



Brussels, 7.7.2014
C(2014) 4533 final

COMMISSION DECISION

of 7.7.2014

**on the notification by the Hellenic Republic of a modified transitional national plan
referred to in Article 32 of Directive 2010/75/EU**

(only the Greek text is authentic)

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control)¹, and in particular Article 32 paragraphs 5 and 6 thereof,

Having regard to Commission Implementing Decision 2012/115/EU laying down rules concerning the transitional national plans referred to in Directive 2010/75/EU of the European Parliament and of the Council², and in particular Article 5 thereof,

Whereas:

- (1) The Commission has, by Decision of 26 November 2013 (2013/687/EU)³ on the notification by the Hellenic Republic of a transitional national plan referred to in Article 32 of Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions, decided not to raise objections against the transitional national plan which the Hellenic Republic had notified to the Commission on 19 December 2012 pursuant to Article 32(5) of Directive 2010/75/EU.
- (2) The Hellenic Republic has, by letter of 18 March 2014 and in accordance with Article 32(6) of Directive 2010/75/EU, informed the Commission of subsequent changes to its transitional national plan. For two of the plants originally included in the transitional national plan, as defined in decision 2013/687/EU (Kardia 3 and Kardia 4) the Hellenic authorities have decided instead to opt for the limited lifetime derogation under Article 33 of Directive 2010/75/EU and thus to exclude them from the initial national transitional plan in accordance with Article 32(1) subparagraph (a) of Directive 2010/75/EU.
- (3) the modified version of the transitional national plan under Article 32(1) subparagraph (a) of Directive 2010/75/EU as notified by the Hellenic Republic by letter of 18 March 2014 no longer includes the plants Kardia 3 and Kardia 4 and the overall annual emission ceilings have been adjusted accordingly, by subtracting the contributions of those two plants to the emission ceilings calculated for the years 2016, 2017, 2018, 2019 and for the first six months of 2020.
- (4) The modified transitional national plan has been assessed by the Commission in accordance with Article 32(1), (3) and (4) of Directive 2010/75/EU and with Commission Implementing Decision 2012/115/EU and the Commission found that the

¹ OJ L 334, 17.12.2010, p. 17

² OJ L 52, 24.2.2012, p. 12

³ OJ L 317, 28.11.2013, p. 35

modifications made to the overall emission ceilings for the years 2016, 2017, 2018, 2019 and for the first six months of 2020 were correct.

- (5) The implementation of the modified transitional national plan is without prejudice to other applicable national and Union law. In particular, by setting individual permit conditions for the combustion plants covered by the transitional national plan, the Hellenic Republic takes the commitment to ensure that compliance with the requirements set out in, inter alia, Directive 2010/75/EU, Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air for Europe⁴ and Directive 2001/81/EC of the European Parliament and of the Council of 23 October 2001 on national emission ceilings for certain atmospheric pollutants⁵ is not jeopardised.
- (6) Article 32(6) of Directive 2010/75/EU requires the Hellenic Republic to inform the Commission of any subsequent changes to the transitional national plan. The Commission should assess whether those changes comply with the provisions laid down in Article 32 (1), (3) and (4) of Directive 2010/75/EU and in Commission Implementing Decision 2012/115/EU.

HAS ADOPTED THIS DECISION:

Article 1

1. On the basis of Article 32(1), (3) and (4) of Directive 2010/75/EU and of Commission Implementing Decision 2012/115/EU, no objections are raised against the modified transitional national plan notified pursuant to Article 32(6) of the Directive 2010/75/EU to the Commission on 18 March 2014.
2. The names of the plants covered by the modified transitional national plan, the pollutants for which those plants are covered, and the applicable emission ceilings are laid down in the Annex.
3. The implementation of the modified transitional national plan by the Hellenic authorities shall not exempt the Hellenic Republic from compliance with the provisions of Directive 2010/75/EU concerning the emissions from the individual combustion plants covered by the plan, and with other relevant bodies of the European Union environmental law.

Article 2

The Commission shall assess if any subsequent changes to the transitional national plan, notified by the Hellenic Republic in the future, comply with the provisions listed in Article 32 (1), (3) and (4) of Directive 2010/75/EU and in Commission Implementing Decision 2012/115/EU.

This Decision is addressed to the Hellenic Republic.

⁴ OJ L 152, 11.6.2008, p. 1

⁵ OJ L 309, 27.11.2001, p. 22

Done at Brussels, 7.7.2014

For the Commission
Janez POTOČNIK
Member of the Commission

ANNEX

List of plants included in the modified TNP

| Number | Plant name | Total rated thermal input on 31.12.2010 (MW) | Pollutants covered by the TNP | | |
|--------|---------------------|---|----------------------------------|-----------------|------|
| | | | SO ₂ | NO _x | dust |
| 1 | Megalopolis 3 | 839 | √ | √ | √ |
| 2 | Megalopolis 4 | 822 | √ | √ | √ |
| 3 | Meliti 1 | 796 | √ | √ | √ |
| 4 | Agios Dimitrios 1-2 | 1524 | √ | √ | √ |
| 5 | Agios Dimitrios 3-4 | 1574 | √ | √ | √ |
| 6 | Agios Dimitrios 5 | 892 | √ | √ | √ |

Emission ceilings (tonnes)

| | 2016 | 2017 | 2018 | 2019 | 01.01.2020 – 30.06.2020 |
|-----------------|-------|-------|-------|-------|-------------------------|
| SO ₂ | 34961 | 29135 | 23308 | 17482 | 8741 |
| NO _x | 17482 | 17482 | 17482 | 17482 | 8741 |
| dust | 6505 | 4920 | 3334 | 1749 | 875 |