GUIDANCE ON DETERMINING BAT, BAT-ASSOCIATED ENVIRONMENTAL PERFORMANCE LEVELS AND BAT-BASED PERMIT CONDITIONS

01

Recommended prerequesites for determining BAT

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

02

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.

REPEAT THOSE STEPS AS MANY TIMES AS NEEDED

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.

03

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.
- The TWG evaluate whether BAT-AELs and/or BAT-AEPLs are suitable and whether the available data is adequate to derive them.
- The derived BAT and BAT-AE(P)Ls should be updated according to the most recent technological developments and environmental performance data from reference installations.

04

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).