



## Better Biomass annual report 2023

### Introduction

The European Commission informed owners of voluntary schemes in its letter of 15 September 2015 about legal reporting requirements in response to the so-called ILUC Directive<sup>1</sup>. The reporting requirements comprise that:

1. Voluntary schemes have to publish at least once per year a list of their certification bodies used for independent auditing, indicating for each certification body by which entity or national public authority it was recognised and which entity or national public authority is monitoring.
2. Voluntary schemes have to submit one year after the adoption of the amendments and annually thereafter by 30 April, a report to the Commission covering each of the points set out in Annex 1 (*of the letter sent to voluntary schemes*).

This is the **8<sup>th</sup> report** of the Better Biomass (NTA 8080) certification system based on information that is available at the level of the scheme owner.

This report refers at several occasions to the Better Biomass certification scheme, published as NCS 8080:2018-08, and available at the Better Biomass website<sup>2</sup>. The European Commission has adopted a Commission Implementing Decision on the recognition of the 'Better Biomass' voluntary scheme for demonstrating compliance with the requirements set in Directive (EU) 2018/2001 on April 8, 2022.

### List of certification bodies

The following certification bodies are associated to the Better Biomass certification system by means of a license agreement with NEN and are also listed on the Better Biomass website<sup>3</sup>:

Certification body	Recognising authority	Monitoring authority
DEKRA Certification B.V. The Netherlands	— NEN for license agreement — RvA <sup>a</sup> for accreditation [registration C001]	RvA <sup>a</sup>
Normec QS B.V. The Netherlands	— NEN for license agreement — RvA <sup>a</sup> for accreditation [registration C602]	RvA <sup>a</sup>

<sup>a</sup> RvA is the Dutch accreditation body, which is also member of the International Accreditation Forum (IAF) and European co-operation for Accreditation (EA)

### Organisation of audits

*Reporting requirement (a): The independence, modality and frequency of audits, both in relation to what is stated on those aspects in the scheme documentation, at the time the scheme concerned was approved by the Commission, and in relation to industry best practice.*

The regular audit frequency is defined in the Better Biomass certification scheme (see Figure 1 in NCS 8080:2018-08). The associated certification bodies are required to report every year about the number of certification projects executed in the framework of Better Biomass certification, the experiences gained during these process that are relevant for maintaining and where needed improving the certification scheme, and the nature and

<sup>1</sup> Directive (EU) 2015/1513 of the European Parliament and of the Council of 9 September 2015 amending Directive 98/70/EC relating to the quality of petrol and diesel fuels and amending Directive 2009/28/EC on the promotion of the use of energy from renewable sources

<sup>2</sup> Direct URL to NCS 8080:2018-08 is [http://www.betterbiomass.com/wp-content/uploads/2018/08/NCS-8080\\_2018-08-en-Better-Biomass-certification-scheme.pdf](http://www.betterbiomass.com/wp-content/uploads/2018/08/NCS-8080_2018-08-en-Better-Biomass-certification-scheme.pdf).

<sup>3</sup> Direct URL to list of certification bodies is <http://www.betterbiomass.com/en/certification/certification-bodies/>.

extent of complaints received and the way they are dealt with. This is also part of the license agreement<sup>4</sup> between the certification body and the scheme owner.

## Dealing with non-compliances

*Reporting requirement (b): The availability of, and experience and transparency in the application of, methods for identifying and dealing with non-compliance, with particular regard to dealing with situations or allegations of serious wrongdoing on the part of members of the scheme.*

Non-compliance will result in a critical, major or minor non-conformity during regular audits. The consequences of these non-conformities and the required follow-up by the certificate holder are described in the certification scheme (see 7.2 in NCS 8080:2018-08). The central register of certificates on the Better Biomass website<sup>5</sup> indicates if a certificate has been suspended or withdrawn, noting that an economic operator can also withdraw its certificate voluntarily without being in non-conformance. In case of notification of 'wrongdoing' in between audits, the Better Biomass certification system foresees in procedures how to respond, also depending on the way the notification has been received. A justification or evidence should be provided to consider a notification eligible. The procedures related to complaints, objections and appeals are described in the Better Biomass certification scheme (see 8.3 in NCS 8080:2018-08) and reference is made to the NEN Scheme management manual<sup>6</sup> describing general procedures for certification schemes managed by NEN.

**No reports of or allegations of serious wrongdoing by certificate holders have been received by the certification bodies and/or the scheme owner.**

## Transparency

*Reporting requirement (c): Transparency, particularly in relation to the accessibility of the scheme, the availability of translations in the applicable languages of the countries and regions from which raw materials originate, the accessibility of a list of certified operators and relevant certificates, and the accessibility of auditor report.*

All documents related to the Better Biomass certification system are available at the Better Biomass website<sup>7</sup> (as well as the Transparency platform of the Commission), except for the standards describing the sustainability and chain-of-custody requirements (i.e. NTA 8080-1:2015 and NTA 8080-2:2015), which can be obtained through NEN<sup>8</sup>. The Better Biomass website also includes a central register of certificates containing information about the certified economic operators, including scope(s) of certification, produced product(s), certification body that issued the certificate and validity of certificate, as well as a summary of the audit report that contains additional information about the nature of raw materials, the production processes, location details and surface area for cultivation, if applicable<sup>5</sup>. Information is available in both the English and Dutch language.

## Stakeholders involvement

*Reporting requirement (d): Stakeholder involvement, particularly as regards the consultation of indigenous and local communities prior to decision making during the drafting and reviewing of the scheme as well as during audits and the response to their contributions.*

The standards describing the sustainability and chain-of-custody requirements (i.e. NTA 8080-1:2015 and NTA 8080-2:2015) and the interpretation document linked to these standards (current version is **N° 8**, issued 27 January 2022) have been developed through a multi-stakeholder process including non-governmental organisations. The list of members that have participated in this process is included in the standards. In accordance with the NEN governance – following ISO/IEC and CEN/CENELEC governance as formal Dutch member to these standardisation organisations – participation in the standard development process was open for all interested parties ('all parties concerned') and draft documents have been published as part of the public

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<sup>4</sup> Direct URL to format license agreement is <https://www.betterbiomass.com/wp-content/uploads/2021/03/Format-license-agreement-Better-Biomass-2021-ENG.pdf>

<sup>5</sup> Direct URL to list of certificate holders is <http://www.betterbiomass.com/en/certificate-holders/>.

<sup>6</sup> Direct URL to NEN Scheme management manual is <http://www.betterbiomass.com/wp-content/uploads/2020/08/NEN-Scheme-Management-Manual-v7.1-20200528.pdf>.

<sup>7</sup> Direct URL to certification documents is <http://www.betterbiomass.com/en/certification-documents/>. Through this page visitors have also access to the archive of certification documents, background documentation, tools and databases.

<sup>8</sup> NTA 8080-1:2015 and NTA 8080-2:2015 are publicly available, but need to be purchased similar to other standards developed by a standardisation body.

consultation process. Also the Better Biomass scheme management committee represents different stakeholders categories. The Better Biomass website describes the organisation of the Better Biomass certification system<sup>9</sup>.

Concerning economic operators that wish to become certified, the Better Biomass certification system requires that the economic operator consults stakeholders for at least certain sustainability aspects<sup>10</sup>. This consultation might be covered in laws and regulations or through a sound permit procedure. In addition, certification bodies are allowed to execute a stakeholders consultation themselves as part of their audit.

## Robustness of scheme

*Reporting requirement (e): The overall robustness of the scheme, particularly in light of rules on the accreditation, qualification and independence of auditors and relevant scheme bodies.*

The Better Biomass certification scheme is accepted by RvA, the Dutch accreditation body, a member of the International Accreditation Forum (IAF) and the European co-operation for Accreditation (EA). The associated certification bodies are accredited to ISO 17065 for the scope of NCS 8080:2018-08 (and thereby through its recognition the scope of Directive 2009/28/EC, and as of April 2022 Directive (EU) 2018/2001).

**The certification bodies report not having received any complaints regarding their services in relation to Better Biomass.**

## Better Biomass market

*Reporting requirement (f): Market updates of the scheme, the amount of feedstocks and biofuels certified, by country of origin and type, the number of participants.*

The Better Biomass certification system is periodically updated based on changes in legislation, new insights related to sustainability aspects (beyond scope of Directive (EU) 2018/2001), interpretation issues and other developments. A major revision of the certification system took place by publishing NTA 8080-1:2015 and NTA 8080-2:2015, replacing NTA 8080:2009 and expanding the scope to bio-based products, and by updating the Better Biomass certification scheme accordingly. With the recognition of the updated Better Biomass certification scheme by the European Commission (see Introduction), also economic operators certified within the framework of Directive (EU) 2018/2001 are obliged to conform with NTA 8080-1:2015 and NTA 8080-2:2015. The updated Better Biomass certification scheme has also been approved by the Dutch government in the framework of the Dutch Regulation conformity assessment of solid biomass for energy applications (outside the scope of Directive 2009/28/EC). Compliance with this regulation is required to qualify for subsidy for bio-energy in the Netherlands (SDE+ scheme)<sup>11</sup>. In view of the implementation of the new Directive (EU) 2018/2001 on the promotion of the use of energy from renewable sources ('RED II'), the Better Biomass certification system has been amended accordingly, through publishing an updated version of the interpretation document (i.e. N° 6 and subsequent versions). This will be followed in 2022 by integrating this interpretation document in new editions of NTA 8080-1, NTA 8080-2 and NCS 8080.

**The current numbers of certificate holders can be found in the central register of certificates on the Better Biomass website that also contains information about the nature of raw materials and produced products. In 2023, within the scope of the RED II, no certificates have expired without renewal.**

The volumes of certified products (within the framework of Directive 2009/28/EC) are available, but are classified as confidential information as aggregated volumes might still be traced back to individual economic operators based on products or raw materials.

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<sup>9</sup> Direct URL to the organisation structure is <http://www.betterbiomass.com/en/about-us/organization>.

<sup>10</sup> These include establishing local biomass flows or natural resources that are essential to the basic needs of the local population; establishing the areas, within the organisation's span of control, that are considered to be high conservation value areas; establishing local essential functions of residual flows that are released when producing and processing biomass from agriculture, aquaculture, fishery or forestry; establishing which parties obtain control of the land use and management in the area where the biomass producer is or will be established and what the extent of such control will be; and enlarging the involvement of the local population.

<sup>11</sup> More information is available at website of Dutch advisory commission on sustainability of biomass for energy applications: <https://adviescommissiedbe.nl/cms/view/b62e71d2-36ff-4bc6-9778-1454222111f8/advisory-commission-on-sustainability-of-biomass-for-energy-applications>.

## Traceability

*Reporting requirement (g): The ease and effectiveness of implementing a system that tracks the proofs of conformity with the sustainability criteria that the scheme gives to its member(s), such a system intended to serve as a means of preventing fraudulent activity with a view, in particular, to the detection, treatment and follow-up of suspected fraud and other irregularities and where appropriate, number of cases of fraud or irregularities detected.*

Conformance to the sustainability criteria can be traced through the status of the certificate in the central register of certificates on the Better Biomass website. In the first place, fraud means violation of law and regulatory authorities should undertake the necessary actions to deal with the economic operator concerned in case of (suspicion of) fraudulent activities. Fraud also implies non-conformance with the Better Biomass certification scheme, resulting in suspending or withdrawal of the certificate. This kind of non-conformance can be identified during a regular audit or based on external signals that will result in further investigation (see also Dealing with non-compliances). Better Biomass also requires the declaration of non-modification of production processes in the framework of residual flow (waste and residues) in which economic operators are assessed if they have not deliberately modified their production process to produce more residual flows<sup>12</sup>.

## Recognition and monitoring of certification bodies

*Reporting requirement (h): Options for entities to be authorised to recognise and monitor certification bodies.*

The associated certification bodies are accredited for the Better Biomass certification scheme specifically by an IAF member. To maintain accreditation, the accreditation body will witness annually an audit to assess whether the certification body carries out the audit in accordance with the Better Biomass certification scheme (see also Robustness of scheme).

*Reporting requirement (i): Criteria for the recognition or accreditation of certification bodies.*

The associated certification bodies need to be accredited for the Better Biomass certification scheme by an IAF member. The certification body therefore needs to conform to the requirements in ISO/IEC 17065 supplemented with the requirements in the certification scheme including competences of the audit team (see also Robustness of scheme). **The certification bodies have been ISO/IEC 17065 accredited for the scope of Better Biomass for over 10 years**

*Reporting requirement (j): Rules on how the monitoring of the certification bodies is to be conducted.*

Monitoring of the associated certification bodies is conducted by the accreditation body that has accredited the certification body concerned. This implies that the accreditation body will witness annually an audit carried out by the certification body concerned. **If there are comments from the accreditation body regarding the scheme, then these are communicated by the certification body to the scheme owner. In 2023 no issues have been reported.**

NOTE NCS 8080:2018-08, Clause 11 specifies the internal monitoring as part of governance of the Better Biomass system. NEN scheme management manual describes general provisions for governing certification schemes.

*Reporting requirement (k): Possibilities to facilitate or improve promotion of best practice.*

Periodically – at least annually – a meeting with auditors involved in the auditing process of Better Biomass certification is organised, in which best practices are shared and potential interpretation issues related to the requirements to be assessed or to the certification scheme are discussed. Representation of each certification body involved in these meetings is mandatory by signed license agreement. Whenever needed, the auditors have the possibility to exchange information by other means and additional meetings can be organised. In case interpretations (or other decisions) are required, these will be brought forward to the Better Biomass scheme management committee.

**During the Better Biomass auditors meeting on 8 September 2023, several interpretation issues were discussed for mutual harmonisation. Topics included: scheme revision, acceptance of other schemes, Bone meal and**

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<sup>12</sup> More information is available in news item 'Better Biomass also receives approval for issuing proof of non-modification of processing' available at <http://www.betterbiomass.com/better-biomass-also-receives-approval-for-issuing-proof-of-non-modification-of-processing/>

some interpretation issues outside of scope of REDII. None of these issues led to any request for scheme changes to the Committee of Experts within the scope of REDII.