

DRAFT STATUTORY INSTRUMENTS

2021 No.

**The Renewable Transport Fuel
Obligations (Amendment) Order 2021**

PART 2

Amendment of the Renewable Transport Fuel Obligations Order 2007

Amendment of the Schedule

- 13.**—(1) The Schedule is amended as follows.
- (2) Renumber the Schedule as Schedule 1.
- (3) In paragraph 1—
- (a) omit the definition of “GHG”;
- (b) omit the definition of “nature protection area”;
- (c) omit the words from the definition of “primary forest” to the end.
- (4) For paragraph 2 substitute—

“Compliance with the sustainability criteria

2.—(1) To the extent that renewable transport fuel was produced from a feedstock listed in column (2) of the table below, that feedstock meets the sustainability criteria if it meets the conditions specified, in relation to the feedstock concerned, in column (3) of the table.

<i>(1) Entry number</i>	<i>(2) Feedstock</i>	<i>(3) Conditions that the feedstock must meet in order to meet the sustainability criteria</i>
1	Forest biomass, including residues from forestry or wastes from forestry	The GHG emission saving threshold and the forest criteria
2	Residues, including processing residues, which are not residues from agriculture, aquaculture, fisheries or forestry	The GHG emission saving threshold
3	Wastes, which are not wastes from agriculture, aquaculture, fisheries or forestry	The GHG emission saving threshold
4	Residues from agriculture or wastes from agriculture	The GHG emission saving threshold, the land criteria and the soil carbon criteria

<i>(1) Entry number</i>	<i>(2) Feedstock</i>	<i>(3) Conditions that the feedstock must meet in order to meet the sustainability criteria</i>
5	Renewable energy of non-biomass origin	The GHG emission saving threshold
6	Any feedstock not falling within entries 1 to 5 above	The GHG emission saving threshold and the land criteria

(2) A relevant feedstock meets the soil carbon criteria if the renewable transport fuel supplier provides evidence, by reference to the guidance published by the Administrator under article 15(1)(m), that satisfies the Administrator that adequate monitoring or management plans are in place for the land concerned which address the impacts on soil quality and soil carbon of the harvesting of the relevant feedstock from that land.

(3) In the table, “GHG emission saving threshold” means the threshold established in accordance with paragraph 3.”.

(5) In paragraph 3—

(a) in sub-paragraph (3)—

(i) in paragraph (a), for “in accordance with paragraph 5” substitute “by reference to the guidance published by the Administrator under article 15(1)(m)”;

(ii) in paragraph (b), for “in accordance with paragraph 6” substitute “by reference to the guidance published by the Administrator under article 15(1)(m)”;

(b) in sub-paragraph (4), for “any guidance produced by the Administrator under article 15(2)(b)” substitute “the guidance published by the Administrator under article 15(1)(m)”.

(6) In paragraph 4, for sub-paragraphs (a) and (b) substitute—

“(a) where the renewable transport fuel is not RFNBO—

(i) if the fuel is produced in an old chain of installations, 55%;

(ii) if the fuel is produced in a new chain of installations, 65%;

(b) where the renewable transport fuel is RFNBO, 65%.”.

(7) Omit paragraphs 5 to 9.