Adaptation of the requirements of the LCP Directive for the specific needs of the Contracting Parties

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Flexibility mechanisms in the LCP Directive

- Two main ways of implementation:

    1) Art. 4(1) and (2) in connection with Annexes III to VII - compliance with individual ELVs

    2) Art. 4(6) - preparation of a NERP

- Art. 4(4) - Limited lifetime derogation (opt-out)

    – Temporary exemption for meeting the ELVs

    – Limited in time

    – Plant has to shut down at the end of the derogation period → security of supply has to be strictly considered

- Art. 5(1) – Peak load plants

    If a plant only operates a limited amount of hours every year, it may be subject to less stringent ELVs

Flexibility mechanisms in the LCP Directive (cont.)

- Annex III, Part A – Desulphurization rate (for solid fuels)
  - where the ELVs cannot be met due to characteristics of the fuel (coal with high S-content)

EXISTING

  - at least 60% for plants ≤ 100 MW
  - at least 75% for 100 MW < plants ≤ 300 MW
  - at least 90% for 300 MW < plants ≤ 500 MW
  - at least 94% for plants ≥ 500 MW

NEW

  - at least 92 % for plants ≤ 300 MW
  - at least 95% for plants > 300 MW
  - with the restriction of certain maximum emission levels

Deadlines / dates in need for adaptation

- Art. 4(4) – opt-out

  - LCPD provides 8-year period with 20 000 operational hours, EC should operate with a comparable timeframe

  - in EU, operators had to provide a written declaration 3,5 years in advance (by 30 June 2004)

  - could be considered together with IED compliance (to be put in the draft decision if supported)

- Art. 4(6) – NERP

  - base-year emissions have to be set

  - submission date (27 November 2003 in LCPD)

- Art. 5(1) – peak load plants (setting deadlines)

Steps ahead

- ECS / COM proposal

- EC dates / deadlines have to be adopted by Ministerial Council / PHLG (based on a relevant mandate), hopefully at the next MC

- Support from Contracting Parties / Presidency is vital

- Deadline of 31 December 2017 (compared to the ones in the LCPD) as baseline for setting these