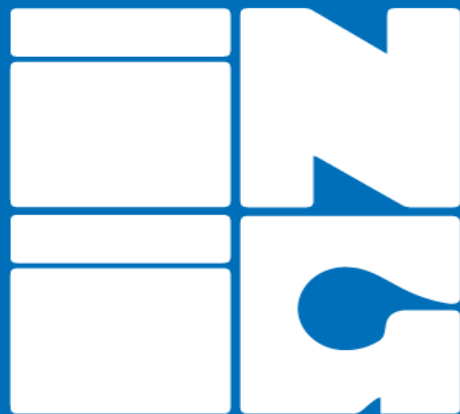



System Certyfikacji



KZR INiG


KZR INiG System /3

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By the Oil and Gas Institute- National Research Institute

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1. Introduction

The production of biofuels and bioliquids shall comply with all applicable laws and regulations of the European Union and the country in which the production occurs and with relevant international laws and agreements. Precedent legislation in the area of sustainable biofuels and bioliquids is *Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC (hereafter referred to as the RED)*. In turn, this is transposed and enforced by the national laws, regulations and other legal provisions of each country. This document provides a list of legal acts regulating ecological and social aspects of biofuels/bioliquids production, supervised in the framework of state control.

2. Scope

Requirements indicated in this and other System documents refer to economic operators involved in the INiG certification system (KZR INiG), operating within the European Union. These economic operators are:

- Agricultural producers (farmers),
- First gathering point, brokers, middlemen,
- Intermediate producers, biofuels and bioliquids manufacturers,
- Fuel producers, final suppliers, others economic operators (First waste collection points),

In contrast:

- Certifying bodies,
- Auditors

are not system participants, but are verifiers.

The provisions of this document shall not apply to entities outside the European Union.

3. Normative references

The normative references, covering all aspects of the KZR INiG System, are the following linked documents, which should be read in conjunction.

KZR INiG System /1/ Description of INiG System of Sustainability Criteria – general rules

KZR INiG System /2/ Definitions

KZR INiG System /4/ Land use for raw materials production – lands with high carbon stock


KZR INiG System /5/ Land use for raw materials production - biodiversity

KZR INiG System /6/ Land use for raw materials production – agricultural and environmental requirements and standards

KZR INiG System /7/ Guidance for proper functioning of mass balance system

KZR INiG System /8/ Guidelines for the determination of the life cycle per unit values of GHG emissions for biofuels and bioliquids

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KZR INiG System /9/ Requirements for certification bodies
KZR INiG System /10/ Guidelines for auditor and conduct of audit

4. Definitions

KZR INiG System /2/Definitions

5. Description and requirements


Economic operators in the European Union's raw materials and feedstock market operate within the framework of EU and national legislation. Given that the sustainability criteria are of global character, they are defined in the RED in such a manner that they encompass ecological and social aspects of biofuels and bioliquids production. Ecological and social aspects are especially important in third countries, where national legislation on these issues is not as stringent as it is in the EU. As the KZR INiG System covers the EU territory, supervision over proper work conditions (especially in the areas of health protection and work safety) is the responsibility of state authorities such as Poland's National Labour Inspectorate, National Sanitary Inspectorate, etc. Outside the EU, these requirements are verified by checking compliance with good agricultural practices, good practices at the workplace and good social practices.

Listed below are legal acts regulating the ecological and social aspects of biofuels/bioliquids production, supervised within the framework of EU states' control. To avoid double control of the same aspects, the KZR INiG System places less emphasis on the regulation of activities in these areas.

5.1. EU and international law

Agricultural producers who produce raw materials within EU territory are

- obliged to protect threatened species and wild fauna and flora habitats and to preserve them in conditions propitious for most natural habitats, in accordance with Directive **2009/147/EC** of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds and **Council Directive 92/43/EEC** of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora,.
- prohibited from discharging directly or indirectly, **into the groundwater, hazardous substances**, e.g. mercury, mineral oils, crude oils, etc., in accordance with **Council Directive 80/68/EEC** of 17 December 1979 on the protection of groundwater against pollution caused by certain dangerous substances,
- required to **correctly treat sewage-sludge in agriculture**, in accordance with **Council Directive of 12 June 1986 on the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture (86/278/EEC)**,

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obliged to follow the requirements of action programmes aimed at **reducing nitrates (from agricultural sources) in designated vulnerable zones** in or near the farm, in accordance with *Council Directive of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources (91/676/EEC)*,

- obliged to obey determined rules and requirements relating to environmental protection and the natural environment, in accordance with the **Convention on Biological Biodiversity**,
- obliged to follow the requirements on the protection of habitats of water birds, in accordance with the **Convention on water-mud areas** of international significance.

Agricultural producers from outside the EU shall:

- follow good agricultural practices modeled on the requirements and standards in force in the EU. Agricultural producers should therefore implement the requirements and standards laid down in the provisions referred to in the section on "Environment" in part A and in point 9 of Annex II to Regulation (EC) No 73/2009 of 19 January 2009, establishing common rules for direct support schemes for farmers under the common agricultural policy and establishing certain support schemes for farmers (OJ L 30, 31.1.2009, p. 16) and in accordance with the minimum requirements for good agricultural and environmental conditions within the meaning of art. 6 paragraph 1 of the Ordinance.
- abide by local laws (of the country) regarding nature conservation.

5.2. National law

Entrepreneurs are required to comply with the legislation of the country in which they operate, in particular the laws and regulations implementing the provisions of directives RED and ILUC. Economic operators involved in the System should have valid licenses and permits for their activities, and permitted derogations according to relevant national legislation.


The KZR INiG recognizes specific requirements issued by every Member State (national acts and regulations), particularly in terms of acceptance of feedstock as a waste/residue).

6. Calculations

Not applicable

7. Conformity verification

Raw materials production by agricultural producers within the KZR INiG System should comply with valid national and local laws, as long as they do not violate the rules of the KZR INiG System and the RED. For example, if national law of some countries allows for certain

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derogations contrary to the requirements of the System's and the RED, this is considered a violation of the rules of the KZR INiG System and the RED.

For EU farmers for whom a support programme has been implemented, the controlling authority is be a government agency. The KZR INiG System allows for recognition of results of controls conducted by this Agency and considers them a reliable source of information.

For other European countries there is the possibility of cross-compliance if verified by the state authority responsible for supervising it.

The KZR INiG System covers the world. In European Union countries the KZR INiG System follows national legislation and leaves the supervision of health and safety at work to government bodies such as Poland's National Labour Inspectorate.

8. Checklist

Not applicable.