

Commission Regulation (EU) No 601/2012 of 21 June 2012 on the monitoring and reporting of greenhouse gas emissions pursuant to Directive 2003/87/EC of the European Parliament and of the Council (Text with EEA relevance) (repealed)

## CHAPTER III

### MONITORING OF EMISSIONS OF STATIONARY INSTALLATIONS

#### SECTION 2

#### *Calculation-based methodology*

#### *Subsection 5*

#### *Treatment of biomass*

#### *Article 38*

#### **Biomass source streams**

1 The operator may determine the activity data of biomass source streams without using tiers and providing analytical evidence regarding the biomass content, where that source stream consists exclusively of biomass and the operator can ensure that it is not contaminated with other materials or fuels.

2 The emission factor of biomass shall be zero.

The emission factor of a mixed fuel or material shall be calculated and reported as the preliminary emission factor determined in accordance with Article 30 multiplied by the fossil fraction of the fuel or material.

3 Peat, xylite and fossil fractions of mixed fuels or materials shall not be considered biomass.

4 Where the biomass fraction of mixed fuels or materials is equal or higher than 97 %, or where due to the amount of the emissions associated with the fossil fraction of the fuel or material it qualifies as a *de-minimis* source stream, the competent authority may allow the operator to apply no-tier methodologies, including the energy balance method, for determining activity data and relevant calculation factors, unless the respective value is to be used for the subtraction of biomass derived CO<sub>2</sub> from emissions determined by means of continuous emission measurement.

#### *Article 39*

#### **Determination of biomass and fossil fraction**

1 Where subject to the tier level required and to the availability of appropriate default values as referred to in Article 31(1), the biomass fraction of a specific fuel or material are determined using analyses, the operator shall determine that biomass fraction on the basis of a

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**Changes to legislation:** There are currently no known outstanding effects for the Commission Regulation (EU) No 601/2012 (repealed), Subsection 5. (See end of Document for details)

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relevant standard and the analytical methods therein, and apply that standard only if approved by the competent authority.

2 Where the determination of the biomass fraction of a mixed fuel or material by analysis in accordance with paragraph 1 is technically not feasible or would incur unreasonable costs, the operator shall base its calculation on standard emission factors and biomass fraction values for mixed fuels and materials and estimation methods published by the Commission.

In the absence of such standard factors and values, the operator shall either assume the absence of a biomass share or submit an estimation method to determine the biomass fraction to the competent authority for approval. For fuels or materials originating from a production process with defined and traceable input streams, the operator may base such estimation on a mass balance of fossil and biomass carbon entering and leaving the process.

3 By way of derogation from paragraphs 1 and 2 and Article 30, where the guarantee of origin has been established in accordance with Articles 2(j) and 15 of Directive 2009/28/EC for biogas injected into and subsequently removed from a gas network, the operator shall not use analyses for the determination of the biomass fraction.

**Changes to legislation:**

There are currently no known outstanding effects for the Commission Regulation (EU) No 601/2012 (repealed), Subsection 5.