



# Revision of the Industrial Emissions Directive

## Aarhus-related provisions

*Stakeholders meeting - draft EU Plan of action for Decision VII/8f - 25 April 2022*

*DG ENV UNIT C4*

# IED Revision

**European Green Deal:** Commission committed to review EU measures to address pollution from large agro-industrial installations and to consider how to make them fully consistent with climate, energy and circular economy policies.

- This involves proposing a revision of the Industrial Emissions Directive (IED)
- As part of this revision, Commission committed to exploring options to enhance legislative framework on public access to information, public participation in decision-making and access to justice with a view to ensuring compliance with the Aarhus Convention, in particular its Article 6(2)-(9) ('Public participation in Decisions on specific activities')

# IED – Covers EU largest industrial plants & farms

Around **30 broad industrial sectors**, many covered as well by EU ETS

- **> 30 000 industrial installations**
  - Energy intensive - large combustion plant (eg electricity generating plant using fossil fuels), iron & steel, cement, glass, paper production, waste incineration
  - Other - food industry, slaughterhouses, surface treatment using organic solvents, waste industry, tanning, textiles, wood-based panels, wastewater treatment
- **> 20 000 livestock farms** - currently pigs & poultry rearing

# Objectives of proposed revised EU industrial emissions framework

- Make the legislation fit to accompany the transformation of EU industry
- Fulfill the European Green Deal and Zero Pollution ambition by:
  - Ensuring full and consistent implementation across Member States – levelling the field at high health and environmental protection
  - Incentivising investment in emerging more efficient pollution prevention techniques – advances in energy use, resource efficiency & water reuse
  - Enhancing public rights to be informed and participate in permitting process & access to justice and redress measures
  - Increasing transparency and accountability

# General overview of proposals

**To transform IED and Industrial Emissions Portal into forward-looking legislation to accompany the industrial transformation**

## 1. More effective

- Increase the ambition in permits
- More accessible information on permits and performance
- New revised Portal

## 2. Support innovation

- Flexible permitting for frontrunners
- Create INCITE to ensure latest technologies are employed
- Transformation plans

## 3. Resources & chemicals

- IED operators' EMS to improve resource efficiency, apply circular economy practices and use safer chemicals
- Report resource use

## 4. Support decarbonisation

- Curb non-ETS emissions
- Energy efficiency requirements
- IED review

**5. Scope:** widening to critical activities + simplified permits for livestock farms

# Para. 10 of Decision VII/8f of Aarhus Convention MoP7

MoP recommends that the Party concerned (i.e. EU):

- puts in a place a legally binding framework
- to ensure that, when a public authority in a Member State of the Party concerned reconsiders or updates permit conditions pursuant to national laws implementing Article 21 (3), (4) and (5) (b) and (c) of the IED,
- the provisions of Article 6 (2)-(9) of the Convention will be applied, mutatis mutandis and where appropriate, bearing in mind the objectives of the Convention

# Article 21 IED: Reconsideration and updating of permit conditions by the competent authority

Art 21(3), (4), (5)(b) & (c) IED:

- Reconsideration and, if necessary, update of permit conditions within 4 years of publication of Commission Implementing Decisions on BATC (21(3))
- Where no BATC covering a given installation, permit conditions to be reconsidered and, if necessary, updated where developments in BAT allow for significant reduction of emissions (21(4))
- Reconsideration and, if necessary, update of permit conditions where operational safety requires other techniques to be used; or where necessary to comply with a new or revised environmental quality standard 21(5)(b) & (c))

# Proposed revision of Art 24(1) IED (Access to information and public participation in the permit procedure)

Article 24(1) IED is amended as follows:

- point (d) is replaced by the following: ‘(d) the updating of a permit or permit conditions for an installation in accordance with Article 21(5), points (a), **(b) and (c)**;
  - the following point (e) is added: **(e) the updating of a permit in accordance with Article 21(3) or Article 21(4).**
- **Broadening of situations where the public should be consulted**



# Other Aarhus-related proposals

- Broader definition of **‘the public concerned’**
- **Enhanced public information**, e.g. systematic permit summary publicly available, using standard format
- Enhance **monitoring and reporting**
- Enhanced **access to Justice** and **redress mechanisms (injunctive relief, compensation for damages)**
- **Industrial Emissions Portal** will replace E-PRTR. will report more substances, with greater consistency between IED and data from related legislation (Seveso directive, urban waste water treatment) <https://industry.eea.europa.eu/#/home>
- New harmonised cost-benefit assessment required for any IED permit emissions limit derogations, with regular reviews, and increased transparency and accountability

# Thank you

*More info?*

<https://ec.europa.eu/environment/industry/stationary/index.htm>



*#EUGreenDeal*



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