



EUROPEAN COMMISSION

DIRECTORATE-GENERAL

ENVIRONMENT

Directorate C - Sustainable Resource Management, Industry and Air

ENV.C.3 - Industrial emissions and accidents, air quality and noise

Head of Unit

Brussels, 14 DEC. 2011
ENV.C.3 GG/adb Ares 1353706

TO THE IEEG REPRESENTATIVES OF ALL MEMBER STATES

Subject: Application dates for the baseline report under Article 22(2)¹ of the Industrial Emissions Directive 2010/75/EU (IED)

Dear Colleagues,

Following questions on the above subject raised by Member State representatives, I hereby present you the position of the Commission's services.

Please note that it is the prerogative of the European Court of Justice to give definitive legally binding interpretation of the Directive.

1. New installations

The **baseline report** shall be established by the operator **before starting operation**.

2. Existing installations already covered by the IPPC Directive

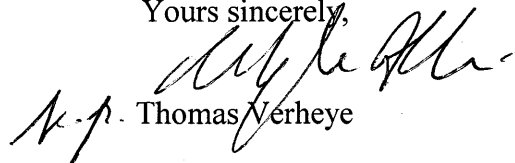
The **baseline report** shall be established by the operator **at the first update of the permit after 7 January 2014**.

3. Existing installations not covered by the IPPC Directive

The **baseline report** shall be established by the operator **at the first update of the permit after 7 July 2015**.

The Annex to this letter serves as an illustration of the above-mentioned dates.

Yours sincerely,


N. p. Thomas Verhey

cc: Members of the IED Article 13 forum

¹ "Where the activity involves the use, production or release of relevant hazardous substances and having regard to the possibility of soil and groundwater contamination at the site of the installation, the operator shall prepare and submit to the competent authority a baseline report before starting operation of an installation or before a permit for an installation is updated for the first time after 7 January 2013."