



7 March 2019

## **WORK PROGRAMME FOR THE EXCHANGE OF INFORMATION UNDER ARTICLE 13(3)B OF THE IED**

### **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>.

It was last updated following the meeting of the IED Article 13 Forum of 27 November 2018.

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 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 measures were put into practice, for example the more targeted calls for stakeholders' initial positions and the decisions on key environmental issues that are taken at the TWG kick-off meetings for the drawing up or review of BREFs.

These measures have helped better identify and target the most relevant environmental issues in the different industry sectors (even though there still seems to be scope for improving the focus). Moreover, some important decisions are taken at earlier stages of the process (e.g. on the averaging periods associated with the BAT-associated emission levels), thereby facilitating consensus-building during final TWG meetings. Finally, the BREF development process is more robust than in the past due to the increased quantity and quality of the data collected via questionnaires.

The time taken to carry out BREF reviews started since 2011 has reduced by around 40% compared to those started in 2005. Nevertheless, the improvement appears to have plateaued. It is desirable to give further consideration to how the overall time can be brought down towards that projected in the BREF guidance. This will be considered as part of the evaluation of the IED.

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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.

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### 3 WORK PROGRAMME IMPLEMENTATION

Since 2012, the Commission has adopted 14 BAT conclusions<sup>2</sup> under the IED and published the associated revised BREFs. In addition, the JRC Reference Report on Monitoring of Emissions to Air and Water from IED installations (ROM) was published in 2018.

Currently, eight BREF documents<sup>3</sup> are actively being worked on by the European IPPC Bureau. The final TWG meetings for the BREFs on Food, Drink and Milk (FDM) and Waste Incineration (WI) were held in the second quarter of 2018 and the respective BAT conclusions are expected to be adopted in the course of 2019. In addition, the final TWG meeting for the review of the BREF on Surface Treatment using organic Solvents (STS) including also the activity of wood and wood products preservation using chemicals was held in the fourth quarter of 2018.

### 4 WORK PROGRAMME FOR THE REVIEW OF BREFS AND OUTLOOK

Annex 1 presents the work programme for the review of BREFs (subject to the availability of adequate staffing within the European IPPC Bureau).

This proposed work programme will conclude the review of all BREFs that trigger the review of the permits of installations covered by the IED:

1. In 2019, one BREF review will start:
  - Ceramic manufacturing industry (CER).
2. In 2020/2021, it is expected that the drawing up or review of two BREFs will start:
  - Production of Large Volume Inorganic Chemicals (LVIC);
  - Surface Treatment of Metals and Plastics (STM).

While the drawing up of the LVIC BREF should start before the start of the review of the STM BREF, the timing should avoid human resource constraints by good coordination with the work on the Common Waste Gas Treatment in the Chemical Sector (WGC) BREF.

The meeting of the IED Article 13 Forum of 27 November 2018 discussed how to address the existing BREFs that do not trigger the review of IED permits, i.e. BREFs on Emissions from Storage (EFS BREF), Energy Efficiency (ENE BREF) and Industrial Cooling Systems (ICS BREF), as well as of the reference document on Economics and Cross-media Effects (ECM REF). This included an exchange of views on the potential merging of the ENE and ICS BREFs to a Resource Efficiency BREF which had also been discussed during a previous

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<sup>2</sup> 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; Common Waste Water and Waste Gas Treatment/Management Systems in the Chemical Sector; Non-Ferrous Metals Industries; Intensive Rearing of Poultry or Pigs; Large Combustion Plants; Large Volume Organic Chemicals; Waste Treatment.

<sup>3</sup> Food, Drink and Milk; Waste Incineration; Surface Treatment Using Organic Solvents/Wood Preservation with Chemicals; Ferrous Metals Processing; Common Waste Gas Treatment in the Chemical Sector; Textiles; Slaughterhouses and Animal By-products; Smitheries and Foundries.

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meeting of the IED Article 13 Forum of 19 October 2015. From the discussion and the subsequently submitted written positions, no clear way forward emerged.

Nevertheless, the review of the EFS BREF appeared to have received the largest support from the Forum. Arguments in favour of reviewing the EFS BREF include the importance of diffuse and channelled emissions from the storage, transport and handling of materials as well as the possibility that BAT-AELs could be set. Moreover, these issues were deliberately excluded from a number of recent BREF reviews in order not to repeat generic techniques that are better tackled in the EFS BREF. Therefore, it is proposed in the annexed work programme to already plan to start the review of the EFS BREF, although the date of its launch will have to be determined at a later stage in light of progress. It is expected that the review of the EFS BREF will pose a particular challenge as in principle it will cover all industry sectors under the IED.

The timing, order and scope of the second BREF review cycle was also discussed at the aforementioned IED Article 13 Forum meeting and broad support was expressed for the idea to organise a stakeholder workshop in this respect. This workshop could be held in 2019 and focus on priorities to be addressed in a new BREF review cycle. It would also allow more detailed discussion on if, and when, the two other BREFs on Energy Efficiency (ENE BREF) and Industrial Cooling Systems (ICS BREF) as well as the reference document on Economics and Cross-media Effects (ECM REF) should be reviewed.

## ANNEX 1

### Work programme for the review of BREFs

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>Food, Drink and Milk (FDM)</b> (first BREF adopted in 2006)	2013	2018	
<b>Waste Incineration (WI)</b> (first BREF adopted in 2006)	2014	2018	
<b>Surface Treatment Using Organic Solvents (STS)</b> (first BREF adopted in 2007)	2014	2019	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	2020	The original activation was in 2008 but the review was put on hold between 2011 and 2015 due to the heavy workload.
<b>Common Waste Gas Treatment in the Chemical Sector (WGC)</b>	2016	2021	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)	2017		
<b>Slaughterhouses and Animal By-products (SA)</b> (first BREF adopted in 2005)	2018		
<b>Smitheries and Foundries (SF)</b> (first BREF adopted in 2005)	2018		
<b>Ceramic manufacturing industry (CER)</b> (first BREF adopted in 2007)	2019		

<b>BAT reference document (BREF)</b>	<b>(Re)activation of the TWG</b>	<b>Submission of Final Draft BREF to the IED Article 13 Forum for its opinion</b>	<b>Comments</b>
<p><b>Large Volume Inorganic Chemicals (LVIC)</b> Based on a combination of:</p> <ul style="list-style-type: none"> <li>• Large Volume Inorganic Chemicals – Ammonia, Acid and Fertilisers (LVIC-AAF) (first BREF adopted in 2007)</li> <li>• Large Volume Inorganic Chemicals – Solids and others (LVIC-S) (first BREF adopted in 2007)</li> </ul>	2020/2021		<p>In the light of the discussion held at the IED Article 13 Forum meeting on 19-20 December 2017, the Commission decided that the final work programme for chemical BREFs would be based on one additional BREF.</p> <p>The timing should avoid human resource constraints by good coordination with the work on the Common Waste Gas Treatment in the Chemical Sector (WGC) BREF.</p>
<p><b>Surface Treatment of Metals and Plastics (STM)</b> (first BREF adopted in 2006)</p>	2020/2021		<p>While the review of the STM BREF should start after the drawing up of the LVIC BREF has begun, the timing for the latter should avoid human resource constraints by good coordination with the work on the Common Waste Gas Treatment in the Chemical Sector (WGC) BREF.</p>
<p><b>Emissions from Storage (EFS)</b> (first BREF adopted in 2006)</p>	TBD		