

**Question for written answer E-006931/2017
to the Commission**
Rule 130
Evžen Tošenovský (ECR)

Subject: IED Article 75 Committee vote on BAT conclusions for LCPs

On 20 September 2017 the Court of Justice of the European Union (CJEU) ruled in the C-183/16 appeal proceedings that in the given case the Commission did not meet the 14-day deadline for submitting the draft decision, as laid down in Article 3(3) of the Comitology Regulation. The CJEU emphasised the central role of procedural rules in comitology and the need to observe these rules. It stressed that Member States should be given sufficient time to examine draft decisions, and should be able to make their views known prior to the vote and to propose amendments.

Did the Commission not breach the same rule in the IED Article 75 Committee vote on BAT (best available technique) conclusions for LCPs (large combustion plants)?

If not, can the Commission justify the difference between case C-183/16 and the BAT conclusions case?