



EUROPEAN COMMISSION
JOINT RESEARCH CENTRE
Institute for Prospective Technological Studies (Seville)
Sustainable Production and Consumption Unit
European IPPC Bureau

Seville, July 29th 2013

**Subject: GUIDELINES FOR THE EXPRESSION OF POSITIONS ON THE
REVIEW OF THE REFERENCE DOCUMENT ON BEST
AVAILABLE TECHNIQUES FOR WASTE TREATMENT**

Dear Waste Treatment TWG members,

Welcome! It is our pleasure to welcome you as members of the Technical Working Group (TWG) for the review of the reference document on Best Available Techniques for Waste Treatment, the WT BREF.

The review of the WT BREF started with the reactivation of the TWG (the subject of the letter from Luis Delgado dated 24 June 2013) which resulted, as of today, in an updated provisional list of 124 members that is available in the BAT Information System (BATIS).

You should have recently received your access credentials for BATIS login at the web address <http://eippcb.jrc.ec.europa.eu/batis/login.jsp>. Information on data processing and protection can be found in the BREF Guidance and in the privacy statement published on the EIPPCB website at <http://eippcb.jrc.ec.europa.eu/members/>. Please review the contact details given in BATIS in relation to your profile. Should you find incorrect information, or for general questions about BATIS login, or for any changes of contact details, please contact the EIPPCB Secretariat (email: jrc-ipts-eippcb@ec.europa.eu, Tel: +34 954 488 284, fax: +34 954 488 426).

In the next pages, we give some guidelines on the upcoming review of the WT BREF:

- Main steps for the review of the WT BREF
- Role of a TWG member as detailed by the so-called "BREF Guidance" (Commission implementing decision 2012/119/EU)

- Guidelines for the expression of TWG members initial positions on the main issues of the WT BREF review

You are kindly asked to express your initial positions on the WT BREF review by

20 September 2013

at the latest, by following the guidelines given in the next pages.

The WT TWG kick-off meeting could take place in November 2013, (e.g. in the week 25-29 November 2013, indicative date). At this stage, we would like to ask you to consider blocking that week in your agenda. However, we would like to point out that these dates are still indicative and could change depending on the progress on the WT BREF review, but also on the overall work planning of the EIPPCB. So please do not book any flights or hotel rooms until you receive the official invitation in due time.

Main steps for the review of the WT BREF

The main steps for the review of the WT BREF will follow the typical workflow for the drawing up and reviewing of BREFs given in the BREF Guidance section 1.2.4:

- ✓ Preparation for the review by the EIPPCB (done, started in June 2013)
- ✓ TWG reactivation (done, June 2013)
- ✓ Call for the expression of TWG members initial positions and related guidelines (this document and message)
 - Expression of TWG members positions (deadline: 20 September 2013)
 - Kick-off meeting of the TWG (indicative date: end of November 2013)
 - Submission of information (deadline will be set)
 - Elaboration of the first formal draft of the reviewed WT BREF
 - TWG comments on the first draft
 - (optional) Elaboration of the second formal draft
 - (optional) TWG comments on the second draft
 - Final TWG meeting
 - Final draft
 - Presentation at an IED Article 13 forum meeting
 - BAT conclusions voted at the IED Article 75 committee meeting
 - Publication of the BAT conclusions in the Official Journal of the European Union
 - Publication of the BREF on the EIPPCB website.

Role of a TWG member

We would like to stress that TWG members are nominated to participate in the information exchange for the elaboration and review of BREFs primarily based on their technical and/or regulatory expertise as well as on their ability to bring in the BREF end-user's perspective. The tasks and duties of a TWG member are detailed in the so-called "BREF Guidance" that can be downloaded from the link given below:

Commission implementing decision (2012/119/EU) of 10 February 2012 laying down rules concerning guidance on the collection of data and on the drawing up of BAT reference documents and on their quality assurance referred to in the Industrial Emissions Directive 2010/75/EU (IED):

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:063:FULL:EN:PDF>

For your convenience, the main tasks of a TWG member described in the BREF Guidance are reported below for the case of the WT BREF:

The main tasks of a WT TWG member are:

1. to gain an awareness and understanding of the BREF Guidance;
2. to identify and list new/updated key data and issues relevant for deriving or updating BAT conclusions for the sector;
3. to actively collect targeted technical and economic information important for the drawing up/reviewing of the WT BREF, including in particular new/updated emission and consumption level data from installations covered by the BREF (for the sector/Member State that he/she is representing), according to the process agreed by the TWG based on a general guidance of the EIPPCB in line with the principles set out in the BREF Guidance, also with a view to deal with issues like confidential business information, sensitive information under competition law, conflict of interests and other related matters;
4. to check the quality of the data and information collected before submitting them to the EIPPCB, in particular the data contained in filled-in templates/questionnaires used to gather plant- or installation-specific information (see the BREF Guidance sections 5.4 and 5.5);
5. to share the data collected with other WT TWG members and the EIPPCB by posting the information directly onto BATIS, with the possible exception of confidential business information or sensitive information under competition law;
6. to respond in a timely manner to requests for additional information or clarifications from the EIPPCB;
7. to comment within the set deadlines on formal draft of the WT BREF and other documents prepared by the EIPPCB;
8. to attend the WT TWG meetings and actively participate in them;
9. to share experience with the EIPPCB and other WT TWG members (e.g. during site visits to waste treatment installations);

10. to identify and establish contacts/networks with non-TWG members (e.g. shadow groups of experts, competent authorities, operators or groups of operators, national groups) to gain more experience to be shared with the rest of the WT TWG and the EIPPCB.

WT TWG members are responsible for uploading all the information they have collected and submitted for the BREF drawing up or review process onto the BAT Information System (BATIS), with the possible exception of confidential business information or sensitive data under competition law. Exceptionally, data may be submitted through other electronic means, e.g. via e-mail.

Most of the work for WT TWG members can be expected to take place outside of the plenary meetings in submitting information and reviewing draft text proposals. In particular, the successful development of the WT BREF requires the TWG to respond in detail to substantial draft documents within a limited time.

Guidelines for the expression of TWG members' positions on the main issues of the WT BREF review

Considering the timeline for a BREF review given in the BREF Guidance and the discussions at the IED forum meeting of 6 June 2013, the WT TWG will work under the following approach:

- Adopt a more focused approach to the overall WT BREF review process by:
 - focusing on BAT conclusions (and the associated BAT candidate chapter);
 - targeting the most polluting sectors/sub-sectors;
 - targeting a limited number of key environmental issues;
 - collecting sound and reliable data, followed by appropriate data processing;
- Resolve difficult issues with working drafts and/or TWG subgroups;
- Strictly limit the possibilities for time slippages;
- 'Front-load' the exchange of information.

This way of working, valid for the whole WT BREF review, also entails that the former "wish list" step needs to be more focused to front-load properly the information exchange.

To this end, the TWG members are sent the following documents:

1. these guidelines (**document 1**) on the way each TWG member is invited to express his/her position¹
2. an empty version of structured BAT conclusions (**document 2**), containing a proposal for:
 - a. the scope;
 - b. the structure of the BAT conclusions in relation to the subsectors, according to the IED, the BREF Guidance, and the scope (e.g. some BAT conclusions from the adopted WT BREF have been deleted, other "empty" expected BAT conclusions have been added);
 - c. the key environmental issues for each subsectors, including the way to express them in terms of averaging periods and units of measurement.
3. For the sake of better understanding document 2, we are also providing a detailed version of the BAT conclusions (**document 3**) that includes techniques from the conclusions on BAT of the adopted WT BREF that have been reformulated according to IED principles and the BREF Guidance.

¹ This step corresponds to the "call for wishes" indicated in section 4.6.1 of the BREF Guidance.

4. An excel file template (**document 4**) for the expression of positions based on the structure of document 2.
5. A presentation with a quick introduction on how to post information onto the BATIS platform (**document 5**, a complete presentation of BATIS and of its main functionalities will be presented to the participants of the kick-off meeting).

Please consider that these documents are only a front-loading input to focus the discussion on the most important issues. **These documents do not prejudge in any way the future BAT conclusions that will be shaped by means of the TWG exchange of information.** For documents 2 and 3, see also colour codes on their first page for a better understanding.

The TWG members are invited to express their position on the review of the WT BREF, mainly by replying by mean of clear rationales to the following questions that will inform the discussion at the upcoming kick-off meeting:

I On scope, (see also BREF Guidance Section 2.3.3):

- a. Do you agree with the proposed scope of document 2?
- b. Do you think that any part of the scope need to be removed, added or clarified?
- c. Please check carefully what is proposed to be covered and what is proposed to be excluded. Do you agree with the proposed definitions? (e.g. please note that the "waste input" is defined as the waste that is going to be treated, while the "output" is defined as the treated material stream).

II On BREF/BAT conclusions structure (see also BREF Guidance Sections 2.2, 2.3.8 and Chapter 3):

- a. Do you agree with the proposed structure of the BAT conclusions? In document 2, the first levels are identified by treatment process and the lower levels by key environmental issues in relation to treated waste.
- b. Which are the most polluting waste treatment processes to cover in the WT BREF review?

III On the limited key environmental issues for the WT sector (see also BREF Guidance Sections 3.3 and 5.4):

- a. Which are the key environmental issues to consider for each sub-sector?
- b. Please include missing or incomplete BAT conclusions, including an associated key environmental issue fitted with averaging period and unit of measurement.
- c. If you think that in the document 2 an important environmental parameter is not covered (e.g. emissions to air of a certain pollutant) or is covered not in the correct way, please indicate this by considering whether there is availability of plants that are:

- monitoring the environmental parameter
- willing to participate in the data collection
- targeting the environmental issue by mean of primary and/or end-of-pipe techniques.

This information will be needed at the kick-off meeting.

- d. Do you agree with the proposed way to express the BAT – associated environmental performance levels representing the performance of BAT tackling a specific environmental issue? (type and format of the sector-specific data, e.g. long-term vs. short-term averaging period, concentration vs. specific load). Please check if the proposed averaging period and monitoring frequency correspond to the real practice of the WT sector. Are you aware of real cases where the data are collected in such way? This is crucial to clarify the type and format of sound, plant-specific data collection that will inform the review.
- e. Do you believe that some of the proposed parameters could entail confidentiality issues (according to its definition given in the BREF Guidance Section 5.3)?

Other points on which the TWG members may provide their position (e.g. "Techniques to consider in the determination of BAT", "Current emission and consumption levels" or "Emerging techniques") are not likely to be discussed in depth at the kick-off meeting, but they will become crucial at the time of data and information collection:

IV On techniques and performances:

- a. Are you aware of well-established techniques missing in the WT BREF chapter "Techniques to consider in the determination of BAT"?
- b. Which of the emerging techniques described in the current WT BREF can now be considered as well-established at an industrial level?
- c. Please provide a list of the missing candidate techniques that are implemented in the WT sector to help to develop the questionnaire template for the data collection. At this stage, no details are needed; detailed information will be collected by means of the data and information collection following the kick-off meeting.

TWG member positions on other issues are indeed less strategic at this stage, since, to focus, front-load and streamline the exchange of information, some issues will be discussed later on in the review process. For example, on the basis of the decisions taken at the kick-off meeting, information on:

- incompletely described candidate techniques (e.g. on economics, on applicability restrictions, on improvement achieved by a certain technique)
- emerging techniques,

- the range of observed emissions and consumptions,

will be better collected during the step of the data and bulk information collection and fine-tuned during the first draft WT BREF commenting step.

The TWG members are invited to compile their positions by mean of the excel file template (document 4) following these guidelines and the guiding tips given in the template. To be fully useable, a position should be accompanied by:

- (a) a relevant rationale explaining the reasons behind the position.
- (b) supporting documents for the rationale, if needed (to be posted in BATIS and referenced in the excel file).
- (c) clear suggestions on how to collect the information considered necessary for the review; this includes especially indications of WT plants that are monitoring the concerned parameter and willing to participate to the data collection step.

Finally, the TWG members are kindly invited to post the compiled file onto the following folder in BATIS:

Forums > Waste Treatments Industries > Review of the Waste Treatment BREF 2013 - > 02 Expression of initial positions

by the 20 September 2013 (to this end, please check the tips given in the quick introduction for posting onto BATIS (document 5)).

The compiled list of positions submitted by the WT TWG members will be grouped on the basis of the points indicated above (I, II, III, IV); the compiled positions grouped under points I, II, III will be used to organise and structure the discussion at the kick-off meeting (see BREF Guidance Section 4.6.2.2).

Should you have any questions regarding these guidelines or on the review of the Waste Treatment BREF, please do not hesitate to contact us by phone at +34 95 44 80577 / +34 95 44 88251 or by e-mail at: jrc-ipts-eippcb-wt@ec.europa.eu.

The WT BREF review team

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