***I

DRAFT REPORT


Committee on the Environment, Public Health and Food Safety

Rapporteur: Andrzej Grzyb
Symbols for procedures

<table>
<thead>
<tr>
<th>Symbol</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>*</td>
<td>Consultation procedure</td>
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<td>***</td>
<td>Consent procedure</td>
</tr>
<tr>
<td>***I</td>
<td>Ordinary legislative procedure (first reading)</td>
</tr>
<tr>
<td>***II</td>
<td>Ordinary legislative procedure (second reading)</td>
</tr>
<tr>
<td>***III</td>
<td>Ordinary legislative procedure (third reading)</td>
</tr>
</tbody>
</table>

(The type of procedure depends on the legal basis proposed by the draft act.)

Amendments to a draft act

Amendments by Parliament set out in two columns

Deletions are indicated in **italic** in the left-hand column. Replacements are indicated in **italic** in both columns. New text is indicated in **italics** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

Amendments by Parliament in the form of a consolidated text

New text is highlighted in **italic**. Deletions are indicated using either the ▌ symbol or strikeout. Replacements are indicated by highlighting the new text in **italic** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.
## CONTENTS

<table>
<thead>
<tr>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION</td>
</tr>
<tr>
<td>EXPLANATORY STATEMENT</td>
</tr>
</tbody>
</table>
DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION


(Ordinary legislative procedure: first reading)

The European Parliament,

– having regard to the Commission proposal to Parliament and the Council
  (COM(2013)0919),

– having regard to Article 294(2) and Article 192(1) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0003/2014),

– having regard to Article 294(3) of the Treaty on the Functioning of the European Union,

– having regard to the opinion of the Economic and Social Committee of 10 July 2014¹,

– having regard to the opinion of the Committee of the Regions of 7 October 2014²,

– having regard to Rule 59 of its Rules of Procedure,

– having regard to the report of the Committee on the Environment, Public Health and Food Safety and the opinion of the Committee on Industry, Research and Energy (A8-0000/2015),

1. Adopts its position at first reading hereinafter set out;

2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;

3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

Amendment 1
Proposal for a directive
Recital 9

Text proposed by the Commission

(9) This Directive should not apply to energy related products covered by implementing measures adopted in accordance with Directive 2009/125/EC or by Chapter III or IV of Directive 2010/75/EU. Certain other combustion plants should also be exempted from the scope of this Directive, on the basis of their technical characteristics or their use in particular activities.

Amendment

(9) To avoid double regulation, this Directive should not apply to medium combustion plants covered by implementing measures adopted in accordance with Directive 2009/125/EC or by Chapter III or IV of Directive 2010/75/EU. Certain other combustion plants should also be exempted from the scope of this Directive, on the basis of their technical characteristics or their use in particular activities.

Or. en

Amendment 2
Proposal for a directive
Recital 9 a (new)

Text proposed by the Commission

(9a) Medium combustion plants which are covered by implementing measures adopted in accordance with Article 13(5) of Directive 2010/75/EU should only be subject to the provisions of this Directive that exceed the scope covered by those implementing measures.

Amendment

(9a) Medium combustion plants which are covered by implementing measures adopted in accordance with Article 13(5) of Directive 2010/75/EU should only be subject to the provisions of this Directive that exceed the scope covered by those implementing measures.

Or. en

Amendment 3
Proposal for a directive
Recital 9 b (new)
(9b) The emission limit values set out in Annex II should not apply to medium combustion plants located in the Canary Islands, French Overseas Departments, and the archipelagos of Madeira and Azores, because of the technical and logistical problems associated with those plants’ isolated location. Member States should set emission limit values for those plants in order to reduce their emissions to air and the potential risks to human health and the environment.

Or. en

Amendment 4
Proposal for a directive
Recital 10

(10) In order to ensure the control of emissions of sulphur dioxide, nitrogen oxides and particulate matter into the air, each medium combustion plant should operate only if it is at least registered by the competent authority, based on notification by the operator.

Amendment

(10) In order to ensure the control of emissions of sulphur dioxide, nitrogen oxides and particulate matter into the air, each medium combustion plant should operate only if it is at least registered by the competent authority or if it has been granted a permit by that authority, based on notification by the operator.

Or. en

Amendment 5
Proposal for a directive
Recital 13
(13) In accordance with Article 193 of the Treaty on the Functioning of the European Union (TFEU), this Directive does not prevent Member States from maintaining or introducing more stringent protective measures, for example for the purposes to comply with environmental quality standards. In particular, in zones not complying with air quality limit values, more stringent emission limit values, which would also promote eco-innovation in the Union, facilitating in particular market access of small and medium enterprises, should be applied by Member States, such as the benchmark values set out in Annex III to this Directive.

(13) In accordance with Article 193 of the Treaty on the Functioning of the European Union (TFEU), this Directive does not prevent Member States from maintaining or introducing more stringent protective measures, for example for the purposes to comply with environmental quality standards. In particular, in zones not complying with air quality limit values, it should be possible for Member States to apply more stringent emission limit values, such as the benchmark values set out in Annex III to this Directive.

Or. en

Amendment 6
Proposal for a directive
Recital 15

(15) In order to limit the burden for small and medium enterprises operating medium combustion plants, the administrative obligations on operators for notifying, monitoring and reporting should be proportionate, while still allowing effective compliance verification by the competent authorities.

(15) In order to limit the burden for small and medium enterprises operating medium combustion plants, the administrative obligations on operators for notifying, monitoring and reporting should be proportionate and avoid duplication, while still allowing effective compliance verification by the competent authorities.

Or. en
Amendment 7
Proposal for a directive
Article 2 – paragraph 2 – point b

Text proposed by the Commission
(b) energy related products which are covered by implementing measures adopted in accordance with Directive 2009/125/EC where those implementing acts are setting emission limit values for the pollutants listed in Annex II of this Directive;

Amendment
(b) combustion plants which are covered by implementing measures adopted in accordance with Directive 2009/125/EC where those implementing acts are setting emission limit values for the pollutants listed in Annex II of this Directive;

Or. en

Amendment 8
Proposal for a directive
Article 2 – paragraph 2 – point b a (new)

Text proposed by the Commission

Amendment


Or. en
Amendment 9

Proposal for a directive
Article 2 – paragraph 2 – point b b (new)

Text proposed by the Commission

(bb) on-farm combustion plants with a total rated thermal input not exceeding 5 MW, which are exclusively using unprocessed poultry manure, as referred to in Article 9(a) of Regulation (EC) No 1069/2009 of the European Parliament and of the Council\textsuperscript{1a}, as a fuel;


Or. en

Amendment 10

Proposal for a directive
Article 2 – paragraph 2 – point f

Text proposed by the Commission

(f) combustion plants which are covered by implementing measures adopted in accordance with Regulation (EC) No 1069/2009 of the European Parliament and of the Council\textsuperscript{22} where those implementing acts are setting emission limit values for the pollutants listed in Annex II of this Directive.

\textsuperscript{22}

Amendment 11
Proposal for a directive
Article 2 – paragraph 2 – point f a (new)

Text proposed by the Commission

Amendment

(fa) gas turbines and gas engines used on offshore platforms, with the exception of new gas engines and new gas turbines which are used for mechanical drives;

Amendment 12
Proposal for a directive
Article 2 – paragraph 2 – point f b (new)

Text proposed by the Commission

Amendment

(fb) facilities for the regeneration of catalytic cracking catalysts;
Amendment 13
Proposal for a directive
Article 2 – paragraph 2 – point f c (new)

Text proposed by the Commission

(fc) facilities for the conversion of
hydrogen sulphide into sulphur;

Amendment
Or. en

Amendment 14
Proposal for a directive
Article 2 – paragraph 2 – point f d (new)

Text proposed by the Commission

(fd) reactors used in the chemical
industry;

Amendment
Or. en

Amendment 15
Proposal for a directive
Article 2 – paragraph 2 – point f e (new)

Text proposed by the Commission

(fe) coke battery furnaces;

Amendment
Or. en

Amendment 16
Proposal for a directive
Article 2 – paragraph 2 – point f f (new)
Amendment 17
Proposal for a directive
Article 2 – paragraph 2 – point f g (new)

Text proposed by the Commission

Amendment

(ff) cowpers;

Or. en

Amendment 18
Proposal for a directive
Article 2 – paragraph 2 – point f h (new)

Text proposed by the Commission

Amendment

(fg) crematoria;

Or. en

Amendment 19
Proposal for a directive
Article 2 – paragraph 2 – point f i (new)

Text proposed by the Commission

Amendment

(fh) combustion plants firing refinery fuels alone or with other fuels for the production of energy within mineral oil and gas refineries;

Or. en
(fi) recovery boilers in installations for the production of pulp;

Amendment 20
Proposal for a directive
Article 2 – paragraph 2 a (new)

Text proposed by the Commission

2a. This Directive shall not apply to research activities, development activities or testing activities relating to medium combustion plants. Member States may establish specific conditions for the application of this paragraph.

Amendment 21
Proposal for a directive
Article 2 – paragraph 2 b (new)

Text proposed by the Commission

2b. Medium combustion plants which are covered by implementing measures adopted in accordance with Article 13(5) of Directive 2010/75/EU shall only be subject to the provisions of this Directive that exceed the scope covered by those implementing measures.
Amendment 22

Proposal for a directive
Article 2 – paragraph 2c (new)

Text proposed by the Commission

2c. The emission limit values set out in Annex II shall not apply to medium combustion plants located in the Canary Islands, French Overseas Departments, and the archipelagos of Madeira and Azores. Member States shall set emission limit values for those plants in order to reduce their emissions to air and the potential risks to human health and the environment.

Amendment

Or. en

Amendment 23

Proposal for a directive
Article 3 – point 4

Text proposed by the Commission

(4) ‘particulate matter’ means particles, of any shape, structure or density, dispersed in the gas phase at the sampling point conditions which may be collected by filtration under specified conditions after representative sampling of the gas to be analysed, and which remain upstream of the filter and on the filter after drying under specified conditions;

Amendment

(4) ‘dust’ means particles, of any shape, structure or density, dispersed in the gas phase at the sampling point conditions which may be collected by filtration under specified conditions after representative sampling of the gas to be analysed, and which remain upstream of the filter and on the filter after drying under specified conditions;

(This amendment applies throughout the text. Adopting it will necessitate corresponding changes throughout.)

Or. en
Amendment 24
Proposal for a directive
Article 3 – point 6

*Text proposed by the Commission*
(6) ‘existing combustion plant’ means a combustion plant put into operation before [1 year after the date of transposition];

*Amendment*
(6) ‘existing combustion plant’ means a combustion plant put into operation before [2 years after the date of transposition];

Or. en

Amendment 25
Proposal for a directive
Article 3 – point 16

*Text proposed by the Commission*
(16) ‘operating hours’ means the time, expressed in hours, during which a combustion plant is discharging emissions into the air;

*Amendment*
(16) ‘operating hours’ means the time, expressed in hours, during which a combustion plant is operating and discharging emissions into the air, excluding start-up and shut-down periods;

Or. en

Amendment 26
Proposal for a directive
Article 3 – point 19 a (new)

*Text proposed by the Commission*
(19a) ‘small isolated system’ (SIS) means a small isolated system as defined in point 26 of Article 2 of Directive 2009/72/EC of the European Parliament and of the Councilta;

*Amendment*
(19a) ‘small isolated system’ (SIS) means a small isolated system as defined in point 26 of Article 2 of Directive 2009/72/EC of the European Parliament and of the Councilta;

_________________________________________
Amendment 27

Proposal for a directive
Article 3 – point 19 b (new)

Text proposed by the Commission

Amendment


Amendment 28

Proposal for a directive
Article 4 – title

Text proposed by the Commission

Amendment

Registration

Permits and registration

Or. en
Amendment 29

Proposal for a directive
Article 4 – paragraph 1

**Text proposed by the Commission**

1. Member States shall take the necessary measures to ensure that medium combustion plants are operated only if they are registered by the competent authority.

**Amendment**

1. Member States shall take the necessary measures to ensure that new medium combustion plants are operated only if they were granted a permit or are registered by the competent authority.

Or. en

Amendment 30

Proposal for a directive
Article 4 – paragraph 1 a (new)

**Text proposed by the Commission**

1a. Member States shall take the necessary measures to ensure that as of 1 January 2025 existing medium combustion plants with a rated thermal input above 5 MW are operated only if they were granted a permit or are registered by the competent authority.

**Amendment**

Member States shall take the necessary measures to ensure that as of 1 January 2030 existing medium combustion plants with a rated thermal input of 5 MW or less are operated only if they were granted a permit or are registered by the competent authority.

Or. en
### Amendment 31

**Proposal for a directive**  
**Article 4 – paragraph 2**

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. The procedure for registration shall include at least a notification to the competent authority by the operator of the operation or the intention to operate a medium combustion plant.</td>
<td>2. The procedure for <strong>granting a permit or for</strong> registration shall include at least a notification to the competent authority by the operator of the operation or the intention to operate a medium combustion plant.</td>
</tr>
</tbody>
</table>

### Amendment 32

**Proposal for a directive**  
**Article 4 – paragraph 4**

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>4. The competent authority shall register the medium combustion plant within one month following the notification by the operator and shall inform the operator thereof.</td>
<td>4. The competent authority shall register, or start the procedure for <strong>granting a permit to</strong>, the medium combustion plant within one month following the notification by the operator and shall inform the operator thereof.</td>
</tr>
</tbody>
</table>

### Amendment 33

**Proposal for a directive**  
**Article 4 – paragraph 5 – subparagraph 2**

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Those combustion plants shall be registered by [thirteen months after the</td>
<td>Those combustion plants shall be registered <strong>or granted a permit</strong> by [thirteen</td>
</tr>
</tbody>
</table>
date of transposition].

months after the date of transposition].

Or. en

Amendment 34

Proposal for a directive

Article 5 – paragraph 2

Text proposed by the Commission

2. From 1 January 2025 emissions into air of sulphur dioxide, nitrogen oxides and particulate matter from an existing medium combustion plant with a rated thermal input above 5 MW shall not exceed the emission limit values set out in Part 1 of Annex II.

From 1 January 2030 emissions into air of sulphur dioxide, nitrogen oxides and particulate matter from an existing medium combustion plant with a rated thermal input of 5 MW or less shall not exceed the emission limit values set out in Part 1 of Annex II.

Member States may exempt existing medium combustion plants which do not operate more than 500 operating hours per year from compliance with the emission limit values set out in Part 1 of Annex II. In that case, for plants firing solid fuels, an emission limit value for particulate matter of 200 mg/Nm³ shall apply.

Amendment

2. Existing medium combustion plants with a rated thermal input above 5 MW shall comply with emission limit values set out in Part 1 of Annex II from 1 January 2025.

Existing medium combustion plants with a rated thermal input of 5 MW or less shall comply with emission limit values set out in Part 1 of Annex II from 1 January 2030.

Existing medium combustion plants being part of SIS and MIS shall comply with the emission limit values set out in Part 1 of Annex II from 1 January 2030.

Member States may exempt existing medium combustion plants which do not operate more than 1000 operating hours per year as a rolling average over a period of five years from compliance with the emission limit values set out in Part 1 of Annex II. In that case, for plants firing solid fuels, an emission limit value for particulate matter of 200 mg/Nm³ shall apply.

Until 1 January 2030, existing medium combustion plant with a rated thermal input above 5 MW may be exempted from compliance with the emission limit values
set out in Part 1 of Annex II provided that at least 50% of the useful heat production of the plant, as a rolling average over a period of five years, is delivered in the form of steam or hot water to a public network for district heating.

Amendment 35
Proposal for a directive
Article 5 – paragraph 3

**Text proposed by the Commission**

From [1 year after the date of transposition] emissions into air of sulphur dioxide, nitrogen oxides and particulate matter from a new medium combustion plant shall not exceed the emission limit values set out in Part 2 of Annex II.

Member States may exempt new medium combustion plants which do not operate more than 500 operating hours per year from compliance with the emission limit values set out in Part 2 of Annex II. In that case, for plants firing solid fuels, an emission limit value for particulate matter of 100 mg/Nm³ shall apply.

**Amendment**

From [2 years after the date of transposition] emissions into air of sulphur dioxide, nitrogen oxides and particulate matter from a new medium combustion plant shall not exceed the emission limit values set out in Part 2 of Annex II.

Member States may exempt new medium combustion plants which do not operate more than 1000 operating hours per year as a rolling average over a period of five years from compliance with the emission limit values set out in Part 2 of Annex II. In that case, for plants firing solid fuels, an emission limit value for particulate matter of 100 mg/Nm³ shall apply.

Amendment 36
Proposal for a directive
Article 5 – paragraph 4
4. In zones not complying with EU air quality limit values laid down in Directive 2008/50/EC, Member States shall apply, for individual medium combustion plants in those zones, emission limit values based on the benchmark values laid down in Annex III or on stricter values established by the Member States, unless it is demonstrated to the Commission that applying such emission limit values would entail disproportionate costs and that other measures ensuring compliance with the air quality limit values have been included in the air quality plans required under Article 23 of Directive 2008/50/EC.

Amendment 37
Proposal for a directive
Article 8 – paragraph 2 – point a

Text proposed by the Commission
(a) without prejudice to Article 4(5), the proof of notification to the competent authority;

Amendment
deleted

Or. en

Amendment 38
Proposal for a directive
Article 8 – paragraph 2 – point b

Text proposed by the Commission
(b) the proof of registration by the

Amendment
(b) the proof of registration or the permit
competent authority; \(\text{granted}\) by the competent authority; 

Amendment 39

Proposal for a directive
Article 12 – paragraph 1

**Text proposed by the Commission**

1. Member States shall, by **[2 years after the date of transposition]**, report to the Commission a **summary of the data listed in Annex I**, with an estimate of the total annual emissions of sulphur dioxide, nitrogen oxides and **particulate matter** from **these** plants, grouped by fuel type and capacity class.

**Amendment**

1. Member States shall, by **1 October 2026** report to the Commission an estimate of the total annual emissions of sulphur dioxide, nitrogen oxides and **dust** from **medium combustion** plants, grouped by fuel type and capacity class.

Amendment 40

Proposal for a directive
Article 12 – paragraph 2

**Text proposed by the Commission**

2. Member States shall send to the Commission a second and third report containing the **update of the** data referred to in paragraph 1 by **respectively 1 October 2026 and 1 October 2031**.

The reports drawn up under **the first subparagraph** shall contain qualitative and quantitative information on the implementation of this Directive, any action taken to verify compliance of the operation of medium combustion plants with this Directive and any enforcement action taken for the purposes thereof.

**Amendment**

2. Member States shall send to the Commission a second report containing the data referred to in paragraph 1 by **1 October 2031**.

The reports drawn up under **paragraph 1 and the first subparagraph of this paragraph** shall contain qualitative and quantitative information on the implementation of this Directive, any action taken to verify compliance of the operation of medium combustion plants with this Directive and any enforcement
action taken for the purposes thereof.

Amendment 41
Proposal for a directive
Article 12 – paragraph 5

Text proposed by the Commission

5. The second summary report of the Commission shall review the implementation of this Directive, with special regard to the need to establish the benchmark values laid down in Annex III as Union-wide emission limit values, and shall be accompanied by a legislative proposal where appropriate.

Amendment

deleted

Or. en

Amendment 42
Proposal for a directive
Article 16 – paragraph 1 – subparagraph 1

Text proposed by the Commission

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by [date: 1,5 years after the entry into force] at the latest. They shall forthwith communicate to the Commission the text of those provisions.

Amendment

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by [date: 2 years after the entry into force] at the latest. They shall forthwith communicate to the Commission the text of those provisions.

Or. en
Amendment 43

Proposal for a directive
Annex II – part 1 – table 1

Text proposed by the Commission

1. Emission limit values (mg/Nm³) for medium combustion plants other than engines and gas turbines

<table>
<thead>
<tr>
<th>Pollutant</th>
<th>Solid biomass</th>
<th>Other solid fuels</th>
<th>Liquid fuels other than heavy fuel oil</th>
<th>Heavy fuel oil</th>
<th>Natural gas</th>
<th>Gaseous fuels other than natural gas</th>
</tr>
</thead>
<tbody>
<tr>
<td>SO₂</td>
<td>200</td>
<td>400</td>
<td>170</td>
<td>350</td>
<td>-</td>
<td>35</td>
</tr>
<tr>
<td>NOₓ</td>
<td>650</td>
<td>650</td>
<td>200</td>
<td>650</td>
<td>200</td>
<td>250</td>
</tr>
<tr>
<td>Particulate matter</td>
<td>30&lt;sup&gt;(1)&lt;/sup&gt;</td>
<td>30</td>
<td>30</td>
<td>30</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

<sup>(1)</sup> 45 mg/Nm³ for plants with a thermal input below or equal to 5 MW

Amendment

1. Emission limit values (mg/Nm³) for medium combustion plants other than engines and gas turbines

<table>
<thead>
<tr>
<th>Rated thermal input (MW)</th>
<th>Solid biomass</th>
<th>Other solid fuels</th>
<th>Liquid fuels other than heavy fuel oil</th>
<th>Heavy fuel oil</th>
<th>Natural gas</th>
<th>Gaseous fuels other than natural gas</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pollutant: SO₂</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 - 5</td>
<td>200&lt;sup&gt;(1a)/(1b)&lt;/sup&gt;</td>
<td>1100</td>
<td>170</td>
<td>350&lt;sup&gt;(1c)&lt;/sup&gt;</td>
<td>-</td>
<td>200&lt;sup&gt;(1a)&lt;/sup&gt;</td>
</tr>
<tr>
<td>&gt; 5 - 15</td>
<td>200&lt;sup&gt;(1a)/(1b)&lt;/sup&gt;</td>
<td>1100</td>
<td>170</td>
<td>350&lt;sup&gt;(1g)&lt;/sup&gt;</td>
<td>-</td>
<td>35&lt;sup&gt;(1f)&lt;/sup&gt;</td>
</tr>
<tr>
<td>&gt; 15 - 50</td>
<td>200&lt;sup&gt;(1a)/(1b)&lt;/sup&gt;</td>
<td>400</td>
<td>170</td>
<td>350</td>
<td>-</td>
<td>35&lt;sup&gt;(1f)&lt;/sup&gt;</td>
</tr>
<tr>
<td>Pollutant: NOₓ</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 - 50</td>
<td>650</td>
<td>650</td>
<td>200</td>
<td>650</td>
<td>250</td>
<td>250</td>
</tr>
<tr>
<td>Pollutant: dust</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 - 5</td>
<td>50&lt;sup&gt;(1e)&lt;/sup&gt;</td>
<td>50&lt;sup&gt;(1d)&lt;/sup&gt;</td>
<td>50</td>
<td>50</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>&gt; 5 - 15</td>
<td>50</td>
<td>50</td>
<td>30</td>
<td>30</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>&gt; 15 - 50</td>
<td>30</td>
<td>30</td>
<td>30</td>
<td>30</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>
(1a) The value does not apply in case of plants firing exclusively woody solid biomass.

(1b) 300 mg/Nm$^3$ in case of plants firing straw.

(1c) Until 01/01/2035, 1700 mg/Nm$^3$.

(1d) 400 mg/Nm$^3$ in case of low calorific gases from coke oven (iron and steel industry).

(1e) Until 01/01/2035, 100 mg/Nm$^3$.

(1f) 170 mg/Nm$^3$ in case of biogas.

(1g) Until 01/01/2035, 850 mg/Nm$^3$.

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Amendment 44

Proposal for a directive
Annex II – part 1 – table 2

Text proposed by the Commission

2. Emission limit values (mg/Nm$^3$) for engines and gas turbines

<table>
<thead>
<tr>
<th>Pollutant</th>
<th>Type of installation</th>
<th>Liquid fuels</th>
<th>Natural gas</th>
<th>Gaseous fuels other than natural gas</th>
</tr>
</thead>
<tbody>
<tr>
<td>SO$_2$</td>
<td>Engines and gas turbines</td>
<td>60</td>
<td>-</td>
<td>15</td>
</tr>
<tr>
<td>NO$_X$</td>
<td>Engines</td>
<td>190 (1)</td>
<td>190 (2)</td>
<td>190 (2)</td>
</tr>
<tr>
<td></td>
<td>Gas turbines (3)</td>
<td>200</td>
<td>150</td>
<td>200</td>
</tr>
<tr>
<td>Particulate matter</td>
<td>Engines and gas turbines</td>
<td>10</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

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(1) 1850 mg/Nm$^3$ in the following cases:

(i) for diesel engines the construction of which commenced before 18 May 2006;

(ii) for dual fuel engines in liquid mode.

(2) 380 mg/Nm$^3$ for dual fuel engines in gas mode.

(3) Emission limit values are only applicable above 70 % load.

---

Amendment

2. Emission limit values (mg/Nm$^3$) for engines and gas turbines

<table>
<thead>
<tr>
<th>Pollutant</th>
<th>Type of installation</th>
<th>Liquid fuels</th>
<th>Natural gas</th>
<th>Gaseous fuels other than natural gas</th>
</tr>
</thead>
<tbody>
<tr>
<td>SO$_2$</td>
<td>Engines and gas</td>
<td>120</td>
<td>-</td>
<td>15 (5a)(5b)</td>
</tr>
</tbody>
</table>

---

Or. en
### 1. Emission limit values (mg/Nm³) for medium combustion plants other than engines and gas turbines

<table>
<thead>
<tr>
<th>Pollutant</th>
<th>Solid biomass</th>
<th>Other solid fuels</th>
<th>Liquid fuels other than heavy fuel oil</th>
<th>Heavy fuel oil</th>
<th>Natural gas</th>
<th>Gaseous fuels other than natural gas</th>
</tr>
</thead>
<tbody>
<tr>
<td>SO₂</td>
<td>200</td>
<td>400</td>
<td>170</td>
<td>350</td>
<td>-</td>
<td>35</td>
</tr>
<tr>
<td>NOₓ</td>
<td>300</td>
<td>300</td>
<td>200</td>
<td>300</td>
<td>100</td>
<td>200</td>
</tr>
<tr>
<td>Particulate matter</td>
<td>20 (1)</td>
<td>20</td>
<td>20</td>
<td>20</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

(1) 25 mg/Nm³ for plants with a thermal input below or equal to 5 MW
Amendment

1. Emission limit values (mg/Nm³) for medium combustion plants other than engines and gas turbines

<table>
<thead>
<tr>
<th>Rated thermal input (MW)</th>
<th>Solid biomass</th>
<th>Other solid fuels</th>
<th>Liquid fuels other than heavy fuel oil</th>
<th>Heavy fuel oil</th>
<th>Natural gas</th>
<th>Gaseous fuels other than natural gas</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pollutant: SO₂</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 - 5</td>
<td>200 (1a)</td>
<td>1100</td>
<td>170 (1b)</td>
<td>350 (1b)</td>
<td>-</td>
<td>110 (1c)</td>
</tr>
<tr>
<td>&gt; 5 - 15</td>
<td>200 (1a)</td>
<td>1100</td>
<td>170 (1b)</td>
<td>350 (1b)</td>
<td>-</td>
<td>35 (1c)(1d)</td>
</tr>
<tr>
<td>&gt; 15 - 50</td>
<td>200 (1a)</td>
<td>400</td>
<td>170 (1b)</td>
<td>350 (1b)</td>
<td>-</td>
<td>35 (1c)(1d)</td>
</tr>
<tr>
<td>Pollutant: NOₓ</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 - 5</td>
<td>500</td>
<td>500</td>
<td>300</td>
<td>300 (1e)</td>
<td>100</td>
<td>200</td>
</tr>
<tr>
<td>&gt; 5 - 50</td>
<td>300</td>
<td>300</td>
<td>300</td>
<td>300 (1e)</td>
<td>100</td>
<td>200</td>
</tr>
<tr>
<td>Pollutant: dust</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 - 5</td>
<td>50</td>
<td>50</td>
<td>50</td>
<td>50</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>&gt; 5 - 15</td>
<td>30</td>
<td>30</td>
<td>20</td>
<td>20</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>&gt; 15 - 50</td>
<td>20</td>
<td>20</td>
<td>20</td>
<td>20</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

(1a) The value does not apply in case of plants firing exclusively woody solid biomass.

(1b) Until 01/01/2025, 1700 mg/Nm³ in case of plants being part of small isolated systems (SIS) and micro isolated systems (MIS).

(1c) 400 mg/Nm³ in case of low calorific gases from coke oven and 200 mg/Nm³ in case of low calorific gases from blast furnace (iron and steel industry).

(1d) 100 mg/Nm³ in case of biogas.

(1e) Until 01/01/2025, 450 mg/Nm³ when firing heavy fuel oil containing between 0,2 % and 0,3 % N and 360 mg/Nm³ when firing heavy fuel oil containing less than 0,2 % N in case of plants being part of SIS and MIS.

Or. en

Amendment 46

Proposal for a directive
Annex II – part 2 – table 2
## 2. Emission limit values (mg/Nm³) for engines and gas turbines

<table>
<thead>
<tr>
<th>Pollutant</th>
<th>Type of installation</th>
<th>Liquid fuels</th>
<th>Natural gas</th>
<th>Gaseous fuels other than natural gas</th>
</tr>
</thead>
<tbody>
<tr>
<td>SO₂</td>
<td>Engines and gas turbines</td>
<td>60</td>
<td>-</td>
<td>15</td>
</tr>
<tr>
<td>NOₓ</td>
<td>Engines</td>
<td>190&lt;sup&gt;(1)&lt;/sup&gt;</td>
<td>95&lt;sup&gt;(2)&lt;/sup&gt;</td>
<td>190</td>
</tr>
<tr>
<td></td>
<td>Gas turbines&lt;sup&gt;(3)&lt;/sup&gt;</td>
<td>75</td>
<td>50</td>
<td>75</td>
</tr>
<tr>
<td>Particulate matter</td>
<td>Engines and gas turbines</td>
<td>10</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

<sup>(1)</sup> 225 mg/Nm³ for dual fuel engines in liquid mode.

<sup>(2)</sup> 190 mg/Nm³ for dual fuel engines in gas mode.

<sup>(3)</sup> Emission limit values are only applicable above 70% load.

### Amendment

2. Emission limit values (mg/Nm³) for engines and gas turbines

<table>
<thead>
<tr>
<th>Pollutant</th>
<th>Type of installation</th>
<th>Liquid fuels</th>
<th>Natural gas</th>
<th>Gaseous fuels other than natural gas</th>
</tr>
</thead>
<tbody>
<tr>
<td>SO₂</td>
<td>Engines and gas turbines</td>
<td>120&lt;sup&gt;(4d)&lt;/sup&gt;</td>
<td>-</td>
<td>15&lt;sup&gt;(4e)&lt;/sup&gt;</td>
</tr>
<tr>
<td>NOₓ</td>
<td>Engines&lt;sup&gt;(5b)/(5c)&lt;/sup&gt;</td>
<td>190&lt;sup&gt;(1)/(5a)&lt;/sup&gt;</td>
<td>95&lt;sup&gt;(2)&lt;/sup&gt;</td>
<td>190</td>
</tr>
<tr>
<td></td>
<td>Gas turbines&lt;sup&gt;(3)&lt;/sup&gt;</td>
<td>75&lt;sup&gt;(5f)&lt;/sup&gt;</td>
<td>50</td>
<td>75</td>
</tr>
<tr>
<td>Particulate matter</td>
<td>Engines and gas turbines</td>
<td>10&lt;sup&gt;(5g)/(5h)&lt;/sup&gt;</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

<sup>(1)</sup> 225 mg/Nm³ for dual fuel engines in liquid mode.

<sup>(2)</sup> 190 mg/Nm³ for dual fuel engines in gas mode.

<sup>(3)</sup> Emission limit values are only applicable above 70% load.

<sup>(4a)</sup> 225 mg/Nm³ for diesel engines with a total rated thermal input equal to or below 15 MW with ≤ 1200 rpm.

<sup>(4b)</sup> Engines running between 500 and 1500 hours per year may be exempted from compliance with these emission limit values in case they are applying primary measures to limit NOₓ emissions and meet the emission limit values set out in footnote 3c.

<sup>(4c)</sup> Until 01/01/2025 in SIS and MIS, 1850 mg/Nm³ for dual fuel engine in liquid mode and 380 mg/Nm³ in gas mode; 1300 mg/Nm³ for diesel engines with ≤ 1200 rpm equal to or below 15 MW and 1850 mg/Nm³ for diesel engines above 15 MW; 750 mg/Nm³ for diesel engines with > 1200 rpm.

<sup>(4d)</sup> Until 01/01/2025, 590 mg/Nm³ for diesel engines being part of SIS and MIS.
(3e) 40 mg/Nm³ in case of biogas.

(3f) Until 01/01/2025, 550 mg/Nm³ for plants being part of SIS and MIS.

(3g) Until 01/01/2025, 75 mg/Nm³ for diesel engines being part of SIS and MIS.

(3h) 20 mg/Nm³ in case of plants with a total rated thermal input between 1 and 5 MW.

Amendment 47

Proposal for a directive
Annex III – table 1

**Text proposed by the Commission**

Emission limit value benchmarks (mg/Nm³) for medium combustion plants other than engines and gas turbines

<table>
<thead>
<tr>
<th>Pollutant</th>
<th>Rated thermal input (MW)</th>
<th>Solid biomass</th>
<th>Other solid fuels</th>
<th>Liquid fuels</th>
<th>Natural gas</th>
<th>Gaseous fuels other than natural gas</th>
</tr>
</thead>
<tbody>
<tr>
<td>NOₓ</td>
<td>1 - 5</td>
<td>500</td>
<td>500</td>
<td>300</td>
<td>100</td>
<td>200</td>
</tr>
<tr>
<td></td>
<td>&gt; 5 - 15</td>
<td>300</td>
<td>300</td>
<td>300</td>
<td>100</td>
<td>200</td>
</tr>
<tr>
<td></td>
<td>&gt;15 - 50</td>
<td>300</td>
<td>300</td>
<td>300</td>
<td>100</td>
<td>200</td>
</tr>
<tr>
<td>Particulate matter</td>
<td>1 - 5</td>
<td>10</td>
<td>10</td>
<td>10</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td>&gt; 5 - 50</td>
<td>5</td>
<td>5</td>
<td>5</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

**Amendment**

Emission limit value benchmarks (mg/Nm³) for medium combustion plants other than engines and gas turbines

<table>
<thead>
<tr>
<th>Pollutant</th>
<th>Rated thermal input (MW)</th>
<th>Solid biomass</th>
<th>Other solid fuels</th>
<th>Liquid fuels</th>
<th>Natural gas</th>
<th>Gaseous fuels other than natural gas</th>
</tr>
</thead>
<tbody>
<tr>
<td>NOₓ</td>
<td>1 - 5</td>
<td>500</td>
<td>500</td>
<td>300</td>
<td>100</td>
<td>200</td>
</tr>
<tr>
<td></td>
<td>&gt; 5 - 15</td>
<td>300</td>
<td>300</td>
<td>300</td>
<td>100</td>
<td>200</td>
</tr>
<tr>
<td></td>
<td>&gt;15 - 50</td>
<td>300</td>
<td>300</td>
<td>300</td>
<td>100</td>
<td>200</td>
</tr>
<tr>
<td>Dust</td>
<td>1 - 5</td>
<td>50</td>
<td>50</td>
<td>50</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td>&gt; 5 - 15</td>
<td>20</td>
<td>20</td>
<td>20</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td>&gt;15 - 50</td>
<td>20</td>
<td>20</td>
<td>20</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

Or. en
Amendment 48

Proposal for a directive
Annex III – table 2

Text proposed by the Commission

Emission limit value benchmarks (mg/Nm³) for engines and gas turbines

<table>
<thead>
<tr>
<th>Pollutant</th>
<th>Type of installation</th>
<th>Liquid fuels</th>
<th>Natural gas</th>
<th>Gaseous fuels other than natural gas</th>
</tr>
</thead>
<tbody>
<tr>
<td>NOₓ</td>
<td>Engines</td>
<td>150</td>
<td>35</td>
<td>35</td>
</tr>
<tr>
<td></td>
<td>Gas turbines (1)</td>
<td>50</td>
<td>20</td>
<td>50</td>
</tr>
</tbody>
</table>

(1) benchmark is only applicable above 70 % load.

Amendment

Emission limit value benchmarks (mg/Nm³) for engines and gas turbines

<table>
<thead>
<tr>
<th>Pollutant</th>
<th>Type of installation</th>
<th>Liquid fuels</th>
<th>Natural gas</th>
<th>Gaseous fuels other than natural gas</th>
</tr>
</thead>
<tbody>
<tr>
<td>NOₓ</td>
<td>Engines</td>
<td>190</td>
<td>95</td>
<td>190</td>
</tr>
<tr>
<td></td>
<td>Gas turbines (1)</td>
<td>75</td>
<td>50</td>
<td>75</td>
</tr>
</tbody>
</table>

(1) benchmark is only applicable above 70 % load.

Or. en
EXPLANATORY STATEMENT

There are approximately 150,000 medium combustion plants in the EU, namely combustion plants with a rated thermal input between 1 and 50 MW: they are used for a wide variety of applications (including electricity generation, domestic/residential heating and cooling and providing heat/steam for industrial processes, etc.) and are an important source of emissions of sulphur dioxide, nitrogen oxides and dust. While small combustion plants can be covered by Directive 2009/125/EC (ecodesign), and large combustion plants are controlled by Directive 2010/75/EU (industrial emissions – IED), emissions of air pollutants from medium combustion plants are generally not regulated at EU level.

The Commission proposal therefore puts forward provisions for medium combustion plants. It is designed to make a significant contribution to reduce pollution of NO\textsubscript{x}, SO\textsubscript{2} and dust by setting limit values for new and existing installations, together with a simple registration scheme, in order to help deliver a significant part of Member States' emission reduction obligations and also avoid possible trade-offs between air quality and increased biomass use, which may otherwise result in increased air pollution.

In line with the principle of better regulation, this draft report aims at avoiding double regulation and excessive administrative burdens, while keeping the goals of the initial legislative proposal intact.

In this spirit, the scope of the Directive in Article 2 was amended in order to clarify the respective application of the proposed Directive and of the existing acquis, especially but not exclusively for what concerns the Industrial Emissions Directive 2010/75/EU. Further clarifications were also introduced to keep the regulatory consistency with the IED.

The emission limit values in Annexes II and III were amended to avoid imposing a disproportionate burden on operators of certain plants, based on the principle of cost efficiency. In this regard, in particular cases, a further distinction between categories of MCP according to their rated thermal input was introduced.

Furthermore, Article 5(4) was amended to avoid any misinterpretation regarding the mandatory versus indicative nature of Annex III.

The Rapporteur believes that his proposed changes improve the possibility of a realistic implementation of the Directive, so that it can become an important instrument for the improvement of air quality in the European Union without imposing unjustified burdens on society and the economy.