



# **Strategy for EU Environmental Law Approximation and IPPC**

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# Topics Covered

- The CARDS Project “Strategy for EU Environmental Law Approximation”
- The Approximation Process and EU Accession
- The National Environmental Approximation Strategy
- Environmental Approximation and IPPC





# The CARDS EU Environmental Law Approximation Project

- Develop a National Environmental Approximation Strategy (NEAS)
- Advance the approximation process in three priority sectors:
  - *Waste Management*
  - *Air Quality*
  - *Industrial Pollution Control & Risk Management*



- Environmental Approximation:
  - *Full alignment of national laws, regulations and procedures in order to give effect to the environmental acquis*
- The Environmental Approximation Process:
  - *Progressive transformation of legislation, institutions, procedures, products, processes and other activities in order to comply fully with the environmental acquis*



# The Approximation Process

- *“Transposition”* is the incorporation of EU environmental legislation into national laws, rules and procedures.
- *“Implementation”* is the development of institutions, provision of human and financial resources, and all other actions necessary to implement the national transposing measures.
- *“Enforcement”* is the provision of the necessary controls and sanctions to ensure compliance with the fully implemented national transposing measures.



- Transposition means giving legal effect to policy decisions reached by government on HOW to implement a directive or group of directives
- It is part of a process of:
  - Evaluating the options for implementing a directive or group of directives (*strategy planning*)
  - *Formulating government policy* accordingly
  - Giving legal effect to government policy (*transposition*)
  - *Implementing and enforcing* the legal measures





# Outputs Required by the Date of Accession

- Full Legal Transposition
- Approximation Strategies for each Sector
- Implementation and Financing Plans for each Sector
- Justification for any Transitional Arrangements





# The National Environmental Approximation Strategy

- Consolidates the status of approximation and the measures proposed to achieve compliance with all environmental directives across all sectors
- A consolidated source of information for the screening and negotiation processes





# Integrated Pollution, Prevention and Control (the IPPC Directive)

- Objective: to prevent or reduce in an integrated manner emissions to the air, water and land from major industrial installations.
- Emission limit values (ELVs) are to be based on Best Available Techniques (BAT).
- ELVs can be stricter than those set out in Annex II of the directive and in other related directives.
- The main measure to implement the directive is an integrated permit to operate industrial installations.
- A key requirement is to nominate the Competent Authority/s responsible for permitting, inspecting, monitoring and enforcing permit conditions.





# Key Issues in Implementing IPPC

- Establish appropriate regulatory policy and institutional arrangements.
- Establish effective consultative arrangements between government, industry and other interested parties.
- Establish industry sector IPPC implementation schedule.
- Establish plant-by-plant investment costs to justify any requests for transitional periods.



# The Global Costs of IPPC

- IPPC implementation costs are specific to every industrial sector and to every installation.
- Many of the costs incurred in implementing IPPC would arise from other environmental legislation.
- IPPC costs are strongly related to industry- and plant-specific conditions.
- IPPC is an optimisation process – reliable costs can only be derived from detailed plant-specific analysis.



# Concluding Comments on IPPC

- Some industry sectors may suffer more than others.
- IPPC can have a relatively large impact on some industry sectors and on individual plants.
- IPPC (BAT) typically places a greater cost burden on existing plant than on new plant.
- This has important implications for strategy planning and investment scheduling.
- IPPC calls for industry-by-industry assessments to establish the full burden of the costs involved and the capacity of industry to meet them.

