



IED Revision – Commission Proposal and Co-decision Work-in-Progress

***European Commission: CDG Milk, Beef & Veal, Pigmeat
Update - Revision of the Industrial Emissions Directive (IED)***

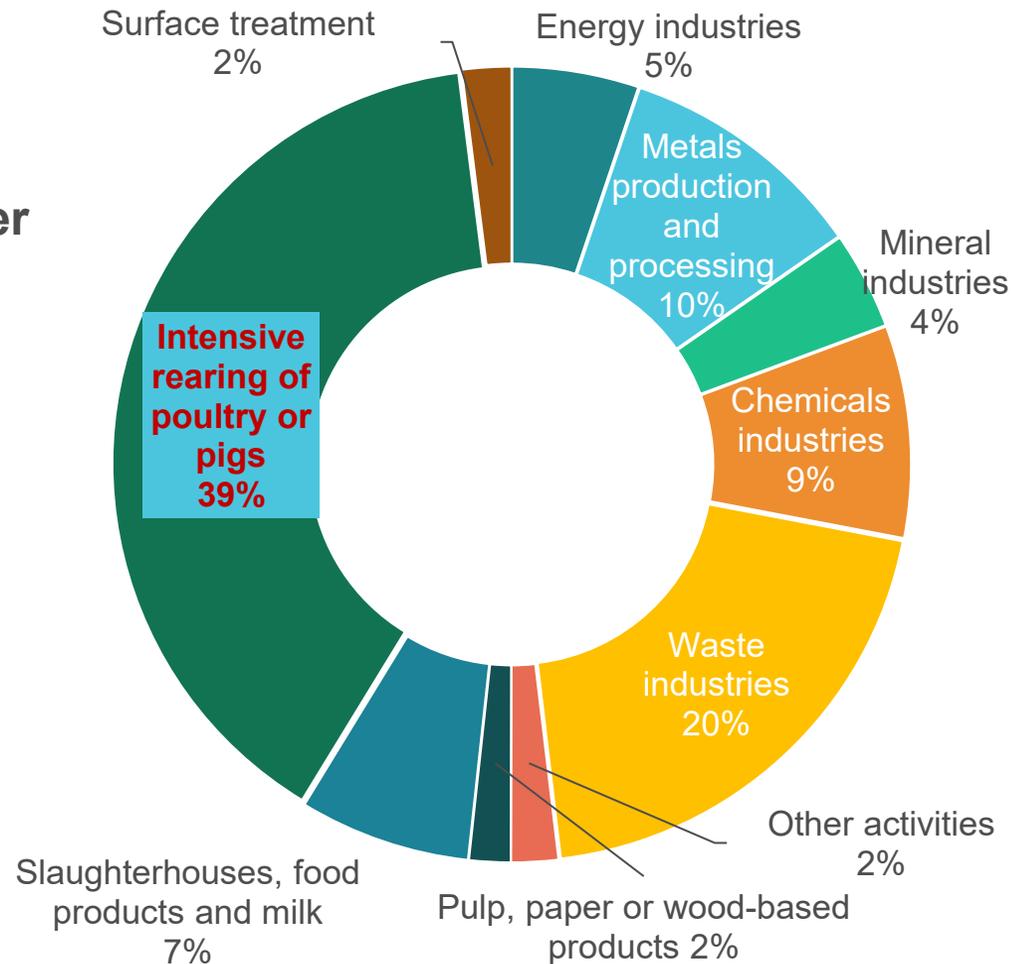
29 Sept 2023

Presentation Content

- State-of-play of Livestock within the 2010 Industrial Emissions Directive (IED)
- Why are proposals needed to extend the livestock scope?
- Commission Proposal to revised the IED – April 2022
- Co-decision: Council (via Working Party – Environment), European Parliament Committees involved - ongoing progress
- Current state-of-play: Codecision - Trilogues (ES Presidency of Council)

Industrial Emissions Directive (IED) – “Today”

% of IED installations per sector



IED regulates over **30 000+** large industrial installations and **20 000+** farms

Large pig & poultry farms covered since mid-1990s by IED and previous IPPC Directive

Overview - 5 problem areas, 5 broad solutions

To transform the legislation into a forward-looking framework fit to accompany the agro-industrial transformation needed for the green transition

1. More effective

- Increase zero pollution ambition in permits & tighten flexibilities
- Better public information, incl. Portal Regulation
- Right for citizens/NGOs to seek compensation for health damages
- Enhanced enforcement (strengthened penalties)

2. Support innovation

- Flexible permitting for frontrunners
- **Create INCITE to ensure latest technologies are employed**
- Include indicative Transformation Plans in EMS (2030 onwards)

3. Resources & chemicals

- EMS to improve resource efficiency/ circular economy and use safer chemicals
- Binding performance levels in permits (homogeneous processes); indicative benchmarks for use in EMS (for other cases)

4. Support decarbonisation

- Curb non-ETS emissions
- Improve energy efficiency requirements
- Insert a review clause in light of innovation dynamics (June 2028)

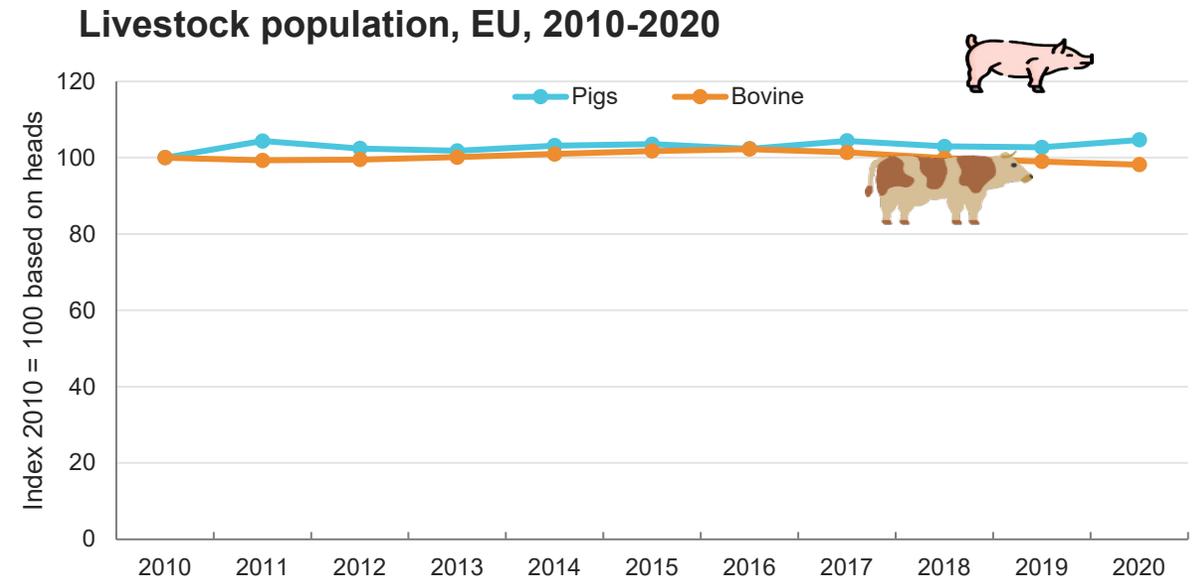
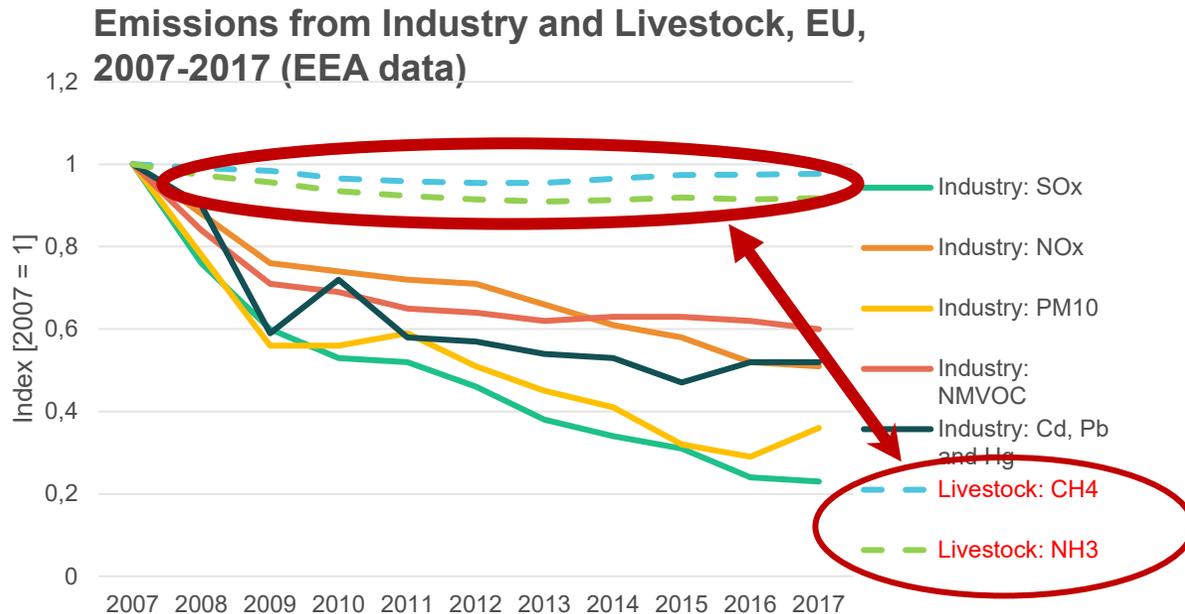
5. Widening of scope: (1) largest livestock farms covered by tailored permit to address stagnating methane, ammonia and nitrates emissions, (2) accompany the growth of critical activities needed for the green transition (certain mining activities and battery gigafactories), (3) close gaps in already covered activities (textiles, downstream metals, landfills), (4) "Watch mechanism" for future widening of scope via delegated acts to address pollution control needs

Scope Extension – Livestock: Commission Original Proposal (5 April 2022)

1. Why should IED cover more livestock farms?
2. Widening of the IED scope (livestock) – main features

Why should IED cover more livestock farms?

- The IED can support the livestock sector in reducing their emissions of **methane** and **ammonia** that have remained about stable for over a decade



Scope widening – Livestock – COM Proposal (April 2022)

What is new for the larger farms - livestock rearing?

- To cover **more pigs and poultry** farms that currently in scope (IED Annex I activity 6.6)
- NEW – **First time - include cattle farming** within the scope of the IED and the E-PRTR
- Aggregation provision aims at avoiding artificial separation of farms (case-by-case approach)

Commission Proposal - Scope widening – Livestock

- Livestock is now listed **only in the new Annex Ia**
- **New Chapter Via *Special Provisions for Rearing Poultry, Pigs and Cattle*** applies to the activities listed in Annex Ia. Current Activity 6.6 (Intensive Rearing of Pigs & Poultry) in Annex I – DELETED.
- **Tailored approach (TA)** - sets **specific permitting & registration procedures** tailored to the sector, balancing needs of administrative procedures with environmental ambition, public information and participation. **Estimated 30% reduced admin costs compared to full permitting.**
- **Operating Rules** - will take into consideration not only the nature, type, size and density but also the complexity of these installations and the range of environmental impacts they may have, together with economic aspects.
- **Operating Rules** will be formulated via a “Sevilla Process”-type consultation & adopted **two years** after new IED’s entry into force, via a delegated act. Farmers and Member States must then apply the Operating Rules **within 42 months** of directive’s adoption (**=> c. 2029**) **Based on:**

Directive: end-2023

Op. Rules formulated: Jan 2024 - Spring 2026

Applied: mid-2029

Scope widening – Livestock

- Member States may implement **either permits or registrations**, e.g. based on existing national systems - ***as long as all minimum elements set out in Chapter VIa are fulfilled***
- **Public participation** (*Chapter VIa, Article 70g*) - Member States shall ensure public participation in following cases:
 - Preparation of General Binding Rules (GBR)
 - In case the Member State implements a permitting procedure:
 - Granting a permit for a new installation falling within the scope (Annex Ia)
 - Granting an update permit for any substantial change
- Where MS use **registration**, public participation is only required when preparing the GBR
- The national **GBR** will have to fully comply with **Operating Rules (OR)**
- Member States to define detailed **inspection rules** that are not specified in Chapter VIa

Scope widening – Livestock

Operating Rules (Chapter VIa, Article 70i) – instead of a Best Available Techniques Reference Document (BREFs) and BAT Conclusions [as in current IRPP 2017 BREF]

- The **Operating Rules** are expected to include:
 - Emission limit values and monitoring requirements
 - Land spreading practices and pollution prevention and mitigation practices
 - Environmental performance limit values and other measures consistent with IED Annex III
- Operating Rules - will be developed through an information exchange similar to the BREF evidence-based process – involving Member States, farming industry, NGOs
- Operating Rules - will take specificities into account, i.e. nature, type, size, density, complexity of installations and their range of environmental impacts

Scope widening – Livestock

Operating Rules [O.R.] (*Chapter VIa, Article 70i*)

- The O.R. will take into the account the existing Intensive Rearing of Pigs & Poultry [IRPP] BREF from 2017
- Operating Rules – will consider specificities of pasture-based “extensive” rearing systems, where animals are only seasonally reared in indoor installations
- AND ... will discuss differentiated requirements for indoor and outdoor rearing
- Stakeholders involved in shaping the O.R. will determine how GHG emissions would be regulated through feed and manure management techniques.
- Establishing the new O.R. must also address animal welfare, and take into account up-to-date progress

Council & European Parliament - Committees involved

- **ENVI** (Environment) Committee = Lead Committee, AGRI & ITRE issue Opinions
- **AGRI** (Agriculture) Committee – some exclusive competencies: animal definitions, LSU references
- **ITRE** (Industry, Research, Energy) Committee – input to research & development/ innovation (e.g., new INCITE Centre) and Transformation Plans.

Stage in Council	Stage in EP
<p><u>State-of-play:</u></p> <p>General Approach on IED adopted on 16 March</p> <ul style="list-style-type: none"> • 350 LSU for Cattle, Pigs & Mixed Farms • 280 LSU for Poultry 	<p><u>State-of-play:</u></p> <p>ENVI Rapporteur Kanev reports published, some 1700 amendments on IED and 200 on IEPR tabled</p> <p>ITRE vote: 28 March AGRI vote: 25 April ENVI vote: 25 May</p> <p>Plenary vote: 10 July</p>

Codecision Progress to date - Trilogues

- 1st Trilogue: 19th July 2023
- To date - 7 Technical Meetings held on various topics by “cluster”
- 2nd Trilogue – due 10th October
- Compromise needs to be reached to allow livestock contribution to emissions of ammonia, nitrates and methane to air and water to be reduced meaningfully, to enable MS to comply with other legislation (National Emissions Ceiling Directive, Nitrates Directive, Water Framework Directive)
- The IED’s “Operating Rules” would facilitate this and would be designed for the **larger** farms covered in the scope of the Directive

Thank you

More info?

https://environment.ec.europa.eu/topics/industrial-emissions-and-safety/industrial-emissions-directive_en#revision

<https://ec.europa.eu/environment/industry/stationary/index.htm>



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