



# Revision of the Industrial Emissions Directive (IED)

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*CCPIE/CCIM Stakeholders Dialogue XXXVIII*

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# Content

## 1. Policy Background

## 2. Introduction to the Industrial Emissions Directive (IED)

## 3. Main features of the Commission proposal

- The five sets of proposals addressing the problems
- Overview and timeline

# Policy Background

- European Green Deal/ Zero Pollution ambition

## **The European Green Deal – Zero Pollution Ambition**

*“review EU measures to address pollution from large industrial installations. It will look at the sectoral scope of the legislation and at how to make it fully consistent with climate, energy and circular economy policies.”*



**Clear remit & need for action**

- Industrial Emissions Directive
- European Pollutant Release & Transfer Register (E-PRTR) Regulation

# Content

## 1. Policy Background

## 2. Introduction to the Industrial Emissions Directive (IED)

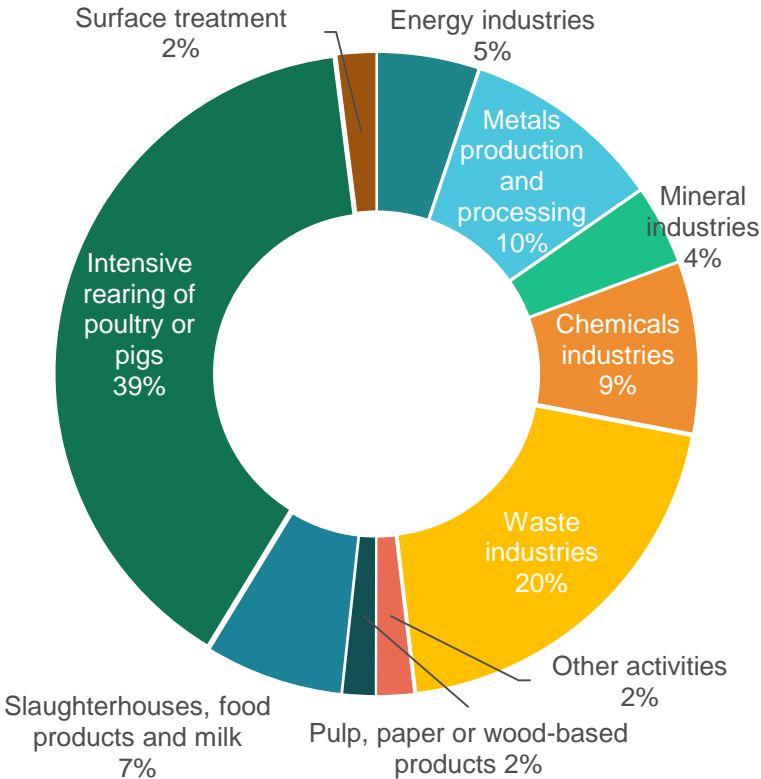
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- The five sets of proposals addressing the problems
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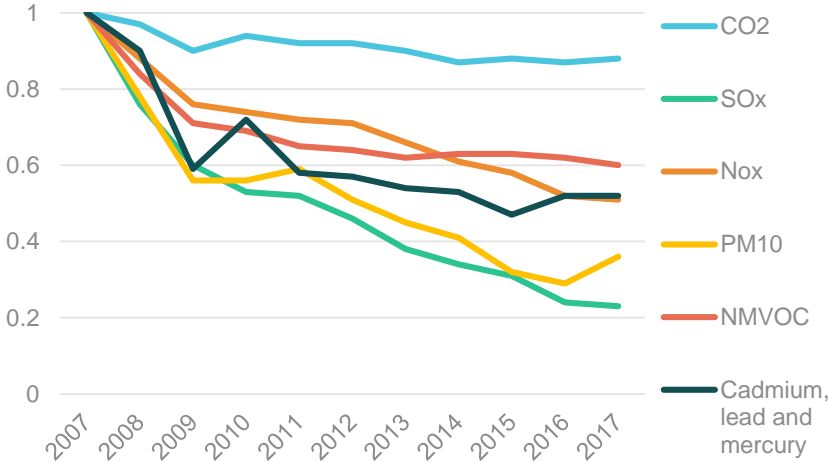
# Industrial Emissions Directive (IED)

IED regulates over **30 000+ large industrial installations** and **20 000+ farms**

% of installations per industry sector



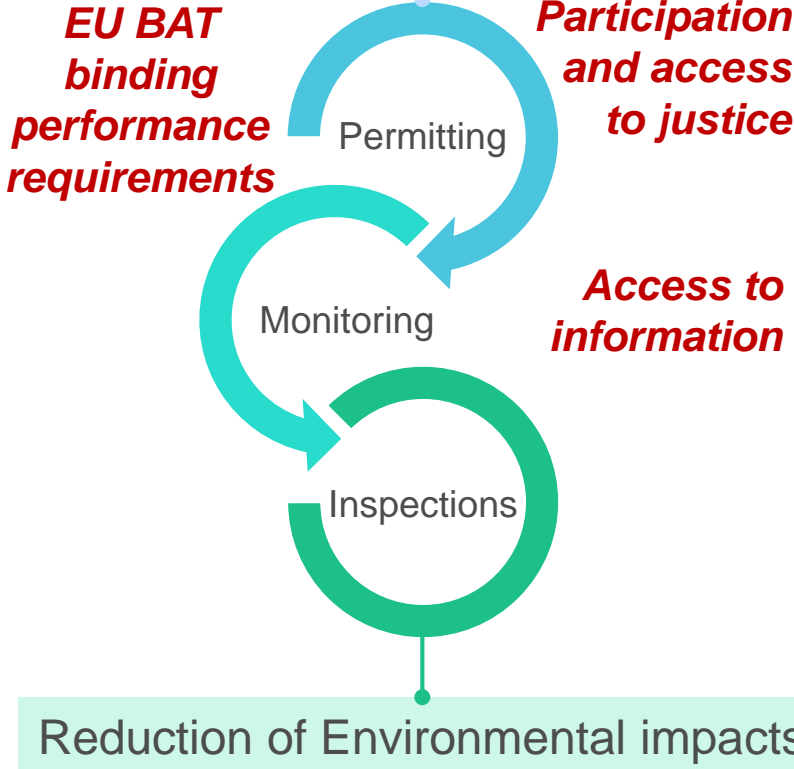
Supports a **high level of protection** of human health and the environment as a whole



Emissions of **air pollutants** by industry

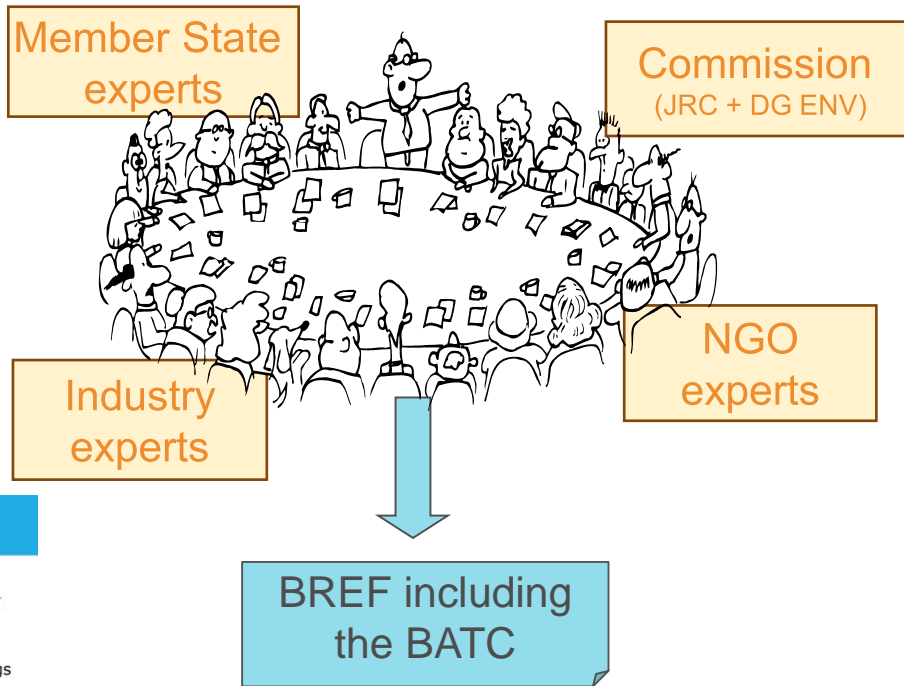
Despite reduction by 40 to 75% of key pollutants over a decade, IED plants still represent about **50% of emissions of SO<sub>2</sub> & heavy metals**, **30% of NOx & PM10**, and **40% of GHG emissions**

IED is a permitting directive



# Conclusions on Best Available Techniques (BATC)

BATC are the fruit of a highly inclusive exchange of information among technical experts resulting in **BAT Reference Documents (BREFs)**



- Forum opinion on BREFs
- Adoption of 'BAT conclusions' through Article 75 committee

**Strong requirements**

**Weak requirements**

**BAT conclusion requirements**



Emissions to air



Emissions to water



Energy efficiency



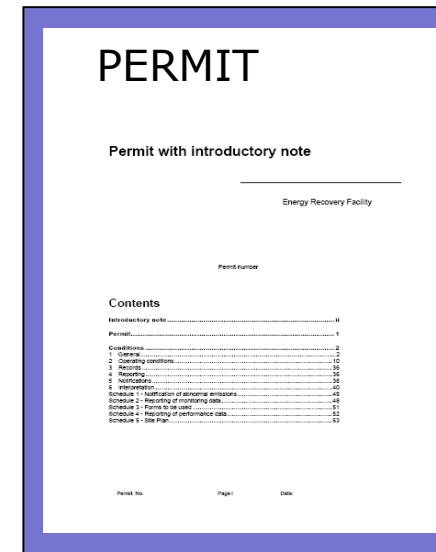
EMS



Resource efficiency



Waste management



# The proposals tackle five problems

## 1. Insufficiently effective legislation

- Excessive flexibilities
- Conditions not uniformly applied and enforced
- Imperfect information on emissions

## 2. Ineffective promotion of innovation

- Poor uptake of innovation and potentially inducing “lock-in” effects
- Backwards looking, rigid and slow regulatory processes

## 3. Insufficient contribution to resource efficiency, circular economy and use of less toxic chemicals

- Lack of clarity of the relevant IED provisions
- Weak status of the relevant parts of BAT conclusions

## 4. Limited contribution to decarbonisation

- Design and implementation have not prioritised GHG emissions

## 5. Sectoral scope coverage is too limited and outdated

- Fails to capture a significant stream of emissions
- Fails to address novel growth technologies and sectors emerging in the EU



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# Objective of the revised industrial emissions framework

**To transform the legislation into a forward-looking framework  
fit for accompanying the industrial transformation  
needed for the green transition**

- Fulfills 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 also supporting decarbonisation – advances in energy use, resource efficiency & water reuse
  - Enhancing rights to participate in permitting process & access to justice
  - Increasing transparency

# 1. Improve effectiveness of IED

- **More ambitious emission limit values in permits** – start from considering feasibility of best performance, not legal laxest level allowed via BAT
- **Tightened derogations:**
  - Harmonised cost-benefit assessment required for any derogation from emissions limits
  - Review of derogations every four years
  - Monitoring of impacts on quality of the environment
- **Enhanced Aarhus rights:**
  - Improved public participation in permitting
  - Right for compensation for damages to health
  - More and better information available on the Internet including a harmonised permit  
Cion to adopt an EU format for these summaries

## 2. Promote innovation

- **Innovation Centre for Industrial Transformation & Emissions (INCITE) to:**
  - Scout for worldwide emerging process techniques & clean technologies to jointly decarbonise and reduce pollution – **publish sectoral innovation scoreboards**
  - Make the IED **forward-looking** and **dynamic** by swiftly integrating innovations into BATC
  - Become a hub to foster innovation for the industrial transition, **linking policy and funding instruments** like Horizon, the Innovation Fund, and the Taxonomy
- **Support frontrunners** through flexible permitting arrangements, granting more time for testing and rolling out emerging techniques identified by INCITE
- **Transformation Plans:**
  - Operators to show how the installation will contribute to achieving EU's 2050 zero pollution ambition, circular economy and decarbonisation aims
- Complements Corporate Social Responsibility Directive, EU Taxonomy

### 3. Contribute to resource efficiency, the circular economy and use of safe chemicals

The **Environmental Management System** becomes a strong obligation – It will be the formal means for implementing the relevant parts of BATC to:

- Improve resource efficiency, including water reuse, to meet benchmarks set in BAT-C
- Enhance energy efficiency – the EMS integrates energy audits and plans required by the Energy Efficiency Directive, securing oversight by the IED competent authorities
- Foster use of safer chemicals – ECHA gets a formal role in the BREF process

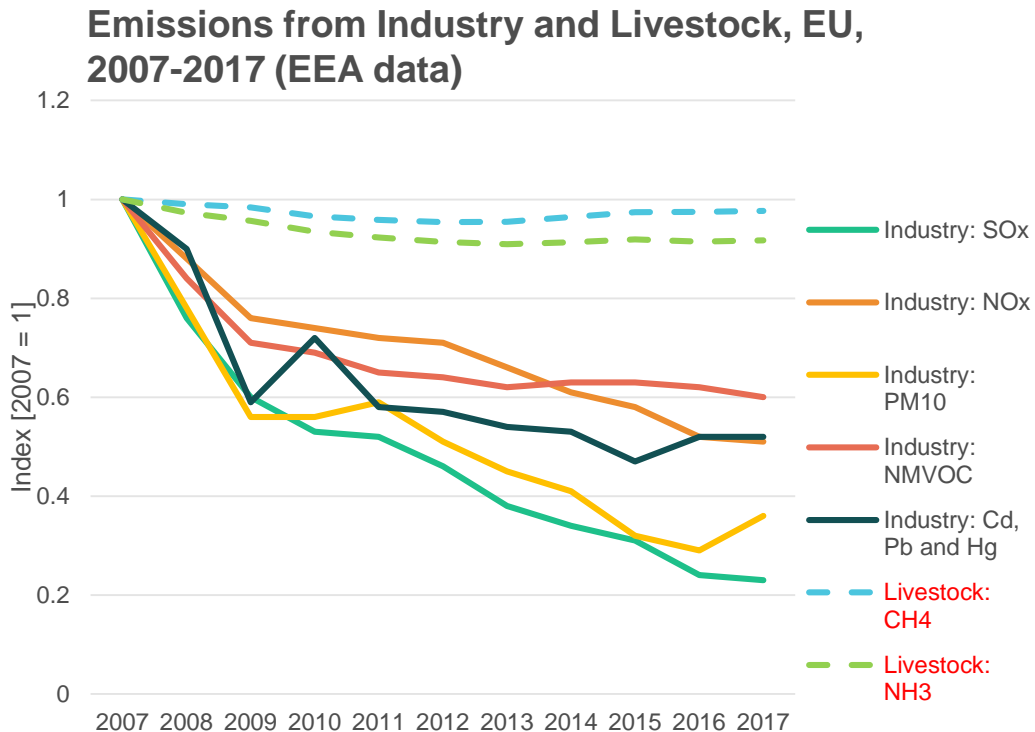
Possibility to **set efficiency levels in BATC** for the use of materials, water and energy, or production of waste, that will be binding in permits

## 4. Support decarbonisation

- **Innovation options** (INCITE & Transformation Plans) promote optimal investment strategies that take an overall approach to pollution, decarbonisation and the circular economy
- **Mutual IED and ETS review clause** (already in Fit for 55 proposals) in 2028
  - to examine implementation of IED in the context of dynamics of innovation
    - The **EU-ETS** remains the **key instrument** regulating **GHG emissions**, where the activities and types of GHG are in its scope
- Inclusion of **energy efficiency** requirements based on BAT becomes mandatory in permits for all IED installation - incl. those covered by ETS
- IED will play a major role in **reducing non-ETS GHG emissions**
  - Thanks to its widened scope, IED will cover a larger fraction of non-ETS GHG emissions - representing 15% of total EU GHG emissions, e.g. methane

# 5. Widened scope – main changes

- IED will become a key instrument addressing emissions of **methane** and **ammonia** from **livestock farms**:
  - New permitting regime to cover the 13% (184 000) largest cattle (new), pig & poultry farms - representing 60% of the EU's livestock emissions of ammonia and 43% of methane. Health benefits estimated at € 5.5 bn per year – CBR = 11



- BATC will address public concerns and **support sustainable growth of key activities**:
  - Extraction of industrial minerals & metals – c. 850 mines/ extraction sites
  - Large-scale production of batteries that will significantly expand - 20 to 95 factories

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# General overview of proposals

To transform the legislation into a forward-looking framework fit for accompanying the industrial transformation needed for the green transition

## 1. More effective

- Increase ambition in permits & tighten flexibilities
- Accessible information on permits & performance
- Reinforced Aarhus rights
- New Portal Regulation

## 2. Support innovation

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

## 3. Resources & chemicals

- EMS to improve resource efficiency, apply circular economy practices and use safer chemicals
- Performance levels and benchmarks

## 4. Support decarbonisation

- Curb non-ETS emissions
- Energy efficiency requirements
- IED review in light of innovation dynamics (June 2028)

**5. Widening of scope:** (1) close gaps in the IED scope (textiles, downstream metals, landfills), (2) accompany the growth of critical activities needed for the green transition (certain mining activities and battery gigafactories), (3) 13% largest livestock farms covered by tailored permit to address methane and ammonia emissions, (4° Watch mechanism for future widening of the scope (delegated acts)



# Indicative timeline for application of revised IED

2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036
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Phased application of new requirements to all existing IED installations BAT & Strengthened Environmental Management Systems

Define BAT for new industrial activities      New activities apply BAT

Define BAT for livestock farms      Farms apply BAT

Innovation Centre for Industrial Transformation and Emissions (INCITE)

Transformation Plans for energy intensive industries

Transformation Plans for other industries

# Industrial Emissions Portal (ex-E-PRTR) Regulation

# Industrial Emissions Portal (new name)

- Was European Pollutant Release and Transfer Register website (**E-PRTR**)
- Electronic database on annual releases of 91 pollutants to air, water and soil; annual waste transfers; contextual information (production volume)
- Time series of data since 2007 for the largest industrial/agricultural facilities (~34,000)
- Provides public access to information on the environmental performance of industrial facilities – as required by the Kyiv Protocol under the Aarhus Convention



<https://industry.eea.europa.eu/#/home>

## Main features of the Commission proposal:

- Re-establish coherence with the IED
- Modernise reporting obligations:
  - Reporting on resource use
  - Annex II pollutants (91 → ??) and their reporting thresholds
  - Improve coherence with data from related legislation

# Thank you

*More info?*

[The Industrial Emissions Directive - Environment - European Commission \(europa.eu\)](#)

[The European Pollutant Release and Transfer Register \(E-PRTR\) - Environment - European Commission \(europa.eu\)](#)



*#EUGreenDeal*



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