

# EBA's policy work on digestate management

Harm Grobrügge, EBA President  
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# **THE EUROPEAN BIOGAS ASSOCIATION**

**30 countries – 39 National Organisations**  
**76 Companies – representing >7,000 stakeholders**



[www.europeanbiogas.eu](http://www.europeanbiogas.eu)



# Associated members (companies, universities, private persons)



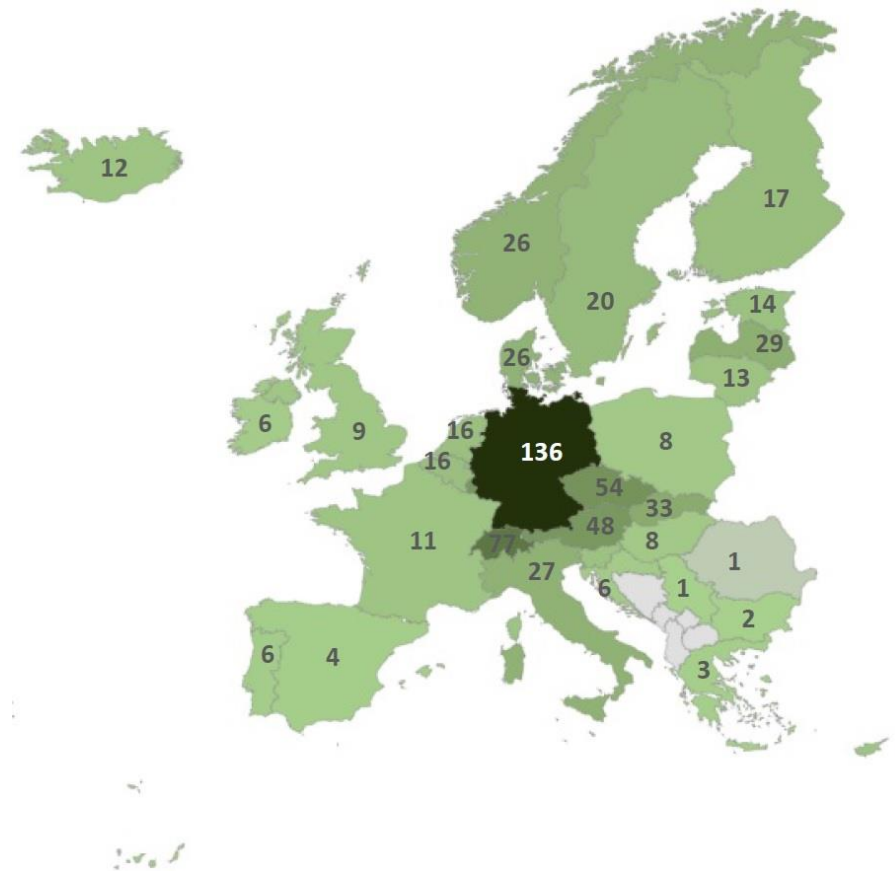
# What does EBA stand for?

**Biomethane and other renewable gases are an important corner stone of a carbon-neutral economy in Europe.** By 2050, biomethane and other renewable gases will enable Europe to thrive on a fully renewable energy system – both on and off grid. Grounded in the benefits of a **circular bio-economy**, it will make optimal use of all our resources through integrated sustainable food production, nutrient recycling and waste treatment solutions, while also improving our security of supply and the storage of renewable energy.

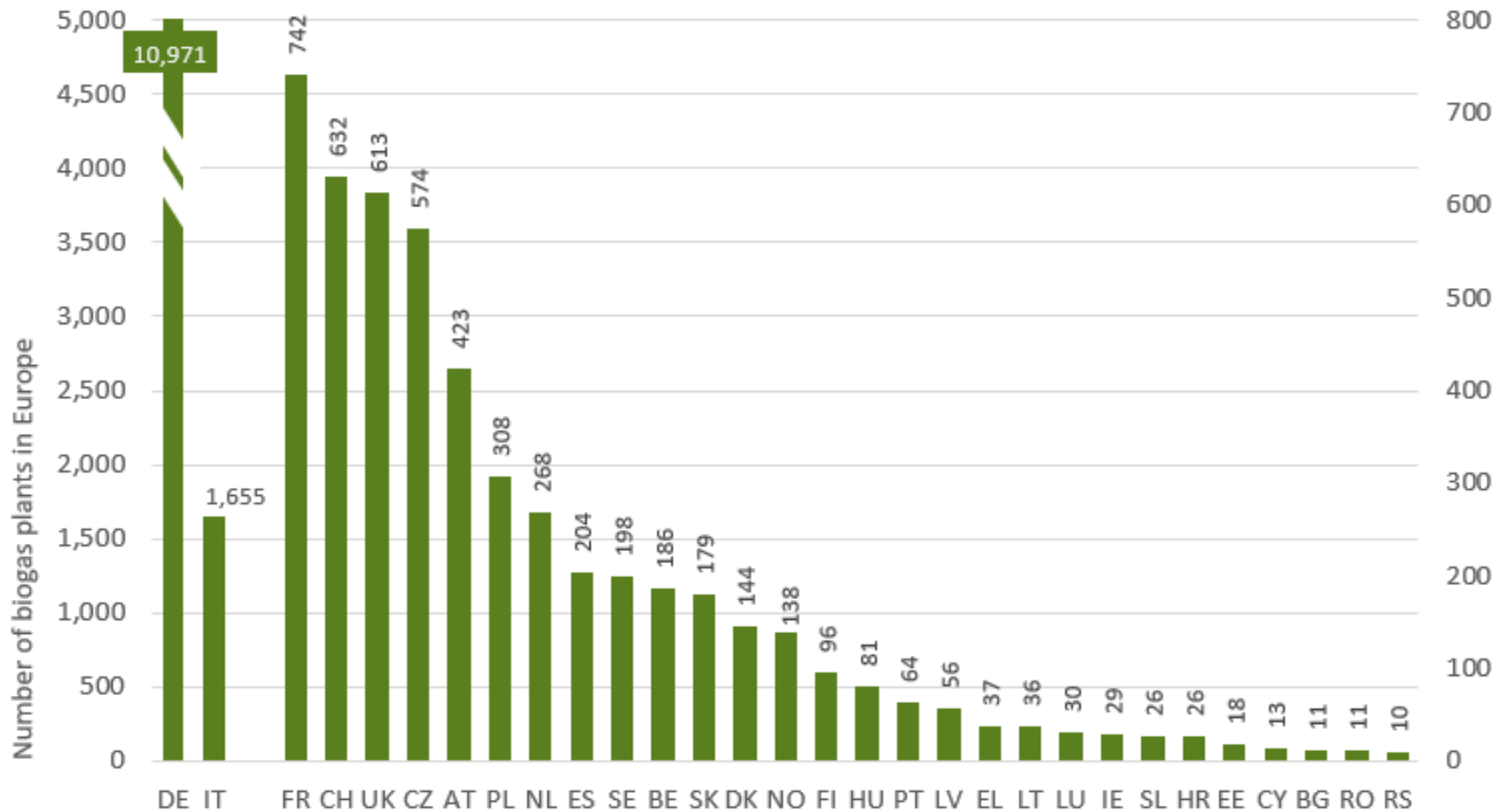


**EBA advocates for recognition of biomethane and other renewable gases as sustainable, on demand and flexible energy sources that provide multiple knock on socio-economic and environmental benefits.** Supported by its members, EBA is committed to work with European institutions, industry, agricultural partners, NGOs and academia to develop policies which can enable the large-scale deployment of renewable gases and organic fertilisers throughout Europe, supported by transparent, well established sustainability certification bodies to ensure sustainability remains at the core of the industry.

# Development: number of biogas plants in Europe (left) Number per 1 Mio capita (right)



# Number of biogas plants in European countries, arranged in descending order



Source: EBA Statistical Report 2018

# Legislation overview – impact along the value chain



## **Provision of feedstocks and inputs for the production process**

- Waste legislation + Animal By Product Regulation (ABPR) + Fertilizing Products Regulation (FPR)

## **Production process**

- ABPR; FPR

## **Product use**

- FPR; REACH; Air Quality Directive (AQD) and Nitrates Directive



# EBA's policy recommendations

- ❖ Promoting separate collection of bio-waste through the **Waste Framework Directive**; - achieved but implementation will not start before 2024
- ❖ Promoting adoption of recycling targets for bio-waste through the **Waste Framework Directive**;
- ❖ Establishing EU-wide **End-of-Waste criteria** for digestate;
- ❖ Avoiding that **Animal by-product Regulation** set higher requirements for digested manure than raw manure;
- ❖ Exempting digestate from **REACH** registration; - achieved
- ❖ Clarifying the distinction between raw manure and processed manure in the **Nitrates Directive** & exempting manure destined for the use in biogas or composting plants from the **Waste Framework Directive** (similarly to raw manure);
- ❖ Promoting best practices for full utilization of organic fertilizers under the **Common Agricultural Policy** framework.

# bio-waste or resource?



# Waste Framework Directive (WFD)



In a circular economy, resources are kept in the loop. Therefore, large availability of clean, non-hazardous and at source separately collected bio-waste will boost AD and production of biogas and digestate which will return to soil with its nutritional content and to improving soil quality.

**EBA actively engaged in the revision of WFD since early stages** by providing technical advice to Commission officials in preparation of the legislative proposal. Afterwards, EBA met all key actors and stakeholders, and maintained a profitable dialogue with the Members of the European Parliament and Member States.

EBA has also worked with other industry associations and civil society organizations to promote responsible waste management.

# WFD – achievements and way forward

A quick overview of what we have already achieved

- Article 10 (4) – *"Member States shall take measures to ensure that waste that has been separately collected [...] is not incinerated"*
- Art 22 (1) – *"Member States shall ensure that, by 31 December 2023, bio-waste is either separated and recycled at source, or is collected separately and is not mixed with other types of waste"*
- Art. 11a (4) – *"the amount of municipal biodegradable waste that enters aerobic or anaerobic treatment may be counted as recycled where that treatment generates compost, digestate"*

And further actions foreseen

- Art. 11 (6) – *"By 31 December 2024, the Commission shall consider the setting of [inter alia] recycling targets for municipal bio-waste"*





# ***Waste landfill***



# Landfill Directive

EBA estimated that over 78 million tonnes of bio-waste were landfilled in 2012. It was key to ensure availability of additional bio-waste stream to AD. Therefore, EBA supported the Commission proposal to put in place further restrictions on the landfilling of biodegradable waste by prohibiting the landfilling of biodegradable waste that has been separately collected.

*Art 5 (3,f) – Member States shall not accept in a landfill "waste that has been separately collected"*

*Art 5 (5) – by 2035 the amount of municipal waste landfilled shall be reduced to 10%*

Source: EBA, *Contribution of AD to the European Circular Economy*





# Nutrient cycle

# Animal By Product Regulation (ABPR) & Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH)

In relation to the fertilizers file, EBA has worked on linked EU legislation with the aim of avoiding possible legislative barriers and unnecessary burdens to producers.

Particular emphasis has been placed on avoiding overlaps with the ABPR and ensuring the exclusion of digestate for the scope of REACH.

Digestate was officially excluded from the scope of REACH on October 10, 2019.





# Safeguard the planet



# Air Quality Directive (AQD)

The main goal of biological treatment is to stabilize organic material with combined anaerobic and aerobic treatment. Odour emissions are reduced, organic acids are largely broken down, and nitrogen is fixed as bound organic nitrogen or converted into atmospheric nitrogen.

The Ambient Air Quality Directive (AQD) provides the current framework for the monitoring of air pollution in the EU, including from the transport and energy sector. The European Commission has initiated a **fitness check of the AQD** and will soon draw its final conclusions. EBA will closely monitor new developments and provide the Commission with best practices examples of the benefits of AD and biogas and biomethane production on air quality, including NOX emissions reductions.





# Water – Nitrates Directive

The **European Nitrates Directive** is the main instrument to avoid nitrate contamination of groundwater and surface water by agriculture.

Art. 2 (g) → '*livestock manure*': means waste products excreted by livestock or a mixture of litter and waste products excreted by livestock, **even in processed form**.

EBA is trying to promote a clarification on the distinction between raw manure and processed manure in the Nitrates Directive.

More recently, under the framework of the SYSTEMIC consortium (Horizon 2020 funded project), EBA engaged the European Commission and the JRC to exchange views on the agronomic efficiency and environmental performance of different group of organic fertilizer produced by manure.



# Common Agricultural Policy (CAP)

CAP is expected to make a stronger contribution to care for the environment and climate, and the European Commission set out proposals accordingly for how the CAP should function after 2020.

Three of the policy's nine **specific objectives** will concern the environment and climate. These objectives will be as follows:



Contribute to climate change mitigation and adaptation, as well as sustainable energy;



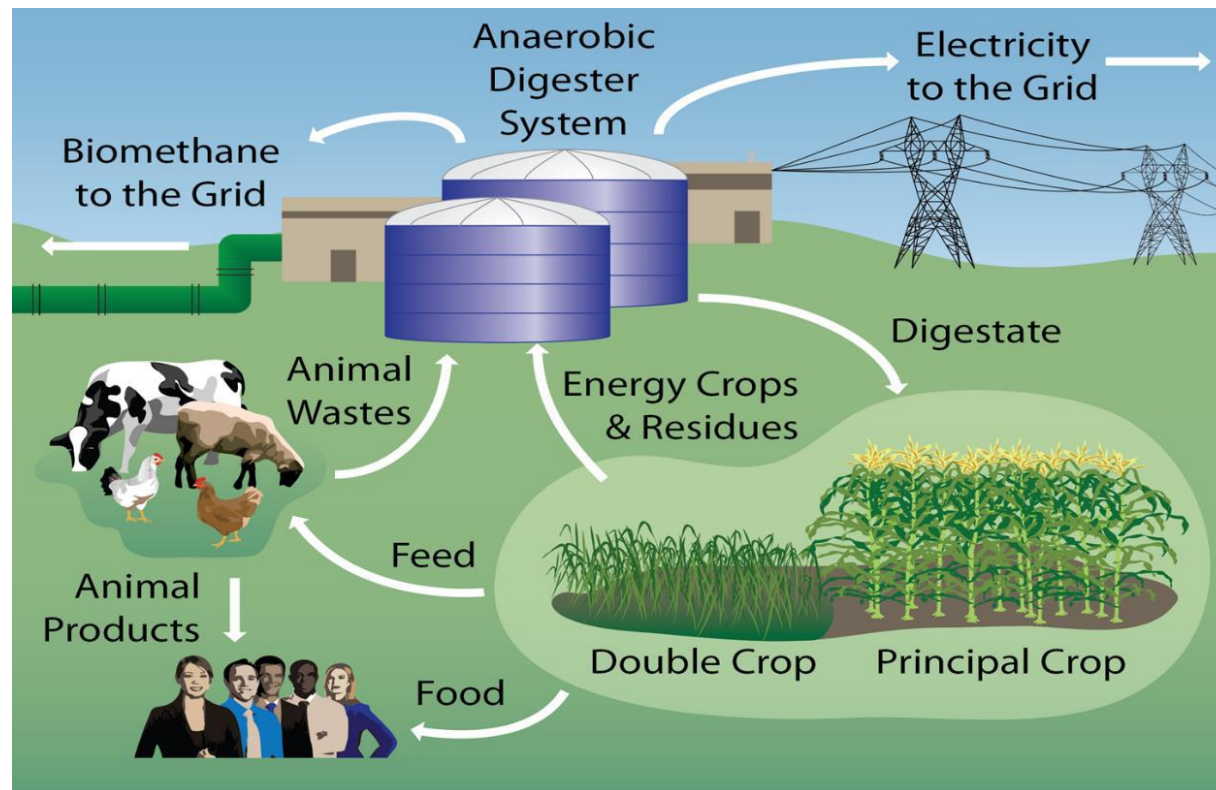
Foster sustainable development and efficient management of natural resources such as water, soil and air;



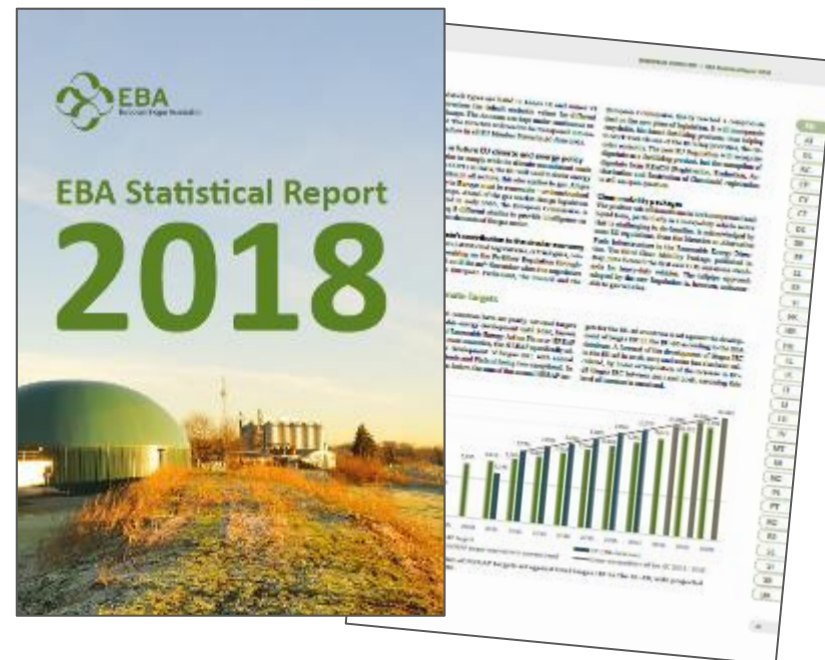
Contribute to the protection of biodiversity, enhance ecosystem services and preserve habitats and landscapes.

# Biogasdoneright® - a circular model generating rural synergies

EBA can share knowledge and expertise of best agricultural practices that efficiently integrates feed and food crops, such as **Biogasdoneright®**



# Further info: EBA Statistical Report



- Extensive analysis of the European biogas and biomethane sectors
- Based on the expertise of **national associations and industries**
- Available to purchase for non-EBA members
- More info: [info@europeanbiogas.eu](mailto:info@europeanbiogas.eu)

# Thanks for your attention!

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