

TERMS OF REFERENCE FOR IMPEL PROJECT

No	Name of project
2012/11	LINKING THE WATER FRAMEWORK DIRECTIVE AND IPPC (IE) DIRECTIVE PHASE 3

1. Scope

1.1. Background	<p>The IPPC Directive 2008/1/EC (now IED 2010/75/EU) and Water Framework Directive 2000/60/EC are two of the most wide-reaching items of EU environmental law. They have presented many challenges to the Member States. Installations regulated under IPPC may impact on the water environment, such as through direct or indirect discharges of pollutants, water abstraction, etc. IPPC requires installations to operate to conditions in permits compliant with Best Available Techniques (BAT).</p> <p>They are also required to respect environmental quality standards established in EU law, including those derived under EU water law. However, the relationship between the two sets of obligations is often far from simple.</p> <p>Therefore an IMPEL project has been started in 2010 to investigate the relationship between both directives. The analysis focused on pressures from point source pollution due to organic (e.g. untreated/partially treated waste water from agglomeration and industry), nutrient and chemical substance emissions. Nutrient pollution is – as with organic pollution – mainly caused by emissions from the agglomeration, industrial and agricultural sector. Most important industrial contributor for nutrient pollution is e.g. the chemical, pulp and paper and food sector.</p> <p>Manufacturing industries are responsible for the large emission loads of a number of hazardous substances.</p> <p>The project (Phase 1) has been supported by national contribution from the Netherlands with € 25.000,--.</p> <p>In Phase 1 (2010) of this project a desk based legal/policy analysis of these interactions between WFD and IED (IPPC) was done and presented. The report comprises a description of all gaps and uncertainties encountered in relation to the relationship between the two sets of obligations. In Phase 2 (2011) of the project we sought views and best practice from IPPC regulators and water authorities in IMPEL member countries. This was achieved through a questionnaire approach to the authorities and a workshop to examine key issues, practices and recommendations. The results have indicated that achieving a fully coherent and WFD compliant implementation of the IED (IPPC Dir) and other emission related directives achieved and supported by environmental inspectors requires additional time and improvement of their management to cooperate.</p> <p>In Phase 3 some of the recommendations refer to the things Impel can do itself in a project (phase 3):</p> <ul style="list-style-type: none"> • IMPEL could examine best practice in the assessment of impacts of installations on the surrounding environment, including on multiple sources. • IMPEL could examine best practices in the regulation of industrial estates in order to optimise both regulatory decisions for businesses and environmental outcomes. • IMPEL could examine best practices in the Member States on measures to control discharges from non-IPPC installations and how such measures relate to IPPC regulatory approaches. • IMPEL could examine best practices in the Member States and develop tools regarding the role of inspectors in assessing environmental impacts
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	<p>of installations during inspections as required by the IED.</p> <p>The project will be supported by a consultant for preparation, distribution, analysis of results of questionnaire, participation in workshop and drafting final report.</p> <p>Management and inspection of pollution from diffuse source (e.g. agriculture) will be assessed in a separate IMPEL project.</p>
1.2. Link to MAWP and IMPEL's role and scope	<p>IMPEL Multi Annual Work Programme, among the key priorities and legislative areas of IMPEL activities, mentions that:</p> <p>"IMPEL's key priorities are to continue the work on the tasks given to IMPEL by the Recommendation on Minimum Criteria for Environmental Inspections (RMCEI) and to fulfil its mandate under the 6th Environment Action Program (6th EAP)."</p>
1.3. Objective (s)	<p>To develop a practical guidance tool, with best practices how to deal with multiple pollution sources from both IPPC and non-IPPC plants and Industrial estates. This guidance will include a way how inspectors can assess environmental impacts of installations during inspections as required by the IED. For the preparation of the practical guidance tool during the 2 meetings also site visits will be carried out. The site visits will be in EU MS both with a good record of implementation the EU IPPC (now IED) Directive and good set up of WFD management.</p>
1.4. Definition	<p>The project, to be carried out in 2013, consists of four phases:</p> <ol style="list-style-type: none"> 1) Preparation, further definition of project, First Site visit 2) Preparing a questionnaire, Second Site visit 3) Collecting and discussing data with questionnaire 4) Reporting and communicating results
1.5. Product(s)	<ul style="list-style-type: none"> • More precise defined proposal for project • 2 meetings of core team (6 persons) • Questionnaire • 1 workshop (on results) • Draft and final report

2. Structure of the project

2.1. Participants	<p>This project will be lead by Austria (Austria Lower Government), with assistance of the Environmental Inspectorate of Portugal (vice chair).</p> <p>For the gathering of the information and the workshop a large group of participants is required. (Maximum 20 participants from all IMPEL members.</p> <p>Participants are experts and inspectors involved in regulating industrial and non-industrial and agricultural emissions, and water experts. They need to be familiar with WFD and/or IED (IPPC) requirements and general binding rules for emissions. Preferably in the composition of the team the various river basins should be represented.</p>
2.2. Project team	<p>The project team will consist of <i>(still to be confirmed)</i></p> <ul style="list-style-type: none"> - Christof Planitzer, Austria - Filipe Vitorino, Portugal - Rune Brandt, Sweden - Valeria Marchesi, Italy
2.3. Manager Executor	Austria and Portugal
2.4. Reporting arrangements	To Cluster 1.
2.5 Dissemination of	Through the IMPEL website.

results/main target groups	IMPEL Member Countries and their Competent Authorities, European Commission
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3. Resources required

3.1 Project costs and budget plan			2013	
			€	
	1. <i>Overhead (organisation) cost :</i>			
	2 <i>Project meeting costs:</i>			
	Project Team Meetings	No of meetings in 2013: 2 (phase 3)		
	No of Participants covered in budget:	6		
	Travel:	6* 2* 360 €		4.320
	Accommodation:	6* 2* 2*90 €		2.160
	Catering:			0
	Meeting venue:			
	Workshop Number of workshop			
	No of Participants covered in budget:		15	
	Travel:	15 *1* 360 €		5.400
	Accommodation:	15 * 1*90 €		1.350
	Catering:	15 * 1* 25 €		375
	3. <i>Other costs:</i>			
	Consultant:			10.000
Translation:				
Dissemination:				
Other (specify):				
TOTAL cost			23.605	
3.2. Fin. from IMPEL budget	2. <i>Project meeting costs:</i> 3. <i>Other costs: Consultant:</i>			
3.3. Co-financing by MS (and any other)	1. <i>Overhead costs</i> as co-financing contribution, committed by...(name of institution)..... 3. <i>Other Costs:</i> Consultant costs as co-financing contribution, committed by...(name of institution).....			
3.4. Human from MS	Project team members	Project team meetings (preparation, participation and follow up)		
		Workshop (preparation, participation and follow up)		
	Other workshop participants			

4. Quality review mechanisms

(Interim) reporting to the Cluster meeting and IMPEL's General Assembly.
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5. Legal base

5.1. Directive/Regulation/ Decision	Water Framework Directive (WFD), IPPC Directive, Industrial emissions directive (IED), ...
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5.2. Article and description	<i>To be completed later</i>
5.3 Link to the 7th EAP	<i>To be completed later</i>

6. Project planning

6.1. Approval	Impel Cluster October 2012 and IMPEL GA December 2012
(6.2. Fin. Contributions)	
6.3. Start	January 2013
6.4 Milestones	Phase 1: January - February 2013 (meeting 1, Questionnaire) Phase 2: March - June 2013 (meeting 2, Workshop) Phase 3 : July– November 2013 (Report + Guidance)
6.5 Product	Best practice guidance, workshop
6.6 Adoption	