

## VdMi position on the proposal amending the Industry Emissions Directive 2010/75/EU of 6 April 2022

The Industrial Emissions Directive (IED) 2010/75/EU has been in force since the end of 2010, regulating large industrial installations and defining requirements for their permits. It also provides the basis for the “BREF process” in Seville, which resulted in a large number of binding conclusions corresponding to the best available techniques (BAT).

Since its publication, good progress has been made towards the general objective of preventing, reducing or as far as possible eliminating pollution from industrial activities. This progress will be ensured continuously with the existing IED.

The transformation of industry envisaged by the Commission under the Green Deal requires a solid economic situation and opportunities for companies to act in an agile manner. We are of the opinion that some of the Commission’s Proposals counteract this.

- Article 15(3) of the Proposal requires the competent authority to set the lowest possible emission limit values of the BAT-AELs range as limit value in the permit. If this is feasible, each operator is required to substantiate this in a separate justification for a higher limit value. This invalidates the results of the BREF process and results in high effort for both, industry and authorities, and massive delays in approval processes.
- Also, the obligation of environmental management systems, transformation plans, and chemicals management systems to be part of the permit results in high bureaucratic effort without providing any added value.
- For benchmarking, comparable plants are required. Especially in our industry sector, production processes are very varied and no plant is identical to another.
- We are concerned about the planned disclosure of confidential data in the BREF process and the publication of the transformation plans. This would harm commercial interests of the operators concerned and entail competitive and industrial espionage risks.
- The planned changes regarding penalties and compensation will undermine national law for our companies and pose the risk of misused legal disputes.

We see the small and medium-sized chemical plants in our industry sector as being particularly affected. With lower profit expectations, they have to face the same challenges as larger companies.

For further details, please consult the position of the German Chemical Industry Association (VCI), which we support.

### Contact:

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