

Joint Paper on Recast Implementing Regulation (EU) 2022/996



Executive Summary

The renewable gas industry welcomes the objectives of Implementing Regulation (EU) 2022/996 to strengthen the Union Database (UDB), improve traceability, and prevent fraud in renewable and low-carbon gases. At the same time, we stress that the rules must remain technically sound, operationally feasible, and compatible with the way EU gas markets and infrastructure function. We see strong common ground on preserving a workable mass-balance system, keeping realistic mass-balance periods and operational deadlines, enabling predictable third-country access, ensuring that sustainability proofs and gas volumes are linked without undermining market liquidity, and applying robust but proportionate auditing and fraud controls. Furthermore, we call for the recognition of all liquefaction pathways, including on-site liquefaction, grid liquefaction and equivalence liquefaction¹, to promote a level playing field and ensure the advantages of all models are harnessed to meet the growing demand for bio-LNG and e-LNG.

This paper sets out our shared concerns and concrete policy asks by topic, with a view to supporting a scalable, credible market for biomethane, e-methane, and RFNBOs.

1. The importance of Biomethane and Renewable Gases

Renewable gases are central to the EU's decarbonisation strategy for heating, industry, power, and transport, including road and maritime. Their scale-up depends on a clear, stable regulatory framework that recognises the fungible nature of gas in interconnected networks, allows certified volumes to be traded efficiently across borders and sectors, and provides traceability that prevents fraud without creating disproportionate administrative burdens.

Implementing Regulation (EU) 2022/996 should therefore reflect the physical and commercial realities of gas networks, support investment in renewable gases, and maintain confidence in sustainability claims while avoiding barriers to trade and liquidity.

¹ Also referred to as "energy system liquefaction" or "virtual liquefaction".

2. Implications and Conclusions

We believe that if the concerns that we mention are addressed, Implementing Regulation (EU) 2022/996 can strengthen trust in renewable gas markets without undermining liquidity, support investment in biomethane, e-methane, and RFNBOs, enable cross-border trade and third-country imports under clear, equivalent rules, and provide a robust but proportionate framework for auditing and fraud prevention.

If key issues remain unaddressed – especially around mass balancing, operational deadlines, third-country access, and PoS/GO interaction mechanics – the Regulation risks reducing the volume of certified renewable gas available on the market, increasing costs and administrative burdens disproportionately, and creating legal and commercial uncertainty for investors and traders. Hence, reducing the efficiency and affordability of the European energy market at a moment when it was crucial to secure improvements in both.

The industry stands ready to work with the Commission and Member States to refine the text so that it delivers both integrity and scalability for renewable gases in the EU. The biomethane and e-methane market awaits clarity. Therefore, the revised Implementing Regulation (EU) 2022/996 should be published and finalised as soon as possible.

3. Main concerns and requested amendments by topic

3.1. *Level playing field for alternative liquefaction pathways*

Concerns	Policy Asks
The changes foreseen to the sustainability certification framework could distort the level playing field between liquefaction pathways and restrict the availability of renewable fuels despite growing demand and the wide range of applications ranging from LNG truck refueling to large-scale maritime bunkering at European ports.	Future legislation should avoid creating undue barriers to any liquefaction model, safeguard the integrity of mass balancing within the interconnected infrastructure, and enable viable business models for all available liquefaction pathways.

3.2. *Mass Balancing and the Interconnected System*

Concerns	Policy Asks
The definition of the “interconnected system” includes LNG and regasification terminals. However, the implementation of this principle is not applied uniformly in EU Member States.	The Commission should oversee the implementation of the rule, ensuring that LNG terminals form part of the interconnected gas system in EU Member States, in line with the criteria set out in Article 2 (18) wording and intent of the text.
Ireland is an integral part of the interconnected EU gas network, to which it is physically interconnected. The Commission's current	The regulatory framework should recognise Ireland as part of the interconnected gas grid and associated mass balancing system. While this

interpretation of interconnected gas infrastructure de facto excludes Ireland from the mass balancing system (Reference: Notification 2025/786/IE).	happens, economic operators should be allowed to rely on the Customs Union transit procedure to ensure seamless commercial flow of biomethane from/to Ireland.
There is a risk that the Regulation implies a specific physical molecule must be present at one point in the pipe system, which is incompatible with how the pan-European gas network operates as a single logistical facility.	The policy should explicitly confirm that an injected renewable molecule is interchangeable with any equivalent molecule already in the gas network, just as injected biomethane is for users connected to the grid. Under the mass-balance system, the molecule is considered available throughout the interconnected network. Allocation is therefore based on the overall mass balance, rather than on physically tracing one specific “numbered” molecule.
The current text could be read as requiring proof of physical stock and storage capacity in transmission and distribution infrastructure each period, which is unworkable for grid-injected gas and inconsistent with security of supply.	Remove “transmission and distribution infrastructure” from the physical stock / storage capacity requirement so it does not apply to grid-injected gaseous fuels.
The amended wording on physical mixing and product groups could place a blanket ban on mixing and require separate mass balances where a single mass balance currently applies, increasing costs and complexity.	Maintain the current rules on physical mixing of raw materials and fuels and restore the previous definition of product group under Article 2(20), based on “similarity” rather than “identity”.

An additional overall policy asks is to add a recital on mass balancing to provide legal certainty for biomethane injection, withdrawal, and trading.

3.3. Mass-Balance period and operational deadlines

Concerns	Policy Asks
A one-month mass-balance window would reduce flexibility to match certified supply with demand and shrink the volume of certified biomethane available on the market, artificially increasing the prices when this is less needed.	Maintain the quarterly mass-balance period in line with voluntary schemes to avoid unnecessary administrative burden and provide flexibility to accommodate feedstock variability while meeting RED III GHG savings requirements.
The proposed 5-day deadline for final validation of injection data may not align with TSO/DSO processes in some Member States, who need to perform the actions technically.	Replace the 5-day deadline for injection data validation with a more operationally realistic timeframe, such as 15 days, while still requiring validation as quickly as possible.

Transaction registration timeframes of 15 days to register data and 10 days for counterparty acceptance are too restrictive given the documentation and verification steps involved.	Ensure transaction registration and acceptance timeframes are operationally realistic and aligned with market practices.
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3.4. *Third-Country Access and Imports*

Concerns	Policy Asks
The current case-by-case approach for third countries lacks a defined process and creates investment uncertainty for export projects. The absence of a clear path to integrate third-country production (interconnected and non-interconnected) may severely constrain access to volumes and limit decarbonisation opportunities for consumers. A concrete calendar and process is needed, and it also shall be communicated.	Provide a clear, predictable, and non-discriminatory route for third-country renewable gas, including physically imported bio-/e-LNG, to enter the mass-balance system and Union Database. We urge the European Commission to establish clear high-level criteria for third-country market integration in the Union Database. Ensure third-country imports are accepted based on equivalent sustainability, GHG, and mass balance requirements, and equivalent double counting prevention mechanisms without additional obligations beyond those applicable within the EU.
Imported gas enters mass balance only after EU customs clearance, with customs documents uploaded to the UDB before the buyer can accept, creating an extra procedural gate and cost falling on imports only.	Do not link customs clearance requirements to UDB mass balancing, as this would create unnecessary complexity and could exclude legitimate consignments (e.g. bio-LNG for bunkering), treat customs clearance elsewhere. Ensure third-country imports are accepted based on equivalent sustainability, GHG, and mass balance requirements, without additional obligations beyond those applicable within the EU.
Mandatory C14 testing for imported mass-balanced bio-LNG falls outside the scope of Delegated Regulation 2023/1640, is technically inappropriate, and creates disproportionate requirements compared to EU-produced bio-LNG.	Oppose mandatory C14 testing for imported mass-balanced bio-LNG, other elements of proof rather than trade barriers.
The framework anticipates a designated competent authority in the third country responsible for verifying that volumes reported to the UDB match nationally tracked volumes. For	Clarify the governance requirements for third-country participation, including whether the designated authority must be a government body, and provide an interim solution where full

federal states, where commodity tracking is distributed across national and sub-national levels, no such single entity may exist, and it is unclear whether an industry-administered registry could fulfil the role. This is a structural obstacle to integration rather than an administrative one.	integration cannot be achieved before UDB use becomes mandatory.
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3.5. *Linking Gas Volumes and Sustainability Proofs (PoS/GOs)*

Concerns	Policy Asks
Obligations introduced in draft regulations raise concerns about the definition of “evidence of the gas trade” and the sharing of commercially sensitive information.	Link PoS and physical molecules at the injection point to ensure that the volume of sustainability proofs matches the actual biomethane volumes injected into the grid.
The draft does not explain how the requirement that the sustainability set be traded with the matching gas volume works with entry nominations, exit points, and intermediate trades. These concerns regard notably Articles 37 and 42 of the draft regulation requiring mandatory title transfer of gas and PoS together throughout the supply chain during its stay on the common infrastructure mass balancing point.	Clarify the requirement that PoS (and associated GOs if issued) transfers be accompanied by documents evidencing the underlying gas trade.

3.6. *GO Registries, UDB, and Double Counting*

Concerns	Policy Asks
The linkage of national/GO registries with the Union Database is experiencing continuous delays.	Link national GO registries and national registries with the Union Database to mitigate double counting risks and enhance the robustness of the system.
Cancellation and expiry of GOs to which PoS are linked, in relation with renewable gas supply in execution of RED art 19 and 31a(4), needs alignment with the procedures set out and responsibilities allocated in the GO system’s architecture. Where PoS and GO have different validity dates, the processes for monitoring the obligations related to the different tracking purposes, become highly complex. Confusion can easily incur illegal green claims. Prevention procedures risk to come with high overhead and	Keep the PoS expressed in MWh based on the same calorific value as the GO, and harmonise conversion factors, for example through the application of a standardised coefficient such as the 1.1 factor used under ISCC EU. Interoperability between GO registries and the Union Database needs a clearer allocation of responsibilities and liabilities between the European Commission and the Member States, and a coherent implementation of overarching policy objectives.

error-sensitivity, risking undesirable cost increase for overhead management, lowering market uptake.	
Linking only Economic Operators rather than gas Production Devices could undermine traceability, as an EO can have multiple plants in multiple countries.	Clarify that GO registries and UDB should link not only Economic Operators but also gas Production Devices.
It is unclear what happens with the GO when biomethane is exported to third countries (e.g. Switzerland, UK), since it cannot be cancelled by a GO registry in a Member State if it is not used there.	Clarify GO cancellation handling for exports to third countries and for national certificates based on UDB data, with the issuing bodies and/or national registries informed.
Different Member States are developing their own national certificates that can be based on UDB data, but the procedure for using UDB data to create these certificates is not clear.	Ensure consistency with EN16325 or initiate a standardisation request to CEN for updating EN16325 towards policy intentions.

3.7. Auditing Rules

Concerns	Policy Asks
More frequent on-site and surveillance audits, mandatory sampling, and higher-risk treatment of multi-scheme participation could complicate legitimate market activity if not kept practical and proportionate.	Ensure auditing rules are robust but proportionate, avoiding unnecessary administrative burdens.
Audits every six months would add costs without improving system robustness.	Maintain annual audit periods.
Mandatory three-year certification body rotation is impractical; audit rotation is sufficient.	Remove mandatory three-year certification body rotation.
Tightening group auditing rules, such as lowering the on-site threshold to one tonne per month and introducing restrictions for waste and residues supply chains, would make group audits for generators of waste (e.g. sewage sludge, brown grease) impossible, with individual on-site audits not workable in practice.	Adopt a risk-based approach for small waste and residue suppliers, allowing self-declarations with plausibility checks and sampling instead of mandatory on-site audits. Prevent a tightening of group auditing rules that would make audits for waste-based feedstocks unworkable.

3.8. *Handling Fraudulent PoS and Retroactive Cancellation*

Concerns	Policy Asks
Retroactive PoS cancellation for critical/major non-conformities can expose bona fide traders to upstream fraud if PoS already issued are cancelled back to the previous audit. Compliant operators could face financial losses, discouraging market participation and long-term contracting. Legal certainty is at risk for compliance markets relying on PoS to meet EU obligations, including FuelEU Maritime.	Ensure that corrective measures are clear, proportionate, and predictable, while protecting good-faith market participants and avoiding unnecessary retroactive impacts on already issued proofs of sustainability. Ensure legal certainty for sectors relying on PoS to meet EU obligations, including FuelEU Maritime.

3.9. *RFNBOs and Hydrogen Blending*

Concerns	Policy Asks
Requiring deblending at the point of consumption as a condition for RFNBO eligibility would limit the uptake of blended hydrogen beyond existing EU legislation artificially creating system rigidities.	Recognise hydrogen blending as a key enabler for scaling up the hydrogen market by supporting early supply, demand, and infrastructure development and as a viable solution for hydrogen balancing and decarbonisation of heating and industry. Acknowledge that DSO/TSO studies and pilots demonstrate blending (typically up to 10–20%) is technically, economically, and operationally feasible. Recognise that deblending at the off-take point is often technically and economically unfeasible. There is no reason to oblige something that the user does not want to do. Avoid requiring deblending at the point of consumption as a condition for RFNBO eligibility, the green value is there blended or not.
Product categorisation and blending rules under IR 2022/996 could create barriers to hydrogen blending in the EU gas grid if not carefully designed.	Ensure product categorisation and blending rules under IR 2022/996 do not create barriers to RFNBO / e-NG pathways.

An overall policy ask in this field is to ensure that renewable methane of non-biological origin injected into, and withdrawn from, the interconnected gas infrastructure is treated consistently with biomethane under the same mass balance rules. Methodological choices made now for biomethane will set the operative

precedent for RFNBO methane, and should not produce divergent treatment for chemically identical molecules within the same mass balance system.

3.10. *Carbon Intensity of Electricity and Feedstock List*

Concerns	Policy Asks
The carbon intensity (CI) for electricity used as a default value may not reflect the progressive decarbonisation of the EU grid if not updated regularly.	Update the default grid-electricity CI at least annually to reflect grid decarbonisation.
The Feedstock Annex (Annex IV, linked to Annex IX of RED) may not keep pace with technological innovation, evolving supply chains, and the emergence of new sustainable feedstocks if not reviewed regularly.	Review Annex IV more regularly to accommodate new sustainable feedstocks and technologies. Allow biomethane installations to also demonstrate better environmental performance by using GOs, in particular renewable PPAs demonstrate that the electricity is fully renewable and has zero emissions in line with Delegated Regulation (EU) 2023/1184 Art 4, regardless of whether biomethane is the final product or an intermediate input for producing another renewable fuel.

3.11. *Subsidised Biomethane*

Concerns	Policy Ask
Although the indication of the production “support scheme” on the PoS is mandatory under the current rules, the practice is fragmented and diverse. For example, it is not clear whether investment support (CAPEX grant) is considered a support scheme and needs to be disclosed. We also highlight the importance of correct indication of production support schemes in the UDB to provide consumers and national authorities with required information and secure consistent accounting of sustainable biomethane in the country of consumption.	Clarify the treatment of subsidised biomethane whether investment aid (CAPEX support) needs to be indicated on the PoS. Support the possibility to flag that a consignment has received support (including which type of support) but ensure that such flagging does not prevent the application of RED rules, namely the accounting in the country of consumption of the sustainable biomethane.

3.12. *Definitions: Cancellation, Annulment, Consumption*

Concerns	Policy Ask
The terms “cancellation”, “annulment” of a transaction, and “consumption” of a consignment	Provide clear definitions and distinctions between “cancellation”, “annulment” of a transaction, and

are not clearly defined or distinguished, creating legal uncertainty.	“consumption” of a consignment in the revised Article 2 of Implementing Regulation (EU) 2022/996.
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3.13. *Non-Certified Traders*

Concerns	Policy Asks
Allowing non-certified traders to operate in the UDB could undermine the robustness of the system and the link between sustainability claims and volumes.	Ensure that only traders that are certified by a voluntary or national scheme, are allowed to operate in the UDB, to maintain system robustness and a link between sustainability claims and volumes, backed by audits and chain-of-custody checks.

3.14. *Updates of GHG emissions values in PoS*

Concerns	Policy Asks
It is essential to ensure that the GHG emissions values in the PoS are updated upon each step of the value chain mainly by shippers, to allow for more flexibility and relieve producers from the burden of filling the GHG of the whole value chain. This is particularly relevant as producers most often are not aware of the end use.	While the text seems flexible in this regard, an explicit mention of the subdivision of responsibilities would ensure procedural clarity. This could, for example, be specified in Article 26.

