



Criteria for identifying key environmental issues for the review of BREFs

**IED Article 13 forum meeting
19 October 2015**

European Commission

Introduction

- **Discussion** on improving the environmental effectiveness of the information exchange
- Building on:
 - *Forum work over past years*
 - *Berlin workshop (October 2014)*
 - *Recent TWG meetings*
- Focused approach agreed by Forum
- in line with "big on big/small on small"
- How to identify the key environmental issues for a BREF review in a consistent and practical manner?

Objectives of information exchange

- Outcome: BATc serving as the reference for permit conditions, so BATc adoption is cornerstone of IED
 - *8-year review cycle to keep BAT conclusions up-to-date*
 - *7EAP: generalised BAT uptake by adopting all BATc by 2020*
 - *delaying adoption means delaying environmental improvements – this is especially relevant for key environmental issues*
- BREF guidance: TWG members to identify key data and issues for deriving or updating BATc for sector
- “key environmental issues” (KEI)
 - *issues for which BATc have the highest likelihood of resulting in noteworthy additional environmental benefits*

Improvements already proposed (Forum)

- Timely adoption of high quality BATc is a critical factor for IED implementation, so need to
 - *adhere to deadlines set in BREF guidance*
 - *acquire better and more relevant data*
- Maximising the environmental outcome of the Sevilla process can be achieved by better targeting of available resources (Cion, TWG members)
 - *max. 10 BREFs simultaneously with current resources*
- Need for enhanced frontloading and a more focused approach

Berlin workshop

- Reaffirmed Sevilla process and acknowledged its continuous improvements
- BATc (BAT-AELs) should contribute to IED objectives and broader EU environmental targets
- Endorsed frontloading and more focused approach
 - *Need to identify key environmental issues and define suitably targeted data collection priorities and procedures*
- Focus efforts on delivering clear, precise and concise BATc, with BAT-AELs with narrow ranges
- Smarter (more effective) working methods

Challenges (1)

- Adopting high quality BAT conclusions for all sectors by 2020: huge challenge in view of delays
- Further prolonging BREF reviews means postponing full implementation of IED
 - *Undermines effectiveness of IED in achieving its objectives*
 - *Puts at risk broader environmental objectives at EU level, affected by uptake of BAT in industrial sectors*
- Efforts for gathering more (detailed) information and a more in-depth assessment
 - *Have lead to improved quality and consistency*
 - *Are worthwhile for KEI*
 - *Risks causing bottlenecks in case of broad scope of activities and environmental issues*

Challenges (2)

- Focusing the review on KEI for the sector should lead to increased environmental effectiveness by
 - *targeting available resources and additional efforts on the areas where return on investment is maximal;*
 - *enabling timely adoption of the BAT conclusions.*
- This way, the increased quality of BATc will bear results “in the field” through swift application
- Approach needs to become fully operational across TWGs by building common understanding on how to identify KEI for each BREF review

Way forward: priority setting under focused approach

- Focus on parts of a BREF that are directly related to BATc and, in particular, BAT-AELs
- Further priorities to be set amongst all possible BATc by identifying KEI:
 - *which activities and processes to cover?*
 - *which types of pollution?*
 - *which other aspects?*
- Consider and prioritise potential pollutants (KEI)
- Ensure consistency across BREFs: put overall environmental impacts into broader perspective

Way forward: criteria for defining key environmental issues (1)

- *Define KEI at earliest possible stage of information exchange using the following criteria:*
 - **environmental relevance of pollution** caused by the activity or process, i.e. whether it may cause an environmental problem;
 - **significance of activity** (# installations, geographical spread, contribution to total (industrial) emissions in EU);
 - potential of BREF review for identifying **new or additional techniques** that would further significantly reduce pollution;
 - potential of BREF review for **BAT-AELs** that would significantly improve level of environmental protection from current emission levels.

Way forward: criteria for defining key environmental issues (2)

- For applying identified criteria, information is needed before the review is started, on:
 - *the emissions of the activities concerned and their broader environmental relevance;*
 - *the general environmental performance of techniques applied within the sector;*
 - *the recent evolution of techniques applied in the sector and their environmental performance.*

Way forward: consequences for information exchange

- Need to keep in mind priorities and KEI throughout information exchange, esp. at data collection, drafting and commenting stages
- Implications for data collection:
 - *identified **KEI**: full and detailed data collection, incl. via questionnaires, to update BAT and to define BAT-AELs*
 - ***lowest priority** issues: no new data collected; keep information and descriptions from existing BREF*
 - *issues **undecided** at KoM: short and simplified data collection to allow decision before starting full data collection - KEI only if confirmed by additional evidence*

Discussion items

- How to set priorities for a BREF review?
- Which criteria should be used for defining key environmental issues for a BREF review?
- What does this mean in terms of data collection?