

**REGULATION
OF THE MINISTER FOR CLIMATE AND THE
ENVIRONMENT¹⁾**

of 2024

on the specific quality characteristics and dimensions of energy wood²⁾

Pursuant to Article 119a of the Renewable Energy Sources Act of 20 February 2015 (Journal of Laws of 2024, items 1361, 1847 and 1881), the following is decreed:

§ 1. For the purposes of this Regulation:

- 1) length of wood – the shortest distance between the wood ends or between the wood end and the demarcation mark of the quality grade in the piece of wood;
- 2) round wood – harvested wood that is round-shaped or nearly round-shaped, with the preserved shape of the log’s side surface or elements of the crown;
- 3) crook of wood – a one-sided deviation of the longitudinal axis of a log from a straight line;
- 4) multilateral curvature of wood – deviation of the longitudinal axis of the log from a straight line, having at least two bends in multiple planes;
- 5) manipulation of wood raw material – division of the felled tree into parts with specific quality and dimensional characteristics;
- 6) waste – waste within the meaning of Article 3(1)(6) of the Waste Act of 14 December 2012 (Journal of Laws of 2023, item 1587, as amended.³⁾);
- 7) by-product – by-product referred to in Article 10 of the Waste Act of 14 December 2012;

¹)The Minister for Climate and the Environment heads the government climate department pursuant to § 1(2) (3) of Regulation of the Prime Minister of 19 December 2023 on the detailed scope of activities of the Minister for Climate and the Environment (Journal of Laws, item 2726).

²)This Regulation was notified to the European Commission on ... under number ... pursuant to § 4 of the Cabinet Regulation of 23 December 2002 on the functioning of the national system for notification of standards and legal acts (Journal of Laws, item 2039; and Journal of Laws of 2004, item 597) which implements Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services (OJ EU L 241, 17.9.2015, p. 1)

³)Amendments to the consolidated text of this Act were notified in the Journal of Laws of 2023, items 1597, 1688, 1852 and 2029; and of 2024, items 1834, 1911 and 1914.

- 8) bottom diameter of wood – diameter of the thicker end of the piece of wood;
- 9) upper diameter of wood – diameter of the thinner end of the piece of wood;
- 10) soft rot – a decomposition of wood cells caused by fungi, visible on the end of the round wood or the side of the log of the round wood and manifested by a change in the colour and structure of the wood of varying intensity;
- 11) charring – burning of the front of the round wood or the side of the log of the round wood as a result of natural fire damage to the log.

§ 2. In the case of wood raw material occurring as round wood, the following characteristics of energy wood shall be determined:

- 1) the lower diameter of the wood is less than 5 centimetres without bark or 7 centimetres with bark, irrespective of the wood length, or the wood length is up to 2 metres and the upper diameter of the wood is equal to or less than 5 centimetres without bark or 7 centimetres with bark, and
- 2) occurrence of at least one of the following wood defects:
 - a) crook of wood of at least 15 centimetres per linear metre of wood,
 - b) a multi-sided wood curvature of at least 10 centimetres per linear metre of wood,
 - c) soft rot of wood amounting to at least 30 % of the cross-sectional area of one of the wood ends,
 - d) charring covering at least 50 % of the cross-sectional area of the piece of wood.

§ 3. For wood raw material other than that referred to in § 2, the following characteristics of energy wood shall be determined:

- 1) wood residues, which for qualitative reasons cannot be assigned to other wood assortments, remaining on the cutting surface, associated with the process of felling trees or shrubs and the handling of wood raw material;
- 2) wood waste or wood residues from agricultural production;
- 3) by-products resulting from the processing of wood for purposes other than the production of energy wood, uncontaminated with substances not naturally present in the wood, arising in wood processing plants, in the form of bark, butt ends from handling, veneer peeler cores, sawdust, shavings, chips, edgings or sliver, or derived exclusively from the processing of those by-products in the form of briquettes and pellets;

- 4) waste resulting from the processing of wood or wood-based waste, originally contaminated with substances not naturally occurring in nature;
- 5) wood raw material obtained from energy crops, including short rotation coppice within the meaning of Article 2(33) of the Act on the Strategic Plan for the Common Agricultural Policy for the years 2023-2027 of 8 February 2023 (Journal of Laws of 2024, item 1741);
- 6) wood raw material obtained as a result of remedial actions against an invasive alien species carried out in accordance with the Alien Species Act of 11 August 2021 (Journal of Laws of 2023, item 1589).

§ 4. The Regulation does not apply to energy wood held by electricity producers on the date of entry into force of the Regulation.

§ 5. The Regulation shall enter into force three months after the day of announcement.

**MINISTER FOR CLIMATE AND THE
ENVIRONMENT**

**In agreement with:
MINISTER FOR DEVELOPMENT
AND TECHNOLOGY**

Approved for legal, legislative, and editorial compliance
Head of the Legal Department
at the Ministry of Climate and the Environment
Izabela Wereśniak-Masri
(– signed with a qualified electronic signature)