

Evaluation of the Industrial Emissions Directive

Fields marked with * are mandatory.

Introduction

The Industrial Emissions Directive 2010/75/EU (IED) is the primary instrument in place at the EU level to control and mitigate the environmental and human health impacts arising from industrial emissions in the EU. The IED regulates around 50 000 of the largest industrial installations covering a wide range of agro-industrial sectors. These include: power plants, refineries, and production of steel, non-ferrous metals, cement, lime, glass, chemicals, pulp and paper, food and drink as well as waste treatment and incineration and the intensive rearing of pigs and poultry. The general objective of the IED is to prevent, reduce and eliminate as far as possible emissions into air, water and land arising from industrial activities.

The IED aims to ensure that industrial emissions are dealt with in an integrated way and minimised. Permits must be issued for these installations by national authorities with conditions based on the use of Best Available Techniques (BAT). To ensure a comparable EU approach, sectoral BAT Reference Documents (BREFs) are produced through an EU level techno-economic assessment carried out by a Technical Working Group of the Commission, Member States, industry and civil society. The BAT Conclusions are adopted as Commission implementing acts.

The IED is now undergoing an evaluation against the following five key evaluation criteria: effectiveness, efficiency, relevance, coherence and EU added-value, and this public consultation is part of this evaluation process. Your responses provided to this questionnaire will be analysed and will feed into the overall IED evaluation process.

The roadmap of the evaluation process can be found [here](#).

About you

* Language of my contribution

- Bulgarian
- Croatian
- Czech
- Danish
- Dutch
- English
- Estonian
- Finnish

- French
- Gaelic
- German
- Greek
- Hungarian
- Italian
- Latvian
- Lithuanian
- Maltese
- Polish
- Portuguese
- Romanian
- Slovak
- Slovenian
- Spanish
- Swedish

* I am giving my contribution as

- Academic/research institution
- Business association
- Company/business organisation
- Consumer organisation
- EU citizen
- Environmental organisation
- Non-EU citizen
- Non-governmental organisation (NGO)
- Public authority
- Trade union
- Other

* First name

Sam

* Surname

Van den plas

* Email (this won't be published)

sam.vandenplas@carbonmarketwatch.org

* Organisation name

255 character(s) maximum

Carbon Market Watch – Zentrum für Entwicklung & Umwelt

* Organisation size

- Micro (1 to 9 employees)
- Small (10 to 49 employees)
- Medium (50 to 249 employees)
- Large (250 or more)

Transparency register number

255 character(s) maximum

Check if your organisation is on the [transparency register](#). It's a voluntary database for organisations seeking to influence EU decision-making.

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* Country of origin

Please add your country of origin, or that of your organisation.

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| <input type="radio"/> Åland Islands | <input type="radio"/> Dominica | <input type="radio"/> Liechtenstein | <input type="radio"/> Saint Vincent and the Grenadines |
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| <input type="radio"/> Bahrain | <input type="radio"/> French Polynesia | <input type="radio"/> Micronesia | <input type="radio"/> South Georgia and the South Sandwich Islands |
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| <input type="radio"/> Barbados | <input type="radio"/> Gabon | <input type="radio"/> Monaco | <input type="radio"/> South Sudan |

- Belarus
- Belgium
- Belize
- Benin
- Bermuda
- Bhutan
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- Bosnia and Herzegovina
- Botswana
- Bouvet Island
- Brazil
- British Indian Ocean Territory
- British Virgin Islands
- Brunei
- Bulgaria
- Burkina Faso
- Burundi
- Cambodia
- Cameroon
- Canada
- Cape Verde
- Cayman Islands
- Central African Republic
- Chad
- Chile
- China
- Christmas Island
- Clipperton
- Cocos (Keeling) Islands
- Colombia
- Georgia
- Germany
- Ghana
- Gibraltar
- Greece
- Greenland
- Grenada
- Guadeloupe
- Guam
- Guatemala
- Guernsey
- Guinea
- Guinea-Bissau
- Guyana
- Haiti
- Heard Island and McDonald Islands
- Honduras
- Hong Kong
- Hungary
- Iceland
- India
- Indonesia
- Iran
- Iraq
- Ireland
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- Jersey
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- Nauru
- Nepal
- Netherlands
- New Caledonia
- New Zealand
- Nicaragua
- Niger
- Nigeria
- Niue
- Norfolk Island
- North Korea
- Northern Mariana Islands
- Norway
- Oman
- Pakistan
- Palau
- Palestine
- Panama
- Papua New Guinea
- Paraguay
- Peru
- Philippines
- Pitcairn Islands
- Poland
- Spain
- Sri Lanka
- Sudan
- Suriname
- Svalbard and Jan Mayen
- Swaziland
- Sweden
- Switzerland
- Syria
- Taiwan
- Tajikistan
- Tanzania
- Thailand
- The Gambia
- Timor-Leste
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- Turks and Caicos Islands
- Tuvalu
- Uganda
- Ukraine
- United Arab Emirates
- United Kingdom
- United States
- United States Minor Outlying Islands
- Uruguay

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| <input type="radio"/> Cyprus | <input type="radio"/> Latvia | <input type="radio"/> Saint Helena Ascension and Tristan da Cunha | <input type="radio"/> Yemen |
| <input type="radio"/> Czechia | <input type="radio"/> Lebanon | <input type="radio"/> Saint Kitts and Nevis | <input type="radio"/> Zambia |
| <input type="radio"/> Democratic Republic of the Congo | <input type="radio"/> Lesotho | <input type="radio"/> Saint Lucia | <input type="radio"/> Zimbabwe |
| <input type="radio"/> Denmark | <input type="radio"/> Liberia | <input type="radio"/> Saint Martin | |

* Publication privacy settings

The Commission will publish the responses to this public consultation. You can choose whether you would like your details to be made public or to remain anonymous.

- Anonymous**
Only your type of respondent, country of origin and contribution will be published. All other personal details (name, organisation name and size, transparency register number) will not be published.
- Public**
Your personal details (name, organisation name and size, transparency register number, country of origin) will be published with your contribution.

I agree with the [personal data protection provisions](#)

General awareness of industrial emissions and the measures to tackle them

This section seeks to gather information on the general level of knowledge of emissions from large industrial installations, their evolution over time, and the measures in place to address them. It does not require an in-depth knowledge of the Industrial Emissions Directive.

Please select the answer which best represents your views.

1. To what extent do large industrial installations operate in your places of interest (place where you live, work or study)?

- No industrial activity (skip questions 2 to 5)
- Low industrial activity
- Some industrial activity
- High industrial activity
- Very high industrial activity
- Do not know

2. To what extent do activities of large industrial installations located in your places of interest (place where you live, work or study) have an impact on the following environmental aspects?

	No impact at all	Some impact	Significant impact	Very significant impact	Do not know
Air Quality	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Water Quality	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Consumption of natural resources	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Energy use	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Noise	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Odour	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Soil contamination	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Waste generation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

3. To what extent do activities of large industrial installations located in your places of interest (place where you live, work or study) have an impact on human health?

- No impact at all
- Limited impact
- Some impact
- Significant impact
- Very significant impact
- Do not know

4. Do you know which authority is responsible for granting and enforcing permits for large industrial installations in your places of interest (place where you live, work or study)?

- Yes, I know.
- No, I don't know.

5. Do you know how you can participate in permitting decisions for large industrial installations in your places of interest (place where you live, work or study)?

- Yes, I know.
- No, I don't know.

6. Do you have access to sufficient information on the level of environmental impacts of large industrial installations?

- No information at all
- Limited information
- Some information
- Sufficient information
- Very detailed information
- Do not know

7. In your opinion, has the level of environmental impacts from large industrial installations in the last 5 years:

- Significantly decreased
- Decreased somewhat
- Stayed the same
- Increased somewhat
- Significantly increased
- Do not know

8. In your opinion, the availability of information on the level of emissions from large industrial installations in the last 5 years has:

- Significantly increased
- Increased somewhat
- Stayed the same
- Decreased somewhat
- Significantly decreased
- Do not know

9. To what extent are you familiar with the following?

	Extremely familiar	Very familiar	Moderately familiar	Slightly familiar	Not familiar
EU legislation concerning industrial emissions	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The process used to establish permit conditions by local, regional or national competent authorities	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
The role of Best Available Techniques in permits	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
The environmental requirements set in permits	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Availability of emissions information on installations (for example from the European Pollutant Release and Transfer Register (E-PRTR*) and public registers)	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Enforcement processes and use of penalties	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
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(*) <https://prtr.eea.europa.eu/#/home>

Specialised views on the functioning of the Industrial Emissions Directive

This section focuses on gathering more in-depth views about the functioning of the permitting system governed by the Industrial Emissions Directive and requires a certain level of corresponding knowledge. The questions are largely structured around the 5 evaluation criteria: effectiveness, efficiency, relevance, coherence and EU added-value. Questions 10 to 20 can be skipped by the general public.

Please select the answer which best represents your views and/or indicate the extent to which you agree with the statements in the following questions.

10. To what extent do you agree that the Industrial Emissions Directive (including its secondary legislation, i.e. regulations and decisions) has contributed to the following?:

	Stongly agree	Somewhat agree	Neither agree or disagree	Somewhat disagree	Strongly disagree	Do not know
To reducing environmental impacts arising from large industrial activities	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
To a more effective enforcement of permit conditions to control environmental impacts from large industrial installations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
To ensure an EU level playing field for EU Members States and operators of large industrial installations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

11. To what extent do you agree that the regular updating of BREFs and permits (choose below) under the Industrial Emissions Directive has encouraged the development and deployment of better techniques to prevent and control environmental impacts from large industrial installations?

	Strongly agree	Somewhat agree	Neither agree or disagree	Somewhat disagree	Strongly disagree	Do not know
BREFs	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Permits	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

12. To what extent do you agree that the process to draw up and regularly review BREFs:

	I am not familiar with /aware of the BREF process	Strongly agree	Somewhat agree	Neither agree or disagree	Somewhat disagree	Strongly disagree	Do not know
Is effective in identifying techniques for achieving a high level of environmental protection	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Allows both costs and benefits to be sufficiently considered in identifying the best available techniques	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Captures new developments in techniques	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

13. To what extent is the cost to industrial installations of complying with permit conditions based on the use of BAT acceptable in view of the benefits?

- I am not familiar with/aware of the costs
- Extremely acceptable
- Very acceptable
- Moderately acceptable
- Slightly acceptable
- Not acceptable
- Do not know

14. To what extent are permits issued to large industrial installations based on the IED and BREFs effective in controlling the environmental impacts of those installations?

- Extremely effective
- Very effective
- Moderately effective
- Slightly effective
- Not effective
- Do not know

15. To what extent do you agree that the provisions of the IED on the following (permits, enforcement and access to information) have led to more effective control of the environmental impacts of large industrial installations?

	Strongly agree	Somewhat agree	Neither agree or disagree	Somewhat disagree	Strongly disagree	Do not know
Permits	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Enforcement	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Access to information	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

16. To what extent do you agree that the IED addresses the following:

	Strongly agree	Somewhat agree	Neither agree or disagree	Somewhat disagree	Strongly disagree	Do not know
The most relevant environmental impacts	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
The most relevant pollutants	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
The most polluting agro-industrial sectors	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

17. To what extent do you agree that the process to draw up and regularly review BREFs addresses the following?

	Strongly agree	Somewhat agree	Neither agree or disagree	Somewhat disagree	Strongly disagree	Do not know
The most relevant environmental impacts	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
The most relevant pollutants	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
The most polluting agro-industrial sectors	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

18. To what extent is the IED internally consistent (no contradictions and no overlaps) among its chapters and provisions?

- Extremely consistent
- Very consistent
- Moderately consistent
- Slightly consistent
- Not consistent
- Do not know

19. To what extent is the IED coherent with the following EU policies?

	Extremely coherent	Very coherent	Moderately coherent	Slightly coherent	Not coherent	Do not know
Climate	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Energy	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Air Quality	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Water Quality	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Circular Economy	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Waste management	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Sustainable use of resources	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

20. To what extent do you agree that legislation to regulate environmental impacts of large industrial installations at the EU level, as opposed to national level, helps the following?

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	Strongly agree	Somewhat agree	Neither agree or disagree	Somewhat disagree	Strongly disagree	Do not know
To better protect human health and the environment	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
To ensure that competent national authorities address industrial pollution	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
To avoid competition on environmental standards	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Any other comments

21. Please include any further information that you believe would be useful for this evaluation of the Industrial Emissions Directive.

Carbon Market Watch in generally support the points and recommendations made by the European Environmental Bureau (EEB) as expressed to the Roadmap consultation on the Industrial Emissions Directive (IED).

In particular we would like to draw attention to the following shortcomings of the IED:

- The environmental impacts of greenhouse gas (GHG) emissions are not addressed by the IED, which is a major gap in the Directive aiming to prevent and control pollution arising from industrial activities. Article 9(1) of the IED states that all permits for installations covered by the EU-ETS should not set an emission limit for GHG emissions 'unless significant local pollution is caused'
- In particular in resource and energy-intensive industrial (non-power) sectors we are concerned GHG emissions have not decreased since 2012 despite the existence of the EU Emission Trading System (ETS). The European Environment Agency predicts that sectors like steel, cement and chemicals will not reduce their greenhouse gas emissions at all at least until 2030.
- This situation is ineffective and counter-productive to climate protection and resource efficiency. Significant improvements could be achieved through mandatory minimal energy efficiency requirements and GHG performance standards for the main emitters, in particular for resource and energy-intensive industry installations.

Carbon Market Watch would like to stress this gap in the scope of the IED is not covered by the EU ETS:

- Under the recently agreed EU ETS revision, EU governments will hand out up to 6.5 billion free greenhouse gas emission allowances with a market value of about €165 billion between 2021 and 2030. This is an untargeted and unnecessary exemption to the application of the "polluter pays" principle. This free pollution subsidy means that in the coming decade there will be no meaningful incentive for reducing greenhouse gas pollution in steel, chemicals and cement plants across the European continent.
- The EU ETS falls short of implementing the Paris Climate Agreement and limiting global warming to 1.5°C. It does not put the EU on track reduce greenhouse gas emissions and increase natural carbon removals so as to achieve climate neutrality by 2040. The carbon price signal generated by the EU ETS remains inadequate to avoid the construction of new high carbon emitting industrial infrastructure.
- The EU ETS sets a price level on carbon allowances which is not based on the Best Available Technology (BAT) concept so the IED Best available techniques Reference documents (BREFs) would be reinforcing and complementary regulation, not overlapping.

Therefore, in particular Carbon Market Watch recommends the Evaluation of the Industrial Emissions Directive:

- To recognise the need to deploy a much more effective approach and set performance-based standards on GHG emission reduction and prevention combined with market-based instruments, such as EU-ETS but also in combination with further economic instruments (eg. clean breakthrough technology support, innovation funding).
- To address the decarbonization of the resource and energy intensive industry sectors through inclusion of decarbonization/GHG in BAT Conclusions, Emission Performance Standards and binding energy efficiency and strict Emission Limit Values phasing out coal and lignite use in these sectors.

Policy recommendations:

- Delete Article 9.1 of the IED to enable a smart combined approach of command and control (IED) as well as market based instruments (like EU ETS)
- Amend Article 9.2 of the IED to introduce minimal binding (and not optional) greenhouse and energy efficiency standards based on best in class solutions within a given industrial activity (e.g. iron and steel, chemicals, cement)
- Introduce GHG performance standards to achieve a complete coal and lignite phase out in the European power and industrial sectors by 2030, in order to and become a climate-neutral economy by 2040.

Contact

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