

# Permit determination: 1

- ▶ In most (not all) cases operators are required to take account of water objectives in permit applications
  - Describe impacts on water
  - Meet specific EQS set in law
  - Required to prove activities consistent with transposed water Directives
- ▶ Are there BAT compliant installations that negatively affect attainment of objectives of water Directives?
  - Mostly not
  - Some are reviewing
  - Some cases – nutrients, thermal discharges, etc



1 Environmental Governance

# Permit determination: 2

- ▶ BREFs – wide range are potentially useful to take account of water objectives, but:
  - Some information out of date
  - Not sufficient information to guide decisions regarding water Directives
  - Would be useful to have a water/WFD section in a BREF
- ▶ Are installations asked to go ‘beyond BAT’? – almost all stated there are none (or being reviewed), but it is possible. Only examples from NL – all cases concerning nutrients
  - Important that if installations are asked to go beyond BAT, that non-IPPC activities have a fair share of burden



2 Environmental Governance

# Combined sources of pollution

- ▶ What should regulators do when water objectives are threatened by combined sources – IPPC/IPPC and IPPC/non-IPPC
  - Should start by assessing relative contribution of different loads to waters
  - May require stricter conditions generally or for specific activities
  - Some MS have the same regulatory approach for IPPC and non-IPPC activities, but others do not
  - Concern where relative impact of diffuse sources is large
  - Not always clear what to do if IPPC installation contributes to exceedence of an EU EQS, but contribution is small – what is fair?

3 Environmental Governance

## Monitoring

- ▶ Monitoring can not only determine permit compliance, but also examine environmental impacts
- ▶ Only some MS have required some IPPC installations to monitor impacts on water – usually substances, but can include biota
- ▶ Wide number of cases where water authorities review permits, can suggest monitoring or provide own monitoring information for IPPC regulators
- ▶ Monitoring data generally available to water authorities – some online, some sent directly

4 Environmental Governance

# Inspection

- ▶ Some MS inspect only to determine compliance, others also can check impacts on the environment (will be required by IED)
- ▶ Most water authorities not generally concerned by non-compliance (except accidents)
- ▶ Few indicated there was discussion between water authorities and inspectorates on installation performance – this discussion is held at the permitting stage
- ▶ Results/data from inspections are generally made available to water authorities



5 Environmental Governance

# Permit review

- ▶ Are permits being reviewed in the light of WFD objectives?
- ▶ Many MS not changing review process (e.g. follow set periods).
- ▶ Two cases of general review of current permit conditions in the light of newly determined water objectives
- ▶ Only one MS reported permit conditions had been altered as a result



6 Environmental Governance

THANK YOU FOR YOUR  
ATTENTION

