

Christopher Osborne

From: Harris, Michael <Michael.Harris@detini.gov.uk>
Sent: 11 February 2011 08:55
To: Christopher Osborne
Subject: RE: Renewables Obligation Order (NI) 2009 [Scanned]

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:030:0016:0016:EN:PDF>

Chris

The key part of the wording is the second part of s.22B which means that ROCs are only refused if the Authority is also satisfied that there has been a breach of the CAP cross compliance (which I'm sure you know more about than me!). I have attached a web link to the EC regulation quoted.

Common agricultural policy requirements

22B. No NIROCs are to be issued in respect of any electricity generated by a generating station from bioliquid if—

- (a) the bioliquid is derived from biomaterial which—
 - (i) is of agricultural origin;
 - (ii) was cultivated in the EU; and

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- (iii) is not waste; **and**
- (b) the Authority is satisfied that the biomaterial referred to in sub-paragraph (a) was—
 - (i) cultivated in a manner that breached a statutory management requirement identified in entries 1 to 5 and 9 of the list in Annex 2 to Council Regulation (EC) No 73/2009(a) ("the 2009 Regulation"); or
 - (ii) obtained from land which does not meet the minimum requirements for good agricultural and environmental condition defined pursuant to Article 6(1) of the 2009 Regulation(b).".

I hope this helps.

Michael

Michael Harris

Sustainable Energy
 Department of Enterprise, Trade & Investment
 Netherleigh
 Massey Avenue
 Belfast, BT4 2JP
 Tel: 028 9052 9269 (ext. 29269)
 Mob: [REDACTED]
 Textphone: 028 9052 9304
 Web: www.detini.gov.uk

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Please consider the environment - do you really need to print this e-mail?

From: Christopher Osborne [mailto:christopher@ufuhq.com]
Sent: 09 February 2011 15:00
To: Harris, Michael
Subject: Renewables Obligation Order (NI) 2009 [Scanned]

Good afternoon Michael,

I trust you are well.

The UFU have released a press release welcoming the publication of DETI report and in particular the enhanced support for Anaerobic Digestion.

In light of the enhanced NIROCs, one of our members has drawn my attention to part of the Renewables Obligation Order (NI) 2009 which i would like to run past you.

Part 4 – NIROCs to be issued by authority in respect of a generation station’s renewable output - Common Agricultural Policy Requirements (Page 21 Section 22B) “No NIROCs are to be issued in respect of any electricity generated by a generating station from liquid if – (i) is of agricultural origin, (ii) was cultivated in the EU and (iii) is not waste”

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Will a generator using bioliquids (Glycerine for example) not be able to avail of ROC support. I asked this question to Peter Frost and he could not understand why anyone would want to do this, but it is a question our members wishes that we ask DETI and seek clarity on what is and what is not allowed.

Many thanks and I look forward to hearing from you.

Chris Osborne

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