0 Introduction

0.1 Purpose and target group

The Netherlands Emission Guidelines for Air (*Nederlandse emissierichtlijn lucht*, NeR) are intended for all competent authorities, such as municipalities and provinces, but also companies, consultancies and private individuals. The purpose of the NeR is to harmonise the issuing of permits regulating emissions to the air.

0.2 Legal status and policy context

The Environmental Protection Act (*Wet milieubeheer*) determines that a permit is required to set up, operate, or change an installation or its operation. The Environmental Protection Installations and Permits Decree (*Inrichtingen- en vergunningenbesluit Milieubeheer*) defines which installations must have such a permit. In order to protect the environment, the competent authorities attach rules to these permits. These rules may relate to the protection of water, soil, air, energy saving, hazard reduction or waste prevention.

The NeR is intended to harmonise the issuing of permits regulating emissions to the air. The NeR has been drafted by the joint authorities – provinces, municipalities and the national government – and does not have a legal status. The Council of State jurisprudence shows that the courts regard the NeR as an important guideline for the competent authorities so that any departure from it must be adequately explained.

0.3 Background of the NeR system

The NeR system is based on general standards for emission concentrations which are in accordance with Best Available Control Technology for reducing emissions. Furthermore, it contains exclusion provisions for specific activities and branches of industry. In the NeR these are called special regulations.

The general concentration standards are given for each substance or class of substances. In most cases a threshold value is also provided, indicating that the emission is so large that the implementation of measures should be considered. This threshold value is called the mass flow limit. The concentrations given in the NeR are upper limits for the concentration in the waste gas flow of a specific relevant source.

As well as the general concentration standards, the NeR also stipulates different types of standards for specific processes, for example, a standard regarding the absolute amount of a particular emission, the application of a particular technology or the maintaining of a certain distance. This depends on the specific activity or industry.

The emission standards in the NeR are meant to be used as the basis for performance specifications in environmental permits. It is also possible to specify implementation measures with which these targets can be achieved or process-integrated measures which may lead to a similar environmental result.

0.4 How to read this document

Chapter 1 guides the reader in eight steps through the NeR system. Clarifications of specific concepts are given in separate explanatory notes with references to sections in Chapter 2 which contain more information. The structure of Chapter 1 corresponds as closely as possible to a permit application procedure.

Chapter 2 considers the system and background of the NeR in more detail. It gives additional information to that in Chapter 1 and must be read in combination with Chapters 1 and 3.

Chapter 3 contains specific information on the standards that emissions must comply with. The general standards are given in §3.2 and the special regulations concerning specific processes or industries are given in §3.3, §3.4 and §3.5. Chapter 4 contains the appendices to the NeR.

The background and the aims of the various sections are clarified in the explanatory notes placed in the text. These clarifications are an integral part of the NeR.

0.5 Structure of the NeR organisation and the authorisation process

The NeR was prepared by the NeR Advisory Group (formerly the ARE). This consultative body is composed of representatives of government agencies (Association of Provincial Authorities [IPO], Association of Netherlands Municipalities [VNG], Ministry of Housing, Spatial Planning and the Environment [VROM] and the umbrellas for trade and industry [VNO-NCW, FME, VNCI, EBB]). The Advisory Group discusses proposals for the content of the NeR and gives advice to the Company-oriented Environmental Policy Steering Group, a committee under the DUIV. In the DUIV (Directorate-General for Environmental Protection [DGM], Association of Waterboards [Unie van Waterschappen], IPO and VNG) the joint authorities then establish the NeR at the administrative level.

The NeR Secretariat is part of InfoMil. InfoMil provides for the publication and updating of the NeR under the responsibility of the NeR Authorisation Committee.
Both the draft version and the final version were prepared in close consultation with the above-mentioned organisations.
Even though representatives of trade and industry are closely involved in the preparation of the NeR, they are not responsible for the authorisation of the NeR.

Providing information on and updating the NeR
The InfoMil Helpdesk provides general information on the NeR. InfoMil also provides general information on control options and best available techniques to public authorities, companies and third parties. To facilitate a uniform implementation of the NeR, the NeR Secretariat regularly publishes a compilation of the questions asked of InfoMil and the answers to them. If InfoMil observes bottlenecks with respect to the interpretation of the NeR in practice, it advises the NeR Advisory Group to clarify the NeR on these points.

If future jurisprudence shows that there are departures from the original intentions of the NeR, the NeR organisation will, if necessary, introduce changes in the text and/or content.

Procedure for adding to or changing the NeR
Anyone may submit a request for changing or adding to the NeR to the NeR Advisory Group (e.g. for making a special regulation). This request must be sent to: NeR Secretariat, c/o InfoMil, P.O. Box 93144, 2509 AC The Hague.