To cover:

1. BAT conclusions and permits
2. Reply to questions
The ‘Sevilla process’ under IED

Industry

TWG kick-off meeting

Env. NGOs

Member States

* EFTA and Accession Countries

Commission/ EIPPCB

Draft 1 (D1)

Draft 2 (D2)*

Final TWG meeting

Final draft

Bulk of info. needed
(incl. questionnaires)

Comments

• Art. 13 Forum opinion on BREF
• Adopt. of ‘BAT conclusions’ through Art. 75 Committee

Role of BAT conclusions in permitting

**BAT conclusions** are the reference for setting permit conditions (Art 14(5))

**Permits** to contain **emission limit values** (ELVs) to ensure that, under normal operating conditions, emissions do not exceed **BAT emission levels** (BAT AELs) (Art 15(3) a+b)

**Derogation** from BAT AELs is only possible in specific and justified cases: (Art 15(4))
• costs are disproportionately higher than environmental benefits due to location / installation specific situation
• MS report to the public / Commission on use of derogations

**Monitoring conditions**: based on BAT conclusions (Art 16)
Applying the BAT conclusions through permit reconsideration / updating (Art. 21)

- "Within four years of publication of decisions on BAT conclusions in accordance with Article 13(5) relating to the main activity of an installation, the competent authority shall ensure that:
  
  (a) all the permit conditions for the installation concerned are reconsidered and, if necessary, updated to ensure compliance with this Directive;
  
  (b) the installation complies with those permit conditions.

- The reconsideration shall take into account all the new or updated BAT conclusions applicable to the installation and adopted since the permit was granted or last reconsidered."

Selection of issues

- Installation/plant
- BAT conclusions and IPPC BREFs
- BAT-AEL
  - range (footnotes)
  - vs other BAT-AEPL
  - multiple (units, averaging periods)
- Not prescriptive / equivalent
- Applicability constraints
- Article 15(4)
Further information

DG ENV Industrial Emissions website
http://ec.europa.eu/environment/industry/stationary/index.htm

European IPPC Bureau website
http://eippcb.jrc.ec.europa.eu