Industrial emissions policy under the IED (2010/75/EU)

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To cover:

A. Why we have the IED
B. Expected implementation actions
C. Desired outcomes
A. Why we have the IED

1. Perceived shortcomings of the IPPC Directive (96/61/EC)
   • inadequate and inconsistent application of BAT
     a) failure to deliver the expected environmental improvements
     b) uneven playing field for operators

2. IED as a response to those shortcomings; viz articles:
   §14(3) - BAT conclusions = the reference for permit conditions
   §15(3) - ELVs ≤ BAT-AELS
   §21 - update permits (& comply) within 4 years of published BAT

3. Contribution to the bigger picture
   • Environment Action Programmes (EAP)
   • 7th EAP (Decision 1386/2013/EU) to 2020
     • high uptake of BAT by industry
     • Promote emerging innovations / resource efficiency

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B. Expected implementation actions (1 of 2)

1. Transposition by Member State
   • Fully transpose the IED into national legislation (by 7/1/13)

2. Implementing measures:
   a) For those IED provisions that did not previously exist e.g.
      • soil baseline report
      • reporting of monitoring data
      • on-line publication of permits and other information
      • inspection plans/programmes
   b) Rectify any existing deficiencies in the implementation of predecessor directives (IPPC, WID, LCP, SED)

B. Expected implementation actions (2 of 2)

3. Reconsider, and update, permit conditions
   • within 4-years of publication of BAT conclusions (don't leave to last day)
     • importance of having planning in place
     • follow the preparation of BATC – 5 so far (IS, GLS, CLM, TAN, CAK)
   • Can be >1 BAT conclusion 'relating to the main activity'

4. Use BATC as 'the reference' for setting permit conditions
   • sound reasons for any deviation (based on a repeatable methodology)

5. Set ELVs that don’t exceed BAT-AELs
   • flexibility in 15(3)b (different values / time periods / reference conditions)

6. Derogations under Article 15(4)
   • only allows derogation from BAT-AELs
   • exception not the norm (i.e. sparing use)
   • fully justified according to a repeatable methodology
   • declining numbers of derogations over time
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C. Desired outcomes

1. Reduced emissions – both locally and nationally
2. Level playing field for competition across Europe - or at least less uneven
3. Industry revitalised - innovative ideas on reducing environmental impact and improving resource efficiency
4. Emission prevention - a move from the back-end abatement of emissions, to process-integrated controls at source
5. Improved identification of BAT - feedback loop of high quality information to subsequent BREF reviews
Further information

DG ENV Industrial Emissions
http://ec.europa.eu/environment/air/pollutants/stationary/index.htm

• Transposition score-card http://ec.europa.eu/environment/air/pollutants/stationary/ied/transposition.htm
• FAQ http://ec.europa.eu/environment/air/pollutants/stationary/ied/faq.htm

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