

Environment and Climate Regional Accession Network (ECRAN)

**Regional training on the role of planning documents in approximation
and management of the negotiation process for Chapter 27
ECRAN - 55944**

Financed by the TAIEX Instrument

Directive Specific Implementation Plan for IPPC

Romanian experience

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Directive Specific Implementation Plan for IPPC

- Romania accepts the *acquis communautaire* in the field of environmental protection (Chapter 22), in force on December 31-2000.
- Romania has unilaterally assumed the date of January 1- 2007 as a working hypothesis for finalising the preparations for its accession to the European Union.
- Romania *will* implement the *acquis communautaire* in the field of environmental protection until the date of accession (exception of the EU legal acts, for what Romania has obtained the transition periods)

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Chapter 22-Environment (for Romania)

- Official opening - 21 March 2002
- Preliminary closing – 27 November 2004

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- Directive 84/360/EEC on the combating of air pollution from industrial plants
- Directive 96/61/EC on integrated pollution prevention, reduction and control (Directive IPPC)
- Directive 2008/1/EC concerning integrated pollution prevention and control (Codified version)
- *Directive 2010/75/EU on industrial emissions (integrated pollution prevention and control) (Recast) - IED*

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- **Implementation plan for Directive 96/61/EC concerning integrated pollution prevention and control**

- **I. ADMINISTRATIVE RESPONSIBILITIES ON TRANSPOSITION AND IMPLEMENTATION**

- **II. OBJECTIVES AND REQUIREMENTS OF DIRECTIVE 96/61/EC**

- II.1. Institutional requirements provided by Directive 96/61/EC
- II.2. Requirements for implementation provided by Directive 96/61/EC

III. ASSESSMENT OF THE CURRENT SITUATION ON THE PROGRESS ACHIEVED BY TRANSPOSING AND IMPLEMENTING THE COMMUNITY ACQUIS

III.1. Legal framework

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III.1.1.1. Direct legal instruments for implementation

III.1.1.2. Other relevant legal instruments for the implementation of the Directive's provisions

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IV. RESPONSABILITIES OF THE ENVIRONMENTAL COMPETENT AUTHORITIES REGARDING IMPLEMENTATION

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IV.1.1 Human, material and financial resources, necessary to create the administrative infrastructure for the management of the integrated system for industrial pollution control for 2004 – 2006

IV.1.2. Risks

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- VI.1. General obligations regarding the installation's exploitation
- VI.2. Global evaluation of the necessary investments at the operator's level for the compliance with Directive 96/61/EC. Request for transition period.
 - VI.2.1. "Existing" installations
 - VI.2.2. "New" installations
 - VI.2.3. Measures proposed for avoiding the negative effects of the transition period, including the possible distortions of the competition.

VII. MONITORING

VIII. PUBLIC INFORMATION AND PARTICIPATION

IX. EU TECHNICAL ASSISTANCE PROJECTS FOR IMPLEMENTATION SUPPORT

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The main steps on development of strategy

1. Transposition

2. Subsequent legal acts (necessary for implementing of IPPC Directive provisions)

3. Straitening of administrative and institutional capacity

4. Implementation:

- inventory
- assessment of existing permits/issuing of new permit according to the Directive IPPC
- monitoring of the condition prescribed on IPPC permits (special of emissions limits values - ELVs)

5. Inspection and control

6. Reporting process

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Transposition

The provisions of Directive 96/61/EC were transposed by **EGO no. 34/2002** on integrated pollution prevention, reduction and control, approved by Law no.645/2005.

EGO no. 34/2002 has been amended, taking into account the results of the negotiations of the environmental chapter.

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2. Subsequent legal acts (necessary for implementing of IPPC Directive provisions)

- Order of Minister of Waters and Environmental Protection no. 860/2002 on the approval of the procedure for **environmental impact assessment** and issue of the environmental agreement;
- GD no. 918/2002 establishing the framework procedure for the **environmental impact assessment and approving the list of public and private projects** which the procedure must be applied;
- Order of the Minister of Waters and Environmental Protection no. 1144/2002 setting up **the Register of the pollutants emitted in the environment by the activities** which fall under the provision of EGO no. 34/2002 on the integrated pollution prevention, reduction and control, approved by Law No.645/2002;

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2. Subsequent legal acts (necessary for implementing of IPPC Directive provisions)

- Order of the Minister of the Waters and Environmental Protection no. 1440/2003 on the approval of the National Guide for drawing up the Register of the emitted pollutants by the activities falling under the provisions of the EGO no. 34/2002 on the integrated pollution prevention, reduction and control, approved and amended by the Law 645/2002;
- Order of the Minister of Waters and Environmental Protection no. 37/2003 on the approval of the Reference document on the Best Available Techniques (BAT) for the cellulose and paper industry;
- Order of the Minister of Agriculture, Forests, Waters and Environment no. 566/2003 on the approval of the Reference document on the Best Available Techniques (BAT) for the cement and lime industry;

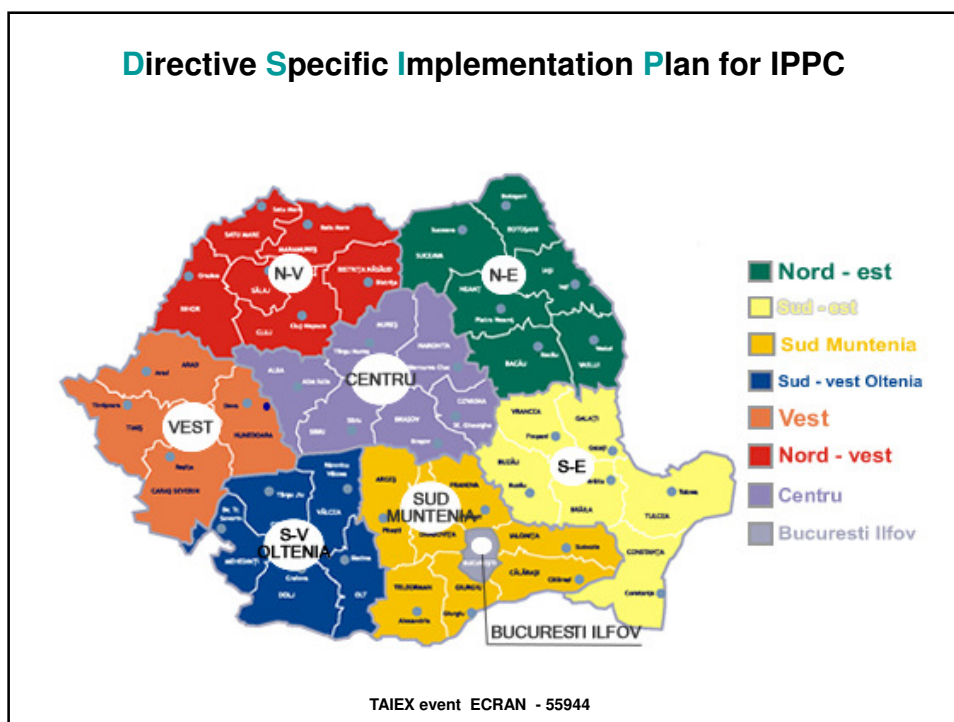
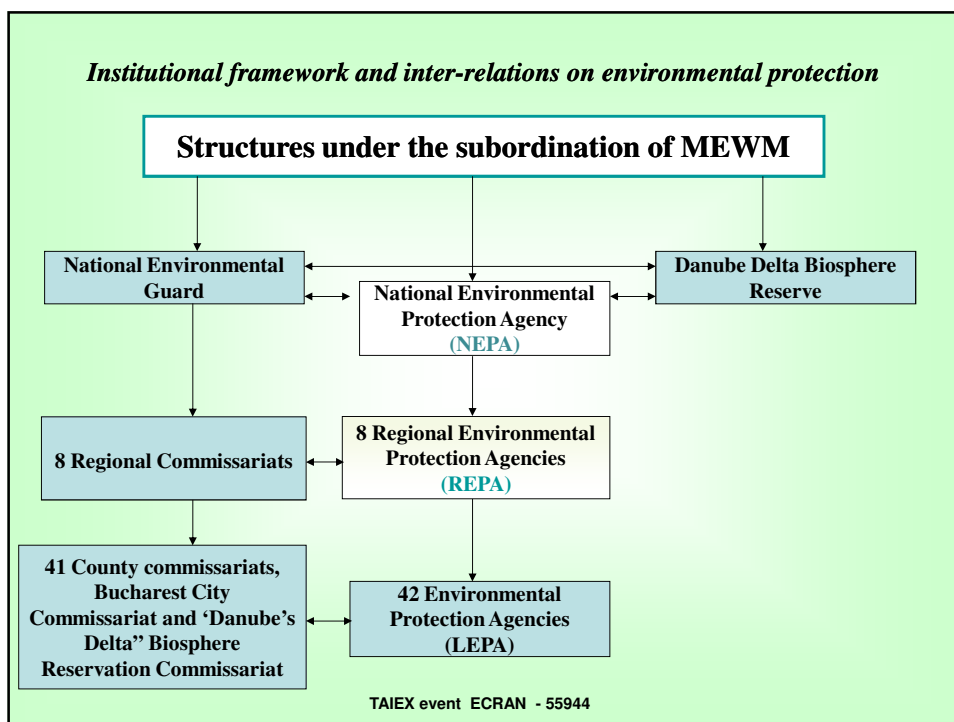
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2. Subsequent legal acts (necessary for implementing of IPPC Directive provisions)

- **Order of the Minister of Agriculture, Forests, Waters and Environment no. 818/2003 on the approval of the issuing the procedure of the integrated environmental permit;**
- Order of the Minister of Agriculture, Forests, Waters and Environment no. 36/2004 approving the general technical guide for implementing the procedure for issuing the environmental integrated permit;
- Order of the Minister of Agriculture, Forests, Waters and Environment no. 169/2004 approving the direct confirmation method for the reference documents regarding the Best Available Techniques (BREF) approved by European Union (for 9 reference documents: chlorine-alkali, non-ferrous metallurgy, production of pig iron and steel, glass industry, tanning of hides and skins, textile industry, milk and food industry, industrial cooling systems, monitoring).

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3. Straitening of administrative and institutional capacity

Order of the Minister of Waters and Environmental Protection no. 890/03.10.2002 on setting up **the Service of Industrial Pollution Prevention and Control**

The assessment of the necessary personnel for implementing the provisions of made by the PHARE 2000 project "Technical assistance for strengthening the capacity of the local EPAs and setting up the REPAs".
Increasing of the personnel number, for 2004-2006, at local, regional and central level:

- 126 persons at EPAs level;
- 44 persons at REPAs level;
- 77 persons at NEPA level;
- 5 persons at MEWM level.

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Year	EPAs	REPAs	NEPA	MEWM	Total
2004	84	34	29		147
2005	42	10	19	5	76
2006			29		29
Total	126	44	77	5	252

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Financial resources and equipment

The estimation for budgetary funding for financing the IPPC administrative infrastructure during 2004 – 2006, within the MEWM

	2004	2005	2006	Total
Total (I+II+III+IV+V)	1,320,064	4,562,882	6,807,603	12,690,549
I. Personnel expenses	352,800	635,200	704,800	1,692,800
a) Salaries expenses	352,800	535,200	604,800	1,492,800
1. Staff number	147	223	252	622
2. average salary	200	200	200	200
b) travels	0	100,000	100,000	200,000
II. Professional education expenses (1*2*3')	280,000	280,000	280,000	840,000
1. staff number	50	50	50	150
2. number of trainings	4	4	4	12
3. average costs / training course	1,400	1,400	1,400	1,400
III. Material expenses	5,000	95,682	126,803	227,485
Subcontracted Services	0	45,682	76,803	122,485
Books/subscriptions	5,000	50,000	50,000	105,000
IV. Studies (1*2)	225,000	225,000	150,000	600,000
1. Number of studies	15	15	10	40
2. Average cost/study	15,000	15,000	15,000	45,000
V. Investments/ Endowment	457,264	3,327,000	5,546,000	9,330,264
a) Constructions/procurements	122,264	1,000,000	1,500,000	
Specific control equipment	200,000	1,900,000	3,500,000	
b) Equipments/consumptible				
- computers	85,000	40,000	18,000	143,000
- printers	0	10,000	10,000	20,000
- desks	30,000	15,000	6,000	51,000
- fax machines	0	1,000	1,000	2,000
- desk phones	0	1,000	1,000	2,000
- copy machines	0	10,000	10,000	20,000
- consumptible	20,000	350,000	500,000	870,000

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MEWM : politics, strategies, legal framework (1)

- o Establishes in collaboration with other services, fees for emissions and fines relating to the IPPC sector;
- o Coordinates the process of issuing the environmental integrated license/permit,
- o Coordinates the system for control and monitoring compliance with the integrated permit conditions and for the transboundary impact management
- o Coordinates public participation in the activities in the industrial pollution control and risk management sector, in the transboundary context;

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MEWM : politics, strategies, legal framework (2)

- o Co-ordinates the group of technical experts for the administrative appeal court, in view to hearing appeals concerning the issuing of integrated licenses/permits;
- o Technical Secretariat for the elaboration of the Pollutant Emission Register;
- o Reporting to EC and other international institutions;
- o Ensures dissemination of specific information on the MEWM site.

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NEPA

- Co-ordinates the group of experts for the assessment and development of the guides concerning Best Available Techniques, as well as the ensuring of the technical support for REPA within the framework of the procedure of issuing the environmental integrated permit;
- **Carries out/updates the inventories of the installations/activities** at national level and the coordinates this process at local and regional level;
- Carries out, ongoing updating of the IPPC registers, at national level,
- Prepares the annual training plans of the personnel in REPA and EPAs;
- Organizes and implements the process of annual training of the personnel in the territorial structures, on the basis of the program approved by MEWM;
- Publishes sector specific information on its own site;

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REPA

- Carries out/updates the inventories of installations/activities at regional level;
- **Receives, analyses the documentation (application) necessary for the request for the environmental integrated license/permit and manages the procedure of issuing the integrated environmental permit for projects and activates specific to IPPC;**
- Sets up the annual program for the compliance control with the conditions laid down in the environmental integrated permit, in collaboration with the EPA and with the Regional Commissariats of the NEG;
- Ensures the monitoring of the activities according to articles 13 and 14 of the 96/61/EC Directive;
- Compiles and issues the annual pollutant emission reports at regional level;
- Carries out, permanent updating of the IPPC registers, at regional level,
- Ensures public access to environmental information in decision making at the regional development;

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LEPA

- Carries out/updates the inventories of installations/activities at local level;
- Develops some stages within the procedure of issuing environmental integrated licenses/permits based on the delegation of the competence provided by REPA;
- Compiles and issues the annual reports on emission pollutants (EPER) at local level;
- Carries out ongoing updating of the IPPC registers, at local level
- Ensures public access to environmental information in environmental decision making at local level;

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4. Implementation:

- inventory

- assessment of existing permits/issuing of new permit according to the Directive IPPC

- monitoring of the condition prescribed on IPPC permits (special of emissions limits values - ELVs)

The inventory of activities/installations falling under the provisions of IPPC Directive has been reviewed on types of activities, at county and national level and is presented in the Implementation Plan of Directive.

Important aspect: the inventory take into account the correct interpretation of "installation" as defined in Art. 2 of the IPPC Directive.

The compliance deadlines with the Directive's requirements is establish according to the date on which they were put into operation of installations: "existing" or "new".

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Assessment of permits/issuing of the new permits according to the Directive IPPC

Existing installations	New installations	Directive 96/61/EC
Put into operation Before 30.10.1999	Put into operation After 31.10.1999	
Compliance deadline: 30.10.2007	Compliance deadline: Date of putting into operation	
Existing installations	"Existing" installations according to Law no. 645/2002 but "new" according to Directive 96/61/EC	Law no. 645/2002
Put into operation Before 30.10.1999	Put into operation Between 31.10.1999 and 03.04.2002	Put into operation After 03.04.2002
Compliance deadline: 30.10.2007, or if appropriate, the deadlines obtained through EU negotiations	Compliance deadline: 31.12.2006	Compliance deadline: date of putting into operation

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	Table containing the total number of activities and installations falling under the scope of Directive 96/61/EC on activity categories in accordance with Annex I						Total no. of installations
	1 Energy industries	2 Production and processing of metals	3 Mineral industry	4 Chemical industry	5 Waste management	6 Other activities	
No. installations	185	79	57	65	128	202	716

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The **information dissemination to operators** on their obligations regarding the implementation of Directive 96/61/EC was accomplished by:

- Meetings with the operators' representatives through the employer's confederations and professional associations;
- Seminars, workshops with the support of the experts within PHARE projects;
- Forums;
- Meetings with the representatives of the operators and environmental authorities, on the fields of activities according to Annex I of Directive 96/61/EC, at territorial and national levels;
- Displaying the documents in the IPPC field on the MEWM web page.

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Period 2002 – 2004

Workshops and seminars were organized in order to inform the operators on their responsibilities in accordance with articles 3, 6, 13, 14, 16 (2) of Directive 96/61/EC.

Meetings with the representatives of the industrial operators through the trade and employers' associations were organized in order to elaborate an approaching strategy and a justification for requesting a transition period for each activity and installation falling under the scope of Directive 96/61/EC.

Thus, the reference Documents for the Best Available Techniques (BREF), adopted by the EU, both in original version and translated into Romanian for the mains categories of activities for Romania.

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Seminars, organised by Ministry of Environment, Romanian Chamber of Commerce and Industry and by „Confederations and Owners Associations”

The mains subjects (30 September 2004 -24 January 2005):

- “Environmental legislation and the **free market competition**”
- „Responsibilities of economic agents according to the legislation on the prevention, reduction and integrated pollution control, as well as the non-compliance effects”
- “The implementation of BREF- compliance with the Directive IPPC”
- “Site report- reference standard for assessing the integrated permit documents for the installations falling under the scope of the Directive IPPC and compliance control”
- “Reporting pollutant emissions coming from the installations falling under the Directive IPPC. Future impact of the pollutant emissions report on companies”
- “Public participation and access to environmental information and its role on companies' environmental policies and decision- making”.

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Implementation

By the deadline provided by Directive 96/61/EC, all the installations falling within its scope will be subject to the authorization procedure and environmental integrated permits will be issued only for those activities that comply with the legal requirements.

Romania does not request any transition periods for the process of issuing the integrated permit.

- Installations for which no transition period is requested under IPPC Directive (521 installations)
- installations for which transition period is requested under IPPC Directive (195 installations)

Romania will review the permits granted to “new” installations, which have become operational in period: 30 October 1999 - 3 April 2002.

Elaboration of a Pollutant Emission Register in the environment of the activities falling within the scope of Directive 96/61/EC, in accordance with art. 19 and Decision 2000/479/EC – EPER (after 2006 - Regulation (CE) 2006/166 E-PRTR).

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Cost assessment

The Implementation Plan of the Directive include cost assessment and sources of financing, timetables and milestones for the investments.

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The summary table of the operators/installations for which no transition period is requested under IPPC Directive			
Activity category according to Annex I	No. of installations	No. of economic agents	Estimated cost EUR
1.1	174	55	457,824,000*)
1.2	4	4	39,050,050
2	42	42	133,766,786
3	38	38	53,505,332
4	41	41	31,694,525
5	128	117	—**)
6.1	1	1	49,000
6.2	5	5	4,322,785
6.4	13	13	6,453,850
6.5	1	1	100,000
6.6	65	36	33,034,649
6.7	9	9	1,158,150
TOTAL	521	362	760,959,127

*) The costs are established by estimation and these costs will be reassessed together with the owners of LCPs in 2005, after the approval of the BREF for LCPs.

**) According to Article 1 (2) of Directive 1999/31/EC on the landfill of waste, the relevant requirements of Directive 96/61/EC are deemed to be fulfilled if the requirements of Directive 99/31/EC are complied with. Consequently, the compliance costs for landfills falling also under Directive 96/61/EC also represent the costs for compliance with the requirements of Directive 99/31/EC. Annex 4 to the Implementation Plan of the Directive presents the List of the landfills falling under Directive 96/61/EC.

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The summary table of the operators/installations for which transition period is requested under IPPC Directive			
Activity category according to Annex I	No. of installations	No. economic agents	Estimated sum EUR
1.2	7	7	441,825,490
2	37	37	583,967,869
3	19	19	126,503,622
4	24	24	527,912,800
6.1	11	11	207,386,000
6.2	1	1	230,000
6.3	1	1	486,000
6.4	7	7	16,990,000
6.5	4	4	2,430,093
6.6	80	59	88,951,585
6.7	2	2	1,810,000
6.8	2	2	5,375,000
TOTAL	195	174	2,003,868,459

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No	Activ. type IPPC acc. Annex 1	Activities type according to Annex I of EGO 34/2002	No Total instal.	Table 8 Transition period on each activity category and necessary investments Costs for each year requested for transition period (EUR)								Total cost (EUR) 2008-2015 (1-8 years for transition)
				31.12.2008	31.12.2009	31.12.2010	31.12.2011	31.12.2012	31.12.2013	31.12.2014	31.12.2015	
1	1.2	Energy industries	7					2		4	1	
								211,605,500		227,420,000	2,799,990	441,825,490
2	2	Production and processing of metals	37		1	3	1	5	4	20	3	
					544,000	15,081,300	1,844,000	24,620,500	18,024,500	426,146,792	97,706,777	583,967,869
3	3	Mineral industry	19		1	4	3	3	3	3	2	
					4,350,000	31,515,000	13,992,000	5,054,310	33,645,000	6,387,309	31,560,000	126,503,622
4	4	Chemical industry	24	1	1	4	2	2	2	10	2	
				2,400,000	4,861,000	38,170,440	43,554,500	81,438,000	33,700,000	310,070,860	13,718,000	527,912,800
5	6.1	Pulp and paper industry	11		3	1		1	1	2	3	
					35,919,000	10,860,000		2,204,000	18,953,000	60,590,000	78,860,000	207,386,000
	6.2	Textile Industry	1		1							
					230,000							230,000
	6.3	Plants for the tanning of hides and skins	1							1		
										486,000		486,000
	6.4	Food Industry	7			2	1	1		3		
						1,020,000	1,000,000	5,700,000		9,270,000		16,990,000
	6.5	Installations for the disposal or recycling of animals carcasses and animal waste	4							1	3	
										785,000	1,645,093	2,430,093
	6.6	Intensive rearing of poultry and pigs	80	2	9	12	20	9	3	25		
				902,000	9,520,900	11,857,270	13,451,965	5,417,800	11,534,000	36,267,650		88,951,585
	6.7	Installations for surface treatment using organic solvents	2			2						
						1,810,000						1,810,000
	6.8	Installations for the production of carbon or graphite	2			1				1		
						4,000,000				1,375,000		5,375,000
	Total installations		195	3	16	29	27	23	13	70	14	
	Total costs			3,302,000	55,424,900	114,314,010	73,842,465	336,040,110	115,856,503	1,078,798,611	226,289,860	2,003,868,459

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The investments between 2004-2015, for those installations requesting a transition period only under the scope of Directive 96/61/EC



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Total no. of economic agents	Total No. installations	No requested transition period under Directive 96/61/EC		Requested transition period under Directive 96/61/EC	
		No. of economic agents	No. of installations	No. of economic agents	No. of installations
536	716	362	521	174	195

The cost assessment for the compliance with the requirements of Directive 96/61/EC is as follows:

- 521 installations for which transition period is not requested under Directive 96/61/EC = EUR 760,959,127;
- 195 installations for which transition period is requested under Directive 96/61/EC = EUR 2,003,868,459.

The total costs needed for the compliance of the IPPC installations presented in the present Implementation Plan are estimated at EUR 2,764,827,586

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1. Energy industries

1.1. Combustion installations with a rated thermal input exceeding 50 MW

No	Name of the operator	EPA / County	Activity code according to Annex I IPPC	Number of installations	Date of putting into operation	Investment costs/year (EUR)			Total General (EUR)	Observations
						2005	2006	2007		
1	CET ARAD No.1,2	Arad	1.1	2	1981(2)	2,760,000	3,680,000	2,760,000	9,200,000	
	CET ARAD No.7,8,9,10	Arad	1.1	4	1971/1977(2)/1980	1,020,000	1,360,000	1,020,000	3,400,000	
	CET ARAD No.3,4,5,6	Arad	1.1	4	1963/1964(2)/1969	28,200	37,600	28,200	94,000	
2	SC TERMOFICARE 2000 No.1,2,3,4,5,6,7	Arges	1.1	7	1964/1968/1969/1970/1971/1974/1979	720,000	960,000	720,000	2,400,000	
3	ARPECHIM PITESTI No.1,2,3	Arges	1.1	1	1974	0	0	0	0	
				2	1974/1975	60,000	80,000	60,000	200,000	in compliance
4	AUTOMOBILE DACIA No.1	Arges	1.1	1	1973	9,000	12,000	9,000	30,000	
				1	1981	60,000	80,000	60,000	200,000	
5	CET BACAU No.1	Bacau	1.1	1	1985	2,280,000	3,040,000	2,280,000	7,600,000	
				2	1985/2000	0	0	0	0	in compliance
6	Complex energetic Borzesti No.1,2	Bacau	1.1	1	1969	0	0	0	0	it will be closed in 2007
				1	1969	0	0	0	0	derogation in accordance with article 4 pct.4(a) Directive 2001/80/EC
7	SC TERMON SA ONESTI	Bacau	1.1	1	1960	150,000	200,000	150,000	500,000	
8	Sofert SA	Bacau	1.1	1	1980	0	0	0	0	in compliance
9	SC TERMOELECTRICA SA, Sucursala Electrocentrale Braila	Braila	1.1	1	1973	3,240,000	4,320,000	3,240,000	10,800,000	
				2	1966(2)	420,000	560,000	420,000	1,400,000	
10	SC CET SA No.1,2,3,4,5	Braila	1.1	2	1983 (2)	0	0	0	0	it will be closed in 2007
				1	1983	0	0	0	0	derogation in accordance with article 4 pct.4(a) Directive 2001/80/EC
	SC CET SA No.6	Braila	1.1	1	1986	0	0	0	0	it will be closed in 2007
11	S.C. ELECTROCENTRALE ORADEA S.A. No.1	Bihor	1.1	1	1966	510,000	680,000	510,000	1,700,000	
12	S.C. ELECTROCENTRALE ORADEA S.A. NO.2	Bihor	1.1	1	1971	3,000,000	4,000,000	3,000,000	10,000,000	
13	C.T.BISTRITA	Bistrita Nasaud	1.1	1	1980	105,000	140,000	105,000	350,000	

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In addition to the cost evaluation, these tables contain information regarding:

- name of the activity title holder;
- the site;
- the activity category;
- number of installations;
- the export figure at the level of EU market;
- timetable and milestones;
- deadline for compliance (transition period);
- sources of financing.

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6.5. Installation for the disposal or recycling of animal carcasses and animal waste with a treatment capacity exceeding 10 tonnes/day;

No	Name of the operator/ Country	Activity code according to Annex I IPPC	Number of installations	Date of putting into operation	Investments costs/year (EUR)												Total on installations	Total General 2004-2015 (EUR)	Investment sources	Transition period requested until	Export figure in EU countries % from total production
					2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015					
1	S.C. PROTAN S.A. Bucuresti - sucursala Codlea Brasov	6.5	1	1970/1985/ 1998	9,900	11,438	14,550	17,438	24,225	33,750	43,650	52,050	60,000	69,187	77,812	86,250	500,250	500,250	operator's financial resources	31.12.2015	no exporting
2	SC Protan SA /Cluj	6.5	1	1970	4,500	5,030	5,471	7,600	11,117	15,540	24,389	31,080	38,000	44,694	56,150	60,800	304,371	304,371	operator's financial resources, banking loans	31.12.2015	no exporting
3	S.C. MULTIVITA NEGRU VODA S.A./ Constanta	6.5	1	1996	100,000	100,000	100,000	100,000	70,000	70,000	70,000	50,000	50,000	40,000	35,000	0	785,000	785,000	operator's financial resources	31.12.2014	no exporting
4	S.C. Protan S.A - Popesti Leordeni Ilfov	6.5	1	1986	14,344	16,594	20,025	32,063	63,468	70,406	92,175	97,350	103,650	108,939	110,738	110,720	840,472	840,472	operator's financial resources	31.12.2015	no exporting
TOTAL			4														2,430,093				

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Directive Specific Implementation Plan for IPPC

2002-2004

9 project financed by european funds

- 7 Technical assistance for compliance with the provisions of the CE directives - including IPPC Directive
- 1 Technical supply for the implementation of the IPPC Directive
- 1 Twinning project

2004-2010

- 9 Twinning project (1 national level and 8 regional level)

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Risks

- The success of the Implementation Plan is conditioned by the **ensurance of the human, material and financial resources.**
- The measures for prevention of the potential risks:
 - complementing the internal sources with external ones (European Union, World Bank, bi- and multi-lateral licenses), through projects;
 - setting up special units for the implementation and management of the projects, both at central and territorial level;
 - developing the capacity for drawing up and promoting projects for operators in accordance with the international standards;
 - setting up a team of experts both at central and territorial level to elaborate projects in accordance with the international standards;
 - promoting annual programs for specific training in this field;
 - stimulating and increasing the interest of the employees.

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Directive Specific Implementation Plan for IPPC

Pollution controltoday ...

Until 2010

Directive 96/61/EC on industrial pollution prevention and control (IPPC) - Directive 2008/1/EC on industrial pollution prevention and control (IPPC)

Directive 2001/80/EC on the limitation of emissions of certain pollutants into air from large combustion plants (LCPs)

Directive 99/13/EC on the limitation of emissions of volatile organic compounds due to the use of organic solvents in certain activities and installations (VOCs)

After Decembre 2010

Directive 2010/75/EU on industrial emissions (integrated pollution prevention and control) - IED

Directive 2000/76/EC on the incineration of waste (the WI Directive)

The three directives on titanium dioxide :
78/176/EEC,
82/883/EEC,
92/112/EEC

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- **According to the Impact Assessment for the Proposal for a Directive on industrial emissions (IED)**

4 important aspects for IED

- (1) Support Member States in implementing BAT-based permitting
- (2) Strengthen compliance and increase environmental improvements while stimulating innovation
- (3) Cut unnecessary administrative burden and simplify current legislation
- (4) Better contribute to the objectives of the Thematic Strategies by reviewing the current scope and provisions of the IPPC Directive

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The IED is based on several principles:

- (1) an integrated approach,
- (2) best available techniques - BAT
- (3) flexibility
- (4) inspections
- (5) public participation.



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(1) The **integrated approach** means that the permits must take into account the whole environmental performance of the plant, covering e.g. emissions to air, water and land, generation of waste, use of raw materials, energy efficiency, noise, prevention of accidents, and restoration of the site upon closure. The purpose of the Directive is to ensure a high level of protection of the environment taken as a whole.

When the installation will be use, production or release of relevant hazardous substances, the IED requires operators to prepare a **baseline report** before starting an operation of an installation or before a permit is updated having regard to the possibility of soil and groundwater contamination, ensuring the integrated approach.

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(2) best available techniques – BAT

The permit conditions including emission limit values (ELVs) must be based on the **Best Available Techniques (BAT)**, as defined in the IPPC Directive.

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(2) best available techniques - BAT

‘**BAT conclusions**’

- **applicability,**
 - **the emission levels associated with the best available techniques,**
 - **associated monitoring,**
 - **associated consumption levels**
- and, where appropriate, **relevant site remediation measures**

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(4) Inspections

The IED contains mandatory requirements on **environmental inspections**. Member States shall set up a system of environmental inspections and draw up inspection plans accordingly.

The IED requires a site visit shall take place at least every 1 to 3 years, using risk-based criteria.

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(5) public participation

The Directive ensures that the **public has a right to participate** in the decision-making process, and to be informed of its consequences, by having access to:

- (a) permit applications in order to give opinions,
- (b) decision/permits,
- (c) results of the monitoring of releases and
- (d) the [European Pollutant Release and Transfer Register \(E-PRTR\)](#).

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(3) Flexibility

The IED contains certain **elements of flexibility** by allowing the licensing authorities to set less strict emission limit values in specific cases,

BAT conclusions would lead to disproportionately higher costs compared to the environmental benefits due to:

- (a) geographical location or the local environmental conditions or
- (b) the technical characteristics of the installation.

Other flexibility aspects:

- Transitional National Plan,
- limited lifetime derogation,
- rate of desulphurization

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The main steps on IED (1)

The IED is required to be transposed into law by Member States by 7 January 2013 (Article 80).

Certain provisions of the IED follow the following implementation dates:

implementation from 7 January 2013 in respect of any new installation after that date,

implementation from 7 January 2014 for existing installations before 7 January 2013 (except large combustion plants),

existing large combustion plants do not become subject to the requirements of Chapter III of the IED until 1 January 2016 remaining until that date subject to the relevant requirements of Directive 2001/80/EC, and

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The main steps on IED (2)

7 July 2015 - for the new industrial activities included on Annex I of IED (not subject to the current IPPC Directive (2008/1/EC)).

1 January 2016 – LCP will be implemented the Cap. II provisions , including Annex V

30 June 2020 – the final of Transitional National Plan

31 Decembre 2023 - the final of derogation of limited life – 17500 h

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Current status

**Directive 2010/75/EU on industrial emissions
(integrated pollution prevention and control) – IED**

Transposition

- **the competent authorities**
- **sanctions, penalties**

Romania

**Law no. 278/2013 on industrial emissions (integrated
pollution prevention and control) - IED**

- 1 - inventory of all activities**
- 2- updating of subsequent legislation/procedures**
- 3 – issuing of the integrated/non-integrated permitting**
- 4- reconsideration and updating of permit conditions by
the competent authority**

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