



2022/0104(COD)

18.11.2022

AMENDMENTS

29 - 267

Draft opinion

Benoît Lutgen

(PE736.485v01-00)

Amending Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) and Council Directive 1999/31/EC of 26 April 1999 on the landfill of waste

Proposal for a directive

(COM(2022)0156 – C9-0144/2022 – 2022/0104(COD))

Amendment 29
Krzysztof Jurgiel

Proposal for a directive

—

Motion for rejection

Proposal for rejection

The Committee on Agriculture and Rural Development calls on the Committee on the Environment, Public Health and Food Safety, as the committee responsible, to reject the Commission's proposal.

Or. pl

Amendment 30

Jérémy Decerle, Atidzhe Alieva-Veli, Irène Tolleret, Emma Wiesner, Dacian Cioloș, Asger Christensen, Elsi Katainen

Proposal for a directive

Article 1 a (new)

Directive 2010/75/EU

Title

Present text

Amendment

Article 1 a (new)

Title of the Directive is modified as following

Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control)

"Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial ***and agricultural*** emissions (integrated pollution prevention and control)"

Or. en

(2010/75/EU)

Justification

Even if part of the scope of this directive, agricultural activity cannot be considered as industrial insofar, among other things, as the production processes, which involve live animals, cannot be temporarily suspended and are subject to numerous hazards that cannot

be controlled by farmers.

Amendment 31

Jérémy Decerle, Asger Christensen, Atidzhe Alieva-Veli, Irène Tolleret, Emma Wiesner, Dacian Cioloș, Elsi Katainen

Proposal for a directive

Recital 1

Text proposed by the Commission

(1) The European Green Deal⁵⁵ is Europe's strategy to ensure, by 2050, a climate-neutral, clean and circular economy, optimising resource management, minimising pollution while recognising the need for deeply transformative policies. The Union is also committed to the 2030 Agenda for Sustainable Development⁵⁶ and its Sustainable Development Goals⁵⁷. The EU Chemicals Strategy for Sustainability⁵⁸ of October 2020 and the Zero Pollution Action Plan⁵⁹ adopted in May 2021 specifically address pollution aspects of the European Green Deal. In parallel, the New Industrial Strategy for Europe⁶⁰ further emphasises the potential role of transformative technologies. Other particularly relevant policies for this initiative include the 'Fit for 55' package⁶¹, the Methane Strategy⁶² and the Glasgow methane pledge⁶³, the Climate Adaptation Strategy⁶⁴, the Biodiversity Strategy⁶⁵, the Farm to Fork strategy⁶⁶ *and* the Sustainable Products Initiative⁶⁷. Besides, as part of the EU response to the 2022 Russia-Ukraine war, REPowerEU⁶⁸ proposes a Joint European Action to support the diversification of energy supplies, accelerate the transition to renewable energy and improve energy efficiency.

⁵⁵ Communication from the Commission to

Amendment

(1) The European Green Deal⁵⁵ is Europe's strategy to ensure, by 2050, a climate-neutral, clean and circular economy, optimising resource management, minimising pollution while recognising the need for deeply transformative policies. The Union is also committed to the 2030 Agenda for Sustainable Development⁵⁶ and its Sustainable Development Goals⁵⁷. The EU Chemicals Strategy for Sustainability⁵⁸ of October 2020 and the Zero Pollution Action Plan⁵⁹ adopted in May 2021 specifically address pollution aspects of the European Green Deal. In parallel, the New Industrial Strategy for Europe⁶⁰ further emphasises the potential role of transformative technologies. Other particularly relevant policies for this initiative include the 'Fit for 55' package⁶¹, the Methane Strategy⁶² and the Glasgow methane pledge⁶³, the Climate Adaptation Strategy⁶⁴, the Biodiversity Strategy⁶⁵, the Farm to Fork strategy⁶⁶, the Sustainable Products Initiative⁶⁷ *and the long-term Vision for the EU's Rural Areas communication* ^{67a}. Besides, as part of the EU response to the 2022 Russia-Ukraine war, REPowerEU⁶⁸ proposes a Joint European Action to support the diversification of energy supplies, accelerate the transition to renewable energy and improve energy efficiency.

⁵⁵ Communication from the Commission to

the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions The European Green Deal; COM(2019) 640 final.

56

https://www.un.org/ga/search/view_doc.asp?symbol=A/RES/70/1&Lang=E

⁵⁷ <https://sdgs.un.org/goals>

⁵⁸ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Chemicals Strategy for Sustainability Towards a Toxic-Free Environment COM(2020) 667 final.

⁵⁹ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Pathway to a Healthy Planet for All EU Action Plan: 'Towards Zero Pollution for Air, Water and Soil' COM(2021) 400 final.

⁶⁰ Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions, A New Industrial Strategy for Europe COM(2020) 102 final.

⁶¹ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, 'Fit for 55': delivering the EU's 2030 Climate Target on the way to climate neutrality COM/2021/550 final.

⁶² Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on an EU strategy to reduce methane emissions COM(2020) 663 final.

⁶³ <https://www.globalmethanepledge.org/>

⁶⁴ Communication from the Commission to

the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions The European Green Deal; COM(2019) 640 final.

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⁶⁰ Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions, A New Industrial Strategy for Europe COM(2020) 102 final.

⁶¹ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, 'Fit for 55': delivering the EU's 2030 Climate Target on the way to climate neutrality COM/2021/550 final.

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⁶³ <https://www.globalmethanepledge.org/>

⁶⁴ Communication from the Commission to

the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions Forging a climate-resilient Europe - the new EU Strategy on Adaptation to Climate Change COM(2021) 82 final.

⁶⁵ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions EU Biodiversity Strategy for 2030 Bringing nature back into our lives COM(2020) 380 final.

⁶⁶ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions A Farm to Fork Strategy for a fair, healthy and environmentally-friendly food system COM(2020) 381 final.

⁶⁷ COM(2022) 142

⁶⁸ Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions REPowerEU: Joint European Action for more affordable, secure and sustainable energy; COM(2022) 108 final.

the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions Forging a climate-resilient Europe - the new EU Strategy on Adaptation to Climate Change COM(2021) 82 final.

⁶⁵ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions EU Biodiversity Strategy for 2030 Bringing nature back into our lives COM(2020) 380 final.

⁶⁶ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions A Farm to Fork Strategy for a fair, healthy and environmentally-friendly food system COM(2020) 381 final.

⁶⁷ COM(2022) 142

^{67a} *Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions empty, A long-term Vision for the EU's Rural Areas - Towards stronger, connected, resilient and prosperous rural areas by 2040 COM(2021)345*

⁶⁸ Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions REPowerEU: Joint European Action for more affordable, secure and sustainable energy; COM(2022) 108 final.

Or. en

Amendment 32
Anja Hazekamp

Proposal for a directive

Recital 1

Text proposed by the Commission

(1) The European Green Deal⁵⁵ is Europe's strategy to ensure, by 2050, a climate-neutral, clean and circular economy, optimising resource management, minimising pollution while recognising the need for deeply transformative policies. The Union is also committed to the 2030 Agenda for Sustainable Development⁵⁶ and its Sustainable Development Goals⁵⁷. The EU Chemicals Strategy for Sustainability⁵⁸ of October 2020 and the Zero Pollution Action Plan⁵⁹ adopted in May 2021 specifically address pollution aspects of the European Green Deal. In parallel, the New Industrial Strategy for Europe⁶⁰ further emphasises the potential role of transformative technologies. Other particularly relevant policies for this initiative include the 'Fit for 55' package⁶¹, the Methane Strategy⁶² and the Glasgow methane pledge⁶³, the Climate Adaptation Strategy⁶⁴, the Biodiversity Strategy⁶⁵, the Farm to Fork strategy⁶⁶ and the Sustainable Products Initiative⁶⁷. Besides, as part of the EU response to the 2022 Russia-Ukraine war, REPowerEU⁶⁸ proposes a Joint European Action to support the diversification of energy supplies, accelerate the transition to renewable energy and improve energy efficiency.

⁵⁵ Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions The European Green Deal; COM(2019) 640 final.

⁵⁶

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Amendment

(1) The European Green Deal⁵⁵ is Europe's strategy to ensure, by 2050, a climate-neutral, clean and circular economy, optimising resource management, minimising pollution while recognising the need for deeply transformative policies. The Union is also committed to the 2030 Agenda for Sustainable Development⁵⁶ and its Sustainable Development Goals⁵⁷. The EU Chemicals Strategy for Sustainability⁵⁸ of October 2020 and the Zero Pollution Action Plan⁵⁹ adopted in May 2021 specifically address pollution aspects of the European Green Deal. In parallel, the New Industrial Strategy for Europe⁶⁰ further emphasises the potential role of transformative technologies. Other particularly relevant policies for this initiative include the 'Fit for 55' package⁶¹, the Methane Strategy⁶² and the Glasgow methane pledge⁶³, the Climate Adaptation Strategy⁶⁴, the Biodiversity Strategy⁶⁵, the Farm to Fork strategy⁶⁶, ***the New Circular Economy Action Plan^{66a}***, and the Sustainable Products Initiative⁶⁷. Besides, as part of the EU response to the 2022 Russia-Ukraine war, REPowerEU⁶⁸ proposes a Joint European Action to support the diversification of energy supplies, accelerate the transition to renewable energy and improve energy efficiency.

⁵⁵ Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions The European Green Deal; COM(2019) 640 final.

⁵⁶

https://www.un.org/ga/search/view_doc.asp?symbol=A/RES/70/1&Lang=E

⁵⁷ <https://sdgs.un.org/goals>

⁵⁸ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Chemicals Strategy for Sustainability Towards a Toxic-Free Environment COM(2020) 667 final.

⁵⁹ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Pathway to a Healthy Planet for All EU Action Plan: 'Towards Zero Pollution for Air, Water and Soil' COM(2021) 400 final.

⁶⁰ Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions, A New Industrial Strategy for Europe COM(2020) 102 final.

⁶¹ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, 'Fit for 55': delivering the EU's 2030 Climate Target on the way to climate neutrality COM/2021/550 final.

⁶² Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on an EU strategy to reduce methane emissions COM(2020) 663 final.

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⁶⁴ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions Forging a climate-resilient Europe - the new EU Strategy on Adaptation to Climate Change COM(2021) 82 final.

⁶⁵ Communication from the Commission to the European Parliament, the Council, the

⁵⁷ <https://sdgs.un.org/goals>

⁵⁸ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Chemicals Strategy for Sustainability Towards a Toxic-Free Environment COM(2020) 667 final.

⁵⁹ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Pathway to a Healthy Planet for All EU Action Plan: 'Towards Zero Pollution for Air, Water and Soil' COM(2021) 400 final.

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⁶¹ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, 'Fit for 55': delivering the EU's 2030 Climate Target on the way to climate neutrality COM/2021/550 final.

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European Economic and Social Committee and the Committee of the Regions EU Biodiversity Strategy for 2030 Bringing nature back into our lives COM(2020) 380 final.

⁶⁶ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions A Farm to Fork Strategy for a fair, healthy and environmentally-friendly food system COM(2020) 381 final.

⁶⁷ COM(2022) 142

⁶⁸ Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions REPowerEU: Joint European Action for more affordable, secure and sustainable energy; COM(2022) 108 final.

European Economic and Social Committee and the Committee of the Regions EU Biodiversity Strategy for 2030 Bringing nature back into our lives COM(2020) 380 final.

⁶⁶ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions A Farm to Fork Strategy for a fair, healthy and environmentally-friendly food system COM(2020) 381 final.

^{66a} ***European Parliament resolution of 10 February 2021 on the New Circular Economy Action Plan (2020/2077(INI))***

⁶⁷ COM(2022) 142

⁶⁸ Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions REPowerEU: Joint European Action for more affordable, secure and sustainable energy; COM(2022) 108 final.

Or. en

Amendment 33 **Daniel Buda**

Proposal for a directive **Recital 2**

Text proposed by the Commission

(2) The European Green Deal announced a revision of Union measures to address pollution from large industrial installations, including reviewing the sectoral scope of the legislation and how to make it fully consistent with climate, energy and circular economy policies. In addition, the Zero Pollution Action Plan, the Circular Economy Action Plan and the Farm to Fork Strategy also call for

Amendment

(2) The European Green Deal announced a revision of Union measures to address pollution from large industrial installations, including reviewing the sectoral scope of the legislation and how to make it fully consistent with climate, energy and circular economy policies. In addition, the Zero Pollution Action Plan, the Circular Economy Action Plan and the Farm to Fork Strategy also call for

reducing pollutant emissions at source, including sources not currently within the scope of Directive 2010/75/EU of the European Parliament and of the Council⁶⁹. ***Addressing pollution from certain agro-industrial activities thus requires their inclusion within the scope of that Directive.***

⁶⁹ Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control); OJ L 334, 17.12.2010, p. 17-119.

reducing pollutant emissions at source, including sources not currently within the scope of Directive 2010/75/EU of the European Parliament and of the Council⁶⁹. ***All of these measures should be analysed in relation to current challenges, which are the result of the attempt to ensure food security and consolidate agri-food chains, the energy crisis, the effects on the post-Covid internal market, and the impact of the Russian aggression against Ukraine, all of which have profound socio-economic consequences at EU level.***

⁶⁹ Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control); OJ L 334, 17.12.2010, p. 17-119.

Or. ro

Amendment 34

Benoît Biteau

Proposal for a directive

Recital 2

Text proposed by the Commission

(2) The European Green Deal announced a revision of Union measures to address pollution from large industrial installations, including reviewing the sectoral scope of the legislation and how to make it fully consistent with climate, energy and circular economy policies. In addition, the Zero Pollution Action Plan, the Circular Economy Action Plan and the Farm to Fork Strategy also call for reducing pollutant emissions at source, including sources not currently within the scope of Directive 2010/75/EU of the European Parliament and of the Council⁶⁹. **Addressing pollution from certain agro-**

Amendment

(2) The European Green Deal announced a revision of Union measures to address pollution from large industrial installations, including reviewing the sectoral scope of the legislation and how to make it fully consistent with climate, energy and circular economy policies. In addition, the Zero Pollution Action Plan, the Circular Economy Action Plan and the Farm to Fork Strategy also call for reducing pollutant emissions at source, including sources not currently within the scope of Directive 2010/75/EU of the European Parliament and of the Council⁶⁹. **Addressing pollution *and GHG emissions***

industrial activities thus requires their inclusion within the scope of that Directive.

⁶⁹ Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control); OJ L 334, 17.12.2010, p. 17-119.

from certain agro-industrial activities thus requires their inclusion within the scope of that Directive *as well as further action set out in national transformation plans for the livestock sector.*

⁶⁹ Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control); OJ L 334, 17.12.2010, p. 17-119.

Or. en

Amendment 35 **Gilles Lebreton, Elena Lizzi, Paola Ghidoni**

Proposal for a directive **Recital 2**

Text proposed by the Commission

(2) The European Green Deal announced a revision of Union measures to address pollution from large industrial installations, including reviewing the sectoral scope of the legislation and how to make it fully consistent with climate, energy and circular economy policies. In addition, the Zero Pollution Action Plan, the Circular Economy Action Plan and the Farm to Fork Strategy also call for reducing pollutant emissions at source, including sources not currently within the scope of Directive 2010/75/EU of the European Parliament and of the Council⁶⁹. Addressing pollution from certain *agro-industrial activities* thus requires their inclusion within the scope of that Directive.

⁶⁹ Directive 2010/75/EU of the European Parliament and of the Council of

Amendment

(2) The European Green Deal announced a revision of Union measures to address pollution from large industrial installations, including reviewing the sectoral scope of the legislation and how to make it fully consistent with climate, energy and circular economy policies. In addition, the Zero Pollution Action Plan, the Circular Economy Action Plan and the Farm to Fork Strategy also call for reducing pollutant emissions at source, including sources not currently within the scope of Directive 2010/75/EU of the European Parliament and of the Council⁶⁹. Addressing pollution from certain *large agricultural installations* thus requires their inclusion within the scope of that Directive, *although the agricultural sector cannot be considered part of the industrial sector.*

⁶⁹ Directive 2010/75/EU of the European Parliament and of the Council of

24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334, 17.12.2010, p. 17-119).

24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334, 17.12.2010, p. 17-119).

Or. fr

Amendment 36
Dan-Ștefan Motreanu

Proposal for a directive
Recital 2

Text proposed by the Commission

(2) The European Green Deal announced a revision of Union measures to address pollution from large industrial installations, including reviewing the sectoral scope of the legislation and how to make it fully consistent with climate, energy and circular economy policies. In addition, the Zero Pollution Action Plan, the Circular Economy Action Plan and the Farm to Fork Strategy also call for reducing pollutant emissions at source, including sources not currently within the scope of Directive 2010/75/EU of the European Parliament and of the Council⁶⁹.

Addressing pollution from certain agro-industrial activities thus requires their inclusion within the scope of that Directive.

⁶⁹ Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control); OJ L 334, 17.12.2010, p. 17-119.

Amendment

(2) The European Green Deal announced a revision of Union measures to address pollution from large industrial installations, including reviewing the sectoral scope of the legislation and how to make it fully consistent with climate, energy and circular economy policies. In addition, the Zero Pollution Action Plan, the Circular Economy Action Plan and the Farm to Fork Strategy also call for reducing pollutant emissions at source, including sources not currently within the scope of Directive 2010/75/EU of the European Parliament and of the Council⁶⁹.

⁶⁹ Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control); OJ L 334, 17.12.2010, p. 17-119.

Or. en

Amendment 37
Jérémy Decerle, Asger Christensen, Atidzhe Alieva-Veli, Irène Tolleret, Emma Wiesner,

Elsi Katainen

Proposal for a directive
Recital 2

Text proposed by the Commission

(2) The European Green Deal announced a revision of Union measures to address pollution from large industrial installations, including reviewing the sectoral scope of the legislation and how to make it fully consistent with climate, energy and circular economy policies. In addition, the Zero Pollution Action Plan, the Circular Economy Action Plan and the Farm to Fork Strategy also call for reducing pollutant emissions at source, including sources not currently within the scope of Directive 2010/75/EU of the European Parliament and of the Council⁶⁹. ***Addressing pollution from certain agro-industrial activities thus requires their inclusion within the scope of that Directive.***

⁶⁹ Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control); OJ L 334, 17.12.2010, p. 17-119.

Amendment

(2) The European Green Deal announced a revision of Union measures to address pollution from large industrial installations, including reviewing the sectoral scope of the legislation and how to make it fully consistent with climate, energy and circular economy policies. In addition, the Zero Pollution Action Plan, the Circular Economy Action Plan and the Farm to Fork Strategy also call for reducing pollutant emissions at source, including sources not currently within the scope of Directive 2010/75/EU of the European Parliament and of the Council⁶⁹.

⁶⁹ Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control); OJ L 334, 17.12.2010, p. 17-119.

Or. en

Amendment 38
Anja Hazekamp

Proposal for a directive
Recital 2

Text proposed by the Commission

(2) The European Green Deal announced a revision of Union measures to address pollution from large industrial installations, including reviewing the

Amendment

(2) The European Green Deal announced a revision of Union measures to address pollution from large industrial installations, including reviewing the

sectoral scope of the legislation and how to make it fully consistent with climate, energy and circular economy policies. In addition, the Zero Pollution Action Plan, the Circular Economy Action Plan and the Farm to Fork Strategy also call for reducing pollutant emissions at source, including sources not currently within the scope of Directive 2010/75/EU of the European Parliament and of the Council⁶⁹. Addressing pollution from *certain* agro-industrial activities thus requires their inclusion within the scope of that Directive.

⁶⁹ Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control); OJ L 334, 17.12.2010, p. 17-119.

sectoral scope of the legislation and how to make it fully consistent with climate, energy and circular economy policies. In addition, the Zero Pollution Action Plan, the Circular Economy Action Plan and the Farm to Fork Strategy also call for reducing pollutant emissions at source, including sources not currently within the scope of Directive 2010/75/EU of the European Parliament and of the Council⁶⁹. Addressing pollution *and GHG emissions* from agro-industrial activities, *including activities related to the livestock sector*, thus requires their inclusion within the scope of that Directive.

⁶⁹ Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control); OJ L 334, 17.12.2010, p. 17-119.

Or. en

Amendment 39 Anja Hazekamp

Proposal for a directive Recital 3

Text proposed by the Commission

(3) *The Union's extractive industry* is key to achieving the aims of the European Green Deal and the EU industrial strategy, including its update. Raw materials *are* of strategic importance for the digital and green transition, the energy, materials and circular economy transformation *and to strengthen EU economic resilience*. In order to achieve these objectives, sustainable domestic capacities need to be further developed. This requires effective, tailored and harmonised measures to ensure that the best available techniques are established and employed, thus

Amendment

(3) *Accelerating the transition to a circular and sustainable economy* is key to achieving the aims of the European Green Deal and the EU industrial strategy, including its update. *A reduction of* raw materials *is* of strategic importance for the digital and green transition, the energy, materials and circular economy transformation *towards a sustainable and fair economy within the boundaries of the planet*. In order to achieve these objectives, sustainable domestic capacities need to be further developed. This requires effective, tailored and harmonised measures to

applying processes that are both the most efficient and ***have the lowest possible impacts on*** human health and the environment . ***The governance mechanisms of Directive 2010/75/EU that closely associate industry experts to the development of consensual and tailored environmental requirements will support the sustainable growth of those activities in the Union.*** The development and availability of commonly agreed standards will level the Union's playing field while ensuring a high level of protection of human health and the environment. It is therefore appropriate to include those activities within the scope of Directive 2010/75/EU.

ensure that the best available techniques are established and employed, thus applying processes that are both the most efficient and ***only when proven beneficial for human and animal health and welfare, biodiversity*** and the environment . The development and availability of commonly agreed standards will level the Union's playing field while ensuring a high level of protection of human ***and animal health and welfare, biodiversity*** and the environment. It is therefore appropriate to include those activities within the scope of Directive 2010/75/EU.

Or. en

Amendment 40 **Anja Hazekamp**

Proposal for a directive **Recital 3**

Text proposed by the Commission

(3) ***The Union's extractive industry*** is key to achieving the aims of the European Green Deal and the EU industrial strategy, including its update. Raw materials ***are*** of strategic importance for the digital and green transition, the energy, materials and circular economy transformation ***and to strengthen EU economic resilience.*** In order to achieve these objectives, sustainable domestic capacities need to be further developed. This requires effective, tailored and harmonised measures to ensure that the best available techniques are established and employed, thus applying processes that are both the most efficient and ***have the lowest possible impacts on*** human health and the environment . ***The governance mechanisms of Directive 2010/75/EU that***

Amendment

(3) ***Accelerating the transition to a circular and sustainable economy*** is key to achieving the aims of the European Green Deal and the EU industrial strategy, including its update. ***A reduction of*** raw materials ***is*** of strategic importance for the digital and green transition, the energy, materials and circular economy transformation ***towards a sustainable and fair economy within the boundaries of the planet.*** In order to achieve these objectives, sustainable domestic capacities need to be further developed. This requires effective, tailored and harmonised measures to ensure that the best available techniques are established and employed, thus applying processes that are both the most efficient and ***only when proven beneficial for human and animal health and welfare,***

closely associate industry experts to the development of consensual and tailored environmental requirements will support the sustainable growth of those activities in the Union. The development and availability of commonly agreed standards will level the Union's playing field while ensuring a high level of protection of human health and the environment. It is therefore appropriate to include those activities within the scope of Directive 2010/75/EU.

biodiversity and the environment . The development and availability of commonly agreed standards will level the Union's playing field while ensuring a high level of protection of human health and the environment. It is therefore appropriate to include those activities within the scope of Directive 2010/75/EU.

Or. en

Amendment 41 **Daniel Buda**

Proposal for a directive **Recital 3**

Text proposed by the Commission

(3) The Union's extractive industry is key to achieving the aims of the European Green Deal and the EU industrial strategy, including its update. Raw materials are of strategic importance for the digital and green transition, the energy, materials and circular economy transformation and to strengthen EU economic resilience. In order to achieve these objectives, sustainable domestic capacities need to be further developed. This requires effective, tailored and harmonised measures to ensure that the best available techniques are established and employed, thus applying processes that are both the most efficient and have the lowest possible impacts on human health and the environment . The governance mechanisms of Directive 2010/75/EU that closely associate industry experts to the development of consensual and tailored environmental requirements will support the sustainable growth of those activities in the Union. The development and

Amendment

(3) The Union's extractive industry is key to achieving the aims of the European Green Deal and the EU industrial strategy, including its update. Raw materials are of strategic importance for the digital and green transition, the energy, materials and circular economy transformation and to strengthen EU economic resilience. In order to achieve these objectives, sustainable domestic capacities need to be further developed, ***according to national specificities***. This requires effective, tailored and harmonised measures to ensure that the best available techniques are established and employed, thus applying processes that are both the most efficient and have the lowest possible impacts on human health and the environment . The governance mechanisms of Directive 2010/75/EU that closely associate industry experts to the development of consensual and tailored environmental requirements will support the sustainable growth of those activities in

availability of commonly agreed standards will level the Union's playing field while ensuring a high level of protection of human health and the environment. ***It is therefore appropriate to include those activities within the scope of Directive 2010/75/EU.***

the Union. The development and availability of commonly agreed standards will level the Union's playing field while ensuring a high level of protection of human health and the environment.

Or. ro

Amendment 42
Anja Hazekamp

Proposal for a directive
Recital 3 a (new)

Text proposed by the Commission

Amendment

(3a) A green transition requires a system change so that it works with the planet and within its boundaries.

Or. en

Amendment 43
Krzysztof Jurgiel

Proposal for a directive
Recital 4

Text proposed by the Commission

Amendment

(4) Rearing of pigs, poultry and cattle cause significant pollutant emissions into the air and water. In order to reduce such pollutant emissions, including ammonia, methane, nitrates and greenhouse gas emissions and thereby improve air, water and soil quality, it is necessary to lower the threshold above which pigs and poultry installations are included within the scope of Directive 2010/75/EU and to include also cattle farming within that scope. Relevant BAT requirements take into consideration the nature, size, density

deleted

and complexity of these installations, including the specificities of pasture based cattle rearing systems, where animals are only seasonally reared in indoor installations, and the range of environmental impacts they may have. The proportionality requirements in BATs aim to incentivise farmers to implement the necessary transition towards increasingly environmentally friendly agricultural practices.

Or. pl

Amendment 44
Bert-Jan Ruissen

Proposal for a directive
Recital 4

Text proposed by the Commission

Amendment

(4) Rearing of pigs, poultry and cattle cause significant pollutant emissions into the air and water. In order to reduce such pollutant emissions, including ammonia, methane, nitrates and greenhouse gas emissions and thereby improve air, water and soil quality, it is necessary to lower the threshold above which pigs and poultry installations are included within the scope of Directive 2010/75/EU and to include also cattle farming within that scope. Relevant BAT requirements take into consideration the nature, size, density and complexity of these installations, including the specificities of pasture based cattle rearing systems, where animals are only seasonally reared in indoor installations, and the range of environmental impacts they may have. The proportionality requirements in BATs aim to incentivise farmers to implement the necessary transition towards increasingly environmentally friendly agricultural practices.

deleted

Amendment 45
Anja Hazekamp

Proposal for a directive
Recital 4

Text proposed by the Commission

(4) Rearing of pigs, poultry and cattle cause significant pollutant emissions into the air and water. In order to reduce such pollutant emissions, including ammonia, methane, nitrates and greenhouse gas emissions and thereby improve air, water and soil quality, it is **necessary** to lower the threshold above which pigs and poultry installations are included within the scope of Directive 2010/75/EU and to include **also** cattle farming within that scope. Relevant BAT requirements take into consideration the nature, size, density and complexity of these installations, including the specificities of pasture based cattle rearing systems, where animals are only seasonally reared in indoor installations, and the range of environmental impacts they may have. The proportionality requirements in BATs aim to incentivise farmers to implement the necessary transition towards increasingly environmentally **friendly** agricultural practices.

Amendment

(4) **Animal farming, especially the** rearing of pigs, poultry and cattle cause significant pollutant emissions into the air, **soil** and water **and severe damage to the climate**. In order to reduce such pollutant emissions, including ammonia, methane, nitrates and greenhouse gas emissions and thereby improve air, water and soil quality, **the number of farmed animals should be reduced drastically, additionally**, it is **crucial** to lower the threshold above which pigs and poultry installations are included within the scope of Directive 2010/75/EU and **it is inevitable** to include cattle farming within that scope **to meet the commitments made under the Global Methane Pledge. The establishment and expansion of industrial livestock installations shall not be granted a permit**. Relevant BAT requirements take into consideration the nature, size, density and complexity of these installations, including the specificities of pasture based cattle rearing systems, where animals are only seasonally reared in indoor installations, **animal welfare** and the range of environmental impacts they may have. The proportionality requirements in BATs aim to incentivise farmers to implement the necessary transition towards increasingly environmentally **and animal friendlier** agricultural practices, **with emphasis on the protein transition. BAT requirements should be consulted with environmental and animal NGOs on a regular basis**.

Amendment 46
Daniel Buda

Proposal for a directive
Recital 4

Text proposed by the Commission

(4) Rearing of pigs, poultry **and cattle** cause **significant** pollutant emissions into the air and water. ***In order to reduce such pollutant emissions, including ammonia, methane, nitrates and greenhouse gas emissions and thereby improve air, water and soil quality, it is necessary to lower the threshold above which pigs and poultry installations are included within the scope of Directive 2010/75/EU and to include also cattle farming within that scope. Relevant BAT requirements take into consideration the nature, size, density and complexity of these installations, including the specificities of pasture based cattle rearing systems, where animals are only seasonally reared in indoor installations, and the range of environmental impacts they may have. The proportionality requirements in BATs aim to incentivise farmers to implement the necessary transition towards increasingly environmentally friendly agricultural practices.***

Amendment

(4) Rearing of pigs **and** poultry **can** cause pollutant emissions into the **soil, the** air and water **that could harm the environment. Member States should put measures in place to avoid these risks in their national strategic plan under the common agricultural policy (CAP), in force from 1 January 2023. In a sensitive geopolitical and economic context, to protect businesses in the agricultural sector and avoid burdening them with administrative tasks and additional costs, the current threshold for pigs and poultry should remain unchanged.**

Or. ro

Amendment 47
Benoît Biteau

Proposal for a directive
Recital 4

Text proposed by the Commission

(4) Rearing of pigs, poultry and cattle cause significant pollutant emissions into

Amendment

(4) Rearing of pigs, poultry and cattle cause significant pollutant emissions into

the air and water. In order to reduce such pollutant emissions, including ammonia, methane, nitrates and greenhouse gas emissions and thereby improve air, water and soil quality, it is necessary to lower the threshold above which pigs and poultry installations are included within the scope of Directive 2010/75/EU and to include also cattle farming within that scope. Relevant BAT requirements take into consideration the nature, size, density and complexity of these installations, including the specificities of pasture based cattle rearing systems, where animals are only seasonally reared in indoor installations, and the range of environmental impacts they may have. The proportionality requirements in BATs aim to incentivise farmers to implement the necessary transition towards increasingly environmentally friendly agricultural practices.

the air and water. In order to reduce such pollutant emissions, including ammonia, methane, nitrates and greenhouse gas emissions and thereby improve air, water and soil quality, it is necessary to lower the threshold above which pigs and poultry installations are included within the scope of Directive 2010/75/EU and to include also cattle farming within that scope. Relevant BAT requirements take into consideration the nature, size, density and complexity of these installations, including the specificities of pasture based cattle rearing systems, where animals are only seasonally reared in indoor installations, and the range of environmental impacts they may have. The proportionality requirements in BATs aim to incentivise farmers to implement the necessary transition towards increasingly environmentally friendly agricultural practices. ***Member states should present transformation plans for their livestock sector, containing information on how the sector will be transformed in order to contribute to the emergence of a sustainable, clean, circular and climate-neutral economy by 2050***

Or. en

Amendment 48

Jérémy Decerle, Atidzhe Alieva-Veli, Irène Tolleret, Emma Wiesner, Dacian Cioloș, Elsi Katainen

Proposal for a directive

Recital 4

Text proposed by the Commission

(4) Rearing of pigs, poultry and cattle cause significant pollutant emissions into the air and water. In order to reduce such pollutant emissions, including ammonia, methane, nitrates and greenhouse gas emissions and thereby improve air, water and soil quality, ***it is necessary to lower the***

Amendment

(4) Rearing of pigs, poultry and cattle ***may*** cause significant pollutant emissions into the air and water. In order to reduce such pollutant emissions, including ammonia, methane, nitrates and greenhouse gas emissions and thereby improve air, water and soil quality,

threshold above which pigs and poultry installations are included within the scope of Directive 2010/75/EU and to include also cattle farming within that scope. Relevant BAT requirements take into consideration the nature, size, density and complexity of these installations, including the specificities of pasture based cattle rearing systems, where animals are only seasonally reared in indoor installations, and the range of environmental impacts they may have. The proportionality requirements in BATs aim to incentivise farmers to implement the necessary transition towards increasingly environmentally friendly agricultural practices.

existing national and European frameworks should be mobilised and existing good practices should be promoted, including with the support of national strategic plans of the CAP. In addition to the requirements already set in the CAP to reduce emissions from agriculture, any evolution of the scope of Directive 2010/75/EU or of the relevant BAT requirements should be considered through close dialogue with farmers representatives so as to guarantee the proportionality of the foreseen constraints regarding the expected results and to make sure that farmers are incentivised to keep implementing the necessary transition towards increasingly environmentally friendly agricultural practices, taking into account every aspects, beyond the sole issue of emissions.

Or. en

Amendment 49 **Benoît Biteau**

Proposal for a directive **Recital 4**

Text proposed by the Commission

(4) Rearing of pigs, poultry and cattle cause significant pollutant emissions into the air and water. In order to reduce such pollutant emissions, including ammonia, methane, nitrates and greenhouse gas emissions and thereby improve air, water and soil quality, it is necessary to lower the threshold above which pigs and poultry installations are included within the scope of Directive 2010/75/EU and to include also cattle farming within that scope. Relevant BAT requirements take into consideration the nature, size, density and complexity of these installations, including the specificities of pasture based cattle rearing systems, where animals are only

Amendment

(4) **Intensive** rearing of pigs, poultry and cattle cause significant pollutant emissions into the air and water. In order to reduce such pollutant emissions, including ammonia, methane, nitrates and greenhouse gas emissions and thereby improve air, water and soil quality, it is necessary to lower the threshold above which pigs and poultry installations are included within the scope of Directive 2010/75/EU and to include also **intensive** cattle farming **not based on grazing systems** within that scope. Relevant BAT requirements take into consideration the nature, size, density and complexity of these installations, including the

seasonally reared in indoor installations, and the range of environmental impacts they may have. The proportionality requirements in BATs aim to incentivise farmers to implement the necessary transition towards increasingly environmentally friendly agricultural practices.

specificities of *open space housing systems as well as* pasture based cattle rearing systems, where animals are only seasonally reared in indoor installations, and the range of environmental impacts they may have. The proportionality requirements in BATs aim to incentivise farmers to implement the necessary transition towards increasingly environmentally friendly agricultural practices.

Or. en

Amendment 50 **Dan-Ştefan Motreanu**

Proposal for a directive **Recital 4**

Text proposed by the Commission

(4) Rearing of pigs, poultry **and cattle** cause **significant** pollutant emissions into the air and water. **In order** to reduce **such pollutant** emissions, including ammonia, methane, nitrates and greenhouse gas emissions and thereby improve air, water and soil quality, it is necessary to lower the threshold above which pigs and poultry installations are included within the scope of Directive 2010/75/EU and to include also cattle farming within that scope. Relevant BAT requirements take into consideration the nature, size, density and complexity of these installations, including the specificities of pasture based cattle rearing systems, where animals are only seasonally reared in indoor installations, and the range of environmental impacts they may have. The proportionality requirements in BATs aim to incentivise farmers to implement the necessary transition towards increasingly environmentally friendly agricultural practices.

Amendment

(4) Rearing of pigs **and** poultry **can** cause pollutant emissions into the soil, air and water. **Member States should address that risk in their national strategic plan under the Common Agricultural Policy (CAP), which will be in force from 1 January 2023. Furthermore, the Member States, via the CAP, should implement measures to reduce GHG emissions from agriculture, including methane, and reduce ammonia emissions, such as from livestock and fertilizers. In addition to the targets set under the CAP, Directive (EU) 2016/2284 ('NEC')^{1a} sets targets to reduce emissions, including ammonia from agriculture. Therefore, in order to avoid creating an administrative burden and unnecessary overlaps in the current legislative framework, the current thresholds for pigs and poultry should remain unchanged.**

1a Directive (EU) 2016/2284 of the European Parliament and of the Council of 14 December 2016 on the reduction of national emissions of certain atmospheric pollutants, amending Directive 2003/35/EC and repealing Directive 2001/81/EC (OJ L 344, 17.12.2016, p. 1–31)

Or. en

Amendment 51
Daniel Buda

Proposal for a directive
Recital 4 a (new)

Text proposed by the Commission

Amendment

(4a) Appropriate importance should be given to protecting the surrounding environment, but care must be taken not to place any additional administrative or financial burdens on the livestock sector; on the contrary, the activities of these operators need ongoing stimulus in order to meet all of the current challenges they face.

Or. ro

Amendment 52
Simone Schmiedtbauer

Proposal for a directive
Recital 6

Text proposed by the Commission

Amendment

(6) With a view to further strengthening public access to environmental information, it is necessary to clarify that permits for installations granted pursuant to Directive 2010/75/EU

deleted

are to be made available to the public on the Internet, free of charge and without restricting access to registered users. A uniform summary of permits should also be made available to the public under the same conditions.

Or. en

Amendment 53
Daniel Buda

Proposal for a directive
Recital 6

Text proposed by the Commission

(6) With a view to further strengthening **public access** to environmental information, it is necessary to clarify that **permits for installations** granted pursuant to Directive 2010/75/EU are to be made available to the public on the Internet, free of charge and without restricting access to registered users. A uniform summary of permits should also be made available to the public under the same conditions.

Amendment

(6) With a view to further strengthening **the access of the public concerned** to environmental information, it is necessary to clarify that **non-technical information from the installation permits** granted pursuant to Directive 2010/75/EU are to be made available **on request** to the public **concerned** on the Internet, free of charge and without restricting access to registered users. A uniform summary of permits should also be made available to the public **concerned** under the same conditions.

Or. ro

Amendment 54
Daniel Buda

Proposal for a directive
Recital 6 a (new)

Text proposed by the Commission

Amendment

(6a) The Commission shall specify clearly and accessibly which non-technical information can be made available to the public concerned on

request, so as to increase public interest without affecting the economic activity of the producer. The Commission shall specify who is responsible for drafting the non-technical information and uniform summary. In the event that this information has to be synthesised by an environmental assessor, the Commission should establish how the cost of this will be covered.

Or. ro

Amendment 55
Daniel Buda

Proposal for a directive
Recital 12

Text proposed by the Commission

(12) To ensure the protection of human health and the environment as a whole, synergies and coordination with other relevant Union environmental legislation are necessary, at all stages of its implementation. Therefore, all relevant competent authorities that ensure compliance with relevant Union environmental legislation should be duly consulted before the granting of a permit under Directive 2010/75/EU.

Amendment

(12) To ensure the protection of human health and the environment as a whole, synergies and coordination with other relevant Union environmental legislation are necessary, at all stages of its implementation. Therefore, all relevant competent authorities that ensure compliance with relevant Union environmental legislation should be duly consulted before the granting of a permit under Directive 2010/75/EU, ***but without complicating or creating difficulties in the process of granting permits.***

Or. ro

Amendment 56
Anja Hazekamp

Proposal for a directive
Recital 12

Text proposed by the Commission

Amendment

(12) To ensure the protection of human health and the environment as a whole, synergies and coordination with other relevant Union environmental legislation are necessary, at all stages of its implementation. Therefore, all relevant competent authorities that ensure compliance with relevant Union environmental legislation should be duly consulted before the granting of a permit under Directive 2010/75/EU.

(12) To ensure the protection of human **and animal health and welfare, biodiversity** and the environment as a whole, synergies and coordination with other relevant Union environmental legislation are necessary, at all stages of its implementation. Therefore, all relevant competent authorities that ensure compliance with relevant Union environmental legislation should be duly consulted before **considering** the granting of a permit under Directive 2010/75/EU.

Or. en

Amendment 57
Daniel Buda

Proposal for a directive
Recital 13

Text proposed by the Commission

(13) With a view to continuously improving the environmental performance and safety of the installation, including by preventing waste generation, optimising resource use and water reuse, and preventing or reducing risks associated with the use of hazardous substances, the operator should establish and implement an environmental management system (EMS) in accordance with relevant BAT conclusions, and should make it available to the public. The EMS should also cover the management of risks related to the use of the hazardous substances and an analysis of the possible substitution of hazardous substances by safer alternatives.

Amendment

(13) With a view to continuously improving the environmental performance and safety of the installation, including by preventing waste generation, optimising resource use and water reuse, and preventing or reducing risks associated with the use of hazardous substances, the operator should establish and implement an environmental management system (EMS) in accordance with relevant BAT conclusions, and should make it available to the public **on request**. The EMS should also cover the management of risks related to the use of the hazardous substances and an analysis of the possible substitution of hazardous substances by safer alternatives. **However, the EMS should maintain the integrity of confidential business information, by not publishing information classed as confidential business information or information that is sensitive from a business point of view.**

Or. ro

Amendment 58
Anja Hazekamp

Proposal for a directive
Recital 15

Text proposed by the Commission

(15) Providing a high level of protection of human health and the environment as a whole requires inter alia the establishment in permits of emission limit values at a level that ensures compliance with the applicable emission levels associated with the best available techniques set out in the BAT conclusions. Emission levels associated with the best available techniques (BAT-AELs) are usually expressed as ranges, rather than as single values, to reflect the differences within a given type of installations that result in variations in the environmental performances achieved when applying BAT. For example, a given BAT will not deliver the same performance for different installations, some BATs may not be suitable for use in certain installations, or a combination of BATs may be more effective on some pollutants or environmental media than others. ***The achievement of a high level of protection of human health and the environment as a whole has been jeopardised by the practice of setting emission limit values at the laxest end of the range of emission levels associated with the best available techniques, without*** considering the potential of a given installation to achieve lower emission levels through the application of best available techniques. ***Such practice discourages frontrunners from implementing more effective techniques, and hinders*** the achievement of a level-playing field at a high level of protection of human health and the environment. Competent authorities should therefore be required to set in permits the

Amendment

(15) Providing a high level of protection of human ***and animal*** health ***and welfare, biodiversity*** and the environment as a whole requires inter alia the establishment in permits of emission limit values at a level that ensures compliance with the applicable emission levels associated with the best available techniques set out in the BAT conclusions. Emission levels associated with the best available techniques (BAT-AELs) are usually expressed as ranges, rather than as single values, to reflect the differences within a given type of installations that result in variations in the environmental performances achieved when applying BAT. For example, a given BAT will not deliver the same performance for different installations, some BATs may not be suitable for use in certain installations, or a combination of BATs may be more effective on some pollutants or environmental media than others. ***Before*** considering the potential of a given installation to achieve lower emission levels through the application of best available techniques, ***effects on nature, environment and the health and welfare of humans and animals will be thoroughly assessed. Technological and other solutions with the aim of reducing emissions from animal farming, such as permanent indoor housing, air scrubbers and low-emission stable floors that require a significant investment from farmers will not fall under best available techniques. Such practices hinder*** the achievement of a level-playing field at a high level of protection of human ***and***

lowest possible emission limit values which reflect the performance of BAT for the specific installations, taking into consideration the whole range of BAT-AELs and aiming at the best environmental performance possible for the installations; ***unless the operator demonstrates that applying best available techniques as described in the BAT conclusions only allows the concerned installation to meeting less strict emission limit values.***

animal health and welfare, biodiversity and the environment. Competent authorities should therefore be required to set in permits the lowest possible emission limit values which reflect the performance of BAT for the specific installations, taking into consideration the whole range of BAT-AELs and aiming at the best environmental performance possible for the installations.

Or. en

Amendment 59
Daniel Buda

Proposal for a directive
Recital 19

Text proposed by the Commission

(19) Environmental quality standards refer to all the requirements set out in Union law, such as Union legislation on air and water; which must be fulfilled at a given time by a given environment or particular part thereof. Therefore it is appropriate to clarify that when granting a permit to an installation, competent authorities should not only set out conditions to ensure compliance of the installation's operations with the best available techniques conclusions, but should also, where appropriate ***with a view to reducing*** the specific contribution of the installation to the pollution occurring in the relevant area, ***include specific additional conditions in the permit stricter than those set in relevant BAT conclusions***, so as to ensure the installation's compliance with environmental quality standards. Such conditions may consist in setting stricter emission limit values or limiting the operation or capacity of the installation.

Amendment

(19) Environmental quality standards refer to all the requirements set out in Union law, such as Union legislation on air and water; which must be fulfilled at a given time by a given environment or particular part thereof. Therefore it is appropriate to clarify that when granting a permit to an installation, competent authorities should not only set out conditions to ensure compliance of the installation's operations with the best available techniques conclusions, but should also, where appropriate, ***plan to reduce*** the specific contribution of the installation to the pollution occurring in the relevant area, so as to ensure the installation's compliance with environmental quality standards. ***At the discretion of Member States***, such conditions may consist in setting stricter emission limit values or limiting the operation or capacity of the installation, ***according to national specificities***.

Or. ro

Amendment 60
Daniel Buda

Proposal for a directive
Recital 20

Text proposed by the Commission

(20) Permit conditions should be regularly reviewed and, where necessary, updated by the competent authority to ensure compliance with relevant legislation. Such review or update should also take place where it is necessary for the installation to comply with an environmental quality standard, including in the case of a new or revised environmental quality standard or where the status of the receiving environment requires a revision of the permit in order to achieve compliance with plans and programmes set under Union legislation, such as the river basin management plans under Directive 2000/60/EC of the European Parliament and of the Council⁷².

Amendment

(20) Permit conditions should be regularly reviewed and, where necessary, updated by the competent authority to ensure compliance with relevant legislation. Such review or update should also take place where it is necessary for the installation to comply with an environmental quality standard, including in the case of a new or revised environmental quality standard or where the status of the receiving environment requires a revision of the permit in order to achieve compliance with plans and programmes set under Union legislation, such as the river basin management plans under Directive 2000/60/EC of the European Parliament and of the Council. ***Production installations must be given adequate transition time to comply with the new permit conditions, such that production, human resources and end consumers are as unaffected as possible. The transition period should be determined according to the type and capacity of the installation.***

⁷² Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (OJ L 327, 22.12.2000).

Or. ro

Amendment 61

Proposal for a directive
Recital 22

Text proposed by the Commission

(22) As clarified by the case-law of the Court of Justice⁷³, Member States may not restrict legal standing to challenge a decision of a public authority to those members of the public concerned who participated in the preceding administrative procedure to adopt that decision. As also clarified by the case-law of the Court of Justice⁷⁴, effective access to justice in environmental matters and effective remedies requires inter alia that members of the public concerned should have the right to ask the court or an incompetent independent and impartial body to order interim measures to prevent a given instance of pollution, including, where necessary, through the temporary suspension of the disputed permit.

Therefore, it should be specified that legal standing should not be made conditional on the role that the concerned member of the public played during a participatory phase of the decision-making procedures under this Directive. In addition, any review procedure should be fair, equitable, timely and not prohibitively expensive, and provide for adequate and effective redress mechanisms, including injunctive relief as appropriate.

⁷³ Case C-826/18, Judgment of the Court (First Chamber) of 14 January 2021; *LB and Others v College van burgemeester en wethouders van de gemeente Echt-Susteren*; paragraphs 58 and 59.

⁷⁴ Case C-416/10 Judgment of the Court (Grand Chamber), 15 January 2013; *Jozef Križan and Others v Slovenská inšpekcia životného prostredia*. Križan, paragraph 109.

Amendment

(22) As clarified by the case-law of the Court of Justice⁷³, Member States may not restrict legal standing to challenge a decision of a public authority to those members of the public concerned who participated in the preceding administrative procedure to adopt that decision. As also clarified by the case-law of the Court of Justice⁷⁴, effective access to justice in environmental matters and effective remedies requires inter alia that members of the public concerned should have the right to ask the court or an incompetent independent and impartial body to order interim measures to prevent a given instance of pollution, including, where necessary, through the temporary suspension of the disputed permit. In addition, any review procedure should be fair, equitable, timely and not prohibitively expensive, and provide for adequate and effective redress mechanisms, including injunctive relief as appropriate.

Amendment 62
Simone Schmiedtbauer

Proposal for a directive
Recital 22

Text proposed by the Commission

(22) As clarified by the case-law of the Court of Justice⁷³, Member States may not restrict legal standing to challenge a decision of a public authority to those members of the public concerned who participated in the preceding administrative procedure to adopt that decision. As also clarified by the case-law of the Court of Justice⁷⁴, effective access to justice in environmental matters and effective remedies requires inter alia that members of the public concerned should have the right to ask the court or an competent independent and impartial body to order interim measures to prevent a given instance of pollution, including, where necessary, through the temporary suspension of the disputed permit. Therefore, it should be specified that legal standing should not be made conditional on the role that the **concerned** member of the public played during a participatory phase of the decision-making procedures under this Directive. In addition, any review procedure should be fair, equitable, timely and not prohibitively expensive, and provide for adequate and effective redress mechanisms, including injunctive relief as appropriate.

⁷³ Case C–826/18, Judgment of the Court (First Chamber) of 14 January 2021; *LB and Others v College van burgemeester en wethouders van de gemeente Echt-Susteren*; paragraphs 58 and 59.

⁷⁴ Case C-416/10 Judgment of the Court

Amendment

(22) As clarified by the case-law of the Court of Justice⁷³, Member States may not restrict legal standing to challenge a decision of a public authority to those members of the public concerned who participated in the preceding administrative procedure to adopt that decision. As also clarified by the case-law of the Court of Justice⁷⁴, effective access to justice in environmental matters and effective remedies requires inter alia that members of the public concerned should have the right to ask the court or an competent independent and impartial body to order interim measures to prevent a given instance of pollution, including, where necessary, through the temporary suspension of the disputed permit. Therefore, it should be specified that legal standing should not be made conditional on the role that the member of the public **concerned** played during a participatory phase of the decision-making procedures under this Directive. In addition, any review procedure should be fair, equitable, timely and not prohibitively expensive, and provide for adequate and effective redress mechanisms, including injunctive relief as appropriate.

⁷³ Case C–826/18, Judgment of the Court (First Chamber) of 14 January 2021; *LB and Others v College van burgemeester en wethouders van de gemeente Echt-Susteren*; paragraphs 58 and 59.

⁷⁴ Case C-416/10 Judgment of the Court

(Grand Chamber), 15 January 2013; Jozef Križan and Others v Slovenská inšpekcia životného prostredia. Križan, paragraph 109.

(Grand Chamber), 15 January 2013; Jozef Križan and Others v Slovenská inšpekcia životného prostredia. Križan, paragraph 109.

Or. en

Amendment 63
Daniel Buda

Proposal for a directive
Recital 27

Text proposed by the Commission

(27) *In light of the high number of rearing installations that should be included within the scope of Directive 2010/75/EU, and the relative simplicity of the processes and emissions patterns of such installations, it is appropriate to set out specific administrative procedures for issuing permits and for the operation of the relevant activities which are adapted to the sector, without prejudice to requirements related to public information **and** participation, monitoring **and** compliance.*

Amendment

(27) *Given that farms operating in the pig and poultry rearing sector constitute a significant proportion, and that they could be included within the scope of Directive 2010/75/EU, and **in light of** the relative simplicity of the processes and emissions patterns of such installations, it is appropriate to set out specific **simplified** administrative procedures for issuing permits and for the operation of the relevant activities which are adapted to the sector, without prejudice to requirements related to public information, participation, monitoring, compliance **or production capacity**. **At the same time, the requirements in the text of the directive should not create additional administrative or financial burdens that hinder the activities of small and medium-sized farms in particular.***

Or. ro

Amendment 64
Anja Hazekamp

Proposal for a directive
Recital 27

Text proposed by the Commission

(27) In light of the **high number of** rearing installations that should be included within the scope of Directive 2010/75/EU, and the relative simplicity of the processes and emissions patterns of such installations, it is appropriate to set out specific administrative procedures for issuing permits and for the operation of the relevant activities which are adapted to the sector, without prejudice to requirements related to public information and participation, **monitoring** and compliance.

Amendment

(27) In light of the **additional** rearing installations that should be included within the scope of Directive 2010/75/EU, and the relative simplicity of the processes and emissions patterns of such installations, it is appropriate to set out specific administrative procedures for **extensive installations with a significantly lower number and density of animals for** issuing permits and for the operation of the relevant activities which are adapted to the sector, without prejudice to requirements related to public information and participation, **monitoring** and compliance. **All other installations within the scope of Directive 2010/75/EU will follow the requirements set out in Article 11 regarding the general principles governing the basic obligations of the operator and Article 12 regarding the applications for permits.**

Or. en

Amendment 65

Jérémy Decerle, Dacian Cioloș, Atidzhe Alieva-Veli, Irène Tolleret, Emma Wiesner, Asger Christensen, Elsi Katainen

Proposal for a directive

Recital 27

Text proposed by the Commission

(27) In light of the high number of rearing installations that **should** be included within the scope of Directive 2010/75/EU, **and** the relative simplicity of the processes and emissions patterns of such installations, it is appropriate to set out specific administrative procedures for issuing permits and for the operation of the relevant activities which are adapted to the sector, without prejudice to requirements related to public information and participation, **monitoring** and compliance.

Amendment

(27) In light of the high number of rearing installations that **might** be included within the scope of Directive 2010/75/EU, **of the** relative simplicity of the processes and emissions patterns of such installations, **of the specificities of production processes that include living animals and of the limited human resources that farms are able to dedicate to such a procedure**, it is appropriate to set out specific administrative procedures for issuing permits and for the operation of the

relevant activities which are adapted to the sector, without prejudice to requirements related to public information and participation, monitoring and compliance.

Or. en

Amendment 66
Simone Schmiedtbauer

Proposal for a directive
Recital 27

Text proposed by the Commission

(27) *In light of the high number of rearing installations that should be included within the scope of Directive 2010/75/EU, and the relative simplicity of the processes and emissions patterns of such installations, it is appropriate to set out specific administrative procedures for issuing permits and for the operation of the relevant activities which are adapted to the sector, without prejudice to requirements related to public information and participation, monitoring and compliance.*

Amendment

(27) *Due to the fact that livestock installations are difficult to compare with other activities falling within the scope of Directive 2010/75/EU, as their emission patterns are significantly more complex, it is appropriate to establish specific administrative procedures, adapted to the sector, for granting permits and the pursuit of the relevant activities.*

Or. en

Amendment 67
Dan-Ştefan Motreanu

Proposal for a directive
Recital 27

Text proposed by the Commission

(27) In light of the high number of **rearing installations** that should be included within the scope of Directive 2010/75/EU, and the relative simplicity of the processes and emissions patterns of such **installations**, it is appropriate to set

Amendment

(27) In light of the high number of **pig and poultry farms** that should be included within the scope of Directive 2010/75/EU, and the relative simplicity of the processes and emissions patterns of such **farms**, it is appropriate to set out specific **simplified**

out specific administrative procedures for issuing permits and for the operation of the relevant activities which are adapted to the sector, without prejudice to requirements related to public information and participation, monitoring and compliance.

administrative procedures for issuing permits and for the operation of the relevant activities which are adapted to the sector, without prejudice to requirements related to public information and participation, monitoring and compliance.

Or. en

Amendment 68
Daniel Buda

Proposal for a directive
Recital 27 a (new)

Text proposed by the Commission

Amendment

(27a) The European Commission and Member States shall ensure that farmers have access to sufficient lines of finance for developing and modernising installations as necessary to meet the objectives of this Directive.

Or. ro

Amendment 69
Simone Schmiedtbauer

Proposal for a directive
Recital 29

Text proposed by the Commission

Amendment

(29) In order to ensure that Directive 2010/75/EU continues meeting its objectives to prevent or reduce emissions of pollutants and achieve a high level of protection of human health and the environment, ***the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission to supplement that Directive in order to establish operating rules containing requirements for activities relating to***

(29) In order to ensure that Directive 2010/75/EU continues meeting its objectives to prevent or reduce emissions of pollutants and achieve a high level of protection of human health and the environment, ***Member States*** should establish operating rules containing requirements for activities relating to rearing of poultry ***and pigs. This preserves the principle of subsidiarity and provides adequate flexibility to take into account***

rearing of poultry, *pigs and cattle, and to amend Annexes I and Ia to that Directive by adding an agro-industrial activity to ensure that it meets its objectives to prevent or reduce pollutants emissions and achieve a high level of protection of human health and the environment. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016⁷⁷. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.*

the differences in various types of farming in Member States.

⁷⁷ Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making; OJ L 123, 12.5.2016, p. 1–14.

Or. en

Amendment 70
Bert-Jan Ruissen

Proposal for a directive
Recital 29

Text proposed by the Commission

(29) *In order to ensure that Directive 2010/75/EU continues meeting its objectives to prevent or reduce emissions of pollutants and achieve a high level of protection of human health and the environment, the power to adopt acts in*

Amendment

(29) It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the

accordance with Article 290 TFEU should be delegated to the Commission to supplement that Directive in order to establish operating rules containing requirements for activities relating to rearing of poultry, pigs and cattle, and to amend Annexes I and Ia to that Directive by adding an agro-industrial activity to ensure that it meets its objectives to prevent or reduce pollutants emissions and achieve a high level of protection of human health and the environment. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016⁷⁷. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Interinstitutional Agreement on Better Law-Making of 13 April 2016⁷⁷. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

⁷⁷ Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making; OJ L 123, 12.5.2016, p. 1–14.

⁷⁷ Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making; OJ L 123, 12.5.2016, p. 1–14.

Or. en

Amendment 71
Daniel Buda

Proposal for a directive
Recital 29

Text proposed by the Commission

(29) In order to ensure that Directive

Amendment

(29) In order to ensure that Directive

2010/75/EU continues meeting its objectives to prevent or reduce emissions of pollutants and achieve a high level of protection of human health and the environment, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission to supplement that Directive in order to establish operating rules containing requirements for activities relating to rearing of poultry, pigs *and cattle, and to amend Annexes I and Ia to that Directive by adding an agro-industrial activity to ensure that it meets its objectives to prevent or reduce pollutants emissions and achieve a high level of protection of human health and the environment.* It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016⁷⁷. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

⁷⁷ Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making, OJ L 123, 12.5.2016, p. 1–14.

2010/75/EU continues meeting its objectives to prevent or reduce emissions of pollutants and achieve a high level of protection of human health and the environment, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission to supplement that Directive in order to establish operating rules containing requirements for activities relating to rearing of poultry *and* pigs. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016⁷⁷. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

⁷⁷ Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making, OJ L 123, 12.5.2016, p. 1–14.

Or. ro

Amendment 72
Dan-Ștefan Motreanu

Proposal for a directive

Recital 29

Text proposed by the Commission

(29) In order to ensure that Directive 2010/75/EU continues meeting its objectives to prevent or reduce emissions of pollutants and achieve a high level of protection of human health and the environment, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission to supplement that Directive in order to establish operating rules containing requirements for activities relating to rearing of poultry, ***pigs and cattle, and to amend Annexes I and Ia to that Directive by adding an agro-industrial activity to ensure that it meets its objectives to prevent or reduce pollutants emissions and achieve a high level of protection of human health and the environment.*** It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016⁷⁷. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

⁷⁷ Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making; OJ L 123, 12.5.2016, p. 1–14.

Amendment

(29) In order to ensure that Directive 2010/75/EU continues meeting its objectives to prevent or reduce emissions of pollutants and achieve a high level of protection of human health and the environment, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission to supplement that Directive in order to establish operating rules containing requirements for activities relating to rearing of poultry ***and pigs***. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016⁷⁷. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

⁷⁷ Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making; OJ L 123, 12.5.2016, p. 1–14.

Or. en

Amendment 73

Jérémy Decerle, Atidzhe Alieva-Veli, Irène Tolleret, Emma Wiesner

Proposal for a directive

Recital 29

Text proposed by the Commission

(29) In order to ensure that Directive 2010/75/EU continues meeting its objectives to prevent or reduce emissions of pollutants and achieve a high level of protection of human health and the environment, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission to supplement that Directive in order to establish operating rules containing requirements for activities relating to rearing of poultry, ***pigs and cattle, and to amend Annexes I and Ia to that Directive by adding an agro-industrial activity to ensure that it meets its objectives to prevent or reduce pollutants emissions and achieve a high level of protection of human health and the environment.*** It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016⁷⁷. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

⁷⁷ Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making; OJ L 123, 12.5.2016, p. 1–14.

Amendment

(29) In order to ensure that Directive 2010/75/EU continues meeting its objectives to prevent or reduce emissions of pollutants and achieve a high level of protection of human health and the environment, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission to supplement that Directive in order to establish operating rules containing requirements for activities relating to rearing of poultry ***and pigs***. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016⁷⁷. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

⁷⁷ Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making; OJ L 123, 12.5.2016, p. 1–14.

Amendment 74
Anja Hazekamp

Proposal for a directive
Recital 29

Text proposed by the Commission

(29) In order to ensure that Directive 2010/75/EU continues meeting its objectives to prevent *or* reduce emissions of pollutants and achieve a high level of protection of human health and the environment, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission to supplement that Directive in order to establish operating rules containing requirements for activities relating to rearing of poultry, pigs and cattle, and to amend Annexes I and Ia to that Directive by adding an agro-industrial activity to ensure that it meets its objectives to prevent *or* reduce pollutants emissions and achieve a high level of protection of human health and the environment. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016⁷⁷. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Amendment

(29) In order to ensure that Directive 2010/75/EU continues meeting its objectives to prevent *and* reduce emissions of pollutants and achieve a high level of protection of human *and animal* health *and welfare, biodiversity* and the environment, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission to supplement that Directive in order to establish operating rules containing requirements for activities relating to rearing of poultry, pigs and cattle, and to amend Annexes I and Ia to that Directive by adding an agro-industrial activity to ensure that it meets its objectives to prevent *and* reduce pollutants emissions and achieve a high level of protection of human *and animal* health *and welfare, biodiversity* and the environment *and to meet the commitments made under the Global Methane Pledge*. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level *and with scientists and environmental and animal welfare NGOs*, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016⁷⁷. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of

Commission expert groups dealing with the preparation of delegated acts.

⁷⁷ Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making; OJ L 123, 12.5.2016, p. 1–14.

⁷⁷ Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making; OJ L 123, 12.5.2016, p. 1–14.

Or. en

Amendment 75
Krzysztof Jurgiel

Proposal for a directive
Recital 29

Text proposed by the Commission

(29) In order to ensure that Directive 2010/75/EU continues meeting its objectives to prevent or reduce emissions of pollutants and achieve a high level of protection of human health and the environment, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission to supplement that Directive in order to establish operating rules containing requirements for activities relating to rearing of poultry, pigs *and cattle*, and to amend Annexes I and Ia to that Directive by adding an agro-industrial activity to ensure that it meets its objectives to prevent or reduce pollutants emissions and achieve a high level of protection of human health and the environment. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016⁷⁷. In particular, to ensure equal participation in

Amendment

(29) In order to ensure that Directive 2010/75/EU continues meeting its objectives to prevent or reduce emissions of pollutants and achieve a high level of protection of human health and the environment, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission to supplement that Directive in order to establish operating rules containing requirements for activities relating to rearing of poultry *and* pigs, and to amend Annexes I and Ia to that Directive by adding an agro-industrial activity to ensure that it meets its objectives to prevent or reduce pollutants emissions and achieve a high level of protection of human health and the environment. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016⁷⁷. In particular, to ensure equal participation in the preparation of delegated acts, the

the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

⁷⁷ Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making, OJ L 123, 12.5.2016, p. 1-14.

⁷⁷ Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making, OJ L 123, 12.5.2016, p. 1-14.

Or. pl

Amendment 76 **Simone Schmiedtbauer**

Proposal for a directive **Recital 30**

Text proposed by the Commission

(30) In order to ensure uniform conditions for the implementation of Directive 2010/75/EU, implementing powers should be conferred on the Commission as regards the establishment of (i) the format to be used for the permit summary; (ii) ***a standardised methodology for assessing the disproportionality between the costs of implementation of the BAT conclusions and the potential environmental benefits***, (iii) the measuring method for assessing compliance with emission limit values set out in the permit with regard to emissions to air and water, (iv) the detailed arrangements necessary for the establishment and functioning of the innovation centre for industrial transformation and emissions, and (v) the format to be used for transformation plans. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and

Amendment

(30) In order to ensure uniform conditions for the implementation of Directive 2010/75/EU, implementing powers should be conferred on the Commission as regards the establishment of (i) the format to be used for the permit summary; (ii) the measuring method for assessing compliance with emission limit values set out in the permit with regard to emissions to air and water, (iii) the detailed arrangements necessary for the establishment and functioning of the innovation centre for industrial transformation and emissions, and (iv) the format to be used for transformation plans. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council⁷⁸.

of the Council⁷⁸ .

⁷⁸ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

⁷⁸ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

Or. en

Amendment 77
Daniel Buda

Proposal for a directive
Recital 31

Text proposed by the Commission

(31) In order to ensure the effective implementation and enforcement of the obligations set out in Directive 2010/75/EU, it is necessary ***to specify the minimum content of effective, proportionate and dissuasive penalties. Disparities in penalties regimes, the fact that imposed penalties are deemed in many cases too low to truly have a deterrent effect on illegal behaviours, and the lack of uniform implementation across Member States, undermine the level playing field on industrial emissions throughout the Union. Account should be taken of*** Directive 2008/99/EC on the protection of the environment through criminal law where a detected infringement under this Directive constitutes an offence within the scope Directive 2008/99/EC.

Amendment

(31) In order to ensure the effective implementation and enforcement of the obligations set out in Directive 2010/75/EU, it is necessary ***that these provisions be linked to those contained in*** Directive 2008/99/EC on the protection of the environment through criminal law; ***the latter Directive shall thus be taken into account*** where a detected infringement under this Directive constitutes an offence within the scope Directive 2008/99/EC.

Or. ro

Amendment 78

Daniel Buda

Proposal for a directive
Recital 33

Text proposed by the Commission

(33) It is therefore appropriate for Directive 2010/75/EU to address the right for compensation for damages suffered by individuals. To ensure that individuals can defend their rights against damages to health caused by violations of Directive 2010/75/EU and thereby ensure a more efficient enforcement of that Directive, non-governmental organisations promoting the protection of human health or the environment, including those promoting the protection of consumers and meeting any requirements under national law, as members of the public concerned, should be empowered to engage in proceedings, as the Member States so determine, either on behalf or in support of any victim, without prejudice to national rules of procedure concerning representation and defence before the courts. Member States usually enjoy procedural autonomy to ensure an effective remedy against violations of Union law, subject to the respect of the principles of equivalence and effectivity. However, experience shows that while there is overwhelming epidemiologic evidence on the negative health impacts of pollution on the population, in particular as regards air, it is difficult for the victims of violations of Directive 2010/75/EU under the procedural rules on the burden of proof generally applicable in the Member States to demonstrate a causality link between the suffered harm and the violation. As a result, in the majority of cases, victims of violations of Directive 2010/75/EU do not have an effective way to obtain compensation for the harm caused by such violations. To strengthen the rights of individuals to obtain compensation for violations of Directive 2010/75/EU and to contribute to a more efficient enforcement

Amendment

(33) It is therefore appropriate for Directive 2010/75/EU to address the right for compensation for damages suffered by individuals. To ensure that individuals can defend their rights against damages to health caused by violations of Directive 2010/75/EU and thereby ensure a more efficient enforcement of that Directive, non-governmental organisations promoting the protection of human health or the environment, including those promoting the protection of consumers and meeting any requirements under national law, as members of the public concerned, should be empowered to engage in proceedings, as the Member States so determine, either on behalf or in support of any victim, without prejudice to national rules of procedure concerning representation and defence before the courts. Member States usually enjoy procedural autonomy to ensure an effective remedy against violations of Union law, subject to the respect of the principles of equivalence and effectivity. However, experience shows that while there is overwhelming epidemiologic evidence on the negative health impacts of pollution on the population, in particular as regards air, it is difficult for the victims of violations of Directive 2010/75/EU under the procedural rules on the burden of proof generally applicable in the Member States to demonstrate a causality link between the suffered harm and the violation. As a result, in the majority of cases, victims of violations of Directive 2010/75/EU do not have an effective way to obtain compensation for the harm caused by such violations. To strengthen the rights of individuals to obtain compensation for violations of Directive 2010/75/EU and to contribute to a more efficient enforcement

of its requirements throughout the Union, it is *necessary* to adapt the burden of proof applicable to such situations. *Therefore, when an individual can provide sufficiently robust evidence to give rise to a presumption that the violation of Directive 2010/75/EU is at the origins of the damage caused to the health of an individual, or has significantly contributed to it, it should be for the defendant to rebut that presumption in order to escape his liability.*

of its requirements throughout the Union, it is *helpful* to adapt the burden of proof applicable to such situations.

Or. ro

Amendment 79

Peter Jahr, Norbert Lins, Christine Schneider, Marlene Mortler, Lena Düpont

Proposal for a directive

Recital 33

Text proposed by the Commission

(33) It is therefore appropriate for Directive 2010/75/EU to address the right for compensation for damages suffered by individuals. To ensure that individuals can defend their rights against damages to health caused by violations of Directive 2010/75/EU and thereby ensure a more efficient enforcement of that Directive, non-governmental organisations promoting the protection of human health or the environment, including those promoting the protection of consumers and meeting any requirements under national law, as members of the public concerned, should be empowered to engage in proceedings, as the Member States so determine, either on behalf *or* in support of any victim, without prejudice to national rules of procedure concerning representation and defence before the courts. Member States usually enjoy procedural autonomy to ensure an effective remedy against violations of Union law, subject to the respect of the principles of equivalence and effectivity.

Amendment

(33) It is therefore appropriate for Directive 2010/75/EU to address the right for compensation for damages suffered by individuals. To ensure that individuals can defend their rights against damages to health caused by violations of Directive 2010/75/EU and thereby ensure a more efficient enforcement of that Directive, non-governmental organisations promoting the protection of human health or the environment, including those promoting the protection of consumers and meeting any requirements under national law, as members of the public concerned, should be empowered to engage in proceedings, as the Member States so determine, either on behalf *of* or in support of any victim, without prejudice to national rules of procedure concerning representation and defence before the courts. Member States usually enjoy procedural autonomy to ensure an effective remedy against violations of Union law, subject to the respect of the principles of equivalence and

However, experience shows that while there is overwhelming epidemiologic evidence on the negative health impacts of pollution on the population, in particular as regards air, it is difficult for the victims of violations of Directive 2010/75/EU under the procedural rules on the burden of proof generally applicable in the Member States to demonstrate a causality link between the suffered harm and the violation. As a result, in the majority of cases, victims of violations of Directive 2010/75/EU do not have an effective way to obtain compensation for the harm caused by such violations. To strengthen the rights of individuals to obtain compensation for violations of Directive 2010/75/EU and to contribute to a more efficient enforcement of its requirements throughout the Union, it is necessary to **adapt** the burden of proof applicable to such situations. **Therefore, when an individual can provide sufficiently robust evidence to give rise to a presumption that the violation of Directive 2010/75/EU is at the origins of the damage caused to the health of an individual, or has significantly contributed to it, it should be for the defendant to rebut that presumption in order to escape his liability.**

effectivity. However, experience shows that while there is overwhelming epidemiologic evidence on the negative health impacts of pollution on the population, in particular as regards air, it is difficult for the victims of violations of Directive 2010/75/EU under the procedural rules on the burden of proof generally applicable in the Member States to demonstrate a causality link between the suffered harm and the violation. As a result, in the majority of cases, victims of violations of Directive 2010/75/EU do not have an effective way to obtain compensation for the harm caused by such violations. To strengthen the rights of individuals to obtain compensation for violations of Directive 2010/75/EU and to contribute to a more efficient enforcement of its requirements throughout the Union, it is necessary to **facilitate** the burden of proof applicable to such situations

Or. en

Amendment 80 Anja Hazekamp

Proposal for a directive
Article 1 – paragraph 1 – point 1
Directive 2010/75/EU
Article 1 – second subparagraph

Text proposed by the Commission

It also lays down rules designed to prevent or, **where that is not practicable, to** reduce emissions into air, water and land and to prevent the generation of waste, in order to

Amendment

It also lays down rules designed to prevent or **and to significantly** reduce emissions into air, water and land and to prevent the generation of waste, in order to achieve a

achieve a high level of protection of human health and the environment *taken as a whole*.

high level of protection of human *and animal* health *and welfare, the biodiversity* and the environment.

Or. en

Amendment 81
Anja Hazekamp

Proposal for a directive
Article 1 – paragraph 1 – point 2
Directive 2010/75/EU
Article 2 – paragraph 1

Text proposed by the Commission

1. This Directive shall apply to the industrial activities giving rise to pollution referred to in Chapters II to VIa..

Amendment

1. This Directive shall apply to the industrial activities giving rise to pollution referred to in Chapters II to VIa, *including agricultural activities, which is essential to reduce pollutants and GHG emissions*.

Or. en

Amendment 82
Anja Hazekamp

Proposal for a directive
Article 1 – paragraph 1 – point 3 – point a
Directive 2010/75/EU
Article 3 – paragraph 1 – point 3

Text proposed by the Commission

(3) ‘installation’ means a stationary technical unit within which one or more activities listed in Annex I, in Annex Ia or in Part 1 of Annex VII are carried out, and any other directly associated activities on the same site which have a technical connection with the activities listed in those Annexes and which could have an effect on emissions and pollution;;

Amendment

(3) ‘installation’ means a stationary technical unit within which one or more activities listed in Annex I, in Annex Ia, *including agricultural activities*, or in Part 1 of Annex VII are carried out, and any other directly associated activities on the same site which have a technical connection with the activities listed in those Annexes and which could have an effect on emissions and pollution;

Amendment 83

Paolo De Castro, Clara Aguilera, Attila Ara-Kovács, Carmen Avram, Camilla Laureti, Cristina Maestre Martín De Almagro

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point a

Directive 2010/75/EU

Article 3 – paragraph 1 – point 3

Text proposed by the Commission

(3) ‘installation’ means a stationary technical unit within which one or more activities listed in Annex I, in Annex ***Ia*** or in Part 1 of Annex VII are carried out, and any other directly associated activities on the same site which have a technical connection with the activities listed in those Annexes and which could have an effect on emissions and pollution;;

Amendment

(3) ‘installation’ means a stationary technical unit within which one or more activities listed in Annex I, in Annex ***Ib*** or in Part 1 of Annex VII are carried out, and any other directly associated activities on the same site which have a technical connection with the activities listed in those Annexes and which could have an effect on emissions and pollution;

Amendment 84

Daniel Buda

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point a

Directive 2010/75/EU –

Article 3 – paragraph 1 – point 3

Text proposed by the Commission

(3) ‘installation’ means a stationary technical unit within which one or more activities listed in Annex I, ***in Annex Ia*** or in Part 1 of Annex VII are carried out, and any other directly associated activities on the same site which have a technical connection with the activities listed in those Annexes and which could have an effect on emissions and pollution;

Amendment

(3) ‘installation’ means a stationary technical unit within which one or more activities listed in Annex I or in Part 1 of Annex VII are carried out, and any other directly associated activities on the same site which have a technical connection with the activities listed in those Annexes and which could have an effect on emissions and pollution;

Amendment 85

Jérémy Decerle, Atidzhe Alieva-Veli, Irène Tolleret, Emma Wiesner

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point a

Directive 2010/75/EU

Article 3 – paragraph 1 – point 3

Text proposed by the Commission

(3) ‘installation’ means a stationary technical unit within which one or more activities listed in Annex I, *in Annex Ia* or in Part 1 of Annex VII are carried out, and any other directly associated activities on the same site which have a technical connection with the activities listed in those Annexes and which could have an effect on emissions and pollution;;

Amendment

(3) ‘installation’ means a stationary technical unit within which one or more activities listed in Annex I or in Part 1 of Annex VII are carried out, and any other directly associated activities on the same site which have a technical connection with the activities listed in those Annexes and which could have an effect on emissions and pollution;

Or. en

Amendment 86

Anja Hazekamp

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point b

Directive 2010/75/EU

Article 1 – paragraph 1 – point 12

Text proposed by the Commission

(12) ‘BAT conclusions’ means a document containing the parts of a BAT reference document laying down the conclusions on best available techniques, their description, information to assess their applicability, the emission levels associated with the best available techniques, the environmental performance levels associated with the best available techniques, the minimum content of an environmental management system

Amendment

(12) ‘BAT conclusions’ means a document containing the parts of a BAT reference document laying down the conclusions on best available techniques, their description, information to assess their applicability, the *proven* emission levels associated with the best available techniques, the *proven* environmental performance levels associated with the best available techniques, *the impact on nature, environment, human and animal health*

including benchmarks associated with the best available techniques, associated monitoring, associated consumption levels and, where appropriate, relevant site remediation measures;

and welfare, the minimum content of an environmental management system including benchmarks associated with the best available techniques, associated monitoring, associated consumption levels and, where appropriate, relevant site remediation measures; ***BAT conclusions should have the highest regard for animal welfare, and their development should always be based on proven effectiveness and consulted with environmental and animal welfare NGOs. Technological and other solutions with the aim of reducing emissions from animal farming, such as permanent indoor housing, air scrubbers and low-emission stable floors, that require a significant investment from farmers will not fall under best available techniques.***

Or. en

Amendment 87
Bert-Jan Ruissen

Proposal for a directive
Article 1 – paragraph 1 – point 3 – point d
Directive 2010/75/EU
Article 3 – paragraph 1 – point 17

Text proposed by the Commission

(17) ‘the public concerned’ means the public affected or likely to be affected by, or having an interest in, the taking of a decision on the granting or the updating of a permit ***or of permit conditions; for the purposes of this definition, non-governmental organisations promoting the protection of human health or the environment and meeting any requirements under national law shall be deemed to have an interest;***

Amendment

(17) ‘the public concerned’ means the public affected or likely to be affected by, or having an interest in, the taking of a decision on the granting or the updating of a permit;

Or. en

Amendment 88
Daniel Buda

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point d

Directive 2010/75/EU

Article 3 – paragraph 1 – point 17

Text proposed by the Commission

(17) ‘the public concerned’ means the public affected *or likely to be affected by*, or having an interest in, the taking of a decision on the granting or the updating of a permit or of permit conditions; for the purposes of this definition, non-governmental organisations promoting the protection of human health or the environment and meeting any requirements under national law shall be deemed to have an interest;

Amendment

(17) ‘the public concerned’ means the public affected or having an interest in the taking of a decision on the granting or the updating of a permit or of permit conditions; for the purposes of this definition, non-governmental organisations promoting the protection of human health or the environment and meeting any requirements under national law shall be deemed to have an interest;

Or. ro

Amendment 89
Daniel Buda

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point d a (new)

Directive 2010/75/EU

Article 3 – paragraph 1 – point 23

Text proposed by the Commission

Amendment

(da) Article 3 – paragraph 1 – point 23 is replaced by the following:

‘poultry’ means poultry as defined in Article 4(9) of Regulation (EU) 2016/429 of the European Parliament and of the Council^{81a} on transmissible animal diseases;

^{81a} OJ L84, 31.3.2016 p. 1-208

Or. ro

Amendment 90

Paolo De Castro, Clara Aguilera, Attila Ara-Kovács, Carmen Avram, Camilla Laureti, Cristina Maestre Martín De Almagro

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point d a (new)

Directive 2010/75/EU

Article 3 – paragraph 1 – point 23

Present text

‘poultry’ means poultry as defined in point 1 of Article 2 of Council **Directive 90/539/EEC of 15 October 1990** on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs⁽²⁵⁾;

Amendment

(da) Article 3 – paragraph 1 – point 23 is replaced by the following:

“‘poultry’ means poultry as defined in point 9 of Article 4 of **Regulation (EU) 2016/429 of the European Parliament and of the Council** on transmissible animal diseases^{81a}.”

^{81a} **OJ L84, 31.3.2016, p.1-208**

Or. en

(Directive 2010/75/EC)

Amendment 91

Krzysztof Jurgiel

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point e

Directive 2010/75/EU

Article 3 – paragraph 1 – point 23b

Text proposed by the Commission

(23b) ‘cattle’ means domestic animals of the species *Bos taurus*;

Amendment

deleted

Or. pl

Justification

Extending the scope of the directive to include cattle is unjustified and could threaten food security in the EU.

Amendment 92

Jérémy Decerle, Atidzhe Alieva-Veli, Irène Tolleret, Emma Wiesner, Dacian Cioloș

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point e

Directive 2010/75/EU

Article 3 – paragraph 1 – point 23b

Text proposed by the Commission

Amendment

(23b) ‘cattle’ means domestic animals of the species *Bos taurus*; **deleted**

Or. en

Amendment 93

Paolo De Castro, Clara Aguilera, Attila Ara-Kovács, Carmen Avram, Camilla Laureti, Cristina Maestre Martín De Almagro

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point e

Directive 2010/75/EU

Article 3 – paragraph 1 – point 23b

Text proposed by the Commission

Amendment

(23b) ‘cattle’ means domestic animals of the species *Bos taurus*; **deleted**

Or. en

Amendment 94

Dan-Ștefan Motreanu

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point e

Directive 2010/75/EU

Article 3 – paragraph 1 – point 23b

Text proposed by the Commission

Amendment

(23b) ‘cattle’ means domestic animals of the species *Bos taurus*; *deleted*

Or. en

Amendment 95

Daniel Buda

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point e

Directive 2010/75/EU

Article 3 – paragraph 1 – point 23 b

Text proposed by the Commission

Amendment

23b. ‘cattle’ means domestic animals of the species *Bos taurus*; *deleted*

Or. ro

Amendment 96

Anja Hazekamp

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point e

Directive 2010/75/EU

Article 3 – paragraph 1 – point 23b

Text proposed by the Commission

Amendment

(23b) ‘cattle’ means domestic *animals* of the species *Bos taurus*;

(23b) ‘cattle’ means domestic, *cloven-hooved herbivores* of the species *Bos taurus*;

Or. en

Amendment 97

Jérémy Decerle, Dacian Cioloș, Atidzhe Alieva-Veli, Irène Tolleret, Emma Wiesner

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point e

Directive 2010/75/EU
Article 3 – paragraph 1 – point 23c

Text proposed by the Commission

Amendment

(23c) ‘livestock unit’ or ‘LSU’ means the grazing equivalent of one adult dairy cow producing 3 000 kg of milk annually, without additional concentrated foodstuffs, which is used to express the size of farms rearing different categories of animals, using the conversion rates, with reference to actual production within the calendar year, set out in Annex II to Commission Implementing Regulation (EU) No 808/2014**’.

deleted

**** Council Directive 2008/120/EC of 18 December 2008 laying down minimum standards for the protection of pigs (OJ L 47, 18.2.2009, p. 5).***

***** Commission Implementing Regulation (EU) No 808/2014 of 17 July 2014 laying down rules for the application of Regulation (EU) No 1305/2013 of the European Parliament and of the Council on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) (OJ L 227 31.7.2014, p. 18).’;***

Or. en

Amendment 98
Daniel Buda

Proposal for a directive
Article 1 – paragraph 1 – point 3 – point e
Directive 2010/75/EU
Article 3 – paragraph 1 – point 23 c

Text proposed by the Commission

Amendment

‘livestock unit’ or ‘LSU’ means the grazing equivalent of one adult dairy cow producing 3 000 kg of milk annually, without additional concentrated

deleted

*foodstuffs, which is used to express the size of farms rearing different categories of animals, using the conversion rates, with reference to actual production within the calendar year, set out in Annex II to Commission Implementing Regulation (EU) No 808/2014**’.*

Or. ro

Amendment 99

Dan-Ştefan Motreanu

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point e

Directive 2010/75/EU

Article 3 – paragraph 1 – point 23c

Text proposed by the Commission

Amendment

*‘livestock unit’ or ‘LSU’ means the grazing equivalent of one adult dairy cow producing 3 000 kg of milk annually, without additional concentrated foodstuffs, which is used to express the size of farms rearing different categories of animals, using the conversion rates, with reference to actual production within the calendar year, set out in Annex II to Commission Implementing Regulation (EU) No 808/2014**’.*

deleted

Or. en

Amendment 100

Paolo De Castro, Clara Aguilera, Attila Ara-Kovács, Carmen Avram, Camilla Laureti, Cristina Maestre Martín De Almagro

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point e

Directive 2010/75/EU

Article 3 – paragraph 1 – point 23c

Text proposed by the Commission

Amendment

'livestock unit' or 'LSU' means *the grazing equivalent of one adult dairy cow producing 3 000 kg of milk annually, without additional concentrated foodstuffs, which is used to express the size of farms rearing different categories of animals, using the conversion rates, with reference to actual production within the calendar year, set out in Annex II to Commission Implementing Regulation (EU) No 808/2014***.

'livestock unit' or 'LSU' means *a standard unit of measurement that allows for the aggregation of the categories of livestock unit relevant for the purposes of this Directive, in order for those categories to be compared; notwithstanding Annex Ia, those livestock categories cover pigs and poultry whose unit coefficients are listed in Annex Ib*;

Or. en

Amendment 101
Dan-Ştefan Motreanu

Proposal for a directive
Article 1 – paragraph 1 – point 3 – point e
Directive 2010/75/EU
Article 3 – paragraph 1 – point 23c

Text proposed by the Commission

Amendment

** Council Directive 2008/120/EC of 18 December 2008 laying down minimum standards for the protection of pigs (OJ L 47, 18.2.2009, p. 5).*

deleted

Or. en

Amendment 102
Dan-Ştefan Motreanu

Proposal for a directive
Article 1 – paragraph 1 – point 3 – point e
Directive 2010/75/EU
Article 3 – paragraph 1 – point 23c

Text proposed by the Commission

Amendment

*** Commission Implementing Regulation (EU) No 808/2014 of 17 July 2014 laying down rules for the application of Regulation (EU) No 1305/2013 of the*

deleted

European Parliament and of the Council on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) (OJ L 227 31.7.2014, p. 18).’;

Or. en

Amendment 103
Anja Hazekamp

Proposal for a directive
Article 1 – paragraph 1 – point 4
Directive 2010/75/EU
Article 4 – paragraph 1 – second subparagraph

Text proposed by the Commission

Amendment

‘By way of derogation from the first subparagraph, Member States may set a procedure for the registration of installations covered only by Chapter V or Chapter VIa.’

deleted

Or. en

Amendment 104
Daniel Buda

Proposal for a directive
Article 1 – paragraph 1 – point 4
Directive 2010/75/EU –
Article 4 – paragraph 1 – subparagraph 2

Text proposed by the Commission

Amendment

*‘By way of derogation from the first subparagraph, Member States may set a procedure for the registration of installations covered only by Chapter V **or Chapter VIa.***

By way of derogation from the first subparagraph, Member States may set a procedure for the registration of installations covered only by Chapter V.

Or. ro

Amendment 105
Benoît Biteau

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive 2010/75/EU

Article 4 – paragraph 1 – second subparagraph

Text proposed by the Commission

‘By way of derogation from the first subparagraph, Member States may set a procedure for the registration of installations covered only by Chapter V *or Chapter VIa*.’

Amendment

‘By way of derogation from the first subparagraph, Member States may set a procedure for the registration of installations covered only by Chapter V.’

Or. en

Amendment 106

Paolo De Castro, Clara Aguilera, Attila Ara-Kovács, Carmen Avram, Camilla Laureti, Cristina Maestre Martín De Almagro

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive 2010/75/EU

Article 4 – paragraph 1 – second subparagraph

Text proposed by the Commission

‘By way of derogation from the first subparagraph, Member States may set a procedure for the registration of installations covered only by Chapter V *or Chapter VIa*.’

Amendment

‘By way of derogation from the first subparagraph, Member States may set a procedure for the registration of installations covered only by Chapter V’.

Or. en

Amendment 107

Simone Schmiedtbauer

Proposal for a directive

Article 1 – paragraph 1 – point 5

Directive 2010/75/EU

Article 5 – Paragraph 4

Text proposed by the Commission

Amendment

4. Member States shall ensure that permits granted pursuant to this Article are made available on the Internet, free of charge and without restricting access to registered users. In addition, a summary of each permit shall be made available to the public under the same conditions. That summary shall include at least the following:

(a) an overview of the main permit conditions;

(b) the emission limit values and environmental performance limits values;

(c) any derogations granted in accordance with Article 15(4);

(d) the applicable BAT conclusions;

(e) the provisions for reconsideration and updating of the permit.

The Commission shall adopt an implementing act to establish the format to be used for the summary referred to in the second subparagraph. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 75(2)..

deleted

Or. en

Justification

Aarhus Convention provides comprehensive participation rights.

Amendment 108

Daniel Buda

Proposal for a directive

Article 1 – paragraph 1 – point 5

Directive 2010/75/EU

Article 5 – paragraph 4

Text proposed by the Commission

Amendment

Member States shall ensure that permits

Member States shall ensure that ***the non-***

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granted pursuant to this Article are made available on the Internet, free of charge and without restricting access to registered users. In addition, a summary of each permit shall be made available to the public under the same conditions. That summary shall include at least the following:

technical information from permits granted pursuant to this Article are made available on the Internet ***on request***, free of charge ***to the public concerned*** and without restricting access to registered users. In addition, a summary of each permit shall be made available to the public ***concerned*** under the same conditions. That summary shall include at least the following:

Or. ro

Amendment 109

Jérémy Decerle, Atidzhe Alieva-Veli, Irène Tolleret, Emma Wiesner, Dacian Cioloș, Asger Christensen, Elsi Katainen

Proposal for a directive

Article 1 – paragraph 1 – point 9 – point a

Directive 2010/75/EU

Article 13 – paragraph 1

Text proposed by the Commission

1. In order to draw up, review and, where necessary, update BAT reference documents, the Commission shall organise an exchange of information between Member States, the industries concerned, non-governmental organisations promoting environmental protection, the European Chemicals Agency and the Commission.

Amendment

1. In order to draw up, review and, where necessary, update BAT reference documents, the Commission shall organise an exchange of information between Member States, the industries ***and farmers*** concerned, non-governmental organisations promoting environmental protection, the European Chemicals Agency and the Commission.

Or. en

Amendment 110

Daniel Buda

Proposal for a directive

Article 1 – paragraph 1 – point 11

Directive 2010/75/EU

Article 14a – paragraph 1

Text proposed by the Commission

Member States shall require the operator to prepare and implement, for each installation falling within the scope of this Chapter, an environmental **management** system ('EMS'). The EMS shall comply with the provisions included in relevant BAT conclusions that determine aspects to be covered in the EMS.

Amendment

Member States shall require the operator to prepare and implement, for each installation falling within the scope of this Chapter, an environmental system ('EMS'). The EMS shall comply with the provisions included in relevant BAT conclusions that determine aspects to be covered in the EMS. ***The Commission shall determine which person or institution is qualified to design a management system and the fund from which the cost shall be met. The EMS shall be reviewed periodically to ensure that it continues to be suitable, adequate and effective.***

Or. ro

Amendment 111
Daniel Buda

Proposal for a directive
Article 1 – paragraph 1 – point 11
Directive 2010/75/EU –
Article 14a – paragraph 3

Text proposed by the Commission

(3) The EMS of an installation shall be made available on the Internet, free of charge **and** without restricting access to registered users.

Amendment

(3) The EMS of an installation shall be made available on the Internet ***on request***, free of charge ***to the public concerned***, without restricting access to registered users ***and without affecting the activities of producers in terms of protecting confidential business information.***

Or. ro

Amendment 112
Bert-Jan Ruissen

Proposal for a directive
Article 1 – paragraph 1 – point 22

Directive 2010/75/EU
Article 27a – paragraph 3 – point ea (new)

Text proposed by the Commission

Amendment

(ea) representatives of the farmers concerned;

Or. en

Amendment 113
Bert-Jan Ruissen

Proposal for a directive
Article 1 – paragraph 1 – point 22

Directive 2010/75/EU
Article 27c

Text proposed by the Commission

Amendment

By way of derogation from Article 21(3), the competent authority may set emission limit values that ensure that, within 6 years of publication of a decision on BAT conclusions in accordance with Article 13(5) relating to the main activity of an installation, emissions shall not, under normal operating conditions, exceed emission levels associated with emerging techniques as laid down in the decisions on BAT conclusions.

By way of derogation from Article 21(3), the competent authority may set emission limit values that ensure that, within 6 years of publication of a decision on BAT conclusions in accordance with Article 13(5) relating to the main activity of an installation, emissions shall not, under normal operating conditions, exceed emission levels associated with emerging techniques as laid down in the decisions on BAT conclusions.

In the case of rearing facilities covered by the provisions in Chapter VIa, for provisions associated with emerging techniques, the applicable time limits may be extended up to 17 years.

Or. en

Amendment 114
Benoît Biteau

Proposal for a directive
Article 1 – paragraph 1 – point 22
Directive 2010/75/EU

Article 27d – paragraph 1 – third subparagraph

Text proposed by the Commission

Amendment

Regarding activities referred to in article 70a, Member states shall present by June 2025 a sector wide transformation plan, containing information on how the sector will be transformed during the 2030-2050 period in order to contribute to the emergence of a sustainable, clean, circular and climate-neutral economy by 2050.

Or. en

Amendment 115

Dan-Ştefan Motreanu

Proposal for a directive

Article 1 – paragraph 1 – point 24

Directive 2010/75/EU

Chapter VIa – title

Text proposed by the Commission

Amendment

SPECIAL PROVISIONS FOR REARING
POULTRY, ***PIGS AND CATTLE***

SPECIAL PROVISIONS FOR
INTENSIVE REARING OF POULTRY
AND PIGS

Or. en

Amendment 116

Paolo De Castro, Clara Aguilera, Attila Ara-Kovács, Carmen Avram, Camilla Laureti, Cristina Maestre Martín De Almagro

Proposal for a directive

Article 1 – paragraph 1 – point 24

Directive 2010/75/EU

Chapter VIa – title

Text proposed by the Commission

Amendment

SPECIAL PROVISIONS FOR REARING
POULTRY, ***PIGS AND CATTLE***

SPECIAL PROVISIONS FOR
INTENSIVE REARING OF POULTRY

AND PIGS

Or. en

Amendment 117

Jérémy Decerle, Atidzhe Alieva-Veli, Irène Tolleret, Emma Wiesner

Proposal for a directive

Article 1 – paragraph 1 – point 24

Directive 2010/75/EU

Chapter VI a – Title

Text proposed by the Commission

Amendment

SPECIAL PROVISIONS FOR REARING
POULTRY, ***PIGS AND CATTLE***

SPECIAL PROVISIONS FOR REARING
OF POULTRY AND PIGS.

Or. en

Amendment 118

Krzysztof Jurgiel

Proposal for a directive

Article 1 – paragraph 1 – point 24

Directive 2010/75/EU

Chapter VIa – Title

Text proposed by the Commission

Amendment

SPECIAL PROVISIONS FOR REARING
POULTRY, PIGS ***AND CATTLE***'

SPECIAL PROVISIONS FOR REARING
POULTRY ***AND PIGS***'

Or. pl

Amendment 119

Daniel Buda

Proposal for a directive

Article 1 – paragraph 1 – point 24

Directive 2010/75/EU

Chapter VI – Title

Text proposed by the Commission

Amendment

SPECIAL PROVISIONS FOR REARING
POULTRY, PIGS **AND CATTLE**

SPECIAL PROVISIONS FOR REARING
POULTRY **AND PIGS**

Or. ro

Amendment 120

Jérémy Decerle, Atidzhe Alieva-Veli, Irène Tolleret, Emma Wiesner

Proposal for a directive

Article 1 – paragraph 1 – point 25

Directive 2010/75/EU

Article 70a

Text proposed by the Commission

Amendment

This Chapter shall apply to the activities
*set out in Annex Ia which reach the
capacity thresholds set out in that Annex.*

This Chapter shall apply to the activities *of
indoor rearing of poultry and pigs :*

*(a) with more than 40.000 places for
poultry,*

*(b) with more than 2.000 places for
production pigs (over 30 kg) or*

(c) with more than 750 places for sows.

Or. en

Amendment 121

Dan-Ştefan Motreanu

Proposal for a directive

Article 1 – paragraph 1 – point 25

Directive 2010/75/EU

Article 70a

Text proposed by the Commission

Amendment

This Chapter shall apply to the *activities
set out in Annex Ia which reach the
capacity thresholds set out in that Annex.*

This Chapter shall apply to the *intensive
rearing of poultry or pigs:*

*(a) with more than 40.000 places for
poultry;*

- (b) with more than 2.000 places for production pigs (over 30 kg) or*
(c) with more than 750 places for sows.

Or. en

Amendment 122
Daniel Buda

Proposal for a directive
Article 1 – paragraph 1 – point 25
Directive 2010/75/EU
Article 70a

Text proposed by the Commission

This Chapter shall apply to the *activities set out in Annex Ia which reach the capacity thresholds set out in that Annex.*

Amendment

This Chapter shall apply to the *intensive rearing of poultry and pigs:*

- (a) with more than 40 000 places for poultry;*
(b) with more than 2 000 places for production pigs (over 30 kg), or
(c) with more than 750 places for sows.

Or. ro

Amendment 123
Paolo De Castro, Clara Aguilera, Attila Ara-Kovács, Carmen Avram, Camilla Laureti, Cristina Maestre Martín De Almagro

Proposal for a directive
Article 1 – paragraph 1 – point 25
Directive 2010/75/EU
Article 70a

Text proposed by the Commission

This Chapter shall apply to the *activities set out in Annex Ia which reach the capacity thresholds set out in that Annex.*

Amendment

This Chapter shall apply to the *rearing of pigs or poultry in installations of 750 livestock units (LSU) or more.*

The approximate equivalent in LSU shall be based on the coefficients that are

established in Annex *Ib* to *this Directive*.

Or. en

Amendment 124

Anja Hazekamp

Proposal for a directive

Article 1 – paragraph 1 – point 25

Directive 2010/75/EU

Article 70a

Text proposed by the Commission

This Chapter shall apply to the activities set out in Annex Ia which reach the capacity thresholds set out in that Annex.

Amendment

This Chapter shall apply to the activities set out in Annex Ia, ***including agricultural activities***, which reach the capacity thresholds set out in that Annex.

Or. en

Amendment 125

Daniel Buda

Proposal for a directive

Article 1 – paragraph 1 – point 25

Directive 2010/75/EU

Article 70a – second paragraph

Text proposed by the Commission

Amendment

The European Commission and Member States shall ensure that specialist farmers have access to sufficient lines of finance for developing and modernising installations as necessary to meet the objectives of this directive

Or. ro

Amendment 126

Jérémy Decerle, Atidzhe Alieva-Veli, Irène Tolleret, Emma Wiesner

Proposal for a directive
Article 1 – paragraph 1 – point 25
Directive 2010/75/EU
Article 70b

Text proposed by the Commission

Amendment

Article 70b

deleted

Or. en

Amendment 127
Jérémy Decerle, Atidzhe Alieva-Veli, Irène Tolleret, Emma Wiesner

Proposal for a directive
Article 1 – paragraph 1 – point 25
Directive 2010/75/EU
Article 70b – title

Text proposed by the Commission

Amendment

Aggregation rule

deleted

Or. en

Amendment 128
Jérémy Decerle, Asger Christensen, Atidzhe Alieva-Veli, Irène Tolleret, Emma Wiesner, Elsi Katainen

Proposal for a directive
Article 1 – paragraph 1 – point 25
Directive 2010/75/EU
Article 70b

Text proposed by the Commission

Amendment

If two or more installations are located close to each other and if their operator is the same or if the installations are under the control of operators who are engaged in an economic or legal relationship, the installations concerned shall be considered as a single unit for the purpose of calculating the capacity threshold referred to in Article 70a.

deleted

Amendment 129

Gilles Lebreton, Elena Lizzi, Paola Ghidoni, Rosanna Conte

Proposal for a directive

Article premier – paragraph 1 – point 25

Directive 2010/75/EU

Article 70 b

Text proposed by the Commission

Amendment

If two or more installations are located close to each other and if their operator is the same or if the installations are under the control of operators who are engaged in an economic or legal relationship, the installations concerned shall be considered as a single unit for the purpose of calculating the capacity threshold referred to in Article 70a.

deleted

Or. fr

Amendment 130

Paolo De Castro, Clara Aguilera, Attila Ara-Kovács, Carmen Avram, Camilla Laureti, Cristina Maestre Martín De Almagro

Proposal for a directive

Article 1 – paragraph 1 – point 25

Directive 2010/75/EU

Article 70b – first paragraph

Text proposed by the Commission

Amendment

If two or more installations are located close to each other and if ***their operator is the same or if the installations are under the control of operators who are engaged in an economic or legal relationship, the installations concerned*** shall be considered as a single unit for the purpose of calculating the capacity threshold referred to in Article 70a.

If two or more installations are located close to each other and if:

(a) they are operated by the same

operator, or

(b) on a lasting basis all their management and operational functions are performed as if they were a single economic entity and they are operated by entities participating in a same group, as defined in Article 2, point (11), of Directive 2013/34/EU of the European Parliament and of the Council,

they shall be considered as a single unit for the purpose of calculating the capacity threshold referred to in Article 70a.

The simple fact of being members of a same cooperative shall not entail that the requirement set out in point (b) of the first subparagraph is met.

Or. en

Amendment 131
Simone Schmiedtbauer

Proposal for a directive
Article 1 – paragraph 1 – point 25
Directive 2010/75/EU
Article 70b

Text proposed by the Commission

If two or more installations are located close to each other and if their operator is the same or if the installations are under the control of operators who are engaged in an economic or legal relationship, the installations concerned shall be considered as a single unit for the purpose of calculating the capacity threshold referred to in Article 70a.

Amendment

Where several activities falling under the same activity description containing a threshold are operated in the same installation, the capacities of such activities are added together.

Or. en

Amendment 132
Benoît Biteau

Proposal for a directive
Article 1 – paragraph 1 – point 25
Directive 2010/75/EU
Article 70b

Text proposed by the Commission

If two or more installations are located close to each other and if their operator is the same or if the installations are under the control of operators who are engaged in an economic or legal relationship, the installations concerned shall be considered as a single unit for the purpose of calculating the capacity threshold referred to in Article 70a.

Amendment

If two or more installations are located close to each other and if their operator is the same or if the installations are under the control of operators who are engaged in an economic or legal relationship, the installations concerned shall be considered as a single unit for the purpose of calculating the capacity threshold referred to in Article 70a. ***Member States shall ensure that this rule is not used to circumvent the obligations set out in this directive.***

Or. en

Amendment 133
Anja Hazekamp

Proposal for a directive
Article 1 – paragraph 1 – point 25
Directive 2010/75/EU
Article 70b

Text proposed by the Commission

If two or more installations are located close to each other and if their operator is the same or if the installations are under the control of operators who are engaged in an economic or legal relationship, the installations concerned shall be considered as a single unit for the purpose of calculating the capacity threshold referred to in Article 70a.

Amendment

If two or more installations are located close to each other and if their operator is the same or if the installations are under the control of operators who are engaged in an economic or legal relationship, the installations concerned shall be considered as a single unit for the purpose of calculating the capacity threshold referred to in Article 70a. ***This rule should not be used to circumvent the obligations of this directive.***

Or. en

Amendment 134
Dan-Ștefan Motreanu

Proposal for a directive
Article 1 – paragraph 1 – point 25
Directive 2010/75/EU
Article 70c – title

Text proposed by the Commission

Amendment

Permits

Permits *and simplified registration procedure*

Or. en

Amendment 135
Paolo De Castro, Clara Aguilera, Attila Ara-Kovács, Carmen Avram, Camilla Laureti, Cristina Maestre Martín De Almagro

Proposal for a directive
Article 1 – paragraph 1 – point 25
Directive 2010/75/EU
Article 70c – Title

Text proposed by the Commission

Amendment

Permits

Permits *and simplified registration procedure*

Or. en

Amendment 136
Daniel Buda

Proposal for a directive
Article 1 – paragraph 1 – point 25
Directive 2010/75/EU
Article 70c – title

Text proposed by the Commission

Amendment

Permits

Permits *and simplified registration procedure*

Or. ro

Amendment 137
Daniela Rondinelli

Proposal for a directive
Article 1 – paragraph 1 – point 25
Directive 2010/75/EU
Article 70 – paragraph 1 – third subparagraph

Text proposed by the Commission

Member States shall specify the procedure for granting a permit in respect of installations falling within the scope of this Chapter. Those procedures shall include at least the information listed in paragraph 2.

Amendment

Member States shall specify the procedure for granting a permit in respect of installations falling within the scope of this Chapter. Those procedures shall include at least the information listed in paragraph 2.

Member States shall ensure that the costs of granting permits are reasonable and do not jeopardise the economic viability of farms.

Member States shall undertake to provide operators of agricultural installations with subsidised services relating to inspections linked to the maintenance of permits.

Or. it

Justification

It is necessary for agricultural producers to be given financial assistance in supporting the costs of obtaining and maintaining permits in order to ensure their economic survival given that the assistance is not direct but is provided through subsidised services.

Amendment 138
Anja Hazekamp

Proposal for a directive
Article 1 – paragraph 1 – point 25
Directive 2010/75/EU
Article 70c – paragraph 1 – fourth paragraph

Text proposed by the Commission

Amendment

To effectively reduce GHG and pollutant emissions into the air, soil and water, it is

inevitable to drastically reduce the number of farmed animals. This especially concerns Member States with a high livestock density. The establishment and expansion of industrial livestock installations shall not be granted a permit.

Or. en

Amendment 139
Benoît Biteau

Proposal for a directive
Article 1 – paragraph 1 – point 25
Directive 2010/75/EU
Article 70c – paragraph 1 – fourth subparagraph

Text proposed by the Commission

Amendment

Member States shall ensure that requirements set out in articles 11, 12, 14, 16, 18, 23 are applied for installations

- (a) with more than 40.000 places for poultry;*
- (b) with more than 2.000 places for production pigs (over 30 kg),*
- or (c) with more than 750 places for sows.*

Or. en

Justification

this replicates the obligations set out in the current directive

Amendment 140
Paolo De Castro, Clara Aguilera, Attila Ara-Kovács, Carmen Avram, Camilla Laureti, Cristina Maestre Martín De Almagro

Proposal for a directive
Article 1 – paragraph 1 – point 25
Directive 2010/75/EU
Article 70c – paragraph 1a (new)

Text proposed by the Commission

Amendment

By way of derogation from the first paragraph to this Article, Member States may set a specific procedure for the registration of the installations only covered by this Chapter.

The procedure for the registration shall be specified in a binding act and include at least a notification to the competent authority by the operators of the intention to operate its activity.

Member States may use any similar pre-existing procedure for the registration. They shall avoid administrative burden and additional costs for the operators.

Member States shall issue the permits within six months from the date of the operator's application.

Or. en

Amendment 141

Gilles Lebreton, Elena Lizzi, Paola Ghidoni

Proposal for a directive

Article premier – paragraph 1 – point 25

Directive 2010/75/EU

Article 70c – paragraph 1

Text proposed by the Commission

Amendment

Where the Member State considers that an operation or type of operation does not present genuine risks, it may provide for exemptions from authorisation and simplified authorisations that may take the form of a simple notification.

Or. fr

Amendment 142

Bert-Jan Ruissen

Proposal for a directive
Article 1 – paragraph 1 – point 25
Directive 2010/75/EU
Article 70c – paragraph 1a (new)

Text proposed by the Commission

Amendment

1a. By way of derogation from paragraph 1 of this Article, Member States shall provide for a simple procedure for registration covering the majority of farms rearing animals covered in this chapter.

The procedure for registration referred to in the first subparagraph shall be laid down in a binding act and consist of a simple requirement for a notification to the competent authority by the farmer of the intention to operate its activity.

Member States shall use any similar pre-existing procedure for the registration in order to avoid creating an administrative burden.

Or. en

Justification

With a view to the level playing field, it is important to ensure more explicitly that all Member States indeed implement the notification procedure in a simple and non-bureaucratic manner.

Amendment 143
Dan-Ştefan Motreanu

Proposal for a directive
Article 1 – paragraph 1 – point 25
Directive 2010/75/EU
Article 70c – paragraph 1a (new)

Text proposed by the Commission

Amendment

1a. By way of derogation from paragraph 1 of this Article, Member States may provide for a specific procedure for the registration of farms rearing animals covered in this Chapter.

The procedure for registration referred to in the first subparagraph shall be laid down in a binding act and include at least a requirement for a notification to the competent authority by the farmer of the intention to operate its activity.

Member States shall use any similar pre-existing procedure for the registration in order to avoid creating an administrative burden. 1a.

Or. en

Amendment 144

Anja Hazekamp

Proposal for a directive

Article 1 – paragraph 1 – point 25

Directive 2010/75/EU

Article 70c – paragraph 1a (new)

Text proposed by the Commission

Amendment

1a. Member States shall include requirements set out in Article 11 regarding the general principles governing the basic obligations of the operator and Article 12 regarding the applications for permits for the activities specified in Annex Ia.

Or. en

Amendment 145

Dan-Ştefan Motreanu

Proposal for a directive

Article 1 – paragraph 1 – point 25

Directive 2010/75/EU

Article 70c – paragraph 2 – point a

Text proposed by the Commission

Amendment

(a) the *installation and its* activities

(a) the *farm, its*

Amendment 146

Anja Hazekamp

Proposal for a directive

Article 1 – paragraph 1 – point 25

Directive 2010/75/EU

Article 70c – paragraph 2 – point b

Text proposed by the Commission

(b) the animal type

Amendment

(b) the animal type, ***information on animal welfare***

Amendment 147

Anja Hazekamp

Proposal for a directive

Article 1 – paragraph 1 – point 25

Directive 2010/75/EU

Article 70c – paragraph 2 – point c

Text proposed by the Commission

(c) the capacity of the installation;

Amendment

(c) the capacity of the installation ***and specifications on grazing capacity;***

Amendment 148

Dan-Ştefan Motreanu

Proposal for a directive

Article 1 – paragraph 1 – point 25

Directive 2010/75/EU

Article 70c – paragraph 2 – point c

Text proposed by the Commission

Amendment

(c) the capacity of the *installation*;

(c) the capacity of the *building where the rearing takes place*;

Or. en

Amendment 149

Dan-Ştefan Motreanu

Proposal for a directive

Article 1 – paragraph 1 – point 25

Directive 2010/75/EU

Article 70c – paragraph 2 – point d

Text proposed by the Commission

Amendment

(d) the sources of emissions from the *installation*;

(d) the sources of emissions from the *building where the rearing takes place*;

Or. en

Amendment 150

Simone Schmiedtbauer

Proposal for a directive

Article 1 – paragraph 1 – point 25

Directive 2010/75/EU

Article 70c – Paragraph 2 – point e

Text proposed by the Commission

Amendment

(e) *the nature and quantities of foreseeable emissions from the installation into each medium.*

deleted

Or. en

Amendment 151

Anja Hazekamp

Proposal for a directive

Article 1 – paragraph 1 – point 25

Directive 2010/75/EU
Article 70c – paragraph 2 – point e

Text proposed by the Commission

(e) the nature and quantities of foreseeable emissions from the installation into each medium.

Amendment

(e) the nature and quantities of foreseeable emissions from the installation into each medium, **as well as identification of effects of the emissions on biodiversity;**

Or. en

Amendment 152
Dan-Ştefan Motreanu

Proposal for a directive
Article 1 – paragraph 1 – point 25
Directive 2010/75/EU
Article 70c – paragraph 2 – point e

Text proposed by the Commission

(e) the nature and quantities of foreseeable emissions from the **installation** into each medium.

Amendment

(e) the nature and quantities of foreseeable emissions from the **building where the rearing takes place**, into each medium **under normal operating conditions**

Or. en

Amendment 153
Paolo De Castro, Clara Aguilera, Attila Ara-Kovács, Carmen Avram, Camilla Laureti, Cristina Maestre Martín De Almagro

Proposal for a directive
Article 1 – paragraph 1 – point 25
Directive 2010/75/EU
Article 70c – paragraph 2 – point e

Text proposed by the Commission

(e) the nature and quantities of foreseeable emissions from the installation into each medium.

Amendment

(e) the nature and quantities of foreseeable emissions from the installation into each medium **under normal operating conditions.**

Amendment 154
Anja Hazekamp

Proposal for a directive
Article 1 – paragraph 1 – point 25
Directive 2010/75/EU
Article 70c – paragraph 2 – point ea (new)

Text proposed by the Commission

Amendment

(ea) measures planned to monitor emissions into the environment;

Amendment 155
Anja Hazekamp

Proposal for a directive
Article 1 – paragraph 1 – point 25
Directive 2010/75/EU
Article 70c – paragraph 2 – point eb (new)

Text proposed by the Commission

Amendment

(e b) the proposed technologies, techniques and measures for preventing and reducing emissions from the installation, while improving animal health and welfare;

Amendment 156
Simone Schmiedtbauer

Proposal for a directive
Article 1 – paragraph 1 – point 25
Directive 2010/75/EU
Article 70c – Paragraph 3

Text proposed by the Commission

Amendment

3. *Applications shall also include a non-technical summary of the information referred to in paragraph 2.* **deleted**

Or. en

Amendment 157

Jérémy Decerle, Atidzhe Alieva-Veli, Irène Tolleret, Emma Wiesner

Proposal for a directive

Article 1 – paragraph 1 – point 25

Directive 2010/75/EU

Article 70c – paragraph 3

Text proposed by the Commission

Amendment

3. *Applications shall also include a non-technical summary of the information referred to in paragraph 2.* **deleted**

Or. en

Justification

the request is redundant with paragraph 2 and creates unnecessary administrative burden

Amendment 158

Paolo De Castro, Clara Aguilera, Attila Ara-Kovács, Carmen Avram, Camilla Laureti, Cristina Maestre Martín De Almagro

Proposal for a directive

Article 1 – paragraph 1 – point 25

Directive 2010/75/EU

Article 70c – paragraph 3

Text proposed by the Commission

Amendment

3. Applications **shall also** include a **non-technical** summary of the information referred to in paragraph 2.

3. **In duly justified cases**, applications **may** include a summary of the information referred to in paragraph 2.

Or. en

Amendment 159

Paolo De Castro, Clara Aguilera, Attila Ara-Kovács, Carmen Avram, Camilla Laureti, Cristina Maestre Martín De Almagro

Proposal for a directive

Article 1 – paragraph 1 – point 25

Directive 2010/75/EU

Article 70c – paragraph 4

Text proposed by the Commission

4. Member States shall take necessary measures to ensure that the operator informs the competent authority, without delay, of any planned substantial change to the installations falling within the scope of this Chapter which may have consequences for the environment. Where appropriate, the competent authority shall reconsider and update the permit.

Amendment

4. Member States shall take necessary measures to ensure that the operator informs the competent authority, without delay, of any planned substantial change to the installations falling within the scope of this Chapter which may have consequences for the environment. Where appropriate **and within two months from the notification of the operator**, the competent authority shall reconsider and update the permit.

Or. en

Amendment 160

Anja Hazekamp

Proposal for a directive

Article 1 – paragraph 1 – point 25

Directive 2010/75/EU

Article 70c – paragraph 4

Text proposed by the Commission

4. Member States shall take necessary measures to ensure that the operator informs the competent authority, without delay, of any planned substantial change to the installations falling within the scope of this Chapter which may have consequences for the environment. Where appropriate, the competent authority shall reconsider and update the permit.

Amendment

4. Member States shall take necessary measures to ensure that the operator informs the competent authority, without delay, of any planned substantial change to the installations falling within the scope of this Chapter which may have consequences for the environment **and human and animal health and welfare**. Where appropriate, the competent authority shall reconsider and update the permit.

Amendment 161
Dan-Ştefan Motreanu

Proposal for a directive
Article 1 – paragraph 1 – point 25
Directive 2010/75/EU
Article 70c – paragraph 4

Text proposed by the Commission

4. Member States shall take necessary measures to ensure that the **operator** informs the competent authority, without delay, of any planned substantial change to the **installations** falling within the scope of this Chapter which may have consequences for the environment. Where appropriate, the competent authority shall reconsider and update the permit.

Amendment

4. Member States shall take necessary measures to ensure that the **farmer** informs the competent authority, without delay, of any planned substantial change to the **farm and farm buildings where the rearing takes place**, falling within the scope of this Chapter which may have consequences for the environment. Where appropriate, the competent authority shall reconsider and update the permit.

Amendment 162
Jérémy Decerle, Atidzhe Alieva-Veli, Irène Tolleret, Emma Wiesner, Dacian Cioloş, Elsi Katainen

Proposal for a directive
Article 1 – paragraph 1 – point 25
Directive 2010/75/EU
Article 70c – paragraph 4a (new)

Text proposed by the Commission

Amendment

4a. The Commission shall, one year following the full implementation of permitting and registration system in Member States, submit a report to the European Parliament assessing the impact of the system on the economic viability of farms falling within the scope of this directive, taking into account all costs related to complying with the

conditions set out, so as to adapt certain dispositions emanating from the directive accordingly.

Or. en

Amendment 163
Dan-Ştefan Motreanu

Proposal for a directive
Article 1 – paragraph 1 – point 25
Directive 2010/75/EU
Article 70d – title

Text proposed by the Commission

Amendment

Article 70d

deleted

Or. en

Amendment 164
Daniel Buda

Proposal for a directive
Article 1 – paragraph 1 – point 25
Directive 2010/75/EU –
Article 70d

Text proposed by the Commission

Amendment

Article 70d

deleted

Or. ro

Amendment 165
Dan-Ştefan Motreanu

Proposal for a directive
Article 1 – paragraph 1 – point 25
Directive 2010/75/EU
Article 70d – title

Text proposed by the Commission

Amendment

Obligations of the operator

deleted

Or. en

Amendment 166

Dan-Ștefan Motreanu

Proposal for a directive

Article 1 – paragraph 1 – point 25

Directive 2010/75/EU

Article 70d – paragraph 1

Text proposed by the Commission

Amendment

1. Member States shall ensure that the operator carries out monitoring of emissions and of associated environmental performance levels in accordance with the operating rules referred to in Article 70i.

deleted

The operator shall keep a record of, and process, all monitoring results, for a period of at least 6 years, in such a way as to enable the verification of compliance with the emission limit values and environmental performance limit values set out in operating rules referred to in Article 70i.

Or. en

Amendment 167

Anja Hazekamp

Proposal for a directive

Article 1 – paragraph 1 – point 25

Directive 2010/75/EU

Article 70d – paragraph 1 – first subparagraph

Text proposed by the Commission

Amendment

Member States shall ensure that the operator carries out monitoring of

Member States shall ensure that the operator carries out monitoring of

emissions and of associated environmental performance levels in accordance with the operating rules referred to in Article 70i.

emissions, ***human and animal health and welfare effects*** and of associated environmental performance levels in accordance with the operating rules referred to in Article 70i.

Or. en

Amendment 168

Paolo De Castro, Clara Aguilera, Attila Ara-Kovács, Carmen Avram, Camilla Laureti, Cristina Maestre Martín De Almagro

Proposal for a directive

Article 1 – paragraph 1 – point 25

Directive 2010/75/EU

Article 70d – first paragraph – second subparagraph

Text proposed by the Commission

The operator shall keep a record of, and process, all monitoring results, for a period of ***at least 6*** years, in such a way as to enable the verification of compliance with the emission limit values and environmental performance limit values set out in operating rules referred to in Article 70i.

Amendment

The operator shall keep a record of, and process, all monitoring results, for a period of **2** years, in such a way as to enable the verification of compliance with the emission limit values and environmental performance limit values set out in operating rules referred to in Article 70i.

Or. en

Amendment 169

Dan-Ştefan Motreanu

Proposal for a directive

Article 1 – paragraph 1 – point 25

Directive 2010/75/EU

Article 70d – paragraph 2

Text proposed by the Commission

2. In the event of non-compliance with the emission limit values and environmental performance limit values set out in the operating rules referred to in Article 70i, Member States shall

Amendment

deleted

require that the operator takes the measures necessary to ensure that compliance is restored within the shortest possible time.

Or. en

Amendment 170

Paolo De Castro, Clara Aguilera, Attila Ara-Kovács, Carmen Avram, Camilla Laureti, Cristina Maestre Martín De Almagro

Proposal for a directive

Article 1 – paragraph 1 – point 25

Directive 2010/75/EU

Article 70d – paragraph 2

Text proposed by the Commission

2. In the event of non-compliance with the emission limit values and environmental performance limit values set out in the operating rules referred to in Article 70i, Member States shall require that the operator takes the measures necessary to ensure that compliance is restored *within the shortest possible* time.

Amendment

2. In the event of non-compliance with the emission limit values and environmental performance limit values set out in the operating rules referred to in Article 70i, Member States shall require that the operator takes the measures necessary to ensure that compliance is restored *in a reasonable period of* time.

Or. en

Amendment 171

Dan-Ștefan Motreanu

Proposal for a directive

Article 1 – paragraph 1 – point 25

Directive 2010/75/EU

Article 70d – paragraph 3

Text proposed by the Commission

3. *The operator shall ensure that any land spreading of waste, animal by-products or other residues generated by the installation is undertaken in accordance with the best available techniques, as specified in the operating*

Amendment

deleted

rules referred to in Article 70i, and other relevant Union legislation and that it does not cause significant pollution of the environment.

Or. en

Amendment 172

Paolo De Castro, Clara Aguilera, Attila Ara-Kovács, Carmen Avram, Camilla Laureti, Cristina Maestre Martín De Almagro

Proposal for a directive

Article 1 – paragraph 1 – point 25

Directive 2010/75/EU

Article 70d – paragraph 3

Text proposed by the Commission

3. The operator shall ensure that any land spreading of waste, animal by-products or other residues generated by the installation is undertaken in accordance with the best available techniques, as specified in the operating rules referred to in Article 70i, and ***other relevant Union legislation and*** that it does not cause significant pollution of the environment.

Amendment

3. The operator shall ensure that any land spreading of waste, animal by-products or other residues generated by the installation is undertaken in accordance with the best available techniques, as specified in the operating rules referred to in Article 70i, and that it does not cause significant pollution of the environment, ***in accordance with relevant Union legislation.***

Or. en

Amendment 173

Paolo De Castro, Clara Aguilera, Attila Ara-Kovács, Carmen Avram, Camilla Laureti, Cristina Maestre Martín De Almagro

Proposal for a directive

Article 1 – paragraph 1 – point 25

Directive 2010/75/EU

Article 70e – paragraph 3

Text proposed by the Commission

3. The operator shall, without delay, make available the data and information listed in paragraph 2 of this Article to the

Amendment

3. The operator shall, without delay, make available the data and information listed in paragraph 2 of this Article to the

competent authority upon request. The competent authority may make such a request in order to verify compliance with the operating rules referred to in Article 70i. The competent authority shall make such a request if a member of the public requests access to the data or information listed in paragraph 2 of this Article.

competent authority upon *duly justified* request. The competent authority may make such a request in order to verify compliance with the operating rules referred to in Article 70i. The competent authority shall make such a request if a member of the public requests access to the data or information listed in paragraph 2 of this Article. *Nonetheless, without prejudice to Article 4(2) second subparagraph of Directive 2003/4/EC, at the request of the operator, those parts of such reports that involve sensitive commercial or industrial information, or which include personal data within the meaning of Article 4(1) of Regulation (EU) 2016/679 that are not strictly necessary for the purpose of this Article, shall not be published.*

Or. en

Amendment 174
Dan-Ștefan Motreanu

Proposal for a directive
Article 1 – paragraph 1 – point 25
Directive 2010/75/EU
Article 70e – paragraph 3

Text proposed by the Commission

3. The operator shall, without delay, make available the data and information listed in paragraph 2 of this Article to the competent authority upon request. The competent authority may make such a request in order to verify compliance with the operating rules referred to in Article 70i. The competent authority shall make such a request if a member of the public requests access to the data or information listed in paragraph 2 of this Article.

Amendment

3. *Where appropriate*, the operator shall, without delay, make available the data and information listed in paragraph 2 of this Article to the competent authority upon request. The competent authority may make such a request in order to verify compliance with the operating rules referred to in Article 70i. The competent authority shall make such a request if a member of the public requests access to the data or information listed in paragraph 2 of this Article. *Nonetheless, without prejudice to Article 4(2), second subparagraph, of Directive 2003/4/EC, at the request of the operator, parts of such*

reports that involve sensitive commercial or industrial information, or which include personal data within the meaning of Article 4(1) of Regulation(EU)2016/679 that are not strictly necessary for the purpose of this Article, shall not be published.

Or. en

Amendment 175

Jérémy Decerle, Atidzhe Alieva-Veli, Irène Tolleret, Emma Wiesner, Elsi Katainen

Proposal for a directive

Article 1 – paragraph 1 – point 25

Directive 2010/75/EU

Article 70e – paragraph 3

Text proposed by the Commission

3. The operator shall, ***without delay***, make available the data and information listed in paragraph 2 of this Article to the competent authority upon request. The competent authority may make such a request in order to verify compliance with the operating rules referred to in Article 70i. ***The competent authority shall make such a request if a member of the public requests access to the data or information listed in paragraph 2 of this Article.***

Amendment

3. The operator shall make available the data and information listed in paragraph 2 of this Article to the competent authority upon request. The competent authority may make such a request in order to verify compliance with the operating rules referred to in Article 70i.

Or. en

Justification

Access to potentially private data should not be given to any citizen that would have no specific quality to make such a request

Amendment 176

Simone Schmiedtbauer

Proposal for a directive

Article 1 – paragraph 1 – point 25

Directive 2010/75/EU

Article 70e – paragraph 3

Text proposed by the Commission

3. The operator shall, ***without delay***, make available the data and information listed in paragraph 2 of this Article to the competent authority upon request. The competent authority may make such a request in order to verify compliance with the operating rules referred to in Article 70i. ***The competent authority shall make such a request if a member of the public requests access to the data or information listed in paragraph 2 of this Article.***

Amendment

3. The operator shall, make available the data and information listed in paragraph 2 of this Article to the competent authority upon request. The competent authority may make such a request in order to verify compliance with the operating rules referred to in Article 70i. Such a request ***must be justified by the authority.***

Or. en

Amendment 177

Anja Hazekamp

Proposal for a directive

Article 1 – paragraph 1 – point 25

Directive 2010/75/EU

Article 70e – paragraph 3

Text proposed by the Commission

3. The operator shall, without delay, make available the data and information listed in paragraph 2 of this Article to the competent authority upon request. The competent authority may make such a request in order to verify compliance with the operating rules referred to in Article 70i. The competent authority shall make such a request if a member of the public requests access to the data or information listed in paragraph 2 of this Article.

Amendment

3. The operator shall, without delay, make available the data and information listed in paragraph 2 of this Article to the competent authority ***annually, and*** upon request. The competent authority may make such a request in order to verify compliance with the operating rules referred to in Article 70i. The competent authority shall make such a request if a member of the public requests access to the data or information listed in paragraph 2 of this Article.

Or. en

Amendment 178

Anja Hazekamp

Proposal for a directive
Article 1 – paragraph 1 – point 25
Directive 2010/75/EU
Article 70f – paragraph 2

Text proposed by the Commission

2. Member States shall set up an effective compliance monitoring system, based on *either* environmental inspections *or* other measures, to check compliance with the requirements set out in this Chapter.

Amendment

2. Member States shall set up an effective compliance monitoring system, based on *periodical* environmental inspections *and* other *equally effective* measures *proportionate to the levels of emissions of the installations, at least once every 2 years*, to check compliance with the requirements set out in this Chapter.

Or. en

Amendment 179
Simone Schmiedtbauer

Proposal for a directive
Article 1 – paragraph 1 – point 25
Directive 2010/75/EU
Article 70f – paragraph 3 – second subparagraph

Text proposed by the Commission

Where non-compliance causes a significant degradation of local air, water or soil conditions, or where it poses, or risks to pose, a significant danger to human health, the operation of the installation shall be suspended by the competent authority until compliance is restored.

Amendment

deleted

Or. en

Amendment 180
Gilles Lebreton, Elena Lizzi, Paola Ghidoni, Rosanna Conte

Proposal for a directive

Article premier – paragraph 1 – point 25

Directive 2010/75/EU

Article 70g – paragraph 3 – subparagraph

Text proposed by the Commission

Where non-compliance causes a significant degradation of local air, water or soil conditions, or where it poses, or risks to pose, a significant danger to human health, ***the operation of the installation shall be suspended by the competent authority until compliance is restored.***

Amendment

Where non-compliance causes a significant degradation of local air, water or soil conditions, or where it poses, or risks to pose, a significant danger to human health, operation ***may be subject to binding measures to stop the degradation.***

Or. fr

Justification

Legislating for the suspension of an animal rearing activity is absurd, since we are dealing with living creatures that cannot be switched off to stop their harm.

Amendment 181

Simone Schmiedtbauer

Proposal for a directive

Article 1 – paragraph 1 – point 25

Directive 2010/75/EU

Article 70g – paragraph 1 – point a

Text proposed by the Commission

(a) preparation of general binding rules as referred to in Article 6 on permits for installations falling within the scope of this Chapter;

Amendment

deleted

Or. en

Amendment 182

Bert-Jan Ruissen

Proposal for a directive

Article 1 – paragraph 1 – point 25

Directive 2010/75/EU

Article 70g – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) preparation of general binding rules as referred to in Article 6 on permits for installations falling within the scope of this Chapter;

deleted

Or. en

Amendment 183

Simone Schmiedtbauer

Proposal for a directive

Article 1 – paragraph 1 – point 25

Directive 2010/75/EU

Article 70g – paragraph 2

Text proposed by the Commission

Amendment

2. The competent authority shall make available to the public, ***including systematically via the Internet, free of charge and without restricting access to registered users***, the following documents and information:

2. The competent authority shall make available to the public ***concerned*** the following documents and information:

Or. en

Amendment 184

Bert-Jan Ruissen

Proposal for a directive

Article 1 – paragraph 1 – point 25

Directive 2010/75/EU

Article 70g – paragraph 2

Text proposed by the Commission

Amendment

2. The competent authority shall make available to the public, ***including systematically via the Internet, free of charge and without restricting access to registered users***, the following documents and information:

2. The competent authority shall make available to the public ***concerned, upon request***, the following documents and information:

Amendment 185
Daniel Buda

Proposal for a directive
Article 1 – paragraph 1 – point 25
Directive 2010/75/EU –
Article 70g – paragraph 2

Text proposed by the Commission

2. The competent authority shall make available to the public, including systematically via the Internet, free of charge and without restricting access to registered users, the following documents and information:

Amendment

2. The competent authority shall make available *on request* to the public *concerned*, including systematically via the Internet, free of charge and without restricting access to registered users, the following documents and information:

Or. ro

Amendment 186
Simone Schmiedtbauer

Proposal for a directive
Article 1 – paragraph 1 – point 25
Directive 2010/75/EU
Article 70g – paragraph 2 – point b

Text proposed by the Commission

(b) the results of the consultations held in accordance with paragraph 1;

Amendment

deleted

Or. en

Amendment 187
Simone Schmiedtbauer

Proposal for a directive
Article 1 – paragraph 1 – point 25
Directive 2010/75/EU
Article 70g – paragraph 2 – point d

Text proposed by the Commission

Amendment

(d) the reports of inspections of the installations falling within the scope of this Chapter. **deleted**

Or. en

Amendment 188

Jérémy Decerle, Atidzhe Alieva-Veli, Irène Tolleret, Emma Wiesner, Elsi Katainen

Proposal for a directive

Article 1 – paragraph 1 – point 25

Directive 2010/75/EU

Article 70g – paragraph 2 – point d

Text proposed by the Commission

Amendment

(d) the reports of inspections of the installations falling within the scope of this Chapter. **deleted**

Or. en

Justification

Reports of inspection concern the competent authority only.

Amendment 189

Paolo De Castro, Clara Aguilera, Attila Ara-Kovács, Carmen Avram, Camilla Laureti, Cristina Maestre Martín De Almagro

Proposal for a directive

Article 1 – paragraph 1 – point 25

Directive 2010/75/EU

Article 70g – paragraph 2 – point d

Text proposed by the Commission

Amendment

(d) the reports of inspections of the installations falling within the scope of this Chapter.

(d) the reports of inspections of the installations falling within the scope of this Chapter. *Nonetheless, without prejudice to Article 4(2) second subparagraph of Directive 2003/4/EC, at the request of the operator, those parts of such reports that involve sensitive commercial or industrial*

information, or which include personal data within the meaning of Article 4(1) of Regulation (EU) 2016/679 that are not strictly necessary for the purpose of this Article, shall not be published.

Or. en

Amendment 190
Dan-Ștefan Motreanu

Proposal for a directive
Article 1 – paragraph 1 – point 25
Directive 2010/75/EU
Article 70g – paragraph 2 – point d

Text proposed by the Commission

(d) the reports of inspections of the installations falling within the scope of this Chapter.

Amendment

(d) the reports of inspections of the installations falling within the scope of this Chapter. *Nonetheless, without prejudice to Article 4(2), second subparagraph, of Directive 2003/4/EC, at the request of the operator, parts of such reports that involve sensitive commercial or industrial information, or which include personal data within the meaning of Article 4(1) of Regulation (EU) 2016/679 that are not strictly necessary for the purpose of this Article, shall not be published.*

Or. en

Amendment 191
Daniel Buda

Proposal for a directive
Article 1 – paragraph 1 – point 25
Directive 2010/75/EU –
Article 70g – paragraph 2 – point d

Text proposed by the Commission

(d) the reports of inspections of the installations falling within the scope of this

Amendment

(d) the reports of inspections of the installations falling within the scope of this

Chapter.

Chapter, *not including confidential business information.*

Or. ro

Amendment 192

Anja Hazekamp

Proposal for a directive

Article 1 – paragraph 1 – point 25

Directive 2010/75/EU

Article 70g – paragraph 2 – point d

Text proposed by the Commission

(d) the reports of inspections of the installations falling within the scope of this Chapter.

Amendment

(d) the **complete** reports of inspections of the installations falling within the scope of this Chapter.

Or. en

Amendment 193

Jérémy Decerle, Atidzhe Alieva-Veli, Irène Tolleret, Emma Wiesner, Dacian Cioloș, Elsi Katainen

Proposal for a directive

Article 1 – paragraph 1 – point 25

Directive 2010/75/EU

Article 70h – paragraph 1

Text proposed by the Commission

Member States shall ensure that, in accordance with the relevant national legal system, members of the public concerned have access to a review procedure before a court of law, or another independent and impartial body established by law to challenge the substantive or procedural legality of decisions, acts or omissions subject to this Chapter when one of the following conditions is met:

Amendment

Member States shall ensure that, in accordance with the relevant national legal system, members of the public **directly** concerned have access to a review procedure before a court of law, or another independent and impartial body established by law to challenge the substantive or procedural legality of decisions, acts or omissions subject to this Chapter when one of the following conditions is met:

Or. en

Amendment 194

Paolo De Castro, Clara Aguilera, Attila Ara-Kovács, Carmen Avram, Camilla Laureti, Cristina Maestre Martín De Almagro

Proposal for a directive

Article 1 – paragraph 1 – point 25

Directive 2010/75/EU

Article 70h – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) they have a **sufficient** interest;

(a) they have a **legitimate** interest;

Or. en

Amendment 195

Jérémy Decerle, Atidzhe Alieva-Veli, Irène Tolleret, Emma Wiesner, Dacian Cioloș, Elsi Katainen

Proposal for a directive

Article 1 – paragraph 1 – point 25

Directive 2010/75/EU

Article 70h – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) they have a **sufficient** interest;

(a) they have a **direct** interest;

Or. en

Amendment 196

Daniel Buda

Proposal for a directive

Article 1 – paragraph 1 – point 25

Directive 2010/75/EU –

Article 70h – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) they have a **sufficient** interest;

(a) they have a **legitimate** interest;

Or. ro

Amendment 197
Simone Schmiedtbauer

Proposal for a directive
Article 1 – paragraph 1 – point 25
Directive 2010/75/EU
Article 70h – paragraph 1 – after point b

Text proposed by the Commission

Standing in the review procedure may not be conditional on the role that the **concerned** member of the public played during a participatory phase of the decision-making procedures under this Directive.

Amendment

Standing in the review procedure may not be conditional on the role that the member of the public **concerned** played during a participatory phase of the decision-making procedures under this Directive.

Or. en

Amendment 198
Simone Schmiedtbauer

Proposal for a directive
Article 1 – paragraph 1 – point 25
Directive 2010/75/EU
Article 70h – paragraph 1 – after point b

Text proposed by the Commission

The review procedure shall be fair, equitable, timely and not prohibitively expensive, and shall provide for adequate and effective redress mechanisms, **including injunctive relief as appropriate.**

Amendment

The review procedure shall be fair, equitable, timely and not prohibitively expensive, and shall provide for adequate and effective redress mechanisms.

Or. en

Amendment 199
Daniel Buda

Proposal for a directive
Article 1 – paragraph 1 – point 25
Directive 2010/75/EU –

Article 70h – paragraph 1

Text proposed by the Commission

The review procedure shall be fair, equitable, timely and not prohibitively expensive, and shall provide for adequate and effective redress mechanisms, including injunctive relief as appropriate.

Amendment

The review procedure shall be fair, equitable, **proportionate**, timely and not prohibitively expensive, and shall provide for adequate and effective redress mechanisms, including injunctive relief as appropriate.

Or. ro

Amendment 200
Bert-Jan Ruissen

Proposal for a directive
Article 1 – paragraph 1 – point 25
Directive 2010/75/EU
Article 70i – paragraph 1

Text proposed by the Commission

1. The Commission shall establish operating rules containing requirements consistent with the use of best available techniques for the activities listed in Annex Ia, which shall include the following:

- (a) emission limit values;**
- (b) monitoring requirements;**
- (c) land spreading practices;**
- (d) pollution prevention and mitigation practices;**
- (e) environmental performance limit values;**
- (f) other measures consistent with Annex III.**

The operating rules shall take into account inter alia the nature, type, size and density of these installations and the specificities of pasture based cattle rearing systems, where animals are only seasonally reared in indoor installations.

Amendment

deleted

Justification

These provisions are essential parts of the legislation and can therefore not be set by a delegated empowerment. The provisions should be subject to an impact assessment.

Amendment 201
Anja Hazekamp

Proposal for a directive
Article 1 – paragraph 1 – point 25

Directive 2010/75/EU

Article 70i – paragraph 1 – subparagraph 1 – introductory part

Text proposed by the Commission

The Commission shall establish operating rules containing requirements consistent with the use of best available techniques for the activities listed in Annex Ia, which shall include the following:

Amendment

To effectively reduce GHG and pollutant emissions into the air, soil and water, it is inevitable that the number of farm animals has to be drastically reduced. This especially concerns Member States with a high livestock density. The establishment and expansion of industrial livestock installations shall not be granted a permit. The Commission shall establish, after consulting with relevant stakeholders, including scientists and environmental and animal-welfare NGOs, operating rules containing requirements consistent with the use of scientifically proven best available techniques which have a proven positive impact on human and animal health and welfare, the environment and biodiversity. Technological and other solutions with the aim of reducing emissions from animal farming, such as permanent indoor housing, air scrubbers and low-emission stable floors, that require a significant investment from farmers will not fall under best available techniques. This concerns the operating rules for the activities listed in Annex Ia, which shall include the following:

Amendment 202

Jérémy Decerle, Atidzhe Alieva-Veli, Irène Tolleret, Emma Wiesner, Dacian Cioloș, Elsi Katainen

Proposal for a directive

Article 1 – paragraph 1 – point 25

Directive 2010/75/EU

Article 70i – introductory part

Text proposed by the Commission

The Commission shall establish operating rules containing requirements consistent with the use of best available techniques for the activities listed in *Annex Ia*, which shall include the following:

Amendment

The Commission shall, ***in cooperation with farmers whose production falls within the scope of this directive***, establish operating rules containing requirements consistent with the use of best available techniques for the activities listed in ***article 70a***, which shall include the following:

Or. en

Amendment 203

Gilles Lebreton, Elena Lizzi, Paola Ghidoni, Rosanna Conte

Proposal for a directive

Article premier – paragraph 1 – point 25

Directive 2010/75/EU

Article 70j – paragraph 1

Text proposed by the Commission

The Commission shall establish operating rules containing requirements consistent with the use of best available techniques for the activities listed in Annex Ia, which shall include the following:

Amendment

Member States, or regions where appropriate, shall establish in their strategic plans operating rules containing requirements consistent with the use of best available techniques for the activities listed in Annex Ia, which shall include the following:

Or. fr

Justification

Ce nouvel article 70 decies fixe les modalités d'application de cette directive au secteur agricole. Il est incompréhensible que ces choix éminemment stratégiques soient laissés à la

Commission par des actes ultérieurs dont nous ne connaissons pas les contours. Conformément à la nouvelle PAC, seuls les États membres (ou les régions dans certains États) devraient avoir la compétence de fixer dans leurs plans stratégiques les modalités d'application de la directive, afin qu'ils puissent l'adapter aux contextes locaux. De telles modalités, dont les conséquences pourraient être catastrophiques pour les secteurs touchés, doivent pouvoir être modulées discrétionnairement et facilement par les États membres (ou les régions) si l'on veut éviter les événements dramatiques que les Pays-Bas connaissent ces derniers mois.

Amendment 204

Paolo De Castro, Clara Aguilera, Attila Ara-Kovács, Carmen Avram, Camilla Laureti, Cristina Maestre Martín De Almagro

Proposal for a directive

Article 1 – paragraph 1 – point 25

Directive 2010/75/EU

Article 70i – paragraph 1 – introductory part

Text proposed by the Commission

The Commission shall establish operating rules containing requirements consistent with the use of best available techniques for the activities listed in Annex ***Ia***, which shall include the following:

Amendment

The Commission shall establish operating rules containing requirements consistent with the use of best available techniques for the activities listed in Annex ***Ib***, which shall include the following:

Or. en

Amendment 205

Simone Schmiedtbauer

Proposal for a directive

Article 1 – paragraph 1 – point 25

Directive 2010/75/EU

Article 70h – paragraph 1 – introductory part

Text proposed by the Commission

The ***Commission*** shall establish operating rules containing requirements consistent with the use of best available techniques for the activities ***listed in Annex Ia***, which shall include the following:

Amendment

The ***Member States*** shall establish operating rules containing requirements consistent with the use of best available techniques for the activities ***referred to in Article 70a***, which shall include the following:

Amendment 206
Dan-Ștefan Motreanu

Proposal for a directive
Article 1 – paragraph 1 – point 25
Directive 2010/75/EU
Article 70i – paragraph 1 – introductory part

Text proposed by the Commission

The Commission shall establish operating rules containing requirements consistent with the use of best available techniques for the activities *listed* in Annex *Ia*, which shall include the following:

Amendment

The Commission shall establish operating rules containing requirements consistent with the use of best available techniques for the activities *referred to* in Annex *70a*, which shall include the following:

Or. en

Amendment 207
Benoît Biteau

Proposal for a directive
Article 1 – paragraph 1 – point 25
Directive 2010/75/EU
Article 70i – paragraph 1 – point aa (new)

Text proposed by the Commission

Amendment

(aa) new natural resource limits

Or. en

Amendment 208
Anja Hazekamp

Proposal for a directive
Article 1 – paragraph 1 – point 25
Directive 2010/75/EU
Article 70i – paragraph 1 – point ea (new)

Text proposed by the Commission

Amendment

(ea) information on the impact on human and animal health and welfare

Or. en

Amendment 209

Benoît Biteau

Proposal for a directive

Article 1 – paragraph 1 – point 25

Directive 2010/75/EU

Article 70i – paragraph 1 – second subparagraph

Text proposed by the Commission

The operating rules shall take into account inter alia the nature, type, size and density of these installations and the specificities of pasture based cattle rearing systems, where animals are only seasonally reared in indoor installations.

Amendment

The operating rules shall ***be proportional and*** take into account inter alia the nature, type, size and density of these installations, ***animal welfare considerations, the protection of biodiversity*** and the specificities of pasture based cattle rearing systems, where animals are only seasonally reared in indoor installations, ***as well as the nature of indoor installations. The operating rules shall be guided by the best available agro-ecological science. The precautionary principle shall fully respected, including in relation to animal feed techniques.***

Or. en

Amendment 210

Krzysztof Jurgiel

Proposal for a directive

Article 1 – paragraph 1 – point 25

Directive 2010/75/EU

Article 70i – paragraph 1 – second subparagraph

Text proposed by the Commission

The operating rules shall take into account inter alia the nature, type, size and density of these installations ***and the specificities***

Amendment

The operating rules shall take into account inter alia the nature, type, size and density of these installations.

*of pasture based cattle rearing systems,
where animals are only seasonally reared
in indoor installations.*

Or. pl

Amendment 211
Daniel Buda

Proposal for a directive
Article 1 – paragraph 1 – point 25
Directive 2010/75/EU –
Article 70i – paragraph 1 – subparagraph 2

Text proposed by the Commission

The operating rules shall take into account inter alia the nature, type, size and density of these installations *and the specificities of pasture based cattle rearing systems, where animals are only seasonally reared in indoor installations.*

Amendment

The operating rules shall take into account inter alia the nature, type, size and density of these installations.

Or. ro

Amendment 212
Dan-Ştefan Motreanu

Proposal for a directive
Article 1 – paragraph 1 – point 25
Directive 2010/75/EU
Article 70i – paragraph 1 – subparagraph 2

Text proposed by the Commission

The operating rules shall take into account inter alia the nature, type, size and density of these installations *and the specificities of pasture based cattle rearing systems, where animals are only seasonally reared in indoor installations.*

Amendment

The operating rules shall take into account inter alia the nature, type, size and density of these installations.

Or. en

Amendment 213

Paolo De Castro, Clara Aguilera, Attila Ara-Kovács, Carmen Avram, Camilla Laureti, Cristina Maestre Martín De Almagro

Proposal for a directive

Article 1 – paragraph 1 – point 25

Directive 2010/75/EU

Article 70i – paragraph 1 – subparagraph 2

Text proposed by the Commission

The operating rules shall take into account inter alia the nature, type, size and density of these installations ***and the specificities of pasture based cattle rearing systems, where animals are only seasonally reared in indoor installations.***

Amendment

The operating rules shall take into account inter alia the nature, type, size and density of these installations.

Or. en

Amendment 214

Anja Hazekamp

Proposal for a directive

Article 1 – paragraph 1 – point 25

Directive 2010/75/EU

Article 70i – paragraph 1 – subparagraph 2

Text proposed by the Commission

The operating rules shall take into account inter alia the nature, type, size ***and*** density of these installations and the specificities of pasture based cattle rearing systems, where animals are only seasonally reared in indoor installations.

Amendment

The operating rules shall take into account inter alia the nature, type, size, density, ***human and animal health and welfare considerations, climate and biodiversity impact*** of these installations and the specificities of pasture based cattle rearing systems, where animals are only seasonally reared in indoor installations.

Or. en

Amendment 215

Jérémy Decerle, Atidzhe Alieva-Veli, Irène Tolleret, Emma Wiesner, Dacian Cioloș, Elsi Katainen

Proposal for a directive

Article 1 – paragraph 1 – point 25

Directive 2010/75/EU

Article 70i – paragraph 1 – third subparagraph (new)

Text proposed by the Commission

Amendment

The operating rules shall incorporate the existence of emerging techniques in animal husbandry and specify the conditions under which the competent authority may grant a permit to an installation using such techniques

Or. en

Amendment 216

Gilles Lebreton, Elena Lizzi, Paola Ghidoni, Rosanna Conte

Proposal for a directive

Article premier – paragraph 1 – point 25

Directive 2010/75/EU

Article 70j – paragraph 2

Text proposed by the Commission

Amendment

2. *The Commission shall by [OP please insert date = the first day of the month following 24 months after the date of entry into force of this Directive] adopt a delegated act in accordance with Article 76 to supplement this Directive by establishing the operating rules referred to in paragraph 1. ’.*

deleted

Or. fr

Amendment 217

Bert-Jan Ruissen

Proposal for a directive

Article 1 – paragraph 1 – point 25

Directive 2010/75/EU

Article 70i – paragraph 2

Text proposed by the Commission

Amendment

2. *The Commission shall by [OP please insert date = the first day of the month following 24 months after the date of entry into force of this Directive] adopt a delegated act in accordance with Article 76 to supplement this Directive by establishing the operating rules referred to in paragraph 1.'*

deleted

Or. en

Justification

These provisions are essential parts of the legislation and can therefore not be set by a delegated empowerment. The provisions should also be subject to an impact assessment.

Amendment 218

Simone Schmiedtbauer

Proposal for a directive

Article 1 – paragraph 1 – point 25

Directive 2010/75/EU

Article 70i – Paragraph 2

Text proposed by the Commission

Amendment

2. *The Commission shall by [OP please insert date = the first day of the month following 24 months after the date of entry into force of this Directive] adopt a delegated act in accordance with Article 76 to supplement this Directive by establishing the operating rules referred to in paragraph 1.'*

2. By [OP please insert date = the first day of the month following 24 months after the date of entry into force of this Directive] *each Member State shall* adopt operating rules referred to in paragraph 1 *in the form of national legislation.*

Or. en

Amendment 219

Bert-Jan Ruissen

Proposal for a directive

Article 1 – paragraph 1 – point 25

Directive 2010/75/EU

Article 70i – paragraph 2a (new)

Text proposed by the Commission

Amendment

2a. The operating rules shall be based on BAT without prescribing the use of any technique or specific technology.

Or. en

Justification

It is an underpinning principle throughout the regulation, in order not to push for one or another technique or specific technology.

Amendment 220

Bert-Jan Ruissen

Proposal for a directive

Article 1 – paragraph 1 – point 25

Directive 2010/75/EU

Article 70i – paragraph 2b (new)

Text proposed by the Commission

Amendment

2b. The operating rules shall be based on an integral assessment taking into account the potential effects on, inter alia, the overall economic sustainability, safety, in particular fire safety, and animal health and welfare.

Or. en

Amendment 221

Simone Schmiedtbauer

Proposal for a directive

Article 1 – paragraph 1 – point 25

Directive 2010/75/EU

Article 70i – Paragraph 3

Text proposed by the Commission

Amendment

3. Member States shall ensure that all the permit conditions for the installations

3. Member States shall ensure that all the permit conditions for the installations

concerned are in compliance with the operating rules referred to in paragraph 1 within 42 months of the entry into force of the *delegated act* establishing those rules..

concerned are in compliance with the operating rules referred to in paragraph 1 within 42 months of the entry into force of the *national legislation* establishing those rules.

Or. en

Amendment 222

Bert-Jan Ruissen

Proposal for a directive

Article 1 – paragraph 1 – point 25

Directive 2010/75/EU

Article 70i – paragraph 3

Text proposed by the Commission

3. Member States shall ensure that all the permit conditions for the installations concerned are in compliance with the operating rules *referred to in paragraph 1* within *42 months* of the entry into force of the *delegated act* establishing those rules..

Amendment

3. Member States shall ensure that all the permit conditions for the installations concerned are in compliance with the operating rules within *15 years* of the entry into force of the act establishing those rules.

Or. en

Justification

The time period needs to be adapted to the specificities of family-run farms for which the investment depreciation cycle is usually 15 years at minimum.

Amendment 223

Gilles Lebreton, Elena Lizzi, Paola Ghidoni, Rosanna Conte

Proposal for a directive

Article premier – paragraph 1 – point 27

Directive 2010/75/EU

Article 74 – paragraph 1

Text proposed by the Commission

1. *In order to allow the provisions of this Directive to be adapted to scientific and technical progress on the basis of best*

Amendment

deleted

available techniques, the Commission shall adopt delegated acts in accordance with Article 76 as regards the adaptation of Parts 3 and 4 of Annex V, Parts 2, 6, 7 and 8 of Annex VI and Parts 5, 6, 7 and 8 of Annex VII to such scientific and technical progress.

Or. fr

Amendment 224
Anja Hazekamp

Proposal for a directive
Article 1 – paragraph 1 – point 27
Directive 2010/75/EU
Article 74 – paragraph 1

Text proposed by the Commission

1. In order to allow the provisions of this Directive to be adapted to scientific and technical progress on the basis of best available techniques, the Commission shall adopt delegated acts in accordance with Article 76 as regards the adaptation of Parts 3 and 4 of Annex V, Parts 2, 6, 7 and 8 of Annex VI and Parts 5, 6, 7 and 8 of Annex VII to such scientific and technical progress.

Amendment

1. In order to allow the provisions of this Directive to be adapted to scientific and technical progress on the basis of best available techniques ***with a proven effectiveness for human and animal health and welfare, biodiversity and the environment***, the Commission shall adopt delegated acts in accordance with Article 76 as regards the adaptation of Parts 3 and 4 of Annex V, Parts 2, 6, 7 and 8 of Annex VI and Parts 5, 6, 7 and 8 of Annex VII to such scientific and technical progress.

Or. en

Amendment 225
Gilles Lebreton, Elena Lizzi, Paola Ghidoni, Rosanna Conte

Proposal for a directive
Article premier – paragraph 1 – point 27
Directive 2010/75/EU
Article 74 – paragraph 2

Text proposed by the Commission

Amendment

2. *In order to allow the provisions of this Directive to meet its objectives to prevent or reduce pollutants emissions and achieve a high level of protection of human health and the environment, the Commission shall be empowered to adopt a delegated act, in accordance with Article 76, to amend Annex I or Annex Ia by including in those Annexes an agro-industrial activity that meets the following criteria:* *deleted*

(a) it has or is expected to have an impact on human health or the environment, in particular as a consequence of pollutant emissions and use of resources;

(b) its environmental performance diverges within the Union;

(c) it presents potential for improvement in terms of its environmental impact through the application of best available techniques or innovative techniques;

(d) its inclusion within the scope of this Directive is assessed, on the basis of its environmental, economic and social impacts, to have a favourable ratio of societal benefits to economic costs.

Or. fr

Amendment 226
Bert-Jan Ruissen

Proposal for a directive
Article 1 – paragraph 1 – point 27
Directive 2010/75/EU
Article 74 – paragraph 2

Text proposed by the Commission

Amendment

2. *In order to allow the provisions of this Directive to meet its objectives to prevent or reduce pollutants emissions and achieve a high level of protection of human health and the environment, the Commission shall be empowered to adopt* *deleted*

a delegated act, in accordance with Article 76, to amend Annex I or Annex Ia by including in those Annexes an agro-industrial activity that meets the following criteria:

(a) it has or is expected to have an impact on human health or the environment, in particular as a consequence of pollutant emissions and use of resources;

(b) its environmental performance diverges within the Union;

(c) it presents potential for improvement in terms of its environmental impact through the application of best available techniques or innovative techniques;

(d) its inclusion within the scope of this Directive is assessed, on the basis of its environmental, economic and social impacts, to have a favourable ratio of societal benefits to economic costs.

Or. en

Justification

These provisions are essential parts of the legislation and can therefore not be set by a delegated empowerment.

Amendment 227

Paolo De Castro, Clara Aguilera, Attila Ara-Kovács, Carmen Avram, Camilla Laureti, Cristina Maestre Martín De Almagro

Proposal for a directive

Article 1 – paragraph 1 – point 27

Directive 2010/75/EU

Article 74 – paragraph 2

Text proposed by the Commission

2. In order to allow the provisions of this Directive to meet its objectives to prevent or reduce pollutants emissions and achieve a high level of protection of human health and the environment, the Commission shall be empowered to adopt

Amendment

2. In order to allow the provisions of this Directive to meet its objectives to prevent or reduce pollutants emissions and achieve a high level of protection of human health and the environment, the Commission shall be empowered to adopt

a delegated act, in accordance with Article 76, to amend Annex I *or Annex Ia by including in those Annexes an agro-industrial activity that meets the following criteria:*

a delegated act, in accordance with Article 76, to amend Annex I:

Or. en

Amendment 228

Jérémy Decerle, Atidzhe Alieva-Veli, Irène Tolleret, Emma Wiesner

Proposal for a directive

Article 1 – paragraph 1 – point 27

Directive 2010/75/EU

Article 74 – paragraph 2

Text proposed by the Commission

2. In order to allow the provisions of this Directive to meet its objectives to prevent or reduce pollutants emissions and achieve a high level of protection of human health and the environment, the Commission shall be empowered to adopt a delegated act, in accordance with Article 76, to amend Annex I *or Annex Ia by including in those Annexes an agro-industrial activity that meets the following criteria:*

Amendment

2. In order to allow the provisions of this Directive to meet its objectives to prevent or reduce pollutants emissions and achieve a high level of protection of human health and the environment, the Commission shall be empowered to adopt a delegated act, in accordance with Article 76, to amend Annex I:

Or. en

Amendment 229

Dan-Ştefan Motreanu

Proposal for a directive

Article 1 – paragraph 1 – point 27

Directive 2010/75/EU

Article 74 – paragraph 2

Text proposed by the Commission

2. In order to allow the provisions of this Directive to meet its objectives to prevent or reduce pollutants emissions and

Amendment

2. In order to allow the provisions of this Directive to meet its objectives to prevent or reduce pollutants emissions and

achieve a high level of protection of human health and the environment, the Commission shall be empowered to adopt a delegated act, in accordance with Article 76, to amend Annex I ***or Annex Ia by including in those Annexes an agro-industrial activity that meets the following criteria:***

achieve a high level of protection of human health and the environment, the Commission shall be empowered to adopt a delegated act, in accordance with Article 76, to amend Annex I.

Or. en

Amendment 230
Dan-Ştefan Motreanu

Proposal for a directive
Article 1 – paragraph 1 – point 27
Directive 2010/75/EU
Article 74 – paragraph 2 – point (a)

Text proposed by the Commission

Amendment

(a) it has or is expected to have an impact on human health or the environment, in particular as a consequence of pollutant emissions and use of resources;

deleted

Or. en

Amendment 231
Paolo De Castro, Clara Aguilera, Attila Ara-Kovács, Carmen Avram, Camilla Laureti, Cristina Maestre Martín De Almagro

Proposal for a directive
Article 1 – paragraph 1 – point 27
Directive 2010/75/EU
Article 74 – paragraph 2 – point (a)

Text proposed by the Commission

Amendment

(a) it has or is expected to have an impact on human health or the environment, in particular as a consequence of pollutant emissions and use of resources;

deleted

Amendment 232
Dan-Ştefan Motreanu

Proposal for a directive
Article 1 – paragraph 1 – point 27
Directive 2010/75/EU
Article 74 – paragraph 2 – point (b)

Text proposed by the Commission

Amendment

(b) its environmental performance diverges within the Union; *deleted*

Amendment 233
Paolo De Castro, Clara Aguilera, Attila Ara-Kovács, Carmen Avram, Camilla Laureti, Cristina Maestre Martín De Almagro

Proposal for a directive
Article 1 – paragraph 1 – point 27
Directive 2010/75/EU
Article 74 – paragraph 2 – point (b)

Text proposed by the Commission

Amendment

(b) its environmental performance diverges within the Union; *deleted*

Amendment 234
Dan-Ştefan Motreanu

Proposal for a directive
Article 1 – paragraph 1 – point 27
Directive 2010/75/EU
Article 74 – paragraph 2 – point (c)

Text proposed by the Commission

Amendment

(c) it presents potential for improvement in terms of its environmental impact through the application of best available techniques or innovative techniques; *deleted*

Or. en

Amendment 235

Paolo De Castro, Clara Aguilera, Attila Ara-Kovács, Carmen Avram, Camilla Laureti, Cristina Maestre Martín De Almagro

Proposal for a directive

Article 1 – paragraph 1 – point 27

Directive 2010/75/EU

Article 74 – paragraph 2 – point (c)

Text proposed by the Commission

Amendment

(c) it presents potential for improvement in terms of its environmental impact through the application of best available techniques or innovative techniques; *deleted*

Or. en

Amendment 236

Dan-Ștefan Motreanu

Proposal for a directive

Article 1 – paragraph 1 – point 27

Directive 2010/75/EU

Article 74 – paragraph 2 – point (d)

Text proposed by the Commission

Amendment

(d) its inclusion within the scope of this Directive is assessed, on the basis of its environmental, economic and social impacts, to have a favourable ratio of societal benefits to economic costs. *deleted*

Or. en

Amendment 237

Paolo De Castro, Clara Aguilera, Attila Ara-Kovács, Carmen Avram, Camilla Laureti, Cristina Maestre Martín De Almagro

Proposal for a directive

Article 1 – paragraph 1 – point 27

Directive 2010/75/EU

Article 74 – paragraph 2 – point (d)

Text proposed by the Commission

Amendment

(d) *its inclusion within the scope of this Directive is assessed, on the basis of its environmental, economic and social impacts, to have a favourable ratio of societal benefits to economic costs.* *deleted*

Or. en

Amendment 238

Gilles Lebreton, Elena Lizzi, Paola Ghidoni, Rosanna Conte

Proposal for a directive

Article premier – paragraph 1 – point 29

Directive 2010/75/EU

Article 76 – paragraph 2

Text proposed by the Commission

Amendment

2. *The power to adopt delegated acts referred to in Articles 48(5), Article 70i and Article 74 shall be conferred on the Commission for a period of 5 years from ... [OP please insert the date = the first day of the month following the date of entry into force of this Directive]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each* *deleted*

period.

Or. fr

Amendment 239
Bert-Jan Ruissen

Proposal for a directive
Article 1 – paragraph 1 – point 29
Directive 2010/75/EU
Article 76 – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Articles 48(5), **Article 70i** and Article 74 shall be conferred on the Commission for a period of 5 years from ... [OP please insert the date = the first day of the month following the date of entry into force of this Directive]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

Amendment

2. The power to adopt delegated acts referred to in Articles 48(5) and Article 74 shall be conferred on the Commission for a period of 5 years from ... [OP please insert the date = the first day of the month following the date of entry into force of this Directive]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

Or. en

Justification

These provisions are essential parts of the legislation and can therefore not be set by a delegated empowerment.

Amendment 240
Gilles Lebreton, Elena Lizzi, Paola Ghidoni, Rosanna Conte

Proposal for a directive
Article premier – paragraph 1 – point 29
Directive 2010/75/EU
Article 76 – paragraph 3

Text proposed by the Commission

Amendment

3. The delegation of power referred to in Articles 48(5), Article 70i and Article 74 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

deleted

Or. fr

Amendment 241

Gilles Lebreton, Elena Lizzi, Paola Ghidoni, Rosanna Conte

Proposal for a directive

Article premier – paragraph 1 – point 31

Directive 2010/75/EU

Article 79 – paragraph 2 a

Text proposed by the Commission

Amendment

2a. Since agricultural activity cannot be treated as an industrial activity, the provisions of this Directive can under no circumstances give rise to penalties in the event of infringement of national implementing provisions by natural or legal persons carrying out an activity in the agricultural sector.

Or. fr

Amendment 242

Gilles Lebreton

Proposal for a directive

Article premier – paragraph 1 – point 32

Directive 2010/75/EU

Article 79a – paragraph 2

Text proposed by the Commission

Amendment

2. Member States shall ensure that, as part of the public concerned, non-governmental organisations promoting the protection of human health or the environment and meeting any requirements under national law are allowed to represent the individuals affected and bring collective actions for compensation. Member States shall ensure that a claim for a violation leading to a damage cannot be pursued twice, by the individuals affected and by the non-governmental organisations referred to in this paragraph.

deleted

Or. fr

**Amendment 243
Bert-Jan Ruissen**

**Proposal for a directive
Article 1 – paragraph 1 – point 32
Directive 2010/75/EU
Article 79a – paragraph 2**

Text proposed by the Commission

Amendment

2. Member States shall ensure that, as part of the public concerned, non-governmental organisations promoting the protection of human health or the environment and meeting any requirements under national law are allowed to represent the individuals affected and bring collective actions for compensation. Member States shall ensure that a claim for a violation leading to a damage cannot be pursued twice, by the individuals affected and by the non-governmental organisations referred to in this paragraph.

deleted

Or. en

Amendment 244

Jérémy Decerle, Atidzhe Alieva-Veli, Irène Tolleret, Emma Wiesner, Elsi Katainen

Proposal for a directive

Article 1 – paragraph 1 – point 32

Directive 2010/75/EU

Article 79a – paragraph 4

Text proposed by the Commission

Amendment

4. Where there is a claim for compensation in accordance with paragraph 1, supported by evidence from which a causality link may be presumed between the damage and the violation, Member States shall ensure that the onus is on the person responsible for the violation to prove that the violation did not cause or contribute to the damage.

deleted

Or. en

Justification

this paragraph implies reversing the burden of the proof and presumes the causality link, imposing on the person responsible for the violation to prove that the violation did not cause the damage, which might reveal impossible.

Amendment 245

Bert-Jan Ruissen

Proposal for a directive

Article 1 – paragraph 1 – point 32

Directive 2010/75/EU

Article 79a – paragraph 4

Text proposed by the Commission

Amendment

4. Where there is a claim for compensation in accordance with paragraph 1, supported by evidence from which a causality link may be presumed between the damage and the violation, Member States shall ensure that the onus is on the person **responsible for the violation** to prove **that the violation did not cause or**

4. Where there is a claim for compensation in accordance with paragraph 1, supported by evidence from which a causality link may be presumed between the damage and the violation, Member States shall ensure that the onus is on the person **making the claim** to prove

contribute to the damage.

the causality to the damage.

Or. en

Amendment 246
Daniel Buda

Proposal for a directive
Article 1 – paragraph 1 – point 32
Directive 2010/75/EU
Article 79a – paragraph 4

Text proposed by the Commission

4. Where there is a claim for compensation in accordance with paragraph 1, supported by evidence from which a causality link may be presumed between the damage and the violation, Member States shall ensure that the onus is on the person ***responsible for*** the violation to prove that the violation ***did not cause*** or ***contribute*** to the damage.

Amendment

4. Where there is a claim for compensation in accordance with paragraph 1, supported by evidence from which a causality link may be presumed between the damage and the violation, Member States shall ensure that the onus is on the person ***who made the accusation of*** the violation to prove that the violation ***caused*** or ***contributed*** to the damage.

Or. ro

Amendment 247
Peter Jahr, Norbert Lins, Christine Schneider, Marlene Mortler, Lena Düpont

Proposal for a directive
Article 1 – paragraph 1 – point 32
Directive 2010/75/EU
Article 79a – paragraph 4

Text proposed by the Commission

4. Where there is a claim for compensation in accordance with paragraph 1, supported by evidence from which a causality link may be presumed between the damage and the violation, Member States shall ensure that the onus is on the person ***responsible for the violation*** to prove that the violation did ***not*** cause or contribute to the damage.

Amendment

4. Where there is a claim for compensation in accordance with paragraph 1, supported by evidence from which a causality link may be presumed between the damage and the violation, Member States shall ensure that the onus is on the person ***who made the allegation*** to prove that the violation did cause or contribute to the damage

Amendment 248
Daniel Buda

Proposal for a directive
Article 1 – paragraph 1 – point 34
Directive 2010/75/EU
Annex Ia (new)

Text proposed by the Commission

Amendment

(34) Annex Ia as set out in Annex II to this Directive is inserted. **deleted**

Amendment 249
Dan-Ştefan Motreanu

Proposal for a directive
Article 1 – paragraph 1 – point 34
Directive 2010/75/EU
Annex Ia (new)

Text proposed by the Commission

Amendment

(34) Annex Ia as set out in Annex II to this Directive is inserted. **deleted**

Amendment 250
Jérémy Decerle, Atidzhe Alieva-Veli, Irène Tolleret, Emma Wiesner

Proposal for a directive
Article 1 – paragraph 1 – point 34
Directive 2010/75/EU
Annex Ia (new)

Text proposed by the Commission

Amendment

(34) Annex Ia as set out in Annex II to **deleted**

this Directive is inserted.

Or. en

Amendment 251

Jérémy Decerle, Atidzhe Alieva-Veli, Irène Tolleret, Emma Wiesner, Dacian Cioloș, Asger Christensen

Proposal for a directive

Annex I – paragraph 1 – point g

Directive 2010/75/EU

Annex I g – point 5.3

Text proposed by the Commission

Amendment

(i) biological treatment (such as anaerobic digestion);

(i) biological treatment (such as anaerobic digestion *except for manure*);

Or. en

Justification

Manure should not be identified as waste

Amendment 252

Anja Hazekamp

Proposal for a directive

Annex I – paragraph 1 – point j

Directive 2010/75/EU

Annex I – paragraph j

Text proposed by the Commission

Amendment

(j) *point 6.6 is deleted.*

deleted

Or. en

Amendment 253

Dan-Ștefan Motreanu

Proposal for a directive

Annex II

Directive 2010/75/EU
Annex Ia

Text proposed by the Commission

Amendment

deleted

‘ANNEX Ia

Activities referred to in Article 70a

1. Rearing of cattle, pigs or poultry in installations of 150 livestock units (LSU) or more.

2.

Rearing of any mix of the following animals: cattle, pigs, poultry, in installations of 150 LSU or more.

The approximate equivalent in LSU is based on the conversion rates established in Annex II to Commission Implementing Regulation (EU) No 808/2014*.

**** Commission Implementing Regulation (EU) No 808/2014 of 17 July 2014 laying down rules for the application of Regulation (EU) No 1305/2013 of the European Parliament and of the Council on support for rural development by the European Agricultural Fund for Rural Development (OJ L 227, 31.07.2014, p.18).’***

Or. en

Amendment 254

Jérémy Decerle, Atidzhe Alieva-Veli, Irène Tolleret, Emma Wiesner, Dacian Cioloș

Proposal for a directive

Annex II

Directive 2010/75/EU

Annex Ia

Text proposed by the Commission

Amendment

deleted

‘ANNEX Ia

Activities referred to in Article 70a

1. Rearing of cattle, pigs or poultry in installations of 150 livestock units (LSU) or more.

2.

Rearing of any mix of the following animals: cattle, pigs, poultry, in installations of 150 LSU or more.

The approximate equivalent in LSU is based on the conversion rates established in Annex II to Commission Implementing Regulation (EU) No 808/2014*.

*** Commission Implementing Regulation (EU) No 808/2014 of 17 July 2014 laying down rules for the application of Regulation (EU) No 1305/2013 of the European Parliament and of the Council on support for rural development by the European Agricultural Fund for Rural Development (OJ L 227, 31.07.2014, p.18).'**

Or. en

**Amendment 255
Daniel Buda**

**Proposal for a directive
Annex II
Directive 2010/75/EU –
Annex Ia**

Text proposed by the Commission

Amendment

ANNEX Ia

deleted

Or. ro

**Amendment 256
Gilles Lebreton, Elena Lizzi, Paola Ghidoni, Rosanna Conte**

**Proposal for a directive
Annex II**

Directive 2010/75/EU
Annex Ia

Text proposed by the Commission

Amendment

1. Rearing of cattle, pigs or poultry in installations of 150 livestock units (LSU) or more. *deleted*

Or. fr

Amendment 257
Anja Hazekamp

Proposal for a directive
Annex II
Directive 2010/75/EU
Annex Ia

Text proposed by the Commission

Amendment

1. Rearing of cattle, pigs or poultry in installations of **150** livestock units (LSU) or more.

1. Rearing of cattle, pigs or poultry in installations of **50** livestock units (LSU) or more.

Or. en

Amendment 258
Krzysztof Jurgiel

Proposal for a directive
Annex II
Directive 2010/75/EU
Annex Ia

Text proposed by the Commission

Amendment

1. Rearing of cattle, **pigs** or poultry in installations of 150 livestock units (LSU) or more.

1. Rearing of cattle or poultry in installations of 150 livestock units (LSU) or more.

Or. pl

Amendment 259
Benoît Biteau

Proposal for a directive
Annex II
Directive 2010/75/EU
Annex 1a

Text proposed by the Commission

1. Rearing of **cattle**, pigs or poultry in installations of 150 livestock units (LSU) or more.

Amendment

1. Rearing of pigs or poultry in installations of 150 livestock units (LSU) or more

Or. en

Amendment 260
Benoît Biteau

Proposal for a directive
Annex II
Directive 2010/75/EU
Annex 1a

Text proposed by the Commission

Amendment

1a. Rearing of cattle in installations of 150 livestock units (LSU) or more, and more than 1,6 LSU per hectare of forage area (permanent pasture, temporary grassland including arable leys and home grown fodder crops).

Or. en

Amendment 261
Benoît Biteau

Proposal for a directive
Annex II
Directive 2010/75/EU
Annex 1a

Text proposed by the Commission

Amendment

1b. Rearing of cattle in installations of 150 livestock units (LSU) or more, and less than 70% of permanent pasture, temporary grassland including arable leys of the overall forage area.

Or. en

Amendment 262

Benoît Biteau

Proposal for a directive

Annex II

Directive 2010/75/EU

Annex 1a

Text proposed by the Commission

Amendment

1c. Rearing of cattle in installations of 750 livestock units (LSU) or more.

Or. en

Amendment 263

Gilles Lebreton, Elena Lizzi, Paola Ghidoni, Rosanna Conte

Proposal for a directive

Annex II

Directive 2010/75/EU

Annex Ia

Text proposed by the Commission

Amendment

Rearing of any mix of the following animals: cattle, pigs, poultry, in installations of 150 LSU or more.

deleted

Or. fr

Amendment 264

Benoît Biteau

Proposal for a directive

Annex II
Directive 2010/75/EU
Annex 1a

Text proposed by the Commission

Rearing of any mix of the following animals: cattle, pigs, poultry, in installations of 150 LSU **or more**.

Amendment

Rearing of any mix of the following animals: cattle, pigs, poultry, in installations of 150 LSU **where the cattle portion is stocked at more than 1,6 LSU per hectare of forage area (permanent pasture, temporary grassland including arable leys and homegrown fodder crops)**

Or. en

Amendment 265
Anja Hazekamp

Proposal for a directive
Annex II
Directive 2010/75/EU
Annex 1a

Text proposed by the Commission

Rearing of any mix of the following animals: cattle, pigs, poultry, in installations of **150** LSU or more.

Amendment

Rearing of any mix of the following animals: cattle, pigs, poultry, in installations of **50** LSU or more.

Or. en

Amendment 266
Krzysztof Jurgiel

Proposal for a directive
Annex II
Directive 2010/75/EU
Annex Ia

Text proposed by the Commission

Rearing of any mix of the following animals: **cattle**, pigs, poultry, in installations of 150 LSU or more.

Amendment

Rearing of any mix of the following animals: pigs, poultry, in installations of 150 LSU or more.

Amendment 267
Benoît Biteau

Proposal for a directive
Annex II
Directive 2010/75/EU
Annex 1a

Text proposed by the Commission

Amendment

Rearing of any mix of the following animals: cattle, pigs, poultry, in installations of 150 LSU and less than 70% of permanent pasture, temporary grassland including arable leys of the overall forage area

Or. en