Development of a template for a harmonised IED permit summary

Final Report

for European Commission (DG ENV)

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Executive Summary

Background

This is the final report for Specific Contract No 090202/2022/877506/SFRA/ENV.C.4 which has involved the development of a template for a harmonised Industrial Emissions Directive (IED) permit summary. The 2020 evaluation of the IED, as well as a number of more recent projects assessing implementation of the BAT Conclusions in permits, have identified a number of challenges related to accessing and interpreting permits for industrial installations across the EU. This has impacted negatively on NGO and public access to information and the ability to input and influence permitting decisions. It has also made it challenging to assess how specific BAT Conclusions have been implemented in permits and for compliance assessment. In part, this is due to issues such as locating and accessing the documents online as well as the complexity and length of such documents. Furthermore, due to the fact that there is no defined template for a permit at EU level, there is also considerable variation in both format and content across the EU (and even within a Member State).

As a result, the proposal for the revision of the IED adopted on 5 April 2022[1] included a requirement for a uniform permit summary to be made available to the public using a standardised format to be established by the Commission as an implementing act. In particular, the proposal includes the following addition to Article 5 of the IED:

> *"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."*

A standardised permit summary should make it considerably easier to access the most relevant information in the permit without having to go through the permit itself and, often significant, supporting documentation. This should make it much simpler to gather information on the emission limit values (ELVs) set in permits as well as relevant contextual information, where derogations are applied and where new flexibilities supporting frontrunners in testing and deploying emerging techniques have been used. A standardised format should also allow for the gathering of such information, in particular ELVs, through the use of automated IT tools (which has not been feasible / successful to date under the current situation).

Overall approach

The overall purpose of this contract was to support the Commission with the development of such a harmonised permit summary, taking account of current approaches across the Member States and their views on what it should contain. Delivery of the contract was centred around the following three tasks:

[1] https://ec.europa.eu/environment/industry/stationary/ied/evaluation.htm

- Task 1 – review of Member State approaches via a review of literature, a survey, and bilateral meetings with selected Member State participants and the EEB, informing the development of a first draft harmonised permit summary template;
- Task 2 – delivery of a webinar to gain feedback on the initial draft template; and
- Task 3 – development of a final permit summary template based on Member State/EEB feedback.

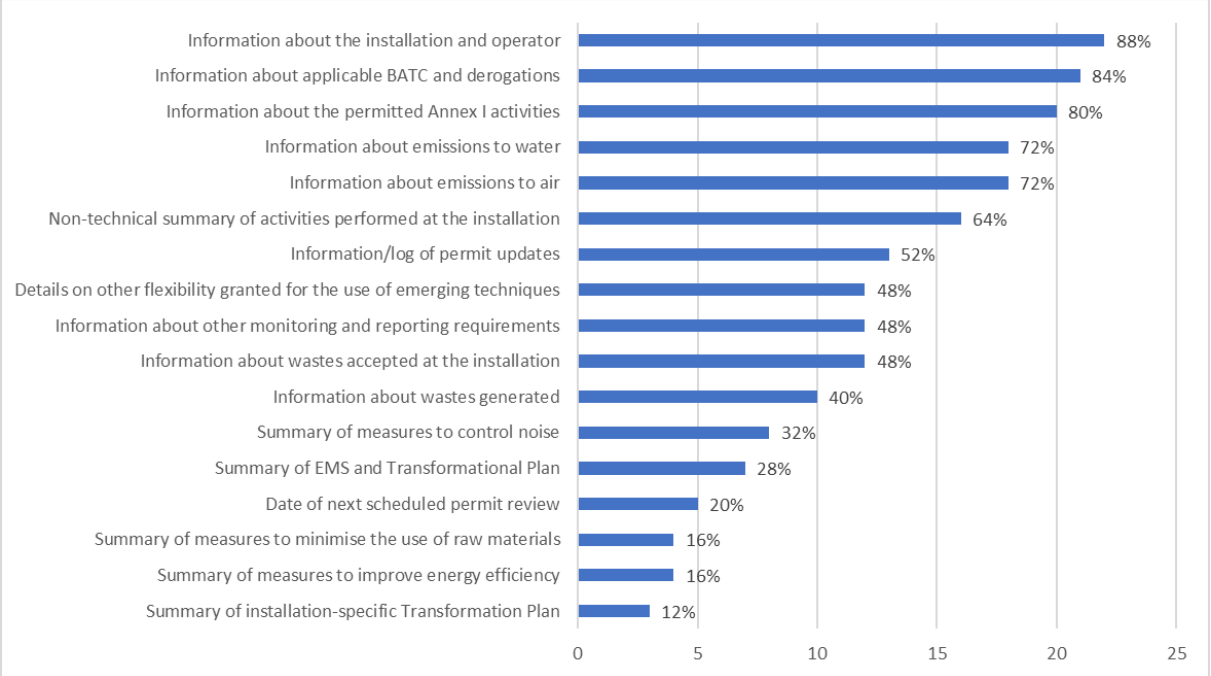
Feedback from the Member States and EEB

A consultation with Member States was undertaken to gain an understanding of current permitting practices across the EU, along with different perspectives on a harmonised permit summary. A data collection proforma was developed structured around four areas: (i) the existing approach to granting permits; (ii) permitting systems and public access; (iii) content of permits; and (iv) views on the content of a harmonised permit summary template. Member States were then invited to discuss their written responses in bilateral meetings. Overall, survey responses were received from 25 of the 27 EU Member States, and meetings were held with representatives from 10 Member States as well as the EEB.

The literature review and Member State survey revealed that use of templates in the permitting system varies across the EU. At present, the majority of Member States do not produce permit summaries or use templates for this aspect of permitting. Templates are currently most commonly used by Member States to support permit applications. As part of the consultation, various views have been expressed with respect to a potential requirement for preparing a permit summary. Many Member States (and the EEB) support the concept of a permit summary, with Member States (and the EEB) describing the same challenges of having multiple permit documents for an individual installation (as well as requirements set out in other local, regional and/or national guidance / legislation). A small number of Member States are opposed to the concept. Regardless of whether or not they support the concept of a harmonised permit summary, most Member States did raise the issue of overall burdens on the permitting authorities to prepare such a summary.

In terms of the detail, Member States were asked about the specific elements that could be included in a permit summary; an overview of their popularity among the authorities is presented in Figure 1.

Figure 1 Permit summary items by number of Member States suggesting their inclusion (out of a total of 25 MS respondents)



Development of a harmonised permit summary template

An initial draft harmonised permit summary template was produced based on Member State inputs (via the survey and bilateral meetings) and a bilateral discussion with the EEB. A webinar was held on 15 February 2023 with the Member State authorities and EEB where the initial draft template was presented to participants, and feedback was gained on components included in the draft. This feedback, along with written feedback provided following the webinar, informed the development of a final permit summary template. The template has been structured according to the following components and is provided in Appendix A4 of this report:

- **Section A – General information**
    - Information about the installation and operator
    - Information about the permitted Annex I activities
    - Log of permit updates / review
- **Section B – ELVs and derogations**
    - Information about emissions to air and water
    - Information about applicable BATCs and derogations from BATCS

A discussion of all of the potential elements that could be included within a permit summary template is provided in Sections 3.1 and 3.2 of this report and the proposed permit summary template content (and supporting justification) is included in Section 3.3. Some of these data are part of existing reporting requirements faced by EU Member States, including requirements under the E-PRTR Regulation and Commission Implementing Decision 2018/1135 (as well as the proposed Industrial Emissions Portal Regulation). Those data included in existing reporting requirements are not likely to impose an additional administrative burden on Member State Competent Authorities and there is scope for streamlining.

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1 Introduction

1.1 This report

This is the final report for Specific Contract No 090202/2022/877506/SFRA/ENV.C.4. This report presents a proposed harmonised permit summary template developed as part of Task 3 of the project, building on engagement with Member States (that would be in charge of developing permit summaries) and the EEB (representing civil society that would use information in these permit summaries) to understand existing permitting processes across the EU and their views on a permit summary (Task 1), and Member State and EEB input received on a draft harmonised permit summary template through a webinar (Task 2). The EEB have also been consulted for their views. This has then been used for the development of a draft harmonised permit summary template.

1.2 Purpose and scope of this assessment

The 2020 Industrial Emissions Directive (IED, 2010/75/EU)[2] evaluation[3], as well as a number of more recent projects for the Commission assessing implementation of the BAT Conclusions in permits, have identified a number of challenges related to accessing and interpreting permits for industrial installations across the EU. This has impacted negatively on NGO and public access to information and the ability to input and influence permitting decisions. It has also made it challenging for the Commission and others to assess how specific BAT Conclusions have been implemented in permits and for compliance assessment. In part, this is due to issues such as locating and accessing the documents online as well as the complexity and length of such documents. Furthermore, due to the fact that there is no defined template for a permit at EU level, there is also considerable variation in both format and content across the EU (and even within a Member State).

As a result, the proposal for the revision of the IED adopted on 5 April 2022[4] included a requirement for a uniform permit summary to be made available to the public by the Competent Authorities using a standardised format to be established by the Commission as an implementing act. In particular, the proposal includes the following addition to Article 5 of the IED:

> *"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:*
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> *(d) the applicable BAT conclusions;*
>
> *(e) the provisions for reconsideration and updating of the permit.*

[2] https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32010L0075
[3] https://circabc.europa.eu/ui/group/06f33a94-9829-4eee-b187-21bb783a0fbf/library/3ff25cee-c020-41bb-ae5b-450ce1115ef2?p=1&n=10&sort=modified_DESC
[4] https://ec.europa.eu/environment/industry/stationary/ied/evaluation.htm

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).”

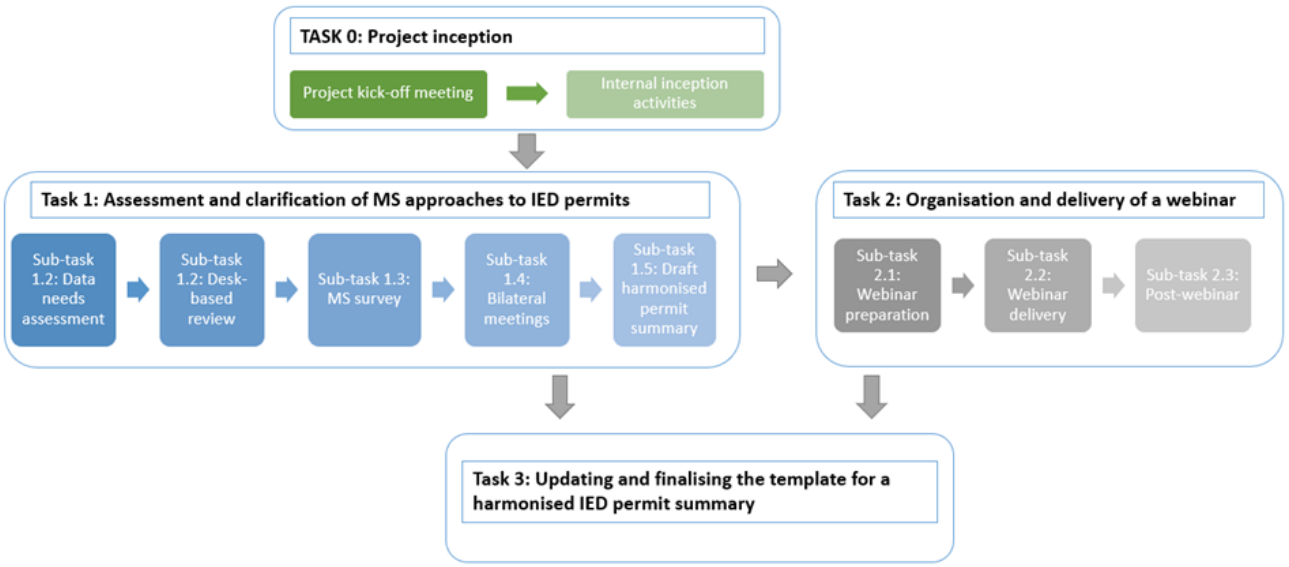
A standardised permit summary should make it considerably easier to access the most relevant information in the permit without having to go through the permit itself and, often significant, supporting documentation. This should make it much simpler to gather information on the emission limit values (ELVs) set in permits as well as relevant contextual information, where derogations are applied and where new flexibilities supporting frontrunners in testing and deploying emerging techniques have been used. A standardised format should also allow for the gathering of such information, in particular ELVs, through the use of automated IT tools (which has not been feasible / successful to date under the current situation).

As a result, the overall purpose of this support contract was to support the Commission with the development of such a harmonised permit summary. This considers current approaches across the Member States via a review of relevant literature, a survey of Member States, bilateral discussions with relevant stakeholders and a webinar / workshop and gather feedback on a proposed draft before it is finalised. It will need to consider feasibility of implementation considering current Member States approaches and capacities / infrastructure. The uniform summary will need to be developed in a common IT format to enable database searching as well as to facilitate comparison between installations, sectors and Member States.

1.3 Approach

The approach to the support contract was based around three main tasks and an additional Task 0 for inception activities. Figure 1-1 below provides an overview of the tasks and activities that were delivered. Task 1 of the contract represented the core component of the work covering both the review of relevant literature and Member States approaches (via a review of literature, survey and, for some, bilateral meetings) as well as the development of the first draft template for a harmonised IED permit summary. It also included bilateral consultation with selected other stakeholders. The outputs from Task 1 were then used for consultation with stakeholders and to gather their feedback in Task 2 via a webinar. Feedback received on the draft was then used to update and finalise the template in Task 3.

Figure 1-1 Project flowchart outlining methodological framework



2 Member States approaches to permitting and suggestions for a harmonised permit summary template

2.1 Overview

A consultation with Member States was undertaken to gain an understanding of current permitting practices across the EU, along with different perspectives on a harmonised permit summary. A data collection proforma was developed structured around four areas: (i) the existing approach to granting permits; (ii) permitting systems and public access; (iii) content of permits; and (iv) views on the content of a harmonised permit summary template. The template proforma contained questions on the institutional arrangements for permitting, including the implementation of general binding rules (GBRs), the use of templates and online systems in the permitting regime. In addition, questions asked for Member State perspectives on the implementation of a harmonised permit summary, and what it should include. A copy of the template that was circulated to Member States is presented in Appendix 1 (A1) and responses received are collated in Appendix 2 (A2).

To fill in the questionnaire template, a literature review was first undertaken to extract relevant information from publicly available information sources. A summary of the information sources reviewed is presented in Table 2.1. The level of information identified as part of this review and the extent to which the proformas could be pre-filled varied significantly across the EU.

Table 2.1 Information sources reviewed in prefilling Member State templates

Source	Summary of relevant information
IED implementation report 2013-2016	This report includes an assessment and summary of Member States' reports for Modules 1, 3 and 4 of Annex II of Commission Implementing Decision 2012/795/EU. This includes details of the way in which the IED has been implemented in practice in each Member State as well as direct links to selected permits.
IED implementation reports for 2017 and 2018	This report includes an assessment of the information reported by Member States on the implementation of the IED for 2017 and 2018. This includes assessment of multiple topics covered by Member State reporting to the EU Registry including the URLs reported for permits. These have been assessed to determine the relevance of the information made available via the URLs and the ease of public access.
Assessment of IED permitting stringency	All of these contracts have involved the identification, collation and assessment of a series of IED permits across a range of sectors and Member States. These provide unique insights into the challenges with accessing such permits as well as the significant variation in formats, content etc.
IED additional permit assessment (CLM)	
Assessment of the permits of ex-TNP plants	
Assessment of BAT conclusions implementation	

Source	Summary of relevant information
in IED permits (GLS, PP, NFM, WBP)	
IED implementation support 2018-2020	A series of webinars and supporting reports were prepared as part of the contract. Many of these have touched upon the permitting processes and approaches used in the different Member States. Furthermore, a number of discussions have been held on the platform itself with competent authorities exchanging best practices and views on certain issues
IED implementation support 2020-2024	The latest iteration of the support contract continues from the initial contract (described above) with the support primarily being provided via webinars and background reports.
Analysis of compliance assessment methods for the Emission Limit Values set under the IED	This contract included a survey of all Member States to understand the approaches taken for assessing compliance with ELVs under the IED. Some of the information collated for individual Member States has been used for the prefilling of MS templates.
IED evaluation – stakeholder feedback	Significant feedback was provided as part of the IED evaluation on the challenges for public access to information and, in particular, permits. This information is helpful for framing the problem and key areas for improvement to take into account for the summary.
IED revision support study including stakeholder feedback	The IED revision support study has considered the need for a harmonised permit summary building on significant stakeholder feedback related to public access to information and improving transparency. The revision work has also considered how some of the new proposed elements in the revised IED could potentially be captured in the summary e.g. extended timescales for application of emerging techniques.
EEB Burning the evidence	The EEB's Burning the evidence study has assessed in detail the availability of IED permits, monitoring and compliance reports in each Member State. This provides valuable information on how permits are made available to the public (or not) as well as direct links to specific sites (although the study is now a few years old and some changes have been made in certain Member States). More recently the EEB has also developed its own LCP database which provides access to information on permits and permit conditions (Database available at http://eipie.eu/projects/ipdv / Background briefing available at https://eeb.org/library/industrial-plants-data-viewer-background-briefing/)
EEB webinar on e-permitting and e-reporting	The EEB held a webinar for selected stakeholders in 2021 on the scope for introducing e-permitting and improved e-reporting for IED installations (and under the E-PRTR). This included feedback and views from the EEB themselves as well as good practices from selected Member States.
E-PRTR revision support study including stakeholder feedback	As part of the E-PRTR revision support contract, significant feedback was provided by stakeholders on ways in which electronic reporting could be improved and information could be made available. Furthermore, feedback was received (and some measures were considered) on how IED permitting and reporting could better link with the E-PRTR.

Source	Summary of relevant information
Member State permitting websites	The Member State permitting websites provide links to permits themselves (as discussed above for the permitting studies) but can also include access to templates, formats and processes to help inform processes in each Member State.

As a next step Member States authorities were asked to review the pre-filled templates. The purpose of the review was to confirm the information gathered as part of the literature review and to respond to specific questions to address the gaps identified.

Member States were then invited to discuss their written responses in bilateral meetings involving the contract team and representatives of Member State authorities responsible for permitting. The number of representatives at each meeting varied with a range of national and regional authorities present depending on the Member State. In general terms, these meetings were structured as follows:

1. Targeted questions by the contract team to clarify points made in the written response (as needed).
2. General discussion to understand more about permitting in the respective Member States based on the written response received.
3. General discussion to build on written reactions to the harmonised permit summary and potential content.

Following interviews, Member State participants reviewed their contents and the notes were finalised.

Table 2.2 presents a summary of consultation activities undertaken with each of the Member States. Overall, survey responses were received from 25 of the 27 EU Member States, and meetings were held with representatives from 10 Member States as well as the EEB.

Table 2.2 State of engagement with Member States

Member State	Survey response status	Interview status	Interview Participants
AT	Survey returned	-	
BE	Survey returned for Flanders only	Meeting held 13th December	1 representative from government of Flanders
BG	Survey returned	-	
CY	No survey response	-	
CZ	Survey returned	Meeting held 2nd December	2 representatives from Ministry of Environment
DE	Survey returned	Initial discussion held 11th November Follow-up discussion held 9th December	1 representative from UBA and 2 regional representatives
DK	Survey returned	Meeting held 12th December	2 representatives from Ministry of Environment and 4 from EPA

Member State	Survey response status	Interview status	Interview Participants
EE	Survey returned	-	
EL	No survey response	-	
ES	Survey returned	-	
FI	Survey returned	-	
FR	Survey returned	Meeting held 9th December	1 representative from Ministère de la Transition Écologique
HR	Survey returned	-	
HU	Survey returned	-	
IE	Survey returned	Meeting held 29th November	1 representative from EPA
IT	Survey returned	Meeting scheduled but respondent unable to attend.	
LT	Survey returned	-	
LU	Survey returned	-	
LV	Survey returned	-	
MT	Survey returned	Meeting held 28th November	2 representatives from Environment and Resources Authority
NL	Survey returned	Meeting held 9th December	1 representative from Rijkswaterstaat, 1 regional representative and 1 private sector representative (involved in supporting the regional authority with the digitalisation of their permitting system).
PL	Survey returned	Meeting held 12th December	2 representatives from Ministry of Climate and Environment
PT	Survey returned	-	
RO	Survey returned	-	
SE	Survey returned	Meeting held 5th December	2 representatives from EPA
SI	Survey returned	-	
SK	Survey returned	-	

In addition to consulting with Member State authorities a meeting was held with the EEB. The purpose of this was to gather their thoughts on what information would add most value and be important for developing the summary template based on their experience reviewing public access to information reported under the IED. Opportunities for the digitalisation of reporting and making permits and related information more readily available and accessible were also discussed. Where relevant, EEB feedback is presented in section 2.3 together with Member State reactions.

The following sections present a summary of key findings from the Member State survey and accompanying bilateral meetings. Section 2.2 presents an overview of existing permitting processes and practice across the 27 EU Member States, while Member State suggestions and views regarding a harmonised IED permit summary template are presented in Section 2.3. This section also summarises the feedback from Member State participants of a webinar held to present the reporting requirements proposed under the draft harmonised permit summary template.

2.2 Member States approaches to permitting

Information on Member State approaches to permitting was gathered, which sets out what the general approach is to permitting in a Member State in terms of the authorities involved in the various processes and how the relevant information is made available to the public (section 2.2.1). Information was also gathered on the use of existing templates (Section 2.2.2) and permit content to understand which aspects of IED permitting are captured in the permit itself versus standalone reports (Section 2.2.3). This information helps to understand the range of approaches in place and identify where standardised approaches have been adopted by Member States.

2.2.1 Overview of Member State approaches to permitting

Member States were asked about which authorities are involved in permitting and in what capacity. Table 2.3 presents a summary of Member State approaches to managing the permitting process. In summary:

- 10 Member States (BG, EE, HR, LT, LU, LV, MT, PT, SI, SK) manage permit applications and the granting of permits nationally (whereby the Ministry of Environment or Environmental Protection Agency assumes responsibility for all permits at a national level).
- 11 Member States (AT, BE, DE, DK, ES, FI, FR, HU, NL, PL, RO) rely on either regional or local authorities for managing permitting. In such cases, approaches are aligned with the Member State's regional governance structure.
- A few Member States take a combined approach, relying on national authorities to manage the permitting of installations of environmental significance and regional/ local authorities to manage all other installations permitted under the IED (CZ, IT, SE).

Table 2.3 also includes Member State approaches to managing public access to permit documentation. The majority of Member States host a national database to give public access to the permits (except BE, DE, ES, IT, NL and PL). In the case of Sweden, a separate database hosted by a different national authority exists for installations permitted according to the Best Available Technique (BAT) conclusions (BATC) for Intensive Rearing of Poultry or Pigs (IRPP).

Table 2.3 Member State approaches to permitting

Member State	Permitting organisations and public accessibility of permitting information
AT	Austria is divided into nine 'länder', which are divided into 94 districts and 15 cities. District administrations are responsible for permitting most IED installations, although 'länder' are responsible for permitting waste treatment activities. Austria operates a national permitting information repository. Permitting authorities have an obligation to make permits available online, but there is no requirement to use the national repository, and some authorities publish permits on their own websites.
BE	Permitting is overseen by subdepartments of provincial authorities in Belgium for each of its three regions (Flanders, Wallonia and Brussels). [5] **Flanders:** IED permitting is the responsibility of five provincial authorities and the Department of Environment. Permit documents for all of Flanders are made available via the online Geopunt tool.
BG	The Environmental Executive Agency (EEA) within the Ministry of Environment and Water is the competent authority for issuing permits. Inspections are conducted by 16 regional authorities. Permit documents are accessible via an online national database.
CY	No survey response.
CZ	Czechia operates a two-tier permitting system. The Ministry of Environment is responsible for issuing permits to facilities whose operation can significantly adversely affect the environment. All other permits are issued by regional authorities. Permitting documents are publicly accessible via a national online database, which includes the permit decision, a detailed report setting out operating conditions, a non-technical summary, and links to accompanying documents.
DE	IED permitting and inspections are mostly done at the level of district governments or regional councils, but sometimes also at lower administrative levels. Regional authorities are responsible for making permits available to the public, and accessibility varies by region. Since 2019, a list of German IED installations is published online, and is updated annually.
DK	Permitting and inspections are conducted by 98 municipal authorities for some activities, and at state level by the Danish Environmental Protection Agency (EPA) for others. The Danish EPA is in charge of drafting and maintaining guidance to municipal authorities and industrial installations. It is mandatory to upload final permits and final revised permits to the Danish EPA's publicly available 'Digital MiljøAdministration' database.
EE	Permitting is undertaken at the national level by the Environmental Board. Permit applications are made via the online KOTKAS system, which is also a publicly accessible national database of permits.
EL	No survey response.
ES	Permitting and inspections are the responsibility of 19 regional authorities. Permits are publicly available via regional websites.
FI	Four regional state administrative agencies are responsible for permitting in their respective geographical areas. Inspection is undertaken by 13 regional Centres for Economic Development, Transport and Environment. Permits are publicly available via a central online portal.

[5] Only authorities for Flanders participated in the consultation. Additional detail is provided for Flanders only.

Member State	Permitting organisations and public accessibility of permitting information
FR	Permitting and inspection are undertaken by local authorities ('préfectures'). Permits are publicly accessible online via the national Géorisques database.
HR	Permitting is the responsibility of the Department for Environmental Permits of the Ministry of Economy and Sustainable Development. All permits are available to the public on the Ministry's website.
HU	Permitting and publication of permits is the responsibility of 19 county-level environmental authorities. Permit documents are publicised via a national online database.
IE	One authority – the Environmental Protection Agency (EPA) – oversees both permitting and inspection of installations. Permits granted from 2004 onwards are accessible via the EPA's national online database.
IT	The Ministry of Environment is responsible for permitting 'strategic' installations (approximately 200 refineries, iron production installations, very large combustion plants, very large chemical plants). All other installations (almost 6,200) are regulated by regional administrations. Permit documentation is largely available at regional level; there is evidence that a national-level online system exists for accessing permits, but this is currently inaccessible.
LT	Permitting and inspections are undertaken by the national-level Environmental Protection Agency. The Agency hosts a national online database of permits covering the period 2014-2022.
LU	The 'Unité Permis et Subsides' division of the 'Administration de l'Environnement' is responsible for permitting, while the 'Unité Contrôles et Inspections' inspects installations. Permits are available online via a national database.
LV	The State Environmental Service is responsible for permitting and inspecting installations. Permits are available at national level online.
MT	The Environment and Resource Authority (ERA) is responsible for permitting and inspections. The Environmental Permitting Unit within ERA processes permit applications, which are then presented for a decision to the ERA board. ERA operates an online portal for permit applications as well as a database of permits.
NL	Province and municipality authorities delegate their permitting and inspection duties to 29 Regional Environmental Services, although for some sectors (mining, nuclear installations), permitting and inspection are conducted at the national level. The 29 Regional Environmental Services cooperate within an umbrella association ('Omgevingsdienst NL'). There is no national platform for making permits publicly available; each competent authority has its own system, and not all competent authorities fulfil this requirement.
PL	Permitting is the responsibility of 16 'voivodships' and 380 'starosts'. 'Voivodships' account for around 75% of all permits. Inspection is the responsibility of the 16 'voivodships'. Permits are made accessible via the websites of competent authorities.
PT	The 'Agência Portuguesa do Ambiente' (APA) is responsible for permitting in mainland Portugal, liaising with the EU, and making environmental information publicly accessible. Two separate 'Direção Regional do Ambiente e Alterações Climáticas' operate in the Azores and Madeira respectively, where they are tasked with permitting and making environmental information publicly accessible, as well as providing the APA the necessary information to liaise with the EU. The authorities operate online permit application systems, as well as online databases of permits.

Member State	Permitting organisations and public accessibility of permitting information
RO	Environmental permits are issued by 42 County Environmental Protection Agencies, working under the coordination of the National Environmental Protection Agency (NEPA). Permits are made available to the public on the websites of the local environmental protection agencies.
SE	Sweden operates a two-tier permitting system. Five Land and Environmental Courts permit 'category A' activities (those with a significant environmental impact), and 12 County Administrative Boards (CAB; which operate Environmental Permitting Committees (EPCs)) permit 'category B' activities (those of lesser scope or environmental impact). 150 authorities are responsible for inspections. There is no national permit application system, although some CABs operate online systems, while the Swedish Environmental Protection Agency (SEPA) is responsible for publishing IED decisions for all activities (except for intensive rearing of poultry or pigs) online. The Swedish Board of Agriculture publishes permit documents and information related to intensive rearing of poultry or pigs on its website.
SI	The Ministry of the Environment and Spatial Planning is responsible for permitting and enforcement. There is no online permit application system, although the Ministry operates an online database of permits to enable public access.
SK	Permitting is within the remit of the Slovak Inspectorate of the Environment. Permits are made available via a national online database.

2.2.2 Member State use of templates

For the purposes of identifying templates in use by Member States during the permitting process, permit documentation was split as follows:

(i) permit applications: Intended for use by applicants with preparing their application.
(ii) permit decisions: Intended for use by the inspector in response to the application.
(iii) permit amendments: Intended for use by applicants with preparing their update.
(iv) permits: This relates to the permit itself, i.e. the legally binding document.
(v) permit summaries: Addendum to the permit.

Table 2.5 presents a summary for each of these permitting aspects by Member State. Overall, it is evident that templates are most commonly available / used by Member States to support **permit applications** (used by all Member States that responded to the survey except for AT, ES, HU and SK). In such cases, the format of the template varies from a structured document to a checklist setting out minimum content. In general, the template is a standalone document that can be accessed online. Six Member States (FI, FR, NL, LU, LV and SI) have established online IT systems to support with the application process.

Of note, four Member States do not appear to use templates across any aspect of permitting (AT, ES, HU and SK), while six have templates that apply for the complete permitting process (except permit summaries) (EE, IE, LT, LV, MT and SI). Permit summaries are not commonly issued (used by IE, LV and MT to some extent). In some cases, a summary of the industrial activity(ies) undertaken at the installation is available (DK, FR).

Responses were categorised according to the extent to which templates are used and a colour scheme was applied to enable visualisation (Table 2.4).

Table 2.4 Standardised template use classification key

Template use classification
Standardised template documents used in the permitting system.
Document contents are set out in legislation and/or guidance, but specific template documents may not be in use.
Where a decentralised permitting system is in place, use of standardised templates varies across permitting authorities.
No template, or aspect not reported.

Table 2.5 Status of standardised template use across EU Member States

Member State	Standardised templates available?					Commentary
	Permit applications	Permit decisions	Permit amendments	Permits	Permit summaries	
AT						No standardised templates identified.
BE (Flanders)						Flanders has established a standardised application form available online. The structure and content for permit applications is determined by the Environmental Permit Decree which covers permit decisions, amendments, and permits. No template identified for permit summaries. No information was gathered for the other two regions of Belgium.
BG						Order No RD-618/15.09.2019 sets out requirements for permits, decisions, and amendments. Requirements for permit applications are set out in the Ordinance on the terms and conditions for issuing integrated permits. No template identified for permit summaries.
CZ						Decree No 288/2013 Coll sets out content requirements for all five components.
DE						Due to the decentralised permitting system in Germany, use of templates for all components varies by permitting authority. For each aspect, some authorities use templates while others do not.
DK						A series of BATC checklists are available online to guide permit applications and amendments templates. Applications, updates and permits are posted together with a non-technical summary that follows the same structure and format. This is a summary of the industrial activity at the installation rather than a permit summary per se. An internal working permit template is in use at the national level to guide the process of permitting (this is aligned with the BATC checklists); it is likely that

Member State	Standardised templates available?					Commentary
	Permit applications	Permit decisions	Permit amendments	Permits	Permit summaries	
						local authorities also use internal templates. No templates were identified for permit decisions.
EE						The Environmental Decision Information System (KOTKAS) includes standardised templates for applications, decisions, amendments, and permits. No template identified for permit summaries.
ES						No standardised templates identified.
FI						A standardised form for permit applications is available online. Permitting authorities have adopted a common structure for permits, decisions, and amendments. No template identified for permit summaries.
FR						France operates a standardised online system for permit applications. In France, the decision to grant a permit is not distinguished from the permit itself. An internal template is used by municipal authorities when granting permits and permit updates. At national level, Article R151-72 of the Environmental Code sets out what permit updates must contain. A non-technical summary is available via the national database of permits which follows the same structure and format. This is a summary of the industrial activity at the installation rather than a permit summary per se.
HR						A standardised template for permit applications is set out in the Regulation on Environmental Permit, and is available in digital form on the website of the Ministry of Economy and Sustainable Development. The Regulation also includes a template for permit amendments. Article 103. of the Environmental Protection Law defines the contents of a permit. No template identified for permit summaries.
HU						No standardised templates identified.

Member State	Standardised templates available?					Commentary
	Permit applications	Permit decisions	Permit amendments	Permits	Permit summaries	
IE						All permits and amendments follow a similar format. The permit application is also summarised in an Inspector's Report, which follows a standard structure.
IT						The format of permit applications and permit decisions is decided by regional authorities. The format and content of permit amendments and permits is defined by national legislation but ultimately it is the regional authorities that have established the approach used. No template identified for permit summaries.
LT						Standardised templates are in use for permits, applications, and amendments. No template identified for permit summaries and permit decisions.
LU						An electronic template for permit applications is in use. Permit templates have been developed based on previous permit documents. No templates identified for permit decisions, amendments, and summaries.
LV						Permit applications are made via a standardised online system. Templates are used for permits, decisions, and amendments. Permit summaries are produced at the end of every permit setting out basic permit details in a consistent structure.
MT						Templates are in use for permits, applications, amendments, and decisions (which are document in the Case Officer's Report within the Maltese permitting system). A permit summary is included in the Case Officer Report.
NL						Requirements for permit applications are set out in the Regulation Concerning Environmental Law, and a standardised online system for permit applications is in place. Paper applications can also be made following a specified format. The national editorial group for standardised permit texts develops standardised permit

Member State	Standardised templates available?					Commentary
	Permit applications	Permit decisions	Permit amendments	Permits	Permit summaries	
						texts to be used by all Environmental Services. No templates identified for permit decisions, amendments, and summaries.
PL						A guideline document has been produced setting out permit application requirements. Guidance is also available concerning permit amendments. No templates identified for permits, decisions, and summaries. There is no system for online permit applications or other aspects of the permitting process.
PT						Permit applications are submitted via a standardised electronic system. Permit and amendment contents are specified in law. It is unclear whether this includes a format for permit summaries.
RO						Appendix 1 of Ministerial Order no. 818/2003 sets out a standardised application form for permit applications. A framework for permit amendments is set out in Appendix 2 of the Ministerial Order. It is unclear whether templates are used for permits and/or summaries.
SE						Generally, there are no permit application templates, and there is no template at national level, although some County Administrative Boards use templates for online applications. There are no standardised templates for permits, decisions, amendments, or summaries, although authorities largely follow a similar approach.
SI						An online system is operated to facilitate standardised application and amendment of permits. Standardised templates are used for permits and decisions. No templates identified for permit summaries.
SK						No standardised templates identified.

2.2.3 Permit contents across the EU

Member States were asked about how the following elements are included (or not) in permits:

- Derogations from BATC.
- Inclusion of BATC without BAT-AELs, or without a specific limit (e.g. measures for controlling noise, optimising energy efficiency etc).
- Wider reporting requirements beyond compliance monitoring for emissions to air and water (e.g. energy consumption data, waste generation etc).
- Procedures for compliance assessment and findings of non-compliance.
- Requirements/findings of the baseline report established under Article 22(2) referenced in permits.
- Process for tracking permit updates.

Table 2.6 presents a summary of findings by Member State. In general, **permit content** is defined at Member State level. In a handful of cases (AT, DE and ES), permit content varies by region or municipality (in accordance with the differences described above for approaches to permitting). What is commonly the case is that installations typically have multiple permit documents to cover the various aspects.

The way in which **derogations** are captured in permits is not relevant to many Member States (where derogations have simply not been granted). Where derogations have been granted, approaches are divided where they are issued as separate permit decisions (CZ, EE, FR, HU) or included in the permit itself (usually as an annex) (BG, DK, ES, FI, IE).

As regards the inclusion of **BATC without BAT-AELs or wider reporting requirements**, their application in permit conditions is mixed. For a small number of Member States, they are not typically captured in permits (AT, EE), while several Member States incorporate BAT into legislation, thus BATC without BAT-AELs automatically apply (DE, FR, SE). For most other Member States, BATC without BAT-AELs seem to be captured in permit conditions to some extent.

In all cases, it was noted that **procedures for compliance assessment** are included in permit conditions. Non-compliance is more typically covered in separate inspections reports, only the Portuguese authorities include findings of non-compliance in the permit. Where the inspections reports are separate to the permit, they are often located in the same place online (except in the cases of BE, FI, HR, HU, IE, LT, LV, MT, NL, PL, SE where they are not published online but available on request).

Baseline reports are referenced in the permits in BG, CZ, DE (depending on the region), EE, ES, FI, HR, IE, IT, LV and MT. Elsewhere, baseline reports are often not referred to in permit conditions and treated as separate reporting aspects.

While **permit updates** are often posted together with the permit documentation for the installation, very few examples of systems to track updates were identified as part of this information gathering exercise (only for BG, CZ, LU, PL, SE).

Table 2.6 Permit contents by Member States

Member State	Content reported in permits
AT	No derogations have been granted to date (August 2022). BATCs without BAT-AELs are not typically captured in permits. Noise aspects are usually referenced in permits.

Member State	Content reported in permits
	Compliance assessment procedures are detailed in permits. No other reporting requirements are specified. Non-compliances are recorded in summaries of site inspection reports, which are made available online. There is no uniform approach for incorporating baseline report requirements in permits. No information provided on tracking of permit updates.
BE	**Flanders**: Permits consist of multiple decisions, and derogations are granted via a separate procedure with a separate decision. Most BATCs without BAT-AELs are implemented in a general binding rule (GBR) (VLAREM-III) and automatically apply. The GBR also captures aspects without a specific limit enforced. Compliance assessment procedures are detailed in permits. No other reporting requirements are specified. Non-compliances are recorded in site inspection reports, which are available from inspection authorities upon request. Baseline report findings and requirements are separate from the permit. No information provided on tracking of permit updates. **Wallonia**: The Walloon environmental portal provides detailed plant-level pages including links to relevant BREFs and European legislation, plant location on a detailed map tool, permit issuance and expire dates and responsible authorities. **Brussels**: No information found for Brussels.
BG	Derogations are part of permit conditions and documentation. BATCs without BAT-AELs seem to be reflected to a mixed degree in permits. There is evidence of some information on energy efficiency in some LCPs permits. Compliance assessment procedures are detailed in permits. No other reporting requirements are specified. Non-compliances are documented online in annual reports on the implementation of the activities for which a integrated permit has been granted. The findings of baseline reports are referenced in permits as conditions for soil and groundwater protection. Permit updates are tracked in the public register of integrated permits.
CZ	Derogations are granted via separate decisions to the permit but are made available together with permit documentation. BATCs without BAT-AELs seem to be reflected to a mixed degree in permits. There is evidence of some information on energy efficiency in some LCPs permits. Compliance assessment procedures are detailed in permits. No other reporting requirements are specified. Non-compliances are documented in compliance reports available via the national database of permits. Baseline report requirements are stated in the permit decision. Permit updates are tracked and registered via the Ministry of Environment information system.
DE	Derogations are established either in the permit itself or as exception decisions. BATCs without BAT-AELs are implemented in GBRs and automatically apply. The GBRs also capture aspects without a specific limit enforced. Procedures for compliance assessment are set at national level in GBRs rather than on a case by case basis. Non-compliances are documented and made publicly available in environmental inspection reports by local authorities. Baseline report requirements vary by authority. Some authorities do not describe requirements in permits (e.g. Hamburg), while others include the baseline report in the permit decision (Hesse).

Member State	Content reported in permits
	Updates to BATC are automatically applicable due to implementation of GBR. Some authorities track permit amendments via change requests.
DK	Derogations are granted via separate decisions to the permit or revised permit. As a rule permit conditions should reflect all BATC as well as aspects without specific limits. Compliance assessment procedures are detailed in permits. Typically, permits also require yearly reporting of consumption of water, energy, waste, and raw materials. Non-compliance and actions taken by the competent authority are registered online. Baseline reporting requirements and any related monitoring are incorporated into permits. Permit updates are registered in reconsidered permits, which are linked to existing permit documents.
EE	Derogations are granted via separate decisions to the permit but are made available together with permit documentation. BATCs without BAT-AELs are not typically captured in permits. Aspects without specific limits are usually referenced in permits. Compliance assessment procedures are detailed in permits. No other reporting requirements are specified. Non-compliances are documented in inspection reports available via the national KOTKAS system. Baseline reports are published as an annex to the permit. Permit updates are annexed to the permit application.
ES	Derogation details are documented in an annex to the permit conditions. In general, BATCs without BAT-AELs are captured in permits, as well as aspects without specific limits. Compliance assessment procedures are detailed in permits. Permits also typically include reporting requirements regarding noise and waste generation. Regional authorities are responsible for site inspection reports. The requirements of the baseline report are included in permits. Permit updates are tracked and registered on the relevant regional websites.
FI	Information on derogations are presented in the permit orders and on their justifications, but not yet in a consistent manner. BATCs without BAT-AELs are reflected in IED permits. Incorporation of aspects without specific limits in permits is on a case-by-case basis. Compliance assessment procedures are detailed in permits. Additional reporting requirements are specified on a case-by-case basis, and may include aspects such as energy consumption. Non-compliances are recorded in site inspection reports, which are available from inspection authorities upon request. Permit applications must include baseline report findings. Every permit update requires a new permit decision. Permit decisions include a list of all valid permits linked to the permit.
FR	Derogations are adopted separately to the permit via law and are available online together with permit documentation. BATCs without BAT-AELs are implemented in GBRs and automatically apply. The GBRs also capture aspects without a specific limit enforced. Compliance assessment procedures are detailed in permits. No other reporting requirements are specified. Non-compliances are documented in inspection reports available via the national Géorisques system. Permits do not contain reference to the baseline report. Permit updates are documented via the Géorisques system.

Member State	Content reported in permits
HR	No derogations have been granted up to 2018 (unclear if any have been granted since). BATCs without BAT-AELs are typically captured in permits, as well as aspects without specific limits. Compliance assessment procedures are documented in permits, which also include requirements for reporting on waste generation. Operators are obligated to report to competent authorities on the results of monitoring, although it is unclear where non-compliance is documented. Requirements or findings of the baseline reports are referenced in the permits. Permit updates are available on the online national database for storing permits.
HU	Derogations are documented separately to permits. BATCs without BAT-AELs seem to be reflected to a mixed degree in permits. Aspects without specific limits are not typically referenced in permits. Compliance assessment procedures are detailed in permits. No other reporting requirements are specified. Non-compliances are documented by authorities, but are not published online. It is unclear whether baseline report findings and requirements are referenced in permits. There is no information on the tracking of permit updates.
IE	Derogations are contained in an inspectors report and in an annex to the permit. BATCs without BAT-AELs are reflected in IED permits, as well as aspects without specific limits. Compliance assessment procedures are detailed in permits. Permits also generally require licensees to retain records and an enforcement officer review onsite. Non-compliances are documented and are available for public viewing at the EPA offices but are not yet available online, although systems are currently being developed to do this. Requirements or findings of the baseline reports are referenced in the permits. Permit updates are tracked and registered by the EPA and are available online.
IT	Derogations are available online and are published alongside other permit documentation. BATCs without BAT-AELs seem to be reflected to a mixed degree in permits. A large part of permits are dedicated to aspects other than ELVs (which includes aspects without specific limits). Compliance assessment procedures are detailed in permits. Permits usually also contain annual reporting requirements. The Ministry publish site inspection reports and any details of non-compliances. Requirements or findings of the baseline reports are referenced in the permits. Permit updates are publicly available online, but if the update regards only a small part of the installation it can be difficult for the public to understand.
LT	No derogations have been granted to date (August 2022). BATCs without BAT-AELs are always reflected in permits, as well as aspects without specific limits such as noise and odour management, waste storage requirements or dust reduction. Compliance assessment procedures are detailed in permits. Waste generation accounting is required in permits for certain installations. Non-compliances are documented in inspection reports which are not public but can be made available on request. Requirements or findings of the baseline reports are referenced in the permits. Decisions on permit updates and the subsequent amendments are publicly available.

Member State	Content reported in permits
LU	No derogations have been granted to date (August 2022). BATCs without BAT-AELs seem to be reflected to a mixed degree in permits. Permits also reference aspects such as noise limit values and energy efficiency. Compliance assessment procedures are prescribed in national legislation. Permits also contain requirements including inspection report conditions and annual reports for specific activities requiring a permit. Non-compliances are documented in site inspection reports which are available online Requirements or findings of the baseline report have not been needed to be integrated into permits yet. Permit updates are tracked by the environment agency and are publicly available.
LV	No derogations have been granted up to 2018 (unclear if any have been granted since). BATCs without BAT-AELs seem to be reflected to a mixed degree in permits. Permits also reference aspects such as noise limit values and energy efficiency. Compliance assessment procedures are prescribed in national legislation. Permits include requirements for annual reporting and in certain conditions they can require operators to monitor soil and groundwater. Non-compliances are detailed in inspection reports only available to operators, although a summary is made publicly available Requirements or findings of the baseline reports are referenced in the permits. Permit updates are monitored by the State Environment Service but it is unclear whether these are publicly available.
MT	No derogations have been granted to date (August 2022). BATCs without BAT-AELs are reflected in permits, as well as other aspects such as odour and noise. Compliance assessment procedures are prescribed in national legislation. At least some permits include requirements on fuel consumption, noise and waste transfer/recovery. Non-compliances are detailed in inspection reports, which are available upon request. Requirements or findings of the baseline reports are referenced in the permits. Permit updates are consolidated into a single document with each update.
NL	Only one derogation has been granted and is described in the permit. BATCs without BAT-AELs are reflected in permits, as well as other aspects such as noise and energy efficiency. Compliance assessment procedures are detailed in permits. Permits can also include requirements for waste inventories or inspection/maintenance schedules. Non-compliance are detailed in the inspection report, but it is unclear whether these are publicly available. Requirements or findings of the baseline reports are referenced in the permits. When permits are updated, requirements are withdrawn and then new requirements are introduced.
PL	Derogations are detailed in permits. All BATCs which impact permit conditions are reflected in permits, as well as other aspects such as noise and energy efficiency. Compliance assessment procedures are detailed in permits. Permits can also set requirements for things such as odour management plans or reporting requirements. Non-compliances are detailed in inspection reports which are available on request. Requirements or findings of the baseline reports are referenced in the permits. The Ministry manages a central database which tracks permit updates and each CA also holds its own register. It is assumed that these are not publicly available.

Member State	Content reported in permits
PT	Derogations are detailed in permits as well as a separate document which details the permit to the public. BATCs without BAT-AELs are reflected in permits, as well as other aspects such as noise, waste management and energy efficiency. Compliance assessment procedures are detailed in permits. Permits can also include reporting requirements for raw materials usage, production volumes, energy consumption, waste monitoring etc. Non-compliances are reported in permits. Requirements or findings of the baseline report are not referenced in permits, but permits must refer to an assessment undertaken as to whether a baseline report is needed. Permit updates can be managed by any CA or at the request of an operator, and any updates are included in permits.
RO	Only one derogation has been granted, which was detailed in a permit annex. BATCs without BAT-AELs are reflected in permits, and there is evidence in some permits of references to energy efficiency. Compliance assessment procedures are decided by the National Environmental Guard and Water inspection. Permits can also specify other reporting requirements depending on the activity. Non-compliances are detailed in inspection reports, which are available online. It is unclear whether requirements or findings of the baseline report are referenced in permits, however, permit applications must refer to the baseline report. The CA is responsible for tracking and managing permit updates, and they are logged in a journal. It is assumed that this is not publicly available.
SE	Derogations can be included in permits or in a separate decision. BAT are transposed into national legislation so are not usually included in permits as they apply automatically. Permit conditions can also reference aspects such as fuel storage and energy efficiency. Compliance assessment procedures are detailed in permits. Non-compliances are detailed in site inspection reports which are available on request. Information in the baseline report is not always reflected in permits, but is required to be submitted during a permit application. Updates to permits are only carried out as a result of BATC updates in Sweden. These updates are tracked and monitored in an annual environment report.
SI	No derogations have been granted to date (August 2022). BATCs without BAT-AELs are reflected in permits, as well as other aspects such as noise and energy efficiency. Compliance assessment procedures are detailed in permits. Reporting can be required for waste generation, waste recycling and waste disposal. Non-compliances are documented at the inspectorate for the Environment and Spatial Planning, it is unclear whether these are publicly available. Periodic measurement of ground water and soil as required by the baseline report are part of IED permits. All permit updates are tracked and registered at the CA document managements system, it is unclear whether this is publicly available.
SK	Derogations are detailed in permits and documented online. All BATCs other than BAT-AELs are listed in permits decisions. Part I of the permit also deals with monitoring, noise, soil, energy, and operation monitoring.

Member State	Content reported in permits
	Compliance assessment procedures are detailed in permits. No detail was provided on whether the permit contains reporting requirements for the other aspects listed above. Non-compliances are documented in site inspection reports which are stored on a national database. Information in the baseline report is not always reflected in permits. Permit updates are uploaded to the national database linked above.

2.3 Member State and EEB suggestions concerning a harmonised permit summary

Member State reactions to the concept of a harmonised permit summary were gathered together with reactions to the potential content for the summaries via a survey and bilateral meetings. Section 2.3.1 provides an overview of the information gathered and the detail by Member State is in Section 2.3.2. This information helps understand what Member States find helpful and identify where potential administrative burdens may exist. It also raises some general points regarding the purpose and scope of the summary as well as the legal mechanism for its requirement (Section 0).

In addition, Member States and the EEB provided feedback during and following the webinar on the draft permit template. This feedback is summarised in Section 2.3.4.

2.3.1 Overview

As part of the consultation with the Member States, a range of views have been expressed with respect to a potential requirement for preparing a permit summary. Many Member States support the concept of a permit summary, with Member States describing the same challenges of having multiple permit documents for an individual installation (as well as requirements set out in other local, regional and/or national guidance / legislation). However, the Croatian and French authorities are opposed to the concept. Regardless of whether or not they support the concept of a harmonised permit summary, most Member States did raise the issue of overall burdens on the permitting authorities to prepare such a summary.

In terms of the detail, Member States were asked about the specific elements that could be included in a harmonised permit summary. Many Member States authorities envisage that the summary should be intended to facilitate public access only (keeping the content of the summary simple and designed for public understanding). In such cases the type of information that may be relevant to include is information about the installation and operator, information about the industrial activity and applicable BATC as well as information about the emissions from the installation. The detail regarding Member States views is summarised in Section 2.3.2. The EEB is of the view that members of the public involved in IED matters are typically likely to have some expertise and understanding of permitting, and therefore the permit summary can still capture technical information including individual permit limits, emission releases etc.

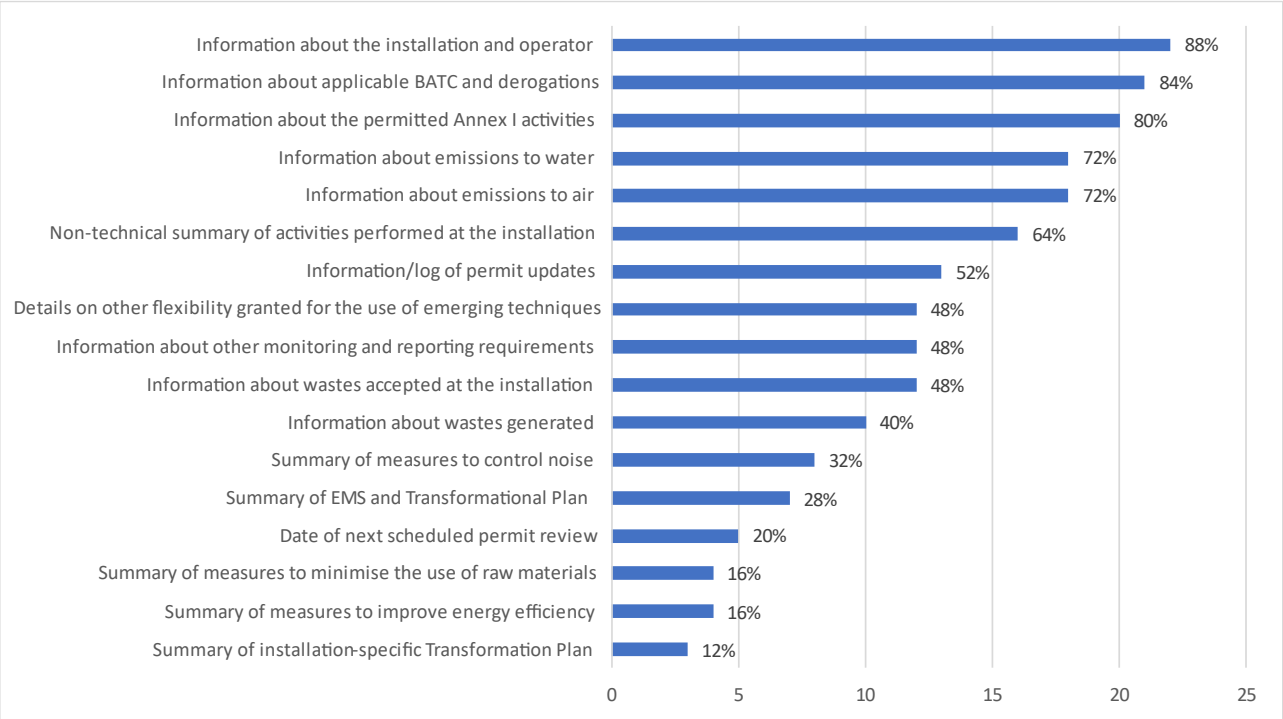
The specific elements Member States were asked about are listed below and an overview of their popularity among the authorities is presented in Figure 2-1.

- Information about the installation and operator (name, site, location, has a baseline report been provided)
- Non-technical summary of activities performed at the installation
- Information about the permitted Annex I activities (description of activity and any specified limits/restrictions)

- Information about emissions to air (emission point location, pollutant emitted, emission limit value, averaging period, reference conditions, monitoring frequency, monitoring method, emission controls in place)
- Information about emissions to water (emission point location, pollutant emitted, emission limit value, monitoring frequency, monitoring method, emission controls in place)
- Information about wastes accepted at the installation (EWC codes, limits etc.)
- Information about wastes generated (type, fate, measures in place to minimise generation)
- Information about other monitoring and reporting requirements (e.g., noise, energy etc.)
- Summary of environmental management system and Transformation Plan
- Summary of installation-specific Transformation Plan (if included within the final text of the revised IED)
- Summary of measures to improve energy efficiency
- Summary of measures to minimise the use of raw materials
- Summary of measures to control noise
- Information about applicable BAT conclusions and derogations from BAT Conclusions (details, justification, expiry)
- Details on other flexibility granted for the use of emerging techniques
- Information/log of permit updates
- Date of next scheduled permit review

Additional feedback was gathered in more general terms which is summarised in Section 0.

Figure 2-1 Permit summary items by number of Member States suggesting their inclusion (out of a total of 25 respondents)



2.3.2 Member State-by-Member State feedback on permit summary content

Table 2.7 presents the detailed feedback by Member State. Generally, Member States agreed that a harmonized summary could contain information about the installation in terms of industrial activity, what emissions are permitted and what derogations apply. Opinions varied as to the level of detail that is appropriate (with several authorities mindful that the public is unlikely to understand BATC or references to different IED activities, for example).

Only Slovakia agreed that all elements included in the questionnaire should be captured in the harmonized summary. Slovakia responded also that no templates are in use to facilitate with the permitting process (thus at a national level, a harmonised summary would likely be particularly beneficial).

On the other hand, two Member States (France and Croatia) selected no items for inclusion, and indicated that a permit summary would represent an unnecessary added administrative burden that offers little public benefit. Lithuania also expressed this view but selected a small subset of basic permit details for inclusion in the summary. In these cases, the Member States have established templates that facilitate the permitting process (mainly as regards the permit application) and they have centralized permit databases where permit documentation can be located. Of these three Member States that were particularly opposed to the concept of a harmonized permit summary, only the French authorities have a structure and format in place for summarizing their permit content.

Aspects relating to EMS, transformation plans, waste management and resource efficiency, etc. were generally not considered relevant for inclusion in the summary by the Member States. Opinions on information about monitoring and reporting were divided (12 Member States opposed to its inclusion: AT, CZ, DE, ES, FI, IE, LV, MT, PL, RO, SI and SK). Similarly, opinions are divided as to whether or not a log of permit updates should be included in the summary (13 Member States in favour of its inclusion: BE, CZ, EE, ES, FI, IE, LU, LV, MT, NL, RO, SE, SK). Note this links to the suggestion by the Finnish authorities that a consolidated permit document may be a more beneficial exercise than developing a harmonised summary (section 0).

Suggestions for including further aspects to those stated in the survey were made by a few Member States. Respondents for Austria suggested that the permit summary should identify and provide contact details for the permitting authority, as well as a summary of the legal basis of the permit. In addition to a summary of relevant administrative acts, respondents for Czechia proposed the inclusion of an outline of 'other than normal operating conditions' (OTNOC). This was considered relevant and of interest to the public so that they are aware of operating conditions at installations, and any visible changes (such as changes in smoke emissions at a local plant) are understood and do not raise public concern unnecessarily.

Respondents from Ireland, Malta and Portugal suggested that a summary of consultation activities and public participation during the permitting process should be included in the permit summary. In Ireland and Malta, this is included in their respective Inspector's Reports and Case Officer's Reports, which effectively provide a permit summary. Additionally, the responses from the Netherlands and Portugal asserted that the permit summary should include an outline of legal and technical advice and supporting reports considered by competent authorities in arriving at a permit decision.

Table 2.7 Member State response concerning harmonised permit summary contents

Member State	Information about installation and operator	Non-technical summary of activities	Information about Annex I activities	Information about emissions to air	Information about emissions to water	Information about wastes accepted	Information about wastes generated	Information about monitoring and reporting	Summary of EMS and Transformational Plan	Summary of installation-specific Transformation Plan	Summary of energy efficiency measures	Summary of measures to minimise use of raw materials	Summary of measures to control noise	Information about applicable BATC and derogations	Details on flexibility granted for emerging techniques	Information / log of permit updates	Date of next scheduled permit review	Additional elements suggested by Member State
AT	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	No	No	No	No	No	Yes	Yes	No	No	Competent authority contact details; legal basis of the permit.
BE	Yes	Yes	Yes	Yes	Yes	No	No	No	Yes	Yes	No	No	No	Yes	Yes	Yes	No	
BG	No	No	No	Yes	Yes	No	Yes	No	Yes	No	Yes	Yes	No	Yes	No	No	No	
CZ	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	No	Yes	Yes	Yes	Yes	No	Outline of OTNOC; relevant administrative acts.
DE	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	No	No	No	No	Yes	Yes	No	No	No	
DK	Yes	Yes	Yes	No	No	No	No	No	No	No	No	No	No	Yes	Yes	No	No	
EE	Yes	No	Yes	Yes	Yes	No	No	No	No	No	No	No	No	Yes	Yes	Yes	No	

Member State	Information about installation and operator	Non-technical summary of activities	Information about Annex I activities	Information about emissions to air	Information about emissions to water	Information about wastes accepted	Information about wastes generated	Information about monitoring and reporting	Summary of EMS and Transformational Plan	Summary of installation-specific Transformation Plan	Summary of energy efficiency measures	Summary of measures to minimise use of raw materials	Summary of measures to control noise	Information about applicable BATC and derogations	Details on flexibility granted for emerging techniques	Information / log of permit updates	Date of next scheduled permit review	Additional elements suggested by Member State
ES	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	No	Waste information should include waste codes.
FI	Yes	Yes	No	Yes	Yes	No	No	Yes	No	No	No	No	Yes	Yes	No	Yes	No	
FR	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	
HR	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	
HU	Yes	No	Yes	No	No	No	No	No	No	No	No	No	No	No	No	No	No	
IE	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No	Yes	Yes	Yes	Yes	Yes	Yes	No	Information on consultation conducted during permitting.
IT	Yes	No	Yes	Yes	Yes	Yes	Yes	No	No	No	No	No	No	Yes	No	No	Yes	
LT	Yes	Yes	Yes	No	No	No	No	No	No	No	No	No	No	No	No	No	No	
LU	Yes	Yes	Yes	No	No	Yes	No	No	No	No	No	No	No	Yes	No	Yes	Yes	
LV	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	No	Yes	Yes	Yes	No	

Member State	Information about installation and operator	Non-technical summary of activities	Information about Annex I activities	Information about emissions to air	Information about emissions to water	Information about wastes accepted	Information about wastes generated	Information about monitoring and reporting	Summary of EMS and Transformational Plan	Summary of installation-specific Transformation Plan	Summary of energy efficiency measures	Summary of measures to minimise use of raw materials	Summary of measures to control noise	Information about applicable BATC and derogations	Details on flexibility granted for emerging techniques	Information / log of permit updates	Date of next scheduled permit review	Additional elements suggested by Member State
MT	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	No	No	No	No	Yes	Yes	Yes	Yes	Yes	Information on consultation conducted during permitting.
NL	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	No	No	No	Yes	No	Yes	No	Overview of advice / reports which were used in the course of the permitting process and which influenced the permit decision.
PL	Yes	No	Yes	Yes	Yes	No	No	Yes	Yes	Yes	No	No	No	Yes	Yes	No	No	
PT	Yes	No	No	No	No	No	No	No	No	No	No	No	No	Yes	Yes	No	No	Information on public participation in the permit procedure; summary of legal / technical advice reports considered by the competent authority
RO	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	No	Yes	No	Yes	Yes	

Member State	Information about installation and operator	Non-technical summary of activities	Information about Annex I activities	Information about emissions to air	Information about emissions to water	Information about wastes accepted	Information about wastes generated	Information about monitoring and reporting	Summary of EMS and Transformational Plan	Summary of installation-specific Transformation Plan	Summary of energy efficiency measures	Summary of measures to minimise use of raw materials	Summary of measures to control noise	Information about applicable BATC and derogations	Details on flexibility granted for emerging techniques	Information / log of permit updates	Date of next scheduled permit review	Additional elements suggested by Member State
SE	Yes	No	Yes	Yes	Yes	No	No	No	No	No	No	No	No	Yes	No	Yes	No	
SI	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	No	No	No	No	Yes	Yes	No	No	No	
SK	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	

The following sections outline the specific feedback provided by Member State respondents on elements considered for potential inclusion in the harmonised permit summary template.

Information about the installation and operator

The permit summary component most frequently selected by Member State consultees was information about the installation and operator, with 22 out of 25 respondents (88%) proposing its inclusion. This basic information includes the operator name, site location, links to the permit and supporting documentation, and an indication as to whether a baseline site condition report has been provided.

Information about the installation and operator can be additionally accompanied by a non-technical summary of installation activities. Of 25 Member State responses, 16 (64%) indicated a preference for including a summary of activities in the permit summary. Italy noted that a non-technical summary is a requirement of permit applications (as this information is not made publicly available, it is not an overlap in reporting requirements, rather it can be used as an information source for the authorities when compiling the harmonised permit summaries).

Another general point of feedback received is that, where possible, the harmonised permit summary should be aligned with existing reporting requirements for the IEP and that to the extent that it is possible to do so, the summary information should be generated automatically from information contained in the IEP (BE, PL). Based on the information required by Commission Implementing Decision 2018/1135, this relates to the general information about the installation and operator (name of the installation [1.2.4], activities carried out [1.2.7], link to permit [1.2.11], link to baseline report [1.2.10]).

Information about the permitted Annex I activities

Twenty (80%) respondents expressed that information on permitted Annex I activities should be included in the permit summary. Feedback was provided by Denmark that the summary of activities should be accessible to the public and written in non-technical terms only (i.e. they do not see the value to the public in providing IED activity references). Germany also provided feedback on this aspect insofar as the challenges it foresees in taking a harmonised approach between Member States for interpreting what is the 'main activity'. To address this challenge and avoid discrepancies in the way this information is presented, it was suggested that the harmonised permit summary could present information for the main IED activity and associated activities.

Summary of environmental management system and Transformation Plan

Most Member States were opposed to the inclusion of a summary of the environmental management system (EMS) and Transformation Plan in the permit summary. A common point raised by survey respondents (including Malta and Italy) is that this information is too complex and technical to be meaningfully condensed for the purpose of a permit summary, and that the administrative burden to competent authorities of incorporating it into a summary outweigh the benefits to the public. Respondents from Belgium (Flanders) stated that the EMS and Transformation Plan should be (at least partly) accessible to the public, and including information in the permit summary would be an unnecessary repetition of existing information. Respondents from the Netherlands similarly highlighted that the EMS and Transformation Plan should be presented separately to the permit (and therefore excluded from the permit summary), as they mostly concern whole companies rather than individual installations. The EEB indicated that such information could be captured with a simple tick box to indicate if an EMS and/or transformation plan are available and for a URL link to be provided to where it/they can be found. This would appear to be a pragmatic solution to making such information available to the public within the summary. However, feedback from Member States provided during the webinar indicated that links to the EMS and Transformation Plan in the harmonised permit summary would provide no added value.

Log of permit updates/reviews

Approximately half of Member State responses were supportive of including information on permit updates in the permit summary. This information is unlikely to present a significant additional administrative burden

to Member State competent authorities. Greater clarity on permit updates could improve public understanding of permits, as the Member State survey indicated that existing systems across the EU differ in terms of how permit amendments are consolidated and communicated to the public. The response from Finland indicated that, rather than a permit summary, a better use of competent authority time and resources would be in consolidating permit changes.

A fifth of Member State respondents indicated that the date of next scheduled permit review would be a useful inclusion in the permit summary template. However, some Member States indicated that it is not always possible to specify the date of next review as the review triggers may not be known beforehand.

Information about emissions to air and water

Most of the Member States surveyed (18 out of 25; 72%) indicated that the harmonised permit summary template should include information on the installation's emissions to air and water. However, there were differences of opinion on the level of detail that should be provided.

One of the underlying reasons for the divergence in opinion is that the purpose of the harmonised permit summary is not clear to (and/or consistent between) some Member States. Denmark noted for example that if the harmonised permit summary is to facilitate public access to permits, then information on emissions to air and water is only needed insofar as to describe the environmental pressures from the installation. If information for reference conditions and monitoring is included in the permit summary, there is risk that it will be used inappropriately to assess compliance. The complexity of interpreting permit conditions for monitoring and assessing compliance was emphasised by several Member States and whether or not it is feasible to capture such technical detail in a summary. In contrast, the EEB was of the opinion that the public involved in IED matters can understand such technical details and that the summary would provide significant added value by bringing together such information on emissions, permit limits etc. into a single document (recognising that requirements are typically spread across multiple documents).

Information about other monitoring and reporting requirements

The harmonised permit summary could include information on monitoring and reporting aspects other than emissions to air and water, such as consumption of electrical power and water, and periods of abnormal operation. Fewer than half (12 out of 25) Member States indicated that this component should feature in the harmonised permit summary. Respondents from Italy noted that the breadth of options for managing these aspects may present difficulties in condensing them in a permit summary.

Information about wastes accepted and generated at the site

Fewer than half of surveyed Member States indicated that the permit summary should include information on wastes accepted at the installation (48%) and wastes generated (40%). Some responses (e.g. Malta) indicated that incorporating information on installation wastes into the summary would present additional administrative burden for competent authorities due to the length of the information, and it would provide little benefit to the public.

Information about applicable BATCs and derogations from BATCs

The majority of surveyed Member States (21 out of 25) indicated that the permit summary template should include information about BATCs applicable in a permit, along with details of derogations from BATCs.

Summary of measures addressing aspects without a specific limit

The initial draft of the harmonised permit summary included summary information of measures to improve energy efficiency, minimise use of raw materials, and to control noise. The majority of Member States surveyed did not feel that this information should be included in the permit summary; summarising this permit information is likely time-consuming and would present an additional administrative burden to Member States with limited added value (in their view).

Details on other flexibility granted for the use of emerging techniques

Approximately half of Member State responses were supportive of presenting details on flexibilities granted for the use of emerging techniques in the permit summary. This information is unlikely to present a significant additional administrative burden to Member State competent authorities as it would only be relevant for a relatively limited number of installations. During the webinar, all Member State participants commenting on information on derogations for emerging techniques indicated that its inclusion in the permit summary template was not necessary.

2.3.3 Other Member State feedback

Table 2.8 provides an overview of additional, more general feedback provided by the Member States concerning the harmonised permit summary.

The administrative burden was referred to by many in the survey and/or bilateral meeting alongside options to minimise the administrative burden e.g. exempt permits that are machine readable (EE), align reporting with the Industrial Emissions Portal (IEP) (BE, PL) and/ or align reporting with future permit updates to avoid issuing summaries for all installations in one go following the introduction of the new permit summary obligation (DE, DK, IT). The latter point was raised by a number of Member States in terms of what would trigger the development of a permit summary e.g. only when permits are updated (say when a new BATC is published) and/or within a certain fixed timeframe.

The EEB counter to these concerns is that the requirement for a permit summary could help push Member States towards the consolidation of permitting requirements in a digitalised format (if not already being done). As a result, this could help streamline processes going forward and potentially reduce burdens longer term. The extent to which a summary adds value where such streamlining and digitalisation is already underway was indeed brought into question by the Estonian authorities.

Another concern that was raised by several Member States was the legal character of the summaries and the risk that the information contained therein may give unsubstantiated weight to public opinion regarding compliance of an installation (DE, DK, FR). This links to a point raised by the Danish authorities as regards the purpose and scope of the summary. The Danish authorities are of the opinion that the summary should be simple with the sole purpose of facilitating public access to the permit (and steer clear of any detail that is relevant to assessing compliance). Authorities for Malta and Ireland also highlighted public access and participation as being central to the notion of having a permit summary.

Table 2.8 Other Member State input regarding a harmonised permit summary

Suggestion	Member State(s)
It is not clear when summaries should be produced, and what will trigger the issuing of a permit summary. Are they expected to apply retrospectively to all permits by a stated deadline? Or is the summary requirement expected to apply at the time of permit updates? The need to update the summary for any permit update should be better addressed.	DE, DK, IT
The legal character of permit summaries needs to be clarified.	DE, FR
The purpose and scope of the permit summary needs to be defined – whether it is intended to improve public access or to facilitate with compliance assessment.	DK
It is perhaps better to frame the summary as an outline of 'relevant permit conditions'; or 'key conditions for compliance'. The term summary may be misleading, and the summary should not just be a shorter version of the permit.	DE, PL

Suggestion	Member State(s)
The permit summary should be in digital format.	BE, NL
Permit summaries should be linked to the IEP / E-PRTR, with information already submitted by Member States automatically used to populate permit summaries (possibly by the EEA).	BE, PL
Considering the administrative burdens involved, an obligation to produce consolidated permit conditions would be more useful than permit summaries.	FI
Where Member States are taking efforts to structure permits such that they are machine readable and therefore clearer to read, a permit summary is unnecessary.	EE
It is worth including information on public participation and consultation in the permit summary. This is already standard practice in some Member States.	IE, MT
The permit summary should be designed as a component of the permit itself, similar to how BATCs are a part of BREF documents. This would lessen the administrative burden.	IT
A harmonised permit summary has no added value, and only presents an unnecessary new administrative burden. France in particular noted that there is no environmental or social added value in providing the information in summary format.	HR, LT, FR
Some or all of the proposed elements of the permit summary cannot be easily further summarised, or would be too lengthy for a summary document.	HR, LT, FR, MT
The permit is a legal document, and a permit summary would need to represent the permit very closely / exactly in order to avoid any risk of misrepresentation and/or error.	FR
There is a risk that the summaries may give weight to public opinion on compliance. There is a lot of detail needed to understand compliance and this belongs in the permit rather than in a summary.	DK
It is important to clarify what is meant exactly by a 'permit' in the context of a permit summary. Does it refer to a single document, or all of the requirements that apply to an installation but which may be spread over multiple documents?	NL

2.3.4 Webinar feedback

Following the development of a draft harmonised permit summary template, a webinar was held to gain feedback on the proposed structure and content before being finalised. The webinar was held on 15th February from 13:00-17:00 CET and invitees were Member State IED representatives (at both a national and sometimes regional level) and the EEB. A key part of the presentation involved explaining how the feedback from the survey and bilateral meetings had fed into the development of the draft permit summary template as well as presenting the draft template itself. Participants were sent a background paper in advance of the webinar, detailing an agenda for the webinar, key discussion points and the draft permit summary template. The background paper is included in Appendix 3. There were 103 attendees in total, including 7 representatives from the Commission, 6 from the project team, 1 from the EEA and 1 from the EEB. The remaining 88 were representatives from Member State Competent Authorities. Participants could provide feedback during the webinar Q&A discussion, by posting messages in the meeting chat or by emailing the project team within two weeks after the webinar was held.

A summary of the main discussion points and feedback received (both during and after the webinar) are provided in this section of the report.

Some Member States expressed concern at the potential for the permit summary to create additional burden for competent authorities. Different potential solutions were raised to mitigate this issue, including using machine-readable permit applications and the development of IT tools to digitalise the permit summary and allowing information to be drawn from other reporting sources such as the IEP. The point was also raised that it has not yet been determined who will bear this burden, and that it is possible that the responsibility to complete the permit summary could fall to permit holders. Most Member States who supported the concept of a summary thought that a digital summary was the most realistic option when considering the burden potential, although other Member States expressed concern that their internal systems were not yet configured to process IED permit information digitally. Two different viewpoints were also raised on the ultimate purpose of the template, with some participants thinking the primary purpose of the permit summary should be to improve access to information for the public, and others thinking that the process would be used to simplify automation and gathering of permit information (as well as improving access for the general public). This led to varying views on the final content of the permit summary and the level of detail needed. The legal basis of the permit summary was raised by a few Member States, who were concerned that the summary would be considered as a legal document and therefore any mistakes or discrepancies between the permit itself and the summary could have legal consequences.

When the specific permit content was presented to the attendees, a discussion was held on the various permit components and what aspects should be further developed or removed. The elements referred to in this paragraph reflect the sections of the earlier draft permit summary template as presented to the Member States, which can be found in the background paper in Appendix 3. Part A of the proposed permit summary template covers general information. A few Member States indicated that the E-PRTR facility ID in Section 1.1 was unnecessary, with one Member State suggesting that the Inspire ID code as reported in the EU Registry would also be useful. Some Member States indicated that information on the baseline report and the site EMS/Transformation plan was unnecessary and did not provide added value.

Part B of the draft permit summary template included information on ELVs applicable at the installation. Three options for presenting this information were outlined to webinar attendees.

- Option A only makes reference to the BATC applicable at the installation, which would signpost the reader to the BAT-AELs that could apply as ELVs at the installation.
- Option B provides a list of the full suite of emission points, pollutants, ELVs, averaging periods, reference conditions, and monitoring aspects.
- Option C follows the same format as Option B, but information is supplied only for the five largest emissions-to-air sources and three largest emissions-to-water sources.

Nearly all participants agreed that Option B was the most appropriate option, with the consensus being that Option A was not useful and did not provide added value. Option C was considered a potential option by a few Member States, but concerns were expressed that identifying the most significant emissions sources would not be straightforward, with a number of different potential approaches for doing so. Attendees indicated that the complexities in drafting the summaries with information on ELVs presented in this way would place a significant additional administrative burden on Competent Authorities. Although Option B was considered the most useful, a range of opinions were presented on the level of detail (i.e. the number of columns) that would be needed. Concerns were also expressed over the inclusion of lengthy tables listing information on potentially large numbers of release points in what should be a publicly accessible summary document. Multiple participants questioned the necessity of presenting information on monitoring frequency and methods, the emissions controls in place and the reference to applicable BAT. Some participants provided feedback on Section 2.4 of the permit summary template, which details derogations for emerging techniques, suggesting that this was unnecessary.

3 Permit summary information requirements

This section presents a proposal for the inclusion of different elements into the harmonised permit summary template. This is informed by the findings of the Member State survey and bilateral meetings (with the Member States and the EEB), as well as feedback from Member States during and following the webinar, presented in Section 2.

The following sections (3.1, 3.2 and 3.3) present options considered for inclusion in the harmonised permit summary, with recommendations for each of the permit summary components in light of the inputs provided (Section 2.3). Different permit summary elements are considered individually, with a view to facilitating a modular approach to drafting the harmonised permit summary template. An overview of proposed items for inclusion in the harmonised permit summary template is provided in Section 3.3.

Note that two Member States (France and Croatia) were opposed to the introduction of a harmonised permit summary, and therefore opposed inclusion of all elements.

3.1 Section A: General Information

3.1.1 Information about the installation and operator

Table 3.1 provides an example of the components concerning the installation and operator considered in the harmonised permit summary template.

Table 3.1 Information about the installation and operator

Information requirement	Example entry
Permit reference number (including both the E-PRTR facility ID, and the national permit number)	*IED/123ABC*
Operator name	*Operator GmbH*
Installation location	*Address and/or coordinates*
Direct link to permit and other relevant documentation	*URL(s)*
Baseline site condition report provided?	*Yes / No* *If yes, URL to the report or reference to the permit (if contained in the permit).*
Non-technical summary of installation activities	*The installation comprises a natural gas-fired power station for generating electricity for export to the national distribution network. Electricity is generated using two gas turbines, with additional generation using two heat recovery steam generators and a common steam turbine. The Operator manages the installation under an Environmental Management System (EMS) accredited to ISO14001:2015. Amongst others, the EMS contains procedures for optimising energy efficiency, minimising the consumption of raw materials and water, and measures to reduce the amount of waste generated by the activities taking place.*

Information requirement	Example entry
	Emissions to air of oxides of nitrogen (NOx) and carbon monoxide (CO) occur from the two heat recovery steam generator stacks or, when the heat recovery steam generator is not available, from the gas turbine bypass stacks. Emissions from all stacks are continuously monitored. Emissions are controlled through optimisation of the combustion process and the use of dry Low-NOx burners. There are periodic discharges of process effluents to sewer associated with the removal of portions of the recirculated steam/water system to maintain the quality of the feedwater to the heat recovery steam generator, and from the regeneration of equipment used to remove impurities from the incoming water to meet the required specifications of the heat recovery steam generator and prevent corrosion. These discharges are neutralised before being discharged to the local sewer network. The discharge is monitored for pH, temperature and flow. *The permit sets conditions controlling the management, operation and control of the activities, including the monitoring and reporting of emissions to relevant environmental media.*

3.1.2 Information about the permitted Annex I activities

This element of the permit summary would set out the IED Annex I activity code(s) and description(s) within the scope of the permit, along with the limits of activity specified in the permit. An example of this information incorporated into a permit summary template is set out in Table 3.2.

It would make sense to align the definition of the 'main activity' with the one used for the Industrial Emission Portal. The EEA guidance (2021)[6] defines main IED Annex I activity as:

> *"the main activity occurring within the Installation, which can be determined either qualitatively by considering the primary purpose of the installation, or quantitatively via comparing the amounts of product generated from each activity or the economic value associated with each activity occurring. If only one activity occurs within the installation, that activity automatically becomes the main activity."*

Other IED Annex I activities are defined as all other activities occurring with the facility except for the main activity.

Table 3.2 Information about the permitted Annex I activities

Annex I activity	Description of activity	Specified limits of activity
Example:		
Main activity		
Section 5.2(a)	*The incineration of non-hazardous waste*	*The incineration of non-hazardous waste in a two-line plant with a combined capacity of 40 tonnes per hour including the operation of boilers and auxiliary burners; facilities for the treatment of exhaust gases; storage and transfer of residues, surface water and waste water; facilities for treatment of water; systems for controlling and monitoring incineration operations; receipt, storage and handling of incoming wastes and raw materials (including fuels).*

[6] EEA (2021) EU Registry on Industrial Sites. Manual for Reporters. https://cdr.eionet.europa.eu/help/euregistry/Documents/EU%20Registry_Manual%20for%20Reporters_v1.11.pdf

Other permitted activities		
Section 5.3(b)(iii)	*Treatment by recovery of incinerator bottom ash*	*From the receipt, storage and treatment of incinerator bottom ash, to the storage and loading of incinerator bottom ash aggregate.* *Maximum treatment capacity of 80 tonnes per day.*

3.1.3 Log of permit updates/reviews

An example of information on permit updates and reviews incorporated into the permit summary template is set out in Table 3.3.

Table 3.3 Log of permit updates/reviews

Date	**Nature of update**
Example:	
05/06/2010	*Initial application for a permit by the Operator*
12/11/2010	*Application determined and permit granted (ref IED/ABC123)*
27/01/2015	*Application made to vary the permit to add new combined heat and power plant and increase the extent of the permitted installation boundary*
09/07/2015	*Variation application approved and varied permit issued*
10/02/2018	*Permit updated to reflect new non-ferrous metals BAT Conclusions*
Date of next scheduled review	***TBC or DD/MM/YYYY (if a review has been planned)***

3.2 Section B: ELVs and derogations

3.2.1 Information about emissions to air and water

One option ('Option A') for presenting information on emissions to air and water is to list applicable BATC as well as any derogations in effect (Section 3.2.4). It would then be possible to use the BAT references to identify associated emission limits (BAT-AELs) and avoid the repetition of detailed information on emission limit values, averaging periods, and reference conditions from the permit conditions. While this would not give a precise indication of the ELV that applies to the installation, it would serve as an indication of the range of emission controls in place and the abatement techniques that have been adopted. With reference to the general point raised that the harmonised permit summary should be aligned with existing reporting requirements for the IEP and that to the extent that it is possible to do so, applicable BAT-AEL reference numbers and the use of derogations is required by Commission Implementing Decision 2018/1135 [1.2.8 and 1.2.13, respectively]. Emissions information presented in this format are displayed in Table 3.4 for emissions to air, and Table 3.6 for emissions to water.

Where Member States have implemented BATCs via GBRs, the permit summary could alternatively make reference to these. While this option could minimise administrative burden for competent authorities, it would weaken the relevance of the information contained in the summaries. As noted by the German authorities, even where GBR are used, it will not be evident to a non-technical stakeholder how these

conditions apply to a specific installation. GBR require a degree of interpretation to understand how an ELV is implemented and what are the associated reference conditions. There is also a potential language barrier for those accessing permits from outside of the Member State.

A more detailed approach ('Option B') would entail listing individual emission points with the emission limit values applicable to specific pollutants, the averaging periods, reference conditions, monitoring requirements, and emission controls and linking this with the corresponding ranges in the BATC. This more detailed approach would involve duplication of information presented in the permit itself, and would place a greater administrative burden on competent authorities in extracting the required inputs and drafting the summary. However, it would enable a consolidation of (and easy access to) information that is often spread across multiple documents and ease of understanding what applies to the installation. Examples of information presented in this detailed format are set out in Table 3.5 and Table 3.7 for emissions to air and emissions to water, respectively.

As regards this more detailed approach, consultation with Member State authorities show that inspectorates regularly conduct this type of summary exercise as part of the site inspections they take to check compliance. In the case of Germany, for example, it was noted that prior to a site inspection, the authorities review multiple permits to compile the necessary information to conduct the inspection. For some regions in Germany, a consolidated permit has been developed to facilitate with this process. However, the extent to which it is appropriate to present this type of information in a harmonised permit summary was questioned, as outlined at the beginning of this section.

A third option ('Option C') would follow the same format as Option B, but would only present information for the five largest emissions-to-air sources, and three largest emissions-to-water sources. During the webinar and following feedback, most Member States indicated that Option B was the best option for presenting emissions information, with Option A not providing useful information. A number of Member States indicated that Option C was a potentially viable option, but overall concerns were expressed over the complexities of identifying the 'largest' emissions sources at a given installation, and the added burden this would present to Member State Competent Authorities.

Concerning Options B and C, several webinar participants indicated that information on monitoring frequency and methods, emissions controls, and the applicable BAT are of little interest to the public, and questioned their inclusion in the harmonised permit summary.

Table 3.4 Information supplied on applicable BAT Conclusions only for emissions to air ('Option A')

Emission Point reference	Pollutants emitted	Applicable BATC/BAT-AEL reference	Link to BATCs
Example:			
A1 (main stack of incineration process)	*NOx, CO, SO_2, HF, HCl, PM, metals (Cd, Tl, Hg, As, Cu, Co, Cr, Mn, Pb, Zn, Ni, V), dioxin and furans, dioxin-like PCBs, PAHs*	*WI BATCs:* *- BAT 25 (Table 3)* *- BAT 27 and 28 (Table 5)* *- BAT 29 (Table 6)* *- BAT 30 (Table 7)* *- BAT 31 (Table 8)*	*https://eur-lex.europa.eu/eli/dec_impl/2019/2010/oj*

Note: *Hypothetical BAT-AEL references provided.

Table 3.5 Full list of emission limit values and monitoring requirements provided for each pollutant and emission source for emissions to air ('Option B')

Emission Point reference	Pollutant	Emission Limit Value	Averaging Period	Reference Conditions	Monitoring Frequency	Monitoring Method	Emission Controls	BAT-AEL or IED reference *
Example:								
A1 (main stack of incineration process)	*NO_x*	*50 mg/Nm^3*	*Daily average*	*273K, 101.3kPa, 11% O_2, dry gas*	*Continuous*	*EN 15267-3 and EN 14181*	*Optimisation of the incineration process and SCR*	*WI BAT 29 (Table 6)*
		400 mg/Nm^3	*Maximum half-hourly average*					*IED Annex VI, Part 3, Point 1.2*
	Cd + Tl	*0.02 mg/N m^3*	*Average over the sampling period*	*273K, 101.3kPa, 11% O2, dry gas*	*Every 6 months*	*EN 14385*	*Bag filter*	*WI BAT 25 (Table 3)*

Note: *Hypothetical BAT-AEL references provided.

Table 3.6 Information supplied on applicable BAT Conclusions only for emissions to water ('Option A')

Emission Point reference	Pollutants emitted	Applicable BATC/BAT-AEL reference	Link to BATCs
Example:			
W1 (direct emissions to a receiving water body of treated effluent from wet flue gas scrubber on incineration plant)	*TSS, TOC, metals (As, Cd, Cr, Cu, Hg, Ni, Pb, Sb, Tl, Zn), NH_4-N, SO_4^{2-}, dioxins and furans*	*WI BATCs:* *- BAT 32, 33 and 34 (Table 9)*	*https://eur-lex.europa.eu/eli/dec_impl/2019/2010/oj*

Table 3.7 Full list of emission limit values and monitoring requirements provided for each pollutant and emission source for emissions to water ('Option B')

Emission Point reference	Pollutant	Emission Limit Value	Monitoring Frequency	Monitoring Method	Emission Controls	BAT-AEL reference*
Example:						
	TSS	*10 mg/l*	*Once every day*	*EN 872*	*Optimisation of the incineration process and FGC system.*	*WI BAT 34 (Table 9)*

Emission Point reference	Pollutant	Emission Limit Value	Monitoring Frequency	Monitoring Method	Emission Controls	BAT-AEL reference*
W1 (discharge of treated effluent to surface water from wet flue gas scrubber on incineration plant	*Cd*	*0.005 mg/l*	*Once every month*	*EN ISO 11885*	*Effluent treatment plant comprising equalisation, neutralisation, physical separation, precipitation, adsorption on activated carbon, reverse osmosis, coagulation and flocculation, and final filtration.*	*WI BAT 34 (Table 9)*

Note: *Hypothetical BAT-AEL references provided.

3.2.2 Information about other monitoring and reporting requirements

An example of how information on monitoring and reporting requirements may be presented in the permit summary is displayed in Table 3.8.

Table 3.8 Information about other monitoring and reporting requirements

Parameter	Reporting frequency	Units
Example:		
Consumption of electrical power	*Quarterly*	*kWh and kWh / tonne of product*
Consumption of water	*Quarterly*	*M^3 and m^3 / tonne of product*
Periods of abnormal operation	*Monthly*	*Number of occasions and cumulative hours for the calendar year*

3.2.3 Information about wastes accepted and generated at the installation

An example format for information on wastes accepted and generated at a permitted installation is provided in Table 3.9 and Table 3.10.

Table 3.9 Information about wastes accepted at the installation

EWC code	Description of waste	Limit (t/y)
Example:		
15 01 01	*Paper and cardboard packaging*	*80,000*

Table 3.10 Information about wastes generated

Waste type	Typical quantity produced (t/y)	Disposal / recovery route	Measures in place to minimise waste generation

Example:			
Air pollution control residues	*10,000*	*Sent off-site to a suitably licensed hazardous waste landfill for disposal*	*Optimised dosing of solid reagents to control flue gas emissions with the dosing rate determined by reference to the monitored concentrations of key pollutants.*

3.2.4 Information about applicable BATCs and derogations from BATCs

A proposed format for presenting information on BATCs and derogations is shown in Table 3.11. Where a less detailed approach to presenting emissions to air and water in the permit summary is adopted, the summary of BATCs and derogations would also act as a signpost to applicable emission limit values at emission point (see Section 3.2.1).

Table 3.11 Information about applicable BATCs and derogations from BATCs

Source	BAT-AEL reference	Details of the derogation	Justification	Expiry date of derogation
Example:				
Commission implementing decision of 30 November 2021 establishing best available techniques (BAT) conclusions, under Directive 2010/75/EU of the European Parliament and of the Council, for large combustion plants		*N/A – All relevant BAT Conclusions incorporated into permit*		
Commission Implementing Decision of 9 October 2014 establishing best available techniques (BAT) conclusions, under Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions, for the refining of mineral oil and gas	*REF-Dust-BAT25-II*	*Derogation from the BAT-AEL dust for existing catalytic cracking units.* *Emission limit value is set at 65 mg/Nm^3*	*The operator has submitted a cost-benefit analysis that demonstrates that the costs to upgrade the existing electrostatic precipitator would be disproportionate to the monetised benefits of operating at the BAT-AEL using impact pathway approaches.* *Existing dust emissions from the regenerator of the catalytic cracking unit typically range between 45 – 65 mg/Nm^3 and compliance with the BAT-AEL could not be demonstrated in all instances without further upgrades to the ESP. The catalytic cracking unit and ESP are 25 years old and located in a congested area of the refinery with constraints on space availability.*	*20/11/2022*

Source	BAT-AEL reference	Details of the derogation	Justification	Expiry date of derogation
			This would require bespoke engineering solutions which would substantially increase the costs of the upgrade. *The refinery is located in a remote location with the nearest residential area more than 2 km from the emission source, whilst the catalytic cracking unit has a tall stack (105 m). Consequently, dispersion modelling indicates process contributions of PM_{10} and $PM_{2.5}$ are a negligible fraction of the ambient Limit Values.* *The net present costs of upgrading the ESP were found to outweigh the net present benefits by a factor of 7.8:1 and are considered disproportionate.* *The derogation will be reviewed at the next permit update.*	

3.3 Overview of proposed harmonised permit summary content

Based on the evidence reviewed (in terms of what existing approaches to permitting are and what the main challenges authorities face) and taking into account Member State and EEB feedback to the suggested harmonised permit summary content, we have undertaken an assessment to inform recommendations for what should be included in the summary template. Table 3.12 presents the findings for the assessment.

The assessment criteria applied are:

- ✓: Content recommended for inclusion in harmonised permit summary.
- ✗: Content not recommended for inclusion in harmonised permit summary.
- ?: Content recommended for inclusion in harmonised permit summary but the level of detail that is appropriate requires further assessment / discussion with the Commission and/or EEA.

The final draft harmonised permit summary template, including only those reporting items scoped into the template as per Table 3.12, is presented in Appendix 4.

Table 3.12 Draft assessment of what to include in harmonised permit summary

Content heading	Assessment on inclusion	Explanation for assessment
Information about the installation and operator	✓	Potential for streamlining with reporting requirements of the Industrial Emissions Portal (administrative information) and permit applications (non-technical summary). Information on the baseline report was not considered necessary, and is excluded from this content heading.
Information about the permitted Annex I activities	✓	Potential for streamlining with reporting requirements of the Industrial Emissions Portal (main activity and associated activities are reported to

Content heading	Assessment on inclusion	Explanation for assessment
		the Portal). It would make sense to align the definition of the 'main activity' and the one used for the Industrial Emission Portal.
Information about emissions to air and water	✓	General agreement that this information is needed insofar as to describe the environmental pressures from the installation; however, opinions diverge as to the level of detail that should be included in a harmonised permit summary. Based on feedback from Member State Competent Authorities during consultation and in the webinar, Option B for presenting emissions information has been selected for inclusion in the harmonized permit summary template. This provides more meaningful information than Option A, and does not present the same complexities and added burden of Option C in identifying the 'largest' emissions sources. Information on monitoring methods, emission controls and the reference to BAT-AEL and the IED is considered of limited important and has been excluded from this content heading.
Information about other monitoring and reporting requirements	✗	Presenting this information consistently is not always feasible as some requirements are particularly wide ranging and complex.
Information about wastes accepted and generated at the installation	✗	Information on waste would be time-consuming owing to the length of information it would entail. The burden is not justified in view of the limited additional insight it would provide for understanding the environmental impact of the installation.
Information about applicable BATCs and derogations from BATCs	✓	Useful to include to understand how BATC are implemented. Derogations are not widely used by Member States – the administrative burden would be greatest for those Member States that have granted derogations but there is potential for streamlining with reporting requirements of the Industrial Emissions Portal. Information on the justification of derogations has been excluded from this content requirement.
Summary of environmental management system and Transformation Plan	✗	Too complex and technical to be meaningfully condensed for the purpose of a permit summary. A URL to where this information is stored was not considered useful by Member State participants of the webinar.
Summary of measures addressing aspects without a specific limit	✗	Summarizing narrative BATC would be particularly time-consuming. Inclusion in the summary would likely have limited added value for understanding overall environmental impact of the installation and conditions that apply.
Details on other flexibility granted for the use of emerging techniques	✗	Member State participants of the webinar indicated that this is not a necessary item for inclusion in the summary, and is relevant only to a small number of installations.
Log of permit updates / reviews	✓	This could be a first step towards preparing a consolidated permit. There is less added value where a consolidated permit has been issued. Not always feasible to be precise about the date of next scheduled permit review (trigger for review date is subject to change) but important that an indicative timeline is at least provided.

Content heading	Assessment on inclusion	Explanation for assessment
Summary of stakeholder consultation or public participation undertaken during the permitting process	✗	Inclusion in the summary would likely have limited added value for understanding overall environmental impact of the installation. Instead a link could be provided to where this information is held.

Member State Competent Authorities are already required to report information on IED permitted installations as part of their obligations under the E-PRTR Regulation, as well as Commission Implementing Decision 2018/1135 (EU Registry). Table 3.13 compares each reporting requirement proposed under the harmonised permit summary template against these existing reporting requirements. Where certain information is already reported under an existing requirement, it can be readily applied to the new reporting requirements associated with a harmonised permit summary and therefore would not present a significant added administrative burden. The table also includes a column to indicate what information may be reported under the revised E-PRTR Regulation currently under negotiation (and renamed as the Industrial Emissions Portal Regulation)[7].

Table 3.13 Comparison of permit summary items with existing reporting requirements

Permit summary item	Requirement under:			Comments
	E-PRTR Regulation?	Commission Implementing Decision 2018/1135?	Proposed IEP Regulation (under negotiation)	
Section A – General information				
Operator name	Yes (name of facility and parent company)	Yes (name of the installation)	Yes (name of facility and parent company)	
Installation location	Yes	Yes (coordinates required)	Yes	
Direct link to permit and other relevant documentation	No	Yes (where permit has been made available to the public)	No	In practice, for some MSs a direct link to the permit is not provided. Instead a link to a general permitting website / portal is reported. For some MSs some permits are not publicly available (for some installations and/or regions).
Non-technical summary of installation activities	No	No	No	

[7] https://environment.ec.europa.eu/publications/proposal-regulation-industrial-emissions-portal_en

Permit summary item	Requirement under:			Comments
	E-PRTR Regulation?	Commission Implementing Decision 2018/1135?	Proposed IEP Regulation (under negotiation)	
Annex I activity (main activity)	Yes	Yes	Yes	
Specified limits of main activity	No	No	Yes – contextual information to be provided e.g. production volumes.	Specific capacity details provided for LCPs and waste incineration / co-incineration plants to EU Registry.
Annex I activity (other activity/ies)	Yes	Yes	Yes	
Specified limits of other activity/ies	No	No	Yes – contextual information to be provided e.g. production volumes.	
Log of permit updates / review	No	Yes (details of permit granted and if it has been reconsidered and when)	No	
Date of next scheduled review	No	No	No	
Section B – ELVs and derogations – emissions to air				
ELV, by pollutant, by emission point	No	No	No	
Averaging period	No	No	No	
Reference conditions	No	No	No	
Monitoring frequency	No	No	No	
Section B – ELVs and derogations – emissions to water				
ELV, by pollutant, by emission point	No	No	No	

Permit summary item	Requirement under:			Comments
	E-PRTR Regulation?	Commission Implementing Decision 2018/1135?	Proposed IEP Regulation (under negotiation)	
Monitoring frequency	No	No	No	
Section B – ELVs and derogations - applicable BAT Conclusions and approved derogations for both emissions to air and water				
BAT-AEL reference	No	Yes	No	
Details of derogation	No	Yes (URL making available to the public the specific reasons for the derogation)	No	
Expiry date of derogation	No	Yes	No	

4 Appendices

Appendix 1: Member State data collection template

Appendix 2: Member State responses

Appendix 3: Webinar background paper

Appendix 4: Final proposed template

A1 Appendix 1: Member State data collection template

See separate file.

A2 Appendix 2: Member State responses

See separate file.

A3 Appendix 3: Webinar background paper

See separate file.

A4 Appendix 4: Final proposed template

See separate file.