
**Best Available Techniques and
Integrated Pollution Prevention and Control:
Mechanisms to enhance the green competitiveness
in Turkey**

21-22 October 2009, Istanbul

**Implementing experience of IPPC
in a new EU Member State**



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and



Area – 312 685 km²
Population – 38,1 mln
7.7% of EU
27 / 345 votes in the Council
Average population density
- 122 people per km²

SITUATION OF POLAND - BASIC INFORMATION

History

Economic transformation after 1989
Drop of the GDP by **18%** in 1991 compared to GDP in 1989
First GDP growth after transformation achieved in 1992 (2,6%)
Unemployment rate reached 20,5% in 2003

Currently (Global Financial Crisis):

GDP growth – **1,4%** (the only UE country with positive growth)
Unemployment – 10,8%



Administrative Division:

16 Voivodships (regions)

10-30.000 km²

1-5 mln ppl

10-40 poviats

373 poviats (county)

av. 800km²

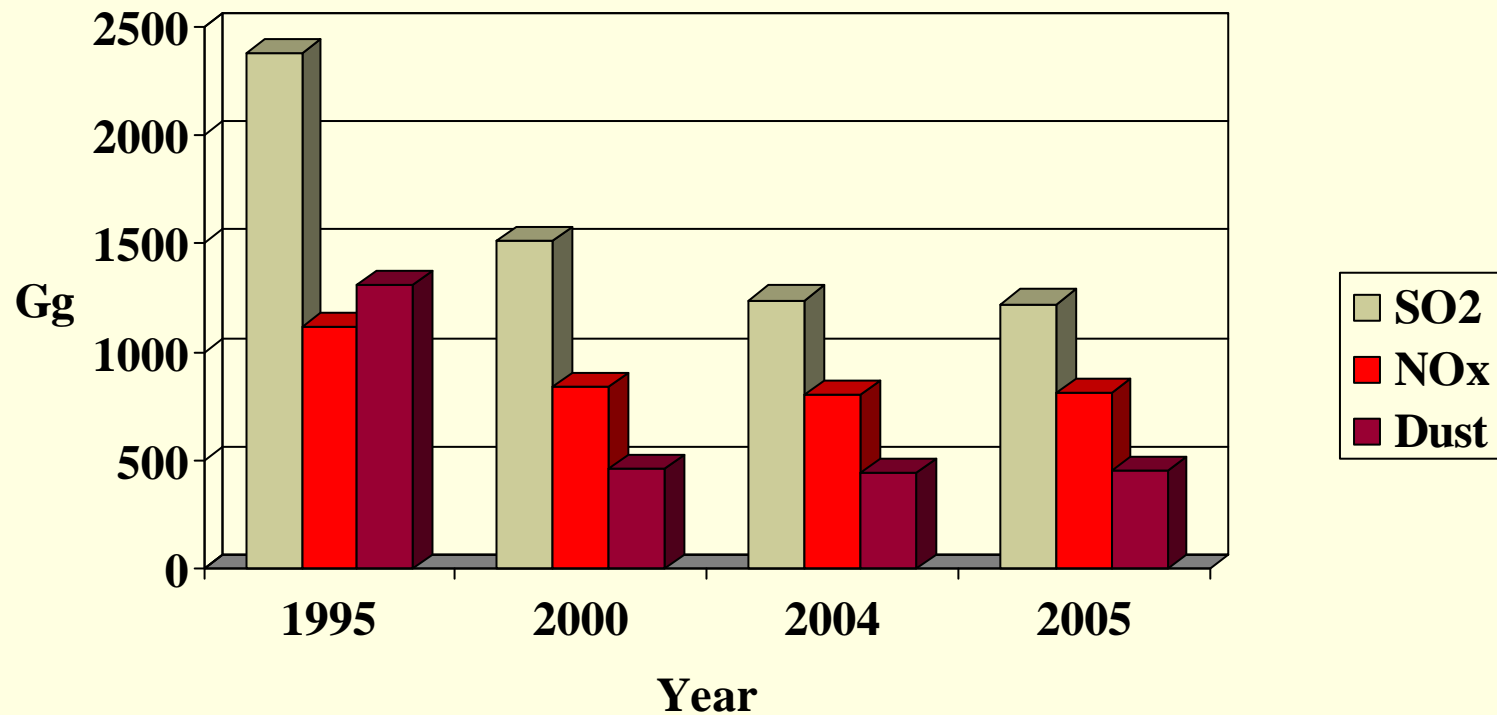
av. 100.000 ppl

Background – before IPPC

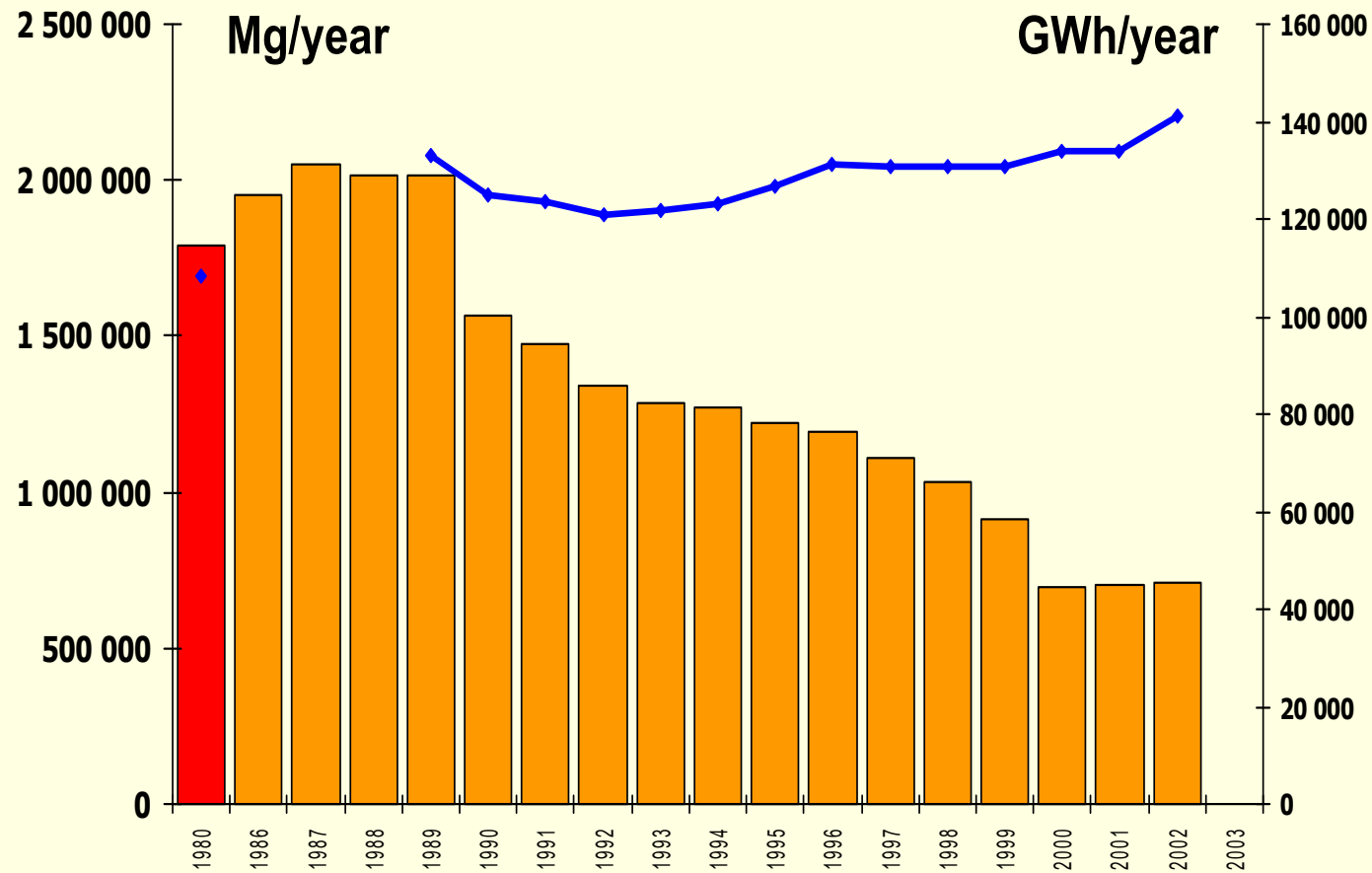
- Environmental law in place since 1981
- Single media permitting – since the mid 70's (water, waste water), the beginning of 80's (air, noise).
- Environmental quality standards
- Emissions standards (water, air)
- *Polluter pays* principle

Environmental performance

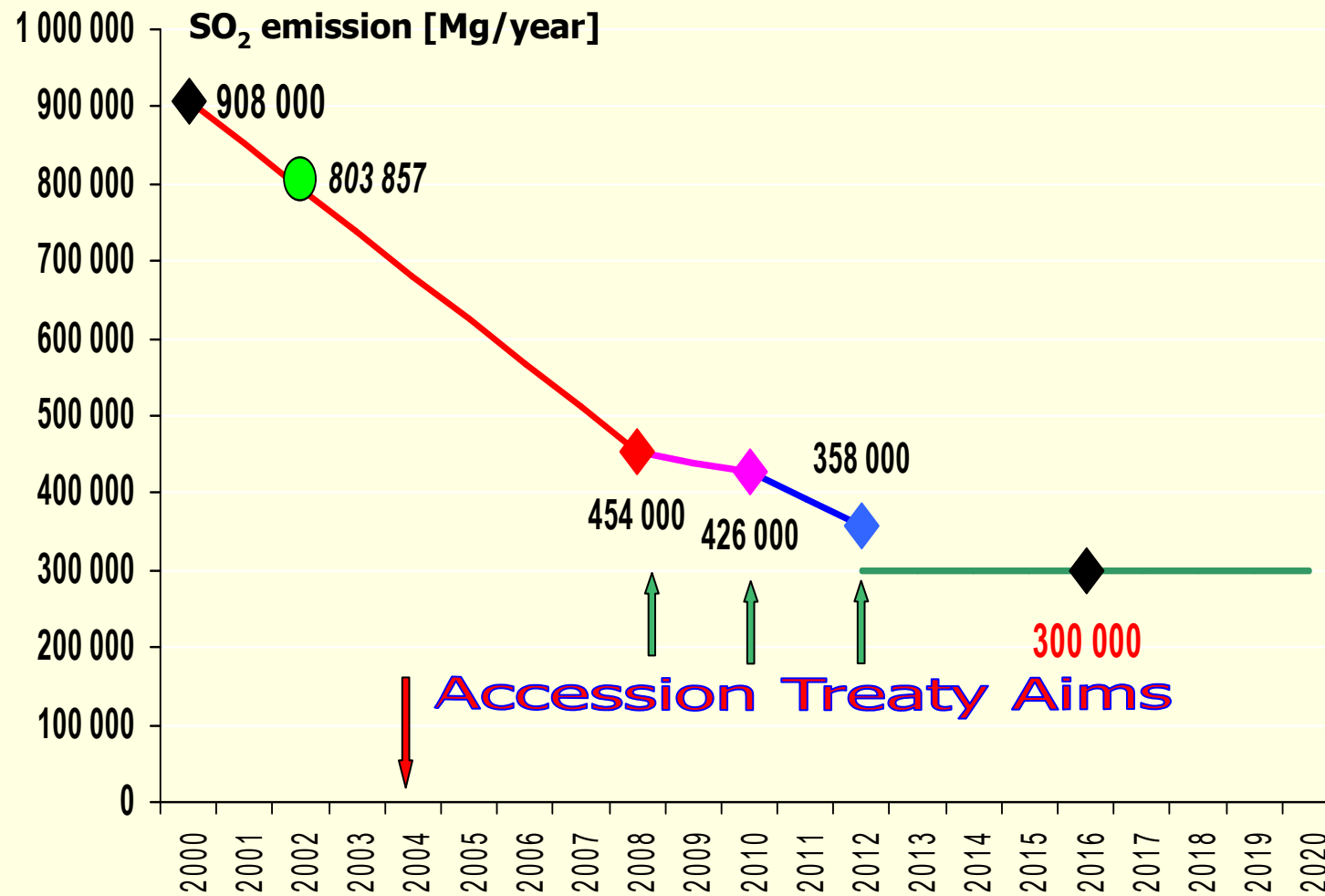
Total emmision of main air pollutants



Changes of SO₂ emission comparing to electric energy production

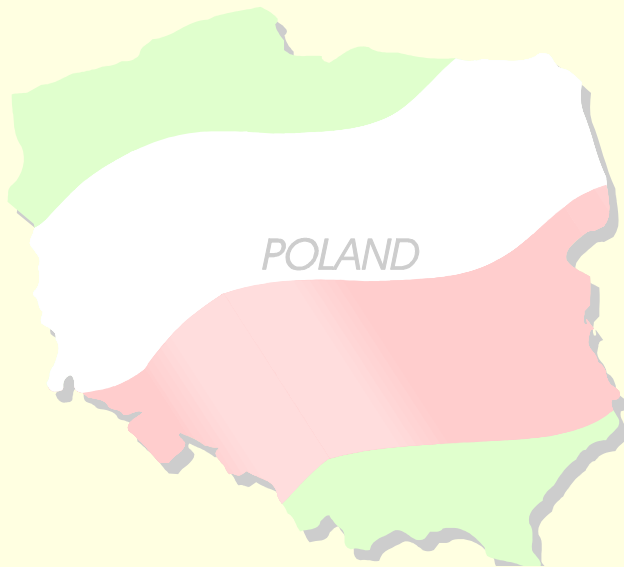


Consequences of Poland's accession to the European Union

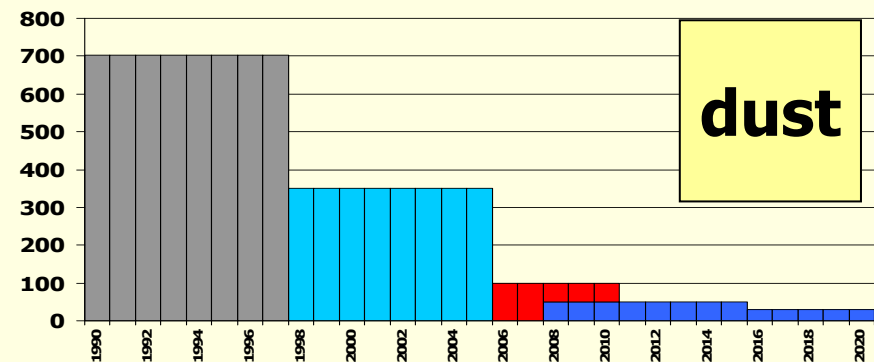
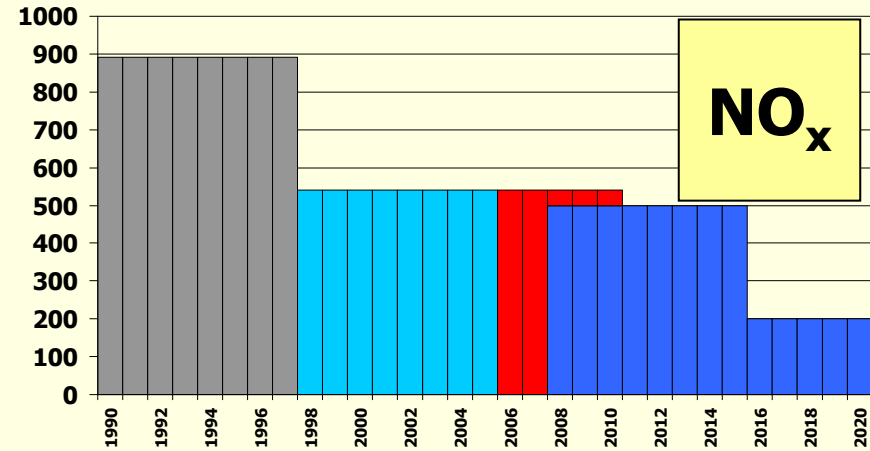
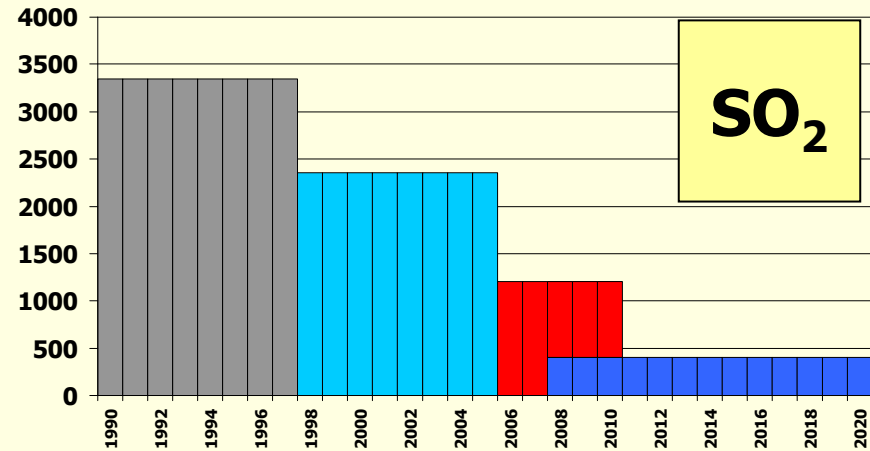


Emission Standards

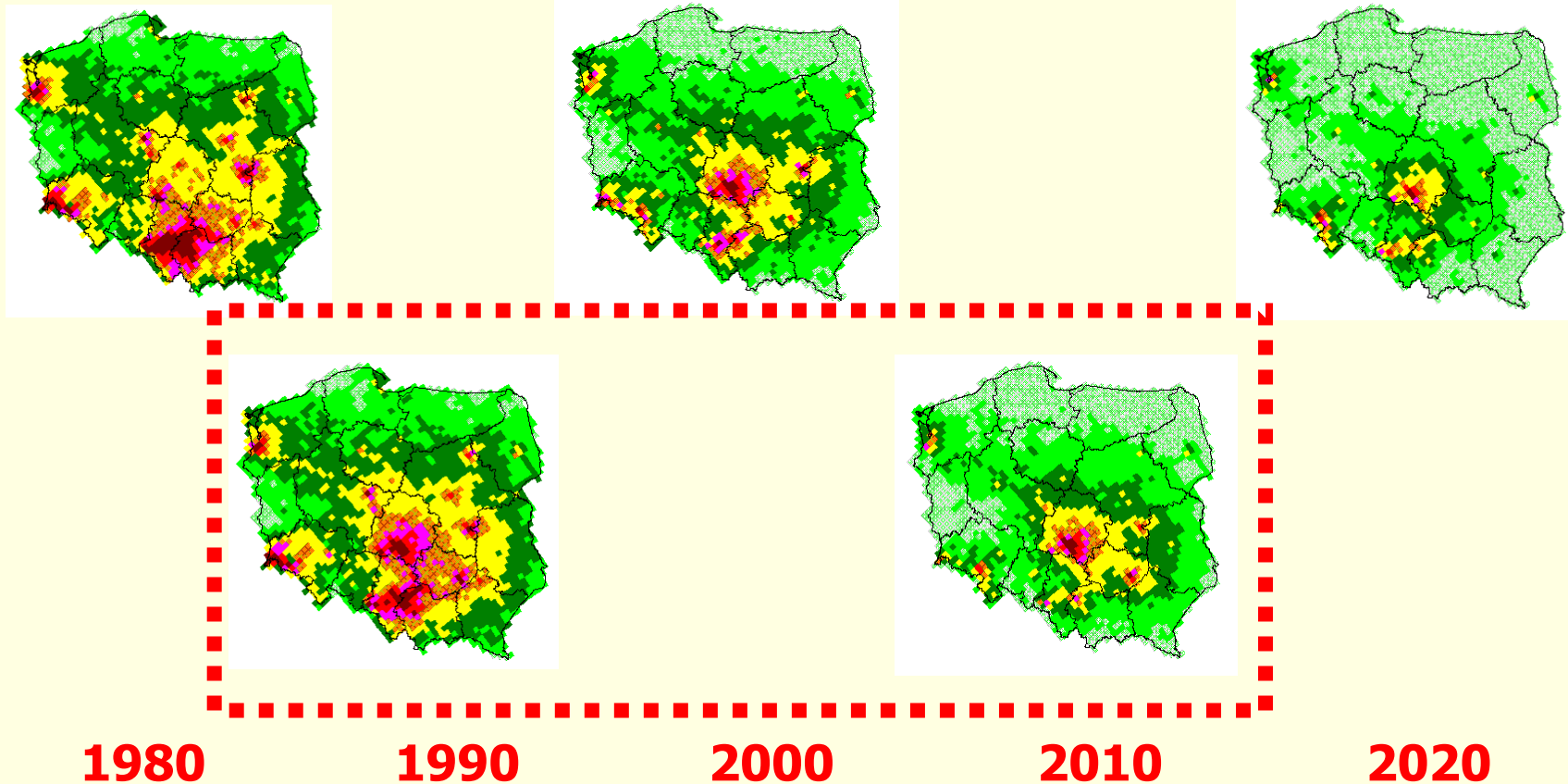
[mg/Nm³]
for existing sources > 500 MW_t



- PL 1990
- PL 1998
- PL 2001
- UE 2001 = PL 2003



Practical effects of emission standards aggravation – SO₂ deposition



Towards IPPC

- **1999 – 2004** process of implementation of EU environmental law, including (among others):
 - 2001 – implementation programme of IPPC Directive (2001 - 2010)
- **2001** – adoption by the Parliament of new set of environmental legislation (in compliance with EU law)
- **2002** - IPPC legislation enters into force
- **2004** – Poland joins the EU
- **30 October 2007** – deadline for full implementation of the IPPCD (with some exceptions - 2010)

Environmental legislation set of 2001

- ***Environmental Protection Law*** – framework code: 442 articles, transposition of more than 30 EU directives related to environment, including access to information, EIA procedures, air quality management, protection against pollution, integrated approach, environmental permits, industrial risk prevention, fees & fines, division of responsibilities etc.;
- ***Water Law***;
- ***Act on Waste***;
- ***Act on Nature Protection*** ;
- ***Administrative Procedure Code***

Transposition of IPPCD

- **New provisions adopting IPPC**
requirements came into force on 1.01.2002

Legislative requirements

- All the installations mentioned in Annex I of the IPPCD shall have an integrated permit
- Operator decides: how many permits for the site (one integrated permit for all installations at the site – opportunity to include also non-IPPC installations, or separated permits for IPPC installations of different types)
- Registration fee
- Procedure of issuing integrated permit – not longer than 6 months

Legislative requirements

- Permits granted for a limited time (not longer than 10 years)
- Regular review of the integrated permits (at least each 5 years)
- Cessation of the installation operation - in case of operating without a permit
- Public participation in the procedure
- Transboundary impact assessment

Institutions

- **The Competent Authority** - Minister of Environment
- **Permitting Authorities:**
 - marshals (region - voivodships administrators) - for installations that can have a significant impact on environment (c.a.60% of installations)
 - starosts (county - poviats administrators) - for other installations (c.a.40%) in cooperation with WIOS
- **Enforcement Authority** - Environmental Protection Inspectorate (Voivodship Inspectorates - WIOS)
- **Appeals Authority** - Minister of Environment (for decisions issued by marshals) and appeals boards (for decisions issued by starosts)

Responsibilities of MoE

- the Competent Authority - in the meaning of the IPPC Directive
- preparing the legal basis for implementation of IPPC
- assembling and exchanging information on BAT
- coordinating and supervising the procedure of issuing integrated permits
- running registers of applications and integrated permits
- reporting

Time schedule

The requirements to obtain integrated permits:

- new installations – before starting operating
 - existing installations - according to the schedule for individual sectors - set by the Regulation of the Minister of Environment:
- **31.12.2004**: cement and lime, intensive rearing (pigs)
 - **31.12.2005**: pulp and paper, textile, intensive rearing (poultry)
 - **30.06.2006**: energy, glass, ceramic, food
 - **31.12.2006**: chemicals
 - **30.09.2006**: waste (excl. landfills)
 - **30.04.2007**: landfills, metallurgy, coke ovens

Penalties

In case of not achieving integrated permit or not exceeding its conditions:

- financial fines
- cessation of the operation (finally)

Number of IPPC installations

- Total number of IPPC activities: c.a. **3000**
- Number of existing IPPC facilities (according to the main activities): c.a. **2500**

Implementing activities

- identification of potential IPPC installations
- information folder on IPPC – prepared and distributed, also available on the website
- the guideline for preparing IPPC application, draft application form - prepared and available on the website,
- procedural guideline for administration
- trainings, seminars for administration and industry
- study visits
- e-learning

Implementing activities

- IPPC website <http://www.mos.gov.pl> (**IPPC POLSKA**): documents, guidelines, BREFs translations, database on other reference documents, law, permits register, other information...
- register of applications and permits
- technical support
- BREFs translations – a number of BREFs has been translated into polish, available on website, distributed to permitting authorities;

Implementing activities

- Technical Working Groups
 - Created in 2002 for different IPPC sectors
 - Representatives of industry, authorities, science...
 - Forum of information exchange on IPPC and BAT
 - Working on preparing sectoral guidelines for industry
 - Participating in Sevilla process
- Sectoral BAT guidelines (non-binding) for specific sectors

The experiences so far

- Too early to assess the effectiveness of the IPPC, especially environmental benefits
- Changes of the attitude of industry – reluctant at the beginning (new obligations, additional costs, lack of understanding of the BAT concept), positive at present about the idea of IPPC (benefits: one environmental permit, economic benefits due to raw materials and energy savings)

IPPC - problems and issues (1)

- Identification of IPPC installations (unclear Annex 1 definitions - different from other classification systems)
- Assuring the consistency of the approach to issuing IPPC permits (almost 400 permitting authorities):
- Assuring the most effective usage of administration capacities in regional and local authorities, lack of staff, especially experienced staff
- Lack of expertise in determining BAT considering local environmental conditions and cost benefit analyses

IPPC - problems and issues (2)

- Change of approach: from „command and control“ to negotiation and dialogue
- Legal changes, interpretation problems
- Assuring the good quality of documentation (applications) – basis for the permit
- „Problematic“ sectors
- Costs, time

Doubts and threats

- Migration of „dirty technologies“ to non-EU countries – global impact may be even worse,
- Differences between economies of different EU countries, especially between „old“ and „new“ MS – developed in different circumstances. The time for necessary changes is needed.
- The role of BREFs – BREFs development should not lead us towards introduction of „international BAT standards“

Conclusions

- Implementing new regimes requires in depth analysis of the existing (and working) ones.
- World wide dissemination and adoption of the IPPC idea is crucial regarding the global environmental aims and challenges - as it can support elimination of eco-dumping and achievement of emission decreases assuring at the same time better consumption patterns and better effectiveness of the raw materials usage and energy efficiency.

THANK YOU



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