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## Newsletter IEA Bioenergy Task 37: 01/2025

Policy: Review of 2<sup>nd</sup> semester 2024

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### **Industry group sues US EPA over rule that set new emissions limit for refuse haulers**

The Transport Project, an industry group that represents companies that sell, operate and fuel natural gas vehicles, argues the EPA's update to heavy-duty vehicle emissions standards, finalized in March, unfairly favors battery electric vehicles over biofuel-powered vehicles. The Transport Project claims 60% of new refuse truck orders are for natural gas-powered vehicles. The technology has become increasingly attractive to waste companies that own landfills since they can collect biogas, refine it into RNG and use that fuel to power their collection fleets.

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### **EU Gas Package published**

In July the gas package was published in the official journal of the EU. The gas package sets out solid rules for the organisation of the natural gas market and establishes a strong framework for the development of the future market for hydrogen and other renewable gases (biomethane). It contains specific rules for the transport, supply and storage of natural and renewable gases. In order to ensure the phase-out of fossil fuels, long-term contracts for fossil gas will no longer be concluded as of 2049. The new rules promote the penetration of renewable gas and low-carbon gas, in particular hydrogen.

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### **Canada proposes to regulate landfill gas emissions**

The Canadian government on June 28 released proposed regulations to require landfills to control methane emissions and ensure landfill gas-recovery systems capture as much methane as possible. A public comment period is open through Aug. 28. According to Environment and Climate Change Canada, the proposed regulations aim to reduce methane emissions from Canadian landfills by approximately 50% by 2030 when compared to a 2019 baseline.

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### **European Commission Clears French Aid Scheme for Biomethane Production**

The European Commission has approved a 1.5 billion-euro (\$1.6 billion) French scheme to support biomethane production to be injected into the gas network, considering that the scheme is in line with the State aid Temporary Crisis and Transition Framework (TCTF). Under the scheme, new biomethane installations with a production above 25 GWh/year can take part to a competitive bidding process to secure 15-year long two-way "contracts for differences" (CfD) on the basis of the strike price per MWh of biomethane offered. Under the CfD model, the beneficiary will receive the difference between the strike price and the market price of natural gas; if the market price of natural gas is higher than the strike price, the beneficiary will have to pay back the difference between the two prices to the State

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### **Processed manure as a component material in EU fertilizing products**

The Delegated Regulation (EU) 2024/1682 amending Regulation (EU) 2019/1009 of the European Parliament and of the Council as regards adding processed manure as a component material in EU fertilising products has been published in spring 2024 in the EU Official Journal. Processed manure (digestate or compost) has the potential to be subject to significant trade in the internal market as it is a derived product commonly used in the organic fertilizers and soil improvers. JRC concluded that the introduction of processed manure in Component Material Category 10 (CMC 10) in Annex II to Regulation (EU) 2019/1009 would promote the transfer of processed manure from regions with a high density of nutrients to those with a low density. Processed manure may undergo additional processing like solid-liquid separation, drying, pelletizing, and recovery of nutrients but should not include thermochemical conversion processes.

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### **New Certificates to Boost Biomethane Production in France**

According to a new decree on the French system for biogas production certificates (CPB), natural gas suppliers must acquire these certificates either through their own biomethane production or by purchasing them from producers. The targets are ambitious: 0.8 TWh CPB in 2026, 3.1 TWh in 2027 and 6.5 TWh in 2028. By 2023, France had already achieved biomethane production of 9.1 TWh. The new regulations provide a stable, incentive-based foundation for investment in biomethane production, promote transparency for consumers and offer economic opportunities, particularly in the rural agricultural sector.

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### **California proposes more aggressive changes in LCFS amendments**

Proposed changes to the Low Carbon Fuel Standard, if approved, would boost credit prices and support RNG investment, with implications for landfill and anaerobic digestion projects. The California Air Resources Board is planning to boost its carbon reduction ambitions for the Low Carbon Fuel Standard beginning next year, according to a draft proposal released by the state agency. The proposal must still go before CARB's board for a vote in November. CARB's proposal

would change the carbon intensity reduction target for 2025 from 5% to 9%. The target, which ratchets up annually, guides credit buyers to adopt a steadily increasing amount of cleaner fuels either directly or through credits. This is the second time CARB has embarked on a major amendment process for the Low Carbon Fuel Standard, which was first implemented in 2011.

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### **EU Reference Scenario 2025**

The European Commission has begun the work on the new EU Reference Scenario on energy, transport and GHG emissions. The EU Reference Scenario is a crucial analytical tool used by the European Commission to prepare Impact Assessments and assess the long-term economic, energy, climate, and transport outlook and help define future EU policies in these sectors. The EU Reference Scenario is developed by a modelling consortium, and is based on a combination of models, among which PRIMES, GAINS, GLOBIUM and CAPRI are the most relevant for our sector. The PRIMES and PRIMES-TREMOVE are the core elements of the modelling framework for energy, transport and CO<sub>2</sub> emissions projections. In addition, the GAINS model is used for non-CO<sub>2</sub> greenhouse gas emission projections, the GLOBIOM model for projections of LULUCF emissions and removals, and the CAPRI model is used for agricultural activity projections.

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### **\$1 Billion in Grants to Invest in America's Clean Heavy-Duty Vehicle Transition**

The U.S. Environmental Protection Agency launched the nearly \$1 billion Clean Heavy-Duty Vehicles Grant Program to fund the replacement of certain polluting heavy-duty vehicles with zero-emission vehicles. The 2024 Clean Heavy-Duty Vehicles Grant Program will support the adoption and deployment of eligible Class 6 and 7 zero-emission vehicles while also funding zero-emission vehicle fuelling infrastructure and workforce development and training. In the U.S., over 3 million Class 6 and 7 vehicles are currently in use, spanning a variety of vehicle types and vocations, including school buses, refuse haulers and utility and delivery trucks. EPA anticipates approximately 70% of available funding will be for projects under the School Bus Sub-Program and about 30% of funding will be for projects under the Vocational Vehicles Sub-Program.

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### **Brazil to vote on plants' mandatory use of biomethane**

Brazil's Senate is set to vote on a bill requiring thermoelectric plants to use biomethane as part of their fuel mix commencing 2026, according to a report by Senator Veneziano Vital do Rêgo. According to *Estadão*, the bill's inclusion of flexible thermoelectric plants, which are activated during water crises, follows negotiations in the country's Senate Infrastructure Committee. The bill aims to reduce greenhouse gas emissions by mandating the use of biomethane, starting with a 1% reduction target that could rise to 10%. To meet this target, Brazil would need to produce 850,000 cubic meters of biomethane daily by 2026.

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### **Zukunft Gas calls for political measures to promote Bio-LNG in Germany**

The Zukunft Gas association has published a document outlining clear political measures to promote Bio-LNG in heavy-duty transport. This renewable fuel not only offers significant ecological advantages, but is also increasingly available in Germany. The infrastructure for Bio-LNG filling stations is constantly being expanded and production capacities are continuously increasing. In the first half of 2024, almost 70,000 tons of LNG were sold at filling stations in Germany, with the proportion of Bio-LNG already at 60%. This means that around 139,000 tons of CO<sub>2</sub> equivalent have already been saved. Zukunft Gas calls for a decisive political change to

establish Bio-LNG as an important contribution to climate protection. In its current document, the voice of the German gas and hydrogen industry calls for an increase in the greenhouse gas reduction quota to 35% by 2030 and a long-term continuation of the quota regulation until 2045. In addition, Zukunft Gas calls for tax incentives for the use of biofuels such as Bio-LNG. A reduction in the energy tax on low-emission fuels would make it easier for logistics and transport companies to economically use climate-friendly alternatives.

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### **European Court of Justice ruling: Free heat from biogas plants is subject to VAT**

A biogas plant operator had given the heat generated in his cogeneration plant to two companies free of charge. These companies used the heat to dry wood and to heat asparagus fields. After the tax office reviewed the free heat supplies, the operator was retroactively charged VAT because the heat supplies were considered to be subject to VAT. In the absence of contractual agreements on pricing, the cost price was used as the basis for assessment. The operator of the biogas plant appealed against the tax assessment, which ultimately led to the involvement of the European Court of Justice (ECJ). The ECJ judges have now ruled that the free supply of heat is indeed subject to VAT, as it is a "free gift" within the meaning of the VAT Directive.

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### **Is Bio-LNG ready for Euro 7?**

Previously, in Euro 6, covered by two separate sets of regulations, light and heavy-duty vehicles will now be grouped together in a single set, but with thresholds that remain distinct. Overall, with the new regulations: values are revised downwards on the test bench (WHTC) and on the road (RDE). Emissions that were previously ignored will now be taken into account. These include nitrous oxide (N<sub>2</sub>O), which has a major impact on greenhouse gases, and compounds added to unburned hydrocarbons. Other products have been introduced, but with no threshold for the time being, subject to a review clause. These include formaldehydes (HCHO), particulates from tire abrasion and braking systems. In addition, particulate matter will no longer be measured at PN<sub>23</sub> (23 nanometers), but at PN<sub>10</sub>.

Tests were carried out on six CNG-powered trucks from Iveco (4), Scania (1) and Renault Trucks (1). As far as bench measurements are concerned, for 4 vehicles, the values of NO<sub>x</sub> are already lower, ranging from 122 to 184.7 mg/kWh. Two will have to be revised, with values of 201 and 258.5 mg/kWh. All vehicles passed easily the values for PM<sub>10</sub> and CO.

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### **California opts to preserve credits for anaerobic digesters**

The California Air Resources Board (CARB) voted to amend the Low Carbon Fuel Standard on Nov. 8, updating a sweeping transportation fuels program that incentivizes projects nationwide and seeks to reduce the CI of California's transportation fuel pool by 30% by 2030 and by 90% by 2045. The amendments, includes medium- and heavy-duty vehicles, and make more transit agencies eligible to generate credits. The amendments package was backed by clean fuels groups whose membership includes waste companies like WM and Republic Services.

During a marathon hearing, the board also greenlit plans to craft a new regulation requiring dairy farms to manage their methane emissions. The regulation is set to go into effect by 2030, six years later than CARB was authorized to begin regulating the potent greenhouse gas on such farms.

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### **Union Data Base (UDB): Draft Delegated Regulation**

The Commission has published a draft delegated regulation to update the rules for the Union Database on Biofuels (UDB) to improve the traceability of data along the

entire supply chain and opened a 4-week call for feedback on the draft text from interested parties. The feedback period is closed by now and the draft as well as the reaction of the more than 100 participants can be downloaded.

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