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## **MEETING DOCUMENT**

From:	General Secretariat of the Council
To:	Working Party on the Environment
Subject:	Industrial Emissions Directive: WPE meeting on 8 December 2022 - Steering note of the Presidency

Delegations will find in Annex a steering note on the Proposal to amend the Industrial Emissions Directive prepared by the Presidency in view of the meeting of the Working Party on the Environment on 8 December 2022.

## Steering note of the Presidency for the WPE on 8 December 2022

### Proposal for a Directive on Industrial Emissions

The meeting of the Working Party on the Environment on 8 December 2022 will be dedicated to the IED proposal, dealing with **Cluster 6 – Rules and scope of agricultural activities**, as a follow-up to the previous meetings on this issue. The discussion will be based on the following information.

Based on the last discussion and additional written comments, the Presidency is proposing a first compromise draft setting up a possible way forward on several issues.

The aim of the debate is to discuss changes in the operational part of the text as presented by the Presidency's compromise proposals, with focus on changes in Article 70i. In the following part of the meeting, the presidency will seek preferential way to deal with the scope of the agricultural activities. The delegations should note that the Presidency will not suggest any direct thresholds but rather explore conceptual way forward on the issue.

A comparison table of the COM proposal and the Presidency's proposal is annexed to this steering note.

#### The Presidency's proposals for Cluster 6

Art. 12(23c) On the basis of previous discussion, the Presidency decided to change the reference to documents used for calculation of livestock units (LSU) in Art. 12(23c) as well as in the Annex Ia. Instead of the Regulation (EU) No 808/2014 laying down rules for the application of Regulation (EU) No 1305/2013 of the European Parliament and of the Council on support for rural development by the European Agricultural Fund for Rural Development (EAFRD), the proposal is newly referring to the Regulation (EU) 2018/1091 of the European Parliament and of the Council of 18 July 2018 on integrated farm statistics and repealing Regulations (EC) No 1166/2008 and (EU) No 1337/2011. The reason is a better granularity of data in Regulation (EU) 2018/1091, in particular for poultry. Comparison of these two reference points is provided in the Annex.

The Presidency also proposed reduction of redundant information in definition.

Changes proposed by the Presidency in Art. 12(23c) are in **underlined italic bold**.

(23c) 'livestock unit' or 'LSU' means the **grazing equivalent of one adult dairy cow producing 3 000 kg of milk annually, without additional concentrated foodstuffs, which is unit** used to express the size of farms rearing different categories of animals, using the conversion rates **,with reference to actual production within the calendar year, set out in Annex II to Commission Implementing Regulation (EU) No 2018/1091 808/2014\*\***.



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Art. 70b Changes in Art. 70b are based on the debate regarding the practical difficulties for the environmental permitting and inspection authorities when controlling economic and legal aspects of enterprises. At the same time, it is necessary to address the problem of avoiding legal obligations by artificially splitting an installation. The Presidency proposal is based on the existing text in Art. 4, and allows to use this provision when a Member state finds it necessary to address an existing problem. The Commission should assist in analysing the situation and provide help and guidance to the Member States in implementation. This could be further developed via recital.

Changes proposed by the Presidency in Art. 70b are in **underlined italic bold**.

***Member States may opt to provide that ~~If~~ two or more installations are located close to each other and if their operator is the same or if the installations are under the control of operators who are engaged in an economic or legal relationship, the installations concerned shall be considered as a single unit for the purpose of calculating the capacity threshold referred to in Article 70a.***

Art. 70c, 70g In Art. 70c and 70g the Presidency is proposing to add a reference to registration (as mentioned in Art. 4) to supplement the reference to permit. This addition further clarifies the differences between registration and permitting regarding the provisions related to the public participation in Art. 70g(1). According to the Presidency the public participation is linked with the preparation of general binding rules and the permitting procedure. In case of the registration procedure, the public participation is linked only to the stage of preparation of the general binding rules.

Changes proposed by the Presidency in Art. 70c and 70g are in **underlined italic bold**.

#### *Article 70c*

#### **Permits**

*1. Member States shall take the necessary measures to ensure that no installation falling within the scope of this Chapter is operated without a permit **or registration** and that its operation complies with the operating rules referred to in Article 70i.*

*Member States may include requirements for certain categories of installations falling within the scope of this Chapter in the general binding rules referred to in Article 6.*

*Member States shall specify the procedure for granting a permit **or a registration** in respect of installations falling within the scope of this Chapter. Those procedures shall include at least the information listed in paragraph 2.*

*2. Applications for permits **or registrations** shall include at least a description of the following elements:*

- (a) the installation and its activities*
- (b) the animal type*
- (c) the capacity of the installation;*
- (d) the sources of emissions from the installation;*



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*(e) the nature and quantities of foreseeable emissions from the installation into each medium.*

*(...)*

*4. Member States shall take necessary measures to ensure that the operator informs the competent authority, without delay, of any planned substantial change to the installations falling within the scope of this Chapter which may have consequences for the environment. Where appropriate, the competent authority shall reconsider and update the permit **or the registration**.*

#### *Article 70g*

##### **Public information and participation**

*2. The competent authority shall make available to the public, including systematically via the Internet, free of charge and without restricting access to registered users, the following documents and information:*

*(a) the permit **or the registration**;*

*(b) the results of the consultations held in accordance with paragraph 1;*

*(...)*

Art. 70d Clarification regarding the monitoring is added in Art. 70d(1). According to the added text, which is based on the proposal for the Regulation establishing an Industrial Emission Portal - Art. 5(3), it is possible to obtain monitoring data by measurements as well as by calculations (e.g. using emission factors).

Changes proposed by the Presidency in Art. 70d are in **underlined italic bold**.

*1. Member States shall ensure that the operator carries out monitoring of emissions and of associated environmental performance levels in accordance with the operating rules referred to in Article 70i.*

**Monitoring data shall be obtained by means of measurement methods or, where not practicable, by calculation methods such as the use of emission factors; both methods shall be described in the operating rules. (...)**

Art. 70i The largest changes are introduced in Art. 70i(1), which deals with the process of drafting the operating rules and their content. The process is proposed as a “compact” version of the Seville process, using the elements of the current Art. 13. The Presidency does not propose any formal middle-steps in the process. It is expected that the role of the forum discussion and the committee procedure will be substituted by an examination procedure in Art. 70i(2).



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Regarding the content of the operating rules, the Presidency incorporated the scope of Decision (EU) 2017/302 of 15 February 2017 establishing best available techniques (BAT) conclusions, under Directive 2010/75/EU of the European Parliament and of the Council, for the intensive rearing of poultry or pigs as a non-exhaustive specification.

There is a possibility that some types of farms (for example small scale or organic farms) would not be covered directly by the associated emission levels due to their size or other specific type of rearing. This possibility should be further clarified for example via a recital.

The Presidency also on the basis of previous steering note<sup>1</sup> and positive feedback during the discussion changed delegated act into implementing act.

The period for the implementation of the operating rules is changed from 42 to 48 months to be consistent with the period for the implementation of a BAT conclusion in Art. 21(3).

Changes proposed by the Presidency in Art. 70d are in **underlined italic bold**.

1. *The Commission shall establish operating rules containing requirements consistent with the use of best available techniques for the activities listed in Annex Ia, which shall include the following:*

*(a) emission limit values;*

**(b) environmental performance limit values;**

~~**(b) (c) monitoring requirements;**~~

~~**(c) land spreading practices;**~~

~~**(d) pollution prevention and mitigation practices;**~~

~~**(e) environmental performance limit values;**~~

**(f) (d) pollution prevention, mitigation practices and other measures consistent with Annex III such as nutritional management, feed preparation, housing, manure management (collection, storage, processing, land spreading) and storage of dead animals.**

*The operating rules shall take into account inter alia the nature, type, size and density of these installations and the specificities of pasture based cattle rearing systems, where animals are only seasonally reared in indoor installations.*

**1a. In order to draw up, review and, where necessary, update operating rules, the Commission shall organise an exchange of information between Member States, the sector concerned, non-governmental organisations promoting environmental protection and the Commission.**

**The exchange of information shall, in particular, address the following:**

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<sup>1</sup> WK 13014/2022 INIT of 03 October 2022



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(a) the performance of installations and techniques in terms of emissions, consumption and nature of raw materials, water consumption, use of energy and generation of waste;

(b) the techniques used, associated monitoring, cross-media effects, economic and technical viability and developments therein;

(c) best available techniques identified after considering the issues mentioned in points (a) and (b).

2. The Commission shall adopt by [OP please insert date = the first day of the month following 24 months after the date of entry into force of this Directive] an implementing act, to establish the operating rules referred to in paragraph 1. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 75(2).

3. Member States shall ensure that all the permit conditions for the installations concerned are in compliance with the operating rules referred to in paragraph 1 within 42 48 months of the entry into force of the delegated act establishing those rules.

Annex Ia

The Presidency does not expect to conclude the debate on the threshold in the Annex Ia. However, in order to facilitate future debate, the Member States are invited to provide their opinion on the following:

**Would you be in favour of separating the thresholds according to the type of animal covered and therefore distinguish the discussion on the inclusion of cattle from the discussion on pig and poultry?** (Variant 1). This approach would allow complementing the LSU threshold with other parameters, e.g. regarding extensive or organic rearing of cattle.

On the other hand, current proposal based on a single threshold expressed as an overall LSU, has benefits due its simplified nature (Variant 2).

As mentioned in a previous steering note on this issue, the Presidency is of the opinion that the discussion on possible options should only cover thresholds that are underpinned by an existing cost and benefits analysis, preferably stemming from the impact assessment accompanying the proposal. This will allow for an informed decision making rather than an arbitrary setting. The Commission indicated possibility to present some additional data, which would address possible thresholds differentiation between 150 and 300 LSU.

Changes proposed by the Presidency in Annex Ia are in **underlined italic bold**.

## VARIANT 1

1. Rearing of ~~cattle~~, pigs or poultry in installations of ~~150~~ [X] livestock units (LSU) or more.

**1a. Rearing of cattle, ~~pigs or poultry~~ in installations of [Y] LSU or more.**



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2. Rearing of any mix of the following animals: cattle, pigs, poultry, in installations of ~~150~~ [X] LSU or more.

*The approximate equivalent in LSU is based on the conversion rates established in Annex II to Commission Implementing Regulation (EU) No ~~2018/1091 808/2014~~\**.

## **VARIANT 2**

1. Rearing of cattle, pigs or poultry in installations of ~~150~~ [X] livestock units (LSU) or more.
2. Rearing of any mix of the following animals: cattle, pigs, poultry, in installations of ~~150~~ [X] LSU or more.

*The approximate equivalent in LSU is based on the conversion rates established in Annex II to Commission Implementing Regulation (EU) No ~~2018/1091 808/2014~~\**.

## Regulation (EU) 2018/1091 (Annex I - Livestock unit coefficients)

Type of animal	Characteristic of animal	Coefficient
Bovine animals	Less than 1 year old	0,400
	1 to less than 2 years old	0,700
	Male, 2 years old and over	1,000
	Heifers, 2 years old and over	0,800
	Dairy cows	1,000
	Non-dairy cows	0,800
Sheep and goats		0,100
Pigs	Piglets, live weight of under 20 kg	0,027
	Breeding sows, live weight 50 kg and over	0,500
	Other pigs	0,300
Poultry	Broilers	0,007
	Laying hens	0,014
	Other poultry	
	Turkeys	0,030
	Ducks	0,010
	Geese	0,020
	Ostriches	0,350
	Other poultry fowls n.e.c.	0,001





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Rabbits, breeding females	0,020
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Regulation (EU) No 808/2014 /Annex II - Conversion rates of animals to livestock units ('LU') referred to in Article 9(2)/

Bulls, cows and other bovine animals over two years and equine animals over six months	1,0 LU
Bovine animals from six months to two years	0,6 LU
Bovine animals below six months	0,4 LU
Sheep and goats	0,15 LU
Breeding sows > 50Kg	0,5 LU
Other pigs	0,3 LU
Laying hens	0,014 LU
Other poultry <a href="#">(1)</a>	0,03 LU
<p>Conversion rates may be increased, taking into account scientific evidence to be explained and duly justified in the RDPs.</p> <p>Other categories of animals may be added exceptionally. Conversion rates for any such categories shall be established taking into account particular circumstances and scientific evidence to be explained and duly justified in the RDPs.</p>	

	COM proposal	CZ PRES proposal
Art. 02	1. This Directive shall apply to the industrial activities giving rise to pollution referred to in Chapters II to VIa.	
Art. 03	For the purposes of this Directive the following definitions shall apply:	
Art. 03 (3)	(3) 'installation' means a stationary technical unit within which one or more activities listed in Annex I, in Annex Ia or in Part 1 of Annex VII are carried out, and any other directly associated activities on the same site which have a technical connection with the activities listed in those Annexes and which could have an effect on emissions and pollution;	
Art. 03 (23a)	(23a) 'pigs' means pigs as defined in Article 2 of Council Directive 2008/120/EC*;	
Art. 03 (23b)	(23b) 'cattle' means domestic animals of the species <i>Bos taurus</i> ;	
Art. 03 (23c)	(23c) 'livestock unit' or 'LSU' means the grazing equivalent of one adult dairy cow producing 3 000 kg of milk annually, without additional concentrated foodstuffs, which is used to express the size of farms rearing different categories of animals, using the conversion rates, with reference to actual production within the calendar year, set out in Annex II to Commission Implementing Regulation (EU) No 808/2014**.	(23c) 'livestock unit' or 'LSU' means the <del>grazing equivalent of one adult dairy cow producing 3 000 kg of milk annually, without additional concentrated foodstuffs, which is</del> unit used to express the size of farms rearing different categories of animals, using the conversion rates <del>, with reference to actual production within the calendar year, set out</del> in Annex II to Commission Implementing Regulation (EU) No <del>2018/1091 808/2014</del> **.
Art. 04 (1)	1. Member States shall take the necessary measures to ensure that no installation or combustion plant, waste incineration plant or waste co-incineration plant is operated without a permit.  By way of derogation from the first subparagraph, Member States may set a procedure for the registration of installations covered only by Chapter V or Chapter VIa.  The procedure for registration shall be specified in a binding act and include at least a notification to the competent authority by the operator of the intention to operate an installation.	

	COM proposal	CZ PRES proposal
<i>Art. 70a</i>	This Chapter shall apply to the activities set out in Annex Ia which reach the capacity thresholds set out in that Annex.	
<i>Art. 70b</i>	If two or more installations are located close to each other and if their operator is the same or if the installations are under the control of operators who are engaged in an economic or legal relationship, the installations concerned shall be considered as a single unit for the purpose of calculating the capacity threshold referred to in Article 70a.	<b>Member States may opt to provide that if</b> two or more installations are located close to each other and if their operator is the same or if the installations are under the control of operators who are engaged in an economic or legal relationship, the installations concerned shall be considered as a single unit for the purpose of calculating the capacity threshold referred to in Article 70a.
<i>Art. 70c (1)</i>	<p>1. Member States shall take the necessary measures to ensure that no installation falling within the scope of this Chapter is operated without a permit and that its operation complies with the operating rules referred to in Article 70i.</p> <p>Member States may include requirements for certain categories of installations falling within the scope of this Chapter in the general binding rules referred to in Article 6.</p> <p>Member States shall specify the procedure for granting a permit in respect of installations falling within the scope of this Chapter. Those procedures shall include at least the information listed in paragraph 2.</p>	<p>1. Member States shall take the necessary measures to ensure that no installation falling within the scope of this Chapter is operated without a permit <b>or registration</b> and that its operation complies with the operating rules referred to in Article 70i.</p> <p>Member States may include requirements for certain categories of installations falling within the scope of this Chapter in the general binding rules referred to in Article 6.</p> <p>Member States shall specify the procedure for granting a permit <b>or for registration</b> in respect of installations falling within the scope of this Chapter. Those procedures shall include at least the information listed in paragraph 2.</p>
<i>Art. 70c (2)</i>	<p>2. Applications for permits shall include at least a description of the following elements:</p> <ul style="list-style-type: none"> <li>(a) the installation and its activities</li> <li>(b) the animal type</li> <li>(c) the capacity of the installation;</li> <li>(d) the sources of emissions from the installation;</li> <li>(e) the nature and quantities of foreseeable emissions from the installation into each medium.</li> </ul>	<p>2. Applications for permits <b>or registrations</b> shall include at least a description of the following elements:</p> <ul style="list-style-type: none"> <li>(a) the installation and its activities</li> <li>(b) the animal type</li> <li>(c) the capacity of the installation;</li> <li>(d) the sources of emissions from the installation;</li> <li>(e) the nature and quantities of foreseeable emissions from the installation into each medium.</li> </ul>
<i>Art. 70c (3)</i>	3. Applications shall also include a non-technical summary of the information referred to in paragraph 2.	

	COM proposal	CZ PRES proposal
<i>Art. 70c (4)</i>	4. Member States shall take necessary measures to ensure that the operator informs the competent authority, without delay, of any planned substantial change to the installations falling within the scope of this Chapter which may have consequences for the environment. Where appropriate, the competent authority shall reconsider and update the permit.	4. Member States shall take necessary measures to ensure that the operator informs the competent authority, without delay, of any planned substantial change to the installations falling within the scope of this Chapter which may have consequences for the environment. Where appropriate, the competent authority shall reconsider and update the permit <b>or the registration.</b>
<i>Art. 70d (1)</i>	1. Member States shall ensure that the operator carries out monitoring of emissions and of associated environmental performance levels in accordance with the operating rules referred to in Article 70i.  The operator shall keep a record of, and process, all monitoring results, for a period of at least 6 years, in such a way as to enable the verification of compliance with the emission limit values and environmental performance limit values set out in operating rules referred to in Article 70i.	1. Member States shall ensure that the operator carries out monitoring of emissions and of associated environmental performance levels in accordance with the operating rules referred to in Article 70i.  <b>Monitoring data shall be obtained by means of measurement methods or, where not practicable, by calculation methods such as the use of emission factors; both methods shall be described in the operating rules.</b>  The operator shall keep a record of, and process, all monitoring results, for a period of at least <b>6</b> years, in such a way as to enable the verification of compliance with the emission limit values and environmental performance limit values set out in operating rules referred to in Article 70i.
<i>Art. 70d (2)</i>	2. In the event of non-compliance with the emission limit values and environmental performance limit values set out in the operating rules referred to in Article 70i, Member States shall require that the operator takes the measures necessary to ensure that compliance is restored within the shortest possible time.	
<i>Art. 70d (3)</i>	3. The operator shall ensure that any land spreading of waste, animal by-products or other residues generated by the installation is undertaken in accordance with the best available techniques, as specified in the operating rules referred to in Article 70i, and other relevant Union legislation and that it does not cause significant pollution of the environment.	

	COM proposal	CZ PRES proposal
<i>Art. 70e (1)</i>	1. Member States shall ensure that suitable monitoring is carried out in accordance with the operating rules referred to in Article 70i.	
<i>Art. 70e (2)</i>	2. All monitoring results shall be recorded, processed and presented in such a way as to enable the competent authority to verify compliance with the operating conditions, emission limit values and environmental performance limit values which are included in the general binding rules referred to in Article 6 or in the permit.	
<i>Art. 70e (3)</i>	3. The operator shall, without delay, make available the data and information listed in paragraph 2 of this Article to the competent authority upon request. The competent authority may make such a request in order to verify compliance with the operating rules referred to in Article 70i. The competent authority shall make such a request if a member of the public requests access to the data or information listed in paragraph 2 of this Article.	
<i>Art. 70f (1)</i>	1. Member States shall ensure that the values for emissions and environmental performance levels monitored in accordance with the operating rules referred to in Article 70i do not exceed the emission limit values and environmental performance limit values set out therein.	
<i>Art. 70f (2)</i>	2. Member States shall set up an effective compliance monitoring system, based on either environmental inspections or other measures, to check compliance with the requirements set out in this Chapter.	
<i>Art. 70f (3)</i>	3. In the event of non-compliance with the requirements set out in this Chapter, Member States shall ensure that the competent authority requires the operator to take any measures, in addition to the measures taken by the operator under Article 70d, that are necessary to ensure that compliance is restored without delay.  Where non-compliance causes a significant degradation of local air, water or soil conditions, or where it poses, or risks to	

	COM proposal	CZ PRES proposal
	pose, a significant danger to human health, the operation of the installation shall be suspended by the competent authority until compliance is restored.	
<i>Art. 70g (1)</i>	<p>1. Member States shall ensure that the public concerned are given early and effective opportunities to participate in the following procedures:</p> <p>(a) preparation of general binding rules as referred to in Article 6 on permits for installations falling within the scope of this Chapter;</p> <p>(b) the granting of a permit for a new installation falling within the scope of this Chapter;</p> <p>(c) the granting of an updated permit in accordance with article 70c.4 for any substantial change to an existing installation falling within the scope of this Chapter.</p>	
<i>Art. 70g (2)</i>	<p>2. The competent authority shall make available to the public, including systematically via the Internet, free of charge and without restricting access to registered users, the following documents and information:</p> <p>(a) the permit;</p> <p>(b) the results of the consultations held in accordance with paragraph 1;</p> <p>(c) the general binding rules referred to in Article 6 applicable to installations falling within the scope of this Chapter;</p> <p>(d) the reports of inspections of the installations falling within the scope of this Chapter.</p>	<p>2. The competent authority shall make available to the public, including systematically via the Internet, free of charge and without restricting access to registered users, the following documents and information:</p> <p>(a) the permit <b>or the registration</b>;</p> <p>(b) the results of the consultations held in accordance with paragraph 1;</p> <p>(c) the general binding rules referred to in Article 6 applicable to installations falling within the scope of this Chapter;</p> <p>(d) the reports of inspections of the installations falling within the scope of this Chapter.</p>
<i>Art. 70h (1)</i>	<p>1. Member States shall ensure that, in accordance with the relevant national legal system, members of the public concerned have access to a review procedure before a court of law, or another independent and impartial body established by law to challenge the substantive or procedural legality of decisions, acts or omissions subject to this Chapter when one of the following conditions is met:</p> <p>(a) they have a sufficient interest;</p>	

	COM proposal	CZ PRES proposal
	<p>(b) they maintain the impairment of a right, where administrative procedural law of a Member State requires this as a precondition.</p> <p>Standing in the review procedure may not be conditional on the role that the concerned member of the public played during a participatory phase of the decision-making procedures under this Directive.</p> <p>The review procedure shall be fair, equitable, timely and not prohibitively expensive, and shall provide for adequate and effective redress mechanisms, including injunctive relief as appropriate.</p>	
<i>Art. 70h (2)</i>	2. Member States shall determine at what stage the decisions, acts or omissions may be challenged.	
<i>Art. 70i (1)</i>	<p>1. The Commission shall establish operating rules containing requirements consistent with the use of best available techniques for the activities listed in Annex Ia, which shall include the following:</p> <p>(a) emission limit values;</p> <p>(b) monitoring requirements;</p> <p>(c) land spreading practices;</p> <p>(d) pollution prevention and mitigation practices;</p> <p>(e) environmental performance limit values;</p> <p>(f) other measures consistent with Annex III.</p> <p>The operating rules shall take into account inter alia the nature, type, size and density of these installations and the specificities of pasture based cattle rearing systems, where animals are only seasonally reared in indoor installations.</p>	<p>1. The Commission shall establish operating rules containing requirements consistent with the use of best available techniques for the activities listed in Annex Ia, which shall include the following:</p> <p>(a) emission limit values;</p> <p><b>(b) environmental performance limit values;</b></p> <p><del>(b) (c) monitoring requirements;</del></p> <p><del>(c) land spreading practices;</del></p> <p><del>(d) pollution prevention and mitigation practices;</del></p> <p><del>(e) environmental performance limit values;</del></p> <p><b>(f) (d) pollution prevention, mitigation practices and other measures consistent with Annex III such as nutritional management, feed preparation, housing, manure management (collection, storage, processing, land spreading) and storage of dead animals.</b></p> <p>The operating rules shall take into account inter alia the nature, type, size and density of these installations and the specificities of pasture based cattle rearing systems, where animals are only seasonally reared in indoor installations.</p>
<i>Art. 70i (1a)</i>		<b>1a. In order to draw up, review and, where necessary, update operating rules, the</b>

	COM proposal	CZ PRES proposal
		<p>Commission shall organise an exchange of information between Member States, the sector concerned, non-governmental organisations promoting environmental protection and the Commission.</p> <p>The exchange of information shall, in particular, address the following:</p> <p>(a) the performance of installations and techniques in terms of emissions, consumption and nature of raw materials, water consumption, use of energy and generation of waste;</p> <p>(b) the techniques used, associated monitoring, cross-media effects, economic and technical viability and developments therein;</p> <p>(c) best available techniques identified after considering the issues mentioned in points (a) and (b).</p>
Art. 70i (2)	2. The Commission shall by [OP please insert date = the first day of the month following 24 months after the date of entry into force of this Directive] adopt a delegated act in accordance with Article 76 to supplement this Directive by establishing the operating rules referred to in paragraph 1.	2. The Commission shall adopt by [OP please insert date = the first day of the month following 24 months after the date of entry into force of this Directive] an implementing act, to establish the operating rules referred to in paragraph 1. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 75(2).
Art. 70i (3)	3. Member States shall ensure that all the permit conditions for the installations concerned are in compliance with the operating rules referred to in paragraph 1 within 42 months of the entry into force of the delegated act establishing those rules.	3. Member States shall ensure that all the permit conditions for the installations concerned are in compliance with the operating rules referred to in paragraph 1 within <del>42</del> 48 months of the entry into force of the delegated act establishing those rules.

## ANNEX Ia Activities referred to in Article 70a

	COM proposal	CZ PRES proposal variant 1
1.	Rearing of cattle, pigs or poultry in installations of 150 livestock units (LSU) or more.	Rearing of <del>cattle</del> , pigs or poultry in installations of <del>150</del> [X] livestock units (LSU) or more.



1a.		Rearing of cattle, <del>pigs or poultry</del> in installations of [Y] livestock units (LSU) or more.
2.	<p>Rearing of any mix of the following animals: cattle, pigs, poultry, in installations of 150 LSU or more.</p> <p>The approximate equivalent in LSU is based on the conversion rates established in Annex II to Commission Implementing Regulation (EU) No 808/2014*.</p>	<p>Rearing of any mix of the following animals: cattle, pigs, poultry, in installations of <del>150</del> [X] LSU or more.</p> <p>The approximate equivalent in LSU is based on the conversion rates established in Annex II to Commission Implementing Regulation (EU) No 2018/1091*.</p>

	COM proposal	CZ PRES proposal variant 2
1.	Rearing of cattle, pigs or poultry in installations of 150 livestock units (LSU) or more.	Rearing of cattle, pigs or poultry in installations of <del>150</del> [X] livestock units (LSU) or more.
2.	<p>Rearing of any mix of the following animals: cattle, pigs, poultry, in installations of 150 LSU or more.</p> <p>The approximate equivalent in LSU is based on the conversion rates established in Annex II to Commission Implementing Regulation (EU) No 808/2014*.</p>	<p>Rearing of any mix of the following animals: cattle, pigs, poultry, in installations of <del>150</del> [X] LSU or more.</p> <p>The approximate equivalent in LSU is based on the conversion rates established in Annex II to Commission Implementing Regulation (EU) No 2018/1091*.</p>