

Biogas Register Germany – Catalogue of Criteria. (status from 15.09.2021)

No. (type)	Designation	No. (type)	Designation
1 (b)	Biomass within the meaning of the Biomass Ordinance [Biomasseverordnung, BiomasseV]	21 (b)	Methane emission (EEWärmeG 2009)
1b (b)	Broad biomass term EEG 2017	22 (b)	Process heat/ waste heat (EEWärmeG 2009)
2 (b)	Exclusivity	23 (b)	DIN 51624
3 ¹ (b)	Other biomass (Electricity Tax Act [Stromsteuergesetz, StromStG])	24 ¹ (c)	Mass balance system (Federal Office for Agriculture and Food [Bundesanstalt für Landwirtschaft und Ernährung, BLE])
4 (b)	Quantity structure is plausible	25 ¹ (a)	Proof of sustainability for the interface
5 (b)	Record of the substances used	26 ¹ (b)	Proof of sustainability (transitional solution)
6 (b)	Feed-in quantity into the natural gas network	27 (b)	Mass balancing up to the injection into the natural gas network
7 (b)	Natural gas quality for the entire quantity	28 (b)	Substance tariff class 0
8 ¹ (b)	Maximum methane emission (Renewable Energy Sources Act [Erneuerbare-Energien-Gesetz, EEG] 2009)	29 (b, U)	Substance tariff class 1
9 (b)	Maximum electricity consumption (EEG 2009/2012 and Renewable Energies Heat Act [Erneuerbare-Energien-Wärmegesetz, EEWärmeG] 2009/2011)	30 (b, U)	Substance tariff class 2a
10 (b)	Renewable process heat (EEG 2009/2012)	31 (b, U)	Substance tariff class 2b (manure)
11 (a)	Capacity up to 350Nm ³ /h	32 (a)	nominal output 0-700Nm ³ /h
12 (a)	Capacity 350-700Nm ³ /h	33 (a)	nominal output 700-1,000Nm ³ /h
13 (a)	Linking of gas processing plants does not apply	34 (a)	nominal output 1,000-1,400Nm ³ /h
14 (b)	Renewable raw materials [Nachwachsende Rohstoffe, Nawaro]/manure	35 (b)	Digestate storage, retention time, gas appliance
15 (b, U)	Possibly by-products	35a (b)	retention time, gas appliance
16 ¹ (a)	One plant per facility site	36 (b)	Composting facility for Digestate
17 (b)	Digestate storage cover/gas flare	37 (b)	Maize cap (max. 60%)
17a (b)	Gas flare	38 (b)	Max. methane emission (EEG 2012 and EEWärmeG 2011)
18 (b, U)	Landscape conservation	39 (b)	Biowaste (min. 90%)
19 (b)	Landfill gas exclusively	39a (b)	Biowaste (predominant)
20 (b)	Sewage gas exclusively	40 (b)	Recycling of the digestate
		41 (b)	Biomass within the meaning of the EEWärmeG
		41 a (b)	Biomass as defined by the GEG

No. (type) Designation

- 42 (b) Biomass within the meaning of the Section 7 of the 36th Federal Immission Control Ordinance [Bundes-Immissionsschutzverordnung, BImSchV]
- 43 (b) Biomass within the meaning of the Monitoring Ordinance [Monitoring-Verordnung, MVO]
- 44 (b) Gas exclusively from renewables-based electricity.
- 45 (a) Temporary storage prior to the electricity grid
- 46 (b) No deliberate generation of CO/CO₂
- 47 (b) H₂/CH₄ far predominantly from RE according to RL 2009/28/EG
- 48 (b) Exclusivity electrolyzer
- 49 (a) Gas processing plant with first injection prior to 23.01.2014
- 50 (a) Gas processing plant with permit prior to 23.01.2014 and injection prior to 01.01.2015
- 51 (b) Maize use in mass percentage (decreasing from max. 50 % in 2017 to max. 40 % from 2021)

Notes.

Type of verification

- a: plant-related criterion, part of the plant audit (is documented in advance)**
- b: operational criterion, prerequisite for the company audit (is documented at a later date)**
- c: batch-related criterion, must again be evidenced by the user in the event of a division/change of ownership, complete chain of evidence is necessary.**
- U: This examination has to be performed by an environmental expert.**

Footnotes

- 1. Criteria 3, 8, 16 and 26 do no longer apply and/or the expiry of their applicability is foreseeable. More details can be found in the explanations regarding the individual criteria.**
- 2. The documentation of mixed input remuneration classes can only be carried out by environmental verifiers.**
- 3. Mass balancing according to the legal requirements via the web application nabisy of the Federal Agency for Agriculture and Food (BLE).**

Legal notice:

The following explanations concerning the catalogue of criteria of the biogas register were prepared to the best of the registrar's knowledge. However, the registrar does not assume any responsibility as to whether or not the information provided is complete, accurate and up-to-date. The registrar intends to provide a helpful overview of the essential criteria by means of this explanation.

Please note that the registrar does not and/or must not make any legally binding or consulting statements.

Explanations of the criteria

No. (Type)	Criterion	Explanation	Legal references
1 (b)	Biomass within the meaning of the Biomass Ordinance	<p>Only biomass within the meaning of the BiomasseV 2012/2014/2017 was used in the production of the biogas (example: plants and plant components, section 2 subsection 2 no. 1 BiomasseV 2012/2014/2017). Under current law, this requirement applies both to installations in the tendering process (section 22(4) sentence 1 EEG 2021) and to those not subject to a tendering obligation (section 42 EEG 2021).</p> <p>If applicable, it must also be checked here whether biomass outside the definition of the Biomass Ordinance was used on a pro rata basis. For example, the use of certain animal by-products would be permissible, but not eligible under the Renewable Energy Sources Act, because it is biomass, but outside the Biomass Ordinance, as section 3 no. 9 Biomass Ordinance shows. The auditor then checks whether the other biomass used was indeed exclusively other biomass (and not, for example, another fermentable substance such as paper, cardboard,...). In addition, it is checked that the specified proportion of other biomass was complied with (input material diary).</p>	<ul style="list-style-type: none"> ■ cf. § 22 para. 4 p. 1, 42 EEG 2021; § 22 para. 4 p. 1, § 42 EEG 2017; § 44 EEG 2014; § 27 para. 1 EEG 2009/2012; ■ § 8 para. 1 EEG 2004; ■ § Section 3 no. 1 EWärmeG BW 2008; Section 3 no. 10 a) EWärmeG 2015 BW ■ § 2 para. 1 Biokraft-NachV, § 37b para. 1 BImSchG ■ if applicable, § 27 para. 3 no. 2 EEG 2009, Art. 2 lit. e RES Directive ■ § 2 No. 7 StromStG, § 1b para. 2 StromStV
1b (b)	broad biomass term EEG 2021	<p>Use of biomass within the meaning of the broad biomass definition of the Renewable Energy Sources Act 2021. This biomass definition includes criterion 1, but is broader than the biomass definition used there.</p>	<ul style="list-style-type: none"> ■ § 3 No. 11, 13, 21.e) EEG 2021 ■ § 2 No. 12 KWKAusV

2 (b)	Exclusivity	<p>Proof that no substances other than biomass within the meaning of the Biomass Ordinance 2012/2014/2017 were used for the eligible share (for remuneration under section 8(1) of the Renewable Energy Sources Act 2004: for the entire electricity generation): Proof that e.g. no peat was used, § 3 No. 2 BiomasseV 2012/2014/2017).</p>	<ul style="list-style-type: none"> ■ § 19 par. 1 EEG 2014/2017/2021; § 16 par. 1 EEG 2009, §§ 39i, 42, 43 EEG 2021, §§ 39h, 42, 43 EEG 2017, § 44 EEG 2014, § 45 EEG 2014; ■ §§ Sections 27(1) and 27a EEG 2009/2012; ■ § 8 par. 1 EEG 2004; other biomass: ■ cf. § 27 par. 3 no. 2 EEG 2009, ■ § 2 No. 7 StromStG
3 (b)	Other biomass (StromStG)	<p>Since the amendment of Section 1 (2) StromStV, this criteria no longer has any independent significance and is covered by criteria 1.</p>	
4 (b)	Quantity structure is plausible	<p>Documentary evidence that the quantity of biomass used for the generation was sufficient for the produced quantity of biomass. With regard to storage gas, the documentary evidence that the electricity used for the generation of the storage gas exclusively on the basis of renewable energy sources was sufficient for the quantity of storage gas produced.</p>	<ul style="list-style-type: none"> ■ Examination performed by an expert ■ For legal references see criteria 2
5 (b)	Record of the substances used	<p>The raw materials used for the production of biogas were documented in the record of substances used in a comprehensible and complete manner.</p>	<ul style="list-style-type: none"> ■ Cf. section 44 c (1) no. 1, (9) EEG 2021; section 39 i (4) EEG 2021; section 44c (1) no. 1, (4), 2 EEG 2017; section 39h (4) EEG 2017; section 47 (2) no. 1 EEG 2014; section 27 (3) no. 2 and no. I no. 1.b Annex 2 EEG 2009; ■ § 27 par. 5 (b) and par. 6 no. 4 EEG 2012; ■ § 8 par. 2 no. 2 EEG 2004

- | | | | |
|-------|---|--|--|
| 6 (b) | Feed-in quantity into the natural gas network | Documentary evidence that the quantity of bio-gas/quantity of storage gas was actually fed into the natural gas network (by way of checking the meter readings). | <ul style="list-style-type: none"> ■ cf. section 44 b subsection 4 EEG 2021 (for tenders in conjunction with section 39 i subsection 4 EEG 2021 or section 39m subsection 3 EEG 2021). § 39 i para. 4 EEG 2021 or § 39m para. 3 EEG 2021); § 44b para. 5 EEG 2017 (in the case of tenders in conjunction with § 39h para. 4 EEG 2017), §§ 47 para. 6 EEG 2014, 27 para. 2 EEG 2009, ■ 25 par. 2, 24 par. 2 EEG 2009/2012, ■ § section 27c(1) EEG 2012; ■ § Section 8 (1) sentence 3 EEG 2004; ■ Section II.1.b) EEWärmeG 2009; ■ No. II.1.c)aa) EEWärmeG 2011; ■ § Section 3 no. 2 EWärmeG 2008 BW, Section 5 para. 3 EWärmeG 2015 BW; ■ § 50 para. 1 sentence 1 no. 4 EnergieStG; ■ § 37a para. 5 sentence 1 no. 3 BImSchG ■ § Section 2 No. 12 KWKAusV |
|-------|---|--|--|
-

7 (b)	Natural gas quality for the entire quantity	The entire biogas fed in was processed into natural gas quality; therefore, the prerequisites for the criterion of the natural gas quality were met for the entire feed-in quantity.	<ul style="list-style-type: none"> ■ § Section 27c (2) EEG 2012; ■ Annex 1 No. I No. 1 EEG 2009/2012; ■ § 8 par. 4 EEG 2004; ■ § Article 22(1) sentence 1 no. 2 letter c) GEG; ■ § 40 par. 3 no. 2 GEG; ■ No. II.1.b) EEWärmeG 2009; ■ No. II.1.c) EEWärmeG 2011; ■ § Section 5(3) EEWärmeG 2015 BW ■ §50 para. 1 no. 4 EnergieStG; ■ § 37a para. 4 BImSchG
8 ¹ (b)	Max. methane emission (EEG 2009)	<p>The maximum methane emission into the atmosphere of 0.5% permitted for the processing was not exceeded.</p> <p>Criterion 8 expired on 30 April 2012, cf. Section 66 Para. 1 No. 7 EEG 2012. Since 1 May 2012, the so-called methane slip is also 0.2% (instead of 0.5%) for existing plants, see criterion 38.</p>	<ul style="list-style-type: none"> ■ Annex 1 Item I No. 1.a EEG 2009
9 (b)	Max. electricity consumption (EEG 2009/2012 and EEWärmeG 2009/2011)	During the processing, a maximum electricity consumption of 0.5kWh per Nm ³ of crude gas was not exceeded.	<ul style="list-style-type: none"> ■ Annex 1 No. I No. 1.b EEG 2009/2012; ■ § 22 par. 1 sentence 1 no. 2 letter c) GEG; ■ § 40 par. 3 no. 2 GEG; ■ Annex II No. II.1.b)bb) EEWärmeG 2009; ■ Annex II No. 1.c) aa) EEWärmeG 2011 ■ § Section 5 (3) sentence 3 EEWärmeG 2015 BW
10 (b)	Renewable process heat (EEG 2009/2012)	The process heat required for the generation and processing was entirely made available on the basis of renewable energy sources, mines gas or on the basis of the waste heat of the gas processing or feed-in plant without using any additional fossil fuels.	<ul style="list-style-type: none"> ■ Annex 1 No. I No. 1.c EEG 2009/2012 ■ § Section 5 (3) sentence 3 EEWärmeG 2015 BW

11 (a)	Capacity up to 350Nm ³ /h	The production capacity of the plant is less than 350Nm ³ /h (output quantity from the gas processing process).	■ 350Nm ³ : Cf. Annex1 Item I No. 2.a EEG 2009
12 (a)	Capacity 350-700Nm ³ /h	The production capacity of the plant is between 350Nm ³ /h and 700Nm ³ /h (output quantity from the gas processing process).	■ 700Nm ³ : Cf. Annex 1 Item I No. 2.b EEG 2009
13 (a)	Linking of gas processing plants did not exist	No linking of several processing plants due to the location on one property or otherwise in the immediate vicinity.	■ Annex 1 Item I.2. in connection with Section 19 Para. 1 EEG 2009/2012
14 (b)	Renewable raw materials [Nawaro]/manure	All raw materials for the production of biogas actually meet the requirements for renewable raw materials or manure, unless admissible plant-based by-products are used. In this case, the quantity of gas produced from the plant-based by-products falls within the scope of criterion 15.	■ Annex 2. Item I. No. 1a) Items II.-IV. EEG 2009
15 (b,U)	Possibly by-products	Make sure that only admissible plant-based by-products, such as vegetable waste, are used alongside renewable raw materials and manure. This criterion serves to define the partial gas quantities from the renewable raw materials, the manure and the plant-based by-products.	■ Annex 2 Item I No. 3, Item V EEG 2009
16 ¹ (a)	One plant/ company premises	Only one plant on the company premises. Since 1 January 2012, criterion 16 does also apply to the electricity generation in existing plants.	■ Annex 2 Item I No. 1.c EEG 2009
17 (b)	Fermentation residues cover/gas flare	Confirmation that the storage for fermentation residues was gas proof and that an additional gas consumption facility was used for an incident or for an overproduction, only applies to plants which are subject to approval according to the Federal Immission Control Act.	■ Annex 2 Item I No. 4 EEG 2009

17a (b)	Gas flare	<p>Installations claiming the basic remuneration according to EEG 2009 but not the Nawaro bonus must prove that additional gas consumption equipment was installed during production.</p> <p>If criterion 17 was positively tested, then criterion 17a must also be regarded as fulfilled and need not to be selected.</p>	<ul style="list-style-type: none"> ■ § 66 Abs. 1 Nr. 3, 6 Abs. 4 Nr. 2 EEG 2012
18 (b,U)	Landscape conservation	<p>Mainly raw materials from residues from landscape conservation were used (incl. proof of the quantity).</p>	<ul style="list-style-type: none"> ■ Annex 2 No. VI No. 2.c EEG 2009 in conjunction with section 101(2) No. 1 EEG 2014 and Annex 3 No. 5 to the Biomass Ordinance 2012
19 (b)	Landfill gas exclusively	<p>It only concerns landfill gas.</p>	<ul style="list-style-type: none"> ■ §§ Section 24 (1) EEG 2009, Section 24 EEG 2012; ■ § 3 par. 3 no. 4 GEG ■ § 2 No. 4.c) EEWärmeG, ■ § 3 No. 10 c) EEWärmeG 2015 BW; ■ § 2 No. 7 StromStG
20 (b)	Sewage treatment gas exclusively	<p>It only concerns sewage treatment gas.</p>	<ul style="list-style-type: none"> ■ § Section 25 (1) EEG 2009/2012; ■ § 2 para. 1 no. 4.d) EEWärmeG; ■ § 3 No. 10 d) EEWärmeG 2015 BW; ■ § 2 No. 7 StromStG
21 (b)	Methane emission (EEWärmeG 2009)	<p>Methane emissions and electricity consumption were reduced according to the best available technology in each case (requirements of the EEWärmeG 2009).</p>	<ul style="list-style-type: none"> ■ Annex Item II No. 1.c) aa) EEWärmeG 2009
22 (b)	Regenerative process heat/waste heat (EEWärmeG 2009)	<p>The process heat requirements were met on the basis of renewable energy sources or waste heat.</p>	<ul style="list-style-type: none"> ■ Annex Item II No. 1.b) bb) EEWärmeG 2009
23 (b)	DIN 51624	<p>Biogas meets the requirements of DIN 51624.</p>	<ul style="list-style-type: none"> ■ cf. § 8 of the 10th BImSchV in conjunction with § 50 para. 1 sentence 1 no. 4 of the Energy Act or in conjunction with § 37b para. 6 of the BImSchG.

24 ¹ (c)	Mass balance system (Federal Office for Agriculture and Food)	Comprehensive documentary evidence for the origin of the sustainable biomass via a mass balance system pursuant to the Biofuel Sustainability Ordinance, e.g. "nabisy" from the Federal Office for Agriculture and Food.	<ul style="list-style-type: none"> ■ Sections 16 Para. 2, 17 Para 2 Biokraft-NachV
25 ¹ (a)	Proof of sustainability	The biogas upgrading plant may issue sustainability certificates because it has a valid interface certificate. The actual proof of sustainability is provided by the verification document issued by the interface. Informative note: This proof is also available.	<ul style="list-style-type: none"> ■ §§ 14, 15 Biokraft-NachV, § 6 Abs. 1 EBeV 2022
26 ¹ (b, U)	Proof of sustainability (transitional solution)	<p>If biofuel was brought into circulation by 31 December 2011, it may – as an alternative to criterion 25 – also be evidenced at a later date by way of a certificate of an environmental expert that the quantity met the requirements of the Biofuel Sustainability Ordinance at the date of the feed-in into the natural gas network.</p> <p>The transitional solution for the proof concerning the quantity of biofuel brought into circulation expires for 2011 with retroactive effect on 15 April 2012. The transitional solution for the energy tax relief of biofuels expires for 2011 with retroactive effect on 31 December 2012.</p>	<ul style="list-style-type: none"> ■ Section 58 BioKraftNachV, ■ Section 37c Para. 1 S. 1 BIm-SchG ■ Section 50 EnergieStG, ■ Section 94 Para. 1 EnergieStV;

27 (b)	Mass balancing up to the feeding into the natural gas network	From the production of the biomethane/storage gas (or in the case of the upgrading of raw biogas from several fermenters in the same upgrading plant: recommended from the production of the raw biogas) to the injection into the natural gas grid, the prescribed mass balancing was carried out by the auditor. The quantity transferred to the natural gas network operator was transferred to the Biogas Register Germany. For uses in the context of the BEHG, proof of a biomethane supply contract is also required.	<ul style="list-style-type: none"> ■ § Section 44b subsection 4 EEG 2021 (in the case of tenders in conjunction with section 39 i subsection 4 EEG 2021 or 39m subsection 3 EEG 2021); 44b subsection 5 no. 2 EEG 2017 (in the case of tenders in conjunction with section 39h subsection 4 EEG 2017); section 47 subsection 6 no. 2 EEG 2014; section 27c subsection 1 no. 2 EEG 2012 ■ § section 22(1) sentence 1 no. 2 lit. c) GEG ■ § section 40(3) no. 2 GEG ■ § Section 5 sub-section 2 EEWärmeG ■ § Section 6 sub-section 4 p. 1 and 2 EBeV 2022 ■ No. II. No. 1. c) bb) Annex EEWärmeG 2011; § 5 par. 3 sentence 2 EWärmeG 2015 BW ■ Interpretative Guidance on Mass Balancing pursuant to section 27c(1)(2) of the Renewable Energy Sources Act 2012 of the BMU of 29.06.2012 ■ § Section 2 No. 12 KWKAusV
28 (b ²)	Substance tariff class 0	Biomass was used as a substrate within the meaning of the Biomass Ordinance which does not justify a claim for a substance-related compensation.	<ul style="list-style-type: none"> ■ Section 27 Para. 1 EEG 2012; Annex 1 BiomasseV
29 (b,U ²)	Substance tariff class 1	Substances of substance tariff class 1 pursuant to Annex 2 of the Biomass Ordinance were used as a substrate.	<ul style="list-style-type: none"> ■ Section 27 Para. 2 No. 1 EEG 2012; Annex 2 BiomasseV
30 (b,U ²)	Substance tariff class 2a	Substances of substance tariff class 2 pursuant to Annex 3 of the Biomass Ordinance were used as a substrate; this did not apply to manure.	<ul style="list-style-type: none"> ■ Section 27 Para. 2 a) EEG 2012; ■ Annex 3 BiomasseV

31 (b,U ²)	Substance tariff class 2b (manure)	Manure was used as a substrate which is deemed to be a substance of the substance class 2 pursuant to Annex 3 of the Biomass Ordinance	<ul style="list-style-type: none"> ■ Section 27 Para. 2 No. 2 b) EEG 2012; ■ Annex 3 BiomasseV
32 (a)	Rated output 0-700Nm ³ /h	The rated output of the plant is less than 700Nm ³ /h (output quantity from the gas processing process).	■ Annex 1 No. 2 EEG 2012
33 (a)	Rated output 700-1,000Nm ³ /h	The rated output of the plant is between 700 and 1,000Nm ³ /h (output quantity from the gas processing process).	■ Annex 1 No. 2 EEG 2012
34 (a)	Rated output 1,000-1,400Nm ³ /h	The rated output of the plant is between 1,000 and 1,400Nm ³ /h (output quantity from the gas processing process).	■ Annex 1 No. 2 EEG 2012
35 (b)	Storage facility for fermentation residues, retention time, gas consumption facility	Any new storage facility for fermentation residues constructed at a location of biogas generation after 1 January 2012 is gas proof. The minimum hydraulic retention time in the system is 150 days. It was connected to a gas utilisation facility. Additional gas utilisation facilities are used to avoid any release of biogas.	■ § 9 para. 5 EEG 2021; 9 para. 5 EEG 2017
35a (b)	Dwell time, gas consumption device	<p>For digestate storage facilities constructed after 31.12.2011, the hydraulic retention time in the entire gas-tight system of the biogas plant connected to a gas utilisation system shall be at least 150 days. Gas consumption devices are additionally used to prevent a release of biogas.</p> <p>If criterion 35 was tested positively, criterion 35a is thus also to be considered fulfilled and need not be selected.</p>	§ Section 9 (5) EEG 2021; Section 9 (5) EEG 2017
36 (b)	Composting facility for fermentation residues	<p>The fermenter is directly linked to the composting facility for fermentation residues.</p> <p>Only concerns the fermentation of biowaste.</p>	<ul style="list-style-type: none"> ■ § Section 43(2) EEG 2021; Section 43(2) EEG 2017; Section 45(2) EEG 2014; Section 27a(3) EEG 2012

37 (b)	Maize cap (max. 60%)	<p>The share of maize (whole crop) and grain kernels, including corn-cob mixes and grain maize as well as ground ear maize in the calendar year amounted to no more than 60 mass percent ("maize cap").</p> <p>For plants which use biogas produced by biogas production plants that already produced biogas prior to 1 January 2012, this provision does not apply (Section 66 Para. 4 EEG 2012).</p>	<ul style="list-style-type: none"> ■ § Section 27 (5) number 1 EEG 2012 ■ § Section 66 (4) EEG 2012
38 (b)	Maximum methane emission (EEG 2012 and EEWärmeG 2011)	<p>During processing, the methane emission is less than 0.2%.</p>	<ul style="list-style-type: none"> ■ § 27c par. 1 (if applicable in conjunction with § 66 par. 1 no. 7) EEG 2012; ■ § 22 par. 1 sent. 1 no. 2 letter c) GEG; ■ § section 40 subsection 3 no. 2 GEG; ■ Annex 1 No. 1 EEG 2012; section 5 subsection 2 EEWärmeG 2011; section 5 subsection 3 sentence 3 EEWärmeG 2015 BW ■ Annex no. II. No. 1. c) aa) EEWärmeG 2011
39 (b)	Biowaste (min. 90%)	<p>The substrate used was biomass as defined by the Biomass Ordinance 2012/2014/2017 with an average share of at least 90% by mass of separately collected biowaste (biodegradable waste, mixed municipal waste, market waste).</p>	<ul style="list-style-type: none"> ■ § Section 43(1) EEG 2021; 43(1) EEG 2017; Section 45 EEG 2014; Section 27a(1) EEG 2012; ■ Annex 1 No. 1 Column 2 BioabfallV
39a (b)	Biowaste	<p>The substrate used was biomass within the meaning of the Biomass Ordinance 2012/2014/2017 with a proportion of separately collected biowaste (biodegradable waste, mixed municipal waste, market waste). In this respect, the value to be applied is capped regardless of the value awarded.</p> <p>If criterion 39 has been positively assessed, criterion 39a is also considered to be fulfilled and does not need to be selected.</p>	<ul style="list-style-type: none"> ■ § Section 39i (3) EEG 2021, Section 100 (2) No. 10 EEG 2021

40 (b)	Recycling of the digestate	The composted material was recovered. Only affects the fermentation of biowaste.	■ §§ 43 para. 2 EEG 2021; § 43 para. 2 EEG 2017, 45 para. 2 EEG 2014, 27a para. 3 EEG 2012
41 (b)	Biomass within the meaning of the EEWärmeG 2009/2011 and EWärmeG 2015 BW	For the production of biogas, substrates were used that meet the requirements of the EEWärmeG (biomass as defined by the Biomass Ordinance, biodegradable fractions of waste from private households and industry, landfill gas, sewage gas, sewage sludge as defined by the Sewage Sludge Ordinance, plant methyl ester). This criterion describes a broader biomass concept than that in criterion 1, but includes this narrower biomass concept as well as the substances according to criteria 19 and 20.	■ §2 Para. 1 No. 4 EEWärmeG (2009/2011) ■ § 3 No. 10 EEWärmeG 2015 BW
41a (b)	Biomass as defined by the GEG	For the production of biogas, substrates were used that meet the requirements of the GEG (biomass as defined by the Biomass Ordinance, waste wood of categories A I and A II according to § 2 No. 4 lit. a) and b) of the Waste Wood Ordinance, biodegradable fraction of waste from households and industry, landfill gas, sewage gas, sewage sludge as defined by the Sewage Sludge Ordinance and plant methyl ester.	■ § 3 Abs. 3 GEG
42 (b)	Biomass within the meaning of the Section 7 of the 36th Federal Immission Control Ordinance	The biogas was physically produced from substrates (on a pro rata basis) which meet the requirements pursuant to Section 7 of the 36th Federal Immission Control Ordinance	■ Section 7 of the 36th Federal Immission Control Ordinance
43 (b)	Biogas within the meaning of Monitoring Ordinance (min. 97%)	The biogas was produced on the basis of biomass within the meaning of the Monitoring Ordinance.	■ Section 7 of the 36th Federal Immission Control Ordinance

44 (b)	Gas exclusively from renewables-based electricity.	The gas meets the requirements for storage gas. It has been produced for the purpose of intermediate storage of electricity from renewable energy sources using only electricity from renewable energy sources. Renewable energies are hydropower including wave, tidal, salt gradient and current energy, wind energy, solar radiation energy, geothermal energy, energy from biomass including biogas, biomethane, landfill gas and sewage gas as well as from the biodegradable fraction of waste from households and industry, cf. sections 3 no. 21 EEG 2017, 5 no. 14 EEG 2014.	■ § 3 No. 42 EEG 2021; § 3 No. 42 EEG 2017; § 5 No. 29 EEG 2014
45 (a)	Temporary storage prior to the electricity grid	The electricity from renewable energy sources was temporarily stored (by generating storage gas) before being fed into the electricity grid for general supply (sections 3 no. 35 EEG 2017, 5 no. 26 EEG 2014, 3 no. 7 EEG 2012). The facility for storing the electricity - in the case of the generation of storage gas regularly the electrolyser - may therefore not be supplied via the grid for general supply by the EEG electricity generation facilities from which the electricity is to be temporarily stored.	■ § 19 para. 3 EEG 2021; § 19 para. 3 EEG 2017; § 19 para. 4 sentence 1 EEG 2014; § 16 para. 2 sentence 1 EEG 2012
46 (b)	No deliberate generation of CO/CO ₂	Carbon dioxide or carbon monoxide is not exclusively generated for the purpose of methanisation of hydrogen.	■ § 3 No. 42 EEG 2021; § 3 No. 42 EEG 2017, § 5 No. 29 EEG 2014 ■ Bundestag Printed Paper 17/6071 p. 62

47 (b)	H ₂ /CH ₄ predominantly from RE according to RL 2009/28/EG	This is hydrogen from water electrolysis or synthetically produced methane, in which the electricity used for electrolysis and the carbon dioxide or carbon monoxide used for methanation each demonstrably come far predominantly from renewable energy sources within the meaning of Directive 2009/28/EC, section 3 no. 10c EnWG. According to the explanatory memorandum to the Act, a share of at least 80 per cent shall suffice as far predominant (Bundestagsdrucksache 17/6072, p. 50). With compliance with this criterion, hydrogen/methane can be regarded as biogas within the meaning of the EnWG, which can result in advantages especially when feeding into the natural gas grid. However, compliance with these requirements alone does not give rise to an entitlement to remuneration under the EEG - for it to be storage gas under sections 3 no. 42 EEG 2017, 5 no. 29 EEG 2014, 3 no. 9a EEG 2012, the gas must rather be produced exclusively using electricity from renewable sources within the meaning of the EEG.	<ul style="list-style-type: none"> ■ Section 3 Para. 10c EnWG ■ Bundestagsdrucksache 17/6072, S.50
48 (b)	Exclusivity electrolyzer	The facility for generating storage gas is continuously operated exclusively with renewable energies.	<ul style="list-style-type: none"> ■ § 3 Nr. 1, 2. Hs. EEG 2017; § 5 Nr. 1, 2. Hs. EEG 2014; § 19 Abs. 1 EEG 2014
49 (a)	Gas processing plant with first injection prior to 23.01.2014	The gas processing plant fed biomethane into the natural gas grid for the first time before 23.01.2014.	<ul style="list-style-type: none"> ■ § 100 Abs. 3 S. 2 and 3 EEG 2017 in conjunction with. § Section 100 (1) EEG 2021
50 (a)	Gas processing plant with permit prior to 23.01.2014 and injection prior to 01.01.2015	The gas processing plant was permitted before 23.01.2014 and fed biomethane into the natural gas grid for the first time before 01.01.2015, but not before 23.01.2014.	<ul style="list-style-type: none"> ■ § 100 Abs. 3 S. 6 EEG 2017 in conjunction with § 100 Abs. 1 EEG 2021

51 (b)	<p>Maize input in mass per- cent (decreasing from max. 50 % in 2017 to max. 40 % from 2021)</p>	<p>The amount of maize (whole plant) and cereal grain in the substrate used shall be a maximum of 50 percent by mass in the calendar year for installations that received an award in 2017 or 2018, a maximum of 47 percent by mass for installations that received an award in 2019 or 2020 and a maximum of 40 percent by mass for installations that received an award since 2021 ("maize cap"). Applies only to new installations in the tender and existing installations included in tenders under the conditions of the EEG 2021. The exact mass percentage value results from the register extract.</p>	<ul style="list-style-type: none"> ■ § Section 39h (1) EEG 2017, Section 39i (1) EEG 2021, for existing biogas plants in the follow-up support in conjunction with Section 39g (3) EEG 2021. § Section 39g (3) EEG 2021
--------	---	---	--