



# Guidelines for self-declaration for waste and residue disposers

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## 1. The 'self-declaration' requirement in brief

### 1.1 Better Biomass requirements

The self-declaration requirement is laid down in Better Biomass NTA 8080-1, paragraph 6.1.3:

**6.1.3** Collection points shall require all points of origin to sign a self-declaration. The amount of waste generated monthly or annually shall be clearly stated on the self-declaration. The collection point shall keep evidence or documents for all individual deliveries, including disposal agreements, delivery slips and self-declarations.

The self-declaration requirement applies to the collector of waste or residue, i.e., the first Better Biomass-certified party in the supply chain. The collector must ensure that they have self-declarations for all waste and residues they accept from disposal companies and wish to register as "RED-compliant."

By signing the self-declaration, the disposer of the waste or residue declares that it complies with all legal requirements and the relevant Better Biomass requirements, and confirms that it grants Better Biomass auditors access to its site(s) for inspections. **Annex 1** contains a template for a self-declaration.

The self-declaration must be prepared and signed by the party disposing of the waste or residue. In practice, the collector is therefore dependent on the cooperation of the disposal companies with whom they have or intend to conclude contracts for the collection of waste and residues. There are several ways in which the waste and residue collector can comply with the self-declaration requirement:

1. For each delivery of waste or residue, draw up a new self-declaration and have it signed by the disposer;
2. Draw up and have signed a self-declaration for all deliveries of waste or residue that fall within a contract between the disposer and collector;
3. Include the self-declaration in the delivery contract between the disposer and the collector;
4. Include the self-declaration in the collector's terms and conditions of delivery;
5. Publish the text of a self-declaration on the collector's website and include a clause in the contract with the disposer referring to this text.

Chapter 3 of this guideline describes the conditions that apply when a waste and residue collector uses one of the above methods to fulfill the self-declaration requirement.

If a collector is subject to legislation and regulations that ensure compliance with the self-declaration requirements, this collector is not required to receive and manage self-declarations from waste and residue disposers. This exception currently applies to two types of legislation and regulations within Better Biomass:

1. Dutch legislation and regulations for registering and reporting waste; and
2. Dutch legislation and regulations for registering and reporting animal manure.

Chapter 4 of this guideline describes how collectors subject to the aforementioned laws and regulations can comply with the self-declaration requirement. Chapter 4 also specifies that households within Better Biomass are never required to submit a self-declaration for the waste they dispose of.

## 1.2 Reading guide

This guide outlines the background and purpose of the self-declaration requirement and provides practical guidance for Better Biomass-certified collection points to meet this requirement. It addresses the following:

- **The legal basis** for the self-declaration requirement, as laid down in the European Renewable Energy Directive (Chapter 2);
- **The content requirements** of the self-declaration, and how these can be met by using (existing) contracts between collectors and disposers and purchasing conditions of collectors (Chapter 3);
- **Legal requirements** for the registration of waste and fertilizers that Better Biomass considers '**equivalent**', and can be used to meet part of the self-declaration requirement (Chapter 4).

**Note 1:** In this guidance document, the term 'disposer' is used for parties that are also referred to in other documents as 'points of origin', and the term 'collector' is used instead of 'collection points'.

**Note 2:** This guidance document does not address the self-declaration for forest biomass. Once Better Biomass is recognized by the European Commission for forest biomass, the self-declaration requirement will also apply to forest biomass. A separate guidance document will be developed for this purpose.

## 2 . Background: the requirement in the Renewable Energy Directive (RED)

### 2.1 Self-declaration requirement

The self-declaration requirement for waste and residue disposers can be found in Article 13, Paragraph 5 of the European Implementing Regulation 2022/996. This requirement further specifies the general mass balance requirements as included in Article 30 of the Revised Renewable Energy Directive EU/2018/2001 (RED3).

The text of Article 13, paragraph 5 of Implementing Regulation 2022/996 reads as follows:

*5. Collection points shall be required to submit a list of all points of origin that have signed a self-declaration to the auditor prior to the audit of the collection point. The amount of waste generated monthly or annually shall be clearly stated on the self-declaration. Evidence or documents for all individual deliveries shall be available at the collection point and verified by the auditor, including waste disposal agreement, delivery slips and self-declarations;*

In this requirement, " *points of origin* " should be understood as the parties that dispose of the waste or residue and the locations where this occurs. "Collection points" refers to the parties that collect the waste or residue.

The self-declaration requirement allows waste and residue disposers to be exempted from the obligation for individual certification, while ensuring transparency of the entire biomass chain, i.e., from the point where the waste or residue is generated.

The self-declaration requirement applies to the collector of the waste or residue, i.e., the first certified party in the chain. The collector must ensure that they have self-declarations for all waste and residues they accept from disposal companies and wish to register as '*RED-compliant*'. Incoming waste and residues for which the collector does not have a correct self-declaration may not be designated as "RED-compliant."

By signing the self-declaration, the disposer of the waste or residues declares that all legal requirements and the relevant Better Biomass requirements are met, and confirms that he grants Better Biomass auditors access to his site(s) to carry out inspections (see below).

The self-declaration must be prepared and signed by the party disposing of the waste or residue. In practice, the collector is therefore dependent on the cooperation of the disposal companies with whom they have or intend to conclude contracts for the collection of waste and residues. Because these parties are not certified themselves, they are often unfamiliar with the sustainability requirements of the RED, including the self-declaration requirement. Obtaining self-declarations can therefore require considerable effort from the collector. Chapter 3 specifies several options for using (existing) contracts and purchasing conditions for the self-declaration. Chapter 4 specifies how the use of legal requirements for the registration of waste and fertilizers can be implemented to meet the self-declaration requirement.

Note: Disposers of waste or residues can also get certified by themselves. Certified disposers provide information about the origin, nature, and quantity of waste and residues to the collector via the Proof of Sustainability (PoS) to the collector. They are therefore exempt from the requirement to prepare a self-declaration.

## 2.2 Inspections at waste or residue disposers

As part of the Better Biomass audit at a waste or residue collector, disposers can also undergo an on-site inspection. During this inspection, the auditor will determine whether the information provided in the self-declaration is correct.

Inspections at waste or residue disposal sites are only mandatory under the RED if the following two conditions are met simultaneously:

1. the biomass is used for the production of (transport) biofuels, or for the production of liquid biomass for the production of electricity, heat and/or cooling, and
2. the disposer delivers 5 tonnes or more of the waste or residue per month.

This involves a random sample of waste or residue disposers.

When disposers deliver less than 5 tons/month of waste or residue (or less than 60 tons/year), the risk of fraud is considered low due to the limited volume. The same applies when the waste or residue is not used for the production of biofuel or bioliquid, but as biomass fuel <sup>1</sup>, regardless of the volume. Therefore, in these cases, an on-site inspection at disposers is normally not necessary, unless the auditor has an indication or evidence that the self-declaration submitted by the disposer is incorrect, i.e., there is a failure to comply with one or more Better Biomass requirements. An auditor may then decide to subject the disposer in question to an on-site inspection. Disposers of waste and residues must declare in their self-declaration that they will cooperate with these inspections (see section 3).

The obligation to control disposers is stated in Article 13 paragraph 4 of Implementing Regulation 2022/996:

*4. The frequency and intensity of the auditing procedure shall reflect the overall level of risk. Voluntary schemes shall define clear rules, commensurate to the level of specific risk associated with the type of residues or waste. For biofuels and bioliquids, points of origin supplying five or more tonnes per month of waste or residue listed in part A and B of Annex IX to Directive (EU) 2018/2001 shall be subject to an on-site audit. The on-site audit may be based on a sample where a group auditing approach is taken.*

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<sup>1</sup>This means solid or gaseous biomass for the production of electricity, heat and/or cooling.

### 3. Content requirements of the self-declaration and practical ways to implement the self-declaration

#### 3.1 Content requirements of the self-declaration

The self-declaration must contain the following information:

1. Data from the disposer ('point of origin') of the waste or residue:
  - a. Company name
  - b. Location where the waste or residue is released or created (address details)
  - c. Phone and email address
2. Description of the type of waste or residue involved. For waste, the EURL code must be specified.
3. An estimate of the amount of waste or residue that the disposer delivers to the collector (tons per month or tons per year).  
Note: As the self-declaration must be prepared prior to actual deliveries, this is an estimate)
4. Name and address details of the collector
5. The statement as shown in the box below
6. Signature of the disposer, that is: (1) date; (2) name and position of the signatory and (3) signature

*The undersigned declares the following:*

1. *The material supplied under this self-declaration meets the definition of "waste" or "residue". A waste is any substance or object that the holder discards, intends to discard, or is required to discard, except for substances that have been intentionally modified or contaminated to meet this definition. A residue is a substance that is not the end product that a production process is directly intended to produce; it is not a primary purpose of the production process, and the process has not been intentionally modified to produce it.*
2. *In the case of waste and residues directly resulting from agriculture, aquaculture, fisheries and forestry, the material shall comply with the land use-related sustainability requirements as laid down in Article 29 of Revised Directive (EU) 2018/2001 (RED III).*
3. *The supplied material consists exclusively of biomass, defined as the biodegradable fraction of products, waste and residues of biological origin from agriculture (including vegetal and animal matter), forestry and related industries, including fisheries and aquaculture, as well as the biodegradable fraction of industrial and municipal waste.*
4. *Documentation of delivered quantities is available.*
5. *Applicable national legislation on waste prevention and management (e.g., transport, monitoring, etc.) is observed. If veterinary certificates exist, these should be kept with the commercial documents.*
6. *The material supplied is generated exclusively by the disposer and location as specified above.*
7. *Auditors from certification bodies, possibly accompanied by a representative of the collector, may, with or without prior notice, check on-site or by contacting the signatory (e.g. by telephone) whether the statements in this self-declaration are correct.*
8. *The information in this self-declaration may be forwarded by the collector to and assessed by the collector's certification body and by Better Biomass. The certification body and Better Biomass will keep all information in this self-declaration confidential and will not disclose it to third parties unless Better Biomass is required to disclose it to third parties by law, official or court order, or by a requirement from the European Commission.*

A separate self-declaration must be prepared for each type of waste or residue, or a single self-declaration must clarify which types of waste and residues are involved and the applicable volumes for those waste and residues.

Annex 1 contains a template for the self-declaration. Parties can customize the self-declaration, provided it includes the stated content and is signed.

### 3.2 Practical ways to fulfill the self-declaration requirement

There are several ways in which the waste and residue collector can fulfill the self-declaration requirement:

1. For each delivery of waste or residue, prepare a new self-declaration and have it signed by the disposer. Each self-declaration must contain all the information specified in section 3.1.
2. Prepare and have a single self-declaration signed for all deliveries of waste or residue covered by a contract between the disposer and collector. The self-declaration must contain all the information specified in Section 3.1. The self-declaration may be used throughout the contract term, provided the nature and quantity of the waste or residue to be delivered remain unchanged. Any changes to these parameters must be immediately updated on the self-declaration. In addition, the collector is obligated to verify the accuracy of the self-declaration at least once every 12 months.
3. The self-declaration can also be included in the delivery contract between the disposer and collector. The advantage of this is that some of the information required in the self-declaration is already included in the contract (details of the disposer and collector, the type of waste or residue, and possibly the quantity of waste or residue to be delivered).  
In addition, the text shown in the box in paragraph 3.1 must be included in the contract. The self-declaration may be used throughout the contract term, provided that the nature and quantity of the waste or residue to be delivered remain unchanged. Any changes to these parameters must be immediately updated in the self-declaration. Furthermore, the collector is obligated to verify the accuracy of the self-declaration at least once every 12 months.
4. The self-declaration may also be included in the collector's terms and conditions of delivery. In that case, the text from the box in paragraph 3.1 must be included in the terms and conditions of delivery. The other required information for the self-declaration, such as name and address details and the type of waste or residue, must be specified in the contract between the collector and the disposer. The collector is obligated to verify the accuracy of the self-declaration at least once every 12 months.
5. Publish the text of the self-declaration on the collector's website and include a clause in the contract referring to this text. The self-declaration on the website must contain the text shown in the box in section 3.1. It must also clearly indicate which type(s) of waste or residues the self-declaration applies to and for which type of contracts. The published self-declaration may be used throughout the contract term, provided the nature and quantity of the waste or residue to be delivered remain unchanged. Any changes to these parameters must be immediately updated on the self-declaration. The collector must check the self-declaration for accuracy at least once every 12 months.

## 4. Which existing requirements in legislation and regulations can be linked to?

### 4.1 General

Better Biomass can recognize requirements in legislation and regulations for waste and residues as equivalent if these regulations ensure compliance with Better Biomass' requirements regarding self-declaration. For collectors subject to these laws and regulations, this means they do not need to receive and manage self-declarations from the supplying disposers, and that risk-based auditing of the disposers as part of the collector's certification process is generally not required.

Better Biomass has currently identified two types of legislation and regulations as equivalent, namely:

- the *Dutch laws and regulations for registering and reporting waste materials* , and
- *Dutch legislation and regulations for reporting animal manure* .

In addition, an exception applies to the self-declaration for household waste. This is explained below.

### 4.2 Legislation and regulations for registering and reporting waste

#### 4.2.1 Background

Collectors, transporters, processors, and processors of waste materials must report these to the *Landelijk Meldpunt Afvalstoffen* [National Waste Reporting Center] (LMA). This obligation is stipulated, among other things, in the *Besluit en de Regeling melden bedrijfsafvalstoffen en gevaarlijke afvalstoffen* [Decree and Regulation on reporting commercial waste and hazardous waste]. The notification must specify the type of waste (EURAL code), the quantity, the origin and destination of the waste, and who transports and processes the waste.

For notification purposes, the party disposing of or having the waste disposed of must create a *afvalstroomnummer* (ASN) [waste stream number]. In practice, the ASN is often arranged on behalf of the waste producer by a collector or waste processor, who does this as part of their standard service, or by an intermediary or consultant who manages waste streams for multiple companies. The waste stream number (ASN) is a unique identification number assigned to a specific combination of: (1) type of waste, (2) origin of the waste, and (3) recipient or processor of the waste. The AMICE database (*Afval Meldingen Informatie en Communicatie Electronisch* [Waste Notifications Information and Electronic Communication]) records the receipts and disposals of waste through notifications. The notification data is collected and managed by the LMA and made available to government authorities for supervision, enforcement, and policy purposes.

More information about the waste reporting system can be found on the website of the the *Landelijk Meldpunt Afvalstoffen* [National Waste Reporting Center]: [www.lma.nl](http://www.lma.nl) .

#### 4.2.2 Application for the self-declaration requirement

After analyzing the Dutch legal system for registering and reporting waste, Better Biomass concluded that this system ensures compliance with several Better Biomass requirements. In particular, it ensures:

- the traceability of waste from the disposer to the collector;
- the correct classification of the waste according to EURAL codes;
- the correct determination and documentation of waste quantities.

If the Better Biomass auditor can verify during the audit that the waste collector meets the legal requirements, the collector is not required to receive and manage self-declarations from the supplying disposers. Furthermore, risk-based verification of the points of origin as part of the collection point certification process is not required. This applies regardless of the amount of waste generated by the point of origin.

If an auditor suspects or has evidence that the non-modification requirement of the RED is not being met, an audit of the points of origin is required. Failure to meet the RED non-modification requirement means that non-waste materials have been deliberately classified as waste to avoid meeting fewer sustainability requirements. Waste regulations do not prohibit modification, making additional oversight by the auditor necessary in this regard.

In the audit report, the auditor must indicate to what extent use has been made of the system of legally required waste registration and reporting to meet the Better Biomass requirements for waste residues (particularly in relation to the self-declaration).

NB: The legislation and regulations for registering and reporting waste materials ensure that data about waste materials and their disposal are recorded correctly. This is monitored and enforced by, among others, *Omgevingsdiensten* [Environmental Services] and the *Landelijk Meldpunt Afvalstoffen (LMA)* [National Waste Reporting Center]. If these services discover errors in the registration and/or fraud, they will report this and, if necessary, impose sanctions on the collector.

It is undesirable for the Better Biomass auditor to "take over" the government's supervisory role. Therefore, the basic principle within Better Biomass is that the government agencies oversee compliance with legal requirements, and that the Better Biomass auditor investigates whether these agencies have identified structural errors and/or fraud in the registration and notifications. If this is the case, the Better Biomass requirements are no longer met. If the Better Biomass auditor finds that government regulators have not identified structural errors and/or fraud in the registration of notifications, they can assume that the Better Biomass requirements are met in this regard. The Better Biomass auditor must explain the findings of the government regulators in their audit report.

In concrete terms, the above means that the Better Biomass auditor is not required to conduct audits at disposal sites unless the auditor suspects that waste materials have not been intentionally classified as waste (i.e., do not meet the non-modification requirement of the RED). However, the auditor must have access to reports from government regulators and enforcement agencies held by the collector in question. The Better Biomass auditor may also need access to the records of waste transport numbers and notifications in AMICE during the audit. Waste collectors must grant this access.



### 4.3 Legislation and regulations for reporting animal manure

#### 4.3.1 Background

The transport of animal manure is subject to a statutory reporting requirement for all parties involved in the transport, i.e., the disposer, the intermediary (transporter), and the recipient of the manure. Reporting must be done using the *realtime Vervoersbewijs Dierlijke Mest* (rVDM) [real-time Animal Manure Transport Certificate] in the e-cert.nl system. For manure transport within a company, no rVDM is required, and there is no reporting requirement. The rVDM ensures that for each load of manure, the quantity and type of animal manure involved, the date of transport, and the details of the disposer and recipient are recorded.

#### 4.3.2 Application for the self-declaration requirement

After analyzing the legally mandated rVDM system, Better Biomass concluded that this system ensures compliance with several of Better Biomass' requirements. In particular, it ensures:

- the traceability of the animal manure from the disposer to the collector of the animal manure;
- the correct classification of animal manure;
- the correct determination and documentation of the quantities of animal manure.

If the Better Biomass auditor can verify during the audit that the collector of the animal manure meets the legal requirements, they are not required to receive and manage self-declarations from the supplying disposers. Furthermore, a risk-based audit of the points of origin and the associated collection points as part of the collection point certification process is not required. This applies regardless of the amount of manure generated by the point of origin.

In the audit report, the auditor must indicate to what extent the system of legally required animal manure registration and reporting has been used to meet the Better Biomass requirements for waste and residues (particularly in relation to the self-declaration).

NB: The legislation and regulations for registering and reporting animal manure ensure that data on waste materials and disposal sites are recorded correctly. This is monitored and enforced by agencies such as the Netherlands Enterprise Agency (RVO) and the Netherlands Food and Consumer Product Safety Authority (NVWA). If these agencies detect errors in the registration and/or fraud, they will report this and, if necessary, impose sanctions on the collector.

It is undesirable for the Better Biomass auditor to "take over" the government's supervisory role. Therefore, the basic principle within Better Biomass is that the government agencies oversee compliance with legal requirements, and that the Better Biomass auditor investigates whether these agencies have identified structural errors and/or fraud in the registration and notifications. If this is the case, the Better Biomass requirements are no longer met. If the Better Biomass auditor finds that government regulators have not identified structural errors and/or fraud in the registration of notifications, they can assume that the Better Biomass requirements are met in this regard. The Better Biomass auditor must explain the findings of the government regulators in their audit report.

In concrete terms, the above means that the Better Biomass auditor is not required to conduct inspections at disposal sites. However, the auditor must have access to reports from government regulators and enforcement agencies held by the collector in question. The Better Biomass auditor may also need access to the records of waste transport numbers and notifications in rVDM during the audit. Collectors must grant this access.

#### **4.4 The self-declaration for waste from households**

In the Netherlands, municipalities are required by the *Wet Milieubeheer* [Environmental Management Act] to collect household waste separately and ensure its appropriate processing. The practical implementation of this is usually outsourced to certified collectors, who are legally obligated to register waste flows using waste flow numbers and report the data via the *Landelijk Meldpunt Afvalstoffen (LMA)* [National Waste Reporting Center].

This system guarantees in a transparent and verifiable manner:

1. That waste streams are collected separately at the source. For example, during organic waste collection rounds, only vegetable, fruit, and garden waste from households is collected. At waste disposal sites, different streams—such as green waste, grade A wood, and grade B wood—are also accepted and registered separately.
2. That the nature and quantities of waste are clearly recorded. This allows for tracking of origin and processing in accordance with national legislation and European guidelines.

Because of this robust administrative safeguard and the statutory role of municipalities, having individual households sign a self-declaration offers no added value. In fact, it would be unworkable and administratively infeasible to have millions of households submit a declaration per waste stream. Therefore, the Better Biomass certification scheme stipulates that no individual self-declaration is required for waste from private households.



## Annex 1: Self-declaration format

### Self-declaration for the delivery of **residues and waste** for the production of fuels

( **Note** : A separate declaration must be completed and signed for each category of residues and/or waste delivered. If a disposer has multiple delivery points for the same material, these can be included in the annex.)

Name of Disposer (Point of Origin):	
Street + house number:	
Postal code, city:	
Country:	

For sustainable biomass in accordance with the revised Directive EU/2018/2001 (REDIII)

Name of recipient (collector):	
Street + house number:	
Postal code, city:	
Country:	

Amount of residues and/or waste produced <sup>1</sup> :		tons per month and/or		tons per year
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The residues and/or waste supplied concern the following material <sup>2</sup> :
The undersigned hereby declares the following:
<ol style="list-style-type: none"> <li>1. The material supplied under this self-declaration meets the definition of “waste” or “residue” <sup>3</sup> .</li> <li>2. <u>In the case of waste and residues directly resulting from agriculture, aquaculture, fisheries and forestry</u>, the material complies with the land-related sustainability requirements as laid down in Article 29 of Revised Directive (EU) 2018/2001 (RED III).</li> <li>3. The supplied material consists exclusively of biomass, defined as the biodegradable fraction of products, waste and residues of biological origin from agriculture (including vegetal and animal matter), forestry and related industries, including fisheries and aquaculture, as well as the biodegradable fraction of industrial and municipal waste.</li> <li>4. Documentation of delivered quantities is available.</li> <li>5. Applicable national legislation on waste prevention and management (e.g., transport, monitoring, etc.) is observed. If veterinary certificates exist, these should be kept with the commercial documents.</li> <li>6. The material supplied is generated exclusively by the disposer and location as specified above.</li> <li>7. Auditors from certification bodies, possibly accompanied by a representative of the collector, may, with or without prior notice, check on-site or by contacting the signatory (e.g. by telephone) whether the statements in this self-declaration are correct.</li> </ol>

8. The information in this self-declaration may be forwarded by the collector to and assessed by the collector's certification body and by Better Biomass. The certification body and Better Biomass will keep all information in this self-declaration confidential and will not disclose it to third parties unless Better Biomass is required to disclose it to third parties by law, official or court order, or by a requirement from the European Commission.

On behalf of the disposer (point of origin):		
Name:		Signature
Company:		
Function:		
Place:		
Date:		

<sup>1</sup> Estimate of the total amount of waste/residual materials to be delivered for the specified period.

<sup>2</sup> For waste materials, the EURAL code must be specified. If used cooking oil (UCO) is supplied, it is mandatory to indicate whether the UCO is based on animal fats or vegetable oils.

<sup>3</sup> Waste is any substance or object which the holder discards, intends to discard, or is required to discard, except for substances that have been intentionally modified or contaminated to meet this definition. A residue is a substance that is not the end product a production process is directly intended to produce; it is not a primary purpose of the production process, and the process has not been intentionally modified to produce it.

## ANNEX

### Overview of delivery points (fill in if applicable)

In addition to the location listed on page 1, the same residues and/or waste are also delivered from the following locations. The total for all locations is indicated in the form.

No.	Name of location	Address	Explanation