

## PROGRESS IN IMPLEMENTING IPPC DIRECTIVE - COM(2003) 354

Web page: [http://europa.eu.int/comm/environment/ippc/ippc\\_consultation.htm](http://europa.eu.int/comm/environment/ippc/ippc_consultation.htm)

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*Question 1. Is there a need for any additional action at EU level to address implementation difficulties or should current and future Member States deal with them individually? If there is such a need, what type of action would be appropriate?*

Both approaches are necessary. It is important that Member States carry on dealing with the implementation of the directive because of the different industrial patterns and permit frameworks that occur around Europe. It is equally important that the European Commission, in co-operation with the other institutions, keeps reviewing the implementation of the directive, particularly as it concerns:

SCOPE OF THE IPPC DIRECTIVE: IPPC Directive is aimed to prevent and control sources of pollution arising from industrial and agricultural production activities. Waste water treatment plants do not generate pollution and are not a source of pollution but they treat the pollution received from the actual polluters connected to the sewage systems. Therefore, waste water treatment plants should clearly be excluded of the scope of the IPPC Directive. EUREAU asks the EC a clear statement assuring this interpretation is known and understood by the whole EU Member States, irrespective of the freedom that every Member State has to issue regulations at the national level.

LINK BETWEEN IPPC DIRECTIVE AND URBAN WASTEWATER TREATMENT DIRECTIVE (91/271): Waste water services have a major part to play in helping to meet the new requirements of the Water Framework Directive, the Incineration Directive and potential revisions to the Sludge Directive. Industries connected to the sewage system and waste water treatment also have clear responsibilities in this respect by delivering a waste water to the treatment plant which makes it affordable for the Society and technically possible for the plant operator to fulfil these requirements. Article 11 of the Urban Waste Water Directive 91/270 requires Member States to regulate the so-called "indirect industrial discharges" (meaning the industrial effluents discharged through the sewerage system and the waste water treatment plant to the aquatic environment). At the same time, special regulations should be established in respect of substances which:

- entail a treatment in the waste water treatment plants that is disproportionately expensive,
- create danger for the health of workers in the sanitation system,
- jeopardise the potential of treated sludge or waste water for reuse (annex C of the Directive 91/271).

Those substances are, among others, the Priority Substances already designated under the Water Framework Directive (following the statement of the Communication in point 10.1.5), POP (persistent organic), endocrine disrupters, heavy metals, pesticides, etc.

*Question 2. What support measures should be taken at EU, national, regional or local level to facilitate compliance by installations, in particular SMEs? 2. What support measures should be taken at EU, national, regional or local level to facilitate compliance by installations, in particular SMEs?*

Support measures should focus in particular on creating incentives that encourage SMEs to apply BAT, which will improve the waste water discharged to the urban waste water treatment plant. The incentives could be financial or based on specific EU or national programmes.

*Question 3. What role can the Directive and its exchange of information on best available techniques play in the international arena to promote sustainable production?*

The Communication itself sets out the role of the Directive and its exchange of information on BAT can play:

- promotion of world wide dissemination of EU pollution prevention and control techniques,
- incentive to reduce pollution in other parts of the world which sooner or later will also affect the EU,
- prevent distortion of competition

*Question 4. Is the information exchange on best available techniques optimal and are the BREF documents an effective implementation tool?*

Despite that waste water treatment are not a source of pollution and should be excluded of the scope of the IPPC Directive, it would be very helpful that BREF documents explicitly consider the case of industries connected to sewerage system and waste water treatment and address jurisdictional boundary issues between the Urban Wastewater Directive and the IPPC directive.

In this respect, further developments are needed to:

- allocate a wider mandate to the IPPC Experts Group to discuss not only with national/local authorities, but also with the industry, including the water sector
- to create a common platform for discussion, whereby all interested parties would meet on a regular basis in order to discuss specific implementation difficulties and seek collective solutions.

*Question 5. Is the scope of the Directive, in terms of activities and thresholds, appropriate to address the most significant environmental impacts of production processes?*

As pointed out in the Communication (paragraph 5.2), "end-of-pipe" measures often have a negative short-term impact on profitability. On the opposite BAT usually have societal benefits outweighing the costs incurred by the industries at the time that it keeps in line with the polluter pays principle. Accordingly, in the case of an IPPC industry connected to a sewerage system and waste water treatment plant, EUREAU wishes to stress that BAT should provide for controlling the release of WFD / priority substances (and other chemicals mentioned in answer 1) at source (industry) and should discourage "end-of-pipe" solutions (at the waste water treatment plant). This would be more in line with the polluter pays principle.

*Question 6. In which cases do Community-wide emission limit values as minimum requirements help achieve a high level of environmental protection and prevent distortions of the Internal Market?*

This issue is being addressed through the Water Framework Directive 2000/60/EC, which will combine emission limit values and quality objectives. Depending on the local circumstances, meeting the quality objective may place great demands on emission controls and may have a significant effect on the competitiveness of production facilities.

In the case of industries that discharge waste water via a sewage system and a treatment plant, it is important to make sure that these industries (and not the whole urban community) support all the costs caused by additional pollution abatement works (including the sludge treatment). These would prove to be necessary to enable the waste water treatment plant to comply with emission limit values and quality objective. For these reasons and for a matter of efficiency, EUREAU wishes to stress that BAT should provide for controlling the release of WFD / priority substances (and other chemicals mentioned in the first answer) at source (industry) and should discourage "end-of-pipe" solutions (at the waste water treatment plant).

*Question 7. In order to achieve EU environmental objectives for large industrial and agricultural installations, is any action needed to ensure optimal consistency between this Directive and other existing or potential instruments used at EU or national level? In particular, how can the EU further promote complementary use of market-based instruments, including national emissions trading, and voluntary instruments?*

- To closely link the instruments of the IPPC Directive with the Integrated Product Policy and the EU Chemical Policy in line with the statements of the Communication itself (point 10.1.6)
- To establish some general criteria about the implementation of the "full cost recovery" principle in respect of the effluents discharged to the sewerage systems by the IPPC installations.
- In the long-term, to design policies, which prevent and/or reduce pollution upstream. In this context, initiatives such as the Environmental Technology Action Plan are welcome.

*Question 8: Do you have any other comments or suggestions of relevance to the subject of the Communication?*