

# The IED: Industrial Emissions Directive

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# Presentation structure

- Overview – Air Quality Situation
- BAT
- Large Combustion Plants
- Work of the Commission
- Work of Member States
- Role of the Article 13 Forum
- Role of the IED Article 75 Committee
- Timetable

# Why air quality (still) matters?

## Thematic Strategy on Air Pollution (2005)

- 8 months loss of life expectancy for each EU citizen corresponding to 350 000 premature mortalities in EU25 due to **fine particles** (PM)\*
- 20 000 cases of premature death from **ozone**
- Major impacts on ecosystems due to acid rain and depositions of nutrients (eutrophication) and to high ozone levels

## EEA State Of the Environment Report (2010)

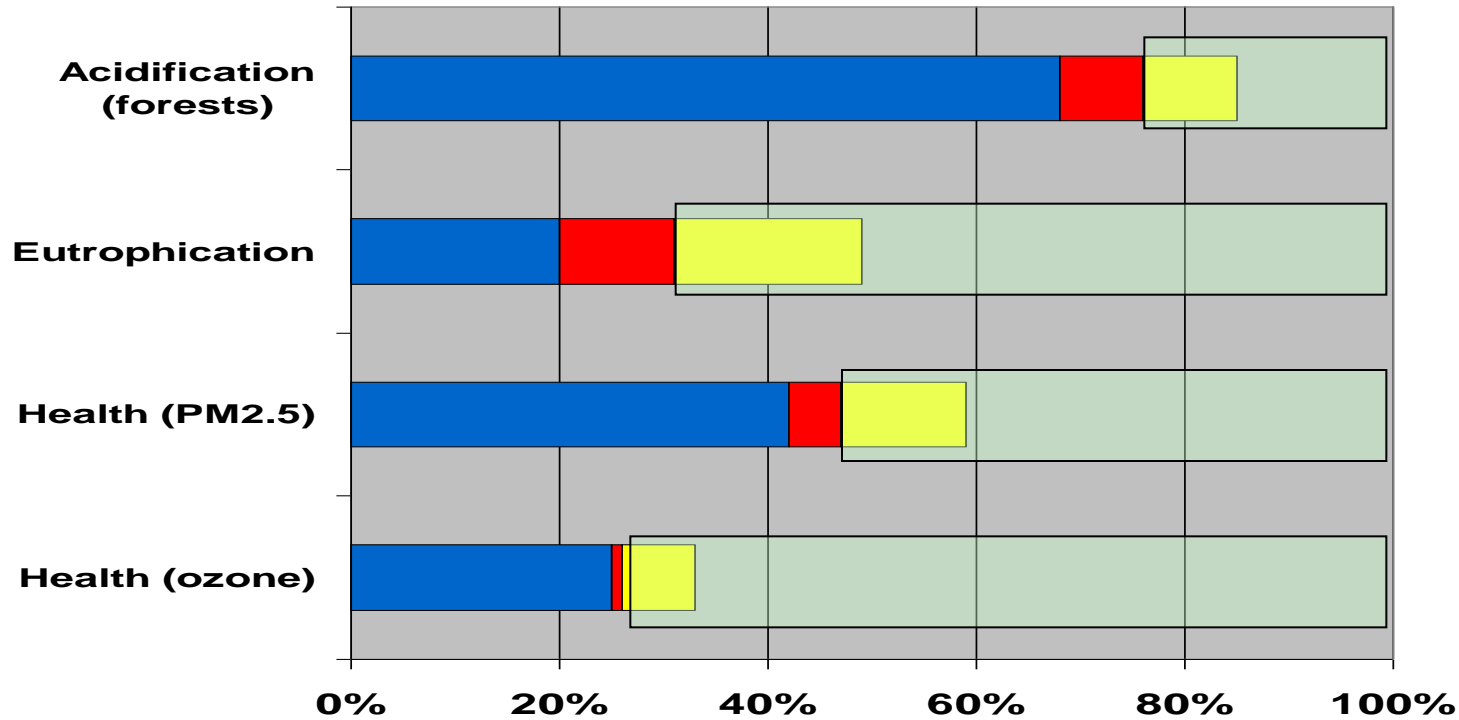
- 500 000 premature mortalities in EEA32 due to fine particles
- Widespread exceedances of target values for ozone to protect human health
- Major impacts on ecosystems, in particular for eutrophication and ozone damage to vegetation

\* *Up to 2 years loss of life expectancy per person in more polluted areas of the EU.*

# Thematic Strategy on Air Pollution (2005)

## *Towards 6EAP via Interim Objectives*

Percent improvement (gap-closure) in 2020 compared to situation in 2000.



Air emission control policies in place before 2005



Cost-effectiveness policies and measures selected in the 2005 Thematic Strategy on Air Pollution



Maximum technical abatement potential in 2005, irrespective of cost-effectiveness



Gap towards 6EAP objectives: no health and ecosystem impacts due to air pollution.

# Emission reduction to meet Air Thematic Strategy objectives

- **Contribution of industrial activities (mainly IPPC) to total EU emissions in 2005: 55% CO<sub>2</sub>, 88% SO<sub>2</sub>, 36% NO<sub>x</sub>, 50% particulate matter, 55% VOC**
- **Compared to Member States' projected implementation of current legislation in 2020, there is a need for further industrial emission reductions to meet Thematic Strategy 2020 targets:**
  - **30% for SO<sub>2</sub>**
  - **35% for NO<sub>x</sub>**
  - **24% for PM<sub>2.5</sub>**
  - **17% for VOC**

(source: IIASA, cost-optimized NEC emissions, work in context of NEC revision)

# Structure of IED

- Ch. I: Common provisions
- Ch. II: Provisions for all **activities listed in Annex I**
- Ch. III: Special provisions for **combustion plants** [ $> 50$  MW]
- Ch. IV: Special provisions for **waste (co-)incineration** plants
- Ch. V: Special provisions for installations and activities using **organic solvents**
- Ch. VI: Special provisions for installations producing **TiO<sub>2</sub>**
- Ch. VII: Committee, transitional and final provisions
- Annexes

# IED

## Key issues during negotiations (EP, Council)

- BAT / BREF / BAT conclusions – to be covered in more detail
- LCP emission limit values and flexibility
- “European Safety Net”
- Soil/groundwater
- Other issues

# IED – Key Issue: BAT

- BAT info exchange → BREFs: Sevilla process (unchanged)
- Art 75 Committee and Art 13 forum required under the Directive
- Specific definitions of BAT, BREFs, BAT Conclusions and BAT-AELs entered into the text – these define the scope of the work in these areas
- **BAT conclusions:** part of BREFs to be adopted via comitology (implementing acts)
- BAT conclusions shall be **the reference** in setting permit conditions
- ELVs to ensure **emissions do not exceed BAT AELs**
- Monitoring / reporting provisions linked to compliance with permit conditions



# IED – Key Issue: BAT

- derogations (art. 15(4)) – competent authorities may choose to apply flexibility by setting less strict emission limit values
  - only if costs are disproportionately higher than benefits due to local environment, geographical location or technical characteristics of the installation
  - environmental safeguards
    - no significant pollution
    - link to environmental quality standards
  - MS need to report on application of derogations
- Commission may clarify the criteria through guidance

# IED – Key Issue: Large Combustion Plants (LCP)

- **ELVs from COM Proposal have been maintained**
- **Increased flexibility was added for existing plants**
  - **1 January 2016** kept as default implementation date
  - **temporary flexibilities**: transitional national plan, opt-outs, small isolated systems, district heating plants
  - derogations for **peak plants** (< 1500 h/y)
  - option to use **desulphurisation rate** instead of SO<sub>2</sub> ELVs
  - **Refinery specific LCP: status quo LCP Dir, but review clause (end 2013)**
- **review clause for diesel engines, recovery boilers, non-commercial gases (← based on BAT) (end 2013)**
- **new plants: implementation from beginning 2013 instead of 2016**

# Work of the Commission

- Ensuring MS transpose the Directive – see transposition checklist
- Ensuring MS implement the Directive
- Other actions such as:
  - Organise exchange of information under Articles 13 and 64
  - Develop guidance on baseline reports (Article 22)
  - Develop guidance for MS on encouraging development / application of emerging techniques (Article 27)
  - Propose revised emission limit values for certain categories of LCP **including refineries** (Article 30)
  - Undertake reviews for a number of issues e.g. spreading of manure

# Role of the Article 13 Forum (1)

- Primary role is to **help the Commission** in the implementation of Article 13
- To be comprised of MS, Industry, NGOs and Commission
- Largely a continuation of the Information Exchange Forum
- Forum to provide its **opinion** on the practical arrangements for the exchange of information and in particular:
  - a) the rules of procedure of the forum
  - b) the work programme for the exchange of information
  - c) guidance on the collection of data
  - d) guidance on the drawing up of BREFs and on their quality assurance including the suitability of their content and format

# Role of the Article 13 Forum (2)

Forum also has a key role to play in the [development of BREFs themselves](#)

- The forum shall provide its **opinion** on the **proposed content of the BREFs**
  - The opinion of the forum is to be made **publicly available**
  - The opinion of the forum is to be taken into account by the Commission when it proposes decisions on BAT conclusions to be adopted via the Article 75 Committee

# Role of the Article 75 Committee (1)

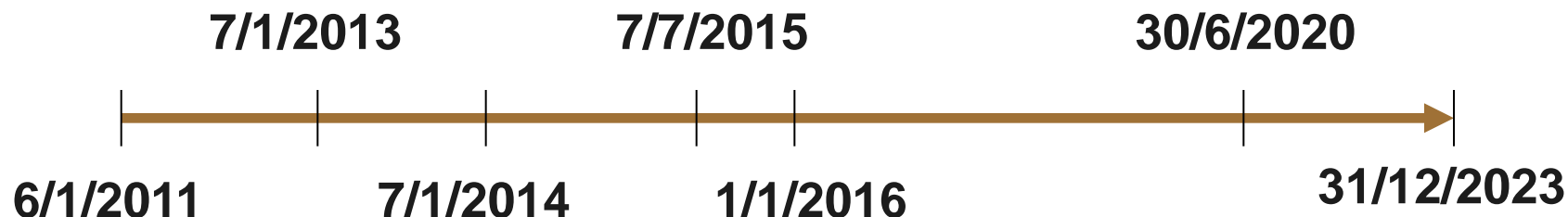
- The role of the Committee is to **assist the Commission**
- The Committee will operate under Regulation 192/2011 laying down the rules and general principles in the exercise of implementing powers
- Committee **voting** is to be undertaken by **Member States only**

# Role of the Article 75 Committee (2)

Involved in the [adoption process](#) for a number of key provisions

- Adoption of certain **guidance** under Article 13(3)(c) and (d)
  - guidance on the collection of data
  - guidance on the drawing up of BREFs and on their quality assurance including the suitability of their content and format.
- Adoption of **BAT conclusions** under Article 13(4)
- Adoption of **implementing rules for LCP** under Article 41
  - Determination of start-up and shut-down periods
  - Transitional National Plan rules
- Type, format, frequency of **reporting by MS** under Article 72

# Timeline for the future



- Entry into force of the Directive on industrial emissions (IED).
- Member States fully transpose the IED.  
The Directive applies to all new installations from this date onwards
- All existing installations previously subject to IPPC, WI, SE and TiO<sub>2</sub> Directives must meet the requirements of the IED.  
LCP do not yet need to meet the new ELVs (Ch. III, Annex V).
- Existing installations operating newly prescribed activities (e.g. waste installations, wood based panels, wood preservation) must meet the requirements of the IED.
- LCP must meet the requirements set out in Chapter III and Annex V.
- Transitional National Plan provisions for LCP end
- Limited lifetime derogation provisions for LCP end



**Thank you  
for your attention**

