

Comment No.	Comment from	Chapter No. / section No.	Chapter title	Page No. (PDF version of final draft)	Comment description	Proposal for modification	Rationale
1	Austria		Whole document	1	Austria sees the difficult circumstances and conditions in the revision of the CWW BREF, which covers the entire chemical sector with all its different products, processes and techniques. Due to the characteristics of the CWW BREF the exchange of information within the TWG according to Article 13(2) of IED has addressed the performance of, in particular, large installations, rather than the specific techniques used, their performance and viability. The situation was complicated by the fact that chapters two and three of the CWW BREF have only been updated to a minor extent and, in particular, neither the data from the second survey have been included in Chapter 2, nor the majority of comments related to Chapter 3 prior to the final meeting. Given that the focus of the EIPPCB's work was to finalize the BAT conclusions, the EIPPCB decided that it will carry out the updates of Chapters 2 and 3 after the final meeting. This procedure is not in accordance with the BREF Guidance Document (table 1, step no. 8).		2012/119/EU: COMMISSION IMPLEMENTING DECISION of 10 February 2012, laying down rules concerning guidance on the collection of data and on the drawing up of BAT reference documents and on their quality assurance referred to in Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions (notified under document C(2012) 613). (table 1, step no. 8 "...and provides at least the latest version of the chapters of the BREF entitled 'Current emission and consumption levels' (see Section 2.3.6), 'Techniques to consider in the determination of BAT' (see Section 2.3.7) and 'Best available techniques (BAT) conclusions' (see Section 2.3.8)".
2	Germany		Whole document	1	Prior to the final meeting (10.-13/12/2013), the revised draft of the CWW BREF was made available in BATIS just in the evening of the 21/11/2013. At the same day, the EIPPCB informed the TWG that chapter two (Current emission and consumption levels) and chapter three (Techniques to consider in the determination of BAT) have only been updated to a minor extent (that means that the comments to D2 and the analysis and interpretation of the data collection were not included in the revised draft). Given that the focus of the work in the final meeting is to finalize the BAT conclusions, the EIPPCB Bureau decided that they will carry out these updates after the final meeting. In consequence, the TWG did not know until April 2014 how the EIPPCB has assessed parts of the comments regarding D2 and how the data from the questionnaires would be presented in the BREF. This procedure is not rule-consistent with the BREF guidance document 2012/119/EU. Hence, Germany does not agree with such procedure.	BREF revisions need to be carried out according to the procedure described in the BREF guidance document 2012/119/EU.	To determine one's position for the final meeting, it is necessary to have the analysis and interpretation of the data collection as well as the assessment and handling of the comments of the last draft, in advance of the final TWG meeting. Also the information in chap. 2 and 3 has to be validated and confirmed by the TWG in advance of the final meeting, as also in these parts there is a risk of errors or wrong statements. Furthermore, the whole BREF document is an important source of information for competent authorities and other interested organisations or individuals around the whole world. Therefore, the TWG members carry also a responsibility regarding the review of the whole document (and not only concerning the BAT conclusions).
3	United Kingdom		Scope	xxi	Scope of the BRef: The revisions made to the scope in the final draft of the BRef introduce the potential for confusion and uncertainty for permit writers and operators. The scope lists section 4 and 6.11 activities. However, the treatment issues that the BRef addresses (waste water treatment plants, waste gas treatment systems) are either DAAs, or Sections 5.3(a)(i) or (ii), 5.3(b)(i), or 6.11 activities, with the source of the waste water or waste gas being Section 4 activities.  The BRef also concerns the installation-wide management systems for wastes, noise etc associated with activities specified in Section 4, and not the Section 4 production activities themselves - that would be duplication with the 7 chemical activity BRefs. As such the wording of the scope, "This BRef document ... concerns the activities specified in Sections 4 and 6.11 ..." does not appear to recognise the existence of the chemical BRefs.  In addition, as highlighted by the UK in its submission prior to the final TWG meeting, the scope fails to explicitly exclude plants covered by the UWWTD.  Any plant that treats either domestic waste water or a mixture of domestic waste water with industrial waste water, irrespective of the location of that plant or the proportion of domestic waste water, ought to be regulated under the requirements of the UWWTD. The UWWTD addresses the performance of such plants in their entirety. The IED can only be concerned with industrial waste water that has not been mixed with domestic waste water. Many WWTPs treating significant quantities of domestic waste water have been included in the dataset (and their performance may be skewed by the presence of domestic waste water). About a quarter of plants for which data were collected for the setting of BAT-AELs for the CWW BRef are plants the UK believes are UWWTPs, and therefore not subject to the IED. The data from these plants should not be used to derive BAT-AELs for the CWW BRef. The UK anticipates the opportunity to address some of these issues will be taken during the discussions on the strategy for the review of the chemical BRefs. (these comments also relate to p 547)	To resolve the problems with the wording of the scope, the introductory paragraphs should re-written to state:  This BREF document for Common Waste Water and Waste Gas Treatment/Management Systems in the Chemical Sector concerns the treatment techniques for waste water, waste gas, waste, noise etc, arising from, and management systems associated with the activities specified in Section 4 and 6.11 of Annex I to Directive 2010/75/EU, including treatment in activities specified in namely: 4 Chemical industry; Section 6.11 of Annex I. Independently operated treatment of waste water not covered by Council Directive 91/271/EEC and discharged by an installation undertaking activities specified in Section 4 of Annex I covered under 4 above.  This BREF document also covers the combined treatment of waste water from different origins if the main pollutant load originates from the activities specified in Section 4 of Annex I to Directive 2010/75EU (ie chemical industry), and is not covered by Council Directive 91/271/EEC.	The UK TWG members, as native English speakers, have additionally read as much as possible of the BRef document to ensure it provides clarity and delivers the intent. The proposed modification is provided in the spirit of improving the use of language, without changing the supposed intent. The details in the scope must obviously match the BRef intent. The problem was not raised as a split view because it was only in April 2014 when the revised D2 BRef was being checked that the issue became apparent. As currently written, the first paragraphs of the scope suggest the BRef may concern the chemical production activity, and it is not clear that the CWW BRef addresses only generic issues relating to waste water and waste gas treatment and management, waste management, noise etc, and not any of the production processing associated with Section 4 activities. This is clearly not the intent and could cause confusion for industry and permit writers and prevent transparent recording of the basis of a permit review. The scope uses the standard wording that was developed for all BRefs, however the wording may not be appropriate for BRefs that address generic issues, and this may be the reason for the problems with the wording of the scope.
4	Sweden		Scope	xxiii	Figure 1: The illustration regarding the BREF interface does not reflect the current scope of the LVOC BREF.	The blue line in figure 1 should be adjusted to include final treatment on site.	In the LVOC BREF, a BAT-AEL is included for the final treatment. If the blue line is adjusted to include final treatment on site, the CWW BREF document will be better in line with the LVOC BREF. This would also ensure that if  1) emission levels set in the CWW BREF are improper for any vertical chemical BREF and therefore need to be adjusted (for example tighter ranges) or if 2) emission parameters need to be added (if certain BAT-AELs are not covered in the CWW that are specific for a vertical chemical BREF) or if 3) conditions need to be adjusted (or if applicability needs to be redefined)
5	Sweden		Scope	xxiii	Figure 1: The illustration regarding the BREF interface does not clearly explain the relation between CWW and other chemical BREFs.	A footnote should be added to the final treatment on site, stating: Other more production-specific emission parameters can be added in other chemical BREFs, as well as emission levels, conditions and applicability can be adjusted or redefined to more production-specific circumstances which may apply in other chemical BREFs.	It has already been applied this way in the LVOC, see for example table 17.27. If the proposed footnote is added, the CWW BREF document will be better in line with the LVOC BREF. This would also ensure that if  1) emission levels set in the CWW BREF are improper for the other chemical BREFs and therefore need to be adjusted (for example tighter ranges) or if 2) emission parameters need to be added (if certain BAT-AELs are not covered in the CWW that are specific for a vertical chemical BREF) or if 3) conditions need to be adjusted (or if applicability needs to be redefined)
6	United Kingdom		Scope	xxiii	Figure 1: The concerns with the wording of the scope appeared to the UK to be confirmed in the BRef interface diagram in Figure 1 (revised D2 of April 2014). The latest iteration of Figure 1 (final draft of July 2014) does not address the concerns of the UK, and indeed appears to have introduced new problems.  The legend to the diagram from April 2014 stated the activities/techniques covered by the CWW BRef are within the red line. This stated the IED Chemical Activities are covered by the CWW. This is not correct, these activities should be covered by the chemical BRefs. Therefore the UK, and others, suggested this could be resolved by re-drawing the red box to exclude the orange shaded box for 'IED Chemical Activities'.  Rather than implementing this suggested modification, the EIPPCB has renamed the 3 orange boxes. The diagram was only ever about the waste water aspects of the BRef (not any other generic issues), therefore the changes to rename some boxes in the diagram were not necessary. These changes mean the diagram no longer shows the interface with the chemical BRefs (the purpose of the diagram) as there are no chemical production activities shown within it.  Additionally, 'Recovery at source' and 'Process-integrated techniques' should occur before the waste water leaves the IED chemical activities (ie these two boxes would now need to be moved to before the orange box).  Figure 1 of April 2014 appeared to recognise that in some circumstances it may be appropriate to discharge waste waters directly after recovery at source and/or process-integrated techniques and/or pre-treatment. The EIPPCB has agreed with this (stating "the BAT-AELs would also apply to cases where only process-integrated techniques and/or recovery at source are used"), but then removes the leftmost arrow on the basis "this is considered a rare case, given that the figure should cover the main and typical interface, the leftmost arrow was removed". This appears to be in response to comments from Austria "the figure supports the Austrian claim for BAT-AELs for emissions to water after pretreatment, the figure clearly indicates the possible case that pretreatment techniques without final waste water treatment may be applied to waste water".  The UK view is that the BAT-AELs in the BATC apply at the point the emissions leave the installation, irrespective of the number of stages of treatment that has been effected. However, the EIPPCB responded "The description of pretreatment in BAT 10c implies that it is followed by final treatment. The figure might however be misleading because the leftmost arrow indicates a discharge to the receiving water after pretreatment, but without final treatment. Thus, it is proposed to remove the leftmost arrow." Thus, in the UK's view, compounding the error. In the case of inorganic processes, there will be no 'final' treatment as biological treatment will not be effective. Therefore, perhaps it would be more appropriate to rename 'final treatment' as 'biological treatment' to prevent this confusion? Also although the word 'pretreatment' implies further treatment, in the context used it is any treatment other than final biological treatment. The UK has been unable to identify a single alternative word to adequately and collectively describe the various physio-chemical and/or biological treatment stages that may be included in the term 'pretreatment' for any individual plant.	Figure 1 be replaced with the flow diagram sent by the EIPPCB to the TWG on 16 October 2012.	The flow diagram provided by the EIPPCB on 16 October 2012, and commented on by MSs, is more informative and provides a more suitable level of detail which will enable permit writers and industry to better understand the correct scope of the CWW BREF and its interfaces with vertical BRefs and the UWWTD.
7	CEFIC	1 6 3 3		34	Table 1.2, "Recovery and abatement for inorganic compounds": The title of this subsection is not clear and causes confusion with the other subsection "Recovery and abatement for VOC and inorganic compounds"	Modify title of subsection to "Recovery and abatement for combustion compounds"	Title of subsection not clear (and the same applies to chapter 3.5.1.4). All these techniques address emissions in flue gases from combustion units.
8	United Kingdom	3		99	Process-integrated techniques: As stated in comment 1 in May 2014, unfortunately the UK was unable to provide detailed comments on Chapters 3, 5, and 6 in the time provided. Some further review of those chapters has now been possible. The second paragraph to section 3 starts "It covers environmental management systems, process-integrated techniques and end-of-pipe measures." It is unclear what "process-integrated techniques" could be referred to and described in the CWW BRef, as these are all covered by the 7 chemical BRefs.	Remove the words "process-integrated techniques" from this sentence.	Although section 1.6.2 is titled "process-integrated techniques", it provides an overview of the benefits and some general types of measures that might be applicable etc, the CWW BRef correctly leaves the detail to the 7 chemical BRefs, therefore to state in section 3 that the issues is covered is contradictory.

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9	CEFC	3	2	3	1		153	The wording "opportunity for repair of any leaks discovered" is technically incorrect	Replace by: "opportunity for repairing leaks discovered"	Not all leaks are to be repaired. Repair is required only above a certain threshold. This value may be different across member states and may depend on the substance. The threshold may for instance be 1000 ppm or 10000 ppm when using the sniffing method.
10	Bulgaria	4					547	Whole chapter: The BAT conclusions chapter do not contain specific consumption levels for use of energy, raw materials, auxiliary materials and fuels, as for the waste quantities generated by the production process.	According to the definition of BAT conclusion, such consumption levels are mandatory and should be included in the conclusions.	The lack of this information provides the basis for the wide application of the IED Art. 14.6.
11	EEB	4				Scope	547	We feel that the current scope of BAT conclusions is not clear and will raise legal uncertainty on what is covered / not covered. For instance it is not clear on what is meant with "main pollutant load" or what is covered by "different origins".	insert a footnote with the following statement in accordance with the aims of the IED in the BAT conclusions "General Considerations" section: <i>"These BAT conclusions shall apply as minimum requirements in case of common waste water treatment, without prejudice to stricter conditions laid down in vertical BREFs. In case of conflicting requirements, the requirements leading to a higher level of environmental protection taken as a whole shall prevail"</i> .	The European Commission needs to make sure that there is no regulatory gap or inconsistency in relation to other relevant (vertical) BREFs in relation to environmental impacts arising from waste water treatment activities. If vertical BREFs do cross-references to the CWW BREF in relation to water emissions, then we need to make sure that all the relevant parameters are kept in this BREF. One example: the Chlor Alkali sets a BATAEL on free chlorine only. This is a general issue we see in current BREF reviews, always trying to "carry over the hot potato" instead of dealing with it when the issue arises. The proposed footnote will ensure that the policy objectives of the IED are not compromised and provide the necessary legal basis for permit writers to ensure a high level of environmental protection as a whole is achieved (Article 1 of the IED). What matters most is outcome achieved.
12	EEB	4	1				551	BAT 1.1 (Environmental management systems) should make an explicit reference to the Green Chemistry Principles developed in the CWW BREF (section 3.6.2) as part of a proper EMS.	Add the following sentence after point vii "applying the principles of Green Chemistry pursuant to section 3.6.2 and pro-active substitution of hazardous substances"	Another effective and integrated environmental protection technique is to substitute relevant hazardous substances in the production process / treatment phase. These may be required by chemical legislation (REACH, Pesticides / Biocides, product legislation like RoHS, Toys, Cosmetics etc) or follows implementation of the Green Chemistry principles developed in section 3.6.2. Policy instruments and approaches the chemical industry is certainly familiar with. It is important that these aspects are explicitly recognized as part of a proper EMS in the BREF. This is also highly relevant for legal reasons: Not adding this sentence renders the previous chapters on substitution / green chemistry in section 3.6.2 as irrelevant to permitting, whilst there is consensus that the implementation of Green Chemistry principles is considered as BAT.
13	EEB	4	2				553	BAT 4	ADD: a) "BAT is to monitor continuously any relevant substance listed in Annex X to Directive 2006/60/EC. Relevant means that the substance is likely to be used or found in the upstream process or treatment activities related to waste water, irrespective of thresholds" b) "BAT is to monitor periodically the presence of any substance of very high concern identified on the REACH candidate list <a href="http://echa.europa.eu/candidate-list-table">http://echa.europa.eu/candidate-list-table</a> , and likely to be found in waste water, irrespective of thresholds. The operator of an installation using any of the above mentioned substance shall report annually on its website the exact amount of substances used and provide a justification that the substance is not emitted into the environment."	The EEB insists that all the relevant priority substances / priority substances according to the EQS Directive amended by Directive 2013/39/EU are monitored continuously irrespective of any threshold. "Relevant" means that this substance is likely / has the potential to be used on the site(s) in question and may end up in the waste water. It is clear according to Art 10 (1a) and (1b) / 18 of the IED / and provisions in the EQS Directive that monitoring has to be done on those pollutants. Further, annual reporting obligations apply according to E-PRTR on those 45 pollutants.  The REACH Regulation lays down provisions requesting special attention to any substance of very high concern (SVHC) listed to the official candidate list of REACH <a href="http://echa.europa.eu/candidate-list-table">http://echa.europa.eu/candidate-list-table</a> . This includes notification provision in certain cases.  In order for the BREF to serve for improved environmental protection for the environment as a whole (as demanded by the BREF review rules) but also in order to support the delivery of EU environmental acquis objectives under REACH (prioritization assessment under authorization procedure) / EQS Directive (watch list) it makes perfect sense, also in light of the polluter pays and prevention principle to request a periodic monitoring requirement, if that substance is used (irrespective of form) on the site upstream / in the treatment of waste water.
14	EEB	4	3				555	The EEB objects to the removal of BAT 57 "BAT is to minimize the ecotoxic impact of waste water effluents by biomonitoring of the effluents and taking measures based on the biomonitoring results." and removal of BAT 58: "BAT is to assess and to minimise the release of hazardous substances by discharge of waste water effluents containing chemicals which are persistent, liable to bioaccumulate and/or toxic by using the whole effluent assessment (WEA) technique." (previously section 4.11 (BAT 57-58 in Draft 2) Whole Effluent Assessment (WEA).)	Reinstate BAT 57 and 58	The applicability wording is already restrictive in relation to which cases corrective measures should be taken with limited frequency, and it is necessary that the operator demonstrates that the toxicity potential is without concern when there is variation in performance of WWT installation. As regards BAT 58 (WEA) the issue of cocktails effects is a well recognized scientific fact in chemicals policy and it is acknowledged that a "substance by substance" specific thresholds approach is inadequate for protecting the aquatic environment. The WEA is addressing identification of potential negative impact at source, and aims to identify needs for additional measures to be taken at source. As the solid technico-economic information provided in earlier drafts suggests, it is a common technique for pharmaceutical sites / petrochemical sites already used. It is irrelevant for BAT determination on whether this technique is routinely used across the EU or not. We would herby like to remind again that according to the BREF review rules: "evidence (i.e. solid technical and economic information) to support a technique as being BAT can come from one or more installations applying the technique somewhere in the world. In cases where the information on the technique comes from only one installation and/or only from installations located in third regions, a thorough assessment of the applicability within the sector will be carried out by the TWG."
15	Portugal	4	3	4			558	Section 4.3.4: Provisions for setting ELVs for indirect discharges should be given in order to comply with article 15(1) of the IED as off-site WWTP (including urban) may be used to achieve an equivalent level of environmental protection. This is an important issue as CWW BREF only applies to discharges to a receiving water body. In PT, the majority of facilities which develops one or more chemical activities under IED have indirectly discharges. At least, or when necessary, a waste water pretreatment is carried out on-site prior to the discharge into the sewer system and the final treatment is carried out in an off-site (WWTP or Urban WWTP located outside the chemical installation and not dedicated to mainly treat waste water from chemical production activities). ELVs established for the off-site WWTPs discharges are not based on BAT-AELs.		This is an important issue as CWW BREF seems to apply only to discharges to a receiving water body. It would be useful if the revised CWW BREF would stress the specificities described in "Comment description" column. It should also be clarified how BAT-AEL are verified when the effect of an off-site water treatment plant is taken into account (discharges to a WWTP similar to "Final treatment (off site with main pollutant load from other activities)" in Figure 1 of the revised Scope of CWW BREF).
16	Austria	4	3	4			558	Tables 4.1, 4.2, and 4.3: Austria appreciates the BAT-AELs for emissions to water expressed as concentration values (mass of emitted substances per volume of water), expressed in µg/l or mg/l, and the reference to 24-hour flow-proportional samples according to the concluded requirements for monitoring in BAT 4 (minimum sampling frequency set for the relevant parameter, in accordance with EN standards). But, in our opinion, <b>BAT-AELs expressed as yearly average values are not sufficient and usable for permitting and compliance control purpose under IED.</b>	Austria has always claimed BAT-AELs for emissions to water expressed as daily averages within the consultation period set for the revision of the CWW BREF as well as of other BREFs. If appropriate, both, daily and yearly average values may be given.	Without BAT-AELs determined as short-term averages the CWW BAT Conclusions will fail to achieve relevant aspects of the objectives of the IED because: • MS now have to define individually BAT-AELs (and BAT-ELVs) determined as short-term averages. -> Less level playing field, less harmonization than possible • MS have to assess on a yearly basis the results of emission monitoring in order to ensure that emissions under normal operating conditions have not exceeded the emission levels associated with the best available techniques. Operators have to submit data, which allow such an assessment. -> Less simplified and clarified procedures, increase of unnecessary administrative burden • Criteria for compliance assessment exist in most MS only concerning short-term averages; compliance criteria for long term averages have still to be defined. -> Increase of administrative burden, no harmonization • Compliance with ELVs based on yearly average values can only be assessed retroactively, after the year in question has expired. It might be difficult, if not impossible to obtain information in case of breaches, when, why and how long the ELVs have been exceeded. -> no prompt information on exceedances of ELVs, not possible to implement Art 23 (5) of IED, less protection of the environment and human health in case of peak emissions that last a day or a week only
17	CEFC	4	3	4			558	Tables 4.1, 4.2, and 4.3: At the final meeting for the CWW BREF, members of the TWG acknowledged that water saving measures in chemical installations may result in non-compliance with BAT-AEL ranges for emissions to water. This is due to the fact that BAT-AEL ranges in the CWW BREF always refer to concentrations and reducing the amount of waste water leads to increased concentrations of pollutants in the effluent. Thus, operators would be penalised for employing water saving measures although those are required by BAT 7 of the CWW BREF. At the final meeting, members of the TWG further acknowledged that elevated background concentrations in water used by chemical installations could be taken into account during derivation of emission limit values in permits. This net pollution principle is crucial for operators as they would otherwise not be able to comply with BAT-AEL ranges for emissions to water when using water with a high background concentration of pollutants.  The final draft confirms the relevance of water saving measures and net pollution principle in the recommendations for future work: "Further collection of information on water saving measures, in particular through questionnaires, and further exploration of the net pollution issue during the next review of the CWW BREF". We welcome revisiting these topics during the next review of the CWW BREF. However, the BAT-AEL ranges in the final draft would cause a precarious situation for operators over the next decade as they may not be able to comply with emission limit values if water saving measures and net pollution principle cannot be considered by national authorities.	Add the following footnote to tables 4.1, 4.2 and 4.3: "BAT-AEL ranges do not take into account any implemented water saving measures or potentially elevated background concentrations. These can be considered by national authorities when reviewing emission limit values for permits."	Cefic document "Water saving measures and net pollution principle" from 2014-08-04 which is available in BATIS in the following directory: Review of the CWW BREF > 23 - Forum meeting
18	Portugal	4	3	4			558	Tables 4.1, 4.2, 4.3 and BAT 7 In some chemical installations, the reuse of waste water to reduce the volume and/or load of waste water streams may increase the concentration of some pollutants in waste water streams (even without increasing the load/mass of pollutants discharged).		Complying with BAT 7 may have impact on the achievement of BAT-AELs defined in section 4.3.4.

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19	United Kingdom	4	3	4		558	<p>Table 4.1, BAT-AEL for TSS: The UK was pleased that the TWG recognised the importance of the characteristics and treatability of the waste water stream when developing the BAT-AELs for TOC and COD. Thus, a BAT-AEL compliance exemption was written in the footnotes for WWTPs treating waste water with a particularly high TOC/COD load and a high proportion of refractory organic compounds, that demonstrate a high abatement efficiency and well performing biological treatment (eg footnotes (4) and (5)).</p> <p>Such a BAT-AEL structure is based on the evidence presented in the various questionnaires submitted to the EIPPCB, but rather than writing exemptions only for the installations for which data was gathered, and therefore potentially penalising any site for which data was not submitted, it looks at the characteristics of the effluents in the dataset and derives conclusions about why a particular effluent may not be as easily treated as other effluents. This produces a robust BAT-AEL structure that is future-proofed and will not inappropriately restrict the chemical industry in Europe.</p> <p>The UK was disappointed therefore, despite having raised this on several occasions during the final TWG meeting, and one of the stated aims being to have consistent logic and phrasing throughout the BRef, a similar BAT-AEL structure was not adopted for TSS. Where a consistent approach is not adopted, the credibility of the BAT-AELs for a diverse and ever-changing sector is at risk. The UK raised a dissenting view at the final TWG meeting on the basis that the proposed exemption was inappropriately narrowly drafted, ie process specific, and a BAT-AEL qualified by reference to generally applicable generic characteristic (ie solids loading and settlability of solids) was not developed.</p> <p>Thus the detail in footnote (8) to Table 4.1 states: "This BAT-AEL may not apply when the main pollutant load originates from the production of soda ash via the Solvay process or when it originates from the production of titanium dioxide."</p> <p>The UK believes both industry and permit writers would expect the BATC to be written using accepted engineering terminology following the example of TOC/COD, and the shortfall in contextual data collection could be overcome within a short time period to confirm the appropriate values to be used. The status of the BRefs under IED supports the need for generically worded exemptions that remain useable by all permit writers and operators until the BRef is next reviewed. The UK thinks this is such an important matter that it raised the issue during its presentation at the start of the final TWG meeting, and repeatedly during that meeting.</p> <p>Similarly, as the reason for each of the processes specifically identified as warranting an exemption from certain BAT-AELs is known, the footnotes (6) in Table 4.1 regarding TOC/COD for methylcellulose, (2) in Table 4.3 relating to AOX from the production of propylene oxide or epichlorohydrin via the chlorohydrin process, and (7) also in Table 4.3 for Cu from the production of vinyl chloride monomer/ethylene dichloride via the oxychlorination process, should be written generically based on the characteristics and treatability of the example waste water streams rather than the apparently expedient solution of process specific exemptions, utilised during the TWG meeting.</p>	<p>The UK proposes the TSS BAT-AEL exemption would be made more generally useful as: "This BAT-AEL may not apply in the case of high TSS loads (&gt;? g/l) and slow settlement rates (settling rate &lt;? mm/s)".</p>	<p>The BAT-AELs need to be consistently and generally written to be useful to the whole chemical industry in Europe, both current and future. The UK believes that a generically written exemption for TSS would better support the requirements of permit writers. The EIPPCB appears to accept the principle in its response to the split view on TSS, but, as there is currently insufficient data, has chosen not to make reference to relevant effluent characteristics. However, no relevant contextual data were requested by the EIPPCB, and unfortunately there were strict limitations placed on the submission of additional information.</p> <p>It is accepted the characteristics of waste waters from inorganic chemical processes that may warrant a higher BAT-AEL are high TSS loads and slow settlement rates. Recalcitrant COD/TOC is often present (at least in part) in a colloidal form, which makes it very difficult to remove by settling techniques, and waste waters from organic chemical processes with high recalcitrant COD/TOC often exhibit high concentrations of residual TSS.</p> <p>The BATC for TSS therefore may present a problem when permitting some installations that operate organic chemical processes. Whilst the UK welcomes the exemption already accepted for some inorganic processes (soda ash and titanium dioxide), there seems no justification to write an exemption which distinguishes between organic and inorganic processes with fundamentally the same waste water characteristics, or indeed between a couple of named inorganic processes and any other inorganic process with similar characteristics.</p> <p>The UK believes the characteristics (high TSS load and slow settling rate) need to be defined to ensure the permit writers in all MSs can apply the BAT-AEL to each process consistently. This is also consistent with the approach used for COD/TOC. Any shortfall in contextual data needed in deriving the critical values for load or setting rate could be overcome within a short time period by data collection to confirm the appropriate values to be used. Rather than restricting the exemption to two specific production processes, a generic exemption that uses the characteristics of the processes already accepted as warranting an exemption will produce a BRef that is future-proofed.</p>
20	CEFC	4	3	4		558	<p>Table 4.1, BAT-AEL for TSS: UK had submitted a split view (UK position regarding dissenting views, United Kingdom, 2014-01-17) on BAT-AEL for emissions of TSS to water in order to assure that installations that apply BAT can comply with the BAT Conclusions. We welcome the inclusion of this split view in the section on "Concluding remarks and recommendations for further work" and we generally support the wording proposed by EIPPCB. However, we believe that this wording should be merged with the footnote 8 in Table 4.1 in order to provide the general rationale and examples for installations that should be covered by this footnote.</p>	<p>Revise footnote 8 in Table 4.1 as follows: "BAT-AEL may not apply to inorganic effluents in the case of high TSS loads and slow settlement rates (e.g. from installations where the main pollutant load originates from the production of soda ash via the Solvay process or where it originates from the production of titanium dioxide)."</p>	<p>The rationale is further detailed in the Cefic document "Key issues in final draft" from 2014-08-04 which is available in BATIS in the following directory: Review of the CWW BREF &gt; 23 - Forum meeting</p>
21	the Netherlands	4	3	4		592	<p>Table 4.1, BAT-AEL for TSS: the Netherlands supports the proposed modification as the UK raised as recorded in table 6.2, to modify a footnote to table 4.1</p>	<p>Modify the footnote to table 4.1 "This BAT-AEL may not apply to inorganic effluents in the case of high TSS loads and slow settlement rates".</p>	<p>In a late stage we received information from a Dutch company and its permitting authority that such an exception might be appropriate with proper justification. In case of the Dutch company, the inorganic TSS is emitted to salty water, so as a result the environmental effect is limited. Modifying the footnote as proposed in an earlier stage by the UK would give the possibility to justify a different level in the permit</p>
22	EEB	4	3	4		559	<p>Table 4.3, BAT-AEL for Ni</p>	<p>the BATAEL for Nickel is set at 5-50 µg/l but it should be amended to &lt;34 µg/l.</p>	<p>PBT are of specific concern to the environment and there is a 0 immission objective in surface water from man-made PBTs according to OSPAR Convention / Water Framework Directive for PBTs (Priority Hazardous Substances). The WEA is addressing identification of potential negative impact at source, and aims to identify needs for additional measures to be taken at source. For all of those substances, the permit needs to set an ELV according to Article 10 para 1(a), in particular for emissions to water as is the case for CWW installations. Art 18 of the IED requires the competent authority to safeguard the relevant EQS.</p> <p>These substances are explicitly mentioned under Annex II point 13 of the IED (Annex X of the WFD). Nickel and its compounds are listed in the EQS Directive (number 23) with a MAC value of (unit µg/l) ≤ 34 for inland surface waters and other surface waters. The upper range of the BATAEL would therefore have to be aligned at the maximum to that value for the same reference unit.</p> <p>We would like to remind Member States that the "ultimate aim of [the WFD] is to achieve the elimination of priority hazardous substances and contribute to achieving concentrations in the marine environment near background values for naturally occurring substances." The objective is to be achieved at the latest by 2020 according to OSPAR.</p> <p>The CWW BAT conclusions do not live up to this objective, which is overriding technico-economic considerations</p>
23	EEB	4	3	4		559	<p>Table 4.3: The EEB cannot accept the removal of BATAEL for major pollutants of concern such as cadmium, lead and mercury.</p>	<p>include BATAEL for cadmium, lead and mercury. <b>Cadmium and its compounds</b> is listed in the EQS Directive (number 6) with a MAC value of (unit µg/l) ≤ 0,45 (Class 1) 0,45 (Class 2) 0,6 (Class 3) 0,9 (Class 4), 1,5 (Class 5) for inland surface waters and other surface waters. The upper range of the BATAEL would therefore have to be aligned at the maximum to that value for the same reference unit. This pollutant is identified as Priority Hazardous Substance (0 immission objective). <b>Lead and its compounds</b> is listed in the EQS Directive (number 20) with a MAC value of (unit µg/l) ≤ 14 for inland surface waters and other surface waters.</p> <p>The upper range of the BATAEL would therefore have to be aligned at the maximum to that value for the same reference unit. Mercury and its compounds is listed in the EQS Directive (number 21) with a MAC value of (unit µg/l) ≤ 0,07 for inland surface waters and other surface waters. The upper range of the BATAEL would therefore have to be aligned at the maximum to that value for the same reference unit. This pollutant is identified as Priority Hazardous Substance (0 immission objective).</p>	<p>PBT are of specific concern to the environment and there is a 0 immission objective in surface water from man-made PBTs according to OSPAR Convention / Water Framework Directive for PBTs (Priority Hazardous Substances). The WEA is addressing identification of potential negative impact at source, and aims to identify needs for additional measures to be taken at source. For all of those substances, the permit needs to set an ELV according to Article 10 para 1(a), in particular for emissions to water as is the case for CWW installations. Art 18 of the IED requires the competent authority to safeguard the relevant EQS. These substances are explicitly mentioned under Annex II point 13 of the IED (Annex X of the WFD).</p> <p>We would like to remind Member States that the "ultimate aim of [the WFD] is to achieve the elimination of priority hazardous substances and contribute to achieving concentrations in the marine environment near background values for naturally occurring substances." The objective is to be achieved at the latest by 2020 according to OSPAR.</p> <p>The CWW BAT conclusions do not live up to this objective, which is overriding technico-economic considerations</p>
24	Germany	4	4			560	<p>BAT 13: A reference to the Waste Framework Directive 2008/98/EC should be made</p>	<p>"In order to prevent or, where this is not practicable, to reduce the quantity of waste being sent for disposal, BAT is to set up and implement a waste management plan as part of the environmental management system (see BAT 1) that, in order of priority, ensures that waste is according to Article 3 of the Directive 2008/98/EC, prevented, prepared for reuse, recycled or otherwise recovered.</p> <p>Alternative proposal: Refer in the definition part of the CWW BREF to the Directive 2008/98/EC.</p>	<p>Ensuring that waste is approached in the spirit of the 2008/98/EC</p>
25	Austria	4	5			561	<p>BAT-AELs for emissions to air to be included in the BAT conclusions.</p>	<p>The setting of BAT-AELs for emissions to air during the next reviews of all chemical BREFs is absolutely essential in order to prevent or, where that is not practicable, to reduce emissions from chemical industry into air, in order to achieve a high level of protection of the environment taken as a whole. Therefore Austria claims and supports the further collection of installation-specific data with relevant contextual information on emissions to air.</p>	<p>See split view No 8 on BATIS</p>
26	Germany	4	5			561	<p>No BAT AEL for emissions to air are set in the BAT conclusions of the CWW BREF. During the revision process, several proposals have been made by different TWG members for collecting air emission data in order to create a sufficient and reliable data base to derive BAT conclusions also for air emissions from chemical industry. However, the EIPPCB advised the TWG not to embark on an additional data collection on emissions to air.</p>	<p>To continue efficiently the discussion on BAT AELs for air emissions in the chemical industry, the relationship between the CWW BREF and the other chemicals BREF needs to be settled, as a precondition.</p>	<p>See split view No 8 on BATIS</p>
27	the Netherlands	4	5			561	<p>The Netherlands are of the opinion that BAT AELs have to be included and cannot support the BAT conclusions in its current form.</p>	<p>Include BAT AELs for air emissions in the BAT conclusions.</p>	<p>See split view No 8 on BATIS</p>
28	EEB	4	5			561	<p>Section 4.5: BAT-AELs for emissions to air have to be included in the BAT conclusions. Therefore EEB has expressed a dissenting view together with Austria, Denmark, Germany, and the Netherlands. However the EEB dissenting views have not been reported in the 'Concluding remarks and recommendations for future work' section of the BREF (see comment1).</p>	<p>BATAEL for air abatement techniques could have been established, on the basis of the data provided by TWG stakeholders (e.g. &lt; 10 mg dust/Nm<sup>3</sup>) and common techniques employed in other BREFs. In fact we can conclude from recent BREFs standards that BAT for dust is to use bagfilters, which easily achieve a BATAEL for dust of &lt;5mg/Nm<sup>3</sup> (daily based) with important multi-pollutant abatement co-benefits.</p> <p>The setting of BAT-AELs for emissions to air during the next reviews of all chemical BREFs is absolutely essential in order to prevent or, where that is not practicable, to reduce emissions from chemical industry into air, in order to achieve a high level of protection of the environment taken as a whole.</p>	<p>According to the COM implementing decision 2012/119/EU laying down rules for the BREF reviews (herewith "BREF review rules") evidence (i.e. solid technical and economic information) "to support a technique as being BAT can come from one or more installations applying the technique somewhere in the world. In cases where the information on the technique comes from only one installation and/or only from installations located in third regions, a thorough assessment of the applicability within the sector will be carried out by the TWG."</p> <p>It does NOT exclude that this evidence can be used from other installations (not specifically within the CWW sector) but from other installations applying these common air emissions abatement techniques.</p> <p>We further see this gap as an undue competitive disadvantage for other industry sectors in the EU, at the cost of environmental and human health protection.</p>

Comment No.	Comment from	Chapter No. / section No.	Chapter title	Page No. (PDF version of final draft)	Comment description	Proposal for modification	Rationale
29	EEB	6		592	EEB has submitted dissenting views on 17 January 2014 following the non-consideration of our written input to the Final TWG dated of 10 December 2014. The dissenting views have not been appropriately recorded. The current BREF gives the wrong impression that E.NGO support the current BAT conclusions as they stand.	Insert: "The European Environmental Bureau (EEB) did not agree with the absence of BATAEL to air, the absence of explicit mentioning of the Green Chemistry principles under BAT 1 (EMS), the absence of requirements for continuous monitoring and inconsistency of BATAEL with the Maximum Allowable Concentration (MAC) values regarding priority (hazardous) substances listed in Annex X of Directive 2006/60/EC and objected to the absence of BATAEL for PAH, Nonylphenols, lead, mercury and cadmium. Further the EEB objected to the removal of BAT 27-38 of draft version 2 requiring pre-treatment techniques to prevent pollution from tributary waste water streams, the removal of BAT 57 to minimize the ecotoxic impact of waste water effluents by biomonitoring of the effluents and taking measures based on the biomonitoring results and the removal of BAT 58 on the whole effluent approach."	No EEB staff or expert could physically attend to the final TWG meeting so the EEB did provide written input on 10 December 2013 indicating a clear position in regards to the crucial issues at stake. Since E.NGO do not have the adequate resources to enable physical presence to all meetings in Seville, this factor needs to be considered by the European Commission and we would welcome some flexibility on the matter. Further to that, the dissenting views provided by the EEB met the 2 formal requirements in the BREF review guidance specified under section 4.6.2.3.2 (which do not require that the arguments for a dissenting view to be provided in oral form upon conditional physical presence at the Final TWG in Seville). As specified in the BREF review rules and for transparency reasons we want to be explicitly named in the final CWW BREF "the European Environmental Bureau".