

EUROPEAN
COMMISSION

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COMMISSION DECISION

of 27.4.2017

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 of the European Parliament and of the Council 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) By Decision 2013/799/EU², the Commission had decided not to accept the transitional national plan which the Kingdom of Spain had notified to the Commission on 14 December 2012 pursuant to Article 32(5) of Directive 2010/75/EU, as the plan was not in accordance with the requirements laid down in Article 32(1), (3) and (4) of Directive 2010/75/EU and in Implementing Decision 2012/115/EU³.
- (2) By Decision C(2015)3525⁴, the Commission had decided not to raise objections to 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.
- (3) The Kingdom of Spain, by e-mail of 20 November 2015 and in accordance with Article 32(6) of Directive 2010/75/EU, notified to the Commission of further changes to its transitional national plan. By Decision C(2016)1241⁵, the Commission had decided not to raise objections to the modified transitional national plan.
- (4) By e-mail of 16 December 2016 the Kingdom of Spain informed the Commission again, in accordance with Article 32(6) of Directive 2010/75/EU, on further changes to the plan. Two plants (C.T. Narcea I and Central GICC Puertollano) have been closed and therefore removed from the plan.
- (5) The modified transitional national plan has been assessed by the Commission in accordance with paragraphs 1, 3 and 4 of Article 32 of Directive 2010/75/EU and with

¹ OJ L 334, 17.12.2010, p. 17

² Commission Decision of 17 December 2013 on the notification by the Kingdom of Spain of a transitional national plan referred to in Article 32 of Directive 2010/75/EU, OJ L 352, 24.12.2013, p. 53

³ Commission Implementing Decision 2012/115/EU of 10 February 2012 laying down rules concerning the transitional national plans referred to in Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions, OJ L 52, 24.2.2012, p. 12

⁴ Commission Decision 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, OJ C 177, 30.5.2015, p. 5

⁵ Commission Decision of 3 March 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, OJ C 89, 5.3.2016, p. 6

Commission Implementing Decision 2012/115/EU. The Commission has found that the modifications to the overall emission ceilings for the years 2016, 2017, 2018, 2019 and for the first six months of 2020 were made correctly.

- (6) The implementation of the modified transitional national plan should be without prejudice to other applicable national and Union law. In particular, when 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 Council⁶ and Directive 2001/81/EC of the European Parliament and of the Council⁷ is not jeopardised.
- (7) 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 to the modified transitional national plan notified by the Kingdom of Spain to the Commission on 16 December 2016, pursuant to Article 32(6) of Directive 2010/75/EU.
2. The names of the 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.

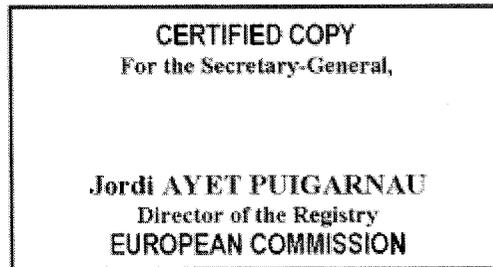
⁶ Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air for Europe (OJ L 152, 11.6.2008, p. 1)

⁷ Directive 2001/81/EC of the European Parliament and of the Council of 23 October 2001 on national emission ceilings for certain atmospheric pollutants (OJ L 309, 27.11.2001, p. 22)

This Decision is addressed to the Kingdom of Spain.

Done at Brussels, 27.4.2017

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 II (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. Puente nuevo	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 II	459	√	√	√
16	C.T. Narcea III	993	√	√	√
17	C.T. Aboño I	919	√	√	√
18	C.T. Aboño II	1 364	√	√	√
19	C.T. Soto III	830	√	√	√

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. de Lada 4	986	√	√	√
21	C.T. de Velilla 1	430	√	√	√
22	C.T. de Velilla 2	1 010	√	√	√
23	San Ciprián I	147	√	√	√
24	San Ciprián II	147	√	√	√
25	San Ciprián III	147	√	√	√
26	Cogecan	93	√	√	√
27	Sniace Co-generation I	126	-	√	-
28	Sniace Co-generation II	126	-	√	-
29	Solvay I	376	√	√	√

Emission ceilings

	2016	2017	2018	2019	01.01 - 30.06.2020
SO ₂	97 959	80 457	62 955	45 452	22 726
NO _x	77 756	65 893	54 029	42 165	21 083
dust	10 078	8 030	5 983	3 935	1 968