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

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The LCP Directive

• Directive 2001/80/EC - sets requirements for Large Combustion Plants concerning emissions into the air

• Emission Limit Values (ELVs) for the energy generation sector using different types of fuels (solid, liquid and gaseous)

• ELVs for $\text{SO}_2$, $\text{NO}_x$ and dust

• Implementation deadline for Contracting Parties: 31 Dec 2017
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

• COM proposal – currently in the making

• EC dates / deadlines have to be adopted by Ministerial Council / PHLG (based on a relevant mandate) 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