



29 January 2016

## **WORK PROGRAMME FOR THE EXCHANGE OF INFORMATION UNDER ARTICLE 13(3)(B) OF THE IED FOR 2016 (AND THE OUTLOOK FOR THE FOLLOWING YEARS)**

### **1 PURPOSE OF THIS DOCUMENT**

This document constitutes the work programme for the exchange of information as referred to in Article 13(3), point (b) of the Industrial Emissions Directive (IED)<sup>1</sup> to be carried out in 2016.

It was last updated following the meeting of the IED Article 13 Forum of 19 October 2015.

The Commission will keep this work programme under review and may propose adjustments should there be a compelling need.

### **2 ENVIRONMENTAL EFFECTIVENESS OF THE INFORMATION EXCHANGE**

Due to the important role of the BAT conclusions under the IED, the forum has discussed over the past two years how to make the BREF review process more environmentally effective by 'frontloading' the information exchange and taking a 'focused approach' in the determination of BAT. Several of these measures are being put in practice, and the Commission put forward a discussion paper for the IED Article 13 forum meeting of 19 October 2015 on how to materialise their full potential, in practice during the current and upcoming BREF Reviews<sup>2</sup>.

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<sup>1</sup> Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (Recast), OJ L 334/17 of 17.12.2010.

<sup>2</sup> Discussion document "Criteria for identifying key environmental issues for the review of BAT reference documents under Article 13(3)(b) of the IED" presented at the IED Article 13 forum meeting of 19 October 2015.

### 3 WORK PROGRAMME IMPLEMENTATION

Since 2012, the Commission has adopted eight BAT conclusions under the IED and published the revised BREFs (Glass; Iron and Steel; Tanning of Hides and Skins; Cement, Lime and Magnesium Oxide; Chlor-Alkali; Pulp, Paper and Board; Refining of Mineral Oil and Gas; Wood-Based Panels<sup>3</sup>). Two more sets of BAT conclusions should be adopted shortly (Common Waste Water and Waste Gas Treatment/Management Systems in the Chemical Sector; Non-Ferrous Metals).

Currently, eight other BREF documents are actively being worked on by the European IPPC Bureau (Intensive Rearing of Poultry or Pigs; Large Volume Organic Chemicals; Large Combustion Plants; Waste Treatment; Food, Drink and Milk; Waste Incineration; Surface Treatment Using Organic Solvents/Wood Preservation with Chemicals; Ferrous Metals Processing). In addition, the Bureau is finalising the JRC Reference Report on Monitoring of emissions to air and water from IED installations (ROM).

At this moment, with a number of very important and heavy BREF reviews being at the principal stages of the process, creating a high workload for the European IPPC Bureau, it has to be concluded that the number of BREF reviews which can be started in 2016 will be two, rather than four as originally targeted. Therefore, while maintaining the longer term objective of launching four BREF reviews per year on average, the Commission proposes to lower this number for 2016. Closing a number of heavy BREF reviews and materialising the focused approach mentioned under point 2 should allow picking up the pace towards the next years<sup>4</sup>.

### 4 WORK PROGRAMME TO REVIEW THE CHEMICAL BREFs

In its meetings of 24 September and 4 December 2014, the forum discussed the outstanding work for the review of the chemical BREFs in light of the IED provisions and the lessons learnt from the three chemical BREF reviews<sup>5</sup> undertaken so far<sup>6,7</sup>.

The forum confirmed the need to conduct the review of the chemical BREF series with more effectiveness and efficiency, and more specifically to readjust the balance between generic and specific BAT conclusions, relying on the following general principles:

- **Targeted effort:** ensure that resource inputs match information exchange outputs, and focus TWG efforts on BAT/BAT-AELs for key environmental issues;
- **Transparency:** enhance transparency of the information exchange;
- **Efficiency:** ensure that efforts made so far are not wasted and avoid further delays to BREF reviews;

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<sup>3</sup> The WBP BAT conclusions were adopted on 20 November 2015 and the WBP BREF will be published in the next months.

<sup>4</sup> The objective of launching four reviews per year was related to maintaining an eight-year review cycle for the BREFs with the current cycle to be finalised by 2020. If only two BREF reviews were launched per year, this would mean that the last BREF review in this cycle will not be started before 2020 and ending in 2023 at the earliest; if three BREF reviews were launched, this cycle would end around 2021.

<sup>5</sup> These are: CWW (Common Waste Water and Waste Gas Treatment/Management Systems in the Chemical Sector), CAK (Production of Chlor-Alkali) and LVOC (Large Volume Organic Chemical industry).

<sup>6</sup> European Commission, Working document: Reconsideration of the 'Strategy to review the chemical BREFs', September 2014; Comments of forum members, October 2014. <https://circabc.europa.eu/w/browse/81589c9f-2e62-4a40-843f-acbaf451c336>.

<sup>7</sup> European IPPC Bureau: Reconsideration of the 'Strategy to review the chemical BREFs' – Further reflections on the principle 'Generic BAT if possible', December 2014; Comments of forum members, January 2015. <https://circabc.europa.eu/w/browse/84b358a5-cda0-4812-8247-3a7eb02af577>.

- **Generic BAT if possible:** define BAT/BAT-AELs at the most generic level possible and describe specific products/processes only if key environmental issues cannot be adequately covered by generic BAT.

At the heart of the discussion on this matter was the question on how to deal with air pollutants common to the chemical industry in adherence to the aforementioned principles. The Commission believes that the best way of doing so is to draw up a new BREF on Common Waste Gas Treatment in the Chemical sector (WGC), starting in 2016. Several proposals were already made on how to identify air pollutants common to the chemical industry, including candidate lists that could be used as starting points (e.g. IED Annex II; pollutants with BAT-AELs and similar abatement techniques in several of the current chemical BREFs; Tables 6.2 and 6.3 in the LVOC BREF adopted in 2003; pollutants that are regulated on a generic level in Member States' legislation).

The drawing up of the WGC BREF will anyhow require frontloading work in order to decide at the kick-off meeting on the scope and the pollutants to be addressed. Furthermore, the possible drawbacks of defining more generic BAT (e.g. wide BAT-AEL ranges; peculiarities of some products/processes may not be taken into account; difficulties for implementation in the permitting process; shift of focus away from pollution prevention to end-of-pipe techniques), will need to be addressed.

Therefore, the drawing up of the WGC BREF will involve:

- collecting comprehensive and representative information and data on abatement techniques and emission levels across the whole chemical industry;
- collecting information and data from specific products/processes that might require a dedicated approach (e.g. by relying on current BREFs or Member States' legislation);
- a thorough analysis of the information and data collected;
- the definition of generic BAT and BAT-AELs for emissions to air for the whole chemical industry, while identifying processes requiring further specific consideration.

The start of the review of the other chemical BREFs will be postponed. Once the drawing up of the WGC BREF is at a sufficiently advanced stage, it will be decided which chemical products/processes/subsectors would need to be addressed in other separate BREF(s), taking into consideration factors such as the number of installations in the EU and the magnitude of their emissions to the environment.

The LVOC BREF review which is already at a very advanced stage will be finalised as soon as possible, while fully applying the principle of 'generic BAT if possible'. This means that only specific aspects should be dealt with in the illustrative process sections.

The WGC BREF will take into account the outcomes of the LVOC, CWW, and CAK BREF reviews.

## **5 POSSIBLE DEVELOPMENT OF A 'RESOURCE EFFICIENCY' BREF**

The Commission assessed the merits of turning the existing BREFs on Energy Efficiency (ENE) and Industrial Cooling Systems (ICS) into a BREF on 'Resource Efficiency' by merging and revising the two documents while expanding the scope to cover the use of raw materials and water.

It is clear that there are synergies between the two existing BREFs as energy efficiency is very closely linked with heat management and, therefore, with an optimal cooling system.

Moreover, the development of a BREF covering wider issues related to a more efficient use of resources (raw materials, energy, water) in manufacturing processes is one element currently considered in the preparation of the Commission's new Circular Economy package. The work on such a BREF should therefore be aligned with the Circular Economy Package in terms of its timing and content.

The Commission sees the following advantages and challenges of developing such a BREF, incorporating the existing ENE and ICS BREFs.

Advantages	Challenges
<p>Helps to ensure consistency and to avoid repetition across the sectoral BREFs under development.</p> <p>Offers possibilities to reflect recent developments in techniques for energy, water and raw material saving and to bring in techniques enhancing the resource efficiency of industrial activities.</p> <p>BAT conclusions would become IED conform.</p> <p>Supporting resource efficiency/circular economy policy.</p>	<p>BAT conclusions likely to remain quite general, as the BREF would cover all IED sectors.</p> <p>Probably very few BAT-AELs (e.g. emissions to air/water from cooling systems).</p> <p>Potentially limited use of BAT conclusions on resource efficiency for defining permit conditions.</p> <p>Potential interference with other instruments or initiatives, e.g. energy audits for large enterprises required under Article 8 of the Energy Efficiency Directive (2012/27/EU).</p>

The IED Article 13 Forum, during its meeting of 19 October 2015, expressed a preference for integrating resource efficiency issues in the sector-specific BREFs.

The Commission took note of the preference expressed by the forum on this point, while remarking the need to remain aware of the Circular Economy Package.

## 6 WORK PROGRAMME FOR 2016 AND OUTLOOK

Annex 1 presents the work programme for 2016, as well as a further outlook for the following years.

In 2016, two BREF reviews will start (subject to the availability of adequate staffing within the European IPPC Bureau):

- Common Waste Gas Treatment in the Chemical Sector (WGC);
- Textiles (TXT).

For 2017 and the next years, the Commission has indicated the current priorities for starting further BREF reviews.

*While the objective remains to launch four BREF reviews per year, the actual number of reviews to start in 2017 and thereafter will depend on progress made in the course of 2015 and 2016 on the BREFs currently under review, as well as on the successful implementation of a more focused approach.*

**ANNEX 1**  
**Work programme for 2016 (and outlook for the following years)**

Grey shading indicates ongoing work.

BAT reference document (BREF)	(Re)activation of the TWG	Submission of Final Draft BREF to the IED Article 13 forum for its opinion	Comments
<b>Intensive Rearing of Poultry or Pigs (IRPP)</b> (first BREF adopted in 2003)	2008	2015	Review ongoing
<b>Large Volume Organic Chemicals (LVOC)</b> (first BREF adopted in 2002)	2009	2016	Review ongoing
<b>Large Combustion Plants (LCP)</b> (first BREF adopted in 2006)	2011	2016	Review ongoing
<b>Waste Treatment (WT)</b> (first BREF adopted in 2006)	2013	2017	Review ongoing
<b>Waste Incineration (WI)</b> (first BREF adopted in 2006)	2014	2018	Review ongoing
<b>Food, Drink and Milk (FDM)</b> (first BREF adopted in 2006)	2014	2017	Review ongoing
<b>Surface Treatment Using Organic Solvents (STS)</b> (first BREF adopted in 2007)	2014	2018	The review of the STS BREF includes the activity of wood and wood products preservation with chemicals (WPC)
<b>Ferrous Metals Processing (FMP)</b> (first BREF adopted in 2001)	2015	2018	Original activation was 2008 but the review was on hold between 2011 and 2015 due to heavy workload
<b>Common Waste Gas Treatment in the Chemical Sector (WGC)</b>	2016	2019	New BREF to be drawn up in order to improve effectiveness and efficiency of the review of the chemical BREFs
<b>Textiles</b> (first BREF adopted in 2003)	2016	2019	
<b>Smitheries and Foundries (SF)</b> (first BREF adopted in 2005)	2017	2020	
<b>Ceramics (CER)</b> (first BREF adopted in 2007)	2017	2020	
<b>Slaughterhouses and Animal By-products (SA)</b> (first BREF adopted in 2005)	(2017)	(2020)	

BAT reference document (BREF)	(Re)activation of the TWG	Submission of Final Draft BREF to the IED Article 13 forum for its opinion	Comments
<b>Surface Treatment of Metals and Plastics (STM)</b> (first BREF adopted in 2006)			
<b>Large Volume Inorganic Chemicals – Ammonia, Acid and Fertilisers (LVIC-AAF)</b> (first BREF adopted in 2007) <b>Large Volume Inorganic Chemicals – Solids and others (LVIC-S)</b> (first BREF adopted in 2007) <b>Polymers (POL)</b> (first BREF adopted in 2007) <b>Speciality Inorganic Chemicals (SIC)</b> (first BREF adopted in 2007) <b>Organic Fine Chemicals (OFC)</b> (first BREF adopted in 2006)			Consideration of an information exchange on selected products/processes/subsectors giving specific consideration to the progress and outcome of the WGC BREF
<b>Industrial Cooling Systems</b> (first document adopted in 2001) and <b>Energy Efficiency</b> (first BREF adopted in 2009)			The possible of merging of these two BREFs and complementing it with other aspects related to resource efficiency (raw materials use and water-saving) will be further considered taking into account the Circular Economy Package
<b>Emissions from Storage (EFS)</b> (first BREF adopted in 2006)			