



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL  
ENVIRONMENT

The Director-General

Ref. Ares(2016)6032579 - 20/10/2016

Brussels,  
ENV/C.4/JM (2016) 6426203

Mr. Peter Teffer  
Rue Montoyer 18B  
1000 Brussels

***By registered letter with acknowledgment  
of receipt***

***Advance copy by email:***  
[ask+request-3323-5da0407a@asktheeu.org](mailto:ask+request-3323-5da0407a@asktheeu.org)

**Subject: Your application for access to documents – Ref GestDem No 2016/5418**

Dear Mr. Teffer,

I refer to your request for access to documents, registered on 23 September 2016 under the above mentioned reference number.

Your request concerns exchanges between the European Commission and the Member States concerning the implementation of Article 79 of Directive 2010/75/EU on industrial emissions (IED).

Please note that the Commission services are currently assessing the quality of transposition of the IED. In the light hereof, I regret to inform you that the Commission cannot disclose the requested information, because disclosure would undermine the protection of the purpose of investigations and of the institution's decision making process within the meaning of Article 4(2) and 4(3) of Regulation (EC) No 1049/2001 regarding public access to documents.

In accordance with Article 7(2) of Regulation 1049/2001, you are entitled to make a confirmatory application requesting the Commission to review this position. Such a confirmatory application should be addressed within 15 working days upon receipt of this letter to the Secretary-General of the Commission at the following address

European Commission/Secretary-General  
Transparency unit SG-B-4 BERL 5/282  
B-1049 Brussels

or by email to: [sg-acc-doc@ec.europa.eu](mailto:sg-acc-doc@ec.europa.eu).

Finally, I would like to inform you that a study was carried out for the Commission in 2011 on this topic ([http://ec.europa.eu/environment/industry/stationary/pdf/summary\\_study.pdf](http://ec.europa.eu/environment/industry/stationary/pdf/summary_study.pdf) and [http://ec.europa.eu/environment/industry/stationary/pdf/good\\_practices\\_study.pdf](http://ec.europa.eu/environment/industry/stationary/pdf/good_practices_study.pdf)), as you might be interested this report.

Yours sincerely,

Daniel Calleja