IED /BREFs as tools towards speeding up achievement of non-toxic environment

(Possible role for HAZBREF)

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The IED is the main instrument focusing in particular on the prevention/minimisation of the impact of industrial activities :

- aims to tackle "industrial activities **giving rise to pollution**" (Art 2)
- **"pollution"** ***direct or indirect introduction of substances [...] which may be harmful to human health or the quality of the environment, result in damage to material property, or impair or interfere with amenities and other legitimate uses of the environment*** **"**

➢**Tackle all different impacts to environment and human health** arising from industrial activity;

➢ calls upon operators to provide for an **integrated approach to prevent/control these impacts**, in order to ensure a **high level of protection of the environment as a whole**;

PROVISIONS ON: NON-TOXIC ENVIRONMENT (IED)

- IED Article 1: "***prevent*** *or, where that is not practicable, to reduce emissions into air, water and land and to prevent the generation of waste, in order to* ***achieve a high level of protection of the environment taken as a whole***"
- IED Article 14(1) (a) permits have to set measures for ***polluting substances listed in Annex II, and for other polluting substances, which are likely to be*** *emitted from the installation concerned in significant quantities,* ***having regard to their nature and their potential to transfer pollution from one medium to another****;'*
- BAT : "*the* ***use of less hazardous substances****" (Annex III point 2)*
- *BAT: "substitution of hazardous substances" (Art 58 of the IED, solvents related)*
- ***"need to prevent accidents and to minimise the consequences for the environment"***

PROVISIONS ON: TOXIC-FREE ENVIRONMENT (OTHER)

•REACH Article 1 : "***to ensure a high level of protection of human heath and the environment"*** (ECJ ruling affirm this goal overrides other e.g. alternative testing methods, internal market for substances, enhancing competitiveness)

• REACH Article 55: progressively replace SVHC by suitable alternatives

• 7Th EAP: *"a **non-toxic environment** that is conducive to innovation and the development of sustainable substitutes including non-chemical solutions as well as **promoting nontoxic material cycles**"*

• SDG Goals: (WSSD) **by 2020 chemicals are produced and used in ways that minimise significant adverse impacts on the environment and human health** Rio: Sound management of chemicals throughout their life-cycle and of hazardous waste;

•SDG 2017 Goal 12.4 " **By 2020, achieve the environmentally sound management of chemicals and all wastes throughout their life cycle**, in accordance with agreed international frameworks, and **significantly reduce** their release to air, water and soil…

PROVISIONS ON: TOXIC-FREE ENVIRONMENT (OTHER)

- Water Framework Directive: Achieve a phase out of PHS and progressive reduction of PS immissions in water bodies
- Seveso III Directive: continuously improve the control of major-accident hazards, and ensuring a high level of environmental protection (Art 8.1)
- COM Communication (2018) 32 final on interface of chemicals, product and waste legislation reaffirms objective: "*substituting substances of concern and, where this is not possible, reducing their presence and improving their tracking*"

WHY IS HAZBREF A GOOD IDEA?

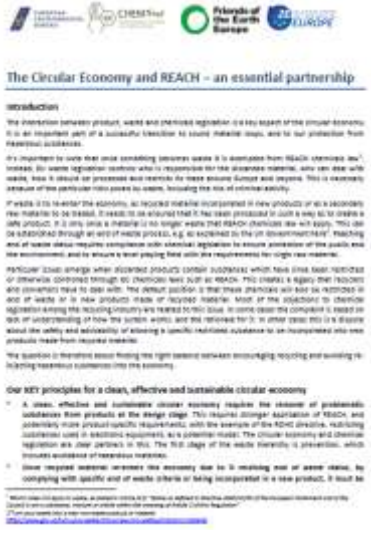
- concretize “Toxic Free Environment” goal through clear benchmark criteria, BAT for relevant sectors (STS, FDM, TXT BREF)
- fits to objective set in WSSD, 7th EAP, REACH, IED, Seveso III and working mandate laid down on us through these instruments / commitments:

protection, substitution, innovation,

non toxic material/production cycles

- fits to “duty of care” initiatives from industry
- make EU the frontrunner in Sustainable Chemicals
- detoxify the value chain

(circular economy objectives)



The Circular Economy and REACH – an essential partnership

Introduction

Our KEY principles for a clean, effective and sustainable circular economy

POSSIBLE ROLE FOR HAZBREF (1/2)

ON-GOING (OPPORTUNITIES TO RAISE AMBITION):

- **Set "state of the art" in chemicals management to achieve Toxic Free environment**
- **provide concrete developments on substitution of hazardous substances (identify and share best practice) e.g. concrete BAT on reduction of use of substances of concern / substitution complementary and ahead of EU legislation e.g. REACH authorisation / restriction**
- **Case studies for detoxification of value chains** (circular economy) and focus on where cross-media impacts / conflicting goals arise
- Improve chemical safety (Seveso III Directive link)

POSSIBLE ROLE FOR HAZBREF (2/2)

- Maximise synergies for EU chemicals policy related instruments (e.g. REACH, Product / Waste, Circular Economy etc) and BREF community together
- Promote frontrunners in the field (e.g. Green Chemistry, chemical leasing put in practice)

Occupational health legislation / workers protection

Best Available Techniques
-Chemical related BREFs e.g. STS, TXT, HAZBREF...
http://eippcb.jrc.ec.europa.eu/reference

POSSIBLE SUGGESTIONS FOR BREFS / IED – REACH INTERFACE TO TEST IN HAZBREF

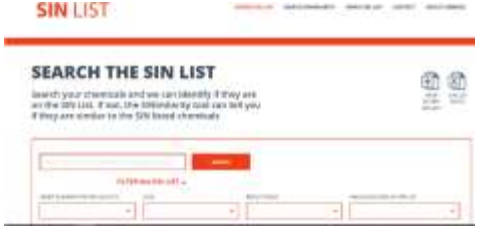
- Step 1: ECHA to **screen REACH registration data for chemicals produced by / used in industrial activities and link to IED Activities;**
- Step 2: COM/ECHA assessment on **substances of concern:**

i) whether they are **used in industrial processes (intermediates) or produced as end products** and whether **grouping of substances** could be made (by functional use);

ii) provide indication of **volumes (production) and (uses)** for the respective IED activities.

Step 3 BAT-C promoting:

- ➢substitution (bans on substances of concern, prevention of use/reduction, "0" missions for PHS substances)
- ➢ Green Chemistry principles,
- ➢Detox the value chain of IED activities to promote circular economy
- ➢Have a broad approach on the scoping of possible sectors, be complementary (to regular BREFs) and ahead of EU legislation



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