



Survey for the preparation of the Workshop on
Evolution of the Sevilla process
in light of the revised Industrial Emissions Directive (IED)
14-15 March 2024, in Dessau-Roßlau, Germany

Fields marked with * are mandatory.

About this survey

The revised IED is pending for adoption by the European Parliament and the Council. It will bring new challenges for the Sevilla process, among which are the more explicit consideration of the entire range of the emission levels associated with the best available techniques (BAT-AELs), the increased relevance of the lower end of BAT-AEL ranges, the binding nature of environmental performance levels, the new concept of benchmarks, decarbonisation, an enhanced role of environmental management systems, the setting-up and operation of INCITE, etc.

Background information on the main topics of the Dessau workshop can be found in the following background paper.

[Backgroundpaper_Workshop_on_the_evolution_of_the_Sevilla_process.pdf](#)

This survey has been designed by the organisers in preparation of the workshop, with the intention to find out your priorities and ideas to make the Sevilla process fit for purpose under the revised IED. **Please complete the survey by 21 February 2024.**

It is appreciated by the organisers if you could reveal your name and affiliation when responding to this survey. This applies in particular with regard to your answer to question # 4 further below. However, we definitely do not intend to share any of your comments and ideas outside of the small group of organisers. Be assured that your responses will be used only for the purpose to best prepare this workshop. At no time will third parties get access to the collected information.

Last name

Kriekouki

First name

Aliki

E-Mail

aliki.kriekouki@eeb.org

1. Country

- AT - Austria
- BE - Belgium
- BG - Bulgaria
- HR - Croatia
- CY - Cyprus
- CZ - Czechia
- DK - Denmark
- EE - Estonia
- FI - Finland
- FR - France
- DE - Germany
- EL - Greece
- HU - Hungary
- IE - Ireland
- IT - Italy
- LV - Latvia
- LT - Lithuania
- LU - Luxembourg
- MT - Malta
- NL - Netherlands
- PL - Poland
- PT - Portugal
- RO - Romania
- SK - Slovak Republic
- SI - Slovenia
- ES - Spain
- SE - Sweden
- Other (e.g. ...)

* 2. Stakeholder group

- EU Member State - Ministry level
- EU Member State - Regional Government
- EU Member State - Local authority
- Nationale Environmental agency or research institutes
- Industry association or company
- Environmental or health protection NGO
- European Commission
- Agency of the EU

Other

3. What is your role in relation to the Sevilla process? (multiple answers possible)

- TWG member
- Shadow group member
- Person in charge of transposition BAT conclusion into General Binding Rules
- Permit writer
- Operator
- IED Article 13 Forum member
- IED Article 75 Committee member
- Other

4. Would you volunteer for being a speaker at **one** of the proposed panels? (see draft agenda)

- No
- Yes

If yes, please specify the number and title of the panels you would choose

We would appreciate speaking on all four panels.

Please also indicate two/three key messages you would like to pass in the chosen panel

Panel I

(a) In order to guide the permit writer, the BAT Conclusions should systematically contain information on the circumstances allowing the achievement of lower emissions levels within the BAT-AELs range, incl. the technique(s) used, and potential cross media effects. The techniques should systematically appear in a hierarchical order, e.g., pollution abatement techniques shall be categorised based on their effectiveness to first prevent, or if this is not practicable, to reduce pollution in an integrated manner. It would greatly benefit the process if few operators of best-performing installations would volunteer to already provide the feasibility assessments (on whether they can comply with the lower BAT-AEL ranges of current BREFs) as early in the process as possible. This would enable a more focused and faster data collection, validation and analysis.

(b) There should be a zero-tolerance approach on persistent, bio-accumulative and toxic (PBT) substances. This would mean to only include techniques in the BREFs that can achieve emissions close to detection limit for substances qualifying, e.g., as Priority Hazardous Substances under the EU Water Framework Directive. KEI determination criteria not fit for purpose esp. for tackling hazardous substances (only the criterion of 'environmental relevance' is valid) and shall not be used in future BREFs reviews.

(c) Regarding performance levels other than emission levels, more resources shall be dedicated to tackle the (un)availability of data and expertise, addressing inter alia the choice of appropriate boundaries for the data collection, the contextual information needed to ensure data comparability, the metrics to be used for the BAT-AEPLs etc. The issue of deriving BAT-AEPLs vs benchmarks also merits attention. As noted in IED Recital 13a, indicative benchmarks shall be derived (instead of BAT-AEPLs) 'where environmental performance is highly dependent on specific circumstances of the processes'. The BREF guidance should include a clarification on this issue to ensure a consistent approach across the different TWGs.

Panel II

Consideration of partial reviews of BREFs targeting only issues of significant environmental impact, following the opinion of the EEA and ECHA, as well as areas of advanced technological developments, following the opinion of INCITE. A first analysis on where these partial reviews shall focus can be provided by a group of member states to the Forum for consideration.

Panel III

(a) The data collection should only focus on the most effective BAT, e.g., by a more suitable selection of reference installations that indeed have BAT to showcase; by a more suitable selection of the data used for the BAT-AELs derivation; by ensuring an adequate representation of innovative technique providers and operators in the TWG (and in the INCITE) that would advise on these issues in the frontloading phase.

(b) The information exchange shall only consider:

- o installations whose performance is in compliance with current BREF conclusions for the BAT in question;
- o installations whose performance do not to exceed any national-level general binding rules for the BAT in question.

(c) It would greatly benefit the process if few operators of best-performing installations would volunteer to already provide the feasibility assessments (on whether they can comply with the lower BAT-AEL ranges of current BREFs) as early in the process as possible. This would enable a more focused and faster data collection, validation and analysis.

Panel IV

BAT conclusions should determine which techniques, and under what circumstances, constitute 'deep transformation techniques' for a given sector; and which techniques and processes are incompatible with the transformation vision (and timeline) and should be phased-out. Any technique, e.g., involving the use of fossil fuels (or feedstock) needs to be included in the BAT conclusions as a so-called 'negative BAT', accompanied by a mandatory decommissioning or phase out plan.

The BREF guidance shall further provide (Key) Performance Indicators (KPIs) as to what expectations /outcomes the BAT conclusions shall deliver at installation (or sector) level. The main entry point is provided through the revised provisions of the IED referring to the dynamic nature of BAT (IED Art. 1, Art. 14a). The EMS shall include 'environmental policy objectives' for the 'continuous improvement of the environmental performance and safety of the installation', based on 'objectives and performance indicators' and those are to be developed on the basis of the so-called 'benchmarks' set out in relevant BAT conclusions (IED Art. 14a (b)). Hence the KPIs, or outcome-oriented indicators, should be an integral part of the BREFs; and hence the BREF guidance shall provide clarity as to what common 'headline KPIs' should apply across the IED activities.

5. Relevance of topics

How important do you consider the following topics/articles of the revised IED with regard to adaptations of the Sevilla process (1=not important, 5=very important)?

Themen	1	2	3	4	5	

1. More emphasis on the entire range of BAT-AELs/Article 15(3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. Increased relevance of the lower end of BAT-AEL ranges /Article 15(3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
3. Binding ranges of environmental performance (BAT-AEPLs) /Article 15(3a)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
4. Environmental performance limit values	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
5. Indicative environmental performance levels	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6. Environmental quality standards stricter than those achievable by the use of BAT/Article 18	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
7. Emission levels associated with emerging techniques	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
8. Benchmarks as objectives and performance indicators for EMS /Article 3 (13b)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
9. Presentation of decarbonisation techniques	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
10. Development of guidance concerning the application of „deep industrial transformation“/Article 27e	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
11. How to better address reduction of use and release of hazardous substances in BAT conclusions?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
12. The role of ECHA in the BREF process/Article 13	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
13. How to deal with new pollutants without standardised measurements methods?	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
14. Determination of the stages of the Sevilla process that could be modified to speed up the process	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
15. Role of INCITE in supporting the BREF process	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
16. Other	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
17. Other	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Other, please add to the list, specify and assess their relevance

1000 character(s) maximum

It is also important to set principles for the BAT determination, and rethink the governance model of the process:

- BAT conclusions should determine which techniques constitute 'deep transformation techniques' for a given sector (see panel IV msg).
- The data collection should only focus on the most effective BAT, and the information exchange shall only consider installations whose performance is in compliance with current BREF conclusions; those who do not to exceed general binding rules; and those which will deliver on the deep transformation (see panel III msg).

A different governance model is needed, where consensus-finding would be (compatibility-)checked against the 2050 transformation vision, and where civil society interests will be adequately represented. Same with industry frontrunners (technique providers and operators) currently side-lined by the well-established industrial associations present in the Forum/TWGs.

6. How do you rank the topics listed above from the highest priority to the lowest priority?

Use drag&drop or the up/down buttons to change the order or [accept the initial order](#).

⋮ Development of guidance concerning the application of „deep industrial transformation“/Article 27e

⋮ Presentation of decarbonisation techniques

⋮ Increased relevance of the lower end of BAT-AEL ranges /Article 15(3)

⋮ Environmental performance limit values

⋮ Binding ranges of environmental performance (BAT-AEPLs)/Article 15(3a)

⋮ Benchmarks as objectives and performance indicators for EMS/Article 3 (13b)

⋮ How to better address reduction of use and release of hazardous substances in BAT conclusions?

⋮ Environmental quality standards stricter than those achievable by the use of BAT/Article 18

⋮ Role of INCITE in supporting the BREF process

⋮ Emission levels associated with emerging techniques

⋮ Determination of the stages of the Sevilla process that could be modified to speed up the process

⋮ Indicative environmental performance levels

⋮ The role of ECHA in the BREF process/Article 13

⋮ How to deal with new pollutants without standardised measurements methods?

⋮ More emphasis on the entire range of BAT-AELs/Article 15(3)

7. Modification of working procedures

Do you see a need to modify the current working procedure of the Sevilla process and if so, by making changes to the following working steps or procedures (1=not important, 5=very important)?

Themen	1	2	3	4	5	
1. How do we get to a BREF work programme (3 – 4 years) to enable frontloading?	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. "Candidate" KEIs determination and the assessment of their BAT relevance	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. Are the current data assessment workshops fit for purpose?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
4. Additional methods to keep the TWG updated in the process	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5. Complementary or more advanced information collection methods in addition to the Excel questionnaire	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
6. Efficient use of webinars through the process (deciding earlier to reduce workload/burden of Final TWG Meetings)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
7. Role of TWG subgroups	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
8. How to deal with split views?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
9. Focus only on relevant BAT conclusions where there is room for improvement	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
10. Would a fast-track BREF review or 'light' BREF review be meaningful, feasible or advisable?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
11. Other	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
12. Other	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Other, please add to the list, specify and assess their relevance

1000 character(s) maximum

Additional Level 5 points:

(a) Important to set principles for the BAT determination: First and foremost, we need an outcome-oriented approach (see panel IV msg). Furthermore, the data collection should only focus on the most effective BAT, the exchange shall only consider installations whose performance is in compliance with current BREF conclusions etc.; complementary to the questionnaire, few operators could volunteer to provide the feasibility assessments (see Art.15.3) early on (see panel III msg).

(b) Considering two separate stakeholder groups for industry (operators and technique providers), when reaching consensus on BAT; furthermore, we would propose that a special working framework shall be set up for technique providers, where they could contribute more frequently and freely, e.g., when performance levels are challenged (or applicability restrictions are overplayed) by the operators.

(c) The involvement of independent scientific community should be promoted via INCITE.

8. How do you rank the topics listed above from the highest priority to the lowest priority?

Use drag&drop or the up/down buttons to change the order or [accept the initial order](#).



Complementary or more advanced information collection methods in addition to the Excel questionnaire

- ⋮ Focus only on relevant BAT conclusions where there is room for improvement
- ⋮ Would a fast-track BREF review or 'light' BREF review be meaningful, feasible or advisable?
- ⋮ How do we get to a BREF work programme (3 – 4 years) to enable frontloading?
- ⋮ Role of TWG subgroups
- ⋮ Efficient use of webinars through the process (deciding earlier to reduce workload/burden of Final TWG Meetings)
- ⋮ "Candidate" KEIs determination and the assessment of their BAT relevance
- ⋮ Are the current data assessment workshops fit for purpose?
- ⋮ Additional methods to keep the TWG updated in the process
- ⋮ How to deal with split views?

9. Do you think there is a need for an update of steps of the Sevilla process mentioned in the BREF-Guidance 2012/119/EU? If yes, please specify and explain (you can also attach documents to this survey).

2000 character(s) maximum

There is definitely a need for the reform of the process, but for the EEB the key issue is not about the individual steps. It is primarily about BAT determination principles that would make the BREF process fit for the 2050 vision. Already noted above: we need an outcome-oriented approach, and a compatibility check for BAT (against the 2050 vision), e.g., any fossil-based process shall be included in the BREFs only for the purpose of developing a phase-out plan; we need to focus on the most effective BAT; give a stronger voice to civil society and innovative industry players etc. We also need tools to limit dependency on operators for the provision on data - alternatives approaches in info collecting such as getting the list of most efficient plants linked to the ETS benchmarks derivation from DG CLIMA. For more information, please see the attached paper.

10. Which stages of the Sevilla process could be modified in order to speed up the process? Please specify and explain (you can also attach documents to this survey).

2000 character(s) maximum

See question 9.

11. With regard to question 5 (relevance of topics) and 7 (modification of working procedures), do you think there are any additional general challenges?

2000 character(s) maximum

An issue that was not addressed so far is the much-needed changes in the governance model of the process. As well as the implications regarding the new Art.13 on CBI handling, and how to limit dependency on operators for the provision of data. Please see the attached paper.

12. Could you suggest any actions to address the above-mentioned challenges?

2000 character(s) maximum

See question 11.

13. Do you have any further suggestions/references/comments?

2000 character(s) maximum

See the attached paper.

Please upload your file(s)

[358aa6ce-21d3-4a3e-ba97-ebffdf4b0ec/EEB_proposals_for_the_BREF_process_reform_23Feb2024.pdf](#)

By submitting the survey, I understand and agree that:

- **The completed survey will be shared and stored within the organisation team for the Dessau workshop.**
- **The personal data submitted will be stored for possible follow up by the organisers.**
- **The results of the survey will only be published in anonymised and summarised form.**
- **Should you subsequently wish to withdraw your consent to the storage of your personal data, please contact the Dessau workshop organisation team indicated under 14. Contacts below.**

I accept your Terms

14. Contacts

Thank you very much for providing input to prepare for the workshop. In case you have questions or any supporting documents to accompany your comments, please send them to:

camille.siefridt@ec.europa.eu

josefine.roemer@uba.de

Contact

[Contact Form](#)