

Industrial Emissions Directive

2022/0104(COD) - 19/06/2023 - Committee report tabled for plenary, 1st reading/single reading

The Committee on the Environment, Public Health and Food Safety adopted the report by Radan KANEV (EPP, BG) on the proposal for a directive of the European Parliament and of the Council amending Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) and Council Directive 1999/31/EC of 26 April 1999 on the landfill of waste.

The committee responsible recommended that the European Parliament's position adopted at first reading under the ordinary legislative procedure should amend the proposal as follows:

Subject matter and scope

The proposed directive lays down rules on integrated prevention and control of pollution arising from industrial activities. The amended text stipulates that it should also lay down rules designed to improve resource efficiency in order to reduce the use of water, energy, and raw materials.

Members proposed extending the scope of the draft directive to cover agricultural activities, in particular the issue of pollution from large-scale rearing of animals. The scope of the proposed is extended to include intensive livestock farms with higher Live Stock Unit (LSU) numbers than 200 LSU for pigs and poultry, 300 LSU for cattle.

Environmental management system

Member States should require the operator to prepare and implement, for each installation falling within the scope of this proposal, an environmental management system (EMS). The EMS should comply with the provisions included in relevant best available techniques (BAT) conclusions that determine aspects to be covered in the EMS. The level of detail of the EMS should be consistent with the nature, scale and complexity of the installation, and the range of environmental impacts it may have.

Granting of a permit

By 31 December 2024, the Commission should:

- adopt an implementing act to establish the format to be used for the summary and guidelines on the publication of the permits;
- submit to the Commission an assessment on the measures needed due to the changes of this Directive, including a prognosis and estimations of the accrued workload of the competent authorities to ensure they have proper administrative capacity to provide a timely, efficient and smooth permitting process.

Competent authorities should complete the processing of the permit applications no later than 90 days after receipt.

Within 90 days of the applicant submitting a respective request, the competent authority should issue an opinion on the scope and level of detail of information to be included in the environmental impact assessment.

Fast-track permitting

In case of exceptional circumstances like the COVID-19 pandemic or the Russian war against Ukraine, where an installation faces a persistent interruption in the supply of raw materials or fuels or a disruption of an abatement technique's elements due to **force majeure**, the competent authority may establish less strict emission limit values and environmental performance levels, for a **maximum of 3 months**, which may be extended by 3 months where the extraordinary circumstances persist, subject to a simplified assessment justifying the reasons and period for this temporary adjustment. As soon as the supply or abatement conditions are restored, the Member State should ensure that this derogation ceases to have effect.

Transformation towards a clean, circular and climate neutral industry

Member States should require that:

- by 30 June 2027, the operator includes in its environmental management system an indicative transformation plan for each installation. The operators of the 200 most polluting installations in the Union, should also include in their environmental management system an indicative transformation plan for each of those installations, unless the installation has a closure plan for 2035.

The transformation plan should include a greenhouse gas emissions reduction pathway and roadmap on how the installations plan to become more resource-efficient, in particular as regards energy and water.

Enabling and promoting innovation

Members proposed to give more support to breakthrough technologies and other innovative approaches.

Permits and registrations

The report stated that Member States should take the necessary measures to ensure that no installation is operated without a permit or without being registered. Member States should use any similar pre-existing procedure for the registration in order to avoid creating an administrative burden. In any case, Member States should apply a permitting procedure to the intensive rearing of poultry and pigs:

- with more than 40 000 places for poultry,
- with more than 2 000 places for production pigs (over 30 kg), or
- with more than 750 places for sows.