

PORTUGUESE BIOMASS PLANTS' NEW LICENSING REQUIREMENTS

SUMMARY

Portugal has new requirements for licensing biomass plants:

- *Licensing documentation: must include the supply contract, the environmental title (TUA), and copy of the carbon capture project;*
- *ICNF opinion: assessment of residual biomass availability over a 10-year period, with sustainable supply plans and monitoring measures;*
- *Carbon capture exemption: possible for up to three years, subject to a technical feasibility assessment.*

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The Portuguese Ministry of Environment and Energy (MAE) published last October 13, [Ordinance No. 358/2025/I](#), which sets out the procedural requirements for applications for production and operation licences of biomass power plants.

This Ordinance enacts [Decree-Law No. 64/2017](#), which established a special scheme for the installation and operation of new forest biomass plants by municipalities, intermunicipal entities or municipal associations. It also sets out in detail the documents and information required for licensing applications and for binding opinions issued by the Portuguese Institute for Nature Conservation and Forests (*Instituto da Conservação da Natureza e das Florestas* - ICNF). Among these requirements are:

- For production license applications: the request of opinion from ICNF on biomass sustainability and availability, copies of supply contracts, the Single Environmental Title (Título Único Ambiental -TUA), and the design of the carbon capture project;
- For operation license applications: the elements listed paragraph 3 of Article of [Decree-Law No. 15/2022](#).

The ICNF opinion request must include a 10-year biomass supply forecast, the plant's capacity, estimates of forest and agricultural biomass availability, and the sustainability, local coordination, and monitoring measures regarding the origin and type of biomass.

The Ordinance also provides for the possibility of waiving the biomass power plant of carbon capture project, upon a duly justified request to DGEG, the Portuguese Directorate of Energy, and the submission of an independent technical opinion confirming the project's technical or economic infeasibility. The decision rests with MAE, the member of the Government responsible for the energy sector and is valid for up to three years.

This Ordinance entered into force on October 14 and revokes Ordinance No. 267/2022.