

**DECISION OF THE EEA JOINT COMMITTEE****No 229/2015****of 25 September 2015****amending Annex XX (Environment) to the EEA Agreement [2017/536]**

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) <sup>(1)</sup>, as corrected by OJ L 158, 19.6.2012, p. 25, is to be incorporated into the EEA Agreement.
- (2) Commission Implementing Decision 2012/115/EU of 10 February 2012 laying down rules concerning the transitional national plans referred to in Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions <sup>(2)</sup> is to be incorporated into the EEA Agreement.
- (3) Commission Implementing Decision 2012/119/EU of 10 February 2012 laying down rules concerning guidance on the collection of data and on the drawing up of BAT reference documents and on their quality assurance referred to in Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions <sup>(3)</sup>, as corrected by OJ L 328, 28.11.2012, p. 27, is to be incorporated into the EEA Agreement.
- (4) Commission Implementing Decision 2012/134/EU of 28 February 2012 establishing the best available techniques (BAT) conclusions under Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions for the manufacture of glass <sup>(4)</sup> is to be incorporated into the EEA Agreement.
- (5) Commission Implementing Decision 2012/135/EU of 28 February 2012 establishing the best available techniques (BAT) conclusions under Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions for iron and steel production <sup>(5)</sup> is to be incorporated into the EEA Agreement.
- (6) Commission Implementing Decision 2012/249/EU of 7 May 2012 concerning the determination of start-up and shut-down periods for the purposes of Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions <sup>(6)</sup> is to be incorporated into the EEA Agreement.
- (7) Commission Implementing Decision 2012/795/EU of 12 December 2012 establishing the type, format and frequency of information to be made available by the Member States for the purposes of reporting on the implementation of Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions <sup>(7)</sup> is to be incorporated into the EEA Agreement.
- (8) Commission Implementing Decision 2013/84/EU of 11 February 2013 establishing the best available techniques (BAT) conclusions under Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions for the tanning of hides and skins <sup>(8)</sup> is to be incorporated into the EEA Agreement.
- (9) Commission Implementing Decision 2013/163/EU of 26 March 2013 establishing the best available techniques (BAT) conclusions under Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions for the productions of cement, lime and magnesium oxide <sup>(9)</sup> is to be incorporated into the EEA Agreement.

<sup>(1)</sup> OJ L 334, 17.12.2010, p. 17.

<sup>(2)</sup> OJ L 52, 24.2.2012, p. 12.

<sup>(3)</sup> OJ L 63, 2.3.2012, p. 1.

<sup>(4)</sup> OJ L 70, 8.3.2012, p. 1.

<sup>(5)</sup> OJ L 70, 8.3.2012, p. 63.

<sup>(6)</sup> OJ L 123, 9.5.2012, p. 44.

<sup>(7)</sup> OJ L 349, 19.12.2012, p. 57.

<sup>(8)</sup> OJ L 45, 16.2.2013, p. 13.

<sup>(9)</sup> OJ L 100, 9.4.2013, p. 1.

- (10) Commission Implementing Decision 2013/732/EU of 9 December 2013 establishing the best available techniques (BAT) conclusions, under Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions, for the production of chlor-alkali <sup>(1)</sup> is to be incorporated into the EEA Agreement.
- (11) Commission Implementing Decision 2014/687/EU of 26 September 2014 establishing the best available techniques (BAT) conclusions, under Directive 2010/75/EU of the European Parliament and of the Council, for the production of pulp, paper and board <sup>(2)</sup>, as corrected by OJ L 348, 4.12.2014, p. 30, is to be incorporated into the EEA Agreement.
- (12) Commission Implementing Decision 2014/738/EU of 9 October 2014 establishing the best available techniques (BAT) conclusions, under Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions, for the refining of mineral oil and gas <sup>(3)</sup>, as corrected by OJ L 62, 6.3.2015, p. 35, is to be incorporated into the EEA Agreement.
- (13) Commission Implementing Decision 2014/768/EU of 30 October 2014 establishing the type, format and frequency of information to be made available by the Member States on integrated emission management techniques applied in mineral oil and gas refineries, pursuant to Directive 2010/75/EU of the European Parliament and of the Council <sup>(4)</sup> is to be incorporated into the EEA Agreement.
- (14) Council Directives 89/369/EEC <sup>(5)</sup>, 89/429/EEC <sup>(6)</sup> and 94/67/EC <sup>(7)</sup>, which are incorporated into the EEA Agreement, were repealed by Directive 2000/76/EC of the European Parliament and of the Council <sup>(8)</sup>, which is incorporated into the EEA Agreement and consequently the references to Directives 89/369/EEC, 89/429/EEC and 94/67/EC should be deleted from the EEA Agreement.
- (15) Directive 2010/75/EU repeals Council Directives 78/176/EEC <sup>(9)</sup>, 82/883/EEC <sup>(10)</sup>, 92/112/EEC <sup>(11)</sup> and 1999/13/EC <sup>(12)</sup>, and Directives 2000/76/EC and 2008/1/EC of the European Parliament and of the Council <sup>(13)</sup>, which are incorporated into the EEA Agreement and which are consequently to be repealed under the EEA Agreement.
- (16) Commission Implementing Decision 2011/631/EU <sup>(14)</sup>, which is incorporated into the EEA Agreement, has become obsolete and is consequently to be repealed under the EEA Agreement.
- (17) Directive 2010/75/EU repeals, with effect from 1 January 2016, Directive 2001/80/EC of the European Parliament and of the Council <sup>(15)</sup>, which is incorporated into the EEA Agreement and which is consequently to be repealed under the EEA Agreement with effect from 1 January 2016.
- (18) Annex XX to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

#### Article 1

Annex XX to the EEA Agreement shall be amended as follows:

1. Points 1f (Directive 2008/1/EC of the European Parliament and of the Council) to 1fd (Commission Implementing Decision 2011/631/EU) are replaced by the following:
  - 1f. **32010 L 0075:** Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (Recast) (OJ L 334, 17.12.2010, p. 17), as corrected by OJ L 158, 19.6.2012, p. 25.

<sup>(1)</sup> OJ L 332, 11.12.2013, p. 34.

<sup>(2)</sup> OJ L 284, 30.9.2014, p. 76.

<sup>(3)</sup> OJ L 307, 28.10.2014, p. 38.

<sup>(4)</sup> OJ L 315, 1.11.2014, p. 15.

<sup>(5)</sup> OJ L 163, 14.6.1989, p. 32.

<sup>(6)</sup> OJ L 203, 15.7.1989, p. 50.

<sup>(7)</sup> OJ L 365, 31.12.1994, p. 34.

<sup>(8)</sup> OJ L 332, 28.12.2000, p. 91.

<sup>(9)</sup> OJ L 54, 25.2.1978, p. 19.

<sup>(10)</sup> OJ L 378, 31.12.1982, p. 1.

<sup>(11)</sup> OJ L 409, 31.12.1992, p. 11.

<sup>(12)</sup> OJ L 85, 29.3.1999, p. 1.

<sup>(13)</sup> OJ L 24, 29.1.2008, p. 8.

<sup>(14)</sup> OJ L 247, 24.9.2011, p. 47.

<sup>(15)</sup> OJ L 309, 27.11.2001, p. 1.

The provisions of the Directive shall, for the purposes of this Agreement, be read with the following adaptation:

At the time of the incorporation of the Directive into this Agreement, there are no large combustion plants, waste incineration or co-incineration plants, or installations producing titanium dioxide as referred to in Chapters III, IV and VI of the Directive in operation in Liechtenstein. Liechtenstein will comply with the corresponding provisions if and when such plants and installations are put into operation.

- 1fa. **32012 D 0115**: Commission Implementing Decision 2012/115/EU of 10 February 2012 laying down rules concerning the transitional national plans referred to in Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions (OJ L 52, 24.2.2012, p. 12).
- 1fb. **32012 D 0119**: Commission Implementing Decision 2012/119/EU of 10 February 2012 laying down rules concerning guidance on the collection of data and on the drawing up of BAT reference documents and on their quality assurance referred to in Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions (OJ L 63, 2.3.2012, p. 1), as corrected by OJ L 328, 28.11.2012, p. 27.
- 1fc. **32012 D 0134**: Commission Implementing Decision 2012/134/EU of 28 February 2012 establishing the best available techniques (BAT) conclusions under Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions for the manufacture of glass (OJ L 70, 8.3.2012, p. 1).
- 1fd. **32012 D 0135**: Commission Implementing Decision 2012/135/EU of 28 February 2012 establishing the best available techniques (BAT) conclusions under Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions for iron and steel production (OJ L 70, 8.3.2012, p. 63).
- 1fe. **32012 D 0249**: Commission Implementing Decision 2012/249/EU of 7 May 2012 concerning the determination of start-up and shut-down periods for the purposes of Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions (OJ L 123, 9.5.2012, p. 44).
- 1ff. **32012 D 0795**: Commission Implementing Decision 2012/795/EU of 12 December 2012 establishing the type, format and frequency of information to be made available by the Member States for the purposes of reporting on the implementation of Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions (OJ L 349, 19.12.2012, p. 57).
- 1fg. **32013 D 0084**: Commission Implementing Decision 2013/84/EU of 11 February 2013 establishing the best available techniques (BAT) conclusions under Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions for the tanning of hides and skins (OJ L 45, 16.2.2013, p. 13).
- 1fh. **32013 D 0163**: Commission Implementing Decision 2013/163/EU of 26 March 2013 establishing the best available techniques (BAT) conclusions under Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions for the productions of cement, lime and magnesium oxide (OJ L 100, 9.4.2013, p. 1).
- 1fi. **32013 D 0732**: Commission Implementing Decision 2013/732/EU of 9 December 2013 establishing the best available techniques (BAT) conclusions, under Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions, for the production of chlor-alkali (OJ L 332, 11.12.2013, p. 34).
- 1fj. **32014 D 0687**: Commission Implementing Decision 2014/687/EU of 26 September 2014 establishing the best available techniques (BAT) conclusions, under Directive 2010/75/EU of the European Parliament and of the Council, for the production of pulp, paper and board (OJ L 284, 30.9.2014, p. 76), as corrected by OJ L 348, 4.12.2014, p. 30.
- 1fk. **32014 D 0738**: Commission Implementing Decision 2014/738/EU of 9 October 2014 establishing the best available techniques (BAT) conclusions, under Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions, for the refining of mineral oil and gas (OJ L 307, 28.10.2014, p. 38), as corrected by OJ L 62, 6.3.2015, p. 35.
- 1fl. **32014 D 0768**: Commission Implementing Decision 2014/768/EU of 30 October 2014 establishing the type, format and frequency of information to be made available by the Member States on integrated emission management techniques applied in mineral oil and gas refineries, pursuant to Directive 2010/75/EU of the European Parliament and of the Council (OJ L 315, 1.11.2014, p. 15).'

2. The text of points 20 (Council Directive 89/369/EEC), 21 (Council Directive 89/429/EEC), 21ab (Council Directive 1999/13/EC), 21b (Council Directive 94/67/EC), 28 (Council Directive 78/176/EEC), 30 (Council Directive 82/883/EEC), 32b (Council Directive 92/112/EEC) and 32f (Directive 2000/76/EC of the European Parliament and of the Council) and the Appendix is deleted.
3. The text of point 19a (Directive 2001/80/EC of the European Parliament and of the Council) shall be deleted with effect from 1 January 2016.

#### Article 2

The texts of Directive 2010/75/EU, as corrected by OJ L 158, 19.6.2012, p. 25, and Implementing Decisions 2012/115/EU, 2012/119/EU, as corrected by OJ L 328, 28.11.2012, p. 27, 2012/134/EU, 2012/135/EU, 2012/249/EU, 2012/795/EU, 2013/84/EU, 2013/163/EU, 2013/732/EU, 2014/687/EU, as corrected by OJ L 348, 4.12.2014, p. 30, 2014/738/EU, as corrected by OJ L 62, 6.3.2015, p. 35, and 2014/768/EU in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

#### Article 3

This Decision shall enter into force on 26 September 2015, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (\*).

#### Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 25 September 2015.

For the EEA Joint Committee  
The President  
Ingrid SCHULERUD

---

(\*) No constitutional requirements indicated.