Association Européenne du Ciment
The European Cement Association
CEMBUREAU

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Standing Committee of the European Glass Industries
Comité Permanent des Industries du Verre Européennes
CPIV

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COMITÉ DE LIAISON DES INDUSTRIES DE FERRO-ALLIAGES

EUROFER
European Confederation of Iron and Steel Industries

CIAA
Confédération des industries agro-alimentaires de l'UE
Confederation of the food and drink industries of the EU

IMA Europe

cefic

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Comments of 10 members of the IPPC Alliance to Question for the 14th EGTEI meeting

7- How to define emission limit values?

The present proposals are based on the upper value of BAT range when they exists, providing some limitations according to the cases or differentiating size of installations, or age except for NMVOC from solvents for which the EC Directive 99/CE is always considered. Some limitation can be also, introduced.

Do you agree?

BAT ranges, known as BAT-AELs (emission levels associated with BAT) as described in the BREFs (BAT Reference Documents) represent average emission levels achievable during a substantial period of time in normal operating conditions. BREF documents do NOT propose emission limit values. **(1)**

*"Where emission or consumption levels "associated with best available techniques" are presented, this is to be understood as meaning that those levels represent the **environmental performance** that could be anticipated as a result of the application, in this sector, of the techniques described, bearing in mind the balance of costs and advantages inherent within the definition of BAT. However, **they are neither emission nor consumption limit values** and should not be understood as such. In some cases it may be technically possible to achieve better emission or consumption levels but due to the costs involved or cross media considerations, they are not considered to be appropriate as BAT for the sector as a whole. However, such levels may be considered to be justified in more specific cases where there are special driving forces.*

The emission and consumption levels associated with the use of BAT have to be seen together with any specified reference conditions (e.g. averaging periods).

The concept of "levels associated with BAT" described above is to be distinguished from the term "achievable level" used elsewhere in this document. Where a level is described as "achievable" using a particular technique or combination of techniques, this should be

understood to mean that the level may be expected to be achieved over a substantial period of time in a well maintained and operated installation or process using those techniques." **(2)**

The approach in the present IPPC Directive **(3)** is based on the sound principle that improvements at industrial site level should be based on BAT and take account of local environmental circumstances and technical characteristics of the installation (Art. 9).

No two installations are identical, even when producing the same product, since local conditions, e.g. raw materials, are always different. Even the single objective of ensuring a high level of protection for the environment as a whole will often involve making "trade-off" judgements between different types of environmental impacts, and these judgements will often be influenced by local considerations. For example, a plant situated at a location with water scarcity issues cannot be treated the same way with regards to e.g. water consumption as a plant located to a big river or a sea with no water scarcity issues – processes need to account for the local environmental conditions in an integrated environmental manner.

BREFs cannot address all possible operating conditions, some of them imposed due to local particularities, which might lead to different cross-media effects and which deserve individual assessment by competent authorities in order to achieve an integrated protection of the environment. Consequently, the emission levels associated with BAT (BAT-AELs) in the BREFs cannot be prescribed as ELVs for an entire sector, but must remain as guiding references to be considered together with local conditions.

ELVs are fundamentally different from BAT-AELs, as:

- ELVs take account of short-term fluctuations and should never be exceeded
- BAT-AELs represent average emission levels achievable during a substantial period of time in normal operating and/or design conditions (well-proven technology)
- BAT-AELs are levels that an operator can expect to achieve when using the BAT, and are appropriate reference points to assist in the determination of permit conditions
- BREFs do not specify ELVs

In the guidance documents amongst others for iron and steel, production of organic (fine) chemicals, coke oven furnaces, cement production, glass production, lime production, ceramics manufacturing industry, ferrous metals, non-ferrous metals processing there are several examples where the upper value of the BAT-AELs range has been proposed as ELV. For the above mentioned reasons this is not the correct approach.

References:

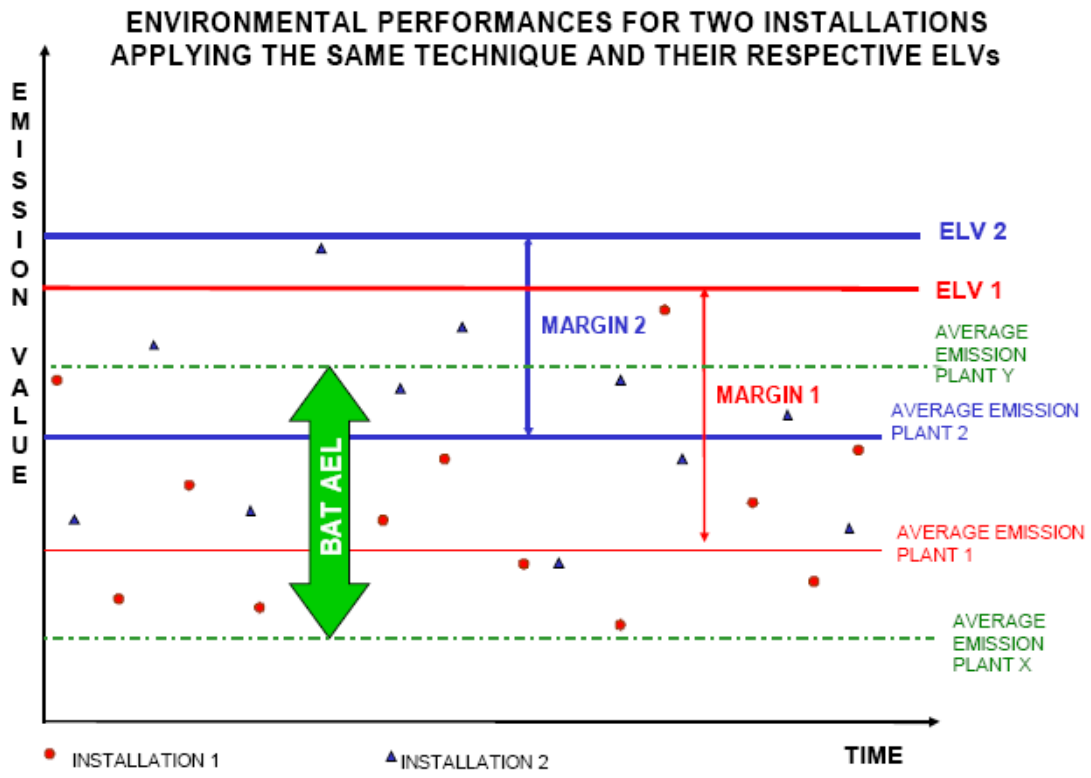
(1) IPPC BREF Outline and Guide:

ftp://ftp.jrc.es/pub/eippcb/doc/BREF_outline_and_guide_2005.pdf

(2) Preface of BREF documents.

(3) Directive 2008/1/EC of the European Parliament and of the Council of 15 January 2008 concerning integrated pollution and prevention control (OJ 29.01.2008).

Difference between an ELV and a BAT associated emission level



This figure represents the environmental performance of two installations (1 and 2) applying the same techniques, and shows the respective ELVs that apply to them. The BAT associated emission levels (BAT AELs) are to be found between the average performances of plants X and Y which are the plants having respectively the lower and higher emission levels across all plants considered in the BAT reference document for the appropriate industry sector (taking into account raw materials use, the difference of performance between new and existing installations etc.)

ELV (Emission Limit Value) means the mass, expressed in terms of certain specific parameters, concentrations and/or level of an emission, which may not be exceeded during one or more periods of time.

Emission values are shown as dots on the chart. The average emission level (e.g. Installation 1 in red) corresponds to the quantity of pollutants released over a given period of time. The operator has to make sure that emissions at any point in time are always lower than the ELV that has been fixed in the permit. Consequently, the ELVs must take into account the fluctuations inherent to the processes, which is the reason why a safety margin taking account of the fluctuation is needed when setting the ELVs.

The average emission levels (in red and blue in the chart) correspond to the environmental performance of two installations using the same technique but using different raw materials. If we compare different plants using the same technique, a higher ELV (ELV 2 > ELV 1) can still result in an average emission level (average emission plant 1 and average emission plant 2) within the BAT associated emission levels (BAT-AELs).

Members of the IPPC Alliance of Energy Intensive Industries that have co-signed the comments to Question for the 14th EGTEI

meeting

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