

Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (Recast) (Text with EEA relevance)

CHAPTER IV

SPECIAL PROVISIONS FOR WASTE INCINERATION PLANTS AND WASTE CO-INCINERATION PLANTS

Article 46

Control of emissions

1 Waste gases from waste incineration plants and waste co-incineration plants shall be discharged in a controlled way by means of a stack the height of which is calculated in such a way as to safeguard human health and the environment.

2 Emissions into air from waste incineration plants and waste co-incineration plants shall not exceed the emission limit values set out in parts 3 and 4 of Annex VI or determined in accordance with Part 4 of that Annex.

If in a waste co-incineration plant more than 40 % of the resulting heat release comes from hazardous waste, or the plant co-incinerates untreated mixed municipal waste, the emission limit values set out in Part 3 of Annex VI shall apply.

3 Discharges to the aquatic environment of waste water resulting from the cleaning of waste gases shall be limited as far as practicable and the concentrations of polluting substances shall not exceed the emission limit values set out in Part 5 of Annex VI.

4 The emission limit values shall apply at the point where waste waters from the cleaning of waste gases are discharged from the waste incineration plant or waste co-incineration plant.

When waste waters from the cleaning of waste gases are treated outside the waste incineration plant or waste co-incineration plant at a treatment plant intended only for the treatment of this sort of waste water, the emission limit values set out in Part 5 of Annex VI shall be applied at the point where the waste waters leave the treatment plant. Where the waste water from the cleaning of waste gases is treated collectively with other sources of waste water, either on site or off site, the operator shall make the appropriate mass balance calculations, [^{X1}using the results of the measurements set out in point 3 of Part 6 of Annex VI in order to determine the emission levels in the final waste water discharge] that can be attributed to the waste water arising from the cleaning of waste gases.

Under no circumstances shall dilution of waste water take place for the purpose of complying with the emission limit values set out in Part 5 of Annex VI.

5 Waste incineration plant sites and waste co-incineration plant sites, including associated storage areas for waste, shall be designed and operated in such a way as to prevent the unauthorised and accidental release of any polluting substances into soil, surface water and groundwater.

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Storage capacity shall be provided for contaminated rainwater run-off from the waste incineration plant site or waste co-incineration plant site or for contaminated water arising from spillage or fire-fighting operations. The storage capacity shall be adequate to ensure that such waters can be tested and treated before discharge where necessary.

6 Without prejudice to Article 50(4)(c), the waste incineration plant or waste co-incineration plant or individual furnaces being part of a waste incineration plant or waste co-incineration plant shall under no circumstances continue to incinerate waste for a period of more than 4 hours uninterrupted where emission limit values are exceeded.

The cumulative duration of operation in such conditions over 1 year shall not exceed 60 hours.

The time limit set out in the second subparagraph shall apply to those furnaces which are linked to one single waste gas cleaning device.

Editorial Information

- X1** Substituted by [Corrigendum to Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions \(integrated pollution prevention and control\) \(Official Journal of the European Union L 334 of 17 December 2010\)](#).