

Integrated Pollution Prevention and Control



Current obligations
and proposed changes



Malta-EU Steering & Action Committee

Outline



1. Overview of the current and proposed legislation
2. Obligations under the current IPPC Directive
3. The new Industrial Emissions Directive: The proposal and negotiations
4. Questions and discussion



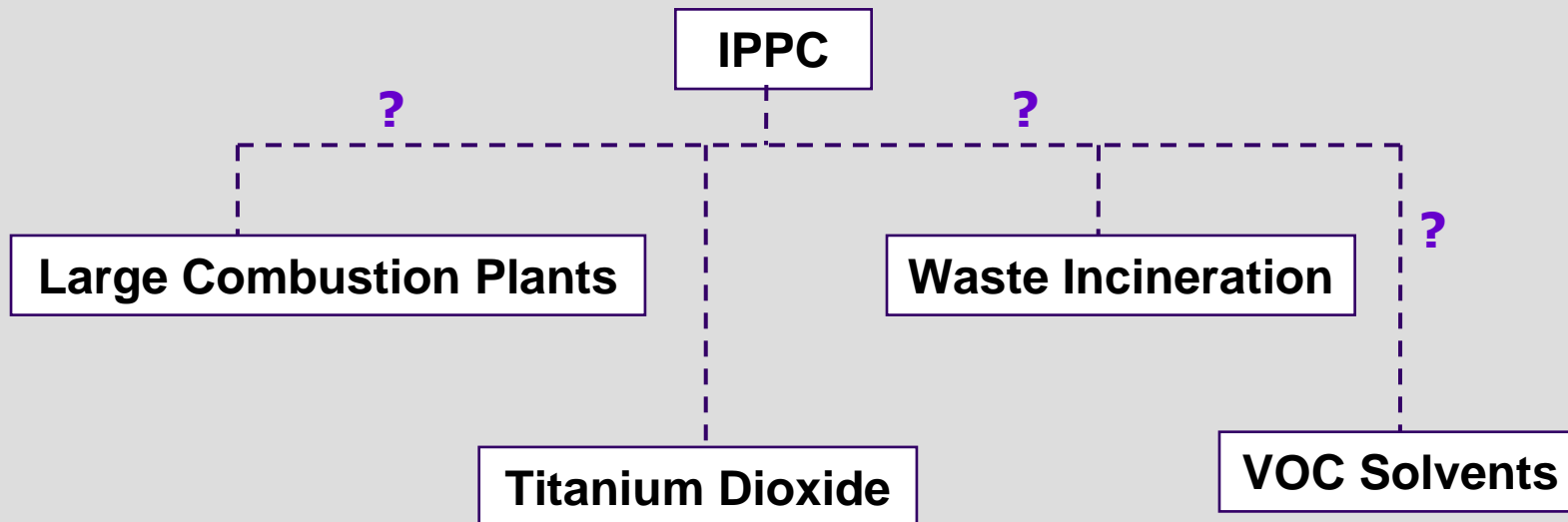
Directives regulating industrial emissions



- General: IPPC (Integrated Pollution Prevention & Control) Directive
 - Integrated approach to regulate emissions (air, water, land) and waste
 - Power generation, waste management, chemical plants, etc.
- Sector-specific: Mainly air emissions
 - Large Combustion Plant Directive
 - VOC Solvents Directive
 - Printing, surface cleaning, vehicle coating, dry cleaning, manufacture of footwear and pharmaceutical products
 - Waste Incineration Directive
 - 3 directives regarding titanium dioxide manufacture



Current legislation



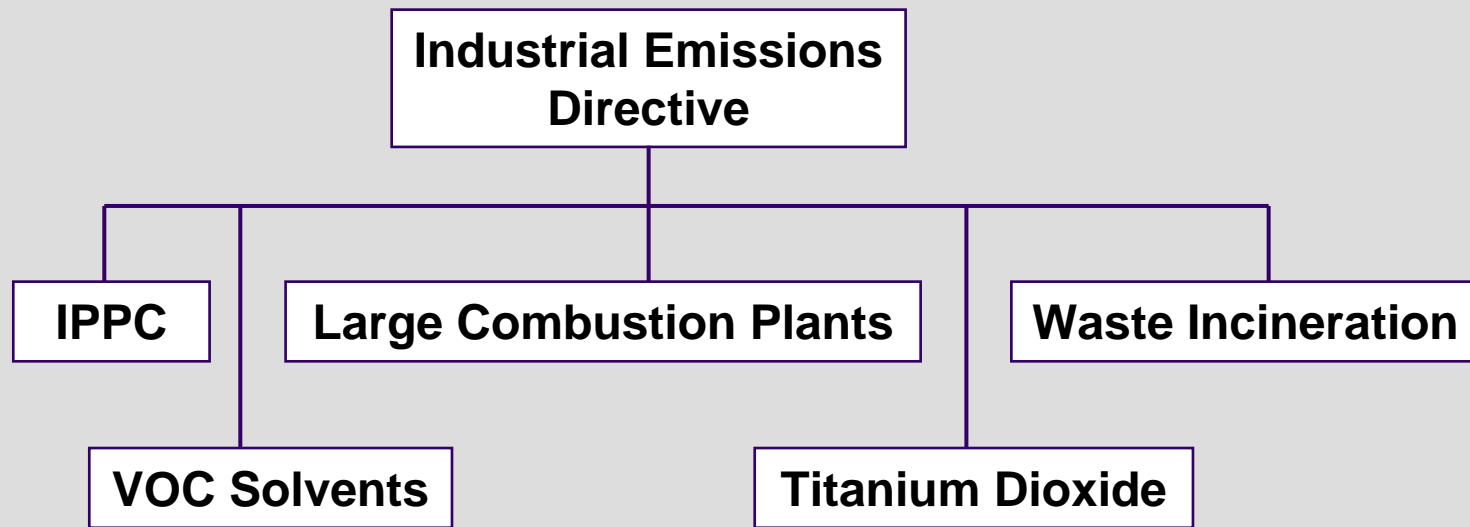
The new Industrial Emissions Directive



- “Recasts” seven directives into one, to simplify, remove inconsistencies and duplications
- Some changes from existing directives
- Will eventually repeal existing seven directives



Recast



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The current IPPC Directive

- Includes a wide range of activities



(Refer to information sheet)



IPPC activities in Malta



- Power generation ($>50 \text{ MW}_{\text{th}}$)
- Chemical production of:
 - Organic and inorganic chemicals (including biodiesel)
 - Active pharmaceutical ingredients
- Waste management, including:
 - Disposal or recovery of hazardous waste ($>10 \text{ t/day}$)
 - Landfills ($>25,000 \text{ t}$), excluding inert waste landfills
- Intensive rearing of poultry:
 - 40,000 places for poultry



IPPC permits



- All IPPC installations require an IPPC permit:
 - Existing installations (pre-1999) to be permitted by 2007
 - New installations to be permitted prior to operation



Obligations of operators



- Use of BAT (Best Available Techniques)
- Do not cause significant pollution
- Avoidance of waste production, reduction, recovery or safe disposal
- Energy efficiency
- Minimisation of accidents & their effects
- Upon cessation of activities, to avoid pollution and return site to a "satisfactory state"



BAT-Reference Documents (BREFs)



- Commission organises exchanges of information between Member States, industry and NGOs (Sevilla process)
- Sector-specific BREFs describe what is BAT, associated emissions, monitoring and developments
- Competent authority obliged to set emission limits based on BAT



Problems with the current IPPC Directive



- Permits often exceed ELVs in BREFs, with no justification
- No concrete obligation for inspections in current IPPCD
- Permits not always kept up to date with BAT
- Vague provisions on soil/groundwater
- Multiple reporting obligations



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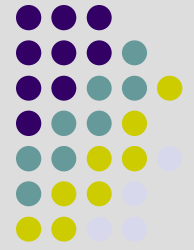


The Industrial Emissions Directive



- Main changes:
 - Several new activities under IPPC
 - Changes in emission limits for LCPs
 - Stronger role of BREFs
 - Compulsory inspections
 - Soil and groundwater monitoring





New activities

- Fuel combustion: 20-50 MW
- Waste:
 - Storage of hazardous waste (capacity >10 t)
 - Solvent reclamation/regeneration (>10 t/d)
 - Incineration of all kinds of non-hazardous waste (>3 t/h)
 - Recovery of non-hazardous waste (capacity >50 t/day): e.g. composting plants, anaerobic digestors, treatment of slag & ashes, scrap metal in shredders)
- Poultry: 40,000 places for broilers, 30,000 laying hens, etc.
- Plants treating waste water from IPPC sites (excluding sites covered by urban waste water treatment directive)



Negotiations on new activities



- Combustion: 20-50 MW plants may be excluded
- Chemicals: No support for inclusion of thresholds
- Poultry: Malta is attempting to keep current threshold – limited support at Council but supported in Parliament
- Waste:
 - Temporary storage (<1 year) of hazardous waste produced on site excluded
 - But: Temporary storage of hazardous waste (from another site) included (capacity >10 t). Malta is trying to negotiate a higher capacity
 - And: Underground storage of hazardous waste (capacity >10 t) included
 - Also: Recovery of non-hazardous waste using biological treatment, etc. still included (capacity >50 t/day)



Emission limits



- Proposal: Emissions for LCPs, incineration, solvents, TiO_2 specified in Annexes
 - ELVs for LCP made stricter & match BREF; to be implemented by 2016
 - Other sectors mostly unchanged
- Negotiations: Flexibility for implementation of LCP ELVs until 2020 (small isolated systems)



The new role of BREFs



- For IPPC installations, BREFs to be reference for permit conditions, including ELVs & monitoring
- Emission levels in BREF cannot be exceeded, except by derogation
- Operator must submit assessment of environmental & economic costs & benefits to apply for derogation
- ELVs in Annexes V-VIII can never be exceeded
- Reason for derogation available to public
- Permits & derogations must be reconsidered within 4 years of publication of new / updated BREFs



Negotiations on BREFs



- Outcome still not final
- BAT conclusions (including emission levels) adopted by Member States using regulatory procedure with scrutiny?
- Under normal circumstances, the competent authority to set ELVs that do not exceed BAT
- Derogation/deviation possible, including when reconsidering permit



Inspections



- Proposal:
 - Yearly inspections or risk-based programme
 - Report notified to operator & made publicly available
- Negotiations:
 - Risk-based programme obligatory (should include potential impacts, record of compliance, participation in EMAS)
 - Minimum frequency: 1 year (high-risk) / 3 years (low-risk)



Soil and Groundwater



- Baseline report required where installation involves use, production or release of dangerous substances
- Report prepared:
 - New sites: before starting operation
 - Existing sites: before a permit is updated
- Monitoring repeated at least every seven years
- Remediation of site at the end of operation to the state in baseline report (no deterioration)
- Negotiations: Alignment with draft soil framework directive: return to a state suitable for intended future use (no consensus)



Sector-specific obligations



- VOC solvents: No major changes
 - Solvent management plan to demonstrate compliance: not mandatory, but specific format if used
- Waste incineration/co-incineration:
 - No overall changes to ELVs
 - NO_x ELV for existing cement kilns co-incinerating waste aligned with BAT
 - ELVs for combustion plants co-incinerating waste aligned with LCP
 - Monitoring: derogations (HCl/HF/SO₂, NO_x, HM, dioxins), only if compliance with ELVs can be guaranteed
- Titanium dioxide
 - Certain ELVs aligned with BREF



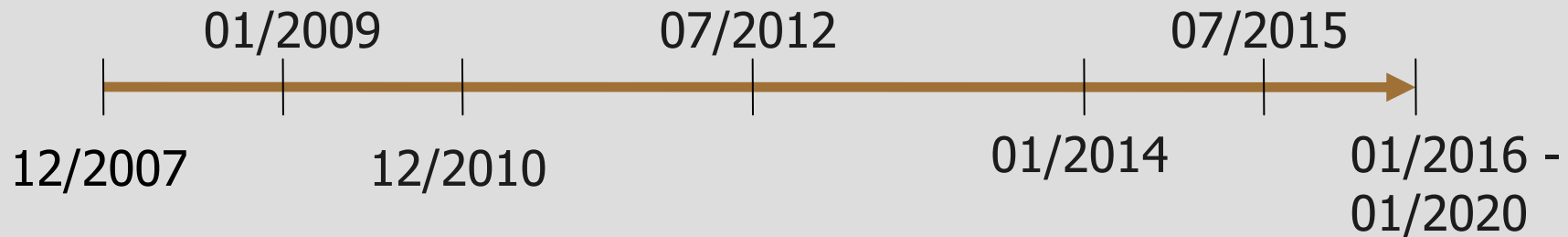
Reporting



- Moving towards electronic reporting
- No integration with E-PRTR (yet)
- Annual reporting of emissions monitoring (IPPC)



Indicative timeline



The Commission adopts proposal for IED

First reading in the European Parliament and political agreement in Council

Publication of IED in Official Journal

**MS transpose the new Directive (18 months after entry into force – possibly 24 months)
The Directive applies to all new installations from this date onwards**

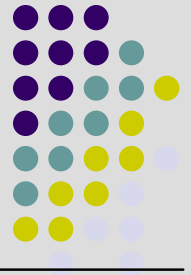
**All existing installations (except LCP) previously subject to IPPC, WID, Solvents and TiO₂
Directives must meet the requirements of IED**

**Existing installations performing new activities (e.g. combustion plants 20-50 MW) must
meet requirements of IED**

LCPs must meet the Emission Limit Values in Annex V



Questions and discussion



Further information



- MEPA website:
http://www.mepa.org.mt/environment/index.htm?IPPC_new/mainpage.htm&1
- Contact us on:
 - Email: rachel.decelis@mepa.org.mt
 - Telephone: 2290-7230
- Deadline for written comments: 16 June 2009



Thank you

