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#### COVER NOTE

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From: Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director

date of receipt: 23 September 2020

To: Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union

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Subject: COMMISSION STAFF WORKING DOCUMENT  
EXECUTIVE SUMMARY OF THE EVALUATION of the Industrial Emissions Directive (IED) DIRECTIVE 2010/75/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 24 November 2010 on industrial emissions (integrated pollution prevention and control)

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Delegations will find attached document SWD(2020) 182 final.

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Brussels, 23.9.2020  
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**COMMISSION STAFF WORKING DOCUMENT  
EXECUTIVE SUMMARY OF THE EVALUATION**

*of the*

**Industrial Emissions Directive (IED)**

**DIRECTIVE 2010/75/EU OF THE EUROPEAN PARLIAMENT AND OF THE  
COUNCIL of 24 November 2010 on industrial emissions (integrated pollution  
prevention and control)**

{SWD(2020) 181 final}

## COMMISSION STAFF WORKING DOCUMENT EXECUTIVE SUMMARY

### Evaluation of Directive 2010/75/EU

The Industrial Emissions Directive 2010/75/EU (IED) addresses the environmental and human health impacts from industrial emissions. It regulates around 52 000 of the largest EU installations covering a range of agro-industrial sectors.

The IED objective is to prevent, reduce and eliminate as far as possible emissions into air, water and soil from industrial activities. It also aims to avoid distortion of competition by ensuring consistent environmental requirements, and to stimulate innovation.

The main IED principles are: an integrated approach, use of Best Available Techniques (BAT), permitting, monitoring and inspections, public participation and access to justice. A particular feature is the participative BREF process, involving all stakeholders to develop BAT Reference documents (BREFs). The chapters on BAT conclusions of each BREF are adopted as Commission implementing acts that form the basis for setting permit conditions.

The IED has been **effective** in reducing the environmental impacts and in reducing competitive distortions in the EU. The collaborative process for producing BREFs and identifying BAT has worked well; this is recognised as a model of collaborative governance.

The IED has led to substantially reduced pollutant emissions to air and, to a lesser degree, to water. It minimised emissions to soil from IED installations. Its impacts on resource efficiency, the circular economy and innovation are harder to assess; it appears to have made a positive contribution of limited magnitude. Other aspects, such as public access to information and access to justice, have somewhat improved.

The IED is largely **efficient**. The benefits of BAT conclusions substantially outweigh costs. No disproportionate or unnecessary administrative costs have been identified. There are mixed impacts on EU competitiveness; no evidence shows these would be significant.

All stakeholder groups consider the IED **relevant**. It can respond to emerging environmental issues, despite the length of the BREF processes. Whilst the IED has not contributed greatly to decarbonisation, there are divergent views about whether it is relevant for this.

The IED is **coherent** internally and with other EU policies, however there is scope for greater contribution to those. Some interpretation challenges require clarification.

The IED provides significant **EU added value**. It ensures a more consistent approach to industrial pollution reduction requirements and their monitoring and enforcement, thus reducing internal market distortions. Absence of EU action would have led to less demanding standards, impacting the human health and the environment. The IED BAT system is not replicable by individual Member States, and is increasingly being used by third countries. The IED's decentralised approach is consistent with the subsidiarity and proportionality principles.

The evaluation has identified a number of areas where the performance of the Directive does not appear to be as satisfactory as expected or does not target as precisely the new policy objectives set out in the European Green Deal. These areas will be central to the review of the IED announced in the European Green Deal Communication. Work has already started on the Impact Assessment with an Inception Impact Assessment published in March 2020.