

CEMBUREAU's feedback to the Industrial Emissions EU rules update

CEMBUREAU, the European Cement Association (www.cembureau.eu), takes note of the Inception Impact Assessment and the opportunity to provide feedback to the industrial emissions rules update.

CEMBUREAU firmly supports the objectives of the European Green Deal and is determined to contribute strongly to the EU's vision for a carbon neutral society by 2050.

Already today, the European cement industry deploys a wide range of technologies and innovation projects at every step of the cement production process, from the development of alternative fuels to replace fossil fuels in heating processes, improved energy efficiency of kilns, low-clinker cements, innovative binders, innovative concrete solutions, up to the development of carbon capture and storage/use technologies where the industry is leading the way through several pilot programmes in Europe.

Each and every cement plant in the EU operates in accordance with a permit granted by the authorities in the Member States following the principles and provisions of the Industrial Emissions Directive (IED).

CEMBUREAU believes that the IED and the BREFs are delivering environmental performance across Europe because their approach is flexible, focuses on continuous improvements and addresses local environmental issues holistically. This falls perfectly in line with the outcome of the recent IED evaluation where it was recognized that the overall structure of the IED appears to function well and there was significant EU added value from the Directive.

CEMBUREAU has several comments to make on the possible revision of the IED.

Firstly, Greenhouse Gas (GHG) emissions should not be included in the scope of a revised IED:

- According to the Article 9.1 of the IED the installation permit shall not include limit values for the GHG emissions. The Emissions Trading System (ETS) is the appropriate tool for the GHG emissions control. Our position is that it is essential to keep the status as it is, so as to avoid double regulation.
- It would indeed be inappropriate to regulate through both the IED and EU-ETS as both use different approaches to regulation: the IED places reliance on the identification of Best Available Techniques (BAT), which are technologies to deliver cost-effective environmental improvement, whereas the EU-ETS bases allocation on calculated performance benchmark that may not be widely implementable across the European Union.
- By doing so, the EU ETS allows the industry to find the most appropriate technology to reduce emissions, some of which may not be available across the whole of Europe and could therefore not be covered through BAT. For instance, the introduction of some technologies such as Carbon Capture Use or Storage (CCU/CCS) will require coordination between the Commission, Member States and several industries to implement, also because infrastructure (pipelines and storage sites) needs to be put in place. The timing of implementation can thus be out of the control of the operator.

Secondly, it will be important that the next BREF revision cycle is not initiated until the IED revision has been finalized. Today, the IED functions well because it follows a thorough review of best practices of technologies which can be used to reduce emissions. This process ensures that the correct technologies are selected and included in the BAT conclusions. The long-term stability and certainty in the legislation is a necessary factor for the industry to stay competitive and plan ahead. Given the required time period for a complete IED revision, it will be important that the next

BREF revision cycle is not initiated until the IED revision has been finalized. In this way, the confusion of which rules to follow for both operators and authorities will be avoided.

Finally, we have strong concerns with regard to the inclusion of some additional sectors such as the extractive sector in the IED. The extraction of limestone for cement production does not require any energy-intensive process and no thermal energy is used which results in no significant impact on the levels of pollution to air, soil or water. This activity is already very well regulated by each Member State and specific Directives like the Mining Wastes Directive 2006/21/EC, whereas the individual permits are issued by different authorities than those of the IED permits. We consider that this situation shall be maintained as it is, in order to avoid double regulation and cross-compliance in the authorization process.

CEMBUREAU looks forward to being part of the discussions on the EU rules update of the industrial emissions.
