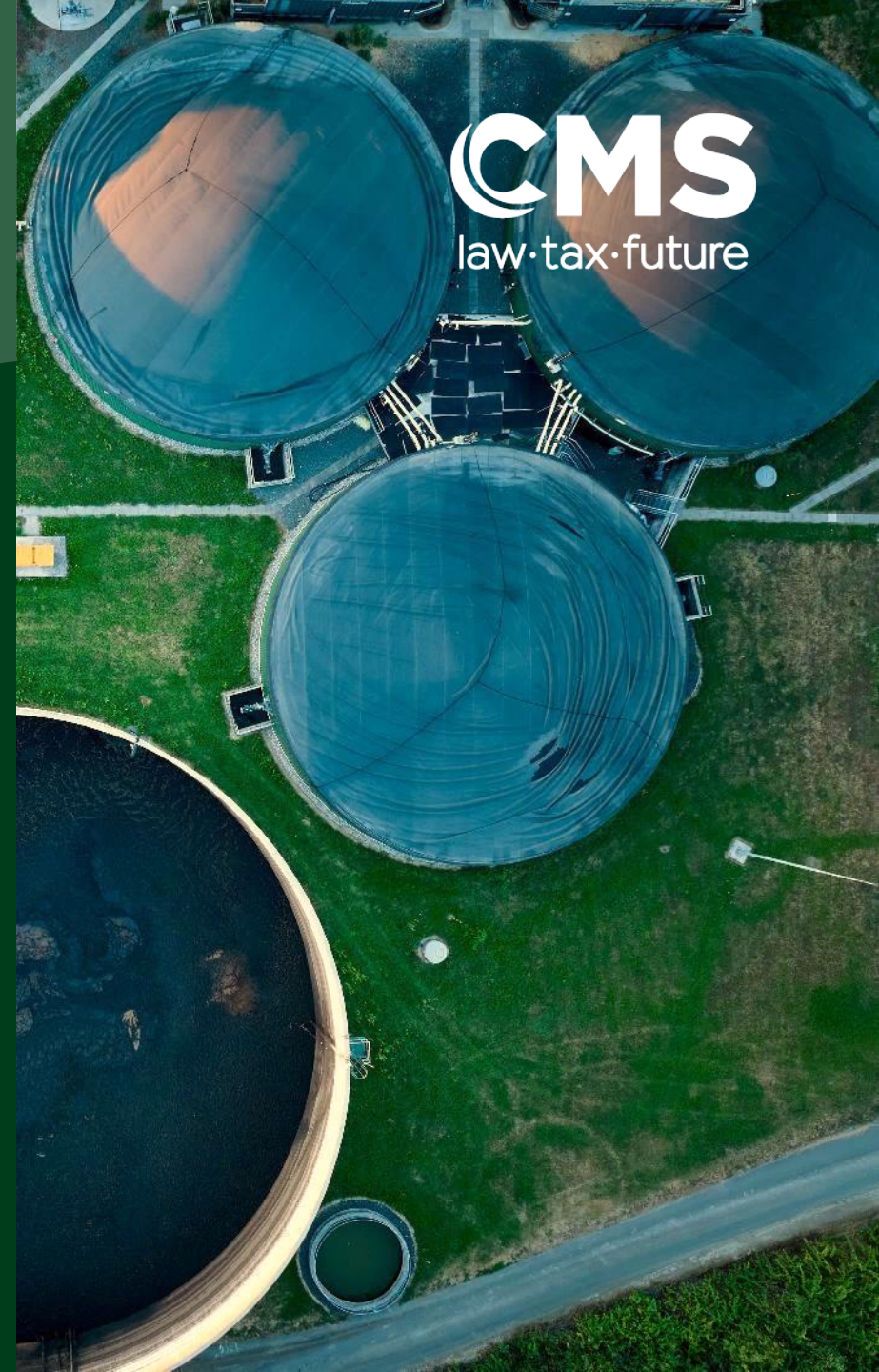


Biokraftstoffe | Chancen ergreifen:

Regulierung und Markteinblicke aus Deutschland und Mittel- und Osteuropa

Biokraftstoffe: Wie ist das rechtlich?



Hintergrund

Was sind Biokraftstoffe?

- ✓ Biokraftstoffe sind Energieerzeugnisse, die aus Biomasse i.S.d. Biomasseverordnung hergestellt werden.
- ✓ Im Einzelnen, u.U.:
 - Biodiesel
 - Bioethanol
 - Pflanzenöl
 - Hydrierte biogene Öle
 - Biomethan
 - Biogene Flüssiggase
 - verflüssigtes Biomethan

Warum Biokraftstoffe?

- ✓ **Klimaschutzziele**
 - EU: 2050, (P) Zwischenziel
 - DEU: 2045, bis 2030: Senkung um 65% ggü. 1990
- ✓ **Rechtsrahmen**
 - EU: RED I-III
 - Immissionsschutz (THG-Quote)
 - Emissionshandel
 - TEHG (Emittenten, Downstream)
 - ETS 2 und BEHG (Inverkehrbringer, Upstream)



Anreize zur Nutzung von Biokraftstoffen in DEU (1)

– THG-Quote nach BImSchG

- Adressat: Inverkehrbringer fossiler Kraftstoffe
- Sektor: Verkehr
- Biokraftstoffe zur Quotenerfüllung:
 - Biokraftstoff, der fossilem Otto- oder fossilem Dieselmotorkraftstoff, beigemischt wurde
 - reiner Biokraftstoff
 - Biokraftstoff, der fossilem Erdgaskraftstoff, zugemischt wurde (Biomethan)
 - Biomethan in Reinform
 - biogenes Flüssiggas
 - verflüssigtes Biomethan
- Wege zur Quotenerfüllung



Anreize zur Nutzung von Biokraftstoffen in DEU (2)

– Emissionshandel

- TEHG
 - Relevanz im Flugverkehr
- ETS 2 und BEHG:
 - Anwendungsbereich
 - BEHG: Emissionsfaktor Null für zertifizierte biogene Brennstoffe
 - ETS 2: Bepreisung ab 2027, ebenfalls Emissionsfaktor Null für zertifizierte Biokraftstoffe



Zertifizierung von Biokraftstoffen

Herkunftsnachweise (Guarantees of Origin, GoO)

- ✓ Herkunftsnachweise dienen dem Nachweis gegenüber dem Endverbraucher, dass eine bestimmte Menge Energie aus erneuerbaren Energieträgern gewonnen wurde, nicht dagegen, wie nachhaltig diese Energieträger gewonnen wurden.
- ✓ Ausstellung in DEU durch das UBA (2026)

Nachhaltigkeitsnachweise (Proof of Sustainability, PoS)

- ✓ Erklärung eines Wirtschaftsteilnehmers auf der Grundlage eines von einer Zertifizierungsstelle im Rahmen eines freiwilligen Systems ausgestellten Zertifikats, in der bescheinigt wird, dass eine bestimmte Menge von Brennstoffen die Nachhaltigkeitskriterien und die Kriterien für Treibhausgaseinsparungen nach der RED erfüllt
- ✓ **Biokraftstoff-Nachhaltigkeitsverordnung**



Anerkennung von Nachweisen aus dem Ausland

Herkunftsnachweise (Guarantees of Origin, GoO)

- ✓ Herkunftsnachweise, die in einem anderen EU-Mitgliedsstaat bzw. Vertragsstaat des EWR ausgestellt wurden, werden in Deutschland anerkannt
- ✓ Anerkennung von GoO aus Drittstaaten setzt ein Abkommen zw. der EU und dem Drittland voraus

Nachhaltigkeitsnachweise (Proof of Sustainability, PoS)

- ✓ Nachhaltigkeitsnachweise, die in einem anderen EU-Mitgliedsstaat bzw. Vertragsstaat des EWR ausgestellt wurden, werden in Deutschland anerkannt
- ✓ Hersteller von Biokraftstoffen aus Drittstaaten können diesen in die EU importieren und dort Nachhaltigkeitsnachweise ausstellen
- ✓ Anerkennung von Biogas aus dem Ausland?



Biomethane and Biogas: Developments in Ukraine and Poland



01

Biomethane and Biogas in Ukraine

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Biogas/biomethane Development in Ukraine (2024/2025)

Parameter	Biogas	Biomethane
Installed capacity, Mwe	140 (33 MW for LFG)	41 mill m ³ / year
Number of plants	~ 85 (33 for LFG)	4
Natural gas grid (GTS)	33 400 km, 1390 gas distribution stations	
Gas refilling stations for CNG	~ 300 unites (90,000 vehicles were running on CNG in 2005)	



The individual projects ranged from **125 kW_e** to **26MW_e** installed capacity

The first biomethane project was constructed in April 2023 on the basis of an existing biogas plant



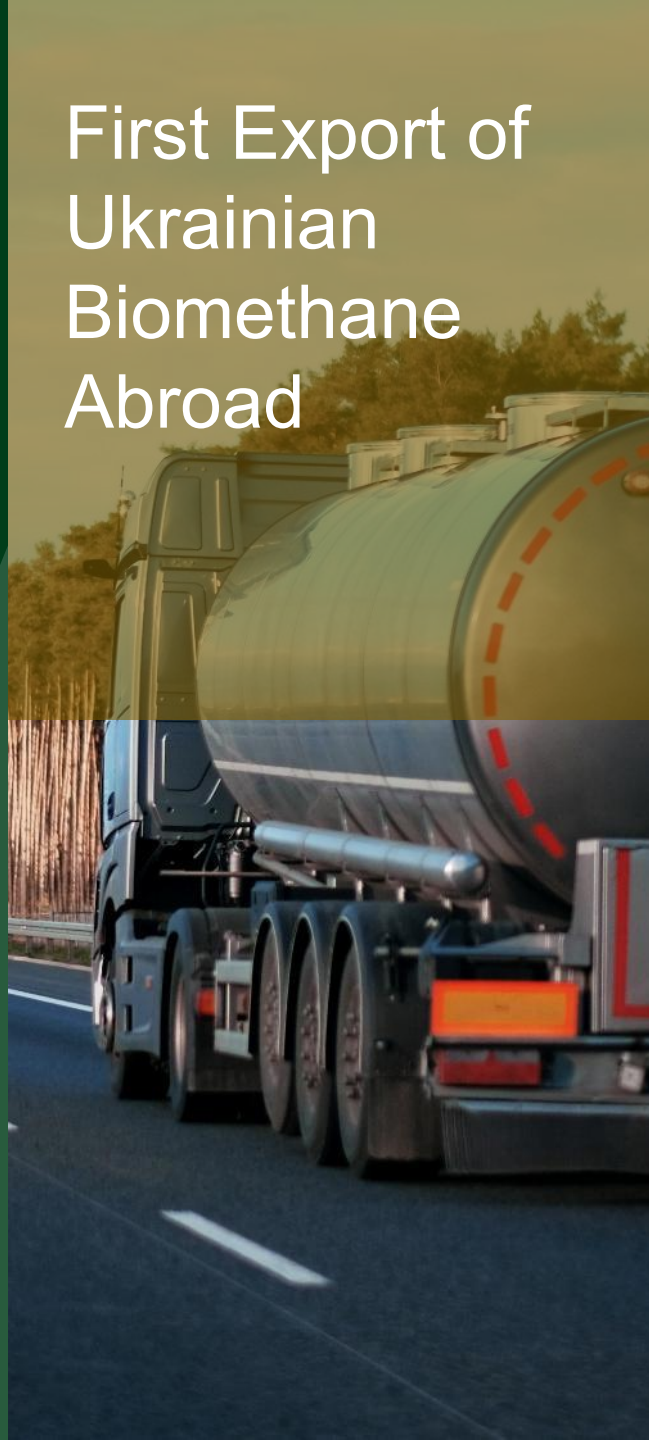
First biomethane is imported in EU in February 2025

A wide range of industries and different types of feedstock



- 01** On 06 February 2025, the Energy Customs issued **the first declaration for the export of biomethane to Europe** from Ukraine via the gas transportation system
- 02** **Ukraine has recently begun exporting biomethane** to the EU, Germany, with the first delivery taking place in February 2025
- 03** **Pipeline exports of biomethane open:** up prospects for a stable supply of environmentally friendly fuel to Europe
- 04** On 09 May 2025, **MHP, one of the biomethane producers, completed the first export shipment** of Ukrainian origin Bio-LNG to Europe
- 05** **Ukraine can potentially provide** up to **20% of EU biomethane demand** till 2050 (approx. 21,8 bcm per year)
- 06** **New opportunities** for the agricultural sector and bioenergy investors

First Export of Ukrainian Biomethane Abroad



Biomethane producers



Proofs of sustainability and register of Guarantees of Origin (GoO) for biomethane

Registry of GoO for Biomethane

- ✓ The **Biomethane GoOs** are issued **free of charge** in electronic form
- ✓ **A single Biomethane GoO** is issued for each 1 MWh of biomethane supplied to the gas or distribution system or produced for use in a liquefied or compressed state
- ✓ **For the transitional period** (till the biomethane register joins the European Union database), export of biomethane is carried out by biomethane producers provided without using the biomethane register

Proof of sustainability

- ✓ In the case of **biomethane export**, the customs authority shall only be provided with a certificate of compliance with the biomethane sustainability criteria for the producer of the relevant volumes of biomethane, as well as proof of biomethane sustainability regarding the relevant volumes
- ✓ **Proof of sustainability** – an accompanying document in accordance with the international certification scheme, created by a biomethane producer certified under the international certification scheme, containing information on the amount of sustainable biomethane produced in a certain period



Measures needed for the full EU recognition of Ukrainian biomethane

Although progress has been achieved, biomethane exports still require further regulatory alignment



The main challenge lies in integrating Ukraine's biomethane register with the European Union's Union Database and ensuring EU recognition of guarantees of origin issued in Ukraine. This step would simplify approval procedures and enable full integration of Ukrainian producers into the European market

However, the timeline and conditions for implementing these measures remain uncertain

Biomethane exports create new opportunities for Ukraine's agricultural sector, producers, and bioenergy investors. Since biomethane is derived from organic waste, it supports sustainable agriculture while providing economic incentives for producers, as EU exports enhance profitability and stimulate expansion of production capacities

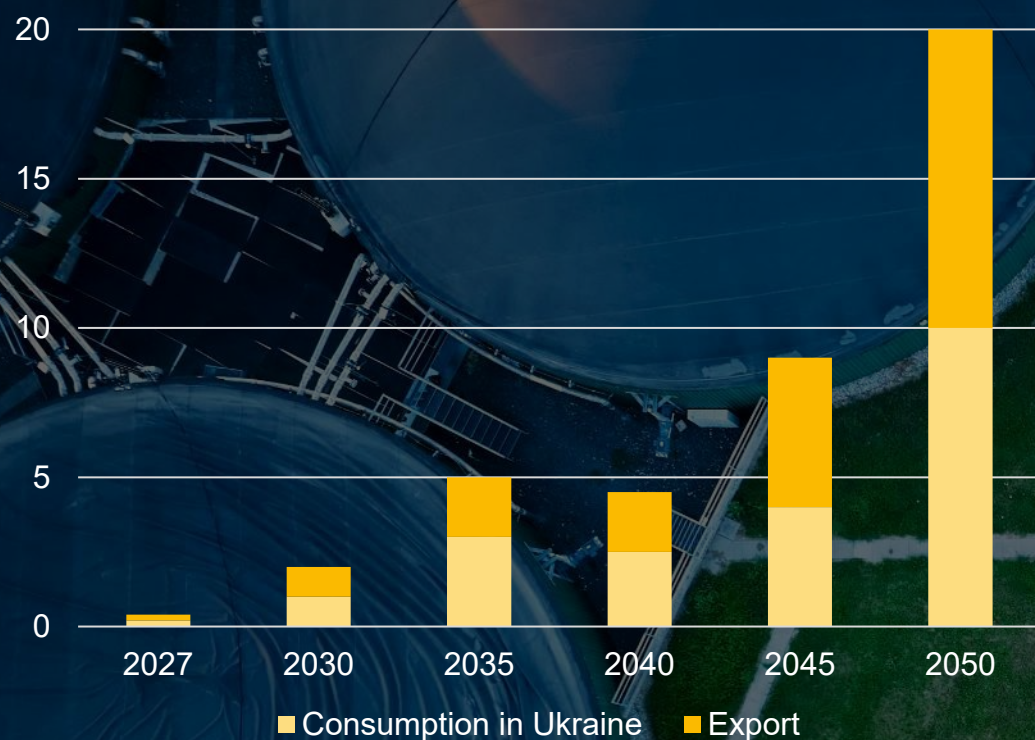
Ukraine's Biomethane Plants: Existing capacity and projects planned by the end of 2025

No.	Company	Location region	Capacity M³/Year	Type of connection	Sustainability certificate	Status
1	MHP	Vinnytsia	24	Bio-LNG	ISCC	Operational
2	MHP	Dnipropetrovsk	11	Gas Distribution System		
3	Hals Agro	Chernihiv	3	Gas Distribution System		
4	Vitagro	Khmelnytskyi	3	Gas Distribution System		
5	Theofipol Energy Company	Khmelnytskyi	56	Gas Transmission System		
6	YUM Liquid Gas	Vinnytsia	11	Bio-LNG	-	Planned for 2025
7	Hals Agro	Kyiv	3	Gas Distribution System	-	
Total:			111			



Ukraine's biomethane production potential until 2050

Production of biomethane (Bcm/y)



	2027	2030	2035	2040	2045	2050
Number of biomethane plants (units)	50	200	420	900	1900	4000
Necessary investments (billion EUR)	0.5	2	4.2	9	19	40
Reduction of GHG emissions (million mt of CO2e/y)	0.5	2.5	5.3	11.3	23.8	50
Created new jobs (thousand units)	3.1	12.5	26.2	56.2	118.7	250

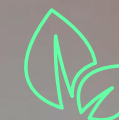
State support for investments in biogas and biomethane



So-called Investment Law No.1116-IX dated 17 December 2020 provides a range of benefits for the investments projects of over EUR 12 million in the processing industry, including production of biogas and biomethane:

- Exemption from payment of certain taxes and fees
- Ensuring the preferential right of use of land owned by the state or communal property needed to implement the investment project
- Compensation for the cost of connecting to engineering and transport networks
- Exemption from import duties on new equipment, including relevant accessories
- Ensuring the construction of engineering and transport infrastructure facilities or compensating such cost
- Exemption from compensation for losses of the investor's forestry production

Requirements for obtaining the state support



10 new jobs with an average salary at least 50% higher than the average salary in the region for the same type of activity



30 new jobs with an average salary at least 30% higher than the average salary in the region for the same type of activity

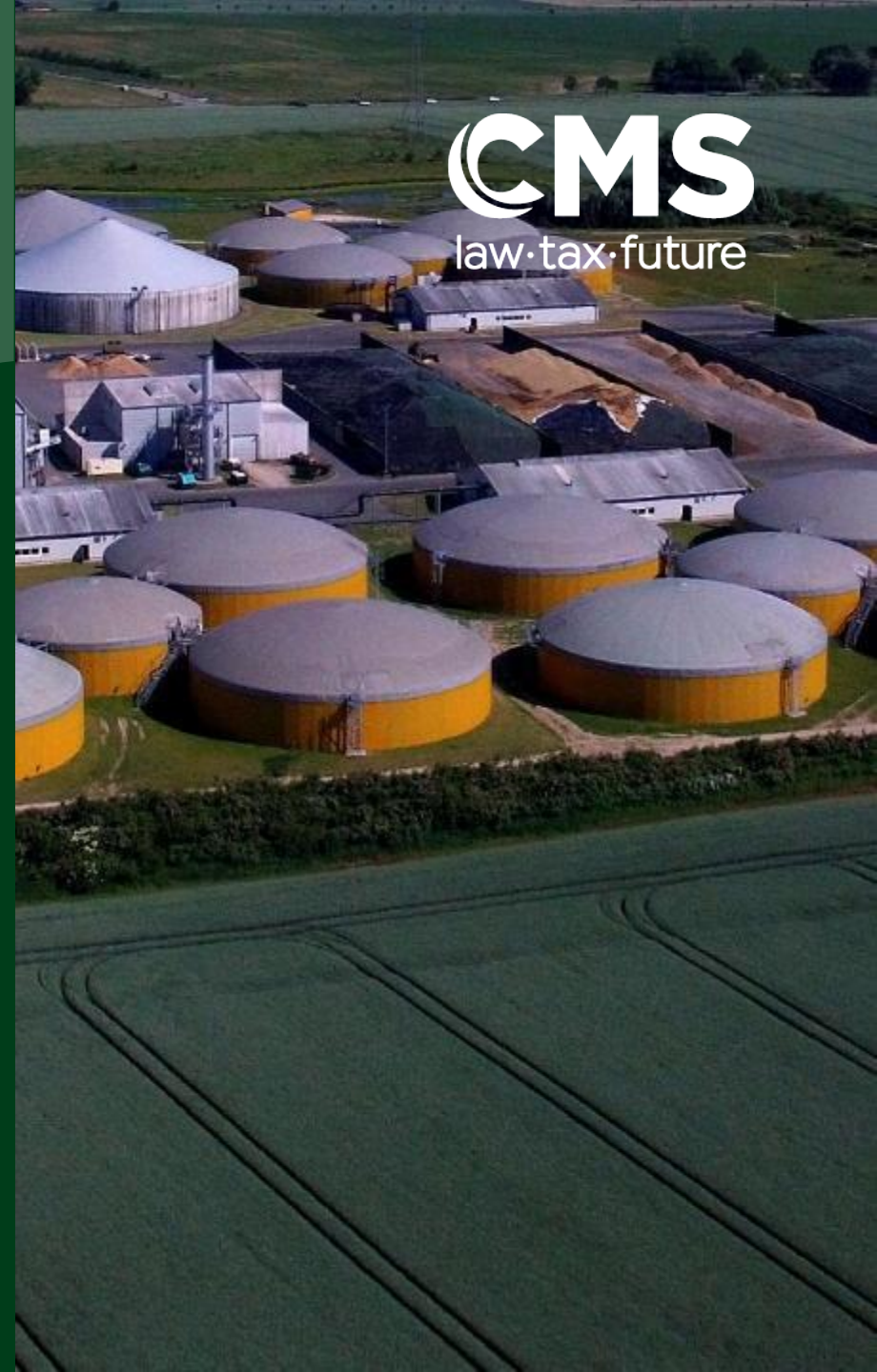


50 new jobs with an average salary at least 15% higher than the average salary in the region for the same type of activity

02

Biomethane and Biogas in Poland

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Biomethane Support Schemes in Poland

On 25 June 2025, the lower house of the Polish parliament enacted a draft law amending the implementation of biomethane and biogas projects. The new regulations are intended to create incentives for investment in large biomethane plants and complement the existing solutions

Support for small biomethane plants (up to 1 MW)

- Support via Feed-in-Premium (CfD)
- Producers sell biomethane on the market
- If price falls below the price established by the CfD → state pays the difference
- Support scheme available until June 2027

Guarantees of origin (GoO) for the biomethane produced

- Biomethane producers can apply to obtain sufficient GoO
- GoO add extra value to produced biomethane, as they can be traded separately
- Trading GoO provides producers with an additional source of revenue

Support for large biomethane plants (more than 1 MW)

- Support via auctions
- Producers bid with their price → lowest bids win
- Auctions held at least once a year
- Auctions will be carried out for two groups:
 - <2 MW
 - ≥2 MW

Eligibility criteria

This support scheme will cover plants producing biomethane from biomass biogas, agricultural biogas in a mixture with biogas or only biogas or a mixture of biogas and agricultural biogas. To be able to participate in the scheme, it will be necessary for biomethane plant to meet certain sustainability criteria:

- **only sustainable biomethane** (meeting EU rules)
- **must be certified by the National Energy Regulator**
- **need a gas grid connection + building permit** (if needed)

Dynamic growth of biogas and biomethane projects in Poland

Axpo enters Polish biogas market with acquisition of first asset

In 2024, CMS has advised Axpo Polska sp. z o.o. on the acquisition of a biogas plant producing green energy primarily from agricultural waste

The facility processes approximately 20,000 tons of agricultural substrates and produces 6,640 MWh of green electricity each year, as well as zero-carbon organic fertiliser, which is used by local farmers

ORLEN and Krajowa Grupa Spożywcza sign MoU to accelerate biomethane production in Poland

On 14 July 2025, ORLEN and Krajowa Grupa Spożywcza have entered into a memorandum of understanding to develop a nationwide biomethane portfolio. Under the new agreement, the parties will, inter alia, construct biomethane production facilities

By 2035, Orlen Group plans to deploy up to 0.24 billion m³ of biomethane per year towards meeting its National Indicative Target

SUEZ acquired 51% stake in Polish biogas producer ARA

On 19 July 2024, SUEZ acquired a 51% controlling stake in ARA Cursus (ARA). ARA, a Polish developer and operator of anaerobic digestion plants has developed a portfolio of 9 agricultural biogas projects in the country

Each project is designed to produce around 1 MW electrical renewable energy, with one project currently in operation. Also, each plant will reduce GHG emissions by at least 4,600 tons on an annual basis and will contribute to the sustainable development of communities by generating local direct jobs



Dynamic growth of biogas and biomethane projects in Poland

TotalEnergies Invests in Renewable Energies with Biogas

- TotalEnergies is expanding its renewable activities in Poland by acquiring Polska Grupa Biogazowa (**PGB**), the country's main biogas producer
- PGB operates 17 facilities, has 1 under construction, and a **total capacity of 166 GWh/year**, with a pipeline of 23 additional projects
- The acquisition increases TotalEnergies' biogas production capacity to **1.1 TWh**, positioning the company as a leader in Poland's biogas and biomethane market, Europe's fourth-largest with ~100 TWh potential
- In 2024, PGB has 450 GWh of equivalent biomethane capacity and aims for 2 TWh by 2030
- In 2025, TotalEnergies sells 50% of PGB to HitecVision

TotalEnergies biogas portfolio in Poland



Source: Total Energies, Poland: TotalEnergies Invests in Renewable Energies with Biogas and Solar Projects

Thank you!



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