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REPORT

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## REPORT PURSUANT TO ARTICLE 4(1) OF DIRECTIVE 2003/30/EC OF 8 MAY 2003 ON THE PROMOTION OF THE USE OF BIOFUELS FOR TRANSPORT

### DATA FOR 2009

Article 4(1) of Directive 2003/30/EC of 8 May 2003 on the promotion of the use of biofuels and other renewable fuels for transport requires Member States to report to the Commission on, among other things:

- Measures taken to promote the use of biofuels;
- National resources allocated to the production of biomass for energy uses other than transport;
- Total sales of transport fuels;
- The share of biofuels placed on national markets;
- The level of national targets.

In line with this request, the Directorate-General for Energy Policy and Mines, within its sphere of competence, reports as follows:

#### 1.- MEASURES TAKEN

Measures taken in Spain to promote the use of biofuels in the transport sector include:

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- Article 6(5) of Law 53/2002 of 30 December on fiscal, administrative and social order measures, which establishes a "special tax rate for biofuels".
  - Until 31 December 2012 a special rate of zero euros per 1 000 litres shall apply to biofuels. This special rate applies solely to the volume of biofuel, even when it is used blended with other products.
- Article 9 of Royal Decree 1716/2004 of 23 July governing the obligation to maintain minimum security stocks, which allows persons under the obligation to maintain up to 40% of the aforementioned stock-holding obligation in the form of raw materials, thereby reducing the fixed-asset costs of the finished product.
  - The Ministry of Industry, Tourism and Trade applies this favourable regime for calculating minimum security stocks to businesses which produce biofuels – whether bioethanol or biodiesel – and which are classed as Operators on the Spanish market.
- Additional Provision Sixteen of Law 12/2007 of 2 July amending Law 34/1998 of 7 October on the hydrocarbons sector sets annual targets for biofuels and other renewable fuels for transport purposes.
  - These targets were indicative for 2008 at 1.9%, became mandatory in 2009 at 3.4%, and reached 5.83% in 2010.
  - To achieve these targets as efficiently as possible, Order ITC/2877/2008 of 9 October sets minimum targets per product, introduces a mechanism to measure the quantities of biofuels sold or consumed and a system of certification and compensatory payments managed by the National Energy Commission. This system will allow persons under the obligation to transfer certificates, while also serving as a control mechanism for this obligation. In 2009 mandatory per-product targets reached 2.5% for both petrol and diesel products.

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## **2.- NATIONAL RESOURCES ALLOCATED TO THE PRODUCTION OF BIOMASS FOR USES OTHER THAN TRANSPORT**

In 2009 the consumption of biomass, biogas and municipal solid waste, in terms of primary energy and not including biofuels, was as follows:

- Electricity generation: 1 195 ktoe
  - Final uses (heat): 3 942 ktoe
- TOTAL: 5 137 ktoe

## **3.- TOTAL SPANISH MARKET SALES OF BIOFUELS FOR TRANSPORT IN 2009**

- National consumption of automotive petrol<sup>1</sup>: 6 005 kt
- National consumption of automotive diesel fuels: 23 785 kt
- Sales of bioethanol for transport purposes: 236 kt
- Sales of methyl ester for transport purposes: 1 028 kt

The figure given for bioethanol was for the production of ETBE in Spanish refineries for subsequent formulation of petrol.

National production of methyl ester was obtained from virgin oils and waste vegetable oils and was used in the transport sector primarily by blending with automotive diesel.

In accordance with the above quantities, the share of biofuels in the Spanish transport sector for 2009 was as follows:

- For petrol:
  - Consumption of petrol: 6 005 kt
  - Consumption of bioethanol: 236 kt

<sup>1</sup>95 IO and 98 IO

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These figures indicate a share of 2.48%, calculated on the basis of the energy content of the products.

- For diesel:
  - Consumption of automotive diesel: 23 785 kt
  - Consumption of biodiesel: 1 028 kt

These figures indicate a share of 3.82%, calculated on the basis of the energy content of the products.

Thus, the average share of all biofuels in the transport sector in 2009 amounted to **3.55%**.

### 5.- NATIONAL INDICATIVE TARGETS

The reference value for 2009 for national targets for marketing of biofuels and other renewable fuels in the transport sector is estimated at **3.55%**, calculated on the basis of the energy content of the aforementioned products on the Spanish transport market. The mandatory 3.4% target for 2009 set out in Additional Provision Sixteen of Law 12/2007 of 2 July amending Law 34/1998 of 7 October on the hydrocarbons sector has thus been met.

Directive 2003/30/EC sets the national biofuel consumption target for 2010 at 5.75%. However, Spain has, as stated above, set a more ambitious mandatory target of 5.83% for 2010.