



The Industrial Emissions Directive (IED) 2010/75/EU

Revision of the Mineral Oil and Gas Refineries BREF

**Filip François
European Commission, DG Environment
Industrial Emissions Unit**

IED: the new legal framework for industrial emissions in the EU

IPPC Directive 2008/1/EC

**Large Combustion Plants
(LCP) Directive 2001/80/EC**

**Waste Incineration
Directive 2000/76/EC**

**Directive on the limitation
of emissions of VOC from
solvents 1999/13/EC**

**Directives related to the
titanium dioxide industry
78/176, 82/883 and 92/112**



**Industrial Emissions Directive (IED)
2010/75/EU**

Structure of IED

BAT based
permit
conditions

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_2

Ch. VII: Committee, transitional and final provisions

Annexes

Sectoral « minimum »
requirements incl.
emission limit values

From IPPC to IED

- ✓ **BAT** remains central concept, but is **reinforced** under IED
 - definition of BAT = unchanged
 - "Sevilla process" of information exchange - largely unchanged
 - adoption of BAT conclusions by Commission = new procedure
 - after Committee vote
 - taking into account opinion of stakeholder forum on BREF
 - clearer / stricter requirements to apply BAT via permit
- ➔ enhanced BAT implementation
- ➔ better environmental outcome + level playing field

Best

most effective in achieving a **high general level of protection of the environment as a whole**

Available

developed on a scale to be implemented in the relevant industrial sector, **under economically and technically viable conditions**, advantages balanced against costs

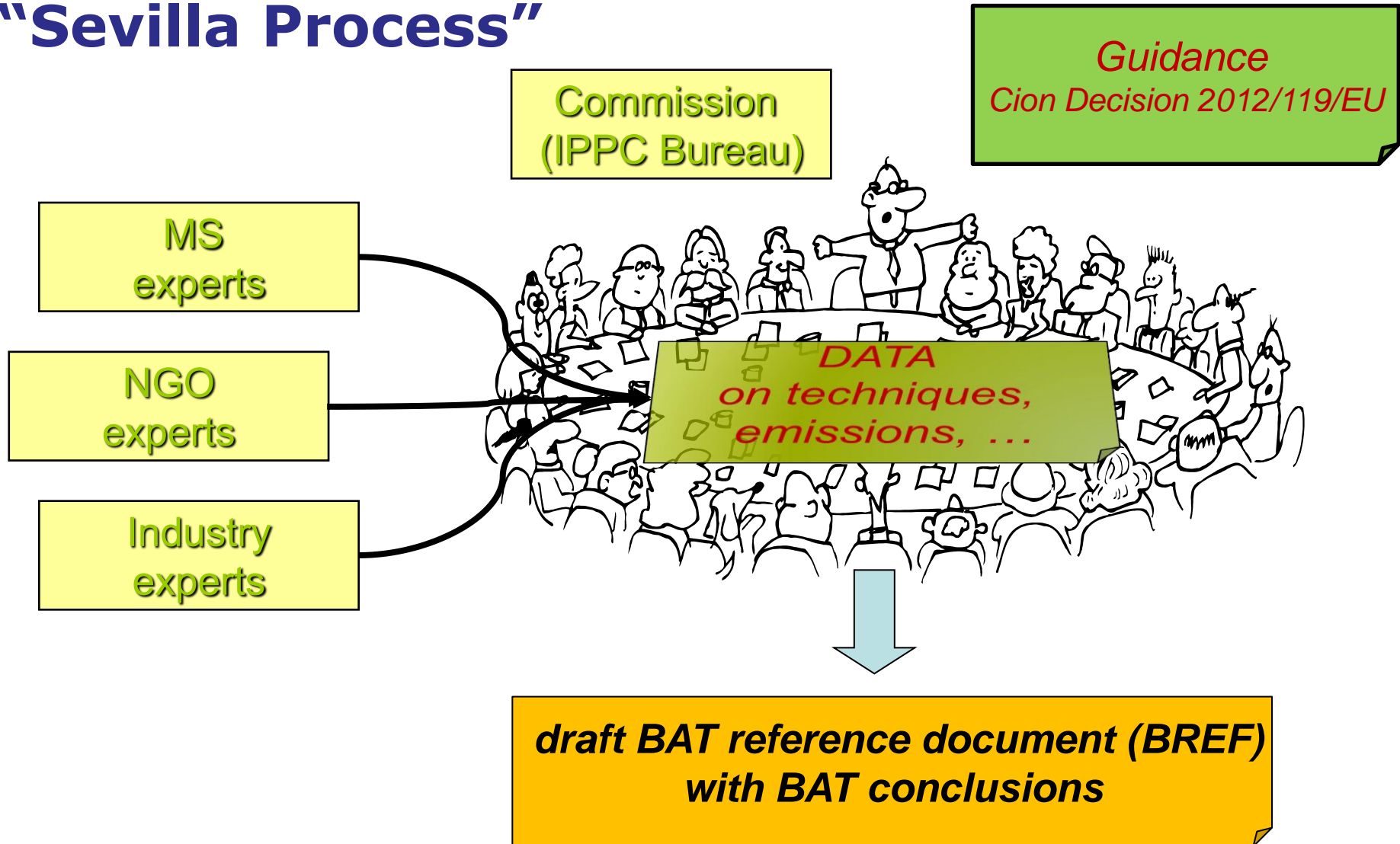
Techniques

the **technology** used *and* the way the installation is **designed, built, maintained, operated and decommissioned**

From IPPC to IED

- ✓ **BAT** remains central concept, but is **reinforced** under IED
 - definition of BAT = unchanged
 - "Sevilla process" of information exchange - largely unchanged
 - adoption of BAT conclusions by Commission = new procedure
 - after Committee vote
 - taking into account opinion of stakeholder forum on BREF
 - clearer / stricter requirements to apply BAT via permit
- ➔ **enhanced BAT implementation**
- ➔ **better environmental outcome + level playing field**

"Sevilla Process"



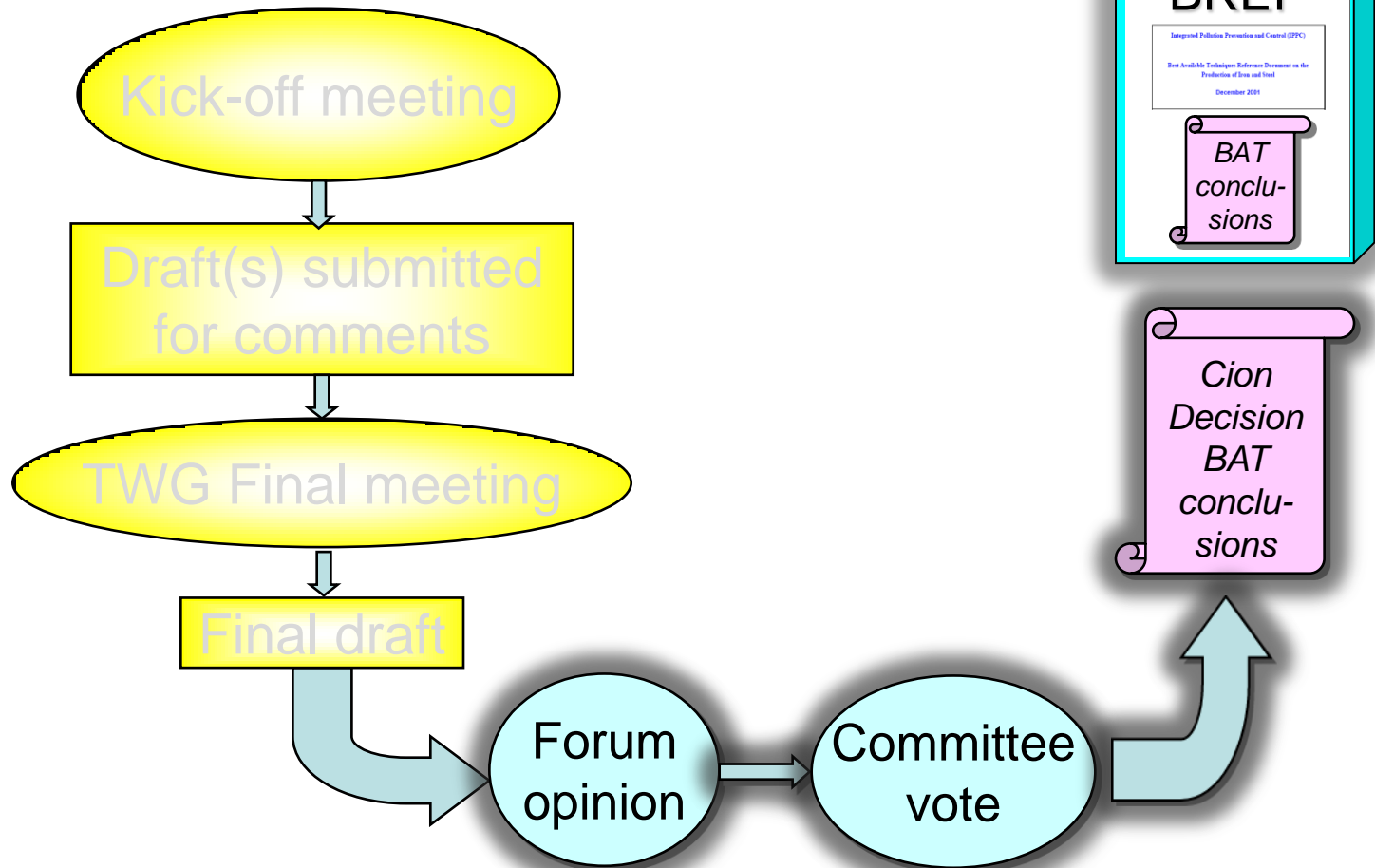
Developing BREF/BAT conclusions



From IPPC to IED

- ✓ BAT remains central concept, but is **reinforced** under IED
 - definition of BAT = unchanged
 - "Sevilla process" of information exchange - largely unchanged
 - adoption of BAT conclusions by Commission = **new procedure**
 - after Committee vote
 - taking into account opinion of stakeholder forum on BREF
 - clearer / stricter requirements to apply BAT via permit
- ➔ enhanced BAT implementation
- ➔ better environmental outcome + level playing field

Adopting BAT Conclusions



From IPPC to IED

- ✓ **BAT** remains central concept, but is **reinforced** under IED
 - definition of BAT = unchanged
 - "Sevilla process" of information exchange - largely unchanged
 - adoption of BAT conclusions by Commission = new procedure
 - after Committee vote
 - taking into account opinion of stakeholder forum on BREF
 - clearer / stricter requirements to apply BAT via permit
- ➔ enhanced BAT implementation
- ➔ better environmental outcome + level playing field

BAT conclusions and permitting (2)

- For new installations:

BAT conclusions to be used as reference when **issuing permit**

- For existing installations:

Within **four years** of publication in OJEU of decisions on BAT conclusions relating to the main activity of an installation:

- (a) all permit conditions to be **reconsidered** and, if necessary, **updated**
- (b) installation **complies** with those permit conditions.

From IPPC to IED

- ✓ BAT remains central concept, but is **reinforced** under IED
 - definition of BAT = unchanged
 - "Sevilla process" of information exchange - largely unchanged
 - adoption of BAT conclusions by Commission = new procedure
 - after Committee vote
 - taking into account opinion of stakeholder forum on BREF
 - clearer / stricter requirements to apply BAT via permit
- ➔ **enhanced BAT implementation**
- ➔ **better environmental outcome + level playing field**

Revision of the Refineries BREF

- ✓ Start **September 2008** (IPPC Directive)
 - ✓ to revise first BREF (2003): update BAT and resolve "split views" (many)
 - ✓ data gathering 2010-2012
- ✓ Revision continued/completed under **IED**
 - ✓ needs to be "fit for purpose" → IED-type BAT conclusions
- ✓ Final meeting of technical working group: 11-15 March 2013
 - ✓ constructive discussions, focus on key processes and environmental issues
 - ✓ consensus on many BAT conclusions incl. BAT emission levels
 - ✓ despite certain data gaps ...
 - ✓ limited number of dissenting views - "bubble approach"

REF BREF – bubble approach: outcome of TWG meeting

- ✓ Bubble approach used in many MS as a **management tool** to reduce overall air emissions in the oil refining sector, especially for SO₂
- ✓ Based on setting emission limit values covering multiple units: legally possible provided the **IED provisions related to BAT, including Article 15**, are met
- ✓ Site level management of air emissions incl. appropriate associated monitoring: may be tool to **further** improve environmental performance of refinery installation
- ✓ No consensus within TWG on whether the 'bubble approach' can be qualified as a (best available) technique
- ✓ Proposal: no reference to bubble approach in BAT conclusions
 - ✓ Dissenting view expressed by 11 MS and Concawe

REF BREF – bubble approach: way ahead

- ✓ Links between bubble approach' and IED implementation need further legal consideration
- ✓ Commission services will consider the most appropriate way to take into account the outcome of the TWG meeting and to continue the work on this issue over the next months

REF BREF revision: remaining steps

- ✓ **IED Art. 13 Forum:** expert group - MS, industry, NGOs, Commission

- ✓ **IED Art 75 Committee:** MS only (chaired by Commission)

- ✓ Commission Implementing Decision with BAT conclusions
 - published in OJEU in all EU languages

- ✓ **Commission** publishes full BREF on website of IPPC Bureau

In brief ...

- ✓ Transition from IPPC to IED: smooth, with some learning phase
- ✓ Sevilla process is functioning
 - ✓ challenges related to transition are being tackled
- ✓ Adoption process is delivering
 - ✓ 4 BAT conclusions adopted/published (IS, GLS, TAN, CLM)
- ✓ Challenges
 - ✓ stick to time table (guidance) → 8 year review cycle
 - ✓ ensure environmental relevance (meaningful BAT levels)
 - ✓ use scarce resources efficiently: focus on key issues
 - ✓ data gathering!