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Better Biomass — Deel 2: Specifieke eisen aan schemabeheer

Better Biomass — Part 2: Specific requirements for scheme management

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## Foreword

**Please Note:** This is a draft version, for information purposes only!

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# Better Biomass — Part 2: Specific requirements for scheme management

## 1 Scope

This document describes the specific requirements for the scheme management of the conformity assessment activities related to the four parts of the NTA 8080:2023 series as described in NCS 8080-1:2023-0X.

This document complements *NEN Scheme management manual* and the documents cited in this manual.

**NOTE** This document also covers requirements that are covered in other documentation but are reproduced for transparency reason or as required by authorities as part of recognition / approval procedures.

## 2 Normative references

The following documents are referred to in the text in such a way that some or all of their content constitutes requirements of this document. For dated references, only the edition cited applies. For undated references, the latest edition of the referenced document (including any amendments) applies.

NTA 8080-1:2024, *Sustainability framework for biobased raw materials — Part 1: Terminology, overview and general requirements*

NTA 8080-2:2024, *Sustainability framework for biobased raw materials — Part 2: Sustainability requirements*

NTA 8080-3:2024, *Sustainability framework for biobased raw materials — Part 3: Requirements and guidance for greenhouse gas calculations*

NTA 8080-4:2024, *Sustainability framework for biobased raw materials — Part 4: Chain-of-custody requirements*

NCS 8080-1:2023-0X, *Better Biomass — Part 1: Conformity assessment requirements related to sustainability framework for biobased raw materials*

*NEN Scheme management manual*

## 3 Terms and definitions

For the purposes of this document, the terms and definitions given in *NEN Scheme management manual* and NTA 8080-1:2024 apply.

## 4 Internal monitoring

### 4.1 Monitoring of certification bodies

**4.1.1** Referring to NCS 8080-1:2024-0X, certification bodies that enter into agreement with NEN are required to be accredited to ISO/IEC 17065 supplemented with an accreditation to the scope of the Better Biomass scheme (i.e. NCS 8080-1) by a national accreditation body and in accordance with

Regulation (EC) No 765/2008. By requiring this level of accreditation, the accreditation body supervises the certification body in which the surveillance activities include an annual witness visit of a 'Better Biomass' audit carried out by the certification body to check if the certification body conducts the conformity assessment activities in accordance with the Better Biomass scheme documents including whether the audit team meets the competency requirements.

**4.1.2** Within the framework of Directive (EU) 2018/2001, the scheme manager shall undertake the following monitoring activities in addition to the activities that are normally delegated to the accreditation body:

- a) check a random and risk-based sample of audit reports prepared by each certification body, in which attention is paid to the risk analysis, verification method, evidence, audit duration including justification for deviation and sampling, if applicable, as well as the non-conformities;

NOTE For the purpose of this document, a representative sample is partly randomly and partly risk-based.

- b) witness at least annually an audit carried out by the certification body, for which a representative organization is selected considering the geographical location, the nature of raw materials, the production processes as well as the level of risk following the approach described in NCS 8080-1:2023-0X, 7.4.2;
- c) check whether auditors and audit teams meet the competency requirements as described in NCS 8080-1:2023-0X, Annex A within the scope of certification based on curricula vitae, training certificates (conditional on passing a mandatory examination) and other evidence that supports demonstrating the required competences.
- d) Monitor the effectuation and effectiveness of procedures for the avoidance of conflict of interest in decision making in the scheme management committees and the audits by the certification bodies. Persons having a potential conflict of interest shall be excluded from decision-making in both the voluntary scheme and the certification body and such cases shall be documented. These procedures shall regularly be reviewed as part of the continual improvement system (see 4.3).

**4.1.3** The monitoring activities shall take into account the scope of certification, the geographical location, the nature of raw materials, the production processes and the type of values used to calculate the greenhouse gas emissions savings.

## **4.2 Interpretations**

An interpretation issue related to the requirements in the four parts of the NTA 8080:2024 series or conformity assessment activities as described in NCS 8080-1:2023-0X can be brought to the attention of the scheme manager by the certification body, an organization that has or would like to have a 'Better Biomass' certificate, or another interested party. The scheme manager shall initiate the process in accordance with the *NEN Scheme management manual* to establish an interpretation for this issue to be included in the Interpretation document linked to the Better Biomass scheme documents. The scheme manager shall inform all relevant parties about this interpretation once published.

## **4.3 Continual improvement**

The scheme manager shall use the documented results from internal decision-making processes, as well as the monitoring activities including information received from the certification bodies, organizations that has or would like to have a 'Better Biomass' certificate, and third parties (e.g. queries, complaints) as part of the continual improvement process in accordance with the NEN management system. The scheme manager shall identify the needs for interpretations, guidance documents or other supporting

materials for certification bodies and/or organizations that have or would like to have a 'Better Biomass' certificate.

#### **4.4 Documentation management system**

**4.2.1** The scheme manager shall establish and maintain a documentation management system that corresponds with the size and activities of the scheme management activities and shall at least address each of the following elements:

- a) general management system documentation (e.g. manuals, policies, definition of responsibilities);
- b) control of documents and records;
- c) management review of management system;
- d) internal auditing/internal monitoring;
- e) procedures for identification and management of non-conformities; and
- f) procedures for taking preventive actions to eliminate the causes of potential non-conformities.

**NOTE** The organization can establish and maintain a quality management system in accordance with ISO 9001, or similar. In addition, ISO 19011 provides guidance on auditing management systems, including the principles of auditing, managing an audit programme and conducting management system audits, which can support an organization in maintaining their management system.

**4.2.2** The scheme manager shall ensure that it keeps any relevant documentation for at least five years or longer if required by the relevant national authority.

#### **4.5 Decision making**

Participants in the standards development process and scheme management activities are required to disclose the stakeholder category which they represent, as well as their employer and (in case different) their financier. This shall uncover possible conflicts of interest. The members of the committees shall avoid conflicts of interest and refrain from participating in decision making in the case of a possible conflict of interest. Such cases shall be documented, as well of cases where conflicts of interest arise, The scheme manager shall monitor the effectuation and effectiveness of procedures for the avoidance of conflict of interest in decision making in the scheme management committees. These procedures shall regularly be reviewed as part of the continual improvement system (see 4.3).

#### **4.6 National level compliance**

**4.5.1** Within the framework of Directive (EU) 2018/2001, the scheme manager shall keep and communicate through its website, an overall oversight of national level compliance of countries concerning the legal requirements of the application of essential soil management practices (see NTA 8080-2:2024, .8.1.3) to address the potential impact of harvesting such residues and waste on soil quality and soil carbon, and whether it has in place mechanisms to monitor and enforce the implementation of those practices.

**4.5.2** The verification of national level compliance may be performed by a certification body, provided they have the technical capacity to perform this role. Verification of national level compliance of countries by other voluntary schemes that have been recognised by the Commission under the sustainability framework of the revised Directive (EU) 2018/2001 may also be accepted per decision of the Committee of Experts.

## 5 Auditors meeting

**5.1** The scheme manager shall organize at least annually an auditors meeting, in which each certification body ensures representation with at least one auditor, but preferably more auditors, who are involved in the Better Biomass conformity assessment activities.

**5.2** Topics to be discussed at the auditors meeting shall include but are not limited to:

- a) developments within NEN Scheme management;
- b) developments related to the Better Biomass scheme documents;
- c) interpretation issues and cases;
- d) possible training needs or guidance.

## 6 Publicly available information

### 6.1 Scheme documents

**6.1.1** The scheme manager shall make all scheme documents publicly available free of charge. The scheme documents shall include, but are not limited to:

- a) NTA 8080-1:2024, Sustainability framework for biobased raw materials — Part 1: Terminology, overview and general requirements;
- b) NTA 8080-2:2024, Sustainability framework for biobased raw materials — Part 2: Sustainability requirements;
- c) NTA 8080-3:2024, Sustainability framework for biobased raw materials — Part 3: Requirements and guidance for greenhouse gas calculations;
- d) NTA 8080-4:2024, Sustainability framework for biobased raw materials — Part 4: Chain-of-custody requirements;
- e) NCS 8080-1:2024-0X, Better Biomass — Part 1: Conformity assessment requirements related to sustainability framework for biobased raw materials;
- f) NCS 8080-1:2024-0X, Better Biomass — Part 2: Specific requirements for scheme management;
- g) NEN Scheme management manual;
- h) interpretation document linked to the requirements in the NTA 8080:2024 series and NCS 8080:2024 series including a marked-up version with the changes compared to the prevision version;
- i) model licence agreement for certification bodies;
- j) membership agreement;
- k) NEN bylaws, general conditions and complaints procedure.



**6.1.2** The scheme manager shall retain previous versions of the scheme documents listed in 6.1.1 and shall make these documents publicly available, clearly indicating that these documents are no longer the current versions.

## **6.2 Register of certificate holders**

**6.2.1** The scheme manager shall maintain a register of (previous) 'Better Biomass' certificate holders, in which at least the following information shall be available:

- a) name of organization;
- b) country of organization;
- c) scope(s) of certification;
- d) product(s);
- e) certification body that issued certificate;
- f) date of initial certification;
- g) date of expiration of current certification;
- h) status of certificate (i.e. valid, suspended, withdrawn, terminated or expired);
- i) whether the organization has been assessed to demonstrate legal compliance related to sustainability of biobased raw materials.

**NOTE** An organization can be certified to demonstrate compliance with legal requirements in Directive (EU) 2018/2001 or in "Regeling conformiteitsbeoordeling vaste biomassa voor energietoepassingen".

**6.2.2** The scheme manager shall update the information in the register of certificate holders without delay following information received from the certification bodies or other parties.

**6.2.3** The register of certificate holders shall list the organizations that no longer are 'Better Biomass' certified due to withdrawal, termination or expiration for a period of at least 24 months.

**6.2.4** The scheme manager shall make the summary audit report as provided by the certification body (see NCS 8080-1:2023-0X, Annex J) publicly available through the register of certificate holders.

**6.2.5** Within the framework of Directive (EU) 2018/2001, the scheme manager shall publish the list of non-conformities as identified during the audit at an organization and the respective action plan and timing to correct these non-conformities as agreed with the organization concerned (see NCS 8080-1:2024-0X, 7.12.3) through the register of certificate holders.

## **6.3 Governance structure**

The scheme manager shall make publicly available the governance structure of the scheme, including:

- roles of all relevant bodies (see also NEN Scheme management manual);
- details on ownership structure and decision-making processes;

- composition and experience of the bodies that are involved in developing and maintaining the scheme documents and managing the scheme.
- contact details of scheme manager including telephone number, e-mail address and correspondence address;
- list of other voluntary of national schemes that are recognized.

## 7 Communication

### 7.1 Communication with certification bodies

The scheme manager shall advise the certification bodies that have entered into agreement with NEN about developments that will or can have an impact on the conformity assessment activities.

NOTE Developments can relate to updates of the *NEN Scheme management manual*, exemption rules in case of extraordinary event or circumstance, updates to the regulatory framework (e.g. letters from the European Commission to voluntary scheme owners) or relevant findings from the internal monitoring process.

### 7.2 Communication with certificate holders

The scheme manager shall inform organizations that have a 'Better Biomass' certificate about developments via the Better Biomass website and/or electronic mailings.

NOTE Developments can relate to publication of Interpretation documents, updates to the regulatory framework (e.g. letters from the European Commission to voluntary scheme owners) authorities or relevant findings from the internal monitoring process.

### 7.3 Communication with authorities

The scheme manager shall advise authorities that either have recognized or approved 'Better Biomass' to demonstrate legal compliance or make use of 'Better Biomass' in their policies or procedures about developments that will or can have impact on the recognition or approval or the way 'Better Biomass' is used. Where needed, the scheme manager shall provide a self-assessment about the impact of the changes.

NOTE Developments can relate to updates of the Better Biomass scheme documents which have been submitted for recognition / approval and would require an assessment to check whether changes will have impact on the status of the recognition / approval.

## 8 Reporting

### 8.1 General

Within the framework of Directive (EU) 2018/2001, the scheme manager shall comply with legal reporting requirements that are applicable to all voluntary schemes that have been recognized by the European Commission for this purpose.

## 8.2 List of certification bodies

**8.2.1** Within the framework of Directive (EU) 2018/2001, the scheme manager shall publish at least once per year the list of certification bodies that use the certification scheme for independent auditing, indicating for each certification body by which entity or national public authority it was recognized, and which entity or national public authority is monitoring.

NOTE The list of certification bodies that have entered into agreement with NEN, as scheme manager of 'Better Biomass', is available at the website [www.betterbiomass.com](http://www.betterbiomass.com).

**8.2.2** The scheme manager shall publish the name of the certification body for which the licence agreement has been terminated by the scheme manager due to non-compliance with the provisions in this agreement for a period of at least 30 months after the date of termination.

## 8.3 Annual activity report to European Commission

**8.3.1** Within the framework of Directive (EU) 2018/2001, the scheme manager shall provide once per year an activity report to the European Commission that includes at least the following information:

- a) rules on the independence, method and frequency of audits as approved by the European Commission upon accreditation of the voluntary scheme and any changes to them over time to reflect European Commission's guidance, the modified regulatory framework, findings from internal monitoring on the auditing process of certification bodies and evolving industry best practice;
- b) rules and procedures for identifying and dealing with non-conformance by organizations and members of the scheme;
- c) evidence of fulfilling the legal requirements on transparency and publication of information as listed in Clause 6;
- d) stakeholder involvement, in particular on the consultation of indigenous and local communities prior to decision-making during the drafting and review of the scheme as well as during audits and the response to their contributions;
- e) overview of the activities carried out by the scheme in cooperation with the certification bodies in order to improve the overall certification process and the qualification and independence of auditors and relevant scheme bodies;
- f) market updates of the scheme, the amount of raw material, biofuels, bioliquids and biomass fuels certified, by country of origin and type, and the number of participants;
- g) overview of the effectiveness of the implementing system put in place by the governance body of the scheme in order to track proof of conformity with the sustainability criteria that the scheme gives to its member(s), including how the system effectively prevents fraudulent activities by ensuring timely detection, treatment and follow-up of suspected fraud and other irregularities and where appropriate, the number of cases of fraud or irregularities detected.
- h) criteria for the recognition of certification bodies.
- i) rules on how the internal monitoring system is conducted and the results of its periodic review, specifically on oversight of the work of certification bodies and their auditors as well as on the system of handling complaints against organizations and certification bodies;

- j) possibilities to facilitate or improve the promotion of best practices;
- k) in the case of forest biomass certification, information on the way the risk assessment required in article 29 (6) and (7) of the Directive (EU) 2018/2001 is made (see NTA 8080-2:2024, B.2).
- l) summary of the results of the annual monitoring activities of the scheme manager;
- m) summary of all complaints registered;
- n) information on the application of  $e_{sca}$  as set out in Annex V of the IR:
  - (i) information on penalties
  - (ii) detailed statistical information and qualitative feedback on the implementation of the esca methodology

**8.3.2** This annual activity report shall be submitted by 30 April covering the preceding calendar year. Because the European Commission is required to make the annual activity reports publicly available, the scheme manager shall indicate if part of the required information cannot be published and shall provide this confidential information in a separate document.

NOTE Information about the legal annual reporting requirements can also be found in the letter on this subject to all voluntary schemes that have been recognized by the European Commission, which is available at the 'voluntary schemes' web page of the European Commission (<https://ec.europa.eu/energy/node/74>).

**8.3.3** The scheme manager shall make this annual activity report publicly available for those elements that are not classified as confidential information (see 8.3.2).

## 9 Monitoring use of 'Better Biomass' logo

'Better Biomass' is a European registered trademark in the name of Stichting Koninklijk Nederlands Normalisatie-instituut. The scheme manager shall monitor possible improper use of the 'Better Biomass' logo and name (see also NTA 8080-1:2023, Annex B) by periodic market surveillances and signals from the market. Improper use of logo implies that an organization falsely creates the impression to be in the possession of a 'Better Biomass' certificate. In the case of improper use, the scheme manager shall undertake the necessary actions.

NOTE Improper use can include the use of the 'Better Biomass' logo, a statement on a website, in a newsletter or otherwise.

## 10 Supervision by authorities

**10.1** Member States can supervise the operation of the associated certification bodies for conformity assessment activities carried out within the framework of Directive (EU) 2018/2001. Upon request of a Member State, or its own initiative, the European Commission can investigate if the Better Biomass certification scheme operates in accordance with the rules of Directive (EU) 2018/2001 or to examine whether the sustainability and greenhouse gas emissions savings requirements as laid down in Directive (EU) 2018/2001 in relation to a particular consignment are met.

**10.2** The scheme manager, certification bodies conducting audits under the Better Biomass certification scheme and organisations participating in the scheme, shall cooperate with the Commission and the competent authorities of the Member States if such a request is submitted. Cooperation shall include granting access to the premises of economic operators where requested, as

well as making available to the Commission and the competent authorities of the Member States all information needed to fulfil their tasks under Directive (EU) 2018/2001.

**10.3** For those purposes, certification bodies shall also:

- 1) provide the information needed by Member States to supervise the operation of certification bodies pursuant to Article 30(9) of Directive (EU) 2018/2001, including the exact date, time and location of audits;
- 2) provide the information required by the Commission to comply with Article 30(10) of Directive (EU) 2018/2001;
- 3) verify the accuracy of information entered into the Union database or relevant national database pursuant to Article 28(4) of Directive (EU) 2018/2001.

**10.4** Organisations and certification bodies failing or unwilling to comply with the requirements on supervision (as set out in 10.3) shall be respectively excluded from participating in and conducting audits under voluntary schemes.

## 11 Complaints handling

**11.1** The process for complaint handling is described in *NEN Scheme management manual*, which supplements the general complaint handling process of NEN. For transparency reason, this complaint handling process includes the following steps:

- 1) analysing complaint to check whether it qualifies as complaint or as customer inquiry;
- 2) in case of qualification as complaint, sending a confirmation message to the submitter of the complaint;
- 3) filing the complaint in the central database of complaints, in which the submitter of complaint will receive a notification;
- 4) processing and resolving the complaint by the responsible NEN employee(s), in which it shall be ensured that this employee can act impartially and without conflict of interest;

**NOTE 1** This means that the complaint is processed and resolved by a NEN employee who is not subject to the complaint. In the case the complaint relates to Better Biomass, the complaint will be processed and resolved by a NEN employee within the NEN Scheme management department who has no involvement in Better Biomass, but is acquainted with scheme management activities.

**NOTE 2** The *NEN Scheme management manual* describes the complaint handling procedure for complaints related to NEN Scheme management activities including Better Biomass certification. This procedure contains provisions to determine whether the complaint is admissible within the scope of activities, to ensure that the person(s) who are subject to the complaint is (are) not involved the complaint handling process, as well as provision about obtaining more information and terms to be applied for complaint resolution and informing the relevant parties.

- 5) closing the complaint by providing feedback to the submitter of complaint as well as internally, and where relevant, submitting a proposal for improving internal processes to avoid similar complaints in future;

**NOTE 3** The internal feedback is provided to the complaints coordinator and includes the description of the complaint, the root cause and the resolution provided.

The submitter of the complaint has the possibility to appeal against the resolution of complaint.

NOTE 4 The *NEN Scheme management manual* describes the appeal handling procedure for appeals related to NEN Scheme management activities including Better Biomass certification.

NOTE 5 The NEN management system is ISO 9001:2015 certified with respect to the quality management elements of the management system that includes the procedures about complaint and appeal handling.

**11.2** Within the framework of Directive (EU) 2018/2001, the scheme manager shall provide all documents related to a complaint and its handling upon request by the European Commission or a Member State.

## Bibliography

- [1] *Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources*