



Council of the European Union  
General Secretariat

Brussels, 18 January 2023

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**Interinstitutional files:**  
**2022/0104 (COD)**

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**WK 677/2023 INIT**

**LIMITE**

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## **REQUEST FOR CONTRIBUTION**

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From:	General Secretariat of the Council
To:	Working Party on the Environment

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Subject:	Industrial Emissions Directive: Follow-up to the WPE on 16 and 17 January 2023 – Infograph and call for comments
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Delegations will find in annex the infograph on transitional provisions in the IED as presented by the Presidency in the Working Party on the Environment of 16 and 17 January 2023.

Furthermore, in follow-up to the discussions on the basis of Steering note 264/2023 in the Working Party on the Environment on 16 and 17 January 2023, delegations are invited to send written comments to the Presidency ([REDACTED]); [REDACTED]; [REDACTED], the Commission ([REDACTED]); [REDACTED] copying the Council Secretariat ([REDACTED]); [REDACTED] by Friday, 20 January 2023 cob.

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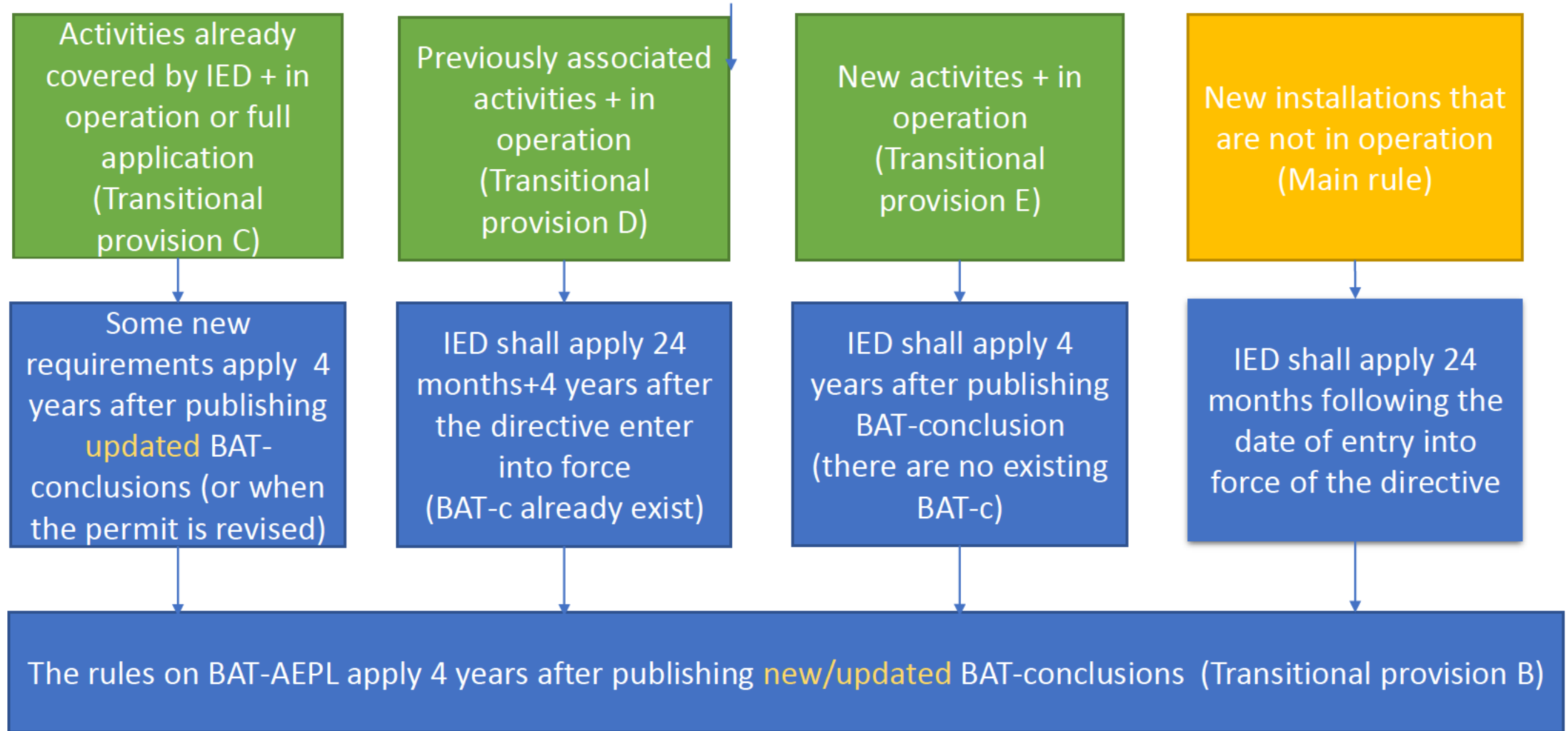
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# Transitional provisions in IED



## Transitional provisions connected to BAT-conclusions



# Transitional provisions regarding derogations

Derogations in accordance with article 15.5 (in the existing IED) for the testing and use of emerging techniques granted before the new IED shall remain valid until the end of the period specified in the decision. After the period specified, the technique shall be stopped or the activity shall achieve at least the emission levels associated with the best available techniques.  
(Transitional provision G)

Derogations in accordance with Article 15.4 (less strict emission limit values) granted before the new IED shall remain valid until the competent authority re-assess whether the derogation is justified according to Article 15.4. The re-assessment shall be made after 4 years or as part of reconsideration of the permit conditions, whichever the sooner.  
(Transitional provision F)