



EUROPEAN
COMMISSION

Brussels, 3.3.2016
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COMMISSION DECISION

of 3.3.2016

**on the notification by the Kingdom of Spain of a modified transitional national plan
referred to in Article 32(6) of Directive 2010/75/EU on industrial emissions**

(only the Spanish 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,

Whereas:

- (1) The Commission, by Decision C(2015)3525² of 29 May 2015 on the notification by the Kingdom of Spain of a transitional national plan referred to in Article 32 of Directive 2010/75/EU, decided not to raise objections against the revised transitional national plan which the Kingdom of Spain had notified to the Commission on 3 November 2014 pursuant to Article 32(5) of Directive 2010/75/EU, as amended in accordance with the additional information sent on 18 December 2014.
- (2) The Kingdom of Spain, by e-mail of 20 November 2015 and in accordance with Article 32(6) of Directive 2010/75/EU, informed the Commission of changes to its transitional national plan, consisting in the removal of three plants (C.T. Foix, C.T. Anllares, and Solvay II) originally included. The contributions of these plants have been subtracted from the emission ceilings for the years 2016, 2017, 2018, 2019 and for the first six months of 2020.
- (3) In addition, based on the information submitted by the Kingdom of Spain, the Commission noted an editorial mistake in the Annex to Decision C(2015)3525³ as plant 26 (Installation Central GICC Puertollano) should only have been included in the transitional national plan for what concerns its NO_x emissions. This has been corrected in the Annex to this Decision.
- (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 laying down rules concerning the transitional national plans referred to in Directive 2010/75/EU of the European Parliament and of the Council⁴. The Commission has found that the modifications made to the emission ceilings were correct. Against that background, no objections should be raised against the modified transitional national plan communicated by the Kingdom of Spain in accordance with Article 32(6) of Directive 2010/75/EU.

¹ OJ L 334, 17.12.2010, p. 17

² OJ C 177, 30.5.2015, p. 5

³ OJ C 177, 30.5.2015, p. 5

⁴ OJ L 52, 24.2.2012, p. 12

- (5) The implementation of the modified transitional national plan should be 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 Kingdom of Spain should 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 Europe⁵ and Directive 2001/81/EC of the European Parliament and of the Council of 23 October 2001 on national emission ceilings for certain atmospheric pollutants⁶ is not jeopardised.
- (6) Article 32(6) of Directive 2010/75/EU requires the Kingdom of Spain 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 by the Kingdom of Spain to the Commission on 20 November 2015, pursuant to Article 32(6) of Directive 2010/75/EU.
2. The list of plants covered by the modified transitional national plan, their total rated thermal input on 31 December 2010, the pollutants for which those plants are covered and the applicable emission ceilings are set out in the Annex to this Decision.
3. The implementation of the modified transitional national plan shall not exempt the Kingdom of Spain from compliance with the provisions of Directive 2010/75/EU concerning the emissions from the individual combustion plants covered by the plan, and of 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 Kingdom of Spain 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.

⁵ OJ L 152, 11.6.2008, p. 1

⁶ OJ L 309, 27.11.2001, p. 22

Article 3

This Decision is addressed to the Kingdom of Spain.

Done at Brussels, 3.3.2016

For the Commission
Karmenu VELLA
Member of the Commission

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ANNEX

List of plants included in the TNP

Number	Plant name in the TNP	Total rated thermal input on 31.12.2010 (MWth)	Pollutants covered by the TNP		
			SO ₂	NO _x	dust
1	C.T. Litoral I	1 222	√	√	√
2	C.T. Litoral II	1 268	√	√	√
3	C.T. Compostilla I (G2 and 3)	1 332	√	√	√
4	C.T. Compostilla I (G4 and 5)	1 960	√	√	√
5	C.T. As Pontes	3 800	√	√	√
6	C.T. Teruel (Andorra)	3 000	√	√	√
7	C.T. Besós 3 (CTCC)	735	-	√	-
8	C.T. San Roque (G2) (CTCC)	711	-	√	-
9	C.T. Los Barrios	1420	-	√	√
10	C.T. Puentenuevo	976	-	√	√
11	C.T. Tarragona I (CTCC)	676	-	√	-
12	C.T. La Robla I	691	√	√	√
13	C.T. La Robla II	951	√	√	√
14	C.T. Meirama	1 437	√	√	√
15	C.T. Narcea I	193	√	√	√
16	C.T. Narcea II	459	√	√	√
17	C.T. Narcea III	993	√	√	√
18	C.T. Aboño I	919	√	√	√
19	C.T. Aboño II	1 364	√	√	√

Number	Plant name in the TNP	Total rated thermal input on 31.12.2010 (MWth)	Pollutants covered by the TNP		
			SO ₂	NO _x	dust
20	C.T. Soto III	830	√	√	√
21	C.T. de Lada 4	986	√	√	√
22	C.T. de Velilla 1	430	√	√	√
23	C.T. de Velilla 2	1 010	√	√	√
24	Central GICC Puertollano	590	-	√	-
25	San Ciprián I	147	√	√	√
26	San Ciprián II	147	√	√	√
27	San Ciprián III	147	√	√	√
28	Cogecan	93	√	√	√
29	Sniace Co-generation I	126	-	√	-
30	Sniace Co-generation II	126	-	√	-
31	Solvay I	376	√	√	√

Emission ceilings

	2016	2017	2018	2019	01.01 - 30.06.2020
SO ₂	98 838	81 087	63 337	45 586	22 793
NO _x	79 265	67 314	55 362	43 411	21 706
dust	10 125	8 066	6 007	3 948	1 974