

# The Support Scheme for Renewable Heat

## Tariff Scheme

## Operating Rules and Guidelines

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Tariff Scheme Operating Rules and Guidelines  
Support Scheme for Renewable Heat

## 1. What is the Support Scheme for Renewable Heat?

1.1 The Support Scheme for Renewable Heat is a Government-funded initiative designed to increase the energy generated from renewable sources in the heat sector, thereby reducing greenhouse gas emissions and contributing to meeting Ireland's renewable energy targets. The Scheme aims to:

1.1.1 bridge the gap between the installation and operating costs of renewable heating systems and the conventional fossil fuel alternatives; and

1.1.2 incentivise the development and supply of renewable heat.

1.2 The Scheme will support renewable heat in the following two ways:

1.2.1 Under the "Grant Scheme", a grant to support investment in renewable heating systems that use the following technologies:

1.2.1.1 air source heat pumps;

1.2.1.2 ground source heat pumps; and

1.2.1.3 water source heat pumps.

The grant is intended to provide funding of up to 30% of eligible costs to successful applicants.

1.2.2 Under the "Tariff Scheme", on-going operational support based on useable heat output in renewable heating systems in new installations or installations that currently use a fossil fuel heating system and convert to using the following technologies:

1.2.2.1 Biomass boiler or Biomass HE CHP heating systems; and

1.2.2.2 Biogas (anaerobic digestion) boiler or Biogas HE CHP heating systems.

The Tariff will be made available to successful applicants for a period of up to fifteen years.

1.3 The Tariff Scheme Operating Rules and Guidelines relate **solely** to the Tariff Scheme. A separate set of rules apply to the Grant Scheme. The operating rules and guidelines in respect of the Grant Scheme and the Tariff Scheme are published on the SEAI website.

1.4 The Terms and Conditions and the Tariff Scheme Operating Rules and Guidelines set out the basis on which the Tariff Scheme will operate. Accordingly, an applicant will be required to comply with the Terms and Conditions and the Tariff Scheme Operating Rules and Guidelines.

## 2. SEAI

2.1 The Sustainable Energy Authority of Ireland, also called SEAI, has been appointed, by the Department, as the administrator of the Scheme, including the Tariff Scheme.

2.2 SEAI has developed a number of documents to allow applicants to understand how the Tariff Scheme will operate. A list of the documents, which are available on the SEAI website, is contained in the table below:

Scheme Document	Description of Document
<b>Terms and Conditions</b>	The Terms and Conditions in respect of the Scheme, have been developed by SEAI and reviewed and approved by the Minister. The current set of terms and conditions for the Tariff Scheme is available on the SEAI website. The Terms and Conditions may be updated by SEAI, as necessary from time to time, subject to the Minister's review and approval.
<b>Tariff Scheme Operating Rules and Guidelines</b>	This document sets out the Tariff process, the Eligibility Criteria for participating in the Tariff Scheme and the operating rules in respect of the Tariff Scheme. The Tariff Scheme Operating Rules and Guidelines are also known as the Operating Aid Operating Rules and Guidelines or OAORG.
<b>Application Form</b>	The application form for the Tariff Scheme is on-line on the SEAI website. Applicants will need to complete the on-line application form and submit it via the online portal on the SEAI website in order to commence the application process.
<b>Guide to Completing the Online Application Form</b>	This document is a guide to assist applicants to complete the Application Form. It also provides a list of documents/information that each applicant will need in order to complete the Application Form.
<b>Design report (produced by the design engineer)</b>	The Application process requires each applicant to submit a Design Report as an attachment to the on-line application form prepared by a competent person and containing technical information in respect of their Project.
<b>Design Report Guidance (Tariff scheme)</b>	This document is a guide to assist competent persons to complete the Design Report and it outlines the requirements for an acceptable Design Report.
<b>Completion Report and Declaration of Completion by the Design Engineer</b>	The Completion Report is required when the approved project is installed, tested and commissioned. It forms part of the Declaration of Completion by the design engineer which is a prerequisite to the Governance Review and Inspection Stage.
<b>Declaration of Completion by the installer</b>	This document is designed to certify to SEAI that works have been completed, to collect data and to aid the applicant during the period of installation, commissioning, start-up and completion, of equipment for which an application has been approved and a Letter of Offer has been issued. The declaration needs to be completed including meter labels and first meter readings, all to be signed and verified by the installer.

## Privacy Policy

This document contains the privacy policy for the Scheme.

- 2.3 SEAI reserves the right to vary, revise or supplement the Terms and Conditions, the Tariff Scheme Operating Rules and Guidelines and any other documentation published on the SEAI website in respect of the Tariff Scheme from time to time, without incurring any liability.
- 2.4 Any amendment or variation to the Terms and Conditions, the Tariff Scheme Operating Rules and Guidelines and any other documentation published on the SEAI website will apply to every applicant from the date of publication of the amended document on the SEAI website. Applicants should monitor the SEAI website in order to learn of any changes.
- 2.5 Any reference to any legislation, regulation, directive and/or guidelines, etc includes any modification, amendment, re-enactment, extension or consolidation of same together with, in respect of legislation, any secondary legislation made under it for the time being in force.

## 3. Terms of Reference

Capitalised words used in the Tariff Scheme Operating Rules and Guidelines shall have the meaning given to them in Annex 1 to this document, unless the context otherwise admits.

## 4. Tariff Scheme overview

- 4.1 There are several different stages involved in the Tariff Scheme process, a high-level overview of each stage is contained below. The full information for each stage is set out later in this document.

### 4.1.1 APPLICATION STAGE 1 – SUBMISSION OF APPLICATION

- 4.1.1.1 The first stage of the Tariff Scheme commences when an applicant submits a completed Application Form, via the online portal on the SEAI website.
- 4.1.1.2 The Application Form will include the Project description, the location, the start and end dates.
- 4.1.1.3 The Application Form and the Guide to Completing the Application Form are contained on the SEAI website.
- 4.1.1.4 Further detail on the Application Stage 1 – Submission of Application is contained below in section 20.
- 4.1.1.5 **Applicant Representative**

An applicant may appoint an Applicant Representative to co-ordinate their Project and deal with SEAI on their behalf in the Application Form, by nominating the Applicant Representative and providing their contact details. The Applicant Representative will be copied on all correspondence up to the Offer Stage. An Applicant Representative may be the person who signs the Tariff Scheme documentation on behalf of the applicant, if it is a corporate entity or a sole trader. An Applicant Representative may be changed or removed by notice in writing or by emailing [ssrh@seai.ie](mailto:ssrh@seai.ie).

- 4.1.1.6 **Nominated Project Contact**

An applicant may appoint and authorise a Nominated Project Contact on the Application Form to advise on the technicalities of the Project on their behalf and to provide technical input to the

application. This person will normally be a maintenance or engineering representative. It might also be an employee of an applicant or the technical advisor to the applicant. SEAI will communicate with the Nominated Project Contact when it is evaluating the technical merits of an application. A Nominated Project Contact may be changed or removed by notice in writing or by emailing [ssrh@seai.ie](mailto:ssrh@seai.ie).

4.1.1.7 Any reference to applicant in the Tariff Scheme Operating Rules and Guidelines, may also include a reference to the Applicant Representative or the Nominated Project Contact where the context so provides. In order to complete an application a number of documents are required as attachments to the on-line application including the Design Report, schematic diagrams for the proposed heating system, a site map of the proposed installation, proof that the building is non-domestic (planning permission issued by a local authority or rate receipts from the Local County or Town Council) to be uploaded as required on the online application portal.

4.1.1.8 The priority of an application will be determined by the date of submission of the full and complete application and the supporting documentation listed in 20.2. The priority of the application will be subject to the fulfilment of the conditions set out in 18.4.

#### 4.1.3 EVALUATION STAGE

4.1.2.1 At this stage, SEAI will review and evaluate the Application Form, and the documents submitted by the applicant to determine if an application is eligible in accordance with the Terms and Conditions and the Tariff Scheme Operating Rules and Guidelines.

4.1.2.2 SEAI may issue further queries to applicants at the Evaluation Stage. Any queries raised by SEAI must be responded to by the applicant within ten working days of the date of the written correspondence containing the query raised by SEAI, unless an alternative timeframe is agreed in writing by SEAI and the applicant. If an applicant fails to respond to a query raised by SEAI within the specified timeframe SEAI may reject the application.

4.1.2.3 SEAI will issue a letter to ineligible applicants and applicants whose Project has not been successful setting out the reason(s) why the application is being rejected by SEAI.

4.1.2.4 Further detail on the Evaluation Stage is contained below in section 21.

#### 4.1.3 OFFER STAGE

4.1.4.1 If SEAI is satisfied that a Project is eligible to receive funding, SEAI will issue a Letter of Offer and a Tariff Agreement to the applicant. Each successful applicant will have ten working days from the date of the Letter of Offer to accept the Letter of Offer and the Tariff Agreement.

4.1.4.2 The applicant must be in receipt of a Letter of Offer and a Tariff Agreement before placing any orders for equipment and/or the provision of services and/or installation work on the Project commences. The date of the Letter of Offer will be the Project Start Date.

4.1.4.3 Payment of the Tariff to an Eligible Applicant will be subject to the terms and conditions set out in the Letter of Offer and the Tariff Agreement.

4.1.4.4 Further detail on the Offer Stage is contained below in section 22.

#### 4.1.5 PROJECT DESIGN, INSTALLATION AND COMPLETION STAGE

- 4.1.5.1 The installation, including placing any orders for equipment and/or the provision of services and/or installation work on the Project, cannot be commenced before the Project Start Date.
- 4.1.5.2 SEAI will allow the applicant one year from the date of the Letter of Offer to install and complete the Project. Notwithstanding this, SEAI may, depending on the nature, scale or complexity of a Project, issue a Tariff Agreement permitting an applicant a period, greater than one year, in which to install and complete the Project. For the avoidance of doubt, the time period for completion of a Project will always be included in the Tariff Agreement.
- 4.1.5.3 An applicant may request an extension of time for completion of the Project. Any decision to extend the time period set out in the Tariff Agreement will be at the discretion of SEAI. Any extension may be based on the nature, scale or complexity of the Project, or if SEAI is satisfied that there are particular circumstances deemed by SEAI to be beyond the reasonable control of the applicant.
- 4.1.5.4 The applicant shall provide an update on the progress and status of the Project, if the Declaration of Completion has not been submitted six months from the date of the Letter of Offer, and again one year from the date of the Letter of Offer.
- 4.1.5.5 The Project must be designed, installed, tested, commissioned and operated by suitably qualified and Competent Person(s).
- 4.1.5.6 The applicant must inform SEAI without delay once the installation, testing and commissioning of the Project is complete.
- 4.1.5.7 At this stage, the applicant must submit the Declaration of Completion along with the documentation detailed in section 23.5. This suite of documentation will include a Starting Meter Reading.
- 4.1.5.8 Further detail on the Project Design, Installation and Completion Stage is contained below in section 23.

#### **4.1.6 GOVERNANCE REVIEW AND INSPECTION STAGE**

- 4.1.6.1 Once an applicant has successfully completed the Project Design, Installation and Completion Stage, the application will progress to the Governance Review and Inspection Stage. An inspection can take the form of a desktop audit, where the documents submitted to SEAI are reviewed, and/or a site inspection. Projects will be selected by SEAI for desktop audit and/or site inspection, on an ad-hoc or a risk-based approach.
- 4.1.6.2 The Governance Review and Inspections Stage will confirm the validity of the Starting Meter Reading.
- 4.1.6.3 Projects that pass the Governance Review and Inspection Stage will be notified and will be assigned a Commencement Date by SEAI. On the establishment of the Commencement Date, the applicant will enter the Payment Cycle.
- 4.1.6.4 If a Project does not pass the Governance Review and Inspection Stage, SEAI may require the applicant to arrange for re-works to be carried out and/or an applicant will not progress to the Payment Cycle.
- 4.1.6.5 SEAI may carry out re-inspections, to determine if re-works have been undertaken and completed to SEAI's satisfaction. SEAI may also carry out a periodic inspection of the Project during the term of the Tariff Agreement to monitor compliance with the Tariff Scheme Documentation.

4.1.6.6 Further detail on the Governance Review and Inspection Stage is contained below in section 25.

#### 4.1.7 PAYMENT CYCLE

4.1.7.1 An applicant will progress to enter the Payment Cycle on successful completion of the Governance Review and Inspection Stage.

4.1.7.2 In order for SEAI to authorise the commencement of the first payment of the Tariff to an applicant, an applicant will be required to confirm and demonstrate compliance with the ongoing obligations under the Tariff Scheme detailed in section 26.

4.1.7.3 Thereafter, in order to receive the ongoing Tariff payments for the term of the Tariff Agreement, an applicant will be required to submit the Operations Report every six months from the Commencement Date and the Annual Declaration on the first anniversary of the Commencement Date, and on every anniversary thereafter, to demonstrate and confirm its compliance with the ongoing obligations and the Tariff Scheme Documentation.

4.1.7.4 SEAI may require an applicant to submit documentation and to answer queries raised by SEAI and/or undergo a periodic inspection in order to demonstrate ongoing compliance with the ongoing obligations and the Tariff Scheme Documentation.

4.1.7.5 Payments will be made on a Quarterly basis, in arrears, based on submitted Quarterly meter readings of Eligible Heat as agreed by SEAI.

4.1.7.6 SEAI may cease making payment of the Tariff if an applicant fails to demonstrate compliance with the ongoing obligations and the Tariff Scheme Documentation.

4.1.7.7 Further detail on the Payment Cycle is contained below in section 27.

## 5. Tariff – Eligibility Criteria

5.1 In order to be eligible to receive the Tariff, an applicant must satisfy SEAI that:

5.1.1 the applicant is an **Eligible Applicant** (see section 6);

5.1.2 the installation is an **Eligible Installation** (see section 7);

5.1.3 the Eligible Installation is installed in line with **Installation Standards** (see section 8);

5.1.4 the Eligible Installation is affixed with **Appropriate Metering Equipment** (see section 9);

5.1.5 the heat produced is **Eligible Heat** (see section 12);

5.1.6 the Eligible Installation passes the **Energy Efficiency Evaluation** (see section 13.7).

5.1.7 the Eligible Installation has complied with all **Sustainability Obligations** (see section 14) and **Air Quality Standards** (see section 16); and

5.1.8 the Eligible Heat is used in an **Eligible Building** (see section 10) for heating **Eligible Space(s)** (see section 11).

5.2 The Eligibility Criteria are expanded on further below. Failure to fully satisfy any one of the Eligibility Criteria will result in an application being refused by SEAI.

- 5.3 An applicant must satisfy SEAI that he/she/it, and the Eligible Installation, continue to meet the Eligibility Criteria detailed in the Tariff Scheme Operating Rules and Guidelines for the duration of the Tariff Scheme. If an applicant and/or the Eligible Installation cease to meet the Eligibility Criteria during the lifecycle of the Tariff Scheme, the applicant must notify SEAI immediately in writing of the basis on which the applicant and/or the Eligible Installation cease to be eligible to participate in the Tariff Scheme.
- 5.4 In circumstances where the applicant and/or the Eligible Installation cease to satisfy the Eligibility Criteria detailed in the Tariff Scheme Operating Rules and Guidelines, SEAI may terminate the Tariff Agreement and may cease payment of the Tariff to the applicant with immediate effect. SEAI may seek to recover from the applicant part, or all, of the Tariff paid to date. In addition, if SEAI learns that an applicant has failed to inform SEAI that he/she/it and/or the Eligible Installation ceased to satisfy the Eligibility Criteria, SEAI may terminate the Tariff Agreement and SEAI may seek to recover from the applicant part, or all, of the Tariff paid to date.
- 5.5 For the avoidance of doubt, in all cases the applicant and the Eligible Installation must continue to satisfy the Eligibility Criteria detailed in section 5.

## 6. Eligible Applicant

- 6.1 In order to be an **Eligible Applicant**, an applicant must:
- 6.1.1 be a commercial, industrial, agricultural, public sector, district heating or other non-domestic heat user at sites not covered by the EU Emissions Trading System;
  - 6.1.2 be the owner of the Eligible Installation at the time of payment of the initial Tariff payment and at the time of payment of all subsequent Tariff payments by SEAI; **AND**
  - 6.1.3 be solvent at the Application Stage and during the Payment Cycle; **AND**
  - 6.1.4 have tax clearance at the Application Stage and during the Payment Cycle; **AND**
  - 6.1.5 be one of the following:
    - 6.1.5.1 a national of an EU Member State or a State belonging to the European Economic Area; **OR**
    - 6.1.5.2 a body corporate/undertaking having an Establishment, and a Branch and/or a Subsidiary in the State at the time the application is made and at the time of payment of the initial and subsequent Tariff payments;
  - 6.1.6 not be in receipt of other public funding from any national, international or EU funding source in respect of the Eligible Installation and associated costs, maintenance of the Eligible Installation and/or the heat output from the Eligible Installation. Where the applicant is in receipt of any other public funding support, the applicant must demonstrate that there is no duplication of support for the renewable heat output that forms part of the application under the Tariff Scheme; **AND**
  - 6.1.7 not be in receipt of supports under the REFIT Scheme.

### 6.2 Ownership of the Eligible Installation

- 6.2.1 Only the legal owner of the Eligible Installation shall (having applied for such support) be entitled to receive payment of the Tariff in respect of such technology.
- 6.2.2 If there is a change of ownership in the Eligible Installation, either by virtue of a change of ownership in the applicant



or a change of ownership in the Eligible Installation, the applicant must notify SEAI in writing within ten working days from the change of ownership occurring, identifying the new owner. SEAI will then decide if the new ownership complies with the Eligibility Criteria detailed in section 5.

- 6.2.3 Only the prospective owner of the Eligible Installation shall be eligible to make an application for the Tariff Scheme in respect of such technology. An owner or prospective owner of the Eligible Installation whose only interest in such technology will be as a financier or lessor (and not as an energy services contractor, or operator, or off-taker of heat) shall not be eligible to make an application for, or to receive, payment of the Tariff in respect of such technology.
- 6.2.4 The recipient of the Tariff payments (being and remaining at all relevant times the legal owner of the Eligible Installation) will be responsible for complying with the Tariff Scheme Documentation, including maintaining compliance with the Eligibility Criteria, the ongoing obligations, facilitating access for inspections and demonstrating compliance with the Tariff Scheme Documentation. Where the Eligible Installation is operated by a party other than the recipient of the Tariff payments, the recipient of the Tariff payments shall procure and ensure, through appropriate, binding contractual mechanisms, that the operator of the Eligible Installation undertakes to comply, and in fact complies, with all relevant obligations and also enables the recipient to comply with its own obligations.

### 6.3 Solvency

- 6.3.1 SEAI requires that all applicants are solvent at the Application Stage and at the first payment of the Tariff and at each subsequent payment of the Tariff.
- 6.3.2 In order to be eligible for the Tariff, each applicant will be required to submit a declaration of solvency to SEAI to confirm that the applicant is solvent.
- 6.3.3 An applicant will be required to confirm its continued solvency in the Annual Declaration.

### 6.4 Tax Clearance

- 6.4.1 Each applicant must have tax clearance at the Application Stage and at the first payment of the Tariff and at each subsequent payment of the Tariff.
- 6.4.2 At the Application Stage, each applicant will submit a tax reference number to SEAI. SEAI will check each applicant's tax status with the Revenue Commissioners at the Evaluation Stage, prior to processing the first payment of the Tariff, and at the commencement of each subsequent Tariff payment. Only applicants that have tax clearance will receive payment of the Tariff.
- 6.4.3 An applicant will be required to confirm that it continues to have tax clearance in the Annual Declaration.

### 6.5 State aid

- 6.5.1 The European Commission approved the Tariff Scheme by Commission Decision dated 15 April 2019 (C(2019) 2771).
- 6.5.2 The Commission Decision will be published on SEAI's website.
- 6.5.3 No aid will be paid in respect of a Project that has commenced operation prior to the Project Start Date. Similarly, no aid will be payable by SEAI in respect of any cost(s) incurred and/or activities commenced on a Project before the Project Start Date.
- 6.5.4 Individual Projects under the Tariff Scheme that exceed the 250MW threshold detailed in point 20(b) of the EEAG will be individually notified to the European Commission for assessment before benefiting from payment of the Tariff under the Tariff Scheme.

## 6.6 Establishment of applicant

- 6.6.1 As detailed above, to be eligible to participate in the Tariff Scheme, each applicant is required to be:
- 6.5.1.1 a national of an EU Member State or a State belonging to the European Economic Area; **OR**
  - 6.5.1.2 a body corporate/undertaking having an Establishment, and a Branch and/or a Subsidiary in the State at the time the application is made and at the time of payment of the initial and subsequent Tariff payments.
- 6.6.2 All Eligible Installations and heat use supported under the Tariff Scheme must be based and take place within the State. This does not preclude a beneficiary having its headquarters, or being predominantly established, outside the State. In this instance an applicant must have an Establishment, and a Branch and/or a Subsidiary in the State.
- 6.6.3 Each applicant will be required to submit a declaration to SEAI confirming the Establishment of the applicant at the Application Stage and during the Payment Cycle. An applicant will be required to confirm its continued Establishment in the Annual Declaration.
- 6.6.4 Each applicant must have a bank account in the State, in order for payment of the Tariff to be processed. In this regard, payment of the Tariff will only be paid into a bank account in the State.

## 6.7 No Other Sources of Funding

- 6.7.1 In order to be eligible to participate in the Tariff Scheme, an applicant must not be in receipt of funding from any national, international or EU funding source in respect of the Eligible Installation and associated costs, maintenance of the Eligible Installation and/or the heat output from the Eligible Installation, save as set out in section 6.9.
- 6.7.2 Each applicant will be required to submit a declaration of funding in the form prescribed by SEAI to confirm that the applicant has not, and will not, receive any funding in respect of the Project, other than the funding under the Tariff Scheme.
- 6.7.3 This requirement does not prohibit an applicant from obtaining bank funding or other non-grant related sources of funding in respect of a Project.

## 6.8 REFIT Scheme

Applicants that are in receipt of supports under the REFIT Scheme(s) run by the Department for the same Eligible Installation will not be eligible to participate in the Tariff Scheme.

## 6.9 RESS Scheme

- 6.9.1 HE CHP Projects in receipt of support for heat output under the Tariff Scheme, may be eligible to compete for support for electricity output under the RESS Scheme, subject to the terms and conditions of the RESS Scheme, State aid approval and appropriate design for efficient operation.
- 6.9.2 If an applicant, who is in receipt of Tariff payment(s), subsequently succeeds in applying for support under the RESS Scheme for the electrical output from the same HE CHP, the applicant must inform SEAI by providing detail of the support offered, within ten working days of approval of the application under the RESS Scheme.

## 6.10 Request for information and/or documents

SEAI may request documents or explanations in addition to the documents/information contained in the prescribed forms or identified in the Tariff Scheme Operating Rules and Guidelines from the applicant at any stage of the Tariff Scheme.

Applicants must furnish information and/or documents as requested by SEAI within ten working days of a written request from SEAI, or in such other time period as may be prescribed by SEAI.

## 7. Eligible Installation

7.1 An Eligible Installation is the installation of one of the following heating technologies:

- Biomass boiler;
- Biogas boiler;
- Biomass HE CHP; and
- Biogas HE CHP.

7.2 An Eligible Installation includes all Related Ancillary Equipment such as heat distribution pipe work, heat emitters, buffer tanks, fuel handling and storage equipment that meets planning permission (and other regulatory requirements) where appropriate, and complies with the Terms and Conditions and the Tariff Scheme Operating Rules and Guidelines including, energy efficiency, installation, metering, commissioning and performance.

7.3 The components of the Eligible Installation described in 7.4 must be purchased as new to be eligible for the Tariff Scheme. This means that these components of the Eligible Installation must not have been used previously. Converted installations or equipment will not be eligible for the Tariff Scheme.

7.4 The requirement in 7.3 applies to any equipment, apparatus or appliance which is necessary for, and integral to, the generation of heat for Eligible Purposes by the Eligible Installation. For Biomass boilers this will include, where applicable, a boiler fuel feed hopper, boiler fuel feed mechanism, boiler unit and all metering equipment necessary for reporting Eligible Heat. External silos used for fuel storage and existing heat distribution systems do not necessarily have to be new. They do have to be fit for purpose. For Biogas boilers this will include, where applicable, a fuel feed gas buffer vessel, boiler unit and metering equipment necessary for reporting Eligible Heat. For HE CHPs, this will include the combustion unit and all metering equipment necessary for reporting Eligible Heat.

## 8. Installation Standards

8.1 In order to meet installation standards required by SEAI, each applicant must, at a minimum:

- 8.1.1 ensure that the design of the Eligible Installation is completed by a Competent Design Engineer. Where the property is an existing property, a Design Declaration must be signed by a Competent Design Engineer. Where the property is a new property, the design certification to be submitted to SEAI will be that required under the Building Control (Amendment) Regulations 2014. For further information please see section 8.5.
- 8.1.2 ensure they have engaged a Competent Person(s) to, at all times, design, procure, supervise and carry out the installation, test, complete and operate the Eligible Installation.
- 8.1.3 ensure that a Competent Contractor (as defined in section 8.2) will supervise and carry out installation of the Eligible Installation;
- 8.1.4 ensure that all works carried out in connection with the installation of the Eligible Installation are carried out in accordance with the manufacturer's specifications relating to installation and use;
- 8.1.5 ensure that all works carried out in connection with the installation of the Eligible Installation are carried out in accordance with the relevant regulations and all applicable laws;
- 8.1.6 ensure that a Registered Electrical Contractor supervises and signs off on the electrical installation of the Eligible Installation;

- 8.1.7 ensure that a Competent Person provides a Completion Certificate in respect of the Eligible Installation, in accordance with the definition of “Controlled Works and Restricted Works” by the Commission for Regulation of Utilities; and
- 8.1.8 strictly adhere to any code of practice SEAI may publish setting out installation standards for the Tariff Scheme.

## 8.2 Competent Contractor

The term Competent Contractor means a person holding a certificate of competence from the specific manufacturer of the Eligible Installation installed, based on an adequate training programme, **OR**

- 8.2.1 a Fetac/QQI level 6 Advance Craft in Plumbing, including, at a minimum, a module on minor electrical works:  
**AND**
- 8.2.2 a Fetac/QQI level 6 in Boiler/HE CHP using Biomass/Biogas fuel, or equivalent qualification.

## 8.3 Manufacturer Specifications

All Eligible Installations must be installed in accordance with the specifications, regulations and requirements identified by the manufacturer in respect of the Eligible Installation.

## 8.4 Applicable Regulations

- 8.4.1 All Eligible Installations and Related Ancillary Equipment must be installed in accordance with the applicable laws, including but not limited to planning and building laws and regulations.
- 8.4.2 All necessary licences, authorisations, statutory and regulatory approvals, consents, permits and permissions required by law in connection with the Eligible Installation and on-going operation of the Eligible Installation, must be obtained by the applicant.
- 8.4.3 This includes, but is not limited to EPA licenced applicants who must ensure that all licence conditions associated with the heating system are satisfied.
- 8.4.4 Annex 2 contains a list of regulations that may apply to an Eligible Installation. This list is for guidance only and is not intended to be exhaustive.

## 8.5 Design of Installations

- 8.5.1 Eligible Installations will be assessed by SEAI on a case-by-case basis. SEAI will require Eligible Installations to:
  - 8.5.1.1 comply with any installation standards prescribed by SEAI in respect of any such Eligible Installation; and
  - 8.5.1.2 demonstrate that the design, installation, testing, commissioning and completion of the Eligible Installation is supervised, inspected and signed-off by a Competent Design Engineer in a Design Declaration.
- 8.5.2 The Competent Design Engineer will need to (1) perform the design by completing and submitting a Design Report at application stage, and (2) sign-off that the Eligible Installation has been designed, installed, tested and commissioned in accordance with the design by submitting a Design Declaration at completion stage. This Design Declaration will be submitted in support of the Declaration of Completion, prior to SEAI processing an

applicant's first payment of the Tariff. Where the property is new, the design certification to be submitted to SEAI will be that required under the Building Control (Amendment) Regulations 2014.

- 8.5.3 Depending on the complexity and the design of a Project, SEAI may require further information, documentary evidence and/or drawings for complex Projects and Eligible Installations.
- 8.5.4 Within the Design Report, the Competent Person must identify if a legionella control process is required. It would be expected that such control will be required where the Eligible Installation is being used for water heating. Where legionella control is required, the application must clearly demonstrate how the system complies with the documentation and best practices requirements of the Health and Safety Authority, including the identification of critical control points in the application description and diagrams(s).

## 8.6 Manufacturer/Competent Design Engineer Warranty

Each applicant is required, at a minimum, to obtain:

- 8.6.1 a design warranty for the overall design of the Eligible Installation. The design warranty should be for a minimum of five years;
- 8.6.2 product warranties for the new components of the Eligible Installation as described in 7.4 valid for a minimum of five years; and
- 8.6.3 a system warranty and maintenance and service contract(s) which includes all ancillary equipment associated with the Eligible Installation. The system warranty should be for a minimum of 5 years for new equipment and a minimum of 2 years for existing equipment, or otherwise as agreed by the applicant with SEAI. The maintenance and service contract(s) should support these warranties.

Such Warranties must include an undertaking to repair and replace the Eligible Installation in the event of the warranty being breached. Each applicant should submit documentary evidence of warranty cover having been obtained as part of the Declaration of Completion.

The Warranties must be assigned to the owner of the Eligible Installation and in the event of a transfer of ownership, capable of being assigned to another entity.

## 8.7 Codes of Practice

All applicants will be required to ensure that any Eligible Installation is installed and operated in accordance with any codes of practice published by SEAI and/or other relevant bodies, relevant to the Eligible Installation installed.

## 9. Appropriate Metering Equipment

- 9.1 Appropriate Metering Equipment must be installed and maintained to measure the output of the Eligible Installation and the Eligible Heat used.
- 9.2 SEAI is not responsible for the purchase of the Appropriate Metering Equipment and/or the installing, maintenance or calibration of the Appropriate Metering Equipment. Communication devices (such as modems), once specified by SEAI following a proof of concept period, shall be the responsibility of the applicant.
- 9.3 **"Appropriate Metering Equipment"** means metering equipment that:
  - 9.3.1 is permanent, fixed and tamper-proof;

- 9.3.2 has its own unique identification number;
- 9.3.3 measures Eligible Heat consumption at point of use;
- 9.3.4 complies with Measuring Instrument Legislation and is certified to accuracy Class 2;
- 9.3.5 has been tested, is in operation and is supported either to MBUS standards (preferable) or Pulse standards;
- 9.3.6 has been correctly installed, commissioned, calibrated and maintained by the applicant;
- 9.3.7 is comprised of the number of meter devices, agreed and approved by SEAI for the Eligible Installation as described in section 4 of the design report guidance tariff scheme;
- 9.3.8 Has battery backup to ensure that there is no data loss
- 9.3.9 Includes appropriate design features to enable maintenance, replacement, or calibration; and
- 9.3.10 is able to communicate at a minimum the following events/alarms; low battery (if applicable), tampering and power loss,
- 9.3.11 is fitted with SEAI approved tamper evident seals in accordance with the Heat meter tagging Guidance available on the SSRH webpage.

in order to measure and monitor Eligible Heat use.

- 9.4 Where a separate heat source (such as a fossil-fuel backed heat source) is connected to the Eligible Installation, it must be metered separately and must not contribute towards the heat consumption meter readings attributable to Eligible Heat.
- 9.5 Where multiple meters are used, the equation to calculate eligible heat must be submitted with the Design Report and Commissioning Report.
- 9.6 SEAI will seek to have metering systems with remote data transfer capability. Initially, applicants may be required to install specific data transfer technology as part of a proof of concept period.
- 9.7 As part of the Application process, SEAI will review if the metering approach and associated equipment proposed by the applicant qualifies as Appropriate Metering Equipment. Meters must be positioned to accurately record heat output or heat use. SEAI may at its discretion require that additional meters are installed, or existing meters are re-located.
- 9.8 Eligible Applicants must ensure that documents demonstrating ongoing compliance with the Appropriate Metering Equipment requirement (including maintenance and calibration records and meter readings) are maintained, sent to SEAI as appropriate, and available for inspection by SEAI.
- 9.9 Compliance with the Appropriate Metering Equipment requirement will be reviewed as part of the SEAI's desktop audit and inspection process. SEAI will access and use the relevant meter data to evaluate ongoing performance with the Tariff Scheme and to monitor compliance with the ongoing obligations and Tariff Scheme Operating Rules and Guidelines. Aggregated and anonymised meter data will also be used for research, reporting and policy purposes.
- 9.10 In addition to other metering requirements, meters must be suitably positioned and/or protected to minimise the risk of damage, whilst at the same time allowing meter readings to be safely taken.
- 9.11 Meters and distribution pipework must not be re-set, removed, replaced or relocated without the prior written consent of SEAI. An applicant must notify SEAI immediately if it becomes reasonably apparent that it is necessary to re-set,

remove, replace or relocate the meters. The notification to SEAI must outline the reason for the re-setting, removal, replacement or re-location of the meters, and the meter reading immediately before the proposed change.

## 10. Eligible Building

10.1 For space heating or any other heating where the Building fabric is intrinsic to the proposed heat use the following conditions will apply.

10.2 The Building or structure in question must be:

- i. a Building (as defined in section 10.4); and
- ii. located in the State on a permanent basis.

10.3 Some Buildings or Projects may not be eligible to receive funding even though they meet the criteria set out above and expanded on below. A list of Ineligible Buildings is contained below at section 10.5.

### 10.4 Building

10.4.1 The definition of building has two main components:

#### 10.4.1.1 *Permanent or long-lasting building or structure*

In assessing whether each building or structure is permanent and long-lasting, SEAI will have regard to the following:

- the length of time the building or structure will remain at its location;
- the materials from which the building or structure (including any associated foundations) has been erected; and
- the degree to which the building or structure is designed to be moved and the amount of the works required to affect its relocation or removal.

In considering the length of time for which a building or structure is expected to remain in its location, SEAI would not generally consider any building which would be eligible for exemption under the Third Schedule of the Buildings Regulations 1997 (S.I. 497/1997), to be permanent or long-lasting. If a building has a planned time of use of five years or less, it is unlikely to qualify as a building for the purposes of the Tariff Scheme. However, where a building is to be replaced on a like for like basis in the fifteen-year period following the commissioning and completion of the Eligible Installation, SEAI will consider the rationale and circumstances surrounding this type structure to determine whether or not it is suitable under the heading permanent and long lasting.

SEAI consider that tents, seasonal polytunnels and similar structures, which are erected on a temporary basis, are not eligible because they do not meet the permanent or long-lasting building or structure test. However, moveable buildings or structures which are constructed with a view to having a long period of use such as portacabins, static caravans, greenhouses and shipping containers could be regarded as permanent or long-lasting provided they are capable of, and are expected to remain in the same location, for a fifteen-year period.

#### 10.4.1.2 *wholly enclosed*

SEAI will take a practical view as to whether or not a building is “wholly enclosed on all sides with a roof or

ceiling and walls” or not. The existence of openings in walls, ceilings or roofs such as vents, flues, air intakes, shall not result in a building ceasing to be “wholly enclosed”, provided that the number of openings is appropriate in size and number relative to the area of the wall, ceiling or roof and do not, in SEAI’s opinion, permit the significant escape of heat.

Buildings or structures where one or more of its walls contains a window or door which is significant in proportion to the area of the wall (such as retail shops with display windows, cafes with patio doors, loading bays and docks, garages etc.) could still be regarded as wholly enclosed.

A structure erected outdoors that is itself ‘wholly enclosed on all sides with a roof or ceiling and walls’ such as distillation columns and silos would be eligible.

A number of structures erected outdoors that are themselves “wholly enclosed on all sides with a roof or ceilings and walls” and that are joined by sealed piping, may also meet this criterion. This is subject to each individual structure meeting the requirement that it is ‘permanent or long-lasting’ and ‘wholly enclosed’. It must also be shown that the Eligible Heat use, e.g. the carrying out of a process, is contained within the relevant structure(s). Where heat is used for an Eligible Purpose within a series of ‘wholly enclosed’ structures which make up a process or processing facility, SEAI will usually treat the application as one single heat use comprising of a number of separate ‘buildings’ for purposes of the Tariff Scheme.

Open structures such as uncovered tanks, reservoirs and channels are excluded from the definition of ‘Building’. Structures with open sides (such as barns, smoking areas, covered terraces etc.) or structures with retractable roofs are ineligible.

#### **10.4.2 Exception to Eligible Building Criteria**

The requirement to demonstrate compliance with the Eligible Building Criteria required above may be waived by SEAI in the case of process heating or water heating in circumstances where applicants demonstrate the following to the satisfaction of SEAI:

10.4.2.1 that the fabric or make-up of the Building does not have an impact on the heat use in the relevant Eligible Installation; and

10.4.2.2 the heat use is in line with an Industry Specific Benchmark, best-practice benchmarks.

More information on what SEAI will regard as an acceptable benchmark is contained in the section 13.7 of the Tariff Scheme Operating Rules and Guidelines.

10.4.3 Building automation and control systems are required for all Buildings with a combined heating and ventilation system effective rated output of more than 290kW (please refer to The European Union (Energy Performance of Buildings) Regulations 2021 (S.I. No. 393 of 2021), regulation 5c).

10.4.4 Energy efficiency works are required to comply with all parts of the Building Regulations, including Part L Conservation of Fuel and Energy, Part B Fire, Part F Ventilation, Part D Materials and Workmanship, Part J Heat Producing Appliances as well as other Building Regulations as required.

#### **10.5 Ineligible Buildings**

10.5.1 The following types of Buildings will not qualify as Eligible Buildings under the Tariff Scheme:

10.5.1.1 existing Buildings or structures which require the Eligible Installation and/or Related Ancillary Equipment in order to comply with the requirements set out in the Building Regulations or any other regulation.



10.5.1.2 new buildings or structures which require the Eligible Installation and/or Related Ancillary Equipment in order to comply with the requirements set out in the current Part L of the Building Regulations; and

10.5.2 Renewable heat generated in order to meet the minimum renewable energy compliance levels required, such as obligations under the Building Regulations or any other regulatory requirement, will not be eligible for the Tariff. However, useful heat produced over and above the regulatory requirement may be eligible for support.

10.5.3 Applicants should ensure that the Building or structure meets the criteria set out under the heading Eligible Buildings in this document.

**Please note:** The final decision as to whether a structure and/or Building qualifies as an Eligible Building rests with SEAI.

## 11. Eligible Space

11.1 In order to qualify as an Eligible Space, a space must not be a single domestic residence; and must be one of the following categories of space (as defined within the Building Regulations and the Building Regulations Technical Guidance Document B, fire Safety 2006, or updated regulations as may occur at a future date):

- 11.1.1 institutional residential (group 2a);
- 11.1.2 other residential (group 2b);
- 11.1.3 offices (group 3);
- 11.1.4 shops (group 4a);
- 11.1.5 shopping centres (group 4b);
- 11.1.6 some assembly and recreation Buildings (group 5);
- 11.1.7 industrial Buildings (group 6); and
- 11.1.8 storage Buildings (group 7a).

11.2 Single residential dwellings (group 1) will not be eligible for support.

11.3 A number of domestic residences, which form part of a District Heating Scheme, may qualify as an Eligible Space.

11.4 For the purposes of the Scheme, the term **District Heating Scheme** means a system consisting of a central heat source with a minimum Eligible Heat capacity of 70kW or higher and a network of at least two different final users operating with heat consumption meters at each point of delivery. The District Heating Scheme must distribute thermal energy in the form of steam, hot water or other liquid heat medium, from a central source of production through a network to multiple Buildings or sites, for the use of space, water or process heating. All users must have a commercial (consumption-based payment) contract with the heat producer.

**Please note:** SEAI will assess each District Heating Scheme on a case by case basis. SEAI may impose additional requirements to those set out in the Terms and Conditions and the Tariff Scheme Operating Rules and Guidelines on District Heating Scheme Projects by requiring further information, documentary evidence and/or drawings from applicants applying in respect of a District Heating Scheme Project.

## 12. Eligible Heat

12.1 To qualify as Eligible Heat for the purpose of the Tariff Scheme, heat must be both Useful Heat and used for an Eligible Purpose.

### 12.2 Useful Heat

12.2.1 In order to qualify as Useful Heat, heat must be:

12.2.1.1 generated by an Eligible Installation and measured at the point of Eligible Heat use; and

12.2.1.2 produced to satisfy an Economically Justifiable Heat Demand.

12.3 Economically Justifiable Heat Demand is defined as a heating demand that does not exceed that which would otherwise be satisfied at market conditions by heat generation processes, supplied by other fossil fuel heat sources, if not for the Project.

12.4 SEAI retain the right to decide if the proposed heat use falls within the definition of Useful Heat for the purposes of the Tariff Scheme.

### 12.5 Eligible Purpose(s)

12.5.1 One or a combination of the heat uses listed below will qualify as an Eligible Purpose. Given that the motivation for the Scheme is to promote renewable heat, SEAI encourages each applicant to ensure that the Eligible Installation is used for as many eligible processes as efficiently possible.

#### 12.5.1.1 Space Heating

Space heating is the supply of heat energy to meet the heat demand associated with the typical use of the Building. In order to be regarded as 'space heating' for the purposes of the Tariff Scheme, the activity in each space or zone in the Building must be selected from the list of activities as defined in the NEAP activity database available on the SEAI website. For instance, heating a space includes, but is not limited to, rooms or other enclosed spaces within a Building, typically through the supply of hot liquid to heat emitters such as radiators and underfloor heating.

#### 12.5.1.2 Heating Water

Heating water will qualify as an Eligible Purpose if the water being heated is used in a commercial, agricultural, public sector or industrial Building or process or a District Heating Scheme.

#### 12.5.1.3 Process Heat

Process heat (in the form of hot water or steam) for processes such as industrial cooking, pasteurisation, chemical manufacture and agriculture.

### 12.6 Ineligible Purpose(s)

12.6.1 The following purposes will not be eligible under the Tariff Scheme:

12.6.1.1 heating for the use of single domestic dwellings whether associated with another commercial heat use or not (e.g., single domestic dwellings connected to an office, shop, farm or other heat use are not eligible);

12.6.1.2 direct heating of external surfaces;

12.6.1.3 heating of open or partially open external spaces, e.g., recreational facility, partially enclosed work area or swimming pools;

12.6.1.4 swimming pools in single domestic dwellings;

12.6.1.5 drying digestate from an AD plant;

- 12.6.1.6 wood fuel drying;
  - 12.6.1.7 the generation of electricity;
  - 12.6.1.8 pasteurisation purposes in AD plants; or
  - 12.6.1.9 other purposes determined by SEAI to be ineligible for the purpose of the Tariff Scheme. For instance, any purpose, which does not promote renewable heat or uses excessive or unnecessary amounts of heat, may not be regarded as an Eligible Purpose.
- 12.6.2 The list at 12.6.1 above is not an exhaustive list and SEAI will determine at the Evaluation Stage whether a purpose is an Eligible Purpose for the purpose of the Tariff Scheme.
- 12.6.3 If there is a change in the use of the heat or the Eligible Purpose becomes an Ineligible Purpose, an applicant must inform SEAI as soon as it becomes reasonably apparent, but no later than ten working days after the change in the use of the heat and/or the Eligible Purpose. If the Eligible Purpose becomes ineligible the applicant must submit a valid final meter reading which will be open to inspection and verification by SEAI.

### 13. Energy Efficiency Criteria

- 13.1 Each Project will be evaluated on its merits, to determine if the Project meets the energy efficiency criteria outlined further below as required by SEAI. This includes relevant industry benchmarks.
- 13.2 Each applicant must satisfy SEAI that:
- 13.2.1 the heat use is clearly understood and accounted for;
  - 13.2.2 the heat use is well managed;
  - 13.2.3 the total heat proposed is efficient for the proposed use;
  - 13.2.4 improvement opportunities have been identified where practical; and
  - 13.2.5 the Eligible Installation will be maintained over the fifteen-year period in accordance with the equipment manufacturer's O&M requirements. A documented O&M plan, which includes all appropriate annual and other periodic maintenance requirements, must be in place at all times to ensure optimal operational performance over the life of the Eligible Installation, including evidence and records of maintenance schedules and component replacement.
- 13.3 The Application Form has been prepared to examine the energy efficiency of each Project, under the four headings detailed further below; (i) Baseline Energy Performance (ii) Energy Management (iii) Energy Efficiency Evaluation and (iv) Energy Performance Improvement Actions.
- 13.4 SEAI will use inputs from the Baseline Energy Performance Evaluation, the Energy Management proposal, the Energy Efficiency Evaluation and the Energy Performance Improvement Actions to set an Eligible Heat Cap for the application at the Evaluation Stage.

13.5 Alternatively, energy performance and energy management criteria can be demonstrated by certification to the SEAI EXEED Certification standard. In this regard, where an applicant is pursuing SEAI EXEED Certification, the application must include a current version of the following EXEED outputs, which will then be incorporated within the evaluation process:

- i. Project Execution Plan;
- ii. Energy Balance Study; and
- iii. Opportunities Register.

Applications qualifying by pursuing SEAI EXEED Certification are required to attain certification within an agreed timeframe of 18 months.

### 13.6 Baseline Energy Performance Evaluation

13.6.1 The applicant must demonstrate to SEAI's satisfaction what the anticipated Baseline Heating Energy Performance is and will be going forward. Baseline Energy Performance in this context means the anticipated Eligible Heat output required for the Eligible Heat use proposed. For replacement heat sources, this will be based on previous heat use. For new Eligible Installations, the baseline energy performance will be calculated based on the anticipated Eligible Heat output required.

13.6.2 The purpose of the Baseline Energy Performance Evaluation is to ascertain:

- 13.6.2.1 the applicant's entire heating fuel consumption;
- 13.6.2.2 the efficiency of the current/proposed Eligible Installation; and
- 13.6.2.3 the applicant's total heat energy consumption in MWh per year.

### 13.6 Energy Management

13.6.1 Each applicant must demonstrate that they have access to the necessary expertise to design an appropriate energy management plan, which details the following in respect of their proposed Project:

- 13.6.1.1 the type of energy management plan proposed for the Eligible Installation;
- 13.6.1.3 the type of heat measurement system the applicant will use;
- 13.6.1.4 metering; and
- 13.6.1.5 ongoing energy efficiency improvement targets.

13.6.2 SEAI may seek evidence of Good Practice in Energy Behaviours (SEAI Energy MAP or ISO 50001) to compliment other energy efficient practices.

13.6.3 Each heat energy measurement and management plan will be assessed by SEAI on a case by case basis. Each applicant must satisfy the SEAI that an effective energy management process will be put in place.

### 13.7 Energy Efficiency Evaluation

13.7.1 Each applicant must demonstrate and submit;

- 13.7.1.1 **an energy balance study** for the proposed Project. This should breakdown the total Eligible Heat Use into its component parts (e.g. space, water, and each process);
- 13.7.1.2 **an annual energy profile forecast for the proposed Project.** The energy profile should forecast

the annual cycle of heat energy used in each component part of the proposed heat use; and

- 13.7.1.3 **an Industry Specific Benchmark for heat use in their sector.** From a reputable source such as a CIBSE or equivalent publication. If there is no Industry Specific Benchmark available, each applicant will have to provide supporting evidence that their heat use is reasonable by reference to the closest equivalent benchmark, supported by heat-energy calculations. If a suitable or acceptable benchmark is not provided, SEAI may, at its discretion, identify a benchmark or determine that a benchmark is not required. Further information on the Industry Specific Benchmark is detailed in section 20.2.

### 13.8 Energy Performance Improvement Actions

- 13.8.1 The purpose of the Energy Performance Improvement Actions are to allow an applicant to identify the steps that can be taken to improve the energy performance of their Project.
- 13.8.2 Each applicant must submit:
- 13.8.2.1 a list of potential energy performance improvement actions that could be undertaken by the applicant;
  - 13.8.2.2 the proposed energy savings as a result of their planned energy performance actions;
  - 13.8.2.3 an economic analysis for each energy performance improvement action and the priority of any steps to be implemented; and
  - 13.8.2.4 a schedule for implementation of any actions that the applicant proposes to implement.
- 13.8.3 In doing so an applicant must present documented evidence that they have challenged the heating service, at the asset level, including:
- 13.8.3.1 the energy service requirement;
  - 13.8.3.2 the process delivering the energy service(s);
  - 13.8.3.3 optimal selection of equipment, including suitable technologies, control systems and plans for completion, operation and maintenance on completion.
- 13.8.4 The applicant must present a clear heat energy requirement calculation including comparison with best practice for the proposed use.

### 13.9 Biomass Boilers

- 13.9.1 Biomass boilers must meet the minimum performance requirements laid out in Commission Regulation (EU) 2015/1189 of 28 April 2015 and Directive 2009/125/EC of the European Parliament and of the European Council with regards to the requirements for solid fuel boilers, or any amendment to that legislation.
- 13.9.2 In line with current NEAP guidelines, the minimum seasonal heating energy efficiency standards for Biomass boilers will be:
- i. 75% for boiler capacity  $\leq$  20kW; and
  - ii. 77% for boiler capacity  $>$  20kW.

This may be updated in line with any amendment of the NEAP guidelines.

13.9.3 Technologies using liquid fuel will not be eligible.

13.9.4 For the purposes of guidance, SEAI has published a set of documents relating to Biomass boilers. The documents comprise a Technology Guide, an Implementation Guide and an Operation and Maintenance Guide, as updated by SEAI over the lifetime of the Scheme as required. These documents, along with other references contained in the Terms & Conditions will provide an applicant with guidance on good practice. MIS 3004 provides guidance for sizing Biomass boilers under 45 kWth. CIBSE Guides (in particular CIBSE Guide AM15) and BSRIA Building Applications Guide BG 1/2008 should be referred to for the design of larger systems

### 13.10 Anaerobic Digestion Biogas Boilers

13.10.1 In line with the Building Regulations, or any amendment of that legislation, or any related and applicable legislation, boilers in which Biogas is used, must meet a minimum seasonal heating energy efficiency of 90%.

13.10.2 For all eligible renewable technologies that use Biogas or biomethane, the relevant IE/EN/BS standards for natural gas systems (ISO 20675:2018 (EM) and ISO/TC 255) apply. In the absence of specific standards/regulations, the manufacturer's standards will apply.

13.10.3 For the purposes of guidance, SEAI has published a set of documents relating to anaerobic digestion Biogas boilers. The documents comprise an Overview, a Technology Guide, an Implementation Guide and an Operation and Maintenance Guide, as updated by SEAI over the lifetime of the Scheme as required. These documents, along with other references contained in the Terms & Conditions will provide an applicant with guidance on good practice. Where relevant CIBSE Guides (in particular Guide C) and BSRIA Building Applications Guide BG 31/2017 should be referred to as best practice guidelines for the design of Biogas systems.

### 13.11 High Efficiency Combined Heat and Power

13.11.1 HE CHP heating systems that use Biomass or Biogas may receive payment of the Tariff for the Eligible Heat output.

13.11.2 A CHP unit must be certified as being a HE CHP unit by the CRU in order to qualify for support under the Scheme. The unit must maintain this certification in order to continue to receive ongoing payments for the period of the Tariff Agreement.

13.11.3 Heat from HE CHP used for cooling, through absorption chillers, may also be considered for support where emissions improvement can be demonstrated.

13.11.4 For all HE CHP systems, relevant standards and regulations apply, with specific reference to Biogas and Biomethane the relevant IE/EN/BS standards for natural gas systems apply (ISO 20675:2018 (EM) and ISO/TC 255). In the absence of specific standards/regulations the manufacturers installation standards shall apply.

13.11.5 For the purposes of guidance, SEAI has published a set of documents relating to HE CHP renewable Eligible Technologies. The documents comprise a Technology Guide, an Implementation Guide and an Operation and Maintenance Guide, as updated by SEAI over the lifetime of the Scheme as required. These documents, along with other references contained in the Terms & Conditions will provide an applicant with guidance on good practice. Further, MIS 3007 and MIS 3007-2 provide guidance for Micro CHP systems. CIBSE Guides (in particular CIBSE Guide AM12) and BSRIA Building Applications Guide BG 2/2007 should be referred to as best practice guidelines for the design of larger systems.

## 14. Sustainability obligations

14.1 Applicants must demonstrate compliance with the sustainability criteria outlined in section 10 of the Terms and Conditions appropriate to the fuel type. This will be shown through the Declaration of Completion, the Operations Report, the Annual Declaration and/or any periodic inspection undertaken by SEAI.

14.2 Compliance with the sustainability obligations will be demonstrated through a recognised certification scheme. At the time of the launch of the Tariff Scheme a recognised certification scheme is not readily available. Accordingly, applicants will be required to self-report against the GHG and land criteria detailed in section 14.5 below. It is intended that this option will be reviewed as certification options develop and the Tariff Scheme Operating Rules and Guidelines will be updated in future, at which point sustainability certification criteria will apply to both new and existing applicants and grantees.

14.3 SEAI may amend and update the certification requirements in order to ensure compliance with the requirements of Directive (EU) 2018/2001 of the European Parliament and the Council on the Promotion of the Use of Energy from Renewable Sources (Recast).

#### 14.4 Feedstock for Biomass and Biogas

14.4.1 Eligible renewable technologies may be permitted to use solid Biomass contained in waste as a fuel source however Feedstock shall not be diverted to heat use from recycling or reuse (as outlined in the Commission Communication COM/2005/0628 Biomass Action Plan, or any amendment of that legislation). The combustion of the biodegradable fraction of municipal waste to produce heat is not eligible for support.

14.4.2 Technologies using food based biofuels are not eligible for support under the Scheme.

#### 14.5 Biomass sustainability requirements

14.5.1 The criteria detailed in this paragraph are greater than current legal requirements.

14.5.2 All Biomass fuel must meet (and continue, for the period of support, to meet) the Tariff Scheme sustainability requirements in order to receive payment of the Tariff.

14.5.3 For Biomass produced in Ireland, there are clear monitoring and enforcement systems in place under existing legislation, monitored by the Forestry Service, the relevant local authorities and the National Parks and Wildlife Service. Verification of the Cross-Compliance Requirements rests with DAFM and the Department of Culture, Heritage and the Gaeltacht.

14.5.4 Applicants must confirm that Feedstock, regardless of country of origin, used for Biomass boiler and HECHP units, approved under the Scheme, complies with all relevant regulations, standards, this TSORG and the existing legislation detailed in 14.5.5, 14.5.6 and 14.5.7.

14.5.5 Biomass fuels produced from agricultural Biomass shall not be made from raw material obtained from land:

- i. with high biodiversity value, i.e. primary forests, specially protected areas, special areas of conservation and highly biodiverse grasslands;
- ii. with high carbon stock, i.e. wetlands, continuously forested areas; or
- iii. that was undrained peatland in January 2008.

14.5.6 Biomass fuels produced from forest Biomass shall meet the following requirements:

- i. the country of origin of the Biomass has harvesting laws, and monitoring and enforcement systems (or where not available in the country of origin, that management systems are in place at forest sourcing area level) to ensure:
  - a. it is carried out in accordance with a harvesting permit;

- b. forest regeneration is in place;
- c. nature protection areas, including peatlands and wetlands, are protected;
- d. impacts on soil quality and biodiversity are minimised; and
- e. it does not exceed the long-term production capacity of the forest.

ii. the country (or regional economic integration organisation) meets the following LULUCF requirements:

- a. is party to or has ratified the Paris Agreement;
- b. has submitted a Nationally Determined Contribution to the UNFCCC or there are laws in place (in accordance with the Paris Agreement) to conserve and enhance carbon stocks and sinks; and
- c. has a national system for reporting GHG emissions and removals from land use including forestry and agriculture.

14.5.7 Applicants must produce heat with lifecycle GHG emissions of less than or equal to 24 gCO<sub>2</sub>eq/MJ of heat generated in order to be eligible under the Scheme. This equates to a minimum 70% GHG saving compared to a fossil fuel comparator for heating of 80 gCO<sub>2</sub>eq/MJ.

14.5.8 If Biomass sustainability requirements detailed in section 14.5 are not demonstrated through a recognised verifiable certification process, applicants must, in order to ensure compliance, have management systems at the forest sourcing area level in place to ensure that carbon stocks and sinks levels in the forest are maintained for the long term and have a documented lifecycle GHG emissions calculation for all Biomass used.

#### 14.6 Biomass fuel

14.6.1 Biomass fuel must meet a GHG emission limit and specific land criteria as ongoing obligations for the full duration of the Tariff Scheme.

14.6.2 Life cycle GHG emissions calculations for all fuel consignments must be carried out and must be available for inspection by SEAI at all times. Additionally, the Annual Declaration must confirm full compliance with life cycle GHG limits for all fuels (see section 14.5.7 for limits). Applicants can use a carbon calculator and/or typical evidence-based values if it can be demonstrated that these values are applicable to the installation and fuel in use.

14.6.3 Land criteria for Biomass fuel can be demonstrated through the use of a certification scheme based on either the Forest Stewardship Council process or the Programme for the Enforcement of Forest Certification or through the bespoke collection of evidence that demonstrates equivalent compliance.

14.6.4 Solid Biomass that is derived from waste must demonstrate that the fuel meets the European Commission definition of waste and will then be deemed to meet the sustainability requirements.

#### 14.7 Biogas fuel

14.7.1 The obligations detailed in this section are greater than current legal requirements.

14.7.2 Eligible AD technologies must be closed digestate storage systems.

14.7.3 Eligible AD technologies with an annual capacity <10,000 t/yr must have a waste management facility permit, from the local authority. Larger eligible AD technologies, with an annual capacity >10,000 t/yr must have an industrial emissions licence from the EPA.

14.7.4 If the Feedstock is classified as ABP, the eligible AD technology must be in receipt of an ABP licence from DAFM and must comply with the ABP Regulations. A full list of ABP Feedstock and the waste risk categories is available on the DAFM website.



- 14.7.5 Biogas from landfill sites will not be eligible for support under the Scheme.
- 14.7.6 The Biogas fuel, at the point of use, must have lifecycle GHG emissions of less than or equal to 24 gCO<sub>2eq</sub>/MJ of net calorific value.
- 14.7.7 Sustainability criteria will apply to Feedstock. Certification of Feedstock through approved sustainability certification schemes to demonstrate compliance will be identified by SEAI.
- 14.7.8 In the absence of approved certification, AD Feedstock shall consist of a maximum of 20% grass silage or other harvested energy crop in order to meet sustainability requirements.
- 14.7.9 All Biogas proposals must clearly demonstrate robust traceability and verification of fuel source for all Eligible Heat claims.
- 14.7.10 Biogas fuel must meet a GHG emission limit and must be traceable to an AD source that meets the criteria set out in the Terms and Conditions.
- 14.7.11 Life cycle GHG emissions for all fuel consignments must be carried out and must be available for inspection by SEAI at all times. Additionally, the annual declaration must confirm full compliance with life cycle GHG limits for all fuels (see section 14.5.7 for limits). Applicants can use a carbon calculator and/or typical evidence-based values if it can be demonstrated that these values are applicable to the installation and fuel in use.

## 15. Biomass fuel quality

- 15.1 An applicant consuming Biomass under the Tariff Scheme must meet (and continue, for the period of Tariff support, to meet) the applicable fuel quality criteria specified by the equipment or the eligible renewable technology supplier and/or manufacturer.
- 15.2 Fuel must be certified by the Wood Fuel Quality Association or an equivalent quality scheme.

## 16. Air Quality Standards

16.1 Applicants must comply with all applicable environmental legislation and the regulatory requirements of the EPA and/or competent authority, as appropriate, with regard to air, waste and water.

16.2 ELVs for air shall be those set out in the applicable environmental legislation, including but not limited to:

**i. For combustion plants with a rated thermal input equal or greater than 50MWth<sup>1</sup>**

If applicable, and not excluded by the Industrial Emissions Directive, combustion plants must have a licence with the EPA under the Industrial Emissions Directive as applied by the European Union (Industrial Emissions) Regulations 2013 (S.I. No. 138 of 2013).

**ii. For combustion plants with a rated thermal input equal to or greater than 1MWth and less than 50 MWth<sup>2</sup>**

If applicable, and not excluded by the MCP Directive, the combustion plant must be registered with the EPA under the MCP Directive as applied by the MCP Regulations and comply with the ELVs set out in the MCP Regulations.

The MCP Regulations also apply to a combination formed by new medium combustion plants pursuant to regulation 10 including a combination where the total rated thermal input is equal to or greater than 50MW, unless the combination

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<sup>1</sup> Applicants should note that larger combustion plants (above 20 MWth) normally fall within the ETS and would therefore be ineligible for the Scheme.

<sup>2</sup> Applicants should note that larger combustion plants (above 20 MWth) normally fall within the ETS and would therefore be ineligible for the Scheme.

constitutes an industrial emissions activity for the purposes of the Environmental Protection Agency Act 1992 as amended.

Periodic measurements shall be required at least:

- i. every three years for MCPs with a rated thermal input equal to or greater than 1 MW and less than or equal to 20 MW; or
- ii. every year for MCPs with a rated thermal input greater than 20MW.

The frequency of periodic measurements shall in any case not be lower than once every five years, as per Part 1 of the MCP Regulations.

The ELVs set out in Part 2 Schedule 2 of the MCP Regulations must be applied from 20 December 2018 for all new and applicable eligible renewable technologies.

**iii. For solid fuel boilers with a rated thermal output of less than 1MWth.**

If applicable, and not excluded by the Eco-Design Regulations, the solid fuel boiler must meet the eco-design requirements detailed in the Eco-Design Regulations and comply with the seasonal heating energy efficiency requirements and the ELVs in the Eco-Design Regulation, under Annex II.

For biomass boilers >500kW, in the absence of appropriate laboratory test data, in-field testing to verify emissions and efficiency performance is an acceptable approach.

The scope of this paragraph is greater than the current legal requirements contained in the Eco-Design Regulations.

16.3 SEAI retains the right to request periodic measurements of ELVs for the eligible renewable technology to confirm compliance with the environmental legislation detailed at i, ii, and iii, whichever is applicable. This requirement is greater than current legal requirements.

16.4 All emission measurements shall be conducted by an ISO 17025 accredited air monitoring contractor.

16.5 Applicants will be required to furnish a copy of a certificate of registration or equivalent, or a licence, issued by the EPA, or the equivalent certifying document issued by another competent authority, if requested by SEAI for the purposes of demonstrating compliance with legislative requirements. Similarly, applicants must be able to demonstrate compliance with the efficiency, emissions and CE/DoC aspects of the Eco-Design Regulations in accordance with the methods set out in the Eco-Design Regulations.

## 17. Tariff

17.1 Payment of the Tariff will be provided for approved Projects that invest in eligible renewable technologies by way of a Quarterly payment (for a period of up to 15 years), based on prescribed tariffs. Each tariff will set the amount of aid that the applicant will receive in respect of each unit of heat energy used for an eligible purpose (as described in greater detail below).

17.2 The amount of heat energy is measured in megawatt hours (MWh) or kilowatt hours (kWh). The tariffs are, and will continue to be, expressed in euro per unit of energy equivalent (e.g. c/kWh) and may vary by technology, level of energy used and period of support in years.

17.3 The table below details the tariffs for the eligible renewable technologies:

Tier	Lower limit (MWh/yr)	Upper limit (MWh/yr)	Biomass heating systems Tariff (c/kWh)	Anaerobic Digestion heating systems (c/kWh)
1	0	300	5.66	2.95
2	300	1,000	3.02	2.95
3	1,000	2,400	0.50	0.50
4	2,400	10,000	0.50	0.00

5	10,000	50,000	0.37	0.00
6	50,000	N/A	0.00	0.00

17.4 The tariffs will be reviewed as set out in sections 17.6 and 17.7.

17.5 For a Project that is approved under the Tariff Scheme, the tariff rates that apply for the full support period of the Project will be the tariff rates in place on the date the Letter of Offer is issued (i.e., the date the Project is approved by SEAI), except where:

- i. the period between the date the Letter of Offer is issued, and subsequent commencement of operation, exceeds the time period set out for this purpose in the Tariff Agreement. In such cases, a new Letter of Offer, or an amended Letter of Offer, may be issued to the applicant and the tariff rates that will apply for the full support period of the Project will be the tariff rates in place on the date of the new or amended Letter of Offer; or
- ii. there is an adjustment as provided for in section 17.7.

### 17.6 Annual Review

17.6.1 The tariffs offered to new applicants will be reviewed, and potentially modified, on at least an annual basis. The appropriate level of the tariff is dependent upon a range of factors that combine to incentivise uptake. The factors include variations in costs such as the capital and installations costs, the operation costs, and the fuel costs of both the renewable and counterfactual technologies. Based on the volume of successful applications to the Scheme and observed or estimated changes in the value of the underlying drivers of the tariff amounts over time, it may therefore be appropriate to change the level of tariff offered to some, or all eligible renewable technologies, and/or to add or remove tariffs for specific eligible renewable technologies. Any such tariff changes will be subject to approval by the Minister, with the agreement of the Minister for Public Expenditure and Reform.

17.6.2 The annual tariff reviews will not impact the tariffs that apply to Projects that are approved or in operation.

17.6.3 The tariffs contained in the table at 17.3 above have been calculated using the methodology documented in the economic analysis conducted as part of the Scheme design. SEAI, with the consent of the Minister, will be entitled to review or amend the tariff calculation methodology for future reviews. The methodology is designed to identify the payment required to assist in bridging the gap in lifetime cost between the renewable heating technology, and the lowest relevant counterfactual cost.

17.6.4 Inputs to the review will include market uptake and progress to output targets as well as calculations to assess the impact of input variables. SEAI will conduct the tariff review process. The tariff review process will be subject to review and approval by the Minister. Any changes to the tariffs will be subject to approval by the Minister with the agreement of the Minister for Public Expenditure and Reform.

17.6.5 Where a review leads to tariff changes, the new tariffs will apply to all Projects issued with a Letter of Offer dated the day immediately after the new tariffs are approved by the Minister (i.e. from 12.01am on the day after the approval of the new tariffs by the Minister).

### 17.7 Periodic Review

17.7.1 The Scheme provides for the periodic review of tariffs to ensure Projects that are already approved and are not yet in operation or Projects that are in operation do not benefit from windfall gains as a result of significant changes in market conditions. The Minister may adjust downwards the tariff level that applies to Projects that are already approved and are not yet in operation or Projects that are in operation. However, any downward adjustment will only apply to future payments.

- 17.7.2 Periodic reviews will apply to the tariff for Biomass Eligible Installations only.
- 17.7.3 The periodic review will be undertaken at least annually, alongside the annual tariff review. SEAI retains the right, at any time during the course of the Scheme, to recommend to the Minister that a periodic review should be undertaken. The Minister will conduct the periodic review process and any changes to the tariffs will be subject to the agreement of the Minister for Public Expenditure and Reform.
- 17.7.4 The primary factor included in the periodic review is the change in the biomass reference price. The review will use a 3-year moving average of the biomass reference price in order to mitigate against the impacts of short-term volatility in market prices. Where the periodic review indicates a reduction of more than 20% for any tariff in place at the date of the periodic review an update of that tariff will be triggered.
- 17.7.5 The periodic review will never lead to a revised tariff higher than the original tariff level set out in the Tariff Agreement, or to a revised tariff lower than the tariff being offered to new Scheme applicants for the same technology and tier, at the date of completion of the periodic review.
- 17.7.6 The periodic review will use real prices where appropriate determined by reference to the year in which the Letter of Offer was issued to the Scheme participant. The Consumer Price Index published by the Central Statistics Office shall be used to calculate the real prices.
- 17.7.7 Any tariff adjustments made by the Minister following a periodic review will apply to all Projects within the affected tier (i.e. tariff band).

#### 17.8 Performance

- 17.8.1 It is expected that the successful applicant will, at a minimum, maintain the level of energy efficiency and ongoing energy management identified in the final Application Form as accepted by SEAI for the duration of the Tariff Agreement. The material performance of the Eligible Installation is subject to inspection at any time during the term of the Tariff Agreement. Any material deterioration in performance must be notified to SEAI within ten working days of the deterioration occurring.
- 17.8.2 SEAI retains the right to reduce the Eligible Heat Cap and/or the Project Budget Cap during the lifetime of the Project in circumstances where the applicant fails to produce the original forecasted heat demand. Once reduced, neither cap can be subsequently increased.

### 18. Limited Tariff Funding

- 18.1 The Minister, with the agreement of the Minister for Public Expenditure and Reform, will set an annual budget cap as described in the Scheme Overview and the Terms and Conditions. SEAI will only approve Eligible Projects for the Tariff Scheme where the annual budget cap is sufficient to meet the sum of the Project Budget Caps for all approved Projects.
- 18.2 The payment of funding to successful applicants is subject to the availability of funding allocated to the Tariff Scheme in a particular calendar year, in accordance with public finance procedures. Where all other conditions are met, payment will be committed to an applicant by issuing a Letter of Offer on a first come, first served basis, i.e. on submission of a full application that meets all Eligibility Criteria.
- 18.3 Where funding is exhausted in a particular calendar year, no further Letter of Offer will be issued to successful applicants until such time as additional funding is secured and is available to SEAI. Notwithstanding, SEAI will evaluate and approve applications, and those applications will receive priority when further funding becomes available.

- 18.4 When determining the priority of applications, the date of submission of an Application Form and all appropriate supporting documents shall be deemed to be the date of submission of the full application. Applications may lose priority if there are errors in the Application Form which unreasonably delay the evaluation process, including where the documents submitted have not been properly completed, or the applicant does not comply with written requests from SEAI in relation to the application within the time period prescribed for responding as set out in section 6.10.
- 18.5 In instances where the remaining annual budget for the Tariff Scheme is less than the amount applied for in a successful application, the applicant will be offered the opportunity to accept the available funding for its Project or to defer the application in anticipation of a subsequent budgetary cycle should one occur. Should the applicant choose to defer the application, it is possible that an application for a smaller project submitted subsequently could receive the remaining annual budget funding available.
- 18.6 Where an applicant is pursuing an appeal in accordance with section 28.16 below in relation to the rejection of an application, the relevant amount applied for in the Application Form by the applicant will be allocated from the annual budget and will be held and set aside pending the outcome of the appeal.

#### 18.7 Annual budget cap and the Project Budget Cap

- 18.7.1 The annual budget for the Tariff Scheme will be capped at a level set by the Minister, with the agreement of the Minister for Public Expenditure and Reform.
- 18.7.2 Applications for the Tariff Scheme will only be approved where the annual budget cap is sufficient to meet the sum of the Project Budget Caps for all approved projects. Funding under the Tariff Scheme will be granted on a first come first served basis until the annual budget is exhausted. Changes in the Tariff Scheme annual budget cap will only impact the approval of new projects and will not impact projects that are already approved.
- 18.7.3 Each Project approved under the Tariff Scheme will be assigned an Eligible Heat Cap (expressed in MW or kW units) and a Project Budget Cap (expressed in Euro) by SEAI.
- 18.7.4 The Eligible Heat Cap is a limit on the quantum of Eligible Heat that will be supported for a Project in each consecutive twelve month period commencing on the first day of operation, as agreed by SEAI. The Eligible Heat Cap will be based on factors such as the expected heat demand and maximum running hours of the project in a typical year which will translate to the maximum level of Eligible Heat for a Project. It may provide for additional factors such as an annual variation and approved eligible growth in heat output as appropriate. The Eligible Heat Cap will not be increased over the lifetime of the Project.
- 18.7.5 The Project Budget Cap will contain an upper limit on the level of payment that a Project can receive under the Tariff Scheme in each consecutive twelve month period commencing on the first day of operation, as determined and agreed by SEAI. The Project Budget Cap is determined from the Eligible Heat Cap and the tariffs included in the Tariff Agreement. The Project Budget Cap will not be increased over the lifetime of the Project.

## 19. Conflict of terms

- 19.1 In the event of a conflict arising between any of the clauses in this document, the conflict and the proposed solution must be notified in writing to SEAI promptly by the applicant before the applicant carries out any works, or any further works, as appropriate. The notification must detail (1) the conflict (2) the proposed solution and (3) if there are any consequences and risks arising from the proposed solution.
- 19.2 In the event of a conflict or an inconsistency between terms in the Tariff Scheme Operating Rules and Guidelines and the other Tariff Scheme documentation, the level of authority is ordered as follows: the Scheme Overview, the Terms & Conditions and the Tariff Scheme Operating Rules and Guidelines. For the avoidance of doubt, nothing in the Tariff Scheme Operating Rules and Guidelines can override the Terms & Conditions or the Scheme Overview.

## 20. Application Stage 1 – Submission of Application

20.1 As mentioned above, the Application Stage is the first stage in the Tariff Scheme process. Links to the Application Form and the Guide to Completing the Application Form can be found on the SEAI website.

20.2 Once the Application Form has been submitted to SEAI, each applicant will receive an automated email acknowledging that the Application Form has been submitted. The application form will also request that certain documents, listed below at 20.2, are submitted as part of the Application

No.	Document name	Document description
	<b>Declaration of Solvency</b>	Each applicant must complete and deliver a declaration of solvency in the form prescribed by SEAI confirming solvency of the applicant at the Application Stage and during the Payment Cycle. The declaration of solvency should be signed by the applicant or an authorised person of the applicant.
	<b>Declaration of Funding</b>	Each applicant must complete and deliver a declaration of funding in the form prescribed by SEAI at the Application Stage. The declaration of funding should be signed by the applicant or an authorised person of the applicant.
	<b>Evidence of tax clearance</b>	Each applicant must submit a tax reference number to SEAI.
	<b>Declaration of Establishment</b>	Each applicant must complete and deliver a declaration of establishment in the form prescribed by SEAI. This declaration of establishment should be signed by the applicant or an authorised person of the applicant.
	<b>Eligible Building Declaration</b>	Each applicant must submit a declaration to SEAI to confirm that the Building is an Eligible Building. This declaration should be completed by the applicant or an authorised person of the applicant.
	<b>Block Diagram (schematic drawing) with basic flow directions</b>	Each applicant must submit a labelled diagram or schematic drawing of the Eligible Installation or proposed Eligible Installation. The diagram should identify (1) each heat source connected to the Eligible Installation, (2) the Eligible Installation and Related Ancillary Equipment for which the Tariff is sought, (3) each Eligible Building and Eligible Space (4) the location, function and type of metering equipment; and (5) any other information required to give a full understanding of the Eligible Installation and heat use. This is submitted as part of the on-line application.
	<b>Industry Specific Benchmark</b>	Each applicant must provide evidence of the efficiency of the heat use proposed through submission of the Industry Specific Benchmark. Each applicant will be required to submit information on accepted benchmarks in their sector or a comparative sector, as part of the Technical Submission Form. For each benchmark furnished to SEAI, an applicant should include (1) a reference to the source of the benchmark, (2) the publishing body or authority and (3) a copy of the publication in which the benchmark is issued. Further information on the Industry Specific Benchmark is detailed in section 13.7.1.3.
	<b>Site Map</b>	Each applicant should provide a site map showing the Eligible Installation located within the wider site with all major components of the site and the Eligible Installation including meters clearly labelled. This is submitted as part of the on-line application.

**Letter of Authorisation  
(Optional)**

A letter of authorisation on the applicant's letterhead, authorising the Applicant Representative or the Nominated Project Contact to complete the application process on behalf of the applicant (if required the applicant nominates an Applicant Representative and/or a Nominated Project Contact).

20.3 SEAI will contact each applicant within ten working days of receipt of the Application Form. SEAI will advise the applicant:

- (1) if the Application Form is considered to be a bona fide application; or
- (2) if SEAI has further queries; or
- (3) if the applicant is required to re-submit their Application Form; or
- (4) if, based on the Application Form, the Project described is not an Eligible Project and therefore the application cannot be offered support under the Tariff Scheme.

20.4 Please note the following:

20.4.1 the Application Form available on the SEAI website can be saved and does not need to be completed in one sitting. However the application is not complete until all essential information and attachments are provided by the applicant and the on-line application is successfully submitted;

20.4.2 at the Governance Review and Inspection Stage, SEAI reserves the right to require the applicant to produce evidence that the equipment was purchased and installed as new;

20.4.3 in advance of submitting the Application Form, SEAI requires each applicant to have read and understood:

20.4.3.1 the Terms and Conditions;

20.4.3.2 the Tariff Scheme Operating Rules and Guidelines;

20.4.3.3 the Application Form;

20.4.3.4 the Guide to Completing the Online Application Form;

20.4.3.5 the Design Report;

20.4.3.6 the Completion report and;

20.4.3.7 the Privacy Policy.

20.4.4 SEAI recommends that each applicant engages such Competent Persons as may be necessary for the Project in advance of submitting the Application Form to SEAI. This will assist each applicant in completing the Application Form. The selection of Competent Persons is the choice of the applicant. SEAI will have no involvement in this process and will not be responsible for the payment of any Competent Persons engaged by the applicant.

20.4.5 The information provided in the Application Form must be verified in the supporting documents to be submitted to SEAI at the Application Stage..

20.4.6 If any information in respect of the Project and contained in the Application Form changes, it may be necessary for the applicant to re-submit the application to SEAI.

20.4.7 SEAI is the arbiter in relation to the application process. In this regard, SEAI will administer the applications

process for the Tariff Scheme. This will involve SEAI addressing queries raised by applicants in relation to the applications process, evaluating applications for the tariff Scheme, and handling any complaints or appeals in accordance with its Customer Charter, as published on its website and as detailed further in section

20.5 As detailed above, SEAI will evaluate the energy efficiency of the Project at the Evaluation Stage to determine if the Project meets the energy efficiency criteria. SEAI will evaluate the energy efficiency of the Project under the following headings:

- i. Baseline Energy Performance;
- ii. Energy Management, including Energy Performance Improvement Actions;
- iii. Energy Efficiency Evaluation.

Further details of the evaluation carried out as part of Evaluation Stage are contained in the Guide to Completing the Application Form, which is available on the SEAI website.

20.6 The review of the Application will not be commenced by SEAI until such time as all the required documents have been submitted to SEAI.

## 21. Evaluation Stage

21.1 SEAI will evaluate the Application Form and all supporting documentation and will endeavour to revert to an applicant within one calendar month of the date of receipt of the completed application and any necessary clarifications with a decision. Depending on the size and complexity of the Project, the time period for review of the Application Form may be extended by SEAI beyond one calendar month, and SEAI will notify the applicant accordingly. Notwithstanding, SEAI will inform the applicant of the status of an application if requested by the applicant.

21.2 SEAI may refuse applications on the basis of any one of the following:

- 21.2.1 if SEAI has not been provided with sufficient information as part of the application to allow it to assess an applicant's eligibility;
- 21.2.2 if any of the Eligibility Criteria set out in the Terms and Conditions and the Tariff Scheme Operating Rules and Guidelines have not been met and/or complied with;
- 21.2.3 if the applicant has provided incorrect, incomplete or misleading information to SEAI as part of the application process;
- 21.2.4 if any term of the Terms and Conditions or the Tariff Scheme Operating Rules and Guidelines have been breached (or would be breached if the Tariff was awarded);
- 21.2.5 if the application submitted by or on behalf of the applicant was not accompanied with completed copies of the required documents within the timelines prescribed in the Tariff Scheme Operating Rules and Guidelines;
- 21.2.6 if the applicant has not responded (or meaningfully responded in the view of SEAI) to a written communication from SEAI within ten working days of the date of the written correspondence, unless an alternative timeframe is agreed in writing by SEAI and the applicant;
- 21.2.7 if the content of the Application Form and supporting documentation submitted by or on behalf of the applicant is inconsistent or incompatible;



- 21.2.8 if the applicant has failed to comply with any of the Tariff Scheme Documentation, a direction or information request issued by SEAI or an SEAI Tariff Agreement and/or grant agreement in the past; and/or
- 21.2.9 if SEAI deems it appropriate, given an applicant's past performance and/or engagement with SEAI on any other scheme or programme operated by SEAI, including if an applicant has failed to comply with any grant scheme rules or an SEAI grant agreement in the past.
- 21.3 SEAI will write to an unsuccessful applicant and provide reasons for SEAI's decision to reject the application.
- 21.4 SEAI will send each successful applicant a Letter of Offer to advise that SEAI is willing to offer payment of the Tariff to the applicant on the terms set out in the Letter of Offer.

## 22. Offer Stage

- 22.1 If an application progresses to the Offer Stage, SEAI will issue a Letter of Offer and a Tariff Agreement to an applicant. The Letter of Offer and the Tariff Agreement will set out the terms and conditions on which the SEAI are offering the Tariff to the applicant.
- 22.2 The applicant shall have ten working days from the date of the Letter of Offer to accept the Letter of Offer, by signing and returning it to SEAI.
- 22.3 The Letter of Offer and the Tariff Agreement must be accepted by the applicant before an applicant places any orders for equipment and/or the provision of services and/or installation work on the Project commences.

## 23. Project Design, Installation and Completion Stage

- 23.1 Applicants will be given up to a maximum period of one year from the date of the Letter of Offer to complete the Project in accordance the Tariff Scheme Documentation, unless otherwise agreed to in writing by SEAI. Applications that are not completed within the time period prescribed by the Letter of Offer will not be eligible for funding. SEAI may at its discretion extend the time for completing a Project. However, SEAI shall not be obliged to do so. Please see section 4.1.5 for further detail.
- 23.2 The Project must be installed and completed as outlined in the Application Form and the Design Report Form. The completed Project will be reviewed for compliance with the Application Form and the Design Report at the Governance Review and Inspection Stage.
- 23.3 After the Letter of Offer and the Tariff Agreement has been issued to a successful applicant, any proposed amendments to the Project are considered a scope change(s) and must be identified as such to SEAI. The prior written consent of SEAI is required to alter the scope of the Project. The applicant must notify SEAI immediately in writing of any proposed change(s) to the Project prior to undertaking any work that is outside the scope of the Project. The approval of any scope change is at the discretion of SEAI. SEAI will not accept a proposed change(s) to the Project that increase the Project Budget Cap or Eligible Heat Cap.
- 23.4 An applicant must inform SEAI in writing four weeks in advance of the estimated completion of the Project.
- 23.5 The design engineer must submit a Declaration of Completion (as outlined in the completion report) and accompanied by the following documents:

<b>Applicant's bank account details</b>	The applicant must submit their bank account details to SEAI together with documentary evidence showing their bank account details are correct. The bank account provided must be within the State.
<b>Evidence of ownership of Eligible Installation</b>	Evidence of full payment of the installation such as a bank statement showing the transfer of funds that matches the receipt. This requires a detailed invoice with the name of the applicant, date of the invoice and Eligible Installation specification, and receipt of purchase of the Eligible Installation.
<b>Evidence of Produced product</b>	<ol style="list-style-type: none"> <li>1. Evidence of product (E.g., flock/herd) register being maintained</li> <li>2. Evidence the product is in compliance with National/ International Standards (E.g., ISPM 15 for Wood Packaging Materials/ Bord Bia Certification or equivalent where the heat is being used for food production).</li> </ol>
<b>Completion Report</b>	<p>The Design Engineer will produce a Completion Report in support of the Declaration of Completion by the Design Engineer. The Design Engineer will review the completed installation in line with the Design Report submitted at the application stage.</p> <p>In preparing the Completion Report, the Design Engineer may rely on the professional opinion of others, having performed any necessary due diligence and satisfied themselves as to the accuracy of the basis of the opinion offered.</p> <p>The completion report will include:</p> <ol style="list-style-type: none"> <li>1. As built drawings and a piping and instrumentation diagram (P&amp;ID) of the heating system. A piping and instrumentation diagram is a detailed diagram which shows the piping and process equipment together with the instrumentation and control devices, including HM locations and set point testing for legionella (water only).</li> <li>2. <b>Declaration by the Design Engineer</b>, signed, and dated (see Declaration by the Designer section on the Completion Report Guidance) and</li> <li>3. <b>Declaration of Completion by the Installer</b></li> </ol>
<b>Licenses &amp; Permits</b>	<p>Attached to the Completion Report or separately the following will be provided:</p> <ol style="list-style-type: none"> <li>1. Planning permissions (existing and/or new) / Declaration of exemption</li> <li>2. BCAR / Fire Safety Certificate (where required)</li> <li>2. Evidence of notification to the Local Fire Officer of the existence of the installation.</li> <li>3. Environmental License</li> <li>4. MCP Directive licensing issued by the EPA or MCPs which are not located on an IED or IPC licensed installation will need to be registered in the Medium Combustion Plant Register from the EPA</li> <li>5. A waste facility permit issued by the EPA for disposal/recycling of residue (ash/digestate).</li> </ol>
<b>Testing, Commissioning Reports for the Installation</b>	<ol style="list-style-type: none"> <li>1. Type test certificates for new and existing equipment, including Heat Meters. For the biomass boiler, a certificate of a standardised test performed to provide evidence that the boiler meets the Scheme requirements for energy efficiency, in line with current NEAP guidelines is required. A test report compatible with EN303-5 from a third-party laboratory may be taken as 'certification'</li> </ol>

2. Flue gas analysis certificate: The results of the analysis of exhaust gas generated through Biomass or Biogas combustion providing the flue gas composition.
3. A declaration of conformity and CE stamps details for new equipment.
4. Calibration certificates for Heat Meters.
5. Commissioning Reports for new renewable installation and fossil fuel installation including fuel feeder and distribution systems, for heat meters, controls, life safety system, all filled, dated and signed by a qualified installer.
6. A Safe Electric Certificate (RECI) completed by a registered electrical contractor. We recommend that the Registered Electrical Contractor takes into account Annex 63B where applicable.

**Evidence of installer competence** - Fetac/QQI level 6 Advanced Craft in plumbing, at a minimum, a module on minor electrical works  
 - Fetac/QQI level 6 in Boiler/HE CHP using Biomass/Biogas fuel or equivalent qualification

**Health and safety, and operation & maintenance files being handed over to the applicant** SEAI will require:

1. Evidence that a copy of the health and safety file and a copy of the operation and maintenance file for the Project has been handed over to the applicant,
2. Evidence of staff having been trained in the operation of the new renewable heating system,
3. The maintenance plan to support equipment warranty and,
4. The service contract for the renewable heating system.

**DHW and Heat Distribution Design Specifications** Hot water and heat distribution specifications (including detail on heat emitters and underfloor sizing is required).

**Warranties** An applicant should provide evidence of the Warranties described in section 8.6.

**Documentation for fuel**

1. Compliance with sustainability and GHG savings criteria (e.g. certification from the Wood Fuel Quality Association or equivalent); and
2. Evidence of recording fuels used (biomass and fossil fuels used from the time the installation is recorded as complete)

**Photographic evidence of the works (jpeg format and geo-tagged)** Photographic evidence of the works that are in jpeg format, dated and geo-tagged. For required photos on Heat Meters check the Heat Meters Tagging guidance document available on the SSRH webpage. Applicants should note that SEAI will not accept photographs where an individual and/or personally identifying information is clearly visible.

**Starting Meter Reading** The applicant will submit photographic evidence of the heat meter readings as the Starting Meter reading for the Eligible Installation for agreement by SEAI. Such photographs will show, heat meter component part serial numbers, security tag unique ID`s, meter readings in kWh and be in-(jpeg format, dated and geo-tagged).

**Schedule of individual homeowners and final users in District Heating Scheme** Where the Eligible Space is a District Heating Scheme, the applicant will submit a list of all individual homeowners and final users that form part of the District Heating Scheme for the purpose of section 11.3, which shall include the following information: i) names; ii) property address; and iii) contact details (email and telephone number).

<b>Declaration of Establishment</b>	<b>of</b>	Each applicant must complete and deliver a declaration of establishment in the form prescribed by SEAI. This declaration of establishment should be signed by the applicant or an authorised person of the applicant.
<b>Declaration of Solvency</b>	<b>of</b>	Each applicant must complete and deliver a declaration of solvency in the form prescribed by SEAI confirming solvency of the applicant at the Application Stage and during the Payment Cycle. The declaration of solvency should be signed by the applicant or an authorised person of the applicant.
<b>Design Declaration by the Design Engineer</b>		A declaration from a Competent Design Engineer confirming that the Eligible Installation is fit for purpose and demonstrating the efficiency of the Eligible Installation. Where the property is new, the design certification to be submitted to SEAI will be that required under the Building Control (Amendment) Regulations 2014. The Design Engineer should include a clear, summary description of the final scope of works and basis of design of the Project.
<b>Commissioning Report for Installation</b>		A Commissioning Report filled, dated and signed by the Design Engineer and by a qualified installer. It should be uploaded in conjunction with the Declaration of Completion. It may be accompanied (if required) by a separate commissioning report for associated accumulator/indoor storage and feeder system.
<b>Safe Electric/RECI Certificate (entire system)</b>		A certificate for controlled works that can only be carried out by a Registered Electrical Contractor or an inspector. We recommend that the Registered Electrical Contractor takes into account Annex 63B where applicable, and that the MPRN is included in the completion certificate.
<b>Declaration of Conformity / stamps</b>	<b>of CE</b>	A declaration of conformity and CE stamps details.
<b>P&amp;ID Drawing</b>		A piping and instrumentation diagram is a detailed diagram which shows the piping and process equipment together with the instrumentation and control devices, including HM locations.
<b>Type Test Certificate for Boiler Efficiency</b>		A certificate of a standardised test performed to provide evidence that the boiler meets the Scheme requirements for energy efficiency, in line with current NEAP guidelines. A test report compatible with EN303-5 from a third-party laboratory may be taken as 'certification'
<b>Flue Gas Analysis Certificate</b>		The results of the analysis of exhaust gas generated through Biomass or Biogas combustion providing the flue gas composition.
<b>Set point testing for legionella (water only)</b>		To be included in the P&ID Drawing.
<b>Certification/datasheet for the Eligible Installation</b>		This should include information on the following, if appropriate: <ul style="list-style-type: none"> <li>• Including evidence of compliance with planning permission(s) and conditions;</li> <li>• Integrated pollution control licensing issued by the EPA;</li> <li>• MCP Directive licensing issued by the EPA or MCPs which are not located on an IED or IPC licensed installation will need to be registered in the Medium Combustion Plant Registration from the EPA</li> <li>• Compliance with sustainability and GHG savings criteria (certification from the Wood Fuel Quality Association or equivalent); and</li> </ul>

- A waste facility permit issued by the EPA for disposal/recycling of residue (ash/digestate).
- Evidence of notification to the Local Fire Officer of the existence of the installation.
- Fire Safety Certificate where required

23.6 A review of all documentation will be undertaken by SEAI before the Project may move to the Governance Review and Inspection Stage.

## 25. Governance Review and Inspection Stage

- 25.1 The Governance Review and Inspection Stage will occur after the Project Design, Installation and Completion Stage.
- 25.2 As the administrator, SEAI is responsible for monitoring the performance of the Tariff Scheme and ensuring that it operates in accordance with the Tariff Scheme Documentation. SEAI conducts desktop audits and site inspections to monitor the performance of all of its grant schemes in advance of and/or following the completion of funded works, and/or for compliance with the relevant grant scheme and grant or tariff agreement.
- 25.3 Once the Declaration of Completion and supporting documentation, including the Starting Meter Reading, and documented confirmation of any relevant regulatory compliance have been submitted to SEAI and SEAI is satisfied that the documentation submitted is in order, SEAI will arrange for a desktop audit and/or a site inspection to take place. The decision to undertake a desktop audit and/or a site inspection will be at the discretion of SEAI, and Projects will be selected on an ad-hoc basis or using a risks-based approach.
- 25.4 Applicants will generally be notified by SEAI prior to site inspections. However, SEAI reserves the right to carry out inspections without notice to the applicant in appropriate circumstances. Such circumstances may include, but are not limited to, where SEAI receives complaints indicating non-compliance with the Tariff Scheme Documentation and where there are discrepancies in relation to the periodic data submitted by an applicant.
- 25.5 Inspection results will be emailed to the applicant within ten working days of the inspection, provided all necessary supporting evidence and documents are available.
- 25.6 Inspection results and severity ratings of any non-compliance will inform payment decisions. Poor inspection results may result in an applicant failing to progress to the Payment Cycle, delayed or refusal of Tariff payments, additional inspections being conducted and re-inspection of re-works for non-compliance, as detailed further below. Where the inspection identifies that the Project works were not completed at all, to standard, or where required re-works are not completed at all or to standard, SEAI reserves the right to terminate the Tariff Agreement, cease making payment of the Tariff, seek total repayment of any or all of the Tariff already paid to the applicant, withdraw the Tariff and/or reduce the Tariff to be paid.
- 25.7 The applicant is responsible for the quality assurance of the Project. SEAI may seek evidence of the internal quality assurance process undertaken by the applicant.
- 25.8 SEAI's desktop audits and inspections are carried out for the sole purpose of satisfying SEAI that the Project has been carried out in accordance with the Tariff Scheme Documentation. SEAI gives no warranty, express or implied, and makes no representation in relation to the state of any Eligible Space(s), Eligible Building(s), Eligible Installation, Related Ancillary Equipment and/or and the accuracy of any Appropriate Metering Equipment.
- 25.9 A desktop audit and/or inspection report does not infer any warranty or approval by SEAI of the quality or suitability of the works undertaken by or on behalf of the applicant. The inspection report neither relieves the applicant or its designers and installers, of their obligations under the Tariff Scheme nor of their contractual obligations to third parties with regards to any defects or issues identified at the time of the desktop audit and/or inspection, not

identified at the time of the desktop audit/and or inspection or that may arise after the desktop audit and/or inspection.

- 25.10 SEAI accepts no liability or responsibility, whether for breach of contract, negligence (including tort) or otherwise, in respect of any claim or cause of action arising out of, or in relation to, any equipment, product, work, system or Eligible Installation in respect of which approval was given by SEAI and which was audited and / or inspected by SEAI.

#### 25.11 Desktop audit

- 25.11.1 The purpose of the desktop audit is to undertake a remote quality assurance review of selected documents to provide independent assurance that works have been carried out in accordance with the Tariff Scheme Documentation.

25.11.2 Documents provided at Project Design, Installation and Completion Stage must match the Eligible Installation and the Eligible Building(s) detailed in the Application Form and supporting documentation.

25.11.3 As part of the desktop audit, SEAI may request additional documents, particularly with regard to complex Eligible Installations. The applicant shall provide any such documents as may be reasonably requested by SEAI, within seven working days of a written request sent to the applicant.

25.11.4 In cases where the documents are not consistent with the proposed design and installation and/or not compliant with the Tariff Scheme Documentation, updated documents may be requested. Such documents must be provided within seven working days of a written request sent to the applicant.

25.11.5 In cases where the desktop audit is a 'Pass' and the Project is not assigned for a Site Inspection, the Project will be assigned a Commencement Date by SEAI. On the establishment of the Commencement Date, the Starting Meter Reading will be recorded by SEAI and the applicant will enter the Payment Cycle.

25.11.6 In cases where the desktop audit has unresolved 'non-compliances', the Application Form and supporting documentation may be reviewed alongside any notifications or scope changes previously submitted by the applicant and accepted by SEAI. In such cases of review, the decision to review and the result of the review rests with SEAI. The review may result in the Application being assigned for Site Inspection. Otherwise, the application may be rejected, and the Tariff amount not paid.

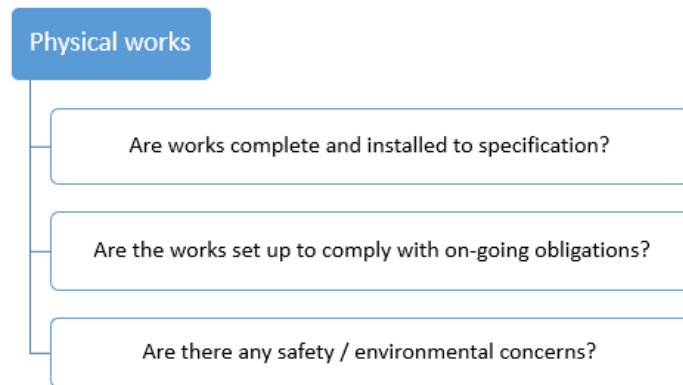
#### 25.12 Site inspections

25.12.1 Site Inspections will be carried out as part of the Tariff Scheme. Eligible Projects will be selected by SEAI using both ad-hoc and a risk-based approach.

25.12.2 Site inspections are comprised of:

25.12.2.1.1 A review of documentation submitted with the Declaration of Completion.

25.12.2.1.2 A physical works at site inspection whereby the inspector checks against three broad categories, listed below:



25.12.3 As soon as an inspector has been assigned to the Project, the inspector will contact the applicant to ensure the inspections process is understood. However, as noted above, SEAI reserves the right to carry out inspections without giving such notice in appropriate circumstances.

25.12.4 Applicants must ensure SEAI can access sites for inspection within five working days of contact being made by the SEAI inspector, save in exceptional circumstances demonstrated to the satisfaction of SEAI. Failure to satisfy this full access requirement will be considered a breach of the Tariff Scheme Operating Rules and Guidelines.

25.12.5 Site inspections will be undertaken during normal working hours.

25.12.6 If notified of the site inspection, the applicant must accompany the SEAI inspector on site. During the inspection, the applicant will be required to provide the inspector with a safe working environment and suitable access to the Project area and works installed. The applicant must notify the inspector of site-specific, potential hazards.

25.12.7 If an inspector considers the working environment to be unsafe, the inspector may defer the inspection.

25.12.8 The applicant may be asked by the inspector to retrieve equipment in areas which are difficult to access, to verify compliance with quality and safety standards.

25.12.9 The applicant should:

- 25.12.9.1 be familiar with the layout of the site;
- 25.12.9.2 notify the inspector of any potential hazards;
- 25.12.9.3 be familiar with details of the upgrade works, produce original versions of certification and provide full, legible copies of all such documents to the Inspector; e.g. certificates, specifications, commissioning certificates and CE documents;
- 25.12.9.4 provide evidence of operational and maintenance documents;
- 25.12.9.5 possess a sound technical knowledge of the Project; and
- 25.12.9.6 be able to answer questions posed by the inspector in respect of the Project.

25.12.10 In cases where the site inspection is a 'Pass', the Project will be assigned a Commencement Date by SEAI. On the establishment of the Commencement Date, the Starting Meter Reading will be recorded by SEAI and the applicant will enter the Payment Cycle.

### 25.13 Periodic inspections

25.13.1 SEAI may at its own discretion carry out ad-hoc periodic desktop audits and site inspections during the term of the Tariff Agreement to monitor an applicant's ongoing compliance with the Tariff Scheme.

25.13.2A periodic desktop audit will include a review of all documentation, the Operations Report(s), the Annual Declaration(s) and meter readings submitted.

25.13.3A periodic site inspection may also be undertaken to verify meter readings and to review ongoing compliance with the Tariff Scheme Documentation, in particular, the compliant operation and maintenance of the Eligible Installation. Periodic inspection may be undertaken in appropriate circumstances including, but not limited to, as a result of a complaint received by SEAI, or where non-compliance is identified as a result of a data review prior to the issuing of Tariff payments during the term of the Tariff Agreement.

25.13.4 If an applicant is deemed to have failed a periodic inspection by SEAI, SEAI, at its discretion, may, amongst other remedies, cease making payments until non-compliances have been addressed to its satisfaction, clawback the payment(s) of the tariff made to the applicant in accordance with section 27.7.

### 25.14 Re-works

25.14.1 Where works have not been installed in accordance with relevant standards or documentation and are not compliant or are inconsistent with eligibility criteria, SEAI will either identify remedial works (re-works) or, in the case of a significant non-compliance during a periodic inspection, SEAI may seek to clawback the Tariff. Re-works will be assigned different severity ratings, Severity 1, Severity 2 and Severity 3.

25.14.2 Severity 1 is the most serious.

25.14.3 The severity ratings are classified as follows:

Severity Rating	Severity 1	Severity 2	Severity 3
<b>Classification</b>	Possible health and safety risk or highly non-compliant	Potential to compromise the effectiveness of the Eligible Installation	Minor issue, not best practice
<b>Rework Requirement</b>	Re-work required	Re-work required	Re-work required
<b>Payment</b>	Commencement Date will not start until re-works are complete.	Commencement Date will be agreed, however, re-works are to be resolved within 1 month.	Commencement Date will be agreed, however, re-works are to be resolved within 4 months.

25.14.4 Evidence of re-works having been addressed by the applicant should then be submitted to the inspector, together with a declaration signed by the applicant, confirming that the re-works have been completed.

25.14.5 Where identified, re-works must be completed within ten working days of the notification of the results from the first inspection, with evidence of their completion and a declaration of re-works completed submitted to the following SEAI e-mail address: [ssrhinspections@seai.ie](mailto:ssrhinspections@seai.ie).



#### 25.15 Re-inspections

25.15.1 Where significant re-works are required, re-inspection of remedial works may be undertaken. The scheduling and arrangement of re-inspections will follow the procedure outlined below.

25.15.2 In such cases, the inspections processes identified at section 25.12 above will apply. If the Tariff has already been paid and non-compliances are identified, these non-compliances will have to be rectified as outlined in section 25.14 above. If non-compliances are not rectified, payment of the Tariff may cease, cease until such time as non-compliances are rectified or a Tariff refund may be sought by SEAI.

25.15.3 SEAI may charge an applicant for excessive, additional inspections arising from persistent poor quality and/or for cancelled inspections without sufficient notice.

25.15.4 If satisfactory evidence of quality and safety standards is not available, SEAI may, at its discretion, either refuse to permit an applicant to progress to the Payment Cycle, refuse to pay the Tariff, clawback a proportion of, or the entire, Tariff paid to the applicant.

#### 25.16 Appeals

25.16.1 Appeals of desktop audit and inspection results should be submitted to SEAI in accordance with SEAI's Complaints and Appeals Policy contained in the Customer Charter, published on the SEAI website and as amended by SEAI from time to time. However, an appeal of a desktop audit or inspection result must be received in writing by SEAI within seven working days of the notification of the desktop audit and inspection results.

25.16.2 Any such appeal must be supported by appropriate supporting documentation such as sketches, photos and applicant statements. Appeals must outline any evidence to dispute the desktop audit or inspection findings and advise on any mitigating factors that may have affected the outcome of the desktop audit or inspection.

## 26. Ongoing obligations

26.1 Each successful applicant will be required to comply with the ongoing obligations. An applicant will be required to comply with the ongoing obligations from the Commencement Date until the termination of the Tariff Agreement.

26.2 The ongoing obligations are detailed as follows:

#### 26.2.1 Eligibility Criteria

In all cases, the applicant and the Eligible Installation must continue to satisfy the Eligibility Criteria detailed in section 5.

#### 26.2.2 Measurement and Reporting

The applicant must regularly submit certain data at periodic intervals including heat data, meter readings, maintenance reports, sustainability data for the Eligible Installation and additional fuel data (quality, quantity, invoices, receipts and certificates) as appropriate. The applicant must also submit the Annual Declaration and the Operations Report as detailed further below.

#### 26.2.3 Periodic inspections

The applicant must comply with a desktop audit and/or periodic inspection undertaken at SEAI's own discretion to monitor an applicant's ongoing compliance with the Tariff Scheme Documentation, as detailed above.

#### 26.2.4 Sustainability Obligations

The applicants must comply with the sustainability obligations detailed at section 14 and the Air Quality Standards detailed at section 16 of the Tariff Scheme Operating Rules and Guidelines and as outlined in the Terms and Conditions.

#### 26.2.5 Operation and Maintenance of the Eligible Installation

26.2.5.1 The applicant must operate and maintain the Eligible Installation and the Appropriate Metering Equipment in line with the equipment suppliers' guidelines. Maintenance of the Eligible Installation will be demonstrated through relevant documentation (including maintenance and calibration records and meter readings) which must be retained and available for inspection by SEAI. Operation of the Eligible Installation includes use of appropriate fuel quality in line with the equipment supplier's guide.

26.2.5.2 If an Eligible Installation has received a service during the period covered by the Annual Declaration, SEAI will require applicants to upload the signed service documents to a location allocated and specified by SEAI.

### 26.3 Annual Declaration

26.3.1 An applicant will be required to submit the Annual Declaration on the first anniversary of the Commencement Date, and on every anniversary thereafter, to demonstrate and confirm its compliance with the ongoing obligations and the Tariff Scheme Documentation. A reminder will be issued to applicants one month in advance of the due date. The Annual Declaration must be submitted to SEAI within ten working days of the due date or payment of the Tariff may be impacted. The Annual Declaration is available on the SEAI website.

26.3.2 An applicant may be required to submit documentation and/or answer queries by SEAI in order to demonstrate ongoing compliance with the ongoing obligations and the Tariff Scheme Documentation. In this regard, SEAI retains the right to request copies of the relevant documentation, certificates, receipts, invoices, etc to demonstrate compliance with the ongoing obligations and Tariff Scheme Documentation.

### 26.4 Operations Report

26.4.1 An applicant will be required to submit an Operations Report to SEAI every six months after the Commencement Date for the term of the Tariff Agreement. The Operations Report will detail certain information in relation to the fuel used by the applicant. As part of the Operations Report, an applicant will be required to retain documentation such as delivery receipts, invoices, etc for all fuel purchased and consumed by the Eligible Installation for a period of five years. The documentation must also include evidence of fuel quality and traceability to source.

### 26.5 Notification to SEAI

26.5.1 An applicant will be required to inform SEAI if:

- a. it intends to cease operation of the Eligible Installation; or
- b. there is expected to be a planned and significant stoppage in the operation of the Eligible Installation.

This notification must be made ten working days before the cessation or the planned stoppage. If an applicant intends to subsequently re-start the Eligible Installation, the applicant must inform SEAI within ten working days of the planned re-start date.

26.5.2 An applicant will be required to inform SEAI if it intends to replace the Eligible Installation. SEAI will assess the

replacement installation to assess whether it meets the same Eligibility Criteria and standards as the previous Eligible Installation.

- 26.5.3 An applicant will be required to inform SEAI if it intends to change the location of the Eligible Installation. SEAI will assess the re-location of the Eligible Installation to assess whether it meets the same Eligibility Criteria and standards as the previous Eligible Installation.

## 27. Payment Cycle

27.1 Once a Project has passed the Governance Review and Inspection Stage, the commencement letter will be issued, and the Project will progress to the first Payment Cycle.

27.2 Payment of the Tariff will commence at the next Quarter after the Commencement Date and will be paid every Quarter for the term of the Tariff Agreement. The relevant Tariffs in place at the date of the Letter of Offer will be included in the Letter of Offer.

27.3 The Tariff payment is calculated in accordance with section 17 and 18 above.

### 27.4 Payment timelines

27.4.1 Payments will fall due three months following the Commencement Date. Payments will be paid on a Quarterly basis on the 15<sup>th</sup> of the month following the Quarter. Payment will be made to applicants for a maximum period of 15 years, provided the applicant continues to satisfy the Eligibility Criteria and comply with the ongoing obligations.

27.4.2 The amount payable to an applicant will be paid into a nominated bank account in the State. The account must be capable of accepting euro deposits. Failure to nominate a suitable account may result in payments being delayed until a bank account which meets the requirements of SEAI is nominated by the applicant. The applicant will only be allowed to nominate one bank account in the State.

### 27.5 Adjustments to payments

27.5.1 SEAI may adjust the amount of Tariff payments to an applicant if the following occur:

- i. There has been an overpayment to an applicant;
- ii. There has been an underpayment to an applicant;
- iii. There has been an error made in the payment to an applicant;
- iv. Adjustment is appropriate following a desktop audit, an inspection and/or a periodic inspection;
- v. An Applicant is in receipt of alternative funding;
- vi. An applicant has failed to demonstrate to SEAI compliance with the Tariff Scheme Documentation and/or ongoing obligations detailed in the Tariff Scheme Documentation;
- vii. An applicant has failed to submit the Operations Report or the Operations Report fails to demonstrate compliance with eligibility criteria detailed in section 5;
- viii. An applicant has failed to submit the Annual Declaration or the Annual Declaration fails to demonstrate compliance with Eligibility Criteria detailed in section 5..

- ix. An applicant has failed to respond to queries and/or requests for information or documentation from SEAI arising from the Operations Report and/or the Annual Declaration;
- x. Eligible Heat use cannot be validated through the meter readings submitted by the applicant; and/or
- xi. An applicant and/or the Eligible Installation has failed to satisfy the Eligibility Criteria detailed in section 5.

27.5.2 SEAI will not make the Quarterly Tariff payment if the relevant Quarterly meter reading has not been submitted to SEAI in the correct format.

#### 27.6 Withhold payments

27.6.1 SEAI may withhold payment(s) of the Tariff where there is a finding of non-compliance by SEAI as a result of an applicant's failure to comply with the Tariff Scheme Documentation and/or ongoing obligations detailed in the Tariff Scheme Documentation.

#### 27.7 Clawback of the Tariff

27.7.1 SEAI shall be entitled to stop payment of the Tariff, and demand the partial or complete repayment of the Tariff from an applicant in the following situations:

- i. where the applicant has failed to comply with any requirements set out in the Tariff Scheme Documentation;
- ii. in the cases of serious wrongdoing by the applicant;
- iii. where clawback is deemed appropriate following a desktop audit, an inspection and/or a periodic inspection
- iv. where the applicant cannot demonstrate, with appropriate documentation, to the satisfaction of SEAI, that it is complying with the ongoing obligations under the Tariff Scheme Documentation;
- v. if the applicant fails to submit the Operations Report;
- vi. if the applicant fails to submit the Annual Declaration; and/or
- vii. if any false, fictitious or fraudulent statements or claims are knowingly made on the Application Form, the Technical Submission Form or supporting documentation made to SEAI, its authorised officers, or an SEAI inspector.

27.7.2 This remedy is in addition to any other remedy open to SEAI to enforce its rights under the Tariff Scheme Documentation.

27.7.3 Each applicant participating in the Tariff Scheme agrees to comply with a demand for repayment within one calendar month of the date of a letter from SEAI containing the demand.

27.7.4 The latest date on which payment of the Tariff may be granted under the Scheme is 1 December 2025. No payments will be made to beneficiaries under the Scheme after 1 December 2040.

## 28. SEAI / Applicant Relationship

28.1 The relationship between the SEAI and the applicant is that of grantor and grantee only.

28.2 The Eligibility Criteria set out in the Tariff Scheme Operating Rules and Guidelines are minimum requirements set by SEAI to determine whether it will fund a Project. SEAI gives no confirmation, warranty, express or implied, and/or

representation in relation to the Project by virtue of the Tariff Scheme process, a Project passing the Governance Review and Inspection Stage and/or making a Tariff payment to the applicant under the Tariff Scheme.

28.3 It is the responsibility of each applicant to procure that:

28.3.1 Competent Persons are engaged to design and install all appliances and undertake all works in connection with the Project;

28.3.2 all works in connection with the Project are undertaken, completed and maintained in accordance with all applicable standards and legislation;

28.3.3 all necessary licences, authorisations, permits, clearances and consents are obtained in respect of the Project;

28.3.4 he/she/it enters into a contract with each contractor and/or person engaged in connection with the Project, secures such warranty cover in respect of the Eligible Installation and such certifications in respect of the Project as it requires;

28.3.5 any personnel or entities carrying out the works has at all times valid and sufficient insurance covers;

28.3.6 the Eligible Installation is insured by the applicant; and

28.3.7 the Eligible Installation is operated and maintained in accordance with the supplier guidelines and all applicable standards and regulations.

## 29. Publication of Tariff Scheme Information and Transparency Rules

29.1 Publication of the following Tariff Scheme Information for each aid award under the Tariff Scheme is necessary for SEAI to administer a transparent Tariff Scheme within its authority and/or to remain consistent with State aid rules:

29.1.1 the identity of the beneficiary;

29.1.2 the form and amount of aid granted to the beneficiary;

29.1.3 the date of granting;

29.1.4 the type of undertaking (SME/large company);

29.1.5 the region in which the beneficiary is located (Border, Midland and Western or Southern and Eastern); and

29.1.6 the principal economic sector in which the beneficiary has its activities.

29.2 This information will be published by SEAI within six months of the decision to award the aid has been taken.

29.3 The information published will be updated each year to include the amount of aid paid to beneficiaries under the Tariff Scheme in each calendar year.

29.4 The Tariff Scheme Information will be maintained for at least fifteen years, being at least the term of the Tariff Agreement, and will be made available to the general public without restriction as State aid rules require.

## 30. Compliance with Law, Permissions and Approvals

Each applicant is responsible for procuring that they obtain all necessary consents, permits, permissions, licences, approvals and authorisations prescribed by law to undertake and complete the Project and to operate the Eligible Installation over the fifteen year period of the Tariff Scheme. It is recommended that each applicant take all such necessary professional, legal and/or technical advice as may be required.

### 31. Privacy Policy/Data Protection Compliance

The provisions of the Privacy Policy, which is published on the application portal and the Scheme page on the SEAI website, will apply to the processing of personal data under this application and any future grant.

### 32. Energy Credits

Where energy efficiency improvements have been made in connection with the Tariff Scheme, energy credits may be claimed under the Energy Efficiency Obligation Scheme, subject to the rules and regulations set out in the Energy Efficiency Obligation Scheme.

### 33. Freedom of Information

33.1 SEAI undertakes to use its best endeavours to hold confidential, any information provided by the applicant subject to its obligations under law, including the Freedom of Information Act 2014 (as amended).

33.2 Applicants must assist and co-operate with SEAI (at the applicant's expense) to enable SEAI to comply with their information disclosure requirements. SEAI will consult with the applicant about such information before making a decision on any freedom of information request received. Should the applicant wish that any of the information supplied to SEAI should not be disclosed because of its sensitivity, this should be identified to SEAI at the time of providing the information together with the reason(s) for such classification. To the extent SEAI is authorised to do so in accordance with law, SEAI will endeavour to hold information identified to SEAI as confidential or sensitive.

### 34. Liability

SEAI accepts no liability or responsibility, whether for breach of contract, tort (including negligence) or otherwise, in respect of any direct or indirect loss, expense, dispute, claim, proceedings or cause of action arising out of, or in relation to, any product (or its suitability), any materials (or their suitability), equipment (or its suitability), work, system, service, specification, standard, installation in respect of which a Letter of Offer and a Tariff Agreement has issued, or grant approval or payment was given by SEAI. No undertaking, guarantee, assurance or other warranty, express or implied, is given by SEAI, or any of its agents or servants, in respect of the cost, quality, efficiency and/or benefit of any work, equipment, materials, product, service or installation provided under the Tariff Scheme.

### 35. Complaints and Appeals

35.1 Complaints and appeals will be dealt with in line with the Complaints and Appeal Policy detailed in the Customer Charter, available on the SEAI website and as updated and amended from time to time.

35.2 Each applicant applying to participate in the Tariff Scheme agrees to adhere to the Complaint and Appeals Policy detailed in the Customer Charter.

35.3 An appeal of a decision of SEAI, excluding the appeal of any desktop audit or site inspection result as detailed in section [28.16.1](#), must be sent to [complaints@seai.ie](mailto:complaints@seai.ie) within four weeks of the date of the decision of SEAI providing documentation to support the appeal. A complaint under the Tariff Scheme may be made to SEAI at any time.

35.4 In addition, SEAI maintains a Disclosures Policy for all its grant schemes, including for the Tariff Scheme. The Disclosures Policy is available on the SEAI website and is open to all stakeholders.

## **36. Review of Tariff Scheme documentation**

36.1 SEAI may update and amend the Tariff Scheme documentation from time to time. The Scheme is subject to an annual review and the Tariff Scheme documentation may be amended by SEAI following such review.

36.2 The Terms and Conditions may be updated by SEAI, as necessary from time to time, subject to the Minister's review and approval.

ANNEX 1

TERMS REFERENCED IN TARIFF SCHEME OPERATING RULES AND GUIDELINES

Term	Meaning
<b>ABP</b>	animal by-product.
<b>ABP Regulations</b>	means: <ol style="list-style-type: none"> <li data-bbox="651 645 1394 813">i. Regulation (EC) No 1069/2009 of the European Parliament and of the Council of 21 October 2009 laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 (Animal by-products Regulation);</li> <li data-bbox="651 846 1394 1081">ii. Commission Regulation (EU) No 142/2011 of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive; and</li> <li data-bbox="651 1115 1394 1182">iii. European Union (Animal By-Products) Regulations 2014 (SI No 187 of 2014).</li> </ol>
<b>AD</b>	means anaerobic digestion.
<b>Annual Declaration</b>	has the meaning given to it in section 26.3.
<b>Application Form</b>	means the application form to be completed by applicants and submitted to SEAI in order to apply to participate in the Scheme, available on the SEAI website.
<b>Applicant Representative</b>	means the person described in section 4.1.1.5.
<b>Appropriate Metering Equipment</b>	has the meaning given to it in section 9 of the Tariff Scheme Operating Rules and Guidelines.
<b>Biogas</b>	is defined as gas produced by the bacterial fermentation of biomass in the absence of oxygen.
<b>Biomass</b>	is defined as the biodegradable fraction of products, waste and residues from agriculture (including vegetal and animal substances), forestry and related industries including fisheries and aquaculture.
<b>Building(s)</b>	has the meaning given to it in section 10.4 of the Tariff Scheme Operating Rules and Guidelines.



<b>Building Regulations</b>	means any applicable provisions of the Building Control Acts 1990 to 2014, Building Regulations Act 1997 to 2013 and the Building Control Regulations 1997 – 2014.
<b>Branch</b>	means a branch registered with the Irish Companies Registration Office.
<b>CIBSE</b>	means the Chartered Institution of Building Service Engineers.
<b>CIBSE AM12</b>	Guide AM12 on Combined Heat and Power for Buildings, published by the Chartered Institution of Building Service Engineers.
<b>CIBSE AM15</b>	Guide AM15 on Biomass Heating, published by the Chartered Institution of Building Service Engineers.
<b>Class 2</b>	has the meaning given to it in the Measuring Instruments Directive.
<b>Competent Design Engineer</b>	<p>means a person holding one of the following qualifications, and who holds Professional Indemnity insurance for the design work to an appropriate level for the scale of the project.</p> <ul style="list-style-type: none"> <li>- For <u>*Cumulative boiler installed capacity above 1MW</u>, the design engineer must demonstrate compliance with the requirement to act as a 'Designer Certifier' as described in 'Code of Practice for Inspecting and Certifying Buildings and Works' published by the Department of Housing, Planning, Community and Local Government in September 2016.  <u>AND</u>            demonstrate competence in Biomass Heating System Design through documented evidence of completion of one or more of the following-           <ol style="list-style-type: none"> <li>1. Documented boiler manufacturer training in heating system design;</li> <li>2. Other equivalent documented training in heating system design**</li> </ol> </li> <li>- For <u>*Cumulative boiler installed capacity below 1MW</u>, the design engineer may be qualified as above  <b>OR</b>            must hold a level 8 qualification in a relevant field including Engineering, Architecture, Building Services, Building Surveying, Science, or other similar areas of study;  <u>AND</u>            Membership with reputable engineering / professional body or equivalent  <u>AND</u>            Be competent in Biomass Heating System Design through documented evidence of completion of one or more of the following-</li> </ul>

	<p>1. Documented boiler manufacturer training in heating system design;</p> <p>2. Other equivalent documented training in heating system design**</p> <p>* Installed Capacity is as defined in regulations pertaining to Medium Combustion Plants.</p> <p>** This could include training by reputable trade bodies or training providers. As an example, listing on the Irish Bioenergy Association (IrBEA) Designers Register or Ancillary Designer (Biomass heating systems) Register would be acceptable,</p> <p>Note: Where BCAR is applicable, a Design Certifier is required, and the designer must comply with BCAR qualification requirements irrespective of the size of the installation (as set out in S.I. No. 9/2014 - Building Control (Amendment) Regulations 2014).</p>
<b>Competent Person(s)</b>	means a person who should possess sufficient training, experience and knowledge having regard to the task and the size or hazards (or both) of the undertaking.
<b>Completion Certificate</b>	means a completion certificate completed in accordance with Safe Electric RECI specifications. The Registered Electrical Contractor should take into account Annex 63B where applicable.
<b>Commencement Date</b>	the commencement date is the date that the Starting Meter Reading is agreed by SEAI and the applicant will enter the Payment Cycle.
<b>Cross-Compliance Requirements</b>	<p>The system of cross compliance is implemented under two main areas:</p> <ol style="list-style-type: none"> <li>1. Statutory Management Requirements which refer to 13 legislative requirements in the field of environment, food safety, animal and plant health and animal welfare.</li> <li>2. Good Agricultural and Environmental Condition which is an obligation of keeping land in good agricultural and environmental condition and refers to a range of standards related to soil, the protection and maintenance of soil organic matter, avoiding the deterioration of habitats and water protection.</li> </ol>
<b>CRU</b>	means the Commission for Regulation of Utilities.
<b>DAFM</b>	means the Department of Agriculture, Food and the Marine.
<b>Declaration of Completion</b>	<p>this document is designed to certify to SEAI that works have been completed, to collect data and to aid the applicant during the period of installation, commissioning, start-up and completion, of equipment for which an application has been approved and a Letter of Offer has been issued.</p> <p>The completion form is available in two formats:</p>

	<ol style="list-style-type: none"> <li>1. A preferred digital excel version that is available on the SEAI website that should be downloaded and populated by the applicant; or</li> <li>2. A printable version to be completed by hand including meter labels and first meter readings, all to be signed and verified by the installer.</li> </ol>
<b>Department</b>	means the Department for Communications, Climate Action & Environment.
<b>Design Declaration by the design engineer</b>	means a declaration from a Competent Design Engineer confirming that the Eligible Installation is fit for purpose and demonstrating the efficiency of the Eligible Installation. Where the property is new, the design certification to be submitted to SEAI will be that required under the Building Control (Amendment) Regulations 2014. The Design Engineer should include a clear, summary description of the final scope of works and basis of design of the Project.
<b>Design Report</b>	A report prepared by a Competent Person that includes the thermal demand profile and heat source sizing/capacity along with the thermal design criteria and associated assumptions made in relation to the Eligible Installation. This report should also include a quarterly consumption breakdown using the best estimates of a Competent Person.
<b>DHW</b>	means direct hot water.
<b>District Heating Scheme</b>	is defined in section 11.4 of the Tariff Scheme Operating Rules and Guidelines.
<b>Eco-Design Regulations</b>	means the Commission Regulation (EU) 2015/1189.
<b>Economically Justifiable Heat Demand</b>	has the meaning given to it in section 12.3 of the Tariff Scheme Operating Rules and Guidelines.
<b>EEAG</b>	means the Communication from the Commission — Guidelines on State aid for environmental protection and energy 2014-2020.
<b>Eligible Applicant</b>	means an applicant that satisfies SEAI that he/she/it is an eligible applicant as described in section 6 of the Tariff Scheme Operating Rules and Guidelines.
<b>Eligible Building(s)</b>	has the meaning given to it in section 10 of the Tariff Scheme Operating Rules and Guidelines.
<b>Eligibility Criteria</b>	means the eligibility criteria set out in section 5 of the Tariff Scheme Operating Rules and Guidelines.
<b>Eligible Heat</b>	has the meaning given to it in section 12 of the Tariff Scheme Operating Rules and Guidelines.
<b>Eligible Heat Cap</b>	has the meaning given to it in section 18.7.4 of the Tariff Scheme Operating Rules and Guidelines.

<b>Eligible Installation</b>	has the meaning given to it in section 7 of the Tariff Scheme Operating Rules and Guidelines, and includes all Related Ancillary Equipment.
<b>Eligible Space(s)</b>	has the meaning given to it in section 11 of the Tariff Scheme Operating Rules and Guidelines.
<b>Eligible Project</b>	means a project described in an Application Form and a Technical Submission Form that meets the Eligibility Criteria, and in respect of which a Letter of Offer and a Tariff Agreement issues to an Eligible Applicant, that continues to be eligible to receive the payment of the Tariff during the Payment Cycle.
<b>ELVs</b>	means emission limit values.
<b>Energy Efficiency Evaluation</b>	has the meaning given to it in section 13.7 of the Tariff Scheme Operating Rules and Guidelines.
<b>EPA</b>	means the Environmental Protection Agency.
<b>Establishment</b>	means a fixed place of business in the State, from which the business of the applicant is carried on, being a location from where at least one full time employee permanently works from.
<b>European Economic Area</b>	means the EU Member States and Iceland, Liechtenstein, and Norway.
<b>EU</b>	means the European Union.
<b>EU Emissions Trading System</b>	as established under Directive 2003/87/EC and implemented in Ireland under European Communities (Greenhouse Gas Emissions Trading) Regulations 2012 (S.I. 490 of 2012) and European Communities (Greenhouse Gas Emissions Trading) (Aviation) Regulations 2010 (S.I. No. 261 of 2010), and also known as the European Union Emissions Trading Scheme.
<b>EU Member State</b>	means a state that is a member of the European Union.
<b>EXEED</b>	means the Excellence in Energy Efficiency Design programme operated by SEAI.
<b>EXEED Certification</b>	means certification in accordance with EXEED.
<b>Feedstock</b>	any raw material used to supply or fuel an eligible technology under the Scheme.
<b>Fully Insured</b>	means that an undertaking, entity or person that has fully complied with the conditions of its insurance policy, for which the premium is current and paid up to date. Such policy to include (1) an indemnity limit of not less than €6,500,000 for any one event for Public Liability (2) an indemnity limit not less than €6,500,000 in the aggregate for Products Liability (3) an indemnity limit of not less than €13,000,000 for any one event for Employee Liability.
<b>GHG</b>	means greenhouse gases.
<b>Grant Scheme</b>	means the grant component of the Support Scheme for Renewable Heat.

<b>Guide to Completing the Application Form</b>	means the Guide to Completing the Application Form, available on the SEAI website.
<b>HE CHP and CHP</b>	means high efficiency combined heat and power, and combined heat and power.
<b>Industrial Emissions Directive</b>	means the Directive on Industrial Emissions (integrated pollution prevention and control) (Recast) 2010/75/EU.
<b>Industry Specific Benchmark</b>	For the purposes of the Tariff Scheme a benchmark is defined as a published and credible measure of typical good practice heat energy use proposed in the Application Form. The benchmark must be expressed in units of heat energy per unit output or per unit area. The purpose of the benchmark is to provide evidence of the efficiency of the heat use proposed. For further information please see section 13.7.1.3.
<b>Installation Standards</b>	has the meaning given to it in section 8 of the Tariff Scheme Operating Rules and Guidelines.
<b>kWh, kWth</b>	means kilowatt hours, kilowatt hours thermal energy.
<b>Large Company</b>	means any undertaking that is not an SME.
<b>Letter of Offer</b>	This is the letter that will be issued to successful applicants by SEAI on approval of the project contained in the application to the Grant Scheme or the Tariff Scheme.
<b>LULUCF</b>	means the Regulation (EU) 2018/841 of the European Parliament and of the Council on the inclusion of greenhouse gas emissions and removals from land use, land use change and forestry into the 2030 climate and energy framework and amending Regulation No 525/2013 of the European Parliament and the Council on a mechanism for monitoring and reporting greenhouse gas emissions and other information relevant to climate change and Decision No. 529/2013/EU.
<b>MCPs</b>	means Medium combustion plants as described in the MCP Directive and the MCP Regulations.
<b>MCP Directive</b>	means the Medium Combustion Plant Directive 2015/2193.
<b>MCP Regulations</b>	mean the European Union (Medium Combustion Plants) Regulations 2017 (S.I. No. 6595 of 2017).
<b>Measuring Instruments Directive</b>	means the Directive 2014/32/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of measuring instruments.
<b>Minister</b>	means the Minister for Communications, Climate Action and Environment.
<b>MIS 3004</b>	Microgeneration Installation Standard: MIS 3004.
<b>MIS 3005</b>	Microgeneration Installation Standard: MIS 3005.

<b>MIS 3007</b>	Microgeneration Installation Standard: MIS 3007.
<b>MIS 3007-2</b>	Microgeneration Installation Standard: MIS 3007-2.
<b>MWh</b>	means megawatt hours.
<b>Nationally Determined Contribution</b>	has the meaning given to it in LULUCF.
<b>NEAP</b>	means the Non-Domestic Energy Assessment Procedure.
<b>Nominated Project Contact</b>	means the person described in section 4.1.1.6.
<b>O&amp;M</b>	means operation and maintenance.
<b>Operations Report</b>	has the meaning given to it in section 26.4 of the Tariff Scheme Operating Rules and Guidelines.
<b>Paris Agreement</b>	means the global agreement on climate change that was agreed in Paris on 12 December 2015.
<b>Part L of the Building Regulations</b>	means the Building Regulations (Part L Amendment) Regulations 2008.
<b>P&amp;ID</b>	means Pipework and Instrumentation Diagram.
<b>Privacy Policy</b>	means the privacy policy in respect of the Scheme available on the SEAI website.
<b>Project(s)</b>	means the project(s) described by an applicant in the Application Form and the Technical Submission Form.
<b>Project Budget Cap(s)</b>	has the meaning given to it in section 18.7.5 of the Tariff Scheme Operating Rules and Guidelines.
<b>Project Start Date</b>	means the date of the Letter of Offer issued by SEAI to a successful applicant and is detailed in the Tariff Agreement.
<b>Quarter or Quarterly</b>	a quarter is a period of three consecutive months and will be determined based on an applicant's Commencement Date.
<b>Related Ancillary Equipment</b>	means equipment that is ancillary to the Eligible Installation, required for the purpose of installing the Eligible Installation and for the purpose of running the Eligible Installation. This may include heat distribution pipe work, heat emitters, buffer tanks and fuel handling equipment.
<b>REFIT Scheme</b>	means the REFIT (Renewable Energy Feed-in Tariff) schemes.
<b>Registered Electrical Contractor</b>	means a person who is registered on the Register of Electrical Contractors of Ireland and who, at the time of carrying out and completing the works is Fully Insured.
<b>Reputed Engineering Body</b>	the term reputed engineering body means Engineers Ireland, the Chartered Institution of Building Services Engineers or an equivalent organisation or body recognised by SEAI.

<b>RESS Scheme</b>	means the Renewable Electricity Support Scheme.
<b>SEAI</b>	means the Sustainable Energy Authority of Ireland
<b>Scheme</b>	means the Support Scheme for Renewable Heat.
<b>Scheme Overview</b>	means the overview of the Scheme, as approved by Government, available on the SEAI website.
<b>SME</b>	means an undertaking which is a micro, small and medium-sized, which is an autonomous enterprise or an enterprise made up of enterprises which employ fewer than 250 persons and which have an annual turnover not exceeding €50 million, and/or an annual balance sheet total not exceeding €43 million. For the purpose of determining whether an enterprise is an autonomous enterprise or not, SEAI will have regard to Annex 1 of Commission Regulation (EU) No 651/2014 of 17 June 2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty.
<b>Starting Meter Reading</b>	means the first meter reading for the Eligible Installation submitted to SEAI by the applicant at the Project Design, Installation and Completion Stage and agreed with SEAI on the Commencement Date.
<b>State</b>	means in the Republic of Ireland.
<b>Subsidiary</b>	has the <a href="#">meaning</a> given to it by section 7 of the Companies Act 2014.
<b>Tamper-proof</b>	made so that it cannot be interfered with or changed
<b>Tariff</b>	means the ongoing operational support, payable by SEAI in accordance with the Tariff Scheme Documentation, to applicants who are successful in their application to the Tariff Scheme. The tariff is also referred to as operating aid.
<b>Tariff Agreement</b>	this is the contractual agreement that will be issued to successful applicants by SEAI on approval of the Project contained in the application for the Tariff Scheme.
<b>Tariff Scheme</b>	means the tariff component of the Support Scheme for Renewable Heat.
<b>Tariff Scheme Documentation</b>	means the Terms and Conditions, the Tariff Scheme Operating Rules and Guidelines, the Letter of Offer and the Tariff Agreement.
<b>Tariff Scheme Information</b>	<p>Each applicant must provide, the following information for each aid application under the Tariff Scheme:</p> <ul style="list-style-type: none"> <li>• the identity of the applicant;</li> <li>• the form and amount of aid granted;</li> <li>• the date of granting;</li> <li>• the type of undertaking (SME/large company);</li> <li>• the region in which the beneficiary is located (Border, Midland and Western or Southern and Eastern); and</li> <li>• the principal economic sector in which the beneficiary has its activities.</li> </ul>

<b>Tariff Scheme Operating Rules and Guidelines</b>	means this document which sets out the tariff process, the Eligibility Criteria for participating in the Tariff Scheme and the operating rules in respect of the Tariff Scheme. The Tariff Scheme Operating Rules and Guidelines are also known as the Operating Aid Operating Rules and Guidelines or OAORG.
<b>Terms and Conditions</b>	the terms and conditions in respect of the Scheme, have been developed by SEAI and reviewed and approved by the Minister. The current set of terms and conditions for the Tariff Scheme is available on the SEAI website. The terms and conditions may be updated by SEAI, as necessary from time to time, subject to the Minister’s review and approval.
<b>Useful Heat</b>	has the mean in section 12.2 of the Tariff Scheme Operating Rules and Guidelines.
<b>UNFCC</b>	means the United Nations Framework Convention on Climate Change.
<b>Warranties</b>	means the warranties described in section 8.6 of the Tariff Scheme Operating Rules and Guidelines.

## ANNEX 2

### Standards and Regulations – Biogas from Anaerobic Digestion (boilers & HE CHP)

<b>Category</b>	<b>Standard</b>
Health & Safety	S.I. No. 299 of 2007 Safety, Health and Welfare at Work (General Application) Regulations 2007 Revised Updated to 1 January 2018
Environment	S.I. No. 395/2004 - Waste Management (Licensing) Regulations 2004
Biogas Anaerobic Digestion	S.I. No. 230 of 2017 European Union (Equipment and Protective Systems Intended For Use In Potentially Explosive Atmospheres) Regulations 2017
HE CHP	S.I. No. 298/2009 - Energy (Miscellaneous Provisions) Act 2006 (Commencement of Section 6) Order 2009 S.I. No. 299/2009 - Electricity Regulation Act 1999 (Appointment of Person to Calculate Power To Heat Ratios of Combined Heat and Power Units) Order 2009 S.I. No. 499/2009 - European Communities (High Efficiency Combined Heat and Power) Regulations 2009



Metering	EU Measuring Instruments Directive 2014/32/EU (MID) S.I. No 2 of 2018 - Legal Metrology (European Conformity Assessment of Measuring Instruments) Regulations 2018

**Standards and Regulations - Biomass (boilers & HE CHP)**

<b>Category</b>	<b>Standard</b>
Health & Safety	S.I. No. 299 of 2007 Safety, Health and Welfare At Work (General Application) Regulations 2007 Revised Updated to 1 January 2018
Environment	S.I. No. 395/2004 - Waste Management (Licensing) Regulations 2004
HE CHP	S.I. No. 298/2009 - Energy (Miscellaneous Provisions) Act 2006 (Commencement of Section 6) Order 2009 S.I. No. 299/2009 - Electricity Regulation Act 1999 (Appointment of Person to Calculate Power To Heat Ratios of Combined Heat and Power Units) Order 2009 S.I. No. 499/2009 - European Communities (High Efficiency Combined Heat and Power) Regulations 2009
Metering	EU Measuring Instruments Directive 2014/32/Eu (MID) S.I. No 2 of 2018 - Legal Metrology (European Conformity Assessment of Measuring Instruments) Regulations 2018