

IPPC DIRECTIVE

Implementation in Spain: gaps and problems



New EU Directive on Industrial Emissions

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SUMMARY

○ PART I: IPPC

- *Legal framework in Spain*
- *Spanish IPPC permits (AAI)*
- *Environmental Information in IPPC permits (AAI). The PRTR-España Register (www.prtr-es.es)*
- *Main problems and posible solutions*

○ PART II: new proposal IED

PART I: IPPC Legal framework in Spain

Main legal acts

IPPC Directive 1/2008/CE

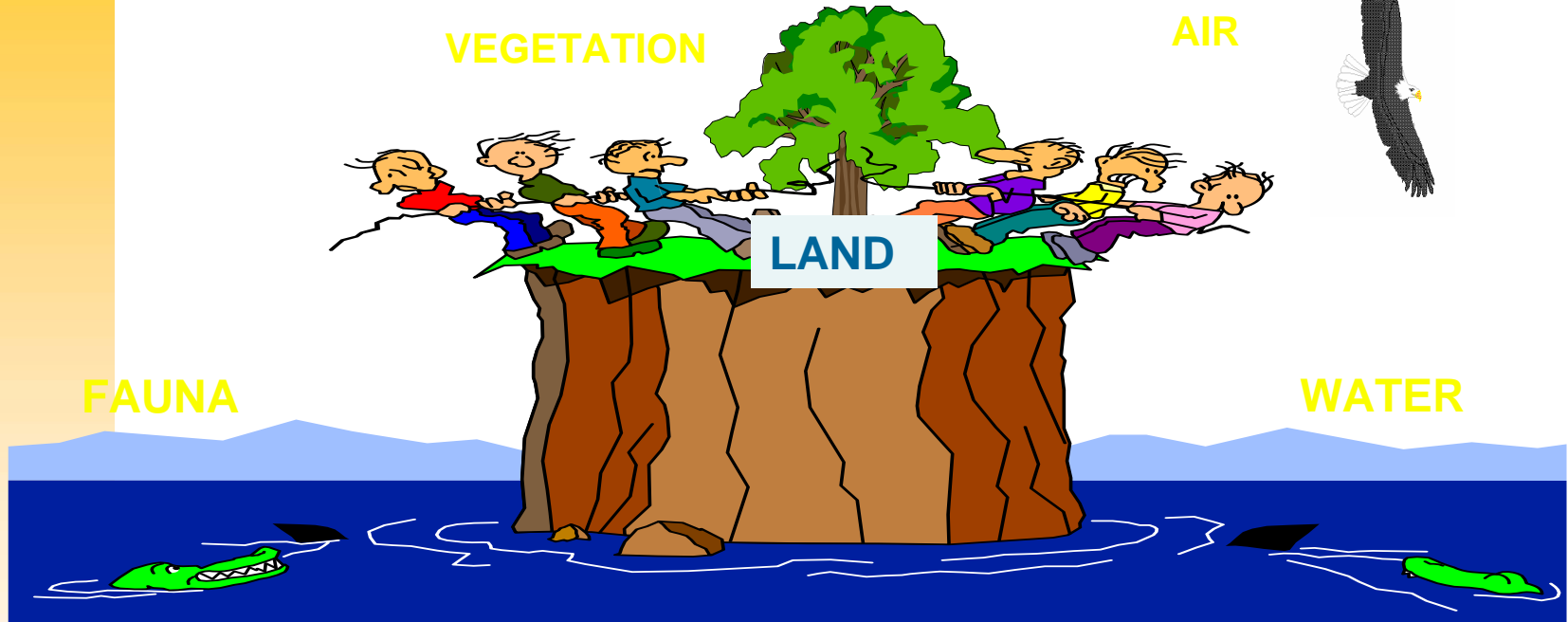
Ley 16/2002 o IPPC. *Trasposition IPPC directive*

Real Decreto 509/2007; *Reglamento para el desarrollo de la Ley 16/2002.*

Real Decreto 508/2007: *Suministro de información a PRTR y de las AAI Entre administraciones*

There are 17 Autonomous Communities, some of them have developed further legal provisions to apply the National Law in their territory

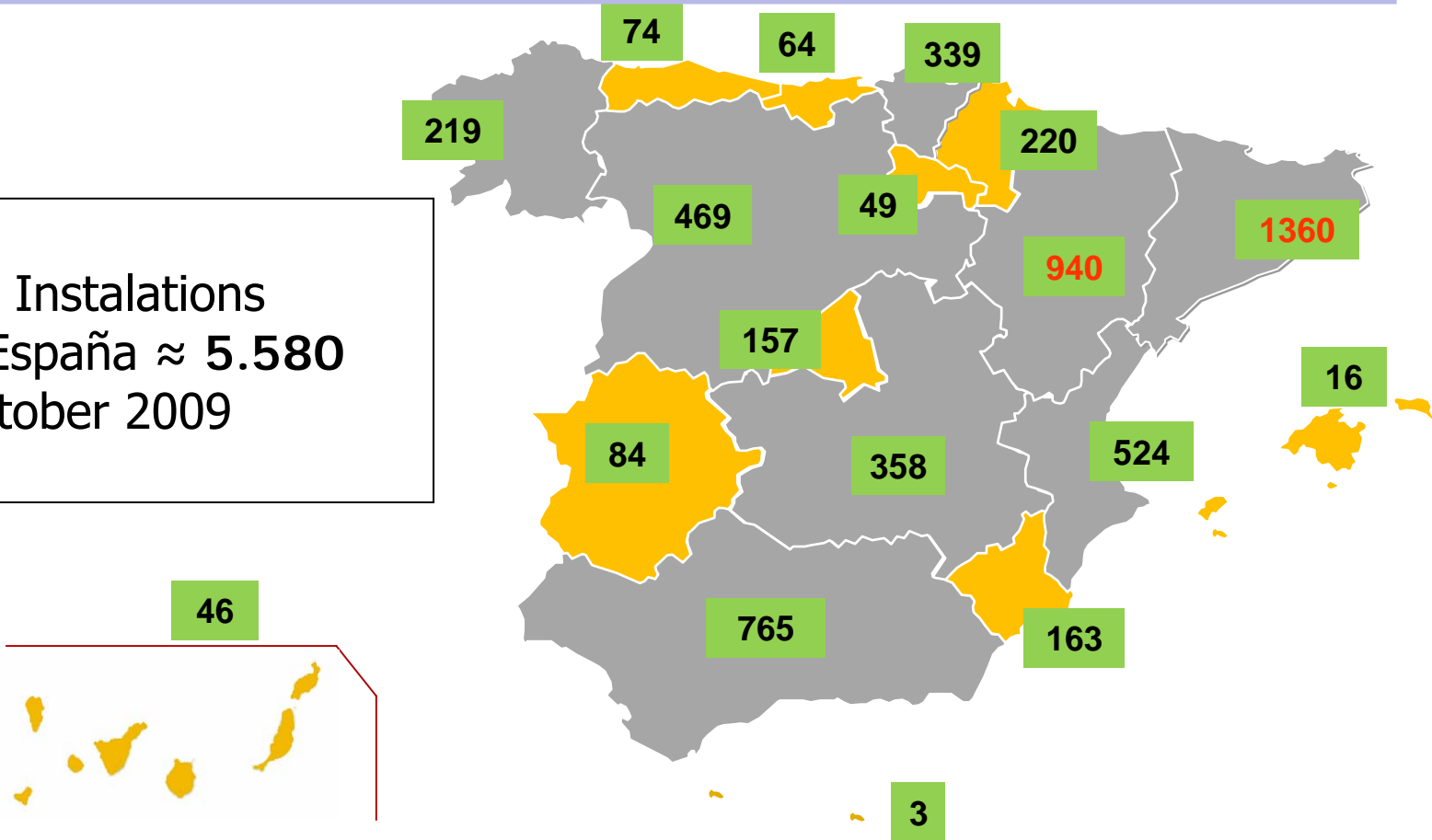
Main objective of the Law 16/2002



TO GET A HIGH LEVEL OF PROTECTION OF THE ENVIRONMENT AS A WHOLE

Situación actual en PRTR-España: SOLO instalaciones IPPC

IPPC Instalations
PRTR-España \approx 5.580
october 2009



Epígrafes PRTR	1	2	3	4	5	6	7	8	9	
Comunidad Autónoma	Instalaciones de combustión	Producción y transformación de metales	Industrias minerales	Industria química	Gestión de Residuos	Industria del papel y cartón y madera	Ganadería y acuicultura intensiva	Productos de origen animal y vegetal de la industria alimentaria y de las bebidas	Otras actividades	Totales
Andalucía	41	40	165	29	75	6	336	63	10	765
Aragón	8	53	28	42	23	10	732	41	3	940
Asturias	10	29	13	8	6	1		5	2	74
Islas Baleares	5	1	4	1	5					16
Canarias	12	1	4	2	5	2	18	2	0	46
Cantabria	4	19	7	13	11	1	2	4	3	64
Castilla y León	11	28	29	19	26	8	283	53	12	469
Castilla-La Mancha	13	16	70	18	13	0	199	21	8	358
Cataluña	19	102	76	211	117	35	701	66	33	1360
Comunidad Valenciana	5	46	240	32	36	13	98	25	29	524
Extremadura	1	5	7	5	9		40	16	1	84
Galicia	10	28	26	13	20	2	74	40	6	219
Madrid	6	55	16	19	18	4	11	19	9	157
Murcia	6	5	5	15	11	1	100	17	3	163
Navarra	4	26	8	7	18	6	121	22	8	220
País Vasco	12	168	15	37	50	23	10	11	13	339
Rioja	1	7	8		10	0	15	2	6	49
Ceuta	1									1
Melilla	1				1					2
Totales	170	629	721	471	454	112	2740	407	146	5850

Main aspects

Administrative aspects.

Technological aspects

Information transparency

PART I: Spanish IPPC permits

Administrative aspects

COMPETENT AUTHORITIES in IPPC permits?

- Autonomous Communities (regional governments in Spain) are the responsible for the issuance IPPC permits (AAI) to owners/operators.

But...

The procedure starts by request of the owner.

and...

All IPPC facilities must have the AAI permit to work and for new installations before construction they need have the AAI permit

PART I: Spanish IPPC permits

Administrative aspects

IPPC permit

- What integration?
- Coordination between public authorities responsible for the integrated permit.
- How take into account the new rules, amendments to other directives.
- Public participation

PART I: Spanish IPPC permits

Administrative aspects

IPPC permit Integrate what? coordination of public authority

integrated

- production and waste management.
- municipal waste incineration.
- hazardous waste incineration.
- water release into regional rivers
- Release to sea
- Air emissions.

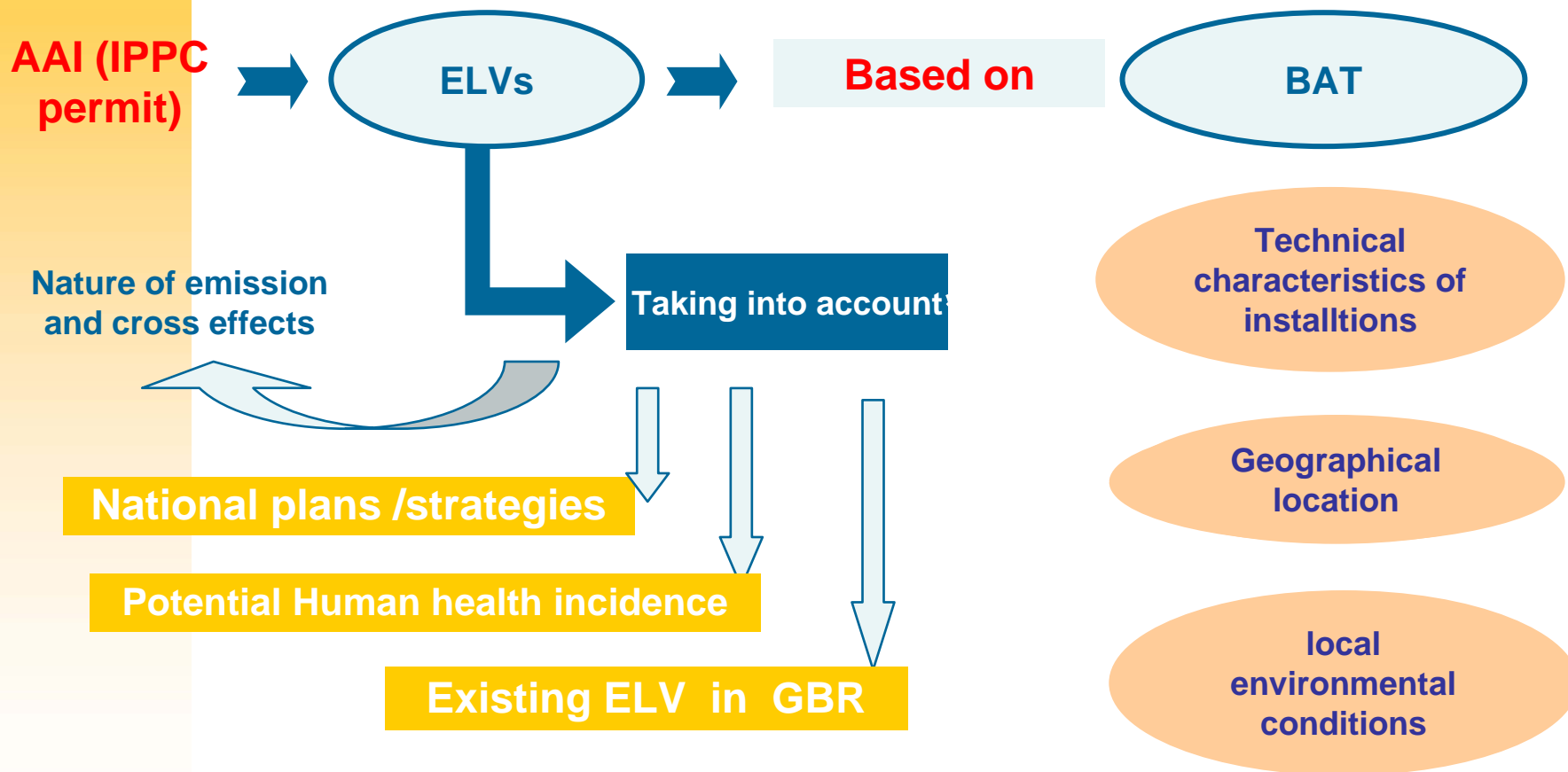
integrated

If the region want

- Environmental impact assessment
- Serious accidents (D Seveso)
- Any other regional process

Discharges to rivers passing through more than one region,
coordinates with the State Administration.

ELVs in Spanish IPPC permits (AAIs)



PART I: Spanish IPPC permits

Information transparency

IPPC permit, public participation

They will be made publicly available:

- Applications for permits.
- The permit and each of the successive revisions of it.
- The results of the inspections.
- Inventory of sources and their emissions.
PRTR-Spain www.prtr-es.es

PART I: main problems

- **From the authority point of view.**
- **From the industrial point of view**
- **From the public point of view.**

PART I: main problems, for the authority

- **Adjust current legislation**
- **Timeframe implementation**
- **NEW material and human resources for surveillance, CONTROL AND INSPECTION**
- **Designing systems of collection data homogeneos and analytical methodologies standard**
- **PUBLIC INFORMATION**

PART I: main problems

From the authority point of view

- Problems in identifying facilities/thresholds (IPPC-PRTR industrial activities)
- Maintaining coherence with other environmental requests of information, when possible.
- **Data comparability: same criteria of validation.**
- **Co-ordination at different administrative level**
- Misinterpretations.
- **AVOID DISCRIMINATIONS.**

PART I: main problems, for the industry

- Better environmental performance. Disadvantage in the competency?
- optimization process and resources
- Major financial investment. Interim data from a recent study on the cost in the Spanish industry amounted to 5,000 Millions €
- Encourage the development of technology and promote R & D
- more restrictive ELVs compliance

➤ **PUBLIC INFORMATION**

PART I: main problems, for the industry

From the industry point of view

- Problems in identifying facilities/thresholds.
- More administrative requirement than in rest of Europe.
- Maintaining coherence with other environmental requests of information, please only one request
- Co-ordination among competent authorities (national/autonomic and local)
- Data comparability/Uniformity of criteria.
- Confidential and public data.
- Misinterpretations (industry, public,...).
- **AVOID DISCRIMINATIONS.**

PART I: main problems, SOLUTIONS for the industry

- **TWG** with the Autonomous Communities
- Seminars, Workshops and development of **Guides** with the industrial associations (mainly in BAT/PRTR issues)
- Continuous support to facilities, Competent Authorities and the public (**e-mail, public request and suggestions "on line", etc.**)

PART I: main problems, for the public

- ignore where can you find the information.
- Do not understand this information
- use of tools

And the solutions are:

Seminars, Workshops and Environmental education

For more information:

- Spanish Ministry of the Environment and Rural and Marine Affairs

<http://www.marm.es/>

- Spanish Pollutant Register and Transfer Releases, PRTR-España

<http://www.prtr-es.es>