



BSL Advisory Panel – Final Minutes

Meeting 12

Time and date	11:00 – 15:00, Thursday 10th October 2019
Venue	Gemserv, 8 Fenchurch Place, London, EC3M 4AJ
Date of Issue	Thursday 7th February 2020

1) Welcome & Housekeeping

The Chair welcomed the Panel Members.

The Chair confirmed the agenda and the objectives of the meeting.

See Appendix A for attendees and apologies.

2) Review of minutes and actions from Panel 11

a. Minutes

The BSL Administrator presented the minutes from Panel Meeting 11 and asked if there were any comments. A Panel Member pointed out a change in format of the minutes and enquired why the final minutes do not record the Member's initials. The BSL Administrator explained that the Chatham House Rule prevents the identity of the speaker(s) from being revealed in a public document. The minutes are published on the BSL website so all identities must be concealed. It was agreed that there should be two sets of minutes, one for the Panel which includes initials and the other following the Chatham House Rule to conceal names for members of the public.

Panel Action 12-01	The BSL Administrator to start creating two sets of minutes, one with initials disclosed for the Panel and Chatham House rules to applied to the public version.
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A Panel Member drew attention to pages 8 and 9 and stated that the minutes did not capture the actions of the Global Forest Registry (GFR). The BSL Administrator explained that the informal action to reference the GFR changes in the July Newsletter had been completed. The BSL Administrator stated that it gives advice to suppliers to obtain the relevant certification but there is no formal decision to update the current criteria. BEIS will need to decide the best suitable approach for impacted applications which is linked to Panel Action 10-10.

Panel Action 12-02	The BSL Administrator to update the BSL Land Criteria guidance document to include changes to the GFR, noting the changes to the criteria for fuel sourced from countries that increased in risk (once approved by BEIS).
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b. Actions

The following updates were provided for the outstanding actions:

Ref	Action	Updates
Panel 04-12	BSL Administrator to develop guidance for helpdesk regarding the waste wood guidance requirements. BSL Administrator to share this text with Ofgem.	The BSL Administrator confirmed that the action is still on hold as the Regulatory Position Statement (RPS) has been extended.
Panel 10-04	The Chair to have a conversation with BEIS to see how the Panel can enable the delivery of value for money.	The Chair had spoken to BEIS regarding value for money. The conversation included how the Panel can provide value for money and with what parameters. The meeting concluded with BEIS having to decide what powers the Panel hold, so that this particular action can be completed. BEIS agreed and reiterated that there is no timeline, but a decision can be made before the next BSL Panel Meeting.

A Panel Member confirmed that the Regulatory Position Statement only relates to mixed waste wood (including treated waste wood). The statement does not relate to treated and clean untreated waste wood. It was added that there is no reason to delay the guidance document. A Panel Member added that we need to get feedback from the Clean Air Strategy group before any decisions are made on completing the waste wood guidance document.

Panel Action 12-03	BEIS to provide an update from the Clean Air Strategy group regarding their views of waste wood.
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Panel Action 12-04	The BSL Administrator and BEIS to create a subgroup specifically to review BSL value for money and create a new terms of reference for this group.
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3. Fuel Quality, Future BSL Structure, BSL Strategy Event

a. Fuel Quality

The Chair informed the Panel that since the last Panel Meeting a second Fuel Quality Subgroup meeting had been held. The BSL Administrator explained that the sub-group meeting concluded with the

Members agreeing to expand the high-level Options Paper to include “supplier journeys”, standards and waste wood.

A Panel Member stated that non-woody biomass should be an area of discussion when considering the future of the BSL. It was explained that the current Options Paper does not include options for incorporating non-woody biomass because the BSL only covers woody biomass at this time. The BSL Administrator suggested that having a strategy event could allow suggestions and recommendations about the potential future scope of the scheme, which could integrate non-woody biomass.

The Chair reiterated that the Options Paper is to support BEIS in producing a consultation document. BEIS explained that a public consultation will be released towards the end of this calendar year/beginning of next year. This will focus on the proposed changes to the regulations due to be enforced in 2021. The work on fuel quality will contribute to the questions that will be asked in the consultation.

The BSL Administrator provided an update on the actions from the Fuel Quality meeting. The outstanding actions are highlighted below:

Ref	Action	Updates
FQ 02-03	The BSL Administrator to provide a breakdown of the number of BSL Self-Suppliers that are claiming the domestic and non-domestic RHI.	The BSL Administrator has requested this from Ofgem on 01/10/2019.
FQ 02-04	The BSL Administrator to update the ‘Self-Supplier tailored sampling in accordance with relevant standards’ from the table of options, to include appropriate QMS requirements.	The BSL Administrator is working on the Acceptance Criteria which breaks down all category types on the list. The table includes a breakdown of all supplier types, fuel type and RHI claimant (domestic or non-domestic). There are 86 categories.
FQ 02-06	The BSL Administrator to expand the supplier types in the Options Paper (e.g. commercial Self-Suppliers, domestic Self-Suppliers and Non-domestic Self-Suppliers)	This is being included as part of the acceptance criteria excel.
FQ 02-08	The BSL Administrator to add waste wood to the Fuel Quality Options paper.	This is being included as part of the acceptance criteria spreadsheet.

The BSL Administrator presented the updated version of the Options Paper (version 2.1). It was explained that further updates had been made to the document since the Subgroup Meeting. There



were several expansions in the table of 'Options' to include more standards and breakdown for commercial and domestic suppliers. The Panel discussed options around BSL creating its own set of standards, but this option was not favoured due to its complexity and not wanting to “reinvent the wheel” when many commercial standards already existed. There was a consideration for the BSL to create a Code of Practice or Code of Conduct for suppliers to follow. The table for Self-Supplier Options was also expanded to include Quality Management Systems (QMS).

A Panel Member stated that adding a wide range of biomass types could support in achieving a low carbon economy, by narrowing the standards, a lot of suitable non-woody biomass will be excluded. The BSL Administrator explained that the Options Paper removed references to specific Standards to prevent it from causing restrictions.

It was requested that the track changes on the Fuel Quality Options Paper be shared with the Panel.

Panel Action 12-05	The BSL Administrator to circulate the Options Paper's track changes with the Panel.
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A Panel Member reiterated the point that having extra criteria for Self-Suppliers will cause an extra burden and suggested that the BSL should explore the option to offer exemption routes to Self-Suppliers. It was agreed that BEIS should include a question in the consultation regarding the implication of including Self-Suppliers in the Fuel Quality criteria. This may provide an opportunity to highlight any disproportionate impact on smaller suppliers.

It was explained that the Options Paper will be submitted to BEIS and the BSL Administrator will highlight the feedback captured regarding Self-Suppliers. It was also added that further feedback about the future structure and requirements can be submitted as part of the consultation.

A Panel Member recommended that the BEIS consultation suggested the size of the Self-Supplier should be considered, with regards to the additional quality requirements.

Panel Action 12-06	The BSL Administrator is to submit the Fuel Quality Options Paper v2.1 to BEIS, highlighting the feedback captured regarding Self-Suppliers.
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b. Future BSL Structure

The Chair explained that the focus of this Subgroup meeting was to gather thoughts and recommendations from the Panel regarding the future structure of the BSL, post-RHI closure. The meeting concluded with considerations around changing the BSL legal structure, expanding the scheme's scope, and hosting a Strategy Event to engage with the wider industry.

The Chair noted that the meeting was a brainstorming session. Questions were raised, including any ramifications of expanding the scope of the scheme. The Subgroup recognised the success of the UK



Pellet Council for providing a mechanism for controlling pellets and using the 'licence fee' as a means for funding pellet quality standards and assurance. The Chair suggested that the BSL could possibly use a similar approach as the UK Pellet Council for wood chips.

The Chair added that the BSL could look at offering an administrative service on behalf of fuel quality assurance organisations such as Woodsure and the UK Pellet Council, in terms of the collection of membership and per tonne fees and by working together, across quality and legality and sustainability to combine audits.

A Panel Member recommended that BSL explore providing services globally. The scheme will need to consider how to provide standards across Europe and how to adhere to European rules, such as the Renewable Energy Directive (RED 2). It was suggested that the BSL could adopt a support function for the biomass industry beyond RHI closure. The industry, consumer and environmental needs require consideration when the future of BSL is mapped out.

c. Future BSL Structure Strategy Event

The BSL Administrator highlighted the benefits of hosting a Strategy Event to get input to a new BSL structure and to reality check any options.

Suggestions were put forward regarding marketing campaigns and how this could communicate the benefits of the Scheme and target wider industry.

The initial date suggested to host the event had been in October but the BSL Administrator suggested early next year (2020). This would allow sufficient time to organise the event, as well as consider content.

The BSL Administrator presented several cost options for hosting the event. The cost is comprised of secretariat preparation, producing papers and content, venue hire, food, drink, and staff. The BSL Administrator suggested collaborating with other known annual forums such as the Wood Heat Association event to attract the relevant audience.

The Chair relayed the actions from the Future BSL Structure Subgroup meeting and explained that Panel should identify key stakeholders that could make a significant impact. There was an emphasis from the Chair that the Panel will need to contribute to inviting and/or hosting the event. It was suggested that a 'strawman' document containing ideas and recommendations would be a good first step to help create meaningful content for the event. This should be done before the consultation. It was agreed that invites should only go to approximately 20 key stakeholders. It was also suggested that Panel Members consult with stakeholders directly.

A Panel Member suggested that BEIS may be best suited to lead the event, as it is the key stakeholder in terms of clarifying the future of biomass post-RHI closure.



BEIS advised that if the BSL novates, some of its current responsibilities will be outsourced to an industry-led organisation/group. This group will have decision making powers as opposed to an advisory capacity.

The BSL Administrator suggested to hold the event at the same time as the consultation. This may encourage more members to participate and submit responses.

BEIS intends to complete the consultation document by the end of October 2019. There will be a small gap to gain approval from Ministers before releasing the document for public consultation. BEIS explained that if the BSL novates, no further consultation will be required. If BSL decides to expand its legislative power, a consultation would be required. There is not enough time to include Panel views on expanding the scope of BSL in the consultation, however it was recognised that consultation is only required for legislative changes which service scope may not necessarily involve and that members and the Panel can submit a response to the quality consultation to include their thoughts of the future scope in any case. BEIS explained that Fuel Quality is already incorporated, as a feature, in the consultation.

It was agreed that expanding the BSL has two distinct elements - Fuel quality and the future remit of the Scheme. BEIS suggested using the strawman to ask questions with regards to widening the BSL remit.

Panel Action 12-07	The Chair to create a first draft of the BSL Future Structure strawman which can be used for a BSL strategy event.
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It was agreed that Panel should contribute to the draft strawman, once the Chair uploads this onto Huddle, before Panel Meeting 13 on Wednesday 22nd January 2020.

BEIS pointed out that in their last consultation, section 8 asked the public for their views on how to minimise air quality problems. BEIS suggested that similar questions could be asked in the consultation regarding fuel quality and the future of the BSL. This may also be an opportunity to express any implications for smaller suppliers.

4. BEIS update

BEIS highlighted that the KIWA report summarising the findings of 'Measurement of the in-situ performance of solid biomass boilers' was published in September 2019. The report was based on field trial boilers' measurements, laboratory trials and social research as an aim to understand performance of biomass boilers and to evaluate associate emissions/pollutants. BEIS also mentioned that the Government response to the Urban Biomass consultation is due to be published before the end of the year subject to ministerial review.

BEIS also gave an update on the RHI consultation. Their aim is to have published the consultation by the beginning of next year. The response document will be published at the beginning of quarter three



of 2020. The draft changes to legislation subject to response in the consultation will begin quarter one of 2021. Implementation of the changes will commence in 2021 during the RHI closure. This timetable could change if an election is called.

BEIS noted that they are working with the Department for Environment, Food and Rural Affairs (DEFRA) to look at air quality and waste wood. BEIS is considering adding waste wood in the consultation.

BEIS is still awaiting views from DEFRA on the Global Forest Registry. BEIS felt that the new policy should only apply to new applications, existing applications can keep their authorisation with the original evidence provided.

5. Waste wood

The Environment Agency (EA) explained that the Regulatory Position Statement (RPS) has been extended until July 2020. The extension will allow treated / mixed waste wood (including chipped waste wood and wood fines) to continue to be handled unassessed and as non-hazardous waste wood, provided it is burnt in an IED Chapter IV compliant incinerator or used in panel board manufacturing.

The Chair explained to the EA that the scheme had noticed an increasing number of inappropriate fuels being used in a Part B boilers. The outstanding action for the Panel to produce a BSL Waste Wood Guidance document, has been in an indeterminate state for two years because the group were awaiting feedback from the cross-agency Air Quality Group on what waste wood should be acceptable in small-scale RHI facilities. The guidance was intended to support suppliers with clarity on how to handle and burn appropriate waste woods in the right boiler.

The EA stated that it was aware that Part B permits (regulated by the Local Authority) and U4 exemptions (allowing certain waste wood to be burnt in small appliances) have mixed descriptions. These units only allow untreated clean waste wood, however Operators assume they can burn chemically treated waste wood as well.

The EA is supporting the Wood Recycling Association (WRA) classifying all waste wood items as either clean and untreated, treated but non-hazardous or treated and hazardous. If a waste wood fuel is clean and untreated, a Part B boiler is appropriate. The EA confirmed it is confident that pre-consumer waste wood is clean and therefore non-hazardous.

The Chair reiterated that the BSL Waste Wood Guidance was created to mitigate the problem as of inappropriate fuel being used. The document was drafted two years ago, and the fuel tests carried out by Woodsure were completed three years ago. From the findings and following the initial Regulatory Position Statement (RPS), the Panel decided that all waste wood would be removed from the BSL list as there was no guarantee that wood coming from mixed sources is clean untreated, unless there is a definite audit trail to indicate this.

The EA explained that the BSL and RHI regulations fall outside the EA's remit. The EA does have a data sharing agreement in place with Ofgem in relation to illegal activities by operators. The Chair



explained that there is a potential disconnect in the environmental permitting process for the use of waste wood in RHI boilers. It was presumed that the Government would look at the Part B process and waste wood classifications (i.e. align with the European definitions). The EA added that they are working with Ofgem and BEIS to ensure the RHI uses the right checks and questions, and is aligned with the proper waste management controls.

A Panel Member mentioned the decision to update the Part B permit. The Part B permit is currently contradictory because it states clean untreated waste wood but then gives a description of products that suggest consumers can use mixed waste wood. A Panel Member was aware that the Part B definition had been updated but was unsure if it has been published. The EA thought that the rewrite of the Part B permit document had been published and was in force. An action was agreed that the EA will check with the EA's Local Authority Unit for clarity.

Panel Action 12-08	The EA to provide an update regarding the Part B permit definition and when it will be published.
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The Chair mentioned that the options were that the BSL can either publish the guidance document to educate suppliers/consumers on the use of appropriate fuel, remove all waste wood applications or do nothing.

The BSL Administrator stated that there is a level of difficulty when auditing BSL waste fuels, as there is no clear guidance to check against for waste wood. They added that auditors go above and beyond by checking waste codes and highlighting non-compliances to the EA. It was agreed that the Panel revisit the waste wood guidance document.

The Chair suggested that if the scheme removes all waste wood applications, there will be implications on suppliers legitimately using waste wood. These suppliers would be required to self-report to Ofgem and get the appropriate documents from the EA. This route would ensure that every supplier is burning the correct wood and classifying them correctly. The EA expressed their concerns regarding this approach, as it could result in an influx of waste wood suppliers seeking assistance.

The EA stated that the decision regarding waste wood in the RHI regulations should come from BEIS, and any decisions regarding Air Quality would come from DEFRA. If waste wood continues to be allowed on the RHI, Ofgem and the BSL should be asking questions regarding the waste wood management regulations instead of the suppliers calling the EA agent for verification that their waste wood is appropriate to be burnt. The Chair expressed that the BSL currently doesn't have the regulatory authority to ask these questions. The BSL lacks clarity on the definition of appropriate waste woods. The EA suggested that the origin of the waste wood could verify if it is clean untreated or treated. It has provided information on what is suitable based on the source as opposed to testing. The European Waste Codes (EWC) is also a form of determining if a wood is clean untreated or treated, hazardous or non-hazardous. The EA is unsure what other clarification BSL is seeking. The BSL Administrator



mentioned that the EWC codes are useful when auditing BSL suppliers, but without official BSL waste wood guidance, auditors can only provide recommendations instead of stating that the fuel is not compliant.

BEIS commented on the guidance document and stated that there should be a decision if the guidance forms part of the mandatory criteria to comply with the BSL.

A Panel Member suggested that BSL could increase the cost of applications for waste wood specifically to take on the responsibility and extra work of auditing all waste wood fuels against a compliant standard.

The BSL Administrator agreed to share all draft documents and discussion from the sub-group regarding waste wood with BEIS to make an informed decision.

Panel Action 12-09	The BSL Administrator to share all draft documents and discussion from the sub-group regarding waste wood with BEIS to make an informed decision regarding waste wood applications on the BSL.
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6. Self-Supplier Issues

Due to time constraints, this item was postponed to Panel Meeting 13 in January 2020.

7. BSL Service Update

The BSL Administrator explained the full scheme activity since January 2017, explaining the regular peaks in activities. A Panel Member queried what the route is for escalation of complaints regarding fuel quality? The BSL Administrator explained that if a complaint is against a supplier registered to ENplus or Woodsure certification, the BSL directs them to these bodies. Other suppliers are directed to Trading Standards or Citizen Advice Bureau to raise a formal complaint or seek further advice.

A Panel Member questioned whether quarterly reporting figures could show wood fuel quantities being sold to domestic and non-domestic consumers. The BSL Administrator explained that this would be extremely difficult as it relies on a manual process from both BSL and Ofgem.

Audit and compliance figures were reviewed, including the total audits carried out since the scheme started and the number of fuels referred to Ofgem. These referrals include any non-compliances related to boiler operation. It was explained that suppliers are selected for audits based on a risk analysis as well as a randomised approach.

A Panel Member asked if Ofgem and BSL communicates their findings in audits with each other. The BSL Administrator explained that Ofgem are given a list of removed and approved suppliers weekly and monthly they are given a list of fuel referrals.

8. AOB

No items were discussed due to time constraints.

Appendix A

Panel Member	Organisation	Attendance
Tunde Ojetola (TO)	BEIS	Y
Julian Morgan-Jones (Chair)	South East Wood Fuels (SEWF)	Y
Andrew Heald (AHe)	Confor	Y
Andrew Hopton (AHo)	HETAS	Y
Daniel Kinash (DK)	New Forest Energy Ltd	Y
Duncan MacKinnon (DM)	Tilhill Forestry	Y
Emanuela Arvati (EA)	BEIS	Y
Helen Bentley-Fox (HBF)	Woodsure	Y
Howard Leberman (HL)	Environment Agency	Y (dialled in)
Jason Hubert (JH)	Forestry Commission Scotland	Y
Julia Turner (JT)	Wood Recyclers Association (WRA)	Y
Lucy Clark (LC)	LC Energy Ltd	Y
Malcolm Snowie (MS)	Scot Heating Company	Y
Mark Appleton (MA)	AMP Clean Energy	Y
Richard Coulson (RC)	RWE	Y (dialled in)
Ross Lowrie (RL)	n/a (Self-Supplier)	Y
Samuel Stevenson (SS)	Renewable Energy Association (REA)	Y
Imogen Jamie	Gemserv Ltd	Y
Neeraj Vasani	Gemserv Ltd	Y
Christabel Monday	Gemserv Ltd	Y
Apologies		
Amanda Calvert	Small Woods Association	
Luke Bailey	Ofgem	
Mark Sommerfield	Renewable Energy Association (REA)	
Timothy Mack	Forestry Manager on Elderslie Estate	
Adrian Fox	National Trust	
Ian Tubby	Forestry Commission England	
James Little	Energy Solutions Consulting Ltd	
Andrew McFadzean	JM Envirofuels Ltd - Jack Moody Group	
Paul Gibbon	Mistral Energy	