

Linking the Implementation of the Water
Framework Directive to the implementation of
the IPPC Directive

Final
Questionnaire
September 10-12th, 2014

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Introduction to the Questionnaire

The questionnaire begins by asking for some introductory information concerning the person(s) completing the questionnaire – their regulatory/management responsibilities (e.g. with regard to the IPPC Directive and Water Framework Directive) and geographical responsibilities.

The questionnaire is then divided into two sections. The first asks questions from the perspective of the IPPC regulator (permitting, inspection, etc.). The second section asks questions from the perspective of the water manager (e.g. responsible for river basin planning). **Please answer the questions that are relevant to you from your perspective.** If you are an IPPC permitting and/or inspection authority, please answer the first set of questions, or those relevant to your area of work. If you are a water manager, answer the second set. If you have responsibilities regarding both areas of environmental management, answer any or all of the questions that are relevant to you.

Please answer the questions as fully as you are able to so that other participants can understand the processes and practices in your country and the problems, opportunities and constraints that you face.

At the end you can add any further points that you think are important for the project.

Note: in the questionnaire, reference may be made to the Water Framework Directive (WFD) specifically. However, for ease of presentation, reference is often made to objectives arising from the ‘Water Directives’. In this context, the ‘Water Directives’ are the Water Framework Directive, Quality Standards Directive, Groundwater Directive and Urban Waste Water Treatment Directive.

THE QUESTIONNAIRE

Please answer the following questions:

Contextual information

1. Please give your name(s) and contact details and indicate your position	
2. Please give the name of your organisation	
3. What territory (country, region, river basin, etc.) does your organisation cover?	
4. Are you responsible for IPPC and/or water management and/or other issues? If other please specify.	
5. If you are an IPPC regulator, are you responsible for permitting, inspection/enforcement or both?	

Questions from the perspective of the competent authorities responsible for IPPC

Permit application

Operators applying for a permit need to consider the consequences of the operation of their installation on the environment. This may include impacts on water bodies, including impacts on the specific objectives arising from the implementation of the Water Directives.

- 1) Do operators have the necessary access to information to identify whether their installations have any consequences with regard to the objectives arising from the implementation of the Water Directives?
 - a) National level Yes/No
 - b) Transboundary Yes/No
- 2) If yes where/how do operators in your Member State access this information (e.g., webpages, guidance, legislation)?

Answer:

- 3) Do regulators require all operators to take into account the objectives of the Water Directives in new permit applications? Yes/No
If yes please give examples.

Answer:

Permit determination

Permitting authorities prescribe operating conditions in permits for installations based on the assessment of Best Available Techniques (BAT). The IPPC Directive requires such conditions also to take account of environmental objectives established in EU law (such as through the Water Directives).

- 4) Which BREFS do you as a regulator find useful in taking account of the objectives of the Water Framework Directive and its daughter directives, and which are not so useful? Insert links if informative.

Answer:

- 5) Has the regulator identified cases where BAT compliant installations may have negative impacts on new water objectives arising from the implementation of the Water Framework Directive and its daughter directives? If so, give examples?

Answer:

- 6) How does the regulator address the complexities of combined pressures from more than one IPPC installation (existing or planned) on the objectives of the Water Directives (e.g. multiple sources of the same pollutant)? If necessary feel free to describe how this would be addressed in principle by reference to other environmental issues (e.g. air quality).

Answer:

- 7) a) How does the regulator address the complexities of combined pressures from non-IPPC activities (existing or planned) on the objectives of the Water Directives (e.g. multiple sources of the same pollutant) when deciding on whether or not to issue an IPPC permit?

Answer:

- b) Are there cases where permits have been issued which allow discharges of a pollutant even when a water body is not in good status due to this pollutant?

Answer:

- c) What criteria or rule of thumb is used to allow such discharges?

Answer:

- d) Are steps then taken to ensure activities with more polluting discharges are addressed e.g., in discussion with water managers?

Answer:

- 8) Are there cases where permit conditions require installations to go “beyond BAT” in order to meet:
- a) Objectives of the Water Directives. If so, what are the objectives causing this response? Please give examples.

Answer:

- b) Other environmental Directives (e.g. air, soil). Please give examples.

Answer:

- 9) If installations have been required to go ‘beyond BAT’ requirements:
- a) What measures have been required? Please give examples.

Answer:

- b) Have any additional e.g., compensation, measures been required (such as wetland provision, fish passes)? Please give examples.

Answer:

- 10) Have there been cases where regulatory impacts have been identified but exceptions in Directives are used, e.g. disproportionate costs, to avoid permit conditions to go beyond BAT? If so give examples.

Answer:

- 11) How does the regulator apply the concept of mixing zones arising from the Quality Standards Directive? Please explain.

Answer:

- 12) Have the potential international transboundary impacts of an installation on the objectives of the Water Directives been identified by the regulator in any case? If so, what action, if any, was taken?

Answer:

- 13) Do the Competent Authorities for the Water Directives and the IPPC regulators co-operate in the development and implementation of the river basin management plans? If yes are these informal/formal processes? Please describe.

Answer:

Monitoring

IPPC permits include monitoring obligations on operators. These may include a range of issues, usually including monitoring of emissions (at least to understand compliance with permit conditions). In some cases obligations may include monitoring of the local environment to examine possible impacts or to improve understanding of the impact of the installation.

- 14) Have monitoring obligations in permits been established specifically to contribute to the requirements of the Water Directives (emissions or ambient monitoring, etc.)? If so, give examples.

Answer:

- 15) Have the competent authorities for Water Directives made any requests or observations to IPPC permitting authorities with regard to the monitoring of IPPC installations? If yes, please describe.

Answer:

- 16) Are monitoring data from IPPC facilities made available to the water managers (other than EPRTR)? If yes, please describe how.

Answer:

Inspection / Enforcement

Inspection and enforcement are important in helping to ensure installations comply with their permit conditions. Inspection activity can also involve a check on the interaction between the installation and the environment.

- 17) Does implementation/ supervision activity only check compliance with the permit conditions or does it also examine impacts of the installations on the water environment (as will be required under the new Industrial Emissions Directive)?

Answer:

- 18) Do regulators for the IPPC and Water Directives exchange information or meet to discuss the performance of individual installations? If yes, please describe how this is done and give examples of the outcomes of such exchange.

Answer:

Permit review

IPPC permits are to be reviewed periodically and conditions altered, e.g. due to a changed understanding of BAT or to address new environmental objectives. The latter could arise from Water Directives adopted after IPPC permits were originally determined.

- 19) Are there mechanisms in place or planned to review permit conditions to take account of the objectives of the Water Directives, including their timetables for implementation? Are there any obstacles to this? Please describe.

Answer:

- 20) Have any IPPC permit conditions required updating in the light of objectives established from implementation of the Water Directives? If so, give examples.

Answer:

Concluding questions from the perspective of IPPC regulation

- 21) What is being done and what do you think could be done to make the IPPC permitting authority in your country/region better able to address objectives arising from implementation of the Water Directives?

Answer:

- 22) What is being done and what do you think could be done to make the IPPC inspection authority(ies) in your country/region better able to address objectives arising from implementation of the Water Directives?

Answer:

- 23) What systems have been established and what systems could be established or improved in your country/region to aid co-ordination between those authorities responsible for IPPC implementation and those authorities responsible for implementation of the Water Directives?

Answer:

Any other issues

- 24) Are there any other issues that you would like to raise with regard to the interactions between the IPPC Directive and the Water Directives?

Answer:

Questions from the perspective of the Water Manager

Pressures and measures in River Basin Management Plans

The framework for water managers is the river basin planning cycle of the Water Framework Directive (WFD), within which other objectives (e.g. quality standards from other Water Directives) are to be met alongside the WFD's own objectives regarding water status. River basin planning includes an assessment of pressures (e.g. from IPPC installations) and how these affect objectives; programmes of measures to tackle the pressures; and a range of monitoring and reporting activities.

25) In the assessment of pressures on water bodies IPPC installations may threaten the achievement of good water body status. This may occur in various contexts such as single IPPC point source, combined IPPC point sources, combined IPPC and non-IPPC pressures, diffuse IPPC pressures and IPPC hydromorphological pressures – please provide examples, if any, and what actions have been taken. Please also be clear if the threat arises from an IPPC installation(s) that is operating to BAT or that may not yet be operating to BAT.

Please answer from perspective of:

- a) single IPPC point source

- b) combined IPPC point sources

- c) combined IPPC and non-IPPC pressures

- d) diffuse IPPC pressures

- e) IPPC hydromorphological pressures

26) In the River Basin Management Plan(s) for which you have responsibility, how are measures concerning IPPC installations addressed? Please tick the [] in the following:

- a) [] No mention is made explicitly of IPPC installations
- b) [] A simple statement is made, such as 'implement IPPC' or 'implement BAT'.
- c) [] Specific measures relating to named IPPC installations are described. Please describe.

Answer:

d) This interaction is dealt in some other way in the plans? Please describe.

Answer:

e) Is there a difference between national and transboundary plans? Please describe.

Answer:

27) Where BAT compliant IPPC installations have been identified as a threat to water objectives, were additional measures required of the installations? If yes, what? If no, why?

Answer:

28) Are there any analyses planned or ongoing to examine the pressures on the objectives of the Water Directives arising from the activity of IPPC installations? Please summarise.

Answer:

29) Are there pressures on the objectives of the Water Directives arising from IPPC installations in another Member State? If so, has this been raised with the relevant authorities of that Member State and what was the result?

Answer:

Groundwaters

The Groundwater Directive (GWD) establishes standards for specific substances and Member States are to establish threshold values for other substances as necessary. Action (e.g. prevent or limit discharges) should be taken to meet these objectives.

30) Have you identified IPPC installations where their activities may threaten the achievement of the standards or threshold values established under the GWD? If so, what has been the response to this?

Answer:

31) Have threshold values been established for individual substances specifically because they are of concern from the activity of IPPC installations?

Answer:

River Basin Specific Pollutants

32) Have environmental quality standards been established at national or river basin level for specific pollutants because they are of concern from the activity of IPPC installations?

Answer:

Mixing zones

The Quality Standards Directive sets quality standards for a range of substances. However, in the proximity of individual discharges these standards may be exceeded within defined 'mixing zones'.

33) Has there been any analysis yet of the number/extent of mixing zones arising from discharges from IPPC installations? How has this been taken account of in the river basin management plans?

Answer:

34) How is monitoring of the mixing zones organised? Are there gaps or constraints in working with the IPPC permitting authority in achieving water objectives and management of mixing zones?

Answer:

35) Do you envisage any difficulties from the operation of the mixing zone concept as set out in the Directive? Is there any national guidance on this concept? Insert links

Answer:

Monitoring

The WFD establishes monitoring obligations with regard to the general state of water bodies and to assess specific pressures. Other Water Directives also establish monitoring obligations, e.g. to ensure individual standards are not exceeded or to understand specific discharges, pollutant loads, etc.

36) Are the water regulators planning/ undertaking monitoring to examine the impacts of specific IPPC installations on the status of a water body? Please describe.

Answer:

37) Does this additional monitoring relate to chemical, ecological and/or hydromorphological parameters? Please elaborate.

Answer:

- 38) How useful is monitoring undertaken by IPPC installations in meeting the monitoring requirements of the Water Directives? Are there changes to installation monitoring that could make the results more useful?

Answer:

Compliance

Threats to water objectives can arise from activities being operated in an illegal, non-compliant way. Such ‘unplanned’ threats are also pressures that need to be addressed.

- 39) Are there concerns that poor compliance of IPPC installations may be a threat to water objectives? Is there communication with the IPPC regulator in this regard?

Answer:

Concluding questions from the perspective of the Water Manager

- 40) What is being done or what do you think could be done to allow the competent authority(ies) for the Water Directives to be better able to address the pressures arising from IPPC installations?

Answer:

- 41) What systems are in place or could be established/improved in your country/region to aid co-ordination between those authorities responsible for IPPC implementation and those authorities responsible for implementation of the Water Directives?

Answer:

Any other issues

42) Are there any other issues that you would like to raise with regard to the interactions between the IPPC Directive and the Water Directives?

Answer:

Thank you for completing the questionnaire!