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 $\leq 100$ MW
  – at least 75% for $100$ MW $< p \leq 300$ MW
  – at least 90% for $300$ MW $< p \leq 500$ MW
  – at least 94% for $p \geq 500$ MW

  NEW
  – at least 92 % for plants $\leq 300$ 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