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Position of the European gas and steam turbine manufacturers on the Commission Proposal for a directive on industrial emissions (integrated pollution prevention and control) (COM(2007) 844 final)

EUTurbines is the voice of the European gas and steam turbine manufacturers employing 70,000 people across Europe with a turnover of 20 billion euros. Gas and steam turbines are the key element for future power generation offering the highest degree of fuel flexibility – from fossil fuels through nuclear energy to biomass.

Merger of several directives

EUTurbines supports the Commission's strategy for a better regulation in Europe and in consequence the merger of different directives with overlapping scope.

The gas and steam turbine industry is affected by the inclusion of the Large Combustion Plant Directive (LCPD) into the IPPC Directive. However these Directives are not following a common concept, which makes their integration difficult.

Changing the original meaning of the IPPC Directive

The revised Directive would not allow authorities to grant permits and set emission limits values (ELVs) by taking into account the technical characteristics of the industrial installation, geographical conditions and local environmental needs. The original overall aim, therefore, would not be reached to establish an integrated approach, to improve the management and control of industrial processes so as to ensure a high level of protection for the environment as a whole. The revised Directive would oblige installations to comply with permits, which are to be strictly based on best available techniques (BAT) and set ELVs in the range of Best Available Techniques Associated Emission Levels (BATAELs).

BATAELs are prepared for individual sectors, integrating economic conditions. They represent emission ranges expressed as averages achievable during a substantial period of time in normal operating conditions. This is fundamentally different from the ELVs set in the permits of individual installations which are intended to take account of short term fluctuations and should never be exceeded. An ELV that would be set within the range of BATAELs would be impossible to respect at all times.

Therefore EUTurbines calls for a separate process in regard to the determination of the ELVs. There should be no direct link to the BREF documents with their BATAELs

Scope of the directive and general provisions

In comparison to the existing IPPC and LCP Directives the proposal for a revised IPPC Directive provides a widened scope by including small-scale combustion installations between 20 and 50MW.

It has to be realised that a mandatory permitting of such installations forces a large number of additional users to go through a complicated permitting process that represents considerable bureaucratic burden especially for SMEs.

In addition to this, there is a lack of BAT information because the existing BREF on Large Combustion Plants is covering installations >50MW.

Therefore EUTurbines calls for a continued exclusion of installations <50MW

Special provisions for activities listed in Annex I

Article 12 of the proposal needs to distinguish between taking all appropriate measures against pollution (Art. 12 (1)) and applying the best available technology (Art 12 (2)).

Taking into account the role of the BAT, the proposal would meet the aim of the environmental objectives in a better way by saying (1) “all the appropriate preventive measures are taken against pollution; by using the best available techniques”.

Determination of permit conditions for activities listed in Annex I (Articles 14 to 17)

EUTurbines supports the aim to strengthen a harmonised permitting system all over Europe and sees the common BREF structure as a good basis for this.

Nevertheless it must be highlighted that the BREFs have been created as “reference documents” to provide support and guidance and not as legally binding measures.

In particular the emission values in the LCP BREF have been compiled to show the potential of different techniques and not as limit values for long term production and measurement tolerances.

The strategy of referring to a series of value ranges rather than to a series of single, discrete target values for the definition of the ELVs has potential benefits for the industry sectors that need substantial technology progress, as the permitting body can then take into account particular local conditions, only if a range of values is allowed. However, for several reasons, this strategy is deemed as counter-productive by EUTurbines as far as gas and steam turbine products are concerned.

Indeed, the gas and steam turbine product segment has reached a fairly mature level of technology and has a worldwide market; therefore clear, discrete ELV targets are by far preferable than ranges of values in order to position the European manufacturers in the best conditions for tackling the world market.

Therefore EUTurbines calls for a continued use of the BREFs as a mere reference document for the local permitting process in line with their initial philosophy.

In consequence Article 15 (3) should be formulated as follows: “BAT reference documents shall be taken into consideration when setting the permit conditions”.

Future revisions of BREFs must follow transparent procedures involving all relevant stakeholders which imply an official participation of the relevant industry sectors, including the gas and steam turbine industry.

Emission limit values for combustion plants (Articles 16 (3) 33 and 35, Parts 1 and 2 of Annex V)

Article 16 (3), 33 and Annex V are defining the relation between the BATAELs from the BREF documents and the ELVs (Emission limit values) defined in Annex V.

This combination reflects a fundamental misunderstanding of the character of the different values. Whereas in the existing LCP Directive ELVs are used as formal limit values, the proposed BATAELs are only indicators reflecting a technical potential.

The Commission proposal is inconsistent in so far as article 16 (3) allows that under certain conditions permits may set limits which exceed the values of BREFs, but they should never exceed the ELVs of Annex V. However, for most pollutants the ELVs in Annex V are reflecting the lower end of the BATAELs.

In contradiction to preparatory discussions of the revision, the ELVs in Annex V represent a significant reduction as compared to the values laid down in the existing LCP Directive that have been widely accepted as a guarantee for environmentally and cost-effectively balanced installations.

Therefore EUTurbines calls for:

- **Using the BREFs as references and not as binding documents**
- **The series of ELVs that are contained in § 2 of Part 2 of Annex V are vitally important stakes for the European industry and should be - as such - seriously discussed between relevant experts of the EU, operators and EUTurbines in a transparent process.**

Monitoring

Art 35(3) requires the authority to determine the location of the measurement points, this is impractical to do in many cases, as the measurement point is part of the installation design and is best defined by the manufacturer.

It would be much better to state the requirements for the monitoring position “to be such that a representative sample of the average emissions is guaranteed”

Annex V part 3(9) needs to be clarified to state that the emission values shall not exceed the tabulated value BY the given percentages.

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