



Expectations of the European Commission on implementation of the Industrial Emissions Directive (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)

Communications COM(2003)354 final and COM(2007)843 final

- *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 (FR = "transposition")

- *Fully transpose the IED into national legislation (by 7/1/13)*
- *BE 'conformity checking' is on-going*

2. Implementing measures: (FR = "exécution")

- 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' → phased reviews*

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/fag.htm>

CIRCABC

<https://circabc.europa.eu/faces/jsp/extension/wai/navigation/container.jsp>

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