

**Please find below a submission to the Public Consultation on the Biofuels Obligation Scheme from Eamon Ryan TD**

The ability of the biosphere to supply energy to humanity within ecological limits is severely limited. It is not possible to simply replace our current fossil-fuelled system with a system fuelled by the combustion of biomass instead of fossil fuels. Attempts to do so have grave consequences for the natural world and for human populations, especially poorer populations. Although the above overall conclusions were evident and predicted in advance of economic supports for biofuels in the EU and USA, those biofuel policies nonetheless went ahead, without the necessary safeguards for people and nature. The consequences have been as predicted, with accelerated deforestation and spikes in staple food prices.

It is essential that no policy measures incentivise bioenergy of any sort above sustainable limits or above limits where human welfare is protected from market impacts on food prices. This consideration also applies to policies which simply seek to reduce fossil fuel use. In other words, it is not enough to stop incentivising excessive bioenergy, it is also necessary to ensure that policies aimed at moving away from fossil fuels do not themselves drive excessive bioenergy. This should be a central policy consideration in our climate and energy policies.

The above is not to say that bioenergy has no role. A certain level of bioenergy, within sustainable limits (both quantitative and qualitative) is an essential element of sustainable energy policies, including transport policies. The primary goal of bioenergy policies should be to identify those limits and ensure that they are not exceeded.

The Biofuels Obligation Scheme as it operates in Ireland, as in other EU countries, particularly the UK and Netherlands has facilitated a massive fraud with the mislabelling of palm oil as used cooking oil (UCO). This is being investigated by the Netherlands' ministry of infrastructure and water management (ILT) and the UK's Serious Fraud Office.

Awareness of the lack of credibility of UCO labelling in the European biofuels market is the primary reason that the EU has decided on a limit on the contribution of UCO. It is surprising that there is no reference to any of this scandal in the consultation paper.

The above comments apply to all of the questions in the consultation paper. We also make the following specific recommendations in response to the questions in the consultation paper:

Question 1 - The main measures to increase the proportion of renewable energy in the transport sector should be controlling demand in the sector, increasing the proportion of demand met by walking cycling and public transport, and electrification of public transport and private transport. For these reasons, biofuel policy should aim at ensuring the sustainability of biofuels used in transport rather than increasing their use.

Question 3 - Qualitative criteria applied to biofuels should identify the greenhouse gas emissions identified with them, including Land Use Change and Indirect Land Use Change. There should not be an obligation, but assessment should focus on total climate impact.

Question 4 - There should not be a biofuels obligation.

Question 5 - Biomethane, especially when generated from waste will possibly be a niche transport fuel. However there are limits to its scalability. While it can be blended with fossil gas there will never be sufficient feedstocks available to also decarbonise all other transport modes. Policy analysis should identify the limits to the sustainable supply.

Question 7 - CNG and LNG are fossil fuels and should be categorised accordingly.

Question 8 It is incredible that the system would propose incentives for biofuels and not for renewable electricity. We recommend that mechanisms in operation in the Netherlands and California be considered. Please see briefing note attached and at <https://www.transportenvironment.org/publications/using-renewable-electricity-transport-meet-red-targets>

Question 10 We welcome the end of support for palm oil biofuels.

Question 12 Please see our comments in relation to fraud above. It is impossible to develop a credible policy without taking account of the fraud issue into consideration.

Question 16 We oppose the extension of such an obligation to the heating sector. As referred to above, protections against unsustainable bioenergy are required. These should operate alongside policies to reduce energy demand and drive the transition from fossil fuels are required and reduce energy rather than selecting particular alternatives to fossil fuels.