



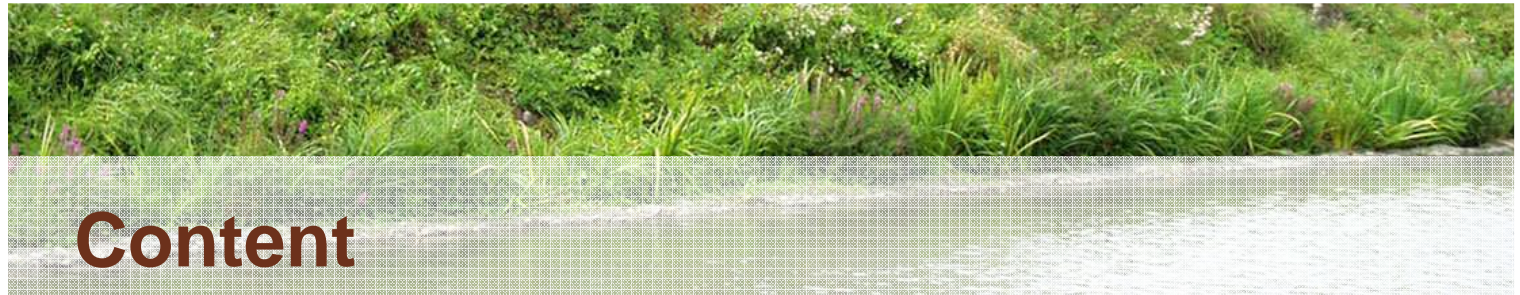
The implementation of the IPPC-directive in the permitting system (Flanders/Belgium)

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Flemish Region – BELGIUM



- The Flemish Region within Belgium
- The Environmental Licences Division
- Permitting system in Flanders
- Permitting procedure
- Permit conditions
- Benefits of an integrated approach



The Flemish Region within Belgium

Belgium:
 in the heart of Europe

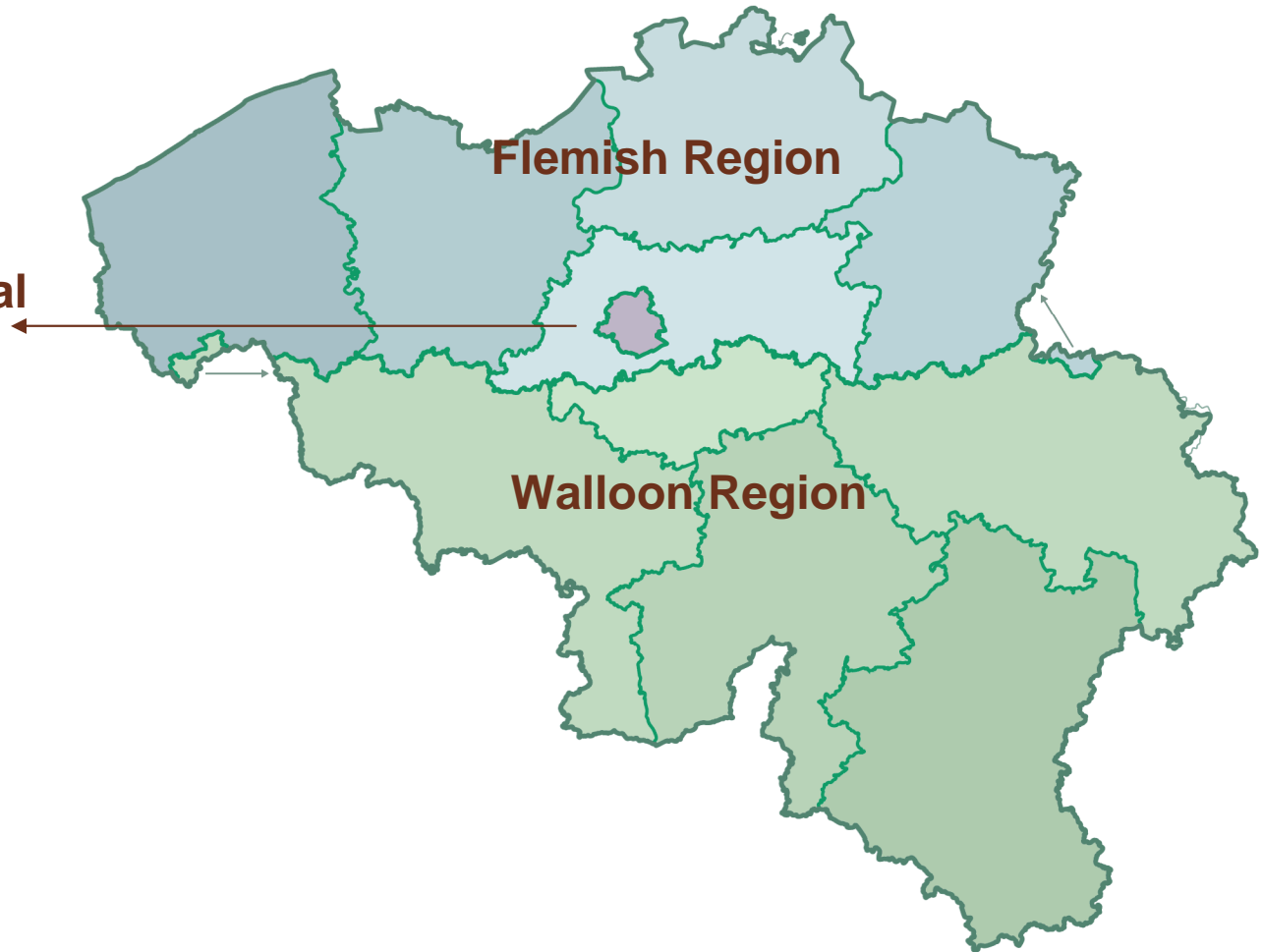




The Flemish Region within Belgium

Belgium :
a federal state
with 3 Regions

Brussels Capital
Region





The Flemish Region within Belgium

The 3 Regions of Belgium

FLEMISH REGION	BRUSSELS-CAPITAL REGION	WALLOON REGION
Northern	Central	Southern
6 M inhabitants	1 M	3 M
Dutch (= Flemish)	Dutch & French	French (& German)

Environment is a regional responsibility

Each region has its own legislation and permitting system



The Environmental Licences Division

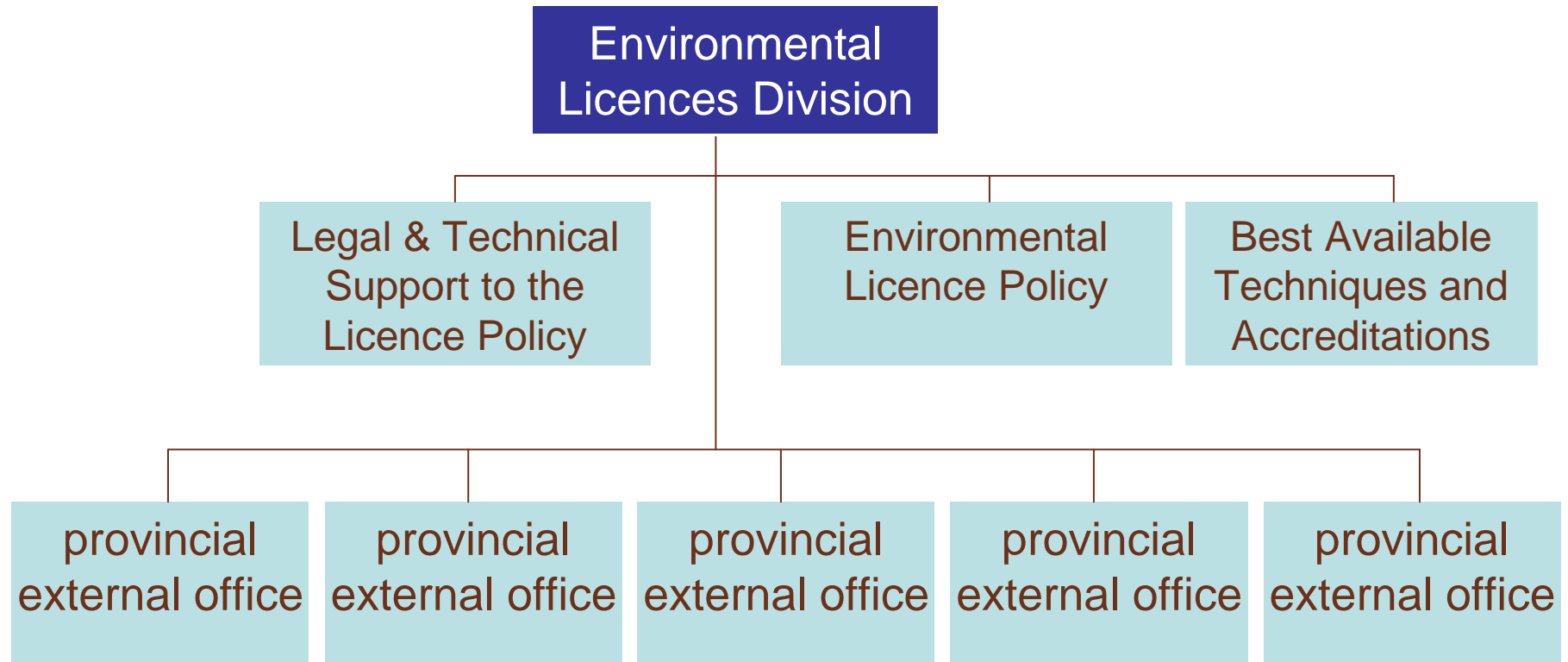
- part of the Environment, Nature and Energy Department (LNE)
- vision:

The Environmental Licences Division
is responsible for the prevention and reduction
of pollution by (industrial) activities

- we do this by:
 - giving opinions on environmental licence applications
 - updating permit conditions based on BAT
 - drawing up, updating and evaluating environmental standards



The Environmental Licences Division



Environmental Licences Division: 125 staff members (85 highly skilled advisors)



Permitting system in Flanders

Before 1991:

- system of 'single media permits'
 - no integrated approach, fragmentated permit conditions
- environmental licences & inspectorate division = together

History:

- 1946 ARAB (protection of workman)
- 1959 natural resources
- 1971 waste water
- 1974 toxic waste
- 1981 waste products
- 1984 groundwater

Note: different duration of permits (10 years, 30 years, no limitation)



Since 1991: VLAREM

- **integrated environmental legislation**
(air, water, soil, waste, raw materials, external safety,...)
- integrated approach: permit granted by one authority

Principles:

- no exploitation without permit
- one integrated permit for one plant, granted by one authority
- all conditions together
- duration: max. 20 years
- separate environmental licences division & inspectorate division



Permitting system in Flanders

same general principles as IPPC:

- **Integrated**
 - take into account the whole environmental performance of the plant
 - permit procedure coordinated if more authorities involved
- **Pollution Prevention**
 - use all appropriate pollution-prevention measures (BAT/BREF)
 - prevent all large-scale pollution
 - prevent, recycle or dispose of waste in the least polluting way possible
 - ensure accident prevention and damage limitation
 - added since 96 (IPPC): efficient energy use
- **Pollution Control**
 - limiting emissions (end-of-pipe)
 - emission monitoring
 - added since 96 (IPPC): return sites to their original state when the activity is over



Permitting system in Flanders

Based on a classification list of establishments considering nuisance, environmental impact and risk: 3 categories

- **Class 3:** plants with minor risk, nuisance and environmental impact potential
 - ca. 180.000 installations in Flanders
 - e.g. small garage, carpenter, storage < 20.000 l fuel oil, ...
- **Class 2:** plants with medium risk, nuisance and environmental impact potential
 - ca. 70.000 installations in Flanders
 - e.g. big garage, transformer > 1.000 kVA, printing office 200-1.000 kW (in a industrial area), ...



Permitting system in Flanders

- **Class 1:** Plants with high risk, nuisance and environmental impact potential
 - ca. 24.000 installations in Flanders
 - e.g. landfill, > 500.000 l fuel oil, > 1.000 pigs, > 200 cattle, ...
 - incl. IPPC, Seveso & Environmental Impact Assessment Directives
- ➔ number of IPPC-installations: ca. 1.200 in Flanders
- ca. 500 intensive rearing
 - ca. 70 energy-industry
 - ca. 130 ferrous metals
 - ca. 170 chemical industry
 - ca. 120 waste treatment
 - ca. 25 mineral industry
 - ca. 185 other activities
- number of Seveso-plants in Flanders: ca. 280
 - ca. 140 lower treshold
 - ca. 140 upper treshold

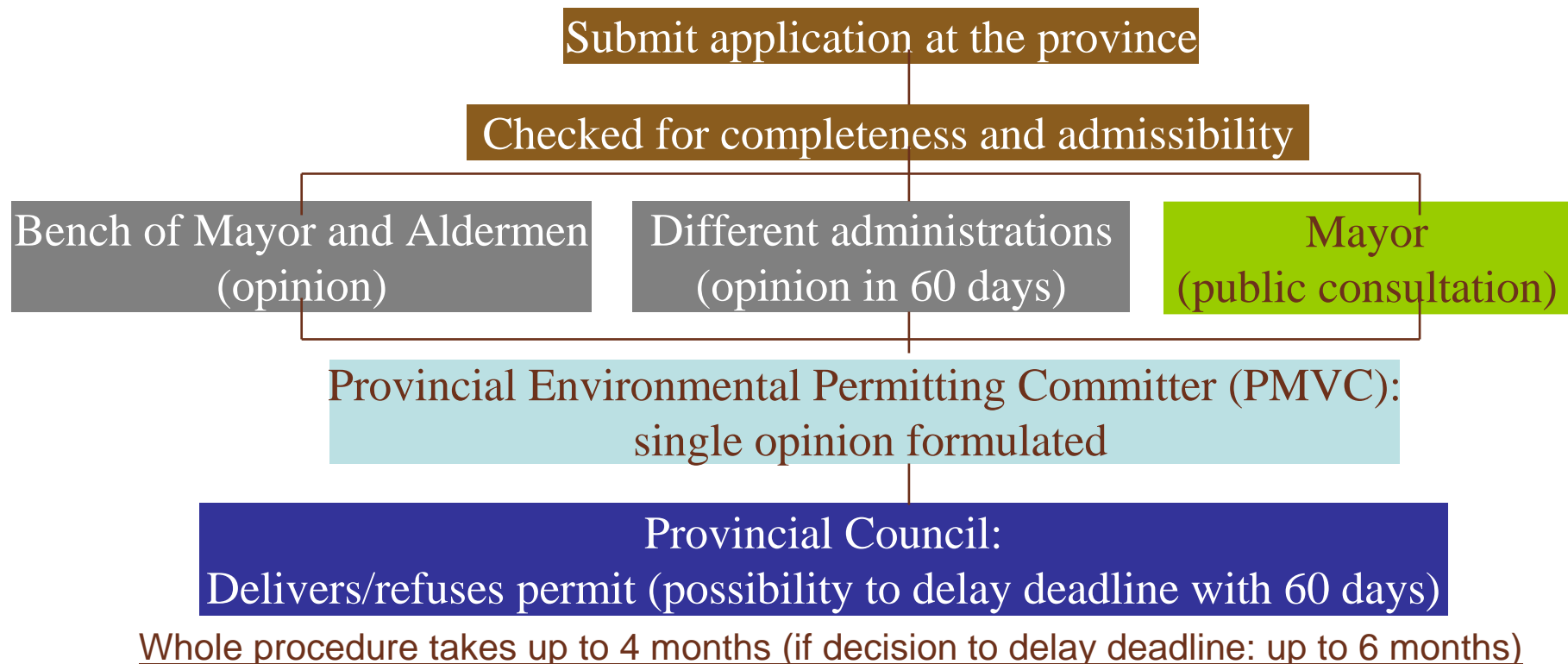


Permitting system in Flanders

	Class 3	Class 2	Class 1
procedure	notification	permit	permit
competent authority	City (Mayor)	City (Mayor)	Province
conditions	General binding rules (GBR) + particular conditions	GBR + particular conditions	GBR + particular conditions
time-schedule	+ 1 day	3 (+ 1) months	4 (+ 2) months
appeal	None	Province	Flemish Minister (Environment)



Permitting procedure: class 1





Permitting procedure : class 1

permit application:

- Now: 7 or 10 paper copies / Near future: digital
- Includes a lot of administrative and technical data
- Environmental Impact Assessment (if applicable)
- Safety Report (if applicable)
- for IPPC: description of
 - installation and activities
 - materials and energy used/generated
 - sources of emissions
 - conditions of the site
 - nature and quantities of emissions into each medium
+ identification of significant effects on the environment
 - technology and techniques for preventing (reducing) emissions
 - measures for the prevention and recovery of waste
 - further measures planned
 - emission-monitoring plan
- + non-technical summary



Permitting procedure : class 1

public participation:

- Application available for inspection during 30 days
 - Announcement is made on the location during 30 days
 - Written announcement to all neighbours (owners/users) within 100 m of the location
 - Internal safety committee from neighbour companies
 - Labour inspection, public ways, waterways
 - Publication in at least 2 daily or weekly journals
 - For EIA- and Seveso-plants: information meeting
 - In case of possible negative effects across the borders of region or country: other region or country is informed
- All spoken and written objections are listed and taken into account



Permitting procedure : class 1

opinions:

- Environmental Licences Division – all aspects
 - City (Bench of Mayor and Aldermen) – all aspects
 - RO – location (spatial planning)
- these opinions always asked
- VMM - water and air emissions
 - OVAM – waste management
 - ALBON - natural resources
 - VEA – energy management
 - ToVo – public health aspects
 - Air and Climate Division -greenhouse gases
- need for these opinions depends of installation
- 60 days
 - No opinion in time = favourable opinion



Permitting procedure : class 1

Provincial Environmental Licence Committee (PMVC)

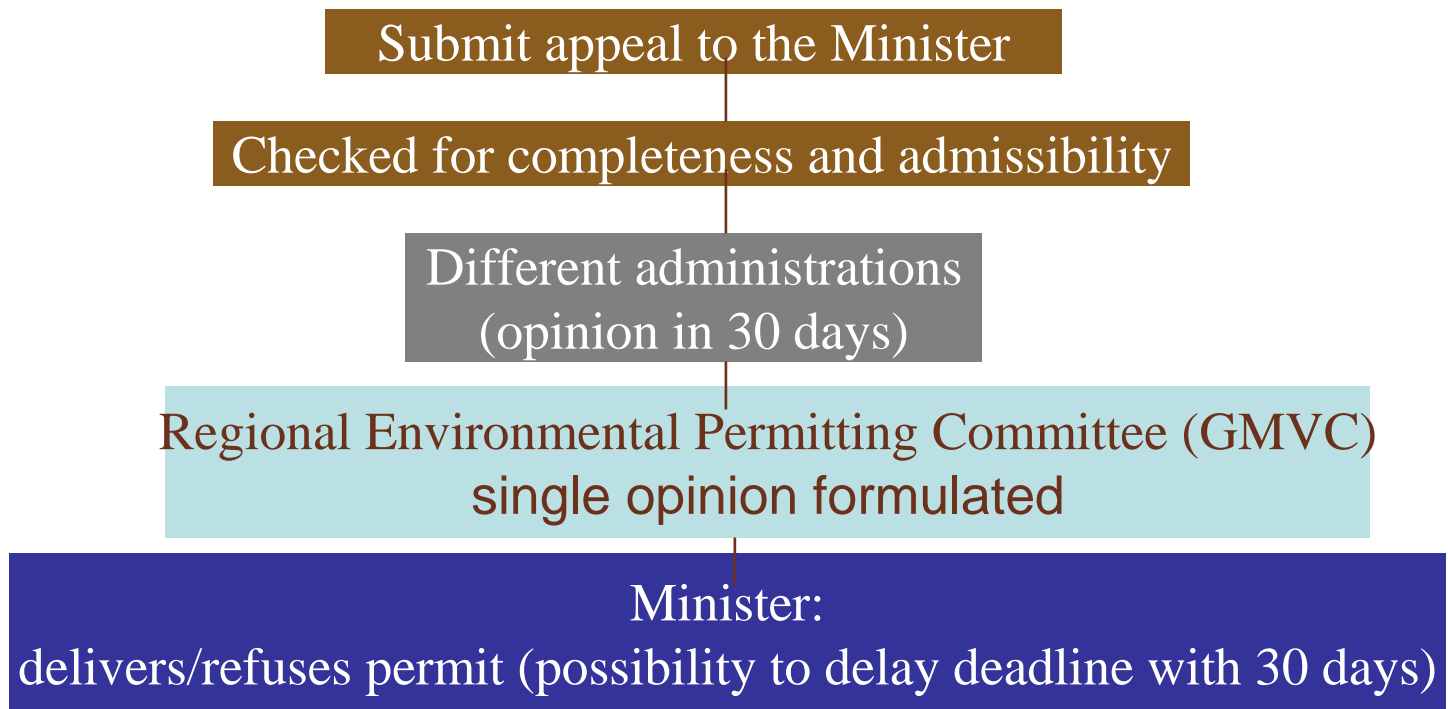
- Members: all opinion giving entities + experts
- explanation of all opinions
- explanation of all remarks/objections that are made during the public investigation
- the operator is invited to be heard (if he wants to)
- others (e.g. public) can be invited

➔ an integrated, coordinated and motivated opinion is made for the Provincial Council



Provincial Council

- political authority that delivers or refuses permit
- each permit has permit conditions





Permitting procedure: changes

What about **changes** by operators to installations?

- Change in operation
without or with minor increase of risk, nuisance
and environmental impact
→ notification (& update permit conditions)
- Change in operation with a substantial increase of risk,
nuisance and environmental impact:
→ new permit (procedure as given before)



Permitting procedure: coupling permits

Important note:

Relation environmental permit – construction permit:

- environmental permit is not valid without construction permit
- construction permit is not valid without environmental permit

The procedures of the environmental permit and the construction permit are maximum geared to each other.



Permit conditions: principles

- **Permit conditions**

ensure an integrated approach and an equivalent high level of environmental protection as a whole:

- use of **general binding rules** (VLAREM II)
- include **emission limit values** (ELV) to prevent/reduce emissions
- ELV and equivalent parameters and technical conditions are **based on BAT/BREF**
- contain a suitable **emission monitoring plan**, specifying measurement methodology and frequency
- contain measures relating to **conditions other than normal operating conditions**
- contain provisions on the **minimisation of long-distance or transboundary pollution**
- additionally specific permit conditions, **stricter than those achievable by the use of the BAT/BREF**, taking into account local factors: nuisance, environmental quality standards (EQS)



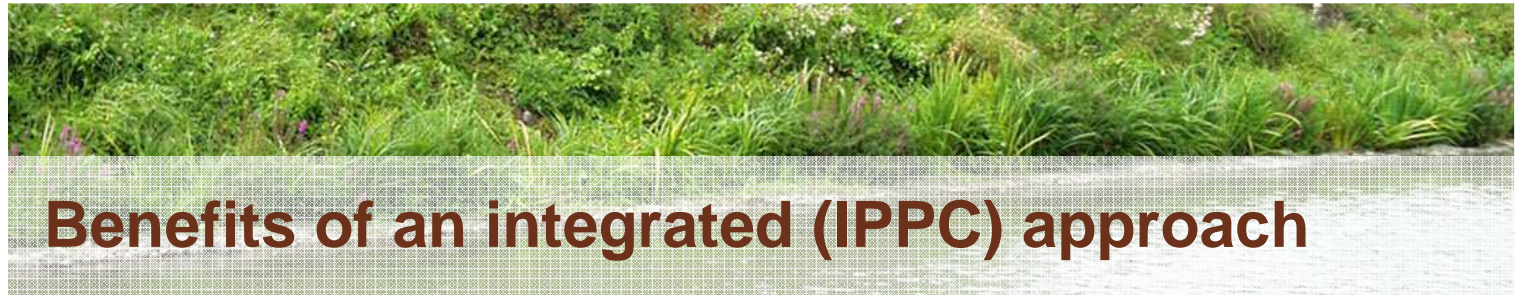
Permit conditions: Reconsidering and updating

1) **Periodically** reconsider and update of permit conditions

In any event when:

- pollution is of such significance that ELVs need to be revised
- **changes in BAT/BREF** make it possible to reduce emissions without excessive costs
- operational safety requires other techniques
- new provisions/legislation

2) → A long-range plan is made to ensure that **all IPPC-permits** are reconsidered and updated (if needed) at least **every 5 years**



Benefits of an integrated (IPPC) approach

- a coordinated analysis of the potential environmental impacts, nuisance and risk
- the possibility to define optimal conditions taking into account all the environmental impacts: air, water, waste, energy consumption, ...
- one permit with coherence of the conditions
- regulation is more effective with one permit/one competent authority
- administrative simplification for the operator and the enforcers:
 - all requirements are set in one document
 - one administrative contact point (permitting procedure, periodical inspection)
 - easy dialogue between operator and the competent authority



**Thank you
for your attention**

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