## Terms Of Reference (TOR) for an IMPEL project

## 1. Project title & version control

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| **1.1 Name of project 2014/10** | | |
| Linking the Directive on Industrial Emissions (IED) and REACH Regulation (II) | | |
| **1.2 Abbreviated project name (where deemed required)** | | |
| IED and REACH | | |
| **1.3 Version Control (enter current version number of TOR & date eg. V1 03/03/13)** | V2 11/11/2013 | |
| **1.4 Where was this TOR amended to current version (eg Spring cluster 2013)?** | | |
| **1.5 How many years do you foresee this project lasting?** | **1 year** | |
| **1.6 Current year of project?** | 2014 | **1.7 Approved at which G.A?** |
| | | **Vilnius/ December 2013** |

## 2. Outline business case (why this project?)

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| **2.1 Legislative driver(s) (name the Directive, Regulation etc)** | |
| Directive 2010/75/EU on industrial emissions (integrated prevention and control (IED) and Regulation (EC) 1907/2006 on Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) Link to the 7th EAP: Priority activity 3: to safeguard the Union's citizens from environmental-related pressures and risks to health and wellbeing; EU environment legislation has delivered significant benefits for the health and wellbeing of the public. However, water, air pollution and chemicals remain among the general public's top environmental concerns. Existing environmental legislation is to be applied more effectively and transparently. | |
| **2.2 Link to MASP priority work areas (indicate which of the following apply)** | |
| Assist members to implement new legislation. | |
| Build capacities in member organisations including through the IMPEL review initiatives. | Yes, including improvement of cooperation and decrease of administrative burdens |

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| Work on trans-frontier shipment of waste. | |
| Work on 'problem' areas of implementation identified by IMPEL and the European Commission. | |

## 2.3 Description of the project (include reasons why the project is needed)

In 2013 IMPEL carried out a project on "Linking the Directive on Industrial Emissions (IED) and the REACH Regulation". A project team consisting of MS representatives from 8 ministries resp. authorities of 6 Member States and a representative of ECHA explored
- a) whether the requirements/obligations under REACH Regulation can be useful for permitting and inspection work
- b) what input the information generated by REACH requirements can be for permitting and inspection activities,
- c) the synergies and complementarities between these two pieces of legislation and how to react on and to improve them.

For that purpose an evaluation of existing studies was carried out as input for the project. Relevant processes under the IED with relation to chemical substances were analysed and a short overview of relevant REACH processes was made. The interlinks of the REACH Regulation with the IED were explored. An inventory of the required information on chemical substances in permit applications and supporting guidance / templates and tools was made. The access of REACH authorities to information generated for IED permitting and inspection was discussed. Other items were: best practice examples, reduction of workload, cooperation of authorities and joint inspections.

The assessment of interlinks of the REACH Regulation with the IED showed that downstream users/operators can benefit from the information generated under REACH and IED for cross-legislation compliance in many different situations. The amount ins depending on their individual role under REACH. There is a need to raise awareness and to provide all the actors having a role in cross-legislation issues with guidance and tools on how to deal with and use the synergies. In the chapter with proposals for future work of IMPEL the project team recommends the organisation of a workshop on the item.

In 2014 the IMPEL project on "Linking the Directive on Industrial Emissions (IED) and the REACH Regulation" (II) shall focus on raising awareness of the interlinks of the REACH Regulation with the IED on authority level and through that indirectly on the operator level.

As only representatives of 6 Member States participated in the project, information from the other MS should be collected and analysed before any general recommendation on information on chemical substances in permit applications and supporting guidance / templates and tools – taking into account the interlinks of the REACH Regulation with the IED - can be made. On top of that best practice examples shall be discussed, the reduction of workload and cooperation of authorities and joint inspections addressed.

## 2.4 Desired outcome of the project (what do you want to achieve?)

The project in 2013 was a very small one with representatives only from 6 MS and working

in the field of IED permitting and inspection and enforcement of REACH regulation. For collection of further input and dissemination of the results of the project in 2013 the project team recommends the organisation of a workshop on the item for:

- the collection of further information about instruments and tools concerning chemical substances existing for handling the item in permit procedures
- the definition of a set of data on chemical substances that is needed for permit applications
- the identification of a procedure to deal with the obligation to use less hazardous substances. Steps in the Authorisation process of REACH may provide useful information
- the development of a better understanding on the link between the two pieces of legislation
- a general recommendation on information on chemical substances in permit applications and supporting guidance / templates and tools – taking into account the interlinks of the REACH Regulation with the IED -
- the exchange of experience on guidance material and best practice and
- answering the open questions that remained from the project part 2013, e.g. find out

  which relevance derived no effect levels (DNEL) and predicted no effect concentrations (PNEC) have for enforcement tasks under IED,

  whether obligations of downstream users to follow received exposure scenarios have an effect on permits ….

| **2.5 Which Cluster will review this TOR (I or TFS)?** | I |
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## 3. Structure of the project

### 3.1 Describe the activities of the project (What are you going to do?)

Development of workshop design from the draft final report of the  IMPEL project 2013 on "Linking the IED Directive and the REACH Regulation" in the project team,
possibly collecting input for the workshop by using a questionnaire,
carrying out the workshop,
evaluation of workshop results and writing a draft final report

### 3.2 Describe the products of the project (What are you going to produce?)

Final report with:

- an overview of instruments and tools concerning chemical substances existing for handling the item in permit procedures,
- a definition of a set of data on chemical substances that is needed for permit applications,
- a recommendation for a procedure how to deal with the obligation to use less

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| hazardous substances. Steps in the Authorisation process of REACH may provide useful information<br>- identified guidance material and best practice<br>- if possible, answers to the open questions of the project part I<br>- recommendations |

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| **3.3 Describe the milestones of this project (How will you know you are on track to complete the project on time?)** |
| January 2014:   identification of project team members<br>February 2014: collection and dissemination of core items for the<br>                           workshop<br>March 2014:     first project team meeting<br>May 2014:       workshop<br>June 2014:       second project team meeting<br>September 2014: draft final report for Cluster i<br>November 2014: submission of the draft final report to GA |

## 4. Organisation of the project

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| **4.1 Lead (Who will lead the project: name, organisation & country)** |
| To be determined |
| **4.2 Project team (Who will take part: name, organisation & country)** |
| Representatives of 4 IMPEL member states dealing with both items<br>1 representative from Forum REACH<br>1 representative from IPPC Bureau<br>1 representative from ECHA |
| **4.3 Other IMPEL participants (name, organisation & country)** |
| Experts from enforcement of IED and experts from enforcement of REACH Regulation |
| **4.4 Other non-IMPEL participants (name, organisation & country)** |
| **Forum REACH<br>IPPC Bureau<br>ECHA** |

## 5. High level project budget projection over life of project

|  | Year 1 | Year 2 | Year 3 | Year 4 | Year 5 |
|---|---|---|---|---|---|
| **Year eg.2014** | **15 350** |  |  |  |  |
| **How much money do you require from IMPEL?** | 15 350 |  |  |  |  |
| **How much money is to be co-financed?** |  |  |  |  |  |
| **Total cost** | **15 350** |  |  |  |  |

## 6. Detailed cost of the project during 1st year (subsequent years see annex1)

| 6.1 Meeting costs | Event 1 | | Event 2 | | Event 3 | |
|---|---|---|---|---|---|---|
|  | *Name: project team meeting I* | | *Name workshop* | | *Name: project team meeting II* | |
|  | *Month: March* | | *Month: May* | | *Month: June* | |
|  | *Country:* *To be determined* | | *Country:* *To be determined* | | *Country:* *To be determined* | |
|  | € | No. | € | No. | € | No. |
| Total numbers of participants |  | 7 |  |  |  | 7 |
| Travel costs/numbers | 1 800 (360 € each) | 5 | 5400 | 15 | 1 800 | 5 |
| Catering costs/numbers | 175 | 7 | 1 000 | 20 | 175 | 7 |
| Hotel costs/number | 450 (90 € each) | 5 | 3 600 (2 nights) | 20 | 450 | 5 |
| Total costs | 2 425 |  | 10000 |  | 2 425 |  |

| 6.1 Meeting costs continued | **6.2 If you use a consultant what is the total cost?** | | Event 5 | | Event 6 | |
|---|---|---|---|---|---|---|
|  | *Name* | | *Name* | | *Name* | |
|  | *Month* | | *Month* | | *Month* | |
|  | *Country* | | *Country* | | *Country* | |
|  | € | No. | € | No. | € | No. |
| Total numbers of participants |  |  |  |  |  |  |
| Travel costs/numbers |  |  |  |  |  |  |
| Catering costs/numbers |  |  |  |  |  |  |
|  |  |  |  |  |  |  |

| | | | | | | |
|---|---|---|---|---|---|---|
| Hotel costs/number | | | | | | |
| Total costs | | | | | | |

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| **6.3 What is the total amount of any other costs?** | 500 |

**6.4 Where a consultant is used what will they do?**

**6.5 Where there are other costs what will they be spent on?**

Project manager participation at Cluster I meeting

**6.6 Where money is co-financed detail which organisation(s) will provide the money?**

**6.7 Where money is co-financed describe how that money will be spent?**

## 7. Communication & follow-up (ensuring value for money)

**7.1 How will you communicate the outputs of the project?**

The final report will be made available on the IMPEL website. It will be sent to the national IMPEL coordinators.

The report will also be sent to Forum REACH and other target groups (via IMPEL secretariat at the European level, via national coordinators at the national level). The results of the project will be reported in professional and technical journals. On top of that they will be used for discussions on national level, for inspector trainings and presented at conferences.

**7.2 Who will you communicate the outputs of the project to?**

**7.3 What follow-up will you undertake to ensure the outputs of the project are embedded? (Include how & when you intend to carryout the follow-up)**

**Guidance document in 2015 - .**

## 8. Review & approval

**8.1 Which cluster meeting(s) will you discuss the project? (Include what you plan to discuss eg. progress reports and/or draft documents)?**

At the Cluster I meeting in Graz the TOR was discussed.
The progress report will be discussed at the Cluster I meeting in spring 2014.
The draft final report will be presented at the Cluster I meeting in Sept. / Okt. 2014.

**8.2 Which General assembly will you seek to get final approval by?**

**December 2014**