EEB
European
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Bureau

BURNING:THE EVIDENCE

How European Countries Share Industrial
Pollution Permit Information Online

*A Case Study on Large
Combustion Plants*

CONTENTS

EXECUTIVE SUMMARY

Industrial activities that damage the environment and harm human health are carried out all over Europe. EU and international laws exist to guarantee the public a right to information about these activities.

This report examines how effectively European countries are making information about industrial pollution available to the public online. It examines and assesses the various websites used to share permitting and emissions information about facilities regulated by the EU's Industrial Emissions Directive (IED).

Despite the same requirements applying across the Union, there is a huge variation in how Member States, and in some cases regions, are sharing the required information online.

This report reveals examples of best practice and abject failure in following EU law in this area. The results show that more than half of the EU28 countries are failing to meet even the minimum requirements while other states are excelling by providing systems that are both highly transparent and intuitively user friendly.

An assessment of the quality of the websites available shows that **Norway** and **Ireland** have created systems for sharing information that rank as the best in Europe. The systems put in place by **Bulgaria** is also commended.

Attempts to locate permits for plants in fifteen countries were unsuccessful, either because websites did not exist that allowed for permits to be directly downloaded (**Belgium** (Brussels), **Cyprus, Finland, Hungary, Luxembourg** and **Poland**), because certain information was missing (**Austria, France, Greece** and **Romania**) or because sub-national responsibility made it unclear if and where the data was available (**Germany**, the **Netherlands, Spain** and the **United Kingdom**).

The websites of the **Czech Republic, Denmark, Italy, Latvia, Lithuania, Malta, Portugal, Slovakia, Slovenia** and **Sweden** all met the minimum requirements set in EU law and could be easily improved by following the examples outlined as best practice in this report. Both of the main regions of **Belgium** (Flanders and Wallonia), also fall in this category, but the city of Brussels has no website for the facilities located in the capital region.

The conclusions and recommendations of this report are outlined in brief on the opposite page and in more detail on page 31. They should provide insights to governments and national authorities, European regulators, environmental NGOs and concerned citizens.

Ultimately, this report should help to deliver improvements in public access to environmental information, and in turn help to drive improvements in environmental performance by industry across Europe.

KEY RECOMMENDATIONS

This report's conclusions and recommendations in brief:

✓ The Commission should investigate the countries failing to meet the basic requirements of the IED and take action to rectify this. Member States not yet fulfilling their obligations should check the best practice identified by this report when developing their systems.

✓ National portals should gather permitting information from all regions. If this is impractical, a national-level IED information page with detailed links to regional authorities and the locations of permitting information should be provided.

✓ The Irish EPA's search function should serve as best practice for other websites. If searchable databases already exist for other environmental permitting information, these should be expanded to include IED permits.

✓ IED permits should be uploaded in a useful electronic format rather than as scanned versions of original printed documents. When updated, permits should be consolidated into a single document.

✓ Compliance and inspection reports should be published together with permitting information on a single plant-specific information page where as much relevant information as exists is gathered.

✓ Emissions monitoring data and baseline/site remediation reports should also be published alongside PRTR data on plant-specific information pages.

✓ Extra attention should be given to websites' user friendliness. Information beyond the bare minimum required should be published. Authorities should make an effort to proactively share information ahead of decisions to issue, update or renew permits.

✓ No fees or charges should be incurred for accessing environmental information.

✓ The European Pollutant Release and Transfer Register (E-PRTR) should be improved and enhanced and linked to additional environmental information.

✓ A harmonised European IED Electronic Permit Template (EPT) and other common documents should be introduced.

1

INTRODUCTION
& CONTEXT

Introduction & Context

The Industrial Emissions Directive

The Industrial Emissions Directive (IED) is a European law that aims to protect human health and the environment from harmful pollution caused by industry. Adopted in 2010, the IED combined seven previous directives into one single piece of legislation.[1] It seeks to take *"an integrated approach to pollution reduction and control"* and encourage the use of recognised Best Available Techniques (BAT) by industry across the EU.

Somewhere in the region of 50,000 European industrial installations currently operate subject to permits issued in accordance with IED requirements. These permits are issued by regional and national authorities in each Member State of the European Union.

As with all European directives, Member States were required to transpose the IED into their own national laws following its adoption by the Council and Parliament. Many were slow to do this and **the European Commission was forced to launch infringement procedures against 17 different national governments that had failed to implement the Directive properly**. All cases have since been resolved as the Commission finally considered that the Directive had been satisfactorily implemented in all 28 EU countries.

Due to its importance as the EU's key legislation on industrial pollution, the European Environmental Bureau (EEB) is engaged in ongoing work to assess how EU Member States are implementing the IED and its provisions. This report focuses on one part of the Directive in particular: access to information and public participation in decision making.

The IED's Article 24 and Annex IV concerns: *"access to information and public participation in the permit procedure"*. They describe the minimum standards for how decisions about permits should be publicised, how citizens should be involved in the process, and how information should be made available.

The Aarhus Convention

The Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters was signed in 1998 and entered into force in 2001. It has been ratified by 47 parties including the European Union and all its Member States. Ratifying the Aarhus Convention enshrines the environmental rights of citizens into law and means citizens are entitled to information about environmental decisions, to participate in decision making related to environmental issues and the right to challenge decisions made.

Access to information

The Aarhus Convention (see infobox below left) was adopted by states because of the clear benefits of greater transparency in environmental decision making. Signatories acknowledge that ensuring citizens have oversight of, and the right to appeal, environmental decisions is a significant boost for democracy. Guaranteeing transparency in environmental issues helps to deliver a shift to more environmentally responsible behaviour. The Convention also emphasises that in order for this right to materialise, the public needs effective and timely access to information while decisions are still open. There is an obligation on authorities to put the tools in place in order to facilitate participation in decision-making in a proactive manner.

Article 24 of the IED is an obvious example of the principles of the Aarhus Convention being written into EU law. It sets out minimum requirements towards implementing the Convention by including the need to publish relevant information proactively and online.

Explicitly, Article 24 spells out the permit information that must be available on every national authority's website:

- The content of the decision to award a permit
- A copy of the permit and any subsequent updates
- The reasons on which the decision is based (the motivations for setting the permit conditions)
- Where a derogation is granted in accordance with Article 15 (4) of the Directive, the specific reasons for that derogation
- Information on site remediation measures taken by the operator

Failure to meet these minimal requirements represents a failure to properly implement the Directive and should lead to an appropriate response from the European Commission to ensure compliance.

In fact, Article 24 requires further information to be made available to the public but does not oblige Member States to ensure this information is published online as well. There is no clear justification for why some but not all environmental information should be available online. For example, emissions monitoring data, which is by default public information, could also be included.

Article 24 is reproduced in full in Annex I of this report on page 38.

The Aarhus Compliance Committee is currently considering whether the Industrial Emissions Directive itself is fully compliant with the EU's obligations under the Aarhus Convention, an opinion is expected shortly.[3]

Pollutant Release and Transfer Register (PRTR)

Information about the annual total emissions of IED installations is reported on the **European Pollutant Release and Transfer Register (E-PRTR)**. Emission reports are in the form of load data on the main pollutants released to air, water and land with information on off-site transfers of waste water and waste at facility level.

The E-PRTR dates back to 2000's European Pollutant Emission Register (EPER)[4], which was slightly amended in 2006 due to the UNECE Protocol on Pollutant Release and Transfer Registers, signed on 21 May 2003. Information about emissions since 2001 is available and the reporting is managed by the European Environment Agency (EEA).[5]

With rare exceptions, Member States implemented near identical PRTR models at the national level, however **Norway** has developed a more effective tool under the same legal framework. This report was not intended to assess national PRTR systems but does include some comments on the Norwegian register because of the way in which it effectively combines pollution release data with environmental permitting information to create an effective and enlightening tool.

Because the EU's PRTR is currently not fit for purpose for supporting enforcement and benchmarking on industrial activities, some 'quick fixes' to the current system are proposed in the detailed recommendations in Chapter 3 of this report (see page 33).

Purpose of this Report

This report has been prepared to present the findings of new research into the implementation of the access to information and public participation provisions of the IED in the 28 EU Member States and Norway.

There is no standard IED permit and no template for authorities to refer to when making information publicly available. Each country, and many regions within countries, have developed their own approaches with regards to which information is published online and how it is published.

In some Member States pollution permit information is contained on a central government website, in others it is a national (environmental) agency, and in others local government, or local agencies, have responsibility.

Article 24 (1) requires Member States to ensure that the public has an effective and early opportunity to participate in the permitting procedure for industrial activities but does not explicitly state that this must be made possible through online tools. Article 24 (2), however, specifically requires information to be made "available to the public, *including via the Internet*" (emphasis added) in relation to certain aspects. The full text can be seen in Annex I on page 38.

Whether the opportunity for public participation is "effective" and "early" is clearly open to interpretation but few would disagree that it should be sufficiently in advance of a final decision being made to allow for fair preparation and that the process undertaken is inherently transparent.

It is also concerning that key provisions which relate to environmental reporting, such as the compulsory 'annual compliance report' required by the IED, is not mentioned in Article 24. A systematic appraisal of most national-level, and many regional, online access to information portals was undertaken in order to produce this report. It reveals examples of best practice and instances of non-compliance with the requirements set out in the IED.

Where best practice has been identified, it should serve as a benchmark to inform policy making in countries with less well developed systems or no current online access to IED permit information. Conversely, where examples of poor implementation or non-compliance are identified, steps should be taken to remedy the situation.

Finally, this report hopes to contribute to ongoing improvements in the environmental performance of industrial activities in Europe by aiding increased public participation in decision-making processes and awareness of activities currently underway.

Implementing this report's recommendations will also promote better use of available information and enhance synergies with other relevant work on industrial policy, such as the objectives set in the Sustainable Development Goals and the review of Best Available Techniques Reference Documents (the *'Sevilla Process'*).

Methodology

Research for this project was carried out between October and December 2016 and results were checked in January and February 2017. An online survey (see Annex II on page 39) was completed by researchers in 26 of the EU's 28 Member States and Norway. Additional efforts were made in territories where responsibility for IED activity pollution permitting is held by sub-national authorities.[6]

The online survey offered the opportunity for quantitative and qualitative data to be gathered and explicitly aimed to identify the presence of features beyond the minimum requirements of the IED. The detailed survey included general questions on the quality of the website provided and specific questions about points mentioned in Article 24 and elsewhere in the IED. Researchers were asked to respond to questions relating to the website as a whole and to information that could be found about specific plants that were selected for sampling.

Completing the survey required locating and providing samples of IED permits for, where possible, three Large Combustion Plants (LCPs). Researchers in some jurisdictions were provided with suggested plants to investigate for their three-plant sample. These were selected as examples of LCPs of a particular public interest (for example, coal-fired power stations). Where no plants were suggested, researchers were invited to make their own selection for their sample.

Data was collated and websites were assessed based on five key criteria:

- **Ease of use**, specifically the presence and functionality of a search function
- **Permit-related information**, considering its completeness and quality
- **Inspection and compliance reports**, taking account of the quality of information
- Any **additional (plant) information**
- An **overall score** for the website as a whole

For each of the above points a score out of 10 was awarded creating a total score out of 50 for each country. Where required permit information was found to be missing, a penalty of -10 points was applied to reflect the inadequacy of systems failing to meet minimum requirements. More information about the specific questions asked in the survey and the scoring system applied can be found in Annexes II and III.

In any event, the scoring is in no way meant to reflect on the adequacy of permit conditions set. Only the quantity and user friendliness of access to the information found was assessed, and not the conditions imposed on individual plants (such as the pollution limits set in operating permits). Furthermore, the assessment is based on a set of samples (mostly LCPs, but also some other IED facilities), meaning that the assessment could be different if carried out with a wider range of reference plants from across the sectors covered by the IED .

To enable effective participation and ensure good quality results, researchers were provided with relevant background information in a guidelines document (see Annex III). This document introduced the purpose of the research and provided guidance on how to complete the questionnaire.

Researchers were provided with a copy of the European Commission's IED implementation report, which features the written responses of all countries to questions concerning their implementation of the Directive.[8]

Results collected reflect the information that researchers were able to locate having been provided with the answers and weblinks supplied to the European Commission by the Member States[9] and in some cases with some limited additional research. In order to ensure that points were awarded fairly a ranking system (see Annex IV) was used and the results were checked for consistency.

Member States were made aware of the project during its preparation stage and prior to the publication of the results.[10] Furthermore, Member States were invited to provide their own responses to the questionnaire and comment on their systems in advance of the publication of this report.

Expected Outputs

This report aims to highlight the differences in how the IED is being implemented across the EU with regards to access to information and public participation and to identify the most successful practices.

Results and examples of best practice are presented in order to inform policy makers and local and regional authorities as to how best to improve the services they are already offering. Any practical implications for the "end-users", such as local and regional NGOs, associations, concerned citizens and others, shall also be addressed.

Where information has been discovered to be missing or incomplete, or where it is clear that the requirements of the IED have not been met, this report hopes to encourage remediation actions to be taken by competent authorities or the European Commission as required.

The main findings of this report will be disseminated to the following target groups:

- The national and regional competent authorities in the 28 EU Member States and Norway
- The European Commission and other EU bodies/ institutions, especially the European Environment Agency (EEA) and the European Parliament
- The European Union Network for the Implementation and Enforcement of Environmental Law (IMPEL)
- The United Nations Economic Commission for Europe (UNECE) Aarhus Convention Taskforce
- The full EEB membership network, comprising over 150 environmental citizens organisations across Europe, and the wider NGO community

② RESULTS

			Ease of use						Permit-related information						Inspection and compliance reports			Additional plant information						Overall appreciation	
	Country	FINAL TOTAL SCORE	search function rating (/5)	intallation type (1)	permit status (1)	location (1)	extra filters (/2)	TOTAL EASE OF USE	operating permit (/5)	consilodated permit (1)	useful format (1)	all sample permits available (-10/2)	permits under review (1)	TOTAL PERMIT INFO	inspection (5)	compliance (5)	TOTAL INSP. & COMP. REPORTS	Baseline/site remidiation reports (2)	Emissions monitoring (/3)	Plant outputs (2)	Plant inputs (2)	Quality of additional information (/5)	TOTAL ADDITIONAL INFO	Overall appreciation (/5)	TOTAL OVERALL APPRECIATION
1	Ireland	49	5	1	1	1	2	10	5	1	1	2	1	10	5	3	8	2	1	2	2	4	11	5	10
2	Norway	43	3	1	0	1	2	7	5	1	1	2	0	9	5	3	8	0	1	2	2	4	8	5	10
3	Bulgaria	39	5	0	1	1	2	9	4	1	1	2	1	9	4	4	8	0	0	2	2	3	7	3	6
4	Denmark	33	2	0	0	1	0	3	4	1	1	2	1	9	4	3	7	0	1	1	1	3	6	4	8
5	Italy	31	3	0	1	0	0	4	4	0	0	2	1	7	3	2	5	0	2	2	2	3	9	3	6
6	Czech Republic	29	2	1	0	0	0	3	4	1	1	2	1	9	3	3	6	0	1	1	1	2	5	3	6
7	Latvia	28	2	1	0	0	0	3	5	0	1	2	1	9	0	0	0	0	1	2	2	3	8	4	8
8	Belgium (Wallonia)	26	4	1	0	1	2	8	4	1	0	2	0	7	0	0	0	0	0	0	0	3	3	4	8
8	France	26	4	1	0	1	2	8	3	0	0	2	0	5	2	2	4	0	0	1	0	2	3	3	6
10	Sweden	25	1	0	0	0	2	3	4	0	0	2	1	7	0	0	0	0	3	2	2	2	9	3	6
10	Malta	25	2	0	0	0	0	2	4	1	1	2	1	9	2	2	4	0	0	2	2	2	6	2	4
12	Lithuania	24	1	0	0	0	0	1	5	1	1	2	1	10	0	0	0	0	0	2	2	3	7	3	6
12	Slovakia	24	4	1	0	1	2	8	4	0	1	2	0	7	0	0	0	0	0	1	1	1	3	3	6
14	Belgium (Flanders)	21	1	0	0	0	0	1	4	1	1	2	0	8	0	0	0	0	0	0	0	4	4	4	8
15	UK (England)	20	1	0	0	0	0	1	4	1	1	2	1	9	0	0	0	0	0	1	1	2	4	3	6
16	UK (N. Ireland)	18	0	0	0	0	0	0	4	1	1	2	0	8	0	0	0	0	0	1	1	2	4	3	6
17	Slovenia	15	1	0	0	0	0	1	4	0	0	2	0	6	0	0	0	0	0	0	0	2	2	3	6
18	Portugal	11	1	0	0	0	0	1	3	0	0	2	1	5	0	0	0	0	0	0	0	1	1	2	4
19	Greece°	9	3	1	0	1	0	5	3	1	1	-10	0	-5	0	0	0	0	0	2	2	1	5	2	4
20	UK (Wales)°	7	1	0	0	1	0	2	3	1	1	-10	0	-5	0	0	0	0	0	1	1	2	4	3	6
21	Romania°	2	1	0	0	0	0	1	3	0	0	-10	1	-6	0	0	0	0	0	1	1	1	3	2	4
22	Finland†	-1	4	1	1	1	0	7	0	0	0	-10	0	-10	0	0	0	0	0	0	0	0	0	1	2
23	Austria°	-5	1	0	0	1	0	2	0	0	0	-10	0	-10	1	0	1	0	0	0	0	0	0	1	2
24	Cyprus†	-6	1	0	0	0	0	1	0	0	0	-10	0	-9	0	0	0	0	0	0	0	0	0	1	2
24	UK (Scotland)†	-7	0	0	0	0	0	0	0	0	0	-10	0	-10	0	0	0	0	0	0	0	1	1	1	2
26	Hungary†	-8	0	0	0	0	0	0	0	0	0	-10	0	-10	0	0	0	0	0	0	0	0	0	1	2
27	Spain*	-10	0	0	0	0	0	0	0	0	0	-10	0	-10	0	0	0	0	0	0	0	0	0	0	0
27	Netherlands*	-10	0	0	0	0	0	0	0	0	0	-10	0	-10	0	0	0	0	0	0	0	0	0	0	0
27	Germany*	-10	0	0	0	0	0	0	0	0	0	-10	0	-10	0	0	0	0	0	0	0	0	0	0	0
27	Belgium (Brussels)†	-10	0	0	0	0	0	0	0	0	0	-10	0	-10	0	0	0	0	0	0	0	0	0	0	0
27	Poland†	-10	0	0	0	0	0	0	0	0	0	-10	0	-10	0	0	0	0	0	0	0	0	0	0	0
27	Luxembourg†	-10	0	0	0	0	0	0	0	0	0	-10	0	-10	0	0	0	0	0	0	0	0	0	0	0

†Denotes countries or regions where no single website could be located where IED permits could be directly downloaded

* Denotes countries where at least some permitting information was found on a regional website but for which no national-level website could be located

° Denotes countries and regions where websites that offered permits for download were located, but where permits themselves were missing

This scoring is in no way meant to reflect the adequacy of permit conditions set. It only reflects the quantity and user friendliness of access to the information found at a given point in time in relation to spot samples assessed and based on common assessment criteria. The assessment could be different if carried out with a wider range of reference plants from across the sectors covered by the IED. The EEB looks forward to responses from Member States and permitting authorities.
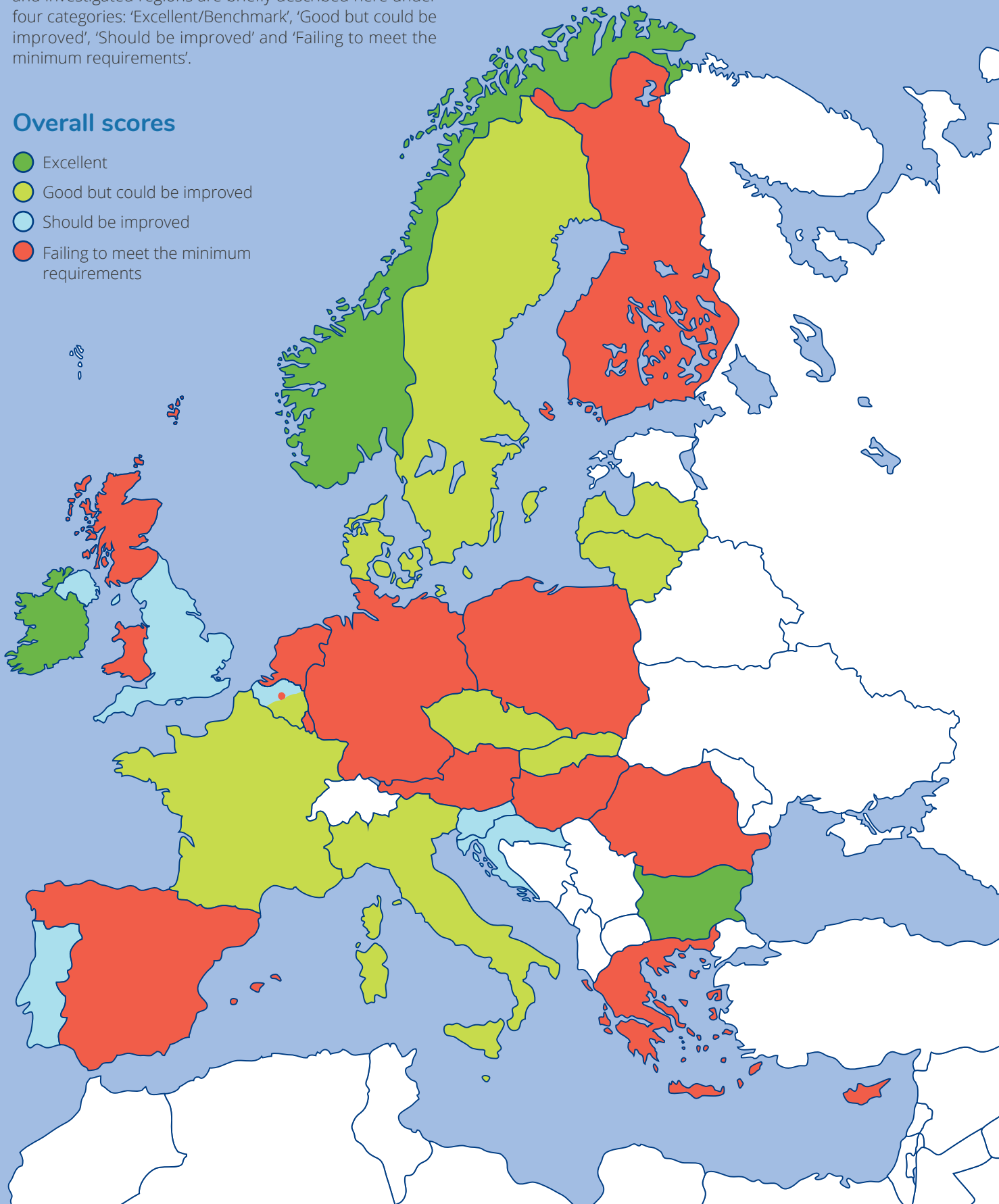
Overview

The quality and availability of information across the 28 EU Member States and Norway is extremely diverse.

The 'Results by Country' section begins by examining the final scores awarded to each website. All Member States and investigated regions are briefly described here under four categories: 'Excellent/Benchmark', 'Good but could be improved', 'Should be improved' and 'Failing to meet the minimum requirements'.

The 'Results by Feature' section describes the specific features for which points were awarded and identifies best and worst examples in each area. Concrete recommendations are made for improvements to existing systems.

Overall scores

- 🟢 Excellent
- 🟡 Good but could be improved
- 🔵 Should be improved
- 🔴 Failing to meet the minimum requirements

Results by Country

⭐ Excellent / benchmarks (39+ points)

Ireland, Norway and Bulgaria offer their citizens industrial pollution permitting information of a high standard and in a user-friendly manner. The systems put in place by these three countries should serve as benchmarks to which other Member States should look when developing their own websites. However, no single system is perfect and even those rated highest in this report could benefit from improvements based on other best performers and from ensuring they fully implement the recommendations made in Chapter 3 of this report.
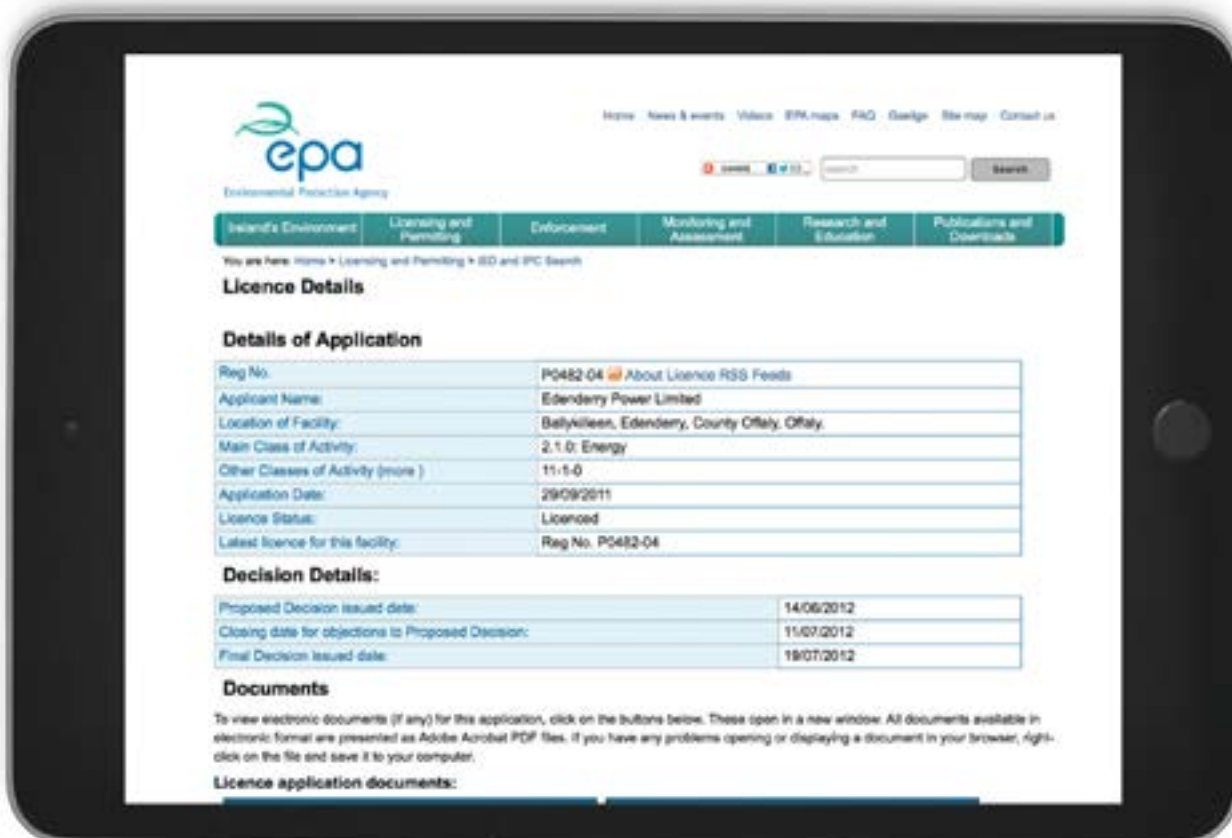
Ireland (49)
www.epa.ie/terminalfour/ippc/index.jsp?

Researchers found the Environmental Protection Agency's website easy to use and the search function was a useful and powerful tool that allowed users to quickly and accurately find information.

Each IED plant has a "homepage" from where various kinds of information above and beyond the minimum requirements of the IED can be located, including, but not limited to: consolidated permits, correspondence regarding the permit application procedure and inspection and other reports.

Another noteworthy and excellent feature of the EPA's website is the option to subscribe to RSS feeds linked to permit numbers. There is also an option to ask to be contacted by email should any new applications or updates be made to particular plant permits. This is a true example of proactive action to ensure that citizens have ample time to intervene to defend their environmental rights, which is fully in line with the requirement to provide early and effective means for public participation and an adequate level of transparency in the decision making processes and in actions taken by the competent authority.

An example of an Irish EPA's plant page with link to "About Licence RSS Feeds"
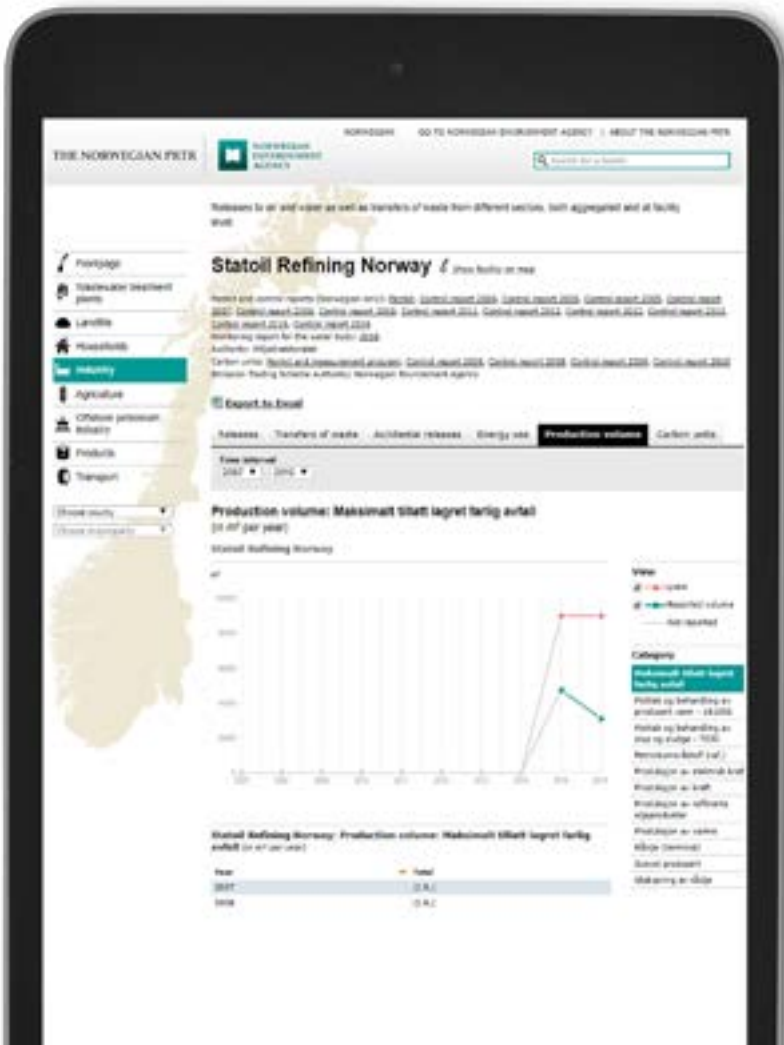
Norway (42)

www.miljodirektoratet.no/en/Useful-Sites1/The-Norwegian-PRTR/

The Norwegian website offers an excellent search feature and combines permitting and inspection information with details emissions monitoring data as part of the Norwegian Pollution Release and Transfer Register (PRTR).

The Norwegian PRTR system provides essential plant-specific information such as production outputs (energy generated, production volumes specified by types) and flow rates to air and water for releases, displayed next to the permit limit in a single graph and downloadable as electronic files. This enables users to convert data easily to concentration values and to carry out proper benchmarking of environmental performance.

Plant-specific pages also publish the latest consolidated permits that are currently in force, annual compliance reports and the full inspection report(s). Combining this information is effective in helping to paint a fuller picture of each plant's impact on the environment.

As the Norwegian PRTR system is based on EU legislation, all 28 Member States should replicate the Norwegian practice of displaying such information in an effective manner and in combination with the permitting and other plant information required for the same plants by the IED.

An example of a Norwegian plant page showing pollution emissions and links to permit and control reports

Bulgaria (39)

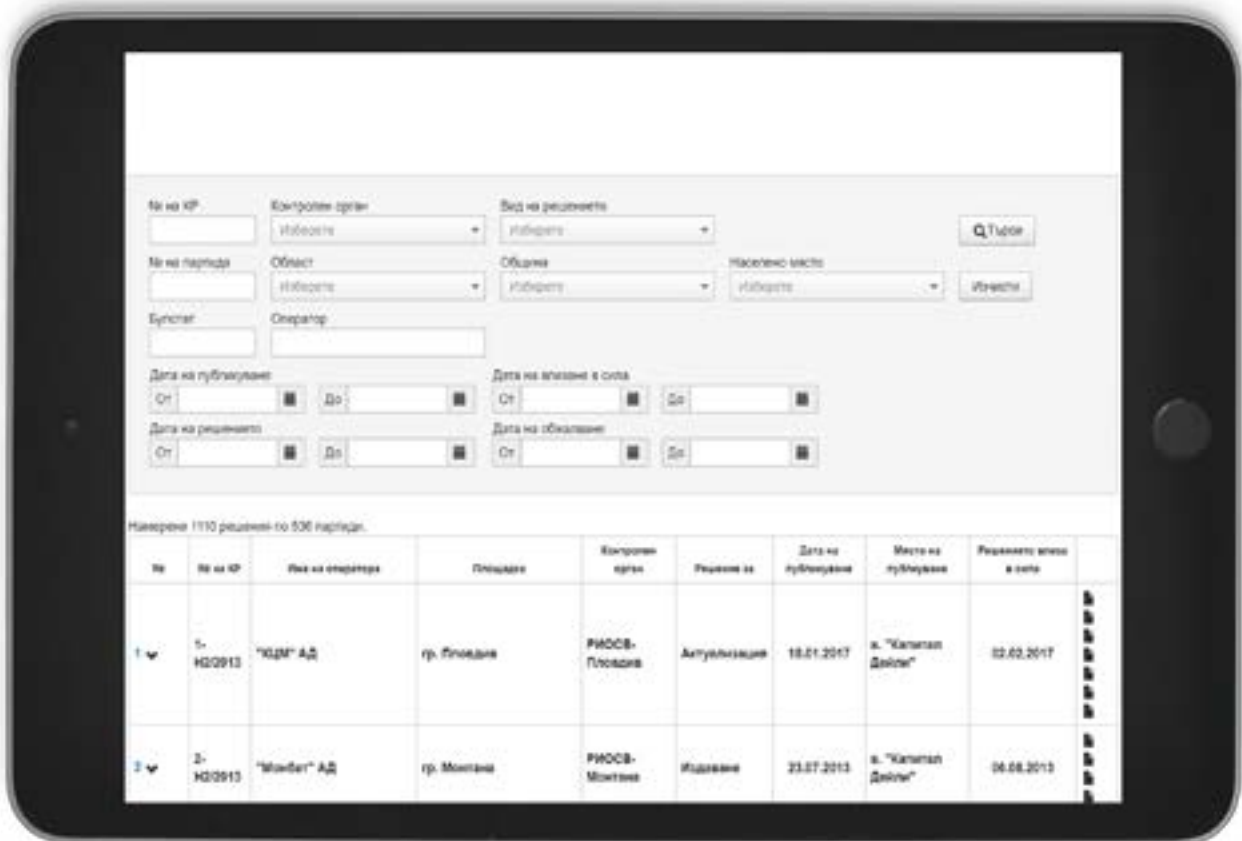http://registers.moew.government.bg/kr/

The Bulgarian system provides a clean and effective search function and displays results on a simple plant-by-plant basis offering a number of related and up-to-date documents for each plant. The site demonstrates how a straightforward system can be effective in displaying essential information. The website itself is not the most visually pleasing as it focuses on substance over style and perfectly demonstrates how a simple but well organised interface can provide an effective tool for public participation.

While the Bulgarian website presents information that has been decided upon very effectively, it fails to allow for active engagement in permit reviews and renewals. The Bulgarian website also only meets the minimum requirements in terms of which information is available. Unlike the Norwegian and Irish systems, no compliance or inspection reports are available and no emissions monitoring data is shared.

Environmental groups in Bulgaria would welcome efforts by authorities to share more information before permit decisions are made and to increase the transparency at that crucial stage, as well as for the Bulgarian authorities to make inspection and compliance reports and emissions monitoring data available through the same web portal.

While the Bulgarian website presents information that has been decided upon very effectively, it fails to allow for active engagement in permit reviews and renewals.

The landing page of Bulgaria's webportal showing the many filters that can be applied to searches

✅ Good but could be improved (22–33 points)

Denmark, Italy, Czech Republic, Latvia, Wallonia (Belgium), Sweden, Malta, Slovakia and Lithuania all offer information and an interface that demonstrates some excellent features yet could easily be improved with attention to other areas. A full list of recommendations can be found in Chapter 3 of this report.

Denmark (33)
http://mst.dk/service/annoncering/annoncearkiv/

The Danish Environment and Food Ministry website presents information in the form of a list of announcements which can be sorted by date or searched by keyword. The information is provided is detailed and includes inspection and compliance reports and information relating to permitting decisions currently under review. The Danish website would benefit from a more effective search feature and pages that present all relevant information on a plant-by-plant basis.

A noteworthy feature of the Danish system is the possibility to register for email updates to permitting decisions. Interested parties can sign-up to receive automatic notifications whenever permits are awarded and in some instances advance notice is sent before permits are formally issued. By consulting with and automatically informing environmental NGOs prior to permit decisions being taken, the Danish authorities have developed an effective and proactive approach that should serve as an example to other Member States.

Italy (31)
http://aia.minambiente.it/RicercaDom.aspx

The Italian Environment Ministry's website has a good search function and presents complete and detailed information which can be viewed on plant-specific pages. However, permits and decision documents are scanned versions of paper originals and as a result cannot be easily searched.

Czech Republic (29)
www.mzp.cz/www/ippc4.nsf/seznamy.xsp

Information on the website of the Ministry of the Environment of the Czech Republic is presented in the form of a list of plants which can be searched by keyword. Information provided is of a good quality but an improved search function would drastically improve the overall user friendliness of the website.

Latvia (28)
www.vpvb.gov.lv/lv/piesarnojums/a-b-atlaujas

"The website could be useful for an expert with detailed knowledge but it is too complicated for general public use. There is also some confusion about which website should be used."
Researcher's comment on the Latvian website

The State Environment Bureau of Latvia provides permit information in a list form following an initial landing page that allows for keyword searches or the filtering of plants by type of activity. Permits are easily downloaded and searchable but the overall search function lacks useful filters and no inspection or compliance reports or information about permits currently under review were available. Latvia also has two different websites which seem to provide overlapping information: wd.gov.lv and vpvb.gov.lv.

Wallonia (Belgium) (26)
http://environnement.wallonie.be/emissions-industrielles/

The Walloon environmental portal allows for results to be filtered very effectively by name, BREF activity, principle activity, city and province. Information can also be found via the general website search feature. Detailed plant-level pages provide a wealth of information including links to relevant BREFs and European legislation, plant location on a detailed map tool, permit issuance and expire dates and responsible authorities. Wallonia could score more points by making searchable versions of permits available and by publishing inspection and compliance reports on the plant-specific pages.

France (26)
www.installationsclassees.developpement-durable.gouv.fr/rechercheICForm.php

The French Ministry of the Environment, Sustainable Development and Energy provides a good search function that returns lists of results linking to dedicated pages with very useful plant-specific overview information indicating key dates such as latest inspection report, the type of regulated activity in accordance to a national classification system, thresholds for production volumes and hazardous substances used and status of the industrial activity. However, at the time this research was conducted, these fields were empty and the information was yet to be completed.

Only limited permitting information was available online and no consolidated permits and not all inspection reports were available. The information located was not presented in useful, searchable formats. Where inspection or compliance reports were found they were also not of a high quality. The French system would be improved if all information was present and up to date and the quality of available information was improved.

A plant-specific information page on the Wallonia (Belgium) portal

Sweden (25)

www.naturvardsverket.se/Stod-i-miljoarbetet/Rattsinformation/
Rattsfall/IED-avgoranden/

The Swedish Environment Protection Agency publishes IED decision documents and permit information on their website aranged in tables per year. There is no dedicated search function for permit information but the site's general search feature can be used to search for plant-specific information. Some, but not all, permits are available as searchable pdf documents and good quality emissions information is available if searched for. While the overall quality of the information on the Swedish site is very good, the emissions and permit information could be better presented on a single plant-level page.

Malta (25)

http://era.org.mt/en/Search/Pages/default.aspx

"The website of the Maltese environmental agency is very complete, with detailed information, but some documents are outdated."
Researcher's comment on the Maltese website

The Environment and Resource Authority of Malta website lacks an effective search tool for IED permit information. However, once information is located it is of a good quality and permits are consolidated into a single document every time that updates are issued. Reports available were of a limited quality and an improved search feature would significantly improve the Maltese portal.

Slovakia (24)

www.enviroportal.sk/environmentalne-temy/starostlivost-o-zp/
ipkz-integrovana-prevencia-a-kontrola-znecistovania/informacny-
system-ipkz-1

The 'Enviro Portal' of the Slovakian Ministry of the Environment displays information in a list but also provides a good search feature with a number of useful filters and issued permits are searchable and of an excellent quality. The website would benefit from including inspection and compliance report information and consolidated permits.

Lithuania (24)

http://gamta.lt/cms/index?rubricId=898084db-7da5-453f-8e37-
a9d9010e4a83

Permits in Lithuania are issued by local authorities and yet collected and published on a single national webpage – a best practice that would be welcomed in other countries where permit issuing is a local responsibility. Permits are of a good standard with detailed technical information integrated into single permit and decision documents. However, there is no permit or plant search function, instead all plants and their documents are listed in tables per region. Application documents are on another page and no plant report documents could be found.

⬤⬤⬤ Should be improved

Flanders (Belgium), England (UK), Northern Ireland (UK), Slovenia and Portugal have websites providing access to information that would require only minimal improvements in order to be considered as "good". All these countries would in particular have to make sure all the recommendations in Chapter 3 are implemented.

Flanders (Belgium) (21)
www.geopunt.be/

At the time the research was carried out the usual Flemish portal was not working. However, information was available through an alternative source: the "geopunt" mapping tool. This tool provides an interactive map of Flanders with a search function that allows plant-level searches. Inspection and compliance reports were not found, neither was information regarding permits currently under review. Links to permit decision documents are gathered into lists published per plant and per region. For some plants this leads to coded links to a large number of documents being displayed without descriptions of what each document contains (see below).

England (UK) (20)
www.gov.uk/government/collections/industrial-emissions-directive-ied-environmental-permits-issued

Information about IED facilities in England are provided on the UK government's website in the form of a long list in order of postcode. While the information available is of a good quality fulfilling the basic requirements, there are no inspection or compliance reports or information relating to permits currently under review. The only search function available is the general tool for the entire government website and the long list sorted by obscure postcodes makes finding information very difficult. Despite its lack of user-friendly interface the essential information is present and detailed.

Northern Ireland (UK) (19)
http://appsd.doeni.gov.uk/ipri/

The Northern Ireland Environment Agency display all IED permits on a single page in one long table. It is not possible to search the table or filter it according to headings. While one column is titled "status" and some entries are labelled "pending" there are no supporting documents about the decision under review or inspection or compliance reports. The information that is available is of a good quality, but the lack of a search function makes this website difficult to use.

Slovenia (15)
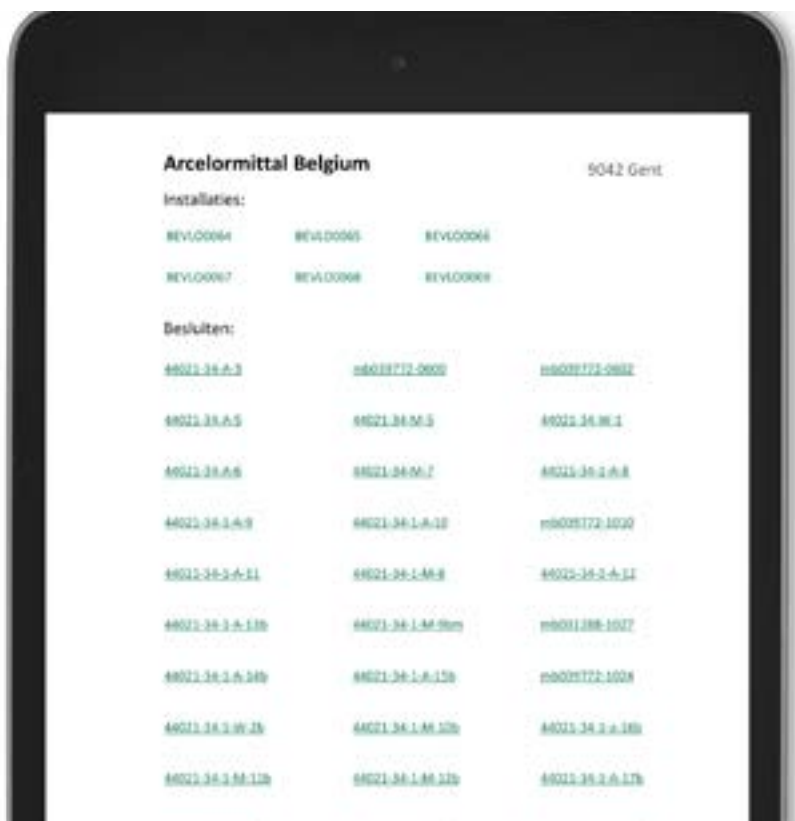http://okolje.arso.gov.si/ippc/tabela/15

The Slovenian Environment Ministry website presents information in a simple table form with a general search tool for the website as a whole. While all minimum required information was available, additional information like inspection and compliance reports were not. The portal scored very badly for ease of use.

Portugal (12)
http://apambiente.pt/

The Portuguese environment agency's website provides a general search box through which the minimum required information was located. No reports or emissions monitoring data was located but efforts were made to provide information about permits currently being reviewed.

Coded links to various decision documents related to a single plant in Flanders

⚠ Failing to meet the minimum requirements

Greece (9)
http://aepo.ypeka.gr/?page_id=21

The Greek website is incomplete and a new website, currently under development, will provide additional features soon. While the current portal offers a reasonable level of user-friendliness and an excellent option to oversee permits currently under review, it suffers from not offering complete and up to date information on currently issued permits. Ensuring the latest permits are online and up to date would be a significant improvement for this website.

Wales (UK) (7)
https://naturalresources.wales/permits-and-permissions/permit-applications-consultations-and-decisions/final-permit-decisions-for-sites-under-industrial-emissions-directive/?lang=en

The Natural Resources Wales page provides users with the option to first select a region of Wales and then a company name from a list. The website's general search tool can be used to find plant-specific information but the information relating to an important plant that was part of the sample (Aberthaw power station) was not available online at the time the research was conducted (although was provided by email upon request).

Romania (2)
www.anpm.ro/

Required information was not found on the Romanian website and the only very basic search function meant it scored very badly for ease of use.

"The website is incomplete and out of date. It's confusing that it recommends using the old version of the website for access to information, which is sometimes on the national agency's website and sometimes on a regional website, which also has an older versions."
Researcher's comment on the Romanian website

Finland (-1)
www.ymparisto.fi/fi-FI/haku

The Finish environment administration's website is simple to navigate and scored well for ease of use. The website's search function allows for searches by date and with various filters. However, no IED permits could be located to download meaning that Finland appears to be failing to implement the minimum requirements of EU law.

Austria (-6)
https://secure.umweltbundesamt.at/edm_portal/cms.do?get=/portal/informationen/ie-richtlinie-und-ippc-anlagen.main

The Austrian website is basic but could provide all the essential information with links to pages containing general information on IED themes and national transposition and guiding documents. Permits were searchable by region, but there were just nine permits online and none for the sampled LCPs. The inspection reports were of satisfactory quality and were available for two out of three samples. No additional plant information or compliance reports were online, however spaces are provided where links to these documents could be included. Improving the user interface (search functions) and uploading the information to the website with up to date and detailed data could potentially make the Austrian system, which currently seems to be a 'work in progress', into a good portal.

Cyprus (-6)
www.moa.gov.cy/moa/environment/environmentnew.nsf/page18_gr/page18_gr?OpenDocument

The Cyprus Department of the Environment website provides some information about Industrial Emissions and permitting requirements of the IED but permits were not available to download.

Scotland (UK) (-7)
www.sepa.org.uk/regulations/pollution-prevention-and-control/

The Scottish Environment Protection Agency (SEPA) provides detailed information about IED permitting and guidance for permit holders or those applying for future permits. However, unlike in the rest of the UK, permits and decision documents were not available to download from the Scottish website.

Hungary (-8)
http://ippc.kormany.hu/

The Hungarian website has an entire section dedicated to Integrated Pollution Prevention and Control (IPPC) which provides information on various crucial elements including the Sevilla Process, BAT and BREFs. However, plant permits could not be located on this website meaning Hungary is failing to implement the minimum requirements of the IED.

Luxembourg (-10)
There is no website available providing information on IED activities in Luxembourg. This is a clear failure to implement the requirements of the Directive.

Burning: The Evidence

A single national website

Belgium, Germany, the **Netherlands, Poland, Spain** and the **United Kingdom** offer no single national portal for IED permitting information but do aim to provide the information at the regional level.

Belgium
The political settlement in Belgium leaves responsibility for IED permitting with the regional authorities in Flanders, Wallonia and Brussels. Flanders and Wallonia have acceptable provisions that could be improved as described above, but Brussels lacks any online portal, meaning that information about industrial facilities in the capital cannot be accessed online. This is a clear breach of the requirements set out in the IED.

Germany
In Germany regional '*Bundesländer*' are responsible for permitting of IED facilities and each has its own website where permits and other IED-related information are published. However, each region has its own approach.

Surprisingly, despite four *Länder* being investigated for this report, researchers were unable to find the minimum required information for any single authority. Those investigated were: **Hamburg** (3), **Oberbayern** (-1), **Bremen** (-4) and **Baden-Wurttemberg** (-5). It is unclear why no national-level system exists for Germany and the fact that regional authorities have been unable to meet the minimum requirements of the IED suggests that the German Federal level (BMUB and the Environment Agency/*Umweltbundesamt*) should take responsibility for ensuring all information is available on a national basis.

Certain German authorities demand an administrative payment in order to supply IED permit information. This experience was expected following previous research carried out on behalf of the EEB on the ceramics manufacturing sector when certain regions charged extortionate fees for information that was freely available in other parts of Germany, with fees as high as 180€ per request (Niedersachsen).

Some regions have made inspection reports and other relevant documents available, others have made no such effort.

The fractured nature of the regional system means that searching and comparing permits is time consuming and requires considerable searches through local websites at regional and even sub-regional level.

German citizens therefore have diverging levels and means of access to information or public participation in regards to the very same industrial activity. The absence of a federal online portal also prevents NGOs from carrying out assessment work across the country and therefore undermines the potential for effective public participation.

The Netherlands
Due to limited resources the regional systems in the Netherlands were not investigated in detail. Like Germany and Spain, the Netherlands has locally responsible authorities and no national platform, so the same general recommendations apply in terms of creating a national information portal.

Poland
The Polish authorities claimed in their response to the Commission's implementation questionnaire that: "*From 5 September 2014 all information will be published on the websites of all 412 bodies competent to issue permits.*" Apart from the obvious challenge to citizens in collecting and comparing information from more than four hundred different authorities, it appears that very few, if any, have already met the requirements set out in the IED.

It is worth noting that an additional level of responsibility exists between the 412 permit-issuing bodies and national responsibility in the form of 16 regional authorities. These 16 regional authorities gather the permits and other information and make them available upon request, sometimes after a long wait and the payment of a fee. Crucially, these regional authorities do not publish the information online, as is required by the IED.

Spain
A number of Spanish regions were investigated for this report. While all permits should be published in the publicly-available journals of each region, these are not always available online and the ability to search information within them is limited. While most regions investigated did have the minimum information available, Asturias and the Canary Islands did not. The following regions were checked for this report and awarded the corresponding number of points on the common assessment standard used in this report: **Galicia** (15), **Aragon** (13), **Castilia and Leon** (10), **Andalucia** (9), **Asturias** (-2) and the **Canary Islands** (-10).

The United Kingdom
In the United Kingdom information about English permits is hosted on the 'gov.uk' website, which is often used to host information for the entire country, however Welsh and Northern Irish information is on the website of the devolved administrations. There is no advice on the page that such information is hosted elsewhere.

> **Recommendation:** National portals should gather permitting information from all regions. A single European portal should be the ultimate long-term aim. In the short-term, and as an interim measure, every Member State that currently lacks a single national page should at the very least create a national-level IED information page, with detailed and functioning links to regional authorities and direct links to the locations of permitting information.

📋 The minimum required information

Most Member States did meet this basic legal requirements as listed in the introduction of this report on page 8, on national-level sites, however, permits could not be found online for plants in: **Cyprus, Finland, Hungary, Luxembourg and Poland**.

Unlike all other Member States, which did at least provide a source or some information, **Luxembourg** has even failed to produce a website providing information about IED activities and permitting in general.

In the seven Member States where IED permitting authorities operate at a sub-national basis: Austria, Belgium, Germany, the Netherlands, Spain, Poland and the United Kingdom, the minimum information required by the IED was not found in regional samples investigated from four counties: Belgium **(Brussels)**, Germany **(Oberbayern, Bremen, Brandenburg, Baden Württemberg)**, Spain **(Andalucia, Canary Islands)** and in the UK **(Scotland)**. No online permits were found for any plants in **Poland**.

👍

Recommendation: The Commission should investigate the countries failing to meet the basic requirements of the IED and take action to rectify this. Member States not yet fulfilling their obligations should check the best practice identified by this report and check the recommendations set out in Chapter 3, when developing their systems.

Public access – but at what cost?
In some **German** *Bundesländer*, responsible authorities demand the payment of a fee to release environmental information to the public. While such a payment was not required to gain access to IED permit information in any of the systems investigated, it is a disappointingly common practice when additional information is requested. It also discriminates citizens in their rights for effective access to information.

Member States should ensure that environmental information is always available online freely and for free.

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Unlike all other Member States, which did at least provide a source or some information, Luxembourg has even failed to produce a website providing information about IED activities and permitting in general.

Results by feature

Ease of use

The **Irish** website was awarded full marks for ease of use. It provided a detailed search feature with the ability to filter results by a number of useful categories. The search function offered by the **Bulgarian** website would also have scored full points had it featured an option to filter results by installation type. Search features on the **French and Walloon (Belgium)** websites were also highly ranked.

Most other websites scored very badly and for the majority the only search function available was the general search tool for the entire website. In many cases, such as in England and Northern Ireland (United Kingdom) and Slovenia, information was displayed as a single long list of permits making locating the relevant permit difficult and time consuming.

Recommendation: The Irish EPA's search function should serve as best practice for other websites. If searchable databases already exist for other environmental permitting information, these should be expanded to include IED permits.

In many cases information was displayed as a single long list of permits making locating the relevant permit difficult and time consuming.
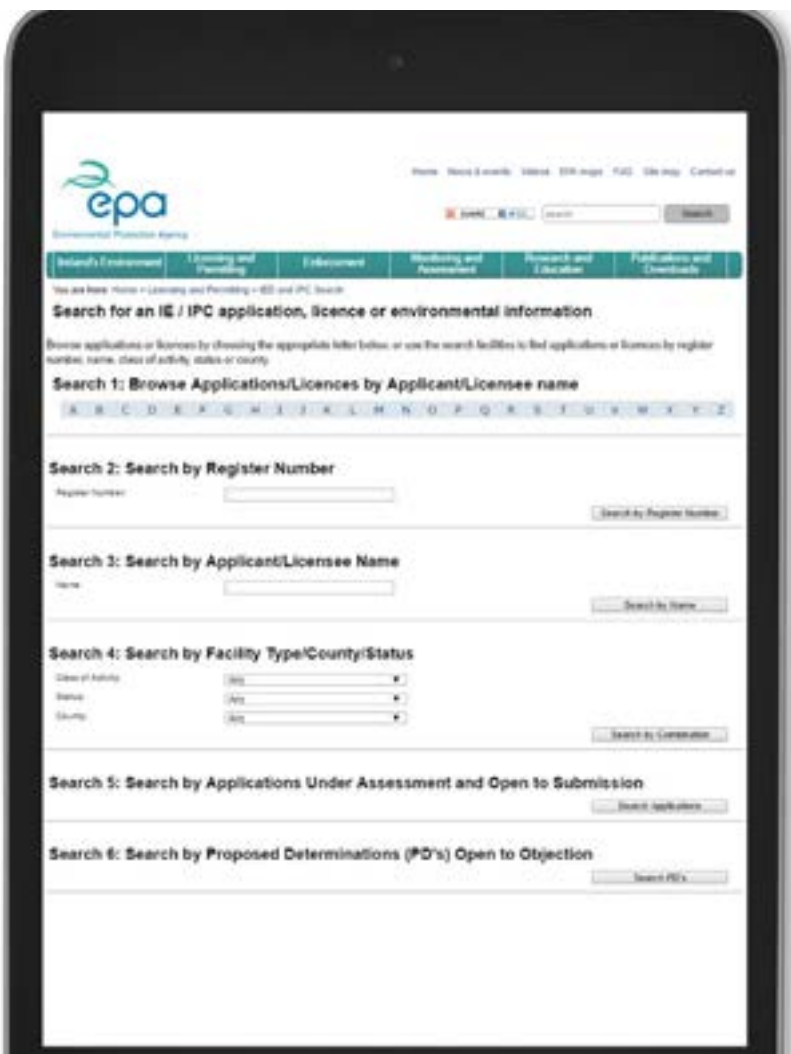
Permit-related information

About half of the countries and regions investigated provided good quality permits and permit-related information and offered all of the permits for the plants that were investigated. Where permits were available, all of those located fulfilled the minimum requirements set in the IED. However, in **Greece, UK (Wales), Spain (Galacia), Romania, Spain (Asturias), France** and **Germany (Hamburg)** while some permits were found, not all were available and information relating to specific plants appeared to be missing. This was most worrying in Wales, where the permit for the large, nationally-significant, coal power plant Aberthaw was not available online (although was later provided without issue following an email enquiry and has been made available online prior to the publication of this report).

Most permits were available in 'useful formats' (defined as an automatically-searchable document as opposed to scanned originals). However, where permits were scanned before being uploaded finding specific information was time consuming and difficult. In **Ireland, Bulgaria, Norway, Denmark, Czech Republic** and others, updated permits were consolidated into single documents, making locating relevant and up-to-date information far more straightforward.

👍

Recommendation: IED permits should be uploaded in a useful electronic format rather than just scanned versions of original printed documents. When updated, permits should be consolidated into a single document.

The Irish search function is one of the best in Europe

Burning: The Evidence

Inspection and compliance reports

Member States and their responsible authorities are required to produce inspection and compliance reports for industrial facilities regulated by the IED.

Compliance reports must be submitted at least once a year by plant operators (see Article 14 (1) (d) of the IED). These reports contain essential information in order to be able to verify whether permit conditions and BAT standards are being met. This is key information relating to emissions into the environment and thus falls under the mandatory public access obligation set under the Aarhus Convention. Compliance reports should therefore be made directly available to the public through online portals, along with all available supporting evidence such as monitoring data.

Inspection reports must, according to the IED, be made available to the public no later than four months after the date of a site visit. This requirement is not being met in many countries. In some countries, like **Germany**, it depends on the region and even then there is a great variation in the quality of the inspection reports provided. In **France**, an excellent approach is taken in one region (PACA), which should be replicated across the EU: a dedicated website lists all the key information: inspection date and contact details of inspector, issues checked, proposed actions at draft and decision stage, exchange with operators and follow up.[12]

Ireland, Norway, Denmark, Czech Republic, Malta and **France** made at least some of these reports available on their permit information websites, as did various **Spanish** and **German** regions. However, in most countries researchers were unable to find these resources either because they were not published together with the permit information or it was not clear if or where the information was available elsewhere.

Given that such reports must be made, and that the public has a right to access them, publishing them together with plant permit information would be both logical and effective in delivering effective access to information and public participation.

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> **Recommendation:** Compliance and inspection reports should be published together with permitting information in a single plant-specific information page gathering as much relevant information as exists. The **Irish, Norwegian** and **Walloon (Belgium)** websites offer useful examples of best practice. In regards to inspection reports the Irish, Norwegian and regional model of the **French PACA region** are considered as best practice (see Chapter 3 for more details on minimal expectations).

Additional (plant) information

Ireland, Italy, Norway and **Latvia** provided excellent additional plant information. **Italy** scored the highest for providing emissions monitoring in a clear and useful way but **Ireland, Norway and Flanders (Belgium)** scored the highest for the overall quality of the additional information provided. Notably, only **Ireland** provided baseline or site remediation reports, although references to such reports were made as a basic requirement in all permits. **France** also links in the plant information website to the soil related issues (BASOL database entry report), however the information available is not considered to constitute a full "IED baseline report".

The **Norwegian** portal is notable for displaying plant permitting together with detailed performance information as part of their national Pollution Release and Transfer Register (PRTR). IED plants are required to report this information to the European Environment Agency (EEA) for use in the European-level 'E-PRTR'. Combing this information provides a clearer picture of overall plant performance and is a clear example of best practice.

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>
> **Recommendation:** Emissions monitoring data and baseline/site remediation reports should be published on plant-specific information pages.
>
> **Recommendation:** National level PRTR data / or EU level PRTR reporting should be adapted to align to the Norwegian model and displayed on plant-specific pages with the following additional elements: latest consolidated permit in force, latest inspection and compliance report(s), release data combined with information on flow rates to air and water, production outputs data, permit ELVs integrated into the data reporting, whether an Art 15 (4) derogation has been submitted/filed/approved. Continuous monitoring data should also be made available online (see more details in Chapter 3 on EU level improvements on E-PRTR).

Overall score for the website

In terms of overall appreciation, which was considered as complete and detailed information being available online, **Ireland, Norway, Latvia, Denmark, Belgium (Wallonia and Flanders)** and **Estonia** all scored highly. With **Ireland** and **Norway** achieving maximum marks as their websites were highly up to date and considered user-friendly. A noteworthy feature of the **Irish** system is the ability to register as an interested party and to subscribe to RSS feeds linked to permit numbers. This proactive approach to sharing information before decisions are made would be a welcome addition to all other websites.

The **Maltese** website scored in the top half of all regions on its total scores but scored badly when rated for "overall appreciation".

Recommendation: Extra attention should be given to websites' user friendliness. Information beyond the bare minimum required should be published. Authorities should make an effort to proactively share information ahead of decisions to issue, update or renew permits. The Irish system should serve as a benchmark for this purpose.

The Irish and Norwegian websites were highly up to date and user friendly and were awarded maximum points for overall satisfaction.

③

CONCLUSIONS
& RECOMMENDATIONS

Conclusions

The Industrial Emissions Directive requires Member States to provide only a very minimum amount of industrial pollution permitting information online. Yet many states are failing to meet these requirements. Across Europe clear examples of best and worst practice exist.

The **Irish, Norwegian** and, to a lesser extent, the **Bulgarian** systems significantly exceed the minimum requirements. Officials in these jurisdictions have created and operate effective systems that fulfil and exceed the minimum requirements and help to support transparent decision making that welcomes democratic public participation. Having established effective systems to host all relevant information, authorities enjoy the associated savings in time and effort that would otherwise need to be invested in sharing information on a case-by-case basis with interested parties.

Despite it being a clear requirement of the IED, **Luxembourg** the Belgian region of **Brussels** offer no website that provides even the minimum required information. Action must be taken swiftly to remedy this situation.

In **Cyprus, Finland, Hungary** and **Poland** no current permits were located. Responsible authorities in these countries should take note of the recommendations in this report and ensure that the latest complete information is published online.

The lack of national-level websites (despite common national languages) in **Austria, Germany, the Netherlands, Poland, Spain,** and **the UK** makes locating permit information unnecessarily difficult and significantly undermines the ability of concerned citizens or interested groups to find and compare relevant documents between regions.

Poland's (as yet apparently unfulfilled) intention to post permits on 412 separate websites seems to break the spirit of Article 24 of the IED, which is clearly intended to ease public involvement and not create a bureaucratic maze of potential locations where information may or may not be located.

The failure of **Brussels, Cyprus, Finland, Hungary, Luxembourg, Poland** and **Scotland** to ensure the permit information is online appears to represent a direct failure to implement Article 24 of the IED.

Effective and efficient public access to information provides numerous advantages to responsible authorities and enables and encourages democratic public participation in permitting decisions. Authorities and citizens in a number of countries are already enjoying the benefits of effective online access to information websites, implementing this report's recommendations will allow such benefits to be spread to others across Europe.

Effective and efficient public access to information provides numerous advantages to responsible authorities and enables and encourages democratic public participation in permitting decisions.

Detailed Recommendations

General recommendations

All Member States should implement the following recommendations to offer the best possible access to information and public participation service to their citizens, business and civil society:

A search function should offer at least the following filters:

- **Type of documents** or type (status) of decision making
- **Type of industrial activities** concerned
- **Operator name**
- Plant **location**
- **Dates**/timeframes
- **Regulatory status** and activity status

Results should be displayed at national level without restrictions and should be downloadable in searchable electronic format.

Current best practice: Bulgaria & Ireland

All available plant data should be available on a single plant-specific page. The following documents need to be available as a minimum:

- **Consolidated permit** in force
- **Inspection report**(s)
- Annual **compliance report**(s) (referred to under Article 14(1) point (d) of the IED)
- **Release data** including flow rates to air/water (this information is usually set in permits)
- Production outputs and permit **ELVs** integrated into the data reporting
- Whether an IED **Article 15.4 derogation** (from BAT standards) has been submitted/granted.

Current best practice: Norway & Ireland

Information about upcoming decisions such as permit reviews should be clearly displayed. Authorities should make greater efforts to proactively share such information. National authorities should consider offering automatic alerts by email, RSS or other useful service.

Current best practice: Ireland & Denmark

Member States with regional permit authorities should have a national-level webportal. This report has revealed that countries with sub-national responsibility for sharing IED information often suffer serious deficiencies in ensuring effective access to information and public participation.

There is no reason why permits or enforcement actions that are the responsibility of regional level authorities cannot be reported and shared with the public on a single national level website. Offering national-level access to information is essential if such information is to be used to assess and drive improvements in environmental performance.

Current best practice: Lithuania & France

No administrative fees. This research has revealed instances where an administrative fee is demanded in order to be granted IED permit information (see infobox on page 24). To ensure fair access to documents, administrative fees should not be applied in most circumstances. Information that is generated by the implementation of the IED must be available online and should never be subject to administrative or other access fees.

Current best practice: Most Member States
Current worst practice: Various German *Bundesländer*

Quality of information

Ensuring access to information is an essential democratic requirement and useful tool to drive improvements in environmental performance. But good access to bad documents is of limited usefulness. This section provides recommendations to ensure that the quality of information available is improved.

Inspection reports should have harmonised formats and quality and be available to download alongside permitting information.

At present, where reports are available online, or can be specially requested, a large variation in quality exists (especially in **Germany**). As stipulated in the IED, inspection reports shall always be made publicly available online within four months of the site visit taking place.

The following minimal elements should always be visible in an inspection report and additional elements need to be publicly available:

- Name of plant and operator
- Specific issue checked for inspection as well as findings
- Name of authority that inspected and its inspector
- Date of the site visit
- The exchange between the operator and the inspector on the draft inspection report

The proposals for follow up actions and verification steps of the competent authority are to be provided, either as part of the inspection report or in separate document(s).[13]

It should be possible to sort inspection reports by type of activity and the name of the operator (parent company).

Current best practice: Norway, Ireland[14] and the PACA region of France

Compliance reports (IED Art 14.1 (d)) should contain at least the following information:

- Identification of the plant operator
- Summary of emission limit values (air/water) and the results of monitoring that enable compliance assessment
- Water consumption information (amount and type of water consumed)
- Resource consumption/waste generation (amount and type of resources consumed or generated)
- Reporting on soil and groundwater protection

Annual reports also contain other environmental relevant information: energy efficiency, investments for pollution prevention/control, compliance with BAT information, environmental management. Where available, this information should be published. Raw monitoring data from mandatory emissions measurements should be provided in editable database format.

As is already compulsory for inspection reports, compliance reports should be made publicly available online within four months of the date they are due (i.e. four months after the end of preceding reference year the report relates to). A stricter deadline of one month would be more appropriate to fulfil Aarhus commitments.

The EEB recommends that EU reporting systems are updated so that operators can directly submit and report online the data of their continuous monitoring devices on a daily basis through an enhanced E-PRTR tool.

EU level improvements

The European Pollutants and Release Register (E-PRTR) should undergo a "quick fix" and align to the Norwegian PRTR model which is considered as more helpful for benchmarking purposes and more useful access to information.[15]

The following information should be available as a minimum within the E-PRTR installation-level pages:

- A .pdf or weblink to currently in force **consolidated permit**: the EU-level PRTR system should extract the relevant datafields from the harmonised EU IED Electronic Permit Template (see EPT proposal below)

- A .pdf or weblink to latest **inspection report**(s)

- A .pdf or weblink to latest **compliance report**(s)

- Release data combined with information on **flow rates** (to air/water)

- **Production outputs** data[16] (a useful list of production outputs is provided in the Norwegian PRTR system for various IED activities)

- **The Emission Limit Values (ELV) set in plant permits should be integrated in the data reporting**, next to releases (see EPT proposal). Real emissions should therefore be reported in the same format as the ELVs, for example when expressed in concentration levels

- Whether an **Article 15.4 derogation** (from BAT standards) has been applied for or approved, and if such a derogation has been granted, the required justification

- Continuous monitoring data (air) or other measurements data for water is obligatory for IED activities (depending on sectors and size thresholds). **Raw continuous monitoring data** is therefore available and should be made directly available in online databases[17]

The EEB recommends that EU reporting systems are updated so that operators can directly submit and report online the data of their continuous monitoring devices on a daily basis through an enhanced E-PRTR tool.

This system works well for the US EPA: in the Air Markets Program Data (AMPD) all the available hourly averaged raw monitoring data can be downloaded at unit and monitoring location level, with various search filters and queries options, such as facility information and type filters (abatement techniques used, boiler or fuel types) etc. The online publication occurs in just one day after submission to the US EPA[18].

Europe needs to catch up if it is serious about using effective digital tools to benefit citizens and drive improvements in industry.

An IED Electronic Permit Template (EPT)

The divergence between approaches taken both between and within EU Member States has led to a confusing array of permits, decision documents and other associated information. While the essential content of permits is described in the IED and core elements feature in all documents across Europe, no standard format has been developed.

A harmonisation of reporting formats for key IED documents (at the very least the permits but also potentially inspection reports, compliance reports and others) would enable effective electronic integration into national and EU reporting portals. This approach would provide a level playing field across Europe and ensure that citizens in each Member State, and across the Union, are treated equally in terms of access to information and linked public participation opportunities in decision making.

An IED Electronic Permit Template (EPT) would remove administrative burdens linked to translation and EU level reporting. The required basic elements of the permit conditions under the IED permit would need to be reported in the EPT (e.g. permit ELVs applied for various pollutants with averaging periods indicated). The EU-level PRTR system could then automatically extract the relevant data fields for reporting purposes.

Such a system would therefore allow:

- Stakeholders acting at national or EU level to get easy access to information on equivalent industrial activities, allowing better benchmarking of environmental performance

- Hotspots to be identified for improvement opportunities

- Better use of information available for other purposes e.g. BREF reviews

- Improved level playing field for industry.

The administrative burden could be reduced as Member States are already required to report on IED implementation to the European Commission, on an annual basis on releases (E-PRTR) and operators on an annual basis through the compliance report. Direct reporting based on streamlining of various reporting obligations through a harmonised standard to the EEA (in charge of the E-PRTR) could help automatised IT reporting systems to properly function.

ANNEXES

ANNEX I: ARTICLE 24 OF THE INDUSTRIAL EMISSIONS DIRECTIVE

Article 24 on the Industrial Emissions Directive – "Access to information and public participation in the permit procedure"

1. Member States shall ensure that the public concerned are given early and effective opportunities to participate in the following procedures:

    a) the granting of a permit for new installations;

    b) the granting of a permit for any substantial change;

    c) the granting or updating of a permit for an installation where the application of Article 15(4) is proposed

    d) the updating of a permit or permit conditions for an installation in accordance with Article 21(5)(a).

The procedure set out in Annex IV shall apply to such participation.

2. When a decision on granting, reconsideration or updating of a permit has been taken, the competent authority shall make available to the public, including via the Internet in relation to points (a), (b) and (f), the following information:

    g) the content of the decision, including a copy of the permit and any subsequent updates;

    h) the reasons on which the decision is based;

    i) the results of the consultations held before the decision was taken and an explanation of how they were taken into account in that decision;

    j) the title of the BAT reference documents relevant to the installation or activity concerned;

    k) how the permit conditions referred to in Article 14, including the emission limit values, have been determined in relation to the best available techniques and emission levels associated with the best available techniques;

    l) where a derogation is granted in accordance with Article 15(4), the specific reasons for that derogation based on the criteria laid down in that paragraph and the conditions imposed.

3. The competent authority shall also make available to the public, including via the Internet at least in relation to point (a):

    a) relevant information on the measures taken by the operator upon definitive cessation of activities in accordance with Article 22;

    b) the results of emission monitoring as required under the permit conditions and held by the competent authority.

4. Paragraphs 1, 2 and 3 of this Article shall apply subject to the restrictions laid down in Article 4(1) and (2) of Directive 2003/4/EC.

ANNEX II: METHODOLOGY – THE ONLINE QUESTIONNAIRE

The questionnaire was comprised of six sections. Depending on the amount of information available, completing the survey took between one and three hours. It was organised as follows:

SECTIONS	TITLE	ACCESS TO INFORMATION
0	**Basic information**	Name, email, country etc.
1	**General Questions**	Availability of information on the responsible authority's website.
2	**Status of Review / Public Participation**	Permits currently under review – Ireland's system to be reviewed as a case study before answering this section.
3, 4, 5	**Plant-specific questions**	Information about 3 specific LCPs or other IED plants.
6	**Access to information**	The overall quality of the authority's online portal

Section 0 – Basic Information

The first section of the questionnaire asked researchers to provide basic personal information and the date the questionnaire was completed. According to the selected country (presented in a list) researchers were redirected to a dedicated page containing a list of national agencies related to this project (e.g. national environmental agencies, ministries, inspectorates, etc.) and containing the links provided by Member States in the answers to the Commission.

Section 1 – General Questions

This introductory section contained general questions about the online portal. It collected links to the relevant 'homepage' of the IED permit information and asked researches to rank the available search function on scale provided in Annex IV (methodology) – see page 41. Researchers were also asked to check for various filters including 'installation type', "permit status", geographic filters and to provide details of any additional useful filters.

Section 2 – Status of Review / Public Participation

In this section, the users were asked to search in their national online portals for any information related to permits under review.

Sections 3, 4 and 5 – Plant specific questions

These sections collected plant-specific information including assessing the quality and availability of the operating permits, the presence of consolidated permits, whether permit and other information were available in "useful formats" and whether information about permits under review was available. Researchers also looked for and assessed inspection and compliance reports and additional plant information, such as baseline reports, emissions monitoring information, plant in- and outputs.

Section 6 – Access to Information

The final section asked the researcher to consider the overall quality of the site using the Irish system and a rating scale[10] to provide an overall assessment.

ANNEX III: METHODOLOGY – THE GUIDELINES

The following information was provided to researchers to assist them in completing the online questionnaire.

Questionnaire on Online Access to Information and Public Participation regarding Large Combustion Plants (LCPs)

Introduction

Please read this document carefully before completing the questionnaire:

Thank you for agreeing to take part in this project. Once completed, it will provide an overview of the EU-28 Member States (and Norway) in terms of the quantity and quality of information available on Industrial Emissions Directive (IED) activities and the manner in which the information is shared. A report will be published later this year.

Structure of the questionnaire

The questionnaire has six sections in total. Depending on the amount of information available, the survey should take between one and three hours to complete. It is organised as follows:

Section	Title	Content
0	**Basic information**	Name, email, country etc.
1	**General Questions**	Availability of information on the responsible authority's website.
2	**Status of Review / Public Participation**	Permits currently under review – you may consult Ireland's case study before answering this section.
3, 4, 5	**Plant-specific questions**	Information about 3 LCPs. Note: You can select from the proposed samples for each country, or enter the name and number of an alternative plant if you prefer. If your country has regional-level authorities, please complete the questionnaire for each region. Contact us if you have any questions.
6	**Access to information**	The overall quality of the authority's online portal

Before answering the questionnaire

Before completing the questionnaire, we recommend that you consult and familiarise yourself with the following documents:

1. **The Industrial Emissions Directive** (especially Article 24).
2. **Section 3.10** of the European Commission's assessment report: "*Industrial Emissions Directive Final Report – Assessment and summary of the Member States implementation reports for the IED*"
   (see: p. 78 – onwards)
   - Check your country's answers to question 10 in **Appendix B** (from p. 100)
   - Look at the links on **Appendix A** (p. 87) and do some spot checks. The original questionnaires filled by your country are published in "Annex I"
   - Contact us if you find any irregularities!

Further information

- **Case study of Ireland's Environmental Protection Agency (EPA)**:
  "*Putting IED into Practice - Online Public Access to Information for Industrial Emissions Permitting*"
  This presentation provides an overview of the online system currently used by the Irish EPA.
- We suggest 3 LCPs for you to check. Consult the E-PRTR 2014 to identify other large SOx/PM emitters in your country/region (if there are no other LCPs available).

Recommendations

- Browsers: IE (v7 and above), Microsoft Edge, G. Chrome (v23 and above)
- Please do not close the tab/browser window while completing the questionnaire
- Please do not use your browser's 'back' and 'forward' buttons while completing the questionnaire (you can navigate back and forth through the questions using the buttons at the bottom of the page).

Click here to proceed to the survey - thank you for taking part!

ANNEX IV: METHODOLOGY – THE RANKING SYSTEM

Ease of use (total 10 points):

Search function rating (**up to 5 points**)

The website's search function was rated out of 5 based on the following scale:

0 points	There was no search function
1 point	A basic search function was available
2 points	It was possible to search using at least one filter
3 points	It was possible to search using at least two filters
4 points	There was a good search function with a number of useful filters
5 points	There was an excellent search function, it was possible to filter results by activity type, permit status and region

Up to **5 additional points** were awarded for the provision of each of the following specific search filters: installation type (1), permit status (1), location (1), types of documentation (1) and to websites that featured additional useful filters (1) not contained in this list.

Permit-related information (10 points)

Operating permits (up to **5 points**)

Operating permits were scored based on the following scale. When differences existed between permits, the lowest awarded score was applied.

Where the minimum required permit information was missing a -10 point penalty was applied.

0 points	No information online
1 point	Information is accessible but only upon request
2 points	Information is available online but incomplete or out of date
3 points	Satisfactory level of information meeting legal requirement
4 points	Information online, complete and detailed
5 points	Information online, complete and detailed and published within 1 month of decision and is presented in a user-friendly manner

A maximum of **5 further points** were awarded for the presence of the following specific characteristics:

1 point	A consolidated permit was located
1 point	Permits were available in a useful format (searchable pdf/word/html)
1 point	If all three requested operating permits were available and located
2 points	Information relating to permits currently under review was located

Inspection and compliance reports (10 points)

Annual compliance and inspection reports were rated by applying the same scale as that used to rate the quality of individual operating permits (see page 41). Up to **5 points** could be obtained for inspection reports and up to **5 points** for compliance reports. Where differences emerged between the quality of reports between samples, a simple average was used to award the final score.

Overall score for the website (10 points)

A score out of 5 was awarded based on an overall appreciation of the website on the same scale used for rating the quality of individual operating permits (see page 41). This score was doubled and added to the final total.

Additional (plant) information (10 points)

2 points	Baseline or site remediation reports
up to 3 points	Emissions monitoring results (score dependent on quality)
2 points	Plant outputs
2 points	Plant inputs
up to 5 points	Awarded based on the standard scale (figure X) in answer to the question: "Please rate the quality of the available additional information"

References

1. Integrated Pollution Prevention & Control (IPPC) Directive; Large Combustion Plants Directive; Waste Incineration Directive; Volatile Organic Compound (VOC) Solvents Directive; 3 Directives regarding Titanium Dioxide.
2. The full text of Article 24, and applicable annexes, can be found in the annex of this report.
3. See:http://www.unece.org/environmental-policy/conventions/public-participation/aarhus-convention/tfwg/envppcc/envppcccom/acccc2014121-european-union.html
4. Decision 2000/479/EC establishing an European Pollutant Emission Register OJ L192, 28.7.2000 p.36
5. See E-PRTR herehttp://prtr.ec.europa.eu/#/home
6. Belgium, Germany, the Netherlands, Spain and the United Kingdom have devolved or sub-national authorities responsible for IED activity permitting. The sampling was therefore carried out at regional level
7. As the IED requires information about all LCPs to be made available, the choice of sample plants should not affect the results. It was decided to investigate three plants in order to ensure a fair reflection of the overall quality of information.
8. http://rod.eionet.europa.eu/obligations/706/deliveries
9. ibid
10. Informed by email sent to national representatives to the IED forum.
11. http://cdr.eionet.europa.eu/pl/eu/ied/annex1/envva1nza
12. See http://www.installationsclassees-paca.fr/paca_inspection/inspection.php
13. An excellent example, although not assessed as part of this research, can be found here: http://www.installationsclassees-paca.fr/paca_inspection/inspection.php
14. The regional system of Provence Alpes – Côte D'Azur in terms of access interface and quality of information: http://www.paca.developpement-durable.gouv.fr/spip.php?page=sommaire
15. See this example: http://www.norskeutslipp.no/en/Lists/Overview-facility/?SectorID=600
16. LCP energy outputs are already available on ENTSO-E, but data is linked to different plant-specific codes making data-matching difficult or impossible.
17. For certain sectors (e.g. waste incineration) and at specific plants (e.g. Moorburg) real time continuous monitoring data is directly published on company websites on a daily basis. See: https://www.lfu.bayern.de/abfall/ueberwachung_aba/siedl_klaer/index.htm (Bavaria, Waste incineration plants), and: http://kraftwerk-moorburg.hamburg/kraftwerk-moorburg/umweltschutz/ (Moorburg Hardcoal LCP, daily averaged air emissions monitoring data of previous day is displayed, with hourly water discharge and cooling water abstraction and emissions data).
18. See short introduction to the tool here: https://ampd.epa.gov/ampd/tutorialfiles/AMPDAnimation.mp4 and access to the data here https://ampd.epa.gov/ampd/