

Brussels, 15 May 2019

To: DG Competition/Unit 03 - State aid Case Support and Infringement coordination

**Re: EWABA comments on the Public Consultation concerning the Prolongation of State aid Regulations and Guidelines.**

Dear sir of madam,

Many thanks for the opportunity to express our position regarding the proposed two-year prolongation of the Guidelines on State aid for environmental protection and energy.

We write on behalf of the European Waste-to-Advanced Biofuels Association (EWABA) representing 23 companies active in more than 20 Member States.

The recently adopted revision of the renewable energy directive identifies advanced biofuels with those produced from feedstocks in part A of annex IX of the RED. Our members mostly use feedstocks listed in part B of Annex IX of the Renewable Energy Directive-RED (used cooking oil and animal fats) to produce non-crop based biofuels with the highest GHG savings (as indicated in Annex V of the RED). While according to the RED II we don't produce advanced biofuels, we note that due to the superior qualities of our products (non-food or feed-competing, no ILUC, high GHG savings) they are considered as advanced in third countries such as Norway, Switzerland or the US.

Regarding the extension of the guidelines on state aid for environmental protection and energy 2014-2020, we reproduce here below two key paragraphs:

*“(112)In view of the overcapacity in the food-based biofuel market, the Commission will consider investment aid in new and existing capacity for food-based biofuel not to be justified. However, **investment aid to convert food-based biofuel plants into advanced biofuel plants is allowed to cover the costs of such conversion. Other than in this particular case, investment aid to biofuels can only be granted in favour of advanced biofuels**”*

We would like to stress the necessity to modify this paragraph in order to maintain investment in the conversion of food-based biodiesel plants into waste-based biodiesel plants using waste feedstocks such as animal used cooking oils and animal fats (listed in Part B of Annex IX).

We refer you to the GHG Reduction values in Annex V of the REDII in page L 328/148 of the Official Journal (attached) and reproduced below. These are the highest (for used cooking oil) and amongst the highest (for animal fats) on the list and therefore would certainly justify an environmental exception.

- *waste cooking oil biodiesel : 88 % (typical GHG savings value) / 84 % (default savings value)*



- *animal fats from rendering biodiesel: 84 % (typical GHG savings value) / 78% (default savings value)*

Many thanks for your consideration of this matter of great importance for our industry.

Best regards,

Angel

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