



*Employers entrusted to deliver
Sustainability Growth Innovation*

Position Paper

Revision on the Industrial Emission Directive (IED)

23 March 2021

Brussels, 23 March 2021

SGI Europe welcomes the opportunity to submit its recommendations to the European Commission's revision on the Industrial Emission Directive (IED). We support the Commission on its path to revise the IED to ensure that the Directive is in line with the objectives of the EU Green Deal and the newly proposed 55% Greenhouse Gas emission reduction by 2030.

In general, **SGI Europe is of the opinion that the IED and the corresponding reporting system in the European Pollution Release and Transfer Register (E-PRTR) Regulation have proven their efficiency and are still fit for purpose.** The emissions of large industrial plants have demonstrably decreased significantly in recent years and will continue to decrease considerably in the future in the course of the ongoing implementation of sector-specific Best Available Technique (BAT) conclusions and as a consequence of the dynamic updating of the state of the art already laid down in the Directive within the framework of the next **EU Best Available Techniques Reference Document (BREFs)** revision cycle.

The **revision of IED and E-PRTR should therefore primarily be aimed at a better recognition of water pollutants that are not yet properly addressed** and at the same time aim to **gradually and carefully developing the tried and tested regulatory framework, enabling more efficient approval procedures and facilitating implementation** in the Member States.

In the context of the upcoming adoption of the Zero Pollution Action Plan, SGI Europe deems it as **important to reduce systematically pollution of microplastics and other emerging pollutants in the waste-water** as stated in the recently published SGI Europe position on the Zero Pollution Action Plan¹. Here, SGI Europe asks to **align both the revision of the IED and the drafting of the Action Plan for a more legally coherent and harmonious adoption**. In particular, SGI Europe has asked for a faster process to adapt the **BREFs** for industries to safeguard a secure and efficient reduction of emissions. In fact, this will be an important step for the reductions and elimination of pollutions coming from industrial activities.

Moreover, as providers of general interest, including the water and waste-water sector, SGI Europe urges the Commission **when revising the IED to improve the application of the control at source principle** and align EU water and waste-water policies for a more harmonious implementation. The aim for a targeted reduction of trace substances in water bodies should always refer to the quality and management objectives pursued for the entire river area. The **precautionary and polluter-pays principle at source must have priority over other reduction measures**. In fact, the **introduction of Extended Producer Responsibility (EPR) schemes** should be used to implement these principles. Such schemes have already been introduced in other Union legislation, such as the Single Plastics Use Directive (EU) 2019/904).

Overall, as a cross-sectoral European organisation, **an important prerequisite for a systemic protection of the environment is the coherence and alignment of European legal acts**. This requires **avoiding parallel legislative structures and specifications by sticking to the proven sectoral approach**. With regard to coherence between the IED and the activities covered by the **Urban Waste-Water Treatment (UWWTD)**² as well as the **Sewage Sludge Directive**³, SGI Europe calls for **maintaining the sectoral approach of the IED in order to prevent parallel legislative requirements**. Concretely, this implies continuing with the

¹ SGI Europe Position on Zero Pollution Action Plan https://sgieurope.org/files/SGI_Europe_Response_Zero_Pollution.pdf

² SGI Europe Position on UWWTD <https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12405-Water-pollution-EU-rules-on-urban-wastewater-treatment-update-/F550101>

³ SGI Europe Position on Sewage Sludge Directive <https://sgieurope.org/publications/input-to-the-sewage-sludge-use-in-farming-evaluation-directive-86278/?page=1>

regulation of the UWWTD and refraining from adding them to the scope of the IED, which would lead to legal uncertainty. The IED also must create a stronger link with the **Circular Economy Action Plan** to support the recovering and reuse of safe sludge material for the generation of energy and agricultural use without creating administrative burdens under the new revised IED.

Furthermore, SGI Europe rejects an extension of the IED to **medium-sized combustion plants**. The environmental impacts in the 20 to 50 MW thermal capacity range are essentially limited to air pollutant emissions, which are already adequately regulated under the directive on medium-sized combustion plants. Energy consumption and associated greenhouse gas emissions are already addressed for this plant segment through the EU-ETS. In many Member States, these installations are also already subject to permit requirements and appropriate state of the art requirements. An extension of the IED to these installations would foreseeably only be associated with minor environmental benefits, but against the background of the high number of cases (in Germany for example alone are more than 1,000 installations that predominantly use natural gas and light heating oil as fuels) would threaten to lead to an extraordinarily high additional administrative burden for licensing and installation monitoring for authorities and installation operators.

Therefore, SGI Europe pleads for an **effective holistic approach across all sectors** taking into account the whole environmental performance of a plant. Achieving this, we ask the European Commission to secure the **Integrated Approach** and leave it as foundational principle of the IED.

Finally, as mentioned in the SGI Europe position paper on the revision of the Emission Trading Scheme directive (ETS)⁴, we believe the **ETS to be a functional tool in reducing emissions in Europe** and achieving the EU climate targets by 2030 and beyond. While the IED does not have a role in driving decarbonisation, it does have a role in ensuring high standards of environmental protection. Both instruments should remain separate to achieve their own goal in the most efficient way.

⁴ SGI Europe Position on ETS https://sgieurope.org/files/SGIEurope_ETs_response.pdf