is able to implement essential improvements in its operational management	5.1.1, 5.2.2, 5.4.1, 5.5.1.1, 5.5.2.1, 5.5.3.1, 5.4.4, 5.4.5, 5.5.1.2, 5.5.1.3, 5.5.2.2, 5.5.2.3, 5.5.3.2, 5.6, 5.7.4, 5.7.1, 5.7.2, 5.7.5, 5.7.3, 7.2.1, 7.2.2
The organization is not in the possession of valid permits to carry out its activities	5.1.2
The organization cannot demonstrate to be familiar with the laws and regulations that apply to its operational management	5.1.2, 5.4.1, 5.5.1.1, 5.5.2.1, 5.5.3.1
The organization does structurally not comply with the applicable and legal prescribed reimbursements, royalties, taxes and/or remaining assessments	5.1.2
The organization cannot submit a validated calculation for its contribution to the greenhouse gas performance along the biomass chain, as far as no default values have been used	5.2.1
The total greenhouse gas performance along the biomass chain is lower than the prescribed requirement	5.2.1
The organization has constructed a production unit after the reference year in an area with important carbon stocks from which construction is excluded beforehand	5.2.2
The organization has constructed a production unit after the reference year in an area with important carbon stocks, but cannot demonstrate that losses of carbon stocks will be compensated within the fixed period	5.2.2
The organization has constructed a production unit after the reference year in a gazetted protected area and/or area with high conservation value and/or in a zone of 5 km around these areas, from which construction is excluded beforehand or in which the exceptions for construction are not met	5.4.2, 5.4.3
The organization disposes of or uses residual products that formerly had the function to preserve of improve the soil quality	5.5.1.2, 5.5.1.3
The organization uses water from non-renewable sources	5.5.2.3
The organization burns the stubble or stand as part of the management of the production unit, where burning is not allowed	5.5.3.3
The organization has an inadequate bookkeeping to demonstrate that the mass balance is balanced and/or cannot found the sustainability claims that it makes	7.2.1, 7.2.2

[a] In case the organization is assessed to the Directive 2009/28/EC the corresponding requirements as included in annex C apply.

A minor non-conformity means non-compliance with a specific requirement that exceeds legal requirements and that implies a higher risk in the long term.

A major non-conformity means non-compliance with a legal requirement or a specific requirement that exceeds legal requirements and that implies an immediate high risk or means a lack of proof of the correction of a minor non-conformity that was already observed at the previous audit.

Table 5 shows which non-conformities shall be classified as major. Other non-conformities may be classified as minor. If a connection exists between minor non-conformities, this connection shall be classified as a major non-conformity as well, supplementary to Table 5.

7.3 Certification criteria

In case of obtaining or retaining the 'NTA 8080 approved' certificate, the organization may have no major non-conformities. At a surveillance audit an organization may have both minor non-conformities and major non-conformities.

In case of obtaining the 'NTA RED' certificate, the organization may have no major non-conformities related to the requirements that have been marked with an * in Table 1, taking into account annex C. At a surveillance audit an organization may have both minor non-conformities and major non-conformities. At recertification the organization shall comply with the certification criteria for the 'NTA 8080 approved' certificate. The 'NTA RED' certificate may be granted until 1 January 2013.

The following certification criteria apply:

— major: the organization provides within two weeks a proposal for improvement and has three months subsequently to correct the observed non-conformity and demonstrate this to the certification body;

— minor: the organization provides within two weeks an action plan concerning the implementation of corrective measures for review by the certification body. The certification body verifies these corrective measures at the next audit.

If the organization does not correct a minor non-conformity within the fixed term, this non-conformity will be dealt with as a major non-conformity.

If the organization does not correct a major non-conformity within the fixed term, the certificate will be suspended. From that moment, it is not allowed to supply biomass flows under certificate in the chain and any form of manifestation in relation to the certificate is excluded. With suspension the major non-conformity shall still be corrected within three months, otherwise the certificate will be withdrawn and a new initial certification audit will be necessary.

In case of a sample, as described in 6.4, it applies that if one or more production units or associated small-holders in the group do not comply with above-mentioned certification criteria, the ‘producer’ or group neither complies with the certification criteria.

Recertification shall always occur at least 3,5 months before the certificate expires.

Carrying out the initial certification, surveillance or recertification audit and taking the decision on granting or extending the certificate are two separate responsibilities. On the basis of the report, the annexes and any recorded intentions the decision-maker of the certification body decides whether to grant or extend the certificate or not. The decision is taken by a decision-maker who complies with the requirements of 5.2 and who has not carried out the initial certification, surveillance or recertification audit himself.

7.4 Group certification

The certification body shall offer the opportunity for group certification of small-holders.

A group (or regional organization) is managed by an independent legal entity. Only small-holders may associate with a group. The group shall have a homogeneous composition with respect to region, production activities, land use and climatic conditions.

A group shall comply with all requirements in clauses 5 and 7 of NTA 8080, as far as applicable. Each group member shall also comply with these requirements, as far as these requirements are applicable to the organization concerned.

The management of the group shall establish clear rules for association with the group certificate by individual group members. The rules are included in a manual, which describes the system of group certification. The rules shall include at least the following aspects:

a) the criteria for entry into the group;

b) the efforts that group members shall make during the period of association;

c) the grounds on the basis of which group members are excluded from association;

d) the conditions under which group members may terminate their association;

e) the way in which disputes between the management of the group and group member and between group members mutually are dealt with.

The responsibilities of the management of the group and the group members shall be clearly established.

The management of the group is responsible for at least:

a) the communication with the certification body and the group members;

b) the examination of new group members with the criteria concerning the composition of the group;

c) the verification of a new group member on compliance with the requirements in clauses 5 and 7 of NTA 8080, as far as applicable;

d) (getting) the support and/or training of the new group member in order to comply with these requirements, depending on the first verification;

e) informing the certification body about changes in membership (both new and excluded group members) within one month;

f) an up-to-date manual in which the system of group certification is described;

g) the periodic audit of all group members to verify if they comply with the requirements in clauses 5 and 7 of NTA 8080, as far as applicable;

h) issuing the transaction certificates for the biomass flows that are delivered by the group;

i) the records concerning the traceability of the biomass flows that are delivered by the group;

j) reporting the results of the yearly audit by the certification body to all group members.

The management of the group shall have the authority to exclude group members from the association with the group certificate if they do not comply with the stated rules or if they do not carry out the corrective measures enforced by the certification body.

A group member shall subscribe to the rules for association with the group certificate. A group member informs the management of the group in case of changes in the business situation that have influence on the rules for association with the group certificate.

The group is regarded as ‘producer’, to which the certification criteria according to 7.3 apply. The group receives or retains its certificate if these certification criteria are complied with. The group members do not receive a certificate individually. If the group does not comply with the certification criteria, all group members neither comply with the certification criteria.

NOTE This means that group members can only deliver certified materials, it the materials are delivered by the associated group with a valid certificate. Separate deliveries outside of the group cannot be delivered under certification.

8 Reporting of the certification body

8.1 General

The organization receives the 'NTA 8080 approved' or 'NTA RED' certificate, if based on the assessment nothing has come to attention of the certification body that causes to believe that the production processes of the organization do not comply with the requirements of NTA 8080 or Directive 2009/28/EC, respectively, and that there is a justifiable confidence that the organization will comply with the requirements of NTA 8080 or Directive 2009/28/EC, respectively, till the period of the next surveillance or recertification (see also 7.3).

8.2 Requirements for the certificate

8.2.1 Certificate record

The certificate that the organization receives from the certification body shall include at least the following matters:

a) details of the certified organization:

- full name of the organization or group in accordance with authentic document;

  NOTE A certificate of the Chamber of Commerce or statute can be considered.

- place of business;

b) details of the certification body:

- name;
- place of business;
- accreditation number;

c) details of certified subject:

- scope(s), as described in Table 1;
- specific site(s);
- description of object;
- production process(es), as described in annex D;
- type(s) of chain model(s);
- text that indicates that the output of the production process(es) of the organization complies with the requirements for 'NTA 8080 approved' or 'NTA RED'*;*
- whether production process(es) has (have) been assessed within the scope of Directive 2009/28/EC, in case of 'NTA 8080 approved';

NOTE It should be clear whether the interpretations as included in the interpretation document linked to NTA 8081 and related to requirements within the scope of Directive 2009/28/EC have been applied in order to provide the chain with this information for demonstrating compliance with this Directive.

— (original) commencing date of the certificate and date on which the certificate was extended, if so;

— validity of the certificate;

— identification of the certificate;

— signature(s) of the authorized person(s) of the certification body.

As part of the traceability, the certified organization gives out a transaction certificate for each delivery that includes a reference to the above-mentioned certificate. The requirements to these transaction certificates depend on the chain model chosen. These requirements are included in the interpretation document linked to this NTA.

8.2.2 Reporting

The written reports of the (re)certification or surveillance audit and the annexes remain in the possession of the certification body and will never be given to third parties.

The certification body shall publish a summary of the audit report that at least includes:

a) the nature of the raw material;

b) data of the address of the production site;

c) the surface area for cultivation, if applicable.

8.3 Complaints regulation certificate holder

The certificate holder shall keep a registration of the complaints received that are related to the certified service. This registration shall include the way these complaints have been dealt with and the measures that have been taken to prevent repetition of these complaints. Response to complaints shall be within six weeks.

The certificate holder shall record at least the following data:

a) owner of the complaint;

b) description of the complaint;

c) evaluation and/or cause;

d) solution offered;

e) any (structural) measure to be taken;

f) feedback to the one who filed the complaint;

g) feedback to the one who caused the complaint;

h) administrative transaction.

Registered complaints shall contribute to system improvement.

8.4 Objection, appeal, suspension and/or deregistration

The certification body shall have a documented process about the receipt, evaluation and decision-making of objections. The certification body shall have a procedure for complaints and appeals. The description of the process about complaints, objections and appeals shall be publicly available.

The following applies with respect to the process of considering objections:

— the persons involved in the consideration of objections shall not have been involved in the audit or the decision-making;

— filing an objection will not have negative consequences in the further consideration for the one who filed the objection;

— the certification body will report the receipt of the objection and inform the one who filed the objection about the progress and result;

— the decision about the objection shall be taken or approved by a person or group that has not been involved in the consideration.

Pending the objection and/or appeal the certificate is valid; this applies during the validity of the certificate.

The complete procedure complaints, objection and appeal is part of the *NEN Scheme management manual*.

9 NEN Scheme management manual

The certification system has been established for the support and the interpretation of the general procedures concerning certification. The general procedures are described in the *NEN Scheme management manual*.

Annex A

(informative)

Schematic overview biomass chain

Figure A.1 schematically shows the generic supply chain for biomass flows.

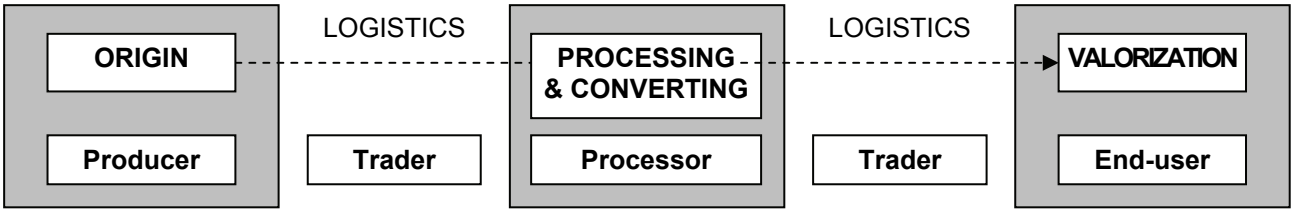
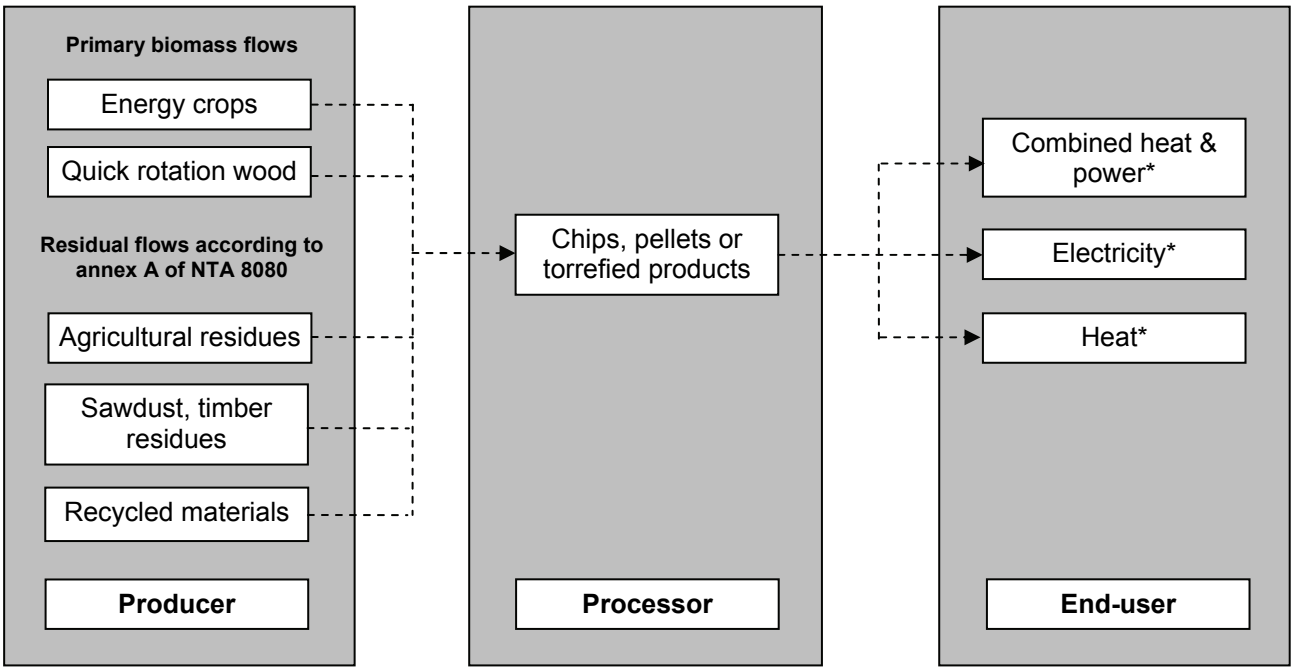


Figure A.1 — Supply chain for biomass flows

Figures A.2 up to A.4 schematically show the supply chain for solid, liquid and gaseous biomass flows, respectively. It concerns a presentation of common biomass chains; the overview does not intend to be exhaustive.



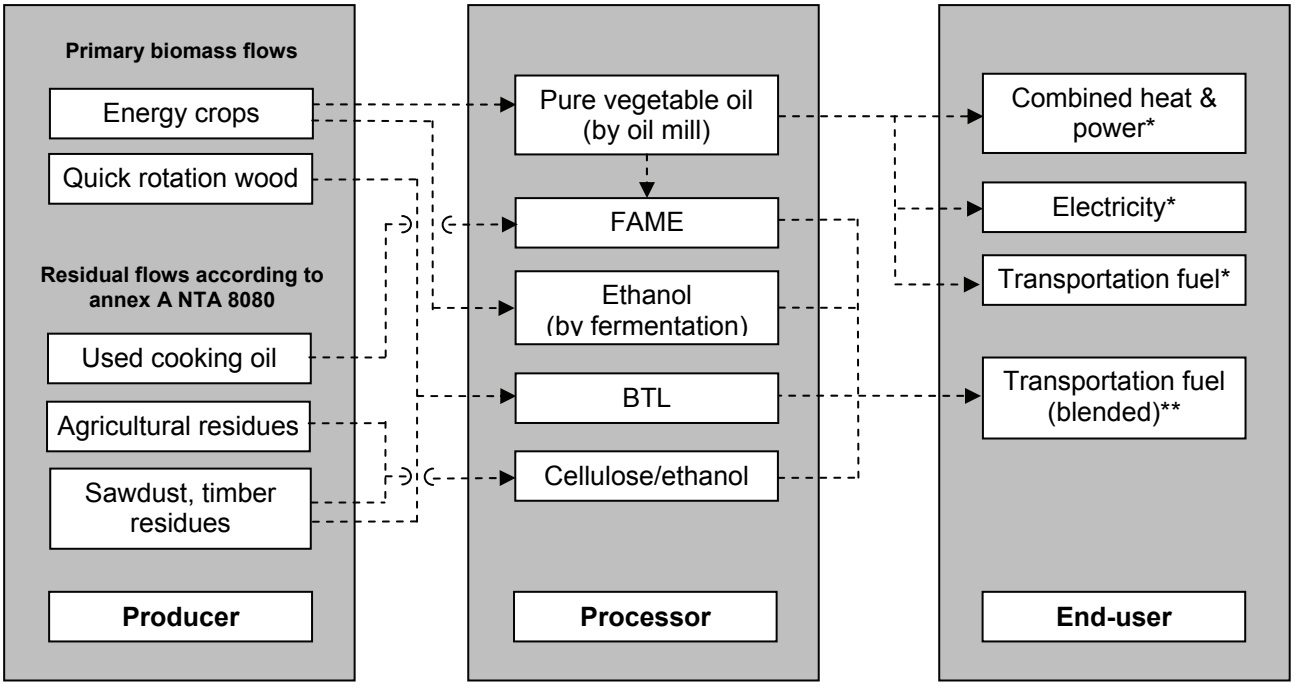
Key

Trader

Logistics including

* Chain includes the efficiency of the installation for the purpose of the greenhouse gas balance

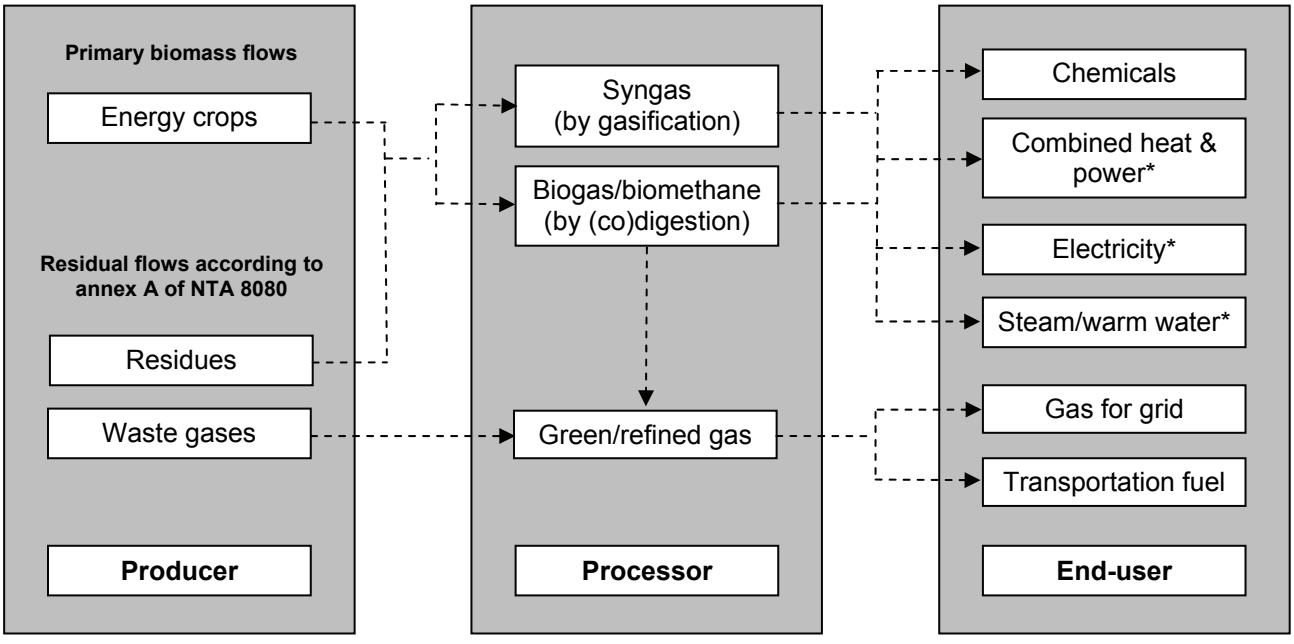
Figure A.2 — Supply chain for solid biomass flows



Key

------→	Logistics including **Trader**
) (	Sign that crossing lines are not related to each other
*	Chain includes the efficiency of the installation for the purpose of the greenhouse gas balance
**	Chain till storage for the purpose of the greenhouse gas balance

Figure A.3 — Supply chain for liquid biomass flows



Key

------→	Logistics including **Trader**
*	Chain includes the efficiency of the installation for the purpose of the greenhouse gas balance

Figure A.4 — Supply chain for gaseous biomass flows

Annex B

(normative)

Residual flows

In case activities are carried out, that only include residual flows as included in annex A of NTA 8080, certification starts with the organization that is the first owner of the material from the moment that the residual flow is released from the organization that disposes of this flow.

NOTE An organization can either collect material (at different disposal units) and trade this material directly or first carry out processing activities to the residual flow itself.

If the first owner is a carrier that trades the material in its own control, the responsibility can be delegated to the organization that purchases this material for further processing. In this case the carrier needs not to be certified. The certification body shall assess at least the following aspects at the organization that purchases the material:

a) the terms of delivery include a provision that the carrier is not allowed to mix, process and/or store the material;

b) from registrations it is traceable which deliveries it concerns and what the corresponding organization is that disposes of the material; on the basis of these registrations it shall be proved that no mixing has occurred;

c) visual inspection of the material at the gate is technically possible and the technical criteria are documented;

d) visual inspection at the gate is carried out and registered according to an established procedure.

A sample can be part of the assessment. If a sample will be carried out, the certification body shall found which risks are the bases of the decision to proceed to a sample, in which way the sample size has been determined and in which way the sample has been taken.

In case of processing of waste, in which the production of biomass flows for energy purposes is not the main activity, certification starts with the organization that processes the waste in which the biomass flows are released. If other organizations are involved in the collection of residual flows (waste) as included in annex A of NTA 8080, it applies that these organizations need not be certified.

NOTE Biogas that is released in landfill or water treatment (from organic waste from households and companies; in annex A of NTA 8080 classified as [600]) or animal fats that are released in destruction (from offal; in annex A of NTA 8080 classified as [586]) can be considered.

The schematic overviews in annex A of this NTA also show the biomass chains for residual flows according to annex A of NTA 8080.

Annex C

(normative)

Further details requirements NTA 8080 versus Directive 2009/28/EC

NTA 8080 and Directive 2009/28/EC include sustainability requirements that cover corresponding themes, but have not in all cases the same phrasing. In case it appears from the conformity assessment according to Table 1 that the organization does not qualify for the 'NTA 8080 approved' certificate based on the certification criteria described in 7.3, the organization may still qualify for the 'NTA RED' certificate.

The sustainability criteria of NTA 8080 marked with an * in Table 1 apply to the 'NTA RED' certificate. If it appears from the conformity assessment that an organization has no major non-conformities related to these criteria, one can proceed to grant the 'NTA RED' certificate. If it appears that an organization will have major non-conformities related to these criteria, an additional assessment shall be performed in order to be able to decide whether an 'NTA RED' certificate may be granted or not. Table C.1 contains the subjects that shall be addressed in the additional assessment.

Table C.1 — Requirements of Directive 2009/28/EC in relation to NTA 8080

Related section NTA 8080	Requirement NTA 8080	Requirement Directive 2009/28/EC
5.2.1	The greenhouse gas emission saving from the use of biofuels (for transportations) shall be at least 50 %; for those biomass flows, for which the Directive 2009/28/EC, Annex V, contains a typical greenhouse gas emission saving of less than 50 % a transition period till 2012 applies with a minimum of 35 %. The greenhouse gas emission saving from the use of bioliquids (for other applications than transport) shall be at least 70% in the case of reference to Dutch electricity mixture or to coal, or at least 50 % in the case of reference to natural gas; if in the biomass chain innovative preparation technology (or technologies) is (or are) demonstrably used to enlarge the availability and/or the applicability of sustainable biomass, a minimum of 50 % applies.	The greenhouse gas emission saving from the use of biofuels and bioliquids shall be at least 35 %. In the case of biofuels and bioliquids produced by installations that were in operation on 23 January 2008, this requirement shall apply from 1 April 2013 [a]. With effect from 1 January 2017, the greenhouse gas emission saving from the use of biofuels and bioliquids shall be at least 50 %. From 1 January 2018 that greenhouse gas emission saving shall be at least 60 % for biofuels and bioliquids produced in installations in which production started on or after 1 January 2017.

See continuation

Table C.1 (continued)

Related section NTA 8080	Requirement NTA 8080	Requirement Directive 2009/28/EC
5.2.2	The following areas are excluded for the construction of new production units for biomass: — areas in which the loss of above-ground carbon stock cannot be recovered within a period of 10 years of the intended biomass production; — areas with a high risk of significant carbon losses from the soil, such as certain grasslands, peat areas, mangroves and wet areas (wetlands). Reference date for construction of new production units for biomass is 1 January 2007.	Biofuels and bioliquids shall not be made from raw material obtained from land with high carbon stock, namely land that had one of the following statuses in January 2008 and no longer has that status: a) wetlands, namely land that is covered with or saturated by water permanently or for a significant part of the year; b) continuously forested areas, namely land spanning more than one hectare with trees higher than five metres and a canopy cover of more than 30 %, or trees able to reach those thresholds in situ; c) land spanning more than one hectare with trees higher than five metres and a canopy cover of between 10 % and 30 %, or trees able to reach those thresholds in situ, unless evidence is provided that the carbon stock of the area before and after conversion is such that, when the methodology laid down in part C of Annex V is applied, the conditions for greenhouse gas emission saving would be fulfilled [b]. The above-mentioned provisions shall not apply if, at the time the raw material was obtained, the land had the same status as it had in January 2008. Biofuels and bioliquids shall not be made from raw material obtained from land that was peatland in January 2008, unless evidence is provided that the cultivation and harvesting of that raw material does not involve drainage of previously undrained soil.

See continuation

Table C.1 (continued)

Related section NTA 8080	Requirement NTA 8080	Requirement Directive 2009/28/EC
5.4.2 and 5.4.3	The biomass production shall not be practised in a 'gazetted protected area' or in an area that has been designed in dialogue with stakeholders as area with 'high conservation value' or in a zone which at any point is moved off a distance less than 5 km from these areas. Biomass production in 'gazetted protected areas' or in a zone of 5 km around these areas is only allowed when: — biomass production is permitted according to applicable laws and regulations (under provisions) in the area; — biomass production is part of acknowledged management to protect the biodiversity values in areas that owe their great 'historical' biodiversity value to human intervention; — biomass production at the production site started before 1 January 2007 and has taken place since in a continuous series of production cycles. Biomass production in areas with 'high conservation value' or in a zone of 5 km around these areas is only allowed when: — it is demonstrated that biomass production does not affect the 'high conservation values' of an area; — biomass production is part of acknowledged management to protect the biodiversity values in areas that owe their great 'historical' biodiversity value to human intervention, such as reed-lands and heathlands; — biomass production at the production site started before 1 January 2007 and has taken place since continuously.	Biofuels and bioliquids shall not be made from raw material obtained from land with high biodiversity value, namely land that had one of the following statuses in or after January 2008, whether or not the land continues to have that status: a) primary forest and other wooded land, namely forest and other wooded land of native species, where there is no clearly visible indication of human activity and the ecological processes are not significantly disturbed; b) areas designated: i. by law or by the relevant competent authority for nature protection purposes; or ii. for the protection of rare, threatened or endangered ecosystems or species recognised by international agreements or included in lists drawn up by intergovernmental organisations or the International Union for the Conservation of Nature, subject to their recognition in accordance with the procedure included in the European Directive; unless evidence is provided that the production of that raw material did not interfere with those nature protection purposes; c) highly biodiverse grassland [c] that is: — natural, namely grassland that would remain grassland in the absence of human intervention and which maintains the natural species composition and ecological characteristics and processes; or — non-natural, namely grassland that would cease to be grassland in the absence of human intervention and which is species-rich and not degraded, unless evidence is provided that the harvesting of the raw material is necessary to preserve its grassland status.

See continuation

Table C.1 (end)

Related section NTA 8080	Requirement NTA 8080	Requirement Directive 2009/28/EC
Annex A	Residues, being biomass flows which are released during the production of other (main) products and which represent an economic value of less than 10 % of the value of the main product need only fulfil the sustainability requirements specified in 5.2.1 (greenhouse gas balance) and 5.5.1.2 (preservation and improvement of soil quality).	Biofuels and bioliquids produced from waste and residues, other than agricultural, aquaculture, fisheries and forestry residues, need only fulfil the sustainability criteria with respect to greenhouse gas emission saving. Biofuels and bioliquids produced from waste and residues from agricultural, aquaculture, fisheries and forestry residues, need to fulfil all sustainability criteria laid down in the Directive [d].

[a] In NTA 8080 this exception does not apply and whether installations were in operation on a specific date or not the minimum requirement for greenhouse gas emission saving shall be fulfilled.

[b] In the established methodology a recovery time of twenty years applies to compensate the losses of carbon stocks.

[c] The European Commission shall establish criteria and geographical ranges to determine which grassland shall be covered by this point.

[d] These sustainability criteria are included in Table B.1 and concern requirements for greenhouse gas emission saving, land with high biodiversity value, land with high carbon stocks and peatland.

Annex D

(normative)

Description of production processes

The certificates that are to be issued include the description of the production process(es) (see 8.2.1). To ensure the consistency of the descriptions, the description shall be composed as follows:

The [operation] of [product class].

[operation] is used as noun. [product class] is chosen as such that it fits to the activities of the organization and these activities have been assessed during the audit.

NOTE Examples of production processes are:

— the production of agricultural crops;

— the pelletization of woody biomass flows;

— the digestion of residues;

— the refinement of biogas;

— the esterification of oils;

— the blending of fuels;

— the production of electricity;

— the generation of heat and power.