

Limitation of emissions of certain pollutants into the air from medium combustion plants

2013/0442(COD) - 07/10/2015 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 623 votes to 70 with 12 abstentions, a legislative resolution on the proposal for a directive of the European Parliament and of the Council on the limitation of emissions of certain pollutants into the air from medium combustion plants

Parliament's position adopted in first reading following the ordinary legislative procedure amends the proposal as follows;

Purpose: the Directive lays down rules to control emissions of sulphur dioxide (SO₂), nitrogen oxides (NO_x) and dust into the air from medium combustion plants. It also lays down rules to monitor emissions of carbon monoxide (CO).

Scope: the Directive shall apply to combustion plants with a rated thermal input equal to or greater than 1 MW and less than 50 MW.

It also apply to a combination formed by new medium combustion plants, including a combination where the total rated thermal input is equal to or greater than 50 MW, unless the combination forms a combustion plant covered by Chapter III of [Directive 2010/75/EU](#) on industrial emissions. Individual combustion plants with a rated thermal input less than 1 MW should not be considered for the purpose of calculating the total rated thermal input of a combination of combustion plants.

Exclusions: Parliament excluded from the scope of the legislation, inter alia:

- on-farm combustion plants with a total rated thermal input less than or equal to 5 MW, that exclusively use unprocessed poultry manure, as a fuel;
- combustion plants in which the gaseous products of combustion are used for direct gas-fired heating used to heat indoor spaces for the purpose of improving workplace conditions;
- gas turbines and gas and diesel engines, when used on offshore platforms;
- reactors used in the chemical industry;
- recovery boilers within installations for the production of pulp.

The Directive shall not apply to research activities, development activities or testing activities relating to medium combustion plants.

Permits and registration: no new medium combustion plant may be operated without a permit or without being registered.

Moreover, the following combustion plants may not be operated without a permit or without being registered:

- as of 1 January 2024 no existing medium combustion plant with a rated thermal input greater than 5 MW;
- as of 1 January 2029 no existing medium combustion plant with a rated thermal input of less than or equal to 5 MW.

The competent authority shall hold a register with information on each medium combustion plant and make the information contained in the register available to the public

Emission limit values: emissions into the air of SO₂, NO_x and dust may not exceed the emission limit values set out in Annex II:

- from 1 January 2025, from an existing medium combustion plant with a rated thermal input greater than 5 MW;
- from 1 January 2030, from an existing medium combustion plant with a rated thermal input of less than or equal to 5 MW.

Existing medium combustion plants which are part of small isolated systems or micro isolated systems shall comply with the emission limit values from 1 January 2030.

Parliament specified that Member States might:

- exempt existing medium combustion plants which do not operate more than 500 operating hours per year as a rolling average over a period of five years from compliance with the emission limit values. They may extend the limit to 1 000 operating hours in cases of emergency or extraordinary circumstances, such as for backup power production in connected islands in the event of an interruption of the main power, or for heat production in cases of exceptionally cold weather events;
- exempt, until 1 January 2030, existing plants with a rated thermal input greater than 5 MW from compliance with the emission limit values provided that a significant part of the useful heat production of the plant is delivered in the form of steam or hot water to a public network for district heating.
- exempt, until 1 January 2030, medium combustion plants firing solid biomass as the main fuel, which are situated in zones where conformity with the limit values on air quality is ensured, from compliance with the emission limit values for dust. In the event of such exemption, the emission limit values set by the competent authority shall not exceed 150 mg/Nm³ for dust.
- exempt until 1 January 2030, from compliance with emission limit values for NO_x existing medium combustion plants with a rated thermal input greater than 5 MW and which are used to drive gas compressor stations required to ensure the safety and security of a national gas transmission system.

In zones not complying with the air quality limit values laid down in [Directive 2008/50/EC](#), Member States shall assess the need to apply stricter emission limit values than those set out in the Directive.

Isolated plants: the emission limit values set out in Annex II should not apply to medium combustion plants located in the Canary Islands, French Overseas Departments, the Azores and Madeira, because of the technical and logistical issues associated with such plants' isolated location. The Member States concerned should set emission limit values for such plants in order to reduce their emissions to air and the potential risks to human health and the environment.

Monitoring and inspections: Member States should set up a system to check compliance of medium combustion plants with the requirements of this Directive.

The operator shall keep a record of and process all monitoring results in such a way as to enable the verification of compliance with the emission limit values.

In order to ensure the effective implementation and enforcement of the Directive, inspections should, where possible, be coordinated with those required under other Union legislation, as appropriate.

Review: the Commission shall review: (i) by 1 January 2020, the benefits of setting minimum energy efficiency standards; (ii) by 1 January 2023, the need to review the provisions concerning plants which are part of small isolated systems or micro isolated systems. In this context, the Commission should also consider the need to set specific emission limit values for carbon monoxide. Thereafter, a review shall take place every ten years and shall include an assessment of whether it is appropriate to set stricter emission limit values.