

# Industrial emissions - Integrated pollution prevention and control. Recast

2007/0286(COD) - 21/12/2007 - Legislative proposal

**PURPOSE:** to revise and merge seven separate existing Directives related to industrial emissions into a single Directive (integrated pollution prevention and control).

**PROPOSED ACT:** Directive of the European Parliament and of the Council.

**BACKGROUND:** Council Directive 96/61/EC on integrated pollution prevention and control (IPPC) covers some 52 000 installations. Emissions to air from these installations represent a large share of total emissions of key pollutants and far exceed the objectives set out in the Thematic Strategy on Air Pollution. Industrial activities also lead to other significant environmental impacts (for example on water, soil and waste).

An integrated approach taking into account cross-media effects in permitting is therefore essential. The central element of such an approach is the implementation of Best Available Techniques (BAT). Given the shortcomings of the legislation in force, the level of application of BAT in the EU is not that set by the IPPC Directive. Furthermore, the levels of compliance with the current legislation and its application vary from one Member State to another and the complexity of the existing legal framework results in unnecessary costs for the industry. These problems must be dealt with in order to maintain equality between industries, while guaranteeing higher levels of protection for the environment and human health.

The review process began at the end of 2005 and is based on an extensive programme of studies and continuous consultation with stakeholders. These studies led to a clearer and more coherent definition of the Directive which merges the current IPPC Directive and six sectoral Directives into a new single Directive on industrial emissions.

**CONTENT:** the new proposed Directive aims to address the shortcomings of the legislation in force on industrial emissions.

The scope of application of the present Directives has not been changed. The proposal applies to activities listed in Annex I (corresponding to the scope of the current IPPC Directive) and in Part 1 of Annex VII (corresponding to the scope of the current VOC Solvents Directive), to combustion plants, to waste incineration plants and waste co-incineration plants and to installations producing titanium dioxide. However, the present scope of Annex I has been slightly amended to include some additional activities such as combustion installations between 20 and 50 MW, the preservation of wood and wood products and the production of wood panels.

The proposal is structured in seven chapters:

- Chapter I is the general umbrella part setting common provisions applying to all industrial activities covered by this Directive;
- Chapter II covers activities set out in Annex I and lays down special provisions for those activities by amending the current requirements of the IPPC Directive;
- Chapters III to VI contain minimum technical requirements for large combustion plants, waste incineration plants, solvents installations and titanium dioxide installations, respectively;
- Chapter VII contains provisions on competent authorities, reporting by Member States, committee, penalties and the standard closing provisions.

Specifically, the proposal:

- lays down provisions to strengthen and clarify the use of BAT; possible derogations, together with their justification, should be based on well defined criteria and made available to the public;
- introduces a new requirement to monitor periodically the soil and groundwater on the site of the installations;
- lays down more specific provisions to ensure an effective implementation and enforcement of the Directive;
- introduces a requirement for permit conditions to be reconsidered and, where necessary, updated after the adoption of a new or updated BAT Reference Document;
- introduces requirements for Member States to provide for a system of environmental inspections;
- clarifies requirements regarding site closure and remediation after cessation of activities;
- sets more stringent emission limit values, aligned with best available techniques, for large combustion and pollutant plants;
- introduces some further derogations to the current minimum requirements for monitoring of certain emissions generated by waste incineration plants and waste co-incineration plants;
- introduces some more stringent emission limit values for certain polluting substances and reporting requirements for installations producing titanium dioxide.