



Interfaces between EU-legislation regarding hazardous substances in industrial installations

Introduction

Michael Suhr German Environment Agency

Tallinn, 21. 05.2019



Starting point for WP 3 – Policy improvement

- Industrial installations are still an important source for the release of hazardous substances to the environment
 - relevant pressure leading to failure to achieve good chemical status in EU member states are discharges from urban WWTP to which also industrial installations discharge
 - Mercury and brominated diphenyl ethers are the main substances responsible for failure to achieve good chemical status. Additionally, cadmium, lead, nickel, nonylphenol and DEHP are causing the failure of good status. For organic pollutants there is lack of data
 - there is no evidence in the EEA reports on which industrial sources/sectors may contribute to the failure to meet good chemical status – but also incomplete monitoring
- Industrial Emissions Directive (IED) = main instrument on EU level to control industrial releases; particularly BAT reference documents (BREFs) / BAT conclusions for different industrial sectors
- Gap to be addressed: BREFs do not always and systematically contain sufficient information on specific hazardous chemicals, chemicals management and abatement measures to guide permitting authorities or industries



Work Package 3

WP 3 – Policy improvement

- 3.1 Analysis of the interfaces, links or gaps between the different pieces of EU-legislations and marine convention \rightarrow report
- 3.2 Development of method to include information of hazardous substances into BREFs

Analysis of relevant EU-regulations regarding emissions of hazardous substances



Understanding links and gaps between different European legislation providing data on relevant substances and setting requirements to reduce their emissions and BAT conclusions

Development of method to includeinformation of hazardoussubstances into BREFs



Practicable method how to include systematically and at the right time information on hazardous substances in the BREFs/BAT conclusions



Subject of HAZBREF activity 3.1

Analysis of interfaces, links or gaps between the different pieces of EU-legislations and HELCOM concerning hazardous substances:

- REACH-Regulation (EC) 1907/2006
- Water Framework Directive 2000/60/EC & Marine Strategy Framework Directive 2008/56/EC
- Waste legislation
- POP Regulation (EC) 850/2004
- HELCOM Convention

Questions:

- Main instruments of legal frameworks with respect to hazardous substances
- O What kind of information on hazardous substances?
- O (How) could these information be considered in the BREF review process?
- O Which key actors of legal frameworks?
- Detect information flow between different key actors and EIPPCB and TWG
- How could information flow between key actors and EIPPCB/TWG could be improved?

Next steps:

Draft report will be sent for comments end of May 2019; then: Meeting



Analysis of relevant EU-regulations – some proposals

Interface Water framework Directive - IED

Provide Data

Actors

- European Commission
 - DG ENV
 - CIS Working Group on Chemicals (WG CHEM)
- Member State representatives

Information/ data on hazardous substances

- Information on priority (hazardous) substances Annex X WFD, Directive 2013/39/EU
- Substances on European Watch-List (if relevant and prospectively becoming priority substances)
- River Basin Specific Pollutants, if identified in at least 3 Member States
- Substances relevant for groundwater protection being subject to threshold value setting (GWD Annex II pollutants)

Generate data

EIPPCB and TWGs

- Validation of information
- Preparation for and discussion in TWG

BREFs / BAT Conclusions

- Consideration by TWG in BREF elaboration process, e.g. as KEIs
- Reflection in BAT Conclusions

Data assessment

Processing of data





Analysis of relevant EU-regulations – some proposals

Interface REACH - IED

Provides Data

Information / Data on hazardous substances

- Information from registration dossiers for 21500 substances manufactured or imported to the EU (publically available in ECHA database)
- Information on substances of very high concern (hazardous substances fulfilling criteria according to Art. 57 REACH) listed in Candidate List for authorisation
- Information on authorisation granted (Annex XIV) including information on alternatives / substitution scenarios, socio economic analysis
- Information on restrictions adopted (Annex XVII) (restricted uses)
- Information on current or future regulatory measures, risk management option analysis (Public activities coordination tool)
- Information on safe use in extended Safety data sheets

EIPPCB and TWGs

- Validation of information
- Preparation for Technical Working Group

BREFs / BAT Conclusions

- Identification of target substances relevant for BREFs
- Consideration of substances identified as hazardous under REACH in BREFs
- Identifying risk management measures and/or substitution
- Reflection in BAT Conclusions

Processing of Data

Gather/Administer Data



Actors

Industry

• European

• European

National

Chemistry

Agency (ECHA)

Commission

Authorities



Development of BAT for hazardous chemicals in BREF processes

- hazardous substances / chemicals do not fit into Key Environmental Issue approach
- often not enough data to derive BAT AELs
- Complementary approach necessary

Identification of substances in frontloading

TWG selection of target substances

Information from:

- ECHA database
- National registers (e.g. SPIN)

HAZBREF

- Others

Traditional pathway

KEI for data collection through questionnairies

Relevant hazardous

substances/chemicals

Additional, new focus

Monitoring requirements

Possible BAT AE(P)Ls

BATs for abatement measures for (groups of) substances

General BATs for chemical management

Recommendations for substitution of certain (groups of) substances

References how to find relevant substances

/





Thank You for your attention!

IMPROVING THE MANAGEMENT OF CHEMICALS IN INDUSTRY

PREVENTING EMISSIONS OF HAZARDOUS SUBSTANCES

Ballic Sea

DURATION

OCT 2017—SEP 2020

FUNDED BY

EU INTERREG BALTIC SEA REGION PROGRAMME TOTAL BUDGET EUR 1.99 MILLION EUROPEAN REGIONAL DEVELOPMENT REGIONAL DEVELOPMENT FUND: EUR 1.534 MILLION

www.syke.fi/projects/hazbref











