



*Actualiteiten Richtlijn
Industriële Emissies
in vogelvlucht*

VMR Actualiteitendag 22 maart 2018

Door Jochem Spaans

Richtlijn 2010/75/EU ('IPPC-recast')

Geïntegreerde vergunningverlening voor IPPC-installaties

Afwijken/flexibiliteit

BREFs en BBT-conclusies:
<http://eippcb.jrc.ec.europa.eu/reference/>

'Implementatie' binnen 4 jaar na publicatie BBT-conclusies

Omgevingsvergunning (Type C), algemene regels voor IPPC-inrichtingen

Inbouw NeR in Activiteitenbesluit, regeling ZZS, etc.

The screenshot shows the European Commission website for the IPPC Directive. At the top, there is a navigation bar with the European Commission logo and the word 'ENVIRONMENT'. Below this is a breadcrumb trail: 'European Commission > Environment > Industry > Industrial Emissions > The IPPC Directive'. A green navigation bar contains links for 'Home', 'About us', 'Policies', 'Funding', and 'Legal compliance'. A dropdown menu for 'IPPC' is open, showing 'Introduction', 'Summary', and 'Legislation'. The main content area is titled 'The IPPC Directive' and includes a sub-heading 'Revision of the IPPC Directive' and a link 'Towards an improved policy on industrial policy'. A red stamp with the text 'ARCHIVED ON 01/01/2014' is overlaid on the page.

Actualiteiten beleid



Verslag van de Commissie betreffende de uitvoering van Richtlijn 2010/75/EU (COM(2017) 727 final) van 4 december 2017

Kamervragen inzake naleving RIE van 29 maart en 24 oktober 2017

Evaluatie inbouw NeR in het Activiteitenbesluit door Royal HaskoningDHV van 30 november 2017

Implementatie Richtlijn 2015/2193/EG middelgrote stookinstallaties in Activiteitenbesluit

Omgevingswet: milieubelastende activiteit onder het Besluit activiteiten leefomgeving

Actualiteiten BREFs en BBT-conclusies

2016		2017	
15-18 November 2016	Kick-off meeting for the review of the Ferrous Metals Processing (FMP) BREF.		
20 October 2016	The ninth meeting of the IED Article 13 Forum took place to give an opinion on the BREF for Large Combustion Plants (LCP) as well as to discuss the update of the Work programme.		
3 October 2016	The tenth meeting of the IED Art Rearing of Poultry or Pigs.	5 June 2017	The final draft of the revised JRC Reference Report on Monitoring of Emissions to Air and Water from IED Installations (ROM) has been issued.
30 June 2016	The Commission implementing decision published on the Official Journal	24 May 2017	The first draft of the revised BREF on Waste Incineration (WI) has been issued. Deadline to receive comments: 08 September 2017.
9 June 2016	The Commission implementing decision Treatment/Management Systems in	28 April 2017	The eleventh meeting of the IED Article 75 Committee took place to give an opinion on the BAT conclusions for Large Combustion Plants.
28 June 2016	The final draft of the BREF on I Article 13 Forum comments: 23/09	21 April 2017	Corrigendum to Commission Implementing Decision 2017/32/EU of 15 February 2017 establishing the best available techniques (BAT) conclusions for the Intensive Rearing of Poultry or Pigs.
29 April 2016	The call for initial positions for the submitting positions: 29 April 2016	5 April 2017	The tenth meeting of the IED Article 13 Forum took place to give an opinion on the Final draft of Large Volume Organic Chemicals BREF as well as to discuss standard text for BAT conclusions and the update of the work programme for 2017.
25-29 April 2016	The final TWG meeting for the review	19-23 March 2017	Final TWG meeting for the review of the Waste Treatment (WT) BREF in Seville.
		21 February 2017	The Commission implementing decision establishing the BAT conclusions for the Intensive Rearing of Poultry or Pigs has been published on the Official Journal of the European Union.
		8 February 2017	The first draft of the revised BREF in the Food, Drink and Milk Industries (FDM) has been issued on 31/01/2017. Deadline to receive comments: 21 April 2017.
		31 January 2017	The call for initial positions for the drawing up of the Common Waste Gas Treatment in the Chemical Sector (WGC) BREF has been issued. Deadline for submitting positions.

Actualiteiten jurisprudentie

Toepassingsbereik

- Rb. Noord-Nederland 15 juni 2017, ECLI:NL:RBNNE:2017:2191 (M&R 2017/125 m.nt. Collignon; capaciteit)
- ABRvS 24 augustus 2016, ECLI:NL:RVS:2016:2327 (nationale oplegnotitie)
- ABRvS 26 juli 2017, ECLI:NL:RVS:2017:2022 (verhouding tot regeling ZZS)

BBT

- ABRvS 20 juli 2016, ECLI:NL:RVS:2016:2011 (BBT en ongewijzigd deel van inrichting)
- ABRvS 17 augustus 2016, ECLI:NL:RVS:2016:2245 (M&R 2016/143 m.nt. Collignon c.s.; toets aan eerder BREF?)
- Rb. Zeeland West-Brabant 28 april 2016, ECLI:NL:RBZWB:2016:2618 (rekening houden met BBT-conclusies)

Actualiteiten jurisprudentie

Rol initiatiefnemer

- Rb. Oost-Brabant 29 augustus 2017, ECLI:NL:RBOBR:2017:4560 (BBT-toets bij aanvraag)
- Rb. Overijssel 9 februari 2018, ECLI:NL:RBOVE:2018:400 (StAB-advisering)

Monitoring

- ABRvS 16 december 2015, ECLI:NL:RVS:2015:3826 (doelvoorschriften en monitoring)

Vooruitblik

Meer BREF updates/
BBT-conclusies

Actualiseren
bij herziene
BBT-conclusies
(art. 5.10 Bor);
verlaten grondslag
aanvraag
(art. 2.31a Wabo)

'Best waste
management and
resource efficiency
practices' in
BREFs (Circular
Economy package)

Vragen?

jochem.spkans@allenovery.com / 020 – 674 1500



These are presentation slides only. The information within these slides does not constitute definitive advice and should not be used as the basis for giving definitive advice without checking the primary sources.

Allen & Overy means Allen & Overy LLP and/or its affiliated undertakings. The term partner is used to refer to a member of Allen & Overy LLP or an employee or consultant with equivalent standing and qualifications or an individual with equivalent status in one of Allen & Overy LLP's affiliated undertakings.