

Biorefineries: What about law?

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The role of law

Well-chosen default rules are likely to emerge as a significant contributor to efforts to protect human health and the environment - a tool in the regulatory repertoire that is potentially more effective than either information and education or substantial economic incentives

From political slogan to mandatory rules

Multivel dimension of environmental issues

- A significant portion of Italian environmental legislation derives from EU law
- Paris Agreement, EU Law, National Law

Biorefinery plant

- **Environmental Code** (Decree No. 152 of 3 April 2006)
specifically IPPC integrated pollution prevention control regime
- **Promotion of the use of energy from renewable sources** (Legislative Decree No. 28 of 3 March 2011, implementing Directive 2009/28/EC)

Environmental permit

- The Environmental Code establishes an **integrated permitting regime** (as required under Directive 96/61/EC concerning integrated pollution prevention and control (IPPC Directive))
- Under Legislative Decree No. 387 of 29 December 2003, a **single authorisation** (following the IPPC procedure) can be requested by an operator **to construct and operate a new or substantially modified renewable energy plant**, in effect bringing these plants into the **IPPC regime**.

Involved actors

- The main **authorities** include Ministry of Environment and Protection of Land and Sea, Ministry of Economic Development, Regions

AND

- **participation** in environmental proceedings (industries, local communities, NGOs, pressure groups, citizens)

Administrative barriers

entail **additional development costs stemming from uncertainty**, which especially impacts renewable projects with higher capital costs compared to conventional energy projects. Such barriers can lead to **delays** in deployment or even prevent projects from being realised

Recast of Directive 2009/28/EC

- Paris agreement
- New binding EU target of at least 27% for the share of renewable energy consumed in the EU in 2030
- Developing the decarbonisation potential of advanced biofuels and clarify role of food-based biofuels post 2020
- Address Investment Uncertainty