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STATUTORY INSTRUMENTS

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**2018 No. 611**

**The Renewable Heat Incentive Scheme Regulations 2018**

**PART 4**

Ongoing obligations for participants

CHAPTER 2

Ongoing obligations relating to the use of biogas to generate  
heat and the production of biomethane for injection

**Biogas produced from gasification or pyrolysis**

**40.**—(1) This regulation applies to a participant producing biogas using gasification or pyrolysis and generating heat from that biogas in an accredited RHI installation.

(2) The participant may only use solid biomass or waste as feedstock to produce the biogas.

(3) Where the participant uses waste as feedstock—

(a) paragraphs (2), (3), (6) and (7) of regulation 37 apply to the proportion of solid biomass contained in the waste used for feedstock in the same way as for the proportion of solid biomass contained in waste used to generate heat; and

(b) paragraphs (4) and (5) of regulation 37 apply.

(4) Where the participant uses solid biomass (not being solid biomass contained in waste) as feedstock—

(a) paragraphs (2), (3), (4) and (7) of regulation 38 apply to the contamination of solid biomass used for feedstock in the same way as for solid biomass contaminated with fossil fuel used to generate heat; and

(b) paragraphs (5) and (6) of regulation 38 apply.

(5) Where the Authority so requests, the participant must arrange for samples of the waste or solid biomass used (or to be used) as feedstock in the biogas production plant, or of any gas or other substance produced as a result of the use of such waste or solid biomass, to be taken by a person (and analysed in a manner) specified by the Authority, and for the results of that analysis to be made available to the Authority in such form as the Authority may require.

**Changes to legislation:**

There are currently no known outstanding effects for the The Renewable Heat Incentive Scheme Regulations 2018, Section 40.