

Betreft: [https://internetconsultatie.nl/wet\\_milieubeheer\\_rediii/b1](https://internetconsultatie.nl/wet_milieubeheer_rediii/b1)

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Volgende opmerkingen die we graag zien meegenomen:

1. It's good to see several sectors each with its own obligation, but different feedstocks creating different types of ERE, and have arbitrary multipliers could create a system that isn't a level playing field, and could cause over or under supply in a sector. Therefore ensuring a level playing field between all RFNBO within each sectors can ensure the market is allowed to respond to price signals.
2. In several parts of the regulation Green Hydrogen is defined as Hydrogen from renewable electricity. In our view this would mean that also derivatives of Hydrogen are also eligible should be eligible as long as they are certified as RFNBOs. For instance, the use of e-NG/e-methane (certified as an RFNBO) used as e-methane or processed back into H2 through an ATR or SMR should be eligible.
3. In the consultation it's mentioned that the scope 3 carbon reduction should not be passed through to the end consumer. This setup would reduce the customer request to supply a bio / RFNBO fuel because there is no value for the customer to drive on a sustainable fuel. i.e. zero emission public transport would not be possible. It would not benefit the customer to refill with renewable fuel, and with that the case for buying renewable is not relevant anymore. This would also imply that for compliance to the ReFuel EU Maritime targets an additional volume is needed on top of the ERE. Finally, it would also create the uncertainty with regards to the use of RFNBO when it comes to the ETS 2, for instance decarbonising mobility or buildings linked to the setup or carbon pricing.
4. For the use of inland shipping the definition of "location" is introduced, could this also be used for the point of delivery of Hydrogen.
5. Not a direct part of this consultation but, for the next steps toward the regulation and decree, it is important to include imported volumes, both intra European and extra European of RFNBO produced according to the conditions of RED-3 and delegated act.
6. By using liquid fuels in a generator ERE can be obtained, it would be fair to also be able to create ERE with the use of gasses like hydrogen and methane in generators.
7. It is key to include an aspect related to the H2 import strategy as per the RED III recitals requiring a forward looking implementation assessing the locally produced H2 and imported H2 requires to comply with RED obligations, this should be done in the NECP review due by summer 2024 notably and involve industry (both producer, infrastructure, and off takers) as well as external partners and third countries.