



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 30 June 2014  
(OR. en)**

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**Interinstitutional File:  
2013/0442 (COD)**

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**11278/14  
ADD 1**

**LIMITE**

**ENV 646  
ENER 338  
IND 195  
TRANS 341  
ENT 148  
SAN 256  
PARLNAT 188  
CODEC 1525**

**NOTE**

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From:	General Secretariat of the Council
To:	Delegations
No. prev. doc.:	11092/14 ENV 632 ENER 325 IND 189 TRANS 330 ENT 144 SAN 241 PARLNAT 185 CODEC 1501
No. Cion doc.:	18170/13 ENV 1236 ENER 601 IND 389 TRANS 694 ENT 357 SAN 557 PARLNAT 326 CODEC 3089 - COM(2013) 919 final
Subject:	Proposal for a Directive of the European Parliament and of the Council on the limitation of emissions of certain pollutants into the air from medium combustion plants - Comments from delegations

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Delegations will find in the Annex comments received from the United Kingdom on the above-mentioned proposal.

UNITED KINGDOM

The UK maintains a general scrutiny reserve.

The UK is grateful for all the work the Greek Presidency has made on this file and we welcome the general direction of the amendments on the latest version. Our comments here reflect comments made in the Working Group on 19 June.

- **IED Chapter II Plants** - The UK is keen to avoid duplication of reporting, monitoring for plants covered by existing rules. To this end, there should be clear language that specifies that plants covered by Chapter II of the IED should not have to report under this Directive. This could be achieved through derogations in the specific Articles for Reporting (e.g.) or a horizontal exemption. To be clear, we accept that these plants should meet the ELVs in the MCP.

**Off-shore installations** – Under the IED (Articles 28 and 42), Off-shore installations are exempted from the requirements. There is, however, no equivalent exemption under the MCP. We would be keen for this to be introduced.

**Crematoria** – The Commission confirmed that it was not the intention for MCP plants used at Crematoria to be included in the scope. We would welcome written confirmation of this as it's important for our stakeholders to have this clarity.

- **Non-road mobile machinery Directive** - We still believe there are overlaps between the MCP and the non-road mobile machinery Directive. We are in the process of generating this information.
- The UK continues to support any approach that ensures a proportionate outcome (be that around reporting, monitoring or emission levels) for small MCP. To this end, the latest Pcy text on Article 5(3) is a step in the right direction.
- The UK has a strong scrutiny reservation on Article 5(4) as we consider it is for MS to assess what is and is not appropriate. We think this measure would also cut across obligations and duties under the Air Quality Directive.
- Article 6(3) – We have concerns over the use of the word ‘presented’ and think it needed to be qualified so it was clear that not all information had to be presented. (We want it to be clear that it is about how information was to be kept and not an obligation to transmit it) .One option could be to make it clear that this must be seen in collaboration in Article 8(2).