

Members of the Committee on the Environment,
Public Health and Food Safety
European Parliament
Bât. Alterio Spinelli
60 rue Wiertz
B-1047 Brussels

Brussels, 20 October 2008

Dear Member of the Committee,

Re: Proposal for an Industrial Emissions Directive (recast IPPC)

One of the key positions of BUSINESSEUROPE relates to the utmost importance of preserving, in the Directive, an acceptable degree of flexibility to set Emission Limit Values (ELVs) in operating permits (April 2008 position paper attached). This is because it is often necessary to take account of the local conditions (technical characteristics of installations, local geographical and environmental conditions), the need for trade-off solutions to optimise the environmental impact of the installation and the economic costs.

By unduly restricting competent authorities' breathing space to set ELVs, the Commission proposal runs the risk of completely disregarding local conditions, which are bound to vary from one site to another.

In an attempt to provide the essential flexibility, the rapporteur Mr Krahrmer is proposing to set sectoral emission "ceilings", which an installation must on no account exceed. Some Members of the European Parliaments (MEPs) are proposing conditions for such a *European Safety Net*. After having studied, evaluated and discussed Mr Krahrmer's suggestion and the relevant amendments from the MEPs very thoroughly, BUSINESSEUROPE is of the opinion that the proposal set out below is a better and clearer way to implement Best Available Techniques (BATs) within Europe considering local requirements and the integrated approach.

Although the existing IPPC Directive has not yet demonstrated its full potential in terms of emissions reduction, BUSINESSEUROPE is aware that the revision process should be used to stimulate better and harmonised implementation of BATs in the EU. **The spur for change should be an obligation for competent authorities to justify any ELV they want to set above the range of emission levels associated with the best available techniques (BATAELs).** The justification should demonstrate that the authorised emission levels will continue to ensure a high level of environmental protection. With a view to transparency, the justification should be made available to the public.



BUSINESSEUROPE therefore believes that the following amendments should be supported: 66, 153, 159/163, 186, 193, 195, 201/202 and 204 until 207.

We trust that you will give due consideration to our position and remain at your disposal if you would like to exchange views.

Yours sincerely,

A handwritten signature in blue ink, which appears to read "Daniel Cloquet". The signature is written in a cursive style with a horizontal line underneath.

Daniel Cloquet,
Director of Industrial Affairs

Encl.: 1