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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 14 February 2023 - Steering note of the Presidency
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Delegations will find in Annex a steering note and an accompanying table 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 14 February 2023.



Working Party on the Environment

Presidency Steering note for the WPE on 14 February 2023 Industrial Emissions Directive

The Working Party on the Environment (WPE) will at the meeting 14 February continue the examination of the proposed revised IED. The Presidency has prepared this steering note to guide the discussions.

The Presidency invites the Member States to continue the discussions on what the Presidency considers to be the remaining elements in Cluster 6 and 7 and proposal for a new derogation in an event of an exceptional situation in Article 15.5. Based on the discussions in the WPE meetings in January (16-17 and 30) the Presidency has identified where most MS see the need for further clarification or changes in Cluster 6 and 7 and the derogation in an event of an exceptional situation in Article 15.5. Those remaining elements are specified and explained in the steering note below, accompanied by text proposals in the annex to the steering note for MS considerations. The Presidency proposes to at this stage focus the discussions on those remaining issues and invites MS to indicate whether they can accept the proposed way forward, or if not, encourages MS to share concrete text proposals.

The Presidency would welcome the delegations' reactions and thoughts on the proposed way forward. The previous CZ Presidency's changes are marked in **red** while the current Presidency's new proposals are marked in **blue** (the latest ones for WPE 14 Feb in [blue](#)).

Cluster 1 – Limited derogation in the event of an exceptional situation

The Presidency suggests coming back to the derogation in article 15.5. At the meeting on 30 January the Presidency found a broad support from MS to include a limited and carefully balanced derogation possibility in the event of an unforeseeable exceptional situation or crises.

MS in general highlighted the importance of a limited derogation, carefully balanced not to open for loopholes or relaxation of the requirements in the directive and preserving the integrity and the aim of the IED. Based on the comments the Presidency has further developed the article as well as two complementing recitals. The Presidency has also looked

into the communication from the Commission “Save gas for safe winter” to ensure that the derogation in 15.5. is aligned with the requisites in the communication.

In order to make the derogation more specific, as discussed and wished for at the previous WPE-meeting, the circumstances justifying a derogation are more developed and clearly stated in point A-C. Point A concerns situations where there is a shortage of fuel and an overriding need to maintain energy supply. Point B concerns situations where there is a shortage of resources, materials or equipment, like urea or SNCR, making it impossible for the operator to comply with BAT conclusions. Point C concerns situations when there is a disruption or shortage of a resource, material or equipment leading to a need to increase the production due to public health, safety or other overriding public interests.

Several MS highlighted that the respond to a crisis needs to be swift. With regard to this the Presidency proposes a possibility to derogate from the requirement of public participation in Art. 24(1), complemented by recital [Z].

To ensure the environmental protection setting less strict emission limit values shall be the last resort when all other less polluting measures are exhausted. And in accordance with other derogation possibilities the Competent authority shall ensure that no significant pollution is caused due to the derogation. As soon the conditions are restored the installation shall comply with ordinary permit conditions. The emissions shall also be monitored and the derogation shall be made public on the internet, like derogations according to 15.4 and 15.4a.

To ensure the level playing field and the integrity of the internal market the Commission is proposed to develop a guidance on what circumstances that may be taken into account. Member states shall notify the Commission immediately, which gives the Commission a possibility to take action in case of abuses. Likewise other decisions on derogation there is an obligation for the MS to report these derogations to the Commission annually.

MS will be invited to indicate if they can accept the Presidency's proposed way forward.

Cluster 6 - Rules and scope of agro-industrial activities

It is the Presidency's understanding that several Member States expressed a will at the WPE 30 January to exempt smaller farms and therefore raise the proposed LSU threshold value. There are however different views among Member States on how much higher the LSU-numbers should be. At the same time other Member States expressed that the proposed threshold could be accepted or even lowered. Some Member States have also pointed out the balance with higher LSU-numbers and the linked environmental aim explained in the proposal and most Member States have accepted that the agricultural sector should contribute to the reduction of emissions. Several Member States want to

combine the LSU threshold value with other amendments so that extensive rearing production of cattle are not covered by the Directive. Points were also raised that the additional administrative burden and costs should be reduced and that the increased burden on Member States that comes from a higher number of permits or registrations should be considered.

The main task for the Working Party will be to explore a possible compromise proposal balancing all these aspects.

Based on the input from Member States and taking into account the Commission's presentation of updated data at the WPE 30 January the Presidency proposes a package where the Presidency has tried to find a balance between the different aspects explained above. The proposal consists of a higher threshold value (*Annex Ia*), exemptions for extensive rearing (*Articles 3.23 d, Annex 1 a*), clearer rules on when installations located close to each other should be seen as one (*Article 70 b and recital 4 a*) and a stepwise approach for when the new rules shall apply (*transitional provision X*). The stepwise approach gives both smaller farms longer time to adopt and Member States an opportunity to handle the increase in permits and registrations.

Some Member States also expressed at the meeting the 30 January a need for clarification on operating rules and the use of implementing acts. To make it clear that only one document is intended to be adopted the proposed text in *Article 3.12 a* is adjusted.

The Presidency also proposes to clarify in *Article 70c.4* that a Competent Authority has a possibility to request an operator to apply for a permit. This can be the case if a substantial change in an installation leads to the threshold for obtaining a permit in a Member State being exceeded. An installation that before the substantial change only needed to be registered can in those situations need to have a permit according to national law. In these cases the Competent Authority should have the possibility to request that the operator applies for a permit instead of registration.

MS are invited to share their views on the Presidency's proposed way forward.

Cluster 7 – Scope of industrial activities

Hydrogen

The Presidency's understanding is that there in January was support among MS for excluding this activity from *Chemical industries* in point 4.2. Listening to the comments from MS the Presidency proposes to move hydrogen from *Energy industries*, point 1.5, to *Other industries*, point 6, in order to clarify that production of hydrogen with electrolyse from water does not only include installations for energy use but also for other purposes. Based on the comments from MS the Presidency is of the understanding that there is a support for having a threshold in tonnes but that there is a request to increase the threshold. Based on that and the environmental impact from theses installations the Presidency propose a threshold on 20 tonnes per day.

Battery factories

Several Member States pointed out in the WPE in January that the threshold for battery factories needed to be clearer on how the threshold in tons should be calculated. Changes are therefor made to make it clear that the threshold is for 12 000 tons of battery cells (cathode, anode, electrolyte, separator, capsule) as introduced in the steering note for WPE 16-17 January.

Extraction and treatment of minerals

On the meeting 16-17 January several Member States expressed concerns regarding the inclusion of extraction and treatment of minerals in IED, this was in particular the case for industrial minerals. The purpose of the Commission's proposal is to level the Union's playing field while ensuring a high level of protection of human health and the environment. It is the Presidency's understanding that most Member States can accept that mining activities are covered by IED, at least if the proposed threshold for industrial minerals are raised. However, when raising the threshold it should be considered both that the need for exempting smaller mines as well as that the environmental impact of the mine is not exclusively related to the size of the mine. Aiming at finding a balance between these factors of protection of the environment and keeping the aim of a level playing field the Presidency proposes to raise the threshold to 100 tons (*Annex I point 3.6*).

MS will be invited to indicate if they can support the Presidency's proposed way forward under Cluster 7 or if not, encouraged to contribute with concrete text proposals.

We are looking forward to seeing delegations on 14 February!

The SE Presidency IED Team

ANNEX to the steering note, WPE on IED 14 February 2023

Proposal for a directive amending Directive 2010/75/EU on industrial emissions (integrated pollution prevention and control) and directive 1999/31/EC on the landfill of waste

Changes of COM proposal in **green bold**.

Changes the CZ Presidency in **red bold**.

Changes the SE Presidency in **blue bold**. For WPE 14 Feb: **blue bold underlined italic**

Cluster 1

<u>Recital Y</u>	<p><u><i>In recent years there have been exceptional situations of crises affecting the European Union and its Member States, like the COVID-19 pandemic and the Russian war of aggression against Ukraine. These crises have suddenly and directly affected the supply of energy and of societally critical resources, materials or equipment, leading to severe shortage and disruption, to which it is necessary to reply swiftly.</i></u></p> <p><u><i>In case of such crises, it may be necessary to set less strict emission limit values and environmental performance limit values than the levels in the BAT-conclusions, in order to maintain energy production or the production of other equipment of critical importance or to allow the continuity of the operations of critical installations.</i></u></p> <p><u><i>The need to set less strict emission limit values and environmental performance limit values is to be balanced with the need to protect the environment and human health as well as to ensure the level playing field and the integrity of the internal market.</i></u></p> <p><u><i>Consequently, less strict limits may be set only as a last resort, when all other less polluting alternative measures have been exhausted. The competent authority should ensure that no significant pollution is caused due to emissions from the installation.</i></u></p> <p><u><i>In order to supervise the impact on the environment and public health, the emissions should be monitored.</i></u></p> <p><u><i>In order to ensure the level playing field and the internal market, the Commission should</i></u></p>
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		<p><u>provide strict guidance regarding the emergencies and their circumstances that could be taken into account.</u></p> <p><u>The Member States should notify the Commission of the decision taken by the competent authority to allow the Commission to take action in case of abuses.</u></p>
<u>Z</u>		<p><u>The case law of the Court of Justice acknowledges that in cases of imperative reasons of overriding public interest, such as the security of the energy supply in a Member State, provisions on public participation in decision making can be derogated from. In any case, the provisions of the United Nations Economic Commission for Europe (UNECE) Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters ('the Aarhus Convention') regarding access to information, public participation in decision-making, and access to justice in environmental matters, and in particular, the obligations of Member States relating to public participation, remain applicable.</u></p>
Art. 15 (5)	<p>5. The competent authority may grant temporary derogations from the requirements of paragraphs 2 and 3 of this Article and from Article 11(a) and (b) for the testing and use of emerging techniques for a total period of time not exceeding 9 months, provided that after the period specified, either the technique is stopped or the activity achieves at least the emission levels associated with the best available techniques.</p>	<p>By way of derogation from paragraph 3 and 3a, the competent authority may set less strict emission limit values or environmental performance limit values in <u>case of a the event of an energy, [security or health] crisis, in the member states,</u> due to extra ordinary circumstances beyond the control of the operator and Member States, leading to severe disruption of energy supplies for shortage <u>[in at least two/several] Member states</u> of:</p> <ul style="list-style-type: none"> a. <u>energy supplies and where there is an overriding public interest in security of energy supply, or</u> b. <u>resources, materials and equipment essential for the operator to perform its activities, of public interest, in compliance with the applicable emission limit values or environmental performance limit values. or</u> c. <u>essential resources, materials or equipment, that the operator produces in order to compensate such shortage or disruption for reasons of public health</u>

		<p><u>or public safety, or other imperative reasons of overriding public interests.</u></p> <p><u>essential resources, materials or equipment/</u> <u>in case there is an overriding need to</u> <u>maintain energy supplies for other imperative</u> <u>reasons of public interests of particular</u> <u>importance.</u></p> <p>As soon as the supply conditions are restored, <u>the Member State shall ensure that the decision to set less strict emission limit values and environmental performance limit values ceases to have effect, and</u> the installation shall comply with permit conditions set in accordance with paragraph 3 and 3a.</p> <p>The competent authority shall <u>in any case</u> ensure that no significant pollution is caused and <u>set less strict limit values only that a</u> <u>derogation only is granted</u> when all <u>other</u> less polluting measures have been exhausted.</p> <p>The Member States shall take measures to ensure that the emissions are monitored.</p> <p>The derogation shall not be granted for more than 3 months. If the reasons justifying the derogations persists the derogation may be prolonged, prolonged for a period of maximum 3 months.</p> <p><u>In duly justified cases of urgency and imperative reasons of overriding public interests, Member States may take measures to derogate from Article 24(1) when the competent authority sets less strict values under this paragraph.</u></p> <p>The competent authority shall <u>document the temporary conditions in an Annex to the permit conditions, including the justification for</u> <u>make</u> the derogation and the conditions imposed. <u>That annex to the permit shall be made</u> publicly available in accordance with Art. 24(2).</p> <p><u>On the basis of information provided by Member States in accordance with Article 72(1), in particular concerning the application of this paragraph.</u> The Commission may, where necessary, assess and further clarify, through guidance, the criteria to be taken into account for the application of this paragraph.</p> <p>Member states shall notify the Commission of any derogation granted under this paragraph, including the reasons for <u>justifying</u> the derogation and the conditions imposed.</p>
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Cluster 6

Recital	COM proposal	PRES proposal
4 a		<i><u>In order to prevent the artificial splitting of farms, which could result in the reduction of the farm LSU capacity to a threshold below the one established for the application of this Directive, the Member State should adopt measures to ensure 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 competent authority may consider those installations as a single unit for the purpose of calculating the capacity threshold for livestock.</u></i>
29		<i>In order to ensure that Directive 2010/75/EU continues meeting its objectives to prevent or reduce emissions of pollutants and achieve a high level of protection of human health and the environment, Member States have to the power to adopt measure to establish acts in accordance with Article 290 1 TFEU should be conferred on delegated to the Commission to supplement that Directive in order to establish uniform conditions for operating rules containing requirements for activities relating to rearing of poultry, pigs and cattle, and to amend Annexes I and Ia to that Directive by adding an agro-industrial activity to ensure that it meets its objectives to prevent or reduce pollutants emissions and achieve a high level of protection of human health and the environment. <u>In order to take into account the specificity of each sector of activity, and to ensure uniform conditions for the implementation of such operating rules, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council.</u> It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level. and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016⁷⁷. <u>In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council</u></i>

		<u>receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</u>
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Article	COM proposal	PRES proposal
Art. 03 (12a)		(12 a) Operating rules means <u>a document describing the description of</u> best available techniques associated to activities referred to in annex I a, information to assess their applicability, the emission levels associated with the best available techniques, the environmental performance levels associated with the best available techniques, associated monitoring requirements, and where relevant land spreading practices, pollution prevention and mitigation practices, nutritional management, feed preparation, housing, manure management (collection, storage, processing, land spreading) and storage of dead animals. [Text moved from article 70i.1]
Art. 03 (23d)		<u>'Installations operating under extensive production regimes' means installations with rearing of cattle where the stocking density is less than 2 LSU/hectare used for grazing or fodder.</u>
Art. 70a	This Chapter shall apply to the activities set out in Annex Ia which reach the capacity thresholds set out in that Annex.	This Chapter shall apply to the activities set out in Annex Ia which reach the capacity thresholds set out in that Annex.
Art. 70b (1)	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.	Member States may opt to provide <u>shall adopt measures to ensure</u> 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 competent authority may consider those installations concerned shall be considered as a single unit for the purpose of calculating the capacity threshold referred to in Article 70a.
Art. 70b (2)		<u>By [OP please insert the date = the first day of 48 months following the date of entry into force of this Directive], the Commission shall publish guidelines, after consulting the Member States, on the criteria to consider different installations as a single unit under paragraph 1.</u>

<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 or request the operator to <u>apply for a permit</u> or make a new the registration .
<i>Art. 70i (3)</i>	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 42 48 months of the entry into force of the implementing delegated act under paragraph 2 establishing those rules. [Text moved to transitional provision X]

Transitional provisions

	COM proposal	PRES proposal
X		<p><u>In relation to installations carrying out activities referred to in Annex I a Member States shall apply the laws, regulations and administrative provisions adopted in accordance with this Directive</u></p> <p><u>- within 4 years of the entry into force of the implementing act referred to in Article 70i (2), if the installation has a capacity of 600 LSU or more.</u></p> <p><u>- within 5 years of the entry into force of the implementing act referred to in Article 70i (2), if the installation has a capacity of 400 LSU or more.</u></p> <p><u>- within 6 years of the entry into force of the implementing act referred to in Article 70i (2), if the installation has a capacity of 250 LSU or more.</u></p> <p><u>Until that day such installations shall comply with Directive 2010/75/EU.</u></p> <p>[Text partly moved from Article 70i (3)]</p>

ANNEX Ia Activities referred to in Article 70a

	COM proposal	PRES proposal
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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 250 150 livestock units (LSU) or more, <u>excluding rearing of cattle in installations operating under extensive production regimes.</u>																																														
2.	Rearing of any mix of the following animals: cattle, pigs, poultry, in installations of 150 LSU or more. The approximate equivalent in LSU is based on the conversion rates established in Annex II to Commission Implementing Regulation (EU) No 808/2014*.	Rearing of any mix of the following animals: cattle, pigs, poultry, in installations of 250 150 LSU or more, <u>excluding rearing of cattle in installations operating under extensive production regimes.</u> The approximate equivalent in LSU is based on the following conversion rates: established in Annex II to Commission Implementing Regulation (EU) No 2018/1091 808/2014*.																																														
		<table> <tr> <th>Type of animal</th><th>Characteristic of animal</th><th>Coefficient</th></tr> <tr> <td rowspan="6">Bovine animals</td><td>Less than 1 year old</td><td>0,400</td></tr> <tr> <td>1 to less than 2 years old</td><td>0,700</td></tr> <tr> <td>Male, 2 years old and over</td><td>1,000</td></tr> <tr> <td>Heifers, 2 years old and over</td><td>0,800</td></tr> <tr> <td>Dairy cows</td><td>1,000</td></tr> <tr> <td>Non-dairy cows</td><td>0,800</td></tr> <tr> <td colspan="3"></td></tr> <tr> <td rowspan="3">Pigs</td><td>Piglets, live weight of under 20 kg</td><td>0,027</td></tr> <tr> <td>Breeding sows, live weight 50 kg and over</td><td>0,500</td></tr> <tr> <td>Other pigs</td><td>0,300</td></tr> <tr> <td colspan="3"></td></tr> <tr> <td rowspan="8">Poultry</td><td>Broilers</td><td>0,007</td></tr> <tr> <td>Laying hens</td><td>0,014</td></tr> <tr> <td>Other poultry</td><td></td></tr> <tr> <td>Turkeys</td><td>0,030</td></tr> <tr> <td>Ducks</td><td>0,010</td></tr> <tr> <td>Geese</td><td>0,020</td></tr> <tr> <td>Ostriches</td><td>0,350</td></tr> <tr> <td>Other poultry fowls n.e.c.</td><td>0,001</td></tr> </table>	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				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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Cluster 7

ANNEX I Categories of activities referred to in Article 10

	COM proposal	PRES proposal
1. Energy industries	1.4. Gasification, or liquefaction or pyrolysis of: (a) coal; (b) other fuels in installations with a total rated thermal input of 20 MW or more.	
		<u>1.5 Electrolysis of water for production of hydrogen with electrical input of 20 MW or more with the electricity [stemming from renewable sources] [where the production capacity exceeds 5 tonnes per day]</u>
2. Production and processing of metals	2.3. Processing of ferrous metals: (a) operation of hot-rolling mills with a capacity exceeding 20 tonnes of crude steel per hour; (aa) operation of cold-rolling mills with a capacity exceeding 10 tonnes of crude steel per hour; (ab) operation of wire drawing machines with a capacity exceeding 2 tonnes of crude steel per hour; (b) operation of smitheries with hammers the energy of which exceeds 20 50 kilojoule per hammer, where the calorific power used exceeds 20 MW; (ba) operation of smitheries with forging presses the force of which exceeds 10 mega-newton (MN) per press; (c) application of protective fused metal coats with an input exceeding 2 tonnes of crude steel per hour.	
	2.7. Manufacture of lithium-ion batteries (including assembling battery cells and battery packs), with a production capacity of 3,5 GWh or more per year.	2.7. Manufacture of [lithium-ion] batteries, other than exclusively assembling, (including assembling battery cells and battery packs), with a production capacity of 3,5 GWh <u>12 000 tons of battery cells (cathode, anode, electrolyte, separator, capsule) or more per year.</u>
3. Mineral industry	3.5. Manufacture of ceramic products by firing, in particular roofing tiles, bricks,	

	COM proposal	PRES proposal
	refractory bricks, tiles, stoneware or porcelain with (a) a production capacity exceeding 75 tonnes per day; and/ or with (b) a kiln capacity exceeding 4 m ³ and with a setting density per kiln exceeding 300 kg/m ³ .	
	3.6. Extraction and treatment (operations such as comminution, size control, beneficiation and upgrading) of the following non-energy minerals: (a) industrial minerals, including barite, bentonite, diatomite, feldspar, fluorspar, graphite, gypsum, kaolin, magnesite, perlite, potash, salt, sulphur and talc; (b) metalliferous ores, including bauxite, chromium, cobalt, copper, gold, iron, lead, lithium, manganese, nickel, palladium, platinum, tin, tungsten and zinc.	3.6. Extraction and treatment (operations such as comminution, size control, beneficiation and upgrading) of the following non-energy minerals and ores: (a) industrial minerals, including barite, bentonite, diatomite, feldspar, fluorspar, graphite, gypsum, kaolin, magnesite, perlite, potash, salt, sulphur and talc with a capacity exceeding [50 100] tonnes per day; (b) metalliferous ores, including bauxite, chromium, cobalt, copper, gold, iron, lead, lithium, manganese, nickel, palladium, platinum, tin, tungsten and zinc.
4. Chemical industry		4.2 Production of inorganic chemicals, such as: (a) gases, such as ammonia, chlorine or hydrogen chloride, fluorine or hydrogen fluoride, carbon oxides, sulphur compounds, nitrogen oxides, hydrogen except when produced by electrolysis of water , sulphur dioxide, carbonyl chloride; (b) acids, such as chromic acid, hydrofluoric acid, phosphoric acid, nitric acid, hydrochloric acid, sulphuric acid, oleum, sulphurous acids; (c) bases, such as ammonium hydroxide, potassium hydroxide, sodium hydroxide; (d) salts, such as ammonium chloride, potassium chlorate, potassium carbonate, sodium carbonate, perborate, silver nitrate; (e) non-metals, metal oxides or other inorganic compounds such as calcium carbide, silicon, silicon carbide.
5. Waste management	5.3. (a) Disposal of non-hazardous waste with a capacity exceeding 50 tonnes per day involving one or more of the following activities, and excluding activities covered by Council Directive 91/271/EEC of 21 May 1991 concerning urban waste-water treatment (39):	

	COM proposal	PRES proposal
	<p>(i) biological treatment (such as anaerobic digestion);</p> <p>(ii) physico-chemical treatment;</p> <p>(iii) pre-treatment of waste for incineration or co-incineration;</p> <p>(iv) treatment of slags and ashes;</p> <p>(v) treatment in shredders of metal waste, including waste electrical and electronic equipment and end-of-life vehicles and their components.</p> <p>(b) Recovery, or a mix of recovery and disposal, of non-hazardous waste with a capacity exceeding 75 tonnes per day involving one or more of the following activities, and excluding activities covered by Directive 91/271/EEC:</p> <p>(i) biological treatment (such as anaerobic digestion);</p> <p>(ii) pre-treatment of waste for incineration or co-incineration;</p> <p>(iii) treatment of slags and ashes;</p> <p>(iv) treatment in shredders of metal waste, including waste electrical and electronic equipment and end-of-life vehicles and their components.</p> <p>When the only waste treatment activity carried out is anaerobic digestion, the capacity threshold for this activity shall be 100 tonnes per day.</p>	
6. Other activities	6.2. Pre-treatment (operations such as washing, bleaching, mercerisation), or dyeing or finishing of textile fibres or textiles where the treatment capacity exceeds 10 tonnes per day	
	6.5. Disposal or recycling of animal carcasses or animal by-products waste with a treatment capacity exceeding 10 tonnes per day	
	6.6. Intensive rearing of poultry or pigs: (a) with more than 40 000 places for poultry; (b) with more than 2 000 places for production pigs (over 30 kg), or (c) with more than 750 places for sows.	<u>Electrolysis of water for production of hydrogen with electrical input of 20 MW or more with the electricity [stemming from renewable sources where the production capacity exceeds 20 tonnes per day.</u>