

**EUROPEAN COMMISSION**  
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Institute for Prospective Technological Studies (Seville)  
**Sustainable Production and Consumption Unit**  
European IPPC Bureau

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**Subject: GUIDELINES FOR THE EXPRESSION OF POSITIONS ON THE REVIEW OF THE REFERENCE DOCUMENT ON BEST AVAILABLE TECHNIQUES FOR WASTE INCINERATION**

Dear Waste Incineration TWG members,

Welcome! It is our pleasure to welcome you as members of the Technical Working Group (TWG) for the review of the reference document on Best Available Techniques for Waste Incineration, the WI BREF.

The review of the WI BREF started with the reactivation of the TWG (the subject of the letter from Luis Delgado dated 12 May 2014) which resulted, as of today, in an updated provisional list of 163 members that is available in the BAT Information System (BATIS).

You should have recently received your access credentials for BATIS login at the web address <http://eippcb.jrc.ec.europa.eu/batis/login.jsp>. Information on data processing and protection can be found in the BREF Guidance and in the privacy statement published on the EIPPCB website at [http://eippcb.jrc.ec.europa.eu/reference/BREF/Privacy\\_Statement\\_BATIS\\_DPO-1586.pdf](http://eippcb.jrc.ec.europa.eu/reference/BREF/Privacy_Statement_BATIS_DPO-1586.pdf). Please review the contact details given in BATIS in relation to your profile. Should you find incorrect information, or for general questions about BATIS login, or for any changes of contact details, please contact the EIPPCB Secretariat (email: [jrc-ipts-eippcb@ec.europa.eu](mailto:jrc-ipts-eippcb@ec.europa.eu), Tel: +34 954 488 284, fax: +34 954 488 426).

In the next pages, we give some guidelines on the upcoming review of the WI BREF:

- Main steps for the review of the WI BREF
- Role of a TWG member as detailed by the Commission implementing decision 2012/119/EU, better known as the "BREF Guidance"
- Guidelines for the expression of TWG members' initial positions on the main issues of the WI BREF review.

You are kindly asked to express your initial positions on the WI BREF review by

**12 September 2014**

at the latest, by following the guidelines given in the next pages.

The WI TWG kick-off meeting could take place in December 2014, (e.g. in the week 9-12 December 2014, indicative date). At this stage, we would like to ask you to consider blocking that week in your agenda. However, we would like to point out that these dates are still indicative and could change depending on the progress on the WI BREF review, but also on the overall work planning of the EIPPCB. So please do not book any flights or hotel rooms until you receive the official invitation in due course.

### **Main steps for the review of the WI BREF**

The main steps for the review of the WI BREF will follow the typical workflow for the drawing up and reviewing of BREFs given in the BREF Guidance Section 1.2.4:

- ✓ Preparation for the review by the EIPPCB (done, started in May 2014)
- ✓ TWG reactivation (done, May 2014)
- ✓ Call for the expression of TWG members' initial positions and related guidelines (this document and message)
- Expression of TWG members' positions (deadline: 12 September 2014)
- Kick-off meeting of the TWG (indicative date: 9 – 12 December 2014)
- Submission of information (deadline will be set)
- Drawing up of the first formal draft of the reviewed WI BREF
- TWG comments on the first draft
- Final TWG meeting
- Final draft
- Presentation at an IED Article 13 forum meeting
- BAT conclusions voted on at the IED Article 75 committee meeting
- Publication of the BAT conclusions in the Official Journal of the European Union
- Publication of the BREF on the EIPPCB website.

## **Role of a TWG member**

We would like to stress that TWG members are nominated to participate in the information exchange for the elaboration and review of BREFs primarily based on their technical and/or regulatory expertise as well as on their ability to bring in the BREF end user's perspective. The tasks and duties of a TWG member are detailed in the "BREF Guidance" that can be downloaded from the link given below:

Commission implementing decision (2012/119/EU) of 10 February 2012 laying down rules concerning guidance on the collection of data and on the drawing up of BAT reference documents and on their quality assurance referred to in the Industrial Emissions Directive 2010/75/EU (IED):

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:063:FULL:EN:PDF>

For your convenience, the main tasks of a TWG member described in the BREF Guidance are reported below for the case of the WI BREF:

The main tasks of a WI TWG member are:

1. to gain an awareness and understanding of the BREF Guidance;
2. to identify and list new/updated key data and issues relevant for deriving or updating BAT conclusions for the sector;
3. to actively collect targeted technical and economic information important for the reviewing of the WI BREF, including in particular new/updated emission and consumption level data from installations covered by the BREF (for the sector/Member State that he/she is representing), according to the process agreed by the TWG based on the general guidance of the EIPPCB in line with the principles set out in the BREF Guidance, also with a view to dealing with issues like confidential business information, sensitive information under competition law, conflict of interests and other related matters;
4. to check the quality of the data and information collected before submitting them to the EIPPCB, in particular the data contained in the filled-in templates/questionnaires used to gather plant- or installation-specific information (see the BREF Guidance Sections 5.4 and 5.5);
5. to share the data collected with other WI TWG members and the EIPPCB by posting the information directly onto BATIS, with the possible exception of confidential business information or sensitive information under competition law (exceptionally, data may be submitted through other electronic means, e.g. via email);
6. to respond in a timely manner to requests for additional information or clarifications from the EIPPCB;
7. to comment within the set deadlines on the formal draft of the WI BREF and other documents prepared by the EIPPCB;
8. to attend the WI TWG meetings and actively participate in them;
9. to share experience with the EIPPCB and other WI TWG members (e.g. during site visits to waste incineration installations);

10. to identify and establish contacts/networks with non-TWG members (e.g. shadow groups of experts, competent authorities, operators or groups of operators, national groups) to gain more experience to be shared with the rest of the WI TWG and the EIPPCB.

Most of the work for WI TWG members can be expected to take place outside of the plenary meetings in the form of submitting information and reviewing draft text proposals. In particular, the successful development of the WI BREF requires the TWG to respond in detail to substantial draft documents within a limited time.

### **Guidelines for the expression of TWG members' positions on the main issues of the WI BREF review**

Considering the timeline for a BREF review given in the BREF Guidance and the discussions at the IED forum meeting of 6 June 2013, the WI TWG will work under the following approach:

- Adopt a focused approach to the overall WI BREF review process by:
  - focusing on BAT conclusions (and the associated BAT candidate chapter);
  - targeting the most polluting sectors/sub-sectors;
  - targeting a limited number of key environmental issues;
  - collecting sound and reliable data, followed by appropriate data processing;
- Strictly limit the possibilities for time slippages;
- 'Front-load' the exchange of information.

This way of working, valid for the whole WI BREF review, also entails the former "wish list" step being more focused to properly front-load the information exchange.

To this end, the TWG members are sent the following documents:

1. These guidelines (**document 1**) on the way each TWG member is invited to express his/her position<sup>1</sup>.
2. A 'key issues' document (**document 2**), containing proposals for:
  - a. the scope of the revised BREF and BAT conclusions;
  - b. the structure of the BAT conclusions, according to the IED, the BREF Guidance, and the scope;
  - c. some questions on key environmental issues, including the way to express BAT-AELs in terms of averaging periods and units of measurement.
3. A set of BAT conclusions (**document 3**); these BAT conclusions have been written as if the current BREF had been written under the IED. They give an indication of how the BAT

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<sup>1</sup> This step corresponds to the "call for wishes" indicated in Section 4.6.1 of the BREF Guidance.

conclusions would look if no changes were made to the BREF. They are therefore a **starting point** for the BREF review, intended to assist the TWG to identify priority areas for the upcoming WI BREF review.

4. An excel file template (**document 4**) for the expression of positions.
5. A presentation with a quick introduction on how to post information onto the BATIS platform (**document 5**, a more thorough presentation of BATIS and of its main functionalities will be given to the participants of the kick-off meeting).

Please consider that these documents are only for the front-loading input to focus the discussion on the most important issues. **These documents do not prejudge in any way the future BAT conclusions that will be shaped by means of the TWG exchange of information.**

The TWG members are invited to express their position on the review of the WI BREF, mainly by replying to the following questions by means of clear rationales that will inform the discussion at the upcoming kick-off meeting:

- I On scope, (see also BREF Guidance Section 2.3.3); please check carefully what is proposed to be covered and what is proposed to be excluded:
  - a. Do you agree with the proposed scope of document 2?
  - b. Do you think that any part of the scope needs to be removed, added or clarified?
- II On BREF/BAT conclusions' structure (see also BREF Guidance Sections 2.2, 2.3.8 and Chapter 3):
  - a. Do you agree with the proposed structure of the BREF? In document 2, it is proposed to follow the standard structure.
  - b. Do you agree with the proposed structure of the BAT conclusions? In document 2, the first level is identified by incinerator type and the lower levels by key environmental issues.
- III On the key environmental issues for the WI sector (see also BREF Guidance Sections 3.3 and 5.4):
  - a. Which are the key environmental issues to consider for the sector?
  - b. Please include missing or incomplete BAT conclusions, (see document 3) including an associated key environmental issue together with a proposed averaging period and unit of measurement.
  - c. If you think that in document 3 an important environmental parameter is not covered (e.g. emissions to air of a certain pollutant) or is not covered in the correct way, please indicate this by considering whether there is availability of plants that are:
    - monitoring the environmental parameter
    - willing to participate in the data collection

- targeting the environmental issue by means of primary and/or end-of-pipe techniques.

This information will be needed to be able to discuss it at the kick-off meeting.

- d. Do you agree with the proposed way of expressing the BAT-associated environmental performance levels representing the performance of BAT tackling a specific environmental issue? (i.e. type and format of the sector-specific data, e.g. long-term vs. short-term averaging period, concentration vs. specific load). Please check if the proposed averaging period and monitoring frequency correspond to the real practice of the WI sector. This is crucial to clarify the type and format of sound, plant-specific data collection that will inform the review.
- e. Do you believe that some of the proposed parameters could entail confidentiality issues (according to its definition given in the BREF Guidance Section 5.3)?

Other points on which the TWG members may provide their position (e.g. "Techniques to consider in the determination of BAT", "Current emission and consumption levels" or "Emerging techniques") are not likely to be discussed in depth at the kick-off meeting, but they will become crucial at the time of data and information collection.

#### IV On techniques and environmental performances:

- Are you aware of well-established techniques missing from the WI BREF chapter "Techniques to consider in the determination of BAT"?
- Which of the emerging techniques described in the current WI BREF can now be considered well-established at an industrial level?
- Please provide a list of the missing candidate techniques that are implemented in the WI sector to help to develop the questionnaire template for the data collection. At this stage, no details are needed; detailed information will be collected by means of the data and information collection following the kick-off meeting.

TWG member positions on other issues are indeed less strategic at this stage since, to focus, front-load and streamline the exchange of information, some issues will be discussed later on in the review process. For example, on the basis of the decisions taken at the kick-off meeting, information on:

- incompletely described candidate techniques (e.g. on economics, on applicability restrictions, on improvement achieved by a certain technique),
- emerging techniques,
- the range of observed emissions and consumption,

will be better collected during the data and bulk information collection step and fine-tuned during the first draft WI BREF commenting step.

The TWG members are invited to compile their positions by means of the excel file template (**document 4**) following these guidelines and the tips given in the template. To be fully useable, a position should be accompanied by:

- (a) a relevant rationale explaining the reasons behind the position,
- (b) supporting documents for the rationale, if appropriate (to be posted in BATIS and referenced in the excel file),
- (c) clear suggestions on how to collect the information considered necessary for the review; this includes in particular indications of incineration plants that are monitoring the concerned parameter and willing to participate in the data collection step.

Finally, the TWG members are kindly invited to post the compiled file into the following folder in BATIS:

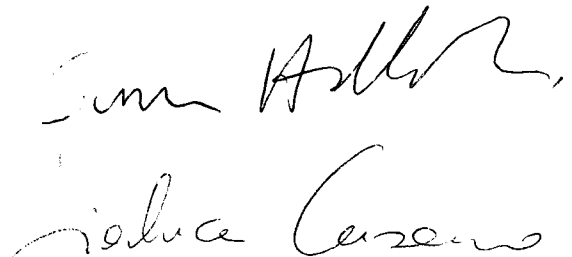
Forums > Waste Treatments Industries > Review of the Waste Incineration BREF 2014 - > 02 Expression of Initial Positions

by the 12 September 2014 (to this end, please check the tips given in the quick introduction for posting onto BATIS (document 5)).

The compiled list of positions submitted by the WI TWG members will be grouped on the basis of the points indicated above (I, II, III, IV); the compiled positions grouped under points I, II, III will be used to organise and structure the discussion at the kick-off meeting (see BREF Guidance Section 4.6.2.2).

Should you have any questions regarding these guidelines or on the review of the Waste Incineration BREF, please do not hesitate to contact us by phone at +34 95 44 80560 / +34 95 44 87176 or by e-mail at: [jrc-ipts-eippcb-wi@ec.europa.eu](mailto:jrc-ipts-eippcb-wi@ec.europa.eu).

The WI BREF review team



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