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(¹) Text with EEA relevance

EN

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⁽¹⁾ Text with EEA relevance

II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

COUNCIL DECISION

of 22 November 2010

on the conclusion of a Second Additional Protocol to the Agreement establishing an Association between the European Community and its Member States, of the one part, and the Republic of Chile, of the other part, to take account of the accession of the Republic of Bulgaria and Romania to the European Union

(2010/726/EU)

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 217, in conjunction with Article 218(6)(a) and Article 218(8), thereof,

Having regard to the Treaty of Accession of the Republic of Bulgaria and Romania, and in particular Article 4(3) thereof,

Having regard to the Act of Accession of the Republic of Bulgaria and Romania, and in particular Article 6(2) thereof,

Having regard to the proposal from the European Commission,

Having regard to the assent of the European Parliament ⁽¹⁾,

Whereas:

(1) The Second Additional Protocol to the Agreement establishing an Association between the European Community and its Member States, of the one part, and the Republic of Chile, of the other part, was signed on behalf of the European Community and its Member States on 24 July 2007.

(2) As a consequence of the entry into force of the Treaty of Lisbon on 1 December 2009, the European Union has replaced and succeeded the European Community.

(3) The Second Additional Protocol should be concluded,

Article 1

The Second Additional Protocol to the Agreement establishing an Association between the European Community and its Member States, of the one part, and the Republic of Chile, of the other part, to take account of the accession of the Republic of Bulgaria and Romania to the European Union ⁽²⁾, is hereby approved on behalf of the Union and its Member States.

Article 2

The President of the Council shall, on behalf of the Union and its Member States, give the notification provided for in Article 10 of the Second Additional Protocol.

Article 3

The President of the Council shall, on behalf of the Union, make the following notification:

‘As a consequence of the entry into force of the Treaty of Lisbon on 1 December 2009, the European Union has replaced and succeeded the European Community and from that date exercises all rights and assumes all obligations of the European Community. Therefore, references to “the European Community” in the text of the Protocol are, where appropriate, to be read as “the European Union”.’

⁽¹⁾ OJ C 263 E, 16.10.2008, p. 149.

⁽²⁾ The Second Additional Protocol has been published in OJ L 251, 26.9.2007, p. 2, together with the decision on signing. A procès-verbal of rectification to the Second Additional Protocol in the Spanish language version has been published in OJ L 255, 23.9.2008, p. 34.

Article 4

This Decision shall enter into force on the day of its adoption.

Done at Brussels, 22 November 2010.

For the Council
The President
C. ASHTON

REGULATIONS

COMMISSION REGULATION (EU) No 1103/2010

of 29 November 2010

establishing, pursuant to Directive 2006/66/EC of the European Parliament and of the Council, rules as regards capacity labelling of portable secondary (rechargeable) and automotive batteries and accumulators

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Directive 2006/66/EC of the European Parliament and of the Council of 6 September 2006 on batteries and accumulators and waste batteries and accumulators and repealing Directive 91/157/EEC ⁽¹⁾, and in particular Article 21(2) and 21(7) thereof,

Whereas:

- (1) A reduction in waste quantities could be obtained by increasing the average life span of secondary (rechargeable) batteries. Choosing the appropriate battery for an appliance would reduce the amount of waste batteries and accumulators.
- (2) It is essential that capacity labelling information be provided through harmonised, controllable and repeatable methods in order to ensure fair competition and consistent quality values for manufacturers.
- (3) Directive 2006/66/EC requires that all portable and automotive batteries and accumulators be provided with a capacity label. The capacity label aims at providing useful, easily understandable and comparable information for end-users when purchasing portable and automotive batteries and accumulators.
- (4) Pursuant to Article 21(7) of Directive 2006/66/EC exemptions may be granted from the capacity labelling requirements.
- (5) It is appropriate to grant such exemptions for batteries and accumulators which are sold incorporated in appliances and are not intended to be removed by end-users for safety, performance, medical or data integrity

reasons and continuity of power supply. These batteries and accumulators are not accessible to end-users and therefore the end-users do not have to make a purchasing decision for them.

- (6) It is desirable to base information on existing International and European Standards so as to provide a sound scientific and technical basis for the accuracy of the information provided to end-users.
- (7) The existing capacity labelling rules for portable secondary (rechargeable) and automotive batteries and accumulators need to be harmonised. Possible harmonisation of capacity labelling rules for portable primary (non-rechargeable) batteries should also be assessed.
- (8) Producers of batteries and accumulators need at least 18 months to adapt their technological processes to the new capacity labelling requirements.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 18 of Directive 2006/12/EC of the European Parliament and of the Council of 5 April 2006 on waste ⁽²⁾,

HAS ADOPTED THIS REGULATION:

Article 1

Scope

1. This Regulation shall apply to portable secondary (rechargeable) and automotive batteries and accumulators placed on the market for the first time 18 months after the date referred to in Article 5.
2. This Regulation shall not apply to portable secondary (rechargeable) batteries and accumulators as listed in Annex I.

⁽¹⁾ OJ L 266, 26.9.2006, p. 1.

⁽²⁾ OJ L 114, 27.4.2006, p. 9.

*Article 2***Determination of capacity**

1. The electric charge that a battery or an accumulator can deliver under a specific set of conditions shall be considered as the capacity of the battery or the accumulator.
2. The capacity of portable secondary (rechargeable) batteries and accumulators shall be determined on the basis of IEC/EN 61951-1, IEC/EN 61951-2, IEC/EN 60622, IEC/EN 61960 and IEC/EN 61056-1 standards depending on chemical substances contained therein as specified in Annex II, Part A.
3. The capacity of automotive batteries and accumulators shall be determined on the basis of standard IEC 60095-1/EN 50342-1 depending on chemical substances contained therein as specified in Annex II, Part B.

*Article 3***Unit of capacity measurement**

1. The capacity of portable secondary (rechargeable) batteries and accumulators shall be expressed in 'milliampere-hour(s)' or 'ampere-hour(s)', using the abbreviations mAh or Ah respectively.

2. The capacity of automotive batteries and accumulators shall be expressed in 'ampere-hour(s)' (Ah) and 'Cold Cranking Amperes' (A), using both these abbreviations.

*Article 4***Capacity label design**

1. Portable secondary (rechargeable) batteries and accumulators shall be marked with a label containing the information set out in Annex III, Part A. The minimum size of the label shall be determined according to the type of the battery and accumulator as specified in Annex IV, Part A.
2. All automotive batteries and accumulators shall be marked with a label containing the information set out in Annex III, Part B. The minimum size of the label shall be determined according to the type of the battery and accumulator as specified in Annex IV, Part B.

*Article 5***Entry into force**

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 29 November 2010.

For the Commission

The President

José Manuel BARROSO

ANNEX I**Exemptions from the capacity labelling requirements**

- (1) Portable secondary (rechargeable) batteries and accumulators incorporated or designed to be incorporated in appliances before being provided to end-users, and not intended to be removed pursuant to Article 11 of Directive 2006/66/EC are exempt from the scope of application of this Regulation.
-

ANNEX II

Capacity measurement of portable secondary (rechargeable) and automotive batteries and accumulators**Part A. Portable secondary (rechargeable) batteries and accumulators**

- (1) The rated capacity of portable secondary nickel-cadmium batteries and accumulators shall be measured according to standards IEC/EN 61951-1 and IEC/EN 60622.
- (2) The rated capacity of portable secondary nickel-metal hydride batteries and accumulators shall be measured according to standard IEC/EN 61951-2.
- (3) The rated capacity of portable secondary lithium batteries and accumulators shall be measured according to standard IEC/EN 61960.
- (4) The rated capacity of portable secondary lead-acid batteries and accumulators shall be measured according to standard IEC/EN 61056-1.

Part B. Automotive batteries and accumulators

- (1) The rated capacity and the cold cranking performance of automotive batteries and accumulators (lead-acid starters) shall be measured according to standard IEC 60095-1/EN 50342-1.
-

ANNEX III

Information contained on capacity labels**Part A. Portable secondary (rechargeable) batteries and accumulators**

The capacity label of portable secondary (rechargeable) batteries and accumulators shall contain the following information:

- (1) for portable secondary nickel-cadmium (NiCad), nickel-metal hydride (Ni-MH), and lithium batteries and accumulators, the rated capacity as specified respectively in standards IEC/EN 61951-1, IEC/EN 60622, IEC/EN 61951-2, and IEC/EN 61960:
 - (a) as an integer when the capacity is expressed in 'mAh', excluding portable secondary (rechargeable) batteries and accumulators intended for power tools application;
 - (b) as a decimal number with one digit when the capacity is expressed in 'Ah' and as an integer when expressed in 'mAh', for all portable secondary (rechargeable) batteries and accumulators intended for power tools application;
 - (c) with a level of accuracy required by standards IEC/EN 61951-1, IEC/EN 61951-2, IEC/EN 60622, and IEC/EN 61960 respectively;
- (2) for portable secondary lead-acid batteries and accumulators the minimum value of the rated capacity within the sample specified in standard IEC/EN 61056-1:
 - (a) as a decimal number with one digit when the capacity is expressed in 'Ah', excluding portable secondary (rechargeable) batteries and accumulators for power tools application; and
 - (b) with a level of accuracy required by standard IEC/EN 61056-1.

Part B. Automotive batteries and accumulators

The capacity label of automotive batteries and accumulators shall contain the following information:

- (1) the rated capacity and cold cranking performance as specified in standard IEC 60095-1/EN 50342-1;
 - (2) the value of the rated capacity and the cranking current displayed as an integer with a level of $\pm 10\%$ accuracy of the nominal value.
-

ANNEX IV

Minimum size and location of capacity labels**Part A. Portable secondary (rechargeable) batteries and accumulators**

The capacity labels of portable secondary (rechargeable) batteries and accumulators shall comply with the following requirements:

- (1) for individual batteries and accumulators, except button cells and memory back-up batteries:
 - (a) on the battery and accumulator: the label shall have a minimum size of $1,0 \times 5,0$ mm (H $\times$ L) ⁽¹⁾;
 - (b) on the packaging (front) of the batteries and accumulators: the label shall have a minimum size of $5,0 \times 12,0$ mm (H $\times$ L);
 - (c) the label shall be located on the packaging (front) and on the batteries and accumulators inside the packaging;
 - (d) for batteries and accumulators sold without packaging, the label shall be located on the battery and accumulator itself;
- (2) for battery packs:
 - (a) for battery packs where the largest side is below 70 cm^2 , the label shall have a minimum size of $1,0 \times 5,0$ mm (H $\times$ L);
 - (b) for battery packs where the largest side is equal to or above 70 cm^2 , the label shall have a minimum size of $2,0 \times 5,0$ mm (H $\times$ L);
 - (c) the label shall be located only on the external housing of the cell(s) assembly and not on each individual cell inside the housing;
- (3) where the size of the battery, the accumulator or the battery pack is such that a label of a minimum size cannot be shown upon it, the capacity shall be marked on the packaging with a minimum size of $5,0 \times 12,0$ mm (H $\times$ L). In this circumstance, and where the battery, the accumulator or the battery pack is not supplied with its own packaging, the capacity shall be marked on the packaging of the appliance with which the batteries, accumulators or battery packs are sold;
- (4) for button cells and memory back-up batteries:
 - (a) on the packaging (front): the label shall have a minimum size of $5,0 \times 12,0$ mm (H $\times$ L);
 - (b) the label shall be located on the front of the packaging.

Part B. Automotive batteries and accumulators

The capacity labels of automotive batteries and accumulators shall comply with the following requirements:

- (a) the label shall cover at least 3 % of the area of the largest side of the automotive battery and accumulator, up to a maximum of 20×150 mm (H $\times$ L);
- (b) the label shall be located on the battery or accumulator itself, on one of the sides of the battery or accumulator, excluding the bottom side.

⁽¹⁾ Height (H); Length (L).

COMMISSION REGULATION (EU) No 1104/2010**of 29 November 2010****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾,Having regard to Commission Regulation (EC) No 1580/2007 of 21 December 2007 laying down implementing rules for Council Regulations (EC) No 2200/96, (EC) No 2201/96 and (EC) No 1182/2007 in the fruit and vegetable sector ⁽²⁾, and in particular Article 138(1) thereof,

Whereas:

Regulation (EC) No 1580/2007 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XV, Part A thereto,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 138 of Regulation (EC) No 1580/2007 are fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 30 November 2010.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 29 November 2010.

*For the Commission,
On behalf of the President,**Jean-Luc DEMARTY
Director-General for Agriculture and
Rural Development*⁽¹⁾ OJ L 299, 16.11.2007, p. 1.⁽²⁾ OJ L 350, 31.12.2007, p. 1.

ANNEX

Standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	AL	22,0
	MA	80,8
	MK	45,6
	TR	68,6
	ZZ	54,3
0707 00 05	EG	140,2
	TR	87,2
	ZZ	113,7
0709 90 70	MA	79,5
	TR	147,8
	ZZ	113,7
0805 20 10	MA	72,4
	ZZ	72,4
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	HR	60,8
	IL	71,5
	MA	61,9
	TR	49,8
	UY	58,6
	ZZ	60,5
0805 50 10	AR	57,1
	MA	68,0
	TR	60,0
	UY	57,1
	ZA	51,7
	ZZ	58,8
0808 10 80	AR	74,9
	AU	167,9
	BR	50,3
	CA	113,1
	CL	84,2
	CN	87,3
	CO	50,3
	MK	26,7
	NZ	141,3
	US	92,0
	ZA	114,5
	ZZ	91,1
0808 20 50	CL	78,3
	CN	60,9
	US	136,0
	ZZ	91,7

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

DIRECTIVES

COMMISSION DIRECTIVE 2010/82/EU

of 29 November 2010

amending Council Directive 91/414/EEC as regards an extension of the use of the active substance tetraconazole

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market ⁽¹⁾, and in particular the second indent of the second subparagraph of Article 6(1) thereof,

Whereas:

- (1) By Council Directive 2009/82/EC ⁽²⁾ tetraconazole was included as active substance in Annex I to Directive 91/414/CEE for use as a fungicide.
- (2) However, the inclusion of tetraconazole is limited to uses on field crops with a restricted rate and timing of application. Uses on apples and grapes are entirely excluded. Those restrictions were necessary because at the time of inclusion the information required for the groundwater assessment was insufficient, in particular as regards the risk of contamination by two metabolites which had not been identified by the notifier. As regards uses on apples and grapes, the information necessary for the assessment of the risk to consumers was incomplete.
- (3) The notifier Isagro has requested an amendment to the inclusion of tetraconazole extending its use as a fungicide by removing those restrictions. It has submitted further scientific data in support of its request.
- (4) Italy which had been designated rapporteur Member State by Commission Regulation (EC) No 1490/2002 ⁽³⁾

assessed those data and submitted to the Commission on 10 February 2010 an addendum to the draft assessment report on tetraconazole, which was circulated for comments to the other Member States and to the European Food Safety Authority (EFSA). The draft assessment report together with that addendum was reviewed by the Member States and the Commission within the Standing Committee on the Food Chain and Animal Health and finalised on 28 October 2010 in the format of the Commission review report for tetraconazole.

- (5) The new data submitted by the notifier and the new assessment carried out by the rapporteur Member State indicate that the requested extension of use does not cause any risks in addition to those already taken into account in the specific provisions for tetraconazole in Annex I to Directive 91/414/EEC and in the Commission review report for that substance. In particular as regards the risk of groundwater contamination, the rapporteur Member State considered that the new study submitted by the notifier identifies those metabolites and that there is no unacceptable leaching. Concerning use on apples and grapes, it concluded that, as completed by the new supervised and field trials, the residue data show that there are no risks as regards the acute and chronic intake by consumers.
- (6) In accordance with Article 5(1)(a) and (b) of Directive 91/414/EEC, it is therefore justified to modify the specific provisions for tetraconazole by removing the restrictions on its use as a fungicide.
- (7) It is therefore appropriate to amend Directive 91/414/EEC accordingly.
- (8) The measures provided for in this Directive are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

⁽¹⁾ OJ L 230, 19.8.1991, p. 1.

⁽²⁾ OJ L 196, 28.7.2009, p. 10.

⁽³⁾ OJ L 224, 21.8.2002, p. 23.

HAS ADOPTED THIS DIRECTIVE:

Article 1

In Annex I to Directive 91/414/EEC, in the column 'Specific provisions' of the row for 'Tetraconazole', Part A is replaced by the following:

'PART A

Only uses as fungicide may be authorised.'

Article 2

Member States shall adopt and publish by 31 March 2011 at the latest the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions and a correlation table between those provisions and this Directive.

They shall apply those provisions from 1 April 2011.

When Member States adopt those provisions, they shall contain a reference to this Directive or shall be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

Article 3

This Directive shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 29 November 2010.

For the Commission

The President

José Manuel BARROSO

DECISIONS

COUNCIL DECISION

of 22 November 2010

appointing a Spanish member of the European Economic and Social Committee

(2010/727/EU)

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 302 thereof,

Article 1

Having regard to the proposal made by the Spanish Government,

Mr Alberto NADAL BELDA, *Director Adjunto a la Secretaría General de la CEOE*, is hereby appointed as a member of the European Economic and Social Committee for the remainder of the term of office, i.e. until 20 September 2015.

Having regard to the opinion of the European Commission,

Article 2

Whereas:

This Decision shall take effect on the day of its adoption.

- (1) On 13 September 2010, the Council adopted Decision 2010/570/EU, Euratom appointing the members of the European Economic and Social Committee for the period from 21 September 2010 to 20 September 2015 ⁽¹⁾.

Done at Brussels, 22 November 2010.

- (2) A member's seat on the European Economic and Social Committee has become vacant following the end of the term of office of Mr Ángel PANERO FLÓREZ,

For the Council
The President
S. VANACKERE

⁽¹⁾ OJ L 251, 25.9.2010, p. 8.

COMMISSION DECISION

of 29 November 2010

establishing a questionnaire to be used for reporting on the implementation of Directive 2008/1/EC of the European Parliament and of the Council concerning integrated pollution prevention and control (IPPC)

*(notified under document C(2010) 8308)***(Text with EEA relevance)**

(2010/728/EU)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Directive 2008/1/EC of the European Parliament and of the Council of 15 January 2008 concerning integrated pollution prevention and control ⁽¹⁾, and in particular Article 17 thereof,

Whereas:

- (1) Article 17(3) of Directive 2008/1/EC requires that reports on the implementation of the Directive and its effectiveness compared with other EU environmental instruments be established in accordance with the procedure laid down in Article 6 of Council Directive 91/692/EEC ⁽²⁾.
- (2) Article 17(1) of Directive 2008/1/EC provides for the integration of the report on available representative data on limit values with the general implementation report.
- (3) Directive 91/692/EEC requires that the report be drawn up on the basis of either a questionnaire or outline drafted by the Commission with the assistance of the Committee set up in Article 6 of the Directive.
- (4) The first report covered the period 2000 to 2002 inclusive.
- (5) The second report covered the period 2003 to 2005 inclusive.
- (6) The third report covered the period 2006 to 2008 inclusive.

- (7) The fourth report will cover the period 2009 to 2011 inclusive.
- (8) In view of the experience gained in the implementation of Directive 2008/1/EC and in the use of previous questionnaires, the questionnaire for the period 2009 to 2011 needs to be adapted. For the sake of clarity Commission Decision 2006/194/EC ⁽³⁾ should be replaced.
- (9) The measures envisaged by this Decision are in accordance with the opinion expressed by the Committee in accordance with Article 6 of Directive 91/692/EEC,

HAS ADOPTED THIS DECISION:

Article 1

1. Member States shall use the questionnaire set out in the Annex for reporting on the implementation of Directive 2008/1/EC.

2. The reports to be submitted shall cover the period from 1 January 2009 to 31 December 2011.

Article 2

Decision 2006/194/EC is repealed.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 29 November 2010.

For the Commission

Janez POTOČNIK

Member of the Commission⁽¹⁾ OJ L 24, 29.1.2008, p. 8.⁽²⁾ OJ L 377, 31.12.1991, p. 48.⁽³⁾ OJ L 70, 9.3.2006, p. 65.

ANNEX

PART 1

QUESTIONNAIRE ON THE IMPLEMENTATION OF DIRECTIVE 2008/1/EC CONCERNING INTEGRATED POLLUTION PREVENTION AND CONTROL (IPPC)*General notes:*

This fourth questionnaire under Directive 2008/1/EC covers the period 2009 to 2011. In view of the experience gained in the implementation of the Directive and the information already obtained through the first three questionnaires, the present questionnaire focuses on the changes and progress made by Member States in the actual implementation of the Directive. As regards transposition aspects, the Commission will pursue all necessary actions to ensure full and proper transposition of the Directive into national laws, notably through diligent follow-up of infringement procedures.

This questionnaire does not change most of the aspects contained in Decision 2006/194/EC in order to ensure continuity and enable direct comparisons to be made to previous responses. In those cases where questions are similar to those of the previous questionnaires, reference can simply be made to previous answers where the situation is unchanged. If there have been new developments, these should be described in a new answer.

While answering the questionnaire on specific questions regarding general binding rules, or official guidelines issued by administrative bodies, please provide outline information on the type of rules or guidelines and web links or other means of accessing them, as appropriate.

The Commission intends to make use of the ReportNet platform (or its successor if this is the case) to make available to Member States an Electronic Reporting Tool based on this questionnaire. Accordingly, the Commission will strongly recommend its use for fulfilling this reporting requirement in order to reduce burdens and streamline the analysis of the responses.

1. General description

- 1.1. Have any significant changes been made since the last reporting period (2006 to 2008) to national or sub-national legislation and to the permitting system(s) that implement Directive 2008/1/EC? If so, describe these changes and the reasons for them, and provide references to the new legislation.
- 1.2. Have Member States experienced any difficulties in implementing the Directive 2008/1/EC due to limited availability or capacity of staff resources? If so, describe these difficulties as well as any plans to address them.

2. Numbers of installations and permits (Article 2(3) and 2(4) and Article 4)

- 2.1. Give details of the numbers of installations as defined by Directive 2008/1/EC and permits by activity type at the end of the reporting period, using the template and notes laid down in Part 2.
- 2.2. Identification of IPPC installations. If available, please provide a link to publicly accessible up-to-date information containing the names, location and main activity (Annex I) of the IPPC installations in your Member State. If such information is not publicly available, please submit a list of all individual installations operating at the end of the reporting period (names, location and main IPPC activity). If such a list were not available, please provide an explanation on why this is the case.

3. Permit applications (Article 6)

- 3.1. Describe any general binding rules, guidance documents or application forms produced to ensure that applications contain all the information required by Article 6, either generally or in relation to specific issues (e.g. methodology for the assessment of significant emissions from installations).

4. Coordination of the permitting procedure and conditions (Articles 7 and 8)

- 4.1. Describe any changes made since the last reporting period in the organisational structure of the permitting procedures, in particular concerning the levels of competent authorities and distribution of competencies.

- 4.2. Are there any particular difficulties in ensuring full coordination of the permitting procedure and conditions as required by Article 7, especially where more than one competent authority is involved? Describe any legislation or guidance documents produced on this issue.
- 4.3. What legal provisions, procedures or guidance are used to ensure that competent authorities refuse to grant a permit in cases where an installation does not comply with the requirements of Directive 2008/1/EC? If available, give information on the numbers and circumstances in which permits have been refused.
5. **Appropriateness and adequacy of permit conditions (Article 3(1)(d) and (f), Article 9 and Article 17(1) and (2))**
 - 5.1. Describe any general binding rules or specific guidelines for competent authorities that have been issued on the following issues:
 1. the procedures and criteria for setting emission limit values and other permit conditions;
 2. the general principles for the determination of best available techniques;
 3. the implementation of Article 9(4).
 - 5.2. Issues related to the BAT Reference Documents (BREFs) established pursuant to Article 17(2) of Directive 2008/1/EC:
 1. How, in general terms, is the information published by the Commission pursuant to Article 17(2) taken into account generally or in specific cases when determining best available techniques?
 2. How are the BREFs concretely used for setting permit conditions?
 3. Are the BREFs (or part of them) translated?
 4. How useful, as a source of information for determining emission limit values, equivalent parameters and technical measures based on the best available techniques, is the information published by the Commission pursuant to Article 17(2)? How could it be improved?
 - 5.3. Other issues relating to permit conditions:
 1. Have environmental management systems been taken into account in setting permit conditions? If so, how?
 2. What types of permit conditions or other measures have typically been applied for the purposes of Article 3(1)(f) (site restoration upon definitive cessation of activities) and how have they been implemented in practice?
 3. What types of permit conditions relating to energy efficiency have typically been determined (Article 3(1)(d))?
 4. Has the possibility set in Article 9(3) to choose not to impose requirements relating to energy efficiency been used and, if so, how has this been implemented?
6. **Available representative data (Article 17(1))**
 - 6.1. Provide available representative data on the limit values laid down for specific categories of activities listed in Annex I to Directive 2008/1/EC, and, if appropriate, on the best available techniques from which those values are derived, as well as on the associated environmental performance.

The Commission will suggest guidance for responding to this question targeting two particular sectors. The reported data will be assessed to compare, as far as possible, the limit values set, the performance achieved and, where available, the BAT-associated emission levels in BREFs.

7. General binding rules (Article 9(8))

- 7.1. For which categories of installations and which requirements, if any, have general binding rules been established, as provided for by Article 9(8)? Provide reference to the general binding rules. What form do such rules take (e.g. who establishes them and what legal status do they have)? When applying such rules, is provision still made for taking into account the local factors (mentioned in Article 9(4))?
- 7.2. If known, how many installations (either as an absolute number or a percentage) were subject to these rules by the end of the reporting period?

8. Environmental quality standards (Article 10)

- 8.1. Have cases arisen where Article 10 applies and the use of best available techniques is insufficient to satisfy an environmental quality standard (as defined in Article 2(7))? If so, give examples of such cases and the additional measures taken.

9. Changes to installations (Article 12 and Article 2(10))

- 9.1. How do competent authorities decide in practice, pursuant to Article 12, whether a 'change in operation' may have consequences for the environment (Article 2(10)), and whether such a change is a 'substantial change' that 'may have significant negative effects on human beings or the environment' (Article 2(11))? Give reference to relevant legal provisions, guidance or procedures.

10. Reconsideration and updating of permit conditions (Article 13)

- 10.1. Is the frequency of reconsideration and, where necessary, updating of permit conditions (Article 13) specified in national or sub-national law, or determined by other means, such as time limits in permits? If so, what are those other means? Give reference to relevant legislation, guidance or procedures.
- 10.2. What is the representative frequency for the reconsideration of permit conditions? In cases of differences between installations or sectors, provide illustrative information if available.
- 10.3. What does the process of reconsidering and updating permit conditions consist of? How is the provision to reconsider permit conditions in cases of substantial changes in the best available techniques implemented? Give reference to relevant legislation, guidance or procedures.

11. Compliance with permit conditions (Article 14)

- 11.1. How is the requirement of Article 14 that operators regularly inform authorities of the results of release monitoring implemented in practice? Give reference to any specific regulations, procedures or guidelines for competent authorities on this subject.
- 11.2. Is a periodic monitoring report submitted by all operators? Provide information on the representative frequency for the submission of such information. In cases of differences between sectors, provide illustrative information if available.
- 11.3. If not already submitted in the reporting under the Recommendation providing for minimum criteria for environmental inspections in the Member States, please provide the available information as regards installations falling under the scope of Directive 2008/1/EC, on the following issues:
1. the main elements which an environmental inspection performed by Competent Authorities may constitute of (description);
 2. the total number of site visits by competent authorities during the reporting period (number);
 3. the total number of installations where such site visits took place during the reporting period (number);

4. the total number of site visits during which emission measurements and/or sampling of waste by or on behalf of the competent authorities took place during the reporting period (number);

5. the types of actions (e.g. sanctions or other measures) taken as a result of accidents, incidents and non-compliance with permit conditions during the reporting period (description).

12. Information and participation of the public (Articles 15 and 16)

12.1. What, if any, significant changes have there been since the last reporting period to transposing legislation providing for information and participation of the public in the permit procedure, as required by Directive 2008/1/EC (Articles 15 and 16)? What has been the effect upon competent authorities, permit applicants and the public concerned of these requirements?

13. Transboundary cooperation (Article 18)

13.1. Have there been instances in the reporting period of the use of Article 18 requirements in respect of transboundary information and cooperation? Provide examples illustrative of the general procedures used.

14. Effectiveness of the Directive

14.1. How do Member States generally view the effectiveness of Directive 2008/1/EC, inter alia, in comparison with other EU environmental instruments? Based on relevant studies and analysis, if available, what have been the estimated environmental benefits and costs (including administrative and compliance costs) of implementing the Directive 2008/1/EC? Give references to these studies and analyses.

15. General observations

15.1. Are there any particular implementation issues that give rise to concerns in your Member State? If so, please specify.

PART 2

TEMPLATE FOR RESPONSE TO QUESTION 2.1

INSTALLATION TYPE		A. INSTALLATIONS		B. SUBSTANTIAL CHANGES	C. PERMIT RECONSIDERATION AND UPDATE	
Code	Main activity operated in the installation as set out in Annex I to Directive 2008/1/EC	1. Number of installations	2. Number of installations covered by a permit which is in full compliance with the IPPC Directive	3. Number of substantial changes undertaken during the reporting period without a permit according to Article 12(2)	4. Number of installations for which the IPPC permit has been reconsidered during the reporting period in accordance with Article 13	5. Number of installations for which the IPPC permit has been updated during the reporting period in accordance with Article 13
1.	Energy					
1.1.	Combustion					
1.2.	Mineral oil and gas refining					
1.3.	Coke ovens					
1.4.	Coal gasification and liquefaction					
2.	Metals					
2.1.	Metal ore roasting/sintering					
2.2.	Producing pig iron or steel					
2.3(a)	Hot-rolling mills					
2.3(b)	Smitheries					
2.3(c)	Applying fused metal coats					
2.4.	Foundries					
2.5(a)	Producing non-ferrous crude metals					

Code	Main activity operated in the installation as set out in Annex I to Directive 2008/1/EC	1. Number of installations	2. Number of installations covered by a permit which is in full compliance with the IPPC Directive	3. Number of substantial changes undertaken during the reporting period without a permit according to Article 12(2)	4. Number of installations for which the IPPC permit has been reconsidered during the reporting period in accordance with Article 13	5. Number of installations for which the IPPC permit has been updated during the reporting period in accordance with Article 13
2.5(b)	Smelting non-ferrous metals					
2.6.	Surface treatment of metals and plastic					
3.	Minerals					
3.1.	Producing cement or lime					
3.2.	Producing asbestos					
3.3.	Manufacture of glass					
3.4.	Melting minerals					
3.5.	Manufacture of ceramics					
4.	Chemicals					
4.1.	Producing organic chemicals					
4.2.	Producing inorganic chemicals					
4.3.	Producing fertilisers					
4.4.	Producing plant health products/biocides					
4.5.	Producing pharmaceuticals					
4.6.	Producing explosives					
5.	Waste					
5.1.	Disposal or recovery of hazardous waste					
5.2.	Incineration of municipal waste					
5.3.	Disposal of non-hazardous waste					
5.4.	Landfills					
6.	Other					
6.1(a)	Producing pulp					
6.1(b)	Producing paper and board					
6.2.	Pretreatment or dyeing of fibres or textiles					

Code	Main activity operated in the installation as set out in Annex I to Directive 2008/1/EC	1. Number of installations	2. Number of installations covered by a permit which is in full compliance with the IPPC Directive	3. Number of substantial changes undertaken during the reporting period without a permit according to Article 12(2)	4. Number of installations for which the IPPC permit has been reconsidered during the reporting period in accordance with Article 13	5. Number of installations for which the IPPC permit has been updated during the reporting period in accordance with Article 13
6.3.	Tanning hides and skins					
6.4(a)	Slaughterhouses					
6.4(b)	Treatment and processing of food products					
6.4(c)	Treatment and processing of milk					
6.5.	Disposal or recycling of animal carcasses					
6.6(a)	Intensive rearing of poultry					
6.6(b)	Intensive rearing of production pigs					
6.6(c)	Intensive rearing of sows					
6.7.	Surface treatment using organic solvents					
6.8.	Producing carbon or electro-graphite					
6.9.	Capture of CO ₂ streams (Directive 2009/31/EC of the European Parliament and of the Council)					
Totals						

Explanatory notes to the template:

Except where indicated otherwise, the figures should reflect the situation as it is at the end of the reporting period (31 December 2011).

The collection of data in this template will be based in the 'number of installations' and the 'number of substantial changes' using the operational definitions of 'installation' in Article 2(3) and 'substantial change' in Article 2(11) of the Directive 2008/1/EC.

The 'installation type' refers to the main activity operated in the installation. Installations should only be reported under one single activity, also where several IPPC activities are being operated within the installation.

Further guidance and explanation in relation to the data sought in the Table are given in notes below. Member States are requested to complete the Table as far as possible.

A. NUMBER OF INSTALLATIONS

1. Number of IPPC installations: total number of installations (both existing and new) operating in the Member States at the end of the reporting period regardless of the status of their permitting.

2. Number of installations covered by a permit which is in full compliance with the Directive: total number of IPPC installations covered by one or more permits granted in accordance with the IPPC Directive (including pre-IPPC permits which have been reconsidered/updated) regardless of when the permit(s) had been issued or whether the permit has been reconsidered, updated, or amended/renewed due to any reason.

For counting the number of installations to be reported Member States shall consider the status of the permit(s) covering each installation at the end of the reporting period. Please note that the numbers refer to installations, not permits (acknowledging that one installation may be covered by several permits and vice versa).

Consistency rule: 1 minus 2 shall be equal to the number of installations which are not covered by a fully compliant IPPC permit for any reason (procedure not concluded, not full coverage of all activities, etc.). Where this figure is different from zero, this indicates a potential breach of the IPPC provisions.

B. SUBSTANTIAL CHANGES

3. Number of substantial changes undertaken during the reporting period without a permit according to Article 12(2): number of substantial changes known to the competent authorities which were effectively implemented by the operators without a permit as required pursuant to Article 12(2).

Where this figure is different from zero, this indicates a potential breach of the IPPC provisions.

C. PERMIT RECONSIDERATION AND UPDATE

4. Number of IPPC installations for which the IPPC permit has been reconsidered during the reporting period in accordance with Article 13: total number of installations covered by one or more permits which have been reconsidered in accordance with Article 13.
 5. Number of IPPC installations for which the IPPC permit has been updated during the reporting period in accordance with Article 13: total number of installations covered by one or more permits which have been updated in accordance with Article 13.
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