

30 October 2015

Decarbonisation Policy and Coordination Division
Department of Communications, Energy and Natural Resources,
29-31 Adelaide Road,
Dublin 2 (D02 X285).

RE: Consultation on Proposed Increase in Biofuel Obligation Rate

biofuel.obligation@dcenr.gov.ie

Dear Sir / Madam,

please see below for An Taisce's submission on the public consultation regarding a proposed increase in the biofuel obligation rate.

We would appreciate being kept apprised of any further consultations and developments in this subject area.

Yours sincerely,

Ian Lumley,

Heritage Officer

An Taisce, the National Trust for Ireland.

1.0 Background

Irish transport greenhouse gas emissions rose by 2.1 % in 2013 over 2012 levels, and with current traffic data are project to rise continually to 2020. This as well as the rise in agricultural emissions and failure to take action on heating efficiency show that Ireland is on an accelerating pathway to way overshooting EU 2020 Climate targets and will face substantial penalties.

The transport emissions abatement which has been achieved through the tiered car tax measures to encourage more fuel efficient vehicles, and introduction of biofuel since 2010 has been nullified by increased traffic generation and congestion.

Ireland has a specific EU obligation to achieve a 10% renewable target for transport by 2020, and has taken no effective action on a switch to electric transport vehicles or other technologies.

The consultation proposes consideration of an increase in the Irish biofuel obligations from the 6% level which has been in place since 2013, to up 12% by volume in response to this.

The statement at the beginning of the paper circulated for consultation suggests that in effect a pre-emptive decision has been made by the Department:

“ It is likely that a biofuels obligation rate of approximately 12% by volume will be required in the context of achieving the legally binding target of 10% renewable energy in the transport sector by 2020.”

This pre-determination undermines confidence in the consultation process.

2.0 The Information Deficit

In order to allow informed public consultation as required under the Aarhus Convention, if a competent basis for public policy decision making is to be achieved, then basic access to information is an essential preliminary requirement

Before considering any increase in biofuels used in Ireland, there is a major deficit in the information required on a range of sustainability questions on supply sourcing, emissions and trans-boundary land use impact .

Current annual reporting information provided by the National Oil Reserve Agency (NORA), attached to the consultation documentation contains a general annual report and detailed database.

However this information needs to be abstracted to provide a more effective overview of Ireland's current biofuel use, including in particular:

* How much current and proposed additional biofuel is sourced within Ireland, within the EU or outside the EU?

* How much is from "waste" such as cooking oil or agricultural crops, as opposed to specifically cultivated crops?

* A clear sustainability analysis on a country of origin and crop by crop based analysis of Ireland's existing biofuel use is required as well as consideration of the sources of any increased level of use.

3.0 Sustainability Questions

Any consideration of increasing the biofuel obligation needs to be part of a wider sustainability assessment.

The consultation document is disappointing in its consideration of sustainability. There is inadequate consideration of the sustainability implications of increasing biofuel use and its integration with parallel public health and other considerations.

Measures to reduce GHG (Green House Gas) emissions need to be integrated with wider public health objectives including reduction of air pollutants and addressing trans-boundary impacts.

Irish EPA air quality reports state that diesel particle pollution is in breach of WHO recommended limits in urban areas. The action recommended by the EPA in implementing "Smarter Travel" and other measures have not been put in place.

Even if climate emissions and diesel and other air pollution issues were to be resolved, growth in vehicle numbers has a trans-boundary resource consumption impact, increases congestion, slows down public transport and essential service vehicle movement, and undermines cycling. Parallel to this is the impact of car dependence in contributing to unhealthy lifestyles and obesity, inefficient land use and sprawl.

An increased biofuel content not only fails to address these considerations, but actually may make the public health situation worse in perpetuating the operating use of polluting vehicles, and impeding the transition to electric vehicles.

An effective national transport policy needs to achieve both a radical reduction in carbon emissions up to 2020 and through the next decade to 2030, in parallel to reducing diesel and other air pollution, congestion and wasteful land use, as well as addressing Ireland's trans-boundary impact in resource consumption and emissions.

The key questions which need to be asked in this consultation is whether an increase in the bio fuel obligation by any percentage:

- Would be sustainable in location sourcing and real land use and emission impact.

Is increasing biofuel the most sustainable means of reducing transport emissions, having regard to full emission cycle and land use ?

- Would reinforce and reinforce an undesirable import market into the EU including Ireland?

Will the effect of this proposal create a false market promoting further unsustainable import for outside the EU from countries that should be reducing their own emission footprint, rather than exporting bio energy?

- Would be counterproductive if a rise in vehicle numbers is not reversed through "Smarter Travel" measures.

Is the effectiveness of introducing a biofuel obligation nullified if transport demand and the resource consumption of the manufacture of transport vehicles and emissions are allowed to rise, as is occurring, through failure to implement Smarter Travel 2009, thus cancelling any carbon reduction gain?

- Would perpetuate polluting diesel use.

Does increasing biofuel content, perpetuate the continuing unacceptable of polluting diesel ?

- Would perpetuate inefficient and outmoded motor combustion technology.

Does increasing biofuel content, promote and the continuing unsustainable use of fossil fuel based vehicles and disincentivise alternatives such as electric and fuel cell ?

4.0 The Adequacy of Current EU Biofuel Sustainability Policy

It recognised that diluting fossil fuel with biofuel content has the full support of EU policy

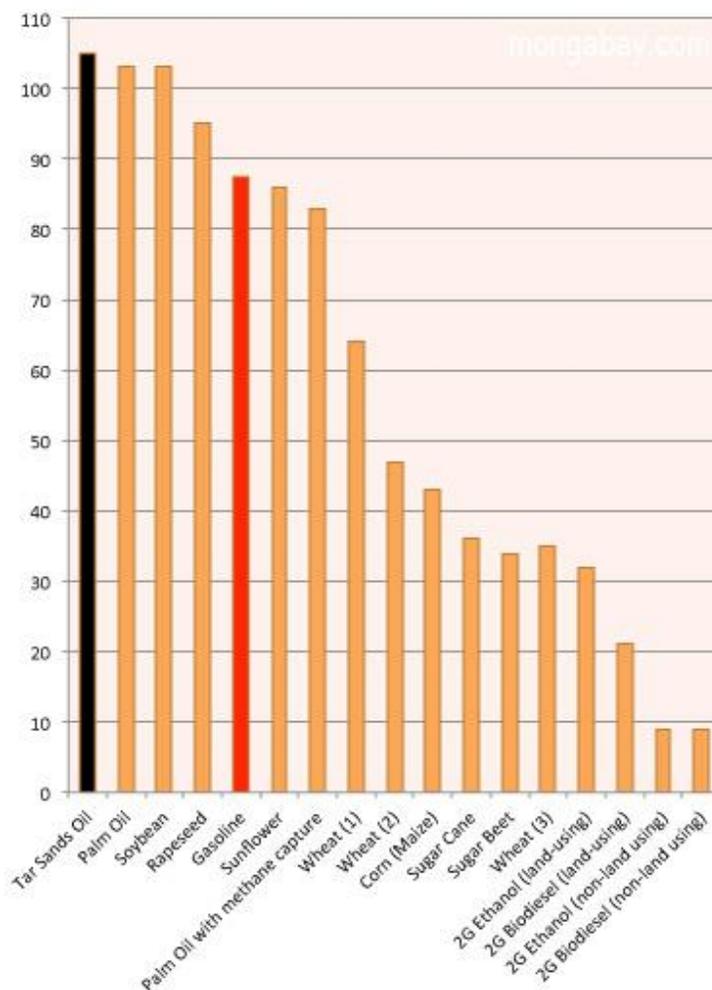
An authoritative overview of the impact of EU biofuel policies was produced by the UN Special Rapporteur on the Right to Food in 2013, which is highly critical on trans-boundary impact and food production:

http://www.srfood.org/images/stories/pdf/otherdocuments/20130423_biofuelsstatement_en.pdf

A June 2015 EU Working Paper estimates the capacity of increasing biofuel content to 10%. This consultation coincides with the preparations for the December 2015 Paris Climate negotiations. The adoption of bioenergy and therefore of biofuel for transport as "carbon neutral" under the Kyoto Protocol and EU emissions accounting system must now be recognised as a major policy and scientific failure, which need to be resolved in Paris.

In 2012 the EU published research showing the actual emission impact of different types of biofuel compared to petrol: (*fig. 1*)

Default value (CO₂/mj) of various fuels according to EU data



(Fig. 1)

The basis of EU policy in recent years has been to attach accounting and sustainability criteria to biofuels currently through European Union (Renewable Energy) Regulations, 2014 (No. 483 of 2014).

The consultation documents confirms that these Regulations are deficient with regard to indirect land use change in that:

“The European legislation governing the sustainability of biofuels does not currently take account of Indirect Land-Use Change (ILUC) emissions factors. The theory behind ILUC is that biofuel use in the EU could result in lands that were previously used to produce food being converted to produce biofuels. As the demand for food still exists, uncultivated land will need to

be cultivated for food production, thus resulting in the potential of increased greenhouse gas emissions in the process”.

The creation of a biofuel crop production market resulting in land use change in Europe is unsustainable, if at the same time the EU is continuing to import material such as soya animal feed from Brazil or other crops which are creating food production displacement, biodiversity loss or unsustainable water consumption in other countries.

Current European bioenergy policy has created a trans-boundary distortion favouring the import of bioenergy into Europe. This is a fundamentally perverse and inappropriate result transferring emissions, land and resource impacts to other countries

It makes no sense for countries which are themselves fossil fuel consumers to export bioenergy no matter how “sustainable” to the EU. Capacity to produce bioenergy from “waste” as a byproduct from other crops is limited. The sustainability of the continuation of current levels of biofuel processed from “waste” such as cooking oil must be questioned since efficient resource use should seek to reduce material consumption, and therefore waste. Other compost recovery or biogas conversion of crop wastes may be more sustainable than bio fuel refining

Limited modeling has been done on what a decarbonised Ireland towards 2050 would be through EPA funded research to University College Cork in particular:

<http://www.energyireland.ie/the-future-of-renewable-energy-in-ireland/>

This is based on modeling of significant increased bioenergy import in Ireland, for transport as well as industry which is not credible or tenable.

Furthermore, the adequacy of the vetting of information on the sustainability of biofuel sources, particularly imported from outside the EU, is problematic since so much is left to the supplier in what amounts to a self certifying system. The Volkswagen emissions scandal has undermined confidence in any industry supplied data.

If an effective Climate agreement is to be achieved in Paris this year, future accounting of biofuels and all bioenergy will have to be made on the basis of full trans-boundary emission impact, and parallel measures required to address water consumption and land use, biodiversity loss and other impacts.

Earlier this year the lead international development NGOs published a significant evidence based policy position to inform EU policy:

“ Pitfalls and Potentials: The role of bioenergy on the EU climate and Energy policy post 2020”

http://www.transportenvironment.org/sites/te/files/publications/2015%2004%2028%20Position%20paper%20EMBARGOED%20Biomass%20post%202020%20NGO%20recommendations_web.pdf.

The report recognises that sustainable bioenergy has a role to play in Europe’s transition to an energy system based on renewable energy and energy efficiency. However, to avoid serious

negative consequences for carbon emissions, biodiversity and land conflicts, it recommends and outlines in detail how and why the EU should introduce four main safeguards for bioenergy use as part of the EU's 2020 to 2030 climate and energy policies:

- Introduce a cap to limit the use of biomass for energy production to levels that can be sustainably supplied;
- Ensure efficient and optimal use of biomass resources, in line with the principle of cascading use;
- Include correct carbon accounting for biomass;
- Introduce comprehensive binding sustainability criteria.

The Europe Wide organisation Transport and the Environment questions the entire sustainability of a biofuel content:

"Every car in Europe uses a blend of biofuels, and this drives global production of biofuels. That means more deforestation, releasing stored-up carbon and driving up global food prices. This video explains this Butterfly Effect of EU biofuels policy and how we can end it. Read more at www.biofuelsreform.org"

5.0 Confronting a Moving Emissions Reduction Target

The EU 2020 objective of a 10% "renewable" target for transport is not an end in itself but the beginning of a more progressive target needed after 2020, which will require a total energy source switching, and large scale emission reductions.

Any emission accounting benefit of increasing the biofuel obligation, would be nullified if traffic generation and congestion is allowed to continue and increase, creating a moving target and diluting any real emission reduction impact.

The targets which Ireland has signed up to under the EU Effort Sharing Decision (ESD) were based on achieving a real reduction in national emissions of individual countries using percentage based targets based on 2005 emission levels.

Adopting a percentage target based response to emission reductions is futile, if the target is allowed to becoming a moving one as is happening with the rise in transport emissions in Ireland. There is a failure to address traffic generation, as congestion is growing at an unsustainable level beyond that of 2008 boom time levels, with M50 traffic alone having grown by 8% in the last one year period.

Ireland's transport emissions have risen despite the introduction of the current bio fuel content since 2010 and its increase in 2013. Emissions fell after 2008 but have substantially risen because of failed strategic planning accelerated by car dependence and road haulage based investment . The gain from car purchase switching to more emission efficient cars (which was

happening at European level in any case) and the existing biofuel obligation have been nullified by rise in transport demand. This is because of the failure to implement the car travel targets adopted as Government Policy in Smarter Travel 2009, along with measures to curb the impact of road freight.

The targets and objectives in Smarter Travel: A New Transport Policy for Ireland 2009 - 2020 provided that from 2009 :

"There will be a considerable shift to public transport and other sustainable forms of travel"

"The present levels of traffic congestion and travel times will be significantly reduced"

"Work related commuting by car will be reduced from a current modal share of 65% to 45%"

"The total kilometers traveled by the car fleet in 2020 will not increase significantly from current total car kilometers".

In addition The National Cycling Policy Framework 2009 proposed 2020 target of 10% of journeys by bicycle.

Smarter Travel also sets out the need to address road freight and reassess rail policy. No action was taken on this and modal share of rail freight has declined, while the multiple adverse environmental and health impact of road freight increased.

The commercial vehicle tax reduction measures introduced in the 2015 Budget will make the situation worse in failing to incentivise more fuel efficient vehicles.

Introducing a further biofuel content without reducing transport vehicle use undermines what should be two key requirements of addressing transport emissions namely;
Reducing car use through modal shift to public transport and cycling for shorter journeys.
Incentivising rail freight and new technology options for commercial road vehicles.

6.0 Perpetuating Polluting Diesel and Petrol Vehicle Use

The promotion of polluting diesel vehicles in Europe is now recognised as a major public policy error.

While the issue has been highlighted by the Volkswagen scandal in falsifying emission standards, the overall contribution from all sources of transport emission is a major public health issue across the EU. The most recent published European Environment Agency data published in June 2015 <http://www.eea.europa.eu/themes/air/intro> states :

" [Particulate matter](#), [nitrogen dioxide](#) and [ground-level ozone](#), are now generally recognised as the three pollutants that most significantly affect human health. Long-term and peak exposures to these pollutants range in severity of impact, from impairing the respiratory system to premature death. Around 90% of city dwellers in Europe are exposed to pollutants at concentrations higher than the air quality levels deemed harmful to health. For example, fine

particulate matter (PM2.5) in air has been estimated to reduce life expectancy in the EU by more than eight months. [Benzo\(a\)pyrene](#) is a carcinogenic pollutant of increasing concern, with concentrations being above the threshold set to protect human health in several urban areas, especially in central and eastern Europe.

Air pollution is causing damage to human health and ecosystems. Large parts of the population do not live in a healthy environment, according to current standards. To get on to a sustainable path, Europe will have to be ambitious and go beyond current legislation.
Hans Bruyninckx, EEA Executive Director”.

The introduction of a percentage biofuel content into diesel and petrol whether continued at the current level or increased, perpetuates the continued use of polluting diesel and fossil fuel generally, and disincentives the switch to lesser polluting technologies. As a public health priority the current classification and allowance of diesel particle emission is no longer tenable.

ENDS.