

Brussels, 6 November 2013
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RE: European legislation on prevention and control of industrial emissions. The new Industrial Emissions Directive (2010/75/EU)

BACKGROUND: Despite a reduction of emissions over the past decades, industrial activities remain a major source of pollutants ([SEE more](#)). In November 2005 the European Commission launched a review of European legislation on industrial emissions, in particular the Integrated Pollution Prevention and Control (IPPC) Directive, which imposes the requirement that industrial and agricultural activities with a high pollution potential, such as energy industries, chemical industries, and waste management operators, should have a permit in order to operate.

The [Industrial Emissions Directive \(IED\)](#) is the result of the legislative recast of the former Integrated Pollution Prevention and Control (IPPC) Directive. [Directive 2010/75/EU \(IED\)](#) was published in the Official Journal on 17 December 2010, recasting seven existing Directives into a single one. The Directive entered into force in January 2011 and was to be transposed into national legislation by member states by January 7 2013. The IED establishes a general framework for the control of the principal industrial activities/processes with a view to controlling emissions arising from industrial installations into air, water and soil. The sectors covered include, among other, the energy industries, waste management, and the rearing of animals. The IED rules that installations should operate only if they hold a permit or, in certain cases, if they are registered. The new Directive seeks in particular a better application of BAT, along with the introduction of minimum provisions on the inspection of industrial installations, the review of permits, reporting on compliance and protection of soil.

Contents

Control emissions from certain types of animal rearing	2
This Report addresses those reviews:	2
2.1. Intensive livestock rearing	2
3.1.1. Intensive rearing of cattle (Article 73(2)(b))	2
Implementation	2
Next Steps	3
Conclusion	3

Control emissions from certain types of animal rearing

Articles 30(9) and 73 of the [IED](#) require the Commission to review the need to control emissions from certain types of animal rearing (pigs and poultry) and from the combustion of fuels in certain types of combustion plants and to report the results of those reviews to the European Parliament and the Council. This report was adopted by the Commission on 17 May 2013 (COM(2013) 286 final) and can be found [HERE](#).

This Report addresses those reviews:

(i). Intensive livestock rearing – Agricultural activity in the EU impacts on the environment with regard to emissions to land, water and air. In particular, agriculture accounts for over 90% of total EU ammonia emissions, with a large proportion of such emissions arising as a result of the breeding and rearing of livestock.... [SEE more](#).

2.1. Intensive livestock rearing

The IPPC Directive covers the following types of livestock rearing:

- Intensive rearing of poultry with more than 40 000 places for poultry;
- Intensive rearing of pigs with more than 2 000 places for production pigs (over 30 kg);
- Intensive rearing of pigs with more than 750 places for sows.

The Commission undertook two specific studies[5],[6] to determine the most cost-effective measures to reduce ammonia emissions in the agricultural sector.

3.1.1. Intensive rearing of cattle (Article 73(2)(b))

The Commission has identified that approximately 90 million cattle are presently reared in the EU. This covers dairy cattle (27%), heifers (7%) and bovine / other cattle (66%). Cattle are spread amongst a very large number of businesses, approximately 3.5 million farms, ranging in size from large centralised farms to smallholdings of only one cow. Cattle rearing, covering all aspects of the raising of cows including feeding and manure management, presently leads to air emissions of about 1500 kt/year of ammonia (41% of total EU) and 7 000 kt/year methane (2% of total EU). Cattle rearing is also an important factor in the pollution of ground and surface waters by nitrates, with EU action to tackle such pollution taken through the Nitrates Directive... [SEE more](#).

Implementation

With respect to its implementation, the Commission has envisaged, in its work programme, to review a large number of BAT reference documents (**BREFs**) as well as to launch the drawing up of new BREFs. The expertise of the [Seville Technical Working Group](#) will remain essential in this context, in particular to identify and ensure fair and appropriate development of BREFs.

Responses to frequently asked questions on the implementation of the IED are available on the [Commission's website](#) which is regularly updated on the basis of questions raised by Member States and stakeholders.

Next Steps

The new Directive on Industrial Emissions will repeal the IPPC Directive and the sectoral directives as of January 2014. In considering the possible actions to be taken on the basis of the results of the reviews the Commission has given due consideration to the costs and benefits that would arise.

The Commission will take the following actions with regard to the results of the reviews covered by this Report.

Action 1 – Emissions from cattle and capacity thresholds for intensive livestock rearing under IED

The results gathered from the review on the control of emissions from the intensive rearing of cattle give a clear indication of the benefits of taking action to reduce emissions of ammonia from this sector. However, it is clear that emissions from the cattle sector should not be considered in isolation from other animal farm types. Consequently, recognising that the largest emission reductions relate to manure management the Commission considers that a further in-depth examination of the possibilities for reducing emissions from the spreading of manure for all farm types should identify those aspects that offer the highest benefit-to-cost ratio in tackling emissions, paying particular attention to potential compliance and administrative burden costs for the farming sector and the need for such costs to be proportionate to the potential benefits. Such a study will be undertaken in 2013 and, as well as considering actions at an EU level, will examine how individual Member States may look to tackle emissions at a national level in order to comply with other EU legislation such as the National Emission Ceilings Directive[13]. Information on techniques for the land spreading of manure and slurry from the BAT Reference document for the intensive rearing of poultry and pigs will be considered as part of this work and co-benefits in relation to reduction of emissions other than ammonia will also be included.

Furthermore, the results of the Commission's review identify that whilst varying the capacity thresholds between different poultry species and mixed species farms based on their environmental impact may be beneficial in terms of environmental outcome, the emission potential reduction is very limited. This conclusion supports the Commission's original review undertaken under the IPPC Directive. However, given the recent adoption of the IED, a further change to the relevant Annex I activity descriptions would lead to a period of uncertainty for farmers whilst the outcome of the ordinary legislative procedure was being negotiated. Therefore, the Commission considers that the existing thresholds for poultry farms subject to the IED should remain unchanged. [SEE more.](#)

Conclusion

The reviews undertaken by the Commission under Article 73(2)(a) and (b) and 73(3) have identified potential environmental benefits that could be achieved as a result of either amending existing EU law or the development of new instruments to tackle emissions from agricultural and combustion activities.

In the case of intensive livestock rearing, the Commission does not intend to propose changes to Annex I of the IED at this time for the activities listed in point 6.6 (intensive rearing of poultry and/or pigs) or to include cattle farms given that these changes would deliver somewhat limited environmental benefits while potentially imposing significant costs in respect of administration and compliance to a large number of farms. However, it is clear that emissions from spreading of manure are significant and further studies should be completed with a view to determining if and how ammonia emissions should

be controlled at EU level, in particular through revisions to the National Emission Ceilings Directive, a review of which is expected to be completed in 2013 as part of the wider review of the Thematic Strategy on Air Pollution and associated legislation. [SEE more](#).

USEFUL LINKS

- ✓ [The Industrial Emissions Directive \(Summary\)](#)
- ✓ [The Industrial Emissions Directive \(Implementation\)](#)
- ✓ [Frequently Asked Questions \(FAQ\)](#)
- ✓ [The IPPC Directive](#)