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DRAFT STATUTORY INSTRUMENTS

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**2018 No.**

**The Renewable Heat Incentive Scheme Regulations 2018**

**PART 5**

**Sustainable solid biomass, biogas or biomethane**

**Interpretation**

**47.** In this Part—

“greenhouse gas criteria” means the criteria set out in Schedule 3;

“land criteria”, except in regulation 48(3)(a), means—

- (a) the criteria set out in Part 2 of Schedule 4 in relation to solid biomass which is wood or wholly derived from wood, except energy crops; or
- (b) the criteria set out in Part 3 of Schedule 4 in relation to other solid biomass including energy crops;

“permitted location” means a place—

- (a) in respect of which the participant has a right to harvest the solid biomass; and
- (b) which is no more than 50 miles from the plant in which the solid biomass is used;

“self-supplied” means—

- (a) obtained by or on behalf of the participant from a permitted location; or
- (b) waste wood which is obtained by or on behalf of the participant from the place where it first becomes waste;

“sustainable biogas” means—

- (a) biogas which—
  - (i) meets the greenhouse gas criteria; and
  - (ii) is made wholly from feedstock which is solid biomass which meets the land criteria;
- (b) biogas which is made wholly from feedstock which is waste;
- (c) biogas which consists of a combination of any of the biogas listed in paragraphs (a) and (b);

“sustainable biomethane” means biomethane which, save for ingredients which are added as part of the biomethane production process—

- (a) is made wholly from feedstock which is waste;
- (b) meets the greenhouse gas criteria and is made wholly from feedstock which is solid biomass which meets the land criteria; or
- (c) consists of a combination of any of the biomethane listed in paragraphs (a) and (b);

“sustainable solid biomass” means—

- (a) solid biomass which meets the greenhouse gas criteria and the land criteria;

- (b) solid biomass which is—
  - (i) self-supplied;
  - (ii) used in an accredited RHI installation with an installation capacity of less than 1MWth; and
  - (iii) either—
    - (aa) an approved sustainable fuel; or
    - (bb) a fuel in respect of which the Secretary of State has made a declaration under regulation 51(5);
- (c) solid biomass which is waste, or is wholly derived from waste;
- (d) solid biomass which consists of a combination of any of the solid biomass listed in paragraphs (a) to (c).