

Revision of the industrial emissions directive

In July, Parliament will vote on the report adopted by its Committee on the Environment, Public Health and Food Safety (ENVI) on a Commission proposal updating EU rules to prevent and control pollution from industry. The report, as voted, would form Parliament's position for trilogue negotiations with the Council.

Background

The [Industrial Emissions Directive \(IED\)](#) is the main EU instrument regulating pollutant emissions from industry. The large agro-industrial installations undertaking the industrial activities listed in Annex I of the IED can only operate if they possess a permit, granted by national authorities. The permit conditions must be based on best available techniques (BAT), i.e. the most environmentally effective of the economically viable techniques available within the sector. The IED currently covers some [52 000](#) installations EU-wide.

European Commission proposal

The [proposal for a revision](#), part of the European Green Deal, would expand the Directive's scope to cover more livestock farms, large-scale battery production and mining, and strengthen permit requirements and rules applying to breaches, with access to compensation for those affected. It would introduce measures to promote innovation, and require operators to produce, by mid-2030, transformation plans outlining how they will contribute to a sustainable, clean, circular and climate-neutral economy by 2050.

European Parliament position

The legislative report adopted by ENVI on 24 May 2023 substantially amends the proposal's scope. Olfactory pollution would be covered. The proposed threshold for livestock farms to be subject to the Directive would be raised, and extensive farming excluded from its scope. A reciprocity clause would be added to ensure a level playing field with imported agricultural products. The threshold for inclusion of battery production would be amended, and battery assembly excluded from its scope. For mining, the inclusion of industrial minerals would be considered after an impact assessment within two years of the Directive's entry into force, while silver would be added to the list of metals covered. The report seeks to maintain flexibility in the revised IED, and proposes a derogation clause allowing the establishment of temporarily less strict emission limit values and environmental performance levels in the event of a persistent interruption in the supply of raw materials or fuels, or disruption of elements in an abatement technique due to *force majeure*. Requirements for the environmental management system would be streamlined, and an obligation added to audit the system at least every three years.

The indicative transformation plans would be required either at group, corporate or installation level. The timetable for having such plans in place would depend on the activities involved, the most polluting installations being targeted as a priority, with a requirement to produce plans at installation level. Rules on compensation would be amended, and the minimum level of fines for infringements set at 4 % of the operator's annual turnover in the EU. The report awaits a vote during the July plenary session. The text as adopted would then become Parliament's position for negotiations with the Council, which agreed on its [general approach](#) on 16 March 2023. Parliament will also vote on the report adopted by ENVI on the related Commission [proposal](#) for an [industrial emissions portal](#).

First-reading report: [2022/0104\(COD\)](#); Committee responsible: ENVI; Rapporteur: Radan Kanev (EPP, Bulgaria). For further information, see our 'EU legislation in progress' [briefing](#).



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