



## **BIOGAS**

## Agricultural biogas plants

Agricultural biogas, i.e. gas produced from biomass from agricultural production, is seen as one of the elements in the transformation of the energy market in Poland towards greater use of renewable energy sources.

New investments in agricultural biogas plants should be stimulated by the provisions of the Act of 13 July 2023 on facilitating the preparation and realisation of investments in agricultural biogas plants and their operation, currently entering into force.

The Ministry of Agriculture and Rural Development estimates the domestic potential for agricultural biogas at up to 7-8 bcm per year. Presently, however, that potential is not used in practice at all. KOWR data shows that there are only around 150 installations in Poland that produced less than 400 mcm of agricultural biogas in 2022.

The Act defines an agricultural biogas plant as a RES installation producing agricultural biogas, electricity from agricultural biogas, heat from agricultural biogas or biomethane from agricultural biogas. It introduces facilitations for investing in this type of installation, covering, among other things, administrative issues regarding the procedure for obtaining a development conditions decision, a location decision and a construction permit. It also adds specific rules for obtaining conditions for connecting agricultural biogas plants to the electricity grid.

The adopted facilitations are intended to support primarily local investments, created with the participation of local farmers. However, the regulations do not exclude the creation of companies or energy clusters, which will enable the partial financing of investments by entities from outside the agricultural sector. The Act also introduces a requirement that agricultural biogas plants use only agricultural substrates listed in a regulation of the Minister of Agriculture and Rural Development. At the same time, this regulation indicates which substrates will not be treated as waste.

Are you interested in this topic? Feel free to contact us.

## CONTACT

Marek Grzywacz, Ph.D., Counsel marek.grzywacz@ngllegal.co m

Kamil Jakubowski, Junior Associate kamil.jakubowski@ngllegal.com