

# Response to Stakeholder Consultation on the revision of Directive 97/68/EC on emissions from non-road mobile machinery engines

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A EURELECTRIC paper



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# Response to Stakeholder Consultation on the revision of Directive 97/68/EC on emissions from non-road mobile machinery engines

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## **Working Group Environmental Protection**

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## **Consistency with EU environmental legislation**

We would like to highlight a serious concern over the proposal to extend the scope of the Directive to include emissions from stationary engines, which is set out in Section 5.1.3 of the consultation document.

Our concern is that emissions from stationary engines of input thermal capacity greater than 50 MWth are already regulated under Directive 2010/75/EU on industrial emissions (“the IED”). This also includes groups of individual engines that are smaller than 50 MWth that are connected to a common exhaust stack and have aggregate capacity greater than 50 MWth. Further details of the scope of the IED are given below\*.

The IED does not currently specify emission limit values for diesel engines. However, Article 30(9)(a) requires the European Commission (DG Environment) to review the need to establish Union-wide emission limit values for diesel engines and report by 31<sup>st</sup> December 2013. It is understood that this review is in progress.

In addition, Article 73(2) requires the European Commission to carry out a review to determine whether there is a need to control emissions from the combustion of fuels in installations with a total rated thermal input below 50 MW and report by 31<sup>st</sup> December 2012. It is understood that this review is in progress. This review will include stationary engines below this threshold.

Given the above, the proposal to extend the scope of the NRM Directive to include stationary engines will duplicate existing European legislation, in the form of the IED. It will also cut across existing European Commission reviews under the IED that are already in progress which will inform future decisions on the regulation of stationary engines.

We therefore request that the NRM Directive is not extended to stationary engines, to avoid duplication of environmental regulation.

We recommend that DG Enterprise and Industry engages with DG Environment to confirm the latest developments in the IED reviews.

We would also highlight that individual member states already regulate the emissions from stationary engines that are below the capacity threshold for the IED, through national environmental legislation. The proposal in the NRM Directive would also duplicate this existing regulation.

### **\*Details of regulation of Stationary Engines under the IED**

Stationary engines are combustion plants within the definition in the IED Article 3(25) as follows:-

...‘combustion plant’ means any technical apparatus in which fuels are oxidised in order to use the heat thus generated...

The IED set out requirements for the environmental regulation of qualifying installations, defined in Article 3(3) as:

...environmental ‘installation’ means a stationary technical unit within which one or more activities listed in Annex I or in Part 1 of Annex VII are carried out, and any other directly associated activities on the same site which have a technical connection with the activities listed in those Annexes and which could have an effect on emissions and pollution...

**Proposed changes:**

The proposal would tighten product standards for mobile engines and extend the scope to stationary (compression ignited) engines (= diesel engines) with a rated thermal capacity of less than 5 MWth.

Although we would favour, as a priority, consistency with the EU environmental framework (see above), we would like to stress that, in any case:

- the extension, if pursued, should only affect new engines placed on the market and not affect existing engines in operation;
- there should be an exemption for (diesel) engines exclusively used for emergency use in the power sector (analogously to the IED provisions for gas engines).

EURELECTRIC has already commented in the past on the use of engines for emergency purposes in the power sector, for nuclear power plants:

- Emergency installations: their only function is to guarantee the power supply for cooling of the reactor core in case of loss of external electricity supply. Normally, they are stand-by equipment with a total capacity that could exceed 20 MWth, but in general they work one at a time and for only short periods.
- Auxiliary boilers: they only operate at full capacity for two-three weeks a year during plant maintenance outage or start-up, whereas for the rest of the time they are either in stand-by or in shutdown situation.



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