

How to Handle Court Proceedings Invoking Non-compliance with the EU Industrial Emissions Directive

WORKSHOP FOR JUDGES

I. Background Documentation

	I. The Industrial Emissions Directive	
	1. EU Documents	
1	<u>Directive (EU) 2015/2193 of the European Parliament and of the Council of 25 November 2015 on the limitation of emissions of certain pollutants into the air from medium combustion plants</u>	ONLINE
2	<u>COMMISSION DECISION 2011/C 146/03 of 16 May 2011 establishing a forum for the exchange of information pursuant to Article 13 of the Directive 2010/75/EU on industrial emissions</u>	ONLINE
3	<u>Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control)</u>	ONLINE
4	<u>Directive 2009/126/EC of the European Parliament and of the Council of 21 October 2009 on Stage II petrol vapour recovery during refuelling of motor vehicles at service stations</u>	ONLINE
5	<u>Regulation (EC) No 166/2006 of the European Parliament and of the Council of 18 January 2006 concerning the establishment of a European Pollutant Release and Transfer Register and amending Council Directives 91/689/EEC and 96/61/EC</u>	ONLINE

6	<u>European Parliament and Council Directive 94/63/EC of 20 December 1994 on the control of volatile organic compound (VOC) emissions resulting from the storage of petrol and its distribution from terminals to service stations</u>	ONLINE
7	<u>Commission Implementing Decision (EU) 2018/1135 of 10 August 2018 establishing the type, format and frequency of information to be made available by the Member States for the purposes of reporting on the implementation of Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions (notified under document C(2018) 5009)</u>	ONLINE
8	<u>Commission Implementing Decision (EU) 2015/2119 of 20 November 2015 establishing best available techniques (BAT) conclusions, under Directive 2010/75/EU of the European Parliament and of the Council, for the production of wood-based panels (notified under document C(2015) 8062)</u>	ONLINE
9	<u>Commission Implementing Decision 2014/738/EU of 9 October 2014 establishing best available techniques (BAT) conclusions, under Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions, for the refining of mineral oil and gas (notified under document C(2014) 7155)</u>	ONLINE
10	<u>Commission Implementing Decision 2014/687/EU of 26 September 2014 establishing the best available techniques (BAT) conclusions, under Directive 2010/75/EU of the European Parliament and of the Council, for the production of pulp, paper and board (notified under document C(2014) 6750)</u>	ONLINE
11	<u>Commission Implementing Decision 2013/84/EU of 11 February 2013 establishing the best available techniques (BAT) conclusions under Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions for the tanning of hides and skins (notified under document C(2013) 618)</u>	ONLINE
12	<u>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 Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions (notified under document C(2012) 613)</u>	ONLINE
13	<u>Commission Implementing Decision 2012/135/EU of 28 February 2012 establishing the best available techniques (BAT) conclusions under Directive</u>	ONLINE

	<u>2010/75/EU of the European Parliament and of the Council on industrial emissions for iron and steel production (notified under document C(2012) 903)</u>	
14	<u>COMMISSION IMPLEMENTING DECISION 2012/134/EU of 28 February 2012 establishing the best available techniques (BAT) conclusions under Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions for the manufacture of glass</u>	ONLINE
15	<u>Commission Implementing Decision 2012/795/EU of 12 December 2012 establishing the type, format and frequency of information to be made available by the Member States for the purposes of reporting on the implementation of Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions (notified under document C(2012) 9181)</u>	ONLINE
16	<u>Application of IED Article 15(4) derogations, Final Report, European Commission Directorate-General Environment, March 2018</u>	ONLINE
17	<u>REGULATION (EC) No 1367/2006 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 6 September 2006 on the application of the provisions of the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters to Community institutions and bodies</u>	ONLINE
18	<u>Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (Aarhus Convention), 25 June 1998</u>	ONLINE
19	2. EU Case Law	
20	<u>Case C-304/15, Judgment of the Court (Seventh Chamber) of 21 September 2016, European Commission v United Kingdom of Great Britain and Northern Ireland</u>	ONLINE
21	<u>Case C-506/14, Judgment of the Court (Sixth Chamber) of 26 October 2016, Yara Suomi Oy and Others v Työ-ja elinkeinoministeriö</u>	ONLINE
22	<u>Case C-137/14, Judgment of the Court (Second Chamber) of 15 October 2015, European Commission v Federal Republic of Germany</u>	ONLINE

23	<u>C-442/14, Judgment of the Court (Fifth Chamber) of 23 November 2016, Bayer CropScience SA-NV and Stichting De Bijenstichting v College voor de toelating van gewasbeschermingsmiddelen en biociden</u>	ONLINE
24	<u>Case C-81/14, Judgment of the Court (Fifth Chamber) of 10 September 2015, Nannoka Vulcanus Industries BV v College van gedeputeerde staten van Gelderland</u>	ONLINE
25	<u>T-565/14, Order of the General Court (Seventh Chamber) of 17 July 2015, European Environmental Bureau (EEB) v European Commission</u>	ONLINE
26	<u>C-243/13 Judgment of the Court (Fifth Chamber) of 4 December 2014. COM v Sweden (FR)</u>	ONLINE
27	<u>C-158/12 Judgment of the Court (Seventh Chamber) of 11 of April 2013. COM v Ireland.</u>	ONLINE
28	<u>C-260/11 Judgment of the Court (Fourth Chamber) of 11 April 2013. Edwards and Pallikaropoulos.</u>	ONLINE
29	<u>C-416/11 Judgment of the Court (Grand Chamber) of 15 January 2013. Krizan and Others.</u>	ONLINE
30	<u>C-1165-167/09 Judgment of the Court (Fifth Chamber) of 26 May 2011. Stichting Natuur en Milieu and Others v College van Gedeputeerde Staten van Groningen.</u>	ONLINE
	3. Reports, Guidelines, Documents, studies	
31	<u>Report from the Commission to the Council and the European Parliament on implementation of Directive 2010/75/EU and final reports on its predecessor legislation, 4.12.2017</u>	ONLINE
32	<u>REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL Report from the Commission on the reviews undertaken under Article 30(9) and Article 73 of Directive 2010/75/EU on industrial emissions addressing emissions from intensive livestock rearing and combustion plants</u>	ONLINE
33	<u>2012/119/EU: Commission Implementing Decision 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 Directive 2010/75/EU of the European Parliament and of the</u>	ONLINE

	<u>Council on industrial emissions (notified under document C(2012) 613) Text with EEA relevance</u>	
34	<u>Communication from the Commission — European Commission Guidance concerning baseline reports under Article 22(2) of Directive 2010/75/EU on industrial emissions</u>	ONLINE
35	<u>Commission Decision of 16 May 2011 establishing a forum for the exchange of information pursuant to Article 13 of the Directive 2010/75/EU on industrial emissions</u>	ONLINE
36	<u>European Commission, Citizen's Guide to Access to Justice in Environmental Matters, 28 September 2018</u>	ONLINE
37	<u>C(2017) 2616 final, Communication from the Commission of 28 April 2017 - Commission Notice on Access to Justice in Environmental Matters</u>	ONLINE