

**EPF feedback on the Proposal for a Directive Amending
Directive on Industrial Emissions and Directive on Landfill of
Waste**

The European Panel Federation (EPF) welcomes the possibility to provide feedback on the Proposal for a Directive Amending Directive 2010/75/Eu on Industrial Emissions (Integrated Pollution Prevention and Control) and Directive 1999/31/EC on Landfill of Waste. EPF believes that achieving the objectives of climate neutrality should be done in a coherent gradual manner setting a clear pathway for European industry in the regulatory framework. Given the current uncertainty of the geopolitical situation at the borders of the Union and the huge challenges this causes to industry and society in general, EPF believes that it is not the right moment for such a revision. More specifically, please find here below EPF's comments to some of the most problematic articles of the proposal:

Art.1

In this article the protection of human health is introduced additionally to the protection of the environment. During the production of wood-based panels odour and natural volatile organic compounds (VOCs) are emitted and regulated in the BAT conclusions. These organic compounds are a mixture of many different natural VOCs which are characteristic for wood. It is not possible to get a final evaluation of the health effects of each single compound and so it is unclear how this should work. The health effects of odour and VOCs will always be under discussion and additionally it is not possible to measure the emission of odour exactly. Of course, the protection of human health and the environment is very important for each production plant and each plant has got emission limit values to guarantee it. The requirement to install BAT in the plants should be enough and an additional discussion in Seville about health would always be subject to uncertainties.

Art.5

In this article a publication of different documents is required. E.g., an overview of the main permit conditions, the emission limit values and others. Also granted derogations in accordance with Art.15(4) should be published. These derogations include a lot of information that is strictly confidential. All these information should be discussed between the national authority and the operator only. There is no need for publication of such confidential details.

Art.9

In this article there is the requirement to show the efficiency of material resources and water usage. There is no need for this requirement because this is daily business in each plant. It is related to cost saving so every plant will work on optimising it anyhow. Also, the additional implementation of an environmental management system including the overall life-cycle environmental performance of the supply chain is not necessary as it would only cause additional workload without any benefit. Moreover, all plants already have environmental management system (EMS) based on e.g., ISO14001 and it is key for such systems to show environmental performance, resource efficiency and to look at the environmental performance of the supply chain. Holding a completely new management system makes no sense.



Art. 14(a)

In this article there is the requirement to install an EMS complying with the provisions and benchmarks included in relevant BAT conclusions. Moreover, it also required to publish a chemical inventory of hazardous substances on the internet. As mentioned before this would lead to a huge additional workload without any benefit since companies already implement all these requirements by certified management systems e.g., ISO 14001, ISO 9001, ISO 18001 or ISO 45001. A lot of these information are strictly confidential and should therefore not be made available on the internet.

Art.15§3

This article requires that the competent authorities should set the strictest possible emission level for each parameter. When different values are set a yearly assessment is necessary to show that this strictest level is met. This requirement cannot be accepted because it is not based on reality. In the BAT process of the wood-based panel industry it became clear that the strictest level of the emission range is based on the measurement results of only a limited number of plants. There are a number of variables affecting each individual plant (geographic situation, wood mix, etc.) making it impossible for just a single requirement for every plant. Additionally, it is clear that each BAT is reducing specifically a single parameter although other parameters may be affected otherwise and thus be in the upper end of the emission range. It is therefore not possible to have an abatement system (even if it is BAT) which is fulfilling the strictest emission level of the range for all parameters at the same time. The existing system with the definition of an emission range and the need for an individual discussion at national or plant level to find the strictest levels for each plant (considering its specific situation) is the best and most efficient way.

Furthermore, the evaluation of the data was affected by serious errors such as laboratories and industries on sampling methods and measurement points or Member States and Sevilla Office on assesment of data reliability and data quality. Therefore, the improvement of the BAT process is a priority, especially the enhancement of the capacity of the Sevilla Office, the reduction of data collection to the essentials and the improvement of data evaluation.

Art.15§3a

The requirement of environmental performance limit values (e.g., water consumption, energy efficiency, waste avoidance) is unnecessary and not practical. To optimise the performance is given in the plants anyhow and followed via the plan-do-check-act cycle accordingly the ISO certification. There is no need for additional burden. And it is not clear how such performance levels should be set in the Seville process because all plants are individual due to their geographic and local situation, wood mix, installed techniques and age of the plant. These performance levels are important but there is no need and no possibility to address it by BAT levels.

Art.15(4)

This article requires that in case of a derogation, the derogation has to be reassessed every 4 years. It must be stressed that such a derogation process is lasting about 2 or 3 years before being finalised. So, it is a huge and unnecessary workload for companies and authorities to have this process permanently reassessed. When the derogation process is finalised, it has to start again from scratch. This is not efficient and not necessary because the authorities and the companies have a regular review of the approvals anyhow. It is daily business.



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Art.27(d)

The requirement for operators to include by 30 June 2030 in their environmental management system a transformation plan for each installation is also very challenging and unnecessary. The Emission Trading System and other elements of the FF55 package are already addressing this transformation process anyhow. It will again lead to a huge workload with a lot of uncertainties given the level requirements. The obligation to publish the transformation plan on the internet also holds the risk for operators to be unduly scrutinised by NGOs or authorities if they fail to fulfil part of the plan.

Art.79

This article sets up administrative penalties of up to 8% of the annual turnover of operators. Such level of penalties is in no way proportionate. The same concerning Art.79(a) on compensation following claims in the case of health damage.

To conclude, the overall administrative and financial burden for industrial operators and public authorities of the whole proposal is excessive especially during challenging circumstances such as those currently endured due to the spill over effects of the invasion of Ukraine by Russia. The implementation of the IED revision proposal as it stands would seriously hinder the achievement of a level-playing for EU industry compared to their competitors outside the EU.

EPF represents the manufacturers of wood-based panels being particleboard, dry process fibreboard (MDF), oriented strand board (OSB), hardboard, softboard and plywood. EPF has members in 32 European countries. The EU wood panel industry has a turnover of about 22 billion euro every year and creates directly over 100,000 jobs. The production of wood-based panels in the EU-27 (+EFTA) in 2020 was an estimated 58 million m³. www.europanel.org

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