



Council of the
European Union

Brussels, 2 February 2017
(OR. en)

5896/17
ADD 1

AGRILEG 26
VETER 10

COVER NOTE

From: European Commission
date of receipt: 1 February 2017
To: General Secretariat of the Council

No. Cion doc.: D049061/02 ANNEX 1

Subject: ANNEX to the COMMISSION REGULATION (EU) .../... of XXX
amending Regulation (EU) No 142/2011 as regards the use of manure
of farmed animals as a fuel in combustion plants

Delegations will find attached document D049061/02 ANNEX 1.

Encl.: D049061/02 ANNEX 1



Brussels, **XXX**
SANTE/7161/2016 ANNEX
(POOL/G2/2016/7161/7161-EN
ANNEX.doc) D049061/02
[...] (2017) **XXX** draft

ANNEX 1

ANNEX

to the

COMMISSION REGULATION (EU) .../...

**amending Regulation (EU) No 142/2011 as regards the use of manure of farmed animals
as a fuel in combustion plants**

ANNEX

Annexes III and XVI to Regulation (EU) No 142/2011 are amended as follows:

(1) In Annex III, Chapter V, the following point C is added:

"C. Combustion plants in which manure of farmed animals other than poultry manure set out in point B is used as a fuel for combustion

1. Type of plant:

Combustion plants with a total rated thermal input not exceeding 50 MW.

2. Starting material:

Exclusively manure of farmed animals other than poultry manure set out in point B, to be used as a fuel for combustion in accordance with the requirements set out in point 3.

The combustion of other animal by-products or derived products shall not be allowed for use as a fuel in combustion plants referred to in point 1. Manure of farmed animals other than poultry manure set out in point B generated outside the holding should not come in contact with farmed animals.

3. Methodology:

Combustion plants in which manure of farmed animals other than poultry manure set out in point B is used as a fuel shall comply with requirements set out in points B(3), B(4) and B(5).

4. Derogation and transitional period:

The Member State competent authority responsible for environmental issues may:

(a) by way of derogation from point B(3)(b)(ii), grant combustion plants operating on [*enter the date of entry into force of this Regulation*] an additional time period of maximum 6 years to comply with the first paragraph of point 2 of Section 2 of Chapter IV of Annex III to Regulation (EU) No 142/2011.

(b) by way of derogation from point B(4), authorise emissions of particulate matter not exceeding 50 mg/m³, provided the total rated thermal input of the combustion plants does not exceed 5 MW.

(c) by way of derogation from point B(3)(b)(i), authorise manual placement of horse manure as fuel in the combustion chamber when a total rated thermal input not exceeding 0.5 MW."

(2) In Annex XVI, Section 12 is replaced by the following:

"Section 12

**Official controls regarding plants approved for the combustion
of animal by-products**

The competent authority shall carry out documentary checks in accordance with the procedures referred to in Article 6(7) and (8) in approved plants referred to in Chapter V of Annex III."