Guidance on determining BAT, BAT-associated environmental performance levels and BAT-based permit conditions

1. **Recommended prerequisites for determining BAT**
   - Define BAT in the national legislation.
   - Select the industrial sectors and activities to which BAT-based permitting will apply.
   - Set up a multi-stakeholder Technical Working Group (TWG) for each sector selected.
   - Agree on the environmental scope (pollutants and other environmental parameters) for the BAT Reference Document (BREF).

2. **Process to establish BAT**
   - Collect and exchange information inter alia, through a survey drafted by the BAT Bureau (a technically competent and independent body).
   - Identify well-performing plants for emission and consumption data collection, along with other necessary contextual information.
   - Validate the collected data by competent authorities.
   - Elaborate draft BREFs by TWG in collaboration with the BAT Bureau.

3. **Criteria to determine BAT**
   - The TWG should determine BAT based on a set of universal criteria, encompassing technical, environmental and economic aspects including followings:
     - Cross-media and cross-pollutant effects should be considered
     - Minimum environmental quality standards when setting BAT-AELs.
   - When evaluating candidate techniques, the TWGs should use a standardised methodology for the assessment of economic aspects of techniques, including affordability.

4. **Deriving BAT-AELs and BAT-AEPLs**
   - The TWG should determine emission levels (BAT-AELs) and other environmental performance levels associated with BAT (BAT-AEPLs) documented and described in BREFs.
   - The TWG should derive both concentrations and load based BAT-AELs and other BAT-AEPLs.
   - When evaluating candidate techniques, the TWGs should use a standardised methodology for the assessment of economic aspects of techniques, including affordability.

5. **Deriving BAT-Based Permit Conditions**
   - National, regional and/or local permitting authorities should use the BAT and BAT-AE(P)Ls as a basis to determine emission limit values (ELVs) and other conditions in environmental permits for industrial installations.
   - ELVs should not exceed the upper value of the range of BAT-AELs defined in the applicable BREF or BAT Conclusions (i.e. ELV upper value BAT-AEL range).