

## ANNEX I

### CATEGORIES OF INDUSTRIAL ACTIVITIES REFERRED TO IN ARTICLE 1

1. Installations or parts of installations used for research, development and testing of new products and processes are not covered by this Directive.
2. The threshold values given below generally refer to production capacities or outputs. Where one operator carries out several activities falling under the same subheading in the same installation or on the same site, the capacities of such activities are added together.
  1. Energy industries
    - 1.1. Combustion installations with a rated thermal input exceeding 50 MW<sup>(1)</sup>
    - 1.2. Mineral oil and gas refineries
    - 1.3. Coke ovens
    - 1.4. Coal gasification and liquefaction plants
  2. Production and processing of metals
    - 2.1. Metal ore (including sulphide ore) roasting or sintering installations
    - 2.2. Installations for the production of pig iron or steel (primary or secondary fusion) including continuous casting, with a capacity exceeding 2,5 tonnes per hour
    - 2.3. Installations for the processing of ferrous metals:
      - (a) hot-rolling mills with a capacity exceeding 20 tonnes of crude steel per hour
      - (b) smitheries with hammers the energy of which exceeds 50 kilojoule per hammer, where the calorific power used exceeds 20 MW
      - (c) application of protective fused metal coats with an input exceeding 2 tonnes of crude steel per hour
    - 2.4. Ferrous metal foundries with a production capacity exceeding 20 tonnes per day
    - 2.5. Installations
      - (a) for the production of non-ferrous crude metals from ore, concentrates or secondary raw materials by metallurgical, chemical or electrolytic processes
      - (b) for the smelting, including the alloyage, of non-ferrous metals, including recovered products, (refining, foundry casting, etc.) with a melting capacity exceeding 4 tonnes per day for lead and cadmium or 20 tonnes per day for all other metals
    - 2.6. Installations for surface treatment of metals and plastic materials using an electrolytic or chemical process where the volume of the treatment vats exceeds 30 m<sup>3</sup>
  3. Mineral industry
    - 3.1. Installations for the production of cement clinker in rotary kilns with a production capacity exceeding 500 tonnes per day or lime in rotary kilns with a production capacity exceeding 50 tonnes per day or in other furnaces with a production capacity exceeding 50 tonnes per day

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- 3.2. Installations for the production of asbestos and the manufacture of asbestos-based products
- 3.3. Installations for the manufacture of glass including glass fibre with a melting capacity exceeding 20 tonnes per day
- 3.4. Installations for melting mineral substances including the production of mineral fibres with a melting capacity exceeding 20 tonnes per day
- 3.5. Installations for the manufacture of ceramic products by firing, in particular roofing tiles, bricks, refractory bricks, tiles, stoneware or porcelain, with a production capacity exceeding 75 tonnes per day, and/or with a kiln capacity exceeding 4 m<sup>3</sup> and with a setting density per kiln exceeding 300 kg/m<sup>3</sup>
4. Chemical industry

Production within the meaning of the categories of activities contained in this section means the production on an industrial scale by chemical processing of substances or groups of substances listed in Sections 4.1 to 4.6

- 4.1. Chemical installations for the production of basic organic chemicals, such as:
  - (a) simple hydrocarbons (linear or cyclic, saturated or unsaturated, aliphatic or aromatic)
  - (b) oxygen-containing hydrocarbons such as alcohols, aldehydes, ketones, carboxylic acids, esters, acetates, ethers, peroxides, epoxy resins
  - (c) sulphurous hydrocarbons
  - (d) nitrogenous hydrocarbons such as amines, amides, nitrous compounds, nitro compounds or nitrate compounds, nitriles, cyanates, isocyanates
  - (e) phosphorus-containing hydrocarbons
  - (f) halogenic hydrocarbons
  - (g) organometallic compounds
  - (h) basic plastic materials (polymers synthetic fibres and cellulose-based fibres)
  - (i) synthetic rubbers
  - (j) dyes and pigments
  - (k) surface-active agents and surfactants
- 4.2. Chemical installations for the production of basic inorganic chemicals, such as:
  - (a) gases, such as ammonia, chlorine or hydrogen chloride, fluorine or hydrogen fluoride, carbon oxides, sulphur compounds, nitrogen oxides, hydrogen, sulphur dioxide, carbonyl chloride
  - (b) acids, such as chromic acid, hydrofluoric acid, phosphoric acid, nitric acid, hydrochloric acid, sulphuric acid, oleum, sulphurous acids
  - (c) bases, such as ammonium hydroxide, potassium hydroxide, sodium hydroxide
  - (d) salts, such as ammonium chloride, potassium chlorate, potassium carbonate, sodium carbonate, perborate, silver nitrate

- (e) non-metals, metal oxides or other inorganic compounds such as calcium carbide, silicon, silicon carbide
- 4.3. Chemical installations for the production of phosphorous-, nitrogen- or potassium-based fertilizers (simple or compound fertilizers)
- 4.4. Chemical installations for the production of basic plant health products and of biocides
- 4.5. Installations using a chemical or biological process for the production of basic pharmaceutical products
- 4.6. Chemical installations for the production of explosives
- 5. Waste management

Without prejudice of Article 11 of Directive 75/442/EEC or Article 3 of Council Directive 91/689/EEC of 12 December 1991 on hazardous waste<sup>(2)</sup>:

- 5.1. Installations for the disposal or recovery of hazardous waste as defined in the list referred to in Article 1 (4) of Directive 91/689/EEC, as defined in Annexes II A and II B (operations R1, R5, R6, R8 and R9) to Directive 75/442/EEC and in Council Directive 75/439/EEC of 16 June 1975 on the disposal of waste oils<sup>(3)</sup>, with a capacity exceeding 10 tonnes per day
- 5.2. Installations for the incineration of municipal waste as defined in Council Directive 89/369/EEC of 8 June 1989 on the prevention of air pollution from new municipal waste incineration plants<sup>(4)</sup> and Council Directive 89/429/EEC of 21 June 1989 on the reduction of air pollution from existing municipal waste-incineration plants<sup>(5)</sup> with a capacity exceeding 3 tonnes per hour
- 5.3. Installations for the disposal of non-hazardous waste as defined in Annex II A to Directive 75/442/EEC under headings D8 and D9, with a capacity exceeding 50 tonnes per day
- 5.4. Landfills receiving more than 10 tonnes per day or with a total capacity exceeding 25 000 tonnes, excluding landfills of inert waste
- 6. Other activities
- 6.1. Industrial plants for the production of:
  - (a) pulp from timber or other fibrous materials
  - (b) paper and board with a production capacity exceeding 20 tonnes per day
- 6.2. Plants for the pre-treatment (operations such as washing, bleaching, mercerization) or dyeing of fibres or textiles where the treatment capacity exceeds 10 tonnes per day
- 6.3. Plants for the tanning of hides and skins where the treatment capacity exceeds 12 tonnes of finished products per day
- 6.4.
  - (a) Slaughterhouses with a carcase production capacity greater than 50 tonnes per day
  - (b) Treatment and processing intended for the production of food products from:
    - animal raw materials (other than milk) with a finished product production capacity greater than 75 tonnes per day

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- vegetable raw materials with a finished product production capacity greater than 300 tonnes per day (average value on a quarterly basis)
- (c) Treatment and processing of milk, the quantity of milk received being greater than 200 tonnes per day (average value on an annual basis)
- 6.5. Installations for the disposal or recycling of animal carcasses and animal waste with a treatment capacity exceeding 10 tonnes per day
- 6.6. Installations for the intensive rearing of poultry or pigs with more than:
  - (a) 40 000 places for poultry
  - (b) 2 000 places for production pigs (over 30 kg), or
  - (c) 750 places for sows
- 6.7. Installations for the surface treatment of substances, objects or products using organic solvents, in particular for dressing, printing, coating, degreasing, waterproofing, sizing, painting, cleaning or impregnating, with a consumption capacity of more than 150 kg per hour or more than 200 tonnes per year
- 6.8. Installations for the production of carbon (hard-burnt coal) or electrographite by means of incineration or graphitization

## ANNEX II

### LIST OF THE DIRECTIVES REFERRED TO IN ARTICLES 18 (2) AND 20

1. Directive 87/217/EEC on the prevention and reduction of environmental pollution by asbestos
2. Directive 82/176/EEC on limit values and quality objectives for mercury discharges by the chlor-alkali electrolysis industry
3. Directive 83/513/EEC on limit values and quality objectives for cadmium discharges
4. Directive 84/156/EEC on limit values and quality objectives for mercury discharges by sectors other than the chlor-alkali electrolysis industry
5. Directive 84/491/EEC on limit values and quality objectives for discharges of hexachlorocyclohexane
6. Directive 86/280/EEC on limit values and quality objectives for discharges of certain dangerous substances included in List 1 of the Annex to Directive 76/464/EEC, subsequently amended by Directives 88/347/EEC and 90/415/EEC amending Annex II to Directive 86/280/EEC
7. Directive 89/369/EEC on the prevention of air pollution from new municipal waste-incineration plants
8. Directive 89/429/EEC on the reduction of air pollution from existing municipal waste-incineration plants
9. Directive 94/67/EC on the incineration of hazardous waste

10. Directive 92/112/EEC on procedures for harmonizing the programmes for the reduction and eventual elimination of pollution caused by waste from the titanium oxide industry
11. Directive 88/609/EEC on the limitation of emissions of certain pollutants into the air from large combustion plants, as last amended by Directive 94/66/EC
12. Directive 76/464/EEC on pollution caused by certain dangerous substances discharged into the aquatic environment of the Community
13. Directive 75/442/EEC on waste, as amended by Directive 91/156/EEC
14. Directive 75/439/EEC on the disposal of waste oils
15. Directive 91/689/EEC on hazardous waste

### ANNEX III

#### INDICATIVE LIST OF THE MAIN POLLUTING SUBSTANCES TO BE TAKEN INTO ACCOUNT IF THEY ARE RELEVANT FOR FIXING EMISSION LIMIT VALUES AIR

1. Sulphur dioxide and other sulphur compounds
2. Oxides of nitrogen and other nitrogen compounds
3. Carbon monoxide
4. Volatile organic compounds
5. Metals and their compounds
6. Dust
7. Asbestos (suspended particulates, fibres)
8. Chlorine and its compounds
9. Fluorine and its compounds
10. Arsenic and its compounds
11. Cyanides
12. Substances and preparations which have been proved to possess carcinogenic or mutagenic properties or properties which may affect reproduction via the air
13. Polychlorinated dibenzodioxins and polychlorinated dibenzofurans

#### WATER

1. Organohalogen compounds and substances which may form such compounds in the aquatic environment
2. Organophosphorus compounds
3. Organotin compounds

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4. Substances and preparations which have been proved to possess carcinogenic or mutagenic properties or properties which may affect reproduction in or via the aquatic environment
5. Persistent hydrocarbons and persistent and bioaccumulable organic toxic substances
6. Cyanides
7. Metals and their compounds
8. Arsenic and its compounds
9. Biocides and plant health products
10. Materials in suspension
11. Substances which contribute to eutrophication (in particular, nitrates and phosphates)
12. Substances which have an unfavourable influence on the oxygen balance (and can be measured using parameters such as BOD, COD, etc.).

#### ANNEX IV

Considerations to be taken into account generally or in specific cases when determining best available techniques, as defined in Article 2 (11), bearing in mind the likely costs and benefits of a measure and the principles of precaution and prevention:

1. the use of low-waste technology;
2. the use of less hazardous substances;
3. the furthering of recovery and recycling of substances generated and used in the process and of waste, where appropriate;
4. comparable processes, facilities or methods of operation which have been tried with success on an industrial scale;
5. technological advances and changes in scientific knowledge and understanding;
6. the nature, effects and volume of the emissions concerned;
7. the commissioning dates for new or existing installations;
8. the length of time needed to introduce the best available technique;
9. the consumption and nature of raw materials (including water) used in the process and their energy efficiency;
10. the need to prevent or reduce to a minimum the overall impact of the emissions on the environment and the risks to it;
11. the need to prevent accidents and to minimize the consequences for the environment;
12. the information published by the Commission pursuant to Article 16 (2) or by international organizations.

## [<sup>F1</sup>ANNEX V

### Public participation in decision-making

#### Textual Amendments

**F1** Inserted by [Directive 2003/35/EC of the European Parliament and of the Council of 26 May 2003 providing for public participation in respect of the drawing up of certain plans and programmes relating to the environment and amending with regard to public participation and access to justice Council Directives 85/337/EEC and 96/61/EC](#).

1. The public shall be informed (by public notices or other appropriate means such as electronic media where available) of the following matters early in the procedure for the taking of a decision or, at the latest, as soon as the information can reasonably be provided:
  - (a) the application for a permit or, as the case may be, the proposal for the updating of a permit or of permit conditions in accordance with Article 15(1), including the description of the elements listed in Article 6(1);
  - (b) where applicable, the fact that a decision is subject to a national or transboundary environmental impact assessment or to consultations between Member States in accordance with Article 17;
  - (c) details of the competent authorities responsible for taking the decision, those from which relevant information can be obtained, those to which comments or questions can be submitted, and details of the time schedule for transmitting comments or questions;
  - (d) the nature of possible decisions or, where there is one, the draft decision;
  - (e) where applicable, the details relating to a proposal for the updating of a permit or of permit conditions;
  - (f) an indication of the times and places where, or means by which, the relevant information will be made available;
  - (g) details of the arrangements for public participation and consultation made pursuant to point 5.
2. Member States shall ensure that, within appropriate time-frames, the following is made available to the public concerned:
  - (a) in accordance with national legislation, the main reports and advice issued to the competent authority or authorities at the time when the public concerned were informed in accordance with point 1;
  - (b) in accordance with the provisions of [Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information](#)<sup>(6)</sup>, information other than that referred to in point 1 which is relevant for the decision in accordance with Article 8 and which only becomes available after the time the public concerned was informed in accordance with point 1.
3. The public concerned shall be entitled to express comments and opinions to the competent authority before a decision is taken.

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4. The results of the consultations held pursuant to this Annex must be taken into due account in the taking of a decision.
5. The detailed arrangements for informing the public (for example by bill posting within a certain radius or publication in local newspapers) and consulting the public concerned (for example by written submissions or by way of a public inquiry) shall be determined by the Member States. Reasonable time-frames for the different phases shall be provided, allowing sufficient time for informing the public and for the public concerned to prepare and participate effectively in environmental decision-making subject to the provisions of this Annex.]



- (1) The material requirements of Directive 88/609/EEC for existing installations still apply until 31 December 2003.
- (2) [OJ No L 377, 31. 12. 1991, p. 20](#). Directive as amended by Directive 94/31/EC ([OJ No L 168, 2. 7. 1994, p. 28](#)).
- (3) [Oj No L 194, 25. 7. 1975, p. 23](#). Directive as last amended by Directive 91/692/EEC ([OJ No L 377, 31. 12. 1991, p. 48](#)).
- (4) [OJ No L 163, 14. 6. 1989, p. 32](#).
- (5) [OJ No L 203, 15. 7. 1989, p. 50](#).
- (6) [<sup>F1</sup>[OJ L 41, 14.2.2003, p. 26](#).]

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